

RESOLUTION No. 23-212

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN EXTENDED HOURS PERMIT FOR KUBA CABANA DORAL LLC, LOCATED AT 3450 NW 83 AVENUE, UNIT 140, PURSUANT TO SECTION 74-195(5) OF THE CITY'S LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 74, Article IV of the City's Land Development Code (the "City's Code") regulates the sale of alcoholic beverages and the hours of operation for various vendors; and

WHEREAS, Section 74-195(1) of the City's Code authorizes eating establishments to sell alcoholic beverages for consumption on the premises until 1:00 a.m.; and

WHEREAS, eating establishments located in Downtown Mixed Used ("DMU") Zoning District may apply to remain open for business for the purpose of selling alcoholic beverages for consumption on the premises after 1:00 a.m. pursuant to an extended hours permit in accordance with section 74-195(5) of the City's Code; and

WHEREAS, Kuba Cabana Doral, LLC (the "Applicant") operates a restaurant and bar located at 3450 NW 83 Avenue, Unit 140, which is classified as an "eating establishment" located in a DMU Zoning District for purposes of regulating the sale of alcoholic beverages under the City's Code; and

WHEREAS, the Applicant seeks approval from the Mayor and City Council for an extended hours permit to sell alcoholic beverages for consumption on the premises until 3:50 a.m., as more particularly set forth in the Application attached hereto as Exhibit "A"; and

WHEREAS, City staff reviewed the permit application utilizing the criteria set forth in Section 74-195(5) of the City's Code and recommends that the Mayor and City Council approve the proposed extended hours permit.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made as part hereof by this reference.

Section 2. Approval. The Mayor and City Council hereby approve the extended hours permit for Kuba Cabana Doral, LLC (the "Applicant") to sell alcoholic beverages for consumption on the premises until 3:50 a.m., subject to the following conditions:

1. The Applicant shall comply with the City of Doral's Code of Ordinances.
2. The Applicant shall post and maintain the permit within the establishment in a place where it may be seen at all times.
3. The Applicant shall install and maintain a security camera to record all entrance and exit points (excluding emergency exits) used by patrons of the establishment. Security camera recordings shall be retained by the establishment for a minimum of 45 days from the date of recording and shall be made available to the city within three (3) business days of a written request.
4. The Applicant shall maintain on and outside the premises at least one (1) off-duty police officer during the extended hours of operation and until all patrons have left the premises, to assure the lawful and orderly conduct of patrons as they arrive at the establishment, during the extended hours of operation, and as they depart. Pursuant to the Conclusion Section of the Physical Security Survey prepared by the City of Doral Police Department, the Applicant may be required to hire additional off-duty police officers as deemed necessary.
5. The Applicant shall prevent intrusive exterior lighting on neighboring residential properties emanating from the establishment during the extended hours of operation.
6. The Applicant shall fully comply with all local, state, and federal laws

applicable to establishments selling alcoholic beverages, including City Code provisions.

7. After 3:50 a.m., no alcoholic beverages shall be sold at the establishment, and no customers shall be permitted to enter the premises; and all lighted signage on the exterior of the premises shall be turned off. However, any exterior lighting used to illuminate common areas such as walkways, parking lots, sidewalks, or areas of customer ingress and egress may remain lit.
8. No later than 4:00 a.m., the Applicant shall require that all persons, other than employees or agents of the permit holder, leave the establishment. Thereafter the Applicant shall remove or cause to be removed all alcoholic beverages from the area of the premises utilized by customers, patrons, and invitees; all alcoholic beverages shall be stored in original containers or storage containers on a shelf or cabinet; no alcoholic beverages shall be furnished to, consumed by, or possessed by any person within the premises; and the premises shall remain closed for business until the beginning hours of operation.
9. From 4:00 a.m. until no earlier than 8:00 a.m. the same day, the permit holder shall prohibit entry into the establishment by customers or members of the public.
10. That the Applicant adopt the recommendations provided by the City of Doral Police Department in the Conclusion Section of the Physical Security Survey.
11. The extended hours permit shall be valid for one year from the date of issuance. Businesses approaching their renewal date are responsible for submitting a renewal application form approximately 60 to 90 days before their license is set to expire. Prior approval of an extended hours permit does not create or confer any rights to any permittee. Renewal of the extended hours permit is subject to demonstrated compliance with all local, state, and federal laws concerning alcoholic beverages, adoption of an updated safety and security plan reviewed and approved by the City of Doral Police Department pursuant to Section 74-195(5)(c)(3) of the City's Land Development Code, and all applicable city code provisions. The annual renewal of the extended permit may be approved administratively by the City Manager pursuant to Section 74-195(5)(c)(4) of the City's Land Development Code.
12. The Applicant has voluntarily agreed to participate in a pilot program for the first 6-months of the extended hours permit, whereby the Applicant agrees to work with the City to provide data concerning matters of security, noise, parking, adverse impacts to neighboring properties, and law enforcement

calls for service, so that the City can evaluate the impact of the Applicant's extended hours permit. As part of the aforementioned pilot program, the Applicant agrees to meet with City staff at the conclusion of the 6-month pilot program to review the data obtained to date, and discuss additional conditions that may be imposed on the permit to mitigate any adverse impacts of the extended hours permit identified in the pilot program. The Applicant's participation in this pilot program does not waive the City's ability to suspend or revoke the permit, or impose permit conditions upon the permit, pursuant to Sec. 74-195.

13. The Applicant agrees that the extended hours permit shall only be effective from Thursday through Saturday, except for recognized federal holidays and for special events, provided that the Applicant provide fourteen (14) days advance written notice to the City that it intends to utilize the extended hours permit for said special event. For New Year's Eve, December 31, the permitted hours of sale shall be until 4:59am on the following day, January 1st, pursuant to Section 74-195(4) of the City's Land Development Code.

