

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING NEW DESIGN OPTION FOR THE CHASE AVENUE AND W. 34TH STREET SHARED-USE PATH PROJECT AS SET FORTH IN EXHIBIT F TO THIS RESOLUTION; AND FURTHER, AUTHORIZING THE ADMINISTRATION TO MODIFY THE DESIGN CONSULTANT'S SCOPE TO INCLUDE REVISION OF THE CONSTRUCTION DOCUMENTS TO REFLECT NEW APPROVED DESIGN.**

**WHEREAS**, the Miami Beach Transportation Master Plan ("TMP"), adopted on July 8, 2015 by the City Commission via Resolution No. 2015-29083, was built on a mode share goal and modal prioritization strategy, which places pedestrians first; transit, bicycles, and freight second; and private automobiles last; and

**WHEREAS**, shared-use paths are paved, off-road facilities designed for travel by a variety of non-motorized users, including bicyclists, pedestrians, skaters, joggers, and others, as defined by the U.S. Department of Transportation Federal Highway Administration; and

**WHEREAS**, the Chase Avenue and 34th Street Shared-Use Path provides connectivity from Alton Road to Prairie Avenue via Chase Avenue and W. 34th Street ("Project") is a Priority 1 project in the TMP; and

**WHEREAS**, this Project is a part of a series of paths which will provide connectivity around the Miami Beach Golf Club, connecting to existing bicycle lanes and sidewalks already located on Prairie Avenue, and a proposed shared-use path along the east side of Alton Road (abutting the Miami Beach Golf Course) which the City Administration is working with the Florida Department of Transportation ("FDOT") to include in the Alton Road reconstruction project from North Michigan Avenue to 43 Street anticipated to begin construction in 2025 ("Alton Road Shared-Use Path"); and

**WHEREAS**, in August 2018, the City's Transportation and Mobility Department engaged one of its rotational consultants, Marlin Engineering, Inc. ("Marlin"), to prepare the Chase Avenue and 34th Street from Alton Road to Prairie Avenue Pedestrian and Bicycle Feasibility Study ("Feasibility Study"); and

**WHEREAS**, Marlin collected traffic data and conducted meetings with the Parks and Recreation Department staff and the Miami Beach Golf Course operator; and

**WHEREAS**, public meetings for the Project were conducted by the City staff in October 2018 and December 2018, in conjunction with the Alton Road Shared-Use Path project; and

**WHEREAS**, the public meetings were conducted to present the initial design to the community and gather public feedback; and

**WHEREAS**, comments received from the meeting attendees included minimizing the hardscape, buffering homes and path users from golf balls, maintaining views of the golf course, and incorporating additional traffic calming measures along Chase Avenue and 34th Street; and

**WHEREAS**, the community members expressed support for both proposed shared-use path projects; and

**WHEREAS**, during a third public meeting in February 2019, the community members in attendance supported the design of the 10'-0" wide shared-use path along Chase Avenue and 34th Street with the condition that it narrows to 8'-0" adjacent to the single-family residence at 3186 Prairie Avenue and the community also expressed support for the proposed additional traffic calming measures and reiterated their support for the proposed Alton Road Shared-Use Path project; and

**WHEREAS**, on October 16, 2019, the City Commission adopted Resolution No. 2019-31036, accepting the recommendation of the Neighborhood/Community Affairs Committee, at its September 25, 2019 meeting, approving the following in regard to the Chase Avenue and 34th Street Shared-Use Path project: 1) the proposed concept plan recommended in the Feasibility Study, excluding the landscaped trellis structures; 2) the proposed pedestrian and bicycle improvements at the Alton Road and North Bay Road intersection; and 3) additional traffic calming measures requested by members of the community: a) evaluating, as a first priority, the triangular circulation concepts proposed by the community for the intersection of Chase Avenue and 34th Street during the design phase of the project; b) evaluating the feasibility of a traffic circle at the intersection of 34th Street and Prairie Avenue; and c) evaluating the feasibility of a temporary traffic circle at the intersection of 34th Street and Sheridan Avenue as a demonstration project while a permanent traffic circle is designed and permitted; and

**WHEREAS**, in May 2021, the Office of Capital improvements ("CIP") engaged one of its rotational consultants, Miller Legg & Associates ("Miller Legg"), Inc. to provide Professional Architectural and Engineering services for the Project to include design, construction documents, and construction administration services based on the concept design approved by the City Commission in 2019, said design consisting of a 10'-0" wide shared-use path from the Alton Road/Chase Avenue intersection, proceeding along the south side of 34th Street, and narrowing to 8'-0" adjacent to the single-family residence at 3186 Prairie Avenue; and

