

CITY OF OPA-LOCKA

The City of Bright Opportunities



PLANNING & ZONING MEETING Agenda

**Tuesday, May 2, 2023
7:00 PM**

*Commission Chamber
780 Fisherman Street, 3rd Floor
Opa-locka, FL 33054*

Planning and Zoning Board

Elio Guerrero, Chairman

Germane Barnes, Board Member

Audrey Dominguez, Board Member

Dawn Mangham, Board Member

Aldo Mata, Board Member

Claudienne Hibbert Smith, Board Member

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all city commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the commission meeting. City of Opa-locka Code of Ordinances Section 2-57

DECORUM POLICY

Any person making impertinent or slanderous remarks or who become boisterous while addressing the commission, shall be declared to be out of order by the presiding officer, and shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members. City of Opa-locka Code of Ordinances Section 2-58

NOTICE TO ALL LOBBYISTS

Any person appearing in a paid or remunerated representative capacity before the city staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

FLORIDA STATUTES, CHAPTER 285.0105

"If a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

PROCEDURES FOR PUBLIC PARTICIPATION

How to watch the meeting

Members of the public can watch public meetings and public hearings at <https://www.youtube.com/user/CityofOpaLocka>

City Commission Meetings are held in-person while allowing virtual participation. Members of the public wishing to address the Commission may do so in person or virtually.

To participate virtually, please register by 7:00 p.m. on the scheduled meeting date via the City of Opa-locka website at www.opalockafl.gov.

CITY OF OPA-LOCKA
"The City of Bright Opportunities"

AGENDA
PLANNING & ZONING MEETING
May 2, 2023
7:00 PM

1. ROLL CALL:

2. INVOCATION:

3. PLEDGE OF ALLEGIANCE:

4. APPROVAL OF MINUTES:

PZAB Minutes-March 7, 2023

5. PUBLIC HEARING:

- 1. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF A BUILDING HEIGHT VARIANCE FOR THE CONSTRUCTION METAL BUILDING WITH A PROPOSED HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**
- 2. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION OF A PROPOSED METAL BUILDING WITH A HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**
- 3. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A METAL BUILDING WITH A PROPOSED HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE**

6. ADJOURNMENT:

For further information, please contact the Office of the Community Redevelopment Clerk by email at khall@opalockafl.gov or by telephone at (305) 953-2868 Ext 1504.

**MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
MARCH 7, 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 March 7, 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 Aldo Mata, and Board Member Claudienne Hibbert Smith.

Absent Board Members: Board Member Germane Barnes, Board Member Dorothy Johnson, and Board Member Dawn Mangham.

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: PZAB Minutes 1-10-23

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

PUBLIC HEARING

- 1. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA RECOMMENDING APPROVAL OF THE FINAL SITE PLAN REQUEST FROM HERNANDEZ DEVELOPMENT SERVICES, LLC FOR THE CONSTRUCTION AND OPERATION OF A FOUR-STORY SELF STORAGE FACILITY BUILDING THAT WILL PROVIDE APPROXIMATELY 1,200 STORAGE UNITS, PROVIDE THE REQUIRED PARKING SPACES AND PROVIDE COVERED LOADING SPACE FOR CONVENIENCE AT 14301 NW**

27TH AVENUE, AND IDENTIFIED BY FOLIO 08-2122-000-0050 IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Graham Penn, representing the Applicant, gave a brief presentation on the Item, which requests Site Plan approval. The proposed use is self-storage, which the Applicant feels will be a benefit to the property and an improvement to the area with limited impacts. The Applicant has sent letters to all surrounding property owners and is not aware of any objections to the Applications.

The subject property is surrounded by intense commercial or industrial development. The existing property includes one small building as well as open-lot storage. The lot is 2.2 acres in size. There are few trees and very little landscaping on the site.

The Applicant plans to construct a new building with Moorish design elements and modernize the overall property, reducing its external impacts by removing open-lot uses. The building will be four stories in height, including an office, totaling 146,000 sq. ft. with 59 parking spaces. New landscaped space will be created, as well as required fencing. 53 new trees and roughly 400 shrubs will be added as part of the landscaping plan. No variances are requested.

The project will have limited impacts for two reasons. The nature of the use creates minimal traffic, with an evening peak of 18 cars or trucks entering or exiting the property. In addition, the use is accessed by the general public, so self-storage clients will drive their personal vehicles to the site. This minimizes the truck traffic associated with other B-3 uses.

The Applicant will implement modern Moorish design elements into the development, including a perforated metal screen on the front of the building, vertical metal panels along the façade facing State Road (SR) 9, and textured concrete along the façade.

Mr. Penn also addressed the development agreement, which establishes permitting, construction deadlines, operational requirements, continuing obligations of maintenance, and an employment outreach requirement to help City residents obtain jobs. These components are consistent with typical development agreements.

Mr. Penn further explained that the City's guidelines require the application of Moorish design elements to modern developments, which can be difficult for commercial buildings. The Applicant will use texturing and different surfaces, which has been done elsewhere in the City.

Zoning Official Gerald Lee noted that the subject property has been underused for several years, and the proposed development is expected to improve the site. The Applications are in compliance with the City's land development regulations, including setback, height, parking, and landscaping requirements.

The proposed building will be four stories in height with adequate parking. The landscaping is expected to be an asset to the property and to drain well. No zoning changes or conditional uses are requested. The use is compatible with industrial uses to the north, commercial and school uses to the south, commercial and industrial uses to the west, and commercial and residential uses to the northwest. Staff recommends approval of the Site Plan.

Planning and Zoning Director Gregory Gay advised that the City received a communication from the Florida Department of Transportation (FDOT) regarding the Applications, which requested that a number of points be expressed on the record. Based on the information provided for the proposed work, FDOT seated a committee to which the Applicant needed to apply for the following permits:

- Access permit for the entrance to the proposed development
- Drainage permit for on-site drainage work
- Utility permit for utility connections on either end of SR 9
- Landscaping permit for any proposed landscaping within FDOT's right-of-way, or any removal or relocation of trees currently within that right-of-way

The access permit addresses paving, grading, signage, markings, erosion control plan sheets, and a cross-section of driveways. A checklist will reflect all the documents required for permits.

FDOT also wished to include the following on the record:

- Traffic operations: SR H-17, NW 27th Avenue is an Access Class 5 roadway with a posted speed limit of 35 miles per hour (mph)
- The subject parcel has a potential access only through the State Road given the surrounding roadway network and rail corridor
- The proposed access along NW 27th Avenue is 67% and will need to obtain approval from the Access Management Review Committee (AMRC) due to its proximity to the railroad crossing
- A trip generation statement should be furnished to gauge the trips subject to development generation; this statement will determine the driveway category and need for radius turn driveway
- It is recommended that a self-storage facility with the potential for truck traffic consider a longer driveway length than the 25 ft. shown on the Site Plan

The Applicant has addressed many of these concerns, although some may require additional processes to obtain permits from FDOT.

Board Member Dominguez requested clarification of the outstanding concerns. Director Gay replied that some of these concerns will be addressed through permits they will obtain through the permitting process, which follows Board and City Commission approval.

At this time Chair Guerrero opened the public hearing.

Nikisha Williams, resident, noted that the site's Moorish architectural designs appear to be minimal, and recommended that the Board encourage the Applicant to more closely adhere to this design standard. She also suggested that the Board ensure the Applicant provides shade trees on the site. Ms. Williams requested additional information regarding employment outreach to Opa-locka residents.

Mr. Penn stated that employment outreach is a standard requirement of development agreements. Applicants must notify the public of the availability of jobs and coordinate with relevant agencies. He added that the landscaping plan includes a significant number of shade trees, including live oaks. He concluded that the architectural elements were proposed to balance the needs of a modern building with the City's traditional design standards, which includes the addition of surfacing elements where other design elements may be difficult to implement. The intent is to activate the building through the use of texture.

Board Member Dominguez commented that she did not see the Moorish style reflected in the building's design, and pointed out that this is likely to be questioned by the City Commission as well. She recommended that the front of the building include more traditional Moorish elements. Mr. Penn stated again that the Applicant feels this criterion is met through patterning, which has been implemented in similar modern buildings. He advised that the Applicant can look into this further if that is the Board's recommendation.

Mr. Penn reviewed the planned design elements, noting that patterns on the building, vertical fins, and concrete texture do not affect the building's function as a modern structure. He reiterated that they are consistent with the City's established guidelines for modern Moorish architecture. Board Member Dominguez recommended that the Applicant revisit their design elements to make them more consistent with Opa-locka's Moorish style.

Director Gay also addressed employment outreach and opportunities as required by the development agreement, pointing out that Section 9 of the agreement states the Applicant will "cooperate with the City on any City-initiated effort in the area of economic development/educational organizations," citing organizations that can expand vocational and/or technical training for residents. Section 2 also addresses the recruiting of qualified applicants who are City residents through the assistance of Career Source South Florida in coordination with the City and encourages the project's contractors to do the same.

The Applicant is also asked to provide the City with an outreach plan which reflects commercially reasonable efforts to provide construction-related and permanent jobs to City residents prior to the issuance of the first building permit for vertical construction. This may include a local job fair as well as job training opportunities within the project.

General contractors must also host a local job fair and provide a list of construction job openings to be posted on the City's website within the same time frame.

Board Member Hibbert Smith asked how the City ensures that applicants adhere to the employment outreach guidelines in the development agreement. Director Gay replied that the Planning and Zoning Department is tasked with monitoring the activities associated with developing projects. Since the City has strengthened the language in its development agreements, applicants must provide an annual report describing the activities that have occurred each year in relation to all aspects of the development agreement, focusing specifically on hiring practices.

Director Gay pointed out that an applicant cannot be required to hire Opa-locka residents; however, they are required to give those residents an opportunity to seek employment with a contractor or with another aspect of the project. The City works with the development team as well as any public relations firm associated with the applicant to help establish job fairs or other recruitment activities at City facilities. The hiring requirements of development agreements in Opa-locka are more stringent than others in most South Florida municipalities.

Mr. Penn noted that the elements discussed in the Applicant's presentation were not part of the design before discussions with Staff, but were added in direct response to the request to implement Moorish design elements.

Motion made by Board Member Dominguez, seconded by Board Member Mata, to approve with enhancements to the Moorish design.

Board Attorney Pam Booker further clarified that the Applicant would need to work with Staff before the Application goes before the City Commission to ensure that the building's design is more consistent with other buildings in Opa-locka.

In a roll call vote, the **motion** passed 3-1 (Board Member Hibbert Smith dissenting).

- 2. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FROM HERNANDEZ DEVELOPMENT SERVICES, LLC FOR THE CONSTRUCTION AND OPERATION OF A FOUR-STORY SELF STORAGE FACILITY BUILDING THAT WILL PROVIDE APPROXIMATELY 1,200 STORAGE UNITS, PROVIDE THE REQUIRED PARKING SPACES AND PROVIDE COVERED LOADING SPACE FOR CONVENIENCE AT 14301 NW 27TH AVENUE, AND IDENTIFIED BY FOLIO 08-2122-000-0050 IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

Graham Penn, again representing the Applicant, advised that the presentation on this Item was given at the same time as the presentation on Item 1, as they address the same property.

Clarification of the project's timeline for completion was requested. Gerald Sequeira, also representing the Applicant, stated that the time frame was estimated at one year.

Mr. Penn added that following Commission approval, the Applicant will come back before the Board seeking plat approval, which will include a County process as well as a City process. This may add to the time frame.

Zoning Official Lee emphasized the inclusion of language addressing economic development and annual reporting in the development agreement. He pointed out that the agreement will need to go before the City Commission, which may also have recommendations for the document. Once the Commission has approved it, the agreement will be executed and recorded. Staff recommends approval of the development agreement.

At this time Chair Guerrero opened the public hearing.

Nikisha Williams, resident, requested that the City's development agreement be reviewed, as she was concerned there was little accountability in the document. She suggested the City consider requiring any company to show proof of their local hiring practices in other municipalities. She also recommended following up on the Applicant's development agreement in one year to determine how many Opa-locka residents have been hired.

Zoning Official Lee noted that the enhanced job outreach requirements of the development agreement are a new addition to that document, having been implemented roughly one year ago. Previous applications were not subject to the same requirements. Monitoring is included in the agreement as well. He again reviewed the requirements, including the necessity of holding a job fair before the permitting phase.

Attorney Booker emphasized that ensuring the development agreement's requirements are met will ultimately be up to City management, including building officials and the Planning Department. Management will be tasked with holding the Applicant accountable and ensuring local residents are aware of the project and its job opportunities.

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

3. A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING TENTATIVE PLAT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL AND

COMMERCIAL MIXED-USE RETAIL, AND WAREHOUSE DISTRIBUTION FACILITY ON THE PROPERTY LOCATED AT 12691 NW 42ND AVENUE AND 12705 NW 42ND AVENUE, OPA-LOCKA, FLORIDA 33054, IDENTIFIED BY FOLIOS 08-2129-000-0050 AND 08-2129-000-0064, IN THE B-1 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Jane Storms, representing the Applicant, stated that the request is for tentative plat approval for a former flea market site, for which a Site Plan was previously approved in December 2022. Once approved by the Board and Commission, the tentative plat must also be approved by Miami-Dade County before the Applicant may request building permits and the final plat.

Zoning Official Lee advised that Site Plan review and the development agreement for this project were previously approved by the City Commission. The request would redevelop the properties on which a former flea market was located.

Miami-Dade County Code requires a platting process for properties that are adjoined through a Site Plan only. To make the subject parcel one contiguous property, the Applicant must request a tentative plat, which must be approved by the Board and City Commission before moving on to the County for approval. Once the final plat is approved, the site will become one property. Staff recommends approval of the tentative plat.

At this time Chair Guerrero opened the public hearing, which he closed upon receiving no input.

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

DISCUSSIONS / PRESENTATIONS

1. The Comprehensive Plan Evaluation & Appraisal Report – Consultant: Calvin Giordano & Associates Inc.

Director Lee explained that the City is currently updating its Comprehensive Plan. As part of this process, they retained consultant Calvin, Giordano and Associates to provide an Evaluation and Appraisal Report (EAR) to ensure the City is compliant with the state of Florida and the Department of Economic Opportunity. This process will continue over the next several months.

Attorney Booker advised that the consultant team will present Comprehensive Plan amendments and updates to the Board members and the public. The Board will not formally adopt the update.

Alex David, Project Manager with Calvin, Giordano and Associates, stated that the City is approximately 4.5 square miles in size, with several different types of uses from industrial to residential. The City's population has increased to just under 16,500 since the most recent U.S. Census.

In 2015, the consultant team created a Downtown concept plan for Opa-locka and heard feedback from the public and the City Commission on how they wished the City to grow. This plan established mixed-use zoning districts to allow for retail, restaurants, and multi-family residential buildings in the Downtown area. New Zoning Code was also adopted following the updated Comprehensive Plan. In 2021, a Downtown Master Plan was commissioned, with greater detail in its guidelines regarding how to develop the Downtown.

The Comprehensive Plan adopted in 2015 is now being reviewed and updated. Mr. David advised that this Plan includes goals, objectives, and policies that establish the future vision for the City. Any new feedback will also be incorporated into the updated document.

Public outreach for the Comprehensive Plan update has begun. Mr. David emphasized the need for input from the Commission, Board members, business owners, and residents of the City. Information is on the City's website and fliers are posted. The intent is for the Comprehensive Plan to be accessible to and inclusive of everyone.

Some of the City's challenges and opportunities for the Comprehensive Plan update will involve determining how they reached goals set for the 2015 document. Some key considerations include sustainability, property rights, population growth, the water supply plan, and economic development/redevelopment.

Mr. David pointed out that while the consultant team is meeting with Staff and the Board members to review the existing Comprehensive Plan, they are also collecting data to update the Plan as necessary. Once the updated Plan is developed, a draft will be brought back before the Board so they may make a recommendation, in their capacity as local planning agency, to the City Commission. After the updated Plan is reviewed by the City Commission, it will be sent to the state and various agencies, such as FDOT, the Department of Economic Development, the County, and the Water Management District, and ultimately brought back to the Commission for adoption.

The team will also meet individually with Opa-locka's City Commissioners and Interim City Manager to hear their visions for the future of the City. Comments from the Commission, the Board, and the public will be incorporated into the document.

Mr. David asked a number of questions of the Board members, including clarification of some of the challenges and/or opportunities facing the City. Responses included addressing any issues that could impede growth, as well as the need for housing, restaurants, supermarkets, major chain stores, and entertainment.

To move Downtown development forward, the Board members noted that it was necessary to determine what has changed since the implementation of the Downtown Master Plan in 2021. Director Gay advised that while there have been no physical changes, there have been legislative changes, including establishment of the Historic Downtown zoning district. As a result of this district, there is greater density and intensity as well as allowance of mixed-use development. Language was amended to promote commercial and residential uses Downtown rather than industrial uses.

Director Gay continued that in summer and fall 2022, the City held affordable housing initiative workshops, where the development community was engaged regarding significant development opportunities throughout Opa-locka. Some developers expressed strong interest in these opportunities for both City-owned and privately owned properties. The City is considering a public-private partnership or other joint venture to develop these properties, and is preparing to entertain unsolicited bids from these interests. Residential and mixed-use projects are expected to come before the Board for review within the next six to nine months.

Director Gay asserted that the need to proceed with these projects is a major factor in review of the City's Zoning Code and land use. The updated Comprehensive Plan must be approved before these changes can be made, which is one reason for its aggressive schedule.

Mr. David noted that the Comprehensive Plan includes a number of monitoring measures, such as the goal of having three new mixed-use developments within the Downtown area by 2025. The Downtown Master Plan will be incorporated into the Comprehensive Plan to strengthen the City's plans and move it toward its goals.

The Board members were asked what internal issues the City may be able to improve upon in order to hasten development. It was suggested that processes could be streamlined to take advantage of the current economy.

It was asked what other cities are doing that allows them to move through processes more quickly. Mr. David replied that in some cities, development applications are required to be reviewed and sent to the City Commission within a certain number of days. Staffing, as well as the amount of development, can make this a more difficult goal to meet. Board Member Mata recommended that the City try to implement changes that will help them meet demand in a more timely manner.

Director Gay noted that Planning and Zoning Staff works to meet these goals as aggressively as possible by providing information to the Board and the Commission; however, there have been challenges in meeting quorum requirements, which delays these processes.

Director Gay continued that another issue is consistency. If zoning changes are necessary and no land use modification is required, these changes can be implemented relatively quickly; however, if land use changes are required in addition to zoning changes, particularly for large projects, this can add significantly to the time frame. The magnitude of the land use change determines whether or not state review is also required.

Mr. David pointed out that developers often submit multiple iterations of plans for a single application, which creates additional delays. Failure to submit correct documentation can also be a delaying factor.

Mr. David asked what type of assistance Opa-locka may need from outside agencies or funding sources, such as grant programs, in order to achieve its goals. Board Member Mata commented that he would like to see grant programs that can assist residents who aspire to become business owners. This would help keep money in the local economy. Board Member Dominguez noted that some grant funds are available as part of the American Rescue Plan Act (ARPA), although many of these funds have not yet been distributed.

Mr. David asked if there are other prospective changes in addition to streamlining that could help to move the City forward. Board Member Mata stated that areas where zoning could be changed may need to be identified, suggesting that one option could be creating other overlay districts in addition to the Downtown area. He pointed out that some corridors may be “under-zoned” due to residential development.

Mr. David asked what changes to the public realm, including both residential and commercial areas, should be prioritized. It was noted once again that the City lacks businesses such as restaurants and supermarkets, and residents must go to other municipalities to access these places. Board Member Hibbert Smith pointed out that the City may lack sufficient density to support these types of developments coming into the City. She emphasized the City’s traditions in the past which attracted visitors from other cities and increased overall morale.

Chair Guerrero observed that if population growth continues, there may be additional density that could attract chain businesses. He suggested that there may be other incentives that could be used to bring these stores into Opa-locka. There was also discussion of whether or not residents might be able to afford these types of stores, and an emphasis on ensuring that these businesses work toward meeting the needs of the City’s residents.

Mr. David suggested that a business incubator program could assist residents interested in developing their own businesses rather than attracting only chain stores so there is a mixture of businesses. The Board members also discussed the job outreach requirements of the City’s development agreement, emphasizing the importance of oversight to ensure

these requirements are met as well as the need to advertise across different types of media so residents are aware of job opportunities.

Board Member Hibbert Smith also noted that homeowners may not be aware of all the requirements that may apply to their properties, such as color palette restrictions. She proposed that the City may wish to prepare an information packet with this information so homeowners in Opa-locka will be aware of what requires approval or permitting.

Mr. David asked if this type of information is on the City's website, or if it is available in document or mailer form. Director Gay replied that some of this information is on the website, which is currently being updated; however, not everything is included on the site, and not all is available in print. There can also be a significant cost in mailing documents to all residents. He agreed that information on permitting should be sent to property owners.

At this time Chair Guerrero opened the public hearing.

Nikisha Williams, resident, advised that some of the challenges facing the City include gentrification, climate change, low household income/education levels, home ownership vs. rental, sea level rise, the heat index, historic preservation, concentrated poverty, and the City's status as a food desert. She also expressed concern with the number of businesses using heavy and dangerous chemicals and the impact of heavy trucks on the City's infrastructure.

Ms. Williams continued that expansion of Metro Rail into the Downtown area is a major opportunity for Opa-locka, which she strongly felt should be included in plans for the City. She also felt there should be outreach regarding the development near the airport so the City can benefit from this developing business corridor. She spoke in favor of maintaining the City's Moorish design as well as its status as a bird sanctuary. She stated that the City's small size provides opportunities to be bold and innovative.

Ms. Williams concluded that internal issues facing the City appear to include high turnover in the City Manager position, as well as accountability, improvement of the permitting process, and applying for more grant funds, as well as low-interest loans to assist economic development and historic preservation. Other positive changes could include park enhancements, a greater focus on residents' health, and attraction of market-rate home ownership opportunities.

Chris Davis, resident, stated that the City's governing documents, including its Comprehensive Plan, should be cohesive and coordinated so there is no conflict between strategies for different areas and needs, such as the Downtown area and the Community Redevelopment Agency (CRA).

Mr. David confirmed the importance of coordinating documents and plans. He added that the consultant team is aware of the coming expansion of Metro Rail and has discussed this with Staff.

Director Gay emphasized the need to continue growing the City, and noted that Staff discusses many of the issues and concerns expressed by the Board members and the public. He noted that additional meetings and workshops will continue throughout the Comprehensive Plan update process. Mr. David encouraged the Board members to funnel any additional comments to the consultant team through Mr. Gay's office.

