

City of Opa-locka

*Commission Chambers
215 Perviz Avenue
Opa-locka, FL 33054*



REGULAR COMMISSION MEETING Agenda

**Wednesday, December 8, 2021
7:00 PM**

City Commission

**Mayor Veronica J. Williams
Vice Mayor John H. Taylor Jr.
Commissioner Sherelean Bass
Commissioner Chris Davis**

Appointed Officials

**City Manager John E. Pate
City Attorney Burnadette Norris-Weeks
City Clerk Joanna Flores, CMC**

SPEAKING BEFORE THE CITY COMMISSION

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 Great City”

AGENDA
REGULAR COMMISSION MEETING
December 8, 2021
7:00 P.M.

1. CALL TO ORDER:

2. ROLL CALL:

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE:

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Opa-locka Optimist 10U and 14U Superbowl Championship
City of Opa-locka Parks & Recreation Department

6. APPROVAL OF CONSENT AGENDA AND PULL LIST (deferrals and deletions):

7. APPROVAL OF AGENDA:

8. APPROVAL OF MINUTES:

Regular Commission Meeting Minutes – October 27, 2021
Regular Commission Meeting Minutes – November 10, 2021
Special Commission Meeting Minutes – November 17, 2021
Special Commission Meeting Minutes – November 22, 2021

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

10. PUBLIC PRESENTATIONS:

1. James Silva, National Account Executive
ShotSpotter, Inc.
ref: ShotSpotter’s gunshot detection technology

11. CITIZENS’ FORUM:
(Opportunity for discussion of any concerns – please limit to 3 minutes)

12. ACTION ITEMS (items from consent agenda pull list):

13. ADMINISTRATION:

CONSENT AGENDA:

14. NEW ITEMS:

15. PLANNING & ZONING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING A DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

A. PUBLIC HEARINGS:

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR

FEEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 2, ARTICLE XI, DIVISION 13 OF THE CITY’S CODE OF ORDINANCES ENTITLED “HISTORIC ENVIRONMENTAL PRESERVATION BOARD” TO ESTABLISH MINIMUM STANDARDS FOR MUNICIPAL HISTORIC PRESERVATION PROGRAMS AS SET FORTH IN THE MIAMI-DADE COUNTY HISTORIC PRESERVATION ORDINANCE SECTION 16A-3.1; PROVIDING FOR BOARD ORGANIZATION AND QUALIFICATIONS; BOARD DUTIES AND RESPONSIBILITIES; SCOPE OF REGULATIONS; DEFINITIONS; ADMINISTRATION AND ENFORCEMENT RULES AND REGULATIONS; SITE/DISTRICT/ZONE DESIGNATION PROCESS AND PROCEDURES; DEMOLITION PROCESS AND PROCEDURES; PROCEDURES FOR MAINTENANCE OF DESIGNATED PROPERTIES; CERTIFICATE TO DIG PROCEDURES; AN APPEALS PROCESS; PENALTIES AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-04, FOR THE ALI-BABA NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 45 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 151ST STREET, AND ON THE SOUTH BY N.W. ALI BABA AVENUE; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-11, FOR THE EAST-WEST SAFE NEIGHBORHOOD DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 100 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 141ST STREET, AND ON THE SOUTH BY N.W. 135TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

5. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-05, FOR THE NILE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 320 ACRES, BOUNDED ON THE EAST BY N.W. 27TH AVENUE, ON THE WEST BY ALEXANDRIA DRIVE, ON THE NORTH BY N.W. 135TH STREET, AND ON THE SOUTH BY N.W. 128TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

6. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE THE MOORISH REVIVAL STYLE DESIGN HANDBOOK; PROVIDING FOR DEFINITIONS, PERMIT AND SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE. *Sponsored by City Manager*

7. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-101, CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. *Sponsored by City Manager*

8. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-102, CREATING THE OPA-LOCKA INNOVATION DISTRICT, PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES, PROVIDING FOR DEVELOPMENT REGULATIONS AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. *Sponsored by City Manager*

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER; SEVERABILITY AND EFFECTIVE DATE (first reading/public hearing held on November 10, 2021). *Sponsored by Commissioner Bass*

C. RESOLUTION(S):

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPOINTING _____ AS A MEMBER OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO FILL THE VACANCY ON THE CITY COMMISSION CREATED AS A RESULT OF MAYOR MATTHEW A. PIGATT'S RESIGNATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Commission*

17. CITY MANAGER'S REPORT:

- 1. 300 Engineering, Inc.
ref: Cairo Lane Project**

18. OFFICIAL BOARD REPORTS:

19. FUTURE AGENDA ITEMS:

20. MAYOR/COMMISSION REPORTS:

21. OFFICIAL BOARD APPOINTMENTS:

Civil Service Board

- 1 individual appointment (Vice-Mayor Taylor)
1 individual appointment (Mayor Williams)
1 individual appointment**

Historic Environmental Preservation Board

- 2 at-large appointments**

Fair Housing and Nuisance Abatement Board

- 1 individual appointment (Vice Mayor Taylor)
1 individual appointment (Mayor Williams)**

Community Relations, Recreation and Activities Board

- 1 individual appointment (Vice Mayor Taylor)
1 individual appointment (Commissioner Davis)
1 individual appointment (Mayor Williams)
1 individual appointment**

Planning & Zoning Board

- 1 at-large appointment**

Charter Review Board

- 5 individual appointments
2 at-large appointments**

22. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

- A. City of Opa-locka and Feeding South Florida Drive-Thru Food Distribution, every **4th Tuesday** from 9:00 a.m. – 11:00 a.m., Sherbondy Village Park, 215 Perviz Avenue, Opa-locka, Florida.
- B. City of Opa-locka Planning & Zoning Board Meeting, **Tuesday, December 7, 2021** at 7:00 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
- C. Please join the City of Opa-locka for Holiday Bingo & Chill, **Friday, December 10, 2021** at 6:00 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida. *Hosted by Vice Mayor John H. Taylor Jr.*
- D. Please join the City of Opa-locka for Holiday In the Triangle on **Saturday, December 18, 2021**, 2105 Ali-baba Avenue, Opa-locka, Florida. Holiday Bike Ride starts at 10:00 a.m. and Community Block Party starts at 12:00 p.m. *Hosted by Vice Mayor John H. Taylor Jr.*
- E. City of Opa-locka After School Program, **August 23, 2021 – June 8, 2022**, Monday – Friday from 1:00 p.m. – 6:00 p.m., Helen Miller Center, 2331 NW 143rd Street, Opa-locka, Florida. We offer homework assistance, tutoring, healthy snacks, school pick-up and recreational activities. Program price: resident \$20.00 weekly – non-resident \$25.00 weekly.
- F. City of Opa-locka Human Resources Department presents “Who wants to work Wednesdays” Open House, every **Wednesday** from 10:00 a.m. – 11:30 a.m., Opa-locka City Hall, 780 Fisherman Street, 1st Floor lounge, Opa-locka, Florida. Offering on the spot interviews.

For further information, please contact the Office of the City Clerk by telephone at (305) 953-2800 or email jflores@opalockafl.gov.

APPROVAL OF MINUTES

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES

REGULAR COMMISSION MEETING

October 27, 2021

7:00 P.M.

1. CALL TO ORDER:

Mayor Pigatt called the meeting to order at 7:05 p.m. on Wednesday, October 27, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner John H. Taylor Jr., Vice Mayor Veronica J. Williams and Mayor Matthew A. Pigatt. Also, in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Interim Police Chief Dennis M. Jackson II was sworn in by City Manager John Pate.

Vice Mayor Williams presented a proclamation to the Delta Sigma Theta Sorority in honor of Delta Days in the City of Opa-locka, with special remarks delivered by Miami-Dade County School Board Member Dorothy Bendross-Mindigall, Delta Sigma Theta Sorority, Inc. Miami Alumnae Chapter President Stephanie Steele-Nelson, and Delta Theta Sorority Inc. Miami-Dade County Alumnae Chapter President Toni Gilliam-Harrison.

6. APPROVAL OF CONSENT AGENDA AND PULL LIST (deferrals and deletions):

Commissioner Taylor pulled Agenda Item 13-2.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor to approve the consent agenda.

The motion to approve the Consent Agenda passed by a 4-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Bass	Yes
Commissioner Davis	Not Present
Mayor Pigatt	Yes

7. APPROVAL OF AGENDA:

Mayor Pigatt stated that City Manager Pate proposed to amend the agenda to include 2 add-on items.

City Clerk Joanna Flores advised the Commission of the request to amend the agenda to include Agenda Item 14-1 and read the proposed item into the record.

14-1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE STATE OF FLORIDA CONTRACT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR QUALIFIED PROFESSIONAL SERVICES TO PROVIDE TEN (10) COPIER MACHINES FOR USE WITHIN THE CITY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SAME, FOR AN AMOUNT NOT TO EXCEED NINETEEN THOUSAND, SEVENTEEN DOLLARS (\$19,017.00), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; TERMINATING ALL ACTIVE CONTRACTS AND LEASES WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Mayor Pigatt asked City Manager Pate to state the emergency nature of add on item 14-1.

City Manager Pate stated that Item 14-1 is being requested to be added to the Agenda due to the fiscal well-being of the City. The City Manager said that because of a mishap from Toshiba, they are requesting that the City renew the contract or make a payment that he said would be explained further upon the Agenda Item being presented to the Commission.

It was moved by Commissioner Taylor to add Item 14-1 to the Agenda, and the motion was seconded by Commissioner Bass.

There being no discussion, the motion to add Item 14-1 to the Agenda, passed by a 4-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Bass	Yes
Commissioner Davis	Not Present
Mayor Pigatt	Yes

City Clerk Joanna Flores advised the Commission of the request to amend the agenda to include Agenda Item 14-2 and read the proposed item into the record.

14-2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CITY NATIONAL BANK OF FLORIDA TO PROVIDE PROFESSIONAL BANKING SERVICES TO THE CITY OF OPA-LOCKA FOR THE OPENING OF AN INTEREST BEARING CHECKING ACCOUNT TO DEPOSIT THE ALLOCATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Mayor Pigatt asked City Manager Pate to state the emergency nature of add on Item 14-2.

City Manager Pate stated that Agenda Item 14-2 is being requested to be added to the Agenda due to the fiscal well-being of the City. Based on discussions with the Commission, the City Manager said that it was in the City's best interest to invest the funds received from the American Rescue Plan Act, which he said totaled a little under \$8 million, to have those funds start accruing interest immediately.

It was moved by Commissioner Taylor to add Item 14-2 to the Agenda, and the motion was seconded by Vice Mayor Williams.

There being no discussion, the motion to add Item 14-2 to the Agenda, passed by a 4-0 vote.

Vice Mayor Williams	Yes
Commissioner Bass	Yes
Commissioner Davis	Not Present

Commissioner Taylor	Yes
Mayor Pigatt	Yes

It was moved by Commissioner Taylor, seconded by Commissioner Bass to approve the Agenda.

There being no discussion, the motion to approve the Agenda passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Not Present
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Continued Second Budget Hearing Minutes - September 29, 2021

It was moved by Commissioner Taylor, seconded by Vice Mayor Williams to approve the minutes of the **Continued Second Budget Hearing Minutes on September 29, 2021.**

There being no discussion, the motion to approve the minutes passed by a 4-0 vote.

Commissioner Davis	Not Present
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

There was none.

10. PUBLIC PRESENTATIONS:

There were none.

11. CITIZENS' FORUM:

(Opportunity for discussion of any concerns – please limit to 3 minutes)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings. The City Clerk stated that one person had registered to address the Commission virtually.

Mayor Pigatt opened the Citizens' Forum.

Mr. Jim Casey addressed the Commission via Zoom and introduced himself as legal counsel from the law offices of Slesnick & Casey in Coral Gables, on behalf of the South Florida Police Benevolent Association and Captain Sergio Perez. Mr. Casey stated that his purpose was to try and set the record straight regarding the allegations brought by civilians appearing before the Commission, alleging various issues of misconduct against Captain Perez. He said that he believes the person would have little personal knowledge of the facts and circumstances of the issues he characterized as rumors, innuendo and untruths. Mr. Casey stated that all the allegations he has been made aware of have been thoroughly litigated and resolved. He addressed the letter written by an attorney on behalf of Captain Perez, which was shown to the Commission by the young lady who appeared before them 2 weeks ago, which she said made her afraid, threatened and intimidated. According to Mr. Casey, it was a typical letter authorized by Florida Statutes regarding a cease and desist, which according to the statute places people on notice that they have made unsubstantiated allegations and explains the appropriate manner to retract those in a public forum similar to the one in which they were made. He stated that it is a right and process open to any Floridian who believes they have been defamed in a public forum. Mr. Casey added that there are many processes to address grievances that residents or business owners may have against public servants. He also acknowledged that the previous speakers against his client, have a 1st Amendment right to say anything they wish to say in private or in public, but he pointed out that it is not an unfettered right and he said that if their statements are false and that falsity caused injury to the plaintiff, that person may have to suffer the consequences. Mr. Casey concluded by stating that the Commission has adopted a decorum policy for citizens addressing them which bars any person making impertinent or slanderous remarks who becomes boisterous.

Retired Police Chief Cheryl Cason of 781 Curtiss Drive stated that she thinks the appointment of Police Chief Dennis Jackson II is a good move for Opa-locka. She said that she feels hopeful with the move that was made and expressed that she knows the community can work with him to do the positive things needed to move the City forward.

Mr. Brian Dennis of 2140 York Street apologized to each member of the Commission and the residents of Opa-locka for his behavior a couple of weeks ago, regardless of what has been going on lately in the City that he was getting emotional about. Mr. Dennis recalled having worked with Police Chief Jackson in the City of Miami starting in 1997 during his tenure as President of Brothers of the Same Mind. He stated that there is no need to put the interim tag on the Chief because he thinks that he is the best Chief the City could possibly find. Mr. Dennis added that you must know what you are doing to become an Assistant Chief in the City of Miami, and he said he saw Chief Jackson handle the problems in Model City at the District Command Center and go from no stripes to stripes to the

collar. He offered sympathies to Commissioner Taylor's family, sharing that he has lost a child and just recently had to officiate his own nephew's funeral. Mr. Dennis offered to do anything to help Commissioner Taylor and his family and concluded by wishing all the members of the Commission a blessed evening.

Ms. Audrey Dominguez of 1147 Jann Avenue thanked Commissioner Taylor and his team for bringing Conga-locas to the City of Opa-locka, stating that it was a great event with good food and music. Ms. Dominguez stated that planning must start for next year to make it bigger and better. She said that she was sad and upset to hear about Police Chief Barreiros leaving but said that she respects his reasons and decision. Ms. Dominguez asserted that the City must unite and not give up on the Police Department. She shared that she met Interim Chief Dennis Jackson and expressed her hope that he does a great job. She asserted her opinion that Agenda Item 13-2 which proposes to have the City join the litigation against HB 1, is only going to benefit the attorneys and not the City of Opa-locka.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that she has lived in her home since 1978 and has never seen the drainage cleaned, and she thanked City Manager Pate through the Commission. Ms. Johnson expressed her appreciation that the City took the initiative to observe Breast Cancer Awareness Month, but she lamented that the pink Police Department vehicle was part of the previous administration, and she said that if they don't have enough money to put the pink badges on every Police Officer she doesn't think it is fair to put it on 2 or 3. She strongly suggested that a State of Florida service provider clean up State Road 9, stating that she has provided their name and phone number. Recalling that when she was a Commissioner, she used to go see when Michelle came through, Ms. Johnson asked who is doing the quality control check in the City. Additionally, she stated that before they consider code enforcement, they need to look at the City's property including the water stations, which she said looked like a dump. She added that if they need a model house to look at, they know where she lives, and shared that her husband cuts the lawn 3 times a week because of the image they want to project to their neighbors. Ms. Johnson recalled that when she was an elected official, all 3 appointed officials were evaluated, and she said that after she had a one-on-one with 1 of the appointed officials, they resigned. She also said that after the previous administration, a change was made to the Agenda, and she suggested that the Commission needs to have their dialogue and the citizens need to have input.

Jannie Russell of 1210 Peri Street noted that Vice Mayor Williams is ecstatic and said it was a great job seeing the sea of red for Delta Days. Ms. Russell offered her condolences to Commissioner Taylor's family. She stated that Conga-locas was a job well done which she really enjoyed, adding that despite it being hot, they stayed out there most of the day and said that it was good from start to finish. Ms. Russell recommended that next time, she would like to see a little bit more for the children to enjoy, stating that the event had

something for older people and younger people but not for the children, but was good. She suggested that additional signage be put up when work on the sidewalks is going to be done because you don't know the street is going to be closed off, expressing that she is looking forward to them getting to her street. Ms. Russell concluded by welcoming the new Chief of Police.

Samar of 720 Sharar Avenue addressed the Commission on behalf of her father who could not be at the meeting. Inquiring whether the City offers any grants for historic properties, she informed the Commission that they have been unable to keep up with it and was told that if they don't paint it soon, they'll be cited. She stated that it is not a good idea to cite people in the middle of a pandemic because a lot of people don't have jobs, adding that it is difficult to find reliable contractors who don't just steal your money. Additionally, she asked what the tall blue things being installed around the City are, because one was installed outside her aunt's home, and they have no idea what it is.

There being no additional persons to address the Commission, the public input portion of Citizen's Forum was closed.

Mayor Pigatt opened the floor for any comments from the Commission about the items addressed by the members of the public.

Commissioner Bass expressed that she was happy, asserting that there is a God and that she was going to leave it at that.

Commissioner Taylor congratulated Ms. Dorothy Johnson for her 48th anniversary. He also asked City Manager Pate if the State of Florida maintains State Road 9.

City Manager Pate stated that at one time, the City took responsibility from the Florida Department of Transportation for maintaining sections of State Road 9, but that the City does not have the wherewithal to continue to do that and is in the middle of discussions about that. The City Manager asked Public Works Director Airia Austin to address the maintenance on State Road 9.

Public Works Director Airia Austin stated that the City maintains the trees and shrubbery while the State of Florida maintains the flat portions of the roadway.

City Manager Pate pointed out that maintenance of State Road 9 is a shared responsibility, but they are looking at either dealing with it all or requesting that the State of Florida take all the responsibility back. The City Manager pointed out that if the State of Florida does decide to take the maintenance of State Road 9 back, they will want the City to bring it to a level where it is easily maintained moving forward.

Commissioner Taylor inquired about the signage for the repair of the sidewalks, guidance on grants for the painting of historic homes and the blue objects that were mentioned during the Citizens' Forum.

City Manager Pate stated that he will ensure that if there are any opportunities for residents who own historical housing, that it is appropriately put out to residents through Planning & Community Development Director Gregory Gay. The City Manager reported that he knows there are some historical homes that the City has been appropriately fining due to lack of maintenance on the property, assuring the Commission that they are being investigated. He also informed the Commission that the blue devices that are being installed in front of resident's homes are testing stations which allow water quality testing without entering people's private homes.

Mayor Pigatt thanked everyone for coming up and utilizing the Citizens Forum to address the Commission and make their thoughts known on what they need to do in the City.

12. ACTION ITEMS (items from consent agenda pull list):

- 1. [13-2] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPAL-OCKA, FLORIDA, AUTHORIZING THE PUBLIC RIGHTS PROJECT, A PROJECT OF THE TIDES CENTER, COMMUNITY JUSTICE PROJECT AND SOUTHERN POVERTY LAW CENTER TO FILE A LAWSUIT ON BEHALF OF THE CITY OF OPA-LOCKA, FLORIDA, THAT FACIALLY CHALLENGES SECTION 1 OF CS/HB 1 (2021); PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Pigatt and Vice Mayor Williams***

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Vice Mayor Williams to discuss the resolution proposed by Agenda Item 13-2, and the motion was seconded by Commissioner Taylor.

Mayor Pigatt stated that HB 1 is legislation that was filed in the State Legislature last year, which was deemed as the anti-rioting bill but gives the Police the discretion to deem a demonstration of 3 or more people as a riot, elevates the charges, gives people in their vehicle who feel threatened, the ability to take matters into their own hands and harm those engaged, in addition to restricting a municipalities ability to make decisions on their budget. The Mayor pointed out that sometimes budgets need to go up while some budgets need to go down, and he said that because of the bill, the Police budget cannot be reduced in any way and that if a Citizen or the State Attorney files a complaint, the State of Florida can investigate and overrule the ability of the municipality to make those decisions. He

said that the resolution in Agenda Item 13-2, proposes that the City join other municipalities throughout the State to challenge the law.

Vice Mayor Williams said that she knows there is talk that the Commission shouldn't move forward with the resolution proposed in Agenda Item 13-2 because the City is in financial crisis, but she asserted her belief that municipalities need full control of their budget to function. The Vice Mayor offered the example of the Police Department receiving a grant of \$10,000 and said that under HB 1, the City must maintain that additional \$10,000 funding because it is considered an increase in the budget. She stated that in years of financial hardship, it could be an issue. Vice Mayor Williams offered assurances that it is not an assault on the Police Department, which she said is loved dearly, but that it is a fail-safe for the City and its budget.

Commissioner Taylor stated he does not support HB 1 but pointed out that the difference between Opa-locka and other municipalities is that it is under financial oversight by the State of Florida and thus they would be suing the entity that controls the City's money at this point. The Commissioner asked City Attorney Norris-Weeks if the resolution proposed in Agenda Item 13-2 is just a ceremonial gesture for the City to join in the suit against HB 1, if there would be ramifications if the City does not support the lawsuit and if the lawsuit is successful, whether the City will still benefit if it does not support the litigation.

City Attorney Norris-Weeks stated that the choice to support the litigation against HB 1 is purely within the discretion of the Commission, to decide whether it is in the best interest of the City. The City Attorney said that she doesn't think any litigation is ceremonial, and she explained that the litigants are fighting to have the issue looked at by a court to hopefully have it overturned because they believe it takes away home rule authority from cities and it straps the cities from being able to control their budgets. She stated that there are no ramifications she is aware of if the City does not support the litigation, and that she does not know whether there will be any actions against the City if they do support it. The City Attorney added that she thinks it has been explained by the attorneys who brought it forward, that there would not be a fee that the City would pay because the lawsuit is being litigated by a public entity as a social justice cause.

Commissioner Taylor explained that the reason he pulled Agenda Item 13-2 for discussion is because he doesn't want the City to suffer based on actions that the Commission takes. The Commissioner cautioned jumping on stuff that other cities have the infrastructure to handle, when Opa-locka is not in that position at this moment.

Vice Mayor Williams asked if any other cities are under financial oversight that have joined the litigation against HB 1. The Vice Mayor acknowledged that she is hearing

apprehension about potential backlash against the City, and she also asked if there could be a backlash.

City Attorney Norris-Weeks said she doesn't know if any other cities that have joined the litigation against HB 1, are also under financial oversight and that she would have no way of knowing whether there will be anybody taking any retaliatory action against the City whether they choose to participate in the litigation or not. She did state that she thinks the people handling oversight must do things in a legal way based on the City's contract.

Vice Mayor Williams said that she believes all the members of the Commission are on the dais for the people of Opa-locka, asserting that she wants to make sure the next generation that sits on the dais doesn't have to deal with HB 1, and she urged her colleagues to not make decisions based on fear.

Commissioner Bass stated that she sees the pros and cons of supporting the litigation against HB 1, and said she is on the fence on this issue. The Commissioner said that while the Commission hopes that there would not be a backlash, she said it happens and that is her fear.

Commissioner Taylor asked if those handling the financial oversight of the City had been consulted about bringing forward the resolution proposing that Opa-locka join the litigation against HB-1. The Commissioner asserted that he is not deciding based on fear but is on the fence like Commissioner Bass.

Mayor Pigatt said that the State of Florida doesn't control Opa-locka's money, and he explained the extent of the authority of the financial oversight board under the contract the City has with them, which he said includes approval and the providing of feedback on the City's budget, approval and the providing of feedback on the City's 5 year recovery plan, in addition to making sure the City has the financial ordinances in place to align how they handle the City's finances with the approved budget. He reminded his colleagues that there have been battles for decades over home rule, and the litigation against HB 1 will challenge the legal authority of the State of Florida because taxpayers should have the authority over their budget. Acknowledging that the Commission's decision could influence the legislative process, the Mayor asserted that because of the Commission's duty to protect the City's taxpayer dollars, he supported joining the litigation.

There being no additional discussion, the resolution proposed by Agenda Item 13-2 failed by a 2-2 vote.

Commissioner Taylor	No
Vice Mayor Williams	Yes
Commissioner Bass	No

Commissioner Davis
Mayor Pigatt

Not Present
Yes

13. ADMINISTRATION:

CONSENT AGENDA:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LANDSHORE ENTERPRISES, LLC FOR THE COMPLETION OF PHASE 1 OF THE BURLINGTON STREET CANAL PROJECT IN AN AMOUNT OF FIVE HUNDRED ONE THOUSAND EIGHTY-FOUR DOLLARS (\$501,084.00); FURTHER APPROVING A TEN PERCENT (10%) CONTINGENCY BUDGET IN THE TOTAL AMOUNT OF FORTY-FIVE THOUSAND FIVE HUNDRED FIFTY-THREE DOLLARS (\$45,553.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

Vote taken on Consent Agenda items can be viewed under Agenda Item 6 – Approval of the Consent Agenda.

14. NEW ITEMS:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE STATE OF FLORIDA CONTRACT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR QUALIFIED PROFESSIONAL SERVICES TO PROVIDE TEN (10) COPIER MACHINES FOR USE WITHIN THE CITY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SAME, FOR AN AMOUNT NOT TO EXCEED NINETEEN THOUSAND, SEVENTEEN DOLLARS (\$19,017.00), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; TERMINATING ALL ACTIVE CONTRACTS AND LEASES WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Vice Mayor Williams to discuss the resolution proposed by Agenda Item 14-1, and the motion was seconded by Commissioner Bass.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 14-1.

City Manager Pate asked Information Technology Director Nelson Rodriguez to explain Agenda Item 14-1 in more detail.

Information Technology Director Nelson Rodriguez explained that the resolution before them in Agenda Item 14-1, will take care of a billing issue with Toshiba. The Information Technology Department Director stated that the State of Florida's contract with Toshiba stipulates that each machine has a monthly lease payment in addition to the cost per copy. He said that after the City Commission adopted Resolution 189557 on October 10, 2018 and joined the state's contract, it was noticed on the first couple of invoices that the cost of the lease was not included on any of the invoices for the 10 machines used by the City. Mr. Rodriguez informed the Commission that his Department contacted Toshiba about the issue, but they stated multiple times in writing that the billing was correct. It wasn't until approximately 30 days ago, that Toshiba acknowledged that they had not billed the City for the cost of the lease for 3 years which was about \$75,000. Information Technology Director Rodriguez said that the resolution to the issue as offered by Toshiba was to not charge the City for the \$75,000 of unbilled leasing fees, if the current lease is terminated and leases on the 10 machines are renewed using the current contract with the State of Florida which includes lower rates and would provide the City with brand new equipment.

There being no discussion, the resolution proposed by Agenda Item 14-1 passed by a 4-0 vote.

Vice Mayor Williams	Yes
Commissioner Bass	Yes
Commissioner Davis	Not Present
Commissioner Taylor	Yes
Mayor Pigatt	Yes

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CITY NATIONAL BANK OF FLORIDA TO PROVIDE PROFESSIONAL BANKING SERVICES TO THE CITY OF OPA-LOCKA FOR THE OPENING OF AN INTEREST BEARING CHECKING ACCOUNT TO DEPOSIT THE ALLOCATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Commissioner Taylor to discuss the resolution proposed by Agenda Item 14-2, and the motion was seconded by Vice Mayor Williams.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 14-2.

City Manager Pate stated that per the City Charter, any bank account that is to be opened, must be approved by the Commission. The City Manager informed the Commission that per the rules governing the American Rescue Plan Act funds, once the funds are transferred from where they're currently being held into the interest-bearing account, the interest earned on the funds can be reallocated for other uses. He said that the next allotment of the American Rescue Plan Act funds will be received next year and would also be deposited into the account to earn interest until the funds are utilized.

Clerk Flores noted that on the second to last page of the add-on item package, on the back side of the page towards the top, her name is denoted as a manager designated to act on behalf of the City of Opa-locka, but she pointed out that she should be an alternate signature and believes that it should have City Manager Pate's name, with her as a secondary signature.

City Manager Pate offered assurances that he would get the error on the agreement with the bank corrected and stated that the document won't be executed until that's corrected. The City Manager accepted a friendly amendment to change the terminology in the legislation proposed by the resolution in Agenda Item 14-2.

Mayor Pigatt acknowledged that a friendly amendment was accepted to the resolution sponsored by City Manager Pate as proposed in Agenda Item 14-2, which would remove Ms. Joanna Flores and replace her name with Mr. John Pate for the entity authorization on the bank agreement.

There being no additional discussion, the resolution proposed by Agenda Item 14-2 passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Not Present
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Mayor Pigatt	Yes

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

There were none.

B. APPEALS:

There were none.

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

- 1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

The above resolution was read by Assistant City Attorney Candice Cobb.

Mayor Pigatt opened the Public Hearing for Agenda Item 16-A-1.

Ms. Dorothy Johnson of 13724 NW 22nd Place asked where she could find the information in the budget about the changes that the Commission approved to the proposed budget for the Police Department. Ms. Johnson recalled that when she previously asked about the decision to reduce the number of Police Officers, she was told that it was not done. She said that she comes from a Law Enforcement family, having previously served as a City of Miami Police Cadet herself, and wants to know where she can find the information before the Commission passes the item.

There being no additional members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 16-A-1.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor to discuss Agenda Item 16-A-1.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 16-A-1.

City Manager Pate pointed out that Agenda Item 16-A-1 proposes the approval of Budget Amendment 4, but that Ms. Dorothy Johnson's spoke of the newly adopted budget where he said 2 Police Officers were reduced.

Mayor Pigatt clarified that with the approval of the new budget, the Commission increased the number of sworn Officers in the Police Department by 2 and the number of non-sworn Officers by 5, in addition to increasing the Public Works Department Staff by 2 so that they can start to clean up the City.

Budget Administrator Anathan presented his proposal for Budget Amendment 4 for the fiscal year 2021 Budget.

Commissioner Taylor asked if there would be a budget amendment for the Public Works Department in addition to the proposed budget amendment for the Police Department, in consideration of the Commission's approval of the reduction of the proposed increase of Police Officers by 2 and the increase of Public Works Department Staff by 2.

Budget Administrator Anathan clarified that his proposal for Budget Amendment 4 for the fiscal year 2021 Budget is for everything that occurred up until September 30th and does not impact the newly approved budget under which the changes were made to the staffing in the Police Department and Public Works Department.

Vice Mayor Williams expressed her concern about the dialogue before Budget Administrator Anathan's presentation of his proposal for Budget Amendment 4 for the fiscal year 2021 Budget and asked if the Commission reduced or increased the number of Police Officers. She also asked if Mr. Anathan expected that the cost for overtime would increase.

Budget Administrator Anathan stated that while there are attempts to manage overtime because of the vacancies in the Police Department, to make sure that the City is covered, overtime is going to go up.

Mayor Pigatt recalled that when the Commission discussed the budget, the pay increases for select employees were discussed and he was told that the budget amendment being proposed would authorize those increases. The Mayor asked what the process was for the pay increases and how it aligns with Finding #52 from the operational audit which found that salary increases were made that were not in alignment with the City's pay plan.

Budget Administrator Anathan stated that most of the salary increases Mayor Pigatt was inquiring about are related to the 3 Department Heads who had their salaries restored, the 2 employees who picked up additional responsibilities, the salary increases from the Police Benevolent Association contract, and payments that were made to employees who left the City after a long time of service.

City Manager Pate pointed out that Budget Amendment 4 proposes the approval of expenditures that have already occurred during the budget year that ended in September. He also reminded the Commission that they requested a workshop to go over all City employee compensation, which City Clerk Flores scheduled for November 17th.

Mayor Pigatt said he is unable to support Budget Amendment 4 until the Commission gets additional clarity on the details of the pay increases, because he wants to be very clear about the pay increases.

Budget Administrator Anathan stated that Budget Amendment 4 needs to be signed, sealed and delivered by November 30th, otherwise the State of Florida is going to find the City to not be in compliance with managing the budget. He warned that if the Commission waits until the workshop on November 17th, they may end up with 2 Commission Meetings around Thanksgiving, which he said is going to be tough.

City Manager Pate stated that he believes that the adjustments that were made to approve raises were done by department through the multiple budget amendments throughout the year.

Budget Administrator Anathan reminded the Commission that they did not get reports on compensation until a couple of months ago, and he said that he made sure that what he was doing had consistency with what was being reported.

Vice Mayor Williams made a motion to end discussion on Agenda Item 16-A-1.

There being no additional discussion, the ordinance proposed in Agenda Item 16-A-1 passed first reading by a 3-1 vote.

Commissioner Davis	Not Present
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Bass	Yes
Mayor Pigatt	No

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

There were none.

C. RESOLUTION(S)/PUBLIC HEARING:

There were none.

17. CITY MANAGER'S REPORT:

Mayor Pigatt asked City Manager Pate to deliver a report to the Commission.

City Manager Pate informed the Commission that the City's Department Directors took a tour of the majority of the City and drove each area to see the issues for themselves. The City Manager reported that because of the tour, some of the challenges are being prioritized and he said he thinks it is a field trip that will be done more often because it was needed. He also informed the Commission that City Staff participated in a mandatory public records request training to become more efficient when responding to public records requests. Recalling that the Commission authorized him to review the City's fleet inventory in the Police and Public Works Department to dispose of vehicles, unused equipment and miscellaneous scrap metal, he shared that City received \$100,803.75 through the auction of those items and that it would be presented at the next Commission Meeting. Mr. Pate also said that the lighting for Ingram Park is 95% complete, awaiting the activation of power by Florida Power and Light. He added that the restroom and roof rehabilitation at Ingram Park were completed. The City Manager expressed that he looks forward to getting more input from residents on an individual basis and shared that he has met with residents regarding their concerns and their feedback on what they would like for the City and said that he is working on feasibility studies for various City Departments. He thanked Information Technology Director Nelson Rodriguez and his staff for the painless Office 365 migration. Mr. Pate advised the Commission of the approval of the \$7 million grant application for the dredging of the 127th Street canal, and he said that it would be further evaluated at a review that is scheduled on November 1st. He recalled that the 2nd anniversary of the date he began serving as City Manager was October 15th and said that he understands Opa-locka is a team and that a lot of progress is being made. The Manager also said that the feasibility study for the new Police Department has been completed and will be presented in the month of November, when the Commission and residents can assist in picking the location, so that the initial \$1.2 million that was received from the State of Florida, can be expended.

18. OFFICIAL BOARD REPORTS:

There were none.

19. FUTURE AGENDA ITEMS:

There were none.

20. MAYOR/COMMISSION REPORTS:

Vice Mayor Williams gave a shout out to Commissioner Taylor for Conga-locas, stating that it was spectacular, she had a great time, and that it was very well planned with all the City's various Departments. The Vice Mayor also thanked her fellow sorors and everyone who assisted to make Delta Days in Opa-locka happen. She noted that the Parks & Recreation Department is having a haunted house and her child will be there. Vice Mayor Williams concluded by thanking Miami-Dade Board of County Commissioners Vice Chair Oliver Gilbert and the members of the Commission that came to the past Saturday's cleanup, acknowledging that the area that was cleaned before, was still relatively clean. She shared that the cleanup event allowed them to see the property that the Commission has been talking about on Ali Baba Avenue, which she said was a blight and needs tender loving care.

Commissioner Bass joined Vice Mayor Williams in congratulating Commissioner Taylor on a job well done with Conga-locas. The Commissioner shared that she is hosting a violence prevention summit at Sherbondy at 10 AM on Saturday and said she will be giving high school students 50 community service hours for attending the summit, to help them get what's needed for graduation because she noted that during the pandemic, they haven't been able to go out and get those hours. She shared the unbelievable lineup which includes a keynote speaker from Chicago, and the moderator from Hot 105. Commissioner Bass said she is looking forward to seeing them all there and concluded by expressing that it was a pleasure cleaning up with Vice Mayor Williams.

Commissioner Taylor gave a shout out to the Clerk's Office for working with him to put Conga-locas together, and he thanked all the City Departments that came together to make sure it was a success. The Commissioner said that while he wasn't at the cleanup, he heard it was a great event and commended Vice Mayor Williams on a job well done. He welcomed the new Police Chief and said they expect great things from Chief Jackson.

Mayor Pigatt thanked his colleagues on the Commission for serving the City of Opa-locka and offered kudos to Commissioner Taylor for an amazing Conga-locas event as the first annual Hispanic heritage celebration in the City. The Mayor also thanked Vice Mayor Williams for inaugurating Delta Days in Opa-locka and for working with Miami-Dade Board of County Commissioners Vice Chair Oliver Gilbert on the 3rd community cleanup. He said that these events, including what Commissioner Bass is doing on Saturday, bring the community together to engage each other to build the village that is needed to move Opa-locka forward. The Mayor concluded by sharing his appreciation to Interim Chief of Police Dennis Jackson for coming out of retirement to serve the City of Opa-locka, and he said that they look forward to him making sure the community stays safe.

Vice Mayor Williams noted that Interim Chief of Police Dennis Jackson's wife is also a Delta.

21. OFFICIAL BOARD APPOINTMENTS:

There were none.

22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Taylor, seconded by Vice Mayor Williams to adjourn the meeting at 9:17 p.m.

Veronica Williams
Mayor

Attest:

Joanna Flores, CMC
City Clerk

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES

REGULAR COMMISSION MEETING

November 10, 2021

7:00 P.M.

1. CALL TO ORDER:

Mayor Pigatt called the meeting to order at 7:03 p.m. on Wednesday, November 10, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis, Commissioner John H. Taylor Jr., and Mayor Matthew A. Pigatt. Also, in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Commissioner Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Mayor Pigatt presented certificates to 6 adoptive families of Opa-locka in honor of National Adoption Month.

6. APPROVAL OF CONSENT AGENDA AND PULL LIST (deferrals and deletions):

Clerk Flores advised the Commission that Agenda Item 13-3 was replaced by a substitute resolution, because there was a correction in dollar amount from \$560,000 to \$500,000.

It was moved by Commissioner Davis, seconded by Commissioner Taylor to approve the consent agenda.

The motion to approve the Consent Agenda passed by a 4-0 vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

7. APPROVAL OF AGENDA:

It was moved by Commissioner Taylor, seconded by Commissioner Davis to approve the Consent Agenda.

City Clerk Joanna Flores advised the Commission of the request to amend the agenda to include Agenda Item 14-1 and read the proposed item into the record.

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE OPA-LOCKA POLICE DEPARTMENT FEASIBILITY STUDY ROM SUMMARY PROVIDED BY BEA ARCHITECTS, INC.; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BEA ARCHITECTS, INC. FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING PROFESSIONAL SERVICES TO DEMOLISH AND REBUILD THE FORMER CITY POLICE STATION AT 2495 ALI BABA AVENUE, WITHIN THE CITY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY-SIX THOUSAND, ONE HUNDRED FORTY-EIGHT DOLLARS AND TWENTY CENTS (\$776,148.20), WITH AN ADDITIONAL TEN PERCENT CONTINGENCY BUDGET OF SEVENTY-SEVEN THOUSAND, SIX HUNDRED FOURTEEN DOLLARS AND EIGHTY-TWO CENTS (\$77,614.82); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Mayor Pigatt asked City Manager Pate to state the emergency nature of add on Item 14-1.

City Manager Pate stated that Item 14-1 is being requested to be added to the Agenda based on the health, welfare and safety provision of the City's Code, adding that it needs to be done in a timely manner to ensure that proper grant funding is used and to ensure that the mission of the Opa-locka Police Department moves forward based on the will of the Commission and residents.

It was moved by Commissioner Bass to add Item 14-1 to the Agenda, and the motion was seconded by Commissioner Taylor.

There being no discussion, the motion to add Item 14-1 to the Agenda, passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Mayor Pigatt	Yes

It was moved by Commissioner Taylor, seconded by Commissioner Bass to approve the Agenda.

There being no discussion, the motion to approve the Agenda passed by a 4-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Regular Commission Meeting – September 22, 2021

It was moved by Commissioner Bass, seconded by Taylor to approve the minutes of the **Regular Commission Meeting – September 22, 2021.**

There being no discussion, the motion to approve the minutes passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Mayor Pigatt	Yes

Regular Commission Meeting – October 13, 2021

It was moved by Commissioner Taylor, seconded by Commissioner Davis to approve the minutes of the **Regular Commission Meeting – October 13, 2021.**

There being no discussion, the motion to approve the minutes passed by a 4-0 vote.

Commissioner Davis	Yes
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Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

There was none.

10. PUBLIC PRESENTATIONS:

There were none.

11. CITIZENS' FORUM:

(Opportunity for discussion of any concerns – please limit to 3 minutes)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings. The City Clerk stated that one person had registered to address the Commission virtually, but they were not connected to the meeting via Zoom.

Mayor Pigatt opened the Citizens' Forum.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that she had some information she would leave with the City Clerk to be shared with the City Manager and whoever can help with recruitment for the Opa-locka Community Action Committee that has been around since the 70s. Ms. Johnson informed the Commission that she has been appointed by Miami-Dade Board of County Commissioners Vice Chair Oliver Gilbert, to represent County Commission District 1 on the Community Action & Human Services Board, expressing that she is glad to work between Opa-locka and Miami Gardens and will be bringing more information to help with strategies. She stated that the contact person from the County that she had provided to City Manager Pate, Mr. Corey Jones had passed away, but she said that she is sure they will have a replacement. Ms. Johnson thanked Commissioner Bass for the Bibles Up Guns Down event, stating that it was great, and just needed more children there. She said that the Booster Club's Halloween celebration was outstanding. Ms. Johnson reported that she saw the State of Florida cleaning up State Road 9, as well as inmates cleaning in the City last week. She thanked Vice Chair Gilbert for bringing beautification to the City. Sharing that she had the opportunity to participate in the Wellsprings Community Complex presentation, Ms. Johnson said it was a great project that she hopes moves forward. Recalling that she learned that the Commission must read everything they get, a lesson she said was passed onto her from Congresswoman Meeks who she said was her mentor, Ms. Johnson shared that it took her 5 hours to look at videos from back in 18 and learned that a lot of directives are given to City Staff but there is no

motion. Ms. Johnson urged the Commission to put their workshops into legislation because she said that in her opinion having been a former Commissioner, a lot of things are slipping through the cracks.

Mayor Pigatt asked his colleagues on the Commission if they had any responses to provide as part of Citizens' Forum.

There were no responses from the Commission.

Note: This portion of the minutes is transcribed in verbatim.

Mayor Pigatt: Accept this as my resignation from the position of Mayor in the City of Opa-locka; I will not be a figurehead for corruption. I'm going to those with the real power in this system, the people. I'm not resigning because this job is too big; I'm resigning because I'm in the wrong position to affect change in my City and cities like this across America. I naively thought that a system that is broken could be fixed from within by reformers who, if they just care deeply enough, could root out things like cronyism, shadow deals and government officials who turn a blind eye toward corruption, lest their own deeds be brought into the light. I was wrong.

I left home 17 years ago with the commitment to become a better person for my family and a community that saved my life. I came back home 10 years ago and chose to raise my family here in Opa-locka because it was the heart of my community. My journey through this government began as an intern in the Planning & Community Development Department. I learned about the history of this community, its beauty, its potential and its challenges. I learned firsthand how the employees of this city were treated by the leadership and how they were taking advantage of the people, by not doing their job to serve the people. My first time challenging this government was when I spoke out against the firing of the City Manager and the corruption on the dais back in 2014. That led me to getting code enforcement violations on my house, being threatened by the police multiple times and being accosted by so-called shadow mayors and community advocates right here in this room, at that podium, while those on the dais and in the room looked on in silence.

When I ran for office, the tagline was a new generation of leadership. The people voted to replace the only elected official indicted after the FBI raids in this City. We campaigned around town repeating the same words to everyone. It's time to put an end to this corruption and hold this government accountable. We need to handle the basics, get our finances in order, make sure our trash is picked up on time, our water bills are accurate, the streets get fixed, and the Police and Code Enforcement don't pick and choose who they are harassing. The people overwhelmingly voted for that twice. Since being elected I've been laser focused on my commitment to the people. We have a new generation of

leadership in the City of Opa-locka, all new elected officials, a new City Manager and a new City Attorney. We replaced our residential trash company with one that picks up our garbage on time and efficiently. We replaced 98% of our water meters across the City and have a third party making sure the bills are accurate. We fixed 18 out of 19 pump stations and developed a stormwater master plan to address flooding across the City. We brought in a Financial Consultant, a Budget Director and did several evaluations of our Finance Department, completed 5 audits, submitted a 5-year recovery plan, and worked well with the State Financial Oversight Board and the Auditor General's Office. We paved over 20 miles of streets including Cairo Lane, 139th and 141st. We fixed over 90% of the potholes throughout the City, the largest road servicing and re-milling project in decades; and we are putting sidewalks into the neighborhoods. We brought in the Miami-Dade County Police Department to do an assessment of our Police. We got a new Police Chief, Command Staff, new Officers, new vehicles, new equipment and a substation. Yet, despite all of these accomplishments in this position as Mayor, I could not stop the corruption.

I naively thought that I could help reform this City from the inside, by being the change I wish to see in this community and bringing in a new generation of leadership. During my time here I withstood threats on my life, my family, the loss of my job, character assassinations and political intrigue more scandalous than a show "Scandal". What I've experienced and witnessed with my own eyes during this journey through this government; let me just say this for now, those who stand up for what is right, do not last long in this system. The forces of corruption are too strong for one person to reform. The reformers within the government are outnumbered by those who want to compromise, maintain the status quo and promote themselves over the people. However, the people outnumber the government. The people can hold this government accountable, and I want to thank the people who elected and supported me on this journey through the inside of this system. I got you.

I'm going to take these insights and experiences back to the people. Everything will be shared when it will do the most good. I have a family I need to take care of and be there for. I started this mission as a young single man; now I'm a proud husband and father. My wife, my son, and my two daughters need their "Baboo" and I'm going to take some time for my family and then the people will learn everything including how to hold their government accountable and change this system.

Now, there are of course some here in this very room and some sitting right here on this dais who are breathing a sigh of relief, believing that I'm finally going away. As always, they cannot be more incorrect in their hopes and pride. As I stated at the very beginning of this statement, I am not abandoning the people's mission to dislodge the corrupt, the power hungry and the flat out shady from this City and others. When the time is right,

you'll be hearing more what form this will take and how those who are like-minded can get involved. For those of you who stand in opposition, to those who operate in the shadows who actually believe you hold power beyond the people, who put themselves above service, to the corrupt, the cronies, the narcissists, the deceivers and the liars, I'm not only giving my notice; I and those who join me are putting you on notice. On behalf of all those who want better for their communities, thank you. Thank you all for the insights and experiences. We will hold government accountable to the people.

This concludes the verbatim portion of these minutes.

Mayor Pigatt left the meeting.

Commissioner Bass asked City Attorney Norris-Weeks how the Commission should proceed for the current meeting.

City Attorney Norris-Weeks stated that because there was a quorum, the meeting can continue. The City Attorney noted that the Vice Mayor was not present and said that the Commission can decide who would be the presider of the meeting.

Commissioner Taylor asked for clarification whether the meeting can or cannot continue.

City Attorney Norris-Weeks confirmed that because there was a quorum of members of the Commission present, they can continue the meeting.

Commissioner Taylor asked if the Commission needed to vote for a Chair for the current meeting.

City Attorney Norris-Weeks confirmed that Commissioner Taylor was correct in his understanding that the Commission needed to vote for a Chair.

Commissioner Taylor asked who calls for the vote for the Commission Chair for the current meeting.

Commissioner Davis stated that he thinks the Commission needs to put a motion on the floor.

City Attorney Norris-Weeks confirmed that one of the members of the Commission can put a motion on the floor, to appoint a Chair for the current Commission Meeting.

It was moved by Commissioner Davis to appoint himself as Chair of the current Commission Meeting, and the motion was seconded by Commissioner Taylor.

There being no discussion, the motion to appoint Commissioner Davis as Chair of the current Commission Meeting passed by a 3-0 voice vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Not Present

12. ACTION ITEMS (items from consent agenda pull list):

There were none.

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE PROPOSAL OF CALVIN, GIORDANO & ASSOCIATES, INC. FOR THE COMPREHENSIVE PLAN AMENDMENT EVALUATION AND APPRAISAL REPORT (EAR) PURSUANT TO RFQ NO. 21-0727100 AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 300 ENGINEERING GROUP, P.A. FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR ENGINEERING AND DESIGN SERVICES FOR THE CITY'S SANITARY SEWER GRAVITY MAIN RELOCATION ALONG 133RD STREET; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDING FROM THE MIAMI-DADE COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, IN THE AMOUNT OF FIVE HUNDRED SIXTY THOUSAND DOLLARS (\$560,000), FOR ROADWAY AND DRAINAGE IMPROVEMENTS RELATED TO NW 131ST STREET (BETWEEN NW 31ST AND NW 32ND**

AVENUES); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. Sponsored by City Manager

- 4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING THE CITY OF OPA-LOCKA'S 2022 LEGISLATIVE PRIORITY LIST, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
- 5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS, IN AN AMOUNT OF ONE HUNDRED THOUSAND, EIGHT HUNDRED THREE DOLLARS AND SEVENTY-FIVE CENTS (\$100,803.75), FROM BIDERA LLC, ON BEHALF OF THE CITY, AS A RESULT OF THE CITY SURPLUS AUCTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
- 6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER REQUEST FOR EAC CONSULTING, INC. TO CONDUCT ADDITIONAL FLOW MEASUREMENTS AT LIFT STATIONS 4, 5 AND 7 AND CONDUCT AN ADDITIONAL SMOKE TEST OF THE CITY'S EXISTING GRAVITY SEWER MAINS, IN AN AMOUNT NOT TO EXCEED TWENTY-SIX THOUSAND TWENTY-FIVE DOLLARS (\$26,025.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

Vote taken on Consent Agenda items can be viewed under Agenda Item 6 – Approval of the Consent Agenda.

14. NEW ITEMS:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE OPA-LOCKA POLICE DEPARTMENT FEASIBILITY STUDY ROM SUMMARY PROVIDED BY**

BEA ARCHITECTS, INC.; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BEA ARCHITECTS, INC. FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING PROFESSIONAL SERVICES TO DEMOLISH AND REBUILD THE FORMER CITY POLICE STATION AT 2495 ALI BABA AVENUE, WITHIN THE CITY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY-SIX THOUSAND, ONE HUNDRED FORTY-EIGHT DOLLARS AND TWENTY CENTS (\$776,148.20), WITH AN ADDITIONAL TEN PERCENT CONTINGENCY BUDGET OF SEVENTY-SEVEN THOUSAND, SIX HUNDRED FOURTEEN DOLLARS AND EIGHTY-TWO CENTS (\$77,614.82); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis asked City Manager Pate to introduce Agenda Item 14-1.

City Manager Pate asked Public Works Director Airia Austin to introduce Agenda Item 14-1.

Public Works Director Airia Austin informed the Commission that the resolution in Agenda Item 14-1 proposes a comprehensive study to develop demolition plans for the Police Station, to perform necessary environmental work including the removal of underground storage tanks before the facility is demolished, in addition to the development of a criteria document to put the project for the construction of a new Police Station out to bid.

Commissioner Davis asked City Manager Pate if he had anything to add to the introduction of Agenda Item 14-1.

City Manager Pate stated that based on the study, the most feasible option is the proposal included in Agenda Item 14-1 to use the \$1.1 million from the State Legislature for the demolition of the old Police Station building, while dealing with environmental impacts and to develop plans for a new Police Department. The City Manager noted that this would be phase 1 of the project providing time to request more funding from the Legislature.

Commissioner Davis stated that he is glad to see the establishment of a new location for the Police Department within the community and that he is happy to see that it is going beyond just a regular demolition of the property, to include the plan to develop a new Police Station.

Commissioner Taylor stated that he likes the idea proposed by Agenda Item 14-1 and asked if the old Police Station is going to be demolished and then a plan to rebuild it is going to be done.

City Manager Pate stated that the proposal in Agenda Item 14-1 goes all the way to the point of preparing the site for new construction including environmental rehab.

Commissioner Taylor asked if a timeline had been established for when the Police Station will be rebuilt.

City Manager Pate stated that the rebuilding of the Police Station is dependent on funding. The City Manager informed the Commission that because the City is in a financial emergency, bonding is not an option because the State of Florida would have to agree for the City to enter into any new debt. He said that more funding for the project will be solicited through the City's State Senator and State Representative from the State Legislature.

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss Agenda Item 14-1.

There being no additional discussion, the resolution proposed by Agenda Item 14-1 passed by a 3-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Pigatt	Not Present

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

There were none.

B. APPEALS:

There were none.

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis opened the Public Hearing for Agenda Item 16-A-1.

There being no members of the public to address the Commission, Commissioner Davis closed the Public Hearing for Agenda Item 16-A-1.

It was moved by Commissioner Taylor, seconded by Commissioner Bass to discuss Agenda Item 16-A-1.

Commissioner Davis asked City Manager Pate to introduce Agenda Item 16-A-1.

City Manager Pate asked Budget Administrator Anathan to introduce Agenda Item 16-A-1.

Budget Administrator Anathan pointed out that the Commission has 2 budget amendments before them on their meeting Agenda, including the second reading for Budget Amendment #4 in addition to the first reading for Budget Amendment #5, and that if bills keep coming in related to the prior year's goods and services, they could necessitate further budget amendments. Mr. Anathan informed the Commission that Budget Amendment #5 includes \$361,000 to address the improvements that have been done on Cairo Lane, which he reminded the Commission, had been previously approved with the understanding that it would be brought before them as a budget amendment. He also stated that the pledged revenues for the debt service fund are coming in higher than they were budgeted,

which become surplus, allowing the transfer of about \$107,000 into the general fund.

Commissioner Davis said that he didn't see the backup documentation including the more detailed breakdown of the budget amendment within his legislative package.

Budget Administrator Anathan stated that the information Commissioner Davis was requesting was an attachment to the Agenda.

City Clerk Flores informed Commissioner Davis that the exhibit, including the information that Commissioner Davis was requesting, starts on page 712 of the Agenda packet.

Budget Administrator Anathan assured the Commission that the budget amendment proposed by Agenda Item 16-A-1 is very simple and most of it is just housekeeping with minor changes.

There being no additional discussion, the ordinance proposed in Agenda Item 16-A-1 passed first reading by a 3-0 vote.

Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Taylor	Yes
Commissioner Davis	Yes
Mayor Pigatt	Not Present

2. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER, SEVERABILITY AND EFFECTIVE DATE. *Sponsored by Commissioner Bass***

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis opened the Public Hearing for Agenda Item 16-A-2.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that the legislation proposed in Agenda Item 16-A-2 is very worthwhile and deserved. Ms. Johnson said that since her involvement in 1997, she doesn't know of a sitting Commissioner dying while serving. She asked the Commission to involve the community in the planning, because Commissioner Burke was loved by the people. Ms. Johnson

concluded by offering kudos to the sponsor and said that the heartfelt sympathy for his service from the other members of the Commission, is very much needed.

Mr. Brian Dennis of 2140 York Street echoed the sentiments expressed by Ms. Johnson, stating that Commissioner Burke was beloved. Mr. Dennis shared that he knows for a fact that he was beloved because Commissioner Burke talked him into giving up his entire paycheck for some kids because of his legacy. He said that he agrees that the community should be involved, and he added that the family should be involved. Mr. Dennis concluded by recalling that Commissioner Burke put a lot of time into what he did, especially with the Booster Club and thanked the Commission for putting Item 16-A-2 on the agenda.

There being no additional members of the public to address the Commission, Commissioner Davis closed the Public Hearing for Agenda Item 16-A-2.

It was moved by Commissioner Taylor, seconded by Commissioner Bass to discuss Agenda Item 16-A-2.

Commissioner Taylor stated that like the citizens said, it's well deserved. The Commissioner added that the Commission was sad to see their colleague Commissioner Burke go and acknowledged that the proposed street naming doesn't do justice to his life because he was such a great man in the City. He concluded by saying that he was happy that Commissioner Bass sponsored Agenda Item 16-A-2, for the Commission to show how much they appreciate and love Commissioner Burke.

Commissioner Davis thanked Commissioner Taylor and said that he shared his sentiments. The Commissioner recalled having had the chance to campaign with Commissioner Burke in 2018, and he shared that he got to know Commissioner Burke better over the years as a colleague. He acknowledged that Commissioner Burke was well loved in the community and was always a fighter for the community. Commissioner Davis thanked Commissioner Bass for leading the charge and sponsoring the ordinance proposed by Agenda Item 16-A-2, and said he thinks it is great that the Commission could memorialize Commissioner Burke in this special way.

Commissioner Bass thanked her colleagues for their support. The Commissioner recalled having met Commissioner Burke in 2018, stating that it was a roller coaster ride that she would live again. She shared that she thought it would befit Commissioner Burke to have the Commission name Curtiss Drive after him. Commissioner Bass added that she found out that Commissioner Burke's first address in the City of Opa-locka was on Curtiss Drive, which is why that street is

being proposed to be renamed, and not Jann Avenue where his family currently resides. She concluded by thanking her Commission colleagues for their support and said that she is looking forward to the second reading of the ordinance.

There being no additional discussion, the ordinance proposed in Agenda Item 16-A-2 passed first reading by a 3-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Pigatt	Not Present

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

- 1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA, INC. TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130TH STREET BETWEEN NW 30TH AVENUE AND NW 30TH COURT AND A PORTION OF NW 30TH COURT BETWEEN NW 130TH STREET AND NW 131ST STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002- 0020, 08-2128-002-0030, 08-2128-002-0040, 08-2128-002-0050, 08-2128-002-0060, 08-2128-002-0090, 08-2128-004-0380, AND 08-2128- 004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing on September 22, 2021). *Sponsored by City Manager***

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis opened the Public Hearing for Agenda Item 16-B-1.

Ms. Hope Calhoun introduced herself as a representative for the property owner requesting the vacation of the right of way proposed by Agenda Item 16-B-1. Ms. Calhoun pointed out that while this was the second reading of the ordinance, it was the third time making the request because the City’s ordinance requires that they provide payment for the vacation of the right-of-way and that the Commission has their most recent offer which she said is consistent with the appraisal. She stated that they have come a long way, as suggested and requested by the Commission, and she expressed her hope that it makes

everyone more comfortable with what they are seeking. Ms. Calhoun recalled that the Commission already approved their applications for the site plan and development agreement, and she concluded by offering to answer any questions or go over their presentation again.

It was moved by Commissioner Taylor, seconded by Commissioner Bass to discuss Agenda Item 16-B-1.

City Manager Pate stated that after months of deliberation, he fully supports the item because he believes the petitioner has made a full faith effort to answer the Commission's questions and bring their offer up to a level that is suitable to him.

Commissioner Davis said that the Commission's discussion at the last meeting was surrounding the offer amount which he remembered was \$94,000, recalling that he and his colleagues were reluctant to move on the item with such a low-ball offer. The Commissioner noted that the current offer had been increased to \$306,963 as included in the official letter stating that amount.

Commissioner Bass shared that she had the opportunity to visit the property with Planning & Community Development Director Gregory Gay and see what they were explaining to the Commission. The Commissioner said that she thinks it is in the best interest of the City to close it out.

There being no additional discussion, the ordinance proposed in Agenda Item 16-B-1 passed by a 3-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Pigatt	Not Present

2. **AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A CHARTER REVIEW BOARD FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR METHOD OF APPOINTMENT AND COMPOSITION OF THE BOARD; ESTABLISHING MEMBERSHIP, TERMS, DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on October 13, 2021). *Sponsored by City Commission***

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis opened the Public Hearing for Agenda Item 16-B-2.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that she didn't recall the ordinance proposed by Agenda Item 16-B-2 ever having been read a first time, noting that this was the second reading for the item. Ms. Johnson said that if she was in error, she apologized and said she is still in favor of it. She added that she is trying to find the structure of how the proposed Charter Review Board would be set up, acknowledging that it is very much needed.

Commissioner Davis confirmed that the first reading for the ordinance proposed by Agenda Item 16-B-2, was held on October 13, 2021.

Mr. Brian Dennis of 2140 York Street expressed his support for the ordinance proposed by Agenda Item 16-B-2 and said that he thinks it would give the Commission the opportunity to appoint those who know how to move the City forward by reviewing the Charter, but also it would give the Commission the opportunity to be a part of it and become educated.

There being no additional members of the public to address the Commission, Commissioner Davis closed the Public Hearing for Agenda Item 16-B-2.

It was moved by Commissioner Taylor, seconded by Commissioner Bass to discuss Agenda Item 16-B-2.

Commissioner Davis thanked Commissioner Taylor for leading the Charter Review Board effort. The Commissioner acknowledged that many of the processes within the City of Opa-locka have been historically antiquated and updating the Charter will be one step to put the City's best foot forward. He pointed out that the Charter is the City's lifeline and basically its constitution, so they want to ensure that the practices outlined in the Charter are fair and equitable.

There being no additional discussion, the ordinance proposed in Agenda Item 16-B-2 passed first reading by a 3-0 vote.

Vice Mayor Williams	Not Present
Commissioner Bass	Yes
Commissioner Taylor	Yes
Commissioner Davis	Yes
Mayor Pigatt	Not Present

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL,

PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on October 27, 2021).
Sponsored by City Manager

The above resolution was read by Assistant City Attorney Candice Cobb.

Commissioner Davis opened the Public Hearing for Agenda Item 16-B-3.

There being no members of the public to address the Commission on Agenda Item 16-B-3, Commissioner Davis closed the Public Hearing.

It was moved by Commissioner Bass, seconded by Commissioner Taylor to discuss Agenda Item 16-B-3.

There being no discussion, the ordinance proposed in Agenda Item 16-B-3 passed by a 3-0 vote.

Commissioner Bass	Yes
Commissioner Taylor	Yes
Commissioner Davis	Yes
Vice Mayor Williams	Not Present
Mayor Pigatt	Not Present

C. RESOLUTION(S)/PUBLIC HEARING:

There were none.

17. CITY MANAGER’S REPORT:

Commissioner Davis asked City Manager Pate to deliver a report to the Commission.

City Manager Pate reported that the Human Resources Department facilitated an on-site breast cancer workshop, an extended learning information session with Nova Southeastern University

and a wellness event. The City Manager shared that he has been continuously meeting with residents and business owners regarding their concerns and getting their feedback on what they would like to see in their City, to know how to best navigate in moving the City forward. Thanking the Commission for approving the legislation to move forward with the retesting of pump stations 4, 5 and 7, as well as the testing of pump station 8, he informed them that if the testing is passed, it will remove the pump stations from moratorium and provide for commerce. He stated that additional blue external water sampling stations may be installed throughout the community to make drinking water readily available for testing without going into private homes for sampling. Mr. Pate also shared that the City is in receipt of \$3,978,531 of the City's first 2 payments of its allocation of the American Rescue Plan Act funds from the U.S. Treasury, adding that the City is expected to receive a total of \$7,957,062 by Spring of next year. He said that at the workshop that was held on October 20, 2021, the Commission discussed the possible usage of such funds and created an interest-bearing account to house those funds. In accordance with the Commission's guidance, the design for the Miami Gardens service line project using these funds is underway. City Manager Pate also said that an initial assessment has been received to fully restore the Sesame Street bridge and that a request will be provided to the Commission for consideration at the Special Commission Meeting scheduled for November 17, 2021.

18. OFFICIAL BOARD REPORTS:

There were none.

19. FUTURE AGENDA ITEMS:

There were none.

20. MAYOR/COMMISSION REPORTS:

Commissioner Bass thanked everyone who came out to support the Bibles Up & Guns Down event, including those on the residents panel, as well as the Police Department, City Staff including Mr. Rady Grice and her colleagues. The Commissioner also thanked those who came out to support the Farm Share feeding, which she said was also very successful.

Commissioner Davis thanked Commissioner Bass for leading the Bibles Up & Guns Down event, lamenting that he was unable to attend the event, but sharing that he heard all the great news. The Commissioner acknowledged that the City has put forth maximum effort to solving violence, and he thanked Commissioner Bass for encouraging the community to be inspired by faith as opposed to the more troubling behaviors in the community.

Commissioner Taylor echoed Commissioner Davis' sentiments, thanking Commissioner Bass for a great event and all she has done to try to curtail the violence in the City.

Commissioner Bass invited everyone to the Night of Thanksgiving on Friday the 19th of this month at 7:00 PM. The Commissioner explained that it is going to be a night of praise, worship, dance and just giving thanks.

Commissioner Davis encouraged the community to come out and enjoy a fun family day during the community turkey distribution on November 20th from noon to 4 PM at Sherbondy Park. The Commissioner shared those 500 turkeys will be given out to Opa-locka residents, and that some of the sponsors included 103.5 The Beat, Foot Locker, Big Al, Simply Healthcare and Miami-Dade County. He added that he will be co-hosting the event with Papa Keith from 103.5 The Beat.

21. OFFICIAL BOARD APPOINTMENTS:

There were none.

22. ADJOURNMENT:

City Clerk Flores noted that the next Commission Meeting would be scheduled on the day before Thanksgiving, and she reminded the Commission that normally the 2nd meeting in November and December are cancelled. The Clerk asked what the will of the Commission was due to the holidays.

City Manager Pate stated that there were no issues from the Manager's Office because he said that if there is anything time sensitive, they can have those items on the agenda at the Special Commission Meeting which City Clerk Flores scheduled on the 17th.

It was moved by Commissioner Bass to suspend the second Regular Commission Meetings in the months of November and December, and the motion was seconded by Commissioner Taylor.

There being no discussion, the motion passed by a 3-0 vote.

Commissioner Taylor	Yes
Commissioner Bass	Yes
Commissioner Davis	Yes
Vice Mayor Williams	Not Present
Mayor Pigatt	Not Present

There being no further business to come before the City Commission, it was moved by Commissioner Taylor, seconded by Commissioner Davis to adjourn the meeting at 8:19 p.m.

Veronica J. Williams
Mayor

Attest:

Joanna Flores, CMC
City Clerk

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES

SPECIAL COMMISSION MEETING

November 17, 2021

5:30 P.M.

1. CALL TO ORDER:

Mayor Williams called the meeting to order at 5:52 p.m. on Wednesday, November 17, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis, Commissioner John H. Taylor Jr., and Mayor Veronica Williams. Also, in attendance were: Assistant City Manager George Ellis, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT: (agenda items only)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings.

Mayor Williams opened the floor for Public Input.

Mr. Brian Dennis of 2140 York Street stated that if God does not tell him something to tell the Commission, he would not tell them. Offering assurances that he’d never be arrogant with anyone, he urged those who have ascended to new positions including Mayor Williams and soon to be Vice Mayor Taylor, to be mindful of what has happened wishing them the best. He stated that there has been nothing that he has said that has not come to pass. Mr. Dennis said that prayer had never happened in a Commission meeting before and has now happened, adding that previously there was someone who he said was double-

mindful and unstable in all his ways. He concluded by saying that whenever you have an individual that has been given something with care and they do not take care of it, it's ripped from them.

Mayor Williams reminded the members of the public that all their comments should be about the Agenda items.

Retired Police Chief Cheryl Cason of 781 Curtiss Drive stated that she always calls Opa-locka the great City because she was born here and is going to do what she can to help make it great. Ms. Cason congratulated Mayor Williams and Commissioner Taylor for the proposal to appoint him as Vice Mayor, assuring the Commission that they respect each one of them and urging them to continue to move forward positively. She stated that we all must learn from the people that were before us by listening to the experience of the trailblazers. Ms. Cason expressed her opinion that the City doesn't need to spend extra money and should stick to the last elections, urging the Commission to appoint Ms. Dottie Johnson to fill the vacancy on the Commission. She noted that Ms. Johnson and Ms. Audrey Dominguez were separated by one vote, adding that they should consider that Ms. Johnson has always worked for the City and is always at the Commission meetings. Ms. Cason concluded asserting that they will help the City move forward, urging the Commission to adhere to the message preached by the Pastors, adding her confidence that God will work it out.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that she doesn't think the City has the funds for a special election. Ms. Johnson said that in the 2018 Mayor's race, she was the second runner up, and she also said that there are 2 candidates that are still outstanding from the last Commission election. She asked to be considered for the Commission's appointment because she said she has the knowledge, the skills, the ability and has been steadfast in her commitment to the City, the Commission and the citizens. Ms. Johnson offered assurances that she will be a great part of the team and asked that god bless them on their decision.

Ms. Jennifer Forbes of 2530 York Street stated that she is pretty sure the members of the Commission have seen her at the meetings before and she said that she would like for them to consider Dottie Johnson. Ms. Forbes shared that she was raised in Opa-locka, and her property is generational property where she raises her kids, and she said that ever since she was a little girl, Ms. Johnson has always been a prevalent person showing positivity in the lives of her family and neighborhood. She expressed that she thinks it would be a good look to have somebody on the Commission that shows their face and is somebody that's for the people.

Mr. Andrew Herman of 1770 Opa-locka Boulevard stated that he has been a homeowner in the City of Opa-locka for the last 25 years and has yet to see it reach that point it has

now, adding that he has a lot of questions and concerns. Mr. Herman shared that someone broke into his home, and he said that the officer who came looked familiar because he remembers that Chiverton was the City Manager at one point.

Mayor Williams reminded the public that their statements to the Commission must be on an Agenda item.

Mr. Andrew Herman said that sometimes the City gets caught up in individual problems, and he asserted that, the City needs to do better.

Ms. Ella Ferguson of 13795 NW 22nd Place stated that she has been a resident for 30 years and asked that the Commission consider Dottie Johnson for the position of Commissioner. Ms. Ferguson said that Ms. Johnson has always been a staple in the community and lives on her street, adding that they have never had a problem on their street that Dottie Johnson could not handle.

Ms. Audrey Dominguez of 1147 Jann Avenue stated that she wasn't going to come and speak but felt the need to say that she thinks the Commission ultimately needs to make the decision that's going to be best for the City and the residents and follow their heart and whatever God leads them to.

Ms. Candida Nieves of 2505 Opa-locka Boulevard stated that she has known Ms. Dorothy Johnson for a long time and said that she can always call her, and she is always there to help. Ms. Nieves concluded by asking the Commission to consider former Commissioner Johnson to be appointed to the Commission again.

Mr. Nieves, the husband of Ms. Candida Nieves of 2505 Opa-locka Boulevard stated that he has been a resident of the City of Opa-locka for 50 years. Mr. Nieves said he knows his dear friend Dottie Johnson and that like his wife said, whenever they need her, she's always there. He asked that she be considered for the appointment to the Commission again.

Ms. Janice Efford stated that she has been a resident for 40 years and has known Dottie since they worked together at the Post Office, where she gave her the first award she received. Ms. Efford expressed that she trusts her to be fair as she was at the Post Office, where she said that Ms. Johnson was a good worker. She concluded by saying that she would like for her to be Commissioner again.

Ms. Sandra Collado of 301 Bahman Avenue stated that there are not only black people in the City and said that there are white people too and Spanish. Ms. Collado expressed her opinion that the City is looking like garbage and too old. She expressed concerns over a lot of people trying to steal and urged the Commission to do something. Ms. Collado asked why there were only 2 schools in Opa-locka, lamenting that her children go to different

schools. She also expressed concerns over having a lot of trucks, not seeing light on the street, and having a lot of people on bicycles. Ms. Collado stated that if she sits on the Commission, she doesn't care if nobody pays her, and added that she only needs to do the best for the City. For the vacancy on the Commission, she urged the current members of the Commission to choose the person they think will be best, and she listed Ms. Dottie Johnson, Ms. Audrey Dominguez and herself.

Ms. Andrea Mobley of 2511 NW 140th Street stated that she has lived in Opa-locka for over 53 years and recalled having seen a lot of Commissioners and Mayors within that time. Ms. Mobley acknowledged that she hasn't been to a Commission meeting in years because she got fed up. She said that Ms. Dottie Johnson may have been a good Commissioner but expressed her opinion that it looks like her neighbors are soliciting for her appointment, and Ms. Mobley said that she didn't think she was coming to the meeting for that. Acknowledging that she did not know if just the Commissioners and Mayor decide who's going to be the next Commissioner, she said that she was shocked that a former elected official encouraged her neighbors to come and speak for her. Ms. Mobley said she could have done the same thing because she has a Commissioner that ran, but she didn't think that the meeting was supposed to be something like that.

Mr. Andrew Herman expressed his concerns that he expressed how he felt and was shut down and then other people said how they feel, asking why how he feels matters so little.

Vice Mayor Williams explained that because the meeting was a Special Commission Meeting, if he attaches his comments to an Agenda item, the floor is his.

Mr. Andrew Herman urged the Commission to stop recycling garbage in the City of Opa-locka. Mr. Herman expressed his opinion that it seems to him like the word "great" has lost its definition because when he hears "the great City of Opa-locka" and "make America great again", it's not been great at all. He asked what is going to be done as a unit to get the City to the next level, because he said that all the nonsense is not getting the City anywhere.

Ms. Jannie Russell of 1210 Peri Street offered her congratulations and stated that all the members of the Commission know that she is pulling for them to do the very best. Ms. Russell said that the prayer was awesome because nothing can be done without the Lord. She urged the Commission to make sure that whoever they appoint as Commissioner, that they do it for the betterment of the community. Ms. Russell pointed out that there are a lot of people very concerned about Opa-locka, and that even though some of them are never seen at the podium, they're still concerned about their City. She encouraged each one of the members of the Commission to do the right thing and said that unity is when selfishness is put aside to think about the community. Ms. Russell expressed her confidence that the Commission can get it done.

Ms. Shirley Mitchell stated that no one has solicited her, but that she would rather have someone on the Commission who has the knowledge and knows what they're doing. Ms. Mitchell concluded by saying that the City needs a big change.

There being no additional members of the public to speak, Mayor Williams closed Public Input.

6. RESOLUTIONS:

- a) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPOINTING VERONICA J. WILLIAMS TO THE AUDIT COMMITTEE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**
Sponsored by City Manager

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Commissioner Davis, seconded by Commissioner Taylor to discuss Agenda Item 6-a.

There being no discussion, the resolution proposed in Agenda Item 6-a passed by a 4-0 vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Commissioner Bass	Yes
Mayor Williams	Yes

- b) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FEE PROPOSAL FROM 300 ENGINEERING GROUP P.A. FOR ENGINEERING AND DESIGN SERVICES FOR THE REPLACEMENT OF THE CULVERT LOCATED ALONG SESAME STREET, ON THE OPA-LOCKA CANAL AND ENTER INTO A CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES AGREEMENT WITH 300 ENGINEERING GROUP, P.A. FOR SAME; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Candice Cobb.

Assistant City Manager George Ellis asked Public Works Director Airia Austin to introduce Agenda Item 6-b.

Public Works Director Airia Austin explained that during the milling and resurfacing process, it was discovered that the bridge on Sesame Street between 135th Street and Atlantic Avenue, is in a compromised state and has since been shut down. Mr. Austin stated that the resolution proposed by Agenda Item 6-b would have engineering and site work performed to establish the documents necessary to put the item out for bid. He informed the Commission that it is estimated the replacing of the bridge will cost approximately \$800,000 and that the proposed resolution is just for the engineering and architectural portion which will cost \$192,947. Mr. Austin said that his Department asks that the Commission approve the item.

Mayor Williams asked if there was any discussion on Agenda Item 6-b.

Commissioner Bass asked to hear the dollar amount again.

Public Works Director Airia Austin re-stated that the replacement of the bridge will be an estimated \$800,000 and for the engineering company to develop the bid documents for the request for proposals process, it's \$192,947.

Commissioner Taylor asked for clarification on the request for proposals process.

Public Works Director Airia Austin explained that the proposed resolution is to engineer the bridge, discover what's in the canal and develop a holistic model to put the item out for the request for proposals.

Assistant City Manager George Ellis stated that there is also an opportunity to see if any of the funding can be used that's coming from the federal government for the infrastructure in municipalities.

Public Works Director Airia Austin added that it would benefit the City greatly to have a shovel ready project, by developing the plans for the request for proposals process.

Commissioner Davis asked what the fiscal impact was of the resolution proposed by Agenda Item 6-b.

Public Works Director Airia Austin stated that the fiscal impact of the resolution proposed by Agenda Item 6-b is \$192,947.

Commissioner Davis stated his understanding that the \$192,947 is being expended to get ready for construction, and then the goal is to look at some of the parameters of the American Rescue Plan funds that are expected to be received soon for infrastructure.

Commissioner Taylor noted that a lot of citizens have been complaining about the road being blocked, and he asked what the timeline was for the study and the construction. The

Commissioner also asked if the whole road is going to be blocked or if it will be possible to travel on one lane.

Public Works Director Airia Austin informed the Commission that from passage of Agenda Item 6-b to completion of construction, it is anticipated that it will be one year. Mr. Austin also stated that the road must remain closed.

Mayor Williams asked if once the information is provided to determine what needs to be fixed if the City can proceed or if it will be necessary to wait for those funds.

Public Works Director Airia Austin explained that the infrastructure dollars that have just been passed are expected to be received, otherwise some internal projects will have to be curtailed to get this done.

Mayor Williams asked if Public Works Director Airia Austin was sure those federal dollars are coming.

Public Works Director Airia Austin stated that while the federal infrastructure dollars are anticipated to be received, his Department has looked at internal projected that are budgeted and can be curtailed.

Assistant City Manager George Ellis stated that while the City has money internally that can be moved around to meet the need because it is an emergency, the goal is to have the money from the federal infrastructure bill come in quickly so that it doesn't affect the general fund and so they won't have to stop some projects that are already budgeted to deal with the bridge situation.

It was moved by Commissioner Davis, seconded by Commissioner Bass to pass the resolution.

There being no further discussion, the resolution proposed in Agenda Item 6-b passed by a 4-0 vote.

Commissioner Taylor	Yes
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Williams	Yes

- c) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER REQUEST FOR H&R PAVING, INC. FOR ADDITIONAL LABOR AND MATERIAL INCURRED DURING THE COMPLETION OF THE TEMPORARY ROADWAY REPAIRS ON CAIRO**

LANE WITHIN THE CITY, IN AN AMOUNT OF FORTY-NINE THOUSAND, FIVE HUNDRED NINETY-SEVEN DOLLARS AND TWENTY-FOUR CENTS (\$49,597.24); PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

The above resolution was read by Assistant City Attorney Candice Cobb.

Assistant City Manager George Ellis asked Public Works Director Airia Austin to introduce Agenda Item 6-c.

Public Works Director Airia Austin explained that some unforeseen conditions required additional labor and materials during the temporary roadway installation on Cairo Lane, and that his Department is asking for approval of the \$49,597.24 through the resolution proposed by Agenda Item 6-c to satisfy payments to the firm that was responsible for the installation of the roadway.

Mayor Williams asked if there was any discussion of Agenda Item 6-c.

Commissioner Bass asked Public Works Director Airia Austin to confirm if the work had been completed.

Public Works Director Airia Austin confirmed that the work has been completed and the resolution proposed by Agenda Item 6-c is for ratification.

Commissioner Davis asked what the classification of the expenditure was relative to the project's contract, and what the breakdown was for the \$49,000.

Public Works Director Airia Austin stated that it would be considered a change order for unforeseen conditions and that most of it was for lime rock and other materials.

It was moved by Commissioner Bass, seconded by Commissioner Davis to pass the resolution.

There being no further discussion, the resolution proposed in Agenda Item 6-c passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Mayor Williams	Yes

- d) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 2 PLUS ARCHITECTS, INC. FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR THE ENGINEERING AND DESIGN OF 8-FOOT WROUGHT IRON FENCING AND ENTRY GATE SYSTEMS FOR INGRAM PARK, MAGNOLIA PARK, SEAGAL PARK, AND SHERBONDY PARK, WITHIN THE CITY, IN AN AMOUNT NOT EXCEED FORTY-THREE THOUSAND DOLLARS (\$43,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Candice Cobb.

Assistant City Manager George Ellis asked Public Works Director Airia Austin to introduce Agenda Item 6-d.

Public Works Director Airia Austin stated that the amount of \$43,000 proposed by the resolution in Agenda Item 6-d is for fencing around the City's parks, to utilize the dollars that were allocated by the State Legislature. Mr. Austin asked for a friendly amendment, to approve the item contingent upon the approval of funding coming from the Community Redevelopment Agency.

Mayor Williams asked if there was any discussion on Agenda Item 6-d.

Commissioner Taylor asked if the remaining balance will be coming from the Community Redevelopment Agency, and if the resolution proposed by Agenda Item 6-d is to replace the existing fencing including at Segal Park.

Public Works Director Airia Austin stated that a portion of the funding will be coming from the Community Redevelopment Agency, contingent upon their passage of the item. Mr. Austin also confirmed that the fencing would be replaced at all the City's parks with chain link fencing and wrought iron fencing.

Commissioner Davis thanked the Commission and Administration for working on the Agenda Item 6-d, noting that the Commission has been advocating for improvements for the parks over the years, ensuring that they have proper safety and security for those that utilize them. The Commissioner acknowledged that several parks lack fencing or need to be re-fenced so that hours can be enforced to get a handle on the wrong elements that have been gathering and making them inaccessible for residents.

Commissioner Bass echoed the sentiments of her colleagues, acknowledging that the parks need it for the safety of the kids. The Commissioner offered her kudos.

Mayor Williams stated that as someone who hangs out at the park a lot with a 5-year-old, she thanked Public Works Director Airia Austin for bringing this item to the dais because it is needed. The Mayor stated that the Commission hears a lot of residents who have come to the podium to speak on the activity that happens after dark in the parks, which leaves the Parks & Recreation Department Staff to have to clean up the following day. She expressed her hope that the proposed fencing deters those that don't want the best for the City, especially in the parks.

City Attorney Norris-Weeks asked that a motion be made to incorporate the change to the resolution proposed by Agenda Item 6-d, to allow it contingent upon approval by the Community Redevelopment Agency.

It was moved by Commissioner Davis to amend the resolution proposed by Agenda Item 6-d to approve the item contingent on the remaining balance being provided through the Community Redevelopment Agency, and the motion was seconded by Commissioner Taylor.

There being no further discussion, the Agenda Item 6-d passed as amended by a 4-0 vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Commissioner Bass	Yes
Mayor Williams	Yes

- e) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPOINTING JOHN H. TAYLOR JR. AS VICE MAYOR OF THE CITY OF OPA-LOCKA, FLORIDA, TO FILL THE VACANCY OF VICE MAYOR CREATED AS A RESULT OF MAYOR MATTHEW A. PIGATT'S RESIGNATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Clerk*

The above resolution was read by Assistant City Attorney Candice Cobb.

City Clerk Joanna Flores stated that the resolution proposed by Agenda Item 6-e is being presented and the appointment is being made pursuant to Section 2.7, Subsection 3 of the City Charter.

Mayor Williams asked if there was any discussion on Agenda Item 6-e.

Commissioner Davis congratulated Commissioner Taylor. The Commissioner said that Mayor Williams can attest to the fact that stepping up to a position to hold the seat of Vice Mayor is a responsibility. He said that the community is going to expect greatness and added that he is sure he's going to answer the call. Commissioner Davis noted that he thinks he was the youngest Vice Mayor in Opa-locka's history, but now Commissioner Taylor will wear that title. He concluded by urging Commissioner Taylor to wear the title well.

Commissioner Bass stated that there was no discussion needed.

Mayor Williams said that she just thanked Commissioner Taylor for stealing her title, but she added that she is excited for how the Commission is moving, asserting that things in the past have now washed away. The Mayor also thanked the pastors who prayed over the Commission to make them clean.

Commissioner Taylor thanked his colleagues for the inspiration. He thanked the City for supporting the Commission and offered assurances that he won't let them down as they move forward.

It was moved by Commissioner Bass, seconded by Commissioner Davis to pass the resolution.

There being no further discussion, the resolution proposed in Agenda Item 6-e passed by a 4-0 vote.

Commissioner Taylor	Yes
Commissioner Bass	Yes
Commissioner Davis	Yes
Mayor Williams	Yes

7. SECOND READING ORDINANCE/PUBLIC HEARING:

- a) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH**

APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 10, 2021).

Sponsored by City Manager

The above resolution was read by Assistant City Attorney Candice Cobb.

Assistant City Manager George Ellis asked Budget Administrator Bob Anathan to introduce Agenda Item 7-a.

Budget Administrator Bob Anathan stated that this was the last hearing on the FY 2021 budget amendments. Mr. Anathan pointed out that the first hearing had 9 items, and this one added another 12 which he described as very small, covering open purchase orders that he doesn't this will translate into expenses this year and accounts where he believes there's information that's probably going to be transferred out, as strictly housekeeping.

Mayor Williams opened the public hearing for Agenda Item 7-a.

Ms. Dorothy Johnson of 13724 NW 22nd Place commended City Staff for getting the 4th budget amendment down to just housekeeping. Ms. Johnson urged the Commission to break out how the debt service would be spent, reminding them about the parking for the facility and suggesting that they start looking for some grants so they can have parking when they open the new facility and are not negotiating with the Church.

There being no additional members of the public to address the Commission, Mayor Williams closed the public hearing on Agenda Item 7-a.

It was moved by Commissioner Davis, seconded by Vice Mayor Taylor to discuss Agenda Item 7-a.

Commissioner Davis asked if anything changed between the first and second reading of the budget amendment resolution proposed by Agenda Item 7-a.

Budget Administrator Bob Anathan stated that the budget amendment resolution proposed by Agenda Item 7-a had 9 items when the Commission had the first hearing last week, and he added 12 smaller items, so the number of items in the amendment went up to 21.

There being no further discussion, the ordinance proposed in Agenda Item 7-a passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Davis	Yes

Vice Mayor Taylor	Yes
Mayor Williams	Yes

8. DISCUSSION ITEMS:

Mayor Williams stated that the Discussion Items on the Agenda were deemed to be emergency items and asked City Clerk Joanna Flores to present the items.

a) REQUEST FROM THE OFFICE OF THE CHIEF INSPECTOR GENERAL GOVERNOR'S DESIGNEE

City Clerk Flores reported that a request was received from the Governor's Designee in the Office of Florida's Chief Inspector General, to be placed on every City Commission Meeting Agenda for a presentation. The Clerk stated that she placed the item on the agenda to get some input and direction from the Commission.

Vice Mayor Taylor asked what the purpose was for the Governor's Designee in the Office of Florida's Chief Inspector General, to present at every meeting.

City Clerk Flores informed the Commission that based on the discussion she had with the representatives of the State of Florida, the presentation will be on Agenda Items, to be made at the beginning before any items are voted on.

Vice Mayor Taylor stated that it sounds like the Governor's Designee in the Office of Florida's Chief Inspector General would be giving their opinion on agenda items that the Commission is to vote on at every meeting.

City Clerk Flores stated that she didn't have that discussion with the representatives of the State of Florida. The Clerk suggested that perhaps the City Manager's Office can shed light on the discussions they had with the representatives of the State of Florida.

Assistant City Attorney Ellis stated he and Budget Administrator Bob Anathan usually speak with the representatives of the State of Florida every Friday, and last Friday they came up with the idea of participating in the Commission Meetings more often because of what has recently occurred, to have the opportunity to express any concerns they have on Agenda Items.

Commissioner Bass stated that she doesn't want to be in a position where the Commission is in a place where they can't come to the decisions, they need to make based on peer pressure or the fact that those above them are going at everything that they're trying to work on. The Commissioner said she is not saying it is wrong or right, but that she doesn't feel 100% comfortable with it. She acknowledged that

the Commission is young and learning the game but asserted that they need an opportunity to prove themselves. The Commissioner pointed out that they have their meetings with the City Manager before the Commission Meetings, to keep them abreast and find out what they need to make a decision. She expressed that she's not saying the presence from the representatives of the State of Florida won't be valid but asked at what pressure.

Commissioner Davis stated that he had a similar concern to the one expressed by Commissioner Bass, not with the pressure from the State of Florida, but what warranted the recent decision to want to speak at the Commission's public forums more frequently. The Commissioner recalled that the monthly meetings with the representatives of the State of Florida and the Financial Oversight Committee that were held for many years, were stopped and that was taken as a sign of good faith that things were getting better and there wasn't a need for such a presence of oversight. He also noted that there was a will to ask the representatives of the State of Florida to come back in and give the Commission an up-to-date picture of the City's finances and how the City is doing, and the Commissioner said he looked forward to working with the Manager's Office and his colleagues on the recommendations that came out of those conversations. The Commissioner expressed his concerns about the sudden need to create a space for the representatives of the State of Florida to appear on the Agenda in every public meeting including Special Commission Meetings. Acknowledging that he is pretty sure it is relative to the recent occurrences, Commissioner Davis pointed out that if the Commission is going to accept the request from the representatives of the State of Florida, some sort of amendment to the Agenda would need to be made, so that it's considered the regular order of business going forward.

Commissioner Bass stated that she would not be opposed to the representatives of the State of Florida meeting with the Commission the same way that they meet with the City Manager for their briefings.

Mayor Williams expressed that Discussion Item 8-a gives her pause, just like all her colleagues. The Mayor stated that the recent accusation is just an accusation, adding that the Commission has always had many residents and others making accusations, some of which were founded and some of which were unfounded. She acknowledged that a year ago, the City had glowing remarks as Commissioner Davis said. Mayor Williams said that she is willing to continue the discussion and pointed out that it has always been an option for any of the Commissioners to have meetings with the representatives of the State of Florida, questioning why they should be public now. She concluded by stating that the Commission will get back with the City Manager's Office because City Clerk Flores needed to know what the

Commission thought so that they can move forward for the next Commission Meetings.

b) CITY COMMISSION VACANCY

City Clerk Flores stated that the purpose of Discussion Item 8-b was to receive some sort of direction on how the Commission will be handling the vacancy that was created upon the resignation of Mayor Pigatt, in consideration of the 90-day Charter provision for scheduling a special election. Clerk Flores asked if the Commission will be making an appointment to fill the vacancy or if she should have discussions with the Miami-Dade County Elections Department.

Commissioner Davis stated that looking at the situation purely from a cost-benefit perspective, he pointed out that if the City was to take on a special election, it would cost approximately \$30,000 and while the option to appoint a new Commissioner would represent no cost to the City, the appointment would need to take place within the next 30 days.

Vice Mayor Taylor stated that he totally agreed with his colleagues on the appointment but asked if it was possible to have an application process which was done in 2016, giving a timeline to apply to see who wants to serve on the dais.

Mayor Williams stated that the Commission was given a Notice of City Commission Vacancy that goes back to 2016.

Commissioner Davis stated that he likes Vice Mayor Taylor's idea of having applicants for the Commission vacancy, including the deadline that would allow more time. The Commissioner asked if there is a standard application or if it is something that would have to be developed.

City Clerk Flores informed the Commission that in 2016, letters of interest were accepted from individuals that were qualified because there is no application, but she said that she didn't mind coming up with an application if the Commission decides to have an application.

Commissioner Davis stated that he would be satisfied with a letter of inquiry stating why the person wants to serve along with any personal details they would want to share in addition to a resume, to look at their volunteer experience and professional qualifications.

Vice Mayor Taylor asked if a timeline could be developed if the Commission agrees to the application process to fill the Commission vacancy.

City Clerk Flores recommended that Vice Mayor Taylor's question about establishing a timeline for the application process to fill the Commission vacancy, go to City Attorney Norris-Weeks.

City Attorney Norris-Weeks pointed out that the Commission can't technically take any action on Agenda Item 8-b because it is only a discussion item, but if the Commission would like to have an application and have City Clerk Flores present them with a timeline, they don't have to vote on it and can simply reach a consensus to give the Clerk the direction she is looking for as the clock is ticking since the resignation.

Vice Mayor Taylor asked what the final date was, marking the 30 days from the resignation of Mayor Pigatt.

City Clerk Flores stated that December 10th is the final date on which the Commission can appoint a new member to fill the Commission vacancy created by Mayor Pigatt's resignation.

Mayor Williams stated that she is hearing her colleagues on the Commission recommend that the application process to fill the Commission vacancy created by Mayor Pigatt's resignation, should include a statement letter and a resume, and recommended that the letter be one page.

9. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Vice Mayor Taylor, seconded by Commissioner Davis to adjourn the meeting at 7:09 p.m.

Veronica Williams
Mayor

Attest:

Joanna Flores, CMC
City Clerk

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING
November 22, 2021
5:30 P.M.

1. CALL TO ORDER:

Mayor Williams called the meeting to order at 5:41 p.m. on Monday, November 22, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis, Vice Mayor John H. Taylor Jr., and Mayor Veronica Williams. Also, in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT: (agenda items only)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings.

Mayor Williams opened the floor for Public Input.

There being no members of the public to address the Commission, Mayor Williams closed Public Input.

6. RESOLUTIONS:

- a) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE PROPOSAL FROM MARCUM LLP IN RESPONSE TO RFP NO. 21-1115200 FOR INDEPENDENT**

AUDITING SERVICES; FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by City Manager

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Commissioner Bass, seconded by Vice Mayor Taylor to discuss Agenda Item 6-a.

