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In downtown Miami, furor builds up over torn-out median

When they realized motorists could not get into their garage from surrounding streets, developers of the new Met 2 office and hotel tower created an improvised access by tearing out a median.

BY ANDRES VIGLUCCI

Developers of the deluxe new Met 2 tower in downtown Miami seemingly thought of everything: high-end office space and a super-luxury hotel with a grand portico flanked by massive winged lions -- everything, apparently, except how motorists would get into their parking garage.

As the massive tower nears its formal opening this month, it has become apparent that the only way to get to the yawning garage entrance on Southeast Third Street is from the Interstate 95 ramp that empties directly onto that street.

From the surrounding warren of mostly one-way downtown streets, there is no way a car can get anywhere near the tower's garage entrance. That means anyone wanting to reach the garage from downtown Miami or Brickell, like visiting NBA teams, would have to first get on I-95 and then circle back down to the exit ramp.

So what did the developers, MDM Development Group, do about the problem?

On a recent Friday afternoon, with no permits or engineering plans, they sent a crew to tear out a raised median under the elevated Metromover guideway on Third Street, creating an improvised, S-shaped route to their garage from Southeast Second Avenue -- illegally, say city officials, who ordered them to stop.

The city then froze permission for the tower's high-priced office tenants to move in.

That's not the only miscalculation MDM made, city and state highway officials say. The developers also built storm sewers without required environmental permits.

And, when the city last year asked the developer to add an eastbound lane to Third Street to relieve a long-standing bottleneck their project would make worse, the developer did so -- again without permits, the city says.

Now, the Florida Department of Transportation, which has partial jurisdiction over the surrounding roadways, wants the extra lane on Third Street built at city request blocked off for safety reasons, at least temporarily. That has angered managers of surrounding office towers who say it's essential to easing auto access to their properties, and who showered FDOT with letters of complaint about MDM's behavior.

So heated did the imbroglio become over the past two weeks that officials have called an unusual summit meeting for Monday to soothe tempers and work out a solution. "This is a critical access into downtown," said Miami public works Director Nzeribe Ihekweba, who said he personally halted the illegal cut-through on Sept. 24. "What we are trying to do is effectively resolve this in a nonadversarial way."

An MDM representative says the developers did not intentionally break any regulations. Francois Illas said they believed existing permits covered the construction of the new lane. They also thought that FDOT had given permission for the cut-through -- only to realize belatedly that it came under city purview, he said.

"On that, my client threw up his hands and said 'mea culpa,'" Illas said, blaming what he described as "jurisdictional confusion."

"We've been working since then to correct that."

The issue centers around a long-problematic intersection where the I-95 ramp, Southeast Second Avenue and Third Street meet. Though it's the main gateway to downtown from the highway, it has been an unappealing and jerry-rigged

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choke point for years -- and one of the main sites of accidents in the city.

When Metromover was erected in the 1980s, the elevated guideway was built straight down the middle of Third Street, cutting it into two eastbound-only lanes divided by massive support pillars. A raised median was installed to keep motorists from attempting to change lanes and colliding with the pillars, reducing Third Street to two narrow channels that frequently back up, and creating bottlenecks at the critical intersection.

Because Second Avenue is one-way southbound, drivers coming off the I-95 ramp have two choices: Go straight onto the right lane of Third Street, or turn right onto Second Avenue. Motorists coming south on Second Avenue can turn left onto the left lane of Third Street, but can't cross over to the right lane because of the raised median.

Yet Met 2's garage entrance is on that south side of Third Street, rendering it inaccessible to people coming from Second Avenue -- the only possible access point for motorists approaching the garage from surface streets downtown.

Why Met 2's planners and designers, who have been working on the project for years, did not address the issue before now is unclear. Public officials said they did not want to speculate on the reasons.

What they do know is that the city, and surrounding office towers, badly wanted an extra right lane on Third Street to increase the road capacity and reduce bottlenecks, expected to worsen as Met 2 fills up. In return for speeded-up permission to have some tenants move in, Met 2 agreed to build it.

Since it opened this summer, public officials say, traffic on Third street appeared to be moving a lot more easily.

``That intersection was actually functioning better. The extra lane reduced the number of backups onto I-95,`` said Alyce Robertson, Downtown Development Authority director.

There was only one problem, said FDOT engineer Ali Al-Said: ``They came to us, and we said, OK, you need to do a traffic-impact study to see the impact on our I-95 ramp. After that, we don't hear back from them. Then one day we found out they constructed the additional lane and had traffic on it."

City officials said they did not realize MDM had failed to get permits. City zoning Director Orlando Toledo said public works inspectors would check only if they receive an application or a complaint -- neither of which happened. MDM's Illas, however, said a public works inspector was on the site recently to approve the officer tower's temporary certificate of occupancy.

The issues did not come to public light until an attorney for neighboring Wachovia Center, whose garage entrance is on Third Street and badly wanted the extra lane, noticed crews tearing out a piece of the median and notified the city.

At the time, FDOT had been considering alternatives to improving the intersection, including a proposal by MDM to install a new traffic signal on Second Avenue that would permit motorists to safely turn onto Third Street, across a cut in the median and into the Met 2 garage. But that median cut-through plan was never presented to the city.

Moreover, FDOT said that, because the I-95 ramp and Third Street are misaligned, the extra right lane creates a risk for crashes as cars jostle to get over to the garage entrance. It wants the lane blocked off with a bulb-out.

Now also under consideration: expanding or moving the interstate ramp to align it cleanly with Third Street, and allowing the right lane to remain open. All that would have to come at the developer's cost.

``It's going to be complicated. It's an issue nobody wanted to deal with because there is no money,`` Illas said. ``We're the last kid on the block, and everyone's looking to us, even though everyone would benefit."

The developers, meanwhile, may also face fines from the city, Ihekwebaba said.