ADJOURNMENT

The meeting was adjourned at 9:07 p.m.

Submitted by

Kinshannta Hall
Planning & Zoning Clerk

ATTEST:

Elio Guerrero
Chairman

RESOLUTION NO. 2023-09

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF A BUILDING HEIGHT VARIANCE FOR THE CONSTRUCTION METAL BUILDING WITH A PROPOSED HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to City of Opa-Locka's Land Development Regulations (LDR), Section 22-58, entitled "Variance"(Ordinance 15-31), Owners of lands or structures may apply to the City for a variance from the requirements or restrictions of the Land Development Regulations, except that no variance for use or density issues shall be considered; and

WHEREAS, pursuant to City of Opa-Locka's Land Development Regulations (LDR), Section 22-58 of the LDR, "An application for a variance shall include a written statement by the applicant with supporting explanation and evidence regarding the following requirements:

1. The particular provision of the Code which prevents the proposed construction on, or use of the property.
2. The existing zoning of the property, including any previously approved conditions, or modifications.
3. The special circumstances, conditions or characteristics of the land, building or structure that prevent the use of the land in compliance with the terms of this ordinance.
4. The particular hardship that would result if the specified provisions of the ordinance were to be applied to the subject property.
5. The extent to which it would be necessary to vary the provisions of this ordinance in order to permit the proposed construction on, or use of, the property.
6. A disclosure statement by the parties with at least five (5) percent interest in the project shall be signed by the applicant and notarized"; and

WHEREAS, the applicant, International Scrap, LLC, intends to construct a metal building with a height of fifty feet for an existing industrial scrap metal use to improve the industrial operation on this property by providing a covered roof structure; and

WHEREAS, City of Opa-Locka's Land Development Regulations (LDR), Section 22-94 of the LDR, entitled I-4 Liberal Industrial District, Storage and Salvage provides for a maximum height of one story or twenty feet (20'); and

WHEREAS, the Applicant, has submitted a request for a variance to increase the height to fifty feet, and the applicant has provided responses and justification in accordance with the City's Zoning/Land Development Regulations; and

WHEREAS, the City of Opa-Locka's Planning and Community Development staff has reviewed the application for a variance and confirm that the application meets all requirements set forth in Section 22-58 of the City of Opa-Locka's Land Development Regulations for a metal building in the Industrial Storage and Salvage Zoning District (I-4); and

WHEREAS, the Planning and Zoning Board reviewed this request at a public hearing on May 2, 2023 and recommends approval of the increase in height variance; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING APPEALS BOARD OF THE CITY OF OPA-LOCKA, FLORIDA:

SECTION 1. RECITALS.

The above recitals are true and correct and are incorporated into this Resolution by reference.

SECTION 2. APPROVAL/DENIAL.

Approval/Denial of Variance Request. The Planning & Zoning Board of the City of Opa-Locka, Florida hereby recommends approval / denial of a request for variance related to the construction of a metal building with a height of fifty feet on the property located at 12705 Cairo Lane and identified by folio number 08-2128-003-0530 in the I-4 Zoning District as set forth in the application attached hereto as Exhibit "A."

Section 3. SCRIVENER'S ERRORS.

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Interim City Manager following review by the City Attorney, without the need of a public hearing by filing a corrected copy of same with the City Clerk.

Section 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-Locka's Code of Ordinances, Land Development Regulations and the City of Opa-Locka Charter.

PASSED AND ADOPTED this __2nd__ day of _____May_____, 2023.

Elio Guerrero, Chairman

ATTEST:

Kinshannta Hall, PZAB Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Received:
By:
Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2022-2023

TOTAL FEES: \$ 1,400⁰⁰ x New Fees as of October 1, 2015

FY 2020-2021 Meeting Dates
1st Tuesday of Each Month)

Date Application Found Sufficient

October 4, 2022
November 8, 2022
December 6, 2022
January 3, 2023
February 7, 2023
March 7, 2023
April 4, 2023
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1. All individuals seeking to appear before the Planning & Zoning Board must submit a complete Planning & Zoning Board application, with the required documents and fees totaling (as established by ordinance), paid by check or money order to the City of Opa-locka. Failure to submit all documents and fees will result in your case not being scheduled to be heard at a meeting.
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5. You are required to complete and return this application along with all the information and documentation (see page 2 check list) requested to the:

City of Opa-locka
Planning & Community Development Department
780 Fishermen Street 4th floor
Opa-locka, FL 33054
Telephone: 305-953-2868, Ext. 1503
Facsimile: 305-953-3060

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31

Received:
By:
Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD APPLICATION

APPLICATION NUMBER: _____ CHECK NUMBER: _____ DATE RECEIVED: _____

PROPERTY OWNER'S NAME: K.C Realty.

PROPERTY OWNER'S ADDRESS: 10800 Biscayne Blvd #870 Miami, FL 33161
Number/Street City State/Zip Code

APPLICANT'S NAME: International Scrap LLC

APPLICANT'S ADDRESS: 12705 Cairo Lane Opa-locka, FL 33054
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE 305-688-2528 HOME _____ OTHER _____

SUBJECT PROPERTY ADDRESS: 12705 Cairo Lane Opa-locka, FL 33054
Number/Street

TAX FOLIO NUMBER: _____ PRESENT ZONING: _____

LEGAL DESCRIPTION: _____

Please check specific request:

- ☐ Tentative Plat
- ☐ Final Plat
- ☐ Comprehensive Plan Amendment: ☐ Small Scale; ☐ Large Scale (please specify type of amendment below)
- ☐ Rezoning
- ☐ Drainage Plan
- ☐ Fill Permit Request
- ☐ Preliminary Site Plan Review
- ☐ Final Site Plan Review
- ☐ Conditional Use Permit – No Plans
- ☐ Conditional Use Permit – With Plans
- ☐ Special Exception – No Plans
- ☐ Special Exception – With Plans
- ☐ Development Agreement
- ☐ Restrictive Covenant
- ☒ Other – Please specify: Variance. 50'FT Height for Roof.

Add any additional information that may be of importance to this request:

Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION (Checklist)

Applications will not be accepted without the following data. For a public hearing, all items below are necessary and must be submitted.

- ☒ Completed application form
- ☒ Application fee payable to the City of Opa-locka by check or money order
- ☐ Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)
- ☒ Affidavit (see below), and power of attorney of the property owner (page 3) (Both must be Notarized)
- ☐ A completed Neighborhood Petition form (attached) with the signature of each property owner in front, in the rear, to the left and to the right of the subject property, indicating his or her support for the proposed project. (Must include name, address, folio and phone number).
- ☐ All preliminary and final site plans, along with property survey, signed and notarized application(s) must be submitted on flash drive in PDF format.
- ☐ Fifteen (15) certified boundary and topographic surveys of the property (two copies size 36 x 24 inches & 13 copies 11 x 17 inches). (The submitted property survey must not exceed a maximum of two (2) years from date created in order to be considered acceptable by the City of Opa-locka)
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- ☐ Map showing parcel to be considered and all properties' legal descriptions thereof, within 375' radius of said parcel. Map to be 1" = 100' scale. Owner's name, address, folio number and legal description on each parcel (Original and 2 copies size of document to accommodate scale)
- ☐ Narrative concept must be submitted with application

AFFIDAVIT

I, Jose Camero, being first duly sworn, depose and say that I am the OWNER of the property, and I understand that this application must be complete and accurate before a public hearing can be advertised.

Signature

Date

Sworn to and subscribed before me:

This 28 day of March, 2023

Notary Public

Attach copy of identification

My commission expires March 25, 2026

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31



ANNE GARCIA
Commission # HH 243749
Expires March 25, 2026

Received:
By:
Date:



PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

This form is to be attached to all applications, and to be returned with the application. No application will be honored or persons heard by the Planning & Zoning Board unless a notarized copy of this Power of Attorney is submitted.

To: City of Opa-locka
From: International Scrap LLC

Subject: Power of Attorney (authorization for a person, other than the property owner, to speak in the property owner's behalf).

I Jose Carrero, being first duly sworn, depose and say that I am the owner of the property legally described as:

I do give to Gabriel Cadavid the power of Attorney and authority to speak in my behalf in reference to the above described property. Further, by affixing my notarized signature to this document, I also authorize Gabriel Cadavid & Jose Carrero to negotiate and commit to the City Commission and City Administration in my behalf. I will abide by all final determinations of the City Commission and City Administration.

[Signature]
Signature

03/28/23
Date

Sworn to and subscribed before me:

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Attach copy of identification



PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 12705 Cairo Lane Opa-locka, FL 33161

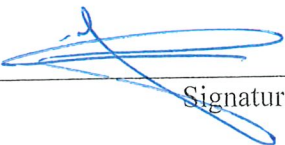
LEGAL DESCRIPTION: _____

I SUPPORT THIS DEVELOPMENT REQUEST X

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: 12705 Cairo Lane Opa-locka, FL PHONE: 305-688-2528

ADDRESS (If different): _____



Signature

INTERNATIONAL SCRAP
12705 Cairo Lane, Opa-locka, Fl 33054
Phone 305-688-2526

Mr. Gregory Gay
Director,
Planning & Community Development
City of Opa-Locka
780 Fisherman Street, 4th floor,
Opa-Locka, Fl. 33054

Dear Mr. Gay,
Re: International Scrap LLC (ISL)-12705 Cairo Lane, Opa-Locka, Fl. 33054-Folio No. 08-2128-003-0530-
Roof height zoning change request.

On behalf of International Scrap LLC (ISL), a scrap metal processing business established in the City of Opa-Locka located at 12705 Cairo Lane, Opa-Locka, Fl. 33054.

From the public records we have gathered the following information regarding the subject property;

ZONE CODE	I-4
ZONE NAME	LIBERAL IDUSTRIAL, STORAGE AND SALVAGE
ZONE TYPE	INDUSTRIAL
MIN. LOT AREA	ONE ACRE; 43,560 SF
NO. OF STORIES	ONE
MAX ROOF HEIGHT	20'
REAR SET BACK	15'

The scrap metal processing business on the subject property, therefor, fits the Zone Code, Zone Name and Zone Type. Please note that ferrous and non-ferrous metal scrap salvage for recycling purposes is desirable and necessary for the environment and for sustaining global resources of these metals.

At ISL, the incoming ferrous and non-ferrous scrap is handled and processed separately. The non-ferrous scrap is received, various metals separated, processed for volume reduction and disposed of under an existing one-story building located along northern boundary of the property.

Presently the ferrous scrap is received, sorted and processed for volume reduction under open sky but on a 12" thick concrete pavement that covers the entire property. The concrete pavement has a storm water drainage system in place where rainwater enters several inlets fitted with filters and disposed of to the under pavement French drain system. However, the drainage system in place is not acceptable to DERM because of already present undesirable pollutants in the soil underneath, pollutants mostly attributable to the Minton Dump Area on which the subject property is located amongst a lot of other similar businesses as is evident from the attached aerial photograph.

However, Miami-Dade County Code, Chapter 24, Section 47 requires that ferrous scrap processing/recycling be done in such a way that does not cause any further pollution to the ground water; therefore, the storm water either be treated to remove pollutants before discharge into the ground water or the processing be done under a roof so that storm water does not come in contact with the ferrous scrap.

Under a proposed Settlement Agreement to certain lawsuit, DERM has given ISL four (4) options to bring the facility into compliance with Chapter 24-47 of the Miami-Dade Code. A partial copy of the mandate is attached where the four (4) options are mentioned. ISL favors option no. 4 and wants to pursue it because of the following reasons;

Ferrous scrap processing under open sky requires treatment plant to allow treated clean water discharge into the ground water, but DERM does not want discharge into the ground water and requires pumping into the adjacent NW 127 Canal that runs along southern boundary of the property. The subject property is narrow and is not adequate to accommodate both ferrous scrap processing/recycling and a treatment plant & pumping system. Therefore, treatment plant & pumping system option is not feasible for the subject property. **The option we are left with is to provide roof over the entire ferrous scrap recycling system.**

We have carefully and with due diligence devised the scrap receiving, handling, sorting, volume reduction, storage and disposal system that would fit this site, accommodating ferrous scrap recycling process under a metal building to be located along the southern property line, 88' wide X 288' long and 42' high. Please see the documents submitted with this application as required by the checklist. The submitted documents contain, scope & work on the sheets C-1, C-2 and C5, however we are submitting the same separately as required. Please find the attached.

The proposed metal building can meet all zoning requirements except the roof height. The current zoning limits the roof height to 20' while the roof height needed for the proposed building is 42' at front sloping down towards the rear at 34' height to facilitate rainstorm water from the roof discharge into the NW 127 Canal. The need for such a high roof is due to the height needed for machinery operations under the roof since most of the recycling operations are performed with the heavy equipment as illustrated in the conceptual plans. The proposed system provides 38'-30' clear height for heavy equipment operations under the roof. The ferrous scrap recycling operations are not possible under a 20' high roof which can only provide approximately 17'-14' clear height for the heavy equipment operations. Under proposed Variance International Scrap would produce undue hardship to the city of neighbors as the variance requested would only be for the property where International Scrap operates its scrap to process under roof where all the scrap is stored. There is no other business neighbors who require such height for their property or business as they do not operate a scrap facility needing such height to comply with their business, which such authorization of this variance given to International Scrap will not be substantial detriment to any adjacent properties as the proposed roof will be on the property of International Scrap and that the character of this district will not be changed by the granting of this variance and in addition it will not be contrary to the public interest or to the stated purpose of the ordinance. International scrap will bare all financial cost associated in getting the variance roof, construction and permit. In which this hardship shall not be self-imposed and also is not financial in nature.

We therefore, request your kind review and consideration for zoning change to increase the roof height limit to 45', not only for the subject property but for the entire Milton Dump area to facilitate Miami-Dade County Code Chapter 24-47 compliance for this property and for others as well.

We will be pleased to answer any questions or clarifications you may require.

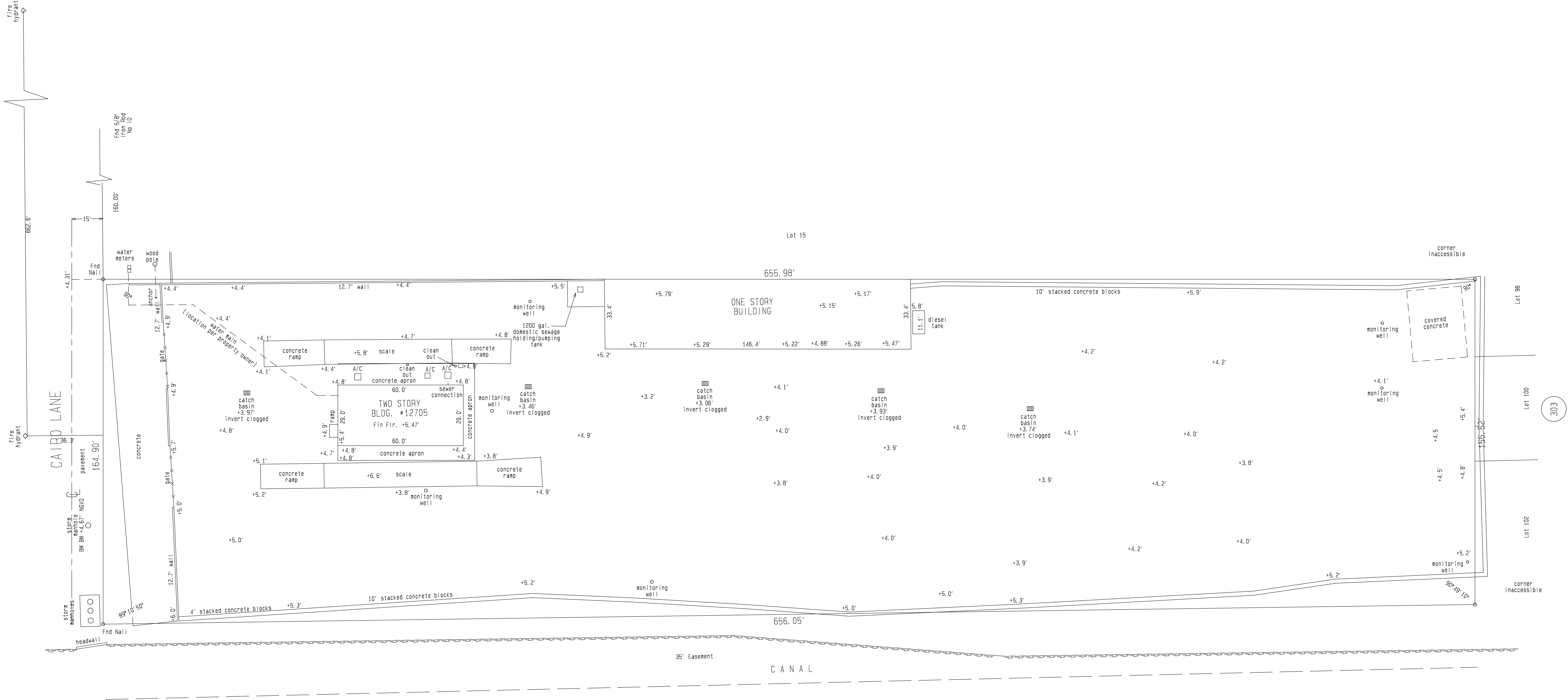
Very truly yours,
Joe Carrero
International Scrap

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line and a diagonal stroke.

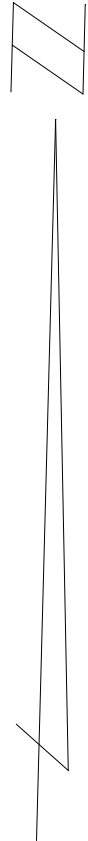
SKETCH OF BOUNDARY SURVEY

LEGAL DESCRIPTION:
Lot 16, Block 304, NILE GARDENS SECTION
1 & 11, according to the plat thereof,
as recorded in Plat Book 31, Page 42,
of the Public Records of Miami-Dade
County, Florida.

Property address:
12705 Cairo Lane
Miami, FL 33054



NW 135th Street
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
Canal



LEGEND:
Δ = CENTRAL ANGLE (DELTA)
A = ARC LENGTH
A/C = AIR CONDITIONER
SCR = BROWARD COUNTY RECORDS
BM = BENCHMARK
C = CENTERLINE
(C) = CALCULATED
(D) = DEED
FND = FOUND
FPL = FLORIDA POWER & LIGHT
H = HANDICAP PARKING SPACE
O/S = OFFSET
(P) = PLAT BOOK
P.C. = POINT OF CURVATURE
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R = RADIUS
R/W = RIGHT-OF-WAY
SF = SQUARE FEET

Benchmark:
Miami-Dade County benchmark #N-370;
PK nail and brass washer in concrete
walk in front of office building,
119' South of NW 135th Street, 69'
West of centerline of Cairo Lane;
elevation = +8.31' NGVD.

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 59-17, FLORIDA
FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

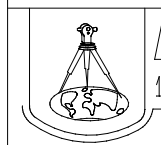
Mikki H. Ulrich
PROFESSIONAL SURVEYOR MAPPER #5853
STATE OF FLORIDA

Digitally signed by Mikki H. Ulrich
Date: 2023.02.08 10:12:58 -05'00'

FILENAME: NS16-304
SCALE: 1" = 30'

NOTES:
1. THIS SURVEY REFLECTS ALL EASEMENTS
AND RIGHTS-OF-WAY AS SHOWN ON THE
ABOVE RECORDED PLAT. THE SUBJECT
PROPERTY HAS NOT BEEN ABSTRACTED BY
THE UNDERSIGNED FOR OTHER EASEMENTS
OR RIGHT-OF-WAY.
2. ANGLES SHOWN HEREON ARE BASED ON
P.B. 31, PG. 42, MDCR.
3. ELEVATION SHOWN HEREON ARE BASED ON
NATIONAL GEODETIC VERTICAL DATUM
(1988) (NGVD 1988).
4. SUBSURFACE FEATURES NOT LOCATED.
5. OWNERSHIP OF FENCES/WALLS NOT DETERMINED.

Not valid without the signature
and the original raised seal of
a Florida Licensed surveyor and
mapper.

REVISIONS	DATE	FOR: INTX L SCRAP	DATE: 10/28/2022	NO. 2210018	F.B. 143-60
					
DENI LAND SURVEYORS, INC. LB #7281 1991 N.W. 35TH AVENUE, COCONUT CREEK, FL 33066 (954)973-7966 FAX (954)979-0343 LAND SURVEYS • SUBDIVISIONS • CONSTRUCTION SURVEYS					

RESOLUTION NO. 2023-10

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION OF A PROPOSED METAL BUILDING WITH A HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the applicant, International Scrap, LLC intends to construct metal building with a height of fifty feet for the operation of industrial scrap metal use on the property at 12705 Cairo Lane and identified by folio 08-2128-003-0530 in the I-4 Zoning District and has submitted a request for site plan review in accordance with the City of Opa-Locka's Land Development Regulations ("City"); and

WHEREAS the Planning & Community Development staff for the City of Opa-Locka has reviewed the application of International Scrap, LLC and has determined that the applicant has provided all information required by Section 22-55(I) of the City of Opa-Locka's Land Development Code for proper consideration by the Planning and Zoning Board; and

WHEREAS, the applicant, International Scrap, LLC, intends to construct metal building with a height of fifty feet for industrial scrap metal recycling with a covered roof structure to improve the industrial operation on this property; and

WHEREAS, the Applicant, has submitted a request for a variance to increase the height of the building to fifty feet in accordance with the City's Zoning/Land Development Regulations for use of this property, the current code permits a maximum building height of twenty feet.

WHEREAS the City of Opa-Locka's Planning and Community Development staff has reviewed the application for site plan review and confirm that the application meets all requirements set forth in Section 22-58 of the City of Opa-Locka's Land Development Regulations; and

WHEREAS the Planning and Zoning Board reviewed this request at a public hearing on May 2, 2023, and recommends approval of the site plan for the construction of a metal building with a height of fifty feet for industrial operations; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING APPEALS BOARD OF THE CITY OF OPA-LOCKA, FLORIDA:

SECTION 1. RECITALS.

The above recitals are true and correct and are incorporated into this Resolution by reference.

SECTION 2. APPROVAL/DENIAL.

Approval/Denial of Variance Request. The Planning & Zoning Board of the City of Opa-Locka, Florida hereby recommends approval / denial of the site plan application related to the construction of a metal building with a height of fifty feet on the property located at 12705 Cairo Lane and identified by folio number 08-2128-003-0530 in the I-4 Zoning District as set forth in the application attached hereto as Exhibit "A."

Section 3. SCRIVENER'S ERRORS.

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Interim City Manager following review by the City Attorney, without the need of a public hearing by filing a corrected copy of same with the City Clerk.

