

Multi-Skilled Lawyer Guides Urban Revitalization In Miami

By **Nathan Hale**

Law360 (July 14, 2022, 6:53 PM EDT) -- An attorney and certified urban planner who helped guide Miami's dynamic Wynwood neighborhood through its evolution from a moribund industrial zone into a hip arts and dining district and now a burgeoning tech hub discussed urban revitalization with Law360 in an in-depth interview.

Steve Wernick, who started his legal career with some of Miami's most prominent law firms before launching his boutique law firm, Wernick & Co., has represented the late Wynwood pioneer Tony Goldman's Goldman Properties, served as special counsel to the Wynwood Business Improvement District and helped the neighborhood secure a designation as the city's first neighborhood revitalization district, or NRD-1, in 2015. He has also shepherded numerous projects through the approval process, including Goldman's Wynwood Garage, Related Companies' Wynwood 25 and 545 Wyn by Sterling Bay, with many more in the pipeline.



Wernick's growing reputation as a go-to attorney for developers seeking approval of projects in Miami's emerging neighborhoods has extended to other parts of the county, and he has contributed his skills to the restoration of a residential neighborhood at risk of disappearing and the development of the Underline, a 10-mile linear park taking shape in the underutilized space under the county's elevated Metrorail line stretching south of downtown.

This interview has been edited for length and clarity.

You're an attorney, but you're also a certified urban planner. Tell us about how you came to wear those two hats and the skill set you've acquired.

I went to school for the city planning, got a master's degree at the University of North Carolina, and then decided to go to law school and combine the two because I loved advocacy and I love urban planning and public policy. What's great about having the legal background is it just opened up doors to work on a lot of different projects, different neighborhoods, kind of diversify at a young age what we're working on, and it's really been

amazing.

In Wynwood, there was a lot of adaptive use [of former industrial buildings] going on — and so my background was a great fit because I was very interested in rolling up my sleeves and being in a neighborhood that was experiencing a lot of change and had a lot of different types of people coming together.

There were architects and engineers and developers and city planners. That's kind of what's become my focus — urban revitalization, particularly former industrial districts transitioning into new things, being in the path of progress or having a unique character like Wynwood, where the marriage between art and real estate became this ongoing experiment, really.

How did you come to work on Wynwood's transformation?

I started my career at [Bilzin Sumberg](#) [Baena Price & [Axelrod LLP](#)]. I spent five years there, and then I moved over to [Akerman](#) [LLP] in 2012, and I spent seven years as partner at [Akerman](#).

My work in Wynwood really started shortly after I got to [Akerman](#). It also coincided with the formation of the business improvement district in Wynwood, in 2013. My initial work in Wynwood was through representation of Goldman Properties on a lot of adaptive use. We were dealing with water and sewer improvements, and dealing with the remnants of this former industrial district, and creating new infrastructure and the ability to convert warehouses into commercial restaurant uses. At that time, Wynwood was zoned light industrial, which did not allow for residential or hotels.

That was one of the main objectives of the business improvement district when it was formed — to create a plan and new zoning that would allow for the transformation over time into a mixed-use, 24/7 neighborhood.

Before we dive further into the transformation of Wynwood, could you speak about how you decided to start your own firm?

There were a lot of clients I was starting to work with in different neighborhoods in Miami — Wynwood being one of them — and my practice was getting more creative and focused on identifying solutions to complex urban revitalization challenges.

I wanted an opportunity to be able to really focus in on what I love to do — having a lot more client contact and having a strong multidisciplinary team partnering with architects and engineers where we could specialize in land use, zoning, neighborhood revitalization.

It was a space that was kind of missing in Miami. There are a lot of larger law firms that have land use practices, but there are only a handful of boutique firms specializing in zoning and urban redevelopment in Miami. I thought that would give us an ability to differentiate our practice and also take on some public sector representation and tap into the urban planning side of my background.

What has the experience been like so far?

From the minute I started the firm in 2019, we've been busy. I started with about eight

clients. We now have between 30 and 40 active clients. We've grown the team to five people now, and we have planners and attorneys.

