

MIAMI BEACH

**CITY OF MIAMI BEACH  
NOTICE OF PUBLIC HEARING**

**July 29, 2020 – Virtual City Commission Meeting**

**NOTICE IS HEREBY** given that a Second Reading/Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, via teleconference and webinar on **Wednesday, July 29, 2020 at 10:05 a.m.**, or as soon thereafter as the matter can be heard to consider the below referenced vacation of a City right-of-way area. To participate or provide comments, the public may join the virtual meeting at: <https://us02web.zoom.us/j/85224811868> or via telephone at: **1.312.626.6799** (U.S.) or **888.475.4499** (Toll Free). The Webinar ID is: **85224811868#**. Members of the public wanting to speak on an item during the Virtual Commission Meeting, must click the “raise hand” icon if using the Zoom app or press \*9 on the telephone to raise their hand.

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING SECOND READING/ PUBLIC HEARING OF THIS RESOLUTION, THE VACATION OF THE WESTERN HALF OF ALTON ROAD ADJACENT TO THE CITY-OWNED PROPERTIES LOCATED AT 300-400 ALTON ROAD, THE CURRENT UPLAND SITE OF THE MIAMI BEACH MARINA (FOLIO NOS. 02-4203-009-9210, 02-4203-000-0010, AND 02-4203-009-9250) (THE “DEVELOPMENT SITE”), WHICH AREA PROPOSED TO BE VACATED CONSISTS OF A FIFTY (50) FOOT WIDE RIGHT-OF-WAY CONTAINING 25,500 SQUARE FEET IN TOTAL LOT AREA (THE “CITY RIGHT-OF-WAY AREA”), IN FAVOR OF THE ABUTTING PROPERTY OWNER, THE CITY OF MIAMI BEACH, FLORIDA (THE “CITY”), FOR THE PURPOSE OF INCLUDING THE CITY RIGHT-OF-WAY AREA AS PART OF THE UNIFIED DEVELOPMENT SITE FOR THE PROPOSED DEVELOPMENT OF THE DEVELOPMENT SITE, WHICH PROPOSED DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM FLOOR AREA OF 319,802 SQUARE FEET, AND SHALL INCLUDE RESIDENTIAL, RETAIL, OFFICE, RESTAURANT AND MARINA USES (THE “MARINA PARK PROJECT”); FURTHER, PROVIDING THAT THE PROPOSED VACATION SHALL BE CONDITIONED UPON THE CITY COMMISSION’S APPROVAL OF (1) A DEVELOPMENT AGREEMENT BY AND AMONG THE CITY, MARINA PARK RESIDENTIAL, LLC AND MARINA PARK COMMERCIAL, LLC (JOINTLY AND SEVERALLY, THE “DEVELOPER”), WHICH AGREEMENT SHALL INCLUDE THE TERMS AND CONDITIONS FOR THE DESIGN, PERMITTING AND CONSTRUCTION OF THE MARINA PARK PROJECT, AT THE DEVELOPER’S SOLE COST AND EXPENSE, INCLUDING RESILIENCY AND OTHER CAPITAL IMPROVEMENTS; (2) THE CITY’S SALE TO MARINA PARK RESIDENTIAL, LLC OF THE PORTION OF THE DEVELOPMENT SITE AND AIR PARCEL WITHIN WHICH THE APPROXIMATELY 275,000 SQUARE FOOT RESIDENTIAL PORTION OF THE MARINA PARK PROJECT IS TO BE CONSTRUCTED (“RESIDENTIAL PARCEL”); AND (3) THE CITY’S 99 YEAR LEASE TO MB MARINA PARK, LLC, AN AFFILIATE OF SUNTEX MARINA INVESTORS, LLC, OF THE DEVELOPMENT SITE (EXCLUDING THE RESIDENTIAL PARCEL) AND ASSOCIATED LEASE OF SUBMERGED LANDS FOR MARINA USE (THE “MARINA LEASE”); FURTHER, PROVIDING THAT THE PROPOSED VACATION SHALL BE SUBJECT TO AND CONTINGENT UPON APPROVAL OF THE MARINA LEASE AND THE SALE OF THE RESIDENTIAL PARCEL BY A MAJORITY OF THE VOTERS VOTING IN A CITY-WIDE REFERENDUM, PURSUANT TO SECTION 1.03(B)(1) OF THE CITY CHARTER, AMONG OTHER CONDITIONS; AND FURTHER, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, PURSUANT TO SECTION 82-39 OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY.**

This Resolution is being heard pursuant to Section 82-37 of the City of Miami Beach Code or Ordinances, and Section 1.03(b)(4) of the City Charter.

*A copy of the proposed Development Agreement that is related to this item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139.*

**INTERESTED PARTIES** are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the City Clerk’s Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided. Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk  
City of Miami Beach

**Ad: 07292020-11**