

**CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING AND INTENT TO
CONSIDER AMENDING A DEVELOPMENT AGREEMENT**

July 26, 2023

NOTICE IS HEREBY given that a First Reading/Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chamber, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 26, 2023, at 2:31 p.m.**, or as soon thereafter as the matter can be heard, to consider:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TO CONSIDER APPROVAL, FOLLOWING FIRST READING/PUBLIC HEARING, OF A THIRD AMENDMENT TO A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY AND TCH 500 ALTON LLC, AS AUTHORIZED UNDER SECTION 118-4 OF THE CITY CODE, AND SECTIONS 163.3220 – 163.3243, FLORIDA STATUTES, WHICH AMENDMENT MODIFIES THE BOUNDARIES OF THE UNIFIED DEVELOPMENT SITE TO INCLUDE 710 ALTON ROAD, 720 ALTON ROAD, AND 740 ALTON ROAD, REMOVES PORTIONS OF FOLIO 02-4203-001-0095 (CANOPY PARK) AND ALL OF FOLIO NUMBER 02-4203-001-0090 (CURRENTLY A PARKING LOT SERVING THE FLORIDIAN CONDOMINIUM), MODIFIES THE ASSIGNMENT OF DEVELOPMENT RIGHTS FOR THE IMPACTED PROPERTIES, AND OTHERWISE DELINEATES OR MODIFIES THE CONDITIONS FOR THE DEVELOPMENT OF THE PROPERTIES SUBJECT TO THE AGREEMENT LOCATED AT 500-630 ALTON ROAD AND OTHER TERMS FOR DEVELOPMENT CONTINGENT UPON SATISFACTION OF THE CONDITIONS SET FORTH IN THE DEVELOPMENT AGREEMENT; AND FURTHER, SETTING THE SECOND AND FINAL READING OF THE DEVELOPMENT AGREEMENT FOR A TIME CERTAIN. *This Resolution is being heard pursuant to §166.041 F.S. Inquiries may be directed to the Office of the City Manager at 305.673.7010.*

PROPERTIES: The Development Site consists of 500 Alton Road, the former 6 Street right of way, 630 Alton Road, Folio 02-4203-001-0095 (Canopy Park), and Folio 02-4203-001-0090 (currently a parking lot serving the Floridian Condominium)

Tax Folio Nos.: 02-4204-006-0010, 02-4203-001-0100, 02-4203-001-0090, and 02-4203-001-0095

ZONING DISTRICTS: The proposed Development Site is zoned Commercial, Medium Intensity District ("CD-2 District").

MAXIMUM HEIGHT: The proposed third amendment to the Development Agreement does not contemplate any changes to the maximum height of development. As currently required, any tower built on the Development Site shall be located within the northeast quadrant of the 500 Block of Alton Road, and the height of the tower shall not exceed 519 feet to the top of the roof. Architectural projections will comply with the terms of the Development Agreement and other applicable provisions of the City's Land Development Regulations.

PERMITTED USES: The proposed third amendment to the Development Agreement does not contemplate any changes to the permitted uses. The Development Agreement will permit (i) up to 310 units, including, but not limited to, residential units, single-family detached dwellings, townhomes, apartments, amenity guest suites, hotel or apartment hotel uses (subject to City Commission approval); and (ii) up to 15,000 square feet of retail uses. The City's Land Development Regulations provide for population densities for this zoning district of 100 units per acre.

A copy of the proposed Third Amendment to the Development Agreement is available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139.

