



# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: April 9, 2014

SUBJECT: **DISCUSSION ON BEACHWALK UNIFORMITY**

On March 5, 2014 the City Commission referred discussion of beachwalk uniformity to the Land Use and Development Committee.

### **BACKGROUND**

The 2025 Miami Beach Comprehensive Plan was adopted by the City Commission on April 13, 2011 and became effective July 1, 2011. Pursuant to the policy adopted by the City Commission as part of the 2025 Miami Beach Comprehensive Plan, the Administration has continued to implement the beachwalk and baywalk projects in order to further the City's vision of a continuous on-grade recreational path running north/south along the coast linking the City's South, Middle, and North Beach Neighborhoods. Currently, the beachwalk pathways are constructed from either concrete pavers or concrete sidewalk. Attachment A provides photographs of the existing beachwalks in North Beach and South Beach.

The vision that is being currently implemented was also documented in the City's Atlantic Greenway Network (AGN) Master Plan adopted by City Commission on October 17, 2007. Therefore, it has been the City's policy that, as oceanfront properties redevelop, the Planning Department negotiates with private property owners during the development approval process to remove the elevated structure where one exists and to construct an on-grade beachwalk that can safely accommodate bicyclists and pedestrians.

The City's Beachfront Management Plan with the State of Florida also lists the development of the AGN as a management activity that enhances the natural resource value and/or public recreation value for which the lands were acquired. The Beachfront Management Plan states that the AGN serves to help conserve the dune ecosystem and to provide significant economic and social benefit by creating a continuous coastal network for alternative transportation and community enhancement.

The City has already made a substantial investment in the development of the AGN. Florida Department of Transportation (FDOT) funds are available for alternative transportation facilities that improve mobility. These funds are contingent upon the establishment of an alternative transportation corridor that is accessible by non-motorized vehicles (bikes, skate boards, roller blades, etc) as well as pedestrians. To date, the City has obtained more than \$6,000,000 in funding from FDOT to design and construct the coastal portion of the AGN.

The wooden boardwalk was built in the mid-1980's and extended from the south end of Collins Park at 21 Street to the north end of Indian Beach Park at 47 Street. The Planning Department, as part of the development review process, has accepted voluntary proffers from a number of upland properties that are adjacent to the boardwalk to assist in the development of segments of a public beachwalk. The Fontainebleau, Ocean Grand Hotel, Versailles Project, and Saxony Project have all committed or are in negotiations with the City to construct or fund the construction of a beachwalk for the public benefit. Attachment B provides a breakdown of the segments remaining of the existing boardwalk and the segments that have already been converted from boardwalk to beachwalk.

The existing boardwalk is not part of the AGN because its current width does not allow for safe bicycle and pedestrian shared use. However, the beachwalk projects consist of on-grade, ADA accessible pathways that support bicycle use and other recreational and transportation activities that are in line with the goals of the AGN. Attachment C provides a map of the coastal pathway system and the construction material used for each segment.

### Past & Current Projects

In 2009, during the development of the W-Hotel, the boardwalk fronting this property was removed and replaced with pavers from 21 Street to 23 Street. The developer designed, constructed, and partially funded 885 feet of beachwalk east of the W-Hotel and Collins Park from 22 Street to 23 Street. The total project cost was \$1,107,225. The developer's construction cost was \$582,225 plus another \$275,000 in Right-of-Way fees that the City applied to the project. The City contributed the remaining \$250,000 toward the project.

In October 2012, the City began the removal of the existing elevated boardwalk and its replacement with approximately 950 feet of an on-grade paver pathway from the south property line of the Eden Roc Hotel (approximately 45 Street) to the north terminus of the wooden boardwalk at approximately 47 Street. Eden Roc funded the permitting and design of the beachwalk. The total construction cost for this project is \$1,063,550, which was funded through \$704,000 from a Florida Department of Transportation grant and \$359,550 from the City.

On May 20, 2013, a special City Commission Meeting was held to discuss the boardwalk. The Mayor and Commission approved taking down the boardwalk behind the Perry from 23 Street to 24 Street and keeping the boardwalk from 24 Street to 29 Street.