In April, we handled, I think, eight public hearings in 10 days. This year we've been taking projects to public hearings, multiple projects, every month, and we haven't slowed down really at all.

But, you know, we do turn down a lot of work. We want to make sure it's a good fit, that our clients' values are aligning with the firm's values. That's how we enjoy what we do, and I think that results in us being the best advocates for our clients.

Turning back to Wynwood, could you give our readers a quick history of the neighborhood and its evolution?

It was the industrial district of Miami in the first half of the 20th century. After World War II, it converted into a garment district. And that coincided with a Puerto Rican population that was moving into the residential part of Wynwood, north of 29th Street. A lot of those people were working in the garment district, south of 29th Street.

When I-95 was built in the 1960s, 1970s, and you had globalization, there were different factors that started to affect Wynwood economically, some of the same factors that were affecting [the historically Black] Overtown [District, near downtown] and other neighborhoods in this area, where it went into a period of decline.

But then in the 21st century, early in the 2000s, artists started moving in, finding cheap space, and then Goldman Properties and David Lombardi and a couple of other kind of pioneers in this modern era of Wynwood recognized that this area had great bones, it had a personality and that art could really drive the revitalization of the area.

So there was a very intentional investment in retaining the art, developing it as an art district, and then over time bringing the businesses back and then continuing to see its evolution.

We're seeing quite a bit of office space being built in the neighborhood right now. What kinds of projects are you seeing and what impact would you say the pandemic had on the approaches that both developers and potential tenants are taking?

It's been fascinating over the last couple of years. Even before the new zoning, even before the NRD-1 was adopted, there were a lot of small businesses in Wynwood.

In 2019, Wernick & Co. opened its office in an old cold storage warehouse. So there was a lot of adaptive use that was facilitating creative office space. Then the pandemic hit. At first, there was a lot of uncertainty about how this would affect Wynwood. There was certainly an impact on restaurants and retail and the street life.

But as things started opening up and as people started looking to migrate to Florida, Wynwood was the perfect candidate as Miami's emerging tech hub. This was an area that's undergoing a transformation already, there's a lot of change happening, and there's a lot of

former industrial land that sets up well as office space.

It's well located with the highways, and then talks about future commuter rail stations kick-started it even more. And the zoning, being set up the way it is, developers have a lot of flexibility in terms of mix of uses and parking, with building heights between 8 to 12 stories. So it actually facilitated a very democratic type of build-out scenario, where it's not going to just be one big project. There's room for a lot of boutique buildings, mixed-use buildings.

It sparked a lot of investment from developers experienced in Florida, and then out-of-town developers in the past couple of years have flocked to Wynwood because it's an area that's being reimagined and it's a place that people want to be and it has this unique character.

And then there are also a number of residential products going up. I know you mentioned the lack of housing was a big issue when the area first started getting rezoned. What are you seeing in terms of the types of projects going up on that side, and what's the importance of the mix of residential and commercial, in terms of developing it as a neighborhood?

Multifamily has always been a focus since the business improvement district was formed. When the NRD-1 was adopted, there were only two residential buildings that had been constructed in the prior 20 years.

What we've seen in terms of trends, is the neighborhood is an amenity. The units are usually smaller than you'd typically find in Miami because there's so much to do. And there's less need for parking, [because] it's such a walkable neighborhood.

We're seeing projects that include micro units. There are developers looking at both condo and rental projects, and all of the residential projects are supported by at least some companion retail and restaurant space on the ground floor.

But some of the projects are really taking mixed-use to a different level. We have some projects that are part residential, part hotel, with an office component. The LIVWRK Wynwood project is a good example. There are two buildings, a total of about 900,000-plus square feet, but it includes about 50,000 square feet of office space. There are 540-plus multifamily units. Some are set up for apartment-hotel, for short-term stays, and then other apartments for long-term stays.

And they all are lined with ground-floor commercial, artwork, activated roof decks. So these are really dynamic buildings that are attracting kind of the best and brightest, the people that want to be in a neighborhood where they get to, you know, grab breakfast, walk to work, meet friends for drinks, be able to have these social collisions and experience everything Miami has to offer.