Section 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-Locka's Code of Ordinances, Land Development Regulations and the City of Opa-Locka Charter.

PASSED AND ADOPTED this 2nd day of May, 2023.

Elio Guerrero, Chairman

ATTEST:

Kinshannta Hall, PZAB Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

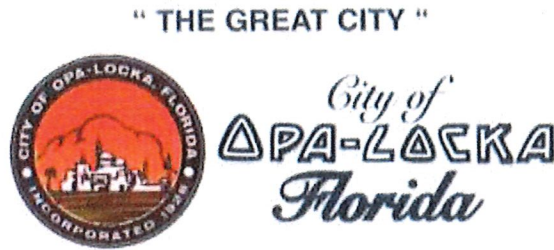
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Received:
By:
Date:



PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2022-2023

TOTAL FEES: \$ 1,400⁰⁰ New Fees as of October 1, 2015

FY 2020-2021 Meeting Dates
1st Tuesday of Each Month)

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Received:

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" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD APPLICATION

APPLICATION NUMBER: _____ CHECK NUMBER: _____ DATE RECEIVED: _____

PROPERTY OWNER'S NAME: K.C. Realty.PROPERTY OWNER'S ADDRESS: 10800 Biscayne Blvd #870 Miami, FL 33161
Number/Street City State/Zip CodeAPPLICANT'S NAME: International Scrap LLCAPPLICANT'S ADDRESS: 12705 Cairo Lane Opalocka, FL 33054
Number/Street City State/Zip CodePHONE NUMBER: OFFICE 305-688-2528 HOME _____ OTHER _____SUBJECT PROPERTY ADDRESS: 12705 Cairo Lane Opalocka, FL 33054
Number/Street

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LEGAL DESCRIPTION: _____

Please check specific request:

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☐ Restrictive Covenant
☐ Other – Please specify: _____

Add any additional information that may be of importance to this request:

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31

Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION (Checklist)

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- ☒ Application fee payable to the City of Opa-locka by check or money order
- ☒ Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)
- ☒ Affidavit (see below), and power of attorney of the property owner (page 3) (Both must be Notarized)
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This 28 day of March, 2023

Notary Public

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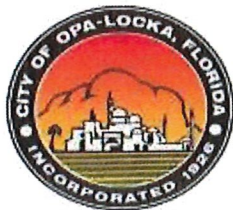
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ANNE GARCIA
Commission # HH 243749
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PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

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**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 12705 Cairo Lane Opa-locka, FL 33161

LEGAL DESCRIPTION: _____

I SUPPORT THIS DEVELOPMENT REQUEST X

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: 12705 Cairo Lane Opa-locka, FL PHONE: 305-688-2528

ADDRESS (If different): _____



Signature

INTERNATIONAL SCRAP
12705 Cairo Lane, Opa-locka, Fl 33054
Phone 305-688-2526

Mr. Gregory Gay
Director,
Planning & Community Development
City of Opa-Locka
780 Fisherman Street, 4th floor,
Opa-Locka, Fl. 33054

Dear Mr. Gay,
Re: International Scrap LLC (ISL)-12705 Cairo Lane, Opa-Locka, Fl. 33054-Folio No. 08-2128-003-0530-
Roof height zoning change request.

On behalf of International Scrap LLC (ISL), a scrap metal processing business established in the City of
Opa-Locka located at 12705 Cairo Lane, Opa-Locka, Fl. 33054.

From the public records we have gathered the following information regarding the subject property;

ZONE CODE	I-4
ZONE NAME	LIBERAL IDUSTRIAL, STORAGE AND SALVAGE
ZONE TYPE	INDUSTRIAL
MIN. LOT AREA	ONE ACRE; 43,560 SF
NO. OF STORIES	ONE
MAX ROOF HEIGHT	20'
REAR SET BACK	15'

The scrap metal processing business on the subject property, therefor, fits the Zone Code, Zone Name and Zone Type. Please note that ferrous and non-ferrous metal scrap salvage for recycling purposes is desirable and necessary for the environment and for sustaining global resources of these metals.

At ISL, the incoming ferrous and non-ferrous scrap is handled and processed separately. The non-ferrous scrap is received, various metals separated, processed for volume reduction and disposed of under an existing one story building located along northern boundary of the property.

Presently the ferrous scrap is received, sorted and processed for volume reduction under open sky but on a 12" thick concrete pavement that covers the entire property. The concrete pavement has a storm water drainage system in place where rain water enters several inlets fitted with filters and disposed off to the under pavement French drain system. However, the drainage system in place is not acceptable to DERM because of already present undesirable pollutants in the soil underneath, pollutants mostly attributable to the Minton Dump Area on which the subject property is located amongst a lot of other similar businesses as is evident from the attached aerial photograph.

However, Miami-Dade County Code, Chapter 24, Section 47 requires that ferrous scrap processing/recycling be done in such a way that does not cause any further pollution to the ground water; therefore, the storm water either be treated to remove pollutants before discharge into the ground water or the processing be done under a roof so that storm water does not come in contact with the ferrous scrap.

Under a proposed Settlement Agreement to certain law suit, DERM has given ISL four (4) options to bring the facility into compliance with Chapter 24-47 of the Miami-Dade Code. A partial copy of the mandate is attached where the four (4) options are mentioned. ISL favors option no. 4 and wants to pursue it because of the following reasons;

Ferrous scrap processing under open sky requires treatment plant to allow treated clean water discharge into the ground water, but DERM does not want discharge into the ground water and requires pumping into the adjacent NW 127 Canal that runs along southern boundary of the property. The subject property is narrow and is not adequate to accommodate both ferrous scrap processing/recycling and a treatment plant & pumping system. Therefore, treatment plant & pumping system option is not feasible for the subject property. **The option we are left with is to provide roof over the entire ferrous scrap recycling system.**

We have carefully and with due diligence devised the scrap receiving, handling, sorting, volume reduction, storage and disposal system that would fit this site, accommodating ferrous scrap recycling process under a metal building to be located along the southern property line, 88' wide X 288' long and 42' high. Please see the documents submitted with this application as required by the checklist. The submitted documents contain, scope & work on the sheets C-1, C-2 and C5, however we are submitting the same separately as required. Please find the attached.

The proposed metal building can meet all zoning requirements except the roof height. The current zoning limits the roof height to 20' while the roof height needed for the proposed building is 42' at front sloping down towards the rear at 34' height to facilitate rainstorm water from the roof discharge into the NW 127 Canal. The need for such a high roof is due to the height needed for machinery operations under the roof since most of the recycling operations are performed with the heavy equipment as illustrated in the conceptual plans. The proposed system provides 38'-30' clear height for heavy equipment operations under the roof. The ferrous scrap recycling operations are not possible under a 20' high roof which can only provide approximately 17'-14' clear height for the heavy equipment operations.

We therefore, request your kind review and consideration for zoning change to increase the roof height limit to 45', not only for the subject property but for the entire Milton Dump area to facilitate Miami-Dade County Code Chapter 24-47 compliance for this property and for others as well.

We will be pleased to answer any questions or clarifications you may require.

Very truly yours,
Joe Carrero
International Scrap

SCOPE OF WORK FOR
COMPLIANCE WITH MIAMI-DADE CHAPTER 24, SECTION 47

- THE EX. FACILITY IS REQUIRED TO BE BROUGHT IN COMPLIANCE WITH MIAMI-DADE CHAPTER 24, SECTION 47 THAT PROVIDES AN OPTION TO PROCESS FERROUS SCRAP METAL ON CONC. SURFACE AND UNDER A ROOF FOR SCRAP METAL PROTECTION FROM STORM WATER AND AN APPROVED STORM WATER MANAGEMENT SYSTEM.
- THE ENTIRE SITE ALREADY HAS A 12" THICK CONCRETE SLAB WITH THE EXCEPTION OF A 12' x 18' GREEN AREA WHERE AN UNDERGROUND 1200 GALLON DOMESTIC SEWAGE HOLDING TANK IS PROVIDED. THEREFORE THE EXISTING FACILITY ALREADY COMPLIES WITH ONE OF THE REQUIREMENTS THAT ALL SCRAP METAL PROCESSING BE PERFORMED ON A CONCRETE SURFACE.
- IN ORDER TO COMPLY WITH CHAPTER 24 SECTION 47, A NEW METAL BUILDING IS PROPOSED WHERE ALL FERROUS SCRAP METAL WILL BE PROCESSED. THE NEW OPEN SIDED METAL BUILDING, WITH OVERHANGS AS SHOWN ON ARCHITECTURAL PLANS, IS SIZED TO ACCOMMODATE LARGE OPERATING MACHINES (SEE SHEET A-1 AND A-2). THE ROOF SLOPES TOWARDS THE SOUTHERN END, DISCHARGING ROOF STORMWATER RUNOFF TO GRADE FROM WHERE THE RUNOFF FINDS ITS WAY TO THE EXISTING CANAL.
- THE EXISTING FRENCH DRAIN STORM WATER DRAINAGE SYSTEM IS PROPOSED TO BE ABANDONED, UTILIZING RETROFITTED AND NEW CATCH BASINS AND NEW SOLID PIPES LEADING TO AN UNDERGROUND SEDIMENT RETENTION/DETENTION TANK, FROM WHERE THE TREATED STORM WATER IS PROPOSED TO BE DISCHARGED TO THE EXISTING CANAL. SEE SHEET, C-5 THRU C-8 IN COORDINATION WITH THIS SHEET.

L11000022267

Florida Department of State
Division of Corporations
Electronic Filing Cover Sheet

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To: Division of Corporations
Fax Number : (850) 617-6363

From: Account Name : FASTKIT CORP
Account Number : I20100000009
Phone : (305) 599-0839
Fax Number : (305) 592-9591

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KC Realty LLC

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TALLAHASSEE, FLORIDA

ARTICLES OF ORGANIZATION

FOR

KC Realty LLC

ARTICLE I - NAME:

The name of the Limited Liability Company shall be KC Realty LLC

ARTICLE II - ADDRESS:

The mailing address and street address of the principal office of the Limited Liability Company is:

10800 Biscayne Blvd. Suite 870 Miami, FL 33161

ARTICLE III - REGISTERED AGENT, REGISTERED OFFICE, & REGISTERED AGENT'S SIGNATURE:

The name and the Florida street address of the registered agent are:

Jose Carrero

Name

10800 Biscayne Blvd #870

Florida Street address (PO Box NOT acceptable)

Miami, FL 33161

City, State, and Zip

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity.

I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S..

~~_____~~
Registered Agent's Signature

Prepared by:
Doris E. Cardelle
10264 SW 127th Court
Miami, FL 33186
PH: (305) 385-2469

ARTICLE IV - MANAGEMENT (Check box if applicable):

☒ The Limited Liability Company is to be managed by one manager or more managers and is, therefore, a manager - managed company.

ARTICLE V - EFFECTIVE DATE:

These Articles of Organization shall be effective immediately upon approval of the Secretary of State, state of Florida.

ARTICLE VI - MEMBERS:

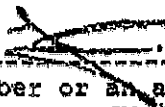
The Managers of the Company shall be elected by the member(s) in accordance with regulations adopted by the member(s) for the management of the business and affairs of the Company. These regulations may contain any provisions for the regulation and management of the affairs of the Company not inconsistent with law or these Articles of Organization. The name and address of the member(s) of the Company are:

Jose Carrero
3370 NE 190 Street, Apt 1015, Aventura, FL 33161

Nathan Kestenman
214 Rumson Road, Rumson, NJ 07776

2011 FEB 21 AM 10:07
CLERK OF STATE
TALLAHASSEE, FLORIDA

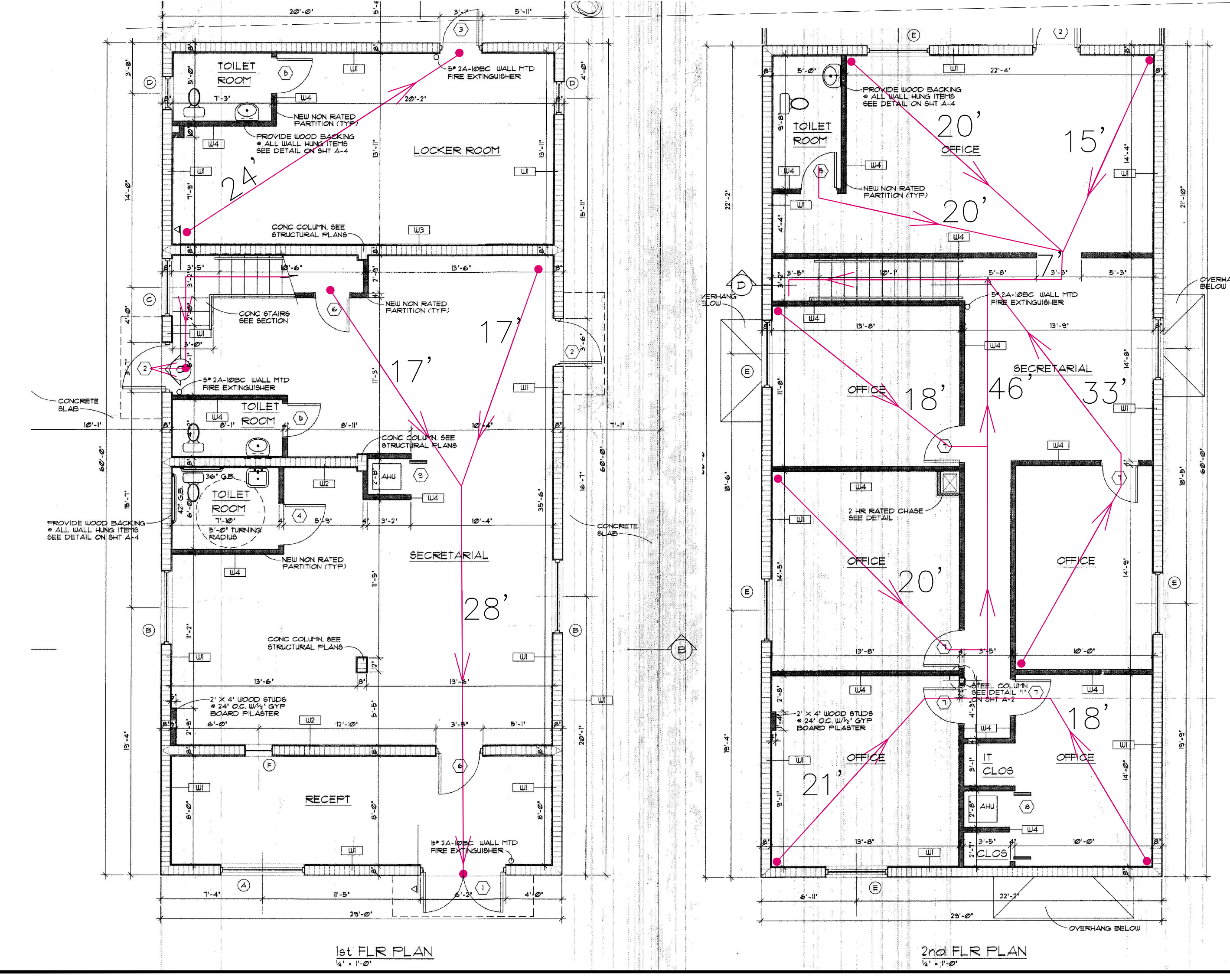
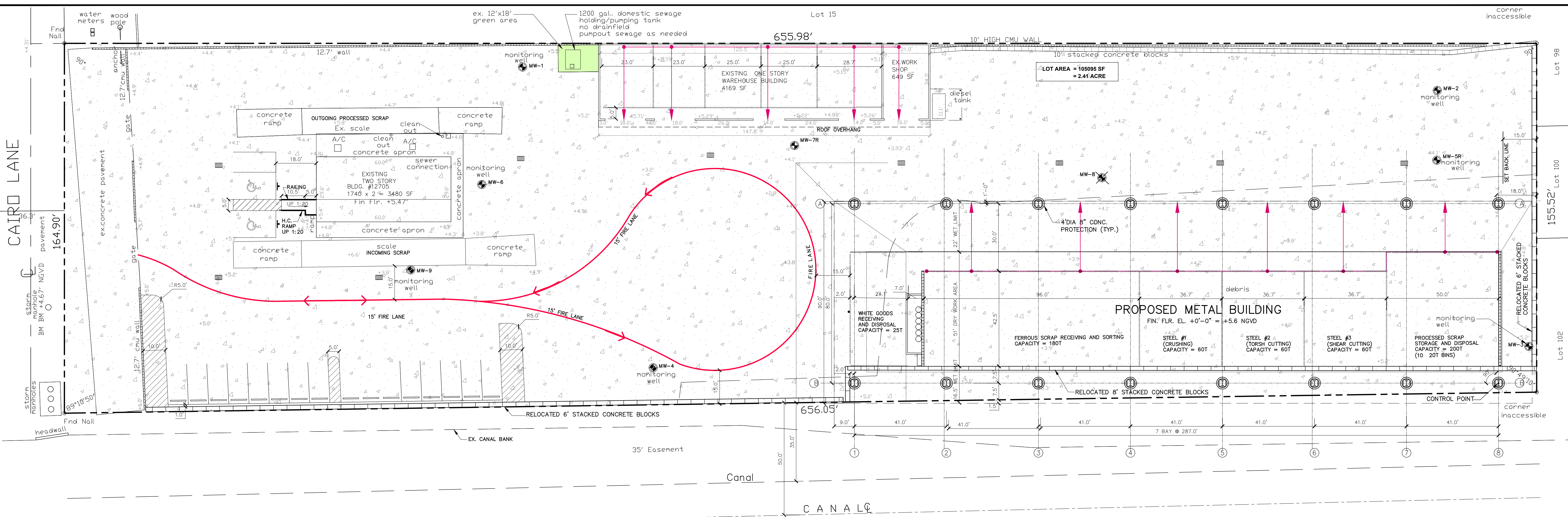
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Signature of a member or an authorized representative of a member.

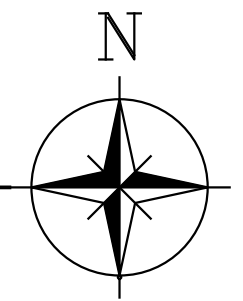
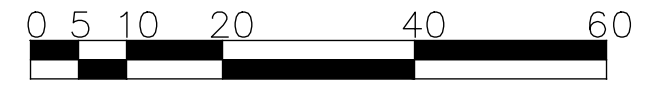
(In accordance with section 608.408(3), Florida Statutes, the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true).

Jose Carrero

Typed or printed name of signer



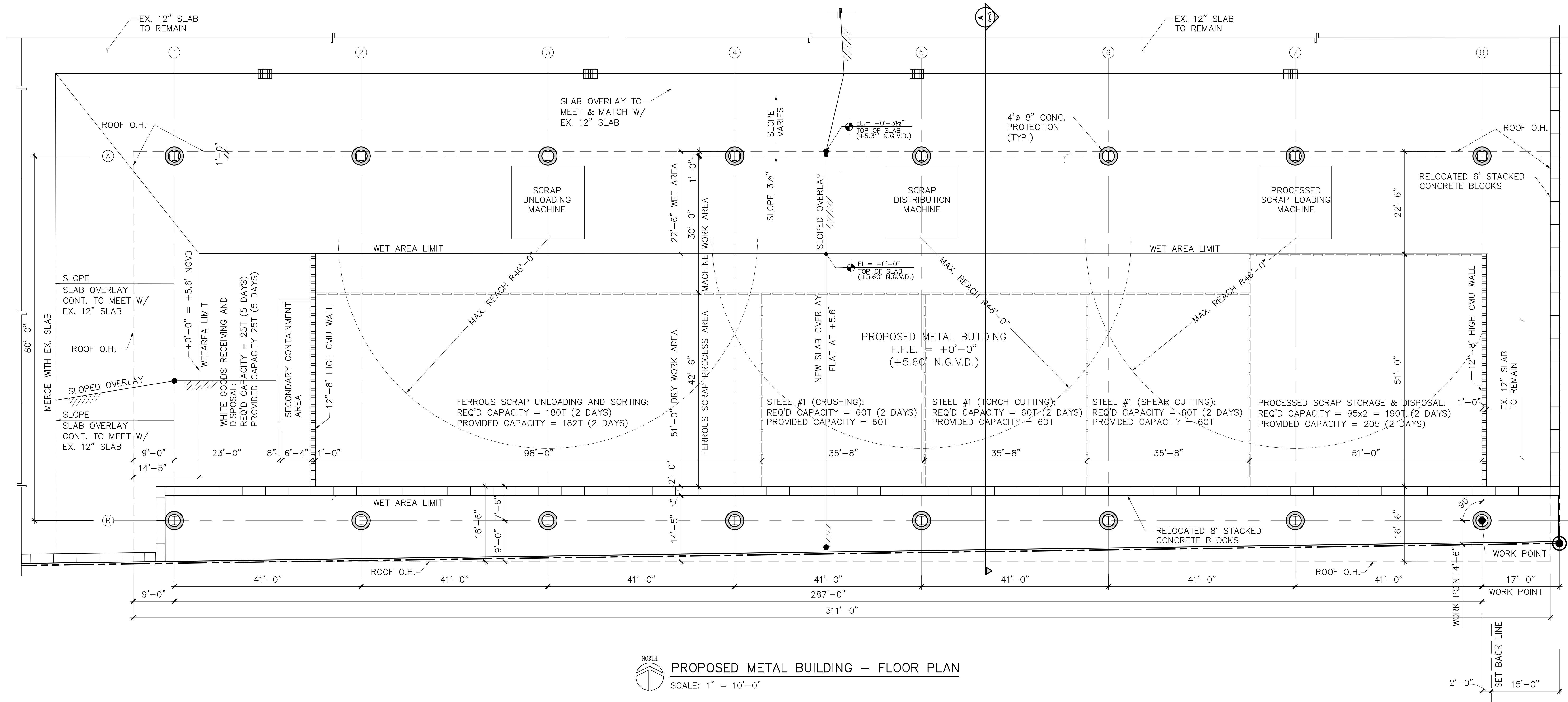
LIFE SAFETY PLAN
SCALE: 1" = 20'-0"



LEGEND

- FIRE LINE
- INCOMING SCRAP METAL (FERROUS, NON FERROUS AND WHITE METAL)
- INCOMING WHITE SCRAP METAL
- INCOMING NON FERROUS SCRAP METAL
- OUTGOING PROCESSED SCRAP METAL (FERROUS, NON FERROUS AND WHITE METAL)
- OUTGOING PROCESSED SCRAP METAL (NON FERROUS SCRAP)

