

MEMORANDUM

To: Mr. Thomas Mooney, Planning Director
City of Miami Beach

Mr. Kareem Brantley, Chair
Planning Board

From: Alex Fernandez, Member
Planning Board



Date: April 13, 2021

Subject: Art Deco/MiMo Commercial Character Overlay District

I would like to request for a discussion item be placed on the agenda of the next, or an upcoming, Planning Board meeting to review the Art Deco/MiMo Commercial Character Overlay District ("Overlay") and to, in part, discuss its possible expansion to the north and to the west to include properties on Collins Avenue north of 16th Street, properties along Washington Avenue, and side streets.

Background

In 2017, the City Commission adopted an ordinance establishing the Overlay to cover areas of South Beach fronting Ocean Drive and Collins Avenue between 5th Street and 16th Street. The policies of the Overlay sought to address the increased level of homogeneity created by the proliferation of uses such as tattoo studios, fortune tellers, package liquor stores, souvenir, and t-shirt shops, as more specifically summarized below for the South Beach area:



Figure 1 Fast Food, Tattoo Studio, Cell Phone Repair, and Smoke Shop located back-to-back along Washington Avenue between 12th and 13th Streets.

- Check Cashing Stores
 - *Prohibited on lots fronting Ocean Drive.*
 - *In the remaining areas of the Overlay District, there shall be no more than two such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Convenience Stores
 - *Prohibited on lots fronting Ocean Drive.*
 - *In the remaining areas of the Overlay District there shall be no more than five such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Formula Commercial
 - *Prohibited on lots fronting Ocean Drive.*
- Formula Restaurants
 - *Prohibited on lots fronting Ocean Drive.*
- Massage therapy centers

- *Shall not operate between 9:00 pm and 7:00 am in the overlay district*
- Marijuana dispensaries
 - *Prohibited in all areas.*
- Occult Science Establishments
 - *Prohibited in the overlay district.*
- Package liquor stores
 - *Prohibited on lots in the South Beach Art Deco Area with an underlying MXE zoning designation.*
 - *In the remaining areas of the Overlay District there shall be no more than three such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Pawnshops
 - *Prohibited in all areas of the Overlay.*
- Pharmacy stores
 - *Prohibited on lots fronting Ocean Drive*
 - *In the remaining areas of the Overlay District, there shall be no more than five (5) such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Souvenir and t-shirt shops
 - *Prohibited on lots fronting Ocean Drive*
 - *In the remaining areas of the Overlay District there shall be no more than five (5) such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Tattoo studios
 - *Prohibited on lots fronting Ocean Drive.*
 - *In the remaining areas of the Overlay District there shall be no more than three (3) such establishments.*
- Grocery stores
 - *Prohibited on lots fronting Ocean Drive.*
 - *In the remaining areas of the Overlay District there shall be no more than five (5) such establishments.*
 - *Such establishments shall be located no closer than 2,500 feet from any other such establishment.*
- Tobacco/vape dealers
 - *Prohibited in all areas of the Overlay.*

Concern

Several businesses that engage in uses regulated by the Overlay continue to exist as legal non-conforming uses. Other businesses engaging in nuisance uses have proliferated on Washington Avenue, along the 100 and 200 blocks of side streets, and on Collins Avenue north of 16th Street. Additionally, prominent street corners of Washington Avenue anchored by buildings of architectural significance are occupied by liquor stores, fast food restaurants, markets, pharmacies (selling prepackaged liquor), convenience stores, and t-shirt shops. As demonstrated in the following pages, nuisance uses have defined significant portions of city blocks from 5th to 17th Streets in a manner that is inconsistent with *the unique cultural, retail, and dining experience* the City aims to achieve.