Mayor Williams asked City Manager Pate to introduce Agenda Item 6-a.

City Manager Pate asked Financial Consultant Gerri Lazarre to introduce Agenda Item 6-a.

Financial Consultant Gerri Lazarre stated that the City issued a request for proposals for independent auditing services and received 3 proposals on Monday, November 15th from S. Davis & Associates, HCT Certified Public Accountants and Consultants, and Marcum LLP. Ms. Lazarre explained that the City’s evaluation committee met on November 17th to evaluate and rank the proposals, and Marcum LLP received the highest rank. She reported that the Audit Committee convened on Thursday, November 18th to evaluate the proposals and the recommendation from City Staff, and they voted to accept the recommendation of the evaluation committee. Ms. Lazarre said that the recommendation of the Audit Committee was being brought before the Commission, to approve the selection of Marcum LLP and allow the City Manager to negotiate with the firm.

Mayor Williams stated that she was there during the Audit Committee, when a few questions were asked, and it was determined that the Committee was comfortable with passing the approval of Marcum LLP.

Commissioner Davis asked which audit years the item is procured for.

Financial Consultant Gerri Lazarre informed the Commission that the resolution proposed by Agenda Item 6-a is for 2 audit periods, including fiscal years 2020 which they are hoping to begin as soon as it’s negotiated with the goal of having the audit done around February or March and then fiscal year 2021 which they want to have done by June 30th. Ms. Lazarre pointed out that the June 30th deadline to complete both audits is noted in the request for proposals and the proposal responses, and she said that then the 2022 audit will be submitted on a regular schedule based on an extension if the Commission agrees to it.

Commissioner Davis stated his understanding that the resolution proposed by Agenda Item 6-a is for the past due audits from 2020 and 2021.

Financial Consultant Gerri Lazarre clarified that the resolution proposed by Agenda Item 6-a is for 2 years, including 2020 which is past due, but she pointed out that 2021 is not past due yet.

There being no additional discussion, the resolution proposed in Agenda Item 6-a passed by a 4-0 vote.

Commissioner Davis	Yes
Vice Mayor Taylor	Yes
Commissioner Bass	Yes
Mayor Williams	Yes

7. APPROVAL OF APPLICATION FOR CITY COMMISSION VACANCY:

Mayor Williams stated that City Clerk Joanna Flores provided the Commission with the application to fill the City Commission vacancy created upon the resignation of Mayor Pigatt and asked if there were any questions.

Commissioner Bass said that she has no questions but wanted to say that she likes the way the application looks, and she thinks it has all the information for the Commission to make an intelligent decision.

Commissioner Davis stated that he is okay with the application as presented, noting that it seems to have all the Commission's wishes that were presented at the last Special Meeting.

Mayor Williams stated that the application looks good with everything that the Commission suggested in there. The Mayor noted that the information is included on the application, but asked City Clerk Flores to explain how the application can be picked up as well as the deadline to turn in the application.

City Clerk Flores asked if everyone on the Commission agreed with the dates that she provided, including Friday, December 3rd at 4 PM as the application deadline, and the appointment being made at the Regular Commission Meeting on December 8th.

Vice Mayor Taylor asked if the Commission will be able to access all the applicants for the Commission vacancy, on Friday, December 3rd.

City Clerk Flores assured the Commission that she will prepare a package including all the applications received for the Commission and she will have it delivered to them based on their preference a little bit after 5 PM on Friday, December 3rd.

Mayor Williams clarified that there will not be a scoring system for the applications submitted for the Commission vacancy. The Mayor said that this is a way for the board to

decide based on information that will be provided to them, and that they will be choosing a board member based off the applications that are given, but that it is one process that they think is a great process to make the decision. Mayor Williams informed City Clerk Flores that the applications to fill the Commission vacancy can be made available to the residents who would like to apply.

City Clerk Flores stated that the information for the application to fill the Commission vacancy, will be made available to the public via the City Clerk's web page and applications can be picked up in the office or downloaded from the internet. The Clerk added that all interested applicants shall be qualified electors of the City of Opa-locka, having resided in the City for more than 365 days prior to the application date.

9. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Vice Mayor Taylor, seconded by Commissioner Davis to adjourn the meeting at 5:54 p.m.

Veronica Williams
Mayor

Attest:

Joanna Flores, CMC
City Clerk

PLANNING & ZONING PUBLIC HEARINGS

RESOLUTION NO. 21-XXXXXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE/DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Prologis Logistics Services Incorporated intends to re-develop this site into a new warehouse distribution and office building in the west section of the City of Opa-Locka ("City"); and

WHEREAS, the Project will consist of the demolition of the current building and the new construction and operation of an industrial warehouse/ distribution and office development building located at 12805 LeJeune Road, Opa-Locka, Florida and identified by folio 08-2129-000-0061 in the I-3 Zoning District; and

WHEREAS, the development will also include 248 car parking spaces, 64 tractor-trailer parking spaces, 219 new assorted trees, 3,601 shrub plants and 139,640 square feet of landscaped open space; and

WHEREAS, the request for site plan approval meets the review criteria set forth in the Land Development Regulations, Section 22-55 H; and

WHEREAS, the redevelopment of this site is intended to provide a current Class-A, 247,174 square foot industrial warehouse/ distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-Locka.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

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 Site Plan Review. The City Commission of the City of Opa-Locka hereby approves / denies a request for the Site Plan approval for the Construction and Operation of an industrial warehouse/distribution & office space development building located at 12805 LeJeune Road and identified by folio 08-2129-000-0061 in the I-3 Zoning District. A copy of the approved Site Plan is attached hereto and incorporated herein 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 City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified 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 Code of Ordinances and the City of Opa-Locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2021.

Veronica J. Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at the Regular Commission Meeting on **Wednesday, December 8, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER; SEVERABILITY AND EFFECTIVE DATE (first reading/public hearing held on November 10, 2021).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REVIEW FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

All interested persons are encouraged to participate and will be heard with respect to the public hearing.

Additional information on the above item may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on Wednesday, December 8, 2021.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka



CITY OF OPA-LOCKA NOTICE OF OPA-LOCKA CITY COMMISSION VACANCY

The City of Opa-locka (the "City") is seeking to fill a vacancy in the City Commission resulting from the resignation of Mayor Matthew A. Pigatt on November 10, 2021.

At the November 17, 2021 Special Commission Meeting, the City Commission directed the City Clerk to issue a Notice of City Commission Vacancy to provide an opportunity for all interested individuals to apply for consideration.

Pursuant to City Charter Section 2.7(c), the City Commission has 30 calendar days following the occurrence of the vacancy to fill the vacant City Commission position.

In accordance with City Charter Section 5.1, each applicant shall be a qualified elector of the City residing in the City for more than 365 days prior to the date of application.

The individual appointed to the City Commission will serve until November 2022.

In order to be considered for appointment, applicants must submit the following:

- A completed application, which is available at the Office of the City Clerk, or on the City's website (www.opalockafl.gov);
- Letter of interest (please limit to not more than one page);
- Current resume;
- City of Opa-locka Oath

The Office of the City Clerk will compile the applications to fill the City Commission vacancy. Applications can be submitted via:

- Hand delivery to the Office of the City Clerk at Opa-locka City Hall, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054; or
- Email to jflores@opalockafl.gov

The deadline to apply is 4:00 p.m. on Friday, December 3, 2021.

The City Commission will consider qualified applicants to fill the vacant City Commission seat at the Regular Commission Meeting on Wednesday, December 8, 2021 at 7:00 p.m., in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, FL 33054. All applicants and interested parties are encouraged to attend.

Applications forms for appointment to the City Commission are available at www.opalockafl.gov. For more information, please contact the Office of the City Clerk at 305.953.2800 or by email at jflores@opalockafl.gov.

Joanna Flores, City Clerk
City of Opa-locka



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type: (Enter X in box)	Resolution X	Ordinance Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes X	No Yes No
Funding Source: <i>Account# :</i>	(Enter Fund & Dept) Ex: See Financial Impact section below		Advertising Requirement: (Enter X in box)	Yes	No
ILA Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:		
		X			
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The subject property is currently owned by Prologis Logistics Services C/O Prologis Inc Incorporated according to Miami-Dade County Property appraiser's website. The subject Property is not being used by any business and is currently vacant. The applicant's submitted building permit has been approved by the City for the demolition of the current warehouse structure. The 635,714 square foot (14.59 acre) property site is identified by Folio 08-2129-000-

0061 in the I-3 Liberal Industrial zoning district and is also within the Corridor Mixed-Use Overlay. This development is located in the southeast area of NW 42nd Avenue/Le Jeune Road just north of NW 128th Street. This site is only accessible via Le Jeune Road. The applicant, Prologis Logistics Services c/o Prologis Inc Incorporated has submitted applications for site plan review, a variance request review and for development agreement review concerning the construction and operation of an industrial warehouse/distribution & office space development on this site.

As indicated on the site plan, this development meets all of the applicable zoning standards in compliance with the City Land Development Regulations except the dimension of the parking spaces for tenant users, their employees and visitors. The applicant has requested a variance for parking space dimension reduction which will not reduce parking space dimension for tractor trailer spaces or for Americans with Disabilities Act (ADA) disabled parking spaces.

The proposed development provides for a Class A, 247,174 square foot industrial warehouse / distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-locka. The development will also provide for 248 tenant, employee, office and visitor parking spaces, 64 tractor-trailer parking spaces, 219 assorted trees, 3,601 shrub plants, and 139,640 square feet of landscaped open space.

This site plan review request was reviewed by the Planning & Zoning Board on October 5, 2021. The Planning & Zoning Board recommended approval of this request by a 5-0 vote after presentation and discussion.

Financial Impact

The development of a new industrial warehouse/distribution and office building will attract quality logistics and distribution tenants to the City of Opa-locka. The financial impact will be through new construction, permitting, impact fees and employment during construction and for the operation after construction.

Proposed Action:

Staff has recommended approval of this request.

Attachment:

Draft Resolution
PZAB Application
PZAB Meeting Minutes 10-05-21
Staff Report
Site Plan

Received:
By:
Date:

" THE GREAT CITY "



PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2020-2021

TOTAL FEES: \$ 1,400.00 New Fees as of October 1, 2015

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

Date Application Found Sufficient

October 6, 2020
November 3, 2020
December 1, 2020
January 5, 2021
February 2, 2021
March 2, 2021
April 6, 2021
May 4, 2021
June 1, 2021
July 6, 2021
August 3, 2021
September 7, 2021

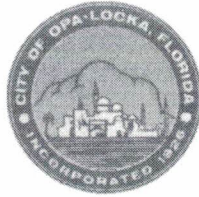
August 21, 2020
September 18, 2020
October 16, 2020
November 20, 2020
December 18, 2020
January 15, 2021
February 19, 2021
March 19, 2021
April 16, 2021
May 21, 2021
June 18, 2021
July 23, 2021

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: Prologis Logistics Services Incorporated

PROPERTY OWNER'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

APPLICANT'S NAME: Prologis Logistics Services Incorporated

APPLICANT'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE 305-392-4262 HOME _____ OTHER _____

SUBJECT PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054
Number/Street

TAX FOLIO NUMBER: 08-2129-000-0061 PRESENT ZONING: I-3 with Corridor Mixed Use Overlay

LEGAL DESCRIPTION: Please see attached.

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:

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 (size 36 x 24 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; (size 36 x 24 & at least 7 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, Paris Del Rio, 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.

Prologis Logistics Services Incorporated, a Delaware corporation

Signature

Date

Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization :

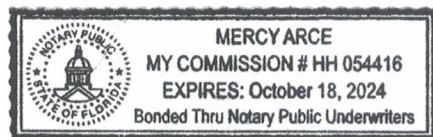
This 10 day of August, 2021

Mx Juce

Notary Public

Attach copy of identification

My commission expires October 18 2024



Reference to Ordinance 15-13

Land Development Regulations/ Zoning Code: Ordinance 15-31



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: Prologis Logistics Services Incorporated

I hereby authorize Tracy Slavens and Vanessa Madrid to represent Prologis Logistics Services Incorporated, as owner of that certain 14.64 +/- acre parcel of land located at 12805 Le Jeune Road, in the City of Opa-Locka, and identified by Miami-Dade County Property Appraiser Folio 08-2129-000-0061. Said representation shall be in connection with the Site Plan and development entitlement process for the Property, and in all public hearings and meetings related hereto.

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

I Paris Del Rio, being first duly sworn, depose and say that I am the owner of the property legally described as:
Please see attached.

I do give to Tracy Slavens and Vanessa Madrid 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 Tracy Slavens and Vanessa Madrid 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.

Prologis Logistics Services Incorporated, a Delaware corporation

Signature

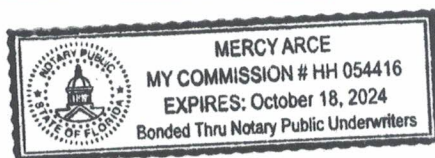
Date

Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization:

This 10 day of August 2021

My June
Notary Public

My commission expires: October 18 2024



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

Received:
By:
Date:

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054

LEGAL DESCRIPTION: Please see attached.

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Prologis Logistics Services Incorporated PHONE: 305-392-4262

ADDRESS (If different): 8355 NW 12th St. , Doral, FL, 33126

Signature

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1,210 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OFF SECTION 29, TOWNSHIP 52 SOUTH RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THERE FROM THE EAST 150 FEET THEREOF, AND LESS THE WEST 35 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST FOR 50.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE NORTH $86^{\circ}47'04''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29 FOR A DISTANCE OF 1,082.58 FEET TO A POINT ALONG A LINE PARALLEL TO AND 150 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29; THENCE RUN NORTH $03^{\circ}01'03''$ WEST ALONG SAID PARALLEL LINE FOR 629.10 FEET TO A POINT ; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR 820.67 FEET TO A POINT ; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 FEET TO A POINT ; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 158.00 FEET TO A POINT; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR 8.00 FEET; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 103.0 FEET TO THE EAST RIGHT OF WAY LINE OF LEJEUNE ROAD (NW 42 AVENUE); THENCE RUN SOUTH $02^{\circ}56'27''$ EAST ALONG SAID EAST RIGHT OF WAY FOR 590.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL ONE AS ALSO DESCRIBED:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST ALONG THE CENTER SECTION LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY MARGIN OF LE JEUNE ROAD, ALSO KNOWN AS NW 42ND AVENUE; THENCE RUN NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 590.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 619.21 FEET TO AN $\frac{1}{2}$ " IRON PIN; THENCE LEAVING SAID RIGHT OF WAY MARGIN RUN NORTH $87^{\circ}47'03''$ EAST FOR A DISTANCE OF 1080.91 FEET TO A REBAR; THENCE RUN SOUTH $03^{\circ}01'03''$ EAST FOR A DISTANCE OF 580.90 FEET TO A REBAR; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR A DISTANCE OF 820.67 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR A DISTANCE OF 158.00 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR A DISTANCE OF 8.00 FEET TO A PK NAIL; THENCE RUN

SOUTH 87°03'33" WEST FOR A DISTANCE OF 103.00 FEET TO A POINT AND BEING BACK AT THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RECIPROCAL EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN AMERICAN FRUIT & PRODUCE CORP., A FLORIDA CORPORATION AND AMERICAN LAND HOLDINGS OF OPA-LOCKA, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED MARCH 1, 2013 AS BOOK 28511 PAGE 4338 OF OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

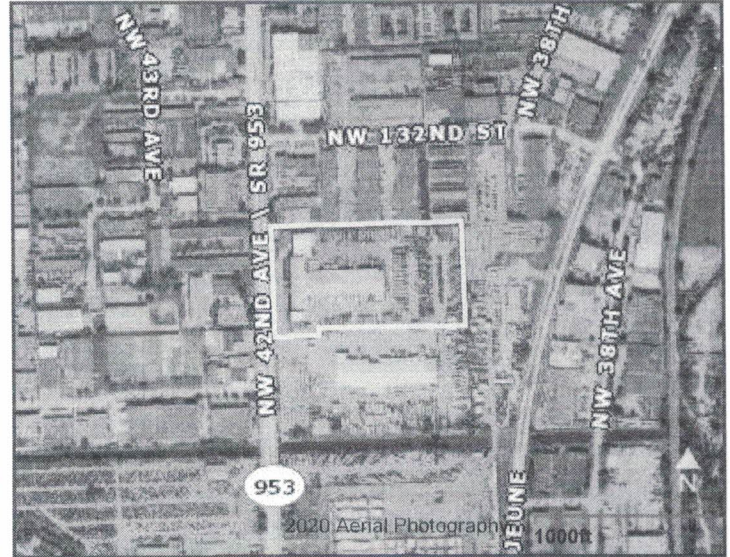


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/6/2021

Property Information	
Folio:	08-2129-000-0061
Property Address:	12805 LE JEUNE RD Opa-locka, FL 33054-4401
Owner	PROLOGIS LOGISTICS SERVICES C/O PROLOGIS INC INCORPORATED
Mailing Address	1800 WAZEE STREET STE 500 DENVER, CO 80202 USA
PA Primary Zone	7400 INDUSTRIAL - INDUSTRIAL P
Primary Land Use	4837 WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	117,052 Sq.Ft
Living Area	Sq.Ft
Adjusted Area	117,052 Sq.Ft
Lot Size	635,714 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information				
Year	2021	2020	2019	
Land Value	\$9,535,710	\$7,628,568	\$7,628,568	
Building Value	\$4,301,686	\$4,381,618	\$4,249,250	
XF Value	\$700,774	\$702,999	\$705,225	
Market Value	\$14,538,170	\$12,713,185	\$12,583,043	
Assessed Value	\$13,984,503	\$12,713,185	\$12,583,043	

Benefits Information				
Benefit	Type	2021	2020	2019
Non-Homestead Cap	Assessment Reduction	\$553,667		
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
29 52 41 14.59 AC M/L	
BEG 50FTE & 590.79FTN OF C/L	
OF SEC CONT N 02 DEG W 619.21FT	
N 88 DEG E 1080.91FT S 03 DEG	
E 580.90FT S 86 DEG W 820.67FT	

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$14,538,170	\$12,713,185	\$12,583,043
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/30/2017	\$16,000,000	30601-0840	Qual by exam of deed
05/01/2003	\$9,500,000	21288-4602	Sales which are qualified
08/01/1989	\$0	14215-2137	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Tracy R. Slavens
+1 305-789-7642
tracy.slavens@hklaw.com

August 13, 2021

VIA ELECTRONIC DELIVERY

Mr. Gregory D. Gay, AIA-NAM
Director, Planning and Community Development
Department
780 Fisherman Street, 4th Floor
Opa-Locka, Florida 33054

**Re: Prologis Logistics Services Incorporated – 12805 Le Jeune Rd.
Site Plan Approval Application**

Mr. Gay,

Please accept this letter of intent on behalf of Prologis Logistics Services Incorporated (the “Applicant” or “Prologis”) in support of the enclosed site plan application for that certain ±14.59 acre parcel of land located at 12805 Le Jeune Rd in the City of Opa-Locka, Florida (the “City”), and identified by Miami-Dade County Property Appraiser folio no. 08-2129-000-0061 (the “Property”). The Property has a Comprehensive Development Master Plan (CDMP) Future Land Use Plan (FLUP) map designation of Industrial with a Corridor Mixed Use Overlay, and is within the Liberal Industrial (I-3) zoning district. The boundaries of the Property are shown in the aerial image below:



The Property is currently occupied by a 100,015 square foot warehouse building and is used as a truck driving school, trailer terminal and /or trailer storage. The Property is surrounded by industrial uses to the north, south, and east, and a mix of industrial and commercial uses to the west. The Property is located off of a half section line road and approximately 0.5 miles away from a major highway, State Road 924/Gratigny Parkway. In addition, the Property is served by Metrobus routes 42 and 135 at bus stops located within 200 feet of the Property.

The Applicant is seeking to redevelop the Property with a Class-A industrial development consisting of a 247,174 square foot building (including approximately 222,457 square feet of warehouse/distribution space and 24,717 square feet of office use) intended to attract quality logistics and distribution tenants. The proposed building contemplates a modern aesthetic including vertical glass treatments and grey banding to add visual interest on its frontage along Le Jeune Rd, which will be further enhanced by plantings and ample landscaped green open space to serve as a retention area on the front of the Property. Additionally, the building design is elevated with the four (4) architecturally pronounced entry features and windows along the north façade.

The proposed use is permitted in the I-3 zoning district, and the proposed site plan has been thoughtfully designed to maximize functionality, and activate the building frontage zone along the Le Jeune Rd corridor. Ingress and egress to the site has been strategically provided on the north and south portions of the Property's street frontage to ensure an efficient truck and vehicular traffic circulation pattern as well as pedestrian safety. Pending approval of the concurrent applications for a: (i) non-use variance of the parking dimensions under Land Development Regulations (LDRs) Article VI, Section 22-153(K), and (ii) Development Agreement for the project, the proposed site plan is consistent with the City's CDMP and all applicable LDRs. Specifically, the proposed site plan meets the review criteria set forth in LDR Section 22-55(H) as follows:

- 1. The development permitted by the application, if granted, conforms to the Comprehensive Plan; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered**

The proposed development conforms to the City's CDMP and FLUP map Industrial designation and Corridor Mixed Use Overlay. The development specifically advances CDMP Objectives LU-1, and LU-7, and Policy LU-7.5, which, collectively, encourage the support of economic development efforts to serve the needs of and provide employment opportunities to City residents, the improvement and redevelopment of industrial districts, and the prevention of encroaching incompatible uses. Overall, the proposed development is consistent with the applicable surrounding area, and will result in a true enhancement to this portion of the Le Jeune Rd Corridor while bringing much-needed job creation, economic development, and educational/training opportunities to the City.

2. The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of the City.

The development permitted by the application will result in a favorable impact on the City's economy. According to the Miami-Dade County Property Appraiser's Office Assessment Information, the existing improvements on the Property have an approximate building value of \$4.3 million dollars. The proposed development is estimated to cost \$8.6 million dollars. Even with land value staying the same, this increase in building value will result in an overall increased taxable property value. Furthermore, the development is expected to create substantial job opportunities for the City's residents. In fact, if approved, this project is anticipated to generate approximately 350 permanent jobs, including 284 direct jobs on-site and 66 jobs in either industry sectors supportive of the on-site activity (indirect jobs) or in business establishments across the economy in which the direct and indirect workers spend their earnings (induced jobs). In addition, the project will generate construction jobs.

Also, Prologis is a proud partner of the Miami-Dade Beacon Council and sponsor of the Summer Youth Internship Program through the Prologis Trade and Logistics Academy at Miami Springs Senior High School, making it a valuable corporate community partner for the City. This year alone, thirty (30) students from Miami Springs Senior High School have been hired for the 2021 Summer Youth Internship Program.

3. The development permitted by the application, if granted, will efficiently use or not unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction.

The proposed development will utilize current best management practices and design standards and will not unduly burden water, sewer and solid waste disposal utilities. Since the project is primarily an industrial/commercial use, there will be no meaningful impact to the recreation or education facilities in the area.

4. The development permitted by the application, if granted, will efficiently use or not unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

The property is located on a major arterial, Le Jenu Rd (NW 42nd Avenue), and approximately 0.5 miles from State Road 924/Gratigny Parkway. A traffic analysis has been prepared by Langan Engineering, a copy of which is enclosed with this submittal. The study confirms that the project is expected to generate no more than 18 morning and 17 afternoon net-new peak-hour trips when compared trips generated by the existing development on the Property. Due to this minimal impact, there will be no projected

increased demand on public transportation facilities, roads, streets and highways. In addition, the anticipated proposed development's driveway volumes do not currently warrant the need for a deceleration lane on Le Jenue Rd (NW 42nd Avenue).

Based on the foregoing, we ask for your favorable review of this application. Thank you in advance for your considerate attention to this request. Should you have any further questions or concerns, please do not hesitate to contact me at (305) 789-7642.

Sincerely yours,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read "Tracy Slavens".

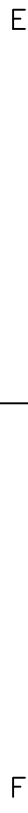
Tracy R. Slavens, Esq.

Enclosures

Cc: Mr. Gerald J. Lee, *City Planner/Zoning Official*
Mr. Corion DeLaine, *City/CRA Planner*
Mr. Denver Glazier
Mr. Paris Del Rio
Mr. Danny Rivero
Mrs. Vanessa Madrid, Esq.

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B
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LEGAL DESCRIPTION:

LESS AND EXCEPT THE FOLLOWING DESCRIED PARCEL:

THE ABOVE DESCRIBED PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



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14 SE 4th Street, Boca Raton, FL 33432
Tel 561 393 6555 Fax 561 395 0007
Web www.rlcarchitects.com

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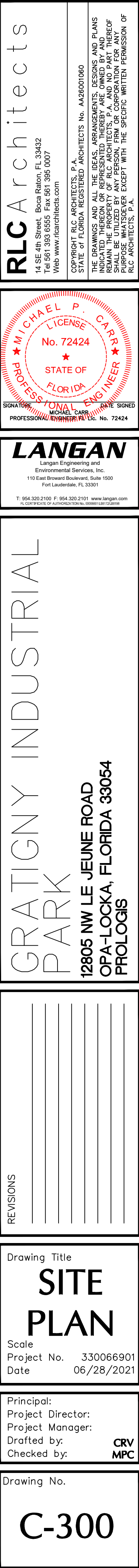


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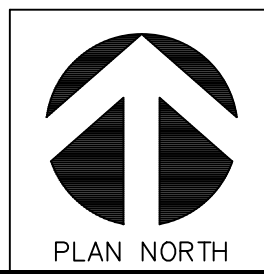
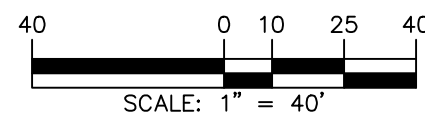
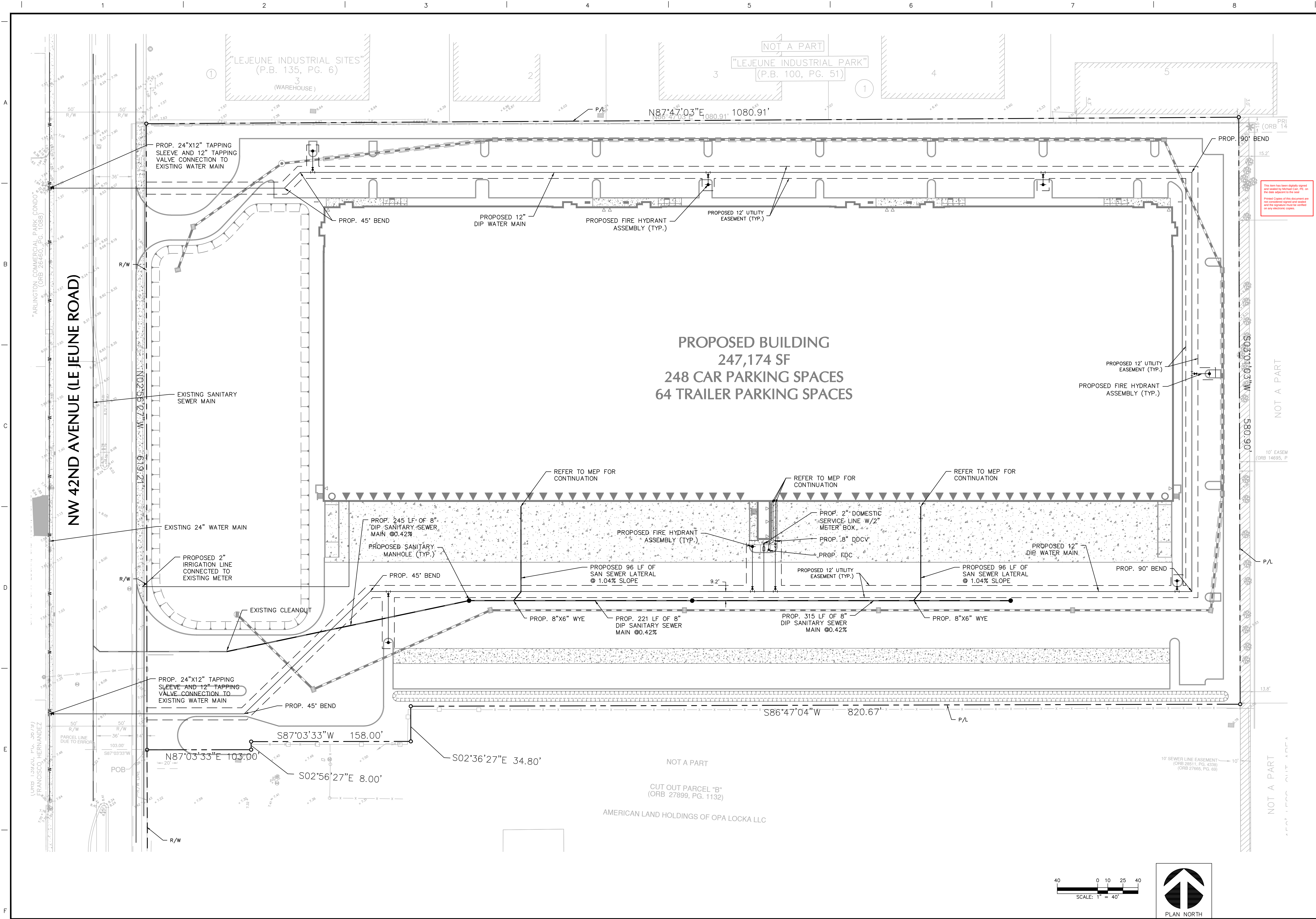
Principal:
Project Director:
Project Manager:
Drafted by:
Checked by:

**CRV
MPC**

Date: 8/10/2021 Time: 16:19 User: cvaldivia Style Table: Langan.stb Layout: Layout1 Document Code: 330066901-0601-GI001-0101 89







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MICHAEL P. COREY
LICENSED PROFESSIONAL ENGINEER
No. 72424
STATE OF FLORIDA
EXPIRATION DATE 12/31/2024
SIGNATURE: [Signature]
PROFESSIONAL ENGINEER P.L.C. No. 72424

LANGAN
Langan Engineering and
Environmental Services, Inc.
110 East Broward Boulevard, Suite 1900
Fort Lauderdale, FL 33301
Tel 954 322 2100 Fax 954 322 2101 www.langan.com

CRATIGNY INDUSTRIAL PARK
12805 NW LE JEUNE ROAD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

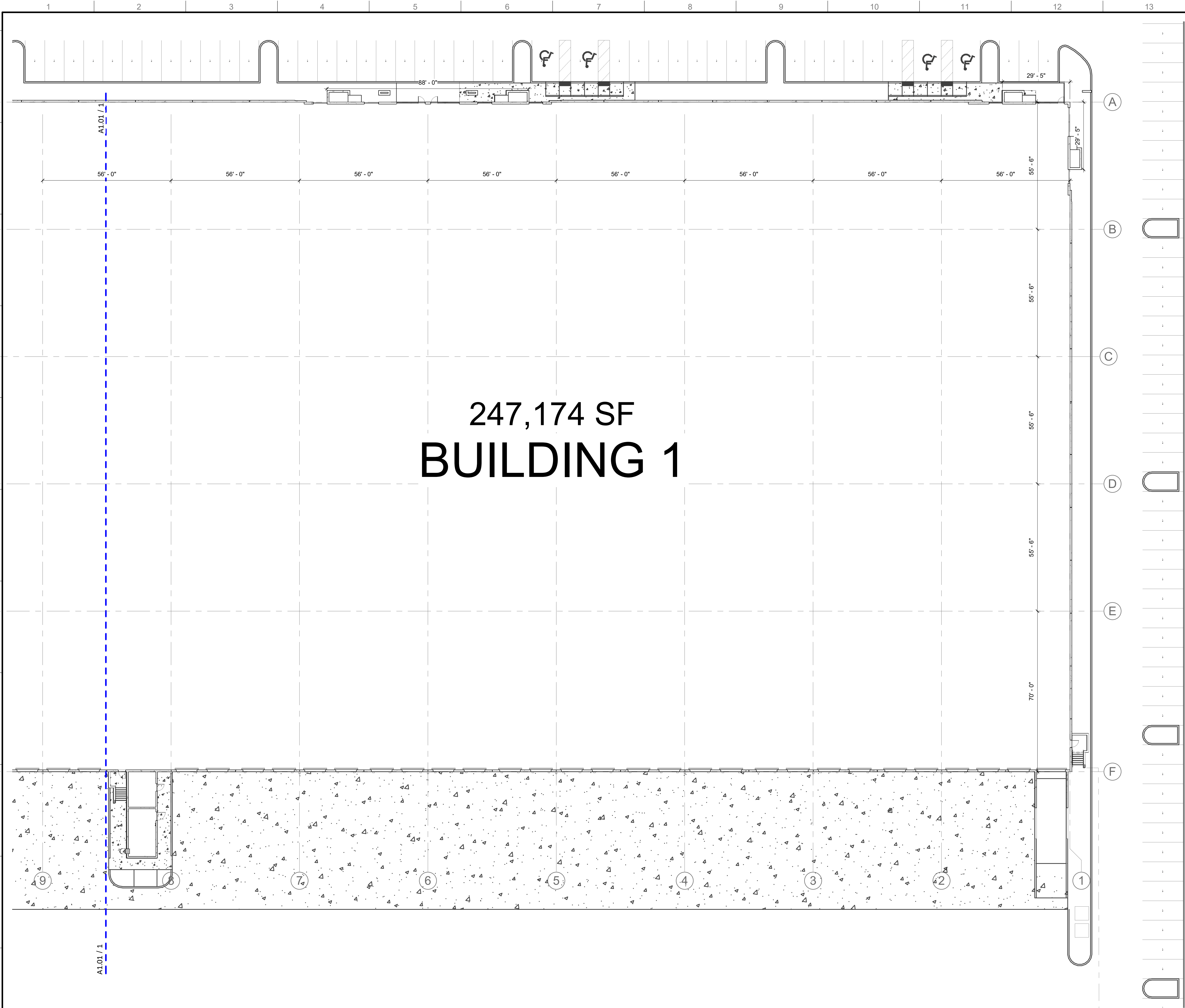
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Drawing Title
UTILITY PLAN
Scale
Project No. 330066901
Date 06/28/2021

Principal:
Project Director:
Project Manager:
Drafted by:
Checked by: **CRV MPC**

Drawing No.
C-500

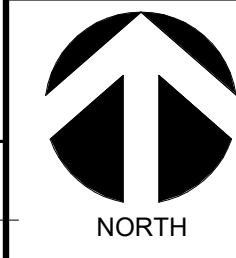
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247,174 SF
BUILDING 1

1 PARTIAL FLOOR PLAN - EAST

A1.02 SCALE: 1" = 20'-0"



**SPA
SUBMITTAL
08/13/2021**

REVISIONS	
No.	Description

Drawing Title:
**PARTIAL FLOOR
PLAN EAST**

Scale: As Noted
Project No: 21005.00
Issue date: 08/13/2021

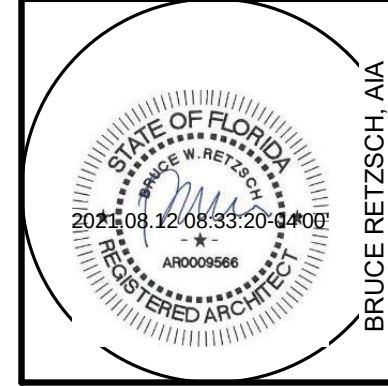
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Project Director: CM
Project Manager: CM
Drawn by: MGC
Checked by: MAB

Sheet No.
A1.02

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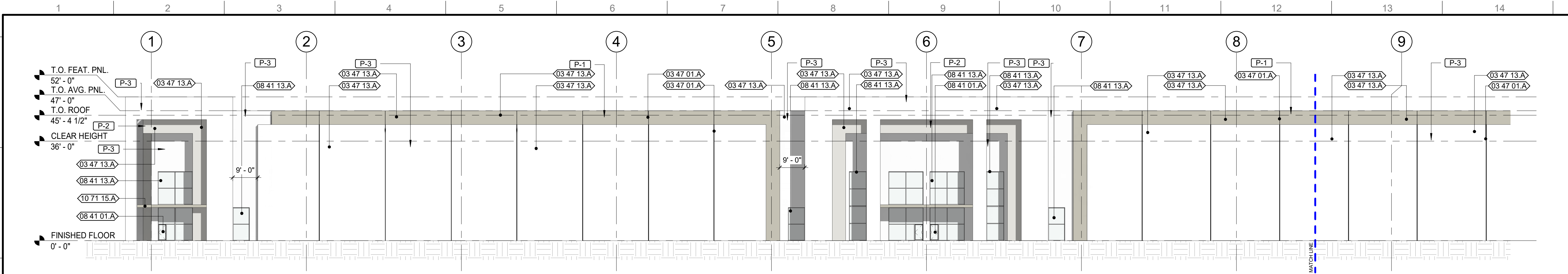
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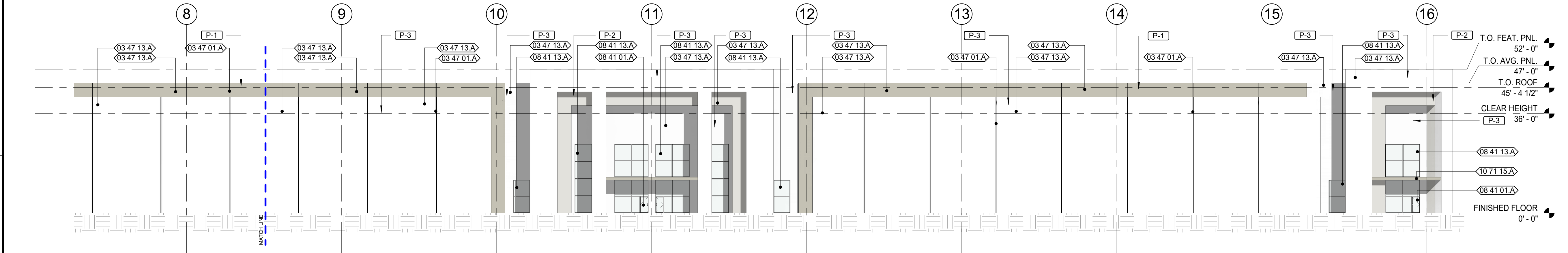
**GRATIGNY INDUSTRIAL
PARK**
12805 NW LE-JEUNE RD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

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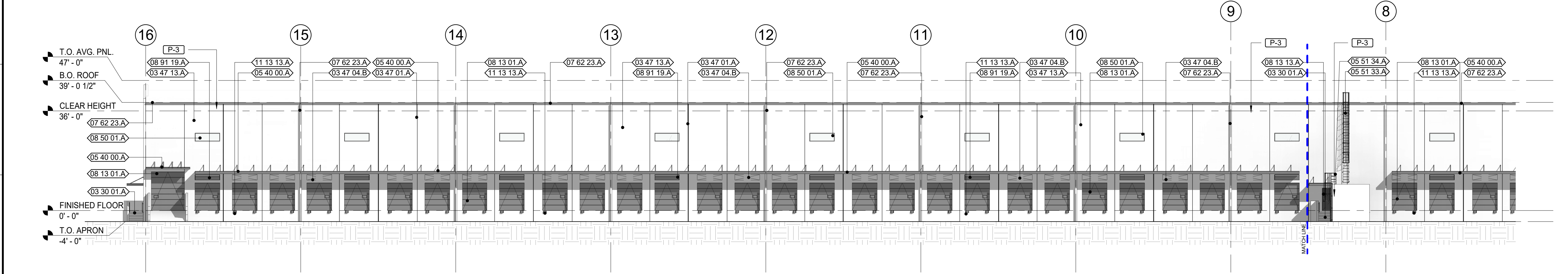
4 NORTH ELEVATION - LEFT

A3.00 SCALE: 1" = 20'-0"



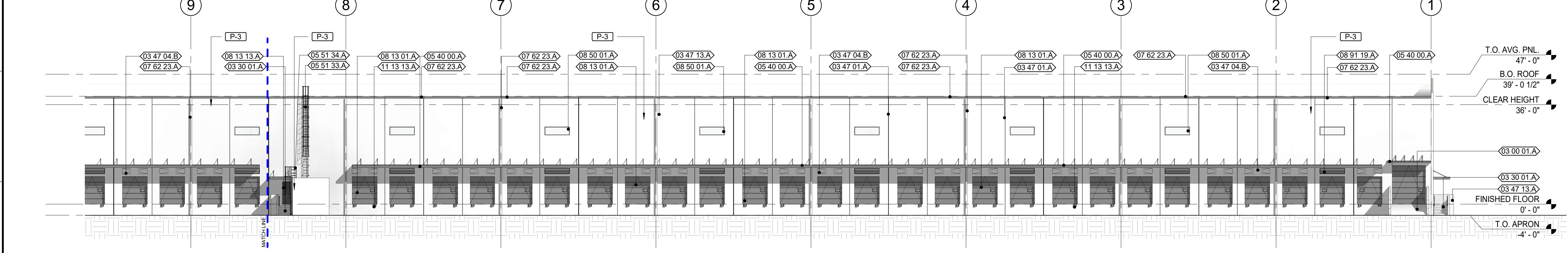
3 NORTH ELEVATION - RIGHT

A3.00 SCALE: 1" = 20'-0"



2 SOUTH ELEVATION - LEFT

A3.00 SCALE: 1" = 20'-0"



1 SOUTH ELEVATION - RIGHT

A3.00 SCALE: 1" = 20'-0"

KEYNOTE LEGEND

- 03 00 01.A CONCRETE RAMP WITH 6" CONCRETE CURB
- 03 30 01.A CAST-IN PLACE CONCRETE STAIRS.
- 03 47 01.A 3/4" PANEL JOINT
- 03 47 04.B LOUVER KNOCK OUT PANEL
- 03 47 13.A PAINTED TILT-UP CONCRETE
- 05 40 00.A PREFINISHED ALUMINUM CANOPY
- 05 51 33.A ROOF ACCESS METAL LADDERS
- 05 51 34.A GALVANIZED STEEL LADDER AND CAGE
- 07 62 23.A FABRICATED GUTTERS AND DOWNSPOUTS
- 08 13 01.A GALVANIZED STEEL OVERHEAD DOOR
- 08 13 13.A HOLLOW METAL DOORS
- 08 41 01.A IMPACT RESISTANT ALUM. STOREFRONT DOOR
- 08 41 13.A IMPACT RESISTANT ALUM. STOREFRONT W/ TINTED GLASS
- 08 50 01.A IMPACT RESISTANT STOREFRONT WINDOWS (CLERESTORY)
- 08 91 19.A FIXED LOUVERS
- 10 71 15.A FIXED CONCRETE CANOPY
- 11 13 13.A LOADING DOCK BUMPERS

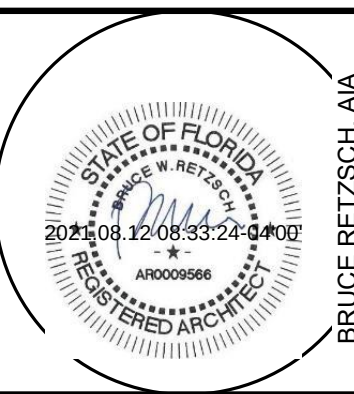
PAINT COLOR KEYNOTES

- P-1 BURMEE BEIGE
- P-2 TOASTY GREY
- P-3 WHITE

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REVISIONS		Description
No.	Date	

Drawing Title:
ELEVATIONS

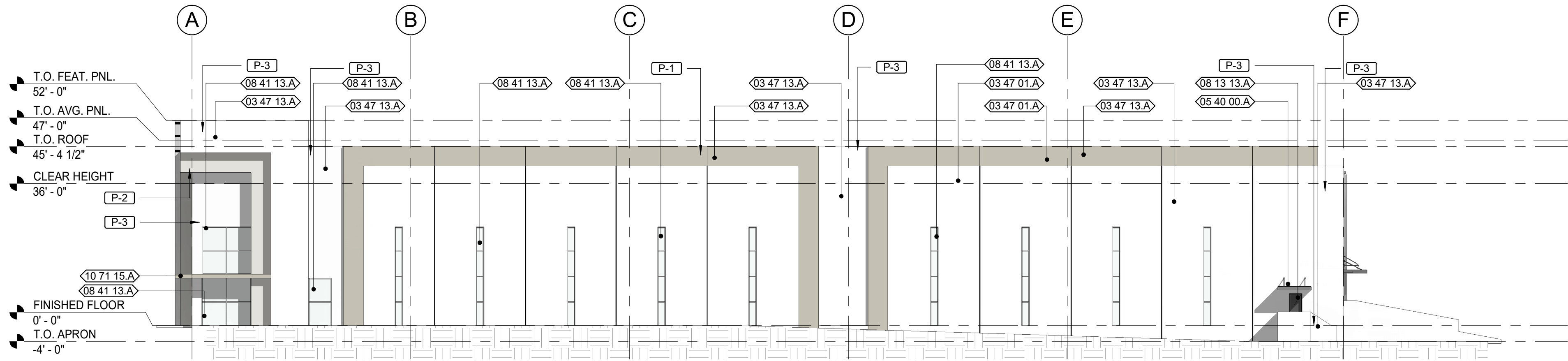
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Issue date: 08/13/2021

Principal: BR
Project Director: CM
Project Manager: CM
Drawn by: MGM
Checked by: MAB

Sheet No.
A3.00

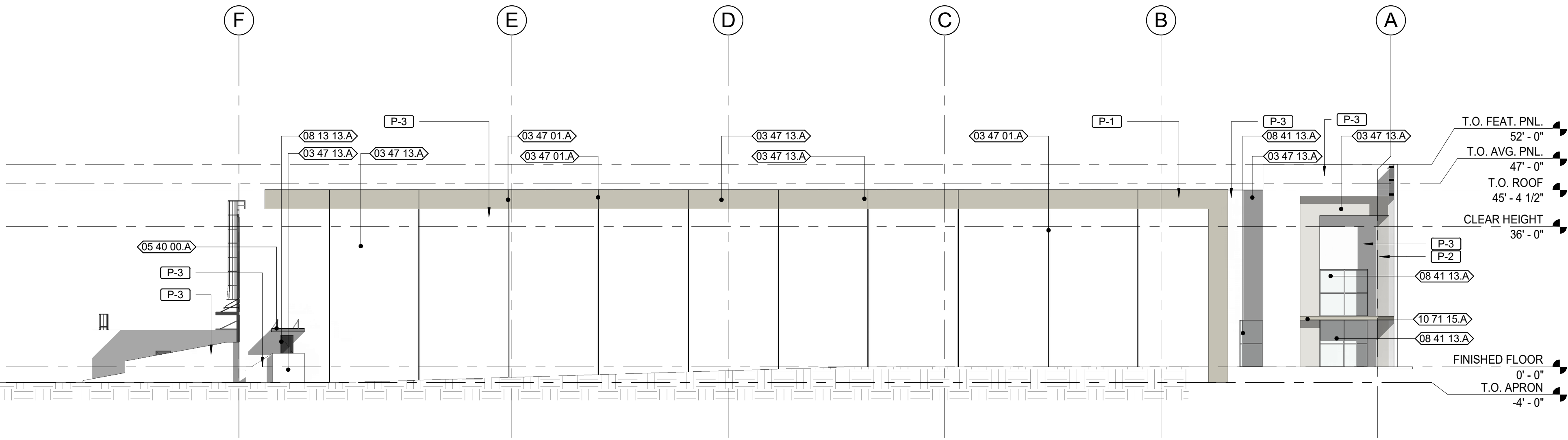
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08/13/2021

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2 WEST ELEVATION

A3.10 SCALE: 1" = 20'-0"



1 EAST ELEVATION

A3.10 SCALE: 1" = 20'-0"

ELEVATION KEYNOTES

03 00 01.A	CONCRETE RAMP WITH 6" CONCRETE CURB
03 30 01.A	CAST-IN PLACE CONCRETE STAIRS.
03 47 01.A	3/4" PANEL JOINT
03 47 04.B	LOUVER KNOCK OUT PANEL
03 47 13.A	PAINTED TILT-UP CONCRETE
05 40 00.A	PREFINISHED ALUMINUM CANOPY
05 51 33.A	ROOF ACCESS METAL LADDERS
05 51 34.A	GALVANIZED STEEL LADDER AND CAGE 000
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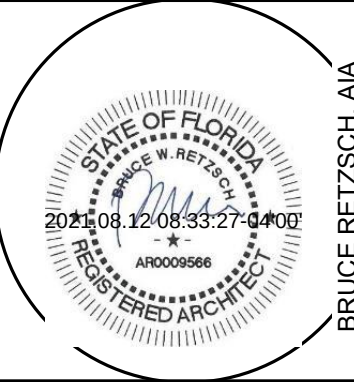
PAINT COLOR KEYNOTES

P-1	BURMEE BEIGE
P-2	TOASTY GREY
P-3	WHITE

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12805 NW LE-JEUNE RD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS	
No.	Description

Drawing Title:
ELEVATIONS

Scale: As Noted
Project No: 21005.00
Issue date: 08/13/2021

Principal: BR
Project Director: CM
Project Manager: CM
Drawn by: MGM
Checked by: MAB

Sheet No.

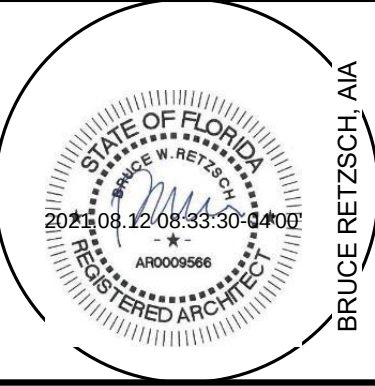
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SPA
SUBMITTAL
08/13/2021

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**GRATIGNY INDUSTRIAL
PARK**
12805 NW LE-JEUNE RD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS		Description	
No.	Date		

Drawing Title:
RENDERINGS

Scale: As Noted
Project No: 21005.00
Issue date: 08/13/2021

Principal: BR
Project Director: CM
Project Manager: CM
Drawn by: Author
Checked by: Checker

Sheet No.
A3.20

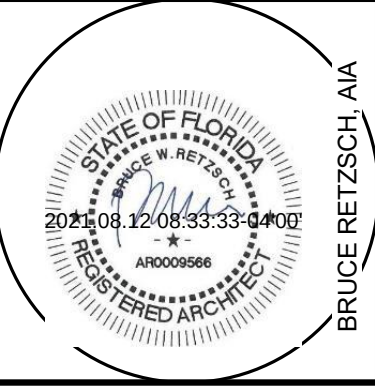
**SPA
SUBMITTAL
08/13/2021**

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PARK
12805 NW LE-JEUNE RD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS		Description	
No.	Date		

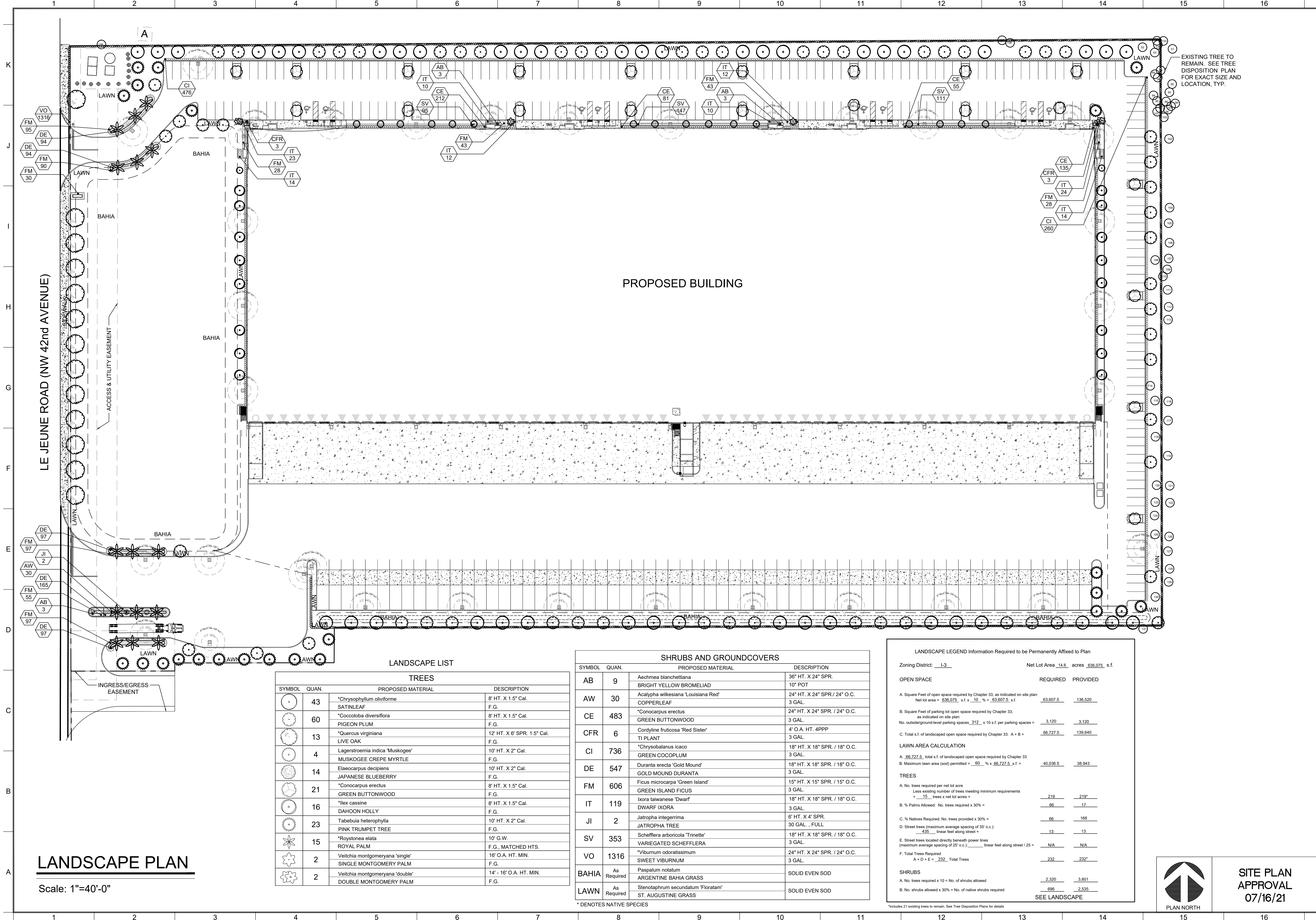
Drawing Title:
RENDERINGS

Scale: As Noted
Project No: 21005.00
Issue date: 08/13/2021

Principal: BR
Project Director: CM
Project Manager: CM
Drawn by: MGM
Checked by: MAB

SPA
SUBMITTAL
08/13/2021

Sheet No.
A3.21



LANDSCAPE PLAN

Scale: 1"=40'-0"

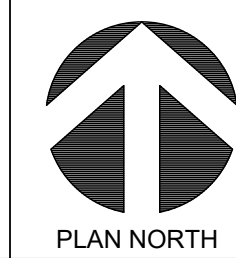
TREES			
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION
	43	*Chrysophyllum oliviforme SATINLEAF	8' HT. X 1.5" Cal. F.G.
	60	*Coccoloba diversiflora PIGEON PLUM	8' HT. X 1.5" Cal. F.G.
	13	*Quercus virginiana LIVE OAK	12' HT. X 6" SPR. 1.5" Cal. F.G.
	4	Lagerstroemia indica 'Muskogee' MUSKOGEE CREPE MYRTLE	10' HT. X 2" Cal. F.G.
	14	Elaeocarpus decipiens JAPANESE BLUEBERRY	10' HT. X 2" Cal. F.G.
	21	*Conocarpus erectus GREEN BUTTONWOOD	8' HT. X 1.5" Cal. F.G.
	16	*Ilex cassine DAHOON HOLLY	8' HT. X 1.5" Cal. F.G.
	23	Tabebuia heterophylla PINK TRUMPET TREE	10' HT. X 2" Cal. F.G.
	15	*Roystonea elata ROYAL PALM	10' G.W. F.G., MATCHED HTS.
	2	Veitchia montgomeryana 'single' SINGLE MONTGOMERY PALM	16' O.A. HT. MIN. F.G.
	2	Veitchia montgomeryana 'double' DOUBLE MONTGOMERY PALM	14' - 16' O.A. HT. MIN. F.G.

SHRUBS AND GROUNDCOVERS			
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION
AB	9	Aechmea blanchettiana BRIGHT YELLOW BROMELIAD	36" HT. X 24" SPR. 10" POT
AW	30	Acalypha wilkesiana 'Louisiana Red' COPPERLEAF	24" HT. X 24" SPR. / 24" O.C. 3 GAL.
CE	483	*Conocarpus erectus GREEN BUTTONWOOD	24" HT. X 24" SPR. / 24" O.C. 3 GAL.
CFR	6	Cordyline fruticosa 'Red Sister' TI PLANT	4' O.A. HT. 4PPP 3 GAL.
CI	736	*Chrysobalanus icaco GREEN COCOPLUM	18" HT. X 18" SPR. / 18" O.C. 3 GAL.
DE	547	Duranta erecta 'Gold Mound' GOLD MOUND DURANTA	18" HT. X 18" SPR. / 18" O.C. 3 GAL.
FM	606	Ficus microcarpa 'Green Island' GREEN ISLAND FIGUS	15" HT. X 15" SPR. / 15" O.C. 3 GAL.
IT	119	Ixora taiwanese 'Dwarf' DWARF IXORA	18" HT. X 18" SPR. / 18" O.C. 3 GAL.
JI	2	Jatropha integerrima JATROPHA TREE	6' HT. X 4" SPR. 30 GAL., FULL
SV	353	Schefflera arboricola 'Trinette' VARIEGATED SCHEFFLERA	18" HT. X 18" SPR. / 18" O.C. 3 GAL.
VO	1316	*Viburnum odoratissimum SWEET VIBURNUM	24" HT. X 24" SPR. / 24" O.C. 3 GAL.
BAHIA	As Required	Paspalum notatum ARGENTINE BAHIA GRASS	SOLID EVEN SOD
LAWN	As Required	Stenotaphrum secundatum 'Floratum' ST. AUGUSTINE GRASS	SOLID EVEN SOD

* DENOTES NATIVE SPECIES

LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan		
Zoning District: <u>I-3</u>	Net Lot Area <u>14.6</u> acres <u>636,075</u> s.f.	
OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 636,075 s.f. x .10 % = 63,607.5 s.f.		
	63,607.5	136,520
B. Square Feet of parking lot open space required by Chapter 33, as indicated on site plan: No. outside/ground-level parking spaces 312 x 10 s.f. per parking spaces =		
	3,120	3,120
C. Total s.f. of landscaped open space required by Chapter 33: A + B =		
	66,727.5	139,640
LAWN AREA CALCULATION		
A. 66,727.5 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted = 60 % x 66,727.5 s.f. =		
	40,036.5	38,943
TREES		
A. No. trees required per net lot acre Less existing number of trees meeting minimum requirements = 15 trees x net lot acres =		
	219	219*
B. % Palms Allowed: No. trees required x 30% =		
	66	17
C. % Natives Required: No. trees provided x 30% =		
	66	168
D. Street trees (maximum average spacing of 35' o.c.): 435 linear feet along street =		
	13	13
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): linear feet along street / 25 =		
	N/A	N/A
F. Total Trees Required A + D + E = 232 Total Trees		
	232	232*
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed		
	2,320	3,601
B. No. shrubs allowed x 30% = No. of native shrubs required		
	696	2,535
	SEE LANDSCAPE	

*Includes 21 existing trees to remain. See Tree Disposition Plans for details.



SITE PLAN
APPROVAL
07/16/21

RLC Architects

14 SE 9th Street, Suite 200, Ft. Lauderdale, FL 33302
Tel: 954.393.8555 Fax: 954.395.0007
Web: www.rlcarchitects.com

2021
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Andrew Witkin, A.S.C.A.

Andrew Witkin, A.S.C.A.

W H

WITKIN HULTS
DESIGN GROUP

201 North 1st Street, Suite 200, Fort Lauderdale, FL 33301
Tel: 954.393.8555 Fax: 954.395.0007
Web: www.witkinhultsdesign.com

GRATIGNY INDUSTRIAL PARK 15

SHELL BUILDING

12805 NW LE JEUNE ROAD

OPA-LOCKA, FLORIDA 33054

PROLOGIS

REVISIONS	

Landscape Plan

Scale
Project No. 21005.00
Date

Principal: KH
Project Director: KH
Project Manager: AM
Drafted by:
Checked by:

Sheet No.
L-1



-All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.

-All plants are to be top dressed with a minimum 3" layer of Melaleuca mulch, Eucalyptus mulch or equal.

-Planting plans shall take precedence over plant list in case of discrepancies.

-No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and omissions to the plant material must be approved by the project engineer.

-Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.

- All landscape areas are to be provided with automatic sprinkler system which provide 100% coverage, and 50% overlap.

- All trees in lawn areas are to receive a 24" diameter mulched saucer at the base of the trunk.

- Trees are to be planted within parking islands after soil is brought up to grade. Deeply set root balls are not acceptable.

- Planting soil for topsoil and backfill shall be 50/50 mix, nematode free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% salt free coarse sand and 25% Aerolite.

- Tree and shrub pits will be supplemented with "Agriform Pells", 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard containers showing weight, analysis and name of manufacturer.

-Sod is to be grade "A" weed free.

-All areas marked "LAWN" shall be solid sodded with St. Augustine 'Floritam' solid sod. See limit on plan. All areas marked 'Bahia Grass' shall be solid sodded with Paspalum.

-Provide a 2" deep blanket of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sub soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

-Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes.

-Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.

-Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

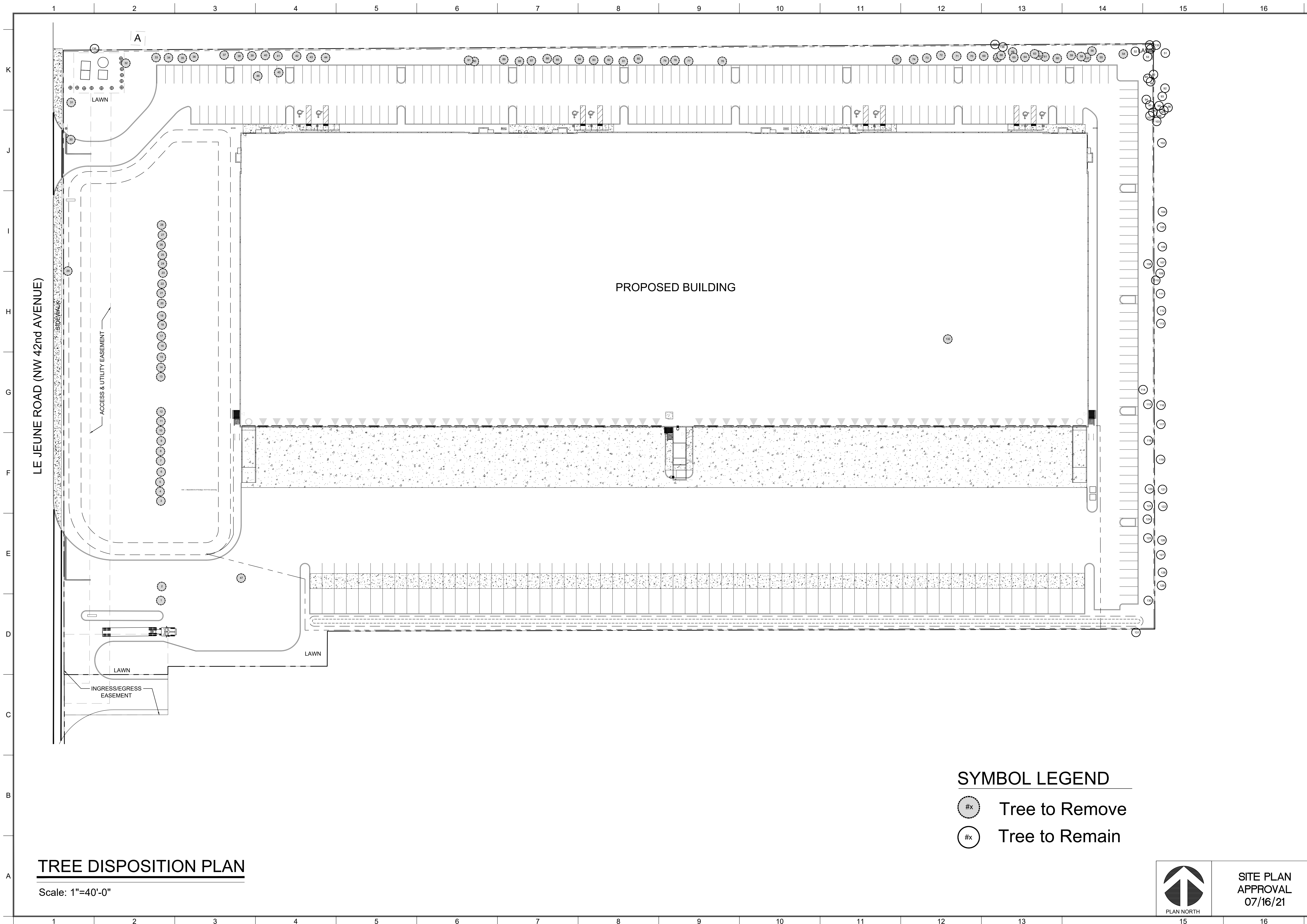
-The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and / or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).

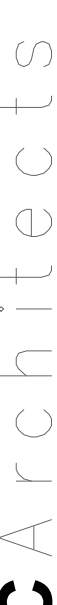
-Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.

-All unattended and unplanted tree pits are to be properly barricaded and flagged during installation.

-All planting plans are issued as directives for site layout. Any deviations, site changes, etcetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

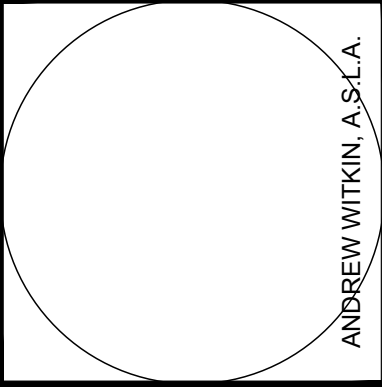
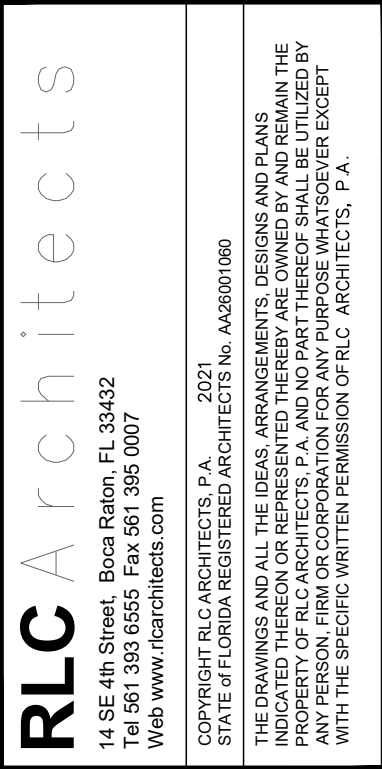
SITE PLAN
APPROVAL
07/16/21



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 ANDREW WITKIN, A.S.C.A.		 WITKIN HULTS DESIGN GROUP 201 North Dixie Highway, Suite 200, Fort Lauderdale, Florida 33304, USA 954 321 9511 Fax: 954 321 9510 www.witkinhulth.com																																									
GRATIGNY INDUSTRIAL PARK 15 SHELL BUILDING 12805 NW LE JEUNE ROAD OPA-LOCKA, FLORIDA 33054 PROLOGIS																																											
REVISIONS <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>																																											
Tree Disposition Plan Scale Project No. 21005.00 Date																																											
Principal:		KH																																									
Project Director:		KH																																									
Project Manager:		AM																																									
Drafted by:																																											
Checked by:																																											
Sheet No.																																											
TD-1																																											

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
K	Tree Disposition																
	Tree ID#	Common Name	Scientific Name	Diameter (in.)	Spread (ft.)	Height (ft.)	Disposition	Notes									
	1	UNKNOWN		3	9	8	Remove										
	2	UNKNOWN		5	10	8	Remove										
J	3	PALM (3X)		13	14	18	Remove										
	4	PALM (3X)		10	14	21	Remove										
	5	PALM (3X)		12.5	15	19	Remove										
	6	PALM (4X)		15	13	21	Remove										
I	7	PALM (3X)		13	12	18	Remove										
	8	PALM (3X)		11	11	20	Remove										
	9	PALM (3X)		9.5	10	14	Remove										
	10	PALM (3X)		10	10	19	Remove										
H	11	PALM (3X)		13	11	16	Remove										
	12	PALM (2X)		6.5	9	19	Remove										
	13	PALM (3X)		11	11	22	Remove										
	14	PALM (3X)		17	13	22	Remove										
G	15	PALM (3X)		11	14	22	Remove										
	16	PALM (3X)		16	11	20	Remove										
	17	PALM (4X)		12.5	12	20	Remove										
	18	PALM (3X)		14.5	14	17	Remove										
F	19	PALM (3X)		8	12	17	Remove										
	20	PALM (3X)		14	15	16	Remove										
	21	PALM (3X)		12	11	19	Remove										
	22	PALM (3X)		14.5	15	17	Remove										
E	23	PALM (3X)		9.5	12	18	Remove										
	24	PALM (4X)		17	13	17	Remove										
	25	PALM (2X)		6.5	8	18	Remove										
	26	PALM (2X)		11	11	13	Remove										
D	27	PALM (2X)		6	9	15	Remove										
	28	PALM		5	7	12	Remove										
	29	PALM		12	10	12	Remove										
	30	PALM		8	9	21	Remove										
C	31	PALM		8.5	8	21	Remove										
	32	PALM		2.5	7	9	Remove										
	33	AVOCADO		2.5	7	6	Remove										
	34	AVOCADO		7	20	15	Remove										
B	35	AVOCADO		8.5	21	15	Remove										
	36	AVOCADO		6	19	14	Remove										
	37	AVOCADO		4	9	10	Remove										
	38	AVOCADO		6.5	9	8	Remove										
A	39	AVOCADO		5	13	11	Remove										
	40	AVOCADO		6	15	13	Remove										
	41	AVOCADO		2.5	6	6	Remove										
	42	AVOCADO		7	20	11	Remove										
	43	AVOCADO		3	7	6	Remove										
	44	AVOCADO		8	20	14	Remove										
	45	FICUS		3	6	11	Remove										
	46	FICUS		3.5	10	9	Remove										
	47	COCONUT		10	26	22	Remove										
	48	CITRUS		2	7	7	Remain										
	49	WILD TAMARIND		2.5	14	14	Remain										
	50	WILD TAMARIND		2.5	11	14	Remain										
	51	PALM		8	12	10	Remain	Offsite									
	52	AVOCADO		5	15	12	Remain										
	53	SPONDIAS PURPUREA		3.5	9	13	Remain										
	54	SPONDIAS PURPUREA		3	11	8	Remove										
	55	AVOCADO		3.5	8	8	Remove										
	56	CUBAN PLUM		3.5	12	9	Remove										
	57	PALM		8.5	14	14	Remove										
	58	AVOCADO		6	12	8	Remove										
	59	AVOCADO		4	8	7	Remove										
	60	AVOCADO		7	15	9	Remove										
	61	PALM		9.5	11	16	Remove										
	62	PALM		8.5	12	16	Remove										
	63	PALM		9	14	10	Remove										
	64	AVOCADO		11	26	15	Remove										
	65	AVOCADO		5	12	11	Remove										
	66	PALM		23	20	19	Remove										
	67	WILD TAMARIND		4	14	17	Remove										
	68	AVOCADO		6.5	12	10	Remove										
	69	AVOCADO		7	24	16	Remove										
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	

Tree ID#	Common Name	Scientific Name	Diameter (in.)	Spread (ft.)	Height (ft.)	Disposition	Notes
70	AVOCADO		8.5	14	11	Remove	
71	AVOCADO		11	22	17	Remove	
72	AVOCADO		15	16	20	Remove	
73	AVOCADO		3	6	7	Remove	
74	AVOCADO		4	11	10	Remove	
75	AVOCADO		12	23	18	Remove	
76	AVOCADO		8	18	17	Remove	
77	AVOCADO		9.5	15	16	Remove	
78	AVOCADO		7	13	16	Remove	
79	AVOCADO		9	14	21	Remove	
80	AVOCADO		8.5	20	15	Remove	
81	AVOCADO		7	13	10	Remove	
82	AVOCADO		5	8	9	Remove	
83	AVOCADO		6	9	9	Remove	
84	AVOCADO		4	4	5	Remove	
85	AVOCADO		5	8	10	Remove	
86	AVOCADO		6	9	9	Remove	
87	AVOCADO		6.5	15	11	Remove	
88	AVOCADO		7	16	12	Remove	
89	AVOCADO		13	9	12	Remove	
90	AVOCADO		9	14	12	Remove	
91	(DEAD) AVOCADO					Dead	
92	SPONDIAS PURPUREA		3.5	14	11	Remain	Offsite
93	AVOCADO		5	15	13	Remain	Offsite
94	UNKNOWN		4	13	10	Remain	
95	CITRUS		2	9	8	Remain	
96	WILD TAMARIND		3	9	10	Remain	Offsite
97	WILD TAMARIND		2	6	10	Remain	Offsite
98	AVOCADO		3	8	7	Remain	Offsite
99	WILD TAMARIND		2	8	7	Remain	Offsite
100	AVOCADO		2.5	8	8	Remain	
101	CITRUS		2.5	6	7	Remain	
102	AVOCADO		3	8	8.5	Remain	Offsite
103	WILD TAMARIND		3	15	11	Remain	Offsite
104	AVOCADO		3	5	5	Remain	Offsite
105	AVOCADO		2.5	7	8	Remain	Offsite
106	AVOCADO		2.5	6	5	Remain	Offsite
107	AVOCADO		3	8	5.5	Remain	Offsite
108	AVOCADO		3	10	5.5	Remain	
109	AVOCADO		6	14	13	Remain	Offsite
110	GUMBO LIMBO		1.5	23	19	Remain	Offsite
111	AVOCADO		4	12	13	Remain	Offsite
112	AVOCADO		2.5	4	3	Remain	Offsite
113	AVOCADO		3.5	9	7.5	Remain	Offsite
114	MAHOUGHANY		3	10	12	Remove	
115	AVOCADO		3.5	15	14	Remain	
116	AVOCADO		3.5	10	12	Remain	Offsite
117	AVOCADO		3.5	10	12	Remain	Offsite
118	AVOCADO		3.5	10	8	Remain	
119	AVOCADO		4	13	12	Remain	Offsite
120	AVOCADO		3.5	11	12	Remain	
121	AVOCADO		5	17	12	Remain	Offsite
122	AVOCADO		4	15	8	Remain	Offsite
123	AVOCADO		3.5	12	7	Remain	
124	AVOCADO		3	7	9	Remain	
125	AVOCADO		4	13	12	Remain	
126	AVOCADO		3.5	10	9	Remain	Offsite
127	AVOCADO		5.5	15	16	Remain	Offsite
128	AVOCADO		5	17	13	Remain	Offsite
129	AVOCADO		4	13	9	Remain	Offsite
130	AVOCADO		3.5	11	6	Remain	
131	UMBRELLA		4	8	12	Remain	Offsite
132	GUAZUMA ULMICOLIA		12.5	23	16	Remove	
133	SEA GRAPE		15.5	38	27	Remain	Offsite
134	SEA GRAPE		7	27	18	Remain	
135	SEA GRAPE		6.5	16	14	Remain	
136	WILD TAMARIND		3	13	14	Remain	
137	WILD TAMARIND		6.5	22	21	Remain	Offsite
138	PALM		17.4	17	16	Remain	Offsite



GRATIGNY INDUSTRIAL PARK 15
SHELL BUILDING
12805 NW LE JEUNE ROAD
OPA-LOCCA, FLORIDA 33054
PROLOGIS

REVISIONS

Irrigation Plan

Scale	
Project No.	21005.00
Date	

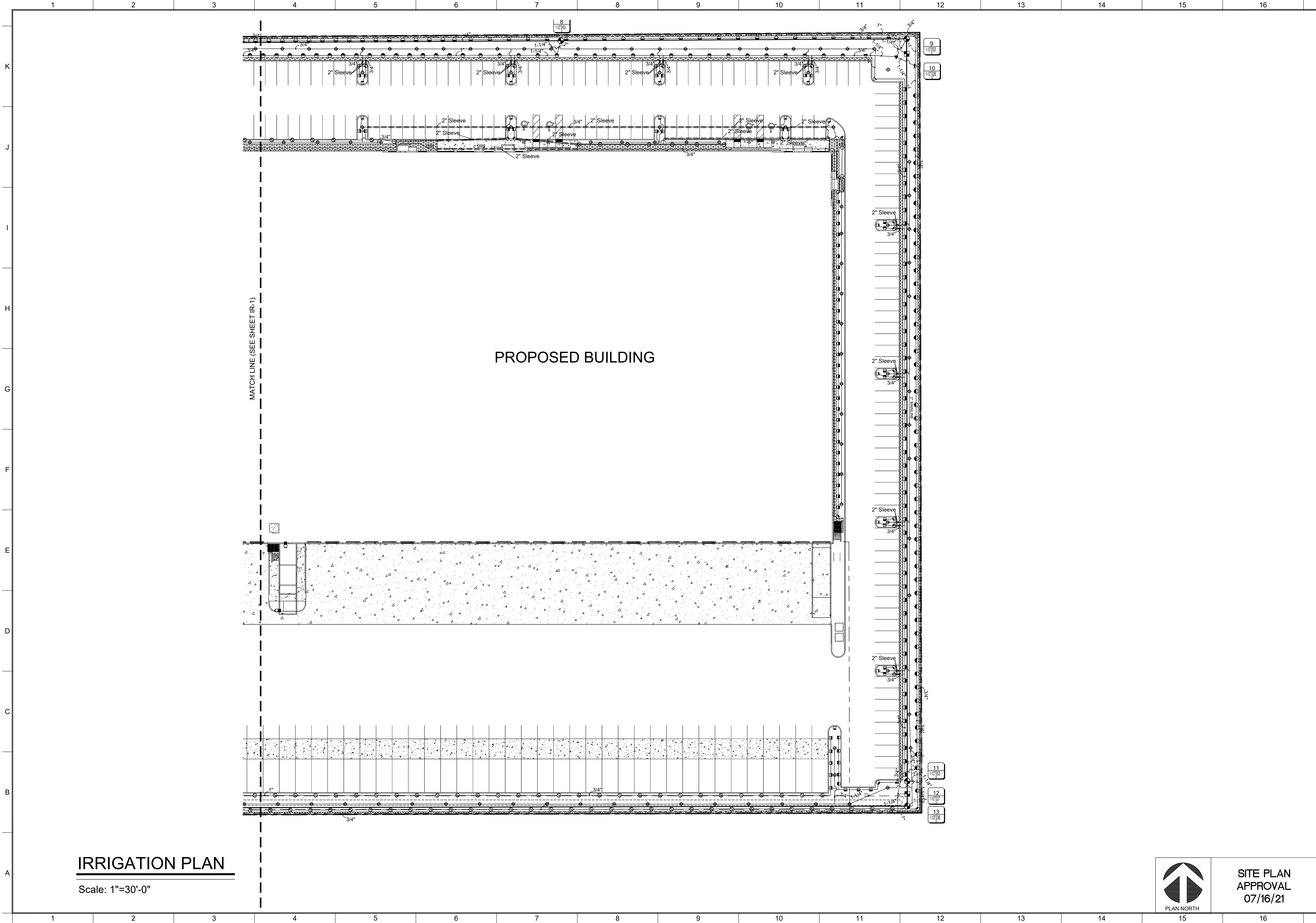
Principal:	KH
Project Director:	KH
Project Manager:	AM
Drafted by:	
Checked by:	

Sheet No.

IR-1

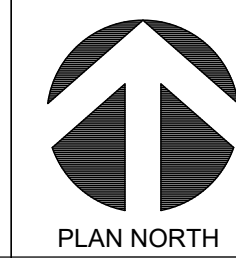


SITE PLAN
APPROVAL
07/16/21



IRRIGATION PLAN

Scale: 1"=30'-0"



SITE PLAN
APPROVAL
07/16/21

REVISIONS

Irrigation Plan

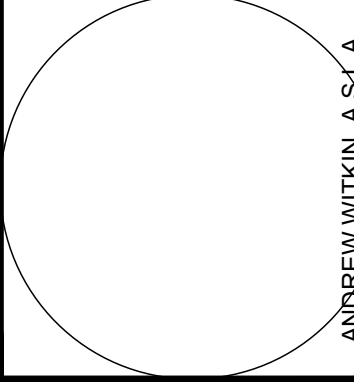
Scale
Project No. 21005.00
Date

Principal: KH
Project Director: KH
Project Manager: AM
Drafted by:
Checked by:

Sheet No.

IR-2

GRATIGNY INDUSTRIAL PARK 15
SHELL BUILDING
12805 NW LE JEUNE ROAD
OPA-LOCKA, FLORIDA 33054
PROLOGIS



RLC Architects
14501 S.W. 8th Street, Suite 200, Opa-Locka, FL 33054
Tel: 305.393.5555 Fax: 305.395.0007
Web: www.rlcarchitects.com
2021
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WITH THE SPECIFIC WRITTEN PERMISSION OF RLC ARCHITECTS, P.A.

Irrigation Notes

LAYOUT

LAYOUT IRRIGATION SYSTEM MAINLINES AND LATERAL LINES. MAKE ALL NECESSARY ADJUSTMENTS AS REQUIRED TO TAKE INTO ACCOUNT ALL SITE OBSTRUCTIONS AND LIMITATIONS PRIOR TO EXCAVATING TRENCHES.

FLAG ALL SPRINKLER HEAD LOCATIONS. ADJUST LOCATION AND MAKE THE NECESSARY MODIFICATIONS TO NOZZLE TYPES ETC. AS REQUIRED TO INSURE 100% COVERAGE AND 50% OVERLAP.

LOW ANGLE TRAJECTORY NOZZLES SHALL BE USED WHEN ALL SPRINKLERS AND ROTORS ARE LOCATED WITHIN 100' OF POOLS OR PUBLIC GATHERING AREAS.

PIPE

PIPE LOCATIONS SHOWN ON PLAN ARE SCHEMATIC ONLY AND SHALL BE ADJUSTED IN THE FIELD. WHEN LAYING-OUT MAINS AND LATERALS, LOCATE PIPE NEAR EDGES OF PAVEMENT OR AGAINST BUILDINGS WHEREVER POSSIBLE TO ALLOW SPACE FOR PLANT ROOT BALLS.

PIPING UNDER HARDSCAPES SUCH AS ROADS, WALKS, AND PATIOS ARE TO BE SLEEVED USING SCH. 40 PIPE.

PIPES 4" AND UNDER TO BE SOLVENT WELD. LARGER PIPES TO BE GASKETED 'O' RING PIPES AND USE THRUST BLOCKS OR MEGA LUGS AND DUCTILE IRON FITTINGS AT TURNING LOCATIONS.

*SIZE ALL PIPE SO NOT TO EXCEED 5' PER SECOND
*INSTALL RAIN SENSOR AS PER LOCAL CODE

PIPES CONVEYING RECLAIM WATER SHALL HAVE A 3' HORIZONTAL DISTANCE SEPARATION FROM OTHER PIPING OR UTILITY SERVICES. AN 18" VERTICAL SEPARATION SHALL BE MAINTAINED WHEN APPLICABLE.

AIR RELEASE VALVES TO BE USED AT THE END OF ALL MAINLINE RUNS.

ALL PIPES TO BE IN ACCORDANCE WITH APPENDIX F OF THE 2017 FLORIDA BUILDING CODE.

WIRES

LOW VOLTAGE WIRE TO BE INSTALLED ALONG MAINLINE INSTALLATION. USE 2" SCH. 40 PVC WITH SWEEP ELBOWS AT TURNING LOCATIONS WHEN SLEEVING IS REQUIRED. ALL SPLICES SHALL BE ENCLOSED WITHIN A VALVE/SPLICE BOX.

WIRE SIZED AND COLORED AS FOLLOWS:
#12 WHITE FOR COMMON
#12 SPARE BLACK COMMON (1 SPARE NEEDED PER 10 HOT WIRES)
#14 RED HOT WIRES
#14 SPARE YELLOW HOT WIRE (1 SPARES NEEDED PER 10 HOT WIRES, 3 SPARE MINIMUM)

WHEN WIRE RUNS EXCEEDS 3,500 LINEAR FEET, USE #10 FOR COMMON WIRES AND #12 FOR HOT/SPARE WIRES.

ALL IRRIGATION CONTROLLERS TO BE PROPERLY GROUNDED IN ACCORDANCE WITH MANUFACTURE'S RECOMMENDATIONS.

FLUSHING

PRIOR TO PLACEMENT OF HEADS FLUSH ALL LINES UNTIL LINES ARE COMPLETELY CLEAN OF DEBRIS.

TRENCHING

TRENCH BOTTOM TO BE UNIFORM AND FREE OF DEBRIS. NATIVE EXCAVATED MATERIAL USED TO BACKFILL TRENCH SHALL BE FREE FROM ROCKS OR STONES LARGER THAN 1" IN DIAMETER.

MISC.

PRESSURE TEST MAINLINE AS PER FLORIDA BUILDING CODE. INSTALL IRRIGATION SYSTEM AS PER LATEST EDITION OF THE FLORIDA BUILDING CODE, APPENDIX F., AND ALL PERTINENT LOCAL CODES.

SPRAY HEADS INSTALLED IN SHRUB AREAS TO BE 12 INCH POP-UPS OR INSTALLED ON RISERS.

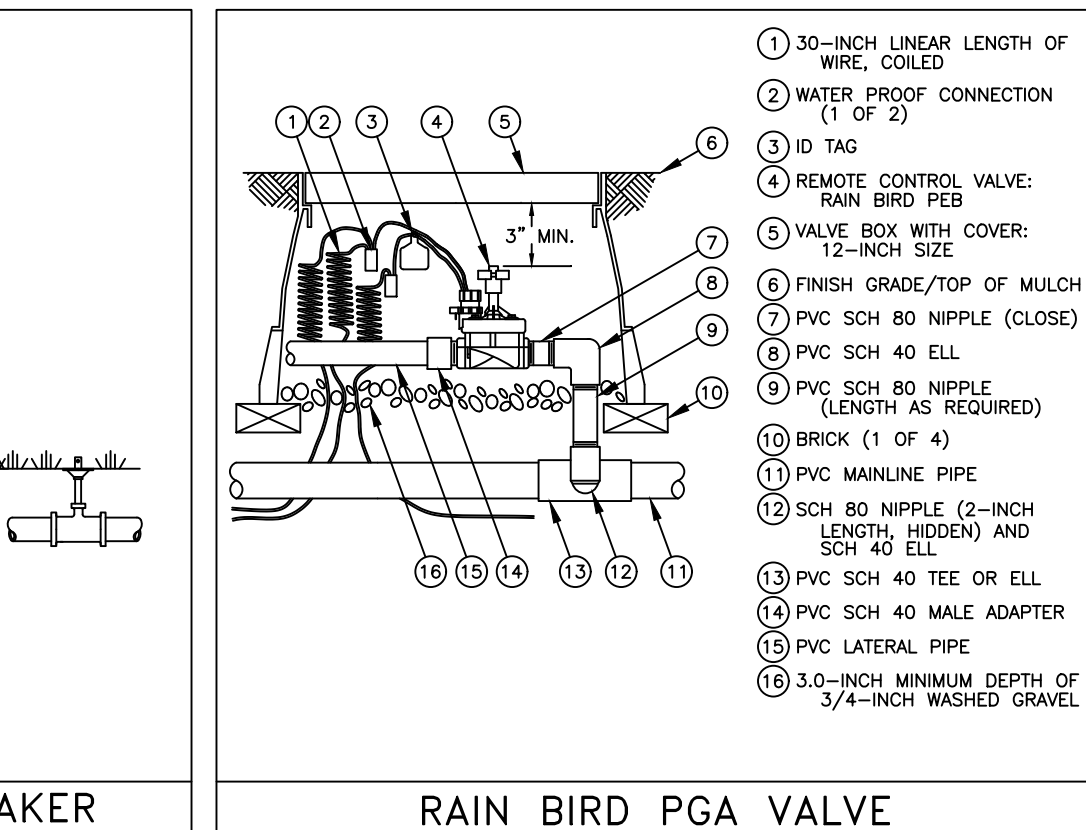
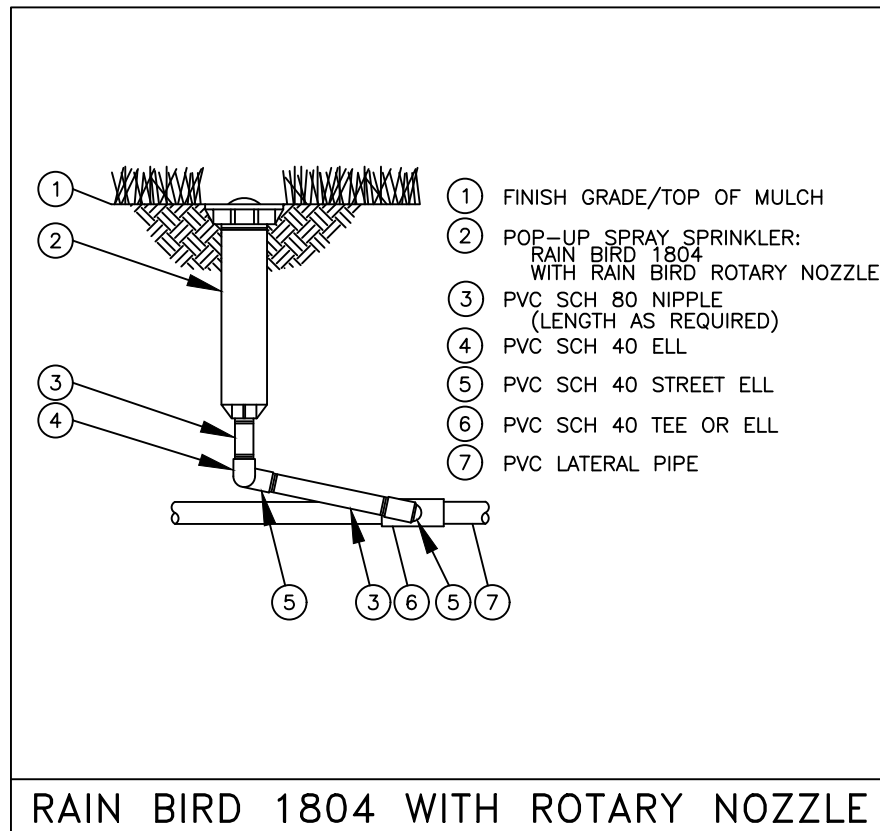
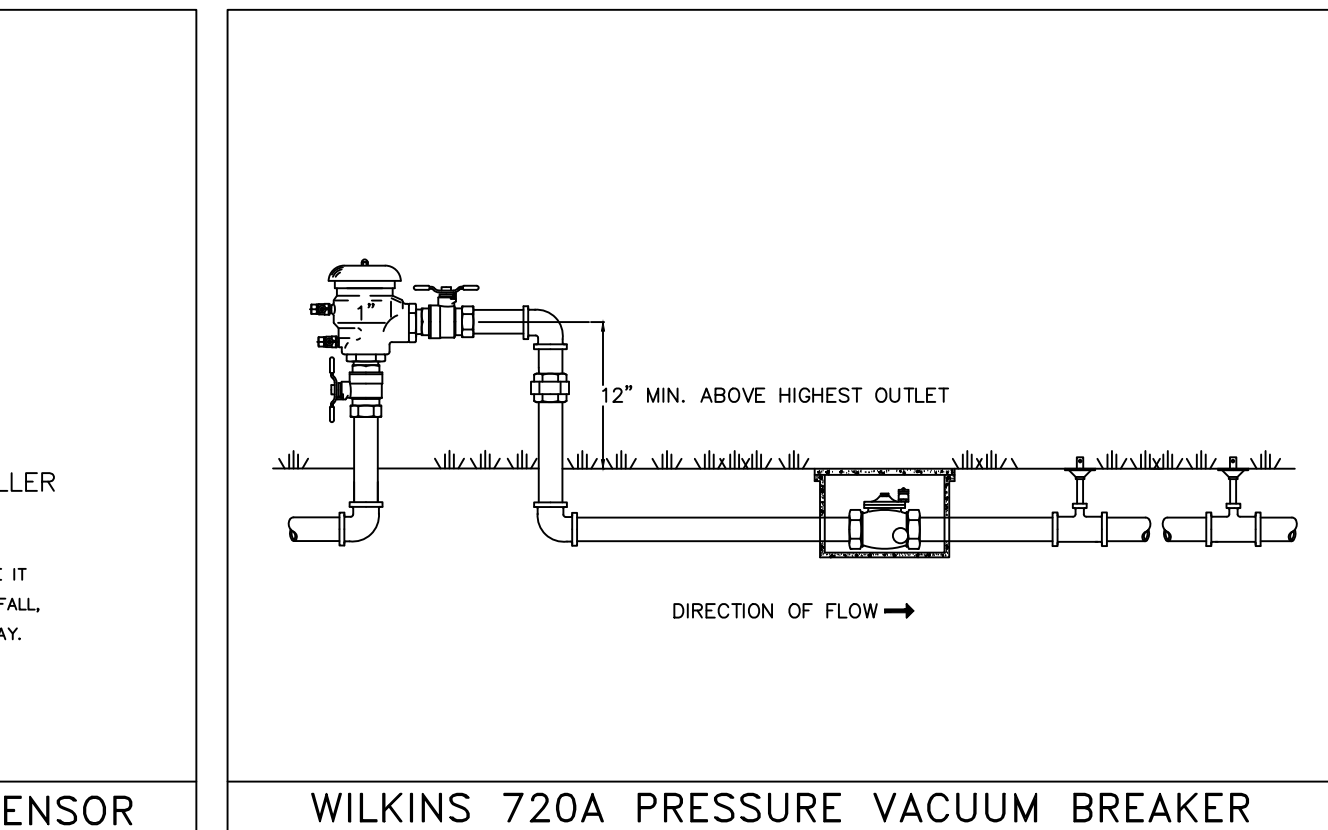
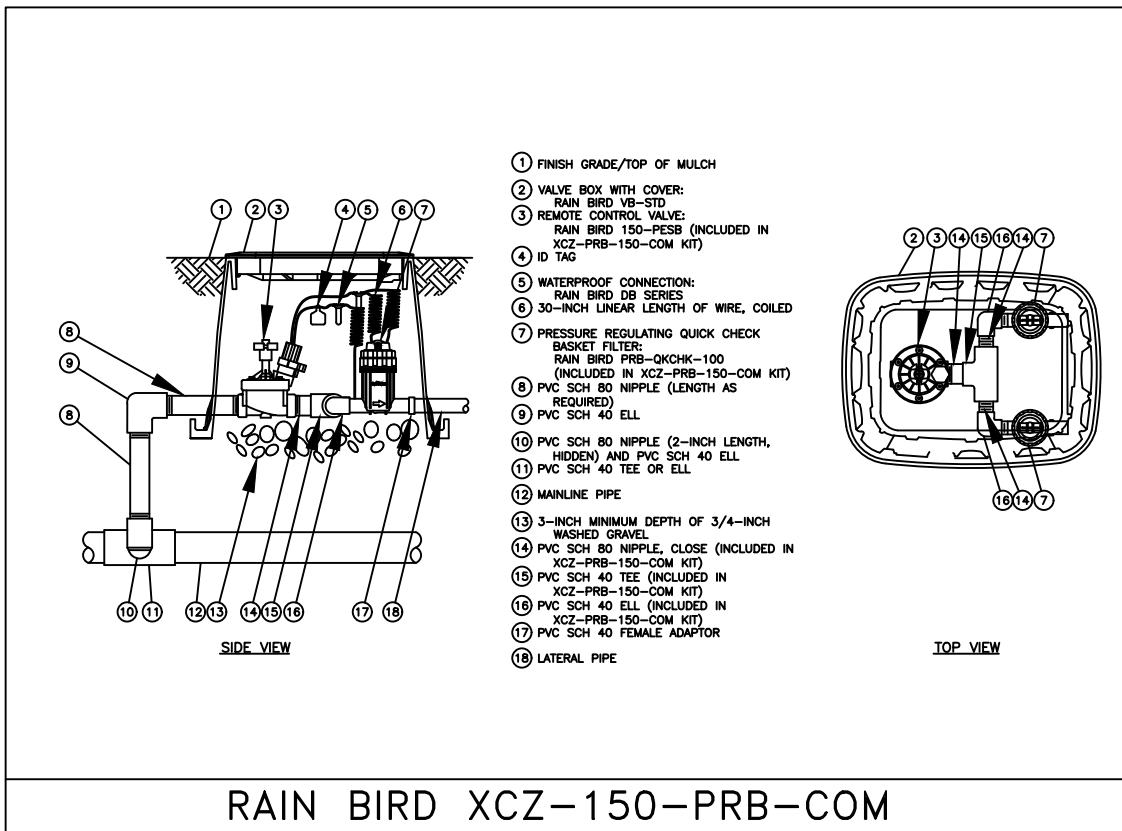
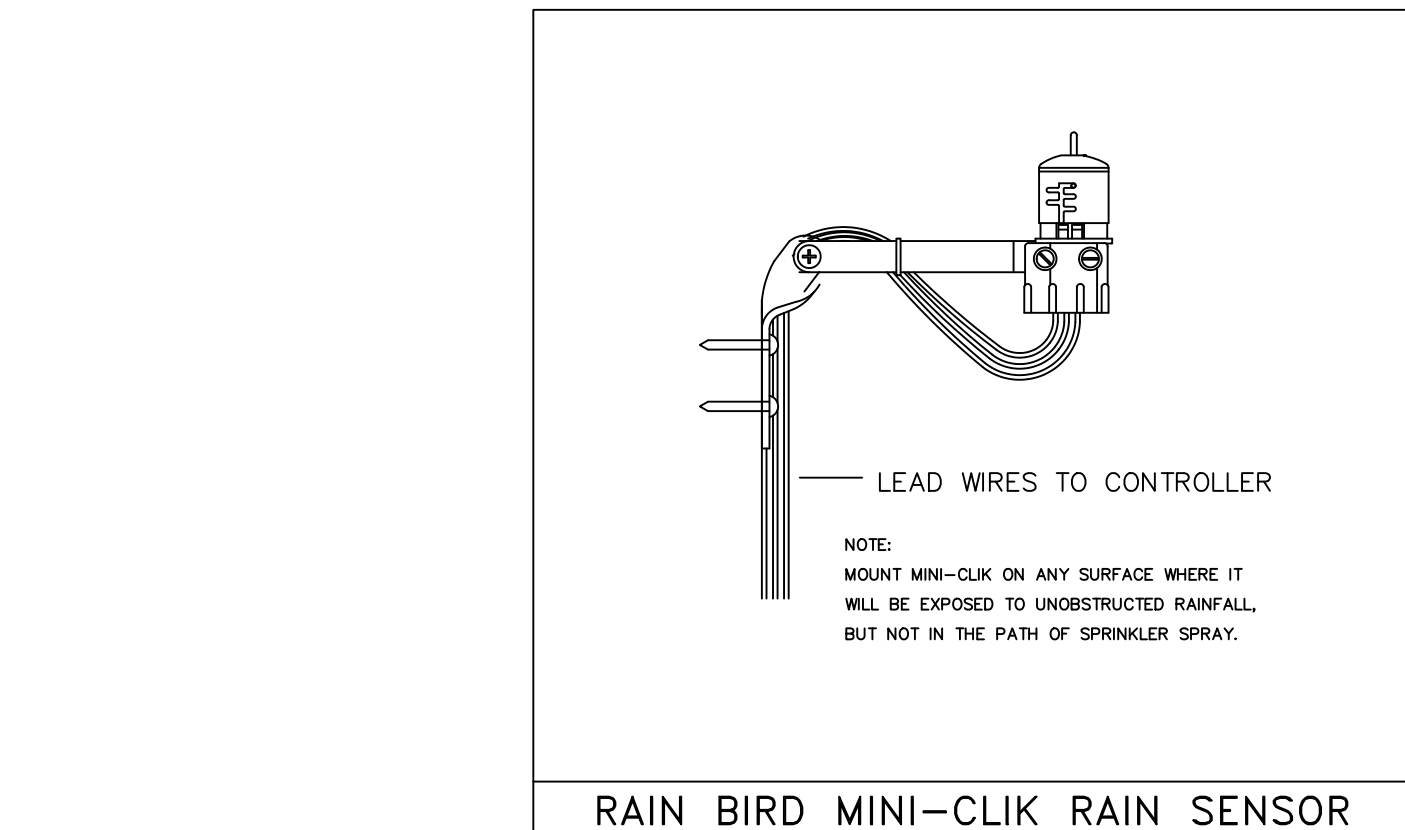
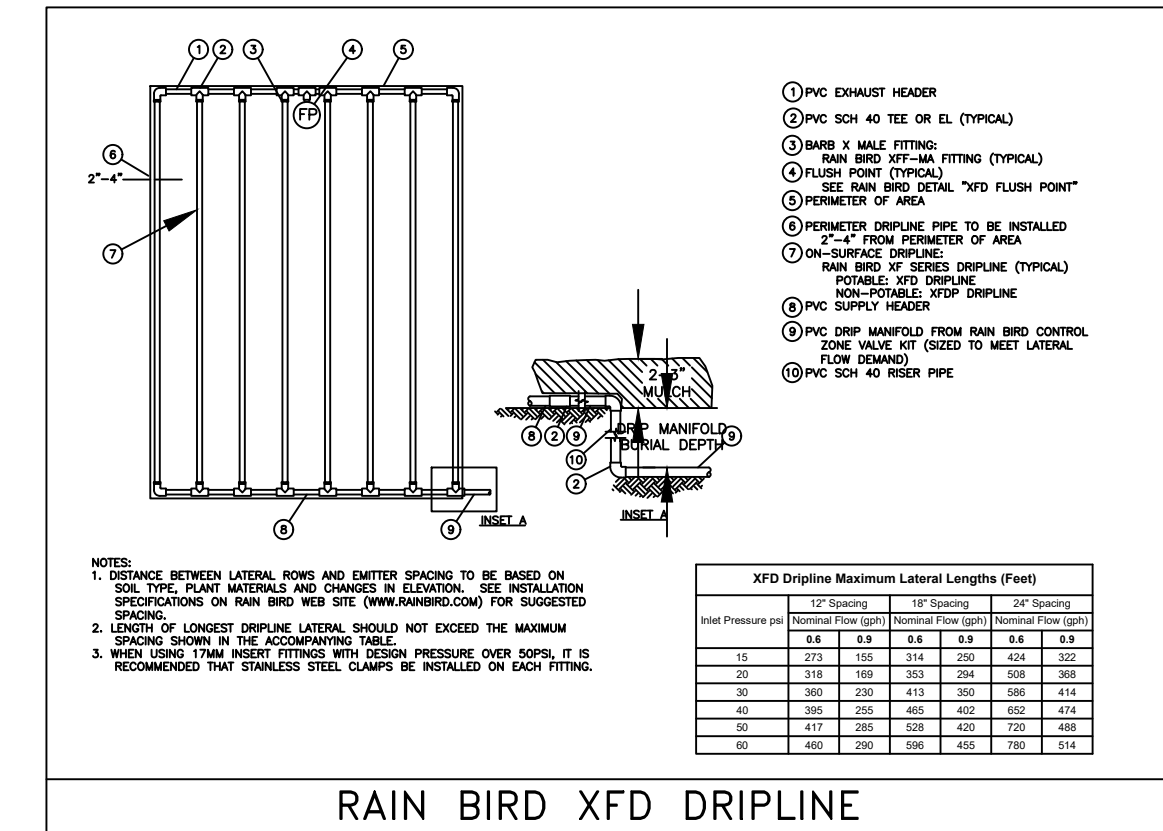
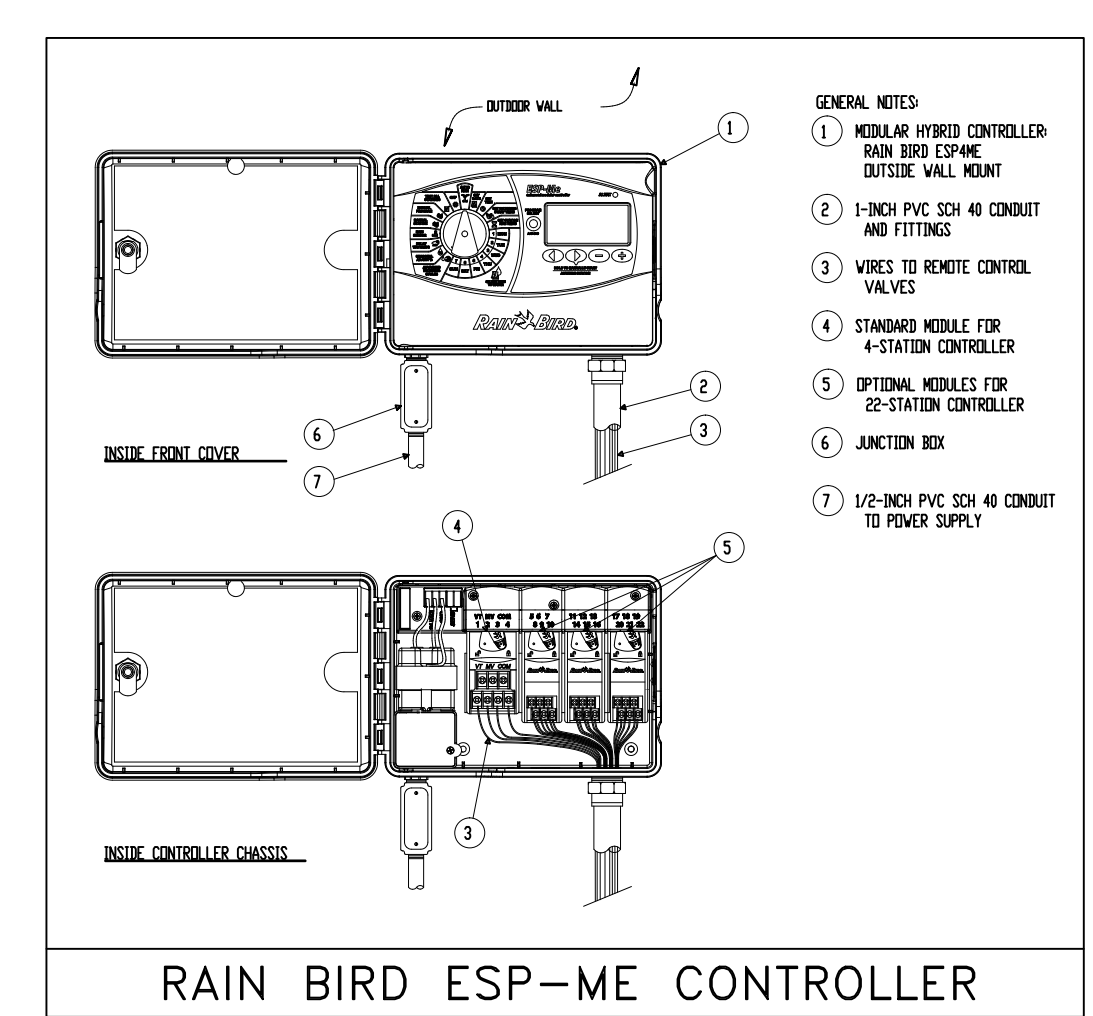
DESIGN

THIS DESIGN IS DIAGRAMMATIC. ALL IRRIGATION EQUIPMENT SUCH AS PIPES, VALVES, , ETC., SHOWN WITHIN PERVIOUS AREAS ARE FOR DESIGN CLARIFICATION ONLY. THE IRRIGATION CONTRACTOR SHALL INSTALL IRRIGATION EQUIPMENT IN PLANTING AREAS WHEREVER POSSIBLE.

THE IRRIGATION CONTRACTOR IS RESPONSIBLE TO FAMILIARIZE THEMSELVES WITH THE SCOPE OF WORK, INCLUDING BUT NOT LIMITED TO GRADE DIFFERENCES, LOCATION OF WALLS, STRUCTURES, UTILITIES AND EXISTING IRRIGATION EQUIPMENT. THE IRRIGATION CONTRACTOR IS RESPONSIBLE SHALL REPAIR AND/OR REPLACE ANY DAMAGE CREATED BY THEIR WORK. THEY SHALL COORDINATE HIS WORK WITH OTHER CONTRACTOR OR MUNICIPAL AUTHORITIES FOR THE LOCATION AND INSTALLATION OF IRRIGATION EQUIPMENT UNDER ROADWAYS AND PAVING, SLEEVES THROUGH WALLS AND FLOORS, ETC.

INSTALL ALL IRRIGATION EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS. SUBSTITUTIONS FOR IRRIGATION EQUIPMENT TO BE APPROVED BY THE IRRIGATION DESIGNER. EQUIPMENT CHANGES TO INCLUDE BUT NOT LIMITED TO PUMP, CONTROLLER, SPRAY HEADS, ROTORS, AND VALVES.

DO NOT INSTALL IRRIGATION EQUIPMENT AS SHOWN ON THE DRAWINGS WHEN FIELD CONDITIONS DIFFER. OBSTRUCTIONS OR DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER OR OWNER'S REPRESENTATIVE. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY.



Backflow Preventers	
Symbol	Description
	Pressure Vacuum Breaker
Controllers	
Symbol	Description
	Rainbird ESP-Me with LNK WIFI Module
	Rain Sensor
Irrigation Heads	
Symbol	Description
	RAINBIRD 1800 SERIES 1404 Series BOX*
	RAINBIRD 1800 SERIES 1404 Series EST*
	RAINBIRD R-VAN R08-14-08 90°
	RAINBIRD R-VAN R08-14-08 180°
	RAINBIRD R-VAN R08-14-10 90°
	RAINBIRD R-VAN R08-14-10 180°
	RAINBIRD R-VAN R08-14-14 90°
	RAINBIRD R-VAN R08-14-14 180°
	RAINBIRD R-VAN R13-18 180°
	RAINBIRD R-VAN R17-24 90°
	RAINBIRD R-VAN R17-24 180°
	RAINBIRD R-VAN R17-24 360°
	RAINBIRD R-VAN R-VAN-STRIP EST*
	RAINBIRD R-VAN R-VAN-STRIP SST*

EQUIPMENT TABLE

Pipe (Lateral)	
Symbol	Description
	Class 160 PVC (Lateral)
Pipe (Mainline)	
Symbol	Description
	Schedule 40 PVC Pipe
Pipe (Sleeve)	
Symbol	Description
	Schedule 40 PVC Pipe
Valves	
Symbol	Description
	Rainbird PGA Valve
	Rainbird XCZ-150-PRB-COM Valve
Water Meters	
Symbol	Description
	Existing 1-1/2" Water Meter
Drip	
Symbol	Description
	Rainbird XFD-09-18

GRATIGNY INDUSTRIAL PARK 15
SHELL BUILDING
12805 NW LE JEUNE ROAD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS

Irrigation Details

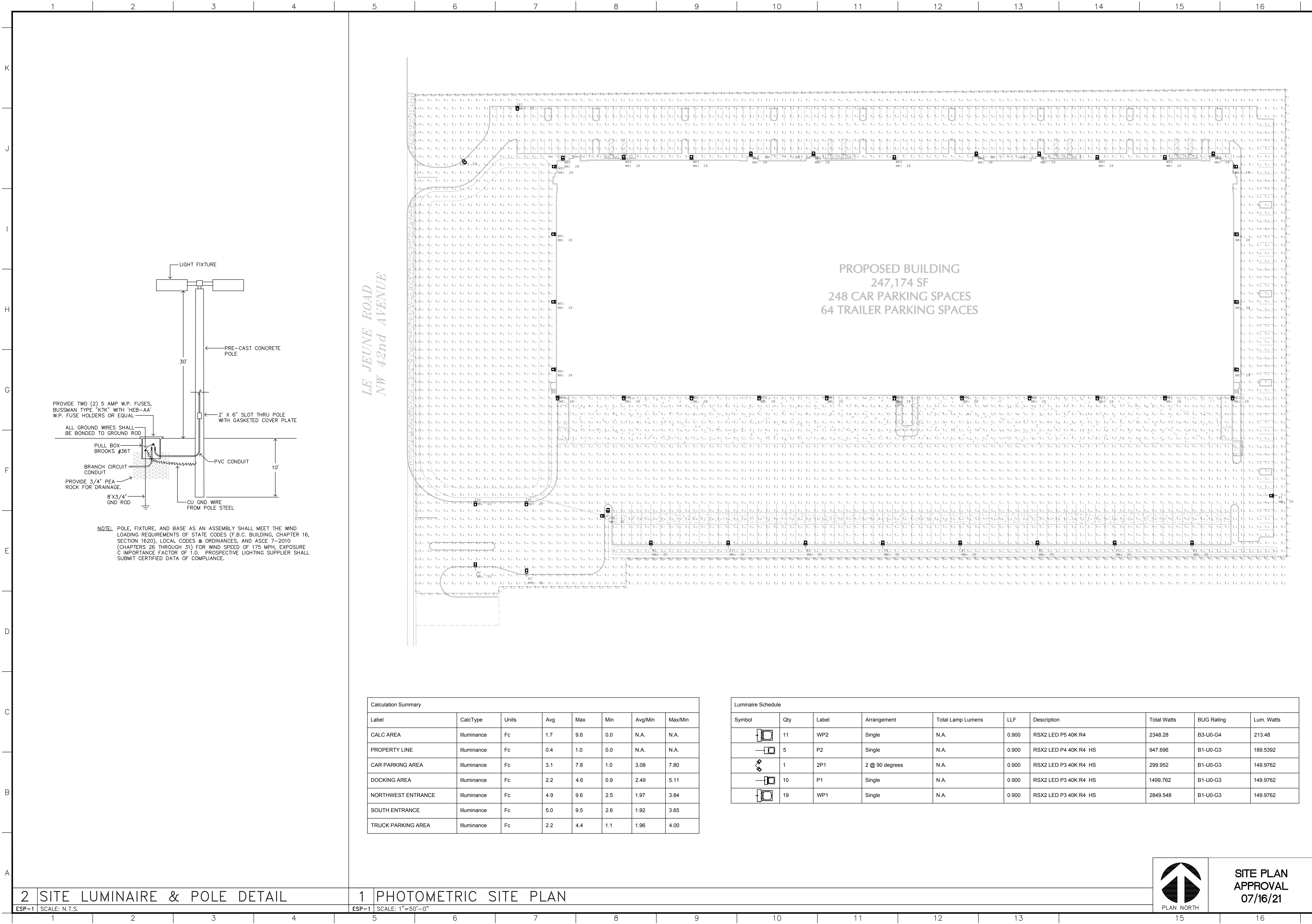
Scale
Project No. 21005.00
Date

Principal: KH
Project Director: KH
Project Manager: AM
Drafted by:
Checked by:

Sheet No.

IR-3

SITE PLAN
APPROVAL
07/16/21



RLC Architects
1400 N. State Road, Suite 200, Fort Lauderdale, FL 33304
Tel: 954.333.6855 Fax: 954.333.0007
Web: www.rlcarchitects.com

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STATE OF FLORIDA REGISTERED ARCHITECTS NO. A24001060

THESE ARCHITECTS HAVE PREPARED THE DESIGN, SPECIFICATIONS, AND PLANS FOR THE PROJECT DESCRIBED HEREIN. THE ARCHITECTS AND THEIR EMPLOYEES, AGENTS, AND SUBCONSULTANTS SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. NO PART OF THESE PLANS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RLC ARCHITECTS, P.A.

J. DAVID PUGA
LICENSE
NO. 41163
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Puga and Associates, Inc.
Engineers/Consultants
P 20 0005610
7700 N. Kendall Drive, Suite 806
Miami, Florida 33156
(305) 681-7700

CRATICNY INDUSTRIAL PARK 15
SHELL BUILDING
12805 NW LE JEUNE ROAD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS

NO.	DESCRIPTION

Drawing Title
PHOTOMETRIC
SITE PLAN

Scale AS NOTED
Project No. 21005.00
Date

Principal: BWR
Project Director:
Project Manager: CSM
Drafted by: PUGA
Checked by: PUGA

Sheet No.
ESP-1

10 August 2021

Carlo Mendoza
RLC Architects
14 SE 4th Street
Boca Raton, FL 33432

**Re: Traffic Generation Statement
Gratigny Industrial Park
Opa-locka, Florida
Langan Project No.: 330066901**

Dear Mr. Mendoza:

Langan Engineering & Environmental Services, Inc. prepared this traffic-generation statement for the Gratigny Industrial Park warehouse development and determined that the proposed development will not generate more than 18 net-new peak-hour trips. The expected ingress volumes do not warrant the need for exclusive turn-lanes at the proposed site-driveway connections to public roads. The proposed development impacts to NW 42nd Avenue are considered De Minimis compared to existing volumes. The development site is occupied by a 100,015 square foot warehouse building industrial uses. The proposed development will replace the existing warehouse and redevelop the site with a 247,174 square foot warehouse building and will use the existing driveway connection to NW 42nd Avenue as the main access for the proposed development. This letter report includes daily and peak-hour trip-generation calculations for the development. Attachment A contains the figures for this report. **Figure 1** shows an aerial photograph of the site location.

Project Description

The proposed development comprises a 247,174 square foot warehouse with 248 off-street vehicle parking spaces, 64 trailer parking spaces and 56 loading bays expected to be built by 2023 or sooner. The 14.64-acre site (Folio Nos.: 08-2129-000-0061) is at 12805 NW Le Jeune Road in Opa-locka, Florida. The development site has a driveway connection to NW 42nd Avenue that will be reused by the proposed development. Attachment B contains the site plan showing the proposed building and proposed driveway connection. Attachment B also includes the site survey.

Trip Generation Analysis

The proposed development is expected to generate 232 daily, 18 morning peak-hour and 17 afternoon net-new peak-hour trips. We prepared trip-generation estimates for the proposed development, summarized in **Table 1**, using equations from the 10th Edition of the ITE *Trip Generation Manual*. Attachment C contains excerpts from the ITE manual.

Table 1.- Trip Generation Estimates

Daily

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Trips		
						In	Out	Total
<u>Existing Uses</u>								
Warehousing	150	100,015 SF	T = 1.58 (X) + 45.54	50%	50%	102	102	204
<u>Proposed Uses</u>								
Warehousing	150	247,174 SF	T = 1.58 (X) + 45.54	50%	50%	218	218	436
Difference						116	116	232

Morning Peak Hour

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Trips		
						In	Out	Total
<u>Existing Uses</u>								
Warehousing	150	100,015 SF	T = 0.12 (X) + 25.32	1	0	28	9	37
<u>Proposed Uses</u>								
Warehousing	150	247,174 SF	T = 0.12 (X) + 25.32	77%	23%	42	13	55
Difference						14	4	18

Afternoon Peak Hour

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Trips		
						In	Out	Total
<u>Existing Uses</u>								
Warehousing	150	100,015 SF	T = 0.12 (X) + 27.82	27%	73%	11	29	40
<u>Proposed Uses</u>								
Warehousing	150	247,174 SF	T = 0.12 (X) + 27.82	27%	73%	15	42	57
Difference						4	13	17

Project Traffic Distribution

We determined the directional distribution of site-generated trips based on the cardinal distribution data for TAZ 275 from the Miami-Dade County 2045 Transportation Model (see Attachment D) and from the development's access to the surrounding roadway network. Project traffic was assigned 50% north and 50% based on the TAZ data and the surrounding roadway network. We interpolated the 2015 and 2045 directional-distribution values from the model data to develop 2023 percentages. **Table 2** shows the proposed development's trip-distribution percentages.

Table 2 - Cardinal Distribution

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2015	19.80%	12.40%	8.20%	14.40%	16.00%	11.70%	7.00%	10.60%
2045	15.70%	14.60%	7.30%	15.20%	17.80%	11.00%	8.10%	10.30%
2023	18.71%	12.99%	7.96%	14.61%	16.48%	11.51%	7.29%	10.52%

Driveway Analysis & Turn Lane Analysis

The proposed development will have a driveway connection to NW 42nd Avenue (SR-953), which is a state-maintained, principal arterial roadway with a 40 MPH posted speed limit and a 19,600 average annual daily traffic (AADT).

The proposed driveway connection to NW 42nd Avenue is an existing connection with a full median opening that allows left-turns and right-turns in and out of the development site. The driveway will be redesigned to the latest standards from the Florida Department of Transportation and will remain operating as a full-access driveway. The expected peak-hour ingress volumes do not warrant the need for exclusive turn lanes on NW 42nd Avenue. There is an existing southbound left-turn lane at project's driveway connection that will serve the expected traffic from the proposed development. **Figure 2** shows the site-driveway peak-hour volumes.

We reviewed the latest traffic counts from FDOT station 1181 and determined that the project is expected to impact NW 42nd Avenue with a significance level of 1.10 percent. A roadway is significantly impacted when the trips assigned to a roadway are five percent or more of its adopted LOS capacity. Therefore, the impacts of the proposed development are considered De Minimis. Attachment D includes the FDOT traffic data.

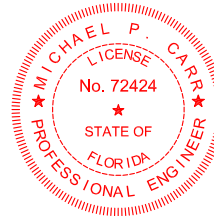
Conclusion

We determined that the Gratigny Industrial Park warehouse development is not expected to generate more than 18 net-new peak-hour trips. The expected ingress volumes do not warrant the need for exclusive turn lanes on abutting public roads. The proposed development will use the existing driveway connection to NW 42nd Avenue and will redesign the driveway to the latest FDOT standards. The proposed development impacts to NW 42nd Avenue are considered De Minimis compared to existing volumes along NW 42nd Avenue. Please contact me at (786) 264-7226 with any questions or comments.

Sincerely,

Langan Engineering and Environmental Services, Inc.

This item has been digitally signed and sealed by Michael Carr, P.E. on the date adjacent to the seal.
Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



Michael P. Carr, P.E.
P.E. License No. 72424
Senior Project Manager

A handwritten signature in blue ink, appearing to read "Maximo Polanco", written over a horizontal line.

Maximo Polanco, P.E.
P.E. License No. 91355
Project Engineer

MPC:mpc

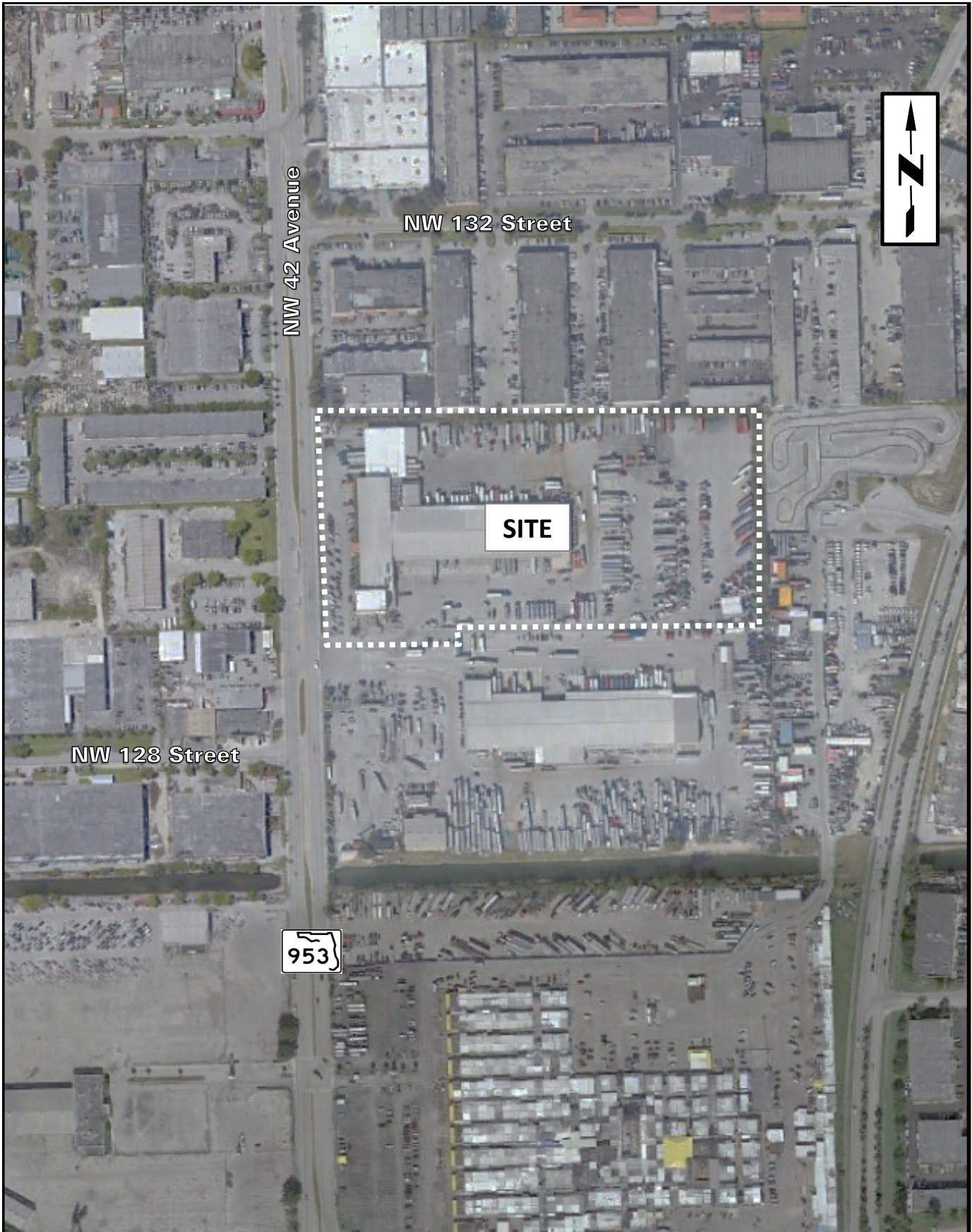
Attachments:

- Attachment A – Figures
- Attachment B – Site Data
- Attachment C – ITE Excerpts
- Attachment D – Traffic & Distribution Data

Florida Certificate of Authorization No. 6601

\\angan.com\data\FTL\data9\330066901\Project Data\Discipline\Traffic\Reports\2021-08-10 Gratigny Warehouse Trip Gen Statement.docx

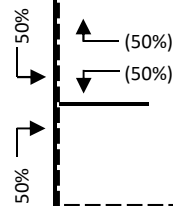
ATTACHMENT A
FIGURES



LANGAN ENGINEERING & ENVIRONMENTAL SERVICES 15150 NW 79th Court, Suite 200, Miami Lakes, FL 33016 P: 786.264.7221 F: 786.264.7201 www.langan.com FL CERTIFICATE OF AUTHORIZATION No. 00006601	Project		Figure Title	Project No.		FIGURE 1
	GRATIGNY INDUSTRIAL PARK			330066901		
	OPA-LOCKA			Date		
	MIAMI DADE			8/10/2021		
FLORIDA		Scale		NTS		



NW 42nd Avenue



SITE

LEGEND

Ingress
(#) Egress

LANGAN
ENGINEERING & ENVIRONMENTAL SERVICES

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P: 786.264.7221 F: 786.264.7201 www.langan.com

FL CERTIFICATE OF AUTHORIZATION No. 00006601

Project

GRATIGNY INDUSTRIAL PARK

OPA-LOCKA

MIAMI DADE

FLORIDA

Figure Title

**PROJECT TRAFFIC
DISTRIBUTION**

Project No.

330066901

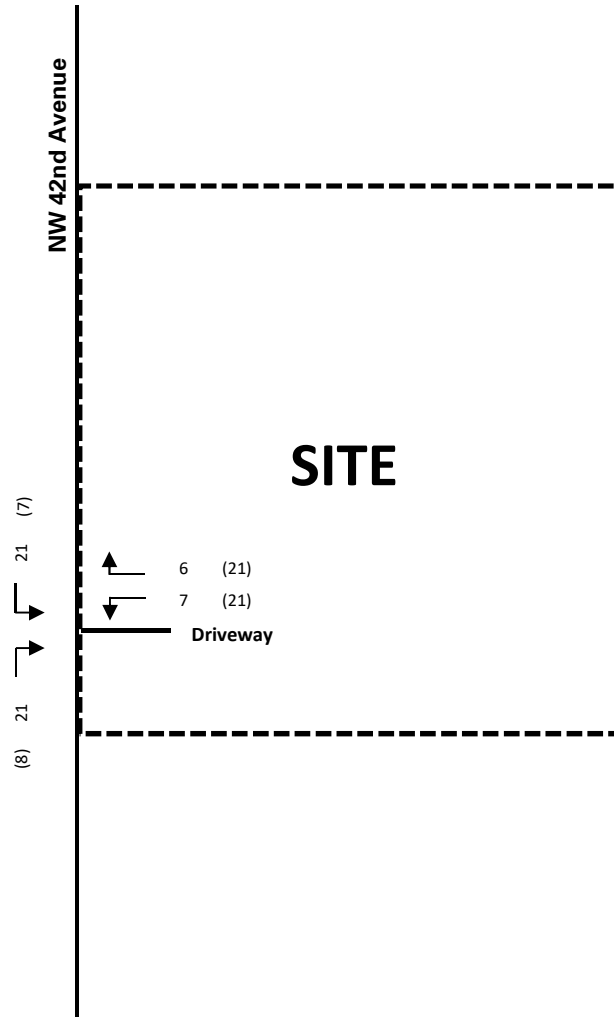
Date

8/10/2021

Scale

NTS

FIGURE 2



LEGEND	
#	AM Peak Hour
(#)	PM Peak Hour
---	Driveway



15150 NW 79th Court, Suite 200, Miami Lakes, FL 33016
P: 786.264.7221 F: 786.264.7201 www.langan.com

FL CERTIFICATE OF AUTHORIZATION No. 00006601

Project

GRATIGNY INDUSTRIAL PARK

OPA-LOCKA

MIAMI DADE

FLORIDA

Figure Title

DRIVEWAY VOLUMES

Project No.

330066901

Date

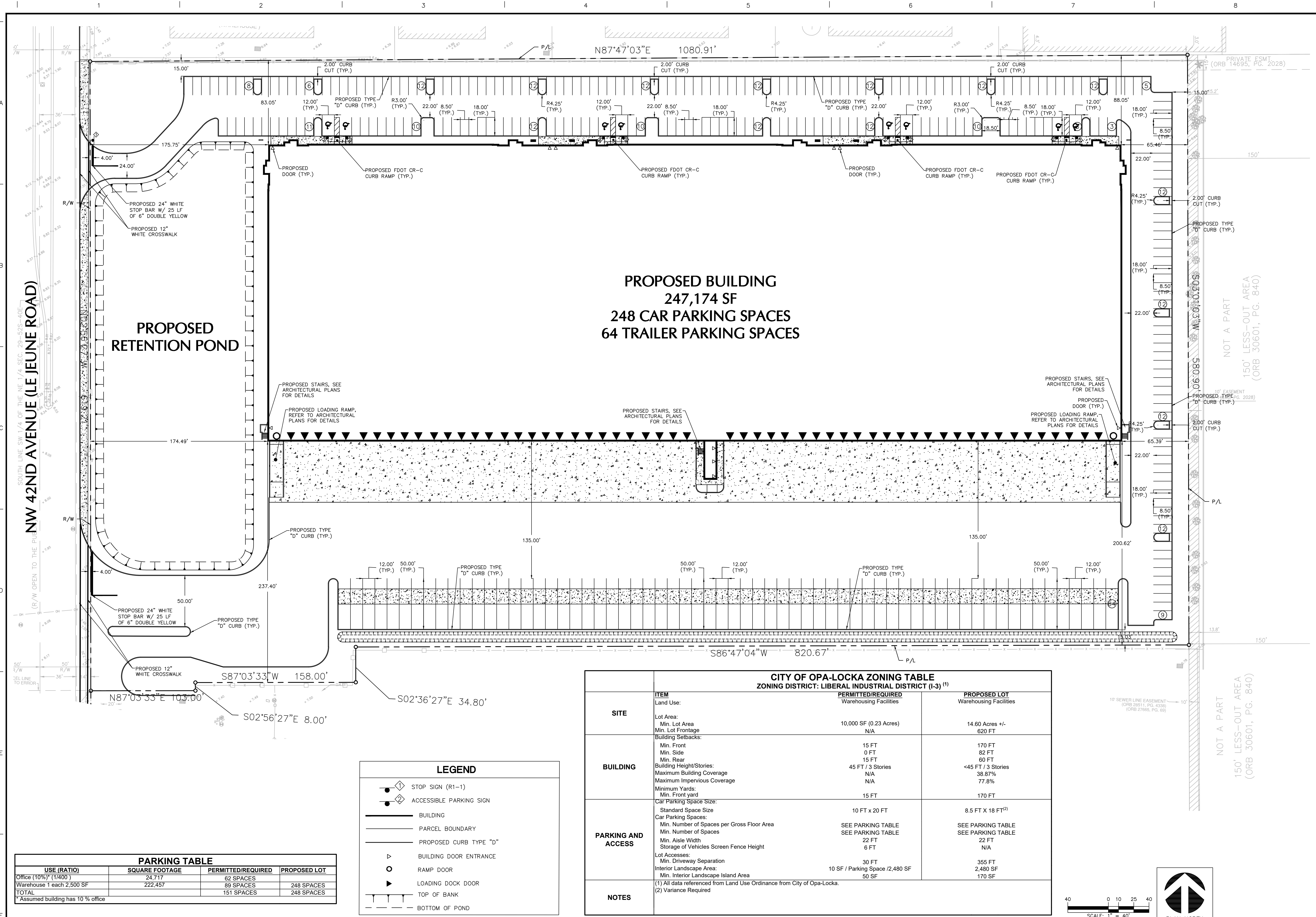
8/10/2021

Scale

NTS

FIGURE 3

ATTACHMENT B
SITE DATA



SOUTH LINE SW 1/4 OF THE NE 1/4 SEC. 29-52S-40E
NW 42ND AVENUE (LE JEUNE ROAD)
(R/W OPEN TO THE PUBLIC)

PARKING TABLE			
USE (RATIO)	SQUARE FOOTAGE	PERMITTED/REQUIRED	PROPOSED LOT
Office (10%) (1/400)	24,717	62 SPACES	
Warehouse 1 each 2,500 SF	222,457	89 SPACES	248 SPACES
TOTAL		151 SPACES	248 SPACES

* Assumed building has 10 % office

LEGEND

STOP SIGN (R1-1)

ACCESSIBLE PARKING SIGN

BUILDING

PARCEL BOUNDARY

PROPOSED CURB TYPE "D"

BUILDING DOOR ENTRANCE

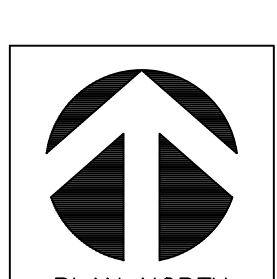
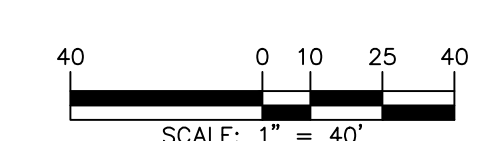
RAMP DOOR

LOADING DOCK DOOR

TOP OF BANK

BOTTOM OF POND

CITY OF OPA-LOCKA ZONING TABLE			
ZONING DISTRICT: LIBERAL INDUSTRIAL DISTRICT (I-3) ⁽¹⁾			
SITE	ITEM	PERMITTED/REQUIRED	PROPOSED LOT
	Land Use:	Warehousing Facilities	Warehousing Facilities
BUILDING	Lot Area:		
	Min. Lot Area	10,000 SF (0.23 Acres)	14.60 Acres +/-
	Min. Lot Frontage	N/A	620 FT
	Building Setbacks:		
	Min. Front	15 FT	170 FT
	Min. Side	0 FT	82 FT
	Min. Rear	15 FT	60 FT
	Building Height/Stories:	45 FT / 3 Stories	<45 FT / 3 Stories
	Maximum Building Coverage	N/A	38.87%
	Maximum Impervious Coverage	N/A	77.8%
PARKING AND ACCESS	Minimum Yards:		
	Min. Front yard	15 FT	170 FT
	Car Parking Space Size:		
	Standard Space Size	10 FT x 20 FT	8.5 FT X 18 FT ⁽²⁾
	Car Parking Spaces:		
	Min. Number of Spaces per Gross Floor Area	SEE PARKING TABLE	SEE PARKING TABLE
	Min. Number of Spaces	SEE PARKING TABLE	SEE PARKING TABLE
	Min. Aisle Width	22 FT	22 FT
	Storage of Vehicles Screen Fence Height	6 FT	N/A
	Lot Accesses:		
NOTES	Min. Driveway Separation	30 FT	355 FT
	Interior Landscape Area:	10 SF / Parking Space / 2,480 SF	2,480 SF
	Min. Interior Landscape Island Area	50 SF	170 SF
	(1) All data referenced from Land Use Ordinance from City of Opa-Locka. (2) Variance Required		



RLC Architects

14 SE 1st Street, Suite 200, Opa-Locka, FL 33054
Tel: 954.393.8555 Fax: 954.395.0007
Web: www.rlcarchitects.com

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SIGNATURE: MICHAEL CARR
PROFESSIONAL ENGINEER FL Lic. No. 72424

DATE SIGNED: _____

LANGAN

Langan Engineering and
Environmental Services, Inc.
110 East Broward Boulevard, Suite 1500
Fort Lauderdale, FL 33301

Tel: 954.322.2100 F: 954.322.2101 www.langan.com
LANGAN@LANGAN.COM

GRATIGNY INDUSTRIAL
PARK

12805 NW LE JEUNE ROAD
OPA-LOCKA, FLORIDA 33054
PROLOGIS

REVISIONS

Drawing Title

SITE
PLAN

Scale

Project No. 330066901

Date 06/28/2021

Principal:

Project Director:

Project Manager:

Drafted by:

Checked by: CRV
MPC

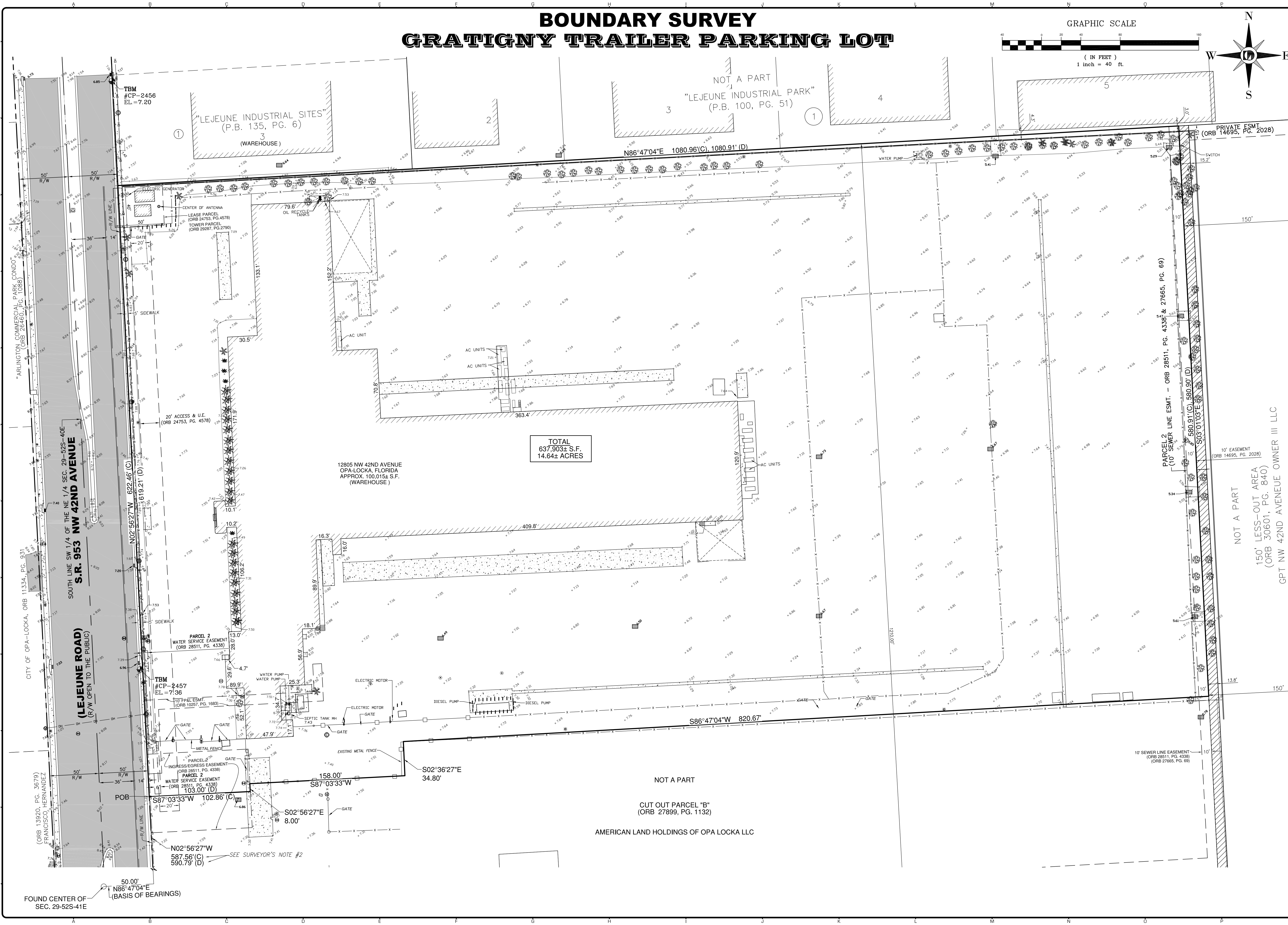
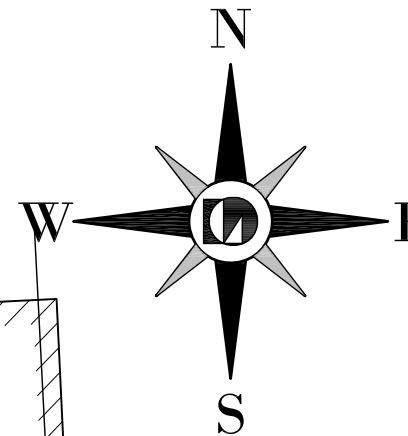
Drawing No.

C-300

BOUNDARY SURVEY GRATIGNY TRAILER PARKING LOT

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.



TOTAL
637,903± S.F.
14.64± ACRES

12805 NW 42ND AVENUE
OPA-LOCKA, FLORIDA
APPROX. 100,015± S.F.
(WAREHOUSE)

NOT A PART

CUT OUT PARCEL "B"
(ORB 27899, PG. 1132)

AMERICAN LAND HOLDINGS OF OPA LOCKA LLC

PARCEL 2 LINE ESMT. - ORB 28511, PG. 4338 & 27665, PG. 69

NOT A PART

150' LESS-OUT AREA
(ORB 30601, PG. 840)

GPT NW 42ND AVENUE OWNER III LLC

NO.	DATE	DESCRIPTION
1	5/29/2020	REVISED SURVEYOR'S NOTE #2, #3, #4, AND #6 FOR CLARITY
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

BOUNDARY SURVEY
GRATIGNY TRAILER PARKING LOT

PROLOGIS
12805 NW 42ND AVENUE
OPA-LOCKA, FLORIDA 33054

CLIENT INFO
8355 NW 12TH STREET
DORAL, FLORIDA 33126

LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

3351 Private Avenue, Suite 200, Opa-Locka, Florida 33054
Phone: 305-445-1500 | info@ludovici-orange.com

DRAWN: GB
CHECKED: TMB
SCALE: AS NOTED
DATE: 2/16/20
PROJ. #: 2020-04
FIELD BOOK: -----
SHEET:
2
OF 2 SHEET

ATTACHMENT C
ITE EXCERPTS

Warehousing (150)

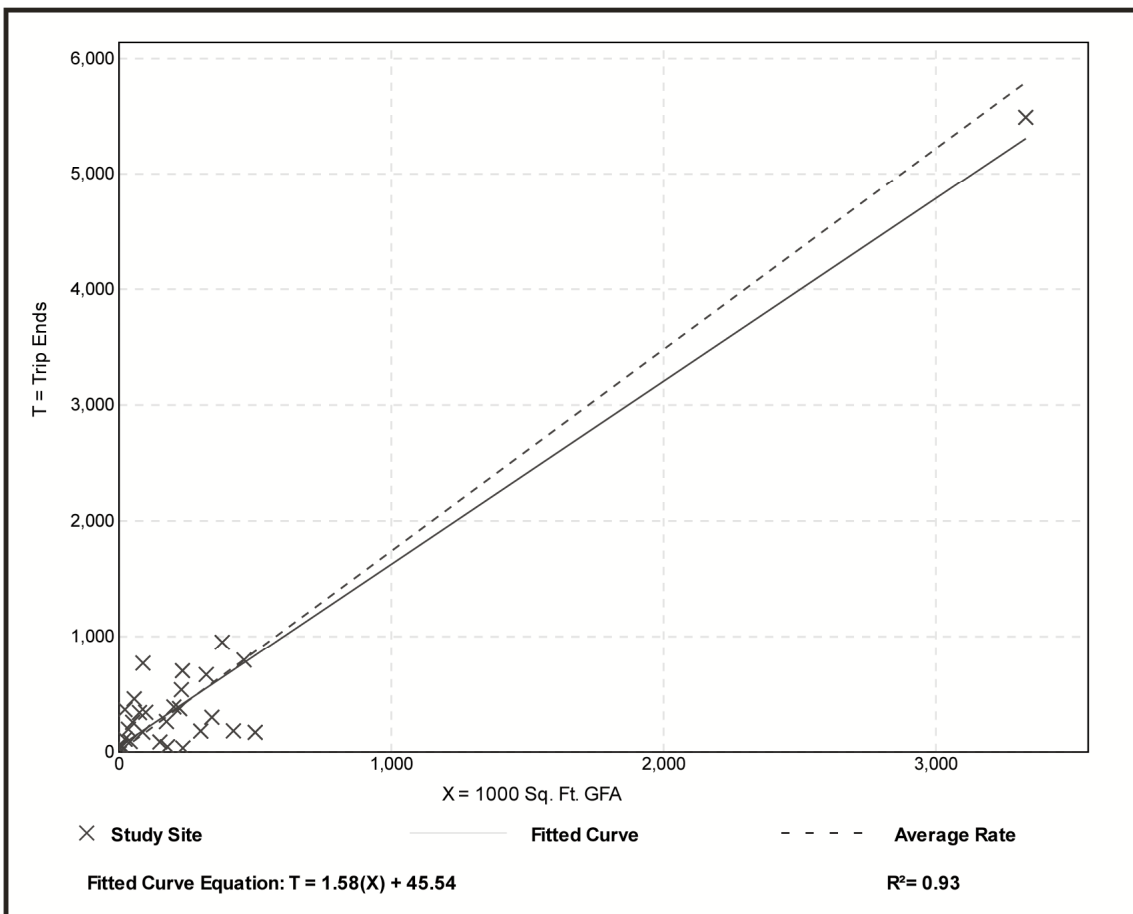
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 29
1000 Sq. Ft. GFA: 285
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.74	0.15 - 16.93	1.55

Data Plot and Equation



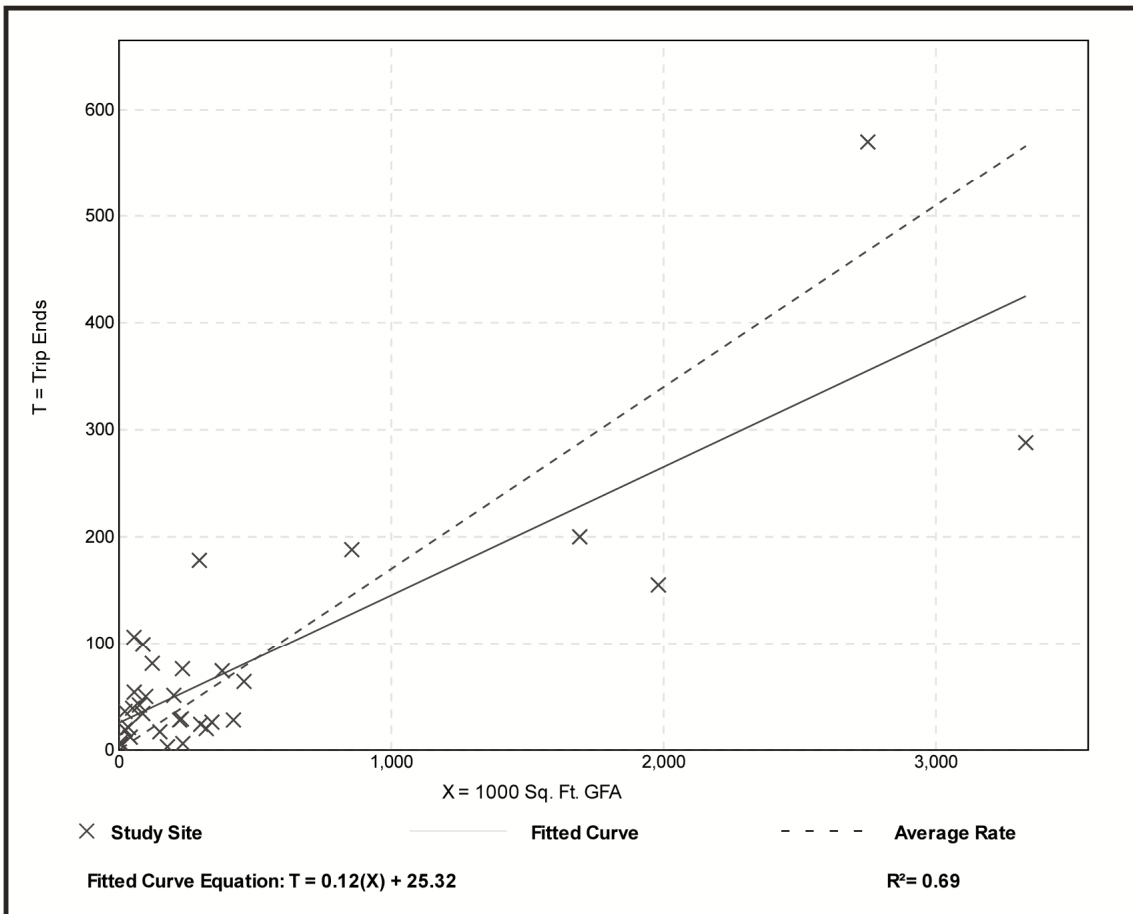
Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 34
 1000 Sq. Ft. GFA: 451
 Directional Distribution: 77% entering, 23% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.17	0.02 - 1.93	0.20

Data Plot and Equation



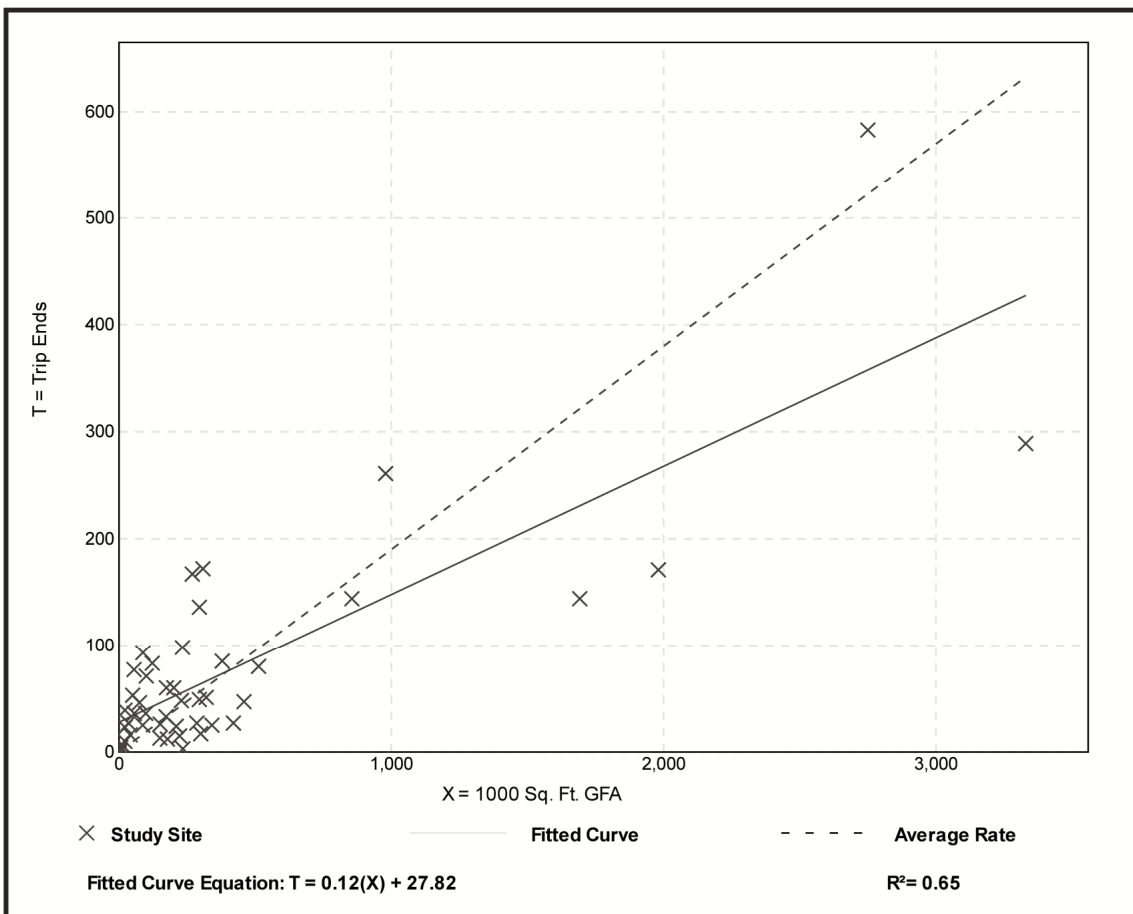
Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 47
 1000 Sq. Ft. GFA: 400
 Directional Distribution: 27% entering, 73% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.19	0.01 - 1.80	0.18

Data Plot and Equation



ATTACHMENT D
TRAFFIC DATA & DISTRIBUTION DATA

County: 87
 Station: 1181
 Description: SR 953/LEJEUNE RD, 1100' N OF NW 119 ST
 Start Date: 10/27/2020
 Start Time: 0000

Time	Direction: N					Direction: S					Combined	
	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total	Total	
0000	19	8	12	9	48	19	13	13	4	49	97	
0100	7	4	3	3	17	6	3	6	6	21	38	
0200	6	1	4	11	22	6	3	3	3	15	37	
0300	6	12	18	20	56	6	2	9	16	33	89	
0400	8	18	28	29	83	28	7	18	18	71	154	
0500	29	36	64	111	240	24	29	63	63	179	419	
0600	78	105	181	234	598	45	83	155	161	444	1042	
0700	159	188	174	208	729	165	142	180	202	689	1418	
0800	178	170	153	167	668	173	165	126	150	614	1282	
0900	134	146	146	144	570	139	113	144	135	531	1101	
1000	142	145	150	167	604	121	116	124	141	502	1106	
1100	159	140	150	142	591	139	133	155	154	581	1172	
1200	160	162	135	173	630	142	151	150	118	561	1191	
1300	144	160	120	125	549	157	143	139	157	596	1145	
1400	179	159	165	156	659	169	156	168	141	634	1293	
1500	178	191	189	233	791	195	148	306	214	863	1654	
1600	217	216	221	199	853	272	219	262	234	987	1840	
1700	198	218	181	192	789	288	230	237	190	945	1734	
1800	165	161	135	116	577	170	186	136	108	600	1177	
1900	98	93	71	75	337	106	99	63	65	333	670	
2000	72	50	51	40	213	44	49	44	40	177	390	
2100	37	48	44	32	161	29	31	17	26	103	264	
2200	36	35	27	30	128	34	35	21	27	117	245	
2300	25	21	21	15	82	31	16	10	17	74	156	
24-Hour Totals:					9995						9719	19714

Peak Volume Information						
Direction: N			Direction: S		Combined Directions	
Hour	Volume		Hour	Volume	Hour	Volume
A.M.	645	755	730	720	730	1450
P.M.	1545	887	1630	1014	1530	1866
Daily	1545	887	1630	1014	1530	1866
Truck Percentage	6.91		7.53		7.22	

Classification Summary Database																
Dir	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	TotTrk TotVol
N	64	7622	1618	72	309	125	11	67	100	7	0	0	0	0	0	691 9995
S	64	7435	1488	76	355	109	17	73	91	8	0	1	2	0	0	732 9719

Generated by SPS 5.0.53P
 County: 87
 Station: 1181
 Description: SR 953/LEJEUNE RD, 1100' N OF NW 119 ST
 Start Date: 10/28/2020
 Start Time: 0000

Time	Direction: N					Direction: S					Combined	
	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total	Total	
0000	13	10	7	9	39	12	17	10	12	51	90	
0100	10	5	7	6	28	7	4	4	2	17	45	
0200	1	6	8	6	21	8	2	5	2	17	38	
0300	8	11	17	14	50	9	3	11	17	40	90	
0400	16	12	18	33	79	14	6	23	22	65	144	
0500	29	37	78	81	225	20	29	55	55	159	384	
0600	69	119	177	257	622	52	85	135	155	427	1049	
0700	166	176	187	215	744	157	118	177	185	637	1381	
0800	150	148	144	158	600	156	173	162	157	648	1248	
0900	126	127	147	170	570	124	138	102	137	501	1071	
1000	148	132	137	151	568	131	114	125	138	508	1076	
1100	119	148	153	138	558	135	135	151	158	579	1137	
1200	176	162	145	165	648	164	147	156	145	612	1260	
1300	168	147	169	135	619	158	126	159	160	603	1222	
1400	154	173	192	198	717	153	178	165	179	675	1392	
1500	172	196	186	226	780	191	184	314	205	894	1674	
1600	225	203	204	192	824	235	230	287	212	964	1788	
1700	196	199	215	166	776	272	251	225	194	942	1718	
1800	164	134	151	128	577	223	140	136	105	604	1181	
1900	87	97	69	68	321	128	70	73	67	338	659	
2000	60	52	45	36	193	53	54	65	42	214	407	
2100	45	35	34	39	153	37	41	32	38	148	301	
2200	26	44	40	24	134	37	31	30	29	127	261	
2300	32	26	18	16	92	34	12	15	13	74	166	

24-Hour Totals:	9938	9844	19782
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Peak Volume Information						
Direction: N		Direction: S		Combined Directions		
Hour	Volume	Hour	Volume	Hour	Volume	
A.M.	645 786	730	691	645	1393	
P.M.	1545 858	1630	1022	1530	1824	
Daily	1545 858	1630	1022	1530	1824	

Truck Percentage	6.93	7.17	7.05
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Classification Summary Database																
Dir	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	TotTrk TotVol
N	61	7616	1572	78	302	151	18	43	86	11	0	0	0	0	0	689 9938

Generated by SPS 5.0.53P
County: 87
Station: 1181
Description: SR 953/LEJEUNE RD, 1100' N OF NW 119 ST
Start Date: 10/29/2020
Start Time: 0000

Time	Direction: N					Direction: S					Combined	
	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total	Total	
0000	8	17	12	9	46	16	16	13	9	54	100	
0100	7	6	7	3	23	9	4	5	2	20	43	
0200	7	4	5	4	20	11	1	7	4	23	43	
0300	8	10	9	12	39	8	3	16	19	46	85	
0400	10	12	21	27	70	16	14	17	17	64	134	
0500	24	49	98	112	283	24	37	63	51	175	458	
0600	87	135	188	264	674	72	89	136	152	449	1123	
0700	203	213	198	225	839	137	144	154	187	622	1461	
0800	198	201	187	194	780	175	179	178	146	678	1458	
0900	252	181	171	191	795	170	157	135	150	612	1407	
1000	169	150	154	153	626	116	133	136	136	521	1147	
1100	130	190	148	170	638	119	160	159	159	597	1235	
1200	161	165	153	174	653	159	139	152	179	629	1282	
1300	152	169	152	138	611	146	145	157	153	601	1212	
1400	160	172	184	142	658	172	146	163	170	651	1309	
1500	216	200	199	217	832	202	167	316	212	897	1729	
1600	216	224	197	175	812	262	248	286	230	1026	1838	
1700	230	213	203	183	829	265	222	216	199	902	1731	
1800	149	154	115	118	536	183	192	130	93	598	1134	
1900	92	79	59	74	304	80	78	92	53	303	607	
2000	52	53	39	63	207	48	56	37	39	180	387	
2100	37	38	40	32	147	44	27	39	27	137	284	
2200	37	31	30	22	120	34	23	35	19	111	231	
2300	25	17	17	17	76	25	20	7	12	64	140	

24-Hour Totals: 10618 9960 20578

Peak Volume Information						
Direction: N		Direction: S		Combined Directions		
Hour	Volume	Hour	Volume	Hour	Volume	
A.M.	645 878	745	719	745	1530	
P.M.	1530 856	1530	1038	1530	1894	
Daily	645 878	1530	1038	1530	1894	

Truck Percentage 6.62 7.66 7.12

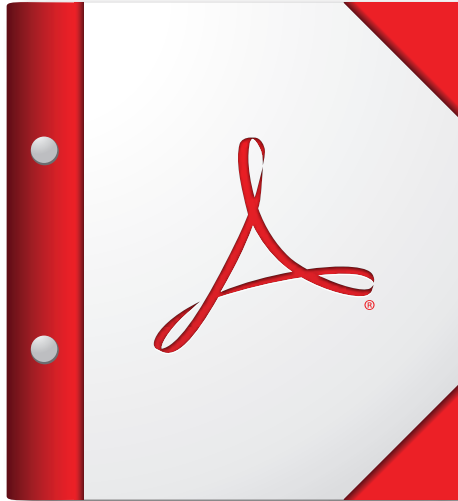
Classification Summary Database



Traffic Analysis Zones 2010

Miami-Dade 2015 Base Year Direction Trip Distribution Summary											
TAZ of Origin		Trips / Percent	Cardinal Directions								Total Trips
County TAZ	Regional TAZ		NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW	
261	3161	Trips	367	294	161	385	338	254	214	305	2,375
261	3161	Percent	15.8	12.7	7.0	16.6	14.6	10.9	9.2	13.2	
262	3162	Trips	558	444	335	596	680	405	364	517	4,002
262	3162	Percent	14.3	11.4	8.6	15.3	17.4	10.4	9.3	13.3	
263	3163	Trips	245	188	171	318	343	185	173	295	1,943
263	3163	Percent	12.8	9.8	8.9	16.6	17.9	9.7	9.0	15.4	
264	3164	Trips	350	331	203	476	382	387	141	342	2,689
264	3164	Percent	13.4	12.7	7.8	18.2	14.6	14.8	5.4	13.1	
265	3165	Trips	468	253	211	433	384	312	182	334	2,591
265	3165	Percent	18.2	9.8	8.2	16.8	14.9	12.1	7.0	13.0	
266	3166	Trips	298	198	152	290	328	316	119	239	1,955
266	3166	Percent	15.4	10.2	7.8	15.0	16.9	16.3	6.1	12.3	
267	3167	Trips	232	128	99	212	169	213	114	176	1,354
267	3167	Percent	17.3	9.5	7.4	15.8	12.6	15.9	8.5	13.1	
268	3168	Trips	122	117	110	145	165	168	55	112	1,011
268	3168	Percent	12.3	11.7	11.1	14.6	16.7	16.9	5.6	11.2	
269	3169	Trips	662	403	383	590	941	505	328	543	4,399
269	3169	Percent	15.2	9.3	8.8	13.5	21.6	11.6	7.5	12.5	
270	3170	Trips	3,024	1,243	390	519	758	625	565	2,491	9,620
270	3170	Percent	31.5	12.9	4.1	5.4	7.9	6.5	5.9	25.9	
271	3171	Trips	400	322	174	310	428	194	228	293	2,364
271	3171	Percent	17.0	13.7	7.4	13.2	18.2	8.3	9.7	12.5	
272	3172	Trips	497	425	303	419	488	412	204	461	3,363
272	3172	Percent	15.5	13.2	9.5	13.1	15.2	12.9	6.4	14.4	
273	3173	Trips	395	394	180	276	409	201	142	280	2,325
273	3173	Percent	17.4	17.3	7.9	12.1	18.0	8.8	6.2	12.3	
274	3174	Trips	189	159	102	129	256	148	94	157	1,242
274	3174	Percent	15.3	12.9	8.3	10.4	20.8	12.0	7.6	12.7	
275	3175	Trips	920	578	380	670	742	542	325	491	4,665
275	3175	Percent	19.8	12.4	8.2	14.4	16.0	11.7	7.0	10.6	
276	3176	Trips	487	371	276	519	639	330	190	462	3,296
276	3176	Percent	14.9	11.3	8.4	15.9	19.5	10.1	5.8	14.1	
277	3177	Trips	164	103	99	207	227	130	119	127	1,177
277	3177	Percent	14.0	8.8	8.4	17.6	19.3	11.1	10.1	10.8	
278	3178	Trips	154	79	66	125	230	142	77	128	1,001
278	3178	Percent	15.4	7.9	6.6	12.5	23.0	14.2	7.7	12.8	
279	3179	Trips	225	120	127	166	298	186	118	189	1,447
279	3179	Percent	15.7	8.4	8.9	11.6	20.9	13.1	8.3	13.2	
280	3180	Trips	156	94	89	141	205	203	99	134	1,145
280	3180	Percent	13.9	8.4	7.9	12.6	18.3	18.1	8.8	11.9	
281	3181	Trips	653	346	270	641	856	577	287	364	4,145
281	3181	Percent	16.4	8.7	6.8	16.0	21.4	14.4	7.2	9.1	
282	3182	Trips	256	229	149	287	431	217	84	158	1,815
282	3182	Percent	14.1	12.6	8.2	15.9	23.8	12.0	4.6	8.7	
283	3183	Trips	262	221	107	450	315	412	146	327	2,282
283	3183	Percent	11.7	9.9	4.8	20.1	14.1	18.4	6.5	14.6	
284	3184	Trips	262	166	200	384	261	283	150	203	1,920
284	3184	Percent	13.7	8.7	10.5	20.1	13.7	14.8	7.9	10.6	
285	3185	Trips	102	98	85	170	119	94	76	134	887
285	3185	Percent	11.6	11.2	9.7	19.3	13.5	10.8	8.7	15.3	
286	3186	Trips	408	423	354	832	651	566	296	426	4,014
286	3186	Percent	10.3	10.7	8.9	21.0	16.5	14.3	7.5	10.8	

Miami-Dade 2045 Cost Feasible Plan Direction Trip Distribution Summary											
TAZ of Origin		Trips / Percent	Cardinal Directions								Total Trips
County TAZ	Regional TAZ		NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW	
261	3161	Trips	361	358	126	499	512	378	362	285	2,991
261	3161	Percent	12.5	12.4	4.4	17.3	17.8	13.1	12.6	9.9	
262	3162	Trips	719	606	289	1,008	1,004	692	603	665	5,701
262	3162	Percent	12.9	10.9	5.2	18.0	18.0	12.4	10.8	11.9	
263	3163	Trips	318	259	143	426	380	259	209	291	2,308
263	3163	Percent	13.9	11.3	6.2	18.7	16.6	11.4	9.2	12.7	
264	3164	Trips	662	465	225	799	825	630	458	580	4,769
264	3164	Percent	14.3	10.0	4.9	17.2	17.8	13.6	9.9	12.5	
265	3165	Trips	660	460	300	877	693	577	443	594	4,654
265	3165	Percent	14.4	10.0	6.5	19.0	15.1	12.5	9.6	12.9	
266	3166	Trips	408	243	267	474	501	434	331	479	3,183
266	3166	Percent	13.0	7.8	8.5	15.1	16.0	13.9	10.6	15.3	
267	3167	Trips	250	146	107	231	189	232	126	136	1,425
267	3167	Percent	17.6	10.3	7.6	16.3	13.3	16.4	8.9	9.6	
268	3168	Trips	175	131	91	171	187	202	130	90	1,193
268	3168	Percent	14.8	11.2	7.8	14.6	15.9	17.2	11.0	7.6	
269	3169	Trips	873	542	410	748	1,066	584	469	724	5,512
269	3169	Percent	16.1	10.0	7.6	13.8	19.7	10.8	8.7	13.4	
270	3170	Trips	3,789	1,163	487	509	811	745	787	2,881	11,224
270	3170	Percent	33.9	10.4	4.4	4.6	7.3	6.7	7.0	25.8	
271	3171	Trips	441	400	148	495	522	329	360	384	3,089
271	3171	Percent	14.3	13.0	4.8	16.1	17.0	10.7	11.7	12.5	
272	3172	Trips	578	579	246	637	658	518	390	481	4,261
272	3172	Percent	14.2	14.2	6.0	15.6	16.1	12.7	9.6	11.8	
273	3173	Trips	422	455	171	414	491	323	212	359	2,941
273	3173	Percent	14.8	16.0	6.0	14.5	17.3	11.3	7.5	12.6	
274	3174	Trips	211	199	106	231	262	179	145	143	1,484
274	3174	Percent	14.3	13.5	7.2	15.6	17.7	12.2	9.8	9.7	
275	3175	Trips	896	834	417	867	1,015	627	461	587	5,790
275	3175	Percent	15.7	14.6	7.3	15.2	17.8	11.0	8.1	10.3	
276	3176	Trips	582	590	463	858	883	428	401	446	4,694
276	3176	Percent	12.5	12.7	10.0	18.5	19.0	9.2	8.6	9.6	
277	3177	Trips	171	152	91	274	254	159	123	146	1,370
277	3177	Percent	12.5	11.1	6.7	20.0	18.6	11.6	9.0	10.6	
278	3178	Trips	386	262	162	342	523	316	244	242	2,524
278	3178	Percent	15.6	10.6	6.6	13.8	21.1	12.8	9.9	9.8	
279	3179	Trips	234	200	169	260	354	204	178	204	1,836
279	3179	Percent	13.0	11.1	9.4	14.4	19.6	11.3	9.9	11.3	
280	3180	Trips	165	170	98	209	234	190	126	130	1,350
280	3180	Percent	12.5	12.9	7.4	15.8	17.7	14.4	9.5	9.9	
281	3181	Trips	638	449	369	850	937	562	304	432	4,701
281	3181	Percent	14.0	9.9	8.1	18.7	20.7	12.4	6.7	9.5	
282	3182	Trips	289	177	177	366	413	242	167	200	2,056
282	3182	Percent	14.2	8.7	8.7	18.0	20.3	11.9	8.2	9.9	
283	3183	Trips	232	274	182	558	353	372	189	254	2,488
283	3183	Percent	9.6	11.4	7.6	23.1	14.6	15.4	7.8	10.5	
284	3184	Trips	309	229	215	523	364	292	261	216	2,463
284	3184	Percent	12.8	9.5	8.9	21.7	15.1	12.1	10.8	9.0	
285	3185	Trips	171	150	119	252	179	111	120	194	1,347
285	3185	Percent	13.2	11.6	9.2	19.5	13.8	8.6	9.3	15.0	
286	3186	Trips	498	498	325	896	752	506	353	523	4,417
286	3186	Percent	11.5	11.4	7.5	20.6	17.3	11.6	8.1	12.0	



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NOTE:

APPLICANT WILL PROVIDE LIST OF CERTIFIED MAIL
RETURN RECEIPT NUMBERS AND SIGNED
NEIGHBORHOOD PETITION FORMS UNDER SEPARATE
COVER.

Received:
By:
Date:

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054

LEGAL DESCRIPTION: Please see attached.

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Prologis Logistics Services Incorporated PHONE: 305-392-4262

ADDRESS (If different): 8355 NW 12th St. , Doral, FL, 33126

Signature

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1,210 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OFF SECTION 29, TOWNSHIP 52 SOUTH RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THERE FROM THE EAST 150 FEET THEREOF, AND LESS THE WEST 35 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST FOR 50.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE NORTH $86^{\circ}47'04''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29 FOR A DISTANCE OF 1,082.58 FEET TO A POINT ALONG A LINE PARALLEL TO AND 150 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29; THENCE RUN NORTH $03^{\circ}01'03''$ WEST ALONG SAID PARALLEL LINE FOR 629.10 FEET TO A POINT ; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR 820.67 FEET TO A POINT ; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 FEET TO A POINT ; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 158.00 FEET TO A POINT; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR 8.00 FEET; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 103.0 FEET TO THE EAST RIGHT OF WAY LINE OF LEJEUNE ROAD (NW 42 AVENUE); THENCE RUN SOUTH $02^{\circ}56'27''$ EAST ALONG SAID EAST RIGHT OF WAY FOR 590.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL ONE AS ALSO DESCRIBED:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST ALONG THE CENTER SECTION LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY MARGIN OF LE JEUNE ROAD, ALSO KNOWN AS NW 42ND AVENUE; THENCE RUN NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 590.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 619.21 FEET TO AN $\frac{1}{2}''$ IRON PIN; THENCE LEAVING SAID RIGHT OF WAY MARGIN RUN NORTH $87^{\circ}47'03''$ EAST FOR A DISTANCE OF 1080.91 FEET TO A REBAR; THENCE RUN SOUTH $03^{\circ}01'03''$ EAST FOR A DISTANCE OF 580.90 FEET TO A REBAR; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR A DISTANCE OF 820.67 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR A DISTANCE OF 158.00 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR A DISTANCE OF 8.00 FEET TO A PK NAIL; THENCE RUN

SOUTH 87°03'33" WEST FOR A DISTANCE OF 103.00 FEET TO A POINT AND BEING BACK AT THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RECIPROCAL EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN AMERICAN FRUIT & PRODUCE CORP., A FLORIDA CORPORATION AND AMERICAN LAND HOLDINGS OF OPA-LOCKA, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED MARCH 1, 2013 AS BOOK 28511 PAGE 4338 OF OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PLANNING & ZONING BOARD

October 5th,

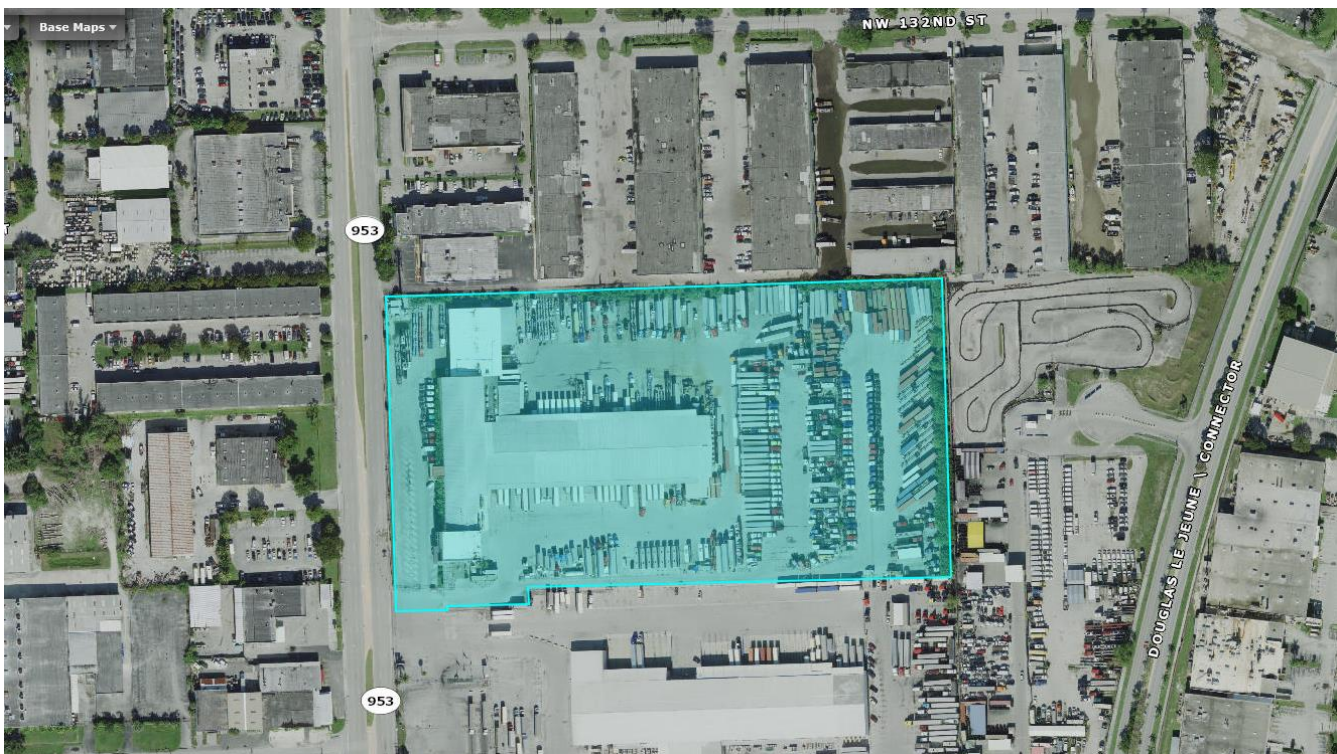
2021



PROLOGIS LOGISTICS SERVICES WAREHOUSE/DISTRIBUTION CENTER: Site Plan APPLICANT'S REQUEST:

Staff Report

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE/DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD IDENTIFIED BY FOLIO 08-2129-000-0061, IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.



I.Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

29 52 41 14.59 AC M/L

BEG 50FTE & 590.79FTN OF C/L
OF SEC CONT N 02 DEG W 619.21FT
N 88 DEG E 1080.91FT S 03 DEG
E 580.90FT S 86 DEG W 820.67FT
S 02 DEG E 34.80FT S 87 DEG W
158FT S 02 DEG E 8 FT S 87 DEG W
103 FT TO POB PER W/P #23128
LOT SIZE 635,714 SQ FT

- The subject property is currently own by Prologis Logistics Services C/O Prologis Inc Incorporated according to Miami-Dade County Property appraiser's website. The subject Property is currently vacant and a building permit has been approved for the demolition of the current warehouse structure. The applicant has submitted a site plan review application and a development agreement application for the City to consider approval of their request for the construction and operation of an industrial warehouse/distribution & office space development on this site. The current parcel is identified by Folio #08-2129-000-0061 and the zoning designation of this property is I-3 Liberal Industrial and it is within the Corridor Mixed Use Overlay.
- Currently the site conditions are as follow: This property is not being used by any business. (*see Existing Condition Section*). The site is located in the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway, south of the Miami-Dade County Canal. The site is only accessible via Le Jeune Road.



← NORTH NW 42nd Ave/Le Jeune Road SOUTH →



Figure 1: Google Street View, dated:



S
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LOADING & UNLOADING BIRTHS FOR TRUCKS





THE FORMER REAR PARKING AREA



II. Project Details

- **Applicant's intent**

The applicant wishes to construct a 247,174 square foot warehouse distribution & office building in the north portion of this property. The new development will include 248 car parking spaces, 64 tractor-trailer parking spaces, 219 new assorted trees 3,601 shrub plants and 139,640 square feet of landscaped open space.

The City of Opa-locka's Comprehensive Plan, Future Land Use map provides that the property has a future land use designation of "Industrial" and the zoning map provides that the property is zoned industrial and has a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use operation. The construction of this Class "A" Warehouse, Distribution and Office space development would potentially provide a boost to the local economy by promoting job creation and economic development through improved warehouse standards in an area that is proximal to the Opa-locka Executive Air Port and proximal to a major highway, State Road 924/Gratigny Parkway.

Site Computations & Land Development Regulation / Zoning Code

Table 1

Applicant	Prologis Logistics Services Incorporated		
Folio Number (s)	Opa-locka: 08-2129-000-0061		
Address Location	12805 Le Jeune Road		
Building (s) Footprint	Total Site Area – 635,714 SF Office Bldg. – 24,717 SF Warehouse Space – 222,457 SF Parking Lot – 4,450 SF Common Green Area – 246,724 SF		
Floor Area	Total 505,454 SF		
Zoning	B-3 – Commercial Intensive / CMU – Corridor Mixed Use Overlay		
Zoning Code Consistency	The proposed use for a Warehouse Distribution Center is consistent with the I-3 Zoning Code.		
Existing Land Use	Warehouse / Distribution Center Use / I-3		
Future Land Use Designation	Industrial		
Comprehensive Plan Consistency	- The proposed use for a Warehouse Distribution Center is consistent with the Comprehensive Plan with the requested property having an Industrial land use.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article IV Sec. 22-81, Sec. 22-93; Article V 22-112, Article VII, VIII and X		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (West)	15 Feet	83 Feet	YES
Rear (East)	15 Feet	N/A	YES
Side (North)	0 Feet	7.68 Feet	YES
Side (South)	0 Feet	200.52 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A
Lot Coverage	N/A	77%	YES
Lot Density	N/A	N/A	N/A
Lot Size	10,000 SF (0.23 Acres)	635,714 SF (14.6 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	3 Stories or 45 Feet whichever less	Warehouse/Office Building: 45 Feet / 3 Stories	YES
Structure Length	N/A	N/A	N/A
Open Space	63,607 SF	136,520 sq. ft.	YES
(Landscaping) Trees	219	219	YES
Parking Details	Office building: pursuant to the Land development Regulation Ordinance 15-31: Article VI, one (1) Parking per 400 square feet of floor area. -62 <u>spaces required</u> Warehouse Building: pursuant to the Land Development Regulation, Ordinance 15-31:	Office Bldg. 24,717 SF Total Space Provided: 62 Total Spaces 36 Regular Spaces	YES
Parking Details (Cont'd)			YES

Landscape/ Pervious Lot Coverage Notification Requirement	Article VI, one (1) Parking per 2,500 square feet of floor area. 222,457 sq. ft. 89 spaces required	248 Total Spaces 8 Handicapped Spaces Provided	YES
	10% minimum required pervious	10% provided	YES
Local Government Action Required	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Tuesday, September 21st, 2021. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, October 5th, 2021. - City Commission Meeting: TBD		
	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by Industrial properties to the east and industrial uses to the north with ingress and egress to NW 42nd Avenue/Le Jeune Road.
- Sidewalk alongside the east edge of the Property.
- North of the Opa-locka Hialeah Flea Market to the South.



- Property was utilized for warehouse, distribution, storage and sales of goods. .

East View of property from Le Jeune Road

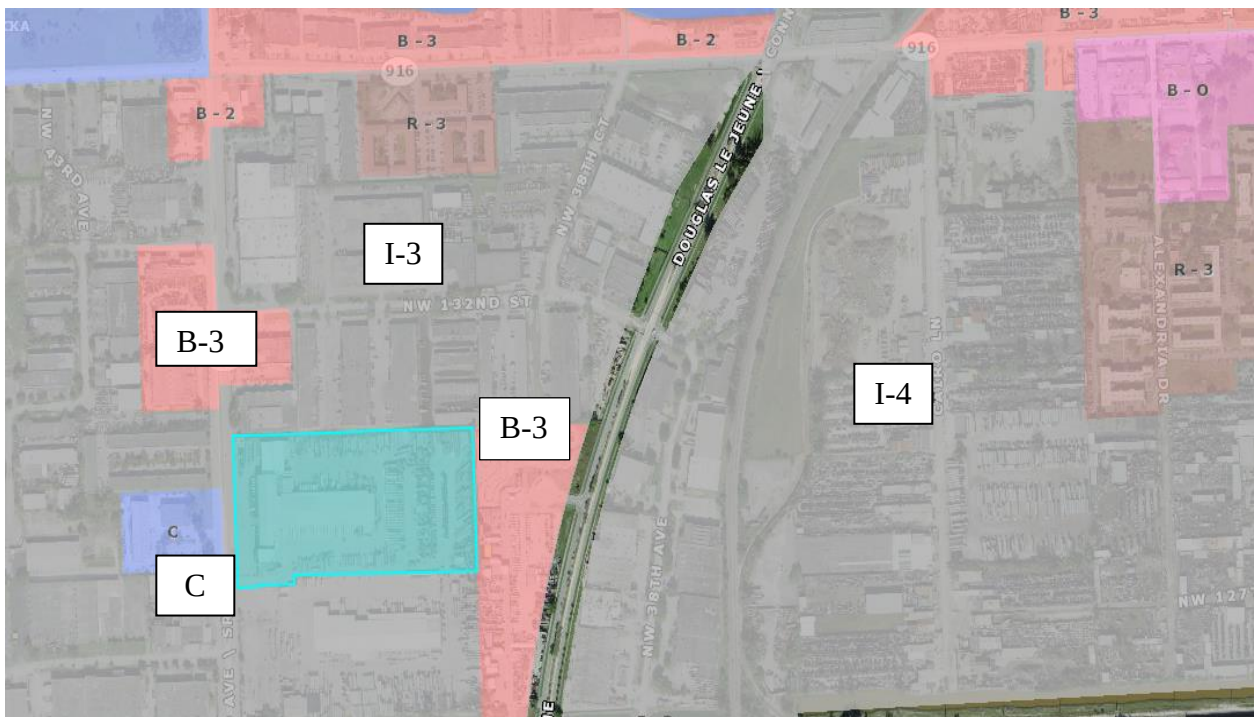


Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Industrial	Industrial	I-3 (Commercial Liberal)
South	ROW	ROW (State Road 924/Gratigny Parkway)	N/A
East	ROW	ROW (42 nd Avenue/Le Jeune Road)	N/A
West	ROW	ROW (State Road 924/Gratigny Parkway)	N/A

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?

COMPLIES

 - **Findings:**
 - The proposed development use 'Warehouse Distribution Center' is in harmony with the general characteristic of the surrounding neighborhood: Commercial/Industrial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03

COMPLIES

 - **Findings:**
 - The Applicant is proposing to include landscaping for 63,607 square feet of open space (*Please see attached Landscape Plan for Trees detailed information*).

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

 - **Findings:**
 - The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, I-3 Industrial District (Section 22-93).

- **Future Land Use:** Industrial

 - **Findings:**
 - According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Industrial land use designation category location.

COMPLIES

- **I-3 (Liberal Industrial) Permitted Uses:** Project Specific: *Warehouse Distribution Office Center*
 - **Findings:**
 - According to the City's Land Development Regulation/ Zoning Code I-3 (Liberal Industrial) allows for a Warehouse Distribution facility within this zoning district.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has received signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

IV. **Project Need Assessment / other Required Approvals**

1. Site Plan
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021
2. Parking Variance
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021
3. Development Agreement
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021

V. **Development Review Committee (DRC): *Meeting Review Comments***

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**
 - N/A
3. **Police:**
 - N/A
4. **Community Redevelopment Agency (CRA):**
 - N/A
5. **City Manager's Office (CMO):**
 - N/A
6. **Code Enforcement:**
 - N/A
7. **City Attorney's Office:**
 - Development Agreement under review
8. **Public works:**
 - N/A
9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - A Development Agreement must be submitted along with this Warehouse Distribution Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Warehouse Distribution Office Site Plan;
 - Trees to be planted in accordance with the City LDR
 - Adequate landscape buffer around parking area;
 - Extend employment opportunity to City residents through the City's Human Resource dept. and the Opa-locka Workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary for this Warehouse Distribution Office site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;
 - The Development Agreement (D.A.) shall specifically address the site plan, the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commission for this proposed Warehouse Distribution Office site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

VII. **Attachments:**

- Site Plan
- Parking Variance
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, Interim CRA Manager, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. Staff Report Will be Updated After the Planning and Zoning Board Meeting on October 5th, 2021. *Reflected Actions:*

I. Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)

Resolution No. 2021-10-05-01,

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: PROLOGIS LOGISTICS SERVICES INCORPORATED

FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 247,174 SQ. FT. WAREHOUSE DISTRIBUTION OFFICE FACILIY WITH 248 CAR PARKING SPACES AN 64 TRAILER PARKING SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 10-05-2021
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / ____
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations will reflect recommendations from the Planning and Zoning Board discussions in regards to the proposed Warehouse Distribution Office Center.

RESOLUTION NO. 21-XXXXXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Prologis Logistics Services Incorporated intends to re-develop this site into a new warehouse distribution and office building in the west section of the City of Opa-Locka ("City"); and

WHEREAS, the Project will consist of the demolition of the current building and the construction and operation of a new industrial warehouse/distribution and office development building located at 12805 LeJeune Road, Opa-Locka, Florida and identified by folio 08-2129-000-0061 in the I-3 Zoning District; and

WHEREAS, the development will also include 248 car parking spaces, 64 tractor-trailer parking spaces, 219 new assorted trees, 3,601 shrub plants and 139,640 square feet of landscaped open space; and

WHEREAS, the request for a variance of the parking stall dimensions which would reduce the size of the parking space from ten (10) feet width by twenty (20) feet in length as required under the Land Development Regulation, Section 22-153 (K) to Eight and a half (8.5) feet wide and eighteen (18) feet long car parking spaces; and

WHEREAS, in granting the variance the developer will provide 248 car parking spaces; and

WHEREAS, the redevelopment of this site is intended to provide a current Class-A, 247,174 square foot industrial warehouse/distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-Locka.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

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 Application. The City Commission of the City of Opa-Locka hereby approves / denies a request for approval of a variance from Section 22-153(K) of the Land Development Regulations to reduce the parking stall dimensions from ten (10) feet wide to eight and a half (8.5) feet wide and from twenty (20) feet long to eighteen (18) feet. long to provide 248 car parking spaces for the Construction and Operation of an industrial warehouse/distribution & office space development building located at 12805 LeJeune Road and identified by folio 08-2129-000-0061 in the I-3 Zoning District.

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 City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified 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 Code of Ordinances and the City of Opa-Locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2021.

Veronica J. Williams, Mayor

ATTEST:

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

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at the Regular Commission Meeting on **Wednesday, December 8, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER; SEVERABILITY AND EFFECTIVE DATE (first reading/public hearing held on November 10, 2021).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REVIEW FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

All interested persons are encouraged to participate and will be heard with respect to the public hearing.

Additional information on the above item may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on Wednesday, December 8, 2021.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka



CITY OF OPA-LOCKA NOTICE OF OPA-LOCKA CITY COMMISSION VACANCY

The City of Opa-locka (the "City") is seeking to fill a vacancy in the City Commission resulting from the resignation of Mayor Matthew A. Pigatt on November 10, 2021.

At the November 17, 2021 Special Commission Meeting, the City Commission directed the City Clerk to issue a Notice of City Commission Vacancy to provide an opportunity for all interested individuals to apply for consideration.

Pursuant to City Charter Section 2.7(c), the City Commission has 30 calendar days following the occurrence of the vacancy to fill the vacant City Commission position.

In accordance with City Charter Section 5.1, each applicant shall be a qualified elector of the City residing in the City for more than 365 days prior to the date of application.

The individual appointed to the City Commission will serve until November 2022.

In order to be considered for appointment, applicants must submit the following:

- A completed application, which is available at the Office of the City Clerk, or on the City's website (www.opalockafl.gov);
- Letter of interest (please limit to not more than one page);
- Current resume;
- City of Opa-locka Oath

The Office of the City Clerk will compile the applications to fill the City Commission vacancy. Applications can be submitted via:

- Hand delivery to the Office of the City Clerk at Opa-locka City Hall, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054; or
- Email to jflores@opalockafl.gov

The deadline to apply is 4:00 p.m. on Friday, December 3, 2021.

The City Commission will consider qualified applicants to fill the vacant City Commission seat at the Regular Commission Meeting on Wednesday, December 8, 2021 at 7:00 p.m., in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, FL 33054. All applicants and interested parties are encouraged to attend.

Applications forms for appointment to the City Commission are available at www.opalockafl.gov. For more information, please contact the Office of the City Clerk at 305.953.2800 or by email at jflores@opalockafl.gov.

Joanna Flores, City Clerk
City of Opa-locka



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type: (Enter X in box)	Resolution X	Ordinance
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
		X	Public Hearing: (Enter X in box)	Yes X	No
				Yes	No
Funding Source: <i>Account# :</i>	(Enter Fund & Dept) Ex: See Financial Impact section below		Advertising Requirement: (Enter X in box)	Yes	
ILA Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bid#:		
Strategic Plan Related (Enter X in box)	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The subject property is currently owned by Prologis Logistics Services C/O Prologis Inc Incorporated according to Miami-Dade County Property appraiser's website. The subject Property is not being used by any business and is currently vacant. The applicant's submitted building permit has been approved by the City for the demolition of the current warehouse structure. The 635,714 square foot (14.59 acre) property site is identified by Folio 08-2129-000-

0061 in the I-3 Liberal Industrial zoning district and is also within the Corridor Mixed-Use Overlay. This development is located in the southeast area of NW 42nd Avenue/Le Jeune Road just north of NW 128th Street. This site is only accessible via Le Jeune Road. The applicant, Prologis Logistics Services c/o Prologis Inc Incorporated has submitted applications for site plan review, a variance request review and for development agreement review concerning the construction and operation of an industrial warehouse/distribution & office space development on this site.

As indicated on the site plan, this development meets all of the applicable zoning standards in compliance with the City Land Development Regulations except the dimension of the parking spaces for tenant users, their employees and visitors. The applicant has requested a variance for parking space dimension reduction which will not reduce parking space dimension for tractor trailer spaces or for Americans with Disabilities Act (ADA) disabled parking spaces.

The proposed development provides for a Class A, 247,174 square foot industrial warehouse / distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-locka. The development will also provide for 248 tenant, employee, office and visitor parking spaces, 64 tractor-trailer parking spaces, 219 assorted trees, 3,601 shrub plants, and 139,640 square feet of landscaped open space.

This variance request was reviewed by the Planning & Zoning Board on October 5, 2021. The Planning & Zoning Board recommended approval of this request by a 5-0 vote after presentation and discussion.

Financial Impact

The development of a new industrial warehouse/distribution and office building will attract quality logistics and distribution tenants to the City of Opa-locka. The financial impact will be through new construction, permitting, impact fees and employment during construction and for the operation after construction.

Proposed Action:

Staff has recommended approval of this request.

Attachment:

Draft Resolution
PZAB Application
PZAB Meeting Minutes 10-05-21
Staff Report
Site Plan

Received:

By:

Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2020-2021

TOTAL FEES: \$ 1,400.00 New Fees as of October 1, 2015

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

Date Application Found Sufficient

October 6, 2020
 November 3, 2020
 December 1, 2020
 January 5, 2021
 February 2, 2021
 March 2, 2021
 April 6, 2021
 May 4, 2021
 June 1, 2021
 July 6, 2021
 August 3, 2021
 September 7, 2021

August 21, 2020
 September 18, 2020
 October 16, 2020
 November 20, 2020
 December 18, 2020
 January 15, 2021
 February 19, 2021
 March 19, 2021
 April 16, 2021
 May 21, 2021
 June 18, 2021
 July 23, 2021

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: Prologis Logistics Services Incorporated

PROPERTY OWNER'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

APPLICANT'S NAME: Prologis Logistics Services Incorporated

APPLICANT'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE 305-392-4262 HOME _____ OTHER _____

SUBJECT PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054
Number/Street

TAX FOLIO NUMBER: 08-2129-000-0061 PRESENT ZONING: I-3 with Corridor Mixed Use Overlay

LEGAL DESCRIPTION: Please see attached.

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 of Article VI, Sec. 22-153(K) Parking Specifications to allow parking space dimensions of 8.5 ft. W x 18 ft. L, where a minimum of 10 ft. W X 20 Ft. is required.

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 (size 36 x 24 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; (size 36 x 24 & at least 7 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, Paris Del Rio, 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.

Prologis Logistics Services Incorporated, a Delaware corporation

Signature

Date

Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization :

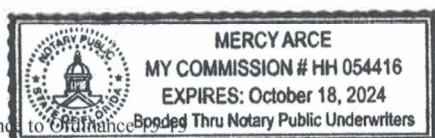
This 10 day of August 2021

My face

Notary Public

Attach copy of identification

My commission expires October 18 2024



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



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.

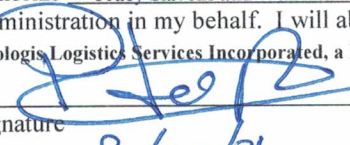
To: City of Opa-locka
From: Prologis Logistics Services Incorporated

I hereby authorize Tracy Slavens and Vanessa Madrid to represent Prologis Logistics Services Incorporated, as owner of that certain 14.64 +/- acre parcel of land located at 12805 Le Jeune Road, in the City of Opa-Locka, and identified by Miami-Dade County Property Appraiser Folio 08-2129-000-0061. Said representation shall be in connection with the Site Plan and development entitlement process for the Property, and in all public hearings and meetings related hereto.

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

I Paris Del Rio, being first duly sworn, depose and say that I am the owner of the property legally described as:
Please see attached.

I do give to Tracy Slavens and Vanessa Madrid 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 Tracy Slavens and Vanessa Madrid 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.
Prologis Logistics Services Incorporated, a Delaware corporation

Signature 

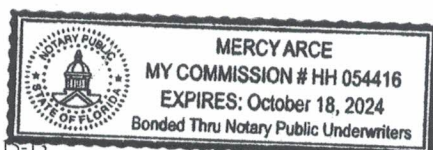
Date 8/10/21

Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization:

This 10 day of August 2021

My June
Notary Public

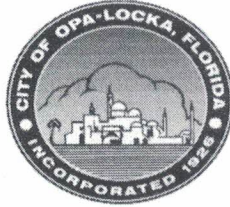
My commission expires: October 18 2024



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

Received:
By:
Date:

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054

LEGAL DESCRIPTION: Please see attached.

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Prologis Logistics Services Incorporated PHONE: 305-392-4262

ADDRESS (If different): 8355 NW 12th St. , Doral , FL 33126

Signature

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1,210 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OFF SECTION 29, TOWNSHIP 52 SOUTH RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THERE FROM THE EAST 150 FEET THEREOF, AND LESS THE WEST 35 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST FOR 50.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE NORTH $86^{\circ}47'04''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29 FOR A DISTANCE OF 1,082.58 FEET TO A POINT ALONG A LINE PARALLEL TO AND 150 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29; THENCE RUN NORTH $03^{\circ}01'03''$ WEST ALONG SAID PARALLEL LINE FOR 629.10 FEET TO A POINT ; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR 820.67 FEET TO A POINT ; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 FEET TO A POINT ; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 158.00 FEET TO A POINT; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR 8.00 FEET; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 103.0 FEET TO THE EAST RIGHT OF WAY LINE OF LEJEUNE ROAD (NW 42 AVENUE); THENCE RUN SOUTH $02^{\circ}56'27''$ EAST ALONG SAID EAST RIGHT OF WAY FOR 590.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL ONE AS ALSO DESCRIBED:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST ALONG THE CENTER SECTION LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY MARGIN OF LE JEUNE ROAD, ALSO KNOWN AS NW 42ND AVENUE; THENCE RUN NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 590.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 619.21 FEET TO AN $\frac{1}{2}''$ IRON PIN; THENCE LEAVING SAID RIGHT OF WAY MARGIN RUN NORTH $87^{\circ}47'03''$ EAST FOR A DISTANCE OF 1080.91 FEET TO A REBAR; THENCE RUN SOUTH $03^{\circ}01'03''$ EAST FOR A DISTANCE OF 580.90 FEET TO A REBAR; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR A DISTANCE OF 820.67 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR A DISTANCE OF 158.00 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR A DISTANCE OF 8.00 FEET TO A PK NAIL; THENCE RUN

SOUTH 87°03'33" WEST FOR A DISTANCE OF 103.00 FEET TO A POINT AND BEING BACK AT THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RECIPROCAL EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN AMERICAN FRUIT & PRODUCE CORP., A FLORIDA CORPORATION AND AMERICAN LAND HOLDINGS OF OPA-LOCKA, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED MARCH 1, 2013 AS BOOK 28511 PAGE 4338 OF OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/6/2021

Property Information	
Folio:	08-2129-000-0061
Property Address:	12805 LE JEUNE RD Opa-locka, FL 33054-4401
Owner	PROLOGIS LOGISTICS SERVICES C/O PROLOGIS INC INCORPORATED
Mailing Address	1800 WAZEE STREET STE 500 DENVER, CO 80202 USA
PA Primary Zone	7400 INDUSTRIAL - INDUSTRIAL P
Primary Land Use	4837 WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	117,052 Sq.Ft
Living Area	Sq.Ft
Adjusted Area	117,052 Sq.Ft
Lot Size	635,714 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information				
Year	2021	2020	2019	
Land Value	\$9,535,710	\$7,628,568	\$7,628,568	
Building Value	\$4,301,686	\$4,381,618	\$4,249,250	
XF Value	\$700,774	\$702,999	\$705,225	
Market Value	\$14,538,170	\$12,713,185	\$12,583,043	
Assessed Value	\$13,984,503	\$12,713,185	\$12,583,043	

Benefits Information				
Benefit	Type	2021	2020	2019
Non-Homestead Cap	Assessment Reduction	\$553,667		
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
29 52 41 14.59 AC M/L	
BEG 50FTE & 590.79FTN OF C/L	
OF SEC CONT N 02 DEG W 619.21FT	
N 88 DEG E 1080.91FT S 03 DEG	
E 580.90FT S 86 DEG W 820.67FT	

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$14,538,170	\$12,713,185	\$12,583,043
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/30/2017	\$16,000,000	30601-0840	Qual by exam of deed
05/01/2003	\$9,500,000	21288-4602	Sales which are qualified
08/01/1989	\$0	14215-2137	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Tracy R. Slavens
+1 305-789-7642
tracy.slavens@hklaw.com

August 13, 2021

VIA ELECTRONIC DELIVERY

Mr. Gregory D. Gay, AIA-NAM
Director, Planning and Community Development
Department
780 Fisherman Street, 4th Floor
Opa-Locka, Florida 33054

**Re: Prologis Logistics Services Incorporated – 12805 Le Jeune Rd.
Non-Use Variance Application for Parking Stall Dimension Requirements**

Mr. Gay,

Please accept this letter of intent on behalf of Prologis Logistics Services Incorporated (the “Applicant”) in support of the enclosed non-use variance application pursuant to Land Development Regulations (LDR) Article III, Section 22-58 (the “Application”) for that certain ±14.59 acre parcel of land located at 12805 Le Jeune Rd in the City of Opa-Locka, Florida (the “City”), and identified by Miami-Dade County Property Appraiser folio no. 08-2129-000-0061 (the “Property”). The Property has a Comprehensive Development Master Plan (CDMP) Future Land Use Plan (FLUP) map designation of Industrial with a Corridor Mixed Use Overlay, and is within the Liberal Industrial (I-3) zoning district. With this Application, the Applicant is seeking approval of a non-use variance of the parking stall dimensions set forth under LDR Article VI, Section 22-153(K). In relation to this request, the Applicant has filed companion applications for a: 1) Site Plan approval, and 2) Development Agreement.

The proposed project has been designed with parking spaces measuring 8.5 ft. wide and 18 ft. long, where a minimum of 10 ft. in width by 20 ft. in length is required under LDR Section 22-153(K). The proposed parking stall dimensions shall apply to all vehicular parking spaces, except that where parking spaces for the disabled are to be provided, they will be a minimum of 18 ft. long and the width and quality will be in accordance with the Florida Building Code. Such disabled parking spaces will also be compliant with the Americans with Disabilities Act (ADA). Also note that the trailer parking spaces contemplated on the south side of the Property will measure 12 ft. by 50 ft.

If granted, this request would allow for ample parking on the site to accommodate all tenant users, including their employees and visitors, and ensure the long-term success of the proposed Class-A industrial logistics and distribution center on the Property. Strict application of the regulations would produce a reduction on the number of parking spaces provided, resulting in a significant impact on the desired operations and Applicant’s ability to attract quality tenants for the project. Overall, the proposed project contemplates 248 parking spaces to be located around the perimeter of the proposed building. The number of proposed

parking spaces exceeds the minimum required for this site (151 parking spaces). This is in addition to the trailer parking spaces strategically located on the southern portion of the property, away from the building's entrances. The proposed parking space dimensions conform with Miami-Dade County standard parking stall dimensions pursuant to Miami-Dade County Code of Ordinances Section 33-122.1, and are acknowledge under LDR Section 22-99(F)(6)(c). As such, approval of this variance is not contrary to the public interest or the stated purpose of the LDRs, will not result in any substantial detriment to adjacent properties, or the character of the district.

Based on the foregoing, we ask for your favorable review of this application. Thank you in advance for your considerate attention to this request. Should you have any further questions or concerns, please do not hesitate to contact me at (305) 789-7642.

Sincerely yours,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, reading "Tracy Slavens".

Tracy R. Slavens, Esq.

Enclosures

Cc: Mr. Gerald J. Lee, *City Planner/Zoning Official*
Mr. Corion DeLaine, *City/CRA Planner*
Mr. Paris Del Rio
Mr. Danny Rivero
Mrs. Vanessa Madrid, Esq.

PLANNING & ZONING BOARD

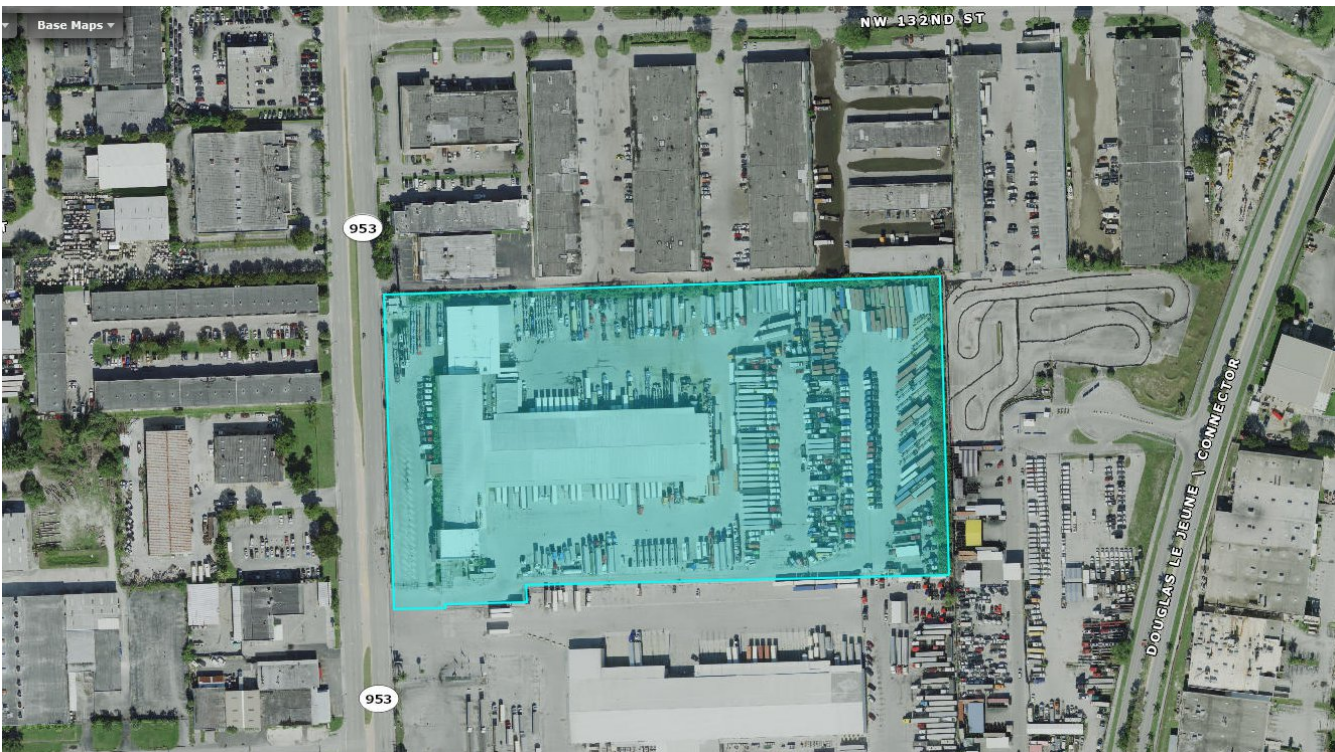
October 5th,
2021



PROLOGIS LOGISTICS SERVICES
WAREHOUSE/DISTRIBUTION CENTER: Parking Variance
APPLICANT'S REQUEST:

Staff Report

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING VARIANCE APPROVAL FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE/DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD IDENTIFIED BY FOLIO 08-2129-000-0061, IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

29 52 41 14.59 AC M/L

BEG 50FTE & 590.79FTN OF C/L
OF SEC CONT N 02 DEG W 619.21FT
N 88 DEG E 1080.91FT S 03 DEG
E 580.90FT S 86 DEG W 820.67FT
S 02 DEG E 34.80FT S 87 DEG W
158FT S 02 DEG E 8 FT S 87 DEG W
103 FT TO POB PER W/P #23128
LOT SIZE 635,714 SQ FT

- The subject property is currently own by Prologis Logistics Services C/O Prologis Inc Incorporated according to Miami-Dade County Property appraiser's website. The subject Property is currently vacant and a building permit has been approved for the demolition of the current warehouse structure. The applicant has submitted a site plan review application and a development agreement application for the City to consider approval of their request for the construction and operation of an industrial warehouse/distribution & office space development on this site. The current parcel is identified by Folio #08-2129-000-0061 and the zoning designation of this property is I-3 Liberal Industrial and it is within the Corridor Mixed Use Overlay.
- Currently the site conditions are as follow: This property is not being used by any business. (*see Existing Condition Section*). The site is located in the southeast area of NW 42nd Avenue/Le Jeune Road just north of NW 128 Street. The site is only accessible via Le Jeune Road.



← NORTH NW 42nd Ave/Le Jeune Road SOUTH →



Figure 1: Google Street View, dated: October 2021



S
O
U
T
H



FORMER LOADING & UNLOADING BIRTHS FOR TRUCKS





THE FORMER REAR PARKING AREA



II. Project Details

- **Applicant's intent**

The applicant wishes to construct a 247,174 square foot warehouse distribution & office building in the north portion of this property. The new development will include 248 car parking spaces, 64 tractor-trailer parking spaces, 219 new assorted trees 3,601 shrub plants and 139,640 square feet of landscaped open space.

The City of Opa-locka's Comprehensive Plan, Future Land Use map provides that the property has a future land use designation of "Industrial" and the zoning map provides that the property is zoned industrial and has a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use operation. The construction of this Class "A" Warehouse, Distribution and Office space development would potentially provide a boost to the local economy by promoting job creation and economic development through improved warehouse standards in an area that is proximal to the Opa-locka Executive Air Port and proximal to a major highway, State Road 924/Gratigny Parkway.

Site Computations & Land Development Regulation / Zoning Code	Table 1
---	---------

Applicant	Prologis Logistics Services Incorporated		
Folio Number (s)	Opa-locka: 08-2129-000-0061		
Address Location	12805 Le Jeune Road		
Building (s) Footprint	Total Site Area – 635,714 SF Office Bldg. – 24,717 SF Warehouse Space – 222,457 SF Parking Lot – 4,450 SF Common Green Area – 246,724 SF		
Floor Area	Total 505,454 SF		
Zoning	I-3 – Liberal Industrial / CMU – Corridor Mixed Use Overlay		
Zoning Code Consistency	The proposed use for a Warehouse Distribution Center is consistent with the I-3 Zoning Code.		
Existing Land Use	Warehouse / Distribution Center Use / I-3		
Future Land Use Designation	Industrial		
Comprehensive Plan Consistency	- The proposed use for a Warehouse Distribution Center is consistent with the Comprehensive Plan with the requested property having an Industrial land use.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article IV Sec. 22-81, Sec. 22-93; Article V 22-112, Article VII, VIII and X		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (West)	15 Feet	83 Feet	YES
Rear (East)	15 Feet	N/A	YES
Side (North)	0 Feet	7.68 Feet	YES
Side (South)	0 Feet	200.52 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A
Lot Coverage	N/A	77%	YES
Lot Density	N/A	N/A	N/A
Lot Size	10,000 SF (0.23 Acres)	635,714 SF (14.6 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	3 Stories or 45 Feet whichever less	Warehouse/Office Building: 45 Feet / 3 Stories	YES
Structure Length	N/A	N/A	N/A
Open Space	63,607 SF	136,520 sq. ft.	YES
(Landscaping) Trees	219	219	YES
Parking Details	Office building: pursuant to the Land Development Regulation Ordinance 15-31: Article VI, Requires one (1) Parking space per 400 square feet of Office floor area. = 62 <u>spaces required</u> Warehouse Building: pursuant to the Land Development Regulation, Ordinance 15-31:	Office Bldg. 24,717 SF Total Space Provided: 62 Total Spaces 36 Regular Spaces	YES YES Variance-Applicant requests approval to reduce parking stall dimension.
Parking Details (Cont'd)			

Landscape/ Pervious Lot Coverage Notification Requirement	Article VI, one (1) Parking per 2,500 square feet of floor area. 222,457 sq. ft. 89 spaces required	248 Total Spaces 8 Handicapped Spaces Provided	The LDR required # of parking spaces are being provided. YES
	10% minimum required pervious	10% provided	YES
Local Government Action Required	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Tuesday, September 21st, 2021. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, October 5th, 2021. - City Commission Meeting: TBD		
	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by Industrial properties to the east and industrial uses to the north with ingress and egress to NW 42nd Avenue/Le Jeune Road.
- Sidewalk alongside the west edge of the Property.
- Site is North of the Opa-locka Hialeah Flea Market to the South.



- Property was utilized for warehouse, distribution, storage and sales of goods.

East View of property from Le Jeune Road

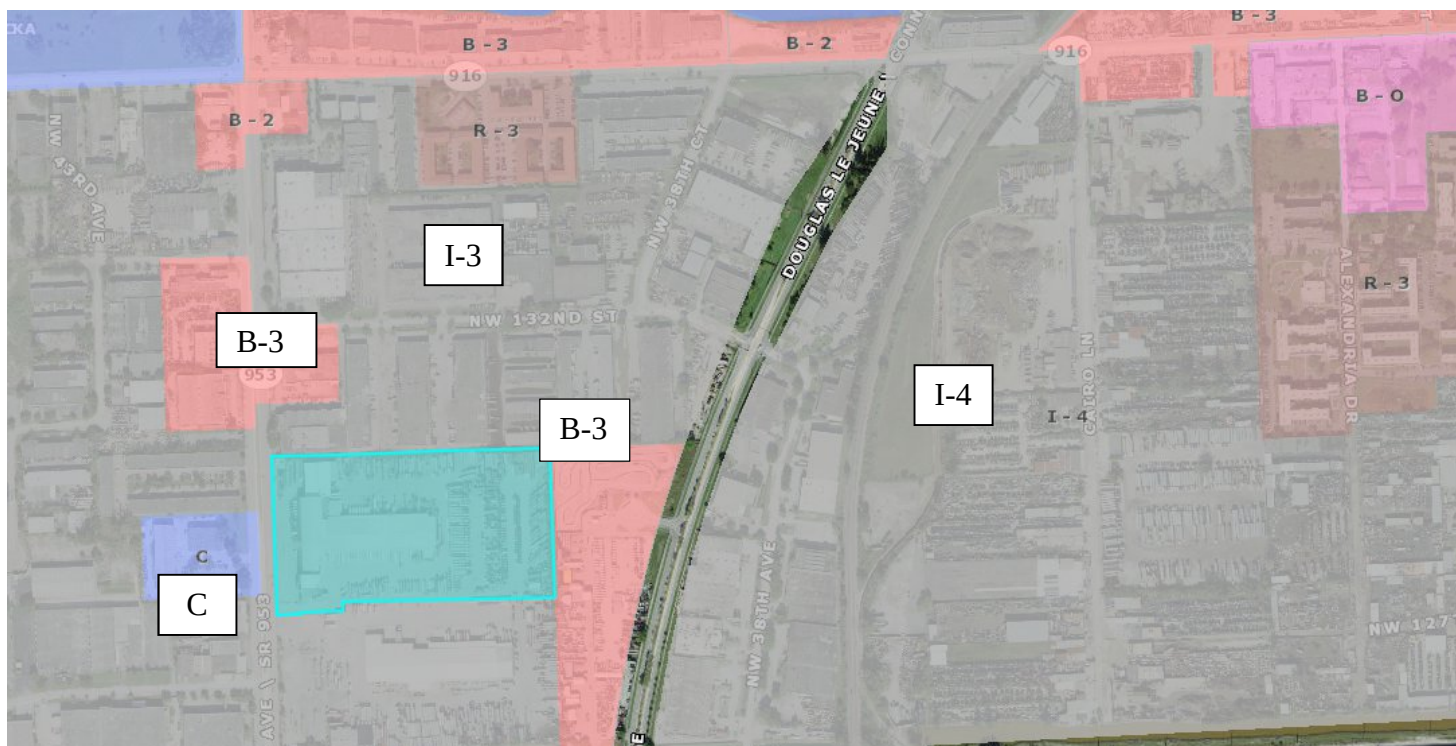


Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Industrial	Industrial	I-3 (Commercial Liberal)
South	Opa Locka Flea Mkt	Industrial	B-3
East	Opa Locka Flea Mkt	Industrial	B-3
West	Industrial/Civic	Industrial	I-3 / C

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions? **COMPLIES**

- **Findings:**

- The proposed development use "Warehouse Distribution Center" is in harmony with the general characteristic of the surrounding neighborhood: Commercial/Industrial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03 **COMPLIES**

- **Findings:**

- The Applicant is proposing to include landscaping for 63,607 square feet of open space (*Please see attached Landscape Plan for Trees detailed information*).

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

- **Findings:**

- The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, I-3 Industrial District (Section 22-93).

- **Future Land Use: Industrial**

- **Findings:**

- According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Industrial land use designation category location. **COMPLIES**

- **I-3 (Liberal Industrial) Permitted Uses: Project Specific: Warehouse Distribution Office Center**

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code I-3 (Liberal Industrial) allows for a Warehouse Distribution facility within this zoning district.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has received signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

IV. Project Need Assessment / other Required Approvals

1. Site Plan

- Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021

2. Parking Variance

- Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021

3. Development Agreement

- Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, October 5th, 2021

V. Development Review Committee (DRC): *Meeting Review Comments*

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**
 - N/A
3. **Police:**
 - N/A
4. **Community Redevelopment Agency (CRA):**
 - N/A
5. **City Manager's Office (CMO):**
 - N/A
6. **Code Enforcement:**
 - N/A
7. **City Attorney's Office:**
 - Development Agreement under review
8. **Public works:**
 - N/A
9. **Inter-jurisdictional Review:**
 - N/A

VI. Staff Recommendation:

- Staff recommends partial approval of this Variance to allow a percentage of the parking spaces to have this parking space dimension reduction. Please note that with the parking space dimension reduction the development will still exceed the parking required and would comply with the LDR. Section 22-99 (F) (6) (c) recommends requesting parking space dimension reductions. Staff recommend approval pending the following other approvals:
 - A Development Agreement must be submitted along with this Warehouse Distribution Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - Traffic Study provided was reviewed by the Florida Department of Transportation Staff and concurred with the findings from the study.
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Warehouse Distribution Office Site Plan;
 - Trees to be planted in accordance with the City LDR
 - Adequate landscape buffer around parking area;
 - Extend employment opportunity to City residents through the City's Human Resource dept. and the Opa-locka Workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary for this Warehouse Distribution Office site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;
 - The Development Agreement (D.A.) shall specifically address the site plan, the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commission for this proposed Warehouse Distribution Office site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

- VII. **Attachments:**
- Site Plan
 - Parking Variance
 - Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, Interim CRA Manager, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

- VIII. **Staff Report Will be Updated After the Planning and Zoning Board Meeting on October 5th, 2021. *Reflected Actions:***

I. Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)

Resolution No. 2021-10-05-01,
RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO
THE APPLICATION OF: PROLOGIS LOGISTICS SERVICES INCORPORATED FOR: PARKING DIMENSION
VARIANCE APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 247,174 SQ. FT.
WAREHOUSE DISTRIBUTION OFFICE FACILIY WITH 248 CAR PARKING SPACES AN 64 TRAILER PARKING
SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence,
documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-
locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☒ DATE: 10-05-2021
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / ____
- 2) That the following special condition be and they are hereby imposed, conditioning the determination
aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is
reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations will reflect recommendations from the Planning and Zoning Board discussions in regards to the proposed Warehouse Distribution Office Center.

RESOLUTION NO. 21-XXXXXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING A DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION AND OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Prologis Logistics Services Incorporated intends to re-develop this site into a new warehouse distribution and office building in the west section of the City of Opa-Locka ("City"); and

WHEREAS, the Project will consist of the demolition of the current building and the new construction and operation of an industrial warehouse/distribution and office development building located at 12805 LeJeune Road, Opa-Locka, Florida and identified by folio 08-2129-000-0061 in the I-3 Zoning District; and

WHEREAS, the development will also include 248 car parking spaces, 64 tractor-trailer parking spaces, 219 new assorted trees, 3,601 shrub plants and 139,640 square feet of landscaped open space; and

WHEREAS, the request for site plan approval meets the review criteria set forth in the Land Development Regulations, Section 22-55 H; and

WHEREAS, the redevelopment of this site is intended to provide a current Class-A, 247,174 square foot industrial warehouse/distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-Locka.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

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 Review. The City Commission of the City of Opa-Locka hereby approves / denies a request for the Development Agreement review for the Construction and Operation of an industrial warehouse/distribution & office space development building located at 12805 LeJeune Road and identified by folio 08-2129-000-0061 in the I-3 Zoning District. A copy of the approved Development Agreement is attached hereto and incorporated herein 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 City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified 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 Code of Ordinances and the City of Opa-Locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2021.

Veronica J. Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at the Regular Commission Meeting on **Wednesday, December 8, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER; SEVERABILITY AND EFFECTIVE DATE (first reading/public hearing held on November 10, 2021).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REVIEW FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

All interested persons are encouraged to participate and will be heard with respect to the public hearing.

Additional information on the above item may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on Wednesday, December 8, 2021.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka



CITY OF OPA-LOCKA NOTICE OF OPA-LOCKA CITY COMMISSION VACANCY

The City of Opa-locka (the "City") is seeking to fill a vacancy in the City Commission resulting from the resignation of Mayor Matthew A. Pigatt on November 10, 2021.

At the November 17, 2021 Special Commission Meeting, the City Commission directed the City Clerk to issue a Notice of City Commission Vacancy to provide an opportunity for all interested individuals to apply for consideration.

Pursuant to City Charter Section 2.7(c), the City Commission has 30 calendar days following the occurrence of the vacancy to fill the vacant City Commission position.

In accordance with City Charter Section 5.1, each applicant shall be a qualified elector of the City residing in the City for more than 365 days prior to the date of application.

The individual appointed to the City Commission will serve until November 2022.

In order to be considered for appointment, applicants must submit the following:

- A completed application, which is available at the Office of the City Clerk, or on the City's website (www.opalockafl.gov);
- Letter of interest (please limit to not more than one page);
- Current resume;
- City of Opa-locka Oath

The Office of the City Clerk will compile the applications to fill the City Commission vacancy. Applications can be submitted via:

- Hand delivery to the Office of the City Clerk at Opa-locka City Hall, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054; or
- Email to jflores@opalockafl.gov

The deadline to apply is 4:00 p.m. on Friday, December 3, 2021.

The City Commission will consider qualified applicants to fill the vacant City Commission seat at the Regular Commission Meeting on Wednesday, December 8, 2021 at 7:00 p.m., in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, FL 33054. All applicants and interested parties are encouraged to attend.

Applications forms for appointment to the City Commission are available at www.opalockafl.gov. For more information, please contact the Office of the City Clerk at 305.953.2800 or by email at jflores@opalockafl.gov.

Joanna Flores, City Clerk
City of Opa-locka



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type: (Enter X in box)	Resolution X	Ordinance
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
		X	Public Hearing: (Enter X in box)	Yes X	No
				Yes	No
Funding Source: Account# :	(Enter Fund & Dept) Ex: See Financial Impact section below		Advertising Requirement: (Enter X in box)	Yes	
ILA Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bid#:		
Strategic Plan Related (Enter X in box)	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The subject property is currently owned by Prologis Logistics Services C/O Prologis Inc Incorporated according to Miami-Dade County Property appraiser's website. The subject Property is not being used by any business and is currently vacant. The applicant's submitted building permit has been approved by the City for the demolition of the current warehouse structure. The 635,714 square foot (14.59 acre) property site is identified by Folio 08-2129-000-

0061 in the I-3 Liberal Industrial zoning district and is also within the Corridor Mixed-Use Overlay. This development is located in the southeast area of NW 42nd Avenue/Le Jeune Road just north of NW 128th Street. This site is only accessible via Le Jeune Road. The applicant, Prologis Logistics Services c/o Prologis Inc Incorporated has submitted applications for site plan review, a variance request review and for development agreement review concerning the construction and operation of an industrial warehouse/distribution & office space development on this site.

As indicated on the site plan, this development meets all of the applicable zoning standards in compliance with the City Land Development Regulations except the dimension of the parking spaces for tenant users, their employees and visitors. The applicant has requested a variance for parking space dimension reduction which will not reduce parking space dimension for tractor trailer spaces or for Americans with Disabilities Act (ADA) disabled parking spaces.

The proposed development provides for a Class A, 247,174 square foot industrial warehouse / distribution space with 24,717 square feet of office space to attract quality logistics and distribution tenants to the City of Opa-locka. The development will also provide for 248 tenant, employee, office and visitor parking spaces, 64 tractor-trailer parking spaces, 219 assorted trees, 3,601 shrub plants, and 139,640 square feet of landscaped open space.

This development agreement request was reviewed by the Planning & Zoning Board on October 5, 2021. The Planning & Zoning Board recommended approval of this request by a 5-0 vote after presentation and discussion.

Financial Impact

The development of a new industrial warehouse/distribution and office building will attract quality logistics and distribution tenants to the City of Opa-locka. The financial impact will be through new construction, permitting, impact fees and employment during construction and for the operation after construction.

Proposed Action:

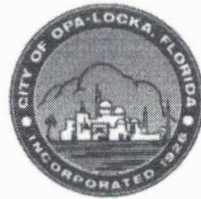
Staff has recommended approval of this request.

Attachment:

Draft Resolution
PZAB Application
PZAB Meeting Minutes 10-05-21
Development Agreement Draft
Site Plan

Received:
By:
Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2020-2021

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 6, 2020
November 3, 2020
December 1, 2020
January 5, 2021
February 2, 2021
March 2, 2021
April 6, 2021
May 4, 2021
June 1, 2021
July 6, 2021
August 3, 2021
September 7, 2021

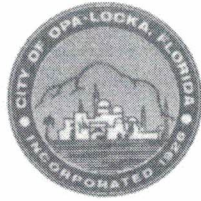
August 21, 2020
September 18, 2020
October 16, 2020
November 20, 2020
December 18, 2020
January 15, 2021
February 19, 2021
March 19, 2021
April 16, 2021
May 21, 2021
June 18, 2021
July 23, 2021

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: Prologis Logistics Services Incorporated

PROPERTY OWNER'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

APPLICANT'S NAME: Prologis Logistics Services Incorporated

APPLICANT'S ADDRESS: 1800 Wazee Street, Suite 500, Denver, Colorado 80202
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE 305-392-4262 HOME _____ OTHER _____

SUBJECT PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054
Number/Street

TAX FOLIO NUMBER: 08-2129-000-0061 PRESENT ZONING: I-3 with Corridor Mixed Use Overlay

LEGAL DESCRIPTION: Please see attached.

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:

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 (size 36 x 24 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; (size 36 x 24 & at least 7 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, Paris Del Rio, 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.
Prologis Logistics Services Incorporated, a Delaware corporation

Signature *[Signature]*

Date 8/10/21

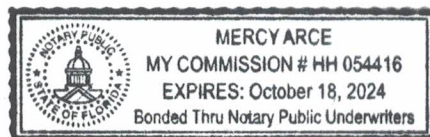
Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization :

This 10 day of August, 2021

My face
Notary Public

My commission expires October 18 2024

Attach copy of identification



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



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: Prologis Logistics Services Incorporated

I hereby authorize Tracy Slavens and Vanessa Madrid to represent Prologis Logistics Services Incorporated, as owner of that certain 14.64 +/- acre parcel of land located at 12805 Le Jeune Road, in the City of Opa-Locka, and identified by Miami-Dade County Property Appraiser Folio 08-2129-000-0061. Said representation shall be in connection with the Site Plan and development entitlement process for the Property, and in all public hearings and meetings related hereto.

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

I Paris Del Rio, being first duly sworn, depose and say that I am the owner of the property legally described as:
Please see attached.

I do give to Tracy Slavens and Vanessa Madrid 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 Tracy Slavens and Vanessa Madrid 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.

Prologis Logistics Services Incorporated, a Delaware corporation

Signature

Date

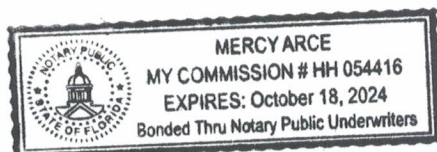
Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization:

This 10 day of August 2021

My June

Notary Public

My commission expires: October 18 2024



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

Received:
By:
Date:

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 12805 Le Jeune Rd., Opa-locka, FL 33054

LEGAL DESCRIPTION: Please see attached.

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Prologis Logistics Services Incorporated PHONE: 305-392-4262

ADDRESS (If different): 8355 NW 12th St. , Doral, FL, 33126

Signature

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1,210 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OFF SECTION 29, TOWNSHIP 52 SOUTH RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THERE FROM THE EAST 150 FEET THEREOF, AND LESS THE WEST 35 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST FOR 50.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE NORTH $86^{\circ}47'04''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29 FOR A DISTANCE OF 1,082.58 FEET TO A POINT ALONG A LINE PARALLEL TO AND 150 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29; THENCE RUN NORTH $03^{\circ}01'03''$ WEST ALONG SAID PARALLEL LINE FOR 629.10 FEET TO A POINT ; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR 820.67 FEET TO A POINT ; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 FEET TO A POINT ; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 158.00 FEET TO A POINT; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR 8.00 FEET; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 103.0 FEET TO THE EAST RIGHT OF WAY LINE OF LEJEUNE ROAD (NW 42 AVENUE); THENCE RUN SOUTH $02^{\circ}56'27''$ EAST ALONG SAID EAST RIGHT OF WAY FOR 590.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL ONE AS ALSO DESCRIBED:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST ALONG THE CENTER SECTION LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY MARGIN OF LE JEUNE ROAD, ALSO KNOWN AS NW 42ND AVENUE; THENCE RUN NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 590.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 619.21 FEET TO AN $\frac{1}{2}''$ IRON PIN; THENCE LEAVING SAID RIGHT OF WAY MARGIN RUN NORTH $87^{\circ}47'03''$ EAST FOR A DISTANCE OF 1080.91 FEET TO A REBAR; THENCE RUN SOUTH $03^{\circ}01'03''$ EAST FOR A DISTANCE OF 580.90 FEET TO A REBAR; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR A DISTANCE OF 820.67 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR A DISTANCE OF 158.00 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR A DISTANCE OF 8.00 FEET TO A PK NAIL; THENCE RUN

SOUTH 87°03'33" WEST FOR A DISTANCE OF 103.00 FEET TO A POINT AND BEING BACK AT THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RECIPROCAL EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN AMERICAN FRUIT & PRODUCE CORP., A FLORIDA CORPORATION AND AMERICAN LAND HOLDINGS OF OPA-LOCKA, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED MARCH 1, 2013 AS BOOK 28511 PAGE 4338 OF OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

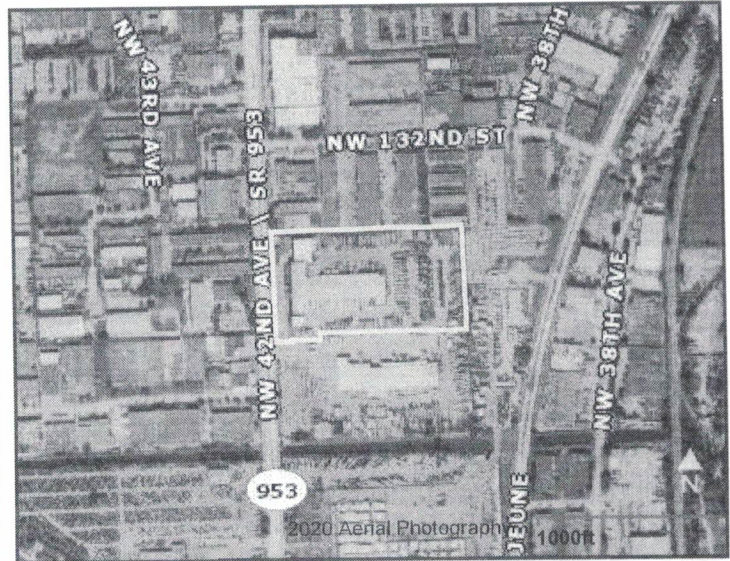


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/6/2021

Property Information	
Folio:	08-2129-000-0061
Property Address:	12805 LE JEUNE RD Opa-locka, FL 33054-4401
Owner	PROLOGIS LOGISTICS SERVICES C/O PROLOGIS INC INCORPORATED
Mailing Address	1800 WAZEE STREET STE 500 DENVER, CO 80202 USA
PA Primary Zone	7400 INDUSTRIAL - INDUSTRIAL P
Primary Land Use	4837 WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	117,052 Sq.Ft
Living Area	Sq.Ft
Adjusted Area	117,052 Sq.Ft
Lot Size	635,714 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information

Year	2021	2020	2019
Land Value	\$9,535,710	\$7,628,568	\$7,628,568
Building Value	\$4,301,686	\$4,381,618	\$4,249,250
XF Value	\$700,774	\$702,999	\$705,225
Market Value	\$14,538,170	\$12,713,185	\$12,583,043
Assessed Value	\$13,984,503	\$12,713,185	\$12,583,043

Taxable Value Information

	2021	2020	2019
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$14,538,170	\$12,713,185	\$12,583,043
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,984,503	\$12,713,185	\$12,583,043

Benefits Information

Benefit	Type	2021	2020	2019
Non-Homestead Cap	Assessment Reduction	\$553,667		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description

29 52 41 14.59 AC M/L
BEG 50FTE & 590.79FTN OF C/L
OF SEC CONT N 02 DEG W 619.21FT
N 88 DEG E 1080.91FT S 03 DEG
E 580.90FT S 86 DEG W 820.67FT

Sales Information

Previous Sale	Price	OR Book-Page	Qualification Description
06/30/2017	\$16,000,000	30601-0840	Qual by exam of deed
05/01/2003	\$9,500,000	21288-4602	Sales which are qualified
08/01/1989	\$0	14215-2137	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Tracy R. Slavens
+1 305-789-7642
tracy.slavens@hklaw.com

August 13, 2021

VIA ELECTRONIC DELIVERY

Mr. Gregory D. Gay, AIA-NAM
Director, Planning and Community Development
Department
780 Fisherman Street, 4th Floor
Opa-Locka, Florida 33054

**Re: Prologis Logistics Services Incorporated – 12805 Le Jeune Rd.
Development Agreement Application**

Mr. Gay,

Please accept this letter of intent on behalf of Prologis Logistics Services Incorporated (the “Applicant” or “Prologis”) in support of its request for the approval of a Development Agreement for a proposed industrial development on that certain ±14.59 acre parcel of land located at 12805 Le Jeune Rd in the City of Opa-Locka, Florida (the “City”), and identified by Miami-Dade County Property Appraiser folio no. 08-2129-000-0061 (the “Property”). This application is being submitted with two (2) corresponding applications for a: 1) Site Plan approval, and 2) non-use variance of parking dimensions under Land Development Regulations (LDR) Article VI, Section 22-153(K).

The Property has a Comprehensive Development Master Plan (CDMP) Future Land Use Plan (FLUP) map designation of Industrial with a Corridor Mixed Use Overlay, and is within the Liberal Industrial (I-3) zoning district. Over the years, the Property has been used as a truck driving school, trailer terminal, and/or trailer storage, and is surrounded by industrial uses to the north, south, and east, and a mix of industrial and commercial uses to the west. The Property is located off of a half section line road and approximately 0.5 miles away from a major highway, State Road 924/Gratigny Parkway. In addition, the Property is served by Metrobus routes 42 and 135 at bus stops located within 200 feet of the Property.

The Applicant is seeking to redevelop the Property with a Class-A industrial development consisting of a 247,174 square foot building (including approximately 222,457 square feet of warehouse/distribution space and 24,717 square feet of office use) intended to attract quality logistics and distribution tenants. In connection with the Site Plan approval, the Applicant is proffering a Development Agreement pursuant to LDR Article V, Section 22-112 and Florida Statutes Sections 163.3220-163.3243 (the “Development Agreement”). A draft of the proposed Development Agreement is enclosed with this submittal for your review and consideration. The Development Agreement generally, among other things, provides that: (i) the project, once approved, will be designed and maintained according to the plans provided with the companion Site Plan Application, (ii) the project’s infrastructure needs will be met, (iii) the Applicant will

use commercially reasonable efforts to continue its partnership with the Miami-Dade Beacon Council to sponsor the Summer Youth Internship Program through the Prologis Trade and Logistics Academy at Miami Springs Senior High School, and (iv) prior to the issuance of the first building permit for vertical construction within the Property, the Applicant will use commercially reasonable efforts to employ qualified applicants who are City residents and will encourage all contractors retained to develop the Project to do the same.

Based on the foregoing, we ask for your favorable review of this application. Thank you in advance for your considerate attention to this request. Should you have any further questions or concerns, please do not hesitate to contact me at (305) 789-7642.

Sincerely yours,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read "Tracy Slavens".

Tracy R. Slavens, Esq.

Enclosures

Cc: Mr. Gerald J. Lee, *City Planner/Zoning Official*
Mr. Corion DeLaine, *City/CRA Planner*
Mr. Paris Del Rio
Mr. Danny Rivero
Mrs. Vanessa Madrid, Esq.

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

Tracy R. Slavens, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

This Instrument Prepared by:

Law Offices of Burnadette Norris-Weeks, P.A.

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

SPACE ABOVE THIS LINE FOR RECORDING DATA

**DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA, FLORIDA AND
PROLOGIS LOGISTICS SERVICES INCORPORATED**

THIS DEVELOPMENT AGREEMENT (this "Agreement") is made and entered into as of this ____ day of _____, 2021 ("Execution Date") by and between **PROLOGIS LOGISTICS SERVICES INCORPORATED**, (the "Owner"), with the address of 8355 NW 12 Street, Doral, Florida 33126 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 ±14.59 acres of land located at 12805 NW LeJeune Road, within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio No. 08-2129-000-0061 (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City's Commission adopted Resolution Number ____ approving a Site Plan for the Proposed Development which includes a 247,174 square foot building containing approximately 222,457 square feet of distribution space and 24,717 square feet of office use, as well as approximately 248 surface parking spaces ("Proposed Development"); 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 _____, 2021, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and listed below, and the Owner have authorized the Owner/Manager 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 Owner and City agrees to 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 apart 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" means 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, 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 of fifteen (15) 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 Final Site Plan, 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 Site Plan entitled "Gratigny Industrial Park," as prepared by RLC Architects, P.A., dated ____, and approved by the City Commission via Resolution No. ____, as may be amended from time to time.
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is fifteen (15) 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, Ordinance Number 15-31.
- (r) "Parties" means the City and the Owner.
- (s) "Project" shall mean the construction and development of the Property in accordance with the Final Site Plan for the Proposed Development, which has been deemed consistent with Liberal Industrial (I-3) zoning district regulations and all applicable Laws.
- (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 Nos. ____ 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 and all persons claiming under it for an Initial Term of fifteen (15) years from the Effective Date, and may be extended in accordance with Section 252.363, F.S. 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, equitable 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, bay loading 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 a 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.
- (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 and this Agreement, 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 September 1, 2022; 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 the Owner of the Project. Said entity must work immediately to seek all applicable permits immediately upon approval of this Agreement and shall:
 - 1) Apply for its first building permit for vertical construction within the Property within eighteen (18) months from the execution of the Development Agreement. The City Manager may administratively grant a single extension of up to six (6) months for good cause.
 - 2) Must start construction: within twelve (12) months following issuance of the first building permit for vertical construction. The City Manager may administratively grant a single extension of up to six (6) months for good cause.
 - 3) Must complete all phases of the Project within fourteen (14) years following issuance of permits. The City Manager may administratively grant a single extension of up to six (6) months for good cause.
 - 4) Said timeframes may be further extended in accordance with Section 252.363, F.S.
10. **Development Permits.** In accordance with Section 163.3227(I), F.S., the City needs 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-compliant 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 Public Facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated in the Project's Final Site Plan. 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 concurrence, the City hereby agrees to provide, reserve, and allocate sufficient Public Facilities' 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), F.S., the City hereby finds and declares that the Owner's 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 alter the Effective Date and during the Entire Term of this Agreement, except to the extent that the Owners 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 the 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 Owner at:

Prologis Logistics Services
8355 NW 12th Street
Doral, FL 33126

With a copy to:

Holland and Knight LLP
Attn: Tracy R. Slavens, Esq.
701 Brickell Avenue, Suite 3300
Miami, FL 33131

18. **Governing Laws, Construction and Litigation.** This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The Owner 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 that 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 Owner shall indemnify and hold harmless the City, its elected and appointed officials, employees, agents and assigns from and against any claims or litigation arising under this Agreement instituted by third parties to the extent arising as a result of the activities of Owner at the Property or in connection with the construction of the Project.
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 twelve (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.

[Signature Pages to Follow]

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: _____

By: _____
City Manager

Dated: ____ day of _____, 2021

Approved for form and legal sufficiency:

City Attorney: _____

DRAFT

WITNESS:

OWNER:

**PROLOGIS LOGISTICS SERVICES
INCORPORATED**, a Delaware corporation

By: _____

Name: Paris Del Rio

Title: Authorized Signatory

Print Name

Signature

Print Name

Print Name

Signature

Print Name

STATE OF FLORIDA)

) SS

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2021, by Paris Del Rio, as an authorized signatory for Prologis Logistics Services Incorporated, and for the purposes stated herein on behalf of said corporation, who is personally known to me or who has produced _____ as identification.

[NOTARIAL SEAL]

Print Name: _____

Notary Public, State of Florida

Commission #: _____

My Commission Expires: _____

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1,210 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OFF SECTION 29, TOWNSHIP 52 SOUTH RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THERE FROM THE EAST 150 FEET THEREOF, AND LESS THE WEST 35 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST FOR 50.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE NORTH $86^{\circ}47'04''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29 FOR A DISTANCE OF 1,082.58 FEET TO A POINT ALONG A LINE PARALLEL TO AND 150 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF SAID SECTION 29; THENCE RUN NORTH $03^{\circ}01'03''$ WEST ALONG SAID PARALLEL LINE FOR 629.10 FEET TO A POINT ; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR 820.67 FEET TO A POINT ; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 FEET TO A POINT ; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 158.00 FEET TO A POINT; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR 8.00 FEET; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR 103.0 FEET TO THE EAST RIGHT OF WAY LINE OF LEJEUNE ROAD (NW 42 AVENUE); THENCE RUN SOUTH $02^{\circ}56'27''$ EAST ALONG SAID EAST RIGHT OF WAY FOR 590.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL ONE AS ALSO DESCRIBED:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH $86^{\circ}47'04''$ EAST ALONG THE CENTER SECTION LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY MARGIN OF LE JEUNE ROAD, ALSO KNOWN AS NW 42ND AVENUE; THENCE RUN NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 590.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $02^{\circ}56'27''$ WEST ALONG SAID RIGHT OF WAY MARGIN FOR A DISTANCE OF 619.21 FEET TO AN $\frac{1}{2}''$ IRON PIN; THENCE LEAVING SAID RIGHT OF WAY MARGIN RUN NORTH $87^{\circ}47'03''$ EAST FOR A DISTANCE OF 1080.91 FEET TO A REBAR; THENCE RUN SOUTH $03^{\circ}01'03''$ EAST FOR A DISTANCE OF 580.90 FEET TO A REBAR; THENCE RUN SOUTH $86^{\circ}47'04''$ WEST FOR A DISTANCE OF 820.67 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}36'27''$ EAST FOR A DISTANCE OF 34.80 TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR

A DISTANCE OF 158.00 FEET TO A PK NAIL; THENCE RUN SOUTH $02^{\circ}56'27''$ EAST FOR A DISTANCE OF 8.00 FEET TO A PK NAIL; THENCE RUN SOUTH $87^{\circ}03'33''$ WEST FOR A DISTANCE OF 103.00 FEET TO A POINT AND BEING BACK AT THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RECIPROCAL EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN AMERICAN FRUIT & PRODUCE CORP., A FLORIDA CORPORATION AND AMERICAN LAND HOLDINGS OF OPA-LOCKA, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED MARCH 1, 2013 AS BOOK 28511 PAGE 4338 OF OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

DRAFT

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 _____, 2021.
2. Describe any changes, if any, to the Development Agreement between the City of Opa-Locka, Florida, and Prologis Logistics Services Incorporated as approved by the City of Opa-Locka City Commission pursuant to Resolution No. _____, passed and adopted on _____, 2021 (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.

**FIRST READING
ORDINANCE / PUBLIC
HEARING**

1st Reading/Public Hearing:

2nd Reading/Public Hearing:

Adopted:

Effective Date:

Sponsored By: City Manager

ORDINANCE NO. 22-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-locka, FL adopted its 2021-2022 Fiscal Year General, Proprietary and Special Revenue Funds budgets by passage of Ordinance 21-12, and

WHEREAS, pursuant to Florida Statute 166.241(5), the governing body of each municipality at any time within a fiscal year or within 60 days following the end of fiscal year may amend a budget for that year as follows:

- a) Appropriations for expenditures within a fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund is not changed;
- b) The governing body may establish procedures by which the designated budget officer may authorize budget amendments if the total appropriations of the fund is not changed;
- c) If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted in the same manner as the original budget unless otherwise specified in the municipality's charter; and

WHEREAS, the City Commission desires to amend its 2021-2022 Fiscal Year General, Proprietary and Special Revenue Funds budgets as set forth in Exhibit "A".

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA- LOCKA, FLORIDA:

SECTION 1. RECITALS ADOPTED

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

Pursuant to Article IV, Section 4.5 of the City Charter, the City Manager has recommended proposed Amended General, Proprietary and Special Revenue Funds Budgets to the City Commission for the Fiscal Year retroactive to October 1, 2021, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

The City Commission of the City of Opa-locka hereby approves, adopts and ratifies the proposed Amended General, Proprietary and Special Revenue Funds Budgets for the Fiscal Year 2021-2022, and hereby appropriates the budgeted expenditures and revenues as set forth in the attached Exhibit "A".

The City Manager is authorized to expend or contract for expenditures, pursuant to the City of Opa-locka Charter and the adopted Code of Ordinances in accordance with the adopted Amended General, Proprietary and Special Revenue Funds Budgets for Fiscal Year 2021-2022.

The department/division expenditure allocations established by the City Manager, as revised and summarized in the budget attached as Exhibit "A", are hereby adopted and ratified. Funds of the City for General, Proprietary and Special Revenue Funds Budgets shall be expended in accordance with the appropriations provided by the budget, which shall constitute an appropriation of amounts specified therein. Expenditure control shall be at the fund level. Funds may be expended by, and with the approval of, the City Manager and the City Commission, in accordance with the provisions of the City Charter, adopted Code of Ordinances and applicable laws. Supplemental appropriations and reduction of appropriations, if any, shall be made in accordance with the City Charter.

Any and all outstanding encumbrances as of September 30, 2021, shall not lapse at that time and appropriations have been hereby provided for those outstanding encumbrances that have been incurred prior to September 30, 2021, but are not expected to be paid until after then. Receipts from sources not anticipated in the attached budget may be appropriated and expensed by Ordinance duly enacted by the City Commission in accordance with the applicable law. Adjustments within the same fund to departmental appropriations made in the attached Budget may be approved, from time to time, by the City Manager, or by Resolution adopted by the City Commission, if lawful. The City Manager is authorized to approve adjustments to the expenditure code allocations, within the limit of department appropriations made in the attached Budget.

All Ordinances setting fees and charges, and all other fees and charges consistent with appropriations adopted herein, as may be amended during the fiscal year, are hereby ratified, confirmed and approved.

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and upon a filing of a certified copy hereof with the Florida Department of State and is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner	_____ (Yes)	_____ (No)
Vice-Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Robert Anathan			Department Director Signature:			
City Manager:	John Pate			CM Signature:			
Commission Meeting Date:	Dec 8, 2021		Item Type: (Enter X in box)	Resolution	Ordinance	Other	
Fiscal Impact: (Enter X in box) N/A	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
	X		Public Hearing: (Enter X in box)	Yes	No	Yes	No
				X		X	
Funding Source: Account# :	(Enter Fund & Dept) See Attachments		Advertising Requirement: (Enter X in box)	Yes		No	
				X			
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:				
		X					
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)			
		X	Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐				
Sponsor Name	City Manager		Department: City Manager's Office	City Manager			

Short Title:

FY 22 Budget Amendment #1

Staff Summary:

The first hearing of the first budget amendment for FY 22 is composed of seventeen items and increases the budget by \$890,224. It can be broken into three categories as follows:

1. Five new items for a total of \$399,889.
 - a. \$108,500 - ShotSpotter services providing real-time location of gunfire. First year of service funded by a grant.
 - b. \$30,000 - Cancelled prior year unclaimed checks now forwarded to State as unclaimed property. Since previously cancelled, now become a FY 22 expense. Funded from Audit Fee savings.
 - c. \$10,000 - Tentative initial budget for Charter Review Committee. Funded from Contingency.

- d. \$186,614 – NW 131st Street Drainage Project Design Phase – Funded by CDBG grant.
 - e. \$64,775 – 133rd Street Sewer Main Relocation Design Phase – Commission-approved for ARPA funding.
2. Two items relate to projects approved and budgeted in FY 21 but not expensed and now being brought into FY 22, for a total of \$526,084. When not expensed in FY 21, the funds that would have been used then went into Fund Balance and are available for usage in FY 22.
- a. \$501,084 – Burlington Street Canal – Phase I – Funded by State grant and fund balance.
 - b. \$25,000 – Salary Plan Study – Funded by fund balance.
3. The remaining ten items are minor housekeeping and accounting adjustments.

.Proposed Action:

Staff recommends that the City Commission approve the proposed amendments.

Attachment:

- 1. Summary of the recommended amendments
- 2. Detailed information on each recommended amendment
- 3. Ordinance

FY 22 Budget Amendment #1 - First Hearing

	Gov Funds	Water-Sewer Fund						Storm Water Fund	Total
		Divisions (Expense)					Total		
	Governmental Funds	Water Division	Sewer Division	Water Sewer Finance Division	Water Lines Division	Water Sewer CIP Division	Total Water Sewer Fund	Storm Water Fund	Total Funds
<u>Budget - Adopted</u>									
<u>Funding</u>									
Revenue/Loans/Trans In	34,479,610						11,125,825	2,827,532	48,432,967
Fund Balance	2,292,602						1,983,920	912,722	5,189,244
Total Funding	36,772,212						13,109,745	3,740,254	53,622,211
Expenditure	36,772,212	2,000,670	3,852,198	5,426,790	255,205	1,574,882	13,109,745	3,740,254	53,622,211
<u>Amendment #1</u>									
<u>Funding</u>									
Revenue/Loans/Trans In	140,742						74,106	502,668	717,516
Fund Balance	25,000						-	147,708	172,708
Total Funding	165,742						74,106	650,376	890,224
Expenditure	165,742	-	-	-	-	74,106	74,106	650,376	890,224
<u>Budget Thru Amend #1</u>									
<u>Funding</u>									
Revenue/Loans/Trans In	34,620,352						11,199,931	3,330,200	49,150,483
Fund Balance	2,317,602						1,983,920	1,060,430	5,361,952
Total Funding	36,937,954						13,183,851	4,390,630	54,512,435
Expenditure	36,937,954	2,000,670	3,852,198	5,426,790	255,205	1,648,988	13,183,851	4,390,630	54,512,435

FY 22 Budget Amendment #1 - First Hearing

Governmental Funds										
	General Fund	CRA Fund	Safe Neighborhood Capital Fund	People's Transportation Plan Fund	Town Center Fund	Debt Service Fund	Special Law Enforcement Fund	Insurance Service Fund	Information Technology Service Fund	Total Gov Funds
<u>Budget - Adopted</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	19,483,737	1,303,462	3,537,500	950,000	853,282	3,926,911	-	3,088,545	1,336,173	34,479,610
Fund Balance	2,182,602	-	-	-	-	-	110,000	-	-	2,292,602
Total Funding	21,666,339	1,303,462	3,537,500	950,000	853,282	3,926,911	110,000	3,088,545	1,336,173	36,772,212
Expenditure	21,666,339	1,303,462	3,537,500	950,000	853,282	3,926,911	110,000	3,088,545	1,336,173	36,772,212
<u>Amendment #1</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	112,750	-	27,992	-	-	-	-	-	-	140,742
Fund Balance	25,000	-	-	-	-	-	-	-	-	25,000
Total Funding	137,750	-	27,992	-	-	-	-	-	-	165,742
Expenditure	137,750	-	27,992	-	-	-	-	-	-	165,742
<u>Budget Thru Amend #1</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	19,596,487	1,303,462	3,565,492	950,000	853,282	3,926,911	-	3,088,545	1,336,173	34,620,352
Fund Balance	2,207,602	-	-	-	-	-	110,000	-	-	2,317,602
Total Funding	21,804,089	1,303,462	3,565,492	950,000	853,282	3,926,911	110,000	3,088,545	1,336,173	36,937,954
Expenditure	21,804,089	1,303,462	3,565,492	950,000	853,282	3,926,911	110,000	3,088,545	1,336,173	36,937,954

FY 22 Budget Amendment #1 - First Hearing

General Fund

Funding

Revenue/Loans/Trans In

Fund Balance

Total Funding

Expenditure

Commission

City Manager

General Fund Non-Department

Human Resources

Clerk

Attorney

Finance

Planning & Community Dev

Building & Licenses

Parks & Recreation

Police

Code Enforcement

Public Works - Admin

Public Works - Bldg Maintenance

Public Works - Streets

Public Works - Trash

Public Works - Vehicle Maintenance

Total Expenditure

Budget Adopted	Amendment #1	Budget Thru Amend #1
19,483,737	112,750	19,596,487
2,182,602	25,000	2,207,602
21,666,339	137,750	21,804,089
121,707	-	121,707
860,758	-	860,758
6,830,761	(2,000)	6,828,761
371,360	25,000	396,360
381,661	-	381,661
645,000	-	645,000
1,050,717	-	1,050,717
412,771	-	412,771
637,786	1,000	638,786
1,158,168	5,250	1,163,418
6,045,574	108,500	6,154,074
389,286	-	389,286
452,681	-	452,681
413,250	-	413,250
1,025,799	-	1,025,799
215,832	-	215,832
653,228	-	653,228
21,666,339	137,750	21,804,089

FY 22 Budget Amendment #1 - First Hearing

#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
1	<u>Burlington Canal - Phase I</u>							
	Storm	Grant	450-334700	State Grant (LP13035)	-	353,376	353,376	This project was budgeted to be a FY 21 project. It is now a FY 22 project with the same funding sources.
	Storm	Fnd Bal	450-383010	Use Of Fund Balance	912,722	147,708	1,060,430	
	Storm	Exp	44-5356278	Burlington Street Canal	-	501,084	501,084	
2	<u>Parks & Recreation - Special Events</u>							
	Gen Fund	Rev	001-366915	Special Events Donation	-	4,250	4,250	Commissioner Discretionary Special Event cost exceeded \$5,000 but differential was covered by donations. Budget increased to reflect donations
	Prks & Rec	Exp	72-572403	Special Events	46,000	4,250	50,250	
3	<u>133rd Str Sewer Main Relocation</u>							
	Wtr-Swr	Rev	440-TBD	ARPA Funds	-	64,775	64,775	Utilization of ARPA Funds on Commission approved project
	WS-CIP	Exp	75-TBD	133rd St Sewer Main Relocation	-	64,775	64,775	
4	<u>Toshiba Copier Contact</u>							
	Non-Dept	Exp	19-519440	Rents & Leases	31,452	2,000	33,452	Additional copier costs for Non-Dept, Building & Licenses and Parks & Recreation due to new contract.
	Bldg & Lic	Exp	30-524440	Rents & Leases	2,244	1,000	3,244	
	Parks & Rec	Exp	72-572440	Rents & Leases	2,494	1,000	3,494	
	Non-Dept	Exp	19-525390	Contingency	1,381,760	(4,000)	1,377,760	
5	<u>Police Radio Repairs</u>							
	Pol	Exp	26-521467	Repair & Maint - Mach & Equip	1,500	6,000	7,500	Insufficient budget. Offset by Police vacancies
	Pol	Exp	26-521120	Salaries Regular	3,218,252	(6,000)	3,212,252	
6	<u>Red Light Camera Magistrate</u>							
	Pol	Exp	26-521312	Other Professional Services	3,000	3,000	6,000	Insufficient budget. Offset by Police vacancies
	Pol	Exp	26-521120	Salaries Regular *	3,212,252	(3,000)		
	* Budget altered by prior items							
7	<u>Shotspotter Grant</u>							
	Gen Fund	Rev	001-TBD	Shotspotter Grant	-	108,500	108,500	Grant to cover first year of Shotspotter service
	Pol	Exp	26-521340	Other Contracted Services	51,000	108,500	159,500	
8	<u>Finance - Prior Year Unclaimed Property</u>							
	Finan	Exp	17-513493	General Expense	4,000	30,000	34,000	Prior year unclaimed checks cancelled, negating expense. Now have to be sent to State, resulting in FY 22 expense. Offset by audit savings
	Finan	Exp	17-513320	Accounting & Auditing	84,000	(30,000)	54,000	

FY 22 Budget Amendment #1 - First Hearing

<u>#</u>	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
9	<u>Charter Review Committee</u>							
	Non-Dept	Exp	19-519493	General Expenses	4,000	10,000	14,000	Tentative initial budget for Charter Review Committee
	Non-Dept	Exp	19-525390	Contingency *	1,377,760	(10,000)	1,367,760	
	* Budget altered by prior items							
10	<u>Stormwater - Rentals</u>							
	Stormwater	Exp	43-538440	Rentals And Leases	-	5,000	5,000	Small rental budget to be available for small Stormwater Fund needs
	Stormwater	Exp	43-538992	Contingency	200,000	(5,000)	195,000	
11	<u>Commission Travel</u>							
	Comm	Exp	10-511400	Travel - Commission	-	9,000	9,000	Finance Department has directed that more than one Travel account for the Commission is inconsistent with good accounting practices.
	Comm	Exp	10-511411	Travel - Mayor Pigatt	1,800	(1,800)	-	
	Comm	Exp	10-511412	Travel - Vice Mayo Williams	1,800	(1,800)	-	
	Comm	Exp	10-511413	Travel - Commissioner Bass	1,800	(1,800)	-	
	Comm	Exp	10-511414	Travel - Commissioner Davis	1,800	(1,800)	-	
	Comm	Exp	10-511415	Travel - Commissioner Taylor	1,800	(1,800)	-	
12	<u>City Clerk - Software</u>							
	Clerk	Exp	16-512528	Software Licensing	5,000	500	5,500	Records Request software slightly more than budgeted. Funded from vacant position.
	Clerk	Exp	16-512120	Salaries - Regular	133,370	(500)	132,870	
13	<u>Code - \$200 Local Travel</u>							
	Code	Exp	23-521400	Travel & Per Diem	-	200	200	Reimbursement of local travel expense. Funded from vacant position.
	Code	Exp	23-521120	Salaries - Regular	255,159	(200)	254,959	
14	<u>Parks & Recreation Activity Consolidation</u>							
	Prk & Rec	Exp	72-572485	Recreational Activities	-	25,755	25,755	Consolidation of smaller budgets to facilitate flexibility
	Prk & Rec	Exp	72-572555	Out Of School Camp	1,300	(1,300)	-	
	Prk & Rec	Exp	72-572557	Basketball	1,530	(1,530)	-	
	Prk & Rec	Exp	72-572558	Track	2,625	(2,625)	-	
	Prk & Rec	Exp	72-572559	Baseball (Little Leagues)	2,700	(2,700)	-	
	Prk & Rec	Exp	72-572560	Cheerleading	1,500	(1,500)	-	
	Prk & Rec	Exp	72-572561	Intramural (Football & Basketball)	300	(300)	-	
	Prk & Rec	Exp	72-572562	After-School Program	15,800	(15,800)	-	

FY 22 Budget Amendment #1 - First Hearing

<u>#</u>	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
15	<u>Parks & Recreation - Account Correction</u>							
	Prk & Rec	Exp	72-572486	Recreation Football Program	-	26,200	26,200	Football program moved to correct account
	Prk & Rec	Exp	72-572556	Football	26,200	(26,200)	-	
16	<u>HR - Salary Plan Study</u>							
	HR	Exp	13-513312	Other Professional Services	-	25,000	25,000	Pay Plan Study was approved for a FY 21 expenditure, but has not been completed. Since FY 21 funding not used, it went into General Fund Fund Balance and is being used at this time.
	Gen Fund	Fnd Bal	001- 383010	Use Of Fund Balance	2,182,602	25,000	2,207,602	
17	<u>NW 131st Street Drainage</u>							
	Safe Neigh	Exp	44-543638	NW 131st ST Drainage - Road	-	27,992	27,992	Design phase of NW 131st Street Drainage Project. Funded by CDBG grant.
	Safe Neigh	Rev	320-TBD	CDBG - NW 131st ST Drainage	-	27,992	27,992	
	Storm	Exp	43-543638	NW 131st ST Drainage - Drainage	-	149,292	149,292	
	Storm	Rev	450-TBD	CDBG - NW 131st ST Drainage	912,722	149,292	1,062,014	
	Wtr-Swr	Exp	75-543638	NW 131st ST Drainage - Wtr-Swr	-	9,331	9,331	
	Wtr-Swr	Rev	440-TBD	CDBG - NW 131st ST Drainage	1,983,920	9,331	1,993,251	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 2, ARTICLE XI, DIVISION 13 ENTITLED "HISTORIC ENVIRONMENTAL PRESERVATION BOARD" TO ESTABLISH MINIMUM STANDARDS FOR MUNICIPAL HISTORIC PRESERVATION PROGRAMS AS SET FORTH IN THE MIAMI-DADE COUNTY HISTORIC PRESERVATION ORDINANCE SECTION 16A-3.1; PROVIDING FOR BOARD ORGANIZATION AND QUALIFICATIONS; BOARD DUTIES AND RESPONSIBILITIES; SCOPE OF REGULATIONS; DEFINITIONS; ADMINISTRATION AND ENFORCEMENT RULES AND REGULATIONS; SITE/DISTRICT/ZONE DESIGNATION PROCESS AND PROCEDURES; DEMOLITION PROCESS AND PROCEDURES; PROCEDURES FOR MAINTENANCE OF DESIGNATED PROPERTIES; CERTIFICATE TO DIG PROCEDURES; AN APPEALS PROCESS; PENALTIES AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 16-13, on October 12, 2016 the City of Opa-Locka, Florida ("City") established the Historic Environmental Preservation Board ("Board") in order to preserve and protect the City's historic and cultural heritage and foster civic pride; and

WHEREAS, the Historic Environmental Preservation Board was also established to protect the green environment within the City, especially, the preservation of its trees in order to support Arbor Day principles; and

WHEREAS, pursuant to Chapter 2, Article XI, Division 13, Sec. 2-570.81 and Sec. 2-570.82 of the City of Opa-Locka's Code of Ordinances, the City created, provided for composition; term of office; qualifications; organization; meetings, records standards and established duties and responsibilities of the Historic Environmental Preservation Board; and

WHEREAS, the City Commission desires to amend Chapter 2, Article XI, Division 13 entitled "Historic Environmental Preservation Board" to, among other things, establish minimum standards for municipal historic preservation programs as set forth in the applicable Miami-Dade County Historic Preservation Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AS FOLLOWS:

SECTION 1. The recitals to the preamble herein are incorporated by reference.

SECTION 2. The City Commissioner of the City of Opa-Locka, Florida hereby amends Chapter 2, Article XI, Division 13 entitled: "Historic Environmental Preservation Board" as follows:

Sec. 2-570.81. - Created; composition; term of office; qualifications; organization; meetings; records.

(a) A Historic Environmental Preservation Board ("Board") is hereby created, which shall be an advisory body to the commission, consisting of nine (9) members, each of whom shall be appointed by the city commission, for a term of ~~two (2) or four (4) years. for each member, except for the initial terms of the board upon its creation.~~ The terms shall be staggered such that not fewer than two (2) ~~nor more than three terms shall expire each year.~~ The terms of board members ~~shall commence on October 1 and shall expire on September 30.~~ Each member of the board shall serve until the expiration of his or her term. Members shall be eligible for reappointment. The City Commission of the City of Opa-Locka shall attempt to appoint architects, realtors, historians, art historians, lawyers, engineers, archaeologists or other individuals from the business, financial, or other segments of the community who, by virtue of their profession or business, have demonstrated concern for historic preservation. The Historic Environmental Preservation Board shall include not less than one architect; one real estate agent or attorney at law; and one historian or architectural historian. The City Manager shall provide qualified professional staff for the Board.

(b) At least five (5) members of the historic environmental board shall be residents of the City of Opa-locka, ~~and a registered voter of the City of Opa-locka, Florida. The city commission shall specifically designate these resident members.~~ The city commission, within its discretion, ~~shall~~ may appoint up to a maximum of four (4) members of the board who are not residents ~~or registered voters~~ of the City of Opa-locka, Florida. These four (4) appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of historic preservation and city beautification. ~~Members of the historic environmental preservation board shall have diverse backgrounds, and whenever possible, prior experience in land use, planning, zoning, legal matters, landscape architecture, historic preservation~~

~~or working knowledge of historic preservation principles and general working knowledge of tree and plant identification and characteristics.~~ Members of the historic environmental preservation board shall hold no other public office or position in the City of Opa-locka.

(c) ~~An organizational meeting of the historic environmental preservation board shall be held to~~ The members of the Historic Environmental Preservation Board shall elect a chair and vice-chair from among its appointed members. The city commission ~~upon written charges and after public hearing~~ may remove members and vacancies shall be filled for the unexpired term of any removed member.

(d) ~~At least one (1) regular meeting of the board shall be held each month, as needed, but~~ Meetings of the Historic Environmental Preservation Board shall meet not less than six (6) times in any calendar year. ~~Regular meetings may be called by the Chair or staff for the board. The historic environmental preservation board shall keep record of its proceedings,~~ Records shall be maintained pursuant to Florida law, findings and determinations showing the vote on each matter and shall file the record and approved minutes of each meeting with the city clerk within thirty (30) days of the date of the meeting, or as soon thereafter as practicable. Members of the historic environmental board shall serve without compensation.

(e) The historic environmental preservation board may adopt reasonable rules of procedure to govern the conduct of its business and the holding of public hearings and workshops, consistent with procedures established for it by the city commission.

Sec. 2-570.82. - Duties and responsibilities.

The Historical Preservation Board shall have the following enumerated powers and duties:

- 1) Adopt or amend rules of procedure for its meetings.
- 2) Advise the City Commission as to designated individual sites, districts and archeological zones.
- 3) Recommend the issuance or denial of Certificates of Appropriateness and Certificates to Dig.

- 4) Recommend the approval of historical markers and recommend the issuance of certificates of recognition for individual sites and designated properties in a district.
- 5) Recommend zoning and building code amendments to the proper authorities.
- 6) Recommend to the City Commission guidelines for preservation and criteria for issuance by staff of regular certificates of appropriateness.
- 7) Promote the awareness of historic preservation and its community benefits.
- 8) No actions of this Board will supersede or be construed as superseding the authority of the City Commission.
- 9) Review and recommend update the Historic Survey as it applies to the City of Opa-locka and conduct such local research as is considered appropriate.
- 10) Implement the authority of this Ordinance and fulfill the tasks set forth for this Board by the City Commissioners.
- 11) Record and maintain records of the Board's actions and decisions.
- 12) Follow and abide by the laws of the United States of America, the State of Florida, Miami-Dade County, and the City of Opa-Locka.
- 13) Provide an annual report to the City Commission.
- 14) Make recommendations regarding planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, park or pathway, except such as are excluded pursuant to applicable law, including the planting, trimming, spraying care and protection thereof.
- (15) Make recommendations to regulate and control the use of the ground as may be necessary for proper growth, care and protection of trees and shrubbery.
- (16) Recommend the removal of any tree or part thereof dangerous to public safety.
- (17) Propose regulations, subject to approval by the city commission.
- (18) Recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the city.

- 19) Comply with all other minimum standards as set forth in Miami-Dade County Ordinance 81-13, Chapter 16-A pertaining to Historic Preservation.

Sec. 2-570.83. Scope of Regulations

This Ordinance is intended to and shall govern and be applicable to all property located in the City of Opa-locka, Florida. Nothing contained herein shall be deemed to supersede or conflict with applicable building and zoning codes. Provisions contained herein shall be cumulative and read in conjunction with other laws, rules and regulations. It is the legislative intent of the City of Opa-locka Commission that this Ordinance shall meet the requirements of Chapter 16A, Sec. 16A-3.1 of Miami-Dade County Code of Ordinances as a qualified municipal Historic Preservation Ordinance, and that this Ordinance shall be filed with the Clerk of Miami-Dade County Board of County Commissioners and with the National Register of Historical places for certification to be eligible under the relevant Tax Act.

Sec. 2-570.84. Definitions

(1) Archeological zone - An area designated by this ordinance which likely to yield information on the history and pre-history of Opa-locka based on prehistoric settlement patterns in Opa-locka as determined by the results of the Dade County Historic Survey and local research. These Zones will tend to conform to natural physiographic features which were the focal points for pre- historic and historic activities.

(2) Certificates of Appropriateness - A certificate issued by the City Commission after recommendation by the Board permitting certain alterations or improvements to a designated property.

(A) Regular Certificate of Appropriateness - A Regular Certificate of Appropriateness shall be issued by the staff of the Preservation Board, based on the guidelines for preservation approved by the City Commission.

(B) Special Certificate of Appropriateness - For all applications for a Special Certificate of Appropriateness involving the demolition, removal, reconstruction or new

construction at an individual site or in a district a Special Certificate of Appropriateness is required that is issued directly by the Board.

(3) Certificate to Dig - A certificate that gives the Board's permission for certain digging projects that may involve the discovery of as yet unknown or known archeological sites in an archeological zone. This certificate is issued by staff of the Board based on the guidelines for preservation approved by the Board.

(4) Certificate of Recognition - A certificate issued by the Board recognizing properties designated pursuant to this ordinance.

(5) City Commission - City of Opa-Locka Commission.

(6) Demolition - The complete constructive removal of a building of any site.

(7) Districts - A collection of archeological sites, buildings, structures, landscape features or other improvements that are concentrated in the same area and have been designated as a district pursuant to this ordinance.

(8) Exterior - All outside surfaces of a building or structure.

(9) Guidelines for Preservation - Criteria used by staff in determining the validity of applications for a Regular Certificate of Appropriateness and any Certificate to Dig and to establish a set of guide- lines for the preservation of buildings in Opa-locka. Minimum guidelines for preservation shall be that of the Secretary of Interior's Standards for the Treatment of Historic Properties, as may be amended from time to time. The City Commission may establish additional standards.

(10) Historical Preservation Board - The Board created and established by this ordinance as described in Section 2-570.81.

(11) Historic Survey - A comprehensive survey compiled by the Historic Preservation Division of the Miami-Dade County Office of Community and Economic Development involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archeological or architectural, importance in Miami-Dade County, Florida.

(12) Individual Site - An archeological site, building, structure, place or other improvement that has been designated as an individual site pursuant to this ordinance. Under the provisions of this ordinance interior spaces may be regulated only where a building or structure is designated individual site.

(13) National Register of Historic Places - A federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.

(14) Ordinary Repairs or Maintenance - Work done to prevent deterioration of a building or structure or decay of or damage to a building or structure or any part thereof by re- storing the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

(15) Owner of a Designated Property - As reflected on the current Metropolitan Dade County tax rolls or current title holder.

(16) Qualified Staff may be considered outside contractors of the City and shall be a person who has a bachelor's degree in historic preservation, architecture, architectural history, history, or other closely related field, and who has at least 3 years of professional experience in the field of historic preservation or as a historic preservation planner; or who has a master's degree in the above mentioned fields and who has at least 1 year of professional experience in the field of historic preservation or as a historic preservation planner.

~~(17) Undue Economic Hardship - Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.~~

(17) Landscape Feature - Any improvement or vegetation including, but not limited to outbuildings, walls, courtyards, fences, shrubbery, trees sidewalks, planters, plantings, gates, street furniture and exterior lighting.

The definitions set forth in the Miami-Dade County Ordinance 81-13, Chapter 16-A pertaining to Historic Preservation shall by adopted and also apply to this section in the event of conflict and as may otherwise be amended from time to time.

Sec. 2-570.85. Historic Preservation Board: Created and Established

There is hereby created an Historical Preservation Board, ("the Board"), as a board of the City of Opa-locka, Florida. The Board is hereby vested with the power, authority and jurisdiction to recommend the designation, regulation and administration of historical, cultural, archeological and architectural resources in Opa-locka, Florida, as prescribed by this Ordinance under the direct jurisdiction and legislative control of the Opa-locka City Commission.

Sec. 2-570.86. Rules and Regulations

The Board shall make and prescribe such rules and regulations as are reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this Ordinance. Such rules and regulations shall conform to the provisions of this Ordinance and shall not conflict with the Constitution and general laws of the State of Florida, and shall govern and control procedures, hearings and actions of the board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations, and any amendments or modifications thereto, and the same have been approved by the City Commission and filed with the City Clerk. Upon approval by the Commission, such rules and regulations shall have the force and effect of law within the City of Opa-locka, Florida. The City Commission shall prescribe forms for use by applicants in compliance with the provisions of this chapter.

Section 1. Designation Process and Procedure

I. The City Commission shall have the authority to designate areas, places, buildings, structures, landscape features, archeological sites and other improvements or physical features, as individual sites, districts, or archeological zones that are significant in Opa-locka's history, architecture, archeology, or culture and possesses an integrity of location, design, setting, materials, workmanship or association, or:

(A) Are associated with distinctive elements of the cultural, social political, economic, scientific, religious, prehistoric and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, South Florida, the state or the nation; or

(B) Are associated with the lives of persons significant in our past; or

(C) Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value, or that represent a distinguishable entity whose components may lack individual distinction; or

(D) Have yielded, or are likely to yield information in history or prehistory; or

(E) Are listed in the National Register of Historic places. The City Commission shall conduct a separate public hearing to consider for designation each property within its jurisdiction listed in the National Register of Historic Places;

II. Certain properties which include cemeteries, birth- places, properties owned by religious institutions, or used for religious purposes, structures that have been moved from their original locations, properties commemorative in nature and properties that have achieved significance within the last twenty-five years, will not normally be considered for designation. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:

- (A) A religious property deriving primary significance from architectural or artistic distinction of historical importance.
- (B) A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with an historic event or person.
- (C) A birthplace or grave of an historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life.
- (D) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events.
- (E) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

- (F) A property or district achieving significance within the past twenty-five years if it is of exceptional importance.

III. Prior to the designation of an individual site, a district, or an archeological zone, an investigation and designation report must be filed with City. The format of these reports may vary according to the type of designation, however all reports must address the following: The historical, cultural, architectural, and archeological significance of the property of properties being recommended for designation; a recommendation of boundaries for districts and archeological zones and identification of boundaries of individual sites being designated; a recommendation of standards to be adopted by the City Commission in carrying out its regulatory function under this ordinance with respect to Certificates of Appropriateness and Certificates to Dig. Where a report is filed recommending designation of a district, the report must identify those properties, if any, within the district which are not historically or architecturally compatible with structures in the district. The standards for regulating such non-conforming properties shall provide that a Certificate of Appropriateness may be required only for new construction on such properties. All reports shall take into consideration projected, proposed or existing public improvements and developmental or renewal plans. The Board must produce at least one designation report per calendar year, and present it to the municipal historic preservation board for consideration, until all properties in its jurisdiction listed as historically significant on the municipality's or the County's previous surveys have been considered for designation.

IV. Procedure

(A) Petition of the Owner - The owner(s) of any property in the City of Opa-locka may petition the Board for recommendation of designation of their property as an individual site, district or archeological zone provided that they appear before the Board with sufficient information to warrant the investigation of the property for future designation and the Board finds that the property may be worthy of designation. The Miami-Dade County Historic Preservation Chief may also recommend the initiation of designations. The Board shall, based on its findings, either direct the staff to transfer its recommendation to the City Commission so that the City Commission can then direct City staff to begin the designation process or deny the petition.

(B) Directive of the Board - Upon recommendations from staff and the acceptance of petitions pursuant to this section, staff shall transmit the

Boards recommendations to the City Commission along with any other recommendations the Board may deem necessary, and submit its report to the City Commission.

(C) Notification of owner - For each proposed designation of an individual site, district, or archeological zone the Board is encouraged to obtain the permission of the property owner(s) within the designated area, and is responsible for mailing a copy of the designation report to the owner(s) as notification of the intent of the Board to consider designation of the property at least 15 days prior to a public hearing held pursuant to this section.

(D) Notification of Government Agencies - Upon filing of a designation report, the Community Development Director shall immediately notify the Clerk of the Board of County Commissioners, the City Clerk, the City Building Official, the City Attorney and any other County or Municipal agency, including agencies with demolition powers, that may be affected by said filing.

(E) Notification of a Public Hearing - For each individual site, district or archeological zone proposed for designation a public hearing must be held as required by the Chapter 16A-3.1 of the Miami-Dade County Code of Ordinances.

(F) Requirement of Notification - The Board shall reduce to writing its recommendation to approve, deny, or amend the proposed designation and direct the Community Development Director to notify the City Commission following of its actions with a copy of the official minutes of the meeting, and a recommendation of the Board providing a summary statement of the effects of this action:

- 1) The City of Opa-locka Building Official,
- 2) The Opa-locka City Clerk,
- 3) Owner(s) of the affected property and other parties having an interest in the property, if known,
- 4) The Opa-locka Public Works Department, and
- 5) Any other County or Municipal Agency, including agencies with demolition powers, that may be affected by this action.

(G) Moratorium. Upon the filing of a designation report by the staff, the owner(s) of the real property which is the object matter of the designation report shall not:

- 1) Erect any structure on the subject property.
- 2) Alter, restore, renovate, move or demolish any structure on the subject property, until such time as final action, as provided by this chapter, is completed.

V. Demolition

A. Demolition of a designated building, structure, improvement or site may occur pursuant to an order of a government agency or a court of competent jurisdiction or pursuant to an application by the owner for a Special Certificate of Appropriateness.