International Scrap LLC 12705 CAIRO LANE, OPA-LOKA, FL 33054		LIFE SAFETY PLAN	
 K&A Khan & Associates, Inc. Consulting Engineers and Planners 7400 SW 50th TERR. SUITE 105 Miami, Florida 33155 TEL (305) 462-2301 FAX (305) 461-2062 Comm. No. 21-122.00 CAP EB0002967	ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NEITHER TO BE REPRODUCED, COPIED, NOR CHANGED IN ANY FORM OR MANNER, WHAT-SO-EVER NOT ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF "KHAN & ASSOCIATES, INC."	K+A No: 22-122.00	DRAWING No:
		DWG BY: L.Q.R.	LSF-1
		CHECKED: M.S.K.	
		SCALE: AS NOTED	DATE: 11-15-2022
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.		M.S. KHAN FL. P.E. #16743	

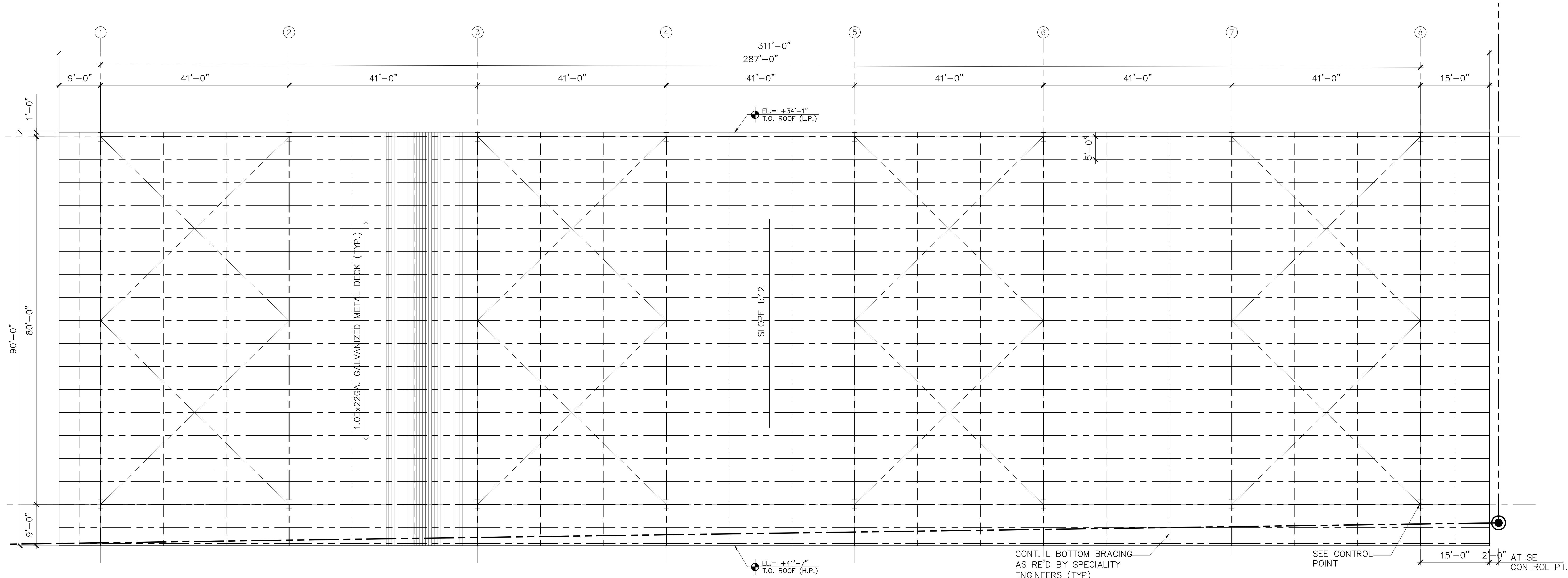


PROPOSED METAL BUILDING – FLOOR PLAN

SCALE: 1" = 10'-0"

PROGRESS PLANS

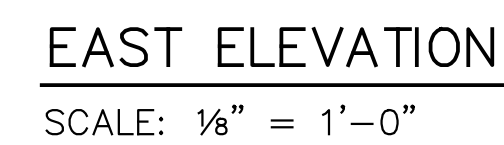
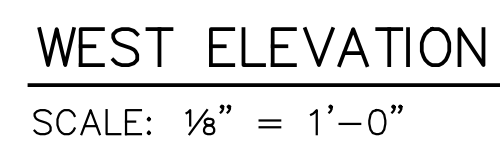
International Scrap LLC 12705 CAIRO LANE, OPA-LOKA, FL 33054		PROPOSED METAL BUILDING FLOOR PLAN	
 Khan & Associates, Inc. Consulting Engineers and Planners 7400 SW 50th TERR, SUITE 105 Miami, Florida 33155 TEL (305)-662-2301 FAX (305)-661-3962 Comm. No. 21-105.00 CAG EBO0029467	ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NEITHER TO BE REPRODUCED, COPIED, NOR CHANGED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF KHAN & ASSOCIATES, INC.*	K+A No: 22-122.00	DRAWING No:
		DWG BY: L.Q.R.	A-1
		CHECKED: M.S.K.	
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C. 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.		M.S. KHAN FL. P.E. #16743	SCALE: AS NOTED DATE: 02-16-2023



PROPOSED METAL BUILDING – ROOF PLAN
SCALE: 1" = 10'-0"

PROGRESS PLANS

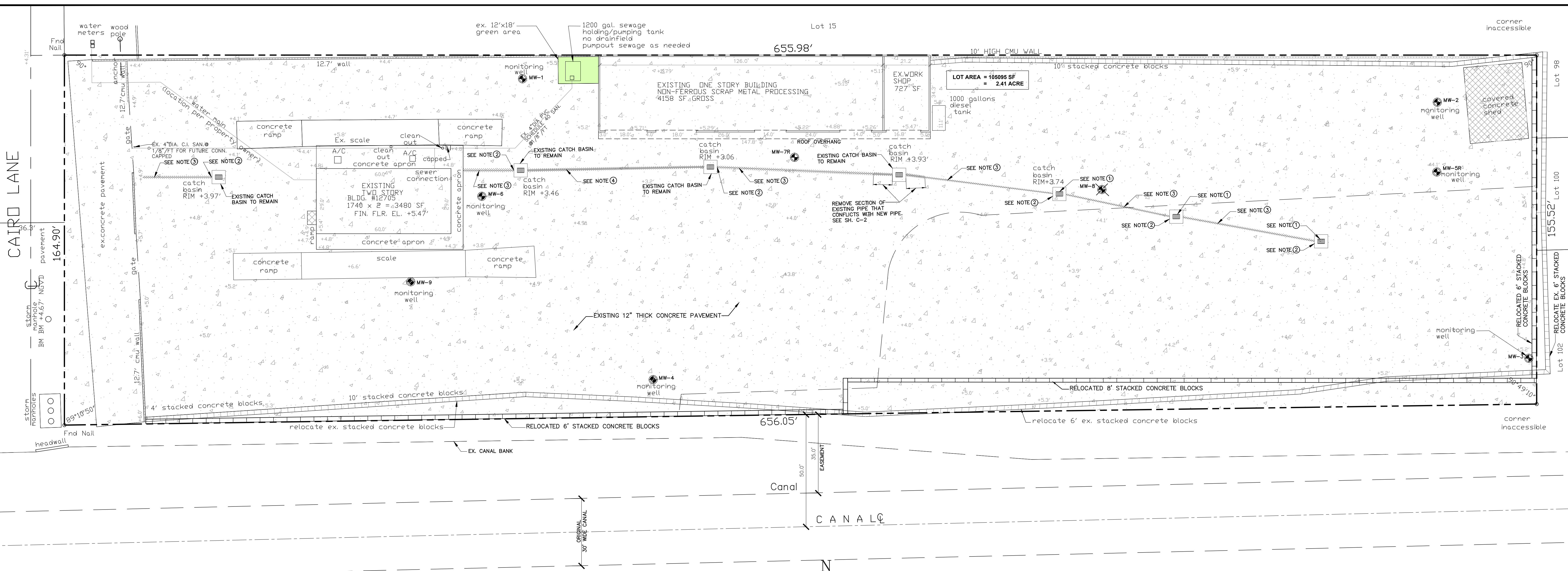
International Scrap LLC 12705 CAIRO LANE, OPA-LOCCA, FL 33054		PROPOSED METAL BUILDING ROOF PLAN	
 Khan & Associates, Inc. Consulting Engineers and Planners 7400 SW 50th TERR. SUITE 105 Miami, Florida 33155 TEL (305)-662-2301 FAX (305)-661-3962 Comm. No. 21-105.00 CA# EB00029467	ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NEITHER TO BE REPRODUCED, COPIED, NOR WHATSOEVER EVER NOT ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF "KHAN & ASSOCIATES, INC."	K+A No: 22-122.00	DRAWING No:
		DWG BY: L.Q.R.	A-3
		CHECKED: M.S.K.	
		SCALE: AS NOTED	
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C. 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.		M.S. KHAN FL. P.E. #16743	DATE: 02-16-2023



PROPOSED METAL BUILDING SECTION

SCALE: $\frac{1}{8}" = 1'-0"$

International Scrap LLC 12705 CAROL LANE, OPA-LOOSA, FL 33054		PROPOSED ELEVATIONS AND SECTION	
K+A Khan & Associates, Inc. Consulting Engineers and Planners		ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT IN ALL OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE HERETO BE REPRODUCED, COPIED, OR CHANGED IN ANY FORM OR MANNER. WHAT-SO EVER NOT ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF KHAN & ASSOCIATES, INC.	K+A No: 22-122.00 DWG BY: L.Q.R. CHECKED: M.S.K.
7400 SW 50th TERR. SUITE 105 Miami, Florida 33155 TEL (305)-662-2301 FAX (305)-661-3962 Comm. No. 21-105.00 C#4 E890029467		TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2000, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.	P.E.S. KHAN FL. EXP. # 16743 SCALE: AS NOTED DATE: 02-16-2023



SCOPE OF WORK FOR COMPLIANCE WITH MIAMI-DADE CHAPTER 24, SECTION 47

- UNDER AN INTERIM AGREEMENT WITH DERM, THE EX. FACILITY IS REQUIRED TO BE BROUGHT IN COMPLIANCE WITH MIAMI-DADE CHAPTER 24, SECTION 47 THAT PROVIDES AN OPTION TO PROCESS FERROUS SCRAP METAL ON CONC. SURFACE AND UNDER A ROOF FOR SCRAP METAL PROTECTION FROM STORM WATER AND AN APPROVED STORM WATER MANAGEMENT SYSTEM.
- THE ENTIRE SITE HAS A 12" THICK CONCRETE SLAB WITH THE EXCEPTION OF A 12' x 18' GREEN AREA WHERE AN UNDERGROUND 1200 GALLON SEWAGE HOLDING TANK IS PROVIDED. THE EXISTING FACILITY ALREADY COMPLIES WITH ONE OF THE REQUIREMENT, THAT ALL SCRAP METAL PROCESSING BE PERFORMED ON A CONCRETE SURFACE.
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- THE EXISTING FRENCH DRAIN STORM WATER DRAINAGE SYSTEM IS PROPOSED TO BE ABANDONED, UTILIZING RETROFFITED AND NEW BASINS AND NEW SOLID PIPES LEADING TO AN UNDERGROUND SEDIMENT RETENTION TANK, FROM WHERE THE TREATED STORM WATER IS PROPOSED TO BE DISCHARGED TO EXISTING CANAL. SEE SHEET C-5

GENERAL NOTES:

- ABANDONED CATCH BASINS SHALL REMAIN IN PLACE AND SHALL BE FILLED WITH CONCRETE AS NOTED ON PLANS.
- EXISTING CATCH BASINS TO REMAINS IN PLACE SHALL BE RETROFFITED AS NOTED ON PLANS.
- PRECAST CONCRETE CATCH BASIN TOP AND/OR FLOOR SLABS MAY BE OF THE SAME CONCRETE AS SPECIFIED IN ASTM SPECIFICATIONS C-478 FOR PRECAST CONCRETEUNITS.
- SMOOTH FLOW CHANNELS COMPOSED OF CONCRETE, OR BRICK AND MORTAR, SHALL BE CONSTRUCTED IN THE BOTTOMS OF ALL STRUCTURES TO A DEPTH EQUAL TO HALF THE DIAMETER OF THE LARGEST PIPE. MODIFY AND RETROFIT THE BOTTOM SLOPE SUITABLE FOR NEW PIPES.
- STRUCTURES SHALL BE SECURE TO INLET THROATS, RISERS OR MANHOLE TOPS WITH MINIMUM OF 6-NQ.4 BARS 12" LONG, OR AS SHOWN ON SHEET C-3.
- ANY INLET, MANHOLE OR JUCTION BOX MAY BE USED IN CONJUNCTION WITH ANY INLET THROAT OR MANHOLE TOP.
- SEAL THE ANNULAR SPACE BETWEEN THE PIPE AND THE CONCRETE SURFACE. MORTAR USED TO SEAL THE PIPE IN THE WALLS OF PRECAST UNITS SHALL BE OF SUCH A MIX THAT SHRINKAGE WILL NOT CAUSE LEAKAGE INTO OR OUT OF UNITS. ALTERNATIVELY HYDRAULIC CEMENT MAY BE USED.
- THE OUTSIDE OF BRICK WORK SHALL BE PLASTERED WITH 1:2 CEMENT MORTAR.
- UNLESS OTHERWISE NOTED CONCRETE PROTECTION FOR REINFORCEMENT IN CAST-IN-PLACE OR PRECAST CONCRETE SHALL BE IN ACCORDANCE WITH CHAPTER 20, "BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-14)".

PLAN NOTES:

- REMOVE METAL COVER AND SAVE FOR RE-USE; REMOVE EX. FILTER AND BAFFLES.
- PLUG EXISTING PIPE END WITH 5000 PSI CONC.; 0.4 W/C; 2" SLUMP; FILL EX. CONC. BOX WITH 2500 PSI CONCRETE, LEVEL WITH TOP OF EXISTING SLAB.
- EXISTING PERFORATED PIPE TO REMAIN; ENDS PLUGGED PER NOTE No. ②.
- REMOVE EXISTING PERFORATED PIPE.

GENERAL DATA:

COMMUNITY NUMBER: 120657
CITY OF OPA-LOOKA
PANEL: 12086 C 119
SUFFIX: L
F.I.R.M. DATE: 9-11-2009
FLOOD ZONE: AH
BASE FLOOD ELEVATION: +7.00'NGVD
DIAGRAM: 1A
EXISTING FINISH FLOOR ELEVATION AT OFFICE: 5.47' NGVD
EXISTING FINISH FLOOR ELEVATION AT SHOPS: 5.47' NGVD
EXISTING GROUND WATER TABLE ELEVATION: +3.00 NGVD
PROPOSED BUILDING FLOOR ELEVATION: +5.6 NGVD
LOWER ADJACENT GRADE: +4.7'
HIGHEST ADJACENT GRADE: +4.8'
CROWN ROAD: +4.31'
LATITUDE: 25°53'23"
LONGITUDE: 80°15'24"

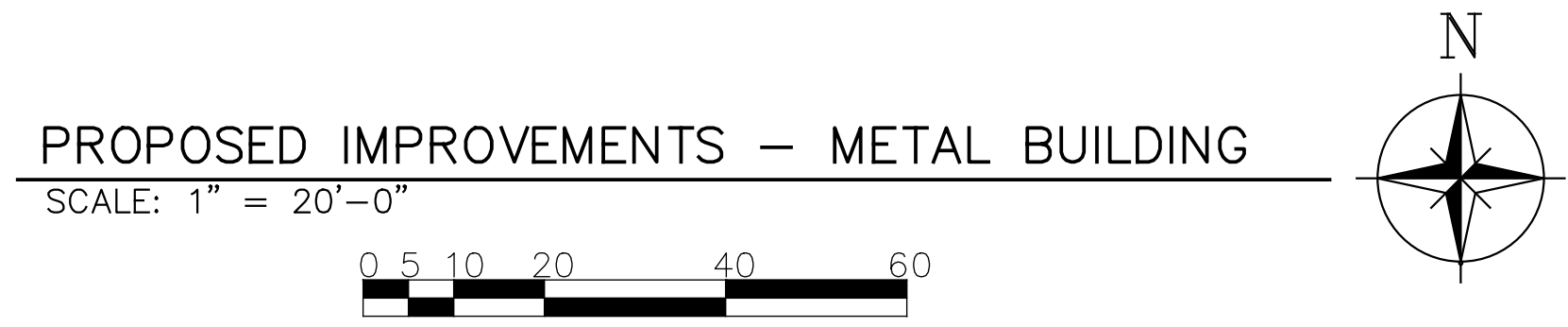
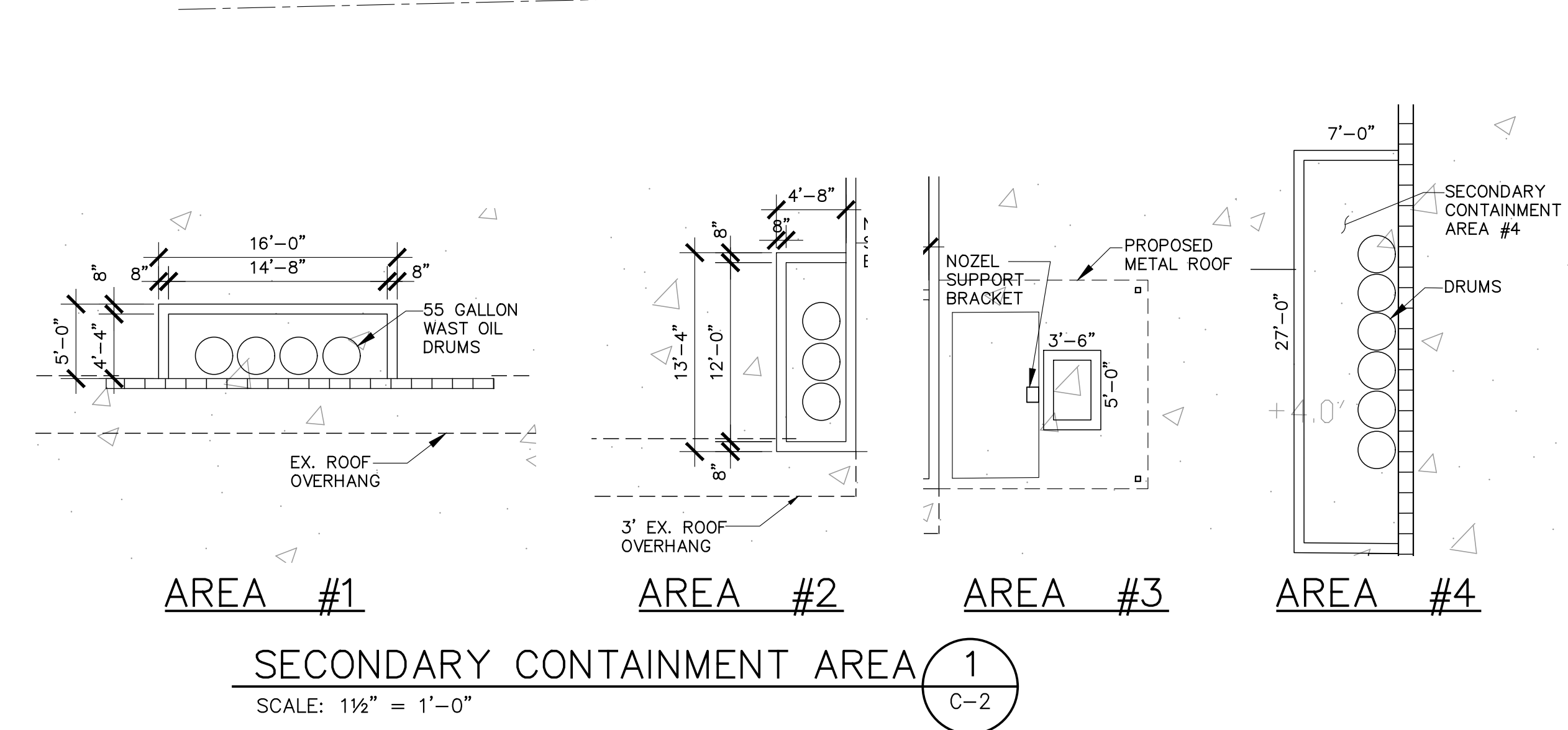
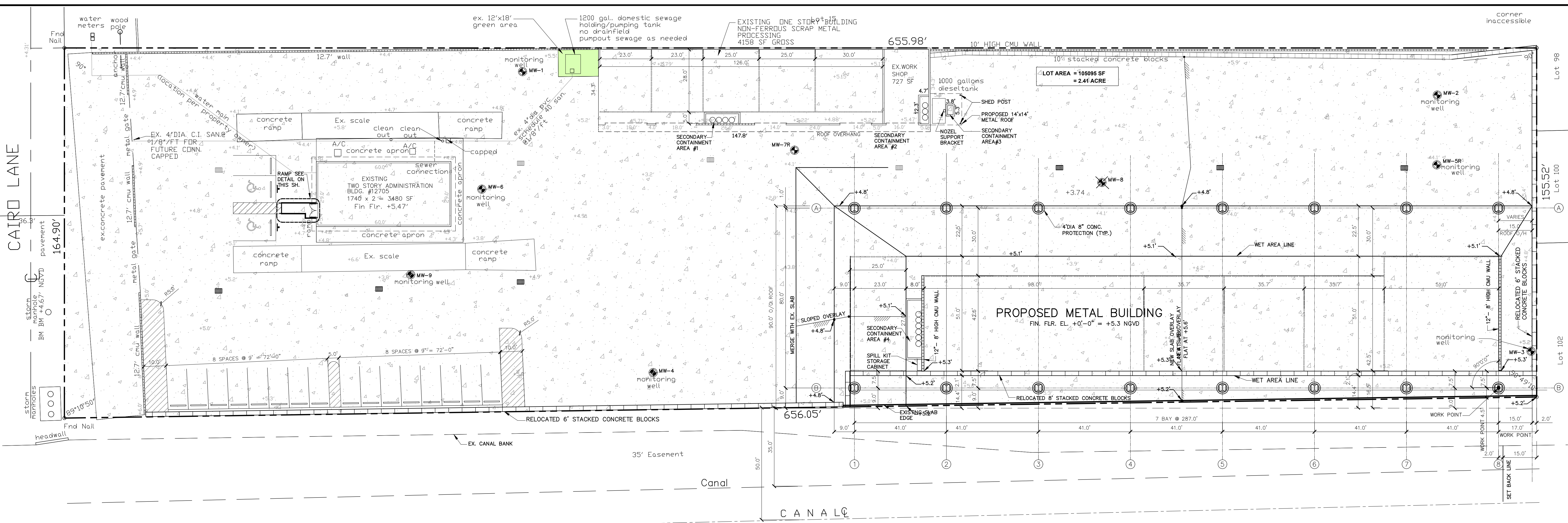
LEGEND

- EX. STRUCTURE TO BE REMOVED
- EX. CATCH BASIN TO REMAIN
- ABANDONED EX. PIPE LEFT IN PLACE
- EX. PIPE TO BE REMOVED
- EX. STACKED CONCRETE BLOCKS 6'x2'x2' (3456 lbs EACH)
- EX. MONITORING WELL

PROGRESS PLANS

International Scrap LLC		EXISTING FACILITIES AND ADJUSTMENTS	
12705 CAIRO LANE, OPA-LOOKA, FL 33054		K+A Khan & Associates, Inc. Consulting Engineers and Planners	
7400 SW 52ND TERR. SUITE 105 Miami, Florida 33155 TEL (305) 463-2301 FAX (305) 461-2062 Comm. No. 21-122.00 CA# E800320467		ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NEITHER TO BE REPRODUCED, COPIED, NOR CHANGED IN ANY FORM OR MANNER, WHAT-SO EVER NOR ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF KHAN & ASSOCIATES, INC.*	
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.		M.S. KHAN FL. P.E. #16743	DRAWING No: 22-122.00 DWG BY: L.Q.R. CHECKED: M.S.K. SCALE: AS NOTED DATE: 02-16-2023





- NOTES:**
- SEE CIVIL PLANS C-1 THRU C-3 FOR LAYOUT, PROCESSING AND SITE IMPROVEMENT WORK.
 - ALL FERROUS METAL PROCESSING SHALL BE UNDER ROOF, PROTECTED FROM RAIN WATER CONTACT WITH FERROUS METALS.
 - PROPOSED BUILDING SHALL BE A METAL BUILDING DESIGNED AND INSTALLED BY METAL BUILDING SPECIALTY SUB-CONTRACTOR.
 - SEE A-4 FOR BUILDING ELEVATIONS.
 - SEE STRUCTURAL GENERAL NOTES 'I' AND 'J' ON SHEET S-0 FOR ADDITIONAL INFORMATION ON THE METAL BUILDING.
- LEGEND**
- EX. CATCH BASIN
 - PROPOSED CATCH BASIN
 - NEW SOLID (NON-PERFORATED) HEAVY DUTY BOUBLE WALLED 24" DIA HDPE PIPE.
 - EX. MONITORING WELL



ESP UNIVERSAL 20 GAL. SPILL KIT
AVAILABLE AT JME ELLSWORTH



FUEL NOZZLE WALL MOUNTING BRACKET



Sunshine State 811
of Florida, Inc.



