MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
JANUARY 10, 2023, 7:00 P.M.

CALL TO ORDER

Chair Elio Guerrero called the Planning and Zoning Board meeting to order at 7:00 p.m. on January 10, 2023.

An opportunity was given to the public to email the Planning and Zoning Clerk prior to the Board meeting with any questions, comments, or concerns on items to be heard on the Agenda.

ROLL CALL

The following members of the Planning and Zoning Board were present: Chair Elio Guerrero, Board Member Audrey Dominguez, Board Member Dawn Mangham, and Board Member Claudienne Hibbert Smith.

Absent Board Members: Board Member Germane Barnes, Board Member Dorothy Johnson, and Board Member Aldo Mata.

Also in attendance were Planning and Zoning Director Gregory Gay, Zoning Official Gerald Lee, Planning and Zoning Board Clerk Kinshannta Hall, and Attorney Pam Booker.

INVOCATION AND PLEDGE

All present stood for the Invocation and Pledge of Allegiance.

APPROVAL OF MINUTES: Discussion of Minutes from June 7, 2022 and October 11, 2022 Meetings

Motion made by Board Member Dominguez, seconded by Board Member Mangham, to approve the Planning and Zoning Board minutes from 6/7/22. In a roll call vote, the **motion** passed unanimously (4-0).

Motion made by Board Member Dominguez, seconded by Board Member Mangham, for the minutes from 10/11/22. In a roll call vote, the **motion** passed unanimously (4-0).

PUBLIC HEARING

A. A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING THE SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A SIX-STORY MULTI-FAMILY APARTMENT BUILDING ON THE PROPERTY LOCATED AT THE CORNER OF SESAME STREET AND ALI BABA AVENUE AND IDENTIFIED BY FOLIO #08-2121-004-1861, IN THE R-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Harry Joseph, representing the Applicant, recalled that when this Application was first presented to the Board on October 8, 2022, the Site Plan did not include full landscape plans, façade information, or a traffic study. The Applicant's architect has provided a synopsis of the design of the proposed six-story building, and is in the process of updating the Site Plan so it reflects jurisdictional design requirements. With respect to the project's landscaping, the Applicant has submitted a more detailed plan.

Board Member Dominguez asked if the changes to the landscape plan are included in the members' backup materials. Zoning Official Gary Lee confirmed that these plans are included.

Mr. Joseph stated that he had not been aware of all requirements regarding Moorish architecture when the Site Plan was previously submitted, and an additional update has been initiated by the Applicant.

Planning and Zoning Director Gregory Gay advised that Staff has received the Applicant's statement and hopes to ensure that the project's architecture is more reflective of the designs found in Opa-locka rather than in other countries.

Zoning Official Lee noted that the proposed development is planned for Sesame Street between Ali Baba Avenue and Fisherman Street. The subject property is currently vacant and is just under 30,000 sq. ft. in size. It is within the Historic Downtown Opa-locka district, which allows for the proposed multi-family use with first-floor retail components.

The project adheres to the requirements of the Historic Downtown Opa-locka zoning district, which allows for the density proposed by the Applicant. It is also in compliance with the updated landscaping requirements and on-site parking requirements. The Applicant plans to provide 50 parking spaces and 1650 sq. ft. of retail space on the building's first floor. There will be approximately 48 apartment units in the project.

Zoning Official Lee reviewed the uses surrounding the proposed project, many of which are either commercial or residential multi-family in nature. There are no single-family properties in proximity to the project, which is consistent with its surroundings. Staff recommends approval of the project with any additional input the Board may provide.

Zoning Official Lee advised that Staff received development review comments from the South Florida Regional Transportation Authority (SFRTA) and Treasure Coast Regional Planning Council based on the proximity of the nearby Tri-Rail station to the proposed project. He reviewed the comments at this time:

- The development review comments are intended for both the Florida Department of Transportation (FDOT) and the City of Opa-locka
- It is requested that the following development review conditions which support transit access be placed on the approval of the process: pedestrian/bike facilities for the station, including amenities such as lighting
- The zoning change is supportive of SFRTA's Transit-Oriented Development (TOD) policy
- Conditions to provide a sidewalk bike path or shared use path are requested along the Sesame Street frontage of the property; a sidewalk greater than 4 ft. in width, and preferably 8 ft. in width, is requested as the minimum
- The Applicant is asked to consider associated amenities, such as landscape improvements appropriate for the development and neighborhood
- The Applicant is also asked to consider adding a mid-block crossing of Ali Baba Avenue at Sesame Street or Sharazad Boulevard, with appropriate signage, lighting, and/or signalization to facilitate safe access to the Tri-Rail station; a mid-block crossing in this area would also provide traffic calming around Ali Baba Avenue and further enhance safe access.

