

MIAMI BEACH

Commission: public/private deal approved

■ **The City Commission gave preliminary approval to a multimillion dollar deal that will create more than 500 city-owned spaces in a shopping center currently under development.**

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The City Commission has given preliminary approval to invest \$9.5 million to create hundreds of city-owned parking spaces within a high-profile shopping center development.

The Fifth & Alton Shopping Center, which will straddle a city block at the foot of the MacArthur Causeway, will include a public transit facility, 179,000 square feet of retail, a supermarket and 1,081 parking spaces.

According to the agreement with the developers — Jeff Berkowitz and brothers Alan and Robert Potamkin — the city would partially operate the parking garage and own just under half of its spaces.

“Not only will the project revitalize Fifth Street, there will be more than 1,000 spaces available for evenings and weekends,” said Wayne Pathman, the lawyer representing the development. “Without city participation, there would not be as much parking in the project.”

The agreement, approved at the City Commission’s April 20 meeting, will be considered for a second and final time at the commission’s next meeting.

Commissioner Saul Gross cast the sole vote against the agreement, questioning the viability of a parking operation there and protesting the

shopping center’s scale, saying it could cause congestion at the heavily traveled intersection.

The approval also stirred some controversy because of the developers’ request that a required contribution to a city art fund be waived.

The city’s participation in the project through the parking triggers the Art in Public Places ordinance, which stipulates that 1.5 percent of the cost of city projects should be set aside for public art.

The ordinance was modified in 2001 to include joint projects between the city and private entities, and the shopping development is the first test of that provision.

Based on the development’s estimated \$32 million cost, the contribution to the art fund would be approximately \$490,000.

The developers requested that the contribution be waived, saying that they planned instead to install a sculpture by Romero Britto on the site. Alan Potamkin also indicated to the city that he and his wife were planning on presenting gifts they valued at \$600,000 to the Bass Museum.

As part of the approval of the development agreement, the commission directed the city staff to draft a waiver of the contribution that will be presented at the next commission meeting.

Some activists vehemently protested the waiver of that fee.

“This is the first public-private project being asked to contribute to the fund, and they’re the first one asking to waive it,” said Nancy Lieberman. “[A waiver] is breaking a process so long in coming.”