811
Know what's below.
Call before you dig.

International Scrap LLC
12705 CAIRO LANE,
OPA-LOKA, FL 33054

K&A Khan & Associates, Inc.
Consulting Engineers and Planners
7400 SW 52ND TERR. SUITE 105
Miami, Florida 33155
TEL (305) 462-2301 FAX (305) 461-2062
Comm. No. 21-122.00
CA# EB00020467

ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NEITHER TO BE REPRODUCED, COPIED, NOR CHANGED IN ANY FORM OR MANNER, WHAT-SO-EVER NOR ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF KHAN & ASSOCIATES, INC.*

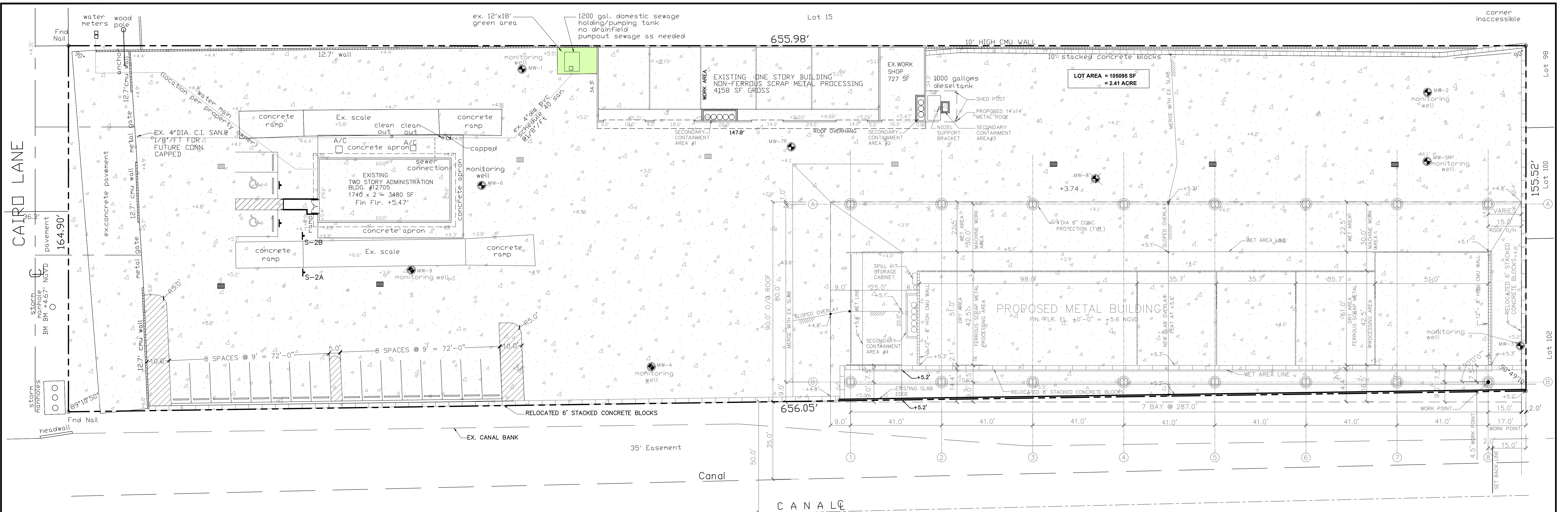
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.

PROGRESS PLANS

PROPOSED IMPROVEMENTS - METAL BUILDING

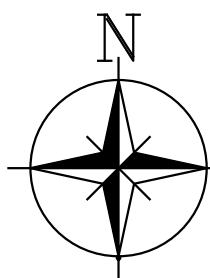
K+A No: 22-122.00	DRAWING No: C-2
DWG BY: L.Q.R.	
CHECKED: M.S.K.	
SCALE: AS NOTED	DATE: 02-16-2023

M.S. KHAN
FL. P.E. #16743



PROPOSED SIGNAGE & PAVEMENT MARKING

SCALE: 1" = 20'



SIGN GENERAL NOTES:

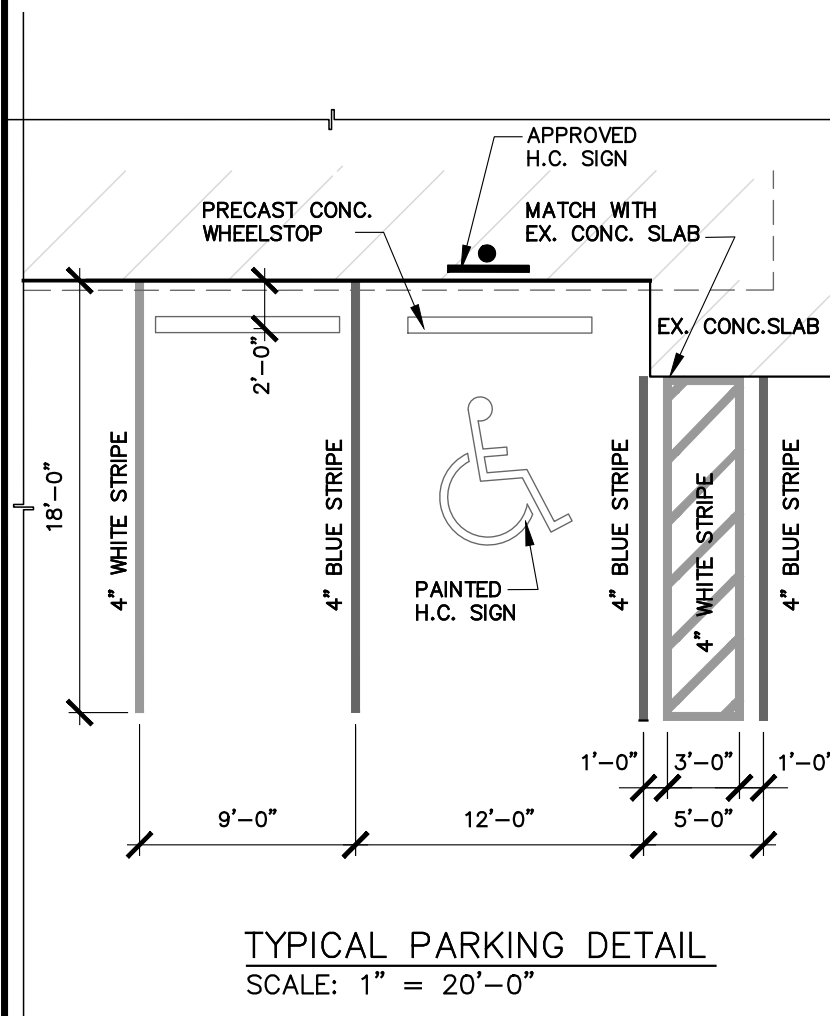
- ALL PAVEMENT MARKINGS SHALL BE REFLECTIVE THERMOPLASTIC TYPE PER MDOT SECTION 02765-3.02
- SIGNS IN PUBLIC RIGHT-OF-WAY AND ON THE PROPERTY SHALL CONFORM TO DTPW/MDOT STANDARDS
- SIGN PANELS AND SUPPORT MEMBERS SHALL CONFORM TO ALUMINUM ASSOCIATION ALLOY 6061-T6

GENERAL DATA:

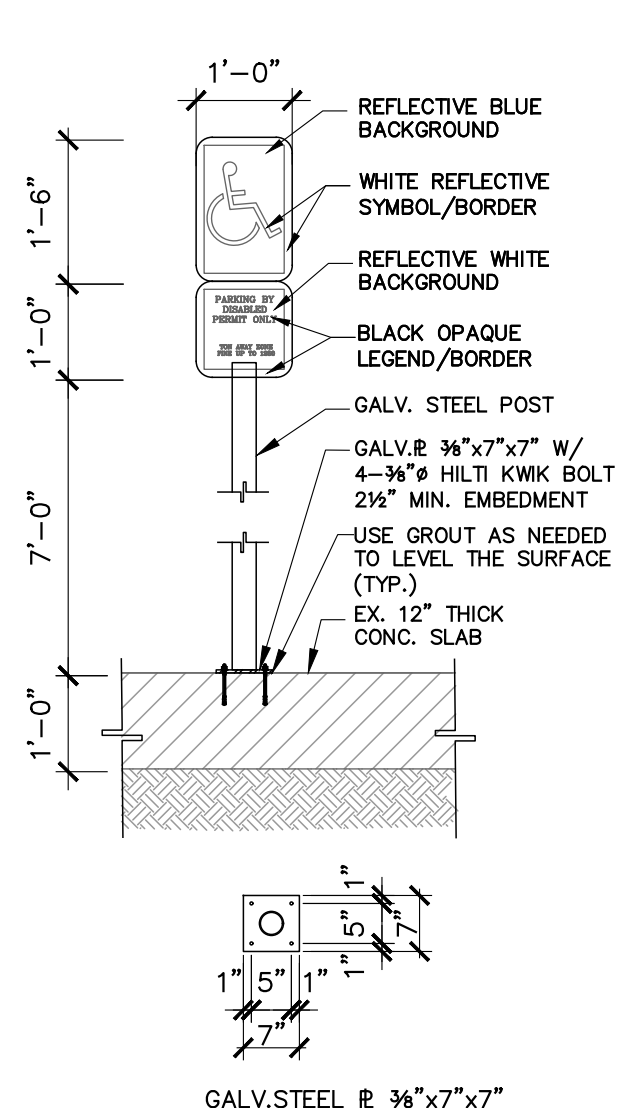
COMMUNITY NUMBER: 120657
CITY OF OPA-LOCKA
PANEL: 12086 C 119
SUFFIX: L
F.I.R.M. DATE: 9-11-2009
FLOOD ZONE: AH
BASE FLOOD ELEVATION: +7.00'NGVD
DIAGRAM: 1A
EXISTING FINISH FLOOR ELEVATION AT OFFICE: 5.47' NGVD
EXISTING FINISH FLOOR ELEVATION AT SHOPS: 5.47' NGVD
EXISTING GROUND WATER ELEVATION: +3.00' NGVD
PROPOSED BUILDING FLOOR ELEVATION: +5.6' NGVD
LOWER ADJACENT GRADE: +4.7'
HIGHEST ADJACENT GRADE: +4.8'
CROWN ROAD: +4.31'
LATITUDE: 25°53'23"
LONGITUDE: 80°15'24"

LEGEND

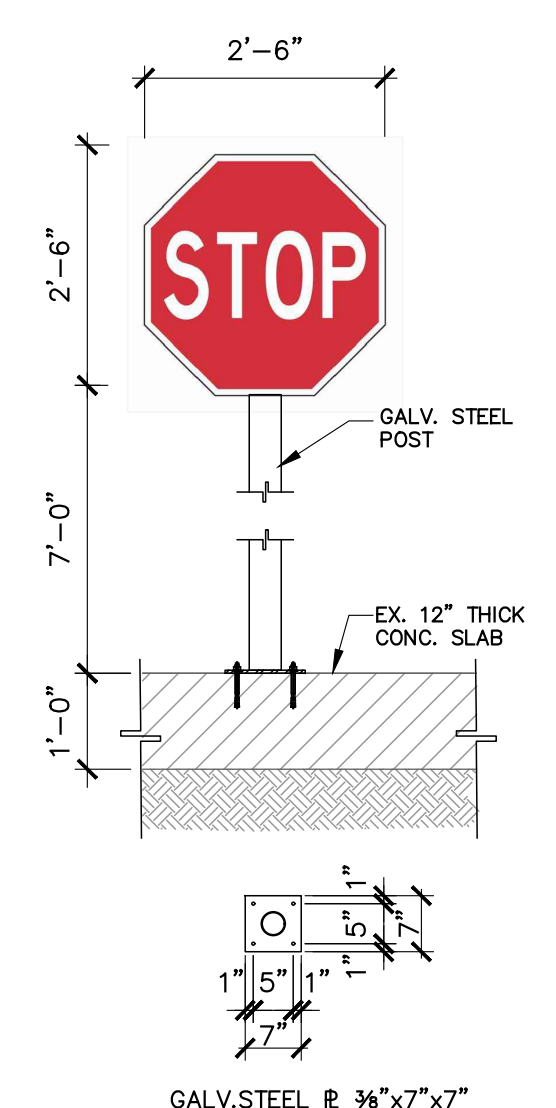
- PROPOSED AND EXISTING CONC. SLAB
- PROPERTY LINE
- EX. CATCH BASIN
- PROPOSED CATCH BASIN
- EX. MONITORING WELL
- TRAFFIC SIGN
- FIRE HYDRANT



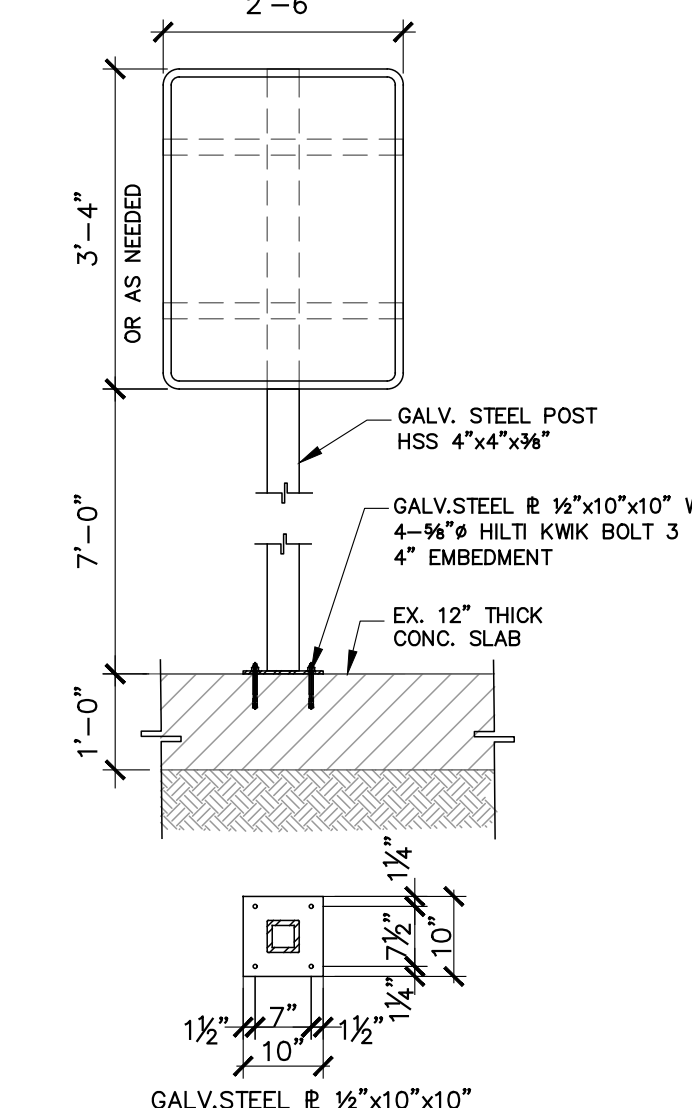
TYPICAL PARKING DETAIL
SCALE: 1" = 20'-0"



H.C. SIGN DETAIL



SIGN S-1
INSTALLATION CONFORM TO R18.1
NOT USED



COMPANY POLICY & RULES
SIGN DETAIL FOR S-2A AND S-2B

INTERNATIONAL SCRAP LLC
COMPANY POLICY AND RULES
IMPORTANT NOTICE TO OUR CUSTOMERS
ALL PRICES ARE SUBJECT TO CHANGE
ALL OUR SCALES ARE DIGITAL AND
STATE CERTIFIED

1. BY LAW ALL CUSTOMER MUST IMPRINT THEIR THUMB AND SIGN THE TICKET.
2. PLEASE COUNT YOUR CASH BEFORE LEAVING THE CASHIER WINDOW.
3. WE DO NOT BUY ANY STOLEN MATERIAL.
4. OUR INSURANCE COMPANY DOESN'T COVER ANY INJURY OR ACCIDENTS TO ANY CUSTOMER WHEN DROPPING OR OUT OF THE YARD.
5. OUR COMPANY DOESN'T BUY ANY MATERIAL CONTAINING OIL, GREASE, GAS, NATURAL GAS, SEAL, PROPANE TANKS, RADIATION EQUIPMENT AND X-RAY MATERIALS CONTAINING OIL, GASOLINE, DIESEL, ETC. MUST BE DRAINED PRIOR TO ENTERING THIS FACILITY.
6. OUR COMPANY DOES NOT BUY TIRES OF ANY KIND.
7. OUR INSPECTOR HAS THE AUTHORITY TO REJECT & TURN AWAY ANY VENDOR VIOLATING ABOVE STATED POLICIES.
WE APPRECIATE YOUR BUSINESS PLEASE COME AGAIN AND HAVE A GREAT DAY

S-2A

COMPANY POLICY & RULES SIGN S-2A AND S-2B
(IN ENGLISH AND SPANISH)

INTERNATIONAL SCRAP LLC
POLIZA Y REGLAMENTOS DE LA EMPRESA
AVISO IMPORTANTE PARA NUESTROS
CLIENTES EL PRECIO DE LOS MATERIALES
ESTA SUJETO A CAMBIAR DIARIAMENTE
NUESTRAS PESAS SON DIGITALES Y
CERTIFICADAS POR EL ESTADO.

