

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN EASEMENT AGREEMENT WITH 72 PARK DEVELOPMENT, LLC., A FLORIDA LIMITED LIABILITY COMPANY, F/K/A KGTC, LLC (OWNER), GRANTING THE CITY A NON-EXCLUSIVE, PERPETUAL SIDEWALK EASEMENT OVER PORTIONS OF THE OWNER'S PROPERTY, LOCATED ALONG A PORTION OF 72ND STREET, CARLYLE AVENUE AND BYRON AVENUE, IN ORDER TO PROVIDE A 10 FOOT PEDESTRIAN PATH, MADE UP OF PORTIONS OF THE PUBLIC RIGHT-OF-WAY AND PORTIONS OF THE OWNER'S PROPERTY, AS A CONDITION OF THE DEVELOPMENT OF OWNER'S PROPERTY AS A MIXED USE PROJECT; SAID EASEMENT CONTAINING AN EASEMENT AREA WITH APPROXIMATELY 3,179 SQUARE FEET, LYING ON A PORTION OF LOTS 1 THROUGH 4 AND LOTS 9 THROUGH 12 OF BLOCK 5, AS SHOWN ON THE PLAT OF NORMANDY BEACH SOUTH, RECORDED IN PLAT BOOK 21, PAGE 54 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN THE SKETCH AND LEGAL DESCRIPTION ATTACHED TO THIS RESOLUTION AS EXHIBIT "4".

RECOMMENDATION

The Administration recommends approving the Resolution.

BACKGROUND/HISTORY

72 Park Development, LLC, a Florida limited liability company, formerly known as KGTC, LLC, a Florida limited liability company, is developing a mixed-use project between Byron Avenue and Carlyle Avenue south of 72 Street ("Project"). The Project obtained Final Development Orders from the Design Review Board ("DRB"), under File Numbers: DRB19-0407, and DRB21-0751 (collectively the ("Development Approvals"), and is under construction pursuant to Building Permit No. BC2117326.

As a condition of the Development Approvals, the developer is required to provide a clear pedestrian path of 10 feet made up of portions of the public right-of-way and portions of the developer's property to complete the 10 feet clear path. The Developer is requesting the City to accept the Perpetual Sidewalk Easement ("Easement"), containing an easement area of approximately 3,179 square feet ("Easement Area"), for the purpose of constructing additional sidewalk improvements extending from the public right-of-way. Said Easement Area lying on the plat of Normandy Beach South, recorded in Plat Book 21, Page 54 of the public records of Miami-Dade County, Florida.

The City has reviewed all documents provided by the developer and has determined that the City's property interests are not adversely affected and that the Easement would serve an important public purpose; therefore, the Administration recommends approving the acceptance of the Easement in favor of the City.

FISCAL IMPACT STATEMENT

No fiscal impact.

CONCLUSION

The Administration recommends approving the Resolution.

Applicable Area

Middle Beach

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Public Works

Condensed Title

Execute Perpetual Easement for 72nd Street. PW

Previous Action (For City Clerk Use Only)