

TO: Hernan Cardeno, Esq.,
Director

VIA: Edgard Estrada
Assistant Director

Silvia Escobar
Administrative Services Manager

Mounia Jefferson
Acting Code Compliance Manager

FROM: Brandon Mclean
Acting Code Compliance Administrator

DATE: January 24, 2026

SUBJECT: Mynt Soluna LLC DBA Mynt Lounge - CC2026-21864 & ZV2026-06266

INCIDENT DATE & TIME: January 24, 2026, at 12:00 AM

STAFF INVOLVED: ACCA Brandon Mclean 728
CCO Albert Leslie 751
CCO Mario Merisier 745

INCIDENT LOCATION: 1921 Collins Ave, Miami Beach, FL, 33139

VIOLATION:

Section 82-151.- A person or entity obstructing or causing to obstruct any street or sidewalk in the city or impeding the general movement of vehicular or pedestrian traffic without first obtaining a right-of-way permit.

Resiliency Code Section 2.5.2.5(a) & 1.3.8. - No occupational license, certificate of use, certificate of occupancy, or certificate of completion shall be issued until all conditions of approval have been met. The establishment of a conditional use without complying with the conditions of approval shall constitute a violation of these land development regulations and shall be subject to enforcement procedures as set forth chapter 1.

INCIDENT:

On January 24, 2026, while responding to a noise complaint at 1906 Collins Ave, CCO Leslie observed a large crowd at 1921 Collins Ave, outside Mynt Lounge. ACCA Mclean and CCO Merisier arrived on scene to assist. Due to the crowd obstructing the right-of-way, Miami Beach Police were contacted for crowd control and Officer Carrero, Officer Rodriguez, and Sargent Klements arrived on scene. The group was not only blocking the sidewalk but also encroaching into Collins Avenue. While on scene no

music was heard coming from the establishment.

Since the crowd was unusually large and blocked pedestrian access, ACCA Mclean contacted the fire department to ensure the venue was not over capacity. Before their arrival, contact was made with General Manager Andrew Mayor, who stated that the promoter had oversold tickets, resulting in a large crowd. He explained that he was preventing additional patrons from entering to avoid overcrowding.

Once Captain Chavez from the fire department arrived, officials met with the manager, who granted access to verify the number of occupants inside. An official count of 175 people was provided, confirming the fire department's findings that the venue was operating below capacity. The active business tax receipt for the establishment provides a maximum occupancy of 470 people.

In addition to blocking the right-of-way, the establishment was also found to be in violation of their City of Miami Beach modified conditional use permit file #1481 (recorded August 29, 2007 OR Bk 25889 Pgs 2796-2799). The exact conditions violated are the following:

- Under the FINDINGS OF FACT, “the public health, safety, morals, and general welfare will not be adversely affected” and “that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values”.

Initially, the observance of the right-of-way being blocked triggered a Code Compliance response, which required Code Compliance to coordinate a response from the Police Department and Fire Marshal, respectively, for assistance with crowd control and potential occupancy violations. This type of response would not have been required if the establishment had provided the necessary safeguards to protect the surrounding property, persons, and neighborhood values, as dictated in the CUP.

- Condition #6. “All special events promotions, if any, shall be the strict responsibility of the operator.”

The General Manager told the Code officers that the promoter had oversold tickets, causing the large crowds. This is their “strict responsibility” regarding promotions and they did not fulfill their obligation.

- Condition #13. “Stanchions shall be required along both entrances for the queuing of patrons. In the event that there is queuing of people on the sidewalk impeding the free-flow of pedestrians on the sidewalk, the operator shall be required to have staff take action to remove such crowds from the sidewalk.”

It was not until the Code Compliance Department observed the large crowd and coordinated the multi-departmental response that the operator began to take steps to control the crowd.

Violation CC2026-21864 was issued for blocking the right-of-way and presented to General Manager Andrew Mayor, who signed for its receipt. By approximately 1:40 AM, the crowd had been dispersed and was no longer obstructing the sidewalk. All city personnel then cleared the scene.

Violation ZV2026-06266 for failing to abide by City of Miami Beach approved conditional

use permit was subsequently issued the evening of January 24, 2026 and posted on the property.

ACTIONS TAKEN:

Notice of Violation(s) issued to Mynt Soluna LLC DBA Mynt Lounge

- CC2026-21864 - Section 82-151. Right-of-way-001C
1st Offense - \$500.00 Fine
- ZV2026-06266 - Resiliency Code Section 2.5.2.5(a) & 1.3.8.
Failure to operate business in accordance with Conditional Use Permit.

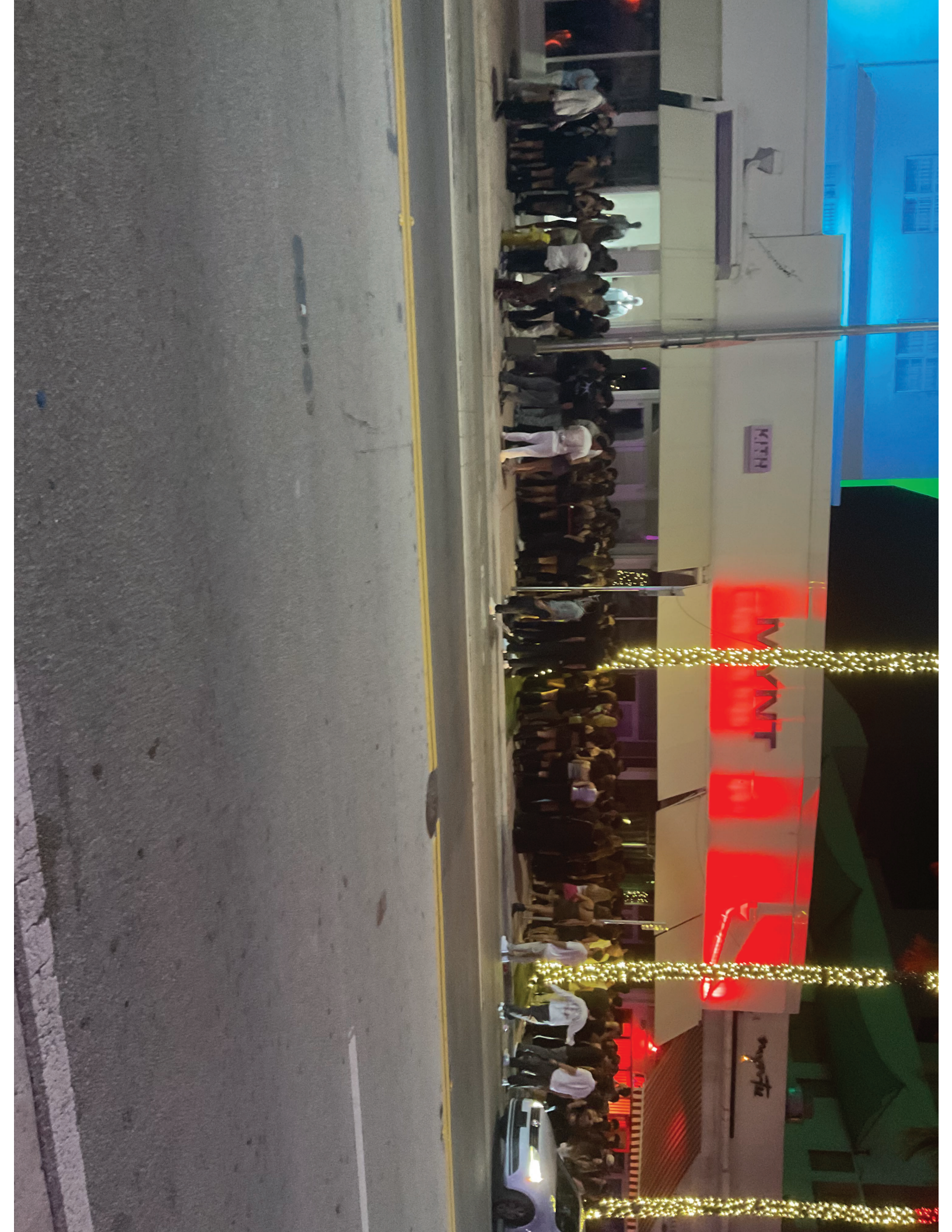
RECOMMENDATIONS:

Conduct inspections to ensure that the patrons of the establishment are not blocking the right of way by queuing on the sidewalk.

Additionally, this matter will be referred to the Planning and Zoning Director for consideration in bringing the existing Conditional Use Permit before the Planning Board for a public hearing due to non-compliance with the agreed-upon conditions.

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PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

Tel: (305) 673-7550

February 5, 2026

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mynt Soluna LLC
C/O Daniel F. Benavides.
1250 South Miami Avenue, Suite 3501
Miami, FL 33130

Re: **PB24-0684 – 1921 Collins Avenue**

Dear Sir/Madam:

An application for modifications to a previously approved Conditional Use Permit for a Neighborhood Impact Establishment, was approved by the Planning Board on July 30, 2024. It has come to the Planning Department's attention that violations have been issued by the Code Compliance Department. The following violations were issued to the operator on January 24, 2026:

1. Case No. **CC2026-21864** 1/24/2026

Ref: Blocking the right-of-way with a crowd.

Section 82-151. A person or entity obstructing or causing to obstruct any street or sidewalk in the city or impeding the general movement of vehicular or pedestrian traffic without first obtaining a right-of-way permit.

1st offense

2. Case No. **ZV2026-06266** 1/24/2026

Ref: Failing to operate in accordance with conditional use permit.

Resiliency Code Sections 2.5.2.5(a) & 1.3.8 Failure to operate your business in accordance with your conditional use permit.

1st offense

The following conditions of approval contained in the Modified CUP dated July 30, 2024 are applicable to the above noted violations:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of the progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
4. All special events promotions, if any, shall be the strict responsibility of the operator, Mynt Lounge. Any deviation from this condition shall be deemed a modification of the final order and requires Planning Board approval. The volume of music shall be controlled by management only; DJs shall be prohibited from manipulating volume controls. Non-compliance with this condition shall be deemed a violation of the Permit and subject to the remedies as described in Sec. 118-194 of the City Code.

12. Stanchions shall be required along the entrances for the queuing of patrons. In the event that there is queuing of people on the sidewalk impeding the free-flow of pedestrians on the sidewalk, the operator shall be required to have staff take action to remove such crowds from the sidewalk.

18. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of this approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use

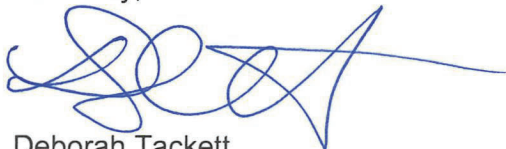
In accordance with Condition No. 1 of the MCUP, **you are requested to appear at the March 10, 2026 Planning Board hearing** for a verbal progress report.

Please be advised that at the time of the progress report, in accordance with the provisions of Section 2.5.2.5 of the Land Development Regulations of the City Code (LDR's), the Planning Board may consider setting a public hearing for the purpose of examining the noncompliance issues and initiate modification/revocation proceedings.

Should the Planning Board consider setting a public hearing for the purpose of examining the noncompliance issues noted herein, and initiate modification/revocation proceedings, this matter may be placed on the May 5, 2026 agenda of the Board as a modification/revocation hearing. If a future public hearing is set, the board may consider the issue of noncompliance and the possible modification or revocation of the approval. Based on substantial competent evidence, the board may consider revoking the approval, modifying the conditions thereof, or imposing additional or supplemental conditions.

If you have any questions, please do not hesitate to contact Deborah Tackett at (786) 394-4257 or via email at DeborahTackett@miamibeachfl.gov.

Sincerely,



Deborah Tackett
Historic Preservation & Architecture Officer

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1921 Collins Avenue

FILE NO. PB24-0684. a.k.a File No. 1481-A.

IN RE: An application has been filed requesting a modification to a previously Conditional Use Permit for a Neighborhood Impact Establishment. Specifically, the applicant is requesting to change the owner/operator pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

LEGAL

DESCRIPTION: Lot 3 and a portion of Lot 2, Block B, Ocean Front Subdivision, as recorded in PB 5-7; and part of Lot 7, Block 1, Alton Beach First Subdivision, as recorded in PB 2-77 of the public records of Miami-Dade County, Florida.

MEETING DATE: November 25, 2008; July 30, 2024.

MODIFIED CONDITIONAL USE PERMIT

The applicant, Mynt Soluna LLC, filed an application with the Planning Director for a Modification to an existing Conditional Use Permit for a Neighborhood Impact Establishment. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the of the record for this matter:

That the property in question is located in the RM-3 - Residential Multi Family, High Intensity Zoning District;

That the use is consistent with the Comprehensive Plan for the area in which the property is located;

That the intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

That structures and uses associated with the request are consistent with the Land Development Regulations;

That the public health, safety, morals, and general welfare will not be adversely affected
That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact and the staff report and analysis, which are adopted herein, including the recommendations, that the Conditional Use Permit be modified as requested, upon the following conditions to which the applicant has agreed:



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July 30, 2024

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1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of the progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. The applicant shall resolve outstanding violations, fines and liens prior to the issuance of a Modified Certificate of Use or Occupational License, whichever may apply.
3. This Modified Conditional Use approval is for ~~Mynt Holding Company, LLC~~ Mynt Soluna LLC. Any substantive change in the operation from a bar/lounge with dance and entertainment ~~or change of owners or operators~~ shall require review and approval by the Planning Board as an amendment to this Conditional Use Permit. Any change of operator or fifty percent (50%) or more of stock ownership, shall require the new owners or operators to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new operators or owners and acknowledging acceptance of all conditions established herein, prior to the issuance of a new Certificate of Use/Business Tax Receipt. A progress report shall be scheduled within 60 days following by the submission and acceptance of the affidavit.
4. All special events promotions, if any, shall be the strict responsibility of the operator, Mynt Lounge. Any deviation from this condition shall be deemed a modification of the final order and requires Planning Board approval. The volume of music shall be controlled by management only; DJs shall be prohibited from manipulating volume controls. Non-compliance with this condition shall be deemed a violation of the Permit and subject to the remedies as described in Sec. 118-194 of the City Code.
5. Vestibules shall be created at the main entrance to further mitigate sound from traveling out to the right-of-way. This feature may require a redesign of the entrance features and shall be submitted to staff for review and approval. The exterior of the vestibule surround and entrance doors shall be clear and transparent. The interior of the vestibules shall be decorated to present an acceptable appearance through the transparent glass doors and surround at all hours of the day.
6. Business identification signs shall be limited to sign copy indicating the name of the establishment only, subject to design review staff approval. Street flyers and handouts shall not be permitted.
7. **All** performances, if any, shall be limited to the interior of the bar/lounge and shall not be visible through the windows from the public right-of-way. Window treatment may be opaque with horizontal clear see-through bands, subject to a Certificate of Appropriateness review and approval by staff.
8. The hours of operation shall be as requested by the applicant, from 9:00 p.m. to 5:00 a.m., seven days a week, and as proposed by the applicant, no one under the age of 21 shall be permitted inside the premises. Non-compliance with this condition shall be deemed a violation of the final order and subject to the remedies as described in Sec. 118-194 of the City Code.
9. The Planning Board shall retain the right to call the operators back before them and modify the hours of operation should there be any additional complaints about loud, excessive, unnecessary, or unusual late night noise.
10. A violation of Section 46-152, Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as amended and as these sections may in the future be renumbered, shall be deemed a violation of

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this Conditional Use Permit and subject to the remedies as described in section 118-194, Code of the City of Miami Beach, Florida.

11. Prior to the issuance of a building permit, the applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan) by paying its fair share cost, as determined by the Transportation/Concurrency Management Division.
12. Stanchions shall be required along the entrances for the queuing of patrons. In the event that there is queuing of people on the sidewalk impeding the free-flow of pedestrians on the sidewalk, the operator shall be required to have staff take action to remove such crowds from the sidewalk.
13. The applicant shall be responsible for maintaining the areas adjacent to the facility, such as the area of the street on Collins Avenue, in excellent condition, keeping these areas in a clean condition, free of all refuse, at all times.
14. A building permit to separate the two establishments physically shall be obtained within one (1) year of this public hearing, and the project completed in accordance with the requirements of the Florida Building Code.
15. Non-compliance with any of the conditions specified herein shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in Section 118-194 of the City Code, including but not limited to revocation of this Permit.
16. A Modified Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant; compliance with the aforesaid conditions shall be a prerequisite to obtaining Certificate of Occupancy, or Occupational License, whichever may be necessary.
17. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
18. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of this approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
19. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.

Dated: 8/19/2024 | 5:38 PM EDT

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PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

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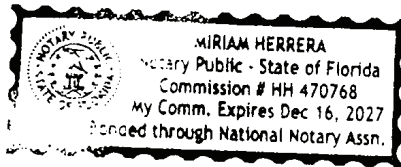


BY: DEC3ECF2EB68404...

Michael Belush, AICP
Planning and Design Officer
for the Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 21 day of August, 2024, by Michael Belush, Planning and Design Officer for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



{NOTARIAL SEAL}



Notary:
Print Name Miriam Herrera
Notary Public, State of Florida
My Commission Expires: 12-16-27
Commission Number: HH 470768

Approved As To Form
Legal Department:

DocuSigned by:



(8/19/2024 | 12:45 PM EDT)

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Filed with the Clerk of the
Planning Board on:

DocuSigned by:



(8/20/2024 | 10:50 AM EDT)

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