



Office of

Public Hearing 11/19/2024

INDIAN RIVER COUNTY ATTORNEY

Jennifer W. Shuler, County Attorney
Susan J. Prado, Deputy County Attorney
Christopher A. Hicks, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator

FROM: Susan J. Prado, Deputy County Attorney

DATE: November 6, 2024

SUBJECT: Public Hearing - Amended and Restated Developers Agreement Between Providence Point Vero Beach, LLC and Indian River County

Background: On November 18, 2014, the Board of County Commissioners (hereinafter "Board") approved a developers agreement between the County and Providence Point Vero Beach, LLC (hereinafter "Developer") for a Planned Development–Traditional Neighborhood Design ("PDTND") known as Providence Pointe. The property is located on the south west corner of 58th Avenue and 53rd Street. Please see the attached aerial photo depicting the parcel.

Since 2014 the County has made updates to the intersections mentioned in the Original Developers Agreement attached hereto. The Developer approached the County to request an amendment to reflect the current state of the roads and what obligations still remain pending.

Staff and the Developer have reviewed and updated the Original Developers Agreement and have finalized proposed Amended and Restated Developers Agreement. The proposed Amended and Restated Developers Agreement includes the updated changes that have taken place since the Original Developers Agreement was entered into, as well as it updates and brings the Developers Agreement into compliance with current statutory requirements.

This amendment does require two (2) public hearings in front of the Board prior to the amendment being able to be accepted pursuant to Florida Statue Section 163.3225. This hearing will be the first of the 2 public hearings and Staff will scheduling the second public hearing for an agenda in December.

Funding: The cost of recording the Amended and Restated Developers Agreement is estimated to be \$86.50 and will be funded from the Public Works budget within Traffic Impact Fees/District 1 Roads/ROW-53rd St Wide-W of 58-66, Account No.: 10415141-066120-23030. The cost of publication of the required public notice for the public hearing(s) is estimated to be \$300.00. The cost will be funded from the Public Works budget within the Traffic Impact Fees/District 1 Roads/ROW-53rd St Wide-W of 58-66, Account No.: 10415141-066120-23030.

Account Description	Account Number	Amount
Traffic Impact Fees/District 1 Roads/ROW-53rd St Wide-W of 58-66	10415141-066120-23030	\$386.50

Recommendation: Staff recommends the Board instruct staff to advertise and bring this back for the second public hearing as is required by Florida Statute at the next Board meeting in December.

Attachments: Aerial Photo
Proposed Amended and Restated Developers Agreement with Providence Point Vero Beach, LLC
Copy of Original Developers Agreement with Providence Point Vero Beach, LLC

Copies to: Providence Point Vero Beach, LLC
Bruce Barkett, Esq.
Planning and Development Services
Public Works