

6948, 6956, 6964, 6972, 6988 Abbott Avenue & 6965, 6957 Byron Avenue

Board of Adjustment

June 04, 2021 Meeting

File No. ZBA21-0127



TARGET



BERCOW RADELL FERNANDEZ LARKIN + TAPANES
ZONING, LAND USE AND ENVIRONMENTAL LAW

Application Summary

- **Requests (3):**

1. Variances from 1,200-foot spacing requirement;
2. Wall separation requirement; and
3. Maximum size

To permit Target/CVS to operate an accessory pharmacy integrated within its store located 793 feet from the existing Navarro Discount Pharmacy at 631 71 Street

- **Voluntary Proffers:**

- The Applicant shall not dispense marijuana or marijuana products from the pharmacy permitted by this variance.

Property Location – 71st Street Between Abbott and Byron Avenues



North Beach ("Nobe") Master Plan



DRB19-0424: Approved Mixed-Use Project Fronting 71st Street

- 30,089 ground floor Target “anchor” store
- 170 multi-family units
- Parking garage
- 3,634 SF rooftop amenity deck



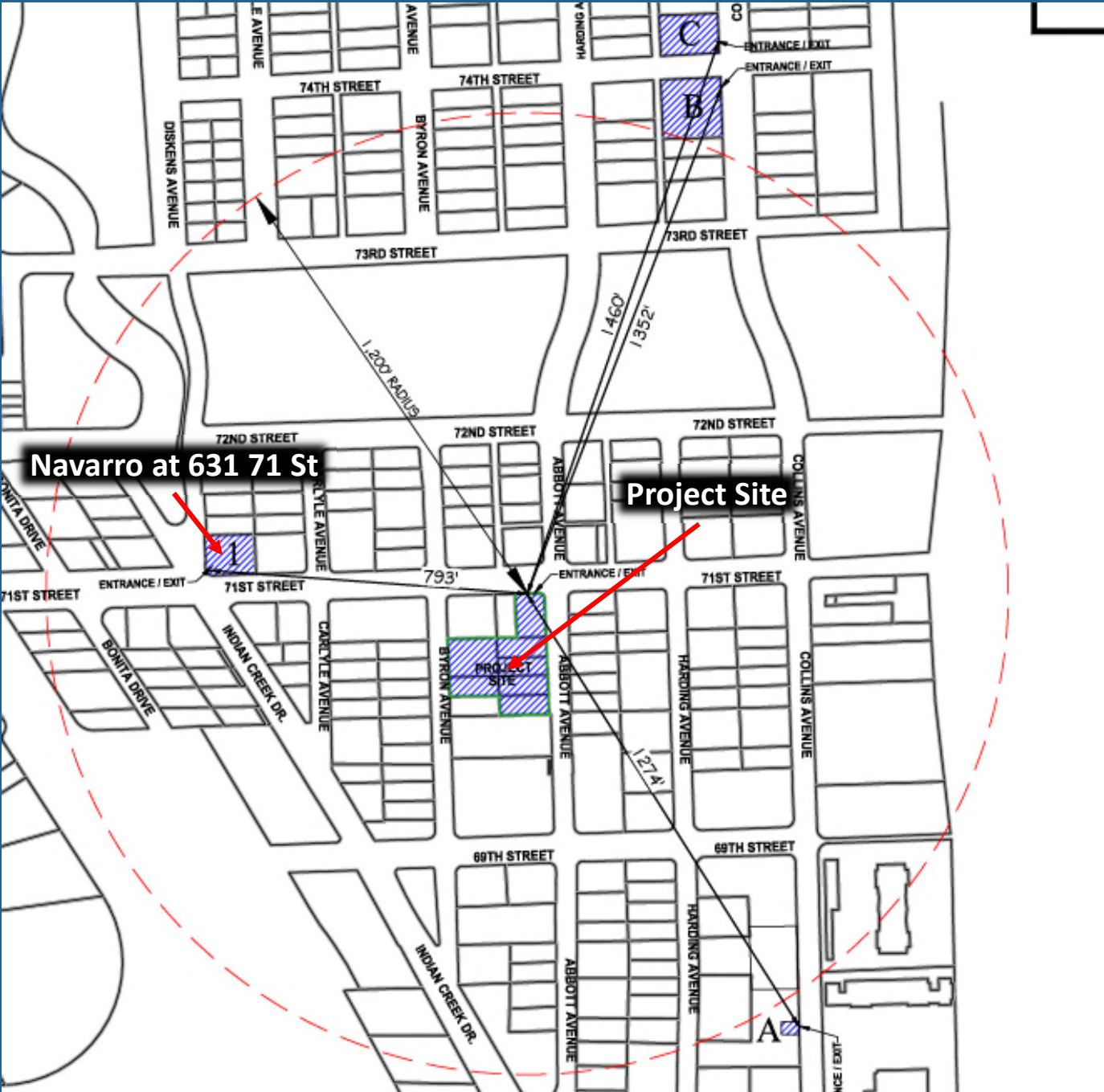
Variance Requests

- 1) **Spacing:** Variance to waive 1,200 foot spacing requirement applicable to pharmacy stores under Section 142-1502(b)(5) of the Code by 407 feet to permit a proposed accessory pharmacy with Target located approximately 793 feet from existing Navarro Discount Pharmacy at 631 71 Street;
