

Memorandum



Date: July 28, 2016

To: Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: BCC #Z2016000071
ELK Capital, LLC
18801 West Dixie Highway
DBC from Mixed Use Main (MM) to Mixed Use Corridor (MC)
(1.19 Acres)
03-52-42

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name in the "From:" field.

The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. Public water is provided by the City of North Miami Beach Water and Sewer Department.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department (MDWASD) and the Environmental Wastewater Permitting Section of DERM prior to approval of final development orders.

Applicant is advised that receiving sanitary pump station 30-0394 is currently under Absolute Moratorium; however, improvements to this pump station have been approved by DERM and MDWASD. Applicant is advised that DERM can issue conditional sewer capacity certification for this project subject to the certification of completion of the pump station in accordance with the new USEPA/FDEP Consent Decree (Case: N0. 1:12-cv-24400-FAM, effective December 6, 2013). DERM cannot issue Certificates of Occupancy/Certificates of Completion for any associated building permits until pump station 30-0394 has been certified complete and operating in compliance.

Tree Preservation

No landscape survey was submitted with the application. An aerial review of the property indicates the presence of tree resources. Therefore a recommendation of approval is conditioned that no trees are impacted, specifically that specimen trees (trees with a diameter at breast height of 18 inches or greater) are preserved.

Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Projects and permits shall meet the

requirements of Sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standard and CON 8A of the Comprehensive Development Master Plan (CDMP).

Finally, in accordance with Section 24-49.9 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

Please contact Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources