CITY OF MIAMI BEACH

PLANNING DEPARTMENT

CERTIFICATE OF APPROPRIATENESS APPLICATION

Final Submittal– March 11, 2019

HPB 19-0276

CROWN CASTLE

SMALL WIRELESS FACILITIES

FL6438

110 8th Street, Miami Beach, FL 33139

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Crown Castle
1601 NW 136th Avenue
Suite A-200, Building A
Sunrise, FL 33323

May 14, 2019

Via Hand Delivery

Ms. Deborah Tackett
Miami Beach Planning Department
Miami Beach City Hall
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Crown Castle Letter of Intent for the Installation of Small Wireless Facilities within the Historic Districts in the City of Miami Beach

Dear Ms. Tackett:

Crown Castle NG East LLC ("Crown Castle") seeks to place a small wireless facilities network in the City of Miami Beach (the "City"), which will consist of placing fiber optic cable (underground) and nodes (utility poles containing telecommunications equipment) within the right of way. In order to meet the network coverage objectives of our customer, Crown Castle must place a portion of this network within the Historic Districts in the City. This letter will serve as support for each of those applications.

Description of the Project

As stated above, Crown Castle seeks to place a small wireless facilities network in Miami Beach in order to enhance the network capacity of its customer, which is a wireless carrier. The carrier has significant capacity issues in Miami Beach. In order to solve these capacity issues, small wireless facility nodes must be placed in the Historic Districts within the City.

Below is a brief description of the locations:

SFL10233 –1460 Drexel Avenue, Miami Beach, FL 33139
SFL10247 – 233 2nd Street, Miami Beach, FL 33139
SFL10249 – 201 3rd Street, Miami Beach, FL 33139
SFL10259 – 705 Euclid Avenue, Miami Beach, FL 33139
SFL10269 –1098 12th Street, Miami Beach, FL 33139
SFL10275 – 1159 Dade Boulevard, Miami Beach, FL 33139
FL6419 – 7313 Byron Avenue, Miami Beach, FL 33139
FL6421 – 7351 Harding Avenue, Miami Beach, FL 33139
FL6438 – 110 8th Street, Miami Beach, FL 33139
FL6439 – 110 6th Street, Miami Beach, FL 33139

Description of the Equipment

Crown Castle has worked with the staff of Miami Beach Planning Department for two years to find a design for small wireless facility nodes, which would both meet the network objectives of its client and meet the city's aesthetic and safety concerns about placing small wireless facility nodes in the Historic Districts. After much discussion and the recent passage of a new telecommunications ordinance by the City Commission addressing the installation of such technology in the City, Crown Castle has developed a stealth node which will function as both a street light pole and a telecommunications pole. An existing street light will be removed and replaced with a functioning small wireless facility stealth street light pole, which will not require additional ground equipment installed in the right of way.

Conclusion

Crown Castle has worked diligently with City staff to meet all of their concerns about placing small wireless facilities within the city, including the Historic Districts. Crown Castle believes it has satisfied all of the City's concerns and accordingly requests that the Historic Preservation Board approve its applications for the installation of small wireless facilities within certain Historic Districts in the City.

Sincerely,

Wanda Melton

Wanda Melton
Government Relations Manager

MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information	
FILE NUMBER	
◯ **Board of Adjustment** ☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision	◯ **Design Review Board** ☐ Design review approval ☐ Variance
◯ **Planning Board** ☐ Conditional use permit ☐ Lot split approval ☐ Amendment to the Land Development Regulations or zoning map ☐ Amendment to the Comprehensive Plan or future land use map	◉ **Historic Preservation Board** ■ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic district/site designation ☐ Variance
☐ **Other:**	

Property Information – Please attach Legal Description as "Exhibit A"				
ADDRESS OF PROPERTY Small Wireless Facilities: FL6438 / 110 8th Street, Miami Beach, FL 33139				
FOLIO NUMBER(S) N/A City of Miami Beach right of way				
Property Owner Information				
PROPERTY OWNER NAME City of Miami Beach right of way				
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
Applicant Information (if different than owner)				
APPLICANT NAME Crown Castle NG East LLC				
ADDRESS 1601 NW 136th Ave., suite A-200, Bldg. A		CITY Sunrise	STATE FL	ZIPCODE 33323
BUSINESS PHONE (786) 899-5916	CELL PHONE (205) 837-3430	EMAIL ADDRESS Wanda.Melton@crowncastle.com		
Summary of Request				
PROVIDE A BRIEF SCOPE OF REQUEST Crown Castle seeks to add one Small Wireless Facilities within the public right of way in the City of Miami Beach in order to improve the capacity and coverage of cellular devices within the City.				

Project Information			
Is there an existing building(s) on the site?	☐ Yes	■ No	
Does the project include interior or exterior demolition?	☐ Yes	■ No	
Provide the total floor area of the new construction.		N/A	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		N/A	SQ. FT.

Party responsible for project design				
NAME Richard Heisenbottle		■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 2199 Ponce de Leon Blvd., suite 400		CITY Coral Gables	STATE FL	ZIPCODE 33134
BUSINESS PHONE (305) 446-7799 xtn 21	CELL PHONE (786) 218-6722	EMAIL ADDRESS richard@rjha.net		

Authorized Representative(s) Information (if applicable)				
NAME Crown Castle NG East LLC / Wanda Melton		☐ Attorney ■ Contact ☐ Agent ☐ Other_____		
ADDRESS 1601 NW 136 Ave., suite A-200, Bldg. A		CITY Sunrise	STATE FL	ZIPCODE 33323
BUSINESS PHONE (786) 899-5916	CELL PHONE (205) 837-3430	EMAIL ADDRESS Wanda.Melton@crowncastle.com		
NAME Dean Ridgway		☐ Attorney ■ Contact ☐ Agent ☐ Other_____		
ADDRESS 1601 NW 136 Ave., suite A-200, Bldg. A		CITY Sunrise	STATE FL	ZIPCODE 33323
BUSINESS PHONE (305) 728-0154	CELL PHONE (802) 310-2349	EMAIL ADDRESS Dean.Ridgway@crowncastle.com		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ☐ Owner of the subject property ☐ Authorized representative

Wanda Melton

SIGNATURE

Wanda Melton

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

_____

SIGNATURE

Sworn to and subscribed before me this _____ day of _____ , 20_____. The foregoing instrument was acknowledged before me by _____ , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

_____

NOTARY PUBLIC

My Commission Expires: _____

_____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF Florida

COUNTY OF Broward

I, Wanda Melton, being first duly sworn, depose and certify as follows: (1) I am the Government Relations Manager (print title) of Crown Castle (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

Wanda Melton

SIGNATURE

Sworn to and subscribed before me this 8 day of January , 2019. The foregoing instrument was acknowledged before me by Wanda Melton who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

GALE LOGAN
MY COMMISSION # GG 121026
EXPIRES: July 4, 2021
Bonded Thru Notary Public Underwriters

Gale Logan

NOTARY PUBLIC

My Commission Expires: 7-4-21

Gale Logan

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Broward

I, Wanda Melton, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Richard Heisenbottle to be my representative before the HPB Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Wanda Melton, Government Relations Mgr
PRINT NAME (and Title, if applicable)

Wanda Melton
SIGNATURE

Sworn to and subscribed before me this 8 day of January, 2019. The foregoing instrument was acknowledged before me by Wanda Melton, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

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Gale Logan
NOTARY PUBLIC

My Commission Expires: 7-4-21

Gale Logan
PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE	% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

CROWN CASTLE NG EAST LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
fka CROWN CASTLE NG EAST INC.	
CROWN CASTLE NG NETWORKS INC.	100% of NG East LLC
CROWN CASTLE NG SOLUTIONS CORP.	100% of NG Networks Inc.
CROWN CASTLE OPERATING COMPANY	100% of Solutions Corp.
CROWN CASTLE INTERNATIONAL CORP.	100% of operating Co.
	& is Publicly Trade

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Broward

I, Wanda Melton, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

Wanda Melton
SIGNATURE

Sworn to and subscribed before me this 8 day of January, 2019. The foregoing instrument was acknowledged before me by Wanda Melton, who has produced _____ as identification and/or is personally known to me ~~and who did/did not take an oath~~.

NOTARY SEAL OR STAMP

GALE LOGAN
MY COMMISSION # GG 121026
EXPIRES: July 4, 2021
Bonded Thru Notary Public Underwriters

Gale Logan
NOTARY PUBLIC

My Commission Expires: 7-4-21

Gale Logan
PRINT NAME

EXHIBIT A

LEGAL DESCRIPTION

PROPOSED CROWN CASTLE SMALL WIRELESS FACILITIES WITH INTEGRATED STREET LIGHT LOCATED AT LATITUDE NORTH 25°46’40.6”, LONGITUDE WEST 80°07’52.7”; X = 942027.585, Y=525923.840

Crown Castle
1601 NW 136th Avenue
Suite A-200, Building A
Sunrise, FL 33323

May 14, 2019

Deborah Tackett, Senior Planner
Planning and Zoning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Historic Review Board Application for the installation of Small Wireless Facilities - Crown Castle Node FL6438 – 110 8th Street, Miami Beach, FL 33139

Dear Ms. Tackett:

Crown Castle NG East LLC ("Crown Castle") respectfully submits this letter to the City of Miami Beach (the "City") regarding an application seeking Historic Preservation Board (the "Board") review and approval of small wireless facilities within the City. As part of the application package, the Board requires an explanation whenever a proposed utility pole cannot be collocated. This letter explains why the application package referred to above is for a "stand-alone" utility pole node rather than a node collocated on a pole or other infrastructure already existing in the right of way.

As you know, Florida Statutes Section 337.401 allows Crown Castle, a communications services provider, to place its communications facilities within the right of way. Although Crown Castle collocates its small wireless facilities whenever possible on poles and other infrastructure already existing in the right of way, in this case Crown Castle engineers examined each potential collocation site and determined that there was not a suitable collocation site which would have provided the wireless coverage for the intended target. In other words, the possible sites upon which Crown Castle might collocate the particular small wireless were too far away, were not in a location which would be able to provide the additional wireless capacity each small wireless facility was intended to provide, or were not sites for which Crown Castle had rights to attach.

Therefore, in each of these instances, Crown Castle is proposing a stand-alone stealth pole. The particular location referenced above was determined by Crown Castle engineers to be the preferred location as it provides additional capacity to both the intended target while taking into account aesthetic and traffic safety criteria.

Please do not hesitate to call or contact me with any further questions or to discuss this matter.

Sincerely,

Wanda Melton

Wanda Melton
Government Relations Manager
Southeast Region