**WHEREAS**, on July 22, 2021, CIP staff, Parks and Recreation Department staff, and Miller Legg met with the operator of the Miami Beach Golf Course property and the owner of the single-family residence at 3186 Prairie Avenue and it appeared that the resident supported the Project concept design; and

**WHEREAS**, a virtual public meeting was conducted on February 2, 2022, where CIP presented the 30% Project design to the community; and

**WHEREAS**, the Transportation and Mobility Department staff provided an update on the Bayshore Neighborhood Traffic Calming project and the Alton Road Shared-Use Path project at the February 2, 2022 meeting; and

**WHEREAS**, the community provided favorable feedback on the Project but expressed concern with connectivity to the path prior to the construction of the Alton Road Shared-Use Path project, and the timing of the Bayshore Neighborhood Traffic Calming project; and

**WHEREAS**, the Transportation and Mobility Department staff advised the community that FDOT would provide connectivity to the neighborhood with the proposed Shared-Use Path along Alton Road, and that a proposed bicycle box at the intersection of Alton Road and Chase Avenue would be included as a part of that project; and

**WHEREAS**, on May 3, 2022, the Project was presented to the City's Design Review Board ("DRB"); and

**WHEREAS**, the design review included a 10'-0" wide asphalt shared-use path meandering within the existing landscape on the south side of Chase Avenue from Alton Road to a section of 34th Street where the path narrowed to an 8'-0" wide red concrete sidewalk, replacing the existing 5'-0" wide sidewalk, connecting to the sidewalk on Prairie Avenue; and

**WHEREAS**, a Letter To Commission ("LTC") was issued detailing the recommendations of the DRB which included using Louis Poulsen light fixtures along the path, using a flat profile and aluminum finish for all safety railings, using a permeable material or concrete instead of asphalt on the path surface, and concerns with unauthorized motorized vehicles potentially using the path; and

**WHEREAS**, on September 12, 2022, CIP staff provided an update on the status of the Project to the Transportation, Parking and Bicycle-Pedestrian Facilities Committee, which unanimously passed a motion reaffirming its support for the project and agreed that public safety of pedestrians and bicyclists is a priority; and

**WHEREAS**, the City applied for and was awarded an FDOT grant for the Project in the amount of \$495,075 for the implementation of a shared-use path to provide a safe link for pedestrians and bicyclists from the intersection of Alton Road and Chase Avenue (where the path would connect to a future shared-use path along the east side of Alton Road abutting the Miami Beach Golf Course), extending along the south side of Chase Avenue and 34th Street, and terminating at Prairie Avenue to provide a safe link to the existing green bike lanes on Prairie Avenue; and

**WHEREAS**, as a result of the FDOT grant, the Project is subject to FDOT rules, regulations, requirements, and, ultimately, FDOT review and approval; and

**WHEREAS**, during its review of the project, FDOT required that the width of the shared-use path be maintained at 10'-0" along the entire length of the path, or the City would have to apply for a design variation from the requirements of the applicable codes from FDOT's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways ("Green Book"); and

**WHEREAS**, FDOT determined that the Project did not meet the criteria under which an application for a variance could be submitted, and therefore must provide the 10'-0" width; and

**WHEREAS**, Miller Legg completed 90% construction documents utilizing a design that includes a continuous 10'-0" wide shared-use path along 34th street from Chase Avenue to the existing bicycle lanes on Prairie Avenue (the "Existing Design")(Option 1 in **Exhibit A** attached to this Resolution reflects the Existing Design); and

**WHEREAS**, the construction documents reflecting the Existing Design have been reviewed and approved by FDOT and are currently under review by the City of Miami Beach Building Department, Miami-Dade County Division of Environmental Resources Management ("DERM"), and Miami-Dade County Transportation and Public Works Department ("DTPW"); and

**WHEREAS**, the Project is also funded in the amount of \$830,000 by the City of Miami Beach 2018 General Obligation Bond (“GOB”); and

**WHEREAS**, based on construction cost estimates provided by Miller Legg in December 2022, the total project cost is estimated at \$2,270,441, thus there is a funding gap of approximately \$945,366 to fully fund the Project at this time; and

**WHEREAS**, on December 14, 2022, the City Commission adopted Resolution No. 2022-32449 directing the City Administration to provide quarterly reports to the Public Safety and Neighborhood Quality of Life Committee (“PSNQLC” or “Committee”) on the status of implementing the Central Bayshore Neighborhood Traffic Calming project, to be developed in parallel with the Chase Avenue and 34th Street Shared-Use Path project; and

**WHEREAS**, in May 2023, the owner of the single-family residence located at 3186 Prairie Avenue expressed concern with the proximity of the shared-use path to his residence, a concern shared by several area neighbors who signed a petition initiated by the homeowner; and

