

RESOLUTION NO. _____

A RESOLUTION OF THE CHAIRPERSON AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 1 TO THE LEASE AGREEMENT BETWEEN THE RDA (LANDLORD) AND COLLINS 1560, LLC D/B/A LIME TREE CAFÉ (TENANT), FOR USE OF APPROXIMATELY 2,697 SQUARE FEET OF GROUND FLOOR RETAIL SPACE AT THE ANCHOR SHOPS AND GARAGE, LOCATED AT 1560 COLLINS AVE, SUITE NOS. 1-2 (PREMISES) AS AN UPSCALE FRENCH-ITALIAN FUSION CAFÉ, SAID AMENDMENT EXTENDING THE RENT ABATEMENT PERIOD BY AN ADDITIONAL EIGHT (8) MONTHS, OCTOBER 6, 2024 THROUGH JUNE 5, 2025, DUE TO DELAYS RELATED TO THE PERMITTING PROCESS FOR THE GREASE TRAP.

WHEREAS, the Miami Beach Redevelopment Agency (the “RDA”) is a public body corporate and politic, which owns that certain project commonly known as the “Anchor Shops”, containing a garage and ground floor retail spaces located in the area bounded by Washington Avenue and Collins Avenue, in the proximity of 16th Street; and

WHEREAS, pursuant to Resolution No. 680-2022, the Miami Beach Redevelopment Agency (RDA) (Landlord) and Collins 1560, LLC (Tenant) are parties to a lease agreement dated March 23, 2023 for use of approximately 2,697 square feet of ground floor retail space at the Anchor Shops and Garage, located at 1560 Collins Avenue, Suites Nos. 1-2 (Premises), for the operation of a French Italian fusion cafe (Lease); and

WHEREAS, the Lease term is for nine (9) years and 272 days from the Commencement Date of April 6, 2023, the date Tenant received possession of the Premises; and

WHEREAS, upon obtaining possession of the Premises, Tenant began renovations to convert the former retail space to a new cafe venue at the Tenant’s sole cost and expense, and the Premises were expected to remain closed during the renovation process until the summer of 2024; and

WHEREAS, due to unexpected delays in connection with the permitting process associated with the approval of the new grease trap at the Premises by the Department of Regulatory and Economic Resources (DERM), Tenant’s construction schedule has been delayed and, as such, the previously anticipated opening date has also been delayed; and

WHEREAS, under the Lease, Tenant has received the following concessions:

- for months 2-7 from Rent Commencement (May 6, 2023 – November 5, 2023), the Minimum Rent and Operating Expenses were abated (Minimum Rent and Additional Rent Abatement Period); and
- for months 8-18 from Rent Commencement (November 6, 2023 – October 5, 2024) the monthly Minimum Rent payment is being abated (Rent Abatement Period), which is currently \$17,361.68, in order to allow Tenant to complete the buildout of the restaurant; however, during the Rent Abatement Period, Tenant is still required

to pay the monthly payment for estimated Operating Expenses which payment is currently \$3,146.50; and

WHEREAS, due to the aforementioned unexpected delays, the Tenant has requested an extension of the Rent Abatement Period for an additional period of eight (8) months, from October 6, 2024 through June 5, 2025, to complete the build-out of the restaurant at the Premises; and

WHEREAS, based upon the aforementioned permitting delays, the Interim Executive Director recommends approving, in substantial form, Amendment No. 1 to the Lease, a draft copy of which is attached as Attachment "A" to the City Commission Memorandum accompanying this Resolution, memorializing the extended Rent Abatement Period requested by Tenant.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CHAIRPERSON AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY, that the Chairperson and Members of the Miami Beach Redevelopment Agency (RDA) hereby approve, in substantial form, Amendment No. 1 to the Lease Agreement between the RDA (Landlord) and Collins 1560, LLC d/b/a Lime Tree Café (Tenant), for use of approximately 2,697 square feet of ground floor retail space at the Anchor Shops and Garage, located at 1560 Collins Ave, Suite Nos. 1-2 (Premises), as an upscale French-Italian fusion café, said Amendment extending the Rent Abatement Period by an additional eight (8) months, October 6, 2024 through June 5, 2025, due to delays related to the permitting process for the grease trap.

PASSED and **ADOPTED** this ____ day of _____ 2024.

ATTEST:

Steven Meiner, Chairperson

Rafael E. Granado, Secretary