On June 6, 2013, the City entered into a Settlement Agreement with the Seville Acquisition, LLC. Pursuant to the Agreement, the City was required to issue the Seville a permit authorizing the demolition of the existing boardwalk and the construction of the new at-grade paved beachwalk. Per the Agreement, by December 1, 2013 the City was to develop an alternative site plan for an elevated beachwalk that provides greater views of the ocean and incorporate an alternative beachwalk surface that is "jogging-friendly". At the March 5, 2014 Commission Meeting, the City Commission approved a motion to move the project forward with the elevated design and concrete pavers.

### Other Considerations

Individuals often loiter beneath the elevated boardwalk. Homeless encampments can often go undetected for long periods of time. This, coupled with the large number of feral cats living under the boardwalk, can lead to unsanitary conditions that cause a public health concern.

### Permitting Requirements

All construction that occurs east of the Coastal Construction Control Line (CCCL) requires a permit from the Florida Department of Environmental Protection (FDEP). The CCCL Permitting Program goal is to protect the coastal system from improperly sited and designed structures which can destabilize or destroy the beach and dune system. These standards may be more stringent than those already applied in the rest of the coastal building zone because of the greater forces expected to occur in the seaward zone of the beach during a storm event.

During the CCCL permit application process, FDEP reviews a project's construction plans to determine if the proposed design is a major or minor structure. No major structures can be constructed east of the Erosion Control Line (ECL). In addition, during the permitting process FDEP will request that the footprint of any structure (beachwalk or boardwalk) be within a given set back from the ECL. Until plans are presented to FDEP, they will not make a formal determination if a structure is considered major or minor. The City has not presented FDEP with a plan to permit any new boardwalk structures, thus at this time we do not have precedent on if a new or larger boardwalk structure could be permitted. However, the State has approved the Seville Beachwalk project with an elevated site design that raises the height of the beachwalk 16 inches in the area of 29 Street and 18 inches at 30 Street.

### Potential Options

On February 6, 2012, Commission directed Administration that future segments of the beachwalk should be elevated in order to have an ocean view. Staff identified four potential alternatives for the boardwalk, including the raised beachwalk option approved by Commission for the Seville/Edition segment:

1. Continue to maintain existing boardwalk.
2. Widen existing boardwalk.
3. Remove boardwalk and replace with on-grade beachwalk.
4. Remove boardwalk and raise the grade before constructing a beachwalk.

Alternative 1 - maintain the existing boardwalk and replace structure as it reaches the end of its lifespan. The existing raised boardwalk has gradually declined throughout the years making it more costly for the City to maintain. In the last three years, the City has spent over \$377,345 to repair and maintain the boardwalk in working condition. The boardwalk pavilions located at selected entrances require additional maintenance of the roof and bench structures. If the boardwalk is destroyed by storm surge or its structural integrity becomes compromised, the City will need to apply for a CCCL permit to build a new structure, which FDEP will evaluate at that time.

Alternative 2 - widen the existing boardwalk. The boardwalk is currently 12 feet wide and does not permit safe use for joint use by pedestrians and alternative transportation options. The Federal Highway Administration recommends that the width of a shared path measure at least 15 feet to accommodate pedestrians and bicyclists safely. The City may be able to extend the footprint landward of the existing boardwalk structure. The entire boardwalk system currently ranges from 0 to 15 feet east of the ECL. Thus, the City may need to obtain easements from the adjacent properties in the areas were the ECL is the western edge of the existing footprint. FDEP would need to review this concept to provide feedback if widening of the existing

boardwalk would be considered major or minor structure.

Alternative 3 - continue with the current policy of removing the boardwalk as sections become funded and replace with an on-grade concrete paver beachwalk. Based on previous consultations with FDEP, the agency prefers the low profile, frangible pavers to the wooden boardwalk structure because the pavers are anticipated to cause less impact to upland property during a storm surge event. Under this option, the phasing of demolition and construction would need to be coordinated to minimize impacts to current users.

Alternative 4 - remove the boardwalk and replace with an elevated paver pathway to allow for greater ocean views. This alternative would require additional fill and, depending on the elevations of the adjacent dune and upland property, may require the construction of retention walls to ensure the structural integrity of the raised pathway. The FDEP has permitted an elevated pathway design for the Seville/Edition Beachwalk. The additional scope required under this alternative would result in a cost increase for both design and permitting and construction.