B. Government agencies having the authority to demolish unsafe structures shall receive notice of designation of individual sites, districts or archeological zones pursuant to Section 10 of this Chapter. The City Commission shall be deemed an interested party and shall be entitled to receive notice of any public hearings conducted by said government agency regarding demolition of any designated property. The Board may make recommendations and suggestions to the City Commission and the owner(s) relative to the feasibility of and the public interest in preserving the designated property.

C. No permit for voluntary demolition of a designated building, structure, improvement or site shall be issued to the owner(s) thereof until an application for a Special Certificate of Appropriateness has been submitted and approved pursuant to the procedures in this Section. Refusal by the Board to grant a Special Certificate of Appropriateness shall be evidenced by written order detailing the public interest which is sought to be preserved. The Board shall be guided by the criteria contained in subsection V, D herein. The Board may grant a Special Certificate of Appropriate-ness which may provide for a delayed effective date of up to two (2) years. The effective date shall be determined by the Board based upon the relative significance of the structure and the prob-able time required to arrange a possible alternative to demolition. During the demolition delay period, the Board may take such steps as it deems necessary to preserve the structure concerned, in accordance with the purposes of this ordinance. Such steps may include, but shall not be limited to, consultation with civic groups public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features.

D. In addition to all other provisions of this ordinance, the Board shall consider for recommendation to the City Commission the following criteria in evaluating applications for a Special Certificate of Appropriateness for demolition of designated properties:

- (a) Is the structure of such interest or quality that it would reasonably meet national, state, or local criteria for designation as an historic or architectural landmark?

(b) Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?

(c) Is the structure one of the last remaining examples of its kind in the neighborhood, the County, or the region?

(d) Does the structure contribute significantly to the historic character of designated district?

(e) Would retention of the structure promote the general welfare of the County by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage?

(f) Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?

VI. Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provisions of this ordinance would result in serious undue economic hardship to the applicant, the matter shall be officially referred to the Opa-locka Zoning Board of Appeals which shall have the power to vary or modify adherence to this ordinance; provided always that its requirements ensure harmony with the general purposes hereof and will not adversely affect the City of Opa-locka, Dade County, nor the South Florida metropolitan region.

VII. No Building Permit shall be issued by the Opa-locka Building Official which affects any designated property in Dade County without a Certificate of Appropriateness.

VIII. All work performed pursuant to the issuance of any Certificate of Appropriateness shall conform to the requirements of the Certificate. The City Manager shall designate an appropriate official to assist the Board by making necessary inspections in connection with enforcement of this ordinance and shall be empowered to issue a stop work order if performance is not in accordance with the issued certificate. No work shall proceed as long as a stop work order continues in effect. Copies of inspection reports shall be furnished to the Board and copies of any stop work orders both to the Board and the applicant. The Building Official or appropriate official and staff for the Board shall be responsible for ensuring that any work not in accordance with an issued Certificate of Appropriateness shall be corrected to comply with the Certificate of Appropriateness prior to withdrawing the stop work order.

IX. For the purpose of remedying emergency conditions determined to be dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction or other repairs to a

building or site in the City of Opa-locka, pursuant to an order of a government agency or a court of competent jurisdiction. The owner of a building damaged by fire or natural calamity shall be permitted to stabilize the building immediately without Board approval, and to rehabilitate it later under the normal review procedures of this ordinance.

X. The Board shall have the authority to review applications for Certificate of Appropriateness for all property in Opa-locka, however owned, by either private or public parties. The purposes of this ordinance shall apply equally to plans, projects or work executed or assisted by any private party, governmental body or agency, department, authority or board of the City, County or State.

XI. Demolition procedures and requirements shall otherwise comply with Chapter 16A-3.1 of the Miami-Dade County Code of Ordinances as may be amended from time to time.

Section 2. Maintenance of Designated Properties

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any elements of any building or structure which does not involve a change of design, appearance or material, and which does not require a building permit.

Section 3. Certificates to Dig

I. Within an archeological zone, new construction, filling, digging, the removal of trees, or any other activity that may alter or reveal an interred archeological site shall be prohibited without a Certificate to Dig. All applications to all appropriate municipal or county agencies involving new construction, large scale digging, the removal of trees or any other activity that may reveal or disturb an interred archeological site, in an archeological zone shall require a Certificate to Dig before approval. Based on the designation report for the archeological zone, a complete application for a certificate to Dig and any additional guidelines the Board may deem necessary, the staff of the Board shall approve or deny the application for a Certificate to Dig by the owners of a property in a designated archeological zone. The Certificate to Dig may be made subject to specified conditions, including but not limited to, conditions regarding site excavation.

In order to comply with the site excavation requirements of the Certificate to Dig, the applicant may agree to permit a City or County sanctioned Archeologist to conduct excavation from the time of the approval of the Certificate to Dig until the effective date thereof. The findings of the staff shall be mailed to the applicant promptly. Applicant shall have the opportunity to challenge the staff decision or any conditions attached to the Certificate to Dig by requesting a meeting of the Board. The Board shall

convene within a reasonable time and shall make every effort to review and reconsider the original staff decision to arrive at an equitable decision. The decision of the Board shall be reduced to writing.

- II. Approved Certificates to Dig - Approved Certificates to Dig shall contain an effective date at which time the proposed activity may begin, unless the Board decides to designate the site in question as an individual site or district pursuant to Section 10 of this ordinance in which case all the rules and regulations pertaining to the designation process shall apply from the date the designation report has been filed.
- III. All work performed pursuant to the issuance of a Certificate to Dig shall conform to the requirements of such certificate. It shall be the duty of the City of Opa-locka, in particular its Public Works Department, to inspect from time to time any work pursuant to such certificate to assure compliance. In the event work is performed not in accordance with such certificate, the official designated by the City Manager pursuant to Section 1(VIII) shall be empowered to issue a stop work order and all work shall cease. No person, firm or corporation shall undertake any work on such projects as long as such stop work order shall continue in effect.

Section 4. Appeals

Upon written decision of the City Commission, an aggrieved party may appeal the decision by filing a written notice of appeal with the City Clerk. The notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Subsequently, the City Commission shall conduct a public hearing at which time they may affirm, modify or reverse the decision of the Board or of the City Commission. Nothing contained herein shall preclude the City Commission from seeking additional information prior to rendering a final decision. The decision of the City Commission shall be reflected in the minutes and a copy of the Minutes shall be forwarded to the board and the appealing party.

Within the time prescribed by the appropriate Florida Rules of Appellate Procedure, a party aggrieved by a decision of the City Commission may appeal an adverse decision to the Circuit Court in and for Dade County, Florida. The party taking the appeal shall be required to pay to the City of Opa-locka the sum of One Hundred Dollars (\$100.00) to defray the costs of preparing the record on appeal.

Section 5. Penalties

Failure by an owner of record to comply with any provision of this ordinance shall constitute a violation hereof and shall be punishable by the City Commission by civil or criminal penalties including a fine of not more than \$500.00 per day for each day the violation continues. In addition, the Board may require that any work

performed contrary to this ordinance must be removed and the property returned to its condition prior to commencement of said action.

Section 6. Incentives

All properties designated as individual sites or as designated properties within a district shall be eligible, upon application by the owner(s), for any available financial assistance set aside for historic preservation by Metropolitan Dade County contingent on the availability of funds and the scope of the project as described in the application.

SECTION 7. If any clause, section, or other part or application of this Resolution is held by any court of competent jurisdiction to be unconditional or invalid, in part or in application, it shall not affect the validity of the remaining portions or application of this Resolution.

SECTION 8. CONFLICT, ADDITIONS & REPEALER.

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed. To the extent of conflict between this Ordinance and Miami-Dade County Ordinance 81-13, Chapter 16-A pertaining to Historic Preservation, the Miami-Dade County Code of Ordinance shall control. Likewise, any provision not included herein, but specifically specified and required by Miami-Dade County Ordinance 81-13, Chapter 16-A pertaining to Historic Preservation in order to make the reading of this Ordinance complete, shall be interpreted as if the Miami-Dade Ordinance was incorporated herein.

SECTION 9. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 10. INCLUSION IN CODE.

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter,"

"Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



**City of Opa-locka
Agenda Cover Memo**

Department Director:	Gregory D. Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021	Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance X	Other
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No X	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading X	2nd Reading X
			Public Hearing: <i>(Enter X in box)</i>	Yes X	No X
Funding Source: N/A Account# :	<i>(Enter Fund & Dept)</i> Ex: See Financial Impact section below		Advertising Requirement: <i>(Enter X in box)</i>	Yes X	No
ILA Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bid#: N/A		
Strategic Plan Related <i>(Enter X in box)</i>	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 2, ARTICLE XI, DIVISION 13 ENTITLED "HISTORIC ENVIRONMENTAL PRESERVATION BOARD" TO ESTABLISH MINIMUM STANDARDS FOR MUNICIPAL HISTORIC PRESERVATION PROGRAMS AS SET FORTH IN THE MIAMI-DADE COUNTY HISTORIC PRESERVATION ORDINANCE SECTION 16A-3.1; PROVIDING FOR BOARD ORGANIZATION AND QUALIFICATIONS; BOARD DUTIES AND RESPONSIBILITIES; SCOPE OF REGULATIONS; DEFINITIONS; ADMINISTRATION AND ENFORCEMENT RULES AND REGULATIONS; SITE/DISTRICT/ZONE DESIGNATION PROCESS AND PROCEDURES; DEMOLITION PROCESS AND PROCEDURES; PROCEDURES FOR MAINTENANCE OF DESIGNATED PROPERTIES; CERTIFICATE TO DIG PROCEDURES; AN APPEALS PROCESS;

PENALTIES AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The City of Opa-locka established the Opa-locka Historic Preservation Board by Ordinance 81-13 for the purpose of protecting and perpetuating properties worthy of historic preservation. The City adopted Resolution 91-01 and Ordinance 91-02 to identify the properties in the City that were deemed outstanding examples of Moorish architecture, that were built based on the original plans as designed by its founder, Glenn Curtiss and to establish a list of properties that meet the requirements for being of historical, cultural, architectural and archeological significance which included the property at 432 Opa-locka Boulevard. The City Commission has determined that it is in the best interests and welfare of the City of Opa-locka and its residents to enact an ordinance that establishes a board that performs the functions of both the Historic Preservation Board and the Environmental Tree Board. The City established the Historic Environmental Preservation Board pursuant to Ordinance 16-13 on October 12, 2016 in order to preserve and protect the City's historic and cultural heritage and foster civic pride. The Historic Environmental Preservation Board was also established to protect the green environment within the City, especially, the preservation of its trees in order to support Arbor Day principles. The Historic Environmental Preservation Board held a meeting on January 28, 2021 to introduce new board members, establish Board Chair and Vice-Chair, and for improvements to the HEPB. Pursuant to Planning & Community Development Department Director & Staff meeting with Miami Dade County Historic Preservation Chief, we received notice that independent municipal historic preservation programs were required to adopt the minimum standards as provided by Miami-Dade County regulations, Chapter 16A-3.1. The Historic Environmental Preservation Board held a meeting on September 28, 2021 and after presentation of the minimum standards as provided by Miami-Dade County regulation, Chapter 16A-3.1 the City Historic Environmental Preservation Board recommended approval of the amendment of the City Code, Chapter 2 Article XI, Division 13, Sec 2-570.83, to establish minimum standards for municipal historic preservation programs as required by Miami-Dade County Historic Preservation Ordinance Section 16A-3.1.

Financial Impact

Account	Description	Available	Project	Remaining Balance

There is no fiscal impact for this legislation.

Proposed Action:

Staff recommended approval of this legislation

Attachment:

Draft Ordinance to adopt minimum standards for municipal historic preservation program
Ordinance 16-13
Ordinance 81-13
Resolution 91-01
Ordinance 91-02

1st Reading: September 14, 2016
2nd Reading: October 12, 2016
Public Hearing: October 12, 2016
Adopted: October 12, 2016
Effective Date: October 12, 2016
Sponsored by: City Manager

ORDINANCE NO. 16-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A NEW ADVISORY BOARD TO THE CITY COMMISSION TO INCLUDE THE CONSOLIDATION AND ACTIVATION OF THE HISTORIC PRESERVATION BOARD AND THE ENVIRONMENTAL (TREE) PRESERVATION BOARD; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT AND REPEALER CLAUSE AND RESCINDING ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-locka Charter provides that the City Commission has the power to establish and/or reauthorize a Historic Preservation Board, which shall be vested with the power, authority and jurisdiction to designate, regulate and administer decision making responsibilities as may be specified by ordinance or general law for historical, cultural, archeological and architectural resources in the City of Opa-locka, and

WHEREAS, the City of Opa-locka Charter provides that the City Commission has the power to establish an Environmental (Tree) Preservation Board, which shall be vested with the power, authority and jurisdiction as may be specified by ordinance or general law, and to make recommendations to regulate, and amend regulations concerning the planting and care of shade and ornamental trees and shrubbery and the ground surrounding the same, which may be planted along any public highway or right of way, pathway, or in any park, for their proper growth, care and protection, and to move or require the removal of any tree or part thereof deemed dangerous to public safety, and recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the City, and the proposed regulations are subject to approval by the City Commission; and

WHEREAS, the City Commission has determined that it is in the best interests and welfare of the City of Opa-locka and its residents to enact an ordinance that establishes a board that performs the functions of both the Historic Preservation Board and the Environmental Preservation Board; and

WHEREAS, the City of Opa-locka intends that this Ordinance adopting the new Historic Environmental Preservation Board shall replace the City of Opa-locka regulations and legislations in conflict with this Ordinance upon its adoption; and

WHEREAS, the City of Opa-locka intends that this Ordinance shall list the functions of the Historic Environmental Preservation Board; and

WHEREAS, the City of Opa-locka City Commission has determined that the Historic Environmental Preservation Board established by this Ordinance is consistent with the Comprehensive Plan.

NOW THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS as follows:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed as being true, and the same is hereby incorporated as part of this Ordinance.

Section 2. City of Opa-locka Historic Environmental Preservation Board.

Sec. 2.1. Created; Composition; Term of Office; Qualifications; Organization; Meetings; Records.

1) A Historic Environmental Preservation Board is hereby created, which shall be an advisory body to the Commission, consisting of 9 members, each of whom shall be appointed by the City Commission, for a term of 2 or 4 years, except for the initial terms of the Board upon its creation. The terms shall be staggered such that not fewer than 2 nor more than 3 terms shall expire each year. The terms of board members shall commence on October 1 and shall expire on September 30. Each member of the Board shall serve until the expiration of his or her term.

2) At least 5 members of the Historic Environmental Board shall be residents of the City of Opa-locka and a registered voter of the City of Opa-locka, Florida. The City Commission shall specifically designate these resident members. The City Commission, within its discretion, shall appoint up to a maximum of four (4) members of the board who are not residents or registered voters of the City of Opa-locka, Florida. These (4) appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of historic preservation and City beautification. The City Commission should ensure to appoint one of each of the following (i) an architect, (ii) a landscape architect, or (iii) certified Arborist. Members of the Historic Environmental Preservation Board shall have diverse backgrounds, and whenever possible, prior experience in land use, planning, zoning, legal matters, landscape architecture, historic preservation or working knowledge of historic preservation principles and general working knowledge of tree and plant identification and characteristics. Members of the Historic Environmental Preservation Board shall hold no other public office or position in the City of Opa-locka.

3) An organizational meeting of the Historic Environmental Preservation Board shall be held to elect a chair and vice-chair from among its appointed members. The City

Commission upon written charges and after public hearing may remove members and vacancies shall be filled for the unexpired term of any removed member.

4) At least one regular meeting of the Board shall be held each month, as needed and as determined by the Chair; Special meetings may be called by the Chairman or by any 3, at minimum, regular members of the board. The Historic Environmental Preservation Board shall keep record of its proceedings, pursuant to Florida law, findings and determinations showing the vote on each matter and shall file the record and approved minutes of each meeting with the City Clerk within 30 days of the date of the meeting, or as soon thereafter as practicable. Members of the Historic Environmental Board shall serve without compensation.

5) The Historic Environmental Preservation Board may adopt reasonable rules of procedure to govern the conduct of its business and the holding of public hearings and workshops, consistent with any procedures established for it by the City Commission. The

Sec. 2-2 Duties and Responsibilities

The duties and responsibilities of the Historic Environmental Preservation Board shall include the following:

- (1) Adopt or amend rules of procedure;
- (2) Designate individual sites, districts and archeological zones;
- (3) Issue or deny certificates of appropriateness and certificates to dig;
- (4) Approve historical markers and issue certificates of recognition for individual sites and designated properties in a district;
- (5) Recommend zoning and building code amendments to the proper authorities;
- (6) Establish guidelines for preservation and criteria for issuance by staff of regular certificates of appropriateness;
- (7) Promote the awareness of historic preservation and its community benefits;
- (8) No actions of this board will supersede or be construed as superseding the authority of the city commission.
- (9) Review and update the historic survey as it applies to the City of Opa-locka for its quality and professional merit, and validate the findings of the survey as bonafide and sincere, and conduct such local research as is considered appropriate;
- (10) Implement the authority of this chapter and fulfill the tasks set forth for this board by the city commissioners in this and other chapters;
- (11) Record and maintain records of the board's actions and decisions;
- (12) Follow and abide by the laws of the United States of America, the State of Florida, Dade County, and the City of Opa-locka;
- (13) Provide an annual report to the City Commission. (Ord. No. 81-13, § 9, 5-27-81)

Ordinance No. 16-13

- (14) To make recommendations to amend, and control over the regulating, planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, park or pathway, except such as are excluded pursuant to applicable law, including the planting, trimming, spraying care and protection thereof.
- (15) Make recommendations to regulate and control the use of the ground surrounding the same, so far as may be necessary for their proper growth, care and protection of trees and shrubbery.
- (16) Move or require the removal of any tree or part thereof dangerous to public safety.
- (17) Propose regulations, subject to approval by the City Commission.
- (18) Recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the City.
- (19) Meet once a month, as needed, and keep public record of its resolutions, findings and determinations. (Ord. No. 14-05, § 2, 6-11-14)

Section 3. **Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. **Conflict.** All sections or parts of sections of the applicable City of Opa-locka ordinances currently in place in conflict herewith are intended to be rescinded and repealed to the extent of such conflict.

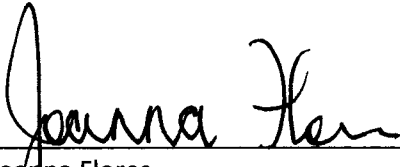
Section 5. **Effective Date.** This Ordinance shall be effective upon adoption at second reading.

PASSED AND ADOPTED THIS 12th day of October, 2016.



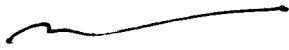
Myra L. Taylor
Mayor

Attest to:



Joanna Flores
City Clerk

Approved as to form and legal sufficiency:



Vincent T. Brown
The Brown Law Group
City Attorney

Ordinance No. 16-13

Moved by:	COMMISSIONER KELLEY
Seconded by:	COMMISSIONER RILEY
Commission Vote:	4-0
Commissioner Kelley:	YES
Commissioner Riley:	YES
Commissioner Santiago:	YES
Vice-Mayor Holmes:	OUT OF ROOM
Mayor Taylor:	YES

CRIME WATCH

Site helps police notify family in case of crash



BY CARMEN GONZALEZ CALDWELL
Special to The Miami Herald

As I drive our streets in Miami-Dade, I often wonder about the possibility of getting into an accident since I spend so much time on the road. The thought often comes into mind that if I got into an accident, "How would my family know?"

I have seen many accidents over the years in

which people died on the scene, and their families didn't even know about it. This happens mostly because police have no contact information. Many years ago, when I worked for Hialeah, we arrived on the scene of a motorcycle accident in which a youth was killed on the scene. All I could think of was his mother — how do we find her, how do we tell her that her son is dead in the middle of Red Road? My heart was heavy with pain, and I was so frustrated.

Over the years there have been several programs such as ICE (In Case of Emergency), in which you add a cellphone contact with the letters "ICE" as the contact you'd like to

call in case of an emergency. I also place that information on the inside of my visor or in the glove compartment. I also have suggested to parents to place a contact number in the back of their child's car seat.

A reader told me about a state program through the Florida Highway Safety and Motor Vehicles, in which you register online at www.flhsmv.gov/driver-licenses-id-cards/emergency-contact-information-history/ and link your driver license or identification card to emergency contact information. The system allows Floridians to voluntarily provide emergency contact online, giving law enforcement immediate

access to this information and making it easier for them to speak with someone quicker in cases of emergency.

Here are some frequently asked questions provided by Florida Highway Safety and Motor Vehicles that will help you decide if you want to do this:

- Who will have access to my emergency contact information? Only law enforcement personnel.
- Where is this information stored? In the Driver & Vehicle Information Database system, which is a secure database used by most law enforcement agencies in Florida.
- Will my contact information be used for any other purpose? No, this



RC WHITE MIAMI HERALD FILE, 2008

Fatal accidents pose a problem for authorities, who must find and inform victims' families.

information will only be used by law enforcement officers to notify designated contacts if a motorist is seriously injured or killed in a traffic crash.

Also, it's important that if your child takes a school bus, keep parent contact information inside their backpack, not on the outside where strangers have access.

I want to thank the read-

er who suggested this information, and as always, I love hearing from you with your concerns and ideas.

Carmen Caldwell is executive director of Citizens' Crime Watch of Miami-Dade. Send feedback and news for this column to carmen@citizenscrimewatch.org, or call her at 305-470-1670.

CITY OF OPA-LOCKA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on Wednesday, October 12, 2016 at 7:00 PM in the Auditorium at Sherboudy Village, 215 Ferviz Avenue, Opa-locka, Florida, to consider the following items:

SECOND READING ORDINANCES/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A NEW ADVISORY BOARD TO THE CITY COMMISSION TO INCLUDE THE CONSOLIDATION AND ACTIVATION OF THE HISTORIC PRESERVATION BOARD AND THE ENVIRONMENTAL (TREE) PRESERVATION BOARD; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT AND REPEALER CLAUSE AND RESCINDING ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading held on September 14, 2016).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A NEW LAND USE ADVISORY BOARD TO THE CITY COMMISSION TO INCLUDE THE CONSOLIDATION OF THE PLANNING COUNCIL AND THE ZONING BOARD OF APPEALS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT AND REPEALER CLAUSE AND RESCINDING ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading held on September 14, 2016).

RESOLUTION/PUBLIC HEARING:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CONSIDER THE REQUEST OF FLORIDA INDUSTRIAL PROPERTIES SIX, L.L.C., FOR APPROVAL TO AMEND THE DEVELOPMENT AGREEMENT TO CONSTRUCT AND OPERATE A MIXED USE TRAVEL CENTER WHICH INCLUDES COMMERCIAL, INDUSTRIAL AND RETAIL USES AT 3325 NW 135TH STREET, OPA-LOCKA, FLORIDA, 33054, ALSO IDENTIFIED BY FOLIO 08-2121-007-2700; CONTAINING 272,741 SQUARE FEET OR 11.20 ACRES MORE OR LESS BY CALCULATIONS; PROVIDING FOR INCORPORATION OF RECTALS; PROVIDING FOR AN EFFECTIVE DATE.

Additional Information on the above items may be obtained in the Office of the City Clerk, 780 Fishermen Street, 4th Floor, Opa-locka, Florida 33054. All interested persons are encouraged to attend this meeting and will be heard with respect to the public hearings.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance no later than seven (7) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Circled).

PURSUANT TO FS 286.0105: Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

JOANNA FLORES, CMG
CITY CLERK

Public Hearing Notice

State Road (SR) 932/NW 103 Street/West 49 Street
from SR 826/Palmetto Expressway Interchange to East 5 Avenue
Project Identification Numbers: 434768-1/2-52-01

The Florida Department of Transportation (FDOT) will host a public hearing for two roadway projects along SR 932/NW 103 Street/West 49 Street from SR 826/Palmetto Expressway Interchange to East 5 Avenue in Miami-Dade County.

6 p.m. to 8 p.m.
Thursday, October 6, 2016
Miami-Dade College, Hialeah Campus, Room 5101-B
1780 W 49 Street, Hialeah, FL 33012

For information about this hearing or project, please contact Public Information Specialist Monica Diaz at (305) 573-0089 or email at Monica@iscprgroup.com. Visit www.fdotmiamidade.com for project information.

The hearing will follow an informal format allowing the public to arrive at any time from 6 p.m. to 8 p.m., with a formal presentation starting at 6:30 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions. Public participation at this meeting is solicited without regard to race, color, national origin, age, gender, religion, disability or family status. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing is asked to advise the agency at least 7 days before the workshop/hearing by contacting: Jeannine Gaslonde at (305) 470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: Jeannine.Gaslonde@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1 (800) 955-8771 (TDD) or 1 (800) 955-8770 (Voice).



City of Opa-locka Agenda Cover Memo

Commission Meeting Date:	September 14, 2016		Item Type: (Enter X in box)	Resolution	Ordinance	Other	
Fiscal Impact:	Yes	No	Ordinance Reading: (Enter X in box)		X		
		X			1st Reading X	2nd Reading X	
				Public Hearing: (Enter X in box)	Yes	No	Yes
					X	X	
Funding Source: N/A	(N/A)		Advertising Requirement: (Enter X in box)	Yes X		No	
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid #:	N/A			
		X					
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: New Development			
	X		Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐				
Sponsor Name	City Manager		Department:	Community Development			

Short Title:

An ordinance of the City Commission of the City of Opa-locka, Florida, establishing a new advisory board to the City Commission to include the consolidation and activation of the Historic Preservation Board and the Environmental (tree) Preservation Board; Providing a severability clause; Providing for a conflict and repealer clause and rescinding all ordinances in conflict; Providing for an effective date.

Staff Summary

The City of Opa-locka Charter provides that the City Commission has the power to establish and or reauthorize a Historic Preservation Board, which shall be vested with the power, authority and jurisdiction to designate, regulate and administer decision making responsibilities as may be specified by ordinance or general law for historical, cultural, archeological and architectural resources I the City of Opa-locka. The City of Opa locka Charter provides that the City Commission has the power to establish an Environmental (Tree) Preservation Board, which shall be vested with the power, authority and jurisdiction as may be specified by ordinance or general law, and to make recommendations to regulate, and amend regulations concerning the planting and care of shade and ornamental trees and shrubbery and the ground surrounding the same, which may be planted along any public highway or right of way, pathway, or in any park, for their proper growth, care and protection, and to move or require the removal of any

tree or part thereof deemed dangerous to public safety, and recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the City, and the proposed regulations are subject to approval by the City Commission. It has been determined that it is in the best interests and welfare of the City of Opa-locka and its residents to enact an ordinance that establishes a board that performs the functions of both the Historic Preservation Board and the Environmental Preservation Board. The functions, duties, term of office, organization, composition and meetings of the new Historic Environmental Preservation Board are listed in this Ordinance.

Proposed Action:

Staff recommends approval of this Ordinance.

Attachments:

1. City Code of Ordinance for Historic Preservation Board
2. City Code of Ordinance for Tree Board
3. City Commission Ordinance DRAFT



Memorandum

TO: Myra L. Taylor, Mayor
Timothy Holmes, Vice Mayor
John Riley, Commissioner
Joseph L. Kelley, Commissioner
Luis B. Santiago, Commissioner

FROM: Yvette Harrell, City Manager

DATE: August 22, 2016

RE: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A NEW ADVISORY BOARD TO THE CITY COMMISSION TO INCLUDE THE CONSOLIDATION AND ACTIVATION OF THE HISTORIC PRESERVATION BOARD AND THE ENVIRONMENTAL (TREE) PRESERVATION BOARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT AND REPEALER CLAUSE AND RESCINDING ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Request:

An ordinance of the City Commission of the City of Opa-locka, Florida, establishing a new advisory board to the City Commission to include the consolidation and activation of the Historic Preservation Board and the Environmental (tree) Preservation Board; Providing a severability clause; Providing for a conflict and repealer clause and rescinding all ordinances in conflict; Providing for an effective date.

Description:

The City of Opa-locka Charter provides that the City Commission has the power to establish and or reauthorize a Historic Preservation Board, which shall be vested with the power, authority and jurisdiction to designate, regulate and administer decision making responsibilities as may be specified by ordinance or general law for historical, cultural, archeological and architectural resources I the City of Opa-locka. The City of Opa locka Charter provides that the City Commission has the power to establish an Environmental (Tree) Preservation Board, which shall be vested with the power, authority and jurisdiction as may be specified by ordinance or general law, and to make recommendations to regulate, and amend regulations concerning the planting and care of shade and ornamental trees and shrubbery and the ground surrounding the same, which may be planted along any public highway or right of way, pathway, or in any park, for their proper growth, care and protection, and to move or require the removal of any tree or part thereof deemed dangerous to public safety, and recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the City, and the proposed regulations are subject to approval by the City Commission. It has been determined that it is in the best interests and welfare of the City of Opa-locka and its residents to enact an ordinance that establishes a board that performs the functions of both the Historic Preservation Board and the Environmental Preservation Board. The functions, duties, term of office, organization, composition and meetings of the new Historic Environmental Preservation Board are listed in this Ordinance.

Financial Impact:

There are no immediate financial impacts associated with approval of this Ordinance;

Implementation Time Line:

Immediately

Legislative History:

Ordinance 13-38

Ordinance 14-05

Resolution 91-1

Ordinance 91-2

Planning Council Recommendation:

Not reviewed by the Planning Council.

Staff Recommendation:

Staff has recommended approval of this Ordinance.

Attachment(s)

City Code of Ordinance for the Historic Preservation Board

City Code of Ordinance for the Tree Board

City Commission Ordinance DRAFT

Prepared By: Gerald Lee, Zoning Official/Planner

Gregory Gay, Director

Planning and Community Development Department

Chapter 11.1 - HISTORIC PRESERVATION^[1]

Footnotes:

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Cross reference— Ordinances saved from repeal, § 22-1.

ARTICLE I. - IN GENERAL

Sec. 11.1-1. - Short title.

This ordinance shall be known and may be cited as the "City of Opa-locka Historic Preservation / Environmental (Tree) Preservation Board Ordinance."

(Ord. No. 81-13, § 1, 5-27-81)

Sec. 11.1-2. - Legislative intent. (Historic Preservation)

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archeological, aesthetic and architectural merit are in the interests of the health, prosperity and welfare of the people of Opa-locka. Therefore, this chapter is intended to:

- (1) Effect and accomplish the protection, enhancement and perpetuation of buildings, structures, improvements landscape features and archeological resources of sites and districts which represent distinctive elements of the city's, county's and region's cultural, social, economic, political, scientific, religious, prehistoric and architectural history;
- (2) Safeguard the area's historical, cultural archeological and architectural heritage, as embodied and reflected in such individual sites, districts and archeological zones;
- (3) Foster civic pride in the accomplishments of the past;
- (4) Protect and enhance the area's attraction to visitors and the support and stimulus to the economy thereby provided; and
- (5) Promote the use of individual sites and districts for the education, pleasure and welfare of the people of the Opa-locka area, Dade County and the South Florida metropolitan region.

(Ord. No. 81-13, § 2, 5-27-81)

Sec. 11.1-3. - Scope of regulations.

This chapter is intended to and shall govern and be applicable to all property located in the City of Opa-locka, Florida. Nothing contained herein shall be deemed to supersede or conflict with applicable building and zoning codes. Provisions contained herein shall be cumulative and read in conjunction with other laws, rules and regulations. It is the legislative intent of the Opa-locka City Commission that this chapter shall meet the requirements of section 3, subsections (1), (2) and (3) of Dade County Ordinance 81-13 as a qualified municipal historic preservation ordinance, and that Ordinance No. 81-13 shall be filed with the Clerk of [the] Dade County Board of County Commissioners and with the National Register of Historic Places for certification to be eligible under the 1976 Tax Act.

(Ord. No. 81-13, § 3, 5-27-81)

Sec. 11.1-4. - Definitions.

- (1) Archeological zone. An area designated by this chapter which is likely to yield information on the history and prehistory of Opa-locka based on prehistoric settlement patterns in Opa-locka as determined by the results of the Dade County Historic Survey and local research. These zones will tend to conform to natural physiographic features which were the focal points for prehistoric and historic activities.
- (2) Certificate of appropriateness. A certificate issued by the board permitting certain alterations or improvements to a designated individual site or property in a designated district.
 - (a) Regular certificate of appropriateness. A regular certificate of appropriateness shall be issued by the staff of the preservation board, based on the guidelines for preservation approved by the board.
 - (b) Special certificate of appropriateness. For all applications for a special certificate of appropriateness involving the demolition, removal, reconstruction or new construction at an individual site or in a district a special certificate of appropriateness is required that is issued directly by the board.
 - (c) In the absence of a quorum of the board, the city manager may issue regular or special certificates of appropriateness, subject to a majority vote of the city commission, in accordance with all administrative requirements pursuant to sections 11.1-1 through 11.1-26 of the historic preservation ordinance.
- (3) Certificate to dig. A certificate that gives the board's permission for certain digging projects that may involve the discovery of as yet unknown or known archeological sites in an archeological zone. This certificate is issued by staff of the board based on the guidelines for preservation approved by the board.
- (4) Certificate of recognition. A certificate issued by the board recognizing properties designated pursuant to this chapter.
- (5) Demolition. The complete constructive removal of a building on any site.
- (6) Districts. A collection of archeological sites, buildings, structures, landscape features or other improvements that are concentrated in the same area and have been designated as a district pursuant to this chapter.
- (7) Exterior. All outside surfaces of a building or structure.
- (8) Guidelines for preservation. Criteria established by the preservation board to be used by staff in determining the validity of applications for a regular certificate of appropriateness and any certificate to dig and to establish a set of guidelines for the preservation of buildings in Opa-locka.
- (9) Historic preservation board. A board of citizens created by this chapter as described in sections 11.1-5 through 11.1-9.
- (10) Historic survey. A comprehensive survey compiled by the Historic Preservation Division of the Dade County Office of Community and Economic Development involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archeological or architectural, importance in Dade County, Florida.
- (11) Individual site. An archeological site, building, structure, place or other improvement that has been designated as an individual site pursuant to this chapter. Under the provisions of this chapter, interior spaces may be regulated only where a building or structure is designated individual site.

- (12) National Register of Historic Places. A federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.
- (13) Ordinary repairs or maintenance work done to prevent deterioration of a building or structure or decay of or damage to a building or structure or any part thereof by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.
- (14) Owner of a designated property. As reflected on the current Metropolitan Dade County tax rolls or current title holder.
- (15) Undue economic hardship. Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.
- (16) Landscape feature. Any improvement or vegetation including, but not limited to, outbuildings, walls, courtyards, fences, shrubbery, trees sidewalks, planters, plantings, gates, street furniture and exterior lighting.

(Ord. No. 81-13, § 4, 5-27-81; Ord. No. 85-9, § 1, 4-24-85; Ord. No. 15-03, § 2, 2-11-15)

Secs. 11.1-5—11.1-14. - Reserved.

ARTICLE II. - ADMINISTRATION

Sec. 11.1-15. - Historic preservation board—Created; established.

There is hereby created a historic preservation board, ("the board"), as a governmental agency of the city government in and for the City of Opa-locka, Florida. The board is hereby vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archeological and architectural resources in Opa-locka, Florida, as prescribed by this chapter under the direct jurisdiction and legislative control of the Opa-locka City Commission.

(Ord. No. 81-13, § 5, 5-27-81)

Sec. 11.1-16. - Members.

The board shall consist of nine (9) members appointed by the city commission. A minimum of five (5) members of the board shall be and shall hold office only so long as he or she is a resident and registered voter of the City of Opa-locka, Florida. These resident members shall be specifically designated by the city commission. *The city commission, within its discretion, shall appoint up to a maximum of four (4) members of the board who are not residents or registered voters of the city of Opa-locka, Florida.* Appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of historic preservation. The city commission should attempt to appoint architects, realtors, archaeologists, historians, art historians, lawyers or other individuals from the business, financial and other segments of the community who, by virtue of their profession or business, have demonstrated concern for historic preservation. The term of office of membership shall be five (5) years, except that, of the five (5) members first appointed, one shall be appointed for a term of one year, one for a term of two (2) years, one for a term of three (3) years, one for a term of four (4) years, and one for a term of five (5) years. Thereafter successors shall be appointed for a term of five (5) years each. Any vacancies during the unexpired term of an appointive member shall be filled by the city commission for the remainder of the term. Members shall be eligible for reappointment, and shall hold office until their successors have been duly appointed and qualified. Members of the board shall serve without compensation but shall be reimbursed for

necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the city commission. Before entering upon the duties of office, each member shall file written acceptance of appointment and take and subscribe to the oath of office prescribed by law, which shall be filed in the office of city clerk. A member of the board may be removed from office only by a four-fifths vote of the entire membership of the city commission; however, whenever a member of the board shall fail to attend three (3) consecutive meetings, the chairman shall certify the same to the city commission. Upon such certification the member shall be deemed to have been removed and the city commission shall fill the vacancy by appointment.

(Ord. No. 81-13, § 6, 5-27-81; Ord. No. 85-9, § 2, 4-24-85)

Sec. 11.1-17. - Organization.

The members of the board shall select a chairman who shall serve at the pleasure of the board and such other officers as may be deemed necessary or desirable. The city manager shall provide adequate personnel for the board including, but not limited to, representatives from the departments of community development, public works, public affairs and city attorney which shall be deemed the staff of the board. Minutes of each board meeting shall be kept and prepared under the supervision and direction of the board, and copies of such minutes shall be filed with the city clerk.

(Ord. No. 81-13, § 7, 5-27-81)

Sec. 11.1-18. - Rules and regulations.

The board shall make and prescribe such rules and regulations as are reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this chapter. Such rules and regulations shall conform to the provisions of this chapter and shall not conflict with the Constitution and general laws of the State of Florida, and shall govern and control procedures, hearings and actions of the board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations, and any amendments or modifications thereto, and the same have been approved by the city commission and filed with the city clerk. Upon approval by the commission, such rules and regulations shall have the force and effect of law within the City of Opa-locka, Florida. The board shall prescribe forms for use by applicants in compliance with the provisions of this chapter. The board may authorize any one of its members to administer oaths and certify to official acts.

(Ord. No. 81-13, § 8, 5-27-81)

Sec. 11.1-19. - Powers and duties.

The historic preservation board shall have the following enumerated powers and duties:

- (1) Adopt or amend rules of procedure;
- (2) Designate individual sites, districts and archeological zones;
- (3) Issue or deny certificates of appropriateness and certificates to dig;
- (4) Approve historical markers and issue certificates of recognition for individual sites and designated properties in a district;
- (5) Recommend zoning and building code amendments to the proper authorities;
- (6) Establish guidelines for preservation and criteria for issuance by staff of regular certificates of appropriateness;
- (7) Promote the awareness of historic preservation and its community benefits;

- (8) No actions of this board will supersede or be construed as superseding the authority of the city commission.
- (9) Review and update the historic survey as it applies to the City of Opa-locka for its quality and professional merit, and validate the findings of the survey as bonafide and sincere, and conduct such local research as is considered appropriate;
- (10) Implement the authority of this chapter and fulfill the tasks set forth for this board by the city commissioners in this and other chapters;
- (11) Record and maintain records of the board's actions and decisions;
- (12) Follow and abide by the laws of the United States of America, the State of Florida, Dade County, and the City of Opa-locka;
- (13) Provide an annual report to the city commission.

(Ord. No. 81-13, § 9, 5-27-81)

Sec. 11.1-20. - Designation process and procedure.

- (1) [Designation authority.] The board shall have the authority to designate areas, places, buildings, structures, landscape features, archeological sites and other improvements or physical features, as individual sites, districts, or archeological zones that are significant in Opa-locka's history, architecture, archeology, or culture and possesses an integrity of location, design, setting, materials, workmanship or association, or:
 - (a) Are associated with distinctive elements of the cultural, social political, economic, scientific, religious, prehistoric and architectural history that have contributed to the pattern of history in the community, Dade County, South Florida, the state or the nation; or
 - (b) Are associated with the lives of persons significant in our past; or
 - (c) Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value, or that represent a distinguishable entity whose components may lack individual distinction; or
 - (d) Have yielded, or are likely to yield information in history or prehistory; or
 - (e) Are listed in the National Register of Historic places.
- (2) [Requirements for designation.] Certain properties, which include cemeteries, birthplaces, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, properties commemorative in nature and properties that have achieved significance within the last twenty-five (25) years, will not normally be considered for designation. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:
 - (a) A religious property deriving primary significance from architectural or artistic distinction of historical importance;
 - (b) A building or structure removed from its location but which is primarily significant for architectural value or is the surviving structure most importantly associated with a historic event or person;
 - (c) A birthplace or grave of an historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life;
 - (d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events;

- (e) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance;
 - (f) A property or district achieving significance within the past twenty-five (25) years if it is of exceptional importance.
- (3) [Investigation and designation report.]Prior to the designation of an individual site, a district, or an archeological zone, an investigation and designation report must be filed with the board. The format of these reports may vary according to the type of designation, however all reports must address the following: the historical, cultural, architectural, or archeological significance of the property of properties being recommended for designation; a recommendation of boundaries for districts and archeological zones and identification of boundaries of individual sites being designated; a recommendation of standards to be adopted by the board in carrying out its regulatory function under this chapter with respect to certificates of appropriateness and certificates to dig. Where a report is filed recommending designation of a district, the report must identify those properties, if any, within the district which are not historically or architecturally compatible with structures in the district. The standards for regulating such nonconforming properties shall provide that a certificate of appropriateness may be required only for new construction on such properties. All reports shall take into consideration projected, proposed or existing public improvements and developmental or renewal plans.
- (4) Procedure.
- (a) Petition of the owner. The owner(s) of any property in the City of Opa-locka may petition this board for designation of their property as an individual site, district or archeological zone provided that they appear before the board with sufficient information to warrant the investigation of the property for future designation and the board finds that the property may be worthy of designation. The board shall, based on its findings, either direct the staff to begin the designation process or deny the petition. Nothing in this subsection shall be deemed to restrict the power of the board to initiate the designation process pursuant to this section.
 - (b) Directive of the board. The board shall, upon recommendations from staff or the acceptance of petitions pursuant to subsection (4)(a) of this section, direct staff to begin the designation process by preparing a designation report, pursuant to subsection (3) of this section and any other standards the board may deem necessary. Upon completion, the designation report shall be filed with the board. The filing of the designation report with the board as required by this section shall be made by filing the report with the City of Opa-locka City Clerk who shall note thereon the filing date and time.
 - (c) Notification of owner. For each proposed designation of an individual site, district, or archeological zone, the board is encouraged to obtain the permission of the property owner(s) within the designated area and is responsible for mailing a copy of the designation report to the owner(s) as notification of the intent of the board to consider designation of the property at least fifteen (15) days prior to a public hearing held pursuant to this section.
 - (d) Notification of government agencies. Upon filing of a designation report, the community development director shall immediately notify the clerk of the board of county commissioners, the city clerk, the city building official, the city attorney and any other county or municipal agency, including agencies with demolition powers, that may be affected by said filing.
 - (e) Notification of a public hearing. For each individual site, district or archeological zone proposed for designation a public hearing must be held. Owners of record or other parties having an interest in the proposed designated properties, if known, shall be notified of the public hearing; however, failure to receive such notice shall not invalidate the same as such notice shall also be perfected by publishing a copy thereof in a newspaper of general circulation at least ten (10) days prior to the hearing. Owners shall be given an opportunity at the public hearing to object to the proposed designation.

- (f) Requirement of notification. The board shall, by written resolution, state its decision to approve, deny, or amend the proposed designation and shall direct the secretary of the board to notify the following of its actions with a copy of the resolution:
 - 1. The City of Opa-locka Building Official;
 - 2. The county clerk;
 - 3. The Opa-locka City Clerk;
 - 4. Owner(s) of the affected property and other parties having an interest in the property, if known;
 - 5. The Opa-locka Public Affairs Department;
 - 6. The Opa-locka Public Works Department; and
 - 7. Any other county or municipal agency, including agencies with demolition powers, that may be affected by this action.
- (g) [Amendment or rescission.] The board may amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.
- (h) Moratorium. Upon the filing of a designation report by the staff, the owner(s) of the real property which is the subject matter of the designation report shall not:
 - 1. Erect any structure on the subject property;
 - 2. Alter, restore, renovate, move or demolish any structure on the subject property, until such time as final administrative action as provided by this chapter is completed.

(Ord. No. 81-13, § 10, 5-27-81; Ord. No. 85-9, § 3, 4-24-85)

Sec. 11.1-21. - Application for certificate of appropriateness.

- (1) [Required.] No building, structure, improvement, landscape feature or archeological site within the City of Opa-locka which is designated pursuant to section 11.1-10 shall be erected, altered, restored, renovated, excavated, moved or demolished until an application for a certificate of appropriateness regarding any architectural features, landscape features or site improvements has been submitted to the board for approval pursuant to the procedures in this section. Architectural features shall include, but not be limited to, the architectural style, scale, massing, siting, general design, ingress and egress, and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors and appurtenances. Architectural features shall include, when applicable, interior spaces where interior designation has been given pursuant to section 11.1-10. Landscape features and site improvements shall include, but are not limited to, site regarding [regrading], subsurface alterations, fill deposition, paving, landscaping, walls, fences, courtyards, vehicular movement systems, signs and exterior lighting. No certificate of appropriateness shall be approved unless the architectural plans for said construction, alteration, excavation, restoration, renovation, relocation, or demolition is approved by the board.
- (2) [Procedures required.] The board shall develop procedures for making application for both a regular and special certificate of appropriateness.
- (3) [Application standards.] The board shall adopt and may, from time to time, amend the standards by which applications for any certificate of appropriateness are to be measured and evaluated. In adopting these guidelines, it is the intent of the board to promote maintenance, restoration and adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites and streetscapes. These guidelines shall also serve as criteria for the community development staff to make decisions regarding applications for regular certificates of appropriateness.

- (4) Regular certificates of appropriateness. Based on the guidelines for preservation, the designation report, a complete application for regular certificate of appropriateness, any additional plans, drawings or photographs to fully describe the proposed alteration and any other guidelines the board may deem necessary, the staff of the board shall approve or deny the application for a regular certificate of appropriateness by the owner(s) of a designated individual site, or property within a designated district. The findings of the staff shall be mailed to the applicant, accompanied by a statement in full regarding the staff's decision. The applicant shall have an opportunity to challenge the staff decision by applying for a special certificate of appropriateness.
- (5) Special certificates of appropriateness.
- (a) An applicant for a special certificate of appropriateness shall submit his application to the board pursuant to section 11.1-10 and accompany such application to the board with full plans and specifications, site plan, and samples of materials as deemed appropriate by the board to fully describe the proposed appearance, color, texture or materials, and architectural design of the building and any outbuilding, wall, courtyard, fence, landscape feature, paving, signage and exterior lighting. The applicant shall provide adequate information to enable the board to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If such application involves a designated archeological site the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archeological site.
 - (b) The board shall hold a public hearing upon an application for a special certificate of appropriateness affecting property under its control. In such instances, notice and procedure of the public hearing shall be given to the property owner(s) by certified mail and to other interested parties by an advertisement in a newspaper of general circulation.
 - (c) The board shall approve, deny, or approve in modified form an application, subject to the acceptance of the modification by the applicant, or suspend action on the application in order to seek technical advice from outside its members or to meet further with the applicant to revise or modify the application.
 - (d) The decision of the board shall be issued in writing. Evidence of approval of the application shall be by certificate of appropriateness issued by the board or the board's designated staff representative to the applicant, and whatever its decision, notice in writing shall be given to the applicant and the Opa-locka Building Official. The board shall keep a record of its actions under this section.
- (6) Demolition.
- (a) Demolition of a designated building, structure, improvement or site may occur pursuant to an order of a government agency or a court of competent jurisdiction or pursuant to an approved application by the owner for a special certificate of appropriateness.
 - (b) Government agencies having the authority to demolish unsafe structures shall receive notice of designation of individual sites, districts or archeological zones pursuant to section 11.1-10. The board shall be deemed an interested party and shall be entitled to receive notice of any public hearings conducted by said government agency regarding demolition of any designated property. The board may make recommendations and suggestions to the government agency and the owner(s) relative to the feasibility of and the public interest in preserving the designated property.
 - (c) No permit for voluntary demolition of a designated building, structure, improvement or site shall be issued to the owner(s) thereof until an application for a special certificate of appropriateness has been submitted and approved pursuant to the procedures in this section. Refusal by the board to grant a special certificate of appropriateness shall be evidenced by written order detailing the public interest which is sought to be preserved. The board shall be guided by the criteria contained in subsection (6)(d) herein. The board may grant a special certificate of appropriateness which may provide for a delayed effective date of up to two (2) years. The effective date shall be determined by the board based upon the relative significance of the

structure and the probable time required to arrange a possible alternative to demolition. During the demolition delay period, the board may take such steps as it deems necessary to preserve the structure concerned, in accordance with the purposes of this ordinance. Such steps may include, but shall not be limited to, consultation with civic groups public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features.

- (d) In addition to all other provisions of this section, the board shall consider the following criteria in evaluating applications for a special certificate of appropriateness for demolition of designated properties:
 - (a) Is the structure of such interest or quality that it would reasonably meet national, state, or local criteria for designation as an historic or architectural landmark?
 - (b) Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?
 - (c) Is the structure one of the last remaining examples of its kind in the neighborhood, the county, or the region?
 - (d) Does the structure contribute significantly to the historic character of designated district?
 - (e) Would retention of the structure promote the general welfare of the county by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage?
 - (f) Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?
- (7) [Appeals.] Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provisions of this section would result in serious undue economic hardship to the applicant, the matter shall be officially referred to the Opa-locka Zoning Board of Appeals, which shall have the power to vary or modify adherence to this section; provided always that its requirements ensure harmony with the general purposes hereof and will not adversely affect the City of Opa-locka, Dade County, nor the South Florida metropolitan region.
 - (a) In any instance where there is a claim of undue economic hardship, the owner may submit, by affidavit, to the zoning board of appeals at least fifteen (15) days prior to the public hearing, the following information:
 - a. For all property.
 - i. The amount paid for the property, the date of purchase and the party from whom purchased;
 - ii. The assessed value of the land and improvements thereon according to the two (2) most recent assessments;
 - iii. Real estate taxes for the previous two (2) years;
 - iv. Annual debt service, if any, for the previous two (2) years;
 - v. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with his purchase, financing or ownership of the property;
 - vi. Any listing of the property for sale or rent, price asked and offers received, if any; and
 - vii. Any consideration by the owner as to profitable adaptive uses for the property; and
 - b. For income-producing property.
 - i. Annual gross income from the property for the previous two (2) years;
 - ii. Itemized operating and maintenance expenses for the previous two (2) years;

iii. Annual cash flow, if any, for the previous two years.

- (b) The zoning board of appeals may require that an applicant furnish such additional information as the board believes is relevant to its determination of undue economic hardship and may provide in appropriate instances that such additional information be furnished under seal. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.
- (8) [Certificate of appropriateness required.] No building permit shall be issued by the Opa-locka Building Official which affects any designated property in Dade County without a certificate of appropriateness.
- (9) [Conformity required.] All work performed pursuant to the issuance of any certificate of appropriateness shall conform to the requirements of the certificate. The city manager shall designate an appropriate official to assist the board by making necessary inspections in connection with enforcement of this chapter and shall be empowered to issue a stop work order if performance is not in accordance with the issued certificate. No work shall proceed as long as a stop work order continues in effect. Copies of inspection reports shall be furnished to the board and copies of any stop work orders both to the board and the applicant. The building official or appropriate official and staff for the board shall be responsible for ensuring that any work not in accordance with an issued certificate of appropriateness shall be corrected to comply with the certificate of appropriateness prior to withdrawing the stop work order.
- (10) [Emergency provisions.] For the purpose of remedying emergency conditions determined to be dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction or other repairs to a building or site in the City of Opa-locka, pursuant to an order of a government agency or a court of competent jurisdiction. The owner of a building damaged by fire or natural calamity shall be permitted to stabilize the building immediately without board approval and to rehabilitate it later under the normal review procedures of this chapter.
- (11) [Review authority.] The board shall have the authority to review applications for certificate of appropriateness for all property in Opa-locka, however owned, by either private or public parties. The purposes of this section shall apply equally to plans, projects or work executed or assisted by any private party, governmental body or agency, department, authority or board of the city, county or state.

(Ord. No. 81-13, § 11, 5-27-81; Ord. No. 85-9, § 4, 4-24-85)

Sec. 11.1-22. - Maintenance of designated properties.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any elements of any building or structure which does not involve a change of design, appearance or material, and which does not require a building permit.

(Ord. No. 81-13, § 12, 5-27-81)

Sec. 11.1-23. - Certificates to dig.

- (1) [Certificate to dig required.] Within an archeological zone, new construction, filling, digging, the removal of trees, or any other activity that may alter or reveal an interred archeological site shall be prohibited without a certificate to dig. All applications to all appropriate municipal or county agencies involving new construction, large-scale digging, the removal of trees or any other activity that may reveal or disturb an interred archeological site in an archeological zone shall require a certificate to dig before approval. Based on the designation report for the archeological zone, a complete

application for a certificate to dig and any additional guidelines the board may deem necessary, the staff of the board shall approve or deny the application for a certificate to dig by the owners of a property in a designated archeological zone. The certificate to dig may be made subject to specified conditions, including but not limited to, conditions regarding site excavation. In order to comply with the site excavation requirements of the certificate to dig, the applicant may agree to permit a city or county sanctioned archeologist to conduct excavation from the time of the approval of the certificate to dig until the effective date thereof. The findings of the staff shall be mailed to the applicant promptly. Applicant shall have the opportunity to challenge the staff decision or any conditions attached to the certificate to dig by requesting a meeting of the board. The board shall convene within a reasonable time and shall make every effort to review and reconsider the original staff decision to arrive at an equitable decision. The decision of the board shall be reduced to writing.

- (2) Approved certificates to dig. Approved certificates to dig shall contain an effective date at which time the proposed activity may begin, unless the board decides to designate the site in question as an individual site or district pursuant to section 11.1-10 in which case all the rules and regulations pertaining to the designation process shall apply from the date the designation report has been filed.
- (3) [Conformance required.] All work performed pursuant to the issuance of a certificate to dig shall conform to the requirements of such certificate. It shall be the duty of the City of Opa-locka, in particular its public works department, to inspect from time to time any work pursuant to such certificate to assure compliance. In the event work is performed not in accordance with such certificate, the official designated by the city manager pursuant to subsection 11.1-11(10) shall be empowered to issue a stop-work order and all work shall cease. No person, firm or corporation shall undertake any work on such projects as long as such stop-work order shall continue in effect.

(Ord. No. 81-13, § 13, 5-27-81)

Sec. 11.1-24. - Appeals.

- (1) Upon a written decision of the board or the city manager, an aggrieved party may appeal the decision by filing a written notice of appeal with the city clerk. The notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Subsequently, the city commission shall conduct a public hearing at which time they may affirm, modify or reverse the decision of the board. Nothing contained herein shall preclude the city commission from seeking additional information prior to rendering a final decision. The decision of the city commission shall be reflected in the minutes and a copy of the minutes shall be forwarded to the board and the appealing party.
- (2) Appeals from any decision of the city commission's written decision granting or denying a regular or special certificate or appropriateness shall be by a petition for certiorari to the circuit court.

(Ord. No. 81-13, § 14, 5-27-81; Ord. No. 15-03, § 3, 2-11-15)

Sec. 11.1-25. - Penalties.

Failure by an owner of record to comply with any provision of this chapter shall constitute a violation hereof and shall be punishable by the board by civil or criminal penalties including a fine of not more than five hundred dollars (\$500.00) per day for each day the violation continues. In addition, the board may require that any work performed contrary to this chapter must be removed and the property returned to its condition prior to commencement of said action.

(Ord. No. 81-13, § 15, 5-27-81)

Sec. 11.1-26. - Incentives.

All properties designated as individual sites or as designated properties within a district shall be eligible, upon application by the owner(s), for any available financial assistance set aside for historic preservation by Metropolitan Dade County contingent on the availability of funds and the scope of the project as described in the application.

(Ord. No. 81-13, § 16, 5-27-81)

- (3) To ensure appropriate information is provided, the accountable official involved shall consult with the HR specialist assigned to prior providing any feedback to the complaining party or the respondent.

(Ord. No. 01-2, § 8, 2-14-01)

Sec. 2-570.74. - Cases involving non-city personnel.

Allegations of sexual harassment, or other misconduct of a sexual nature, by or against persons who are not city employees will also be reviewed by the accountability board. If the respondent is a city employee, the procedures described in section 2-570.73 of this division apply in their entirety. In cases in which the individual against whom the allegation is made is not a city employee, the allegation will be reported to the cognizant contracting officer for referral to the contractor or to the individual's parent organization, as appropriate, for coordination in conducting any inquiry or investigation or in resolving the allegation. The accountability board will track and monitor these allegations to ensure timely and appropriate action.

(Ord. No. 01-2, § 9, 2-14-01)

Sec. 2-570.75. - Evaluation.

- (a) The accountability board will evaluate these procedures and their effectiveness on a continuing basis, as well as track and monitor all allegations and their outcomes. The accountability board will analyze trends in allegations and the manner in which they are resolved to identify areas within the city that need attention. Based on its analysis of pertinent data, the accountability board will recommend policies and procedures to correct identified systemic problems in city policies and practices.
- (b) The overall effectiveness of the accountability board and of these procedures will be evaluated one year after the date of adoption of this division. The outcomes of allegations considered by the accountability board, and the role of the accountability board, in general, will be evaluated to determine their consistency with the objectives stated herein. Appropriate modification to these procedures may include other forms of harassment and discriminatory behavior.

(Ord. No. 01-2, § 10, 2-14-01)

Secs. 2-570.76—2-570.80. - Reserved.

DIVISION 13. - TREE BOARD

Sec. 2-570.81. - Power and duties.

The City of Opa-locka Tree Board shall be advisory to the city commission in regard to the following matters:

- (1) To make recommendations to amend, and control over the regulating, planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, park or pathway, except such as are excluded pursuant to applicable law, including the planting, trimming, spraying care and protection thereof.
- (2) Make recommendations to regulate and control the use of the ground surrounding the same, so far as may be necessary for their proper growth, care and protection of trees and shrubbery.

- (3) Move or require the removal of any tree or part thereof dangerous to public safety.
- (4) Propose regulations, subject to approval by the city commission.
- (5) Recommend the treatment or removal of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the city.
- (6) Meet once a month, as needed, and keep public record of its resolutions, findings and determinations.

(Ord. No. 14-05, § 2, 6-11-14)

Sec. 2-570.82. - Composition.

The tree board shall consist of: Five (5) members, who shall be residents of the City of Opa-locka, one (1) chosen by the mayor and by each member of the city commission, who shall serve a term which will coincide with of that of the person who selected them. Any member may be removed at any time, with or without cause, by the person who appointed them. Members will not receive compensation for their services. A certified arborist retained by the city shall act as an advisor to the board.

(Ord. No. 14-05, § 2, 6-11-14)

1st Reading: June 27, 1990
2nd Reading: February 13, 1991
PUBLIC HEARING: February 13, 1991

ORDINANCE NO. 91-2

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA AMENDING ARTICLE 6 OF THE CITY OF OPA-LOCKA'S LAND DEVELOPMENT REGULATION CODE BY ESTABLISHING AN ARABIAN/MOORISH MOTIF DISTRICT WITHIN THE CITY OF OPA-LOCKA; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

SECTION 1- Section 6.14 of the Land Development Regulation Code of the City of Opa-locka is hereby enacted as follows:

Section 6.14

CITY OF OPA-LOCKA ARABIAN MOTIF ARCHITECTURAL REGULATIONS

SECTION A - PURPOSE. The purpose of these regulations is to encourage and expand the creative use of the Arabian Motif Architectural style. The use of Arabian Motif Architectural design in the construction of new buildings, and in the renovation or additions of existing buildings, will enhance the image of the City by providing a visual linkage between contemporary development and the City's unique thematic appearance.

SECTION B - APPLICABILITY.

a) These regulations shall be applicable and available to any property owner who chooses to construct, reconstruct or restore a building using the Arabian Motif Architectural style as described herein provided such property is located within an "A", or "C" Use District and is located within the following described areas:

1. An area described as all properties facing Opa-locka Boulevard from 17th Avenue to LeJune Road.
2. An area described as all properties facing LeJeune Road from 151st Street to 127th Street.
3. An area described as all properties facing Douglas/ LeJeune Connector from 151st Street to 127th Street.
4. An area described as all properties facing 22nd Avenue from Opa-locka Boulevard to 151 Street.
5. An area described as all properties facing 27th Avenue from 127th Street to 151st Street.

b) Properties which are located within the above described eligible areas and which are also abutting or across a street, waterway, or alley from a single-family or duplex zone district must receive special locational approval of the City Commission, after a public hearing of the Planning Council, in order to use the regulations, bonuses, or special allowances provided herein. The procedure for receiving special locational approval is specified in Section A (c).

c) All regulations of the underlying use districts shall remain in effect, provided, however, where a conflict exists between the development bonuses and special allowances provided in this chapter, and the regulations and standards in other sections of this Code, the development bonuses and special allowances provided herein shall supersede, unless specified to the contrary herein.

SECTION C - DESIGN ELEMENTS OF THE ARABIAN MOTIF ARCHITECTURAL STYLE. The design elements of the Arabian Motif architectural style are characterized by, but not limited to, the following existing buildings.

1. Opa-locka City Hall, 777 Sharazad Boulevard
2. Hurt Building, 490 Ali Baba Avenue
3. Opa-locka Bank Building (First Baptist Church)
940 Caliph Street
4. Helm Stores and Apartments, 1201-17 Sharazad Boulevard
5. King Truck Factory and Showroom, 951 Superior Street
6. Root Building, 111 Perviz Avenue
7. Higgens Duplex, 1210-12 Sesame Street
8. Tabor Duplex, 1214-16 Sesame Street
9. Baird House, 401 Dunad Avenue
10. Cravaro House, 1011 Sharar Avenue
11. Crouse House, 1156 Pen Street
12. Etheredge House, 915 Sharar Avenue
13. Griffiths House, 826 Superior Street
14. Maislio House, 1141 Jann Avenue
15. Helms House, 721 Sharar Avenue
16. Tinsman House, 110 Peri Street

17. Tooker House, 811 Dunad Avenue
18. Wheeler House, 1035 Dunad Avenue
19. Long House, 613 Sharar Avenue

The Arabian Motif architectural character and the detailed description of the above buildings shall be contained within an illustrated document entitled "Arabian Motif Architectural Style Guide," as adopted by Resolution of the City Commission. Adherence to the principles of the design elements shall form the basis of judgment in determining the appropriateness of new construction or restoration in the Arabian Motif Architectural style.

SECTION D - ELIGIBLE FOR DEVELOPMENT BONUSES AND SPECIAL ALLOWANCES

a) In order to encourage the creative use of Arabian Motif architectural style, the following buildings are eligible to earn development bonuses and special allowances:

1. New buildings voluntarily constructed in the Arabian Motif architectural style in accordance with the design elements described in Section C and approved by the Board of Architects. All such buildings shall be eligible for the development bonuses and/or special allowances specified in Section E.

2. Existing buildings which were not designed in Arabian Motif architectural style and through substantial and appropriate exterior renovation are voluntarily converted to the Arabian Motif architectural style and approved by the Board of Architects. All such buildings shall be eligible for the development bonus specified in Section F.

3. Existing Arabian Motif style buildings and significantly altered building which were originally designed in the Arabian Motif architectural style and are voluntarily subject to substantial and appropriate exterior restoration and approved by the Board of Architects. All such buildings shall be eligible for the development bonus specified in Section F.

- a. The determination of appropriate exterior restoration shall be based upon documentary evidence of the original design features where such evidence is available.

- b) For the purposes of determining eligibility for a development bonus the term "substantial exterior renovation or restoration" of an existing building shall be defined as being improvements costing 15% or more of the appraised value of the structure. The applicant shall be responsible for submitting an up-to-date appraisal so that the Building Official can certify the appraisal value and construction costs.

c) For the purpose of determining eligibility for a development bonus the term "appropriate exterior renovation or restoration" shall be defined as improvements which are consistent with the design elements described in Section C herein and approved by the Board of Architects.

SECTION E - SPECIFIC DEVELOPMENT BONUS AND SPECIAL ALLOWANCES FOR NEW BUILDING CONSTRUCTION.

a) The appropriate use of Arabian Motif Architectural style in new building construction will earn a development bonus shown as Development Category #1 on the schedule designated "Development Bonus and Special Allowances for New Building Construction, Table 1."

b) The construction of a new building in an appropriate Arabian Motif Architectural style may also be eligible to incorporate certain design elements, pedestrian amenities, and uses which will earn additional bonuses or special allowances shown as Development Categories 2 thru 7 on the schedule designated "Development Bonuses and Special Allowances for New Building Construction, Table I."

SECTION F - SPECIFIC DEVELOPMENT BONUS FOR EXISTING BUILDINGS.

a) Existing buildings which are not designed in the Arabian Motif architectural style and are appropriate converted to the Arabian Motif architectural style and in accordance with the provisions of Section D will earn a development bonus credit as shown on the schedule designated "Development Bonuses for Existing Buildings, Table II."

b) Existing buildings which were originally designed in the Arabian Motif architectural style and which are subject to substantial and appropriate exterior restoration in accordance with the provisions of Section D will earn a development bonus credit as shown on the schedule designated "Development Bonuses for Existing Buildings, Table II."

SECTION G - DETERMINATION OF DEVELOPMENT BONUSES FOR APARTMENT BUILDINGS, HOTELS AND APARTMENT HOTELS.

a) Development bonuses for apartment buildings, hotels or apartment hotels may used to provide additional floor area and additional permitted units in accordance with the following:

1. The total of the bonus square footage earned by compliance with the provisions specified in Sections E and F (Tables I and II) may be added to maximum allowable floor area.

2. In determining the number of units (density) requirements as set forth in this Code, the building site area shall be the total of the actual building site area plus the bonus square footage accumulated.

SECTION H - LIMITATIONS ON THE USE OF DEVELOPMENT BONUSES ACCUMULATED.

a) The total bonus square foot floor area earned for commercial uses by compliance with the provisions specified in Table I or Table II (Sections E and F) may be added as a matter of right to the building site earning the bonuses subject to the following limitation: Total maximum square footage which can be added to a new building or to a qualified existing building may not exceed 50% of the area of the building site.

b) Floor area or ground area used to calculate bonus credits under one category shall be precluded from being counted toward bonus credits for a second category.

c) The additional units for apartment buildings, hotels or apartments earned by compliance with the provisions in Table I or Table II (Sections E and F) may be added as a matter of right to the building site earning the bonus subject to the following limitation: total maximum number of units which can be added to a new building or to a qualified existing building may not exceed 25% more than the number of units which would otherwise be provided in this Code.

SECTION I - SPECIAL ALLOWANCES PERTAINING TO HEIGHT AND OFF-STREET PARKING.

a) Bonus square foot floor area or additional units may be used to provide additional height beyond maximum allowable heights of a new building or a qualified existing building; provided, however, in no event shall any building exceed the maximum allowable height by more than two (2) stories in a three(3) story zone, four (4) story zone, or six(6) story zone, and three(3) stories in a thirteen (13) story zone. Each story above the maximum allowable height which is permitted by this Section shall be limited to twelve (12) feet for each story.

b) Within the Central Business District as defined in this Code:

1. Any new building construction or restoration/renovation of an existing building which is developed in accordance with the provisions of this section shall be exempted if the Floor Area Ratio (F.A.R.) of such building does not exceed 1.45. Such exemptions shall only be effective if the building has earned development bonuses or special allowances as specified in this Section.

2. Any restoration/renovation of an existing building located on property facing Opa-locka Boulevard having a height of three stories or less, which is restored/renovated in accordance with the provisions of this section, may provide all or part of the required off-street parking on site, or in lieu thereof, may pay a special assessment fee in the amount of Five Thousand Dollars (\$5,000.00) for each required off-street parking space not provided. (The amount of such fee shall be subject to periodic review and adjustment by the City commission). The fee shall be paid into a special assessment fund established to the Code of the City of Opa-locka, which fund shall be dedicated toward and used exclusively for the development of off-street parking solutions in the Central Business District.

SECTION J - REVIEW OF ARABIAN MOTIF ARCHITECTURAL PLANS.

a) Board of Architects Preliminary Approval: An applicant for new construction or restoration or renovation of an existing building using the Arabian Motif Architectural style which will earn development bonuses or special allowances as specified in this Section will submit plans in accordance with the procedures specified in this Code:

1. Pursuant to this Code, all plans affecting designated historic landmarks must receive a certificate of appropriateness from the Historic Preservation Board prior to submittal to the Board of Architects.

2. The Board of Architects shall review all submitted plans to determine if appropriate Arabian Motif architectural construction is based upon adherence to the principles of the design elements specified in Section C herein.

3. In reviewing plans to restore or renovate a Arabian Motif styled building, the Board of Architects shall also determine if the appropriate exterior restoration is based upon documentary evidence of the original design features, where such evidence is available. The applicant shall be responsible for providing the documentation, if available.

4. In reviewing an existing building being converted to Arabian Motif architectural style, the Board of Architects shall also determine that such building is deemed not to have a significant non-Arabian Motif architectural character of its own which may qualify it for designation as an historic landmark pursuant to the Code of the City of Opa-locka. The Board of Architects may refer the plans to the Historic Preservation Board for comment prior to making its determination.

5. If the Board of Architects finds that the submitted plans represent appropriate Arabian Motif architectural construction, preliminary approval shall be given.

b) Compliance with Zoning: All plans receiving preliminary approval from the Board of Architects shall be reviewed by the Community Development Department for compliance with the provisions of the Zoning Code and to certify that the plans submitted do not exceed the limits of development bonuses and/or special allowances earned in accordance with the provisions of this section.

1. In the event plans for Arabian Motif Architectural construction or improvements exceed the development bonuses or special allowances earned or specified limits in Section 30-8 (whichever is less), or do not otherwise meet the full requirements of this Code, such plans may not be presented to the Board of Architects for final approval until such time as compliance is met or necessary variances are approved by the Board of Appeals, in accordance with the provisions of this Code.

c) Special Locational Approval: Prior to submission of plans for final approval by the Board of Architects, all proposed projects which are located in an area eligible to use the Arabian Motif Architectural Regulations and are also located abutting or across a street, waterway, or alley from a single-family or duplex zone district shall obtain special location approval from the City Commission, after a public hearing before the Planning Council. The Planning Council and the City Commission in reviewing a proposed Arabian Motif Architectural project shall consider the following factors:

1. The impact of the additional height, density, floor area bonuses, parking reduction allowance, traffic and traffic patterns upon the adjacent properties and immediately surrounding the neighborhood.

2. The visual and aesthetic impact of the architectural style on abutting building and the surrounding area.

3. The provision of buffers, screening, landscaping or other site improvements which would reduce the potential impact of the project on abutting properties and surrounding areas.

Special locational approval shall be initiated by the submission of an application in the Planning Council for public hearing after receiving the Board of Architects Preliminary approval, as specified in this Section and after having received a preliminary zoning compliance review by the Building and Zoning Department, as specified in Section 30-10(b).

d) Board of Architects Final Approval: Final approval of plans and specifications shall be considered by the Board of Architects after certification by the Zoning Department that the submitted plans are in compliance with the provisions of the Zoning Code.

SECTION K - EFFECT ON CURRENT CONSTRUCTION.

a) All restoration, renovation or new building construction projects in progress as of the effective date of this section, are eligible to re-submit plans for consideration under the provisions of this section.

SECTION 2- REPEALER.

All ordinances or parts in conflict herewith be and the same are hereby repealed.

SECTION 3 - SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4 - INCLUSION.

It is the intention of this City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Opa-locka, Florida.

The sections of this ordinance may be renumbered or relettered to accomplish such codification, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5 - EFFECTIVE DATE.

This ordinance upon passage shall become effective in the manner provided by law.

PASSED AND ADOPTED on this 13th day of February, 1991.

ATTEST:

Ronetta Taylor
CITY CLERK

[Signature]
MAYOR

COMMISSION VOTE: 5-0

Vice Mayor Allen: Yes
Commissioner Barrett: Yes
Commissioner Kelley: Yes
Commissioner Miller: Yes
Mayor Ingram: Yes

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

FACADEO

SECTION F - DEVELOPMENT BONUSES FOR EXISTING BUILDINGS

TABLE II

DEVELOPMENT CATEGORY

1. ARCHITECTURAL STYLE

QUALIFICATIONS

Conversion and/or renovation of existing building not designed in Arabian Motif Architectural style to Arabian Motif Architectural style pursuant to the provisions of Section D herein, and approved by the Board of Architects. Restoration of an existing building designed in the Arabian Motif Architectural style; restoration must be pursuant to the provisions of Section D herein, and approved by the Board of Architects. All facades facing public street, alley or waterway must be converted or renovated in accordance with this section.

BONUS CREDIT

For each six (6) square feet of gross floor area within the existing building: one (1) square foot of bonus area.

SECTION E - DEVELOPMENT BONUSES AND SPECIAL ALLOWANCES FOR NEW BUILDING CONSTRUCTION

TABLE I

DEVELOPMENT CATEGORY

1. ARCHITECTURAL STYLE

QUALIFICATIONS

All new buildings designed in Arabian Motif Architectural style in accordance with Design Elements contained in Section C and approved by the Board of Architects.

BONUS CREDIT/SPECIAL ALLOWANCES

An increase in floor area equivalent to .20 x the area of the building site.

(ADDITIONAL AMENITIES)

DEVELOPMENT CATEGORY

2. RETAIL ON GROUND FLOOR

QUALIFICATIONS

Location of pedestrian oriented retail stores and shops (including restaurants, cafes, etc.) at ground floor where otherwise permitted by the Code; establishments must have direct opening onto an exterior public sidewalk, public pedestrian plaza or thru an open courtyard where the public has unrestricted access.

BONUS CREDIT/SPECIAL ALLOWANCES

For each ten (10) square feet of retail establishments; three (3) square feet of bonus floor area.

DEVELOPMENT CATEGORY

3. MIXED USE

QUALIFICATIONS

Residential and/or hotel units combined with commercial and/or industrial uses where otherwise permitted, and in the amounts specified, by Code.

BONUS CREDIT/SPECIAL ALLOWANCES

5% reduction of off-street parking spaces required for the commercial and/or industrial uses.

DEVELOPMENT CATEGORY

4. PEDESTRIAN COURTYARD

QUALIFICATIONS

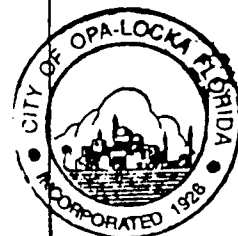
Pedestrian courtyard defined as an open area partially or fully enclosed by buildings or walls where the public has unrestricted access. The courtyard space must be open space above minimum required at ground level. The courtyard must connect to a public sidewalk and provide elements such as seating, landscaping, shade and water features. Minimum size 400 square feet.

BONUS CREDIT/SPECIAL ALLOWANCES

For each one (1) square foot of pedestrian plaza one (1) square foot of bonus floor space.

FACADEO

Korilla Taylor City Clerk of the City of Opa-locka, Florida
do hereby certify this to be a true and correct copy of Resolution 91-1
adopted 7/22/91 by the Historic Preservation Bd.
as shown in the official records of the City of Opa-locka, Florida.
Witness my hand and seal, this 10 day of August, 1992
Korilla Taylor City Clerk



Office of
The City Clerk

OPA-LOCKA HISTORIC PRESERVATION BOARD

RESOLUTION NO. 91-1

RESOLUTION DESIGNATING PUBLIC AND PRIVATE
PROPERTIES AS HISTORIC SITES PURSUANT TO
OPA-LOCKA CITY ORDINANCE 81-13 AS
AMENDED. THIS RESOLUTION RECINDS
RESOLUTION 90-1 DUE TO FORMAT AND CONTENT

WHEREAS, the following properties are outstanding examples of
Moorish architecture in Opa-locka and Dade County; and

WHEREAS, those properties were built, based on the original
plans as designed by its founder, Glenn Curtiss; and

WHEREAS, the preservation of historic sites is in the best in-
terest of Opa-locka and its citizens; and

WHEREAS, the below listed properties meet the requirements, being
of historical, cultural, architectural and archeological significance:

<u>Address</u>	<u>Owner</u>
*1110 Peri	Santiago Morales
1145 Peri	Mrs. Wm. Adams
*1156 Peri	Manuel Rey
1211 Peri	A. A. Deer
806 Jann	Francisco Rodriguez
910 Jann	Vivian & James Bobbitt
916 Jann	Andrew Cook
*1141 Jann	Fabio Pavon
*613 Sharar	James F. Peterson
*721 Sharar	Charles Rose
*915 Sharar	Adel Raad
1006 Sharar	Ermine V. Billingsley
1010 Sharar	Edward Scott
*1011 Sharar	Irementer Howard
1145 Sharar	Joseph Piverger
1301 Sharar	Mr. & Mrs. Robert L. Causey
*401 Dunad	

<u>Address</u>	<u>Owner</u>
1111 Sesame	Patricio Jimenez
*1210-1212 Sesame (Duplex)	Thornton B. Smith
*1214-1216 Seame (Du;oex)	William E. Brown
*826 W. Superior	Francisco O. Alfonso
*951 W. Superior	Clinton F. O'Dell
*1217 Sharazad	Richard C. Weit
103 Perviz	Ram Investment Co.
*117 Perviz (E. E. Root Bldg.)	Juan B. Rondon
124 Perviz (Fire/Police Station)	City of Opa-locka
*480 Ali Baba (Train Station)	Seacost R. R.
940 Caliph (Bank Bldg.)	Trustees First Baptist Church
*432 Opa-locka Blvd. (Hurt Bldg.)	Community Development Corp.
*777 Sharazad (City Hall)	City of Opa-locka
* Listed on National Register of Historical Sites	

NOW, THEREFORE, THE HISTORIC PRESERVATION BOARD OF THE CITY OF
OPA-LOCKA HEREBY RESOLVES:

Section 1. That the above listed thirty-four (34) properties are hereby designated historic sites pursuant to the Opa-locka Historic Preservation Ordinance 81-13, as amended, and that the said thirty-four (34) properties are subject to all rights, privileges, and requirements of that ordinance.

PASSED and ADOPTED this 22nd day of April 1991.

Winifred Amdor
Winifred Amdor, Chairman

Ceola Walker, Member

Roy P. Cookston, Member

James Bobbitt, Jr.
James Bobbitt, Jr., Member

STATE OF FLORIDA)

COUNTY OF DADE)

WITNESS my hand and official seal this _____ of _____ 1991

First Reading: May 13, 1981
 Second Reading: May 27, 1981
 Public Hearing: May 27, 1981
 Posted in Full: May 28, 1981
 Effective Date: May 28, 1981

ORDINANCE NO. 81-13

AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES ESTABLISHING THE OPA-LOCKA HISTORICAL PRESERVATION BOARD PURSUANT TO SECTION 3, SUBSECTION (1) OF METROPOLITAN DADE COUNTY, FLORIDA ORDINANCE 81-13, FOR THE PURPOSE OF PROTECTING AND PERPETUATING PROPERTIES WORTHY OF HISTORIC PRESERVATION: PROVIDING FOR RULES OF PROCEDURE; PROVIDING FOR DESIGNATION OF PROPERTIES AS INDIVIDUAL SITES, DISTRICTS OR ARCHEOLOGICAL ZONES AND FOR REGULATION OF SAME THROUGH ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND CERTIFICATES TO DIG; PROVIDING FOR QUALIFICATION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE PURSUANT TO SECTION 16 OF SAID DADE COUNTY ORDINANCE 81-13; PROVIDING FOR PENALTIES AND APPEALS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Metropolitan Dade County, Florida adopted on February 17, 1981, effective February 27, 1981, Ordinance 81-13 for the purpose of protecting and perpetuating properties worthy of historic preservation; and

WHEREAS, said County Ordinance 81-13, Section 3, provides that municipalities within Dade County shall have up to and including July 1, 1982 to adopt local ordinances with respect to historical districts, individual sites and archeological zones, with the provision that should any municipality fail to adopt an ordinance regulating historic preservation prior to July 1, 1982 said County Ordinance shall govern within such municipality; and

WHEREAS, the City of Opa-locka has a rich history in its urban design concept, buildings, structures and archeological sites, notably the manifestation of the urban design concept envisioned by its founder, Glen H. Curtiss and implemented by noted town planner Clinton McKenzie and noted Architect Bernhardt E. Muller; and

WHEREAS, remnants of the ancient Indian hammock from which the City of Opa-locka derives its name are still to be seen east of LeJeune Road on the South Side of Opa-locka Airport. The first extensive archeological project launched in Dade County included, in 1934, excavations in this hammock, and fragments of the Tequesta Indian pottery design called Opa-locka incised were first found

there and thus so named; and

WHEREAS, many significant and varied aspects of the history of the City of Opa-locka, founded in 1926, are concentrated in the second quarter of the twentieth century; and

WHEREAS, this variety has been manifested in a unique architectural and urban design response to Founder Glen Curtis preference for arabian architectural design and the professional talents of designers Mr. McKenzie and Mr. Muller; and

WHEREAS, the possibility exists that archeological sites exist within Opa-locka that have yet to be discovered which could yield a great amount of information on the history and prehistory of the Opa-locka area; and

WHEREAS, the preservation of historic buildings, historic structures, historic districts and sites and archeological districts and sites are in the best interest and public welfare of the citizens of and visitors to Opa-locka, Dade County and the South Florida Metropolitan Region; and

WHEREAS, the preservation of these resources will expand the educational and cultural opportunities of the citizens of, and visitors to, the City of Opa-locka, Dade County and the South Florida Region.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF OPA-LOCKA, FLORIDA

Section 1. Short Title

This Ordinance shall be known and may be cited as the "City of Opa-locka Historic Preservation Ordinance."

Section 2. Declaration of Legislative Intent

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archeological, aesthetic and architectural merit are in the interests of the health, prosperity and welfare of the people of Opa-locka. Therefore, this Ordinance is intended to:

- (1) Effect and accomplish the protection, enhancement and perpetuation of buildings, structures, improvements landscape features and archeological resources of sites and districts which represent distinctive elements of the City's, County's and Region's cultural, social, economic, political, scientific, religious, prehistoric and architectural history;
- (2) Safeguard the area's historical, cultural archeological and architectural heritage, as embodied and reflected in such individual sites, districts and archeological zones;
- (3) Foster civic pride in the accomplishments of the past;
- (4) Protect and enhance the area's attraction to visitors and the support and stimulus to the economy thereby provided; and
- (5) Promote the use of individual sites and districts for the education, pleasure and welfare of the people of the Opa-locka area, Dade County and the South Florida Metropolitan Region.

Section 3. Scope of Regulations

This Ordinance is intended to and shall govern and be applicable to all property located in the City of Opa-locka, Florida. Nothing contained herein shall be deemed to supercede or conflict with applicable building and zoning codes. Provisions contained herein shall be cumulative and read in conjunction with other laws, rules and regulations. It is the legislative intent of the Opa-locka City Commission that this ordinance shall meet the requirements of Section 3, Subsections (1), (2) and (3) of Dade County Ordinance 81-13 as a qualified municipal Historic Preservation Ordinance, and that this Ordinance shall be filed with the Clerk of Dade County Board of County Commissioners and with the National Register of Historical places for certification to be eligible under the 1976 Tax Act.

Section 4. Definitions

(1) Archeological zone - An area designated by this ordinance which likely to yield information on the history and pre-history of Opa-locka based on prehistoric settlement patterns in Opa-locka as determined by the results of the Dade County Historic Survey and local research. These Zones will tend to conform to natural physiographic features which were the focal points for pre-historic and historic activities.

(2) Certificates of Appropriateness - A certificate issued by the Board permitting certain alterations or improvements to a designated property.

(A) Regular Certificate of Appropriateness - A Regular Certificate of Appropriateness shall be issued by the staff of the Preservation Board, based on the guidelines for preservation approved by the Board.

(B) Special Certificate of Appropriateness - For all applications for a Special Certificate of Appropriateness involving the demolition, removal, reconstruction or new construction at an individual site or in a district a Special Certificate of Appropriateness is required that is issued directly by the Board.

(3) Certificate to Dig - A certificate that gives the Board's permission for certain digging projects that may involve the discovery of as yet unknown or known archeological sites in an archeological zone. This certificate is issued by staff of the Board based on the guidelines for preservation approved by the Board.

(4) Certificate of Recognition - A certificate issued by the Board recognizing properties designated pursuant to this ordinance.

(5) Demolition - The complete constructive removal of a building on any site.

(6) Districts - A collection of archeological sites, buildings, structures, landscape features or other improvements that are concentrated in the same area and have been designated as a district pursuant to this ordinance.

(7) Exterior - All outside surfaces of a building or structure.

(8) Guidelines for Preservation - Criteria established by the Preservation Board to be used by staff in determining the validity of applications for a Regular Certificate of Appropriateness and any Certificate to Dig and to establish a set of guidelines for the preservation of buildings in Opa-locka.

(9) Historical Preservation Board - A board of citizens created by this ordinance as described in Sections 5 through 9.

(10) Historic Survey - A comprehensive survey compiled by the Historic Preservation Division of the Dade County Office of Community and Economic Development involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archeological or architectural, importance in Dade County, Florida.

(11) Individual Site - An archeological site, building, structure, place or other improvement that has been designated as an individual site pursuant to this ordinance. Under the provisions of this ordinance interior spaces may be regulated only where a building or structure is designated individual site.

(12) National Register of Historic Places - A federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.

(13) Ordinary Repairs or Maintenance - Work done to prevent deterioration of a building or structure or decay of or damage to a building or structure or any part thereof by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

(14) Owner of a Designated Property - As reflected on the current Metropolitan Dade County tax rolls or current title holder.

(15) Undue Economic Hardship - Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.

(16) Landscape Feature - Any improvement or vegetation including, but not limited to outbuildings, walls, courtyards, fences, shrubbery, trees sidewalks, planters, plantings, gates, street furniture and exterior lighting.

Section 5. Historic Preservation Board: Created and Established

There is hereby created an Historical Preservation Board, ("the Board"), as a governmental agency of the City government in and for the City of Opa-locka, Florida. The Board is hereby vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archeological and architectural

resources in Opa-locka, Florida, as prescribed by this Ordinance under the direct jurisdiction and legislative control of the Opa-locka City Commission.

Section 6. Members

The Board shall consist of five (5) members appointed by the City Commission. Each member of the Board shall be, and shall hold office only so long as he or she is a resident and registered voter of the City of Opa-locka, Florida. The term of office of membership shall be five years, except that, of the five members first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Thereafter successors shall be appointed for a term of five years each. Any vacancy during the unexpired term of an appointive member shall be filled by the City Commission for the remainder of the term. Members shall be eligible for reappointment, and shall hold office until their successors have been duly appointed and qualified. Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the City Commission. Before entering upon the duties of office, each member shall file written acceptance of appointment and take and subscribe to the oath of office prescribed by law, which shall be filed in the office of City Clerk. A member of the Board may be removed from office only by a four-fifths (4/5) vote of the entire membership of the City Commission; however, whenever a member of the Board shall fail to attend three (3) consecutive meetings, the chairman shall certify the same to the City Commission. Upon such certification the member shall be deemed to have been removed and the City Commission shall fill the vacancy by appointment.

Section 7. Organization

The members of the Board shall select a chairman who shall serve at the pleasure of the Board and such other officers as may be deemed necessary or desirable. The City Manager shall

provide adequate personnel for the Board including but not limited to representative from the Departments of Community Development, Public Works, Public Affairs and City Attorney which shall be deemed the staff of the board. Minutes of each board meeting shall be kept and prepared under the supervision and direction of the Board, and copies of such minutes shall be filed with the City Clerk.

Section 8. Rules and Regulations

The Board shall make and prescribe such rules and regulations as are reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this Ordinance. Such rules and regulations shall conform to the provisions of this Ordinance and shall not conflict with the Constitution and general laws of the State of Florida, and shall govern and control procedures, hearings and actions of the board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations, and any amendments or modifications thereto, and the same have been approved by the City Commission and filed with the City Clerk. Upon approval by the Commission, such rules and regulations shall have the force and effect of law within the City of Opa-locka, Florida. The Board shall prescribe forms for use by applicants in compliance with the provisions of this chapter. The Board may authorize any one of its members to administer oaths and certify to official acts.

Section 9. Powers and Duties

The Historical Preservation Board shall have the following enumerated powers and duties:

- 1) Adopt or amend rules of procedure
- 2) Designate individual sites, districts and archeological zones.
- 3) Issue or deny Certificates of Appropriateness and Certificates to Dig.

- 4) Approve historical markers and issue certificates of recognition for individual sites and designated properties in a district.
- 5) Recommend zoning and building code amendments to the proper authorities.
- 6) Establish guidelines for preservation and criteria for issuance by staff of regular certificates of appropriateness.
- 7) Promote the awareness of historic preservation and its community benefits.
- 8) No actions of this Board will supersede or be construed as superseding the authority of the City Commission.
- 9) Review and update the Historic Survey as it applies to the City of Opa-locka for its quality and professional merit, and validate the findings of the survey as bonafide and sincere, and conduct such local research as is considered appropriate.
- 10) Implement the authority of this Ordinance and fulfill the tasks set forth for this Board by the City Commissioners in this and other ordinances.
- 11) Record and maintain records of the Board's actions and decisions.
- 12) Follow and abide by the laws of the United States of America, the State of Florida, Dade County, and the City of Opa-locka.
- 13) Provide an annual report to the City Commission.

Section 10. Designation Process and Procedure

I. The Board shall have the authority to designate areas, places, buildings, structures, landscape features, archeological sites and other improvements or physical features, as individual sites, districts, or archeological zones that are significant in Opa-locka's history, architecture, archeology, or culture and possesses an integrity of location, design, setting, materials, workmanship or association, or:

- (A) Are associated with distinctive elements of the cultural, social political, economic, scientific, religious, prehistoric and architectural history that have contributed to the pattern of history in the community, Dade County, South Florida, the state or the nation; or

- (B) Are associated with the lives of persons significant in our past; or
- (C) Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value, or that represent a distinguishable entity whose components may lack individual distinction; or
- (D) Have yielded, or are likely to yield information in history or prehistory; or
- (E) Are listed in the National Register of Historic places.

II. Certain properties which include cemeteries, birth-places, properties owned by religious institutions, or used for religious purposes, structures that have been moved from their original locations, properties commemorative in nature and properties that have achieved significance within the last twenty-five years, will not normally be considered for designation. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:

- (A) A religious property deriving primary significance from architectural or artistic distinction of historical importance.
- (B) A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with an historic event or person.
- (C) A birthplace or grave of an historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life.
- (D) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events.
- (E) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.
- (F) A property or district achieving significance within the past twenty-five years if it is of exceptional importance.

III. Prior to the designation of an individual site, a district, or an archeological zone, an investigation and designation report must be filed with Board. The format of these reports may vary according to the type of designation, however all reports must address the following: The historical, cultural, architectural, and archeological significance of the property of properties being recommended for designation; a recommendation of boundaries for districts and archeological zones and identification of boundaries of individual sites being designated; a recommendation of standards to be adopted by the Board in carrying out its regulatory function under this ordinance with respect to Certificates of Appropriateness and Certificates to Dig. Where a report is filed recommending designation of a district, the report must identify those properties, if any, within the district which are not historically or architecturally compatible with structures in the district. The standards for regulating such non-conforming properties shall provide that a Certificate of Appropriateness may be required only for new construction on such properties. All reports shall take into consideration projected, proposed or existing public improvements and developmental or renewal plans.

IV. Procedure

- (A) Petition of the Owner - The owner(s) of any property in the City of Opa-locka may petition this Board for designation of their property as an individual site, district or archeological zone provided that they appear before the Board with sufficient information to warrant the investigation of the property for future designation and the Board finds that the property may be worthy of designation. The Board shall, based on its findings, either direct the staff to begin the designation process or deny the petition. Nothing in this subsection shall be deemed to restrict the power of the Board to initiate the designation process pursuant to this section.
- (B) Directive of the Board - The Board shall, upon recommendations from staff and the acceptance of petitions pursuant to Part IV, Section A of this section, direct staff to begin the designation process by preparing a designation report, pursuant to Part III of this section and any other standards the Board may deem necessary, and submitting this report according to the procedures described herein.
- (C) Notification of owner - For each proposed designation of an individual site, district, or archeological zone the Board is encouraged to obtain the permission of the property owner(s) within the designated area, and is responsible for mailing a copy of the designation report to the owner(s) as notification of the intent of the Board to consider designation of the property at least 15 days prior to filing of a designation report with the Board.
- (D) Notification of Government Agencies - Upon filing of a designation report, the Community Development Director shall immediately notify the Clerk of the Board of County Commissioners, the City Clerk, the City Building Official, the City Attorney and any other County or Municipal agency, including agencies with demolition powers, that may be affected by said filing.
- (E) Notification of a Public Hearing - For each individual site, district or archeological zone proposed for designation a public hearing must be held. Owners of record or other parties having an interest in the proposed designated properties, if known, shall be notified of the public hearing, however, failure to re-

ceive such notice shall not invalidate the same as such notice shall also be perfected by publishing a copy thereof in a newspaper of general circulation at least ten (10) days prior to the hearing. Owners shall be given an opportunity at the public hearing to object to the proposed designation.