What do you envision for the redevelopment of the whole area?

If you look at Wynwood from afar, it's easy to think of it as being completely redeveloped, but it's actually very balanced. A majority of the properties are still existing warehouse

stock that have been converted. And one of the reasons for that is because the zoning allows for adaptive use without triggering new parking facilities.

A lot of these older warehouse buildings are really good, solid buildings, and to be able to take, you know, a 3,000-square-foot warehouse and open up a new restaurant in a neighborhood that has a walkable grid, that's a huge advantage. So there's still a lot of demand and a lot of value in keeping the original buildings. The golden goose of Wynwood really is not the new development.

In terms of your work getting projects approved, what are some challenges and lessons you've learned?

I think one of the challenges is the pace of change that we're experiencing in Miami.

Because of the volume of projects that are being submitted across the city, the approval process is taking longer now than it did a few years ago. And with the pace of change, being able to bring these projects forward, tell a story of how they add to the neighborhood and then also allow for enough flexibility in these projects that they can accommodate changes in the market.

I think the developers we're working with are very mindful of that. A lot of the new developers in Wynwood have tremendous experience with public-private partnerships in New York, in San Francisco and Chicago. Sterling Bay, for example, has an amazing track record for what they've done in Fulton Market, in the former agricultural/industrial district on the west side of Chicago, where they brought in Google's Midwest headquarters. And so people [are coming] in from other markets where they've gone through a neighborhood revitalization of a former industrial district understanding that context.

I think that's been critical. A lot of collaboration, a lot of dialogue, being ready to work with [city] staff but also to explain when we need to do things a little bit differently or seek waivers from standards because technologies are changing and, you know, the codes don't always keep up with the market.

I was going to ask if there are lessons for other places to take from the success that Wynwood's been having, but it sounds like Wynwood is also benefiting to some extent from participants who are bringing experience from similar projects elsewhere.

Yeah, I think that's part of it, that you need to invite experienced developers who also understand how to be contextual with development, because one of the things that's really important in Wynwood is maintaining its unique identity. There's a Wynwood Design Review Committee. All the projects go through this local design review board, which is an extra step in the process, but it's part of that balancing act to keep the integrity and the character that distinguishes Wynwood from other neighborhoods.

I think the other lesson, one of the beautiful things that we've seen in Wynwood, is this expanding paseo network.

There are, historically, some very long blocks in Wynwood, where you might have to go two

or three avenues east to west to get from one block to the next. And so, one of the objectives of the NRD-1 was to create new public space, kind of public-private space. And it's been embraced tremendously because the developers have realized that the paseo is very interesting. It creates new retail frontage, it creates interesting spaces that invite people in, these kind of moments of surprise or a curiosity. And it also creates some shade. As you get into the summer months, and it's raining in Wynwood, those paseos are some of the best places to find cover. So even projects that are not required to build a *paseo* as part of the project are choosing to add a paseo because it expands the retail frontage, and there are these valuable spaces.

What are some other areas or other projects of note that you've been working on or eyeing? Anything you see as potentially the next Wynwood?

I can talk about Wynwood Norte. It's really, historically, part of Wynwood. The residential neighborhood to the north of 29th Street was once referred to as Little San Juan. It was a majority Puerto Rican population in the '50s and '60s. As the economy changed, and a number of the Puerto Rican households moved to the suburbs, there were a lot of immigrants coming in, so it's become more diverse.

But as the Wynwood Arts District came up and Midtown came up and the Design District came up [around it], Wynwood Norte was kind of being ignored and left behind in a way where at some point, without a plan, it would start to disappear.

This group of people started coming together, realizing we need a voice. There was a desire for growth but an inclusive growth, a growth that would maintain its character and that would reinvest in this residential neighborhood. With this wave of development on the horizon, there was an opportunity, and in 2019-2020, I helped facilitate a community vision plan and to create an association called the Wynwood Community Enhancement Association.

We worked with the city of Miami very closely, then-Commissioner Keon Hardemon, the planning department, Mayor [Francis] Suarez and developed the NRD-2, the Wynwood Norte Neighborhood Revitalization District, which was adopted in 2021.