INTERESTED PARTIES are invited to appear at this meeting, be represented by an agent, or express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided. Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must 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. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in an alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach
305.673.7411

MIAMIBEACH

Ad 07262023-05

**NOTICE OF PUBLIC HEARING
TO APPROVE THE FINAL ASSESSMENT ROLL
FOR THE SPECIAL ASSESSMENT DISTRICT KNOWN AS
THE 41ST STREET BUSINESS IMPROVEMENT DISTRICT
July 26, 2023**

NOTICE IS HEREBY GIVEN that on July 26, 2023, at 5:03 p.m., or as soon thereafter as the matter can be heard, the Mayor and City Commissioners of the City of Miami Beach will hold a Public Hearing to consider:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING PURSUANT TO SECTIONS 170.07 AND 170.08, FLORIDA STATUTES, THE FINAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT KNOWN AS THE 41ST STREET BUSINESS IMPROVEMENT DISTRICT, AND CONFIRMING SUCH ASSESSMENTS AS LEGAL, VALID, AND BINDING FIRST LIENS UPON THE PROPERTY AGAINST WHICH SUCH ASSESSMENTS ARE MADE UNTIL PAID.

During the July 26, 2023 Commission Meeting, the City Commission will be present in the Commission Chamber, Miami Beach City Hall, 1700 Convention Center Drive, 3rd Floor, Miami Beach, FL 33139. Owners of the properties to be assessed and the public are encouraged to attend the meeting virtually (as provided below). However, owners of the properties to be assessed or members of the public who wish to attend the meeting or provide public comment in person may appear at the Commission Chamber.

To participate or provide comment virtually during the Commission Meeting, owners of the properties to be assessed or the public may join the webinar at: <https://miamibeachfl-gov.zoom.us/j/81392857671> or via telephone at: 1.301.715.8592 (U.S.) or 866.475.4499 (Toll-Free). Webinar ID: 81392857671#. Persons wanting to speak virtually on this item during the meeting must click the "raise hand" icon if using the Zoom app or press "9" on the telephone to raise their hand.

At the hearing, the owners of the property to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard as to the propriety and advisability of stabilizing and improving, through special assessments, the proposed 41st Street Business Improvement District (the "District"), through promotion, management, marketing, and other similar services; as to the cost thereof; as to the manner of payment thereof; and as to the amount thereof to be assessed against each property so improved.

Following the testimony, the Mayor and City Commission shall make a final decision on whether to levy the special assessments. Thereafter, the Mayor and City Commissioners shall meet as an equalizing board to hear and consider any and all complaints as to the special assessments and shall adjust and equalize the assessments on a basis of justice and right.

The District is bounded on the west by Alton Road, on the east by Indian Creek Canal, and consists of properties abutting West 41st Street/Arthur Godfrey Road; provided, however, that the following properties shall be excluded and exempted from the District: (1) residential properties; (2) any property owned by a City, County, State, or Federal governmental entity or School District; and (3) any property owned or occupied by a religious institution and used as a place of worship or education (as defined by Section 170.201(2), Florida Statutes).

The description of each property to be assessed and the amount to be assessed for each piece or parcel of property is available at: <https://www.miamibeachfl.gov/wp-content/uploads/2023/06/Assessment-Roll-6-22-23.pdf>

Inquiries may be directed to the City's Economic Development Department at 305-673-7572.

INTERESTED PARTIES are invited to appear at this meeting, be represented by an agent, or express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, First Floor, City Hall, Miami Beach, Florida 33139. The preliminary assessment roll for the District referenced herein is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, First Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Florida Statute, the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must 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. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

Members of the public may present audio/visual (AV) materials relating to Agenda Items at City Commission meetings held in the Commission Chamber by utilizing the City's AV equipment, provided that materials are submitted to the Marketing and Communications Department by 8:30 a.m., one (1) business day before the meeting. Advance submission of a presentation will allow the Marketing and Communications Department to plan for the use of the appropriate AV equipment. AV materials may be submitted via email at communications@miamibeachfl.gov, or hand-delivered in a jump drive, CD, or DVD to: Attention: Marketing and Communications Department, 1701 Meridian Avenue, 5th Floor, Miami Beach, FL 33139. Presentations, videos, or links must include a label noting the name or group, contact person, daytime telephone number, email address, description/title of the presentation, and Agenda Item Title as well as the Agenda item number. Acceptable formats for electronic submission are .pdf, .ppt, .pptx, .pps, .ppsx, .wmv, .avi, and .mov. (Note that .pdf is the preferred format for PowerPoint presentations.)

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Ad No. 07262023-03 HERALD