

CITY OF MIAMI BEACH

PLANNING DEPARTMENT

CERTIFICATE OF APPROPRIATENESS APPLICATION

Final Submittal–August 05, 2019

HPB 19-0326

CROWN CASTLE

SMALL WIRELESS FACILITIES

FL 6495

5297 Collins Ave., Miami Beach, FL 33140

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Crown Castle Small Wireless Facilities

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

September 9, 2019

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

Re: Crown Castle Fiber LLC 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 Fiber 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:

- FL6445BA 181 37th Street, Miami Beach, FL 33140
- FL6446BA 180 38th St, Miami Beach, FL 33140
- SFL10237 111 11th Street, Miami Beach, FL 33139
- FL6441BA 613 Collins Ave., Miami Beach, FL 33139
- FL6449BA 2302 Collins Ave. Miami Beach, Fl. 33139
- FL6467BA 4302 Collins Ave., Miami Beach, FL 33140
- FL6469BA 5002 Collins Ave, Miami Beach, FL 33140
- FL6473BA 755 Alton Rd, Miami Beach, FL 33139
- FL6492BA 4956 Collins Ave, Miami Beach, FL 33140
- FL6493BA 4800 Collins Ave. Miami Beach, Fl. 33140
- **FL6495BA 5297 Collins Ave, Miami Beach, FL 33140**
- SFL10278 2501 Collins Ave, Miami Beach, FL 33140
- SFL10285 3910 Collins Ave, Miami Beach, FL 33140

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 Design 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 Design Districts. Crown Castle believes it has satisfied all of the City's concerns and accordingly requests that the Design Review Board approve its applications for the installation of small wireless facilities within certain Design Districts in the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisette Mauri', with a stylized, flowing script.

Lisette Mauri
Government Relations Manager

MIAMI BEACH

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 <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision | | Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance | |
| Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map | | Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Other: | | | |
| Property Information – Please attach Legal Description as “Exhibit A” | | | |
| ADDRESS OF PROPERTY | | | |
| FOLIO NUMBER(S) | | | |
| Property Owner Information | | | |
| PROPERTY OWNER NAME | | | |
| ADDRESS | | CITY | STATE |
| | | | ZIPCODE |
| BUSINESS PHONE | CELL PHONE | EMAIL ADDRESS | |
| | | | |
| Applicant Information (if different than owner) | | | |
| APPLICANT NAME | | | |
| ADDRESS | | CITY | STATE |
| | | | ZIPCODE |
| BUSINESS PHONE | CELL PHONE | EMAIL ADDRESS | |
| | | | |
| Summary of Request | | | |
| PROVIDE A BRIEF SCOPE OF REQUEST | | | |
| | | | |

| Project Information | | | |
|--|------------|--|-----------------------------|
| Is there an existing building(s) on the site? | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does the project include interior or exterior demolition? | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Provide the total floor area of the new construction. | | | SQ. FT. |
| Provide the gross floor area of the new construction (including required parking and all usable area). | | | SQ. FT. |
| Party responsible for project design | | | |
| NAME | | <input type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other_____ | |
| ADDRESS | | CITY | STATE ZIPCODE |
| BUSINESS PHONE | CELL PHONE | EMAIL ADDRESS | |
| Authorized Representative(s) Information (if applicable) | | | |
| NAME | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other_____ | |
| ADDRESS | | CITY | STATE ZIPCODE |
| BUSINESS PHONE | CELL PHONE | EMAIL ADDRESS | |
| NAME | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other_____ | |
| ADDRESS | | CITY | STATE ZIPCODE |
| BUSINESS PHONE | CELL PHONE | EMAIL ADDRESS | |
| NAME | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> 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 from 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

SIGNATURE

Lisette Mauri

PRINT NAME

7/12/19

DATE SIGNED

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 foregoing 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


SIGNATURE

Lisette Mauri

PRINT NAME

7/12/19

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: _____

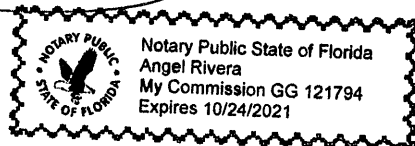
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Broward

I, Lisette Mauri, being first duly sworn, depose and certify as follows: (1) I am the Government Relations Manager (print title) of Crown Castle Fiber LLC (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.

SIGNATURE

Sworn to and subscribed before me this 12th day of July, 2019. The foregoing instrument was acknowledged before me by Lisette Mauri, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

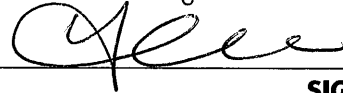
**NOTARY PUBLIC**

My Commission Expires: _____

PRINT NAME

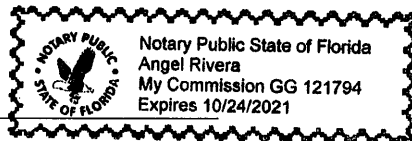
POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Broward

I, Lisette Mauri, 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.

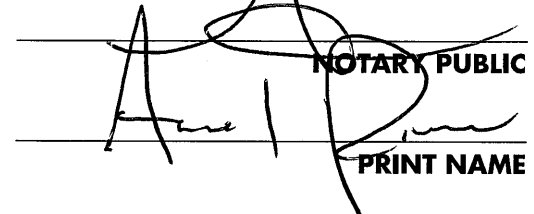
Lisette Mauri, Government Relations Mgr**PRINT NAME (and Title, if applicable)**

SIGNATURE

Sworn to and subscribed before me this 12 day of July, 2014. The foregoing instrument was acknowledged before me by Lisette Mauri, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: _____


NOTARY PUBLIC**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.

| NAME OF CORPORATE ENTITY | |
|---------------------------------|---|
| NAME AND ADDRESS | % OF OWNERSHIP |
| | 100% of Crown Castle Fiber LLC |
| | 100% of Crown Castle Fiber Holdings Corp. |
| | 100% of Crown Castle Operating Company |
| | |
| | |
| | |
| | |
| | |

| 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, Lisette Mauri, 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.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 12 day of July, 2019. The foregoing instrument was acknowledged before me by Lisette Mauri, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: _____

[Signature]
NOTARY PUBLIC
Angel Rivera
PRINT NAME

EXHIBIT A

LEGAL DESCRIPTION

PROPOSED CROWN CASTLE SMALL WIRELESS FACILITIES LOCATED AT LATITUDE
NORTH 25°49'50.12", LONGITUDE WEST 80°07'18.69"; X = 945,011.99',
Y=545,082.04'



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

September 9, 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 at the following node and address location:
Crown Castle Fiber LLC Node FL6495BA - 5297 Collins Ave., Miami Beach, FL 33140

Dear Ms. Tackett:

Crown Castle Fiber 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,

A handwritten signature in black ink, appearing to read 'Lisette Mauri', with a stylized, flowing script.

Lisette Mauri
Government Relations Manager
Southeast Region