Discussion Item

Recognizing that Washington Avenue, Collins Avenue, and Ocean Drive are symbiotic, and to help further the revitalization of the *Entertainment (MXE) District* into an *Art Deco Cultural District*, I look forward to discussing with staff and my Planning Board colleagues, at minimum, the following points:

- Whether the boundaries of the Overlay should be expanded towards Washington Avenue (to the west) and towards 17th Street (to the north);
- If any uses should be identified as an allowed, limited, or prohibited use on properties fronting Washington Avenue;
- If any additional uses or activities should be regulated as part of the Overlay (e.g.: standalone bars, cell phone repair shops, etc.);
- If the distance separation between certain business uses require revision; and,
- The possibility of recommending to the City Commission an amortization period or sunset for legal non-conforming uses.

Establishments defining our city blocks:



Figure 2 Pharmacy with Prepackaged Liquor – Corner of 5th Street and Washington Avenue



Figure 3 Cell Phone Repair - Washington between 5th Street and 6th Street



Figure 4 Fast Food - Washington between 5th Street and 6th Street



Figure 5 Coin Laundry - Washington between 5th Street and 6th Street



Figure 6 Tattoo Studio - Washington between 5th Street and 6th Street



Figure 7 Liquor Store - Washington between 5th Street and 6th Street



Figure 8 Liquor Store and Tattoo Studio Back-to-Back - Washington between 7th Street and 8th Street



Figure 9 Back-to-Back Cell Phone Shops – Washington between 7th Street and 8th Street



Figure 10 Smoke Shop – Washington between 7th Street and 8th Street



Figure 11 Back-to-Back Stand-alone Bar, Tattoo Studio, and Market – Washington between 7th Street and 8th Street



Figure 12 Market - Corner of 8th Street & Washington Avenue



Figure 13 Market - Corner of 8th Street & Washington Avenue



Figure 14 Market - Washington between 8th Street and 9th Street



Figure 15 Souvenir Shop - Washington between 8th Street and 9th Street



Figure 16 Tattoo Studio - Washington between 8th Street and 9th Street



Figure 17 Check Cashing - Washington between 8th Street and 9th Street



Figure 18 Back-to-Back Cell Phone Repair with Check Cashing - Washington between 8th Street and 9th Street



Figure 19 T-shirt Store - Washington between 8th Street and 9th Street



Figure 20 Fast Food - Washington between 8th Street and 9th Street



Figure 21 Market - Washington between 8th Street and 9th Street



Figure 22 Market - Washington between 8th Street and 9th Street



Figure 23 Back-to-Back Cell Phone Repair and Smoke Shop - Washington between 8th Street and 9th Street



Figure 24 Back-to-Back Tattoo Studio, Cell Phone Repair and Smoke Shop - Washington between 8th Street and 9th Street



Figure 25 7-Eleven - Corner of Washington Avenue and 9th Street



Figure 26 Market - Corner of Washington Avenue and 9th Street



Figure 27 Scooter Rental - Washington between 9th Street and 10th Street



Figure 28 Bike Rental - Washington between 9th Street and 10th Street



Figure 29 Pharmacy with Prepackaged Liquor – Corner of 10th Street and Washington Avenue



Figure 30 T-shirt shop - Washington between 10th Street and 11th Street



Figure 31 Fast Food – Corner of 11th Street and Washington Avenue



Figure 32 T-shirt shop - Washington between 11th Street and 12th Street



Figure 33 T-shirt shop - Washington between 11th Street and 12th Street



Figure 34 Market - Washington between 11th Street and 12th Street



Figure 35 Cell Phone Repair - Washington between 11th Street and 12th Street



Figure 36 Market - Corner of Washington and 12th Street



Figure 37 Smoke Shop - Washington between 12th Street and 13th Street



Figure 38 Cell Phone Repair - Washington between 12th Street and 13th Street



Figure 39 Tattoo Studio - Washington between 12th Street and 13th Street



Figure 40 Fast Food - Washington between 12th Street and 13th Street



Figure 41 T-shirt shop - Corner of Washington and 13th Street



Figure 42 Back-to-back Market & Adult Book Store - Washington between 13th Street & 14th Street