- 2) **Wall Separation:** Variance from the requirement that pharmacies be separated from adjacent businesses by a one-hour fire separation wall under Section 142-1503(e) of the Code to permit the proposed pharmacy to be fully integrated into the approved Target store;
- 3) **Maximum Size:** Variance from the maximum 7,500 square foot size limitation applicable to pharmacies under section 142-1503(f) of the Code to permit the pharmacy to be fully integrated into the approximately 30,000 square foot Target store

Request 1: Distance Separation

ESTABLISHMENT DISTANCE ANALYSIS WITHIN THE RADIUS OF 1,200 FT.		
NEAREST PHARMACIES	ADDRESS	DISTANCE (FT.)
1. NAVARRO DISCOUNT PHARMACY	631 71ST STREET, MIAMI BEACH, FL. 33141	793

ESTABLISHMENT DISTANCE ANALYSIS OUTSIDE THE RADIUS OF 1,200 FT.		
NEAREST PHARMACIES	ADDRESS	DISTANCE (FT.)
A. PUBLIX PHARMACY AT NORTH SHORE	6876 COLLINS AVENUE, MIAMI BEACH, FL. 33141	1,274
B. WALGREENS PHARMACY	7340 COLLINS AVENUE, MIAMI BEACH, FL. 33141	1,352
C. CVS PHARMACY	7400 COLLINS AVENUE, MIAMI BEACH, FL. 33141	1,460