### **CONCLUSION**

The Administration recommends Alternative 4, which is removal of the boardwalk and replacement with an elevated paver beachwalk. Alternative 4 maintains design consistency and uniformity of the beachwalk system while providing ocean vistas for both pedestrians and bicyclists. The above information is provided for discussion by members of the Land Use and Development Committee.

#### **Attachments:**

- A: Existing Beachwalk Photographs
- B: Boardwalk Segments Map
- C: Coastal Pathway Segments Map

**Existing Beachwalks**



North Beach Recreational Corridor at 64 Street  
Walkway Material: Concrete



North Beach Recreational Corridor  
Walkway Material: Concrete

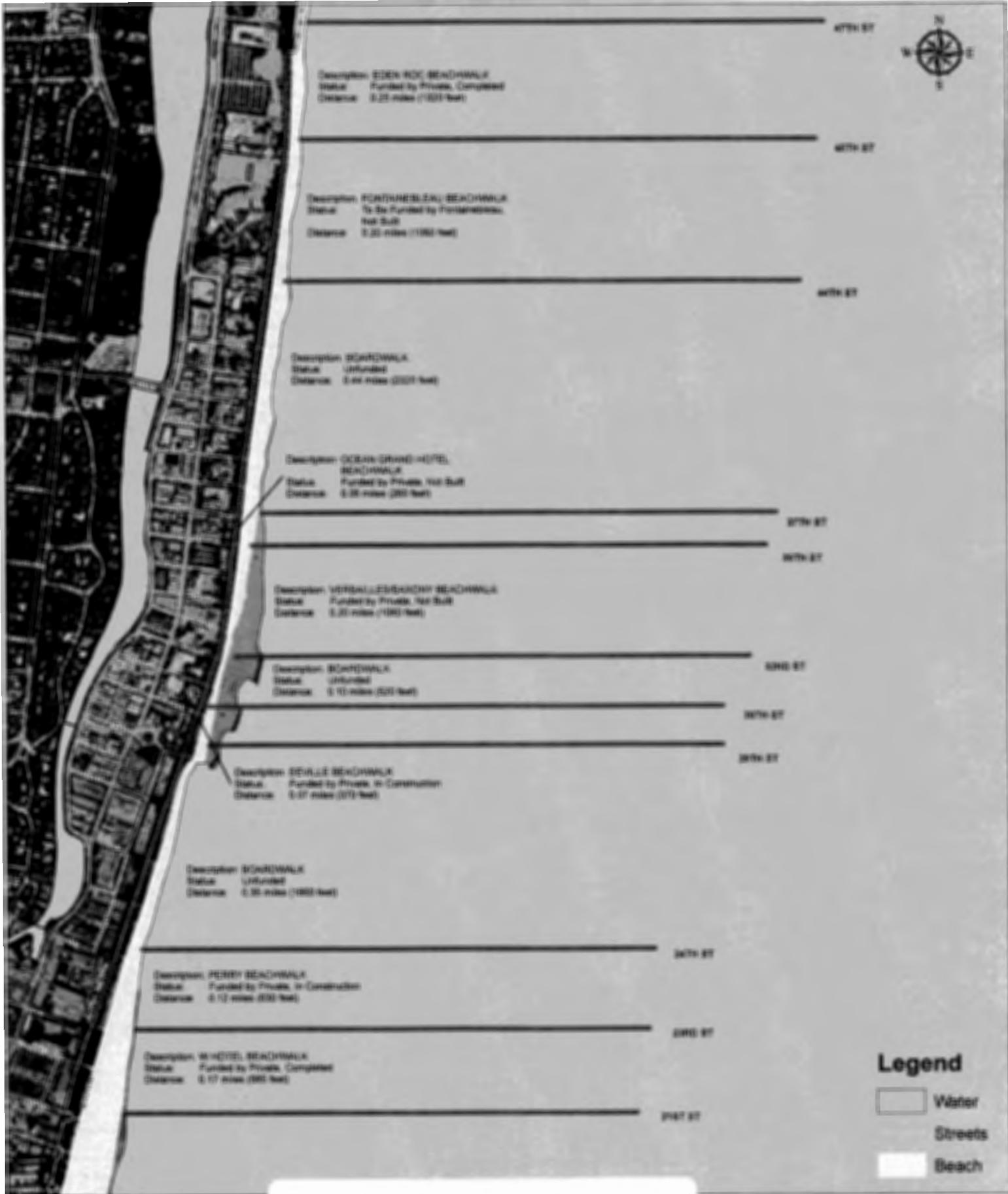


Beachwalk at 22 Street  
Walkway Material: Concrete Pavers

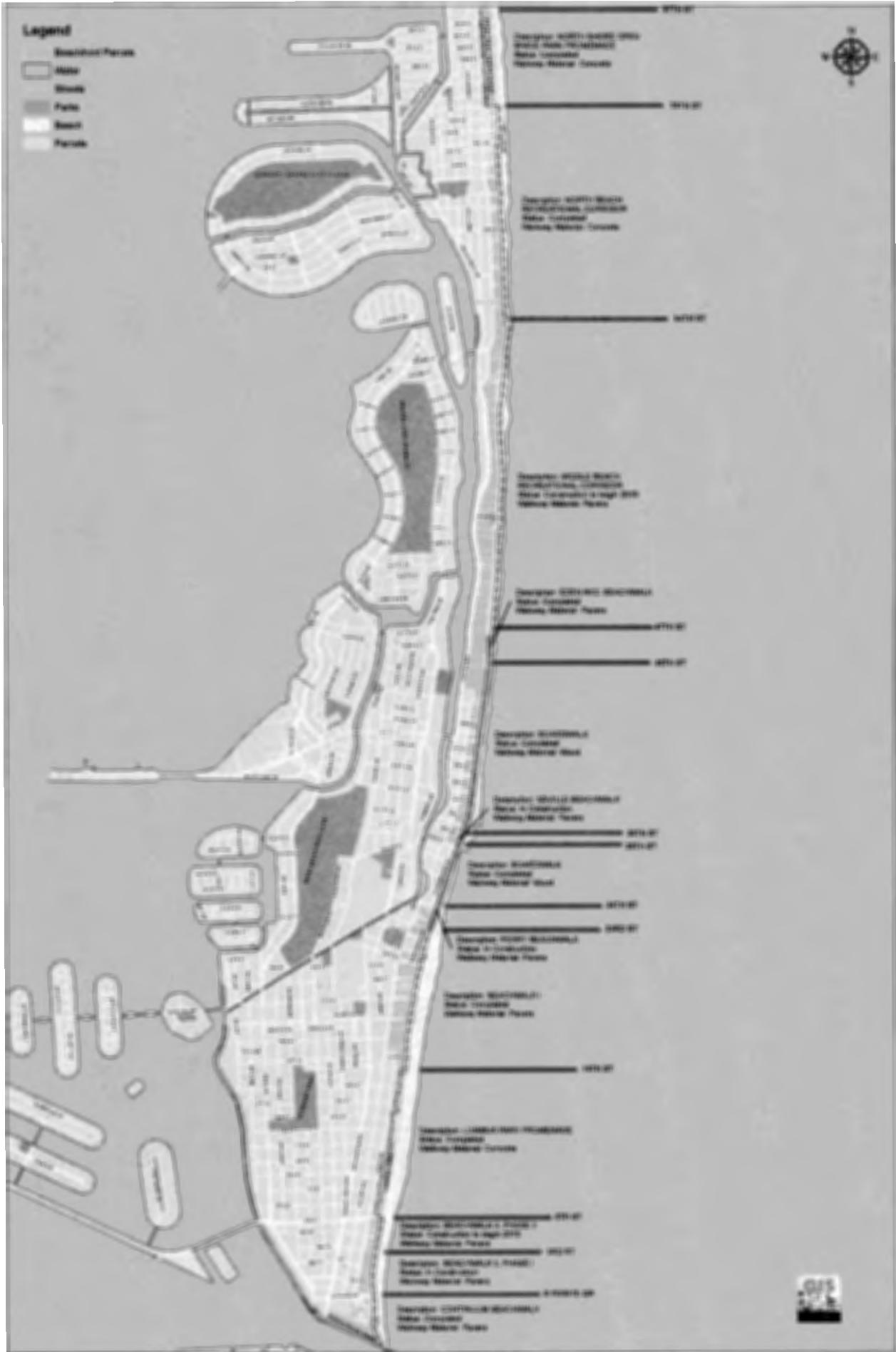


Beachwalk at Lincoln Road  
Walkway Material: Concrete Pavers

# City of Miami Beach: Boardwalk Segments



# City of Miami Beach: Coastal Pathway Segments



Attachment C