

Parcel B Should Become the Dan Paul Park:

Some Context on a Sad But Symptomatic Piece of Miami's Public Waterfront

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Issue In Brief:

The 1996 Heat Pledge and Need for Public Action- NOW

A forlorn four (4) acre parcel of Miami Dade County land faces the waterfront to the east of the American Airlines Arena. It has gorgeous views of Biscayne Bay and is valued at hundreds of millions of dollars. It is zoned park by the city of Miami but is largely a wasteland, parking lot and staging area for the American Airlines Arena, and has been so for almost twenty years. Yet it has an important history, and was clearly promised to the public as a park back in 1996 by the Heat in an extensive advertising campaign.

Its continued state of limbo underscores the sad quality of public space in the city of Miami. Few people have any clue about Parcel B as they cheer on the Heat. In the absence of adequate media attention or political leadership, this public waterfront space has faded away from public consciousness similar to the fate of so many other waterfront parks in Miami over the years. Ever hear of Bayside? Skyrise? Flagstone? Marine Stadium area? What could have been a fine public waterfront park continues to mock all of us as a disorganized and mindless public who are endlessly manipulated by powerful economic interests. Such deference should be an embarrassment to all clear thinking Miami residents.

And it's an insult to the memory of lawyer Dan Paul, the longtime defender of Miami's public waterfront. We of the Urban Environment League (UEL), Emerge Miami and other organizations and individuals believe that Parcel B should be opened as a well designed open space waterfront park and named after this great champion of Miami's public waterfront.

Location of Parcel B a.k.a. Dan Paul Park

Parcel B/Dan Paul Park is between Museum/Bicentennial Park just south of the large slip and north of Port Boulevard and Bayside/Bayfront Park. There is no linking walkway which the Heat had earlier promised to provide.

Who Was Dan Paul? (1924- 2010)

Dan Paul was born in Daytona Beach, Florida and educated at Harvard University including a law degree and another degree in public administration. He came to Miami and practiced law. He was a general counsel to the Miami Dolphins and litigated First Amendment and environmental cases. He was the father of Dade County Charter (1957). Dan Paul had a special interest in promoting the public waterfront in Miami. He was author of the Dan Paul Amendment requiring 50 foot setbacks on all waterfront property and Amendment 7 of the county charter providing assurances to limit commercial building size in parks.¹

The Story of Parcel B

1996: The Heat's Pledge

In 1996, Dan Paul organized the Committee to Stop the new Arena in order to thwart the attempt by the owners of the Miami Heat in league with the publisher of the Miami Herald and others to take over FEC land on the waterfront for their new basketball arena. Eleven years before, the city had built the Miami Arena for the team several blocks inland but in 1996 the Heat wanted more luxury box rental income and the old site wouldn't do. They angled for a prime waterfront site that had long been neglected by the city. A deal was struck but Mayoral candidate Alex Penelas said, "This deal stinks, and every day it stinks more and more..." A significant part of his platform for Mayor was his opposition to the arena deal and desire for more neighborhood parks. He won.²

Eventually Dan Paul and others gathered enough signatures to assure that the Arena question would be on the ballot. By October, polls showed that a majority of voters were against the Arena deal two weeks before the vote.³

After he became Mayor, Alex Penelas was involved in negotiating a slightly more favorable deal to make the Heat pay more for the area, then endorsed the deal in dramatic media fashion. This was followed by a tremendous news and advertising pitch estimated at well over \$3 million. Central to the pitch was that voters were also voting for a soccer field for kids along the bay in front of the proposed new Arena. The Heat won the referendum with such a well orchestrated push.

¹ See his obituary in the New York Times:

<http://query.nytimes.com/gst/fullpage.html?res=9407E5DF1238F932A35751C0A9669D8B63>

² Jim DeFede, "Micky Arison is a Greedy Corporate Pig," MNT April 25, 1996

³ "Public Funded Arena on Bay Lacks Support, MH, Oct 30, 1996

Republican PR guru Mike Murphy worked for the Heat. In a revealing 2004 article, he recounted the polling done of potential voters and the strategy used to win the race. [Coach Pat] Riley was the “team’s greatest asset...viewed as a big celebrity, a wonder and someone who added prestige to the Heat and the entire city.” He went on: “We also saw that different voter groups saw different benefits in the arena. ...In Dade County, Cuban Americans saw the arena as a symbol of pride and local achievement. African Americans saw an economic project bringing new jobs and had pride in the local NBA team. White voters were most excited about a new family-friendly park on Miami’s waterfront, including soccer fields and a new arena, which would bring in concerts and other entertainment events. Recasting the arena as a waterfront park and arena was to be key to our campaign.”⁴

To top it all off, those who were against the arena had to vote yes while those in favor of it had to vote no, a clever gambit of confusion for many. The advertising helped persuade enough voters to win.