- (F) Requirement of Notification - The Board shall reduce to writing its decision to approve, deny, or amend the proposed designation and direct the Community Development Director to notify the following of its actions with a copy of the official minutes of the meeting, and a resolution of the Board providing a summary statement of the effects of this action:
- 1) The City of Opa-locka Building Official,
 - 2) The County Clerk,
 - 3) The Opa-locka City Clerk,
 - 4) Owner(s) of the affected property and other parties having an interest in the property, if known,
 - 5) The Opa-locka Public Affairs Department,
 - 6) The Opa-locka Public Works Department, and
 - 7) Any other County or Municipal Agency, including agencies with demolition powers, that may be affected by this action.
- (G) The Board may amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.
- (H) Moratorium. Upon the filing of a designation report by the staff, the owner(s) of the real property which is the subject matter of the designation report shall not:
- 1) Erect any structure on the subject property.
 - 2) Alter, restore, renovate, move or demolish any structure on the subject property, until such time as final administrative action, as provided by this chapter, is completed.

Section 11. Application for Certificate of Appropriateness

I. No building, structure, improvement, landscape feature or archeological site within the City of Opa-locka which is designated pursuant to Section 10 of this Chapter shall be erected, altered, restored, renovated, excavated, moved or demolished until an application for a Certificate of Appropriateness regarding any architectural features, landscape features or site improvements has been submitted to the Board for approval pursuant to the procedures in this section. Architectural features shall include, but not be limited to, the architectural style, scale, massing, siting, general design, ingress and egress, and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors and appurtenances. Architectural features shall include, when applicable, interior spaces where interior designation has been given pursuant to Section 10 of this Ordinance. Landscape features and site improvements shall include, but are not limited to, site regrading, subsurface alterations, fill deposition, paving, landscaping, walls, fences, courtyards, vehicular movement systems, signs and exterior lighting. No Certificate of Appropriateness shall be approved unless the architectural plans for said construction, alteration, excavation, restoration, renovation, relocation, or demolition is approved by the Board.

II. The Board shall develop procedures for making application for both a Regular and Special Certificate of Appropriateness.

III. The Board shall adopt and may from time to time amend the standards by which applications for any Certificate of Appropriateness are to be measured and evaluated. In adopting these guidelines, it is the intent of the Board to promote maintenance, restoration and adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites and streetscapes. These guidelines shall

also serve as criteria for the Community Development staff to make decisions regarding applications for Regular Certificates of Appropriateness.

IV. Regular Certificates of Appropriateness - Based on the guidelines for preservation, the designation report, a complete application for Regular Certificate of Appropriateness, any additional plans, drawings or photographs to fully describe the proposed alteration and any other guidelines the Board may deem necessary, the staff of the Board shall approve or deny the application for a Regular Certificate of Appropriateness by the owner(s) of a designated individual site, or property within a designated district. The findings of the staff shall be mailed to the applicant, accompanied by a statement in full regarding the staff's decision. The applicant shall have an opportunity to challenge the staff decision by applying for a Special Certificate of Appropriateness.

V. Special Certificates of Appropriateness -

A. An applicant for a Special Certificate of Appropriateness shall submit his application to the Board pursuant to Section 10 of this Chapter and accompany such application to the Board with full plans and specifications, site plan, and samples of materials as deemed appropriate by the Board to fully describe the proposed appearance, color, texture or materials, and architectural design of the building and any outbuilding, wall, courtyard, fence, landscape feature, paving, signage and exterior lighting. The applicant shall provide adequate information to enable the Board to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and street-scapes. If such application involves a designated archeological site the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archeological site.

B. The Board shall hold a public hearing upon an application for a Special Certificate of Appropriateness affecting property under its control. In such instances, notice and procedure of the public hearing shall be given to the property owner(s) by certified mail and to other interested parties by an advertisement in a newspaper of general circulation.

C. The Board shall approve, deny, or approve in modified form an application, subject to the acceptance of the modification by the applicant, or suspend action on the application in order to seek technical advice from outside its members or to meet further with the applicant to revise or modify the application.

D. The decision of the Board shall be issued in writing. Evidence of approval of the application shall be by Certificate of Appropriateness issued by the Board or the Board's designated staff representative to the applicant, and whatever its decision, notice in writing shall be given to the applicant and the Opa-locka Building Official. The Board shall keep a record of its actions under this ordinance.

VI. Demolition

A. Demolition of a designated building, structure, improvement or site may occur pursuant to an order of a government agency or a court of competent jurisdiction or pursuant to an application by the owner for a Special Certificate of Appropriateness.

B. Government agencies having the authority to demolish unsafe structures shall receive notice of designation of individual sites, districts or archeological zones pursuant to Section 10 of this Chapter. The Board shall be deemed an interested party and shall be entitled to receive notice of any public hearings conducted by said government agency regarding demolition of any designated property. The Board may make recommendations and suggestions to the government agency and the owner(s) relative to the feasibility of and the public interest in preserving the designated property.

C. No permit for voluntary demolition of a designated building, structure, improvement or site shall be issued to the owner(s) thereof until an application for a Special Certificate of Appropriateness has been submitted and approved pursuant to the procedures in this Section. Refusal by the Board to grant a Special Certificate of Appropriateness shall be evidenced by written order detailing the public interest which is sought to be preserved. The Board shall be guided by the criteria contained in subsection VI, D herein. The Board may grant a Special Certificate of Appropriateness which may provide for a delayed effective date of up to two (2) years. The effective date shall be determined by the Board based upon the relative significance of the structure and the probable time required to arrange a possible alternative to demolition. During the demolition delay period, the Board may take such steps as it deems necessary to preserve the structure concerned, in accordance with the purposes of this ordinance. Such steps may include, but shall not be limited to, consultation with civic groups public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features.

D. In addition to all other provisions of this ordinance, the Board shall consider the following criteria in evaluating applications for a Special Certificate of Appropriateness for demolition of designated properties:

- (a) Is the structure of such interest or quality that it would reasonably meet national, state, or local criteria for designation as an historic or architectural landmark?
- (b) Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?
- (c) Is the structure one of the last remaining examples of its kind in the neighborhood, the County, or the region?
- (d) Does the structure contribute significantly to the historic character of designated district?

- (e) Would retention of the structure promote the general welfare of the County by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage?
- (f) Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?

VII. Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provisions of this ordinance would result in serious undue economic hardship to the applicant, the matter shall be officially referred to the Opa-locka Zoning Board of Appeals which shall have the power to vary or modify adherence to this ordinance; provided always that its requirements ensure harmony with the general purposes hereof and will not adversely affect the City of Opa-locka, Dade County, nor the South Florida metropolitan region.

VIII. No Building Permit shall be issued by the Opa-locka Building Official which affects any designated property in Dade County without a Certificate of Appropriateness.

IX. All work performed pursuant to the issuance of any Certificate of Appropriateness shall conform to the requirements of the Certificate. The City Manager shall designate an appropriate official to assist the Board by making necessary inspections in connection with enforcement of this ordinance and shall be empowered to issue a stop work order if performance is not in accordance with the issued certificate. No work shall proceed as long as a stop work order continues in effect. Copies of inspection reports shall be furnished to the Board and copies of any stop work orders both to the Board and the applicant. The Building Official or appropriate official and staff for the Board shall be responsible for ensuring that any work not in accordance with an issued Certificate of Appropriateness shall be corrected to comply with the Certificate of Appropriateness prior to withdrawing the stop work order.

X. For the purpose of remedying emergency conditions determined to be dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction or other repairs to a building or site in the City of Opa-locka, pursuant to an order of a government agency or a court of competent jurisdiction. The owner of a building damaged by fire or natural calamity shall be permitted to stabilize the building immediately without Board approval, and to rehabilitate it later under the normal review procedures of this ordinance.

XI. The Board shall have the authority to review applications for Certificate of Appropriateness for all property in Opa-locka, however owned, by either private or public parties. The purposes of this ordinance shall apply equally to plans, projects or work executed or assisted by any private party, governmental body or agency, department, authority or board of the City, County or State.

Section 12. Maintenance of Designated Properties

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any elements of any building or structure which does not involve a change of design, appearance or material, and which does not require a building permit.

Section 13. Certificates to Dig

I. Within an archeological zone, new construction, filling, digging, the removal of trees, or any other activity that may alter or reveal an interred archeological site shall be prohibited without a Certificate to Dig. All applications to all appropriate municipal or county agencies involving new construction, large scale digging, the removal of trees or any other activity that may reveal or disturb an interred archeological site, in an archeological zone shall require a Certificate to Dig before approval. Based on the designation report for the archeological zone, a complete application for a Certificate to Dig and any additional guide-

lines the Board may deem necessary, the staff of the Board shall approve or deny the application for a Certificate to Dig by the owners of a property in a designated archeological zone. The Certificate to Dig may be made subject to specified conditions, including but not limited to, conditions regarding site excavation. In order to comply with the site excavation requirements of the Certificate to Dig, the applicant may agree to permit a City or County sanctioned Archeologist to conduct excavation from the time of the approval of the Certificate to Dig until the effective date thereof. The findings of the staff shall be mailed to the applicant promptly. Applicant shall have the opportunity to challenge the staff decision or any conditions attached to the Certificate to Dig by requesting a meeting of the Board. The Board shall convene within a reasonable time and shall make every effort to review and reconsider the original staff decision to arrive at an equitable decision. The decision of the Board shall be reduced to writing.

II. Approved Certificates to Dig - Approved Certificates to Dig shall contain an effective date at which time the proposed activity may begin, unless the Board decides to designate the site in question as an individual site or district pursuant to Section 10 of this ordinance in which case all the rules and regulations pertaining to the designation process shall apply from the date the designation report has been filed.

III. All work performed pursuant to the issuance of a Certificate to Dig shall conform to the requirements of such certificate. It shall be the duty of the City of Opa-locka, in particular its Public Works Department, to inspect from time to time any work pursuant to such certificate to assure compliance. In the event work is performed not in accordance with such certificate, the official designated by the City Manager pursuant to Section 11 (IX) shall be empowered to issue a stop work order and all work shall cease. No person, firm or corporation shall undertake any work on such projects as long as such stop work order shall continue in effect.

Section 14. Appeals

Upon written decision of the Board, an aggrieved party may appeal the decision by filing a written notice of appeal with the City Clerk. The notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Subsequently, the City Commission shall conduct a public hearing at which time they may affirm, modify or reverse the decision of the Board. Nothing contained herein shall preclude the City Commission from seeking additional information prior to rendering a final decision. The decision of the City Commission shall be reflected in the Minutes and a copy of the Minutes shall be forwarded to the board and the appealing party.

Within the time prescribed by the appropriate Florida Rules of Appellate Procedure, a party aggrieved by a decision of the City Commission may appeal an adverse decision to the Circuit Court in and for Dade County, Florida. The party taking the appeal shall be required to pay to the City of Opa-locka the sum of One Hundred Dollars (\$100.00) to defray the costs of preparing the record on appeal.

Section 15. Penalties

Failure by an owner of record to comply with any provision of this ordinance shall constitute a violation hereof and shall be punishable by the Board by civil or criminal penalties including a fine of not more than \$500.00 per day for each day the violation continues. In addition, the Board may require that any work performed contrary to this ordinance must be removed and the property returned to its condition prior to commencement of said action.

Section 16. Incentives

All properties designated as individual sites or as designated properties within a district shall be eligible, upon application by the owner(s), for any available financial assistance set aside for historic preservation by Metropolitan Dade County contingent on the availability of funds and the scope of the project as described in the application.

Section 17.

If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 18.

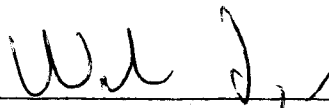
It is the intention of the Opa-locka City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Opa-locka, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the work "ordinance" may be changed to "section", "article", or other appropriate word.

Section 19.

This ordinance shall become effective as provided by law.

PASSED AND ADOPTED:

MAY 27, 1981



MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY

ATTEST:



City Clerk

COMMISSION VOTE: 5-0

Commissioner Robbins:	Yes
Commissioner McKenna:	Yes
Commissioner Miller:	Yes
Vice Mayor Knapp:	Yes
Mayor Logan:	Yes

ORDINANCE NO. 21-XXXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-04, FOR THE ALI BABA NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 45 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 151ST STREET, AND ON THE SOUTH BY N.W. ALI BABA AVENUE; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-locka, Florida adopted Ordinance 88-03, which Authorized the creation of Safe Neighborhood Improvements Districts within the City of Opa-locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida; and

WHEREAS, the City adopted Ordinance 88-04, which created the Local Government Neighborhood Improvement District for the Ali Baba Area of the City of Opa-locka within an area containing approximately 45 acres, bounded on the East by N.W. 17th Avenue, on the West by N.W. 22nd Avenue, on the North by N.W. 151st Street, and on the South by Ali baba Avenue; and

WHEREAS, the Ali baba Neighborhood Improvement District has taken no action for two (2) or more years and has failed to file any of the reports listed in Florida Statutes, Section 189.066, and the City Commission is declaring this Special District, Ali baba Neighborhood Improvement District inactive in accordance with Section 189.062, Florida Statutes; and

WHEREAS, the City Commission of the City of Opa-locka repeals Ordinance 88-03 and Ordinance 88-04 to dissolve the Ali Baba Neighborhood Improvement District.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY
OF OPA-LOCKA, FLORIDA:**

Section 1. Recitals.

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

Section 2. Approval of Dissolution of Special District

The Ali Baba Neighborhood Improvement District is hereby declared inactive and is dissolved pursuant to Section 189.071 without a referendum. Ordinance 88-03 and Ordinance 88-04 are hereby repealed.

Section 3. Severability.

If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Conflict & Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory D. Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type: (Enter X in box)	Resolution	Ordinance X
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading X	
	X		Public Hearing: (Enter X in box)	2nd Reading X	
				Yes X	No
Funding Source: Account# :	(Enter Fund & Dept) Ex: See Financial Impact section below		Advertising Requirement: (Enter X in box)	Yes	No
ILA Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bid#:		
Strategic Plan Related (Enter X in box)	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALS ORDINANCE 88-03 AND ORDINANCE 88-04, FOR THE ALI BABA NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 45 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 151ST STREET, AND ON THE SOUTH BY N.W. ALI BABA AVENUE; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The Safe Neighborhoods Act was established by Florida Statutes Sections 55-73, Chapter 87-243. The City Commission of the City of Opa-locka, Florida adopted Ordinance 88-03 on April 6, 1988,

which authorized the creation of Safe Neighborhood Improvement District(s) within the City of Opa-locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida. The City Commission also adopted Ordinance 88-04 on April 6, 1988, which created the Local Government Neighborhood Improvement District for the Ali Baba Area containing approximately 45 acres, bounded on the East by N.W. 17th Avenue, on the West by N.W. 22nd Avenue, on the North by N.W. 151st Street, and on the South by Ali baba Avenue. According to City records, no actions were taken for the Ali Baba Neighborhood Improvement District for two or more years and no reports required by Florida Statutes, Section 189.062 were filed or submitted to the Florida Department of Economic Opportunity. The City Commission is therefore declaring the Ali Baba Nieghborhood Improvement District inactive in accordance with Section 189.062, Florida Statutes. The City Commission also repeals Ordinance 88-03 and Ordinance 88-04 to dissolve the Ali Baba Neighborhood Improvement Dstrict in accordance with Section 189.071, Florida Statutes.

Financial Impact

Account	Description	Available	Project	Remaining Balance

The City currently pays \$150.00 per year as required by Florida Statutes for the Ali Baba Special Neighborhood Improvement District and that fee will no longer be required when the NID is dissolved.

Proposed Action:

Staff recommended approval of this legislation.

Attachment:

Draft Ordinance to Dissolve the Ali Baba NID
 Ordinance 88-03
 Ordinance 88-04

Development Services
Building & Licenses
Planning & Community Development

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054



Gregory D. Gay
Director

Phone: (305) 953-2868, Ext. 1503
Fax: (305) 953-3060

November 9, 2021

Jack Gaskins, Jr. MPA
Florida Department of Economic Opportunity
Special District Accountability Program
Tallahassee, FL 32399

RE: Special Neighborhood Improvement Districts

Mr. Jack Gaskins, Jr.,

Thank you for your technical assistance concerning next steps for the dissolution of the following special districts in the City of Opa-locka: Ali Baba Neighborhood Improvement District; East-West Safe Neighborhood Improvement District; Nile Gardens Neighborhood Improvement District. The reason no audits have been provided is because none of these Districts have any financial activity. The steps that will be taken to prevent noncompliance from reoccurring, the City of Opa-locka has drafted legislation to declare the Neighborhood Improvement Districts inactive and will repeal the enabling legislation to dissolve the special districts. This legislation will be presented to the City Commission for first reading on December 8, 2021, and this Ordinance will be adopted by the City Commission on second reading on January 12, 2022. These Neighborhood Improvement Districts will no longer exist.

A copy of the legislation will be forwarded after first reading and an executed copy of the adopted ordinance will be forwarded after second reading.

Sincerely,

Gregory D. Gay, Director - Development Services
Building and License | Planning and Community Development

CC John E. Pate, City Manager
Joanna Flores, City Clerk
Burnadette Norris Weeks, City Attorney
George Ellis, Assistant City Manager
Robert Anathan, Budget Administrator
Gerri Lazarre, Finance Administrator
Gerald Lee, Zoning Official/Planner, Planning & Community Development Department

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL : April 7, 1988

EFFECTIVE DATE: 4/7/88

ORDINANCE NO. 88-3

AN ORDINANCE OF THE CITY OF OPA-LOCKA,
FLORIDA, AUTHORIZING THE CREATION OF
SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS.

WHEREAS, Sections 55 through 73, Chapter 87-243, Laws of Florida, establish the Safe Neighborhoods Act, hereinafter referred to as the "Act"; and

WHEREAS, Section 58 of the Act provides that the governing body of a municipality may adopt an ordinance authorizing the formation of safe neighborhood improvement districts in accordance with the provision of the Act; and

WHEREAS, the City Commission of the City of Opa-locka has determined that the public interest will be best served by adopting an ordinance authorizing the formation of local government neighborhood improvement districts in accordance with Section 59, Chapter 87-243, Laws of Florida.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS:

Section 1: Districts Authorized. Safe Neighborhood Improvement Districts, as provided in Chapter 87-243, Laws of Florida, may be established within the City of Opa-locka.

Section 2: Method of Establishment. The method of establishing such Safe Neighborhood Improvement Districts in the City of Opa-locka shall be as described in Section 59 of Chapter 87-243, Laws of Florida, relating to local government improvement districts.

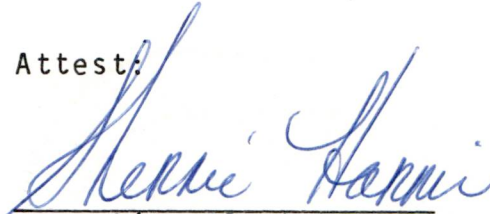
Section 3: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance

conflict herewith, be and the same are hereby repealed.

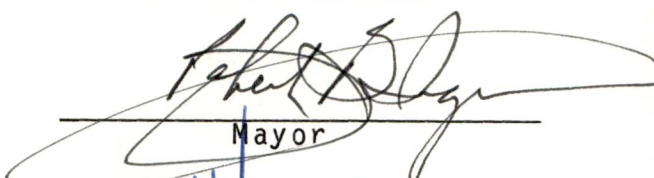
Section 5: That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED and ADOPTED this 6th day of April, 1988.

Attest:

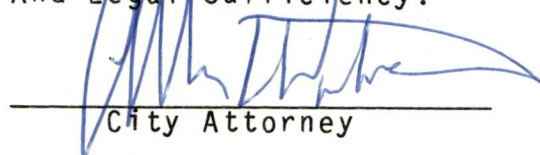


City Clerk



Mayor

Approved as to Form
And Legal Sufficiency:



City Attorney

Commission Vote: 4-0

Commissioner Susaneck:	YES
Commissioner Hooten:	ABSENT
Commissioner Lipkins:	YES
Vice Mayor Kelley:	YES
Mayor Ingram:	YES

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL: April 7, 1988

EFFECTIVE DATE: April 7, 1988

ORDINANCE NO. 88-4

AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, CREATING A LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT PURSUANT TO SECTION 59, CHAPTER 87-243, LAWS OF FLORIDA, TO BE KNOWN AS THE ALI-BABA NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 45 ACRES, BOUNDED BY THE SOUTH BY ALI-BABA AVENUE, ON THE WEST BY N.W. 22nd AVENUE, ON THE NORTH BY N.W. 151st STREET, AND ON THE EAST BY N.W. 17th AVENUE.

WHEREAS, Section 58, Chapter 87-243, Laws of Florida provides that the governing body of a municipality may adopt an ordinance authorizing the formation of Safe Neighborhood Improvement Districts in accordance with the provisions of that Act; and

WHEREAS, The City Commission of the City of Opa-locka, Florida, has adopted Ordinance No. 88-3, authorizing the creation of Safe Neighborhood Improvement Districts within the City of Opa-locka; and

WHEREAS, The City's Department of Planning and Community Development has recommended the creation of a Local Government Neighborhood Improvement District for the Ali-Baba Area of the City of Opa-locka.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, HEREBY ORDAINS:

Section 1: District created. A Local Government Neighborhood Improvement District is hereby created pursuant to Section 59, Chapter 87-243, Laws of Florida to include approximately 45 acres bounded by the south by Ali-Baba Avenue, on the west by N.W. 22nd Avenue, on the north by N.W. 151st Street and on the east by N.W. 17th Avenue.

Section 2: Name of district. The Local Government Neighborhood Improvement District created hereby shall be known as the "Ali-Baba Neighborhood Improvement District."

Section 3: Authority to apply for and receive grant. The Local Government Neighborhood Improvement District created hereby is hereby authorized to apply for and receive from the Florida Department of Community Affairs up to \$250,000 for a planning grant and up to an additional \$30,000 to employ the services of technical experts.

Section 4: Utilization of tax or special assessment. The purpose is hereby stated that the district may utilize a maximum of two mills ad valorem taxes or special assessments on real property within the district.

Section 5: Designation of Board of Directors. The City Commission of the City of Opa-locka is hereby designated as the Board of Directors of the district.

Section 6: Establishment of Advisory Board. An Advisory Board is hereby established for the Local Government Neighborhood Improvement District created hereby. The Advisory Board shall be composed of no fewer than five members who shall be owners of real property located in the district or residents of the district. The members of the Advisory Board shall be appointed by the Board of Directors and serve at the pleasure of the Board of Directors. The Advisory Board shall perform such duties as may be prescribed by the Board of Directors and shall submit within the time period specified by the Board of Directors, a report on the district's proposed activities and a proposed budget to accomplish the district's objectives. In formulating a plan for services or improvements, the Advisory Board shall consult in public session with the appropriate staff of consultants of the City of Opa-locka responsible for preparation of the

district's plan.

Section 7: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

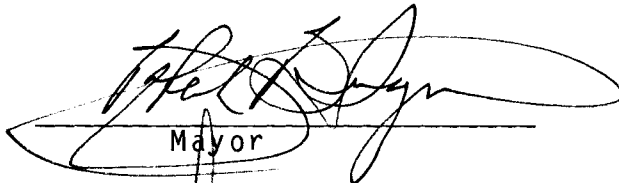
Section 8: That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

Section 9: That this Ordinance shall be in full force and effect immediately upon passage.

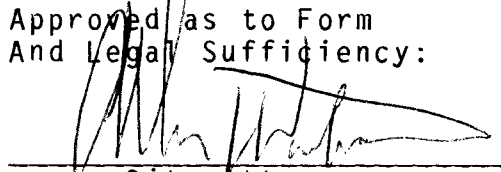
PASSED and ADOPTED this 6th day of April, 1988.

Attest:


City Clerk


Mayor

Approved as to Form
And Legal Sufficiency:


City Attorney

Commission Vote: 4-0

Commissioner Susaneck: YES
Commissioner Hooten: ABSENT
Commissioner Lipkins: YES
Vice Mayor Kelley: YES
Mayor Ingram: YES

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL : April 7, 1988

EFFECTIVE DATE: 4/7/88

ORDINANCE NO. 88-3

AN ORDINANCE OF THE CITY OF OPA-LOCKA,
FLORIDA, AUTHORIZING THE CREATION OF
SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS.

WHEREAS, Sections 55 through 73, Chapter 87-243, Laws of Florida, establish the Safe Neighborhoods Act, hereinafter referred to as the "Act"; and

WHEREAS, Section 58 of the Act provides that the governing body of a municipality may adopt an ordinance authorizing the formation of safe neighborhood improvement districts in accordance with the provision of the Act; and

WHEREAS, the City Commission of the City of Opa-locka has determined that the public interest will be best served by adopting an ordinance authorizing the formation of local government neighborhood improvement districts in accordance with Section 59, Chapter 87-243, Laws of Florida.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS:

Section 1: Districts Authorized. Safe Neighborhood Improvement Districts, as provided in Chapter 87-243, Laws of Florida, may be established within the City of Opa-locka.

Section 2: Method of Establishment. The method of establishing such Safe Neighborhood Improvement Districts in the City of Opa-locka shall be as described in Section 59 of Chapter 87-243, Laws of Florida, relating to local government improvement districts.

Section 3: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

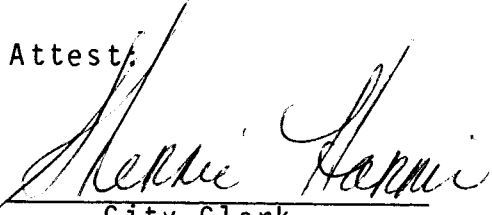
Section 4: That all ordinances or parts or ordinances in

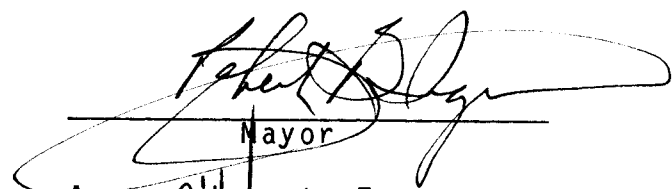
conflict herewith, be and the same are hereby repealed.

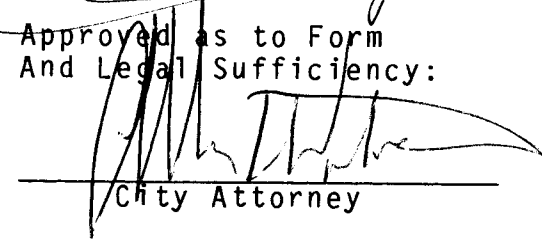
Section 5: That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED and ADOPTED this 6th day of April, 1988.

Attest:


City Clerk


Mayor
Approved as to Form
And Legal Sufficiency:


City Attorney

Commission Vote: 4-0

Commissioner Susaneck:	YES
Commissioner Hooten:	ABSENT
Commissioner Lipkins:	YES
Vice Mayor Kelley:	YES
Mayor Ingram:	YES

ORDINANCE NO. 21-XXXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-11, FOR THE EAST-WEST SAFE NEIGHBORHOOD DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 100 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 141ST STREET, AND ON THE SOUTH BY N.W. 135TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, Florida adopted Ordinance 88-03, which Authorized the creation of Safe Neighborhood Improvements Districts within the City of Opa-Locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida; and

WHEREAS, the City adopted Ordinance 88-11, which created the Local Government Neighborhood Improvement District for the East-West Area of the City of Opa-Locka within an area containing approximately 100 acres, bounded on the East by N.W. 17th Avenue, on the West by N.W. 22nd Avenue, on the North by N.W. 141st Street, and on the South by N.W. 135th Street; and

WHEREAS, the East-West Safe Neighborhood District has taken no action for two (2) or more years and has failed to file any of the reports listed in Florida Statutes, Section 189.066, and the City Commission is declaring this Special District, East-West Safe Neighborhood District inactive in accordance with Section 189.062, Florida Statutes; and

WHEREAS, the City Commission of the City of Opa-Locka repeals Ordinance 88-03 and Ordinance 88-11 to dissolve the East-West Safe Neighborhood Improvement District.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. Recitals.

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

Section 2. Approval of Dissolution of Special District

The East-West Safe Neighborhood District is hereby declared inactive and is dissolved pursuant to Section 189.071 without a referendum. Ordinance 88-03 and Ordinance 88-11 are hereby repealed.

Section 3. Severability.

If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Conflict & Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory D. Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance X
Fiscal Impact: <i>(Enter X in box)</i>	Yes X	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading X	2nd Reading X
			Public Hearing: <i>(Enter X in box)</i>	Yes X	No X
Funding Source: <i>(Enter Fund & Dept)</i> Ex: <i>Account# :</i> See Financial Impact section below			Advertising Requirement: <i>(Enter X in box)</i>	Yes	No
ILA Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bid#:		
Strategic Plan Related <i>(Enter X in box)</i>	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communcation ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, FOR THE EAST-WEST SAFE NEIGHBORHOOD DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 100 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 141ST STREET, AND ON THE SOUTH BY N.W. 135TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The Safe Neighborhoods Act was established by Florida Statutes Sections 55-73, Chapter 87-243. The City Commission of the City of Opa-locka, Florida adopted Ordinance 88-03 on April 6, 1988, which authorized the creation of Safe Neighborhood Improvement District(s) within the City of Opa-locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida. The

City Commission also adopted Ordinance 88-11 on September 28, 1988, which created the Local Government Neighborhood Improvement District for the East-West Area containing approximately 100 acres, bounded on the East by N.W. 17th Avenue, on the West by N.W. 22nd Avenue, on the North by N.W. 141st Street, and on the South by N.W. 135th Street. According to City records, no actions were taken for the East-West Neighborhood Improvement District for two or more years and no reports required by Florida Statutes, Section 189.062 were filed or submitted to the Florida Department of Economic Opportunity. The City Commission is therefore declaring the East-West Neighborhood Improvement District inactive in accordance with Section 189.062, Florida Statutes. The City Commission also repeals Ordinance 88-03 and Ordinance 88-11 to dissolve the East-West Neighborhood Improvement District in accordance with Section 189.071, Florida Statutes.

Financial Impact

Account	Description	Available	Project	Remaining Balance

The City currently pays \$150.00 per year as required by Florida Statutes for the East-West Special Neighborhood Improvement District and that fee will no longer be required when the NID is dissolved.

Proposed Action:

Staff recommended approval of this legislation.

Attachment:

Draft Ordinance to Dissolve the East-West NID
 Ordinance 88-03
 Ordinance 88-11

**Development Services
Building & Licenses
Planning & Community Development**

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054



**Gregory D. Gay
Director**

**Phone: (305) 953-2868, Ext. 1503
Fax: (305) 953-3060**

November 9, 2021

Jack Gaskins, Jr. MPA
Florida Department of Economic Opportunity
Special District Accountability Program
Tallahassee, FL 32399

RE: Special Neighborhood Improvement Districts

Mr. Jack Gaskins, Jr.,

Thank you for your technical assistance concerning next steps for the dissolution of the following special districts in the City of Opa-locka: Ali Baba Neighborhood Improvement District; East-West Safe Neighborhood Improvement District; Nile Gardens Neighborhood Improvement District. The reason no audits have been provided is because none of these Districts have any financial activity. The steps that will be taken to prevent noncompliance from reoccurring, the City of Opa-locka has drafted legislation to declare the Neighborhood Improvement Districts inactive and will repeal the enabling legislation to dissolve the special districts. This legislation will be presented to the City Commission for first reading on December 8, 2021, and this Ordinance will be adopted by the City Commission on second reading on January 12, 2022. These Neighborhood Improvement Districts will no longer exist.

A copy of the legislation will be forwarded after first reading and an executed copy of the adopted ordinance will be forwarded after second reading.

Sincerely,

Gregory D. Gay, Director - Development Services
Building and License | Planning and Community Development

CC John E. Pate, City Manager
Joanna Flores, City Clerk
Burnadette Norris Weeks, City Attorney
George Ellis, Assistant City Manager
Robert Anathan, Budget Administrator
Gerri Lazarre, Finance Administrator
Gerald Lee, Zoning Official/Planner, Planning & Community Development Department

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL : April 7, 1988

EFFECTIVE DATE: 4/7/88

ORDINANCE NO. 88-3

AN ORDINANCE OF THE CITY OF OPA-LOCKA,
FLORIDA, AUTHORIZING THE CREATION OF
SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS.

WHEREAS, Sections 55 through 73, Chapter 87-243, Laws of Florida, establish the Safe Neighborhoods Act, hereinafter referred to as the "Act"; and

WHEREAS, Section 58 of the Act provides that the governing body of a municipality may adopt an ordinance authorizing the formation of safe neighborhood improvement districts in accordance with the provision of the Act; and

WHEREAS, the City Commission of the City of Opa-locka has determined that the public interest will be best served by adopting an ordinance authorizing the formation of local government neighborhood improvement districts in accordance with Section 59, Chapter 87-243, Laws of Florida.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS:

Section 1: Districts Authorized. Safe Neighborhood Improvement Districts, as provided in Chapter 87-243, Laws of Florida, may be established within the City of Opa-locka.

Section 2: Method of Establishment. The method of establishing such Safe Neighborhood Improvement Districts in the City of Opa-locka shall be as described in Section 59 of Chapter 87-243, Laws of Florida, relating to local government improvement districts.

Section 3: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance

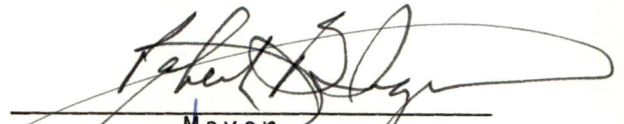
conflict herewith, be and the same are hereby repealed.

Section 5: That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED and ADOPTED this 6th day of April, 1988.

Attest:


City Clerk


Mayor

Approved as to Form
And Legal Sufficiency:


City Attorney

Commission Vote: 4-0

Commissioner Susaneck:	YES
Commissioner Hooten:	ABSENT
Commissioner Lipkins:	YES
Vice Mayor Kelley:	YES
Mayor Ingram:	YES

First Reading: Sept. 14, 1988
Second Reading: Sept. 28, 1988
Third Reading: -----
Public Hearing: Sept. 28, 1988
POSTED IN FULL: Sept. 29, 1988
EFFECTIVE DATE: Sept. 29, 1988

ORDINANCE NO. 88-11

ORDINANCE OF THE CITY OF
OPA-LOCKA, FLORIDA, CREATING A
LOCAL GOVERNMENT NEIGHBORHOOD
IMPROVEMENT DISTRICT PURSUANT TO
SECTION 59, CHAPTER 87-243, LAWS
OF FLORIDA, TO BE KNOWN AS THE
EAST-WEST SAFE NEIGHBORHOOD
DISTRICT WITHIN AN AREA CONTAINING
APPROXIMATELY 100 ACRES, BOUNDED
ON THE EAST BY N.W. 17th AVENUE,
ON THE WEST BY N.W. 22nd AVENUE,
ON THE NORTH BY N.W. 141st STREET,
AND ON THE SOUTH BY N.W. 135th
STREET

WHEREAS, Section 58, Chapter 87-243, Laws of Florida
provides that the governing body of a municipality may adopt an
ordinance authorizing the formation of Safe Neighborhood
Improvement Districts in accordance with the provisions of that
Act; and

WHEREAS, The City Commission of the City of Opa-locka,
Florida, has adopted Ordinance No. 88-3, authorizing the
creation of Safe Neighborhood Improvements Districts within the
City of Opa-locka; and

WHEREAS, The City's Department of Planning and Community
Development has recommended the creation of a Local Government
Neighborhood Improvement District for the East-West Area of the
City of Opa-locka.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF
OPA-LOCKA, HEREBY ORDAINS:

Section 1: District created. A Local Government
Neighborhood Improvement District is hereby
created pursuant to Section 59, Chapter 87-243,
Laws of Florida to include approximately 100
Acres, bounded on the east by N.W. 17th
Avenue, on the west by N.W. 22nd Avenue, on
the north by N.W. 141st Street, and on the
south by N.W. 135th Street.

Section 2: Name of district: The Local Government
Neighborhood Improvement District created
hereby shall be known as the "East-West

Neighborhood Improvement District."

Section 3: Authority to apply for and receive grant. The Local Government Neighborhood Improvement District created hereby is hereby authorized to apply for and receive from the Florida Department of Community Affairs up to \$250,000 dollars for a planning grant and up to an additional \$30,000 dollars to employ the services of technical experts.

Section 4: Utilization of tax or special assessment. The purpose is hereby stated that the district may utilize a maximum of two mills ad valorem taxes or special assessments on real property within the district.

Section 5: Designation of Board of Directors. The City Commission of the City of Opa-locka is hereby designated as the Board of Directors of the district.

Section 6: Establishment of Advisory Board. An Advisory Board is hereby established for the Local Government Neighborhood Improvement District created hereby. The Advisory Board shall be composed of no fewer than five (5) members who shall be owners of real property located in the district or residents of the district. The members of the Advisory Board shall be appointed by the Board of Directors and serve at the pleasure of the Board of Directors. The Advisory Board shall perform such duties as may be prescribed by the Board of Directors and shall submit within the time period specified by the Board of Directors, a report on the district's proposed activities and a proposed budget to accomplish the district's objectives. In formulating a plan for services or improvements, the Advisory Board shall consult in public session with the appropriate

staff of consultants of the City of Opa-locka responsible for preparation of the district's plan.

Section 7: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court or competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

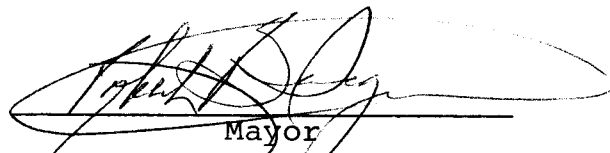
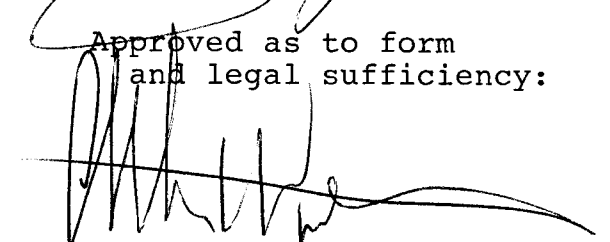
Section 8: That all ordinances or parts or ordinances in conflict herewith, be and the same are hereby repealed.

Section 9: That this Ordinance shall be in full force and effect immediately upon passage.

PASSED and ADOPTED this 28th day of September, 1988.

Attest:


City Clerk


Mayor
Approved as to form
and legal sufficiency:

City Attorney

Commission Vote 5-0

Commissioner Susaneck:	YES
Commissioner Hooten:	YES
Commissioner Lipkins:	YES
Vice Mayor Kelley:	YES
Mayor Ingram:	YES

ORDINANCE NO. 21-XXXX

ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-05, FOR THE NILE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 320 ACRES, BOUNDED ON THE EAST BY N.W. 27TH AVENUE, ON THE WEST BY ALEXANDRIA DRIVE, ON THE NORTH BY N.W. 135TH STREET, AND ON THE SOUTH BY N.W. 128TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, Florida adopted Ordinance 88-03, which Authorized the creation of Safe Neighborhood Improvements Districts within the City of Opa-Locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida; and

WHEREAS, the City adopted Ordinance 88-05, which created the Local Government Neighborhood Improvement District for the Nile Gardens Area of the City of Opa-Locka within an area containing approximately 320 acres, bounded on the East by N.W. 27th Avenue, on the West by Alexandria Drive, on the North by N.W. 135th Street, and on the South by N.W. 128th Street; and

WHEREAS, the Nile Gardens Neighborhood Improvement District has taken no action for two (2) or more years and has failed to file any of the reports listed in Florida Statutes, Section 189.066, and the City Commission is declaring this Special District, Nile Gardens Neighborhood Improvement District inactive in accordance with Section 189.062, Florida Statutes; and

WHEREAS, the City Commission of the City of Opa-Locka repeals Ordinance 88-03 and Ordinance 88-05 to dissolve the Nile Gardens Neighborhood Improvement District.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. Recitals.

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

Section 2. Approval of Dissolution of Special District

The Nile Gardens Neighborhood Improvement District is hereby declared inactive and is dissolved pursuant to Section 189.071 without a referendum. Ordinance 88-03 and Ordinance 88-05 are hereby repealed.

Section 3. Severability.

If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Conflict & Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

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

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory D. Gay		Department Director Signature:		
City Manager:	John E. Pate		CM Signature		
Commission Meeting Date:	December 8, 2021		Item Type:	Resolution Ordinance Other	
			(Enter X in box)	X	
Fiscal Impact:	Yes	No	Ordinance Reading:	1st Reading	2nd Reading
(Enter X in box)			(Enter X in box)	X	X
	X		Public Hearing:	Yes	No
			(Enter X in box)	X	X
Funding Source:	(Enter Fund & Dept)		Advertising Requirement:	Yes	No
Account# :	Ex: See Financial Impact section below		(Enter X in box)		
ILA Required:	Yes	No	RFP/RFQ/Bid#:		
(Enter X in box)		X			
Strategic Plan Related	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy:	
(Enter X in box)	X		Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communcation ☐	(list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, FOR THE NILE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 320 ACRES, BOUNDED ON THE EAST BY N.W. 27TH AVENUE, ON THE WEST BY ALEXANDRIA DRIVE, ON THE NORTH BY N.W. 135TH STREET, AND ON THE SOUTH BY N.W. 128TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The Safe Neighborhoods Act was established by Florida Statutes Sections 55-73, Chapter 87-243. The City Commission of the City of Opa-locka, Florida adopted Ordinance 88-03 on April 6, 1988, which authorized the creation of Safe Neighborhood Improvement District(s) within the City of

Opa-locka in accordance with the provisions of Section 58, Chapter 87-243, Laws of Florida. The City Commission also adopted Ordinance 88-05 on April 6, 1988, which created the Local Government Neighborhood Improvement District for the Nile Gardens Area containing approximately 320 acres, bounded on the East by N.W. 27th Avenue, on the West by Alexandria Drive, on the North by N.W. 135th Street, and on the South by N.W. 128th Street. According to City records, no actions were taken for the Nile Gardens Neighborhood Improvement District for two or more years and no reports required by Florida Statutes, Section 189.062 were filed or submitted to the Florida Department of Economic Opportunity. The City Commission is therefore declaring the Ali Baba Neighborhood Improvement District inactive in accordance with Section 189.062, Florida Statutes. The City Commission also repeals Ordinance 88-03 and Ordinance 88-05 to dissolve the Nile Gardens Neighborhood Improvement District in accordance with Section 189.071, Florida Statutes.

Financial Impact

Account	Description	Available	Project	Remaining Balance

The City currently pays \$150.00 per year as required by Florida Statutes for the Nile Gardens Special Neighborhood Improvement District and that fee will no longer be required when the NID is dissolved.

Proposed Action:

Staff recommended approval of this legislation.

Attachment:

Draft Ordinance to Dissolve the Nile Gardens NID
 Ordinance 88-03
 Ordinance 88-05

**Development Services
Building & Licenses
Planning & Community Development**

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054



**Gregory D. Gay
Director**

**Phone: (305) 953-2868, Ext. 1503
Fax: (305) 953-3060**

November 9, 2021

Jack Gaskins, Jr. MPA
Florida Department of Economic Opportunity
Special District Accountability Program
Tallahassee, FL 32399

RE: Special Neighborhood Improvement Districts

Mr. Jack Gaskins, Jr.,

Thank you for your technical assistance concerning next steps for the dissolution of the following special districts in the City of Opa-locka: Ali Baba Neighborhood Improvement District; East-West Safe Neighborhood Improvement District; Nile Gardens Neighborhood Improvement District. The reason no audits have been provided is because none of these Districts have any financial activity. The steps that will be taken to prevent noncompliance from reoccurring, the City of Opa-locka has drafted legislation to declare the Neighborhood Improvement Districts inactive and will repeal the enabling legislation to dissolve the special districts. This legislation will be presented to the City Commission for first reading on December 8, 2021, and this Ordinance will be adopted by the City Commission on second reading on January 12, 2022. These Neighborhood Improvement Districts will no longer exist.

A copy of the legislation will be forwarded after first reading and an executed copy of the adopted ordinance will be forwarded after second reading.

Sincerely,

Gregory D. Gay, Director - Development Services
Building and License | Planning and Community Development

CC John E. Pate, City Manager
Joanna Flores, City Clerk
Burnadette Norris Weeks, City Attorney
George Ellis, Assistant City Manager
Robert Anathan, Budget Administrator
Gerri Lazarre, Finance Administrator
Gerald Lee, Zoning Official/Planner, Planning & Community Development Department

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL : April 7, 1988

EFFECTIVE DATE: 4/7/88

ORDINANCE NO. 88-3

AN ORDINANCE OF THE CITY OF OPA-LOCKA,
FLORIDA, AUTHORIZING THE CREATION OF
SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS.

WHEREAS, Sections 55 through 73, Chapter 87-243, Laws of Florida, establish the Safe Neighborhoods Act, hereinafter referred to as the "Act"; and

WHEREAS, Section 58 of the Act provides that the governing body of a municipality may adopt an ordinance authorizing the formation of safe neighborhood improvement districts in accordance with the provision of the Act; and

WHEREAS, the City Commission of the City of Opa-locka has determined that the public interest will be best served by adopting an ordinance authorizing the formation of local government neighborhood improvement districts in accordance with Section 59, Chapter 87-243, Laws of Florida.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS:

Section 1: Districts Authorized. Safe Neighborhood Improvement Districts, as provided in Chapter 87-243, Laws of Florida, may be established within the City of Opa-locka.

Section 2: Method of Establishment. The method of establishing such Safe Neighborhood Improvement Districts in the City of Opa-locka shall be as described in Section 59 of Chapter 87-243, Laws of Florida, relating to local government improvement districts.

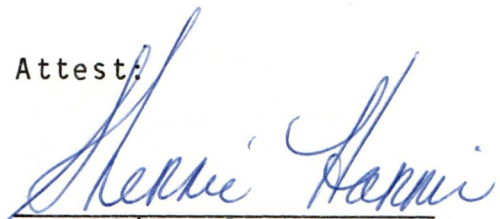
Section 3: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance

conflict herewith, be and the same are hereby repealed.

Section 5: That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED and ADOPTED this 6th day of April, 1988.

Attest:


City Clerk


Mayor

Approved as to Form
And Legal Sufficiency:


City Attorney

Commission Vote: 4-0

Commissioner Susaneck:	YES
Commissioner Hooten:	ABSENT
Commissioner Lipkins:	YES
Vice Mayor Kelley:	YES
Mayor Ingram:	YES

First Reading: March 23, 1988
Second Reading: April 6, 1988
Third Reading: -----
PUBLIC HEARING: April 6, 1988
POSTED IN FULL: April 7, 1988

EFFECTIVE DATE: April 7, 1988

ORDINANCE NO. 88-5

AN ORDINANCE OF THE CITY OF OPA-LOCKA,
FLORIDA, CREATING A LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT
PURSUANT TO SECTION 59, CHAPTER 87-243,
LAWS OF FLORIDA, TO BE KNOWN AS THE
NILES GARDENS NEIGHBORHOOD IMPROVEMENT
DISTRICT WITHIN AN AREA CONTAINING
APPROXIMATELY 320 ACRES, BOUNDED
BY THE SOUTH BY N.W. 128th STREET,
ON THE WEST BY ALEXANDRIA DRIVE,
ON THE NORTH BY N.W. 135th STREET,
AND ON THE EAST BY N.W. 27th AVENUE.

WHEREAS, Section 58, Chapter 87-243, Laws of Florida provides that the governing body of a municipality may adopt an ordinance authorizing the formation of Safe Neighborhood Improvement Districts in accordance with the provisions of that Act; and

WHEREAS, The City Commission of the City of Opa-locka, Florida, has adopted Ordinance No. 88-3, authorizing the creation of Safe Neighborhood Improvement Districts within the City of Opa-locka; and

WHEREAS, The City's Department of Planning and Community Development has recommended the creation of a Local Government Neighborhood Improvement District for the Niles Gardens Area of the City of Opa-locka.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, HEREBY ORDAINS:

Section 1: District created. A Local Government Neighborhood Improvement District is hereby created pursuant to Section 59, Chapter 87-243, Laws of Florida to include approximately 320 acres bounded by the south N.W. 128th Street, on the west by Alexandria Drive, on the north by N.W. 135th Street and on the east by N.W. 27th Avenue.

Section 2: Name of district. The Local Government Neighborhood Improvement District created hereby shall be known as the "Niles Gardens Neighborhood Improvement District."

Section 3: Authority to apply for and receive grant. The Local Government Neighborhood Improvement District created hereby is hereby authorized to apply for and receive from the Florida Department of Community Affairs up to \$250,000 for a planning grant and up to an additional \$30,000 to employ the services of technical experts.

Section 4: Utilization of tax or special assessment. The purpose is hereby stated that the district may utilize a maximum of two mills ad valorem taxes or special assessments on real property within the district.

Section 5: Designation of Board of Directors. The City Commission of the City of Opa-locka is hereby designated as the Board of Directors of the district.

Section 6: Establishment of Advisory Board. An Advisory Board is hereby established for the Local Government Neighborhood Improvement District created hereby. The Advisory Board shall be composed of no fewer than five members who shall be owners of real property located in the district or residents of the district. The members of the Advisory Board shall be appointed by the Board of Directors and serve at the pleasure of the Board of Directors. The Advisory Board shall perform such duties as may be prescribed by the Board of Directors and shall submit within the time period specified by the Board of Directors, a report on the district's proposed activities and a proposed budget to accomplish the district's objectives. In formulating a plan for services or improvements, the Advisory Board shall consult in public session with the appropriate staff of consultants of the City of Opa-locka responsible for preparation of the

district's plan.

Section 7: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

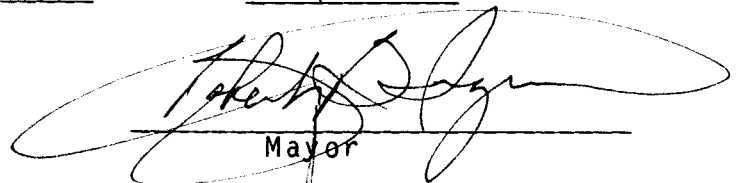
Section 8: That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

Section 9: That this Ordinance shall be in full force and effect immediately upon passage.

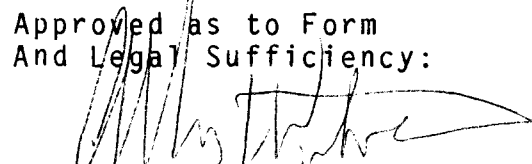
PASSED and ADOPTED this 6th day of April, 1988.

Attest:


City Clerk


Mayor

Approved as to Form
And Legal Sufficiency:


City Attorney

Commission Vote: 4-0

Commissioner Susaneck: YES
Commissioner Hooten: ABSENT
Commissioner Lipkins: YES
Vice Mayor Kelley: YES
Mayor Ingram: YES

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURSUANT TO INCLUDE THE MOORISH REVIVAL STYLE DESIGN HANDBOOK; PROVIDING FOR DEFINITIONS, PERMIT AND SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka ("City") was founded by aviation pioneer Glenn Curtiss in 1926 who developed the City with a Moorish architecture theme. Based on a One Thousand and One Nights theme, Opa-Locka has the largest collection of Moorish Revival architecture in the Western Hemisphere, and streets with such names as Sabur Lane, Sultan Avenue, Ali Baba Avenue, Perviz Avenue, and Sesame Street; and

WHEREAS, Curtiss commissioned New York-based architect Bernhardt Emil Muller to design Opa-Locka's unique blend of Arabic, Persian and Moorish themes; and

WHEREAS, since its inception, Opa-Locka's Moorish Architecture has been the central theme in the development of the City, so much so that the City has chosen to embrace the design aesthetics in all new development in the City; and

WHEREAS, the Planning and Community Development Department has crafted a Moorish Revival Style Design Handbook, attached hereto as Exhibit "A", for inclusion within the City's Land Development Regulations as Article V, Section 22-142 for developers looking to build in the City to provide guidelines and concepts.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS.

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

SECTION 2. APPROVAL/DENIAL.

Approval of Adoption of Moorish Style Design Handbook. The City Commission of the City of Opa-Locka hereby amends the City's Land Development Regulations, Article V, Section 22-142 to include the Moorish Style Design Handbook, attached hereto as Exhibit "A" and state as follows:

Sec. 22-142 Moorish Revival Style Design Standards

The Moorish Revival Style Design Handbook shall serve as guidelines to provide certain minimum standards, provisions and requirements for the appropriate and acceptable design and minimum required criteria for tenants or owners implementing renovations additions and or new construction within the City of Opa-Locka.

New building and structures hereafter erected within the City shall embrace the concepts and requirements of these guidelines.

Additions, alterations, repairs and changes of use in all buildings and structures within the City shall conform to the requirements of these guidelines.

SECTION 3. This Ordinance shall become effective upon passage, approval and publication or as otherwise provided by law.

SECTION 4. CONFLICT & REPEALER.

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

SECTION 5. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. INCLUSION IN CODE.

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2021.

Veronica J. Williams, Mayor

ATTEST:

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

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-Locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:			
Finance Director:			FD Signature:			
City Manager:	John E. Pate		CM Signature:			
Commission Meeting Date:	12-8-21	Item Type: (Enter X in box)	Resolution	Ordinance X	Other	
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading X		
				2nd Reading		
		X	Public Hearing: (Enter X in box)	Yes X	No	Yes
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes X		No
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bi#: N/A			
		X				
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐		Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
	X					
Sponsor Name	City Manager		Department: Planning & Community Development		City Manager	

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – MOORISH REVIVAL STYLE DESIGN HANDBOOK PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE..

Staff Summary:

The City of Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 who developed the city with a Moorish architecture theme. Curtiss commissioned New York-based architect Bernhardt Emil Muller to design Opa-Locka's unique blend of Arabic, Persian and Moorish themes based on a One Thousand and One Nights theme, as a result, Opa-locka has the largest collection of Moorish Revival architecture in the Western Hemisphere. Since its inception, Opa-locka's Moorish Architecture has been the central theme in

the development of the City, so much so that the City has chosen to embrace the design aesthetics in all new development in the City. With that being said, the Planning and Community Development Department has crafted a Moorish Revival Style Design Handbook for developers looking to build in the City to provide guidelines and concepts

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report – Moorish revival Style Handbook
Moorish Design Ordinance 11-19-2020
City of Opa-locka Moorish Design Guidelines handbook

5. APPLICANT NAME: CITY OF OPA-LOCKA

PROPERTY OWNER: CITY OF OPA-LOCKA

PROPERTY ADDRESS: THE CITY OF OPA-LOCKA, FL 33054

REQUEST:

AN ORDINANCE OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE OPA-LOCKA MOORISH REVIVAL STYLE DESIGN HANDBOOK WITHIN CHAPTER IV OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V - MOORISH REVIVAL STYLE DESIGN HANDBOOK PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City of Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 who developed the city with a Moorish architecture theme. Based on a One Thousand and One Nights theme, Opa-locka has the largest collection of Moorish Revival architecture in the Western Hemisphere, and streets with such names as Sabur Lane, Sultan Avenue, Ali Baba Avenue, Perviz Avenue, and Sesame Street; and

WHEREAS, Curtiss commissioned New York-based architect Bernhardt Emil Muller to design Opa-Locka's unique blend of Arabic, Persian and Moorish themes; and

WHEREAS, since its inception, Opa-locka's Moorish Architecture has been the central theme in the development of the City, so much so that the City has chosen to embrace the design aesthetics in all new development in the City; and

WHEREAS, the Planning and Community Development Department has crafted a Moorish Revival Style Design Handbook for developers looking to build in the City to provide guidelines and concepts

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Moorish Style Design Handbook. The City Commission of the City of Opa-locka hereby approves / denies a request for Moorish Style Design Handbook.

SECTION 3. SCRIVENER'S ERRORS.

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	(Yes) _____	(No) _____
Commissioner Burke	(Yes) _____	(No) _____
Commissioner Kelley	(Yes) _____	(No) _____
Vice-Mayor Davis	(Yes) _____	(No) _____
Mayor Pigatt	(Yes) _____	(No) _____

PLANNING COUNCIL

September 8th

2020



Land Development Regulations: MOORISH REVIVAL STYLE DESIGN HANDBOOK

Staff Report

STAFF'S REQUEST: To amend the land development regulations with updated standards applicable to the future development of the city.

City of Opa-locka Moorish Revival Style Design Handbook



I. Background

- The City of Opa-Locka's Land Development Regulations, updated in 2015, was crafted in partnership with the Corradino Group and City staff to add substantial changes and improvements to the development standards. The LDR comprises of eleven articles which give standards and regulations to the development of the City.
- The City of Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 who developed the city with a Moorish architecture theme. Based on a One Thousand and One Nights theme, Opa-locka has the largest collection of Moorish Revival architecture in the Western Hemisphere.
- The Moorish Revival Style Design Standards is intended to serve as guidelines which insures our rich architectural heritage is maintained in all future development in the GREAT City of Opa-locka. The intent of the "Opa-locka Moorish Revival Architecture" design handbook is to continue the support of our City's founder, Glenn Curtiss's vision consistent with the established historic building fabric of the City and enhance the image of the City by providing a visual linkage between contemporary development and the City's unique historic thematic appearance.

II. Details

- **Staff's intent**
Staff proposes to update the following articles to reflect the current momentum towards improving our cities appearance and functionality for a cleaner and more presentable community for our citizens and visitors. With this in mind, the Planning and Community Development Department has crafted a Moorish Revival Style Design Handbook for developers looking to build in the City to provide guidelines and concepts.

III. Overall Analysis

- The current LDR lacks the strength to address many of these issues directly and many times leaves staff to interpret the code which can lead to misrepresentation of city goals and objectives.
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V. Staff Recommendation:

Staff recommends approval of the LDR amendments pending the following:

- Review of the Moorish Revival Style Handbook

V. Attachments:

- City of Opa-locka Moorish Revival Style Design Handbook

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VI. Staff Report Updated After the Planning Council Meeting on September 8, 2020. *Reflected Actions:*

- I. Planning Council Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)

Resolution No.

RESOLUTION OF THE PLANNING COUNCIL, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF:

WHEREAS, Staff has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on __ / __ / ____
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
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*** The Planning Council Approval of this request was approved by a - vote***

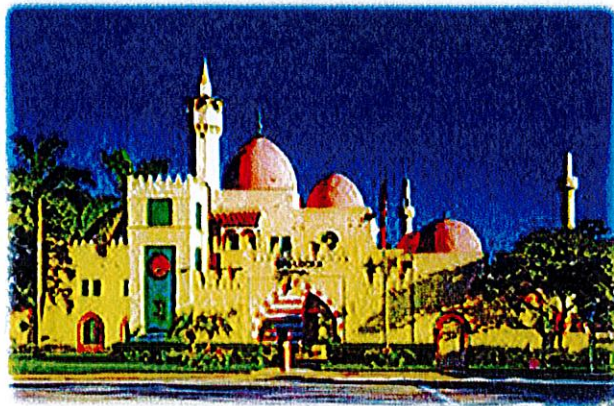
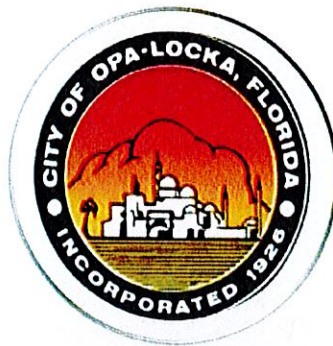
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Chairperson or Designee

The Following changes/recommendations are updates based on the Planning Council Meeting discussions in regards to the proposed LDR Amendments

City of Opa-locka
Moorish Revival Style
Design Handbook



Planning and Community Development
Department

Executive Summary

The Moorish Revival Style Design Standards is intended to serve as guidelines which insures our rich architectural heritage is maintained in all future development in the GREAT City of Opa-locka. The intent of the "Opa-locka Moorish Revival Architecture" design handbook is to continue the support of our City's founder, Glenn Curtiss's vision consistent with the established historic building fabric of the City and enhance the image of the City by providing a visual linkage between contemporary development and the City's unique historic thematic appearance.

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- Understanding Moorish Revival Architecture
- Preparing design and construction plans to meet the design requirements of the guidelines and pertinent governing authorities.
- Treatment of facades of their building in the Moorish/Arabian Architectural Design Style so they may take advantage of special development bonuses and allowances provided by the City of Opa-locka.
- Specific existing buildings within the City of Opa-locka have been selected as they exemplify Moorish Architectural Design Styles. The Moorish design is sometimes referred to as the Arabian design and goes to suggest the specific origin of the theme for the design of the City.

The Moorish Revival Style Design Standards are provided as an incentive to property owners to encourage and expand the creative use of the various architectural styles in association with promoting public realm improvements in exchange for development bonuses that provide amenities and features typically provided in Moorish Revival style buildings.

The Architectural Regulations specify the materials and configurations encouraged for walls, roofs, openings, and other elements. The guidelines contained herein may be modified by process of Waiver should the Director of Planning and Community Development find that the proposed design results in a project that is consistent with the intent of this section, is compatible with the neighborhood, and enhances the projects context with the neighborhood. Exemptions to individual elements may be granted through a public hearing and process of Exemption.

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Owner with intentions to remodel the exterior façade of a building or structure or portion of such must prepare and submit to the Building Department Remodeling plans reflecting changes to be made on all phases of work for review and approval. A set of plans of the existing building faced must also be made part of the remodeling plans for proper coordination. In the event the remodeling work is only limited to painting, decorating, and general cleaning, the Building Department must be formally notified in writing with the pertinent information, a rendering which shows the scope of work and proposed colors. Remodeling Plans must include all applicable items outlined in this handbook.

All applicable local building codes, approvals and required permits will fully apply to any remodeling work.

Owner will examine the enclosed material for items required for review on submitted plans and specifications.

Submit Preliminary Plans to the Planning and Community Development Department in accordance to the preliminary plan submission requirements (Refer to Preliminary Plan Submittal Requirements)

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Note: Approval of Owner's plan and specifications by Planning and Community Development Department does not release the owner from fully complying with all applicable building codes and requirements. The Planning and Community development Department review process is for compliance with the Moorish Revival Architectural design parameters as dictated in this Handbook.

Send all revisions to the plans and specifications to the Planning and Community Development Department for approval in accordance with the above outlined procedure. Should deviations from approved final plans become apparent during or after construction, without having been approved previously, these shall be subject to removal at Owner's expense and at the discretion of Planning and Community Development/Building Department.

Allow two (2) weeks time for processing and plan review.

The owner may start construction proceedings upon written proceed approval of the construction plans by the Planning and Community Development Department/Building Department, and receipt of all required permits from municipal or other authorities having jurisdiction over the project.

Preliminary Plan Submittal Requirements

The Preliminary Plans must include but not be limited to the following:

- A. Site Plan (1"-20' min. scale).
 - 1. Setbacks, building location/footprint.
 - 2. Materials.
 - 3. Signage.
 - 4. Locations of all exterior mechanical equipment and screening.
- B. Elevations (façade) (1/8" or 1/4" =1'-0" min. scale).
 - 1. Four (4) Elevations. Front, Rear, and Side views.
 - 2. Materials/Finishes.
 - 3. Colors. (optional)
 - 4. Building Signage.
 - 5. Locations of all exterior mechanical equipment and screening.
 - 6. Color rendering of proposed improvements.
- C. General
 - 1. All plans and elevations with major dimensions.
 - 2. Sections if necessary to explain the design.
 - 3. Sketchy or incomplete plans will not be reviewed.

Final Construction Plans Submittal Requirement

After receiving preliminary plan approval from the Planning and Community Development Department, the Owner can prepare and submit comprehensive construction plans and specifications which shall include but not limited to the items listed:

- 1. Architectural and Engineering Construction Plans.
 - a. Location Plan.
 - b. Floor Plans. If they apply to the façade.
 - c. Elevations with finish notations.
 - d. Finish schedules.
 - 2. Landscaping irrigation plans, if they apply to façade plus site and building signage.
- i. Owner pick-up and review requirements of design guidelines from Planning and Community Development Department office.

- ii. Owner submit remodeling plans/preliminary to Planning and Community Development Department. (10) sets of proposed plans rendering.
- iii. Review and approval of owner submitted plans by Planning and Community Development Department.
- iv. Owner correct and finalize plans as required by local building code and Planning and Community Development Guidelines and comments.
- v. Submittal of final plans to the Planning and Community Development Department/Building Department.
- vi. Review and approval of Owner submitted plans by Planning and Community Development Department.
- vii. Owner submit plans to Building and Planning and Community Development Department.

General to all uses

a. Style

To protect and reinforce Opa-locka's unique visual character, new construction and major additions should be compatible with Moorish Revival style, and traditional building forms associated with the existing architectural style of the City.

b. Openings

1. Materials

(a) Windows that have frames that are made of vinyl clad wood, aluminum, or other weather resistant materials may be used provided that they are kept painted or have an acceptable integral color. All windows shall be kept in good repair and should be glazed with clear glass.

(b) Windows may be a Miami-Dade County rated impact-resistant type but include faux mullions so that the traditional appearance of a sash window with multiple lights, is maintained.

(c) Non-transparent portions of doors should be painted wood, flush steel or fiberglass with wood veneer.

(d) Window sills and stucco trims shall be preserved, replaced or restored.

2. Window Configuration

(a) Windows should be rectangular single, double, triple-hung, operable sash types. Typically windows contained multiple panes (or lights) that were divided into equal units by muntins. Windows should be of a vertical or square proportion with multiple lights, except that transoms may be oriented horizontally.

(b) Window muntins may be simulated or true divided lights.

(c) Shutters should be sized and shaped to match the associated openings. Shutters may be operable with all associated hardware. Bahamian style shutters are encouraged.

(d) Colors of windows, doors and shutters should be of a combined color palette that conforms to the Moorish Revival Style and shall be approved by Planning and Community Development Department.

c. Walls

The following requirements apply to all exterior walls for all front facades. All elements of all building elevations shall complete a total and continuous design. The following requirements apply to the front exterior walls of all buildings located in the City and used for commercial or business purposes. All elements of the façade elevations shall be harmonious and of integral design. Damaged details and materials shall be replaced so as to be undetectable as a replacement.

1. Material/ Configuration

(a) Walls should be finished to be compatible in color, texture, composition and character with the Moorish Architecture of the City. All exterior finishes will be subject to review and approval by the Planning and Community Development Department.

(b) Walls should be built using no more than two materials, with the heavier material below the lighter.

(c) Wood is not recommended as a major element of the exterior façade. In the event where wood is existing or wood details or features being

added; all wood or wood siding will be pressure treated, finished painted, stained or otherwise protected from the elements of nature. All exterior wood will be fully maintained in new construction.

(d) Trim should be of highest-grade lumber.

(e) Arches and Piers of masonry should be no less than twelve (12) inches square.

(f) Posts of wood or metal should be no less than six (6) inches × six (6) inches.

(g) Colors shall be of a light color palette that conforms to the Caribbean Style and should be approved by the Department of Planning.

d. Porches

1. Material

(a) Porches and railings should have their columns, posts, spindles and balusters made of wood, stucco on masonry or metal.

(b) Awnings should have a metal armature covered with canvas or synthetic canvas.

(c) Equipment including HVAC, utility meters and satellite dishes should not face streets.

(d) Paving for front walks should be brick or concrete.

2. Configuration

(a) Porches should have vertically proportioned openings.

(b) Railings should have horizontal top and bottom rails centered on the spindles or balusters. The openings between balusters and spindles should not exceed four (4) inches or the minimum the building code requires. Bottom rails should be above the level of the porch floor. (c) Balconies, which cantilever, should be visibly supported by structural brackets.

e. Roofs

1. Material

(a) Finished materials for pitched roofs must be compatible with the design theme for the city. Materials not permitted are wood shakes, or pitched gravel roofs; materials not recommended are asphalt shingles. Other materials not specifically mentioned are subject to review and approval by the Planning and Community Development Department.

(b) Mansard roofs and Gambrel roofs characterized by steep lower slope and flatter upper portion shall not be permitted. The Planning and Community Development Department will review individual projects for specific conditions of roof requirements for approval.

(c) For pitched roofs visible from the public right of way either in front of, or to a side elevation of a building the following roof requirements shall apply:

- The finished roofing material shall be clean and in good state or condition.
- The finished roofing material shall have a color compatible with the building color scheme.

(d) Roof overhangs are permissible and encouraged for pedestrian protection and to provide protection to the storefront in a functional and decorative manner.

(e) Roof top mechanical equipment must be located to reduce or eliminate its visibility from the public right-of-way. All equipment will be decoratively shielded if it cannot be hidden from view. Decorative shielding must be composed of materials and colors compatible with the total materials, colors and design of the building.

(f) Roof top signage shall not be permitted. Sponsored advertisement on roofs or exterior walls shall not be permitted.

(g) Gutters and rainwater leaders shall be exposed only if detailed properly to add character to the design. They must be painted to match fascia, wall or column. Drainage from these rainwater leaders must be primarily directed into catch basins. Drainage into pedestrian paths and secondarily into catch basins shall not be permitted.

(h) Flashing visible from the public right-of-way must be neat and adequately installed. Visible flashing shall be painted to match the surface of an adjacent wall or adjacent trim.

(i) If there is sufficient evidence to suspect structural instability or termite presense, a County or City roof inspection will be required prior to the beginning of the project. Roof repairs or termite treatment may be required.

2. Configuration

(a) Principal Roofs should have a symmetrical gable or hip with a slope between 4:12 and 12:12, or if flat, should have a parapet wall no less than 24" in height.

(b) Ancillary Roofs (attached to walls of the principal Building) may be flat with parapet or may be sheds sloped no less than 2:12.

(c) Eaves should be continuous. Eaves which overhang less than eight (8) inches should have a closed soffit. Eaves which overhang more than sixteen (16) inches should have exposed rafters. Eaves which overhang between eight (8) inches and sixteen (16) inches may have either a closed soffit or exposed rafter and rafter tails.

(d) Roof penetrations, including vent stacks, should not be placed on the slope of the roof facing the street. Roof penetrations should be finished to match the color of the roof.

(e) Skylights should be flat and mounted only to the rear slope of the roof.

f. Exterior Walls

(a) The following requirements apply to all exterior walls for all front facades. All elements of all building elevations shall complete a total and continuous design. The following requirements apply to the front exterior walls of all buildings located in the City and used for commercial or business purposes. All elements of the façade elevations shall be harmonious and of intergral design. Damaged details and materials shall be replaced so as to be undetectable as a replacement

(b) All new materials, colors and design must be in compliance with the South Florida Building Code, and must be compatible with existing materials.

(c) Exterior wall finishes will be compatible in color, texture, composition and character with the Moorish Revival Architecture theme of the City. All exterior finishes will be subject to review and approval by the Planning and Community Development.

(d) Wood is not recommended as a major element of the exterior façade. In the event where wood is existing or wood details or features being added; all wood or wood siding will be pressure treated, finished, painted, stained or otherwise protected from the elements of nature. All exterior wood will be fully maintained in new condition.

(e) All stucco surfaces shall be cleaned and repaired. All stucco surfaces shall be in a color compatible with the local environment.

(f) Existing material in sound condition, and to remain, shall be cleaned, stripped, and finished accordingly. All existing façade materials or ornamentation which are in good condition and add to the character of the building should be refurbished and remain as part of the façade.

(i) Existing metal siding may remain. No new metal siding shall be installed. All other metal siding shall be removed and replaced with an acceptable material. All existing metal siding that remains shall be kept clean and in a good state of repair.

(j) All miscellaneous and unused elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, signage, etc. shall be removed. All broken, rotten or damaged elements shall be removed and replaced with elements that are harmonious with the design of the façade and the building.

g. Doors, Windows, and Storefronts

Building design should promote self shading, natural ventilation, outdoor circulation, and reduced dependence on artificial lighting and air conditioning.

- (a) The following items apply to all aspects of windows, entryways and display areas in the façade.
- (b) Screen doors shall not be permitted.
- (c) Entrance doors shall be compatible with the façade design.
- (d) All hardware visible from the exterior, closers, hasps, hinges, locks, shall be mounted on the interior side of the door.
- (e) All of the windows in a single façade shall be of matching design. The following additional requirements shall apply for all windows.

Existing Windows

- (a) Windows that have frames that are vinyl clad wood or metal or other weather resistant materials may be used provided that they are kept painted or have an acceptable integral color. All windows shall be kept in good repair and with proper finish.
- (b) Ornamental windows grills and balconies may be incorporated as a decorative or security device on windows only.
- (c) Window sills and stucco trims shall be preserved, replaced or restored.

Enclosure of Windows

- (a) Windows facing alleys, yards, or side streets may be enclosed.
- (b) Solid or permanently enclosed or covered storefronts shall not be permitted, except where specific existing conditions require it and approved by Planning and Community Development Department.
- (c) In the situation of a façade without opening, the wall(s) facing the street shall not remain without decoration to reduce the impact of solid wall on the pedestrian environment. Such items as graphics, wall sculptures or decorative patterns shall be incorporated into the façade design.

Security

- (a) Grates, Bars and Grills shall be designed to be as inconspicuous as possible when not in use. They shall be kept open and not visible

during normal business hours. Enclosures for security grills and screens shall be as inconspicuous as possible and shall be compatible with the design of the storefront.

(b) Overhead metal doors and horizontal metal folding doors can be designed to be recessed and unobtrusive during business hours and be closed for security. These types of security measures are recommended over bars or storefront due to the negative appearance of bars.

(c) Interior and exterior hardware security systems may be included under the scope of Façade Treatment Program objectives;

- Interior alarm systems.
- Grates/Bars/Grills.
- Site lighting.
- Security Locks.
- Overhead Metal Doors.

(d) Chainlink or Barbed Wire Fencing shall not be permissible if visible from the public right-of-way. In specific cases where chain link fencing is required for security purposes of stored material or other, the specific conditions and proposed solutions shall be submitted to the Planning and Community Development Department for review, comment and final approval. All of the Cases shall be processed on an individual basis.

Landscaping, Signage, Paint

The following items can be located within the Land Development Regulations

- Landscaping and Tree Preservation - Section VII
- Sign Regulations – Section X
- Paint – Refer to the Opa-locka Paint Chart included in this document

PLANNING & ZONING ADVISORY BOARD

September 8th

2020



Land Development Regulations: MOORISH REVIVAL STYLE DESIGN HANDBOOK

Staff Report

STAFF'S REQUEST: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – MOORISH REVIVAL STYLE DESIGN HANDBOOK PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

City of Opa-locka

Moorish Revival Style

Design Handbook



I. **Background**

- The City of Opa-Locka’s Land Development Regulations, updated in 2015, was crafted in partnership with the Corradino Group and City staff to add substantial changes and improvements to the development standards. The LDR comprises of eleven articles which give standards and regulations to the development of the City.
- The City of Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 who developed the city with a Moorish architecture theme. Based on a One Thousand and One Nights theme, Opa-locka has the largest collection of Moorish Revival architecture in the Western Hemisphere.
- The Moorish Revival Style Design Standards is intended to serve as guidelines which insures our rich architectural heritage is maintained in all future development in the GREAT City of Opa-locka. The intent of the “Opa-locka Moorish Revival Architecture” design handbook is to continue the support of our City’s founder, Glenn Curtiss’s vision consistent with the established historic building fabric of the City and enhance the image of the City by providing a visual linkage between contemporary development and the City's unique historic thematic appearance.

II. **Details**

- **Staff’s intent**
Staff proposes to update the following articles to reflect the current momentum towards improving our cities appearance and functionality for a cleaner and more presentable community for our citizens and visitors. With this in mind, the Planning and Community Development Department has crafted a Moorish Revival Style Design Handbook for developers looking to build in the City to provide guidelines and concepts.

III. **Overall Analysis**

- The current LDR lacks the strength to address many of these issues directly and many times leaves staff to interpret the code which can lead to misrepresentation of city goals and objectives.
- Drafted in 2015, standards have been updated county wide to address many of the aforementioned changes, the updates are a reflection of more progressive municipalities in the county in upgrading our city standards and creating a new narrative for the city moving forward.
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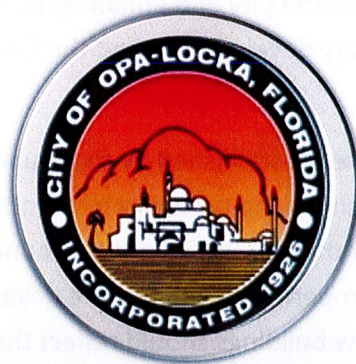
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The Planning and Community Development Department will release the plans submitted by the owner for building permit after full plan review and approval is accomplished.

Note: Approval of Owner's plan and specifications by Planning and Community Development Department does not release the owner from fully complying with all applicable building codes and requirements. The Planning and Community development Department review process is for compliance with the Moorish Revival Architectural design parameters as dictated in this Handbook.

Send all revisions to the plans and specifications to the Planning and Community Development Department for approval in accordance with the above outlined procedure. Should deviations from approved final plans become apparent during or after construction, without having been approved previously, these shall be subject to removal at Owner's expense and at the discretion of Planning and Community Development/Building Department.

Allow two (2) weeks time for processing and plan review.

The owner may start construction proceedings upon written proceed approval of the construction plans by the Planning and Community Development Department/Building Department, and receipt of all required permits from municipal or other authorities having jurisdiction over the project.

Preliminary Plan Submittal Requirements

The Preliminary Plans must include but not be limited to the following:

- A. Site Plan (1"-20' min. scale).
 - 1. Setbacks, building location/floor plan.
 - 2. Materials.
 - 3. Signage.
 - 4. Locations of all exterior mechanical equipment and screening.
- B. Elevations (façade) (1/8" or 1/4" =1'-0" min. scale).
 - 1. Four (4) Elevations. Front, Rear, and Side views.
 - 2. Materials/Finishes.
 - 3. Colors. (optional)
 - 4. Building Signage.
 - 5. Locations of all exterior mechanical equipment and screening.
 - 6. Color rendering of proposed improvements.
- C. General
 - 1. All plans and elevations with major dimensions.
 - 2. Sections if necessary to explain the design.
 - 3. Sketchy or incomplete plans will not be reviewed.

Final Construction Plans Submittal Requirement

After receiving preliminary plan approval from the Planning and Community Development Department, the Owner can prepare and submit comprehensive construction plans and specifications which shall include but not limited to the items listed:

- 1. Architectural and Engineering Construction Plans.
 - a. Location Plan.
 - b. Floor Plans. If they apply to the façade.
 - c. Elevations with finish notations.
 - d. Finish schedules.
 - 2. Landscaping irrigation plans, if they apply to façade plus site and building signage.
- i. Owner pick-up and review requirements of design guidelines from Planning and Community Development Department office.

- ii. Owner submit remodeling plans/preliminary to Planning and Community Development Department. (10) sets of proposed plans rendering.
- iii. Review and approval of owner submitted plans by Planning and Community Development Department.
- iv. Owner correct and finalize plans as required by local building code and Planning and Community Development Guidelines and comments.
- v. Submittal of final plans to the Planning and Community Development Department/Building Department.
- vi. Review and approval of Owner submitted plans by Planning and Community Development Department.
- vii. Owner submit plans to Building and Planning and Community Development Department.

General to all uses

a. Style

To protect and reinforce Opa-locka's unique visual character, new construction and major additions should be compatible with Moorish Revival style, and traditional building forms associated with the existing architectural style of the City.

b. Openings

1. Materials

(a) Windows that have frames that are made of vinyl clad wood, aluminum, or other weather resistant materials may be used provided that they are kept painted or have an acceptable integral color. All windows shall be kept in good repair and should be glazed with clear glass.

(b) Windows may be a Miami-Dade County rated impact-resistant type but include faux mullions so that the traditional appearance of a sash window with multiple lights, is maintained.

(c) Non-transparent portions of doors should be painted wood, flush steel or fiberglass with wood veneer.

(d) Window sills and stucco trims shall be preserved, replaced or restored.

2. Window Configuration

(a) Windows should be rectangular single, double, triple-hung, operable sash types. Typically windows contained multiple panes (or lights) that were divided into equal units by muntins. Windows should be of a vertical or square proportion with multiple lights, except that transoms may be oriented horizontally.

(b) Window muntins may be simulated or true divided lights.

(c) Shutters should be sized and shaped to match the associated openings. Shutters may be operable with all associated hardware. Bahamian style shutters are encouraged.

(d) Colors of windows, doors and shutters should be of a combined color palette that conforms to the Moorish Revival Style and shall be approved by Planning and Community Development Department.

c. Walls

The following requirements apply to all exterior walls for all front facades. All elements of all building elevations shall complete a total and continuous design. The following requirements apply to the front exterior walls of all buildings located in the City and used for commercial or business purposes. All elements of the façade elevations shall be harmonious and of integral design. Damaged details and materials shall be replaced so as to be undetectable as a replacement.

1. Material/ Configuration

(a) Walls should be finished to be compatible in color, texture, composition and character with the Moorish Architecture of the City. All exterior finishes will be subject to review and approval by the Planning and Community Development Department.

(b) Walls should be built using no more than two materials, with the heavier material below the lighter.

(c) Wood is not recommended as a major element of the exterior façade. In the event where wood is existing or wood details or features being

added; all wood or wood siding will be pressure treated, finished painted, stained or otherwise protected from the elements of nature. All exterior wood will be fully maintained in new construction.

(d) Trim should be of highest-grade lumber.

(e) Arches and Piers of masonry should be no less than twelve (12) inches square.

(f) Posts of wood or metal should be no less than six (6) inches × six (6) inches.

(g) Colors shall be of a light color palette that conforms to the Caribbean Style and should be approved by the Department of Planning.

d. Porches

1. Material

(a) Porches and railings should have their columns, posts, spindles and balusters made of wood, stucco on masonry or metal.

(b) Awnings should have a metal armature covered with canvas or synthetic canvas.

(c) Equipment including HVAC, utility meters and satellite dishes should not face streets.

(d) Paving for front walks should be brick or concrete.

2. Configuration

(a) Porches should have vertically proportioned openings.

(b) Railings should have horizontal top and bottom rails centered on the spindles or balusters. The openings between balusters and spindles should not exceed four (4) inches or the minimum the building code requires. Bottom rails should be above the level of the porch floor. (c) Balconies, which cantilever, should be visibly supported by structural brackets.

e. Roofs

1. Material

(a) Finished materials for pitched roofs must be compatible with the design theme for the city. Materials not permitted are wood shakes, or pitched gravel roofs; materials not recommended are asphalt shingles. Other materials not specifically mentioned are subject to review and approval by the Planning and Community Development Department.

(b) Mansard roofs and Gambrel roofs characterized by steep lower slope and flatter upper portion shall not be permitted. The Planning and Community Development Department will review individual projects for specific conditions of roof requirements for approval.

(c) For pitched roofs visible from the public right of way either in front of, or to a side elevation of a building the following roof requirements shall apply:

- The finished roofing material shall be clean and in good state or condition.
- The finished roofing material shall have a color compatible with the building color scheme.

(d) Roof overhangs are permissible and encouraged for pedestrian protection and to provide protection to the storefront in a functional and decorative manner.

(e) Roof top mechanical equipment must be located to reduce or eliminate its visibility from the public right-of-way. All equipment will be decoratively shielded if it cannot be hidden from view. Decorative shielding must be composed of materials and colors compatible with the total materials, colors and design of the building.

(f) Roof top signage shall not be permitted. Sponsored advertisement on roofs or exterior walls shall not be permitted.

(g) Gutters and rainwater leaders shall be exposed only if detailed properly to add character to the design. They must be painted to match fascia, wall or column. Drainage from these rainwater leaders must be primarily directed into catch basins. Drainage into pedestrian paths and secondarily into catch basins shall not be permitted.

(h) Flashing visible from the public right-of-way must be neat and adequately installed. Visible flashing shall be painted to match the surface of an adjacent wall or adjacent trim.

(i) If there is sufficient evidence to suspect structural instability or termite presense, a County or City roof inspection will be required prior to the beginning of the project. Roof repairs or termite treatment may be required.

2. Configuration

(a) Principal Roofs should have a symmetrical gable or hip with a slope between 4:12 and 12:12, or if flat, should have a parapet wall no less than 24" in height.

(b) Ancillary Roofs (attached to walls of the principal Building) may be flat with parapet or may be sheds sloped no less than 2:12.

(c) Eaves should be continuous. Eaves which overhang less than eight (8) inches should have a closed soffit. Eaves which overhang more than sixteen (16) inches should have exposed rafters. Eaves which overhang between eight (8) inches and sixteen (16) inches may have either a closed soffit or exposed rafter and rafter tails.

(d) Roof penetrations, including vent stacks, should not be placed on the slope of the roof facing the street. Roof penetrations should be finished to match the color of the roof.

(e) Skylights should be flat and mounted only to the rear slope of the roof.

f. Exterior Walls

(a) The following requirements apply to all exterior walls for all front facades. All elements of all building elevations shall complete a total and continuous design. The following requirements apply to the front exterior walls of all buildings located in the City and used for commercial or business purposes. All elements of the façade elevations shall be harmonious and of intergral design. Damaged details and materials shall be placed so as to be undetectable as a replacement

(b) All new materials, colors and design must be in compliance with the South Florida Building Code, and must be compatible with existing materials.

(c) Exterior wall finishes will be compatible in color, texture, composition and character with the Moorish Revival Architecture theme of the City. All exterior finishes will be subject to review and approval by the Planning and Community Development.

(d) Wood is not recommended as a major element of the exterior façade. In the event where wood is existing or wood details or features being added; all wood or wood siding will be pressure treated, finished, painted, stained or otherwise protected from the elements of nature. All exterior wood will be fully maintained in new condition.

(e) All stucco surfaces shall be cleaned and repaired. All stucco surfaces shall be in a color compatible with the local environment.

(f) Existing material in sound condition, and to remain, shall be cleaned, stripped, and finished accordingly. All existing façade materials or ornamentation which are in good condition and add to the character of the building should be refurbished and remain as part of the façade.

(i) Existing metal siding may remain. No new metal siding shall be installed. All other metal siding shall be removed and replaced with an acceptable material. All existing metal siding that remains shall be kept clean and in a good state of repair.

(j) All miscellaneous and unused elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, signage, etc. shall be removed. All broken, rotten or damaged elements shall be removed and replaced with elements that are harmonious with the design of the façade and the building.

g. Doors, Windows, and Storefronts

Building design should promote self shading, natural ventilation, outdoor circulation, and reduced dependence on artificial lighting and air conditioning.

- (a) The following items apply to all aspects of windows, entryways and display areas in the façade.
- (b) Screen doors shall not be permitted.
- (c) Entrance doors shall be compatible with the façade design.
- (d) All hardware visible from the exterior, closers, hasps, hinges, locks, shall be mounted on the interior side of the door.
- (e) All of the windows in a single façade shall be of matching design. The following additional requirements shall apply for all windows.

Existing Windows

- (a) Windows that have frames that are vinyl clad wood or metal or other weather resistant materials may be used provided that they are kept painted or have an acceptable integral color. All windows shall be kept in good repair and with proper finish.
- (b) Ornamental windows grills and balconies may be incorporated as a decorative or security device on windows only.
- (c) Window sills and stucco trims shall be preserved, replaced or restored.

Enclosure of Windows

- (a) Windows facing alleys, yards, or side streets may be enclosed.
- (b) Solid or permanently enclosed or covered storefronts shall not be permitted, except where specific existing conditions require it and approved by Planning and Community Development Department.
- (c) In the situation of a façade without opening, the wall(s) facing the street shall not remain without decoration to reduce the impact of solid wall on the pedestrian environment. Such items as graphics, wall sculptures or decorative patterns shall be incorporated into the façade design.

Security

- (a) Grates, Bars and Grills shall be designed to be as inconspicuous as possible when not in use. They shall be kept open and not visible

during normal business hours. Enclosures for security grills and screens shall be as inconspicuous as possible and shall be compatible with the design of the storefront.

- (b) Overhead metal doors and horizontal metal folding doors can be designed to be recessed and unobtrusive during business hours and be closed for security. These types of security measures are recommended over bars or storefront due to the negative appearance of bars.
- (c) Interior and exterior hardware security systems may be included under the scope of Façade Treatment Program objectives;
 - Interior alarm systems.
 - Grates/Bars/Grills.
 - Site lighting.
 - Security Locks.
 - Overhead Metal Doors.
- (d) Chainlink or Barbed Wire Fencing shall not be permissible if visible from the public right-of-way. In specific cases where chain link fencing is required for security purposes of stored material or other, the specific conditions and proposed solutions shall be submitted to the Planning and Community Development Department for review, comment and final approval. All of the Cases shall be processed on an individual basis.

Landscaping, Signage, Paint

The following items can be located within the Land Development Regulations

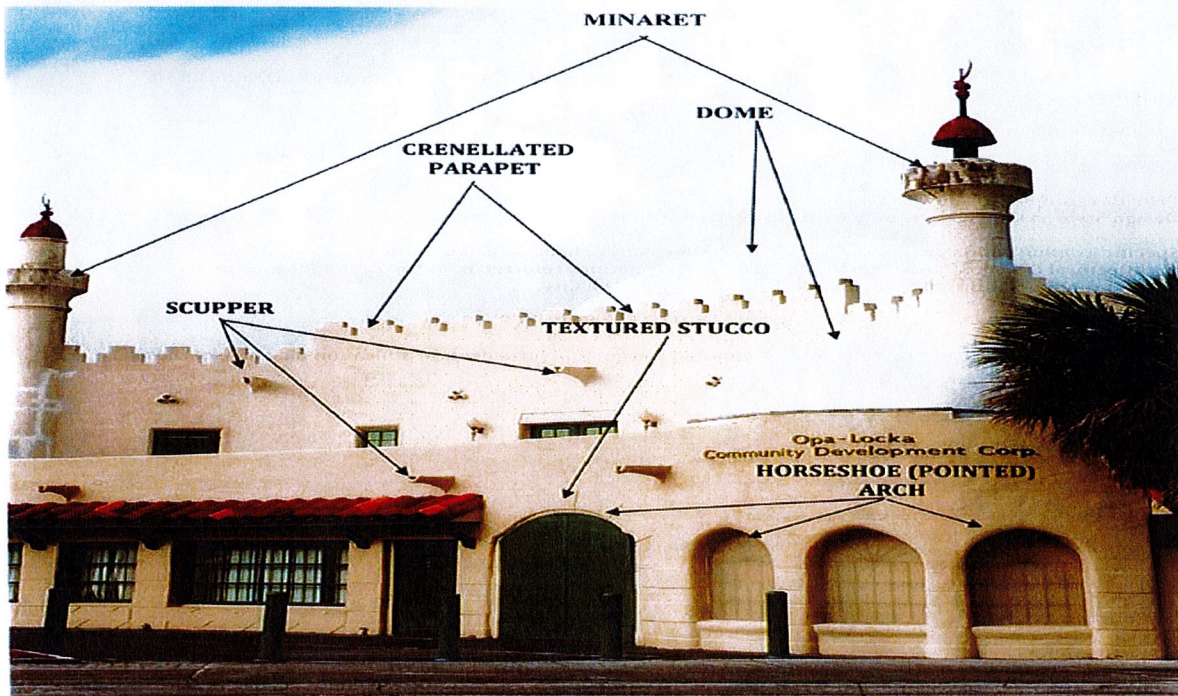
- Landscaping and Tree Preservation - Section VII
- Sign Regulations – Section X
- Paint – Refer to the Opa-locka Paint Chart included in this document

General Characteristics

Certain characteristics are associated with the Moorish Design that have general application inclusive of these are the following:

1. The horseshoe arch
2. Crenellated parapets
3. Domes
4. Flat Roof
5. Minaret
6. Textured Stucco Exterieurs
7. Courtyards
8. Bas-Relief
9. Geometric Interlacement of Motifs
10. Tile Roof
11. Casement Windows
12. Ceramic Tile Accents

DESIGN EXAMPLES



Design Examples









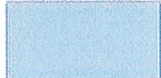
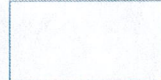
Approved Paint Chart



City of Opa-Locka
Building Structure Color Code
Approved Colors for All City Structures



TRIM

				
Sweetheart	Kink's Canyon Grey	Woodrose	Mayflower Blue	Sun Kiss
				
Chatam Tan	Surrey Beige	Enchantment	Cancun Blue	Forum Green
				
Serengeti Plain	Spinnaker	Black	White	

Before Purchasing Paint For Any Structure Please
Provide Our Office With A Sample Of The Desired
Color. Once The Color Is Approved Only Then Can You
Obtain A Permit



City of Opa-Locka
Building Structure Color Code
Approved Colors for All City Structures



BASE

Stone White	Champagne Sparkle	Blue Silk	Lemon Ice	Pink Bauble
Stonington Beige	Welsh Green	Honey Moon	Siesta Key	Sassafras Tea
Pinky	Toasty Grey	Sea Swell	Blue Bow	Quiet Nest
Wispy Peach	Rose Mallow	Sand White	Fresh Cut	Empress Mauve
Storytime	Pastorale Jade	Apricot	Fairytale Pink	Bone White
Italianate Villa	Cherry Blossom	Pastel Sage	Colorado Dawn	Peach Puff

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Provide Our Office With A Sample Of The Desired
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City of Opa-Locka
Building Structure Color Code
Approved Colors for All City Structures

BASE

Burmee Beige	Spirea	Simply Taupe	Limoges Blue	Prickly Pear
Pale Orange	Pink Parfait	Indian Painting	Boudoir	Naughty Neutral
Inheritance	Pink Tiger	Seashell Pink	Autumn Haze	Newborn
Eternity	Billowing Clouds	Jonquil Yellow	Touch of Nectar	Cotton Blossom
First Light	Fountain Mist	Costa Mesa	Peach Medley	Summer Haze
Coconut Milk	Citron Ice	Coral Flower	White	

Before Purchasing Paint For Any Structure Please
Provide Our Office With A Sample Of The Desired
Color. Once The Color Is Approved Only Then Can You
Obtain A Permit

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-101, CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Downtown Opa-Locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing revitalization activities as well as a special district designation in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, the Historic Downtown Opa-Locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network; and

WHEREAS, the zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a

town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations; and

WHEREAS, the intention of this section is to develop the Historic Downtown Opa-Locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain; and

WHEREAS, the overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community; and

WHEREAS, the Planning and Zoning Board of the City of Opa-Locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-Locka District and provided a recommendation of approval. The district shall be included within the City's Land Development Regulations as Article IV, Section 22-101.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Historic Downtown Opa-Locka District.