That's been something I've been very proud of. Most of my work on that has been pro bono. A lot of it really has been community building, but it has created some new opportunities for missing middle housing and also protecting and restoring.

You serve on the board of directors for the Underline, too, right? What can you tell us about that project?

I think the Underline has the most upside potential of any public project going on in Miami.

Historically in Miami, in part because of the geography, we don't have the kind of trails or natural open space that other cities do. But we had this underutilized space underneath the Metrorail that runs 10-plus miles. The first phase opened in the Brickell Backyard, and the second phase is under construction and nearing completion.

My involvement started in 2016. I have four young kids. We live very close to the Underline. There was an opportunity to be helpful and volunteer.

That's a very exciting project. Very challenging. Filled with challenges, regulatory hurdles that are constantly being worked on. But it naturally lends itself to the same kind of concepts that I've always been attracted to in Wynwood, which is collaborating public and private sectors, just being involved in a project that you know is moving Miami in the right direction and increasing civic involvement and public health.

The pandemic had a big impact on the Miami and greater South Florida real estate markets with a significant migration of people, some more permanent than in the past, and then capital following that. What's your view on the broader outlook for the region, and what do you see as the biggest challenges for realizing its potential?

I think, historically, Miami has always been a place that has its doors open. People come here from all over the world and all over the United States. Obviously, Florida's tax structure is also helpful. And I think a lot of people have connections to Miami, especially people in New York and Chicago. Maybe they vacationed in Miami or they have parents who've retired here. They have reasons to be here, and particularly in the wintertime when our weather is great. So I think there are a lot of natural draws that are pretty obvious to people, and we've been seeing for years.

The other thing to me that really sets Miami apart is, if you are passionate about what you do and you're interested in getting involved, the sky is the limit here. There's no ceiling for people who are motivated and hardworking and really want to do big things.

Now, one of the challenges with that is things are changing constantly, and growth requires investment to support the growth. We do lack in certain public facilities, in the dollars structurally to support those kinds of investments.

So I think Miami has some tough decisions. People will need to commit to how do we approach big issues, like climate change and sea level rise and housing affordability while continuing to grow? That's very difficult, and elected officials, I think, have shied away from that because it's hard, and it's hard politically. So I think the private sector has to insist on it, for our own good, for our kids and for us to maintain Miami's position.

How does transportation fit in with those big issues?

Yeah, I think transportation is one of those things that's challenging. And I think, similarly, the local government structure makes it tricky. We have 35 municipalities in Miami-Dade County, and then there's the county government. The county government oversees most transportation infrastructure but not all of it.

Sometimes it's hard to know even who's responsible for which roads, but when it comes to public transportation and commuter rail, we have some great ideas out there, and there are people working on transit-oriented development, new station locations. I think that's something people are not ignoring, but there are some major investments that need to be made.

And I think the Underline is part of that. The Underline is what connects our ped-bike facilities with our train system. So that's why I'm a believer in trails, because trails can

accomplish a lot of things. Just like a paseo network in Wynwood. Trails are very powerful, but it is so new to Florida, which has been a car-dominated culture. And so it comes back to making long-term investments, difficult decisions, leadership vision and collaborations.

Where do you hope to see your role and your firm's role in the greater picture of all this moving forward?

It's a great question. We're so fortunate and excited to come to work every day because we have different projects every day, new challenges, new opportunities. I think where we are most successful going forward is to position ourselves as a go-to firm for these complex projects and emerging neighborhoods.

We talk about "first-movers." One of the projects that we've worked on and got approved recently was Emblem Tower in North Miami. [It's on] a former industrial site right next to I-95 where people commented at the hearing there's been no new development in decades, in my lifetime. And so to bring forward the first project, that has brought people together and elevated the conversation. And starting to plan for change in a way that the community is excited about is really rewarding.

I want to continue to do more of that, because that's where we really thrive, and we enjoy it. We're passionate, and I can see ourselves expanding the firm slowly, bringing in some great people who share that passion, and we'll see what comes.

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