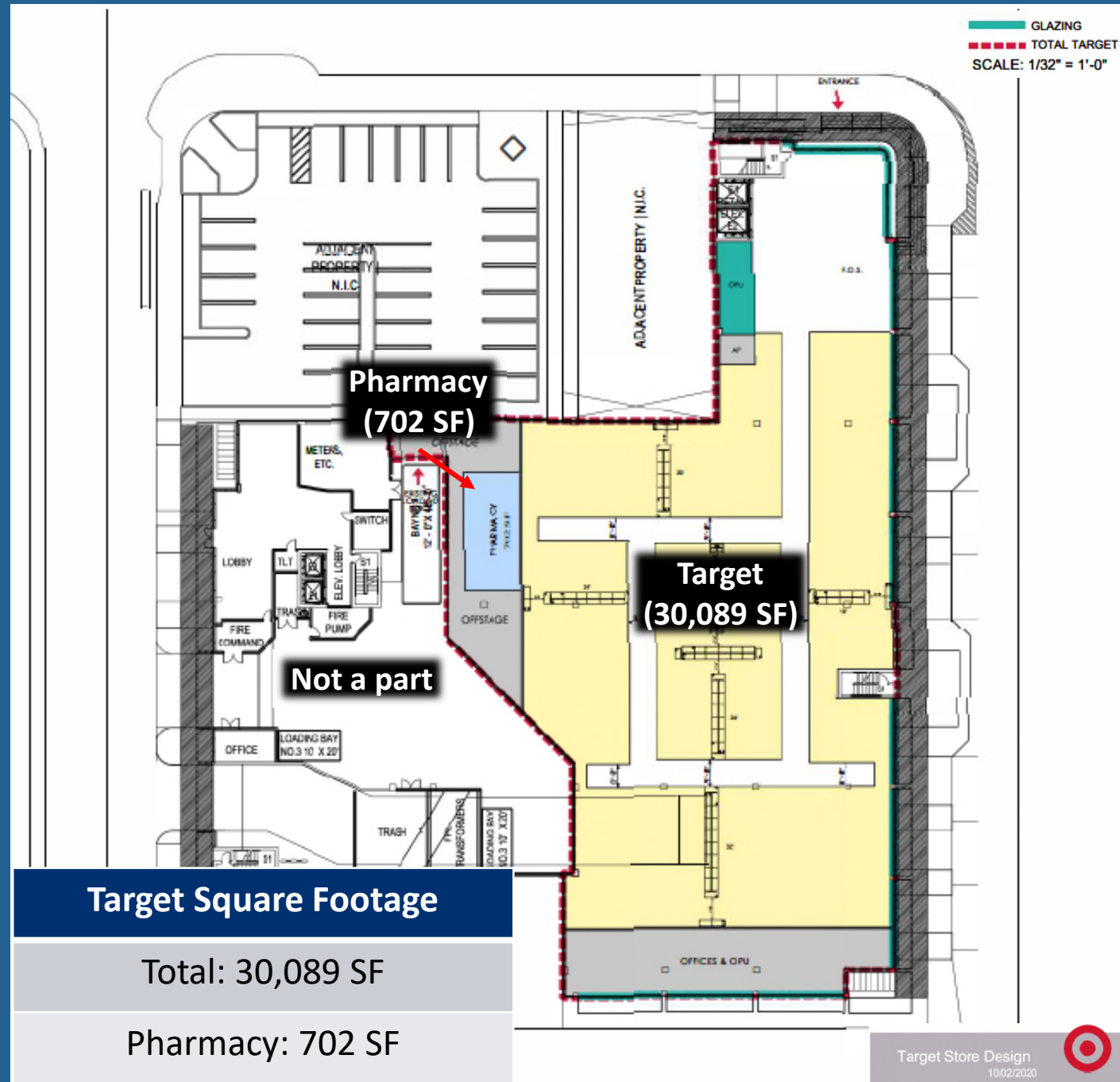
Request 1: Distance Separation

- Currently zero (0) pharmacies located in Pharmacy Subzone No. 4
- Existing Navarro is legal conforming use outside of pharmacy area
- Variance would permit one (1) pharmacy in area specifically designated for such use



Requests 2-3: Integration

- Target has partnered with CVS to integrate pharmacy services within stores
- Pharmacy occupies 2.3% of floor space
- No separate doors or walls
- Only accessible through target main entrance at 71st Street



Hardship Criteria

- The existing legal nonconforming Navarro at 631 71st Street located within 1,200 feet of all properties in Sub-Area 4 is a unique condition peculiar to the property involved
- The existing legal nonconforming Navarro pharmacy within 1,200 feet of the site does not result from any action by the Applicant.
- The requested variances do not confer any special privilege denied to others because the proposed accessory pharmacy would be the only pharmacy in Sub-Area 4, which is specifically designated for pharmacy store use.
- Literal interpretation of the Code deprives Target of the ability to operate one pharmacy in a district where pharmacies are expressly permitted.
- The requested variances are the minimal, allowing the first pharmacy use within designated Sub-Area 4
- Granting the variance is consistent with the intent of the spacing requirement as there are no other pharmacies in Sub-Area 4

Voluntary Proffer

Proposed Condition of Approval:

The Applicant shall not dispense marijuana or marijuana products from the pharmacy permitted by this variance.

Thank You

Team available for
Questions

200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.374.5300 office
305.377.6222 fax
Info@brzoninglaw.com