The City Commission of the City of Opa-Locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Historic Downtown Opa-Locka District, for inclusion within the City's Land Development Regulations as Article IV, Section 22-101. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

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

SECTION 5. Effective Date.

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-Locka Code of Ordinances and the City of Opa-Locka Charter.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

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

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-Locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	12-8-21	Item Type: (Enter X in box)	Resolution	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
				2nd Reading	
		X	Public Hearing: (Enter X in box)	Yes	No
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes No	
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bi#: N/A	X	
		X			
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐		Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)
	X				
Sponsor Name	City Manager		Department: Planning & Community Development		City Manager

Short Title:

AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. , the intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and

functional buildings where people can reside, work and entertain. the Planning and Zoning Board of the City of Opa-locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-locka District and provided a recommendation of approval.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

Draft Ordinance LDR Amendment Article V Historic Downtown Opa-locka District.

ORDINANCE NO.

AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V - CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Downtown Opa-locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing revitalization activities as well as a special district designation in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, the Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network; and

WHEREAS, the zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a

town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations; and

WHEREAS, the intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain; and

WHEREAS, the overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community; and

WHEREAS, , the Planning and Zoning Board of the City of Opa-locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-locka District and provided a recommendation of approval..

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Historic Downtown Opa-locka District.

The City Commission of the City of Opa-locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Historic Downtown Opa-locka District. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5. Effective Date.

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2021.

Elio Guerrero, Chairman

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Section 22-97. – HISTORIC DOWNTOWN OPA-LOCKA DISTRICT

(A) Purpose and intent.

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. The zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations. The intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain. The intent of the city in adopting the Historic Downtown Opa-Locka District Ordinance is to:

- (1) Define the boundaries of the historic downtown district;
- (2) Expand the economic base of the city, by providing additional employment opportunities and additional revenues to the city and the region by making the area of the district more attractive in ways that can increase commerce and tourism which will assist in the development of specific plans that will allow for large scale social events and activities within the district to consider the city when choosing their sites;
- (3) Provide the basis for the continued and expanded support for initiatives that will cause the district to be considered as a destination for large scale events and activities in conformance with the goals and objectives of other city policies;
- (4) Enhance the area encompassed by the district through programs that will attract workers, residents and visitors to active public spaces and gathering places and create a pedestrian friendly environment;
- (5) Develop programs to further enhance the pedestrian environment through the establishment of unique streetscape design guidelines providing additional signage opportunities.

(B) Establishment of the district.

The Historic Downtown Opa-locka District shall be established as an area of the city where it has been found that programs which will contribute to economic development through the development of a more active streetscape should be undertaken. The district shall have the following territorial boundaries: Starting from a point in the centerline of Northwest 27th Avenue and Ali Baba Avenue, proceeding west along Ali Baba Avenue /the CRX Railroad ROW including the northern portion of Burlington Street to NW 37th Avenue, North towards Sabur Lane and west to Sharazad Boulevard, Historic City Hall –Sherbondy Village Community Center Complex on the north side and curve East to back to NW 27th Avenue.

(C) Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a combination of building lots, the perimeter of which abuts a public right-of-way or public space.

Block face means the right-of-way line that delineates a block edge.

Building height means a limit to the vertical extent of a building measured in feet above grade. Building height shall be measured in feet from the average elevation of the affronting curb to the eave line.

Civic uses means premises used primarily for public education, cultural performances, gatherings and displays administered by not-for-profit cultural, educational, governmental and religious organizations.

Carmenes means secluded inner gardens or courtyards with private-public features such as fountains, benches and ornamental architecture.

Colonnade means a roofed structure, extending over the sidewalk, open to the street except for supporting columns or piers.

Courtyard garden means a grade level garden enclosed on at least three sides, at least two sides by building walls and on its remaining sides by fences or garden walls, with a minimum 30 percent of its area landscaped. The street opening to the courtyard garden shall not exceed the width of the street or square that it fronts.

Curb radius means the curved edge of street paving at an intersection, measured to the inside travel edge of the travel lane.

Easement means an area of private property legally dedicated for public use.

Frontage means the property line or lines of a lot that coincide with a right-of-way or other public space.

Paseo means an easement that allows public pedestrian access traversing private property from one public right-of-way to another.

Public open space means an open space that is accessible to the public all or some of the time, including, public rights-of-way, parks, plazas, squares, canal-walks, alleys, colonnades, carmenes, courtyard gardens, paseos and other easements.

Square means a public space surrounded on four sides by streets or other vehicular passage. Every corner of a square shall have a street intersection.

Street means a thoroughfare for the movement of pedestrians and vehicles, which may be public open space or private property allowing public passage.

Streetwall means the vertical surface of a building or structure that faces public space.

Traffic calming device means a structure or device that is intended to slow the speed of the traffic on a roadway. It is usually constructed at an intersection. Examples of traffic calming devices are traffic circles and roundabouts. Traffic calming devices may include a change of pavement height, texture and materials to identify an area where speed is to be reduced.

Cross reference— Definitions generally, Sec. 22-238.

(D) Uses.

(A) Allowed uses.

Accounting, bookkeeping, law and other professional offices.

Agency (for employment, travel and/or services to be performed elsewhere).

Art or photographic studio (commercial).

Automobile rental agency, office use only.

Bank or other financial institution.

Business or commercial school.

Catering and delicatessen (including butcher shop) business.

Civic clubs, lodges and fraternal organization facilities.

Conference, meeting facilities or areas of public assemblage for less than 20 people.

Day care center, nursery school or preschool facility.

Dental care and doctor's offices.

Dog grooming only—prohibiting a "pet shop" type business or the boarding, maintaining or keeping of dogs on-premises anytime between 7:00 p.m. and 7:00 a.m.

Dry cleaning and laundry, drop-off/pick-up only.

Family restaurant/arcade; so long as the arcade use does not exceed 40 percent of the available business space, alcoholic beverages are permitted on the premises pending administrative review, no gambling games/machines are permitted, the arcade area is continually supervised, and the family nature of the operation is maintained. No more than two family restaurant/arcades shall be permitted in the Downtown District.

Gymnasium, health club, dance studio or other center where "physical activity" lessons are conducted.

Insurance agency.

Laundry—No more than two allowed in the Downtown District.

Lodging (Hotels, Motels, Peer to Peer home sharing services)

Museum.

Mixed-use development of residential uses on upper floors above retail, office and related uses.

Office supply or support (office supplies, copying, printing shop).

Personal services (i.e., barbershops, beauty parlors, physical therapy clinics, etc. No physical therapy clinic shall be open for business between the hours of 10:00 p.m. and 6:00 a.m.).

Pharmacy.

Post office.

Restaurant (and lounge), cafe, cafeteria, bar and grill.

Retail use.

Small appliance sales and/or service.

Sporting goods store; excluding the sale of weapons and related products used for sporting and hunting activities, no outdoor store displays or merchandising activities; no more than one store allowed in the district that sell the described merchandise.

Stereo/video/electronics rental, sales and/or service.

Theater (live) or motion picture house.

Veterinary clinic (excluding short-term boarding, for medical purposes only).

Other enterprises or businesses which are similar in character and impact to enterprises or businesses enumerated herein, and which are consistent with the Comprehensive Plan adopted pursuant to Chapter 163, Florida Statutes. A final determination of similarity with listed uses and consistency with the Comprehensive Plan shall be made by the City Commission, after obtaining a recommendation by the Planning and Zoning Board.

(B) Prohibited uses.

Adult bookstore;

Adult-related business;

Gaming, gambling and casino machines, billiard and pool parlors;

Automotive auctions, repair, sales and service facilities;

Bar; Package store

Clinical laboratory;

Funeral home;

Gun range;

Gun shop;

Pawn shop, Thrift store;

Tattoo Parlor;

Large-scale administrative offices, big box retail/wholesale sales operations and service and professional facilities;

Any large or medium-scale aviation or marine-related repair or service facilities;

Open air, tented, or booth-operated flea markets or any retail/wholesale sales operation not contained within a business building, except as otherwise permitted by Florida State Statutes, §§ 110-01 through 110-03 and permitted temporary uses in LDR Sec. 22- 119.

Any industrial or manufacturing operation or facilities.

(E) Goals and objectives.

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- (1) Promote pedestrian-friendly rights-of-way.
- (2) Protect public open spaces.
- (3) Promote mixed-income housing strategies.
- (4) Foster historic preservation.
- (5) Improve code compliance and enforcement.
- (6) Encourage meaningful development boundaries.
- (7) Promote local and regional public transportation.
- (8) Pursue public education on redevelopment.

(F) Implementation concepts.

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Slow down vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Use swale areas facing streets and sidewalks for trees and shrubs and encourage property owners to enhance landscaping. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.

- (3) *Improve pedestrian corridors.* Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors in order to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) *Aggregate open space for squares, plazas, passive parks and other public open spaces.* Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.
- (5) *Extend transit, at a variety of scales and modes of travel.* Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.
- (6) *Attack visual blight.* Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.
- (7) *Provide for water retention areas to improve drainage and flooding protection in low-lying areas.* Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.
- (8) *Promote civic uses.* Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment.

(G) Precedence over other zoning and land use regulations.

In addition to the criteria previously provided in the Downtown Mixed Use Overlay (DMU) land use classification and the Historic Downtown Opa-locka District (HDOD), commercial liberal (B-2), multifamily (R-3), light industrial (I-1), Liberal Industrial (I-3) and civic (C) zoning districts, the requirements provided in this division must also be followed as the requirements of the HDOD shall prevail.

(H) Road classifications in the HDOD district.

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) *Major roadways* shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27th Avenue, NW 37th Avenue, State Road 9, Ali Baba Avenue, Opa-locka Boulevard are classified as major roadways within this district.
- (2) *Minor roadways* shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. Ali Baba Avenue, from 17th Avenue to LeJeune-Douglass Connector; Sharazad Boulevard from NW 27th Avenue to Ali Baba Avenue, and Opa-locka Boulevard from NW 27th Avenue to Sharazad Boulevard.
- (3) *Local streets* mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

(I) Zoning regulations.

(a) Mixed Use Residential densities in downtown multifamily R-3, R-4, B-2, I-1 and I-4 zoning districts shall not exceed 150 units per net acre, unless the property owner provides public open space as provided in incentives (2) below, but in no event shall the units per net acre exceed 200 units for affordable/live-work or assisted living. Residential densities outside of the HDOD shall not exceed 150 units.

(b) Landscaping for all property zoned residential or that includes residential uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.

(c) The dimensions of squares, plazas, paseos and other open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.

(d) The facade and architecture requirements shall conform to a Moorish design plan. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.

(e) Streetwalls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.

(f) Streetwalls, landscape buffers or a building shall be constructed to screen parking from view.

(J) Incorporation of TOD District

A Transit Oriented Development District is generally characterized as a developed environment within a quarter-mile of a public transit system, with building characteristics and public amenities that promote the safe movement of pedestrians.

The City of Opa-locka's Transit Oriented Development District is located in the HDOD which boundaries stated in item (B).

Opa-locka's Transit Oriented Development District (TODD) is specifically created to facilitate mixed-use development, with access to transit stations or stops along existing and planned high performance transit service corridors.

The TODD Code also encourages commercial functions that include shop-fronts at street level, with residential units and office space above, wide pedestrian-friendly and multimodal sidewalks, rear on-site parking, and possibly public parking facilities.

The TODD incorporates the goals of the HDOD efforts with elements from the previous Commercial Liberal ("B-2") and Downtown Mixed Use Overlay District standards to produce development standards for the TODD. The TODD facilitates mixed-use development, pedestrian-oriented streets, public mobility options, Moorish style architecture, and opportunities for location of work, play, services and entertainment within walking distance.

General. This designation shall be known as the TODD for the City of Opa-locka. The TODD shall promote the Goals, Objectives and Policies contained of the previous Downtown Mixed Use District designation within the Future Land Use Element of the Comprehensive Plan. Specifically, Objective LU-2 of the Sustainable Opa-locka 20/30 Comprehensive Plan Future Land Use Element are designed to maximize the development potential of Historic Downtown Opa-locka.

The TODD designation supplements the Land Development Regulations ("LDR") provisions within the City of Opa-locka for the area known as the HDOD. The TODD is generally described as the area bound to the north by Dunand Avenue, to the east by NW 27th Avenue, to the south by NW 135th Street, and to the west by Sesame Street.

Opa-locka's TODD designation is specifically created to encourage compact first-rate projects based upon smart growth principles; to preserve the existing character of neighborhoods surrounding the Historic Downtown Opa-locka core; to regulate for high-quality infill development, and to create a predictable process for developers and the community to meet these goals.

(J) Incentives.

Incentives to encourage land development to achieve goals and objectives within the district are as follows:

- (1) Land dedication for sidewalks outside of public right-of-way, passive parks, paseos, public use and open spaces, a natural drainage parkway or land for additional

storage and stormwater retention in lieu of payment of a monetary park, recreation and open space fee as provided by (X).

- (2) Increased density for residential or mixed use development for additional units per net acre up to a maximum of 32 units per net acre as provided in the multifamily R-3, R-4 zoning designations in the HDOD zoning districts. Additional units per net acre will be permitted in exchange for land located within the HDOD district, or a monetary contribution equal to the fair market value of the land not to exceed 40 percent of the total donation, donated to the city as a passive park, paseo, public and/or open space or a natural drainage parkway as follows: 1,500 square feet for each of the first two additional units, 1,000 square feet for each of the third, fourth and fifth additional units, and 850 square feet for each additional unit after the fifth additional unit. If land located anywhere within the HDOD district is donated to the city, then the city shall waive the city park, recreation and open space impact fee for each additional unit.
- (3) Financial assistance from the Opa-locka Community Redevelopment Agency to eligible properties for renovation of commercial properties fronting major and minor roadways within the district.
- (4) Provide a perpetual easement to the city on private property for construction of an architectural feature at or near the boundaries of the district as a credit toward satisfaction of minimum open space requirements.
- (5) Provide a perpetual easement to the city on private property for sidewalks, paths and paseos or natural drainage parkways as a credit toward satisfaction of minimum landscaping and open space requirements.
- (6) Contests and prizes offered by a not-for-profit organization or public-private partnership to promote good urban design and innovation for the enhancement and sustainability of the district.
- (7) Five thousand dollars to be paid to the city for each parking space below the minimum parking requirements for on-site parking, but in no event shall the deficiency in on-site parking exceed 30 percent of the minimum parking requirements. These funds shall be placed in a designated account and accumulated by the city to finance a parking system within the HDOD that will include a parking garage within a 1,500-foot radius of boundary lines of the property where city hall is located. Affordable housing properties developed and owned by the city are exempt from the provisions in this paragraph.
- (8) Provide a minimum 20% total combination of affordable/elderly housing.
- (9) The grant of incentives identified in subparagraphs (1), (4), (5), (7) and (8) above, shall require approval of the city commission by ordinance.

(K) Special permit

In order to be granted a permit for such establishments within this district, the property owners/applicant shall obtain a Special Permit as specified in the Opa-locka LDR/Zoning Code Ordinance, as amended, the zoning ordinance of the City. In reviewing an application for establishments serving alcoholic beverages, the director of Planning and Community development shall apply the following review guidelines criteria in addition to the standard criteria of a Special Permit.

In reviewing an application for the District Permit for a supper club, nightclub, restaurant, coffee shop, or bar, the following additional criteria shall apply:

- a. Use requirements and restrictions: To qualify to operate a supper club, nightclub, restaurant or bar & grill, the establishment must have a minimum of 40 seats. To qualify for coffee shop, the establishment must have a max of 20 seats.
- b. Operational Plan: An Operational/business plan that address the hours of operation, number of employees, menu items, goals of the business, and other operational characteristic pertinent to the application.
- c. Parking: Irrespective of parking requirements specified in the LDR/Zoning Code as amended, the zoning ordinance of the City of Opa-locka, adaptive reuse of existing buildings for this function shall be required to provide additional parking via on street parking or parking agreement with established shared parking arrangement; however, new buildings or facilities shall be required to provide a parking plan which fully describes where and how the parking is to be provided and used, e.g. valet, self-parking, shared parking, after-hour metered spaces, and the manner in which the parking is to be managed. By a Special Permit, 100 percent of the required parking may be located offsite within a distance of 500 feet from the subject establishment if the proposed parking is to be self-park, and a distance of 1000 feet from the subject establishment if the proposed parking is to be by valet. For restaurants and other dining establishments, as adaptive re-use of an existing structure, any square footage used of the kitchen and/or storage areas will not be counted towards the parking requirements.
- d. For establishment proposing capacities of more than 200 persons, an indoor/outdoor crowd control plan that addresses how large groups of people waiting to gain entry into the establishment or already on the premises, will be controlled.
- e. A security plan for the establishment and any parking facility.
- f. For establishment proposing capacities of more than 200 persons, a traffic circulation analysis and plan that details the impact of projected traffic on the immediate neighborhood and how to mitigate the impact.
- g. A sanitation plan, which addresses on-site facilities and off-premises issues resulting from the operation of the establishment.
- h. A plan depicting proximity of proposed establishments of residential use

- i. If the proposed establishment is within 500 feet of the residential uses, noise attenuation plan is required.

(L) Alcoholic beverage sales within the district.

(a) *Minimum distance requirements.* There shall be no minimum distance required between any places of business within the entertainment overlay district licensed by the state to sell alcoholic beverages for consumption on the premises and any other place of business similarly licensed within the district.

(b) *Hours of operation.* The hours and days of sale and consumption of alcoholic beverages are set forth in section 6-369.

(c) *Hours for music and entertainment.* Music, singing and other forms of entertainment whether amplified or not, shall be permitted indoors at any time during business hours of any facility or business enterprise within the district, and in addition music, singing and entertainment shall be permitted outdoors within the district, however, such outdoor music, singing and entertainment shall comply with special events and entertainment regulations as set forth in chapter (X) of the City of Opa-Locka Code of Ordinances.

(d) *Outdoor sales of alcoholic beverages.* Those persons or entities within the district licensed under the state beverage license laws, may sell and serve beers, wines and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such licensee, including, but not limited to, sidewalk cafes, outdoor areas designed for food or beverage consumption on both adjacent to and operated in concert with a business operated within enclosed premises. Alcoholic beverages can only be consumed on premises of purchase.

(M) Signs. See LDR Sec. 22-229.

(N) Parking Standards and Requirements.

1. In the HDOD contingent on use, shall be required to provide any off-street parking in excess of the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.
2. All existing buildings in the HDOD are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.
3. However as a consequence of this provision, any existing building in the HDOD occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review .

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the HDOD over or in any area of established and existing off-street parking prior to administrative review and approval.
5. That the aforesaid provisions shall not be applicable to any of the following:
 - (a) When an existing building in the HDOD is demolished and subsequently replaced by the construction of a new building on the property.
 - (b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.
 - (c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.
 - (d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

Parking and density calculations.

- (a) All parking allocations must be approved by the DRC.
- (b) All development in the HDOD may be eligible receive a maximum of 35 percent reduction from the parking standards listed in Section 22-153 "Off Street Parking and Loading Standards" of the LDC pending administrative review and approval or Planning, Zoning and Appeals Board and the City Commission review and approval.

Payment-in-Lieu of Parking Fund. A Payment-in-Lieu of Parking Fund shall be established by the City to provide funding specifically for parking and related improvements within the HDOD. Payment-in-Lieu of Parking Fees will be collected from all applicants for development and uses within the HDOD that do not provide sufficient on-site parking spaces or Shared Parking spaces to meet the minimum parking requirements of the Code. The Payment-in-Lieu of Parking Fee option for compliance with this subsection shall become effective upon adoption by the City Commission of a Resolution which specifies the amount of the Payment-in-Lieu of Parking Fund Fee.

(a) *Payment-in-Lieu of Parking Fund Fee Calculation.* The amount of a payment to the Payment-in-Lieu of Parking Fund shall be calculated per parking space which is required but not provided via on-site parking spaces or Shared Parking spaces. The amount per parking space shall be determined by the average cost to the City for the construction of a parking space in a Parking Structure on a program wide basis within the HDOD, which shall be determined by the Building Director in coordination with the

Planning & Community Development Director. The average cost shall include actual costs and fees for land acquisition, design and planning, legal fees, engineering, actual construction, and permit review and inspection.

(b) Payment in Full of Payment-in-Lieu of Parking Fee. For property owners opting to pay in full, or applicants not eligible to provide payment through a Payment in Lieu of Parking Agreement as provided in subsection (D), payment of the full amount of the in-lieu fee shall be due prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner.

(c) Payment in Lieu of Parking Agreement. In-Lieu of Parking Fee Agreements shall only be made between the City and the owner(s) of the subject property. Applicants for an in-lieu fee which is not paid in full prior to issuance of a building permit, must enter into an In-Lieu of Parking Fee Agreement with the City prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner. Such agreement shall be approved by the community development director, and shall be recorded at the property owner's expense in the Public Records of Broward County, Florida. The In-Lieu of Parking Fee Agreement shall provide that the obligations imposed by the agreement constitute a restrictive covenant upon the property, and shall bind successors, heirs and assigns, and shall be released by the City upon payment in full of the amount due under the agreement.

(d) Payment in Lieu of Parking Agreement Term. An In-Lieu of Parking Fee Agreement executed by a property owner applicant in accordance with this subsection shall provide that installment payments shall be made over no longer than a 36 month time period in 3 installments. The first installment shall be at least 50 percent of the total fee due, and shall be paid upon signing the agreement, prior to the issuance of a building permit for the development or a certificate of use, whichever occurs sooner. The second installment shall be in the amount of at least 25 percent of the total fee amount due, and shall be paid no later than the second anniversary date of the execution of the agreement. A third and final payment of 25 percent of the total fee may be authorized by the agreement, and shall be due no later than the third anniversary date of the execution of the agreement. A property owner subject to an In-Lieu of Parking Fee Agreement may make a redemption payment of the remainder of the amount due pursuant to the agreement, at any time prior to the final required payment.

On-Site Parking.

(a) All parking lots, garages, and Parking Structures shall be located at the rear of all buildings.

(b) Parking Areas shall be accessed from side and back streets and from adjacent properties.

(c) Large Surface Parking Lots shall be visually and functionally segmented into several smaller lots through the use of structures and landscaping. Designs that

reduce visibility, especially between Parking Areas and business entrances, shall be discouraged.

(d) Surface Parking Areas shall be obscured from Frontages by a building or Street Screen.

(e) Existing Surface Parking Lots are intended to be reduced, over time, through redevelopment and/or construction of structured parking facilities.

(f) Parking Areas shall not abut street intersections or terminate a street vista. On-street parking shall not be closer than 25 feet to a street intersection, measured from the extended right-of-way lines.

On-Street Parking (Parallel Parking).

(a) On-street parking will be allowed on Opa-locka Boulevard.

(b) On-street parking located adjacent to a building or lot shall not count toward fulfilling the parking requirements for that building or function.

Off-Street Parking

a) *Dwelling, multiple-family:* One space per bedroom with maximum two spaces per dwelling unit for residents. An additional five percent of the total residents' spaces shall be provided for visitors.

b) *Hotels and motels, including clubs:* One parking space for each sleeping room. If, in addition to sleeping rooms, there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel to the extent of 35 percent of the off-street parking specified in this article for retail stores, offices, services, establishments, bars, restaurants, dining rooms, night clubs, cabarets, ballrooms, banquet halls meeting rooms, auditoriums.

c) *Commercial uses:* **See LDR Sec. 22-155.**

d) **Developments that provide Affordable/ Elderly Housing may be reduced as stated below. In no event shall parking be reduced by more than thirty-five (35%) percent of the spaces required.**

e) **A maximum 35% reduction in required parking may be permitted within the HDOD pending administrative review.**

Shared Parking.

- (a) The parking requirements for buildings containing more than one function shall be the total of the amount of parking required for each function.
- (b) Shared Parking Areas shall be located no further than one-quarter mile of the building or function utilizing the Shared Parking capacity.
- (c) Cross-access easements or similar mechanisms approved by the City Attorney shall be used to provide joint access between Shared Parking Areas.
- (d) In a Parking Structure or Garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
- (e) Parking Structures shall have Liner Buildings along primary frontages and landscape bufferyards adjacent to residential properties.
- (f) Vehicular entrances to parking lots, Parking Garages, and Parking Structures shall be no wider than 24 feet at the Build-to Line.
- (g) Pedestrian walkways shall be integrated, to the extent possible, into the interior and/or perimeter landscaping of parking lots; constructed with brick pavers, stamped concrete or a paved or similarly firm surface, at least six feet in width; and separated from vehicular and Parking Areas by grade, Curbing and/or vegetation, except for necessary ramps.
- (h) Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Build-to Line except underground levels which may be exited by pedestrians directly into a building.
- (i) Parking facilities and appurtenant driveways shall be designed to maximize the safety and convenience of pedestrians walking between parked cars and business entrances as well as between external points and locations on-site.

Loading and Service Areas.

- (a) Loading docks, solid waste facilities, recycling facilities and other service areas shall be located to the rear or side of a building in visually unobtrusive locations.
- (b) All trash and recycling service areas shall be enclosed so as not to be visible.
- (c) Loading docks and service areas shall be permitted on Frontages only by Administrative Approval.

Amenities. A minimum of one bicycle rack place shall be provided within a Pedestrian Zone for every ten vehicular parking spaces required by this Code within the Mixed-Use High and Mixed-Use Low districts.

Street requirements.

- a) Streets in the HDOD are intended to be inviting public spaces and integral components of community design. HDOD streets shall be organized according to a hierarchy based on function, size, capacity, and Design Speed. In descending order of importance, the hierarchy shall consider pedestrians as the most important, followed by cyclists, mass transit, and automobiles. All design elements must consistently be applied to calm automobile traffic and to facilitate pedestrian activity.
- b) The hierarchy of streets for the HDOD should adhere to Tables 2A. Public Frontages, 2B. Vehicular Thoroughfares, and 2C—2F. Thoroughfare Assemblies. The proposed hierarchy of streets shall be indicated on the submitted site plan with each street type being separately detailed.
- c) Specialty paving required for pedestrian areas and the HDOD entrance is detailed in Tables 2C—2F. Thoroughfare Assemblies.
- d) Streets may be comprised of segments. Each segment shall have the characteristic of one street type.
- e) The elements that comprise a street within the HDOD are listed below and are depicted in detail in Tables 2C—2F. Thoroughfare Assemblies.
 - A. Pedestrian Zone:
 1. Curb and Gutter.
 2. Planting Area.
 - (a) Street Trees.
 - (b) Shrubs.
 - (c) Ground Cover.
 3. Sidewalk.
 - (a) Optional Planting Area.
 - (b) Pedestrian Accessways, Paths or Passages.
 4. Street Furniture.
 5. Lighting.
 - B. Public Utility Equipment or Public Easement (required if determined to be necessary by the Planning & Community Development Director).
 - C. On-Street Parking.
 - D. Bicycle Lanes.
 - E. Travel Lanes.
 - F. Landscaped Medians.
- f) In the HDOD, Sidewalks in addition to street trees, planting areas and furnishings occur within the Pedestrian Zone, which is comprised of the Build-to Line and the right-of-way.

- g) Sidewalks are required on both sides the street except for a street on the undeveloped edge of a HDOD. Sidewalk requirements are listed in Tables 2C-2F. Thoroughfare Assemblies.
- h) The primary Facades of all buildings shall contain the primary pedestrian Entry and face a public street.
- i) The requirements for placement and types of street trees are specified in Table 4. Public Planting.
- j) Street trees shall be planted on both sides of the street except for a street on the undeveloped edge of the HDOD district.
- k) Depending on the street type, the planting area may contain the required landscaping, the required street trees, or a combination of both.
- l) The required planting area width may be combined with the required Sidewalk to expand the Sidewalk beyond the required width. In this scenario, the street trees must be placed in tree grates.
- m) Utilities shall be placed underground and should be located along Rights-of-Way ("ROWs").
- n) Curbs and gutters shall conform to the City's Engineering design standards.
- o) Parallel on-street Parking Areas (including area of adjacent paved gutter) shall be at least 7 feet wide for Residential streets and at least 7 to 8 feet wide for Primary and Secondary Streets, and at least 22 feet long for all streets.
- p) Angled on-street parking may be provided as long as wheel stops or Curbed Sidewalks are provided.
- q) On-street parking width shall include the adjacent paved gutter area. Curbed bulb-outs containing streets trees and/or other plantings are encouraged to be built at regular intervals and at all intersections within a dedicated on-street Parking Area.
- r) Where provided, Bicycle Lanes shall be at least four feet in width and shall be placed between on-street Parking Areas and travel lanes, or between the Curb and gutter and the travel lanes in the absence of on-street Parking Areas.
- s) City approved bus shelters shall be provided by the property owners or the City on all Primary Streets within the HDOD.

Cross reference— Minimum Parking Ratios, section 22-155; Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and multifamily zoning districts, section 22-161.

(O) Building height limit.

The maximum building height shall be no higher than 75 feet, no more than seven stories and shall comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.

(P) Building site area required.

Commercial or office use only, all floors:

The minimum building site area required shall be a lot or parcel of land 10,000 square feet in area.

Mixed use:

Mixed-use building site area will be determined by FAR as specified under subsection (Q).

(Q) Floor area limitations.

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

Height of Building	Floor Area Ratio
1 story	0.4
2 story	0.6
3 story	0.8
4 story	1
5 story	1.2
6 story	1.4
7 story	1.6
8 story	1.8
9 story or over	2

(R) Maximum Allowable Density and Square Footage Requirements.

Parcels located in the HDOD may be developed as follows:

1. Residential density shall not exceed one hundred and fifty (150) units per acre
2. Nonresidential developments shall be not less than a floor area ratio of 0.15 and shall not exceed a floor area ration of 3.0.

Commercial or office use only, all floors:

The minimum first floor area of a commercial building in this district shall be 1,500 square feet.

Mixed use:

In addition to the floor area required for the first floor of commercial or office use, the minimum square footage requirement for the upper-floor residential dwellings shall be as follows:

- a) One bedroom – 550 sq. ft. minimum
- b) Two bedroom – 725 sq. ft. minimum
- c) Studio Units – 450 sq. ft. minimum (Seniors Only) capped at 30 percent

Also, the following maximum percentage allocation of total residential area to ground floor business area, per development, shall apply:

Residential: 67 percent (i.e., a 2:1 ratio between residential and business, respectively.)

Front yard. Front yard required for a building designed for commercial or mixed use. All buildings shall be built to the front property line except as follows:

1. A landscaped setback of 15 feet may be permitted for beautification purposes only, at the option of the property owner.
2. Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the front property line.

Side yard required. No side yard is required for a building designed for either commercial or mixed use, except where required for protective screening, as required in subsection (M) below.

Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the side property lines.

Rear yard required for a building designed for commercial or mixed use. There shall be a rear yard consisting of an area which is not less than 30 percent of the lot or building site to be improved. In order to provide space for drains and other uses, except in those cases where the lot or building site abuts upon a dedicated alley which has a width of not less than 40 feet, in which case the rear yard may be 20 percent of the lot or building site area.

(S) Protective screening.

Where any lot in this district adjoins a residential district, a five-foot strip of land adjoining the boundary of the residential district shall be set aside and used for planting or walls by the owner of the commercial or mixed-use lot at his expense, to form an effective screen for the protection of the residential area. No structure, except the screen or wall, or utilities or drainage facilities, shall be placed or permitted in the area. No vehicular access shall be permitted over the area, except for the installation or maintenance of screening, utilities, and drainage facilities.

(T) Open space and landscaping requirements.

- (a) Notwithstanding any provision of this Code to the contrary, each site shall provide a minimum of 12 percent of its net lot area as landscaped open space, except where this requirement is modified per subsection (b) and/or subsection (c).
- (b) In-lieu of providing all or a portion of the landscaped open space required by subsection (a), a property owner may choose to aggregate all or a portion of required landscaped open space together on one site within the HDOD. In order to utilize this option, said aggregated space must be readily accessible to the public, must be a minimum of one-quarter acre, and must be approved through the site plan review process. Additionally, where this option is utilized, in whole or in part, to meet the required landscaped open space for residential uses in the HDOD, said space may be counted toward any land dedication otherwise needed to meet the requirements of parks concurrency. When this option is utilized, a covenant running with the land encumbering all properties involved, and in a form acceptable to the City Manager and the City Attorney, shall be recorded among the public records. The burden shall be on the property owner and/or applicant to demonstrate compliance with landscaped open space requirements, and to produce any documentation as necessary. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.
- (c) Where a building includes a habitable rooftop, including but not limited to a recreation area or outdoor dining space, said habitable rooftop area shall be counted toward the amount of land required for landscaped open space per subsection (a).
- (d) Except as provided in subsection (e), each site shall provide the number of trees, shrubs and other landscape materials as provided in article VII Landscaping and Tree Preservation. However, placement of trees, shrubs and other landscape materials shall be determined through the site plan review process, consistent with the site plan review standards in Section 22-56.
- (e) Where all required trees and shrubs cannot be provided on-site, the property owner may choose a cash in-lieu payment to the city instead of providing that portion of trees or shrubs that cannot be provided on-site, subject to approval by the city commission. In order to utilize this provision, the property owner shall provide to the city a good faith estimate, at the prevailing market rate as approved by the City Manager, of the cost to purchase and install that portion of trees and shrubs that cannot be provided on-site, which shall constitute the amount of the required payment. The city may only use these funds in furtherance of projects identified in the adopted Beautification Master Plan that are within the HDOD. If there are no projects in the HDOD for which these funds may be utilized, the city shall not accept the cash in-lieu, and the property owner/developer shall either modify the proposed project to accommodate the required trees and

shrubs, or apply for a variance. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.

- (f) If a plaza or courtyard is placed in the front or side street setback between any street type and a building, as provided for in (Q)1, said plaza/courtyard shall remain open to the public except in the case of emergencies or in the case of special events, as approved by the city in accordance with Section 22-135. Said plaza/courtyard may be counted as open space, including as aggregated open space per subsection (b).

(U) Off hours security devices.

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in sec. 22-118 of the LDR relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframe. Other types of security devices fastened to the exterior walls are not permitted.

PLANNING & ZONING ADVISORY BOARD

October 5th

2021



Land Development Regulations: HISTORIC DOWNTOWN OPA-LOCKA DISTRICT

Staff Report

STAFF'S REQUEST: AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.



I. Background

- In 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land.
- In 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Downtown Opa-locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength.
- The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. The zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations.

II. Details

- **Staff's intent**
Staff proposes to update article V of the Land Development Regulations to reflect the current momentum towards improving our cities appearance and functionality for a cleaner and more presentable community for our citizens and visitors. With this in mind, the Planning and Community Development Department has developed language establishing the Historic Downtown Opa-locka District for developers and entrepreneurs looking to build and or relocated in the City to provide guidelines and concepts.

III. Overall Analysis

- The current LDR lacks the strength to address many of these issues directly and many times leaves staff to interpret the code which can lead to misrepresentation of city goals and objectives.
- Drafted in 2015, standards have been updated county wide to address many of the aforementioned changes, the updates are a reflection of more progressive municipalities in the county in upgrading our city standards and creating a new narrative for the city moving forward.
- The current Zoning does not address additional uses to allow for the civic engagement opportunities we would like to see in our city. With the passing of this item, it will provide a roadmap and a dialogue to creating an image the citizens can be proud of and to guide future development while developing a new economic driver for Residents and Businesses.

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IV. **Staff Recommendation:**

Staff recommends approval of the LDR amendments pending the following:

- Review of the Draft Historic Downtown Opa-locka District ordinance amendment

V. **Attachments:**

- Draft Historic Downtown Opa-locka District ordinance amendment

Planning and Community Development Department

Project Planner	Name and Title	Initials
	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VI. **Staff Report Updated After the Planning Council Meeting on October 5th, 2021.**

Reflected Actions:

I. **Planning Council Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)**

Ordinance No.

ORDINANCE OF THE PLANNING COUNCIL, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: ARTICLE V – CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT

WHEREAS, Staff has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1) That the request in the application by the applicant be and the same is hereby

a. APPROVED ☐

b. DENIED ☐

c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on __ / __ /

2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:

a.

b.

*** The Planning Council Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning Council Meeting discussions in regards to the proposed LDR Amendments

Section 22-101. – HISTORIC DOWNTOWN OPA-LOCKA DISTRICT

(A) Purpose and intent.

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. The zoning district will provide goals and objectives to provide guidance for historic, present, and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations. The intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain. The intent of the city in adopting the Historic Downtown Opa-Locka District Ordinance is to:

(1) Define the boundaries of the historic downtown district:

(2) Expand the economic base of the city, by providing additional employment opportunities and additional revenues to the city and the region by making the area of the district more attractive in ways that can increase commerce and tourism which will assist in the development of specific plans that will allow for large scale social events and activities within the district to consider the city when choosing their sites.

(3) Provide the basis for the continued and expanded support for initiatives that will cause the district to be considered as a destination for large scale events and activities in conformance with the goals and objectives of other city policies.

(4) Enhance the area encompassed by the district through programs that will attract workers, residents and visitors to active public spaces and gathering places and create a pedestrian friendly environment.

(5) Develop programs to further enhance the pedestrian environment through the establishment of unique streetscape design guidelines providing additional signage opportunities.

(B) Establishment of the district.

The Historic Downtown Opa-locka District shall be established as an area of the city where it has been found that programs which will contribute to economic development through the development of a more active streetscape should be undertaken. The district shall have the following territorial boundaries: Starting from a point in the centerline of Northwest 27th Avenue and Ali Baba Avenue, proceeding west along Ali Baba Avenue /the CRX Railroad ROW including the northern portion of Burlington Street to NW 37th Avenue, North towards Sabur Lane and west to Sharazad Boulevard, Historic City Hall –Sherbondy Village Community Center Complex on the north side and curve East to back to NW 27th Avenue.

(C) Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a combination of building lots, the perimeter of which abuts a public right-of-way or public space.

Block face means the right-of-way line that delineates a block edge.

Building height means a limit to the vertical extent of a building measured in feet above grade. Building height shall be measured in feet from the average elevation of the affronting curb to the eave line.

Civic uses mean premises used primarily for public education, cultural performances, gatherings and displays administered by not-for-profit cultural, educational, governmental and religious organizations.

Carmenes means secluded inner gardens or courtyards with private-public features such as fountains, benches, and ornamental architecture.

Colonnade means a roofed structure, extending over the sidewalk, open to the street except for supporting columns or piers.

Courtyard garden means a grade level garden enclosed on at least three sides, at least two sides by building walls and on its remaining sides by fences or garden walls, with a minimum 30 percent of its area landscaped. The street opening to the courtyard garden shall not exceed the width of the street or square that it fronts.

Curb radius means the curved edge of street paving at an intersection, measured to the inside travel edge of the travel lane.

Easement means an area of private property legally dedicated for public use.

Frontage means the property line or lines of a lot that coincide with a right-of-way or other public space.

Paseo means an easement that allows public pedestrian access traversing private property from one public right-of-way to another.

Public open space means an open space that is accessible to the public all or some of the time, including, public rights-of-way, parks, plazas, squares, canal-walks, alleys, colonnades, carmenes, courtyard gardens, paseos, and other easements.

Square means a public space surrounded on four sides by streets or other vehicular passage. Every corner of a square shall have a street intersection.

Street means a thoroughfare for the movement of pedestrians and vehicles, which may be public open space or private property allowing public passage.

Street wall means the vertical surface of a building or structure that faces public space.

Traffic calming device means a structure or device that is intended to slow the speed of the traffic on a roadway. It is usually constructed at an intersection. Examples of traffic calming devices are traffic circles and roundabouts. Traffic calming devices may include a change of pavement height, texture, and materials to identify an area where speed is to be reduced.

Cross reference— Definitions generally, Sec. 22-238.

(D) Uses.

(A) Allowed uses.

Accounting, bookkeeping, law and other professional offices.

Agency (for employment, travel and/or services to be performed elsewhere).

Art or photographic studio (commercial).

Automobile rental agency, office use only.

Bank or other financial institution.

Business or commercial school.

Catering and delicatessen (including butcher shop) business.

Civic clubs, lodges and fraternal organization facilities.

Conference, meeting facilities or areas of public assemblage for less than 20 people.

Day care center, nursery school or preschool facility.

Dental care and doctor's offices.

Dog grooming only prohibiting a "pet shop" type business or the boarding, maintaining or keeping of dogs on-premises anytime between 7:00 p.m. and 7:00 a.m.

Dry cleaning and laundry, drop-off/pick-up only.

Family restaurant/arcade; so long as the arcade use does not exceed 40 percent of the available business space, alcoholic beverages are permitted on the premises pending administrative review, no gambling games/machines are permitted, the arcade area is continually supervised, and the family nature of the operation is maintained. No more than two family restaurant/arcades shall be permitted in the Downtown District.

Gymnasium, health club, dance studio or other center where "physical activity" lessons are conducted.

Insurance agency.

Laundry—No more than two allowed in the Downtown District.

Lodging (Hotels, Motels, Peer to Peer home sharing services)

Museum.

Mixed-use development of residential uses on upper floors above retail, office and related uses.

Office supply or support (office supplies, copying, printing shop).

Personal services (i.e., barbershops, beauty parlors, physical therapy clinics, etc. No physical therapy clinic shall be open for business between the hours of 10:00 p.m. and 6:00 a.m.).

Pharmacy.

Post office.

Restaurant (and lounge), cafe, cafeteria, bar and grill.

Retail use.

Small appliance sales and/or service.

Sporting goods store: excluding the sale of weapons and related products used for sporting and hunting activities, no outdoor store displays or merchandising activities; no more than one store allowed in the district that sell the described merchandise.

Stereo/video/electronics rental, sales and/or service.

Theater (live) or motion picture house.

Veterinary clinic (excluding short-term boarding, for medical purposes only).

Other enterprises or businesses which are similar in character and impact to enterprises or businesses enumerated herein, and which are consistent with the Comprehensive Plan adopted pursuant to Chapter 163, Florida Statutes. A final determination of similarity with listed uses and consistency with the Comprehensive Plan shall be made by the City Commission, after obtaining a recommendation by the Planning and Zoning Board.

(B) Prohibited uses.

Adult bookstore.

Adult-related business.

Gaming, gambling and casino machines, billiard and pool parlors.

Automotive auctions, repair, sales and service facilities.

Bar; Package store

Clinical laboratory.

Funeral home.

Gun range.

Gun shop.

Pawn shop, Thrift store.

Tattoo Parlor.

Large-scale administrative offices, big box retail/wholesale sales operations and service and professional facilities.

Any large or medium-scale aviation or marine-related repair or service facilities.

Open air, tented, or booth-operated flea markets or any retail/wholesale sales operation not contained within a business building, except as otherwise permitted by Florida State Statutes, §§ 110-01 through 110-03 and permitted temporary uses in LDR Sec. 22- 119.

Any industrial or manufacturing operation or facilities.

(E) Goals and objectives.

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- (1) Promote pedestrian-friendly rights-of-way.
- (2) Protect public open spaces.
- (3) Promote mixed-income housing strategies.
- (4) Foster historic preservation.
- (5) Improve code compliance and enforcement.
- (6) Encourage meaningful development boundaries.
- (7) Promote local and regional public transportation.
- (8) Pursue public education on redevelopment.

(F) Implementation concepts.

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos, and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Slow down vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Use swale areas facing streets and sidewalks for trees and shrubs and encourage property owners to enhance landscaping. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.

- (3) Improve pedestrian corridors. Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) Aggregate open space for squares, plazas, passive parks and other public open spaces. Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.
- (5) Extend transit, at a variety of scales and modes of travel. Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.
- (6) Attack visual blight. Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.
- (7) Provide for water retention areas to improve drainage and flooding protection in low-lying areas. Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.
- (8) Promote civic uses. Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment.

(G) Precedence over other zoning and land use regulations.

In addition to the criteria previously provided in the Downtown Mixed-Use Overlay (DMU) land use classification and the Historic Downtown Opa-locka District (HDOD), commercial liberal (B-2), multifamily (R-3), light industrial (I-1), Liberal Industrial (I-3) and civic (C) zoning districts, the requirements provided in this division must also be followed as the requirements of the HDOD shall prevail.

(H) Road classifications in the HDOD district.

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) Major roadways shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27th Avenue, NW 37th Avenue, State Road 9, Ali Baba Avenue, Opa-locka Boulevard are classified as major roadways within this district.
- (2) Minor roadways shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. Ali Baba Avenue, from 17th Avenue to LeJeune-Douglass Connector; Sharazad Boulevard from NW 27th Avenue to Ali Baba Avenue, and Opa-locka Boulevard from NW 27th Avenue to Sharazad Boulevard.
- (3) Local streets mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

(I) Zoning regulations.

- (a) Mixed Use Residential densities in downtown multifamily R-3, R-4, B-2, I-1 and I-4 zoning districts shall not exceed 150 units per net acre, unless the property owner provides public open space as provided in incentives (2) below, but in no event shall the units per net acre exceed 200 units for affordable/live-work or assisted living. Residential densities outside of the HDOD shall not exceed 150 units.
- (b) Landscaping for all property zoned residential or that includes residential uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.
- (c) The dimensions of squares, plazas, paseos and other open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.
- (d) The facade and architecture requirements shall conform to a Moorish design plan. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.
- (e) Street walls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.
- (f) Street walls, landscape buffers or a building shall be constructed to screen parking from view.

(J) Incorporation of TOD District

A Transit Oriented Development District is generally characterized as a developed environment within a quarter mile of a public transit system, with building characteristics and public amenities that promote the safe movement of pedestrians.

The City of Opa-locka's Transit Oriented Development District is in the HDOD which boundaries stated in item (B).

Opa-locka's Transit Oriented Development District (TODD) is specifically created to facilitate mixed-use development, with access to transit stations or stops along existing and planned high performance transit service corridors.

The TODD Code also encourages commercial functions that include shopfronts at street level, with residential units and office space above, wide pedestrian-friendly and multimodal sidewalks, rear on-site parking, and possibly public parking facilities.

The TODD incorporates the goals of the HDOD efforts with elements from the previous Commercial Liberal ("B-2") and Downtown Mixed-Use Overlay District standards to produce development standards for the TODD. The TODD facilitates mixed-use development, pedestrian-oriented streets, public mobility options, Moorish style architecture, and opportunities for location of work, play, services, and entertainment within walking distance.

General. This designation shall be known as the TODD for the City of Opa-locka. The TODD shall promote the Goals, Objectives and Policies contained of the previous Downtown Mixed Use District designation within the Future Land Use Element of the Comprehensive Plan. Specifically, Objective LU-2 of the Sustainable Opa-locka 20/30 Comprehensive Plan Future Land Use Element are designed to maximize the development potential of Historic Downtown Opa-locka.

The TODD designation supplements the Land Development Regulations ("LDR") provisions within the City of Opa-locka for the area known as the HDOD. The TODD is generally described as the area bound to the north by Dunand Avenue, to the east by NW 27th Avenue, to the south by NW 135th Street, and to the west by Sesame Street.

Opa-locka's TODD designation is specifically created to encourage compact first-rate projects based upon smart growth principles; to preserve the existing character of neighborhoods surrounding the Historic Downtown Opa-locka core; to regulate for high-quality infill development, and to create a predictable process for developers and the community to meet these goals.

(J) Incentives.

Incentives to encourage land development to achieve goals and objectives within the district are as follows:

- (1) Land dedication for sidewalks outside of public right-of-way, passive parks, paseos, public use and open spaces, a natural drainage parkway or land for additional storage and stormwater retention in lieu of payment of a monetary park, recreation

and open space fee will be subjected to Administrative Review or at the recommendation of the City Manager and or the City Commission.

- (2) Increased density for residential or mixed-use development for additional units per net acre up to a maximum of 32 units per net acre as provided in the multifamily R-3, R-4 zoning designations in the HDOD zoning districts. Additional units per net acre will be permitted in exchange for land located within the HDOD district, or a monetary contribution equal to the fair market value of the land not to exceed 40 percent of the total donation, donated to the city as a passive park, paseo, public and/or open space or a natural drainage parkway as follows: 1,500 square feet for each of the first two additional units, 1,000 square feet for each of the third, fourth and fifth additional units, and 850 square feet for each additional unit after the fifth additional unit. If land located anywhere within the HDOD district is donated to the city, then the city shall waive the city park, recreation, and open space impact fee for each additional unit.
- (3) Financial assistance from the Opa-locka Community Redevelopment Agency to eligible properties for renovation of commercial properties fronting major and minor roadways within the district.
- (4) Provide a perpetual easement to the city on private property for construction of an architectural feature at or near the boundaries of the district as a credit toward satisfaction of minimum open space requirements.
- (5) Provide a perpetual easement to the city on private property for sidewalks, paths and paseos or natural drainage parkways as a credit toward satisfaction of minimum landscaping and open space requirements.
- (6) Contests and prizes offered by a not-for-profit organization or public-private partnership to promote good urban design and innovation for the enhancement and sustainability of the district.
- (7) Five thousand dollars to be paid to the city for each parking space below the minimum parking requirements for on-site parking, but in no event shall the deficiency in on-site parking exceed 30 percent of the minimum parking requirements. These funds shall be placed in a designated account and accumulated by the city to finance a parking system within the HDOD that will include a parking garage within a 1,500-foot radius of boundary lines of the property where city hall is located. Affordable housing properties developed and owned by the city are exempt from the provisions in this paragraph.
- (8) Provide a minimum 20% total combination of affordable/elderly housing.
- (9) The grant of incentives identified in subparagraphs (1), (4), (5), (7) and (8) above, shall require approval of the city commission by ordinance.

(K) Special permit

To be granted a permit for such establishments within this district, the property owners/applicant shall obtain a Special Permit as specified in the Opa-locka LDR/Zoning Code Ordinance, as amended, the zoning ordinance of the City. In reviewing an application for establishments serving alcoholic beverages, the director of Planning and Community development shall apply the following review guidelines criteria in addition to the standard criteria of a Special Permit.

In reviewing an application for the District Permit for a supper club, nightclub, restaurant, coffee shop, or bar, the following additional criteria shall apply:

- a. Use requirements and restrictions: To qualify to operate a supper club, nightclub, restaurant or bar & grill, the establishment must have a minimum of 40 seats. To qualify for coffee shop, the establishment must have a max of 20 seats.
- b. Operational Plan: An Operational/business plan that address the hours of operation, number of employees, menu items, goals of the business, and other operational characteristic pertinent to the application.
- c. Parking: Irrespective of parking requirements specified in the LDR/Zoning Code as amended, the zoning ordinance of the City of Opa-locka, adaptive reuse of existing buildings for this function shall be required to provide additional parking via on street parking or parking agreement with established shared parking arrangement; however, new buildings or facilities shall be required to provide a parking plan which fully describes where and how the parking is to be provided and used, e.g. valet, self-parking, shared parking, after-hour metered spaces, and the manner in which the parking is to be managed. By a Special Permit, 100 percent of the required parking may be located offsite within 500 feet from the subject establishment if the proposed parking is to be self-park, and 1000 feet from the subject establishment if the proposed parking is to be by valet. For restaurants and other dining establishments, as adaptive re-use of an existing structure, any square footage used of the kitchen and/or storage areas will not be counted towards the parking requirements.
- d. For establishment proposing capacities of more than 200 persons, an indoor/outdoor crowd control plan that addresses how large groups of people waiting to enter the establishment or already on the premises, will be controlled.
- e. A security plan for the establishment and any parking facility.
- f. For establishment proposing capacities of more than 200 persons, a traffic circulation analysis and plan that details the impact of projected traffic on the immediate neighborhood and how to mitigate the impact.
- g. A sanitation plan, which addresses on-site facilities and off-premises issues resulting from the operation of the establishment.
- h. A plan depicting proximity of proposed establishments of residential use

- i. If the proposed establishment is within 500 feet of the residential uses, noise attenuation plan is required.

(L) Alcoholic beverage sales within the district.

(a) Minimum distance requirements. There shall be no minimum distance required between any places of business within the entertainment overlay district licensed by the state to sell alcoholic beverages for consumption on the premises and any other place of business similarly licensed within the district.

(b) Hours of operation. The hours and days of sale and consumption of alcoholic beverages are set forth in section 4-3.

(c) Hours for music and entertainment. Music, singing and other forms of entertainment whether amplified or not, shall be permitted indoors at any time during business hours of any facility or business enterprise within the district, and in addition music, singing and entertainment shall be permitted outdoors within the district, however, such outdoor music, singing and entertainment shall comply with special events and entertainment regulations as set forth in Section 4-10 of the City of Opa-Locka Code of Ordinances.

(d) Outdoor sales of alcoholic beverages. Those persons or entities within the district licensed under the state beverage license laws, may sell and serve beers, wines and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such licensee, including, but not limited to, sidewalk cafes, outdoor areas designed for food or beverage consumption on both adjacent to and operated in concert with a business operated within enclosed premises. Alcoholic beverages can only be consumed on premises of purchase.

(M) Signs. See LDR Sec. 22-229.

(N) Parking Standards and Requirements.

1. In the HDOD contingent on use, shall be required to provide any off-street parking more than the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.
2. All existing buildings in the HDOD are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.
3. However as a consequence of this provision, any existing building in the HDOD occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review.

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the HDOD over or in any area of established and existing off-street parking prior to administrative review and approval.

5. That the aforesaid provisions shall not be applicable to any of the following:

(a) When an existing building in the HDOD is demolished and subsequently replaced by the construction of a new building on the property.

(b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.

(c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.

(d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

Parking and density calculations.

(a) All parking allocations must be approved by the DRC.

(b) All development in the HDOD may be eligible receive a maximum of 35 percent reduction from the parking standards listed in Section 22-153 "Off Street Parking and Loading Standards" of the LDC pending administrative review and approval or Planning, Zoning and Appeals Board and the City Commission review and approval.

Payment-in-Lieu of Parking Fund. A Payment-in-Lieu of Parking Fund shall be established by the City to provide funding specifically for parking and related improvements within the HDOD. Payment-in-Lieu of Parking Fees will be collected from all applicants for development and uses within the HDOD that do not provide sufficient on-site parking spaces or Shared Parking spaces to meet the minimum parking requirements of the Code. The Payment-in-Lieu of Parking Fee option for compliance with this subsection shall become effective upon adoption by the City Commission of a Resolution which specifies the amount of the Payment-in-Lieu of Parking Fund Fee.

(a) Payment-in-Lieu of Parking Fund Fee Calculation. The amount of a payment to the Payment-in-Lieu of Parking Fund shall be calculated per parking space which is required but not provided via on-site parking spaces or Shared Parking spaces. The amount per parking space shall be determined by the average cost to the City for the construction of a parking space in a Parking Structure on a program wide basis within the HDOD, which shall be determined by the Building Director in coordination with the

Planning & Community Development Director. The average cost shall include actual costs and fees for land acquisition, design and planning, legal fees, engineering, actual construction, and permit review and inspection.

(b) Payment in Full of Payment-in-Lieu of Parking Fee. For property owners opting to pay in full, or applicants not eligible to provide payment through a Payment in Lieu of Parking Agreement as provided in subsection (D), payment of the full amount of the in-lieu fee shall be due prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner.

(c) Payment in Lieu of Parking Agreement. In-Lieu of Parking Fee Agreements shall only be made between the City and the owner(s) of the subject property. Applicants for an in-lieu fee which is not paid in full prior to issuance of a building permit, must enter into an In-Lieu of Parking Fee Agreement with the City prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner. Such agreement shall be approved by the planning and community development director and shall be recorded at the property owner's expense in the Public Records of Broward County, Florida. The In-Lieu of Parking Fee Agreement shall provide that the obligations imposed by the agreement constitute a restrictive covenant upon the property, and shall bind successors, heirs and assigns, and shall be released by the City upon payment in full of the amount due under the agreement.

(d) Payment in Lieu of Parking Agreement Term. An In-Lieu of Parking Fee Agreement executed by a property owner applicant in accordance with this subsection shall provide that installment payments shall be made over no longer than a 36 month time period in 3 installments. The first installment shall be at least 50 percent of the total fee due, and shall be paid upon signing the agreement, prior to the issuance of a building permit for the development or a certificate of use, whichever occurs sooner. The second installment shall be in the amount of at least 25 percent of the total fee amount due and shall be paid no later than the second anniversary date of the execution of the agreement. A third and final payment of 25 percent of the total fee may be authorized by the agreement and shall be due no later than the third anniversary date of the execution of the agreement. A property owner subject to an In-Lieu of Parking Fee Agreement may make a redemption payment of the remainder of the amount due pursuant to the agreement, at any time prior to the final required payment.

On-Site Parking.

(a) All parking lots, garages, and Parking Structures shall be located at the rear of all buildings.

(b) Parking Areas shall be accessed from side and back streets and from adjacent properties.

(c) Large Surface Parking Lots shall be visually and functionally segmented into several smaller lots using structures and landscaping. Designs that reduce

visibility, especially between Parking Areas and business entrances, shall be discouraged.

(d) Surface Parking Areas shall be obscured from Frontages by a building or Street Screen.

(e) Existing Surface Parking Lots are intended to be reduced, over time, through redevelopment and/or construction of structured parking facilities.

(f) Parking Areas shall not abut street intersections or terminate a street vista. On-street parking shall not be closer than 25 feet to a street intersection, measured from the extended right-of-way lines.

On-Street Parking (Parallel Parking).

(a) On-street parking will be allowed on Opa-locka Boulevard.

(b) On-street parking located adjacent to a building or lot shall not count toward fulfilling the parking requirements for that building or function.

Off-Street Parking

a) Dwelling, multiple-family: One space per bedroom with maximum two spaces per dwelling unit for residents. An additional five percent of the total residents' spaces shall be provided for visitors.

b) Hotels and motels, including clubs: One parking space for each sleeping room. If, in addition to sleeping rooms, there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel to the extent of 35 percent of the off-street parking specified in this article for retail stores, offices, services, establishments, bars, restaurants, dining rooms, night clubs, cabarets, ballrooms, banquet halls meeting rooms, auditoriums.

c) Commercial uses: See LDR Sec. 22-155.

d) Developments that provide Affordable/ Elderly Housing may be reduced as stated below. In no event shall parking be reduced by more than thirty-five (35%) percent of the spaces required.

e) A maximum 35% reduction in required parking may be permitted within the HDOD pending administrative review.

Shared Parking.

- (a) The parking requirements for buildings containing more than one function shall be the total of the amount of parking required for each function.
- (b) Shared Parking Areas shall be located no further than one-quarter mile of the building or function utilizing the Shared Parking capacity.
- (c) Cross-access easements or similar mechanisms approved by the City Attorney shall be used to provide joint access between Shared Parking Areas.
- (d) In a Parking Structure or Garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
- (e) Parking Structures shall have Liner Buildings along primary frontages and landscape buffer yards adjacent to residential properties.
- (f) Vehicular entrances to parking lots, Parking Garages, and Parking Structures shall be no wider than 24 feet at the Build-to Line.
- (g) Pedestrian walkways shall be integrated, to the extent possible, into the interior and/or perimeter landscaping of parking lots; constructed with brick pavers, stamped concrete or a paved or similarly firm surface, at least six feet in width; and separated from vehicular and Parking Areas by grade, Curbing and/or vegetation, except for necessary ramps.
- (h) Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Build-to Line except underground levels which may be exited by pedestrians directly into a building.
- (i) Parking facilities and appurtenant driveways shall be designed to maximize the safety and convenience of pedestrians walking between parked cars and business entrances as well as between external points and locations on-site.

Loading and Service Areas.

- (a) Loading docks, solid waste facilities, recycling facilities and other service areas shall be located to the rear or side of a building in visually unobtrusive locations.
- (b) All trash and recycling service areas shall be enclosed so as not to be visible.
- (c) Loading docks and service areas shall be permitted on Frontages only by Administrative Approval.

Amenities. A minimum of one bicycle rack place shall be provided within a Pedestrian Zone for every ten vehicular parking spaces required by this Code within the Mixed-Use High and Mixed-Use Low districts.

Street requirements.

- a) Streets in the HDOD are intended to be inviting public spaces and integral components of community design. HDOD streets shall be organized according to a hierarchy based on function, size, capacity, and Design Speed. In descending order of importance, the hierarchy shall consider pedestrians as the most important, followed by cyclists, mass transit, and automobiles. All design elements must consistently be applied to calm automobile traffic and to facilitate pedestrian activity.
- b) The hierarchy of streets for the HDOD should adhere to Tables 2A. Public Frontages, 2B. Vehicular Thoroughfares, and 2C—2F. Thoroughfare Assemblies. The proposed hierarchy of streets shall be indicated on the submitted site plan with each street type being separately detailed.
- c) Specialty paving required for pedestrian areas and the HDOD entrance is detailed in Tables 2C—2F. Thoroughfare Assemblies.
- d) Streets may be comprised of segments. Each segment shall have the characteristic of one street type.
- e) The elements that comprise a street within the HDOD are listed below and are depicted in detail in Tables 2C—2F. Thoroughfare Assemblies.
 - A. Pedestrian Zone:
 - 1. Curb and Gutter.
 - 2. Planting Area.
 - (a) Street Trees.
 - (b) Shrubs.
 - (c) Ground Cover.
 - 3. Sidewalk.
 - (a) Optional Planting Area.
 - (b) Pedestrian Accessways, Paths or Passages.
 - 4. Street Furniture.
 - 5. Lighting.
 - B. Public Utility Equipment or Public Easement (required if determined to be necessary by the Planning & Community Development Director).
 - C. On-Street Parking.
 - D. Bicycle Lanes.
 - E. Travel Lanes.
 - F. Landscaped Medians.
- f) In the HDOD, Sidewalks in addition to street trees, planting areas and furnishings occur within the Pedestrian Zone, which is comprised of the Build-to-Line and the right-of-way.

- g) Sidewalks are required on both sides the street except for a street on the undeveloped edge of a HDOD. Sidewalk requirements are listed in Tables 2C-2F. Thoroughfare Assemblies.
- h) The primary Facades of all buildings shall contain the primary pedestrian Entry and face a public street.
- i) The requirements for placement and types of street trees are specified in Table 4. Public Planting.
- j) Street trees shall be planted on both sides of the street except for a street on the undeveloped edge of the HDOD district.
- k) Depending on the street type, the planting area may contain the required landscaping, the required street trees, or a combination of both.
- l) The required planting area width may be combined with the required Sidewalk to expand the Sidewalk beyond the required width. In this scenario, the street trees must be placed in tree grates.
- m) Utilities shall be placed underground and should be located along Rights-of-Way ("ROWs").
- n) Curbs and gutters shall conform to the City's Engineering design standards.
- o) Parallel on-street Parking Areas (including area of adjacent paved gutter) shall be at least 7 feet wide for Residential streets and at least 7 to 8 feet wide for Primary and Secondary Streets, and at least 22 feet long for all streets.
- p) Angled on-street parking may be provided as long as wheel stops, or Curbed Sidewalks are provided.
- q) On-street parking width shall include the adjacent paved gutter area. Curbed bulb-outs containing streets trees and/or other plantings are encouraged to be built at regular intervals and at all intersections within a dedicated on-street Parking Area.
- r) Where provided, Bicycle Lanes shall be at least four feet in width and shall be placed between on-street Parking Areas and travel lanes, or between the Curb and gutter and the travel lanes in the absence of on-street Parking Areas.
- s) City approved bus shelters shall be provided by the property owners or the City on all Primary Streets within the HDOD.

Cross reference— Minimum Parking Ratios, section 22-155; Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and multifamily zoning districts, section 22-161.

(O) Building height limit.

The maximum building height shall be no higher than 75 feet, no more than seven stories and shall comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.

(P) Building site area required.

Commercial or office use only, all floors:

The minimum building site area required shall be a lot or parcel of land 10,000 square feet in area.

Mixed use:

Mixed-use building site area will be determined by FAR as specified under subsection (Q).

(Q) Floor area limitations.

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

Height of Building	Floor Area Ratio
1 story	0.4
2 story	0.6
3 story	0.8
4 story	1
5 story	1.2
6 story	1.4
7 story	1.6
8 story	1.8
9 story or over	2

(R) Maximum Allowable Density and Square Footage Requirements.

Parcels located in the HDOD may be developed as follows:

1. Residential density shall not exceed one hundred and fifty (150) units per acre
2. Nonresidential developments shall be not less than a floor area ratio of 0.15 and shall not exceed a floor area ration of 3.0.

Commercial or office use only, all floors:

The minimum first floor area of a commercial building in this district shall be 1,500 square feet.

Mixed use:

In addition to the floor area required for the first floor of commercial or office use, the minimum square footage requirement for the upper-floor residential dwellings shall be as follows:

- a) One bedroom – 550 sq. ft. minimum
- b) Two bedroom – 725 sq. ft. minimum
- c) Studio Units – 450 sq. ft. minimum (Seniors Only) capped at 30 percent

Also, the following maximum percentage allocation of total residential area to ground floor business area, per development, shall apply:

Residential: 67 percent (i.e., a 2:1 ratio between residential and business, respectively.)

Front yard. Front yard required for a building designed for commercial or mixed use. All buildings shall be built to the front property line except as follows:

1. A landscaped setback of 15 feet may be permitted for beautification purposes only, at the option of the property owner.
2. Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the front property line.

Side yard required. No side yard is required for a building designed for either commercial or mixed use, except where required for protective screening, as required in subsection (M) below.

Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the side property lines.

Rear yard required for a building designed for commercial or mixed use. There shall be a rear yard consisting of an area which is not less than 30 percent of the lot or building site to be improved. To provide space for drains and other uses, except in those cases where the lot or building site abuts upon a dedicated alley which has a width of not less than 40 feet, in which case the rear yard may be 20 percent of the lot or building site area.

(S) Protective screening.

Where any lot in this district adjoins a residential district, a five-foot strip of land adjoining the boundary of the residential district shall be set aside and used for planting or walls by the owner of the commercial or mixed-use lot at his expense, to form an effective screen for the protection of the residential area. No structure, except the screen or wall, or utilities or drainage facilities, shall be placed or permitted in the area. No vehicular access shall be permitted over the area, except for the installation or maintenance of screening, utilities, and drainage facilities.

(T) Open space and landscaping requirements.

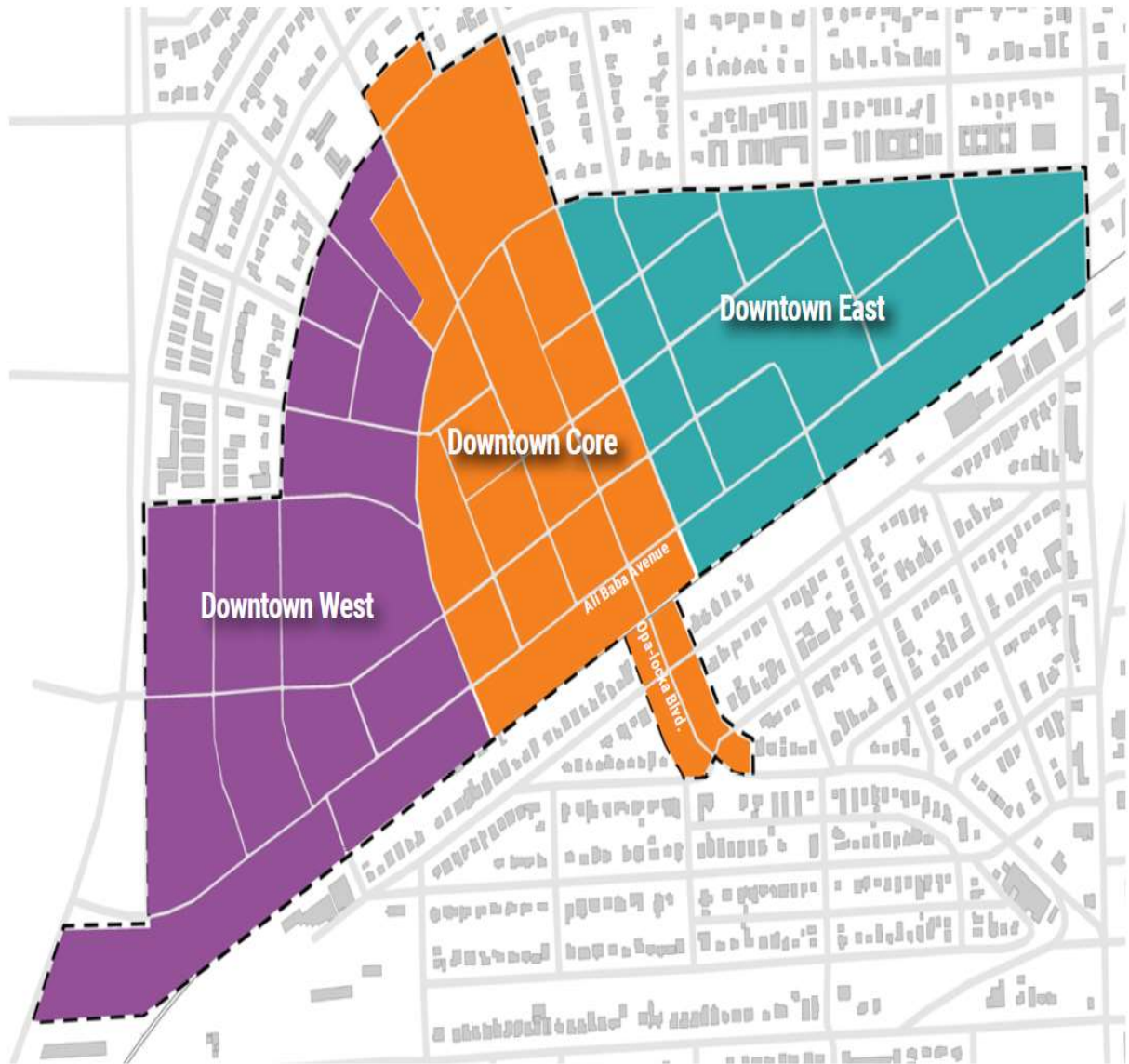
- (a) Notwithstanding any provision of this Code to the contrary, each site shall provide a minimum of 12 percent of its net lot area as landscaped open space, except where this requirement is modified per subsection (b) and/or subsection (c).
- (b) In-lieu of providing all or a portion of the landscaped open space required by subsection (a), a property owner may choose to aggregate all or a portion of required landscaped open space together on one site within the HDOD. To utilize this option, said aggregated space must be readily accessible to the public, must be a minimum of one-quarter acre, and must be approved through the site plan review process. Additionally, where this option is utilized, in whole or in part, to meet the required landscaped open space for residential uses in the HDOD, said space may be counted toward any land dedication otherwise needed to meet the requirements of parks concurrency. When this option is utilized, a covenant running with the land encumbering all properties involved, and in a form acceptable to the City Manager and the City Attorney, shall be recorded among the public records. The burden shall be on the property owner and/or applicant to demonstrate compliance with landscaped open space requirements, and to produce any documentation as necessary. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.
- (c) Where a building includes a habitable rooftop, including but not limited to a recreation area or outdoor dining space, said habitable rooftop area shall be counted toward the amount of land required for landscaped open space per subsection (a).
- (d) Except as provided in subsection (e), each site shall provide the number of trees, shrubs and other landscape materials as provided in article VII Landscaping and Tree Preservation. However, placement of trees, shrubs and other landscape materials shall be determined through the site plan review process, consistent with the site plan review standards in Section 22-56.
- (e) Where all required trees and shrubs cannot be provided on-site, the property owner may choose a cash in-lieu payment to the city instead of providing that portion of trees or shrubs that cannot be provided on-site, subject to approval by the city commission. To utilize this provision, the property owner shall provide to the city a good faith estimate, at the prevailing market rate as approved by the City Manager, of the cost to purchase and install that portion of trees and shrubs that cannot be provided on-site, which shall constitute the amount of the required payment. The city may only use these funds in furtherance of projects identified in the adopted Beautification Master Plan that are within the HDOD. If there are no projects in the HDOD for which these funds may be utilized, the city shall not accept the cash in-lieu, and the property owner/developer shall either modify the

proposed project to accommodate the required trees and shrubs or apply for a variance. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.

(f) If a plaza or courtyard is placed in the front or side street setback between any street type and a building, as provided for in (Q)1, said plaza/courtyard shall remain open to the public except in the case of emergencies or in the case of special events, as approved by the city in accordance with Section 22-135. Said plaza/courtyard may be counted as open space, including as aggregated open space per subsection (b).

(U) Off hours security devices.

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in sec. 22-118 of the LDR relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframe. Other types of security devices fastened to the exterior walls are not permitted.



ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-102, CREATING THE OPA-LOCKA INNOVATION DISTRICT, PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES, PROVIDING FOR DEVELOPMENT REGULATIONS AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-Locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-Locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, Opa-Locka Commerce Area (OCA) offers an array of commercial and industrial properties, excellent access to regional rail service, major highways and corridors, a mix of uses, and a walkable urban form. However, the area also suffers from disinvestment, high levels of heavy industrial uses such as engine repair and rebuilding; waste management, metalworking, and chemical manufacturing, poor infrastructure, and a handful of other issues, some of which can be partially attributed to Opa-Locka's decade's long issue with zoning and implementation of ordinance issues; and

WHEREAS, PCD staff has been working to expand the uses of the Opa-Locka Commerce Area (OCA) into an Innovation District in which can be a pillar of new job

creation and residential retention in our city. The proposed Opa-Locka Innovation District (The parameters will be between 22nd avenue to the east, 27th avenue to the west, 151st street to the north and Ali Baba Avenue to the south) is a collaborative land-use planning initiative aimed at the redevelopment of the OCA; and

WHEREAS, the City of Opa-Locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity; and

WHEREAS, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-Locka Police Station) as a cornerstone for the new district, similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale; and

WHEREAS, the concept of an Innovation District specifically focuses on the Opa-Locka Commerce Area, a potential economic engine for the city, to ensure that targeted improvements will have far-reaching effects on the economic well-being of the residents of Opa-Locka; and

WHEREAS, the Planning and Zoning Board of the City of Opa-Locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Opa-Locka Innovation District and provided a recommendation of approval. The district shall be included within the City's Land Development Regulations as Article IV, Section 22-102.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Opa-Locka Innovation District.

The City Commission of the City of Opa-Locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Opa-Locka Innovation District, for inclusion within the City's Land Development Regulations as Article IV, Section 22-102. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

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

SECTION 5. Effective Date.

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-Locka Code of Ordinances and the City of Opa-Locka Charter.

PASSED FIRST READING this ____ day of _____ 2021.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, Mayor

ATTEST:

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

Joanna Flores, City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Vice Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	12-8-21	Item Type: (Enter X in box)	Resolution	Ordinance X	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading X	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes X	No
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes X	No
Contract/P.O. Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bi#: N/A		
Strategic Plan Related (Enter X in box)	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communcation ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – CREATING THE OPA-LOCKA INNOVATION DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES, PROVIDING FOR DEVELOPMENT REGULATIONS AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Opa-locka Commerce Area (OCA) offers an array of commercial and industrial properties, excellent access to regional rail service, major highways and corridors, a mix of uses, and a walkable urban form. However, the area also suffers from disinvestment, high levels of heavy industrial uses such as engine repair and rebuilding; waste management, metalworking, and chemical manufacturing, poor infrastructure, and a handful of other issues, some of which can be partially attributed to Opa-locka's decade's long issue with zoning and implementation of ordinance issues. The City of Opa-locka is seeking to update zoning

regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity. the concept of an Innovation District specifically focuses on the Opa-locka Commerce Area, a potential economic engine for the city, to ensure that targeted improvements will have far-reaching effects on the economic well-being of the residents of Opa-Locka.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

Draft Ordinance LDR Amendment Article V Opa-locka Innovation District.

ORDINANCE NO.

AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V - CREATING THE OPA-LOCKA INNOVATION DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES, PROVIDING FOR DEVELOPMENT REGULATIONS AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-locka adopted the Opa-locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, Opa-locka Commerce Area (OCA) offers an array of commercial and industrial properties, excellent access to regional rail service, major highways and corridors, a mix of uses, and a walkable urban form. However, the area also suffers from disinvestment, high levels of heavy industrial uses such as engine repair and rebuilding; waste management, metalworking, and chemical manufacturing, poor infrastructure, and a handful of other issues, some of which can be partially attributed to Opa-locka's decade's long issue with zoning and implementation of ordinance issues; and

WHEREAS, PCD staff has been working to expand the uses of the Opa-locka Commerce Area (OCA) into an Innovation District in which can be a pillar of new job

creation and residential retention in our city. The proposed Opa-locka Innovation District (The parameters will be between 22nd avenue to the east, 27th avenue to the west, 151st street to the north and Ali Baba Avenue to the south) is a collaborative land-use planning initiative aimed at the redevelopment of the OCA; and

WHEREAS, the City of Opa-locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity; and

WHEREAS, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-locka Police Station) as a cornerstone for the new district, similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale; and

WHEREAS, the concept of an Innovation District specifically focuses on the Opa-locka Commerce Area, a potential economic engine for the city, to ensure that targeted improvements will have far-reaching effects on the economic well-being of the residents of Opa-locka; and

WHEREAS, the Planning and Zoning Board of the City of Opa-locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Opa-locka Innovation District and provided a recommendation of approval.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Opa-locka Innovation District.

The City Commission of the City of Opa-locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Opa-locka Innovation District. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5. Effective Date.

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED this _____ day of _____, 2021.

Elio Guerrero, Chairman

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

PLANNING & ZONING ADVISORY BOARD

October 5th

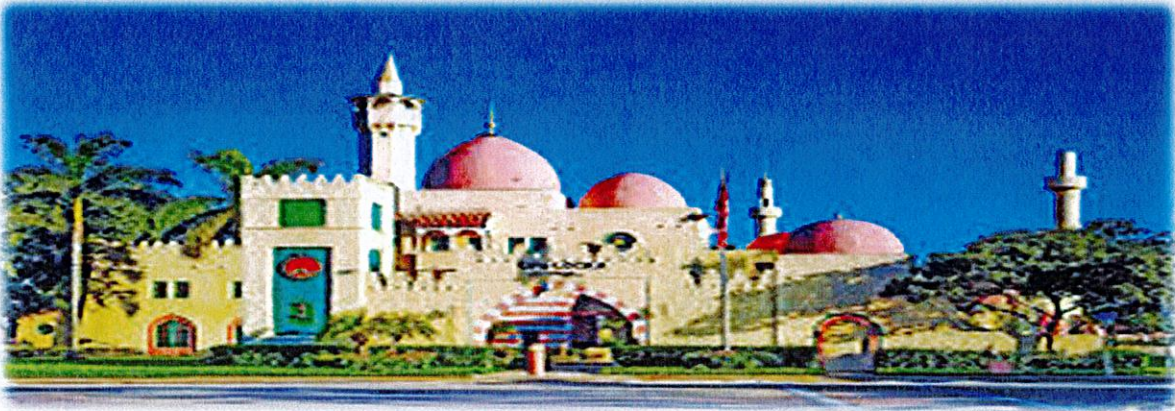
2021



Land Development Regulations: Opa-locka Innovation District

Staff Report

STAFF'S REQUEST: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V CREATING THE OPA-LOCKA INNOVATION DISTRICT PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.



I. **Background**

- In 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land.
- In 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-Locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength. Both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-Locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City.
- The City of Opa-locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity. Similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-Locka Police Station) as a cornerstone for the new district.

II. **Details**

- **Staff's intent**

Staff proposes to update article V of the Land Development Regulations to reflect the current momentum towards improving our cities appearance and functionality for a cleaner and more presentable community for our citizens and visitors. With this in mind, the Planning and Community Development Department has developed language establishing the Opa-locka Innovation District for developers and entrepreneurs looking to build and or relocated in the City to provide guidelines and concepts.

III. **Overall Analysis**

- The current LDR lacks the strength to address many of these issues directly and many times leaves staff to interpret the code which can lead to misrepresentation of city goals and objectives.
- Drafted in 2015, standards have been updated county wide to address many of the aforementioned changes, the updates are a reflection of more progressive municipalities in the county in upgrading our city standards and creating a new narrative for the city moving forward.
- The current Zoning only allows for Light to Moderate Industrial and does not address addition uses to allow for innovation we would like to see preserved in our city. With the passing of this item, it will provide a roadmap and a dialogue to creating an image the citizens can be

proud of and to guide future development while developing a new economic driver for Residents and Businesses.

IV. **Staff Recommendation:**

Staff recommends approval of the LDR amendments pending the following:

- Review of the Draft Innovation District ordinance amendment

V. **Attachments:**

- Draft Innovation District ordinance amendment

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VI. **Staff Report Updated After the Planning Council Meeting on July XXth, 2021.**

Reflected Actions:

I. **Planning Council Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)**

Ordinance No.

ORDINANCE OF THE PLANNING COUNCIL, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: ARTICLE V CREATING THE OPA-LOCKA INNOVATION DISTRICT

WHEREAS, Staff has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on __ / __ / ____
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning Council Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning Council Meeting discussions in regards to the proposed LDR Amendments

A) Intent and Purpose

The Opa-locka Innovation District (OLID) is established in accordance with the 2015 Sustainable Opa-Locka 2030 Comprehensive Development Master Plan to encourage and accommodate the creation and development of technology retail and service, medical technology development, and manufacturing businesses that shall serve as economic drivers for the City of Opa-Locka and the surrounding region. Together with the adjacent Magnolia North (MN) district, the OLID provides a unique area for a mix of employment, housing, and commerce that taps into an existing industrial area for the potential for new commercial, technology, and manufacturing businesses, as well as local institutions of higher learning. The OLID shall support its workforce through access to open space and amenities that encourage walking, biking, and transit, as it becomes available. The district will feature a multi-use pathway system that connects uses within the OLID, the adjacent MN district, and other destinations in the City of Opa-Locka and the region. To create a sense of place that attracts young adults educated in knowledge economy and high tech jobs, high-quality architectural design and natural materials that visually and physically connect to the natural environment are intended. Landscaping elements should be integrated into site design to provide walkable connectivity with the adjoining MN district. High-quality site design and improvements will integrate energy efficient and environmentally sound (green) principles and practices. Development within this district shall include the following additional components:

a. Innovation District Uses. The district will provide an open, campus-like setting for commercial, manufacturing, scientific research and high tech industrial development. The OLID will be an incubator for high-tech businesses and educational institutions. Production will be limited to research, development or evaluation of the merits of products, plans, or designs. The district is intended to accommodate research facilities, pilot plants, prototype production and other manufacturing operations that require the continual or recurrent application of research knowledge and activity as an integral part of the manufacturing process. The district will also accommodate a broad range of compatible business uses that can appropriately share infrastructure, parking, and other amenities with technology and research campus developments.

b. Housing. The adjacent Magnolia North district shall be developed to provide high-quality, unique housing in the form of townhomes or other attached or clustered single-family residential units. Live-work units are also encouraged. A variety of housing sizes to accommodate residents of all ages and abilities are desired, from 2-3 bedroom units in the central portion of the district to larger one bedroom units at the edges.

c. Transportation. This district will include a transportation network that supports motorized and non-motorized travel in and around the district, between the OLID and the MN district, and to the surrounding community; accommodations will be made for electric vehicles, autonomous vehicles, bicycle and pedestrian facilities, and integration with mass transit.

d. Parking. Compact development where parking is shared between uses is envisioned, minimizing the amount of land devoted to pavement. Bicycle parking should also be accommodated in safe, convenient, and accessible areas. Car and bicycle sharing are also encouraged. Electric vehicle charging stations are encouraged.

e. Placemaking. The OLID district will be unique due to its integration with the natural environment. Building design and materials will be harmonious with the south Florida environment and the Moorish architecture found in this area. Pathways and multimodal trails will provide opportunities for the workforce and visitors to appreciate the city's unique architecture in a vibrant setting. The public realm will be framed not only by buildings, streets, and sidewalks, but also by the surrounding environment. The resulting spaces will be safe, comfortable and attractive to pedestrians. Civic spaces such as concert lawns, pavilions, or open space may also be incorporated into the district.

f. Sustainability. Development in the OLID will rely on mitigating stormwater runoff through bioretention systems such as rain gardens and bioswales, and alleviating concentration of runoff through the use of permeable pavement. Landscaping with native plants, green roofs, living walls, and the incorporation of alternative energy systems, such as solar collectors or geothermal heat pumps into building and site designs, will reinforce the unique natural character of this district. Pursuit of Leadership in Energy and Environmental Design (LEED) certification for individual buildings, and potentially of LEED-ND (LEED-Neighborhood Development) certification for coordinated development, is strongly encouraged.

g. Technology. Given the nature of the district, technology is expected to be both visible as well as invisible and should be incorporated into all aspects of building and site design; educational, experiential, and experimental activities relating to technology are encouraged. Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (2015) shall be a guiding document for development in this district.

B) Goals and Objectives

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- Provide appropriate transitions between commercial/industrial, and mixed-use districts through its land development regulations and other appropriate mechanisms.
- Dilapidated properties and vacant land in industrially zoned areas shall be developed with public facilities and services to attract compatible industries.
- Redevelopment shall provide for pedestrian friendly street design, an interconnected street network and hierarchy to reduce congestion and improve traffic flow, design that promotes the use of non-motorized transportation modes, connectivity to transit, and a range of uses in a compact area to reduce the need for external trips.
- Promote high quality urban design for development and redevelopment by encouraging developers to incorporate the concepts outlined in Miami-Dade County's Urban Design

Manual, or other design guidelines that might be developed for the City, into their developments.

C) Geographic Area

The Opa-locka Innovation District is located in an area where manufacturing, development, institutional and other complementary high-activity land uses draw patrons from the surrounding region. The OLID shall have the territorial boundaries having the following description: situated between NW 22nd avenue to the east, NW 27th avenue to the west, NW 151st street to the north and Ali Baba Avenue to the south.

D) Definitions

For the purpose of this section, the following definitions shall apply:

A. *Community*. Shall mean the surrounding land area, inclusive of right-of-ways and other public spaces within .25 miles from the outer boundaries of the proposed development.

B. *Development plan*. Shall mean the site plan, design plan and any and all conditions approved by ordinance rezoning to OLID.

C. *Innovative*. Shall mean that the character of the development is such that it utilizes a creative approach that could not otherwise be accomplished under the current LDR regulations to meet the OLID intent, including specific elements.

D. *ID (Innovative Development)*. Shall mean a development on land under unified control as established by a recorded document that meets the criteria for an ID as described in this Section (X). Upon adoption of an ordinance approving the site plan and design characteristics that become the specific zoning regulations and standards for the land to which the ID is applicable.

E) Permitted Uses

The OLID is intended to provide a healthful operating environment for light industry and compatible uses, for the protection of light industry and compatible uses. New businesses to be established in existing structures shall be subjected to administration review. The following uses are permitted:

- Administration of Educational Programs
- Artificial intelligence
- Aviation technology
- Computer Manufacturing and Computer Software Stores
- Computer Programming and Data Processing Services
- Craft breweries, bakeries, distilleries and wineries pending administrative review
- Electronic and electrical equipment, systems, components, instruments, and peripherals
- Engineering, Architectural, and Surveying Services
- Indoor theatres

- Interior design studios
- Manufacture of motor vehicle parts and accessories including mechanical, electrical and electronic parts, components and subassemblies, such as braking systems, safety devices, pollution control mechanisms, and electronically controlled fuel systems.
- Medical equipment and supplies
- Museums and Art Galleries
- Research, development, experimental, or testing laboratories
- Restaurants and Drinking Places Including Outdoor Dining
- Retail: Retail must be specific to the products produced on site and any accessory uses
- Recreation establishments (i.e. Indoor rec spec, VR arcade, etc.)
- Robotics
- Studios for Photography, Music, Art, Dance, Drama, and Voice
- E-Commerce warehousing and distribution center
- Wholesale trade
- Other innovation, assembly or limited manufacturing uses, of a similar nature, when located and arranged according to a plan providing for aesthetic or other conditions in harmony with the neighborhood, and approved by the Planning & Zoning Board and City Commission.

F) Implementation concepts

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Decrease high intensity vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Encourage small scale shipping operations for less heavy vehicle traffic. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.
- (3) *Improve pedestrian corridors.* Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors in order to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) *Aggregate open space for squares, plazas, passive parks and other public open spaces.* Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.

(5) *Extend transit, at a variety of scales and modes of travel.* Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.

(6) *Attack visual blight.* Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.

(7) *Provide for water retention areas to improve drainage and flooding protection in low-lying areas.* Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.

(8) *Promote civic uses.* Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment. Potential for reuse of City Owned Properties.

(9) *Introduction of Green/Sustainable Infrastructure.* Encourage the implementation of green, sustainable technology and processes for energy efficiency and a positive impact on the environment.

G) Prohibited Uses:

Dwelling units, including hotels and motels, except as provided under "uses permitted"; churches; yards or lots for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage, or secondhand building materials, storage of wrecked and or unregistered automobiles, secondhand automobile parts; salvage yards or junkyards; truck parking and facilities all uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in article (.....) The following use are also prohibited:

- Adult-related business
- Automotive auctions, repair, sales and service facilities
- Bar (Standalone); Package store
- Big box retail operations
- Gun shop, range
- Large Surface Parking Lots
- Motor freight terminals
- Pawn shop, Thrift store
- Towing Service

H) Precedence over other zoning and land use regulations

In addition to the criteria provided in Opa-locka Innovation District (OLID) land use classification and the Commercial Liberal (B-2), Light Industrial (I-1), Industrial Planned (I-2) and Civic (C) zoning districts, the requirements provided in this division must also be followed. To the extent that any conflict may arise between the criteria of this district and the criteria of the OTBD land use classification and the OLID, B-2, I-1, I-2 and C zoning districts, the requirements of the MXUOD overlay zoning district shall prevail.

I) Road classifications in the OLID district

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) *Major roadways* shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27th Avenue, NW 22nd Avenue, State Road 9, and Ali Baba Avenue are classified as major roadways within this district.
- (2) *Minor roadways* shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. 151st Street from LeJeune-Douglass Connector to NW 27th Avenue; NW 27th Avenue to Ali Baba Avenue, and 22nd Avenue to Ali Baba Avenue.
- (3) *Local streets* mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

J) Zoning regulations

- (a) Commercial and industrial densities in B-2, I-1 and I-2 zoning districts shall not exceed the minimum site area as listed in each respective district, unless the property owner provides public open space as provided in incentives (3).
- (b) Landscaping for all property zoned commercial or industrial or that includes the aforementioned uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.
- (c) The dimensions of open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.
- (d) The facade and architecture requirements shall conform to a Moorish architectural design plan that will be adopted by the city within four months of the effective date of the ordinance

from which this section is derived. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.

(e) Streetwalls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.

(f) Streetwalls, landscape buffers or a building shall be constructed to screen parking from view.

K) Incentives

1. Accelerated administrative review
2. Reduction of impact fees subjected to administrative review
3. Relaxed setback requirements for properties which provide public open space areas

L) Signage See LDR Sec. 22-229.

M) Parking standards and requirements

1. In the OLID contingent on use, shall be required to provide any off-street parking in excess of the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.

2. All existing buildings in the OLID are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.

3. However as a consequence of this provision, any existing building in the OLID occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review .

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the OLID over or in any area of established and existing off-street parking.

5. That the aforesaid provisions shall not be applicable to any of the following:

(a) When an existing building in the OLID is demolished and subsequently replaced by the construction of a new building on the property.

(b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.

(c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.

(d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

Cross reference— Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and duplex zoning districts, section 22-161.

N) Building height limit

Commercial properties shall have a maximum height of 6 stories or 65 feet. Industrial properties shall have a maximum height of 3 stories or 45 feet.