Zoning Official Lee advised that the dimensions of the existing sidewalk are not the same as those requested by SFRTA/Treasure Coast Regional Planning Council. These upgrades would most likely require the City to partner with the Applicant to provide a wider sidewalk. He confirmed that this can be studied further by the City.

Director Gay stated that most new projects that come to the City are required to pay impact fees, some of which address the recommendations made in the development review comments. The City will look into opportunities and costs associated with making the requested improvements. Not all of the proposed improvements are specific to the subject project, which means they would need to be studied from a broader perspective within the Historic Downtown area. As other projects come online over the next few years, they would also contribute to the costs of the proposed improvements. Staff will conduct analyses to ensure each project contributes its fair share.

Zoning Official Lee added that the proposed Site Plan includes a sidewalk on both Sesame Street and Fisherman Street. There is already an existing sidewalk on Ali Baba Avenue.

Chair Guerrero commented that the changes to the project's Moorish architecture style would affect its Site Plan. Director Gay replied that the Site Plan's building envelope, height, and setbacks will not change; however, the façade of the building will be discussed further and amended by Staff and the Applicant before it goes to the City Commission for approval. The Applicant is expected to follow the architectural guidelines and standards provided by Staff. Staff recommends approval of the Site Plan with these changes yet to be implemented.

Chair Guerrero asked if the comments provided by SFRTA and the Treasure Coast Regional Planning Council are also endorsed by Staff. Director Gay replied that while approval is not contingent upon these comments, Staff will ensure that the best improvements to accommodate walkability for residents using the Tri-Rail station will be provided. He confirmed that a sidewalk will be created, possibly with the City acting as partner to provide a larger facility funded through impact fee provisions.

Board Member Dominguez asked if the project's height was discussed when it previously came before the Board for approval. She pointed out that the Property Appraiser's Office lists the proposed building as a three-story multi-family structure. Director Gay explained that the Applicant has modified the building's height so it is consistent with zoning in the surrounding area. It is a mixed-use project rather than a fully residential project.

Director Gay continued that the City must also consider the project's proximity to the airport. The project will be reviewed further by FDOT as well as the Federal Aviation Administration (FAA) due to its height. It is anticipated that a six-story structure would be allowed in the subject area due to the similar height of another proposed project, which is already located on the airport property, as well as a nearby six-story residential project for senior citizens.

Zoning Official Lee added that with regard to information provided by Miami-Dade County, the County is supposed to follow the City's adopted zoning code; however, at present they have not made all anticipated Code updates. Although the Property Appraiser's Office lists the project as three stories, the City has already adopted a different zoning, to which the County's zoning has not yet caught up.

Board Member Dominguez asked why the Applicant has not yet updated its architecture sufficiently to be consistent with the City's architectural guidelines, pointing out that it was originally presented at a previous meeting. Attorney Pam Booker stated that it has already been noted that Staff will continued to work with the Applicant to finalize the project's design. If the Board wishes, it may place a condition on their motion that the design be consistent with the City's guidelines, and that Staff will approve this design before it goes to the City Commission for approval.

Motion made by Board Member Dominguez, seconded by Board Member Mangham, to approve with the stipulation that the Applicant work within the guidelines of the City on the Moorish architecture. In a roll call vote, the **motion** passed unanimously (4-0).

B. A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING THE DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION OF A SIX-STORY MULTI-FAMILY APARTMENT BUILDING ON THE PROPERTY LOCATED AT THE CORNER OF SESAME STREET AND ALI BABA AVENUE AND IDENTIFIED BY FOLIO #08-2121-004-1861, IN THE R-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Director Gay advised that Staff recommends approval of the development agreement.

Mr. Joseph, representing the Applicant, stated that the intent of the proposed development is to build up the City.

Board Member Dominguez requested clarification of the number of units in the proposed project. Mr. Joseph confirmed that there would be 48 units and 50 parking spaces. He noted that when the project's plans were presented to the City, Staff has indicated that this number of parking spaces would be sufficient.

Board Member Dominguez asked to know how many Americans with Disabilities Act (ADA) compliant parking spaces will be provided. Mr. Joseph estimated that there would be two ADA-compliant spaces.

Zoning Official Lee stated that the City has identified the aspects of the development agreement that are expected to be the most important. The agreement provides timelines for development, including submittal of permits, beginning of construction, and completion of construction. The agreement is consistent with what is shown in the Site Plan, including height, setbacks, and identification of location and zoning. The Applicant is required to hold job fairs prior to the beginning of construction, as well as training for City residents related to the retail or manufacturing aspect of the project.

The development agreement also requires that the Applicant maintain the property over the 30-year lifespan of the agreement. The Applicant has agreed to all the specifications cited above.

Zoning Official Lee further clarified that the design conditions to which Director Lee had referred are not required to be in the development agreement, as Staff will follow through and make sure these conditions are met.

Board Member Dominguez requested clarification of the ADA parking requirement for a project of this size and type. Zoning Official Lee replied that the standard for ADA-compliant parking is one space per 25 spaces. In this case, two ADA-compliant spaces are considered sufficient.

Motion made by Board Member Dominguez, seconded by Board Member Mangham, to approve. In a roll call vote, the **motion** passed unanimously (4-0).

C. A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING THE SITE PLAN APPROVAL FOR THE CONSTRUCTION OF AN EIGHT-STORY MULTI-FAMILY APARTMENT BUILDING ON THE PROPERTY LOCATED AT 2090 ALI BABA AVENUE AND IDENTIFIED BY FOLIO #08-2122-003-2100, IN THE CORRIDOR MIXED USE DISTRICT (MXUOD) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Griselle Fullana and Miguel Omar Porras, representing the Applicant, advised that the proposed project is an eight-story residential building with 48 units. The building will include retail space and activates Ali Baba Avenue. Its architecture is derived from the design guidelines for Opa-locka.

The building will have a fully automated parking system which is ADA-accessible. It includes landscaping, some of which will be featured on residents' balconies. The building will have a gym and other amenities, including shared work space. The site will also include space for public art. The Applicant hopes to include Moorish tile architecture, as recommended by City Staff.

Ms. Fullana showed renderings of the building's Site Plan, pointing out that side setbacks are greater than what is required. The project will include 20% open space, which will include a buffer area. The building will occupy 92,400 sq. ft. of space. Units will range in size and style from studios to two- and three-bedroom units.

Board Member Dominguez expressed concern with the building's eight-story height, asking if this has already been reviewed. She also asked if the building will provide affordable or market-rate housing. Mr. Porras replied that the Applicant is considering providing workforce housing condominiums. Ms. Fullana added that workforce housing requires a percentage of the building's units to be provided at a certain level below market rate units in the area, which is classified as affordable without being low-income housing. The Applicant would need to sign a covenant guaranteeing that workforce unit prices will remain below market value for 20 to 30 years.

Board Member Dominguez asked if the units will be sold or rented. Mr. Porras stated that at present, the Applicant intends for the units to be sold individually. He added that the Applicant's team has met with Staff to review the building's height, and it has been determined that it falls within Code requirements for its zoning area.

Director Gay explained that the maximum height permitted within the City's zoning Code for certain corridors is eight stories. The Magnolia North area, which is furthest from the airport and the east side of the City, provides a greater opportunity for height.

Zoning Official Lee stated that in the Magnolia North area, the south side of the street lies within a mixed-use corridor overlay, which allows for even greater height and density. The north side of this street offers only reduced height, as those properties are of lower density, including duplexes and single-family homes; the south side, however, permits up to eight stories in height.

The proposed project is a mixed-use development within a commercial zoning district, with a zoning overlay that allows for mixed use. Without the overlay, it could only be a commercial property. It is adjacent to a passive park. The developer, EcoTech, plans to develop units of varying sizes due to the project's mixed-use opportunities.

Zoning Official Lee emphasized that most of the properties surrounding the subject development are commercial, with the exception of a portion of residential duplex zoning. The area is covered by either the Magnolia North overlay, which has lower density and mixed use, or the south side corridor, which has higher density and mixed use. The Site Plan complies with Code requirements.

The Applicant has included a traffic impact statement which shows the development will not lead to congestion of the Magnolia North area. They have also provided the required landscaping plan, which includes implementation of landscaping within the building and its balconies. The project provides open space on every floor for office use, as well as "pocket" libraries.

Based on the information presented, Staff recommends approval of the project, as it complies with the City's land development regulations.

Chair Guerrero again asked if the units will be available for rental or for sale. Director Gay replied that this will be left to the developer's discretion: the City may not regulate or demand this aspect of the project. He pointed out, however, that even if the units are for sale rather than rental, the project will be affordable, as the developer has taken advantage of incentives offered in exchange for affordability. The term "workforce housing" means the project must meet a certain level of affordability.

Board Member Dominguez asked who would be responsible for the maintenance of the building. Director Gay replied that if the units are sold, the project will include condominium documents, which specify the party responsible for maintenance as well as the owners' monthly payments.

Board Clerk Kinshannta Hall stated that she had received no emails or telephone calls in relation to any of the Items on tonight's Agenda.

Motion made by Board Member Dominguez, seconded by Board Member Mangham, to approve the Site Plan. In a roll call vote, the **motion** passed unanimously.

D. A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING THE DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION OF AN EIGHT-STORY MULTI-FAMILY APARTMENT BUILDING ON THE PROPERTY LOCATED AT 2090 ALI BABA AVENUE AND IDENTIFIED BY FOLIO #08-2122-003-2100, IN THE CORRIDOR MIXED USE DISTRICT (MXUOD) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Board Member Dominguez to approve.

Director Gay advised that the development agreement is a standard document providing a timeline for the project, as well as the expectation of employment opportunities for residents within the City of Opa-locka. The Board may recommend additions or amendments to the agreement at this time if they wish. Staff recommends approval of the development agreement.

Board Member Mangham **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (4-0).

E. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATION, ORDINANCE 15-31, TO PERMIT TANDEM OR MECHANICAL PARKING FOR MULTIFAMILY DEVELOPMENT IN THE R-2 THROUGH R-4 ZONING DISTRICT; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Zoning Official Lee explained that this Item proposes an amendment to the City's zoning Code and land development regulations, specifically Ordinance 15-31. It applies to parking. The City acknowledges that there is a need to provide parking, but allows for the use of a system that reduces the physical space needed to accommodate the required parking. Staff suggests that this need can be met through tandem parking, which is a system with one car in front and one in back of the same unit.

Zoning Official Lee continued that tandem single-family parking is for single-family, duplex, and townhouse units. It would be permitted on individual lots, such as a single-family home or a townhouse. Tandem parking would be allowed when enclosed within a structure or when each space is accessible from the street or an alley. Except for ingress and egress, no portion of an open parking facility may be located within 5 ft. of the property line.

For tandem parking in multi-family or mixed-use development, a maximum of two vehicles may be placed behind one another. Each space would be assigned to a single dwelling unit. The required parking dimensions would be 40 ft. long by 10 ft. wide. The maximum number of tandem parking spaces would be no more than 50% of the total number of spaces provided for the development. Tandem parking may not be used to satisfy guest parking requirements, but for required spaces only.

Zoning Official Lee advised that the proposed amendment also addresses mechanical parking with the following requirements:

- A detailed parking layout plan and report must be provided to the City
- Applicant must provide design specifications prepared by an engineer
- The fee for any necessary peer review by professionals in the field of mechanical parking must be paid by the developer
- A performance guarantee for the repair and maintenance of the mechanical lift is required before a Certificate of Occupancy (CO) may be issued
- The developer or owner must demonstrate that they will always have the money to repair the system as necessary

Staff recommends approval of the proposed amendment.

Director Gay advised that in recent years, applicants have not always been able to meet their parking requirements in a typical fashion. The addition of a garage would be too expensive for the proposed project, as the average cost per space for a garage is between $25,000 and $30,000. This meant a large development could cost millions of dollars for garage space alone. Other municipalities have allowed tandem parking configurations, particularly for multi-family units where owners or renters have more than one car per unit.

Director Gay concluded that this Code amendment would allow developers and property owners additional alternatives for parking configurations and requirements.

Chair Guerrero asked for greater clarification of how tandem or mechanical parking would count toward a parking requirement. Director Gay replied that each lift would count as a parking space. Chair Guerrero commented that this would mean ensuring the lift could never be removed by a subsequent owner.

Motion made by Board Member Dominguez, seconded by Board Member Mangham, to approve. In a roll call vote, the **motion** passed unanimously (4-0).

The meeting was adjourned at 8:05 p.m.

Submitted by ______________________________

Kinshannta Hall
Planning & Zoning Clerk

ATTEST:

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Elio Guerrero
Chairman