1. POR FAVOR TENGA SU IDENTIFICACION LISTA.
2. POR LEY TODOS LOS CLIENTES TIENEN QUE PRIMAR Y PONER LA HUELLA DIGITAL EN EL RECIBO.
3. POR FAVOR CUENTE SU DINERO ANTES DE RETIRARSE DE LA CAJERA.
4. NO SE COMPRAN MATERIALES ROBADOS.
5. NUESTRO SEGURO NO COBRE ACCIDENTES O LESIONES A CLIENTES QUE VENGAN A DEJAR O RECOCER MATERIALES.
6. NO SE COMPRAN MATERIALES QUE CONTENGAN ACEITE, GRASA, GAS, GAS NATURAL, GAS DE ACETILENO SELLADO, EQUIPOS DE RADIACION O RAYOS X. MATERIALES QUE CONTENGAN ACEITE, GASOLINA, DIESEL, ETC. DEBEN SER DRENADOS ANTES DE ENTRAR EN LAS INTALACIONES.
7. NO SE COMPRAN LLANTAS DE NINGUN TIPO.
8. NUESTRO INSPECTOR TIENE LA AUTORIDAD DE RECHAZAR Y ALEJAR CUALQUIER VENDEDOR QUE VIOLAS LAS REGLAS ANTERIORES.
NOSOTROS APRECIAMOS SU NEGOCIO POR FAVOR REGRESE Y TENGA UN EXCELENTE DIA

S-2B

International Scrap LLC
12705 CAIRO LANE,
OPA-LOCKA, FL 33054

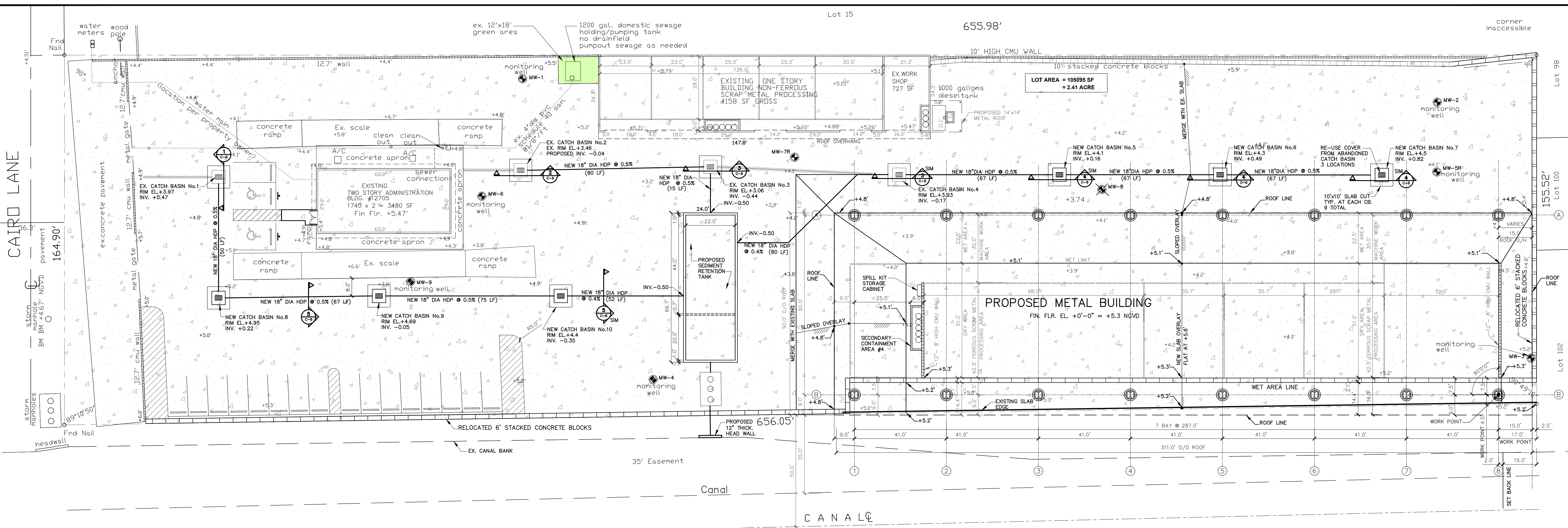
K&A
Khan & Associates, Inc.
Consulting Engineers and Planners
7400 SW 50th TERR. SUITE 105
Miami, Florida 33155
TEL (305)-662-2301
FAX (305)-661-3962
Comm. No. 21-105.00
CA# EB00022467

TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO

PROPOSED SIGNAGE & PAVEMENT MARKING

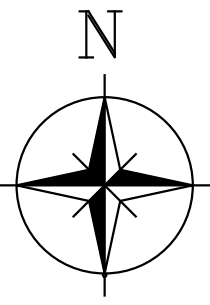
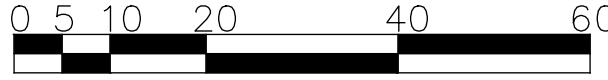
K&A No: 22-122.00	DRAWING No: C-4
DWG BY: L.Q.R.	CHECKED: M.S.K.
SCALE: AS NOTED	DATE: 02-16-2023

M.S. KHAN
FL. P.E. #16743



PROPOSED STORM WATER MANAGEMENT

SCALE: 1" = 20'-0"



CAUTIONARY NOTES FOR CONTRACTOR (GC)

- BE IT KNOWN TO ALL WHO WILL OR ARE PERFORMING UNDERGROUND CONSTRUCTION WORK ON THE SUBJECT PROPERTY THAT THE SOIL CONTAINING DEBRIS AND GROUND WATER BENEATH THE EXISTING CONCRETE PAVEMENT IS CONTAMINATED AND MAY BE HAZARDOUS TO HEALTH IF APPROPRIATE PRECAUTIONS ARE NOT TAKEN. FOR FURTHER INFORMATION ON THE NATURE OF POLLUTANTS, COORDINATE WITH ISL ENVIRONMENTAL CONSULTANT "PROPERTIES ENVIRONMENTAL ASSESSMENT & REMEDIATION, INC." - CONTACT RUDI THYN, PROJECT MANAGER, PHONE: 786-229-2530; EMAIL: rtaylor@island.com. ALSO, REVIEW THE GEOTECHNICAL REPORT, DATED....., COPY OF WHICH IS AVAILABLE AT ENGINEER'S OFFICE.
- UNDERGROUND WORK REQUIRES EXCAVATION, AND THE EXCAVATED MATERIALS ARE EXPECTED TO BE CONTAMINATED, SUBJECT TO THE INSPECTION OF ISL ENVIRONMENTAL CONSULTANT AND DERM INSPECTORS AND TO BE LEGALLY DISPOSED OF SITE
- PART OF THE UNDERGROUND WORK WILL BE BELOW THE EXISTING GROUND WATER TABLE. ELEVATION OF WHICH IS ESTIMATED AT +2.00 NGVD, REQUIRING DEWATERING. THE PUMPED OUT GROUND WATER IS EXPECTED TO BE CONTAMINATED (POLLUTANT LIST AVAILABLE FROM ISL ENVIRONMENTAL CONSULTANT) AND REQUIRES HANDLING WITH CARE, TREATMENT FOR POLLUTANT AS REQUIRED BY DERM AND OTHER APPLICABLE REGULATORY AGENCIES.
- CONTRACTOR IS ADVISED TO TAKE NECESSARY PRECAUTIONS, EMPLOY AND DEVISE MEANS AND METHODS TO MAINTAIN SAFE WORKING CONDITIONS, IN ACCORDANCE WITH OSHA RULES & REGULATIONS, AVOIDING CONTACT WITH CONTAMINATED MATERIALS, FOR ITS EMPLOYEES, WORKERS, SUBCONTRACTORS, ISL AND DERM REPRESENTATIVES.
- EXISTING CONTAMINATION INFORMATION PROVIDED THRU ISL ENVIRONMENTAL CONSULTANT, AND HE GEOTECHNICAL REPORT IS FOR CONTRACTOR'S INFORMATION ONLY AND IS PROVIDED TO THE BEST OF CONSULTANT'S KNOWLEDGE. ISL AND ITS CONSULTANTS AND REPRESENTATIVES ARE NOT RESPONSIBLE FOR ANY DEVIATIONS OR VARIATIONS THAT MAY OR MAY NOT EXIST. CONTRACTOR IS ADVISED TO ENGAGE HIS OWN GEOTECHNICAL AND ENVIRONMENTAL CONSULTANT/EXPERTS FOR SATISFACTORY PERFORMANCE OF THE WORK.

GENERAL NOTES:

- ABANDONED CATCH BASINS SHALL REMAIN IN PLACE AND SHALL BE FILLED WITH CONCRETE AS NOTED ON PLANS.
- EXISTING CATCH BASINS TO REMAINS IN PLACE SHALL BE RETROFITTED AS NOTED ON PLANS.
- PRECAST CONCRETE CATCH BASIN TOP AND/OR FLOOR SLABS MAY BE OF THE SAME CONCRETE AS SPECIFIED IN ASTM SPECIFICATIONS C-478 FOR PRECAST CONCRETE UNITS.
- SMOOTH FLOW CHANNELS COMPOSED OF CONCRETE, OR BRICK AND MORTAR, SHALL BE CONSTRUCTED IN THE BOTTOMS OF ALL STRUCTURES TO A DEPTH EQUAL TO HALF THE DIAMETER OF THE LARGEST PIPE.
- STRUCTURES SHALL BE SECURE TO INLET THROATS, RISERS OR MANHOLE TOPS WITH MINIMUM OF 6-NO.4 BARS 12" LONG, OR AS SHOWN ON SHEET C-3.
- ANY INLET, MANHOLE OR JUCTION BOX MAY BE USED IN CONJUNCTION WITH ANY INLET THROAT OR MANHOLE TOP.
- SEAL THE ANNULAR SPACE BETWEEN THE PIPE AND THE CONCRETE SURFACE. MORTAR USED TO SEAL THE PIPE IN THE WALLS OF PRECAST UNITS SHALL BE OF SUCH A MIX THAT SHRINKAGE WILL NOT CAUSE LEAKAGE INTO OR OUT OF UNITS. ALTERNATIVELY HYDRAULIC CEMENT MAY BE USED.
- THE OUTSIDE OF BRICK WALLS SHALL BE PLASTERED WITH 1:2 CEMENT MORTAR.
- CONCRETE PROTECTION FOR REINFORCEMENT IN CAST-IN-PLACE OR PRECAST CONCRETE SHALL BE IN ACCORDANCE WITH CHAPTER 20, "BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-14)".

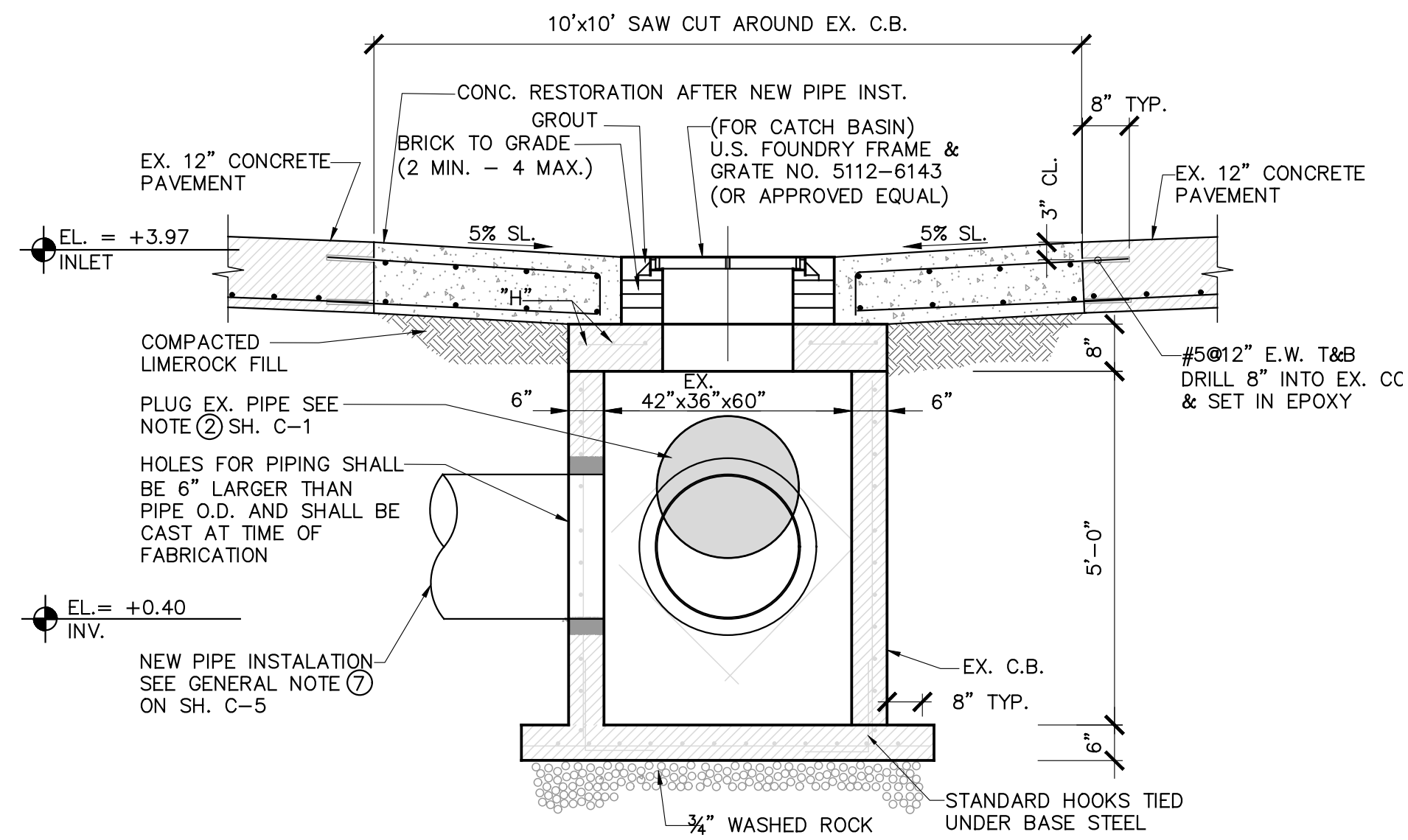
LEGEND

- EX. CATCH BASIN
- PROPOSED CATCH BASIN
- NEW SOLID (NON-PERFORATED) HEAVY DUTY BOUBLE WALLLED 24" DIA HDPE PIPE.
- EX. MONITORING WELL

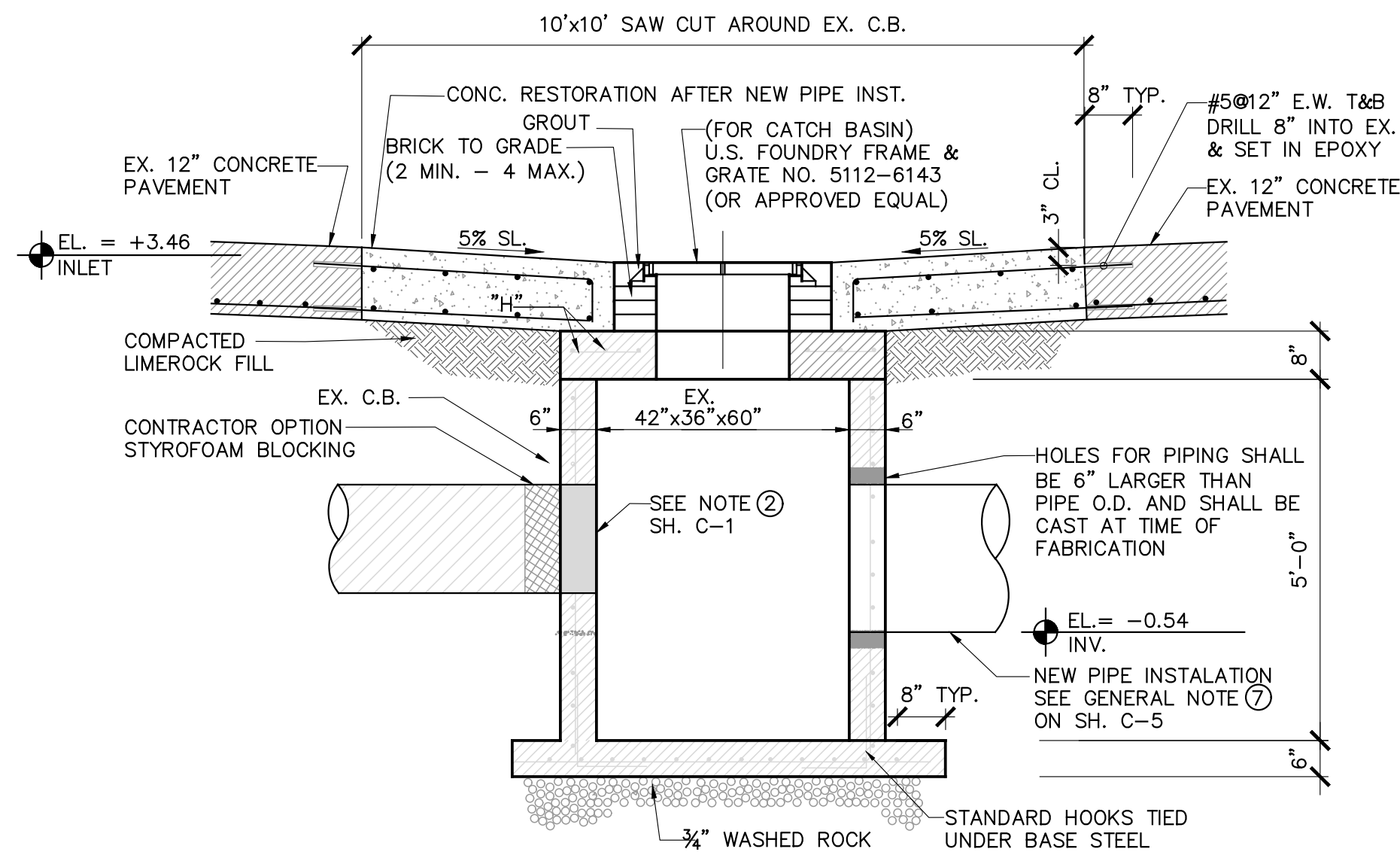
PROGRESS PLANS

International Scrap LLC		PROPOSED STORM WATER MANAGEMENT	
12705 CAIRO LANE, OPA-LOKA, FL 33054		K&A No: 22-122.00	
Khan & Associates, Inc. Consulting Engineers and Planners		DRAWING No: C-5	
7400 SW 52ND TERR. SUITE 105 Miami, Florida 33155 TEL (305) 462-2301 FAX (305) 461-2062		ENGINEER OF RECORD HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THIS DESIGN AND DRAWINGS ARE NETHER TO BE REPRODUCED, COPIED, NOR CHANGED IN ANY FORM OR MANNER, WHAT-SO EVER NOT ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF "KHAN & ASSOCIATES, INC."	
TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.		M.S. KHAN FL. P.E. #16743	
		SCALE: AS NOTED	
		DATE: 02-16-2023	

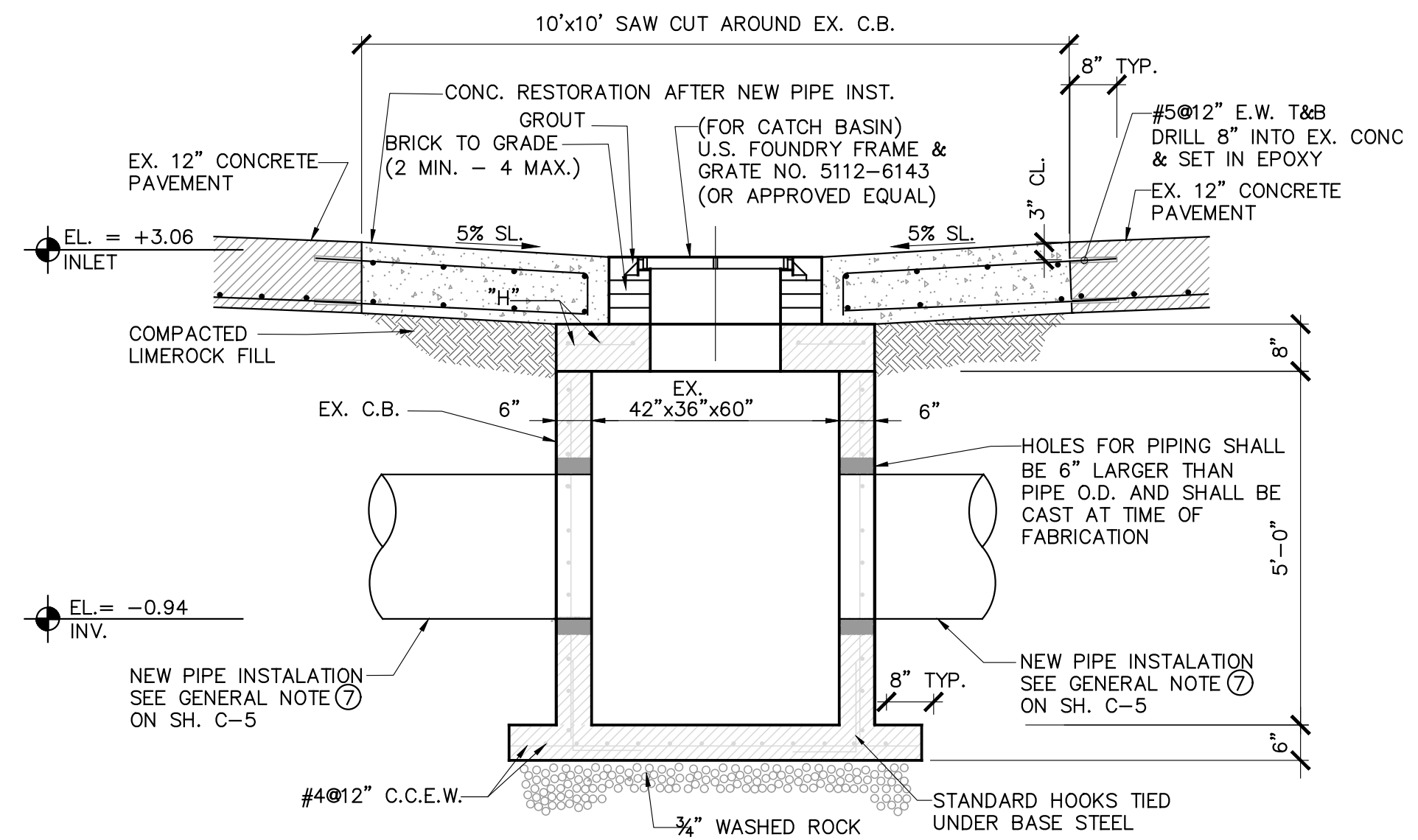




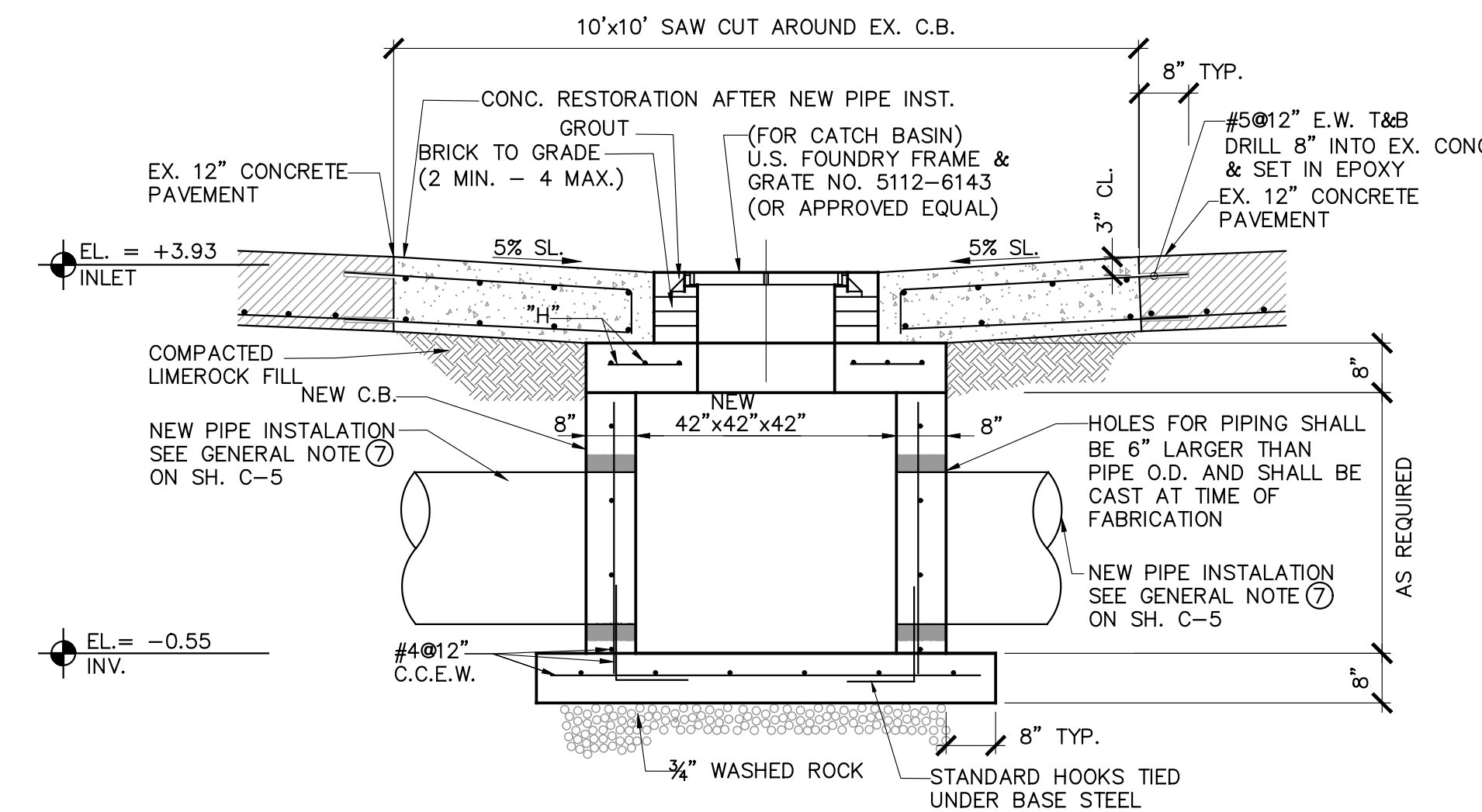
SECTION AT EX. CB#1
SCALE 1/2" = 1'



