

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AN AGREEMENT WITH THE CHARLYS GROUP, INC. D/B/A CHARLY'S, FOR PARTICIPATION IN THE COMMERCIAL LEASE SUBSIDY PROGRAM, WITH A MAXIMUM ANNUAL REIMBURSEMENT AMOUNT OF \$20,000.00, FOR A TERM OF UP TO THREE (3) YEARS, FOR A TOTAL PROGRAM REIMBURSEMENT AMOUNT NOT TO EXCEED \$60,000.00, SUBJECT TO FUNDING APPROPRIATION AND APPROVAL DURING THE CITY'S BUDGETARY PROCESS FOR EACH FISCAL YEAR DURING THE TERM OF THE AGREEMENT; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT.

WHEREAS, the Mayor and City Commission established the Commercial Lease Subsidy Program ("Program") as a reimbursement-based incentive to enhance the commercial environment within the City's Art Deco Cultural District (ADCD); and

WHEREAS, the Program supports businesses that align with the City's cultural identity and values, leveraging zoning regulations for the Art Deco/MiMo Commercial Character Overlay District ("Overlay District") to attract desirable activities; and

WHEREAS, the Program aims to transform the Overlay District by prioritizing businesses that enhance community engagement through arts, culture, and activity-based concepts, reduce vacancies, and phase out non-conforming businesses; and

WHEREAS, the Program targets (i) vacant storefronts, (ii) new-to-market businesses focused on arts and culture, and (iii) legal non-conforming businesses, defined as those with valid BTRs whose operations were previously compliant but now non-permitted under Ordinance No. 2017-4137, which established the Overlay District; and

WHEREAS, eligible Program participants may receive, upon submission of verified expenses to the City, reimbursement of (i) Business Tax Receipt (BTR) fees and (ii) certain leasing or mortgage expenses up to \$20,000.00 per year for up to three (3) years, for a total reimbursement amount not to exceed \$60,000.00 during the three-year term of the agreement, to reimburse eligible leasing expenses as outlined in Program guidelines; and

WHEREAS, The Charlys Group, Inc. d/b/a Charly's ("Applicant") has been a tenant at 345 Lincoln Road ("Property") since April 2024, investing in permits and interior renovations to establish a visually engaging food service operation, including voluntarily participation in the City's Vacant Storefront Cover Program; and

WHEREAS, the Property was previously vacated following the City's revocation of the former tenant's BTR due to illegal onsite activities, leaving the space inactive despite high pedestrian foot traffic and proximity to a popular public transit hub; and

WHEREAS, City staff's review of the Program application supports approval, noting the Applicant's potential to activate a high-visibility storefront and improve public safety by replacing the former non-conforming business; and

WHEREAS, the Administration's assessment of the application has found the family-friendly, tourism-oriented small business is well-suited for, and will contribute positively to, the Lincoln Road corridor; and

WHEREAS, funding for the Program to reimburse eligible leasing expenses as outlined in Program guidelines is included in the City's Fiscal Year 2024-2025 budget, with a financial commitment for the Applicant capped at \$20,000.00 annually, for up to three (3) years, contingent upon funding approval by the City during the City's budgetary process for each fiscal year and continued compliance with Program requirements; and

WHEREAS, the Applicant's proposed restaurant will enhance the district by attracting residents and tourists, activating a vacant, previously nonconforming storefront, and advancing the City's goal of creating a culturally rich, safe, and vibrant environment; and

WHEREAS, the City Manager recommends approving, in substantial form, the Program agreement, a copy of which is attached to the City Commission Memorandum accompanying this Resolution, as the Applicant's business will increase foot traffic, support the local workforce, and contribute to a more inviting, family-friendly commercial corridor.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve, in substantial form, an agreement with The Charlys Group, Inc. d/b/a Charly's, for participation in the Commercial Lease Subsidy Program, with a maximum annual reimbursement amount of \$20,000.00, for a term of up to three (3) years, for a total Program reimbursement amount not to exceed \$60,000.00, subject to funding appropriation and approval during the City's budgetary process for each fiscal year during the term of the agreement; and further authorize the City Manager and City Clerk to execute the agreement.

PASSED and ADOPTED this ____ day of _____ 2024.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

11/13/2024

Date