

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: June 30, 2020

**TITLE: AN ALTERNATE HARMONIZATION APPROACH FOR IMPROVEMENTS TO THE 900 BLOCK OF WEST AVENUE PROFFERED BY THE ABUTTING PROPERTY OWNER**

### **HISTORY:**

On March 22, 2017, the Mayor and City Commission passed Resolution Nos. 2017-29799 and 2017-29800, awarding design/build services to Ric-Man Construction Florida, Inc. ("Ric-Man") for West Avenue south of 14th Street improvements and West Avenue north of 14th Street Phase II improvements. The project is currently in its design phase and the City is seeking input from stakeholders regarding harmonization between the West Avenue right-of-way improvements and the abutting private property.

The design of the project includes the recommendations of the Columbia University Resilience Accelerator that provided a modal hierarchy, which gave preference to pedestrians along the corridor. The design is aligned with this modal hierarchy by using a landscape buffer to provide additional separation of pedestrians from vehicular travel.

The private property owners along this corridor of West Avenue have been in contact with City staff regarding the proposed West Avenue improvements and harmonization since May of 2017. There have been monthly email exchanges and multiple in-person meetings over the past three years; specifically, two in 2017, one in 2018, two in 2019, and two virtual meetings in 2020. Since opening the dialog, the private property owners have been presented with various iterations of a harmonization plan by the City.

At its May 26, 2020 meeting of the Land Use and Sustainability Committee (LUSC), a presentation was made by Michael Larkin representing Gumenick Properties. He explained that his client had developed a proposed harmonization plan. The Public Works Department did not present objection to what was being proffered. However, since it did present a deviation from what was originally recommended by the Colombia Accelerator, and the proposed harmonization would add additional project cost, the item was brought forth to the Committee for direction to negotiate.

At the end of the presentation, the Committee members made a motion to have the Public Works Department, the City Attorney's Office, and owners and representatives of the West Avenue 900 block negotiate the conditions of the concept design, potential dates for the opening of the Baywalk, and return to the June 30, 2020 LUSC meeting for further discussion.

### **ANALYSIS:**

Ric-Man has proposed a harmonization plan for the west side of West Avenue along the 900 block that the private property owners support. See Exhibit A, 900-910 West Avenue Harmonization Plan. The private property owners on the east side have proposed to the City an alternate harmonization plan for in front of the east side property (the "Alternative Harmonization Plan"). See Exhibit B, Proposed Harmonization Plans. This deviation is being considered as it preserves the existing royal palms within the right of way.

The private property owners are proposing the Alternative Harmonization Plan for the east side of West Avenue along this corridor, which will mirror the plan proposed for the west side of West Avenue by providing a sidewalk immediately abutting West Avenue. The Alternative Harmonization Plan inverts the location of the sidewalk and landscaping, thereby eliminating the landscape buffer for pedestrians. See Exhibit C.

This Alternative Harmonization Plan is being proposed and considered for several reasons, including:

- The Alternative Harmonization Plan will allow for consistency with West Avenue harmonization along this corridor of the 900 block, as both sides of the street will have a mirrored harmonization dynamic.
- The Alternative Harmonization Plan is similar to and consistent with other sections of the roadway that have already been raised, including those portions of West Avenue along the 500, 600, and 700 blocks.
- The private property owners along this corridor have agreed to fund and construct the Alternative Harmonization Plan improvements abutting the property on the east side of the sidewalk right-of-way along West Avenue to the east property line.
- The private property owners have indicated that the West Avenue Neighborhood Association has been included in the Alternate Harmonization Plan and is reportedly supportive of said plan.

The Public Works Department, City Attorney's Office, and the owners and representatives of the 900 block have met on multiple occasions and are continuing to negotiate the terms of an agreement as directed by the Committee. The City Attorney's Office is actively pushing to have the Baywalk opened as soon as possible.

Results from the 2019 Resident Survey show that 47% of residents rated the City's efforts to plan for growth as very satisfied/satisfied. In order to continue maintaining excellent standards in this area, the City intends to consider an alternate harmonization plan for the 900 block of West Avenue

**CONCLUSION:**

The Public Works Department, City Attorney's Office, and Gumenick Properties owners and representatives are currently negotiating the details of the harmonization agreement as directed by Committee members at the May 26, 2020 Land Use and Sustainability Committee (LUSC) meeting. An update of the negotiations will be provided at the next LUSC meeting.

**Applicable Area**

South Beach

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

Yes

**Does this item utilize G.O. Bond Funds?**

No

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
<input type="checkbox"/> May 26, 2020 LUSC Memo, 900 Block West Ave	Other
<input type="checkbox"/> 2017-29799 Reso (1)	Other
<input type="checkbox"/> 2017-29800 Reso (1)	Other
<input type="checkbox"/> Exhibit A - Proposed harmonization.DRB order	Other
<input type="checkbox"/> Exhibit B - 910 West Ave Harmonization	Other
<input type="checkbox"/> Exhibit C - 959 West Alternative Harmonization Plan	Other