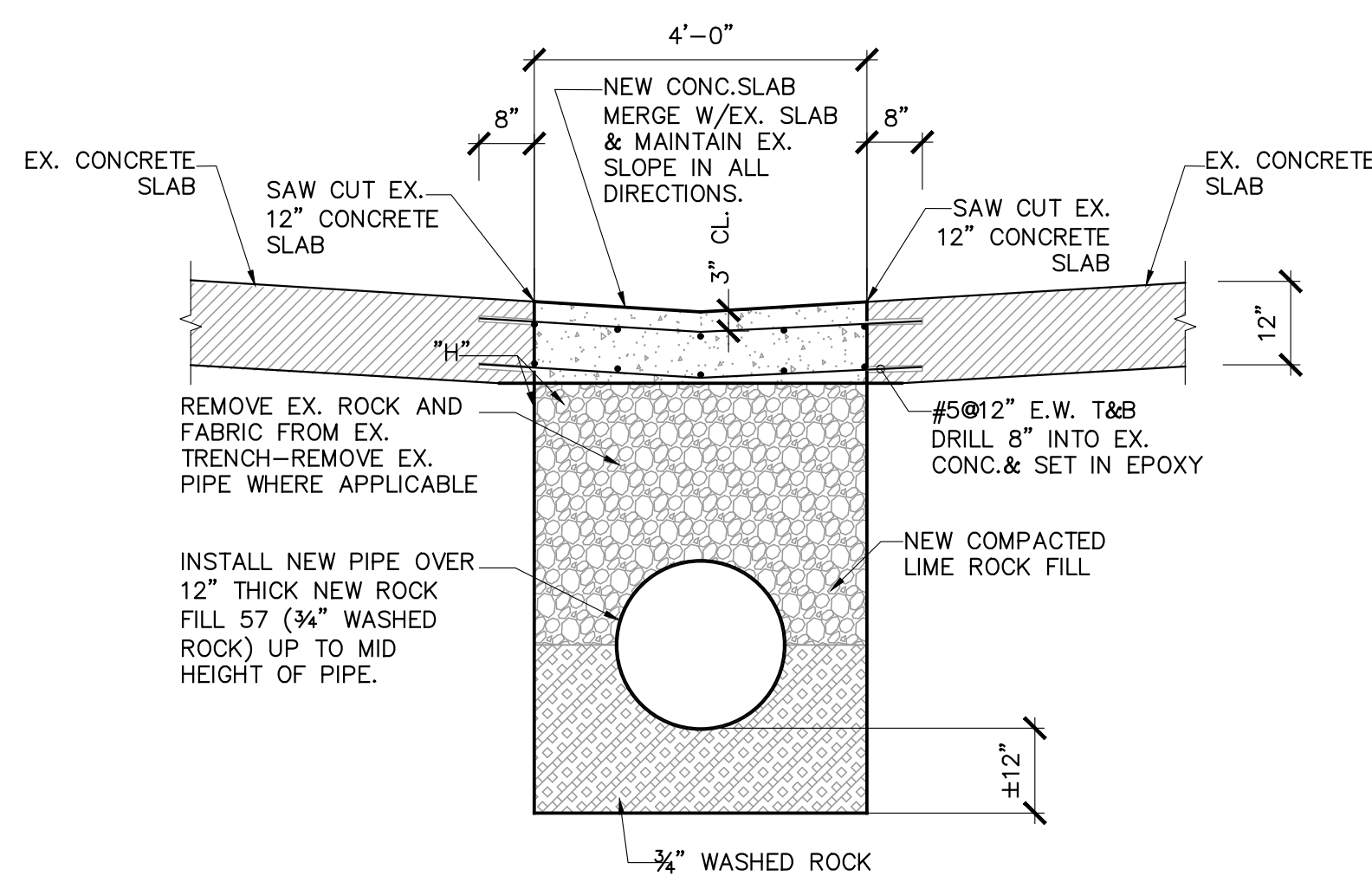
SECTION AT EX. CB#2
SCALE 1/2" = 1'



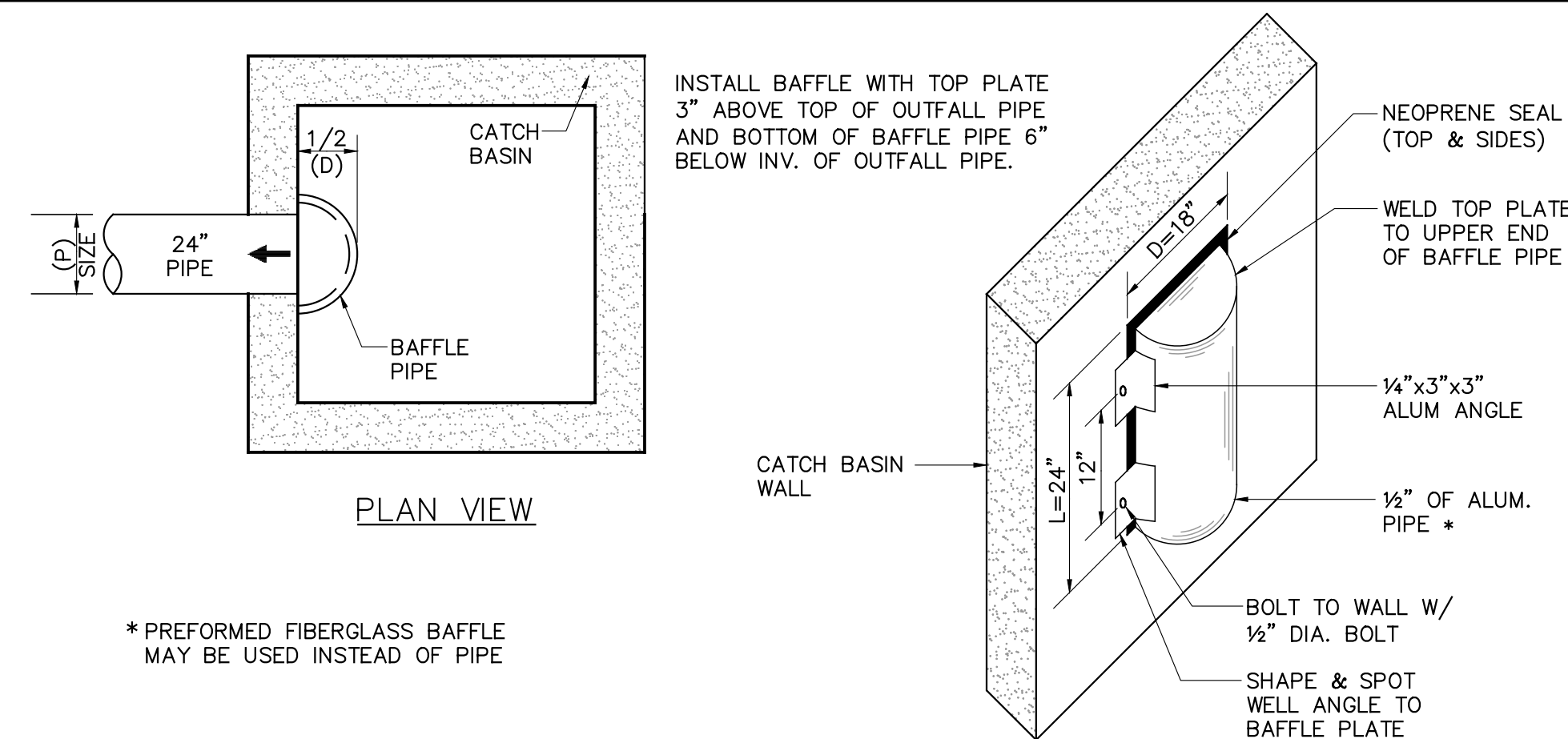
SECTION AT EX. CB#3
SCALE 1/2" = 1'



SECTION AT NEW CB#4
SCALE 1/2" = 1'



SECTION
NEW PIPE INSTALLATION
SCALE 1/2" = 1'



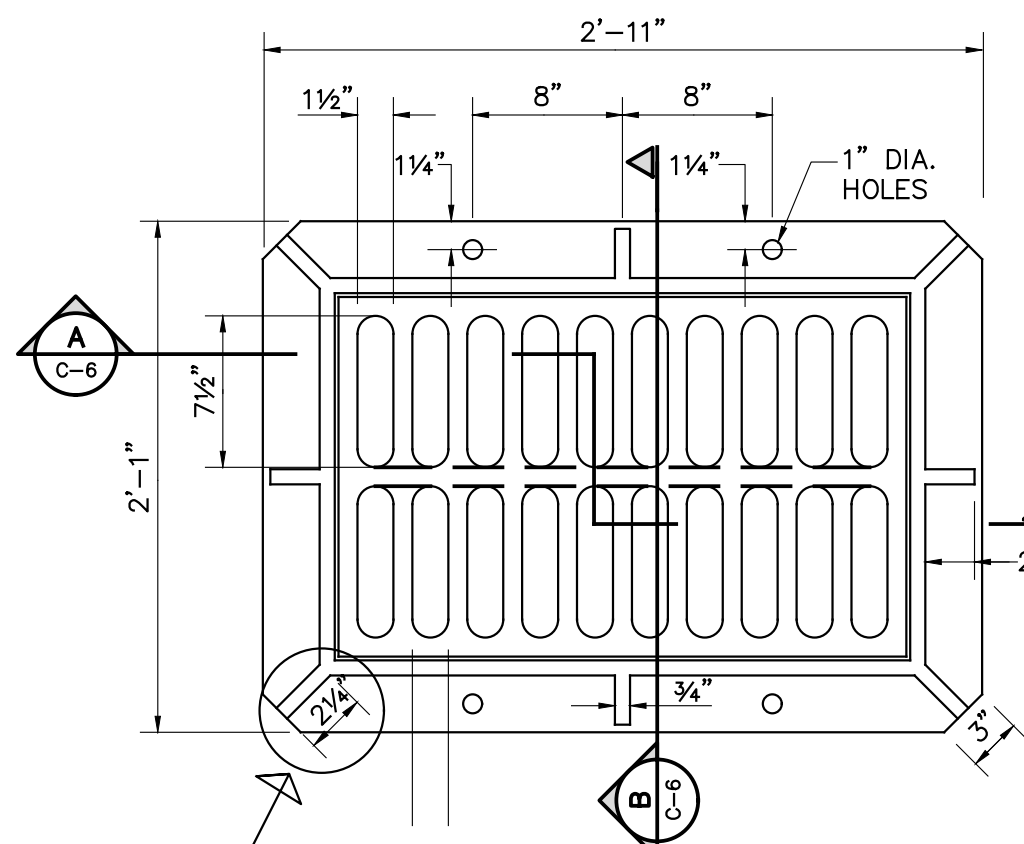
DRAIN INSERT PLUS
BY PIG OR APPROVED EQUAL
POLLUTION CONTROL DEVICES
WITH DRAIN INSERT PLUS

- DEWATER AS REQUIRED FOR INSTALLATION FOR DRY WORK PLACE SEE PRECAUTIONARY NOTES ON SH. C-5
- COMPACT NEW LIMEROCK FILL TO 98% AASHTO T-180 (MODIFIED PROCTOR DENSITY)
- ALL NEW CONCRETE SHALL BE $f_c = 5000$ PSI, $w/c = 0.45$ MAX. AND SLUMP 4" (-0.5", +1")
- ALL NEW REINFORCING STEEL SHALL CONFORM TO ASTM A615 $f_y = 60$ PSI
- WHERE INDICATED, REINFORCING BARS SHALL BE SET IN HILTI HIT-RE500 V3 EPOXY.

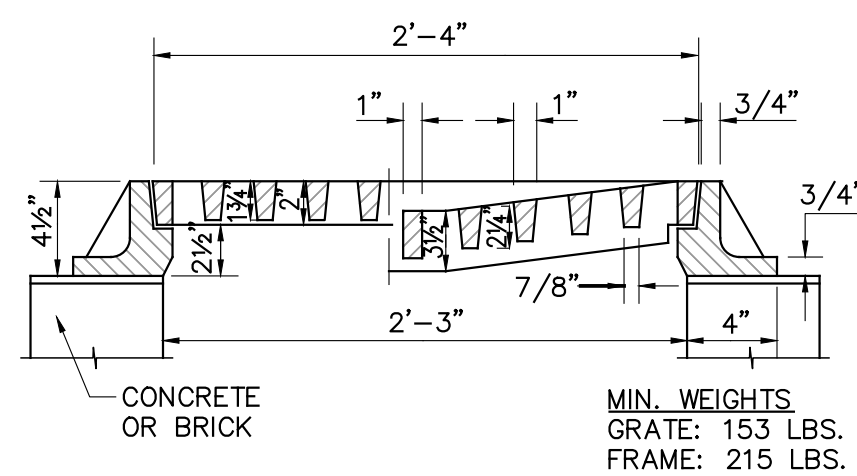
NOTE:

TO AVOID MISUNDERSTANDING AND TO INSURE COMPLIANCE WITH SPECIFICATION, BEFORE COMPLIANCE WITH SPECIFICATION, BEFORE PURCHASING MATERIALS OR EQUIPMENT FOR HIS WORK THE CONTRACTOR SHALL FURNISH AT LEAST FOUR COPIES OF SHOP DRAWINGS OR ILLUSTRATION SHEETS FOR APPROVAL BY THE ENGINEER. HE SHALL ALSO FURNISH RIPTIVE SPECIFICATIONS AND ENGINEERING DATA FOR FILTER FABRIC, PIPES, FRAMES AND GRADES, AND OUTLETS; ALSO FOR ANY OTHER ITEM REQUESTED BY ENGINEER. THE APPROVAL OF SHOP OR WORKING DRAWINGS BY THE ENGINEER SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR ERRONEOUS OR INCONSISTENT DIMENSIONS, NOTATIONS, OMISSIONS OR OTHER ERRORS, OR FOR THE PROPER FUNCTIONING OF THE COMPLETE INSTALLATION.

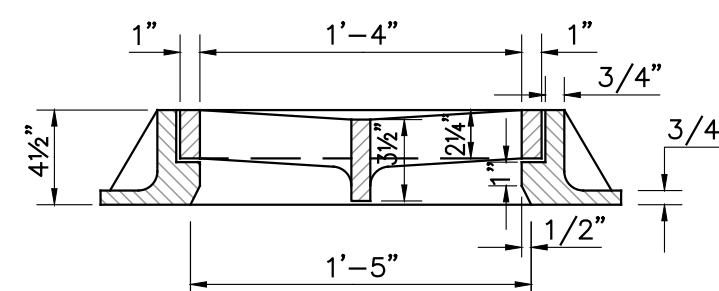
NO EXISTING UTILITIES ARE SHOWN ON THESE PLANS. ALL UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO THE START OF WORK OPERATIONS. UPON FINDING OTHER UTILITIES CONFLICT RESOLUTION WILL BE PROVIDED



TYPICAL DETAIL
FRAME & GRATE
N.T.S.



SECTION
A
N.T.S.



SECTION
B
N.T.S.



International Scrap LLC
12705 CARO LANE,
OPA-LOKA, FL 33054

K+A
Khan & Associates, Inc.
Consulting Engineers and Planners
7400 SW 50th TERR. SUITE 105
Miami, Florida 33155
TEL (305)-662-2301
FAX (305)-661-3962
Comm. No. 21-105.00
CA# EB00029467

ENGINEER OF RECORD HEREBY EXPRESSLY
RESERVES HIS COMMON LAW COPYRIGHT
AND OTHER PROPERTY RIGHTS IN THESE
PLANS. THIS DESIGN AND DRAWINGS ARE
NEITHER TO BE REPRODUCED, COPIED, NOR
CHANGED IN ANY FORM OR MANNER
WHATSOEVER WITHOUT FIRST OBTAINING THE
EXPRESS WRITTEN PERMISSION AND
CONSENT OF "KHAN & ASSOCIATES, INC."

TO THE BEST OF OUR KNOWLEDGE THESE PLANS CONFORM
TO THE STRUCTURAL REQUIREMENTS OF F.B.C 2020, LATEST
REVISIONS, INCLUDING SECTIONS PERTAINING TO H.V.H.Z.

STORM WATER MANAGEMENT
SECTIONS AND DETAILS

K+A No:
22-122.00
DWG BY:
L.Q.R.
CHECKED:
M.S.K.
SCALE:
AS NOTED
DRAWING No:
C-6
DATE:
02-16-2023

M.S. KHAN
FL. P.E. #16743

RESOLUTION NO. 2023-11

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A METAL BUILDING WITH A PROPOSED HEIGHT OF FIFTY FEET ON THE PROPERTY LOCATED AT 12705 CAIRO LANE AND IDENTIFIED BY FOLIO NUMBER 08-2128-003-0530, IN THE I-4 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the applicant, International Scrap, LLC intends to construct a metal building with a height of fifty feet for the operation of industrial scrap metal uses on the property at 12705 Cairo Lane and identified by folio 08-2128-003-0530 in the I-4 Zoning District and has submitted a request for Development Agreement review in accordance with the City of Opa-Locka's Land Development Regulations ("City"); and

WHEREAS, the Planning & Community Development staff for the City of Opa-Locka has reviewed the application of International Scrap, LLC and has determined that the applicant has provided all information required by Section 22-55(I) of the City of Opa-Locka's Land Development Code for proper consideration by the Planning and Zoning Board; and

WHEREAS, the applicant, International Scrap, LLC, intends to construct a fifty foot tall metal industrial building to improve the industrial operation on this property; and

WHEREAS, the City of Opa-Locka's Planning and Community Development staff has reviewed the application for Development Agreement and confirm that the application meets all requirements set forth in Section 22-58 of the City of Opa-Locka's Land Development Regulations; and

WHEREAS, the Planning and Zoning Board reviewed this request at a public hearing on May 2, 2023 and recommends approval of the Development Agreement; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING APPEALS BOARD OF THE CITY OF OPA-LOCKA, FLORIDA:

SECTION 1. RECITALS.

The above recitals are true and correct and are incorporated into this Resolution by reference.

SECTION 2. APPROVAL/DENIAL.

Approval/Denial of Development Agreement Request. The Planning & Zoning Board of the City of Opa-Locka, Florida hereby recommends approval / denial of a request for Development Agreement related to the construction of a metal building with a height of fifty feet on the property located at 12705 Cairo Lane and identified by folio number 08-2128-003-0530 in the I-4 Zoning District as set forth in the application attached hereto as Exhibit "A."

Section 3. SCRIVENER'S ERRORS.

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Interim City Manager following review by the City Attorney, without the need of a public hearing by filing a corrected copy of same with the City Clerk.

Section 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-Locka's Code of Ordinances, Land Development Regulations and the City of Opa-Locka Charter.

PASSED AND ADOPTED this __2nd__ **day of** _____May_____, 2023.

Elio Guerrero, Chairman

ATTEST:

Kinshannta Hall, PZAB Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Received:
By:
Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

**PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS
FY 2022-2023**

TOTAL FEES: \$ 3,500.00 New Fees as of October 1, 2015

FY 2020-2021 Meeting Dates
1st Tuesday of Each Month)

Date Application Found Sufficient

October 4, 2022
November 8, 2022
December 6, 2022
January 3, 2023
February 7, 2023
March 7, 2023
April 4, 2023
May 2, 2023
June 6, 2023
July 11, 2023
August 1, 2023
September 5, 2023

August 19, 2022
September 16, 2022
October 14, 2022
November 18, 2022
December 16, 2022
January 13, 2023
February 18, 2023
March 17, 2023
April 14, 2023
May 19, 2023
June 16, 2023
July 21, 2023

1. All individuals seeking to appear before the Planning & Zoning Board must submit a complete Planning & Zoning Board application, with the required documents and fees totaling (as established by ordinance), paid by check or money order to the City of Opa-locka. Failure to submit all documents and fees will result in your case not being scheduled to be heard at a meeting.
2. If the applicant seeking to appear before the Planning & Zoning Board is not the property owner he must provide an affidavit of authorization from the property owner.
3. All regular meetings are held on the first Tuesday of each month at the City of Opa-locka City Commission Chambers, Meeting Time 7:00 P.M. *(time and location are subject to change, please check with the Planning and Community Development Department for exact time and location of the meetings).*
4. Application package must include all required documents per checklist and fees of The City of Opa-locka. The application will be reviewed by the Department and will be scheduled for the next P&Z meeting upon finding of sufficiency.
5. You are required to complete and return this application along with all the information and documentation (see page 2 check list) requested to the:

City of Opa-locka
Planning & Community Development Department
780 Fishermen Street 4th floor
Opa-locka, FL 33054
Telephone: 305-953-2868, Ext. 1503
Facsimile: 305-953-3060

Received:

By:

Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD APPLICATION

APPLICATION NUMBER: _____ CHECK NUMBER: _____ DATE RECEIVED: _____

PROPERTY OWNER'S NAME: K.C. Realty.PROPERTY OWNER'S ADDRESS: 10800 Biscayne Blvd #870 Miami, FL 33161
Number/Street City State/Zip CodeAPPLICANT'S NAME: International Scrap LLCAPPLICANT'S ADDRESS: 12705 Cairo Lane Opalocka, FL 33054
Number/Street City State/Zip CodePHONE NUMBER: OFFICE 305-688-2528 HOME _____ OTHER _____SUBJECT PROPERTY ADDRESS: 12705 Cairo Lane Opalocka, FL 33054
Number/Street

TAX FOLIO NUMBER: _____ PRESENT ZONING: _____

LEGAL DESCRIPTION: _____

Please check specific request:

- ☐ Tentative Plat
☐ Final Plat
☐ Comprehensive Plan Amendment: ☐ Small Scale; ☐ Large Scale (please specify type of amendment below)
☐ Rezoning
☐ Drainage Plan
☐ Fill Permit Request
☐ Preliminary Site Plan Review
☐ Final Site Plan Review
☐ Conditional Use Permit – No Plans
☐ Conditional Use Permit – With Plans
☐ Special Exception – No Plans
☐ Special Exception – With Plans
☒ Development Agreement
☐ Restrictive Covenant
☐ Other – Please specify: _____

Add any additional information that may be of importance to this request:

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31

Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION (Checklist)

Applications will not be accepted without the following data. For a public hearing, all items below are necessary and must be submitted.