**WHEREAS**, during the May 23, 2023 PSNQLC meeting, the Committee requested that the Administration explore alternatives to the layout of the shared-use path, as currently proposed, in front of the private residence at 3186 Prairie Avenue due to some safety concerns with the proximity of the shared-use path; and

**WHEREAS**, in addition, the Committee requested that the Administration confirm with FDOT as to how any changes in the design of the shared-use path could potentially affect its approval and the FDOT grant funding; and

**WHEREAS**, during the July 12, 2023 PSNQLC meeting, CIP staff explained that the Committee’s request to alter the proposed design of the shared-use path would require that the design be revised to remove bicyclists from the shared-use path in front of the private residence; and

**WHEREAS**, CIP staff also explained that FDOT will require that revised plans detailing the changes in the design be submitted for review; and

**WHEREAS**, upon review of the revised permit documents, FDOT would determine if/how the design changes would potentially affect the grant funds (which expire on June 30, 2024) and the project schedule; and

**WHEREAS**, the Committee discussed options for the layout of the path including some that were suggested to Committee members by the community; and

**WHEREAS**, the Committee requested that the City Administration bring an item to the September 13, 2023 City Commission meeting after evaluating options for the layout of the path in front of the private residence at 3186 Prairie Avenue, and provide a final recommendation to the City Commission regarding the preferred option for the design of the shared-use path; and

**WHEREAS**, CIP and the Transportation and Mobility Department staff met with Miller Legg and requested that Miller Legg review the Existing Design and to provide sketches reflecting the additional options considered during the July PSNQLC meeting, and to summarize the safety concerns presented by each option; and

**WHEREAS**, the sketches prepared by Miller Legg including a summary of the pros and cons for each of the four alternative options are attached as **Exhibits B, C, D and E** to this Resolution; and

**WHEREAS**, at the September 13, 2023 City Commission meeting the Administration discussed the various design options, as well as the possibility of a modification to Option 3; and

**WHEREAS**, the City Commission requested to continue the item to the October 18, 2023 City Commission meeting; and

**WHEREAS**, the Administration's Memorandum published as part of the October 18, 2023 City Commission meeting agenda included a modification to Option 3 (dubbed Option 3A), which would remove the shared-use path from the front of 3186 Prairie Avenue as requested by the property owner, while continuing the bicycle path to Prairie Avenue via a sharrow on W. 34th Street; and

**WHEREAS**, at the October 18, 2023 City Commission meeting, the item was deferred to the December 13, 2023 City Commission meeting; and

**WHEREAS**, at the December 13, 2023 City Commission meeting, upon a motion made by Commissioner Alex Fernandez, the item was referred to the PSNQLC for further discussion to address concerns of the property owner at 3186 Prairie Avenue and other interested stakeholders; and

**WHEREAS**, Since the December City Commission meeting, Commissioner Fernandez has met with stakeholders, including from the cycling community, to garner support for a previously unexplored design option (the "New Design Option"); and

**WHEREAS**, a copy of the New Design Option is attached as **Exhibit F** to this Resolution; and

**WHEREAS**, the New Design Option shortens the Shared Use Path by diverting bicyclists onto a short "sharrowed" roadway on W 34th Street but does not reduce the width of the shared-use path; and

**WHEREAS**, additionally, the New Design Option provides greater separation between bicyclists and vehicles backing out of 3186 Prairie Avenue; and

**WHEREAS**, furthermore, in the New Design Option, bicyclists in the sharrow would have to obey the stop sign at the intersection of W. 34 Street and Prairie Avenue, providing an added level of protection for pedestrians; and

**WHEREAS**, the New Design Option would impact the Project schedule with a possible delay of approximately six (6) months or more to allow for the time necessary for the revision of construction documents and submission to FDOT for review and approval; and

**WHEREAS**, the City Administration has received confirmation from FDOT that it is amenable to reviewing a formal request for a design change from the previously approved design upon approval by the City Commission (via Resolution) of said design change; and

**WHEREAS**, if FDOT determines the Project remains eligible for grant funding if the City pursues the New Design Option, the City will also need the FDOT to approve an extension of the grant expenditure deadline which is currently June 30, 2024; and

**WHEREAS**, the New Design Option presents a viable solution to a challenge that has prevented the City from proceeding with this critical project.

**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:

- (1) rescinds the referral of the Chase Avenue and W. 34th Street Shared-Use Path to the Public Safety Neighborhoods and Quality of Life Committee;
- (2) approves the design option attached as **Exhibit F** to this Resolution for the Chase Avenue and W. 34th Street Shared-Use Path Project; and,
- (3) further, authorize the Administration to modify the design consultant's scope to include revision of the construction documents to reflect the new approved design.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Steven Meiner, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

1-23-24  
\_\_\_\_\_  
Date