

DECLARATION OF MITCH NOVICK

My name is Mitch Novick. I own the Sherbrooke Hotel located at 901 Collins Avenue. I've been living in the MXE district since 1988 before the implementation of the "Entertainment" zoning with the opening of the Cleveland Bar in 1989-90. I can say with certainty that entertainment is an incompatible use not only for an abutting residential/hotel use such as mine, but for the entire district.

The Ocean Drive entertainment district was once thriving with high-end retail and international visitors from everywhere. Legislation passed about ten years ago to allow Ocean Drive entertainment establishments the ability to blast their obnoxious and assaulting music eastward was when the deterioration of the neighborhood accelerated.

Recently, businesses such as: Ralph Lauren, Kenneth Cole, Diesel, Levis, Urban Outfitters, Barney Co-op, Vidal Sassoon, and Adriano Goldschmidt fled this deteriorating neighborhood due to the safety of their employees, the theft of merchandise and the changing demographic which has primarily become young people with a Spring Break mentality. In addition, we see a proliferation of tee-shirt shops, liquor stores, tattoo parlors, pizza joints, scooter rentals, smoke shops, psychics, and 7 eleven types of convenience stores.

Every day I witness fights, public drunkenness, defecation, crime and overall bad behavior which the city has repeatedly proven it's unable to control. This past September, the commission again allocated millions on police and implemented other measures to quell the continued deterioration of the "Entertainment" district.

Since then, we've had a murder, several stabbings, hit and runs, sexual assaults, and brutal attacks. I witnessed the aftermath of one such daytime brutal attack two days before Christmas when a tourist resisted giving up her cell phone. She was repeatedly pummeled in the face by some scumbag who was captured by the police in front of my business.

I recently requested public records from the City regarding crime in my district, and was advised that between September 1, 2016 to April 21, 2017 within the MXE district of Miami Beach, and along 9th Street from the intersection of Ocean Drive through the intersection of Washington Avenue, there were 2,460 police cases, and 14,347 calls for service, yielding 24,600 pages of public records.

As someone who has watched generations of commissions and administrations throw public money at the Ocean Drive Mixed Use Entertainment District, I can say with certainty that entertainment activities at all hours of the day in this area cause the toxic mix of large crowds, rowdiness, and unrestricted noise which attracts and fuels the bad behavior we're subjected to. Granted that this is a district zoned for entertainment, our principal recourse is to rely on measures such as code compliance and police which are merely band-aids in the best of circumstances. A much more effective measure is the type of zoning protection enjoyed by the

south of Fifth residential district just south of my hotel, and I would urge the city to keep those protections in place rather than opening the door to what our entertainment district has become.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated May 8, 2017



Mitch Novick