



Office of

Public Hearing 12/03/2024

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 19, 2024

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

Background: On November 19, 2024, the Board of County Commissioners (hereinafter "Board") held the first of two public hearing required by Florida Statute Section 163.3225 for the approval of an amendment and restatement of a developer's agreement.

The background of the developer's agreement is as follows, the Board approved a developer's 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 southwest 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 second public hearing fulfills the requirements of Florida Statute Section 163.3225, and the proposed Amended and Restated Developers Agreement may be accepted.

Funding: The cost of recording the Amended and Restated Developers Agreement and publication of the required public notice for the public hearing(s) is estimated to be a total of \$386.50 and will be funded from the Traffic Impact Fees/District 1 Roads/ROW-53rd St Wide-W of 58-66 account, number 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 accept the Proposed Amended and Restated Developers Agreement and order staff to record said Amended and Restated Developers Agreement within 14 days from the date of its acceptance and execution pursuant to Florid Statute Section 163.3229.

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