Opposition never had much of a chance at the end. The news media fawned over basketball stars. A UEL news conference drew no reporters. An OpEd piece that UM Dean Elizabeth Plater-Zyberk and I published in the Herald on the last day was too little too late.

1997-2014: The Long Hiatus, or Park Interruptus

Following their victory at the polls, in 1997 Metro paid the city of Miami \$35 million for 17 acres of FEC tract between Bicentennial and Bayside. The 1997 agreement gave the county control of all retail development outside the arena site.⁵

Then a 1998 Letter of intent that kept the Miami Heat in Miami said the franchise would be a joint partner with the Port of Miami to develop Maritime Park. Its blueprint called for 187,569 sq. ft. of shops and a 26 story hotel. Journalist Kirk Neilsen wrote, “Soccer moms and dads will find no trace of the playing field that appeared in a 1998 Master Plan prepared by Cooper Robertson.”

Maritime Park called for a ten foot high fence to line most of the bayfront and brought out a lot of opponents including Dan Paul and the newly established Urban Environment League that helped to successfully stop the takeover of Bicentennial Park for the time being.⁶

⁴ Michael Murphy, “Successful Strategies for Pitching an Arena Project to Voters,” Sports Business Journal, Jan 12, 2004

⁵ Laura Irwin, “Metro Set to Act on Arena Deal Today,” Miami Today April 10, 1997

⁶ Peter Whorisky, “Port, Civic Activists Clash Over Maritime Park Plan,” MH April 7, 1997

The media became a partner in the scene when NBC 6 signed a lease to build a studio inside the new Arena. Then in May 1999 the Heat pressed the county commission into authorizing construction of 70,000 sq ft. in Parcel B. The press reported that the Heat unilaterally voided an agreement it made with the city the previous fall in order to use park land near its basketball arena for parking and boat slips. Thus the City gave away waterfront park for parking. Then “once the city had made a contract where it would receive less than 2% of the net from the use of its parkland, government didn’t bother to enforce the contract.”ⁱ

Parcel B remained used as a parking lot and staging area and “a sweet deal” for the Heat in subsequent years as many schemes rose and fell. In March 2003, the UEL held a rally to protest against the construction of a high-rise building to the east of the American Airlines Arena. The rally was held during a major rainstorm with tornado warnings. The protest brought about negotiations with the Miami Heat and the Codina Group to stop construction and return Parcel B to public use as was voted when the electorate approved an Arena to be built on public waterfront land.

Who has controlled the site? It is zoned as a park by the City of Miami but the County Parks department does not even control it – it’s under the mysterious Internal Services division. It remains unopened as a park space. But you can rent it for \$7,500 a day.

In April 2014, the Urban Environment League held a forum on Parcel B at the Miami Center for Architecture and Design and heard comments from County Commissioner Audrey Edmonson assuring the audience that she would make it into the park it should always have been. In late 2014 Commissioner Edmonson would sponsor a Motion to allow a promoter for a Formula E race to kill grass and trees and cover more of the site with asphalt. The March 2015 Formula E race was a failure yet the asphalt remains.

Then last summer, the Cuban Exile History Museum advocates, long interested in the site, after another lobbying effort got the County Commission to approve, in principle, direction to the County Mayor to negotiate with the unfunded Cuban group for a large portion of Parcel B to build a Cuban Exile History Museum. There was fervent opposition from members of the public including members of the UEL. African American Commissioner Dennis Moss voted for the museum with an implicit understanding that he would soon seek taxpayer funding for an African American museum on the waterfront. Negotiations between the museums have taken place through office of Mayor Gimenez to forge a joint agreement to take over Parcel B, though no appreciable funding has been secured for either museum. In fact, Freedom Tower across the street from the AA Arena serves as a Cuban Museum.

Yet in the end, a key question needs to be asked: **Why haven't County Commissioners, the Mayor and administrators ever followed through with the original promise by the Heat to make this prime waterfront land into the park that so many people still seek?**

ⁱ Miami Today, June 22, 2000; see Kirk Nielsen, "The Cheat is On," MNT August 3, 2000; Illegal floating dock, Charles Rabin, "Heat Lacks Permit for Dock," MH 8/23/00