

DRAFT
MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
SEPTEMBER 3, 2024, 5:30 P.M.

CALL TO ORDER

Acting Chair Dawn Mangham called the Planning and Zoning Board meeting to order at 5:34 p.m. on September 3, 2024.

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.

1. ROLL CALL

The following members of the Planning and Zoning Board were present: Board Member Audrey Dominguez, Board Member Dawn Mangham, Board Member Aldo Mata, Board Member Claudienne Hibbert Smith, and Board Member Nikisha Williams.

Absent Board Members: Chair Elio Guerrero and Board Member Germane Barnes.

Also in attendance were Planning and Community Development Director Gregory Gay, Zoning Official Gerald Lee, City Attorney Pam Booker, and Planning and Zoning Board Clerk Diana Cheng.

It was determined that Board Member Mangham would serve as Acting Chair (A/Chair) in the absence of the Board's Chair.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

4. APPROVAL OF MINUTES

- **PZAB Minutes – June 4, 2024**

Motion made by Board Member Dominguez, seconded by Board Member Hibbert Smith, to approve the minutes from the June 4, 2024 meeting. In a roll call vote, the **motion** passed 4-0 (Board Member Williams not voting).

5. PUBLIC HEARING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL OF THE SPECIAL EXCEPTION REQUEST FOR THE CONSTRUCTION OF A TWIN HOME BUILDING ON THE PROPERTY LOCATED AT 211 AHMAD STREET AND IDENTIFIED BY FOLIOS 08-2121-002-2590 IN THE SINGLE FAMILY RESIDENTIAL (R-1) ZONING DISTRICT. PROVIDING FOR AN EFFECTIVE DATE.

Wilford Alexander, Applicant, explained that he saw the opportunity to develop the subject property and has worked with Opa-locka Zoning Official Gerald Lee to present the appropriate documentation.

Board Member Williams requested clarification of what Mr. Alexander hoped to do with the property. Mr. Alexander replied that his intent was to build a duplex on the subject parcel.

It was asked if the property meets setback and other requirements, or if it will require additional changes as well as the requested zoning change. Planning and Community Development Director Gregory Gay advised that the request before the Board is not a zoning change, but a special exception to allow duplex development on the site. The site is currently zoned for single-family development, and duplex development would require the special exception.

Zoning Official Gerald Lee stated that the special exception process would allow duplex development on a site zoned for single-family development. The property is larger than the minimum size required for single-family development, which is 4800 sq. ft. The subject property is 6300 sq. ft. According to the City's Unified Land Development Regulations (ULDR), if a proposal follows the requirements of Section 22-79, a twin home can be built as a special exception in a property zoned for single-family homes.

Zoning Official Lee explained that criteria for the special exception include:

- Property must be in compliance with the Comprehensive Development Master Plan
- Development must be consistent with the character and purpose of its zoning district
- The size, shape, and character of the property must be suited for the proposed use
- The development may not adversely affect the development of the general neighborhood or district
- The development may not contribute to issues with vehicular traffic or circulation, ingress/egress, or parking demands that would have an unfavorable impact on

surrounding properties when compared to uses permitted by right in the same zoning district

- There may be no increased potential for fire or other equally or greater dangerous hazards
- The development may not create an unfavorable environment or impacts on surrounding uses
- The development must be consistent with existing and planned pedestrian and vehicular circulation adjacent to or near the property
- The site must be adequately served by public services and facilities, not requiring additional public expense for infrastructure improvements

Zoning Official Lee concluded that the Application meets all of the above criteria, and Staff is supportive of the proposed development.

It was asked whether the subject property is currently vacant or developed. Zoning Official Lee confirmed that it is a vacant lot.

Board Member Williams pointed out that there is significant multi-family development south of the subject property, but the construction of a duplex on this site would begin to extend multi-family development to the north, where there is only single-family development. She cautioned against continuing this trend farther north. Zoning Official Lee explained that any further special exceptions of this nature would have to come before the Planning and Zoning Board to request consideration of duplexes in single-family districts.

It was also asked if there are several vacant properties within a three-mile radius. Zoning Official Lee replied that this is not the case in the subject area. He added that because there is pressure on Miami-Dade County to develop more housing, developers are proposing more larger-scale projects than single-family homes.

Board Member Williams noted that there are properties in the subject area that have fallen into disrepair and may undergo demolition by neglect in future years. She explained that her comment was intended to encourage the Board to keep an eye on the trend of multi-family development moving north into single-family zoning.

Board Member Williams also asked if the Board may add conditions to the requested special exception. She offered the example of requiring an applicant building a new property to incorporate Moorish Revival elements into their buildings. Director Gay advised that aspects of City Code address the implementation of Moorish Revival architecture and guidelines, particularly in areas that are known for their historic structures. He estimated that the subject area has five to six historically designated structures, as well as another 15 to 20 non-designated historic structures. This means that historic preservation has been promoted in this area.

Director Gay continued that Staff has spoken with numerous developers to encourage the retention of Moorish Revival architecture in their proposed structures, whether they are commercial, industrial, or residential. The majority of Opa-locka's Moorish Revival structures are residential. He concluded that if the Board would like to make a recommendation that the Applicant incorporate Moorish Revival elements into his project, this can be done through placement of conditions.

Board Member Williams recommended that the Board consider approving the Item with the condition that the Applicant incorporate at least two Moorish elements to the structure.

Motion made by Board Member Williams to approve the Resolution with the exception that the owners will incorporate two significant Moorish details in the structure.

