

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 1 TO THE COLLABORATION, FUNDING AND MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE SABRINA COHEN FOUNDATION, INC. FOR AN ADAPTIVE RECREATION CENTER, WITH SUCH AMENDMENT NO. 1 CLARIFYING CERTAIN TECHNICAL DETAILS CONSISTENT WITH THE CONCEPT PLAN APPROVED BY THE CITY COMMISSION IN RESOLUTION NO. 2018-30377; NAMELY, THAT THE ADAPTIVE RECREATION CENTER SHALL (1) CONSIST OF A SINGLE BUILDING STRUCTURE WITH FLOORPLATES NOT TO EXCEED 5,000 SQUARE FEET (EXCLUDING EXTERIOR BALCONIES OR WALKWAYS), AND WITH A MAXIMUM HEIGHT OF TWENTY FOUR (24) FEET, MEASURED FROM BASE FLOOD ELEVATION + 5 FEET TO THE ROOF OF THE BUILDING; AND (2) BE LOCATED ON THE NORTHEAST CORNER OF THE P72 PARKING LOT AT 5301 COLLINS AVENUE, WITH THE PROPOSED DESIGN FOR THE CENTER SUBJECT TO REGULATORY REVIEW BY THE APPLICABLE CITY LAND USE BOARD, THE CITY'S DESIGN REVIEW BOARD.

WHEREAS, on October 31, 2017, the Mayor and City Commission adopted Resolution No. 2017-30082, approving a Collaboration, Funding and Management Agreement ("Agreement") with the Sabrina Cohen Foundation, Inc. (the "Foundation"), for the Foundation to raise the funds and be responsible for all of the expenses related to the City's design, development and construction of an Adaptive Recreation Center (the "Center"), to be located within a portion of the City's "P72" surface parking lot at 53rd Street and Collins Avenue (the "P72 Lot"); and

WHEREAS, the Agreement provides that the City would be the owner of the Center, which would be used for the primary purpose of providing the general public and, specifically, persons living with physical and cognitive disabilities, including seniors living with disabilities and able-bodied individuals with temporary injuries, with an accessible access point to the beach and related beach programming; and

WHEREAS, on July 2, 2018, pursuant to the Agreement's terms, the Mayor and City Commission adopted Resolution No. 2018-30377, and approved, in the City's proprietary capacity, the Foundation's proposed Concept Plan for the Center; and

WHEREAS, the City and the Foundation desire to amend the Agreement, a copy of which is attached to the Commission Memorandum accompanying this Resolution, to update and conform certain technical references in the Agreement, consistent with the Concept Plan approved by the City Commission on July 2, 2018, and applicable provisions of the City Code; and

WHEREAS, consistent with the Agreement's original intent for the Center to consist of a "two-story" structure with a height not to exceed 24 feet in height, and with a footprint not to exceed 10,000 sq. ft., the proposed amendment clarifies that the Center will have floorplates not to exceed 5,000 square feet (excluding exterior balconies or walkways), with a maximum height of twenty four (24) feet, measured from Base Flood Elevation + 5 feet to the roof of the building, in accordance with the City's Land Development Regulations; and

WHEREAS, pursuant to the City Commission's July 2, 2018 approval of the Concept Plan, which approved the location of the Center on the northeast corner of the P72 Lot, the proposed amendment clarifies that the Center shall be located on the northeast corner of the P72

Lot, with the proposed design for the Center subject to review by the applicable regulatory board, the City's Design Review Board.

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 and authorize the Mayor and City Clerk to execute Amendment No. 1 to the Collaboration, Funding and Management Agreement between the City and the Sabrina Cohen Foundation, Inc. for an Adaptive Recreation Center, with such Amendment No. 1 clarifying certain technical details consistent with the Concept Plan approved by the City Commission in Resolution No. 2018-30377; namely, that the Center shall (1) consist of a single building structure with floorplates not to exceed 5,000 square feet (excluding exterior balconies or walkways), and with a maximum height of twenty four (24) feet, measured from base flood elevation + 5 feet to the roof of the building; and (2) be located on the northeast corner of the P72 parking lot at 5301 Collins Avenue, with the proposed design for the Center subject to regulatory review by the applicable City land use board, the City's Design Review Board.


PASSED and ADOPTED this _____ day of _____, 2019.

DAN GELBER, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 1-7-19
City Attorney *RAP* Date