- ☒ Completed application form
- ☒ Application fee payable to the City of Opa-locka by check or money order
- ☒ Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)
- ☒ Affidavit (see below), and power of attorney of the property owner (page 3) (Both must be Notarized)
- ☐ A completed Neighborhood Petition form (attached) with the signature of each property owner in front, in the rear, to the left and to the right of the subject property, indicating his or her support for the proposed project. (Must include name, address, folio and phone number).
- ☐ All preliminary and final site plans, along with property survey, signed and notarized application(s) must be submitted on flash drive in PDF format.
- ☐ Fifteen (15) certified boundary and topographic surveys of the property (two copies size 36 x 24 inches & 13 copies 11 x 17 inches). (The submitted property survey must not exceed a maximum of two (2) years from date created in order to be considered acceptable by the City of Opa-locka)
- ☐ Fifteen (15) copies of Site Development Plan showing all drainage, water, sewer, structures, landscaping and parking in accordance with the City's zoning ordinance; (two copies size 36 x 24 inches & 13 copies size 11 x 17 inches & at least 7 original Sealed Copies)
- ☐ Map showing parcel to be considered and all properties' legal descriptions thereof, within 375' radius of said parcel. Map to be 1" = 100' scale. Owner's name, address, folio number and legal description on each parcel (Original and 2 copies size of document to accommodate scale)
- ☐ Narrative concept must be submitted with application

AFFIDAVIT

I, Jose Canero, being first duly sworn, depose and say that I am the OWNER of the property, and I understand that this application must be complete and accurate before a public hearing can be advertised.

Signature

Date

Sworn to and subscribed before me:

This 28 day of March, 2023

Notary Public

Attach copy of identification

My commission expires March 25, 2026

Reference to Ordinance 15-13

Land Development Regulations/ Zoning Code: Ordinance 15-31



ANNE GARCIA
Commission # HH 243749
Expires March 25, 2026

Received:
By:
Date:



PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

This form is to be attached to all applications, and to be returned with the application. No application will be honored or persons heard by the Planning & Zoning Board unless a notarized copy of this Power of Attorney is submitted.

To: City of Opa-locka
From: International Scrap LLC

Subject: Power of Attorney (authorization for a person, other than the property owner, to speak in the property owner's behalf).

I Jose Carro, being first duly sworn, depose and say that I am the owner of the property legally described as:

I do give to Gabriel Cadavid the power of Attorney and authority to speak in my behalf in reference to the above described property. Further, by affixing my notarized signature to this document, I also authorize Gabriel Cadavid & Jose Carro to negotiate and commit to the City Commission and City Administration in my behalf. I will abide by all final determinations of the City Commission and City Administration.

[Signature]
Signature

03/28/23
Date

Sworn to and subscribed before me:

This 28 day of March 2023

[Signature]
Notary Public

My commission expires: March 25, 2026

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31



ANNE GARCIA
Commission # HH 243749
Expires March 25, 2026

Received:
By:
Date:

Attach copy of identification



PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 12705 Cairo Lane Opalocka, FL 33161

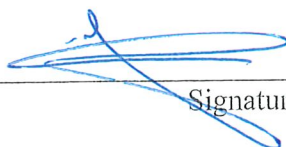
LEGAL DESCRIPTION: _____

I SUPPORT THIS DEVELOPMENT REQUEST X

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: 12705 Cairo Lane Opalocka, FL PHONE: 305-688-2528

ADDRESS (If different): _____


Signature

Record and Return to:
(enclose self-addressed stamped envelope)

Legal Council
(Felix M. Lasarte, Esq)
3250 NE 1 Ave
Suite 334
Miami, FL 33137

This Instrument Prepared by:
Burnadette Norris-Weeks
City Attorney
780 Fisherman Street
4th Floor

SPACE ABOVE THIS LINE FOR RECORDING DATA

**DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA,
FLORIDA AND (RESPONSIBLE DEVELOPMENT / PROPERTY OWNER)**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made, and entered into this ___ day of _____ 2023 ("Execution Date") by and between **(KC Realty, LLC)** (the "Owner"), a Florida limited liability company with the mailing address of **(10800 Biscayne Blvd Suite 870 Miami, FL 33161)** and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fisherman Street, Opa Locka, Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately **(2.8)** acres of land located at approximately **(12705 Cairo Lane Opa-Locka, FL 33054)** within the municipal boundaries of the City and identified by Miami Dade County Tax Folio Nos **(folio(s):08-2128-003-0530** , (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City Commission adopted Resolution Number _____, approving a Site Plan, for the Proposed Development which consist of **2 building and a covered metal roof** containing over **8,000 square feet under air** and incorporates the general design goals of the City, and **19** parking spaces for office/employee/customer parking, and the planting of **(0 trees)** ~~in the office parking area as well as on the property perimeter~~ and **64 square feet** square feet of landscaped open space in accordance with the **KC Realty, LLC** approved site plan; and

WHEREAS, according to Sections 163.3220 through 163.3243, F.S., known as the Florida Local Government Development Agreement Act, the Florida Legislature has determined that the lack

of certainty in the development process can result in a waste of economic and land development resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, the Florida Legislature has declared that assurances to an Owner that it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, and reduces the economic costs of development; and

WHEREAS, the Owner and the City desire to establish certain terms and conditions relating to the proposed development of the Property and wish to establish identifiable parameters for future development; and

WHEREAS, the City Commission pursuant to Resolution No. _____, adopted on _____, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth and listed below, and the Owner is authorized to execute this Agreement upon the terms and conditions set forth by the City Commission and as listed below; and

NOW, THEREFORE, in consideration of the conditions, covenants and mutual promises herein set forth, the Owners and City agree as follows:

1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. Consideration. The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus adequate consideration for this Agreement.
3. Definitions.
 - a. "Additional Term" anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - b. "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owner.
 - c. "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies, and instrumentalities subject to the jurisdiction thereof.
 - d. "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
 - e. "Owner" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, KC Realty, LLC, (the "Owner"), a Florida limited liability company, with the mailing address

of 10800 Biscayne Boulevard Suite 870 Miami, Florida 33161 and/or any of its respective successors, assigns, or heirs thereof.

- f. "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
- g. "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.
- h. "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,
- i. "Entire Term" is the total term of this Agreement, combining the Initial Term (thirty (30) years) and the Additional Term, as defined herein
- j. "Execution Date" is the date that all parties have affixed their signatures to this Agreement.
- k. "Existing Zoning" means (a) all entitlements associated with the City's approval of the **KC Realty, LLC**, Site Plan, at approximately **12705 Cairo Lane Opa-Locka, Florida 33054**, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-locka, including the City of Opa-locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- l. "Final Site Plan" means the (**KC Realty, LLC**), Site Plan, at approximately **12705 Cairo Lane Opa-Locka, Florida 33054** "Final Site Plan" approved by the City Commission via Resolution No. _____ for the Proposed Development which includes the construction of **(2 existing building and 1 covered metal roof structure** containing over **8,000 square feet** **in**der air and incorporates general design goals of the City, and 18 parking spaces for office/employee/warehouse parking, and the planting of **0** trees and **0** shrubs in the office parking area as well as on the property perimeter and **64** square feet of landscaped open space in accordance with the **KC Realty, LLC** approved site plan as may be amended from time to time.
- m. "Governing Body" means the City of Opa-Locka's City Commission.
- n. "Initial Term" is thirty (30) years commencing on the Effective Date.
- o. "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land, except as provided herein.
- p. "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.

- q. "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Land Development Regulation Code, the Ordinance 15-31.
- r. "Parties" means the City and the Owner, **(KC Realty, LLC)**.
- s. "Project" shall mean the **(KC Realty, LLC)** and development of the **(2.8)** acre Property at **(12705 Cairo Lane Opa-Locka, Floirda 33054)**, and identified by Miami-Dade County Tax Folio No **08-2128-003-0530** (the "Property"), as described in the plans prepared by **Kahn & Associates, Inc.**, and dated **2/16/23**, which proposes the construction of 2 existing buildings and one covered metal structure square feet and incorporates general design goals of the City and the development of **18** parking spaces; the planting of **0** and **0** shrubs in the parking area as well as on the property perimeter and **64** square feet of lawn coverage. in accordance with the **(KC Realty, LLC)** approved site plan as may be amended from time to time.
- t. "Property" shall mean the parcel of real property defined in the preamble to this Agreement, and legally described in Exhibit "A" hereto.
- u. "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.
- v. "Resolution" shall mean City of Opa-Locka Resolution Number _____ and _____ approving the Project and this Agreement.

4. Intent. It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3220 through 163.3243, F.S., ("Act"), in compliance with Article V, Section 22-112 of the City of Opa-locka's Land Development Regulation Code, the Ordinance, and the Resolution.

5. Effective Date. Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, F.S., the City, and the Owner shall act in good faith to carry out the intent of the Agreement upon the Execution Date.

6. Term of Agreement and Binding Effect. This Agreement shall run with the land, remain in full force and effect, and be binding on all parties (including the Owner)

and all persons claiming under it for an Initial Term of thirty (30) years from the Effective Date, and may be extended for one or more Additional Term(s) thereafter by mutual consent of the parties subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension or modification of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.

7. Termination. No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.

8. Expiration / Termination / Default Upon the expiration of the Agreement, the City shall have ability and the rights under its police power to adopt Land Development Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this Agreement shall exist, whether brought under a claim of vested right, estoppel or otherwise.

9. Development Conditions. In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:

- a. All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project and shall be served by water and sanitary sewer main extensions as required by the city in accordance with Miami-Dade County permitting requirements.
- b. All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.
- c. All signage shall comply with all city sign code ordinance requirements.
- d. Owner will abide by and not deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the Project. Such items include but are not specifically limited to:
 - 1) Design of all physical structures, water bodies, private and public improvements and
 - 2) The color and dimensional characteristics of all building materials
 - 3) All landscaping, loading areas and parking spaces must be provided and maintained as shown on the site plan

- e. Owner shall preserve and maintain all buildings and structures consistent with the Project's Final Site Plan, or to cause any tenant of the Property to do so, for the entire period in which the Owner owns or controls at least 51% ownership of the Property, or controls at least 10% of any entity to which this Agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this Agreement until the expiration of the Term of this Agreement as provided in paragraph 6 above. In the event of a force majeure or in the event of a casualty, the then owner has the option but is not obligated to rebuild, provided that the Property is cleared and maintained in accordance with City Code requirements. It is expressly understood by the Owner that the development of a project that is not substantially in accordance with the Final Site Plan shall require new approvals and be derivative of a Moorish design theme in accordance with City Code requirements. In addition, Owner shall maintain the Property in a manner consistent with Section 14-2 of the City Code. The landscaping and common areas of the Property shall be maintained by the Owner, its successors or assigns, or by a property owners' association pursuant to reciprocal easement agreement(s) ("REAs"), and /or a combination thereof. The entity or entities responsible for such maintenance shall be determined by the Owner at its discretion. Owner shall provide the City with contact information of the entities or persons responsible for maintenance of the Property pursuant to this Paragraph. Any new owner must abide by the terms of this agreement until January 2053.
- f. At the request of the City, Owner shall submit an annual report and shall provide additional documentation to the City as required by the Resolution to verify continuing compliance with the Resolution and this Agreement. A copy of the City's form of annual report is attached as Exhibit "B".
- g. The Owner will not physically alter or substitute the design of structures, materials and colors included in the Project's Final Site Plan except as approved by the City in the City's sole discretion. In the event that building materials or colors are no longer available, the burden shall be on the Owner to prove that said materials or colors are in fact unavailable.
- h. Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- i. Owner agrees to use commercially reasonable efforts to:
 - 1) Cooperate with the City on any City-initiated efforts with area economic development and educational organizations, including the

Beacon Council, The Meek Foundation, Miami-Dade County Public Schools, and Miami-Dade College, to expand vocational and technical training programs for residents within the City through December 31, 2024; and

- 2) Recruit and employ qualified applicants who are City residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-locka, and encourage all contractors retained to develop the Project to do the same, as follows:

- a) Prepare and provide the City with an outreach plan that outlines the Owner's anticipated commercially reasonable efforts to provide construction-related and permanent jobs to Opa-locka residents, prior to the issuance of the first building permit for vertical construction within the Property ("Outreach Plan"). Said Outreach Plan, at a minimum, shall require that local job fair(s) ("local" shall mean within the municipal boundaries of the City of Opa-locka; hereinafter "Local Job Fair") be held as described herein and shall outline job training opportunities within the Project.
- b) Host or require its general contractor(s) to host a Local Job Fair and provide a list of construction job openings to the City to post on the City's website, prior to the issuance of the first building permit for vertical construction. The general contractor shall advise the City of any local new hires following its Local Job Fair(s).

- j. All trash and garbage containers shall comply with all city dumpster enclosure requirements.

- k. The following timelines shall be complied with by Owner, **(RESPONSIBLE DEVELOPMENT / PROPERTY OWNER)**, Said entity must work immediately to seek all applicable permits immediately upon approval of this Agreement and shall:

- 1) Apply for building permits: within 6 months from the execution of the Development Agreement. The City Manager may grant a single 6 month extension for good cause shown.
- 2) Must start construction: within 18 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.
- 3) Must complete project: within 24 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.

10. Development Permits. In accordance with Section 163.3227(t), F.S., the City may need to approve the following additional development permits

upon proper submission of all requirements, and City review or inspections, in order for the Owner to develop the Project:

- (a) Site plan approvals;
- (b) Modifications to existing approvals and permits, including the Project Site Plan;
- (c) Water, sewer, paving and drainage permits
- (d) Building permits
- (e) Sign permits
- (f) Certificates of use and occupancy; and
- (g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
- (h) Any City liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this agreement for this Property.
- (i) All currently non-complaint physical structures or vehicles if applicable, shall be removed prior to the execution of this agreement.

11. Public Services and Facilities; Concurrence. In accordance with Section 163.3227(d), F.S., the City and the Owner anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated by the Applications. The Property and the Project will also be served by all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property for the period of this Agreement. The Owner shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owner of the requirement to pay impact fees and assessments.

12. Consistency with Comprehensive Plan. In accordance with Section 163.3227(g), FS., the City hereby finds and declares that the Owners development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.

13. Reservation of Development Rights. Except as otherwise provided in the Act for the Entire Term of this Agreement, the City hereby agrees that it shall permit the development of the Project in accordance with the Laws of the City of Opa-Locka, including the City's Comprehensive Plan and Land Development

Regulations, as of the Effective Date of this Agreement, subject to the conditions of this Agreement. Except as otherwise provided in the Act, the City's Laws and policies governing the development of the Property as of the Effective Date of this Agreement shall govern the development of the Property for the entire term of this Agreement unless terminated. Development of the Property as outlined herein shall not be subject to any future changes to the Laws of the City, including the City's Land Development Regulations and Comprehensive Plan designation after the Effective Date and during the Entire Term of this Agreement, except to the extent that Owner's consent to such changes and except as otherwise provided in the Act. The City may apply subsequently adopted laws or policies to the Property only as permitted or required by the Act or as provided above or upon this Agreement being terminated or having expired.

14. Zoning and Other Approvals. The parties hereto recognize and agree that certain provisions of this Agreement require the City and its boards, departments, or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in accordance with established requirements of state statutes and municipal ordinances, in the exercise of the City's jurisdiction under the police power. Nothing in this Agreement shall be construed to prohibit the City from duly acting under its police power to approve, approve with conditions, or reject any public hearing application dealing with the Property.

15. Necessity of Complying with Local Regulations Relative to Development Permits.

- a) In accordance with Section 163.3227(i), F.S., this Agreement is not and shall not be construed as a development permit or authorization to commence development. The Owner and the City agree that the failure of this Agreement to address a particular permit, condition, fee, term or restriction in effect on the Effective Date of this Agreement shall not relieve Owner of the necessity of complying with any and all regulations governing said permitting requirements, conditions, fees, terms or restrictions as long as compliance with said regulation and requirements do not require the Owner to develop the Property in a manner that is inconsistent with the Laws of the City of Opa-Locka in existence as of the Effective Date.
- b) In the event that the City asserts that the terms of this Agreement are not being complied with, then, in addition to any other remedies available to the City, the City may stay the effectiveness of this Agreement as to the portion of the Property associated with the alleged non-compliance. However, before staying the effectiveness of this Agreement as to the Property or a tract or portion thereof, and before withholding permits, inspections, or approvals throughout or upon the entire Property based on a failure to comply with this Agreement, the City shall send written notice containing the nature of the purported violation and provide a reasonable time-frame

within which the Owner may correct the violation. These requirements for notice and an opportunity to cure shall not apply and shall not be construed to limit: (i) the City's ability to take any action to prevent or ameliorate any immediate danger to the public health, safety, or welfare; or (ii) the City's or the County's authority and available remedies to enforce violations of the Code or of other applicable regulations.

16. Good Faith; Further Assurances. The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of and to satisfy their obligations under this Agreement in order to secure to themselves the mutual benefits created under this Agreement. In that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement, provided that the foregoing shall in no way be deemed to inhibit, restrict, or require the exercise of the City's police power or actions of the City when acting in a quasi-judicial capacity.

17. Notices. Any notice required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by a recognized courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope and addressed as follows:

If to the City at: City Manager
City of Opa Locka
780 Fisherman Street
Opa Locka, Florida 33054

With a copy to: Law Offices of Burnadette Norris-Weeks, P.A.
City Attorney
City of Opa-locka
780 Fisherman Street
Opa-locka, Florida 33054
And
401 North Avenue of the Arts
Ft. Lauderdale, FL 33311

If to the Developer at: **KC Realty, LLC**
10800 Biscayne Boulevard
Suite 870
Miami, Florida 33161

And

With a copy to: Legal Counsel
 Felix M. Lasarte, Esq.
 3250 NE 1 Avenue
 Suite 334
 Miami, FL 33137

18. Governing Laws, Construction and Litigation. This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The Owners/Owners and the City agree that Miami-Dade County, Florida is the appropriate venue in connection with any litigation between the parties with respect to this Agreement. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and accordingly, this Agreement shall not be more strictly construed against any of the parties hereto. In construing this Agreement, captions, and section and paragraph headings shall be disregarded. All of the exhibits referenced in this Agreement are incorporated in, and made a part of, this Agreement. In the event of any litigation between the parties under this Agreement for a breach thereof, the prevailing party shall be entitled to reasonable attorney's fees and court costs at all trial and appellate levels.

Pursuant to Section 163.3241, F.S., if state or federal laws are enacted after the execution of this Agreement which are applicable to and preclude the parties' compliance with the terms of this Agreement, such Agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws.

19. Severability. In the event that any term or provision of this Agreement is determined by an appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

20. Entire Agreement. This Agreement sets forth the entire Agreement and understanding between the parties hereto relating in any way to the subject matter contained herein and merges all prior discussions between the Owner and the City. Neither party shall be bound by any agreement, condition, warranty or representation other than as expressly stated in this Agreement and this Agreement may not be amended or modified except by written instrument signed by both parties hereto and in accordance with Section 163.3225, F.S.

21. Indemnification. The Owners shall indemnify and hold harmless the City, its elected and appointed officials, employees, agents and assigns from and against any claims or litigation arising from this Agreement instituted by third parties.

22. Periodic Review of Agreement. Pursuant to Section 163.3235, F.S., the City shall review the Property subject to this Agreement at least once every 12 months to determine if there has been demonstrated, good faith compliance with the terms of this Agreement. If the City finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of this Agreement, this Agreement may be revoked or modified by the City, subject to the notice and cure provision contained in paragraph 15(b), above

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY:

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____
City Clerk

By: _____
City Manager

Dated: _____ day of _____, 2022.

Approved for form and legal sufficiency:

City Attorney: _____

KC Realty, LLC. a Florida limited liability company

WITNESS:


Signature

Yaremis T. Garcia.
Print Name

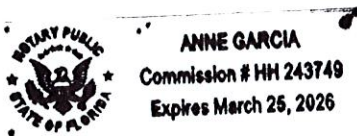

Signature

Gabriel Cadavid
Print Name

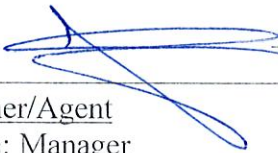
STATE OF FLORIDA)
:
COUNTY OF MIAMI-DADE)

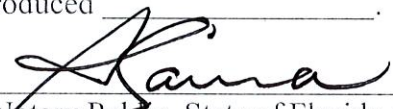
The foregoing instrument was acknowledged before me, by means of ___ physical presence or ___online notarization, on this 28 day of March, 2023 by Jose Carrero as Manager of (KC Realty, LLC), a Florida limited liability company. He is:

☒ personally known to me, or
☐ produced identification. Type of identification produced _____.



My Commission Expires:

By: 
Owner/Agent
Title: Manager


Notary Public, State of Florida at Large

Anne Garcia
Print Name

EXHIBIT A
Legal Description

EXHIBIT B
CITY'S ANNUAL REPORT FORM

City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054

**CITY OF OPA-LOCKA
ANNUAL REPORT FORM**

Reporting Period: _____ to _____
Month/Day/Year Month/Day/Year

Name and Title of Individual Completing Report: _____

Address : _____
Street Location

City, State, Zip

1. Describe any changes made to the proposed plan of development, during the Reporting Period, as approved by the City of Opa-Locka City Commission ("City") pursuant to Resolution No. _____, passed and adopted on _____, 2022.
2. Describe any changes, if any, to the Development Agreement between the City of Opa-Locka, Florida, and **KC Realty, LLC**, as approved by the City of Opa-Locka City Commission pursuant to Resolution No. _____, passed and adopted on _____, 2023 (the "Development Agreement").
3. Provide a list of development permits for vertical construction issued by the City during the Reporting Period.
4. Provide a list of certificates of occupancy within the project that have been issued by the City during the Reporting Period.
5. Describe compliance with Paragraph 9 (Development Conditions (a)-(k)) of the Development Agreement during the Reporting Period.
6. Provide a statement confirming that all persons have been sent copies of the annual report in conformance with Section 17 of the Development Agreement.