Board Member Williams explained that "significant elements" may include features such as domes, archways, and other aspects. She clarified that her **motion** did not address minor elements such as color. Director Gay advised that the City has its own color palette, as well as design guidelines that can assist with the addition of Moorish elements or motifs.

It was asked whether the City guidelines distinguish between significant and insignificant elements or features. Because the subject site is a corner lot, the use of Moorish Revival elements could have a significant impact.

Director Gay suggested that the **motion** could specifically refer to design elements, as there are distinctly Moorish elements, such as archways, rooflines, mosaic tiles, and other features. Staff can work with the property owner to incorporate these elements.

Board Member Williams **amended** her **motion** to replace the reference to "significant" elements with "two Moorish design elements."

Board Member Hibbert Smith **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (5-0).

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL OF THE TENTATIVE PLAT FOR PROPERTY LOCATED AT 921 SUPERIOR STREET AND IDENTIFIED BY FOLIO 08-2121-007-1770 IN THE R-1 ZONING DISTRICT, DIVIDING THE PROPERTY INTO THREE SEPARATE PARCELS FOR THE DEVELOPMENT OF TWO ADDITIONAL SINGLE-FAMILY HOMES; PROVIDING FOR AN EFFECTIVE DATE.

Director Gay explained that this property is located in the southern portion of Downtown Opa-locka. It is one of the City's larger lots, The Applicant plans to preserve the center

home structure on the property, which includes some Moorish elements. There is also a garage structure on the site.

On the other side of the existing home is a large lot. The Applicant plans to subdivide these lots into three: one will be vacant, one will continue to include the existing home structure, and the lot that currently holds the garage will be redeveloped into a new structure.

Zoning Official Lee further explained that the site is approximately 18,750 sq. ft. in size and currently holds a single-family home. Different activities are located to the east and west ends of the site. Due to the size of the lot, it can be equally divided into three lots 6250 sq. ft. in size. This is greater than the minimum lot size of 4800 sq. ft. The two parcels adjacent to the parcel with the single-family home could be developed into new homes or sold. The Applicant plans to begin the platting process to divide the property into three parcels before deciding how they wish to proceed.

Zoning Official Lee concluded that Staff is supportive of the proposed subdivision, as it provides an opportunity for additional residential development.

It was requested that aerial views be provided in future applications.

It was asked whether or not the Applicant plans to demolish the existing home. Zoning Official Lee replied that the Applicant has given no indication that they plan to change the central house structure, but has stated they would redevelop the two parcels to the east and west of that house.

Zoning Official Lee further clarified that if the Applicant wished to demolish or significantly change the existing house, they would first need to go before the City's Historic Environmental Preservation Board, as the structure is a historic property.

Board Member Williams asked if there are any setback issues associated with dividing the property. Zoning Official Lee confirmed there are none. He also pointed out that most of the parcels in the subject area are 6250 sq. ft. or more, which is larger than the minimum lot size requirement for single-family homes.

There was also concern with providing adequate parking on the three divided sites. It was clarified that each of the three lots would be 50 ft. wide. Each single-family home would typically be able to park two cars on its lot. Director Gay reiterated that each of the three proposed lots would be larger than the average lot with a single-family home.

Motion made by Board Member Hibbert Smith, seconded by Board Member Williams, to approve subdividing 921 Superior Street into three folio numbers. In a roll call vote, the **motion** passed unanimously (5-0).

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, ORDINANCE 15-31, SECTION 22-127 AND THE CITY CODE OF ORDINANCES CHAPTER 13, ARTICLE XI FLEA MARKETS AND BAZAARS; TO REDUCE THE ACREAGE REQUIREMENTS FROM TWENTY-FIVE ACRES TO FIVE ACRES AND TO ELIMINATE THE BOND REQUIREMENT IN SECTION 13-217 FOR THE OPERATION OF A FLEA MARKET; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Director Gay stated that this Application was brought forward by Staff on behalf of the City of Opa-locka. This Item was brought to Staff's attention by the City Attorney's Office with respect to how City Code addresses the size of flea markets. Current Code includes language indicating that flea markets should be no less than 25 acres in size. This legislation was enacted when the Opa-locka/Hialeah flea market was being created, and spoke specifically to that site.

Since that time, the City is now home to a newer type of flea market, which is an indoor market. It was recommended that Staff modify the language in Code addressing minimum lot size for flea markets.

Zoning Official Lee advised that there is unlikely to be another flea market in Opa-locka proposed at a size of 25 acres; however, if this description continues to stand in Code, it would limit the opportunity for a retail center of that nature to operate in the City. The proposed amendment would adjust Code, as well as the reference in the ULDR which refers to City Code regarding flea markets. Newer flea market operations would have a smaller acreage footprint and would be able to operate without a bond requirement. Staff recommends approval of the amendment.

Board Member Williams asked if any other businesses in Opa-locka have performance bonds. Zoning Official Lee replied that he is not aware of this requirement for any other businesses. Director Gay further clarified that there are some situations in development which are related to performance bonds; however, these are typically associated with construction contracts.

City Attorney Pam Booker added that there have been occasions in which a bond would be required during development. In the case of construction, bonds are required in order to ensure that the developer carries out their obligations and completes construction rather than leaving a project in an incomplete/unsafe condition, which has occurred during past downturns in development.

Motion made, and duly seconded, to reduce to five acres.

It was confirmed that the Resolution addresses both the acreage and the bond requirement.

The **motion** was restated as follows: **motion** made by Board Member Williams, and duly seconded, passing an Ordinance that will reduce the acreage to five acres and also eliminate the need for a performance bond. In a roll call vote, the **motion** passed unanimously (5-0).

6. ADJOURNMENT

The meeting was adjourned at 6:28 p.m.