O) Building site area required

i. Commercial and Industrial properties shall be regulated by the regulations of each base zone with additional regulations provided by the MXUOD.

P) Floor area limitations

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

Commercial Properties listed as B-2 shall have a FAR of 2.4.

Industrial Properties listed as I-1 shall have an FAR of 3 and I-2 shall have an FAR of 1.0

Q) Square footage requirements

Commercial or office use only, all floors:

The minimum first floor area of a commercial building in this district shall be 1,500 square feet. 5,000 s.f. for existing subdivisions, 10,000 s.f. for re-plat or new plat

Industrial:

I-1 designation shall have a minimum of 10,000 or a minimum project size of two acres for new industrial flex space. I-2 designation shall have a minimum of two acres which can be divided and sold/leased in lot sizes no less than 20,000 s.f.

R) Outdoor storage and Protective screening

Outdoor storage of materials. Non-hazardous materials used in the operations of a tenant, prototypes, and similar items may be stored outdoors, provided that the following conditions are met:

- a. The size of an outdoor storage area shall not exceed 25 percent of the footprint of the principal building.
- b. The outdoor storage area shall be screened with a minimum eight-foot, decorative obscuring fence or wall that is architecturally compatible with the principal building. Stored materials shall not exceed the height of the screen wall.
- c. The outdoor storage area shall be appropriately surfaced so as to prevent the infiltration of pollutants into the soil.
- d. In no instance shall a screening fence include barbed wire, razor wire, or other similar materials.
- e. Outdoor storage areas shall not be located in a front or side yard.
- f. Outdoor storage areas shall be set back a minimum of 100 feet from any residential district.

Storage of service vehicles. Vehicles owned by a tenant of a non-residential building may store vehicles on site as follows:

- a. Vehicles may be stored indoors.
- b. Vehicles may be stored in an approved outdoor storage yard.
- c. Up to five vehicles not larger than a typical family car, truck, SUV, or van may be stored in the parking area for the use. If the parking area is part of a shared parking agreement, the usage of these spaces for vehicle storage shall be added to the shared parking agreement.

S) Open Space and Landscaping requirements

- a. Landscaping shall be provided as per Article 7, Landscape Provisions,

b. *Exterior Lighting*: Pedestrian areas need to be well-marked and well-lit. Exterior lighting shall be an integral part of the architecture and landscape design. Street lighting shall relate in scale to the pedestrian character of the area. Pedestrian lighting shall be provided at a pedestrian scale of three to twelve feet, with the source light being shielded to reduce glare, thereby encouraging safe access to these areas twenty-four hours per day. Overall, lighting and pedestrian zone lighting is needed but shall not create glare or light spillage off site or beyond parking lots and streets.

c. *Open Space*: Open space shall be planted and maintained in accordance with the landscape plan that is approved by the Planning and Zoning Board and City Commission, utilizing the following standards:

(1) Each plot shall provide not less than thirty (30) per cent of its area in landscaped open space.

(2) A landscape strip at least twenty-five (25) feet in width located between the abutting right-of-way and the off-street parking and any other vehicular use area which is exposed to an abutting right-of-way.

(3) On the plot of a building or structure of open lot use providing an off-street parking area or other vehicular use area, a non-stabilized landscaped strip of at least twelve and one-half (12½) feet in width shall be provided to form a visual screen between the off-street parking area or other vehicular use area and any abutting property.

d. Knee walls associated with landscaping shall be required.

e. One 2 inch caliper or higher tree shall be required for each twenty (20) lineal feet of the lot line. Such trees along sidewalks shall be shade trees.

f. Residential/Commercial developments shall have a minimum of one thousand (1000) square feet of common open space and 50 sq. ft. per tenant, or five percent (5%) or the lot area as common open space, whichever is greater.

g. *Tree Protection*: Trees must be adhered to in accordance with Ordinance 10-03 entitled Tree Protection Program.

h. *Street Frontage*: In cases where the Master Site Plan creates a development abutting streets not listed in Section C.b of this article, requirements regarding landscaping, façade, lighting, and other provisions of this Overlay District along right-of-way is expressively required for these rights-of-way.

T) Off hours security devices

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in Code of Ordinance 7-23 (C) relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside,

within the window or doorframes. Other types of security devices fastened to the exterior walls are not permitted.

U) Developmental standards.

All developed property shall be landscaped, improved and maintained in full conformity with all applicable requirements of the Land Development Regulations.

All improved land shall be well-graded and free from underbrush and objectionable plant growth. The fifty (50) feet closest to any public right-of-way shall be mowed periodically as necessary to control natural grass growth. The balance of the site shall be kept free of debris and shall not be used for storage or disposal of any objects or materials.

All property shall be kept clean and free from rubbish or debris.

All planted and landscaped areas shall be maintained in a neat, orderly, healthy, growing and properly trimmed condition.

All buildings and structures shall be kept properly painted and protected from deterioration and shall not be permitted to become dilapidated.

All driveways, walkways, parking areas, storage and loading areas of developed property shall be well-graded and surfaced with asphaltic concrete or other equivalent hard, dustless materials.

All electrical, telephone, gas or other utility connections shall be installed underground.

V) Performance standards.

(1) No building or structure, or part thereof, shall be erected, in whole or in part, that is obnoxious, objectionable, a nuisance or a hazard to adjoining properties, as they relate to sound, vibrations, odors, glare, radioactive materials, smoke, chemical and particulate matters.

(2) Building facades facing roadways shall be designed to appear to be the fronts of buildings. This provision shall apply to corner and double frontage lots.

(3) Business related vehicles, equipment, paraphernalia, and accessory structures or uses are prohibited from the fronts and sides of buildings when facing major arterial roadways.

W) Development standards for buildings designed to achieve LEED Silver Certification.

All newly developed and redeveloped properties that contain buildings designed to achieve LEED Silver certification, as determined by the United States Green Building Council, shall be allowed reduced setback and landscaping standards. The qualification of LEED design elements to a LEED Silver certification level shall be subject to the review and approval of a LEED professional as determined by the city manager or his/her designee. The cost associated with said review shall be paid for by the applicant. LEED Silver developments shall be subject to all other development standards identified in this chapter with the exception of the following:

(1) *Setbacks.*

(a) No building or roofed structure shall be located less than fifty (50) feet from any street line that has frontage on a right-of-way greater than sixty (60) feet in width.

(b) No building or roofed structure shall be located less than twenty-five (25) feet from any street line that has frontage on a right-of-way less than or equal to sixty (60) feet in width.

(2) Landscaping.

(a) There shall be no minimum required percentage for overall landscaped open space.

(b) Side and rear perimeter landscaping. All plots of land shall provide a minimum five-foot wide, non-stabilized landscape strip along the interior side and rear property lines, beyond the front façade of the building or structure facing a public right-of-way. The side and rear perimeter planters shall be planted with medium-size shade trees and/or approved palm trees, planted so as to create a continuous canopy along the side and rear perimeter of the property.

(c) Landscape islands along perimeter parking rows shall be provided for every ten (10) parking spaces. These parking islands shall measure nine (9) feet in width by sixteen (16) feet in length and shall include one (1) shade tree. In lieu of this requirement, developers may submit plans for approval by the city, showing aggregate clusters of tree planting equivalent to or greater than the total area of all required parking islands.

(d) Landscape islands may be omitted along the perimeter parking areas provided that a minimum ten-foot wide landscape planter is provided along the perimeter of the site.

(e) If a surplus of parking spaces is proposed within a development, any additional landscape islands required as a result of the surplus parking shall be a minimum of twenty-seven (27) feet in width by sixteen (16) feet in depth. Surplus parking is defined as any parking spaces that are in addition to the number of spaces required to be provided by Code based on the total square footage of the building.

(f) Understory planting shall be provided in areas where there exists a substantial grouping of trees as determined by the director of community development.



Memorandum

TO: Mr. Gregory Gay, PCD Director

FROM: Corion DeLaine, City Planner
Gerald Lee, Zoning Official

DATE: January 5th, 2021

RE: Creation of the Taqnia Innovation District/Overlay (Map, Narrative and Amendment attached)

Background:

The 96.6-acre Opa-Locka Commerce Area has long been challenged as the current stock of uses calls for moderate to heavy industrial, however in years past these uses have caused for poor environmental conditions and minimal investment from local stakeholders. The area is rigidly bounded by arterial streets (NW 22nd Avenue and NW 27th Avenue), which keep the incompatible land uses away from residential neighborhoods. Primary uses include engine repair and rebuilding; waste management, metalworking, and chemical manufacturing with scrap and recycling yards have a large presence.

Summary:

The PCD has viewed the long standing issues in this area and have worked diligently to create an alternative narrative for the area in which to maximize the usage of the area and create a cleaner more economically competitive district with the goal of establishing a viable economic engine for the reinvigoration of a long challenged area for the benefit of the City and its residents. Together, the PCD staff has drafted language to provide the zoning regulations that afford the transformation of this area into the Taqnia (Arabic for Technology) Innovation District. It is the intent of the department to establish a corridor which encourages more tech based businesses in which can capitalize on our strategic location for logistics purposes, ample lot sizes, and adaptive regulations. The benefit to the city is an increase in positive business activity, improved local commerce, an increase in tax revenue generated by new businesses, and the incorporation of a small business incubator which will provide educational and career opportunities for the utilization of our residents. To establish such a district within an area as challenged as this is a very delicate task and process. The City must strategically plan a very transparent and inclusive process carrying out this ambitious task. The City must implement legislations appropriate to limiting the current activities, incorporate new standards and establish fruitful relationships with the cooperation of local partners in order to bring about the full realization of this new district. The City must consider the following in order to maintain good public relations by administering and applying the following principles:

- The addition of verbiage for the inclusion of innovative/technology based uses.
- The needs of all current businesses should be assessed such that appropriate advance notice is given and clearly defined alternative options are allotted for redevelopment.

- The cooperation of the various news media should be sought in publicizing the existence of and reasons for such action because news releases can assist in keeping the tenants and residents well informed.
- The needs of abutting property owners, residents, and businesses should be assessed and appropriate accommodations made.
- The incorporation of partnerships in specific areas to create a viable ecosystem for such a district to have a sustainable base in which to thrive.

Therefore, the Planning and Community development is recommending the following to take place in order to proceed with the establishment of the Taqnia Innovation District: amending the City of Opa-locka Land Development Regulations. Article IV. To add the following:

Section 22.101: Taqnia Innovation District *(see attached draft amendment)*

Cc. Gerald J. Lee, Zoning Official

END OF MEMORANDUM

[illegible]

Imagery ©2019 Google, Map data ©2019 Google 200 ft

* Potential anchors can provide an identity and a core in which the district can evolve in to. The aforementioned properties shall act as cornerstones of the district.

- JHS - Jackson Hospital (urgent care facility)
- I - OL Police Station (Incubator)
- MC - New Development (Medical facilities/Research)
- FM - Farmers Market

Planning & Community Development
Department

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054



Gregory D. Gay, Director

Phone: (305) 953-2868, Ext. 1503
Fax: (305) 953-3060

September 14th, 2021

**RE: Future Projects and Programs from the 2011 OCRA Redevelopment Plan:
Technology Innovation District in Opa-locka**

BACKGROUND

In 2011, the City of Opa-Locka adopted the [Opa-Locka Community Redevelopment Plan](#) (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land. In 2015, the OLCRP was followed by more advanced planning effort that culminated in the [Sustainable Opa-Locka 2030 Comprehensive Development Master Plan](#) (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-Locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength. Both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-Locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City.

WHY FOCUS ON THE OPA-LOCKA COMMERCE AREA?

Opa-Locka Commerce Area (OCA) offers an array of commercial and industrial properties, excellent access to regional rail service, major highways and corridors, a mix of uses, and a walkable urban form. However, the area also suffers from disinvestment, high levels of heavy industrial uses such as engine repair and rebuilding; waste management, metalworking, and chemical manufacturing, poor infrastructure, and a handful of other issues, some of which can be partially attributed to Opa-Locka's decade's long issue with zoning and implementation of ordinance issues. The concept of an Innovation District specifically focuses on the Opa-Locka Commerce Area, a potential economic engine for the city, to ensure that targeted improvements will have far-reaching effects on the economic well-being of the residents of Opa-Locka.

WHAT IS THE OPA-LOCKA INNOVATION DISTRICT?

PCD staff has been working to expand the uses of the Opa-Locka Commerce Area (OCA) into an Innovation District in which can be a pillar of new job creation and residential retention in our city. The proposed Opa-locka Innovation District (The parameters will be between 22nd avenue to the east, 27th avenue to the west, 151st street to the north and Ali Baba Avenue to the south) is a collaborative land-use planning initiative aimed at the redevelopment of the OCA. The City of Opa-locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity. Similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-Locka Police Station) as a cornerstone for the new district.

EDUCATIONAL AND CAREER DEVELOPMENT OPPORTUNITIES (TECHICAL/VOCATION, SMALL BUSINESS INCUBATOR)

One of our CRA initiatives is to create a small business/technology incubator program to facilitate educational programs as well as entrepreneurship courses and resources, all to promote organic job creation and business retention in our City. PCD/CRA staff has been taking a look at the former Opa-locka police headquarters to propose an adaptive reuse for the facility to promote the creation of a technology and innovation center as part of the initiatives of the Opa-locka Community Redevelopment Agency [OCRA]. Staff has provided supporting documentation on the Former Police HQ, the Innovation District, and the Proposed Innovation Facility information along with this letter. In cultivating educational and entrepreneurial opportunities (Possible STEM Program) in Opa-locka, we are seeking to redevelop the former police headquarters into a Tech Innovation Facility. At current, Opa-locka does not have a Middle School or High School and only two Elementary Schools, in a community that has wrestled with poverty and crime which is a few of the adverse effects of a lack of access to equitable education. PCD staff has previously engaged in healthy conversations with representatives of MDCPS/Miami Dade College, the Opa-locka Community Development Corporation, and the Beacon Council in regards to the possibility of cultivating a technical/vocational training program. An example of a particular program would be one utilizing our vast reserves of Junk Vehicles and Parts which litter our City. The program would serve as a means of not only cleaning up the City's image but providing an opportunity for the students in the area to utilize something negative in their backyard to create products or learn to provide a service.

Please note, we are excited about the prospect of creating new opportunities for our residents and look forward to move this community forward. If you have any questions or concerns, please contact the Planning and Community Development Department for the Innovation District and Facility at 305-953-2868, ext. 1501.

If additional information is needed, please advise.

Thank you for helping make our City Great!

Sincerely,

Gregory D. Gay, Director,
Planning & Community Development Department

CC: Corion J. DeLaine, City Planner
Gerald Lee, Zoning Official
Kinshannta Hall, Administrative Assistant

Planning & Community Development Department

PLANNING & ZONING ADVISORY BOARD

JULY XXth

2021



Land Development Regulations: Taqnia Innovation District

Staff Report

STAFF'S REQUEST: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V CREATING THE TAQNIA INNOVATION DISTRICT PROVIDING FOR DEFINITIONS, PERMIT AND EVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.



I. Background

- In 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land.
- In 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-Locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength. Both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-Locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City.
- The City of Opa-locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity. Similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-Locka Police Station) as a cornerstone for the new district.

II. Details

- **Staff's intent**
Staff proposes to update article V of the Land Development Regulations to reflect the current momentum towards improving our cities appearance and functionality for a cleaner and more presentable community for our citizens and visitors. With this in mind, the Planning and Community Development Department has developed language establishing the Taqnia Innovation District for developers and entrepreneurs looking to build and or relocated in the City to provide guidelines and concepts.

III. Overall Analysis

- The current LDR lacks the strength to address many of these issues directly and many times leaves staff to interpret the code which can lead to misrepresentation of city goals and objectives.
- Drafted in 2015, standards have been updated county wide to address many of the aforementioned changes, the updates are a reflection of more progressive municipalities in the county in upgrading our city standards and creating a new narrative for the city moving forward.
- The current Zoning only allows for Light to Moderate Industrial and does not address addition uses to allow for innovation we would like to see preserved in our city. With the passing of this item, it will provide a roadmap and a dialogue to creating an image the citizens can be

proud of and to guide future development while developing a new economic driver for Residents and Businesses.

IV. **Staff Recommendation:**

Staff recommends approval of the LDR amendments pending the following:

- Review of the Draft Innovation District ordinance amendment

V. **Attachments:**

- Draft Innovation District ordinance amendment

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VI. **Staff Report Updated After the Planning Council Meeting on July XXth, 2021.**

Reflected Actions:

I. **Planning Council Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)**

Ordinance No.

ORDINANCE OF THE PLANNING COUNCIL, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF:

WHEREAS, Staff has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1) That the request in the application by the applicant be and the same is hereby

a. APPROVED ☐

b. DENIED ☐

c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / ____

2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:

a.

b.

*** The Planning Council Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning Council Meeting discussions in regards to the proposed LDR Amendments

Sec. 22-102 – Opa-locka Innovation District

A) Intent and Purpose

The Opa-locka Innovation District (OLID) is established in accordance with the 2015 Sustainable Opa-locka 2030 Comprehensive Development Master Plan to encourage and accommodate the creation and development of technology retail and service, medical technology development, and manufacturing businesses that shall serve as economic drivers for the City of Opa-locka and the surrounding region. Together with the adjacent Magnolia North (MN) district, the OLID provides a unique area for a mix of employment, housing, and commerce that taps into an existing industrial area for the potential for new commercial, technology, and manufacturing businesses, as well as local institutions of higher learning. The OLID shall support its workforce through access to open space and amenities that encourage walking, biking, and transit, as it becomes available. The district will feature a multi-use pathway system that connects uses within the OLID, the adjacent MN district, and other destinations in the City of Opa-locka and the region. To create a sense of place that attracts young adults educated in knowledge economy and high-tech jobs, high-quality architectural design and natural materials that visually and physically connect to the natural environment are intended. Landscaping elements should be integrated into site design to provide walkable connectivity with the adjoining MN district. High-quality site design and improvements will integrate energy efficient and environmentally sound (green) principles and practices. Development within this district shall include the following additional components:

a. *Innovation District Uses.* The district will provide an open, campus-like setting for commercial, manufacturing, scientific research, and high-tech industrial development. The OLID will be an incubator for high-tech businesses and educational institutions. Production will be limited to research, development, or evaluation of the merits of products, plans, or designs. The district is intended to accommodate research facilities, pilot plants, prototype production and other manufacturing operations that require the continual or recurrent application of research knowledge and activity as an integral part of the manufacturing process. The district will also accommodate a broad range of compatible business uses that can appropriately share infrastructure, parking, and other amenities with technology and research campus developments.

b. *Housing.* The adjacent Magnolia North district shall be developed to provide high-quality, unique housing in the form of townhomes or other attached or clustered single-family residential units. Live-work units are also encouraged. A variety of housing sizes to accommodate residents of all ages and abilities are desired, from 2–3-bedroom units in the central portion of the district to larger one-bedroom units at the edges.

c. *Transportation.* This district will include a transportation network that supports motorized and non-motorized travel in and around the district, between the OLID and the MN district, and to the surrounding community; accommodations will be made for electric vehicles, autonomous vehicles, bicycle and pedestrian facilities, and integration with mass transit.

d. Parking. Compact development where parking is shared between uses is envisioned, minimizing the amount of land devoted to pavement. Bicycle parking should also be accommodated in safe, convenient, and accessible areas. Car and bicycle sharing are also encouraged. Electric vehicle charging stations are encouraged.

e. Placemaking. The OLID district will be unique due to its integration with the natural environment. Building design and materials will be harmonious with the south Florida environment and the Moorish architecture found in this area. Pathways and multimodal trails will provide opportunities for the workforce and visitors to appreciate the city's unique architecture in a vibrant setting. The public realm will be framed not only by buildings, streets, and sidewalks, but also by the surrounding environment. The resulting spaces will be safe, comfortable, and attractive to pedestrians. Civic spaces such as concert lawns, pavilions, or open space may also be incorporated into the district.

f. Sustainability. Development in the OLID will rely on mitigating stormwater runoff through bioretention systems such as rain gardens and bioswales, and alleviating concentration of runoff using permeable pavement. Landscaping with native plants, green roofs, living walls, and the incorporation of alternative energy systems, such as solar collectors or geothermal heat pumps into building and site designs, will reinforce the unique natural character of this district. Pursuit of Leadership in Energy and Environmental Design (LEED) certification for individual buildings, and potentially of LEED-ND (LEED-Neighborhood Development) certification for coordinated development, is strongly encouraged.

g. Technology. Given the nature of the district, technology is expected to be both visible as well as invisible and should be incorporated into all aspects of building and site design; educational, experiential, and experimental activities relating to technology are encouraged. Sustainable Opa-locka 2030 Comprehensive Development Master Plan (2015) shall be a guiding document for development in this district.

B) Goals and Objectives

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- Provide appropriate transitions between commercial/industrial, and mixed-use districts through its land development regulations and other appropriate mechanisms.
- Dilapidated properties and vacant land in industrially zoned areas shall be developed with public facilities and services to attract compatible industries.
- Redevelopment shall provide for pedestrian friendly street design, an interconnected street network and hierarchy to reduce congestion and improve traffic flow, design that promotes the use of non-motorized transportation modes, connectivity to transit, and a range of uses in a compact area to reduce the need for external trips.
- Promote high quality urban design for development and redevelopment by encouraging developers to incorporate the concepts outlined in Miami-Dade County's Urban Design

Manual, or other design guidelines that might be developed for the city, into their developments.

C) Geographic Area

The Opa-locka Innovation District is in an area where manufacturing, development, institutional and other complementary high-activity land uses draw patrons from the surrounding region. The OLID shall have the territorial boundaries having the following description: situated between NW 22nd avenue to the east, NW 27th avenue to the west, NW 151st street to the north and Ali Baba Avenue to the south.

D) Definitions

For the purpose of this section, the following definitions shall apply:

A. Community. Shall mean the surrounding land area, inclusive of rights-of-way and other public spaces within .25 miles from the outer boundaries of the proposed development.

B. Development plan. Shall mean the site plan, design plan and any and all conditions approved by ordinance rezoning to OLID.

C. Innovative. Shall mean that the character of the development is such that it utilizes a creative approach that could not otherwise be accomplished under the current LDR regulations to meet the OLID intent, including specific elements.

D. ID (Innovative Development). Shall mean a development on land under unified control as established by a recorded document that meets the criteria for an ID as described in this Section (X). Upon adoption of an ordinance approving the site plan and design characteristics that become the specific zoning regulations and standards for the land to which the ID is applicable.

E) Permitted Uses

The OLID is intended to provide a healthful operating environment for light industry and compatible uses, for the protection of light industry and compatible uses. New businesses to be established in existing structures shall be subjected to administration review. The following uses are permitted:

- Administration of Educational Programs
- Artificial intelligence
- Aviation technology
- Computer Manufacturing and Computer Software Stores
- Computer Programming and Data Processing Services
- Craft breweries, bakeries, distilleries, and wineries pending administrative review
- Electronic and electrical equipment, systems, components, instruments, and peripherals
- Engineering, Architectural, and Surveying Services
- Indoor theatres

- Interior design studios
- Manufacture of motor vehicle parts and accessories including mechanical, electrical, and electronic parts, components and subassemblies, such as braking systems, safety devices, pollution control mechanisms, and electronically controlled fuel systems.
- Medical equipment and supplies
- Museums and Art Galleries
- Research, development, experimental, or testing laboratories
- Restaurants and Drinking Places Including Outdoor Dining
- Retail: Retail must be specific to the products produced on site and any accessory uses
- Recreation establishments (i.e., Indoor rec spec, VR arcade, etc.)
- Robotics
- Studios for Photography, Music, Art, Dance, Drama, and Voice
- E-Commerce warehousing and distribution center
- Wholesale trade
- Other innovation, assembly, or limited manufacturing uses, of a similar nature, when located and arranged according to a plan providing for aesthetic or other conditions in harmony with the neighborhood and approved by the Planning & Zoning Board and City Commission.

F) Implementation concepts

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos, and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Decrease high intensity vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Encourage small scale shipping operations for less heavy vehicle traffic. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.
- (3) *Improve pedestrian corridors.* Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) *Aggregate open space for squares, plazas, passive parks, and other public open spaces.* Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.

(5) Extend transit, at a variety of scales and modes of travel. Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.

(6) Attack visual blight. Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.

(7) Provide for water retention areas to improve drainage and flooding protection in low-lying areas. Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.

(8) Promote civic uses. Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment. Potential for reuse of City Owned Properties.

(9) Introduction of Green/Sustainable Infrastructure. Encourage the implementation of green, sustainable technology and processes for energy efficiency and a positive impact on the environment.

G) **Prohibited Uses:**

Dwelling units, including hotels and motels, except as provided under "uses permitted"; churches; yards or lots for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage, or secondhand building materials, storage of wrecked and or unregistered automobiles, secondhand automobile parts; salvage yards or junkyards; truck parking and facilities all uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in section V of this article. The following use are also prohibited:

- Adult-related business
- Automotive auctions, repair, sales, and service facilities
- Bar (Standalone); Package store
- Big box retail operations
- Gun shop, range
- Large Surface Parking Lots
- Motor freight terminals
- Pawn shop, Thrift store
- Towing Service

H) Precedence over other zoning and land use regulations

In addition to the criteria provided in Opa-locka Innovation District (OLID) land use classification and the Commercial Liberal (B-2), Light Industrial (I-1), Industrial Planned (I-2) and Civic (C) zoning districts, the requirements provided in this division must also be followed. To the extent that any conflict may arise between the criteria of this district and the criteria of the OTBD land use classification and the OLID, B-2, I-1, I-2 and C zoning districts, the requirements of the MXUOD overlay zoning district shall prevail.

I) Road classifications in the OLID district

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) *Major roadways* shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27th Avenue, NW 22nd Avenue, State Road 9, and Ali Baba Avenue are classified as major roadways within this district.
- (2) *Minor roadways* shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. 151st Street from LeJeune-Douglass Connector to NW 27th Avenue; NW 27th Avenue to Ali Baba Avenue, and 22nd Avenue to Ali Baba Avenue.
- (3) *Local streets* mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

J) Zoning regulations

(a) Commercial and industrial densities in B-2, I-1 and I-2 zoning districts shall not exceed the minimum site area as listed in each respective district, unless the property owner provides public open space as provided in incentives (3).

(b) Landscaping for all property zoned commercial or industrial or that includes the aforementioned uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.

(c) The dimensions of open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.

(d) The facade and architecture requirements shall conform to a Moorish architectural design plan that will be adopted by the city within four months of the effective date of the ordinance

from which this section is derived. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort, and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.

(e) Street walls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.

(f) Street walls, landscape buffers or a building shall be constructed to screen parking from view.

K) **Incentives**

1. Accelerated administrative review
2. Reduction of impact fees subjected to administrative review
3. Relaxed setback requirements for properties which provide public open space areas

L) Signage See LDR Sec. 22-229.

M) Parking standards and requirements

1. In the OLID contingent on use, shall be required to provide any off-street parking more than the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.

2. All existing buildings in the OLID are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.

3. However, as a consequence of this provision, any existing building in the OLID occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review.

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the OLID over or in any area of established and existing off-street parking.

5. That the aforesaid provisions shall not be applicable to any of the following:

(a) When an existing building in the OLID is demolished and subsequently replaced by the construction of a new building on the property.

(b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.

(c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.

(d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

Cross reference— Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and duplex zoning districts, section 22-161.

N) Building height limit

Commercial properties shall have a maximum height of 6 stories or 65 feet. Industrial properties shall have a maximum height of 3 stories or 45 feet.

O) Building site area required

i. Commercial and Industrial properties shall be regulated by the regulations of each base zone with additional regulations provided by the MXUOD.

P) Floor area limitations

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

Commercial Properties listed as B-2 shall have a FAR of 2.4.

Industrial Properties listed as I-1 shall have an FAR of 3 and I-2 shall have an FAR of 1.0

Q) Square footage requirements

Commercial or office use only, all floors:

The minimum first floor area of a commercial building in this district shall be 1,500 square feet. 5,000 sq.ft. for existing subdivisions, 10,000 sq.ft. for re-plat or new plat

Industrial:

I-1 designation shall have a minimum of 10,000 or a minimum project size of two acres for new industrial flex space. I-2 designation shall have a minimum of two acres which can be divided and sold/leased in lot sizes no less than 20,000 sq.ft.

R) Outdoor storage and Protective screening

Outdoor storage of materials. Non-hazardous materials used in the operations of a tenant, prototypes, and similar items may be stored outdoors, provided that the following conditions are met:

- a. The size of an outdoor storage area shall not exceed 25 percent of the footprint of the principal building.
- b. The outdoor storage area shall be screened with a minimum eight-foot, decorative obscuring fence or wall that is architecturally compatible with the principal building. Stored materials shall not exceed the height of the screen wall.
- c. The outdoor storage area shall be appropriately surfaced to prevent the infiltration of pollutants into the soil.
- d. In no instance shall a screening fence include barbed wire, razor wire, or other similar materials.
- e. Outdoor storage areas shall not be located in a front or side yard.
- f. Outdoor storage areas shall be set back a minimum of 100 feet from any residential district.

Storage of service vehicles. Vehicles owned by a tenant of a non-residential building may store vehicles on site as follows:

- a. Vehicles may be stored indoors.
- b. Vehicles may be stored in an approved outdoor storage yard.
- c. Up to five vehicles not larger than a typical family car, truck, SUV, or van may be stored in the parking area for the use. If the parking area is part of a shared parking agreement, the usage of these spaces for vehicle storage shall be added to the shared parking agreement.

S) Open Space and Landscaping requirements

- a. Landscaping shall be provided as per Chapter 7 of the Land Development Regulations, Landscape and Tree Preservation,

b. Exterior Lighting: Pedestrian areas need to be well-marked and well-lit. Exterior lighting shall be an integral part of the architecture and landscape design. Street lighting shall relate in scale to the pedestrian character of the area. Pedestrian lighting shall be provided at a pedestrian scale of three to twelve feet, with the source light being shielded to reduce glare, thereby encouraging safe access to these areas twenty-four hours per day. Overall, lighting, and pedestrian zone lighting is needed but shall not create glare or light spillage off site or beyond parking lots and streets.

c. Open Space: Open space shall be planted and maintained in accordance with the landscape plan that is approved by the Planning and Zoning Board and City Commission, utilizing the following standards:

(1) Each plot shall provide not less than thirty (30) per cent of its area in landscaped open space.

(2) A landscape strip at least twenty-five (25) feet in width located between the abutting right-of-way and the off-street parking and any other vehicular use area which is exposed to an abutting right-of-way.

(3) On the plot of a building or structure of open lot use providing an off-street parking area or other vehicular use area, a non-stabilized landscaped strip of at least twelve and one-half (12½) feet in width shall be provided to form a visual screen between the off-street parking area or other vehicular use area and any abutting property.

d. Knee walls associated with landscaping shall be required.

e. One 2-inch caliper or higher tree shall be required for each twenty (20) lineal feet of the lot line. Such trees along sidewalks shall be shade trees.

f. Residential/Commercial developments shall have a minimum of one thousand (1000) square feet of common open space and 50 sq. ft. per tenant, or five percent (5%) or the lot area as common open space, whichever is greater.

g. Tree Protection: Trees must be adhered to in accordance with Ordinance 10-03 entitled Tree Protection Program.

h. Street Frontage: In cases where the Master Site Plan creates a development abutting streets not listed in Section C of this article, requirements regarding landscaping, façade, lighting, and other provisions of this Overlay District along right-of-way is expressively required for these rights-of-way.

T) Off hours security devices

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in Code of Ordinance 7-23 (C) relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside,

within the window or doorframes. Other types of security devices fastened to the exterior walls are not permitted.

U) Developmental standards.

All developed property shall be landscaped, improved, and maintained in full conformity with all applicable requirements of the Land Development Regulations.

All improved land shall be well-graded and free from underbrush and objectionable plant growth. The fifty (50) feet closest to any public right-of-way shall be mowed periodically as necessary to control natural grass growth. The balance of the site shall be kept free of debris and shall not be used for storage or disposal of any objects or materials.

All property shall be kept clean and free from rubbish or debris.

All planted and landscaped areas shall be maintained in a neat, orderly, healthy, growing and properly trimmed condition.

All buildings and structures shall be kept properly painted and protected from deterioration and shall not be permitted to become dilapidated.

All driveways, walkways, parking areas, storage and loading areas of developed property shall be well-graded and surfaced with asphaltic concrete or other equivalent hard, dustless materials.

All electrical, telephone, gas or other utility connections shall be installed underground.

V) Performance standards.

(1) No building or structure, or part thereof, shall be erected, in whole or in part, that is obnoxious, objectionable, a nuisance or a hazard to adjoining properties, as they relate to sound, vibrations, odors, glare, radioactive materials, smoke, chemical and particulate matters.

(2) Building facades facing roadways shall be designed to appear to be the fronts of buildings. This provision shall apply to corner and double frontage lots.

(3) Business related vehicles, equipment, paraphernalia, and accessory structures or uses are prohibited from the fronts and sides of buildings when facing major arterial roadways.

W) Development standards for buildings designed to achieve LEED Silver Certification.

All newly developed and redeveloped properties that contain buildings designed to achieve LEED Silver certification, as determined by the United States Green Building Council, shall be allowed reduced setback and landscaping standards. The qualification of LEED design elements to a LEED Silver certification level shall be subject to the review and approval of a LEED professional as determined by the city manager or his/her designee. The cost associated with said review shall be paid for by the applicant. LEED Silver developments shall be subject to all other development standards identified in this chapter except for the following:

(1) Setbacks.

(a) No building or roofed structure shall be located less than fifty (50) feet from any street line that has frontage on a right-of-way greater than sixty (60) feet in width.

(b) No building or roofed structure shall be located less than twenty-five (25) feet from any street line that has frontage on a right-of-way less than or equal to sixty (60) feet in width.

(2) Landscaping.

(a) There shall be no minimum required percentage for overall landscaped open space.

(b) Side and rear perimeter landscaping. All plots of land shall provide a minimum five-foot wide, non-stabilized landscape strip along the interior side and rear property lines, beyond the front façade of the building or structure facing a public right-of-way. The side and rear perimeter planters shall be planted with medium-size shade trees and/or approved palm trees, planted so as to create a continuous canopy along the side and rear perimeter of the property.

(c) Landscape islands along perimeter parking rows shall be provided for every ten (10) parking spaces. These parking islands shall measure nine (9) feet in width by sixteen (16) feet in length and shall include one (1) shade tree. In lieu of this requirement, developers may submit plans for approval by the city, showing aggregate clusters of tree planting equivalent to or greater than the total area of all required parking islands.

(d) Landscape islands may be omitted along the perimeter parking areas provided that a minimum ten-foot-wide landscape planter is provided along the perimeter of the site.

(e) If a surplus of parking spaces is proposed within a development, any additional landscape islands required because of the surplus parking shall be a minimum of twenty-seven (27) feet in width by sixteen (16) feet in depth. Surplus parking is defined as any parking spaces that are in addition to the number of spaces required to be provided by Code based on the total square footage of the building.

(f) Understory planting shall be provided in areas where there exists a substantial grouping of trees as determined by the director of community development.



Memorandum

TO: Mr. Gregory Gay, PCD Director

FROM: Corion DeLaine, City Planner
Gerald Lee, Zoning Official

DATE: January 5th, 2021

RE: Creation of the Taqnia Innovation District/Overlay (Map, Narrative and Amendment attached)

Background:

The 96.6-acre Opa-Locka Commerce Area has long been challenged as the current stock of uses calls for moderate to heavy industrial, however in years past these uses have caused for poor environmental conditions and minimal investment from local stakeholders. The area is rigidly bounded by arterial streets (NW 22nd Avenue and NW 27th Avenue), which keep the incompatible land uses away from residential neighborhoods. Primary uses include engine repair and rebuilding; waste management, metalworking, and chemical manufacturing with scrap and recycling yards have a large presence.

Summary:

The PCD has viewed the long standing issues in this area and have worked diligently to create an alternative narrative for the area in which to maximize the usage of the area and create a cleaner more economically competitive district with the goal of establishing a viable economic engine for the reinvigoration of a long challenged area for the benefit of the City and its residents. Together, the PCD staff has drafted language to provide the zoning regulations that afford the transformation of this area into the Taqnia (Arabic for Technology) Innovation District. It is the intent of the department to establish a corridor which encourages more tech based businesses in which can capitalize on our strategic location for logistics purposes, ample lot sizes, and adaptive regulations. The benefit to the city is an increase in positive business activity, improved local commerce, an increase in tax revenue generated by new businesses, and the incorporation of a small business incubator which will provide educational and career opportunities for the utilization of our residents. To establish such a district within an area as challenged as this is a very delicate task and process. The City must strategically plan a very transparent and inclusive process carrying out this ambitious task. The City must implement legislations appropriate to limiting the current activities, incorporate new standards and establish fruitful relationships with the cooperation of local partners in order to bring about the full realization of this new district. The City must consider the following in order to maintain good public relations by administering and applying the following principles:

- The addition of verbiage for the inclusion of innovative/technology based uses.
- The needs of all current businesses should be assessed such that appropriate advance notice is given and clearly defined alternative options are allotted for redevelopment.

- The cooperation of the various news media should be sought in publicizing the existence of and reasons for such action because news releases can assist in keeping the tenants and residents well informed.
- The needs of abutting property owners, residents, and businesses should be assessed and appropriate accommodations made.
- The incorporation of partnerships in specific areas to create a viable ecosystem for such a district to have a sustainable base in which to thrive.

Therefore, the Planning and Community development is recommending the following to take place in order to proceed with the establishment of the Taqnia Innovation District: amending the City of Opa-locka Land Development Regulations. Article IV. To add the following:

Section 22.101: Taqnia Innovation District *(see attached draft amendment)*

Cc. Gerald J. Lee, Zoning Official

END OF MEMORANDUM

Google Maps

Location of Tagma Innovation District - District Anchors



Imagery ©2019 Google, Map data ©2019 Google 200 ft

* Potential anchors can provide an identity and a core in which the district can evolve into. The aforementioned properties shall act as cornerstones of the district.

JHS - Jackson Hospital (urgent care facility)
I - Old Police Station (Incubator)
MC - New Development (Medical facilities/Research)
FM - Farmers Market

Planning & Community Development
Department

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054



Gregory D. Gay, Director

Phone: (305) 953-2868, Ext. 1503
Fax: (305) 953-3060

September 14th, 2021

**RE: Future Projects and Programs from the 2011 OCRA Redevelopment Plan:
Technology Innovation District in Opa-locka**

BACKGROUND

In 2011, the City of Opa-Locka adopted the [Opa-Locka Community Redevelopment Plan](#) (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land. In 2015, the OLCRP was followed by more advanced planning effort that culminated in the [Sustainable Opa-Locka 2030 Comprehensive Development Master Plan](#) (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Opa-Locka Commerce Area (OCA) as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength. Both the OLCRP and the SOCDMP advanced the idea of implementing a special district designation in Opa-Locka's Commerce Area in order to revitalize a depressed and underutilized segment of the City.

WHY FOCUS ON THE OPA-LOCKA COMMERCE AREA?

Opa-Locka Commerce Area (OCA) offers an array of commercial and industrial properties, excellent access to regional rail service, major highways and corridors, a mix of uses, and a walkable urban form. However, the area also suffers from disinvestment, high levels of heavy industrial uses such as engine repair and rebuilding; waste management, metalworking, and chemical manufacturing, poor infrastructure, and a handful of other issues, some of which can be partially attributed to Opa-Locka's decade's long issue with zoning and implementation of ordinance issues. The concept of an Innovation District specifically focuses on the Opa-Locka Commerce Area, a potential economic engine for the city, to ensure that targeted improvements will have far-reaching effects on the economic well-being of the residents of Opa-Locka.

WHAT IS THE OPA-LOCKA INNOVATION DISTRICT?

PCD staff has been working to expand the uses of the Opa-Locka Commerce Area (OCA) into an Innovation District in which can be a pillar of new job creation and residential retention in our city. The proposed Opa-locka Innovation District (The parameters will be between 22nd avenue to the east, 27th avenue to the west, 151st street to the north and Ali Baba Avenue to the south) is a collaborative land-use planning initiative aimed at the redevelopment of the OCA. The City of Opa-locka is seeking to update zoning regulations that govern the rehabilitation and development that occurs in the OCA. The rezoning would enable more innovative tech based businesses and mixed use commercial development and ensure that land in this area is redeveloped to its a highest and best use, not only improving the area of the OCA but also ensuring the greatest level of fiscal productivity. Similar to the Wynwood Arts District in Miami and Fat Village Arts District in Ft. Lauderdale, a new special district designation could be developed for the area utilizing city owned properties (i.e. the former Opa-Locka Police Station) as a cornerstone for the new district.

EDUCATIONAL AND CAREER DEVELOPMENT OPPORTUNITIES (TECHICAL/VOCATION, SMALL BUSINESS INCUBATOR)

One of our CRA initiatives is to create a small business/technology incubator program to facilitate educational programs as well as entrepreneurship courses and resources, all to promote organic job creation and business retention in our City. PCD/CRA staff has been taking a look at the former Opa-locka police headquarters to propose an adaptive reuse for the facility to promote the creation of a technology and innovation center as part of the initiatives of the Opa-locka Community Redevelopment Agency [OCRA]. Staff has provided supporting documentation on the Former Police HQ, the Innovation District, and the Proposed Innovation Facility information along with this letter. In cultivating educational and entrepreneurial opportunities (Possible STEM Program) in Opa-locka, we are seeking to redevelop the former police headquarters into a Tech Innovation Facility. At current, Opa-locka does not have a Middle School or High School and only two Elementary Schools, in a community that has wrestled with poverty and crime which is a few of the adverse effects of a lack of access to equitable education. PCD staff has previously engaged in healthy conversations with representatives of MDCPS/Miami Dade College, the Opa-locka Community Development Corporation, and the Beacon Council in regards to the possibility of cultivating a technical/vocational training program. An example of a particular program would be one utilizing our vast reserves of Junk Vehicles and Parts which litter our City. The program would serve as a means of not only cleaning up the City's image but providing an opportunity for the students in the area to utilize something negative in their backyard to create products or learn to provide a service.

Please note, we are excited about the prospect of creating new opportunities for our residents and look forward to move this community forward. If you have any questions or concerns, please contact the Planning and Community Development Department for the Innovation District and Facility at 305-953-2868, ext. 1501.

If additional information is needed, please advise.

Thank you for helping make our City Great!

Sincerely,

Gregory D. Gay, Director,
Planning & Community Development Department

CC: Corion J. DeLaine, City Planner
Gerald Lee, Zoning Official
Kinshannta Hall, Administrative Assistant

Planning & Community Development Department

SECOND READING ORDINANCES / PUBLIC HEARINGS

1st Reading/Public Hearing:

2nd Reading/Public Hearing:

Adopted:

Effective Date:

Sponsored By: Commissioner Bass

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COMMISSION OF
THE CITY OF OPA-LOCKA, FLORIDA,
DESIGNATING CURTISS DRIVE FROM SULTAN
AVENUE TO HAREM AVENUE AS COMMISSIONER
ALVIN BURKE DRIVE; PROVIDING FOR A
REPEALER; SEVERABILITY AND EFFECTIVE DATE.**

WHEREAS, Commissioner Alvin Burke, who passed away on August 4, 2021, was elected to the City of Opa-Locka City Commission in 2018; and

WHEREAS, to recognize Commissioner Burke's contributions to the community, the City of Opa-Locka ("City") desires to designate Curtiss Drive (from Sultan Avenue to Harem Avenue) as "Commissioner Alvin Burke Drive"; and

WHEREAS, Commissioner Alvin Burke dedicated his life to the City of Opa-Locka where he served as the President of the Opa-Locka Booster Club, led food and toy drives for the community, and served as a faithful City Commissioner; and

WHEREAS, the City of Opa-Locka finds that it in the best interest of the City to honor Commissioner Alvin Burke by designating Curtiss Drive as Commissioner Alvin Burke Drive.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS

The recitals to the preamble herein are incorporated by reference.

SECTION 2. ADOPTION

The City Commission of the City of Opa-Locka hereby approves the designation of Curtiss Drive from Sultan Avenue to Harem Avenue as "Commissioner Alvin Burke Drive."

SECTION 3. INSTRUCTIONS TO CITY CLERK

The City Clerk is directed to transmit a copy of this Ordinance to Miami-Dade County Mayor and to the Miami-Dade County Board of County Commissioners for consideration.

SECTION 4. SCRIVENOR'S ERRORS

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

SECTION 5. SEVERABILITY

If any clause, section, or other part or application of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or application of this Ordinance.

SECTION 6. CONFLICT

All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, are hereby repealed.

SECTION 7. CODIFICATION

This Ordinance shall be codified in the Code of Ordinances when the code is recodified.

SECTION 8. LIBERAL CONSTRUCTION

The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

SECTION 9. EFFECTIVE DATE

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka and upon a filing of a certified copy hereof with the Florida Department of State, if necessary, and is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this _____ day of _____, 2021.

PASSED SECOND READING this ____ day of _____, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P. A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____
Commissioner Davis	_____
Commissioner Taylor	_____
Vice-Mayor Williams	_____
Mayor Pigatt	_____



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at the Regular Commission Meeting on **Wednesday, December 8, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CURTISS DRIVE FROM SULTAN AVENUE TO HAREM AVENUE AS COMMISSIONER ALVIN BURKE DRIVE; PROVIDING FOR A REPEALER; SEVERABILITY AND EFFECTIVE DATE (first reading/public hearing held on November 10, 2021).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REVIEW FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

All interested persons are encouraged to participate and will be heard with respect to the public hearing.

Additional information on the above item may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on Wednesday, December 8, 2021.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka



CITY OF OPA-LOCKA NOTICE OF OPA-LOCKA CITY COMMISSION VACANCY

The City of Opa-locka (the "City") is seeking to fill a vacancy in the City Commission resulting from the resignation of Mayor Matthew A. Pigatt on November 10, 2021.

At the November 17, 2021 Special Commission Meeting, the City Commission directed the City Clerk to issue a Notice of City Commission Vacancy to provide an opportunity for all interested individuals to apply for consideration.

Pursuant to City Charter Section 2.7(c), the City Commission has 30 calendar days following the occurrence of the vacancy to fill the vacant City Commission position.

In accordance with City Charter Section 5.1, each applicant shall be a qualified elector of the City residing in the City for more than 365 days prior to the date of application.

The individual appointed to the City Commission will serve until November 2022.

In order to be considered for appointment, applicants must submit the following:

- A completed application, which is available at the Office of the City Clerk, or on the City's website (www.opalockafl.gov);
- Letter of interest (please limit to not more than one page);
- Current resume;
- City of Opa-locka Oath

The Office of the City Clerk will compile the applications to fill the City Commission vacancy. Applications can be submitted via:

- Hand delivery to the Office of the City Clerk at Opa-locka City Hall, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054; or
- Email to jflores@opalockafl.gov

The deadline to apply is 4:00 p.m. on Friday, December 3, 2021.

The City Commission will consider qualified applicants to fill the vacant City Commission seat at the Regular Commission Meeting on Wednesday, December 8, 2021 at 7:00 p.m., in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, FL 33054. All applicants and interested parties are encouraged to attend.

Applications forms for appointment to the City Commission are available at www.opalockafl.gov. For more information, please contact the Office of the City Clerk at 305.953.2800 or by email at jflores@opalockafl.gov.

Joanna Flores, City Clerk
City of Opa-locka



**City of Opa-locka
Agenda Cover Memo**

City Manager:	John E. Pate		CM Signature:				
Commission Meeting Date:	11.10.2021		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance X	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X		Public Hearing: <i>(Enter X in box)</i>	Yes X	No	Yes X	No
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex:		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
				X			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bid#:				
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No X	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communcation ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
Sponsor Name	Commissioner Sherelean Bass		Department: City Commission				

Short Title:

An ordinance of the City Commission of the City of Opa-locka, Florida designating Curtiss Drive from Sultan Avenue to Harem Avenue as Commissioner Alvin Burke Drive.

Staff Summary:

Staff finds it appropriate to designate a street in recognition of the late Commissioner Alvin Burke for his support to the City of Opa-locka during his tenure as an Elected Official of the City.

Financial Impact

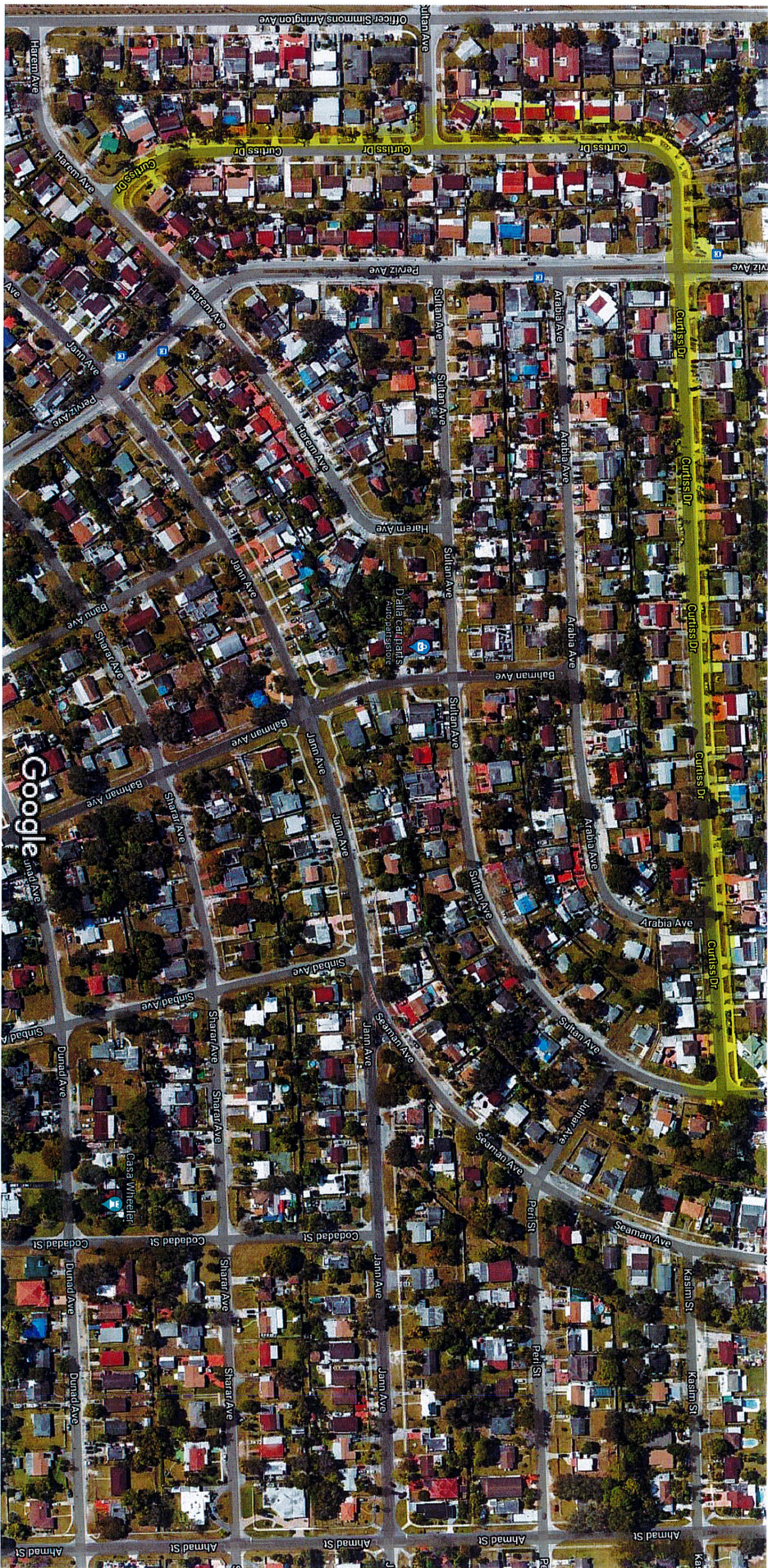
This project will be funded as follows from the Roads & Streets division:

Account	Description	Available	Project	Remaining Balance
41-541530	Road Materials & Supplies	\$21,500	\$4,000	\$17,500

Proposed Action:

Approve legislation and forward a copy to Miami-Dade Board of County Commissioners for consideration.

Attachment:



Imagery ©2021 Maxar Technologies, Sanborn, U.S. Geological Survey, Map data ©2021 200 ft

RESOLUTION

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPOINTING _____ AS A MEMBER OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO FILL THE VACANCY ON THE CITY COMMISSION CREATED AS A RESULT OF MAYOR MATTHEW A. PIGATT'S RESIGNATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 10, 2021, Matthew A. Pigatt resigned as Mayor of the City of Opa-locka, Florida; and

WHEREAS, Article II, Section 2.7 (C)(2), of the City Charter requires the City Commission to fill the vacancy by appointment within 30 days of the event creating the vacancy; and

WHEREAS, pursuant to Article II, Section 2.2 of the City Charter, the City Commission finds that _____ is a qualified elector of the City of Opa-Locka, Florida; and

WHEREAS, the City Commission finds that it is in the best interest of the City to appoint _____ to serve on the City Commission and fill the vacancy created as a result of Mayor Matthew Pigatt's resignation.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. The City Commission of the City of Opa-Locka hereby appoints _____ as a member of the City Commission of the City of Opa-Locka to fill the vacancy created resulting from the resignation of Mayor Matthew A. Pigatt.

Section 3. _____ shall serve a term pursuant Article

Resolution No.

II, Section 2.7(C)(2) of the Charter of the City of Opa-Locka, Florida, until the next regularly scheduled Miami-Dade County-wide election.

Section 4. 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 City Manager or the City Manager's designee, without the need of a public hearing, by filing a corrected copy of same with the City Clerk.

Section 5. This Resolution shall take effect immediately upon adoption and is subject to the approval of the Governor or his designee.

PASSED AND ADOPTED this 8th day of December, 2021.

Veronica J. Williams, Mayor

Attest to:

Approved as to form and legal sufficiency:

Joanna Flores
City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by:

Seconded by:

VOTE:

Commissioner Bass
Commissioner Davis
Vice-Mayor Taylor
Mayor Williams



CITY OF OPA-LOCKA NOTICE OF OPA-LOCKA CITY COMMISSION VACANCY

The City of Opa-locka (the “City”) is seeking to fill a vacancy in the City Commission resulting from the resignation of Mayor Matthew A. Pigatt on November 10, 2021.

At the November 17, 2021 Special Commission Meeting, the City Commission directed the City Clerk to issue a Notice of City Commission Vacancy to provide an opportunity for all interested individuals to apply for consideration.

Pursuant to City Charter Section 2.7(c), the City Commission has 30 calendar days following the occurrence of the vacancy to fill the vacant City Commission position.

In accordance with City Charter Section 5.1, each applicant shall be a qualified elector of the City residing in the City for more than 365 days prior to the date of application.

The individual appointed to the City Commission will serve until November 2022.

In order to be considered for appointment, applicants must submit the following:

- A completed application, which is available at the Office of the City Clerk, or on the City’s website (www.opalockafl.gov);
- Letter of interest (please limit to not more than one page);
- Current resume;
- City of Opa-locka Oath

The Office of the City Clerk will compile the applications to fill the City Commission vacancy. Applications can be submitted via:

- Hand delivery to the Office of the City Clerk at Opa-locka City Hall, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054; or
- Email to jflores@opalockafl.gov

The deadline to apply is 4:00 p.m. on Friday, December 3, 2021.

The City Commission will consider qualified applicants to fill the vacant City Commission seat at the Regular Commission Meeting on Wednesday, December 8, 2021 at 7:00 p.m., in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, FL 33054. All applicants and interested parties are encouraged to attend.

Applications forms for appointment to the City Commission are available at www.opalockafl.gov. For more information, please contact the Office of the City Clerk at 305.953.2800 or by email at jflores@opalockafl.gov.

**Joanna Flores, City Clerk
City of Opa-locka**

AUDREY
DOMINGUEZ

November 29, 2021

To whom it may concern:

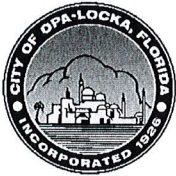
I am interested in serving the City Commission because I have always had a passion for this city and our community. I would like to be the voice for the residents to make them feel heard, the businesses so they feel welcomed, and most importantly the elderly to ensure they feel supported. If I were appointed as the next commissioner of Opa-Locka, I would bring diverse viewpoints and assist in helping the city come together as a united community, keeping our city government transparent, accountable, and responsible.

I have been a resident of Opa-Locka since 1994. I moved to the city with my husband and two daughters who both attended Opa-Locka elementary. My husband and I opened a very well-known restaurant called Mama Dolores Cafeteria on Alibaba Avenue. I remember watching the city commissioner meeting on television and wanting to know more about the city. As a resident and business owner, I was always interested in getting involved in the community. So, I finally decided to run for commissioner in 2018 and again in 2020. I wanted to be the voice for the residents, bring change, and inclusion to the community. Although I did not win, I did grow and learn more about the city and what it means to serve on the city commission.

I continue to stay active in community topics and events. I also take great pride in my role as a community activist. I've had the pleasure of meeting great people in the process and have built amazing relationships with residents within the community. In 2019, I participated in a Valentine's Day event at the Archbishop center where I did hair and makeup for the elderly residents. And during the pandemic, I picked up food from Ministerio Renuevo church's food bank to deliver to those in need within the community that did not have transportation or capability of picking up necessary food items for themselves. I am currently on the Planning and Zoning Board, and Community Action and Human Services board. I also participated in the 'Conga Loca' event sponsored by Vice Mayor Taylor during Hispanic Heritage month and participated as a panelist for the most recent event called 'Guns Down Bible's up' hosted by Commissioner Sherelean Bass, which was a great event. I attend most city meetings in person or remotely to stay informed. By attending, I can keep the residents informed of any upcoming activities via social media platforms or by phone.

Lastly, I would like to thank you for taking the time to read my letter of interest and for your consideration in the role as the next city commissioner. I am certain I will be a wonderful asset to the city commission. and I will bring great things to the role with my experience, active role in the community, and passion for the city and residents.

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CITY OF OPA-LOCKA

CITY COMMISSION VACANCY APPLICATION

This application form is required as part of the City Commission Vacancy application submittal. The completed application MUST accompany your letter of interest, current resume, and City of Opa-locka oath. See the Notice of Commission Vacancy for additional information.

<u>Dominguez</u>	<u>Audrey</u>		
Last Name	First Name	Middle Initial	
<u>1147 Jann Ave</u>	<u>Opa-Locka</u>	<u>Fl.</u>	<u>33054</u>
Home Address	City	State	Zip Code
<u>(305) 807-7676</u>	<u>audreydominguez@hotmail.com</u>		
Cellular Telephone	Email Address		
<u>Miami Dade College</u>	<u>Office Manager</u>		
Business Name	Occupation		
<u>11380 N.W. 27th Ave</u>	<u>Miami</u>	<u>Fl.</u>	<u>33167</u>
Business Address	City	State	Zip Code

- Have you been a resident of Opa-locka for a minimum of one year? ☒ Yes ☐ No
- Are you registered voter in Opa-locka? ☒ Yes ☐ No
Florida Voter Registration Number (located on your voter information card):
109204935
- Have you ever been convicted of a felony? ☐ Yes ☒ No
- How long have you lived in Opa-locka? 25 Years
- Have you served on any City of Opa-locka Board(s) or Committee(s)? ☒ Yes ☐ No

If yes, which Board(s) or Committee(s)? Planning & Zoning

Community Action and Human Services

Conga Loca Hispanic Festival

- What were your contributions to the Board(s) or Committee(s)? Vote on agenda items regarding business that will improve the beautification of our city. Bring back information to residents regarding grants between \$2,500-\$10,000 for projects to improve the civic health of the community, housing Education, Economic Development and Community Safety. Conga Loca Festival, assisted with Promotion, calling residents and business to come to the event.

- Why are you interested in serving on the City Commission? I am interested in serving on the city commission because I have always had a passion for this city and our community. I would like to be the voice for the residents to make them feel heard, the businesses so they feel welcomed, and most importantly the elderly to ensure they feel supported. If I am appointed as the next commissioner of Opa-Locka, I would bring diverse viewpoints and assist in helping the city come together as a united Community. Keep our city Government ,transparent, accountable and responsible.
- How does your education and/or experience complement the powers and duties of the City Commission? with my degree in Criminal Justice I can assist the Chief of Police in insuring the Safety of our residents by creating a neighborhood watch program that will include residents and businesses. I also have a degree in Human Resources Business which has helped me select the best candidates from working entry level positions in my department,some have been promoted to upper management and or Directors.
I can assist the Human Resource Director when ever needed.

I HEREBY ATTEST TO THE ACCURACY AND TRUTHFULNESS OF THIS APPLICATION

Audrey Dominguez
Applicant's Signature

11/29/2021
Date

NOTE:

The completed application MUST accompany your letter of interest, current resume, and City of Opa-locka oath and MUST be submitted by the deadline: **4:00 p.m. on Friday, December 3, 2021**

The completed application along with all accompanying materials may be submitted via:

- Email to jflores@opalockafl.gov
- Hand delivery to the Office of the City Clerk, 780 Fisherman Street, 4th Floor, Opa-locka, Florida 33054

Pursuant to Chapter 119, Florida Statutes, this application including all documents attached to it is a public record. The materials provided will be posted on the City Clerk's webpage and will be available for inspection. If you are an individual listed in Section 119.071, F.S. whose home address is exempt from disclosure, the City Clerk will maintain that confidentiality if you submit a written request.

AUDREY DOMINGUEZ

305.807.7676

Audreydominguez@hotmail.com

PROFESSIONAL PROFILE

Over years of dynamic experience in the Management, Operations, Human Resources, Social and Customer Service fields. Educated professional offering successful leadership. Motivated achiever, who is recognized for combining program excellence, integrity, and innovation with best practice and disciplined attention to achieving immediate and long-term goals and objectives, specialized in Quality Assurance, Human Resources budget management and quality control. Strong time management and communications Comfortable managing multiple projects and able to work in a fast paced environment. Leadership and training skills; ability to work independently. Experience in with extensive knowledge of several assistance programs. Extensive experience working in general public, educational, and office settings. Interface well with others at all levels including patrons, professional, youth and students.

♦ Areas of Expertise ♦ Experience gain through MBA Program ♦

- Quality Assurance
 - Accounts Payables and Receivables
 - Asset Management and Disposition
 - Records Examinations
 - Financial Systems
 - Management Procedures
-

Education and Professional Development

Bachelors of Science. Criminal Justice Administration 2009
Miami Dade College, Miami, Fl

Associate in Arts. Criminal Justice, 2005
Miami Dade College, Miami, Fl

College Credit Certificate. Business Specialist Human Resources 2010
Miami Dade College, Miami, Fl.

Private Investigator 2014
Miami Dade College

Mental Health First Aid USA 07/19/2021

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PROFESSIONAL EXPERIENCE

Office Manager, Miami Dade College, Miami, FL

10/01-Present

Provided diversified information services and research assistance to the general public.

Supervises a moderate size clerical staff which may be engaged in diversified activities. Performs accounting and/ or maintenance of budget controls. Plans, schedules and coordinates the activities of a clerical staff to staff to ensure timely completion of work assignments. Process employee payroll, maintain personnel file, assist supervisor, and Registrar whenever needed. Performs advanced clerical work that requires high degree of independent judgment, research and/or analysis. Carries out supervisory responsibilities in accordance with the organizations' policies and applicable laws. Interviews, hires and trains employees. Process transient student form via facts.org. Assist student and staff with holds, for transcripts or other issues. Process high school and college transcripts, Assist with the admissions & registration process for students to determine Florida residency. Assisting in the registration area to process applications and process Registration transaction. Supervise the part-time and student assistant staff at the switchboard. Assist with petitions & grade changes.

Children's Trust Grant Clerk, Miami Dade College, Miami, FL.

Part-time 04/05/10-08/05/11

File, answer phones, sorts incoming mail, and delivers outgoing mail, prepare and processes all necessary forms, including request for personnel Action, equipment requisition, performed payroll for part time staff, types correspondence and reports for the department maintain files and supports the individual requisition, assist with coordination of special events, assist Director with special projects, performs other duties as assigned.

Part-time tutor for the Continued Education Dept.

Miami Dade college

Part-time 07/25/11-11/25/11

Serves as role model and motivates students to achieve and assist with their academic needs, attends all tutors trainings and required meetings, completes tutoring reports, monitors students' progress, guides students to use the educational software at the labs, performs other duties as assigned.

Human Resources Officer, Associated Grocers of FL, Miami, FL

10/99-03/01

Provided diversified information services and research assistance to the general public.

Provides establishment personnel assistance in identifying, evaluating, and resolving human relations and work performance problems within establishment to facilitate communication and improve employee human relations skills and work performance: Talks informally with establishment personnel and attends meetings of managers, supervisors, and work units to facilitate effective interpersonal communication among participants and to ascertain human relations and work related problems that adversely affect employee morale and establishment productivity. Evaluates human relations and work related problems and meets with supervisors and managers to determine effective remediation techniques, such as job skill training or personal intervention, to resolve human relations issues among personnel. Develops and conducts training to instruct establishment managers, supervisors, and workers

in human relation skills, such as supervisory skills, conflict resolution skills, interpersonal communication skills, and effective group interaction skills. Schedules individuals for technical job-related skills training to improve individual work performance.

Credit Manager Assistant, H.T. Hackney Co., Miami, Fl

10/96-04/99

Analyzes credit information to determine risk involved in lending money to commercial customers, and prepares report of findings: processed payments to customer's accounts, daily balance of customer accounts, called past due customers. Assisted credit manager to determine accounts that were past due and placed on credit hold. Processed credits, sent out statements, Selects information, including company financial statements and balance sheet and records data on spreadsheet, using computer. Writes offering sheet (loan application), including results of credit analysis and summary of loan request. May visit company to collect information as part of analysis.

Branch Service Department, Citibank, Miami, Fl

07/95-09/96

Processed daily suspicious transaction reports, monitoring accounts, conducted comprehensive research on the customers' accounts, insured that the bank policy and procedures were being followed. Sent requests for information to account officers at different bank locations to acquire deposit information regarding customer account. Maintained accurate tracking of assignments and request for documentation and insured of proper tracking of deadlines, as well as following up of pending items. Prepared finding report once I received the proper documentation from bank officer and processed a suspicious transaction report to be sent to the Internal Revenue Service. Received daily customers checks sent via mail to be deposited into customers' accounts. Assisted supervisor with deadlines as needed.

Skills

Advance knowledge of Spanish. Proficient in Computers, Microsoft Office, Staff training, supervision, budgets, interviewing and career development, total quality management, communication, case management, small business management.

Volunteer work

12/2011

Black Global Bikers Club: MC for the children's toy drive, organize, set up, and distributes toys to children with disabilities.

United Way: Promote and organize fund raiser drives to meet department goals. 12/01-Present



CITY OF OPA-LOCKA OATH

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me, an officer authorized to administer oaths, personally appeared Audrey
Dominguez to me well known who, being sworn, says that he/she is seeking
appointment to the Office of City Commissioner for the City of Opa-locka, Florida; that he/
she is a qualified elector of said City residing within the City at least one year before
applying for this office; that his/her legal residence is:

1147 Jann Avenue

Opa-locka, Miami-Dade County, Florida; that he/she is qualified under the ordinances
and Charter of said City to hold such office.

Audrey Dominguez
Signature of Candidate

Sworn to (or affirmed) and subscribed before me this 29th day of November, 2021,
by Audrey Dominguez.

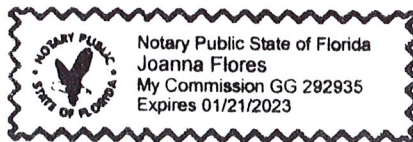
(NOTARY SEAL)

Joanna Flores
Signature of Notary Public-State of Florida

Joanna Flores
Name of Notary Typed, Printed, or Stamped

Personally Known ✓ OR

Produced Identification _____
Type of Identification Produced _____



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ROSE TYDUS

ROSE TYDUS

1101 Dunad Avenue • Opa-locka, Florida 33054 • 786-277-8148 • rosetydus@bellsouth.net

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November 29, 2021

Mayor & City Commission
City of Opa-locka
780 Fisherman Street
Opa-locka, Florida 33054

Dear Mayor Veronica Williams & City Commission:

The City of Opa-locka has been plagued with challenges for many years. Lack of stability being high on the list of reasons, is the reason you are seeking to fill a Commission vacancy. I further understand you have received many resumes to fill this position. Mine is one more, but I do possess experience that is hard to come by and sets me part from my peers.

My 20-year public administration experience plus entrepreneur skills and experience gives me the unique ability to apply basic management, in all its forms to business processes. Some of my business knowledge include, accounting, budgeting, vendor management, administration and various operational processes. I also have experience in fund raising, public relations and conflict resolution.

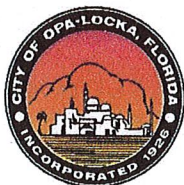
I have managed real estate and founded and served as CEO of several non-profit organizations and projects. I am a relentless volunteer – a quality that should be required of every public servant.

I look forward to your consideration for the opportunity to fill the vacancy resulting from the resignation of Mayor Matthew Pigatt on November 10, 2021.

Sincerely,



Rose Tydus



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OFFICE OF THE CITY CLERK

**CITY OF OPA-LOCKA
CITY COMMISSION VACANCY APPLICATION**

2021 DEC -1 PM 4: 18

This application form is required as part of the City Commission Vacancy application submittal. The completed application MUST accompany your letter of interest, current resume, and City of Opa-locka oath. See the Notice of Commission Vacancy for additional information.

TYDUS

ROSE

Last Name

1101 DUNAD

First Name

OPA-LOCKA FL

Middle Initial

33054

Home Address

City

State

Zip Code

786-277-8148

rosetydus@bellsouth.net

Cellular Telephone

Email Address

MS SENIOR FLORIDA

CEO

Business Name

Occupation

1101 DUNAD

OPA-LOCKA

FL

33054

Business Address

City

State

Zip Code

- Have you been a resident of Opa-locka for a minimum of one year? ☒ Yes ☐ No

- Are you registered voter in Opa-locka? ☒ Yes ☐ No
Florida Voter Registration Number (located on your voter information card):

108916704

- Have you ever been convicted of a felony? ☐ Yes ☒ No

- How long have you lived in Opa-locka? **23 Years**

- Have you served on any City of Opa-locka Board(s) or Committee(s)? ☒ Yes ☐ No

If yes, which Board(s) or Committee(s)

Community Relations Board;

Planning and Zoning Board; CRA Board; Elected by Citizens to Serve on Governor's "Front Porch Initiative."

- What were your contributions to the Board(s) or Committee(s)?

Contributions to **COMMUNITY RELATIONS BOARD**-Experience in Conflict Resolution, Public Relations & Performing Arts; **PLANNING & ZONING BOARD & CRA BOARD**-Experience Gained as an Elected Official and City Clerk to Understand Planning, Development & Zoning Issues & Process. Referred to by residents as the "Voice of Reason."

- Why are you interested in serving on the City Commission? _____

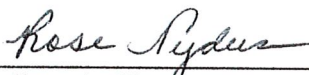
I would cherish the opportunity to fulfill my vow to God made in 1976, the words of the prophet Isaiah, "Here am I, send me." I cannot leave this City until He has completed His work of glorifying himself in the City where no one believes positive change can occur. I desire to yield my gifts, skills, wisdom and love for the City and its residents as instruments to be utilized and joined with the efforts of the current legislators and administration who appear to have the same vision.

- How does your education and/or experience complement the powers and duties of the City Commission? _____

PRACTICAL EXPERIENCE:

Faithfully and honorably served a combined 20 years as a City Official in the City of Opa-locka: Appointed Official (**City Clerk**) 1976-1989 and Elected City Official (**City Commissioner/Vice Mayor**) 2000-2012

I HEREBY ATTEST TO THE ACCURACY AND TRUTHFULNESS OF THIS APPLICATION


Applicant's Signature

11/29/2021
Date

NOTE:

The completed application **MUST** accompany your letter of interest, current resume, and City of Opa-locka oath and **MUST** be submitted by the deadline: **4:00 p.m. on Friday, December 3, 2021**

The completed application along with all accompanying materials may be submitted via:

- Email to jflores@opalockafl.gov
- Hand delivery to the Office of the City Clerk, 780 Fisherman Street, 4th Floor, Opa-locka, Florida 33054

Pursuant to Chapter 119, Florida Statutes, this application including all documents attached to it is a public record. The materials provided will be posted on the City Clerk's webpage and will be available for inspection. If you are an individual listed in Section 119.071, F.S. whose home address is exempt from disclosure, the City Clerk will maintain that confidentiality if you submit a written request.

RESUME

RESUME CAPSULE

Eight years' experience as City Clerk, twelve years' experience as an elected official of municipality, with exceptional management skills, production efficiency, leadership, excellent records management, public relations, conflict resolution and communication (written & verbal) skills

OBJECTIVE

A position offering an opportunity to utilize my knowledge and experience in public administration, management, public relations and conflict resolution

EXPERIENCE

2016 – PRESENT

STATE PAGEANT DIRECTOR, Ms Senior Florida Pageant, Inc. (Non-profit)
Responsible for the creation and implementation of the organization's vision, mission and overall direction, including lead, guide and evaluate executive leaders and create an organization that will grow and flourish.

2010 - PRESENT

FOUNDER/CEO, Troph Cards, Christian Greeting Cards

2006 - 2010

EXECUTIVE DIRECTOR, A Women's Pregnancy Center, North Miami, Florida: Responsible to the Board of Directors for the proper administration for all affairs of the organization. Supervised staff of 4, developed training curriculum and trained volunteers; developed and implemented yearly budget; editor of monthly newsletter; coordinated annual fundraising event

2002 - 2006

CHURCH ADMINISTRATOR & YOUTH DIRECTOR, Stanton Memorial Baptist Church, North Miami, Florida: responsible for daily operation of church office and support staff under the direction of the pastor; property manager of rental properties; responsible for creation of church newsletter; plan, supervise, promote and evaluate ministries for the youth

2000 – 2012

CITY COMMISSIONER/VICE MAYOR, City of Opa-locka, Florida
All powers of the city and the determination of all matters of policy, as vested in the office of City Commissioner and governed by the City Charter and Code of Ordinances.

1986 - 2002

EXECUTIVE DIRECTOR, Opa-locka Rescue Mission (Non-profit), Opa-locka, Florida: Responsible to Board of Directors for proper administration of all affairs of the organization. Created and supervised all ministry programs including evangelistic outreach, food and clothing distribution, manager of thrift store operations and community service; editor of monthly newsletter and fundraising campaign literature

1976 - 1984

CITY CLERK, City of Opa-locka, Florida: Supervisor of Elections; certify, record and maintain all permanent official records and archives of the

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City; responsible for preparation of City Commission Agenda; provide clerical assistance to Mayor & City Commission; performed public relations duties for the City and coordinated special events.

EDUCATION

Attended South Milwaukee Technical College, South Milwaukee, WI

PERSONAL INTERESTS

Performing Arts, Travel, Music, Writing, Cooking, Teaching the Bible

COMMUNITY SERVICE:

Current Member of Opa-locka Planning Council; Current Member of Opa-locka CRA Board; Former Member of Opa-locka Community Relations Board; Facilitator of Neighbors & Friend Initiative – City of Opa-locka; Coordinator Roof Top Prayers – City of Opa-locka; Mentor to Cadets (aged 15-25) at Miami Dade County Boot Camp; Motivational Speaker

REFERENCES UPON REQUEST



CITY OF OPA-LOCKA OATH

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STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me, an officer authorized to administer oaths, personally appeared Rose Tydus
_____ to me well known who, being sworn, says that he/she is seeking
appointment to the Office of City Commissioner for the City of Opa-locka, Florida; that he/
she is a qualified elector of said City residing within the City at least one year before
applying for this office; that his/her legal residence is:
1101 Donad Ave, Opa-locka, FL 33054
Opa-locka, Miami-Dade County, Florida; that he/she is qualified under the ordinances
and Charter of said City to hold such office.

Rose Tydus

Signature of Candidate

Sworn to (or affirmed) and subscribed before me this 1st day of December, 2021,
by Rose Tydus

(NOTARY SEAL)

Joanna Flores

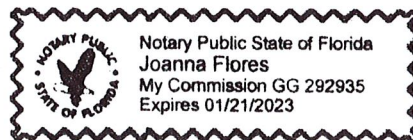
Signature of Notary Public-State of Florida

Joanna Flores

Name of Notary Typed, Printed, or Stamped

Personally Known ☒ OR

Produced Identification _____
Type of Identification Produced _____



DOROTHY JOHNSON

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CITY OF OPA-LOCKA
OFFICE OF THE CITY CLERK
2021 DEC -2 AM 10:33

City of Opa-locka Commission
780 Fisherman Street 4th Floor

Opa-locka, FL 33054

December 2, 2021

Dear Madam Mayor, Mr. Vice Mayor and City Commission

It has come to my attention that the City Commission is accepting applications to fill the vacancy for Commissioner. I am interested in filling that position. I have been steadfast committed by attending and participating commission meetings, special commission meetings, events, activities, and State of Florida's Financial Emergency Board meetings.

I know there must be many other interested individuals in the community that are inquiring about this vacancy, but I truly feel that I am more qualified than any of them are. I am confident that my experience in federal, state and especially municipal government along with my skills listed in my resume will be an asset to the City Commission.

As you will see on my resume. I have a proven record of achievements, which will allow me to make major contributions to the goals of the City Commission.

Thank you for your time and consideration. I look forward to speaking with you to discuss how my experience and abilities matches the dots as Team Opa-locka moves forward...

Should you have any questions and/or need further assistance please do not hesitate to contact me at 305-303-2718.

Sincerely,



Dorothy "Dottie" Johnson



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CITY OF OPA-LOCKA

CITY COMMISSION VACANCY APPLICATION

This application form is required as part of the City Commission Vacancy application submittal. The completed application MUST accompany your letter of interest, current resume, and City of Opa-locka oath. See the Notice of Commission Vacancy for additional information.

<u>Johnson.</u>	<u>Dorothy "Dottie".</u>	<u>A</u>
Last Name	First Name	Middle Initial
<u>13724 NW 22nd Place.</u>	<u>Opa-Locka</u>	<u>FL</u>
Home Address	City	State
<u>305.303.2718.</u>	<u>Dreamteam777@aol.com</u>	<u>33054</u>
Cellular Telephone	Email Address	Zip Code
<u>United States Postal Service.</u>	<u>Retired</u>	
Business Name	Occupation	
<u>South Florida District Office</u>	<u>Pembroke Pines</u>	<u>FL</u>
Business Address	City	State
		<u>33082</u>
		Zip Code

- ☐ Have you been a resident of Opa-locka for a minimum of one year? ☒ Yes ☐ No
- ☐ Are you registered voter in Opa-locka? ☒ Yes ☐ No
Florida Voter Registration Number (located on your voter information card):
109038537
- ☐ Have you ever been convicted of a felony? ☐ Yes ☒ No
- ☐ How long have you lived in Opa-locka? 46 Years
- ☐ Have you served on any City of Opa-locka Board(s) or Committee(s)? ☒ Yes ☐ No

If yes, which Board(s) or Committee(s)? Audit Committee, Community Relations Committee and Planning & Zoning Appeals Board

- What were your contributions to the Board(s) or Committee(s)?

Audit Committee

Participated in auditor's presentation for fiscal year ending September 30, 2021, discussed auditor's findings and made the necessary recommendations as needed. Reviewed draft proposal of

RFP #21-1115200 for Auditing Services, reviewed three auditing firm applications and made recommendations to the City Commission; which was approved by the city commission.

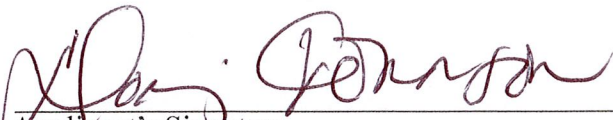
Planning & Zoning Appeals Board

Participated in several public hearings, reviewed applicant applications, and ensured city's policy compliances; made recommendations; which was approved by the city commission

Community Relations Committee (No Meetings)

- Why are you interested in serving on the City Commission? The vacancy allows an opportunity to enhance the city's branding, growth initiatives, financial stability as we restore the trust of the PEOPLE. It's important to move forward with lessons learned. I will bring experience in human resources, mediation, organization development and municipal government. I can offer added values through knowledge and skills to the City Commission. In my observation of the City Commission meetings close up from the Dias and audience; I will fill-in the gap and contribute to the achievement of the priority commitments. Ultimately, our achievements will enhance the quality of life for our residents and the bottom line to businesses. As a result, we are aiming for a beautiful clean safe city, drug-free workplace along with a great place to work, live and have fun in. As a part of the commission, I am committed to tapping additional resources and leverage potential incentives to attract new businesses and urban home ownership. I am open minded with an appreciation of creative ideas for betterment of the community at large. It's important to work together for the same common goals with respect to each other's opinions.
- How does your education and/or experience complement the powers and duties of the City Commission? I am a retired federal employee (USPS). Currently, I served on several local government advisory committees. As a former commissioner in the City of Opa-Locka, I have numerous noteworthy achievements. Currently, most of legislations are being utilized. In addition, I was very active with the League of Cities. At the National convention, I was nominated and elected as the President of Women's in Municipal Government. I was appointed by my colleagues of Commission to be the key person to work with the school board staff on the renaming of Opa-Locka Elementary School to Dr. Robert Ingram Elementary School. I worked closely with the school board Superintendent staff on the drafting of the City of Opa-Locka Educational Compact, which was approved by Miami-Dade Public School Board. Subsequently, I was appointed by Dr, Steve Gallon II to the Diversity, Equity and Excellence Advisory Committee (DEEAC) representing District 1 and elected as Chair of DEEAC. and during my tenure, the committee achieved overwhelming achievements noted in multiple annual reports. In 2009, I was appointed by Commissioner Barbara Jordan to Community Action Agency board representing District 1. I served as Vice-Chair for Miami-Dade County Community Action and Human Services. As District 1 representative, we were able to complete over 82 rehab houses. I was reappointed by Vice Chair Oliver Gilbert III.

HEREBY ATTEST TO THE ACCURACY AND TRUTHFULNESS OF THIS APPLICATION


Applicant's Signature

12/2/21
Date

NOTE: Dorothy Johnson

The completed application MUST accompany your letter of interest, current resume, and City of Opa-Locka oath and MUST be submitted by the deadline: 4:00 p.m. on Friday, December 3, 2021

The completed application along with all accompanying materials may be submitted via:

- Email to jflores@opalockafl.gov
- Hand delivery to the Office of the City Clerk, 780 Fisherman Street, 4th Floor, Opa-Locka,

Pursuant to Chapter 119, Florida Statutes, this application including all documents attached to it is a public record. The materials provided will be posted on the City Clerk's webpage and will be available for inspection. If you are an individual listed in Section 119.071, F.S. whose home address is exempt from disclosure, the City Clerk will maintain that confidentiality if you submit a written request.

Dorothy "Dottie" Johnson

13724 NW 22nd PL Opa-locka, FL
305.303.2718
Dreamteam777@aol.com



Leadership skills are listed below but not limited to:

- Negotiation
- Creativity
- Dedication
- Critical Thinker
- Ability to persuade
- Strategic Thinker
- Determination
- Positive Attitude
- Dedicated
- Quick Learner
- Imaginative
- Disciplined
- Integrity
- Results-driven
- Flexibility
- Believe in continuous learning

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Experience

Job Title/ USPS November 5, 1973 to October 1, 2008 South Florida District

Diversity Manager...Implemented, administered, and monitored district-wide EEO/Diversity policies for United States Postal Service and ensured compliance of Title VII of the Civil Rights

Education

Miami Northwestern Senior High School (Diploma) June 1969
Miami-Dade Junior College (Police Science/Criminology 1970-1974
Postal Management 1976-1978 (Certificate of Completion)
University of Chicago Global Career Development practitioner (Certificate of Completion) 1999
University of Michigan Strategic Marketing (Certificate of Completion) June 1997
Nova Southeastern University Trained and Certified Study of Mediation 2000
Miami-Dade College (Child Development (Certificate of Completion) 2002
Interdenominational Theological Center (Certificate of Theology) Sponsored by Moore House University in Atlanta, GA

Civil/Community Involvements:

Lifetime Member, NAACP Miami-Dade Branch
Member, Live Healthy Miami Gardens Community Committee
Former Chair, The Historic Hampton House Community Trust
Former President, South Florida Chapter Blacks in Government
Founding Member, Dr. Martin Luther King, Jr. Parade & Festivities Committee, Inc.
St. Thomas University, Former Vice Chair Community Alliances
Nominated by Miami-Dade County Board of Commission, The Children's Trust Board of Director
Former PASS Executive, North Dade Middle School
Interim Chair, Florida Black Caucus
Former Regional V Director, Florida After-school Alliance (FASA)
Former Chair, Federal Executive Board
Recipient of the Florida Regional Minority Business Council
Recipient for Advocate of the Year
Keynote Speaker: Miami Job Crop Graduation Ceremonies, Women's History Month Veterans Administration
Conducted Diversity Training I.C.E. Main Facility
Facilitated, School Cross Guard Training for (Opa-locka and Miami Gardens)



CITY OF OPA-LOCKA OATH

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

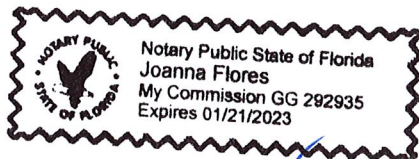
Before me, an officer authorized to administer oaths, personally appeared Dorothy Johnson to me well known who, being sworn, says that he/she is seeking appointment to the Office of City Commissioner for the City of Opa-locka, Florida; that he/she is a qualified elector of said City residing within the City at least one year before applying for this office; that his/her legal residence is:

13724 NW 22 Pl, Opa-locka, FL 33054
Opa-locka, Miami-Dade County, Florida; that he/she is qualified under the ordinances and Charter of said City to hold such office.

[Signature]
Signature of Candidate

Sworn to (or affirmed) and subscribed before me this 2nd day of December, 2021, by Dorothy Johnson.

(NOTARY SEAL)



[Signature]
Signature of Notary Public-State of Florida

Joanna Flores
Name of Notary Typed, Printed, or Stamped

Personally Known ☒ OR

Produced Identification _____
Type of Identification Produced _____

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JOSEPH L. KELLEY

December 2, 2021

To: Mayor and Commission
City of Opa-locka

Re: Letter of Interest

Dear Mayor Veronica Williams
Vice-Mayor John H. Taylor Jr.
Commissioner Sherelean Bass
Commissioner Chris Davis

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I am a citizen of our great city for the last 59 years. I believe my experience as a recent and long time elected official can be a great asset during this time in our city's history. As my resume indicates I have served in and on numerous boards and committees gaining a wealth of knowledge which I believe would be most helpful in moving our diverse city forward.

Having served as an involved community Senior Pastor for the last 32 years in Opa-locka, and with a unique perspective on the challenges our great city is facing, I am fully ready and capable of working together with everyone in unity to help our city reach its potential.

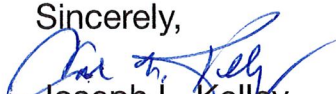
I believe I possess the specialized skills you are seeking which include:

- * Community Oriented(I AM OPA-LOCKA)
- * Social Astuteness
- * Managing Up(communicating)
- * interpersonal Influence(building relationships)
- * Networking
- * Sincerity

I believe the city is at a pivotal time in our history. I know if given the opportunity through your support, we will not only bring about positive change but also write the future pages of our city's future as one of overcoming the odds and becoming the city we all love and know we are, The "Great City of Opa-locka".

Thank you again for your consideration.

Sincerely,


Joseph L. Kelley

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**CITY OF OPA-LOCKA
CITY COMMISSION VACANCY APPLICATION**

This application form is required as part of the City Commission Vacancy application submittal. The completed application MUST accompany your letter of interest, current resume, and City of

Kelley Joseph L
Last Name First Name Middle Initial

Opa-Locka oath. See the Notice of Commission Vacancy for additional information.

Home Address City State Zip Code

485 Dunad Avenue Opa Locka FL 33054

Cellular Telephone Email Address

786-362-1346 josephk1962@yahoo.com

Business Name Occupation

Holy Temple M.B.C. Senior Pastor

Business Address City State Zip Code

2341 N.W. 143 Street Opa- Locka FL 33054

• Have you been a resident of Opa-locka for a minimum of one year? ☒ Yes ☐ No

• Are you registered voter in Opa-locka? ☒ Yes ☐ No

Florida Voter Registration Number (located on your voter information card):

109143179

• Have you ever been convicted of a felony? ☐ Yes ☒ No

• How long have you lived in Opa-locka? 59 Years

• Have you served on any City of Opa-locka Board(s) or Committee(s)? ☒ Yes ☐ No

If yes, which Board(s) or Committee(s)? Planning Board, Parks & Recreation, Advisory Board, CRA Board, Downtown Revitalization Committee, Opa-Locka Clergy Network, City of Opa-Locka Chamber, and the City of Opa-Locka Rotary.

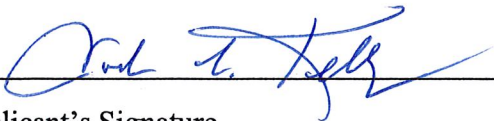
What were your contributions to the Board(s) or Committee(s)? My contributions to all of these I served on were to represent my community with integrity, vision, and innovation in order to bring progress.

Why are you interested in serving on the City Commission? I am interested in serving on the City Commission because I believe I bring proven experience, commitment, and the ability to build consensus in moving the city forward.

- How does your education and/or experience complement the powers and duties of the City Commission?

My education and experiences both as a former elected official, and long time local Pastor involved in the community will provide a continuity in helping the city commission and administration reach its goals in improving the quality of life for the entire Opa-Locka community.

I HEREBY ATTEST TO THE ACCURACY AND TRUTHFULNESS OF THIS APPLICATION


Applicant's Signature

12/2/21
Date

NOTE:

The completed application **MUST** accompany your letter of interest, current resume, and City of Opa-locka oath and **MUST** be submitted by the deadline: **4:00 p.m. on Friday, December 3, 2021**

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Joseph Kelley

786-362-1346 | E: josephk1962@yahoo.com

Opa-locka, Fl. 33054

PROFESSIONAL SUMMARY

Highly motivated and qualified with experience in how local government works. A thorough understanding of community engagement and how to hear and respond to the needs of citizens and the business community.

SKILLS

Community Engagement
Budget Analysis
Resource Management
Interpersonal
Government Policy & Procedures
Employee & Management Relations
Networking and Consensus Building
Recreational & Leisure Service Expertise

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WORK HISTORY

* Senior Pastor	1989 to Current
* Parks & Recreation Leader/Supervisor/Director	1983-2000
* City of Opa-Locka Vice-Mayor/Commissioner	2000-2003
* City of Opa-Locka Mayor	2004-2006
* City of Opa-Locka Mayor	2006-2010
* City of Opa-Locka Vice-Mayor/Commissioner	2012-2020

INVOLVEMENTS

Member, African American Council of Christian Clergy
Founder, HTMBC Human Services, Inc.

(Former)

- Member, City of Opa-locka CRA
- Member, Opa-locka Crime Watch
- Member, Opa-locka Planning Council
- Member, Opa-locka CDC Housing Initiative
- Member, South Florida Regional Planning Council
- Member, Miami-Dade League of Cities Executive Board
- Member, Florida League of Cities Finance & Taxation Committee
- Member, North Dade Regional Chamber of Commerce
- Member, Miami-Dade Beacon Council
- Member, Opa-locka Rotary Club
- Member, MDCPS 5000 Role Models

EDUCATION

Miami-Dade College - A.A.(Business)
Florida International University - (Pending)

PERSONAL

Opa-locka resident for 59 years, homeowner for over 31 years. Married to Tangela Renee Kelley since 1989. Proud parents of one daughter (Jaliesa, deceased), and one son Joseph Isaiah.



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CITY OF OPA-LOCKA OATH

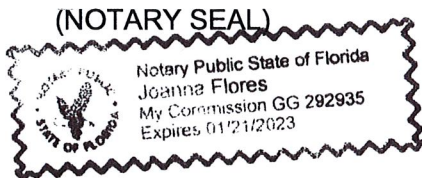
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STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me, an officer authorized to administer oaths, personally appeared Joseph Kelley
to me well known who, being sworn, says that he/she is seeking appointment to the Office of City
Commissioner for the City of Opa-locka, Florida; that he/ she is a qualified elector of said City
residing within the City at least one year before applying for this office; that his/her legal residence
is: 485 Dunad Avenue
Opa-locka, Miami-Dade County, Florida; that he/she is qualified under the ordinances and Charter
of said City to hold such office.

[Signature]
Signature of Candidate

Sworn to (or affirmed) and subscribed before me this 2nd day of December, 2021,
by Joseph Kelley.



[Signature]
Signature of Notary Public-State of Florida
Joanna Flores
Name of Notary Typed, Printed, or Stamped

Personally Known ☒ OR

Produced Identification _____
Type of Identification Produced _____