Figure 43 Tattoo Studio - Washington between 13th Street & 14th Street



Figure 44 Market - Washington between 13th Street & 14th Street



Figure 45 T-shirt/Souvenir Shop - Washington between 13th Street & 14th Street



Figure 46 Cell Phone Repair, Check Cashing Store, Tattoo Studio - Washington between 13th Street & 14th Street



Figure 47 T-shirt shop - Corner of Washington and 14th Street



Figure 48 Smoke Shop - Washington between 14th Street and Española Way



Figure 49 Market - Washington between 14th Street and Española Way



Figure 50 Back-to-back Cell Phone Repair and Smoke Shop - Washington between 14th Street and Española Way



Figure 51 Market - Washington between 14th Street and Española Way



Figure 52 Market - Washington between 14th Street and Española Way



Figure 53 Cell Phone Repair - Washington between 14th Street and Española Way



Figure 54 T-shirt Shop - Corner of Española Way and Washington Avenue



Figure 55 Fast Food - Washington between Española Way and 15th Street



Figure 56 Market and Liquor Store - Washington between Española Way and 15th Street



Figure 57 Cell Phone Repair - Washington between 15th Street and 16th Street



Figure 58 Market - Washington between 15th Street and 16th Street



Figure 59 Tattoo Studio - Washington between 15th Street and 16th Street



Figure 60 Market - Washington between 15th Street and 16th Street



Figure 61 Smoke Shop and Cell Phone Repair back-to-back - Washington between 15th Street and 16th Street



Figure 62 Tattoo Studio and Fast Food back-to-back - Washington between 16th Street and Lincoln Road



Figure 63 Back-to-back: Tattoo Studio, Market, Money Exchange, Smoke Shop, Cell Phone Repair Shop - Washington between 16th Street and Lincoln Road



Figure 64 7-Eleven Market - Lincoln Road between Washington and James Avenue



Figure 65 Pharmacy with Pre-packaged Liquor - Lincoln Road between Washington and James Avenue



Figure 66 Fast Food next to Markets and Night Clubs – Lincoln Road between Washington Avenue and James Avenue



Figure 67 Liquor Store - Collins between 16th Street and 17th Street



Figure 68 T-shirt Shop - Collins between 16th Street and 17th Street



Figure 69 Pharmacy with Liquor Shop - Corner of Collins and Lincoln Road



Figure 70 T-Shirt Shop - Corner of Collins and Lincoln Road



Figure 71 Liquor Store and T-shirt Shop - Corner of Collins and Lincoln Road.



Figure 72- T-shirt Shop - Collins between 15th Street and 16th Street



Figure 73 Pharmacy with Pre-packaged Liquor - Collins and 14th Street



Figure 74 T-shirt Shop - Collins between 12 Street and 13 Street



Figure 75 T-shirt Shop - Collins between 11 Street and 12 Street



Figure 76 Liquor Store - Corner of Collins and 11 Street



Figure 77 Market and Fast Food - Corner of Collins and 11 Street



Figure 78 Cell Phone Repair Shop - 11 Street between Collins and Washington



Figure 79 Back-to-back Smoke Shops - 11th Street between Collins and Washington



Figure 80 Liquor Shop - 11 Street between Collins and Washington Avenue



Figure 81 Back-to-back Liquor Store and Fast Food - 9th Street between Collins and Ocean



Figure 82 T-shirt Shop - Collins Avenue between 6th Street and 7th Street



Figure 83 Scooter Rental - 6th Street between Washington and Collins.



Figure 84 Liquor Store - 13th Street between Washington and Collins



Figure 85 Scooter and Tattoo Studio - 14th Street between Washington and Collins



Figure 86 Smoke Shop - 14th Street between Washington and Collins

Map of the South Beach Art Deco/Mimo Commercial Character Overlay District:

