

Memorandum



Date: June 20, 2025

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Lisa M. Spadafina, RER Assistant Director
Division of Environmental Resources Management 

Subject: Z2025000111-1st Review
8445 Galloway, LLC
8445 SW 94th Street
Special exception for a general development plan pursuant to
section 33C-3.1(B)(3) of the Code for a mixed-use development
(EU-M) (0.91 acres)
03-55-40

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service, wastewater disposal and wellfield protection. **Based on the information provided, this zoning application is not approved and therefore must be denied pursuant to section 24-43.1 and section 24-43(5) of the Code.**

Wellfield Protection

The subject property is located within the Average Wellfield Protection Area for the Alexander Orr Wellfield. Therefore, development on the subject property shall be in accordance with regulations established in section 24-43 of the Code.

Since the subject request would permit non-residential land uses, the owner of the property shall submit a properly executed covenant in accordance with section 24-43(5) of the Code which provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property. **The covenant must be submitted to and approved by DERM prior to DERM issuing written approval of this application.** Please contact Glennys.Fernandez-Martinez@miamidade.gov or Faith.Kenyon@miamidade.gov for information regarding this covenant.

Potable Water Supply and Wastewater Disposal

Pursuant to the Code and based on the letter of intent, the future development is within feasible distance to connect to public water and public sanitary sewers. Therefore, the future development shall connect to public water and sanitary sewers in accordance with the Code. Please note that this development will need to obtain a sanitary sewer extension permit prior to DERM approval of future development orders. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

Civil drawings for the required sewer main extension will need to be approved by MDWASD and the RER-Environmental Plan Review Section prior to approval of final development orders.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

The above-noted covenant must be submitted to and approved by DERM prior to DERM issuing written approval of the zoning application. Please contact Glennys.Fernandez-Martinez@miamidade.gov or Faith.Kenyon@miamidade.gov for information regarding this covenant.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Please be advised, DERM review and approval is required for any proposed public or private sanitary sewer system. Each parcel within the proposed development that is required to be served by public sanitary sewers shall connect directly to the public sanitary sewer system, without traversing other parcels. Private sanitary sewer collection and transmission systems are limited to one building per parcel connecting directly to a public sanitary sewer system and cannot traverse other parcels to connect to the public sanitary sewer system. If multiple buildings are proposed within a parcel, each building shall connect individually to a public sanitary sewer system without traversing other parcels.

Water Control Review

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 6-hour storm event per section 24-42.8(4)(c)(i)(3) of the Code.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

The proposed development is located within the average travel time contour of the Alexander Orr Wellfield Protection Area. Pursuant to section 24-43(5)(c)(iv) of the Code baffles must be installed at the exfiltration trenches and no weep hole is allowed inside the drainage structures.

The applicant is advised to contact the DERM Water Control Section (305-372-6681) for further information regarding permitting procedures and requirements.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources. A landscape plan entitled "Galloway", prepared by Sefora Chavarria, R.L.A., and dated as received by Miami-Dade County on June 09, 2025, was submitted in support of the subject application and indicates the removal/relocation of non-specimen (a tree with a trunk diameter at breast height less than 18 inches) tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

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. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

In accordance with section 24-49.9 of the Code, 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. Please contact Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDM for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

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

cc: Eric Silva, Department of Regulatory and Economic Resources