

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: November 25, 2024

TITLE: EXPEDITE THE OPENING OF THE BAYWALK AND MOVE THE DEVELOPMENT OF THE BAYWALK UP ON THE G.O. BOND PRIORITIZATION LIST; AND PRESENT THE BAYWALK PLAN TO THE LUSC COMMITTEE.

**RECOMMENDATION**

The Administration is presenting to the Land Use Sustainability Committee (LUSC) a project update for discussion.

**BACKGROUND/HISTORY**

As part of a standing item on the LUSC's agenda, the Office of Capital Improvement Projects (CIP) has provided updates on the status of the Baywalk projects, including both GOB and non-GOB funded sections. See attached Baywalk Link Status Map (Exhibit A).

During the March 19, 2024 LUSC meeting, City staff provided an update on the Baywalk segment at the Mondrian Hotel/Mirador Condominiums (Mondrian/Mirador Baywalk) located at 1000 – 1200 West Avenue and the 5th Street Pedestrian Bridge. At this meeting, the Developer, Terra Group, provided the status of the DERM and ROW permits, and provided the LUSC the anticipated start and end dates of construction activities. Following the discussion, the LUSC asked that the item be brought back to the next meeting on May 1, 2024, and that the Developer return, on a monthly basis, with their updates on the progress of the 5th Street Pedestrian Bridge and the Mondrian/Mirador Baywalk segment.

At the May 1, 2024 LUSC meeting, the Developer presented a timeline for both the Pedestrian Bridge and the Mondrian/Mirador Baywalk segments. The LUSC passed a motion that the Mayor and City Commission (City Commission) consider the timeline and benchmarks provided for these two projects when discussing any future grants or development agreements.

An item was placed on the agenda for the regularly scheduled June 26, 2024 meeting of the City Commission, accepting the LUSC recommendation to consider the timeline and benchmarks provided for the 5th Street Pedestrian Bridge and Mondrian/Mirador Baywalk segment, was deferred to July 24, 2024, and was not reached at the October 30, 2024 meeting.

**ANALYSIS**

The following provides an update on the 5th Street Pedestrian Bridge and the Mondrian/Mirador Baywalk segments. The Developer has acknowledged and agreed to the Committee's request to return on a regular basis.

**5th Street Pedestrian Bridge**

The 5th Street Pedestrian Bridge, to be designed and constructed as part of the Development Agreement with the 500 Alton project, is required to undergo several layers of review prior to the

issuance of permits by both the Florida Department of Transportation (FDOT) and the City of Miami Beach Building Department. The Developer submitted final plans to FDOT on February 21, 2024, comments were issued by FDOT and the Developer has addressed their comments. During the month of August 2024, FDOT approved all the structural comments and routed the final plans to other departments for formal approval.

The City of Miami Beach Building Department and Department of Public Works reviewed the final submittal, issued comments, and the developer began addressing the comments. The City's construction permit will not be issued until the permit is approved by FDOT.

During the June 10, 2024, LUSC meeting, the Developer provided a revised timeline reflecting the commencement of the fence installation and clearing/grubbing at the end of June, followed by 3-4 months of utility relocation. Project timeline updates were provided by the Developer at the August and September LUSC meetings advising that construction activities had not started, but that the project completion is scheduled for the end of 2025.

During the October 14, 2024, LUSC meeting, the Developer provided a project update and stated that some as-built conditions are conflicting with reports which would need to be verified by performing underground exploration to locate the existing utilities. The Developer also stated that the Guaranteed Maximum Price (GMP) is being finalized in the next couple weeks with the Contractor and expects that the utility relocation work will take four (4) to five (5) months to complete.

The Developer is expected to commence with the utility relocation work this month and has obtained the temporary fencing permit, tree permit and the FDOT Utility permit. The only utility work permits that are still pending are the FDOT Lane Closure permit, AT&T relocation permit and the City of Miami Beach Right-of-Way permit. The Developer has commenced with the underground exploration to confirm the as-built conditions of the existing utilities. Once all the remaining permits have been issued and the Developer has provided the required copies of contractor agreements, bonds and insurances, the City will issue a partial Notice to Proceed (NTP) for the utility relocation work.

The Developer is still addressing the last remaining bridge structure permit comments for FDOT and the City of Miami Beach Building Department. City staff continues to assist the Developer in completing the bridge structure permit comments by establishing weekly update meetings that includes multiple City of Miami Beach departments.

The Developer has not provided an updated timeline beyond that provided during the October 2024 LUSC meeting.

#### Mondrian Hotel/Mirador Condominiums (1000-1200 West Avenue; DRB File 20181)

Per the terms of a Development Agreement with the Developer of the 500 Alton project, the City is responsible for obtaining regulatory permitting approvals (federal, state and county), and the Developer is responsible for the design, building permit and construction. The City delivered the regulatory permits in the Spring of 2023. The City of Miami Beach Building permit was applied for by the developer and was approved and issued on March 6, 2024.

During the June 10, 2024, meeting of the LUSC, City staff provided an update that the test piles were installed the last week of May and pile installation was expected to commence in the middle of June.

During the October 14, 2024, LUSC meeting, City staff provided an update that the project is on-going, on schedule and is expected to be completed by the end of the year.

Construction of this segment of the Baywalk began in July 2024. At this time the pile installation is complete, the installation of the piling caps is approximately sixty percent (60%) complete, and

the installation of the beams is approximately forty percent (40%) complete. The project is approximately sixty percent (60%) complete overall, but weather impacts have delayed the project completion from December to January 2025.

### **FISCAL IMPACT STATEMENT**

N/A

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

N/A

### **CONCLUSION**

The foregoing is presented to the members of the Land Use and Sustainability Committee for update and discussion.

### **Applicable Area**

South 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?**

Yes

### **Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** Yes

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

### **Department**

Capital Improvement Projects

### **Sponsor(s)**

Commissioner Laura Dominguez

### **Co-sponsor(s)**

### **Condensed Title**

Expedite the Opening of the Baywalk