In addition, the grounds for permit suspension set forth in Section 74-195(5)(f) of the City Code, failure of the Applicant to comply with the aforementioned conditions may result in suspension of the extended hours permit.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Vice Mayor Puig-Corve who moved its adoption.
The motion was seconded by Councilmember Cabral and upon being put to a vote, the
vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED this 6 day of December, 2023.



CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY

EXHIBIT “A”



PLANNING & ZONING DEPARTMENT
LOCAL BUSINESS TAX DIVISION
ALCOHOL EXTENDED HOURS PERMIT APPLICATION

APPLICATION

Name of Business: KUBA CABANA DORAL, LLC

Owner Name: DAVID GARRETSON

D.B.A.: KUBA CABANA

F.E.I. Number: 84-2289609

Business Address: 3450 NW 83RD AVENUE

Business Telephone: 305-800-5822

Unit No.: 140 City DORAL State FL

Business Fax: _____

Zip Code: 33122

E-Mail: DGARRETSON@UM6HOSP.COM

Nature of Business (e.g. restaurant, bar, wine café, billiard hall, bowling allies, night club, etc.): RESTAURANT

GENERAL INFORMATION

Instructions: Please fill in the appropriate response.

What is the gross floor area of the business facility?

8,900 square feet

AFFIDAVIT

Please read the section below carefully before signing

I hereby acknowledge and affirm that I have candidly and fully identified all uses that are to be operated from the above described address, and that only the use(s) identified in this application shall operate from said address. I further acknowledge that the failure to identify candidly, accurately and fully all uses that are to be operated from the above described address is grounds for a civil penalty and will result in the immediate denial or revocation of my Business Tax Receipt and closure of my business.

I also understand that the operation of any use other than the use(s) identified above is grounds for the immediate denial or revocation of the Business Tax Receipt. I further understand that if there are any changes in the operation of my business as stated in this affidavit subsequent to the opening of my business, that I will agree to file the necessary application(s) and affidavit(s) and seek prior approval from the City of Doral for any such changes. Failure to obtain the necessary prior approval will result in the immediate revocation of my Business Tax Receipt and closure of my business.

I understand that all signage related to my business is subject to the City of Doral Land Development Code and generally requires city approval and a permit before it can be legally placed on or in my business.

I additionally acknowledge that the Business Tax Receipt expires on September 30th of each year and must be renewed by this date; otherwise, the City of Doral will undertake such actions as is specified in the Code of Ordinances. As such, on October 1st, a 10% penalty will be assessed, an additional 5% on November 1st, 5% on December 1st and 5% on January 1st of the fiscal year.

[Signature]
Applicant Signature

9/25/23
Signature Date

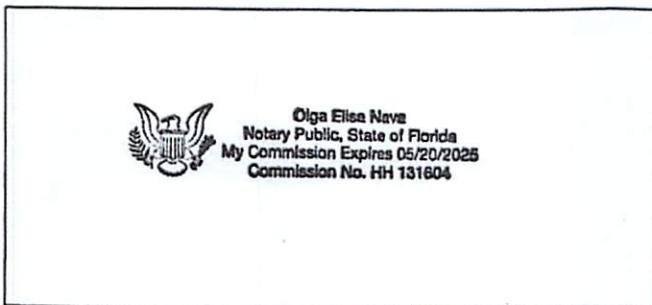
THIS DOCUMENT MUST BE NOTARIZED

State of FLORIDA

County of Miami-Dade

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of September, 2023 by David Vincent Garretson, who is personally known to me or produced a Florida Driver License as identification, regarding the attached instrument described as Affidavit - and to whose signature this notarization applies.

SEAL



[Signature]
notary public signature
OLGA ELISA NAVA
notary public printed name

FL-2001-ACK www.NotaryFL.com provides this form pursuant to Florida Statutes §695.25(1), §117.05(13)(b)



2024

LOCAL BUSINESS TAX RECEIPT

CITY OF DORAL, FLORIDA
8401 NW 53RD TERRACE
DORAL, FL 33166
(305) 593-6631

09/30/2023

LICENSE NO. 2021008501

KUBA CABANA DORAL LLC

License Fee Paid: \$300.00

3450 NW 83 AVE 140
Doral, FL 33122

FOR THE PERIOD COMMENCING OCTOBER 1 AND ENDING SEPTEMBER 30, THE ABOVE-NAMED BUSINESS IS LICENSED TO ENGAGE IN THE FOLLOWING BUSINESS FOR THE LICENSE YEAR:

EATING ESTABLISHMENT

Square Footage: 8910

Machines:

State License #: SEA2335446/BEV2335996

No. of Seats/Tables: 222

Employees: 50

No. of Units/Spaces:

No. of Trucks:

CONDITIONS:

DORAL: APPROVED UNDER BLDG PERMIT 2016030216, MAX 222 SEATS INDOOR. MUST COMPLY WITH GDO PERMIT AND CITY OF DORAL LDC CONDITIONS.

Kenia Palau
Chief Licensing Official

This Document Must Be Posted



Ron DeSantis, Governor

Melanie S. Griffin, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIVISION OF HOTELS AND RESTAURANTS

THE SEATING FOOD SERVICE (2010) HEREIN IS LICENSED UNDER THE
PROVISIONS OF CHAPTER 509, FLORIDA STATUTES

NBR. OF SEATS: 228

KUBA CABANA DORAL LLC

KUBA CABANA
3450 NW 83 AVE STE 140
DORAL FL 33122

LICENSE NUMBER: SEA2335446

EXPIRATION DATE: OCTOBER 1, 2023

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

THE OFFICIAL SITE OF THE FLORIDA DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION



Florida dbpr Department of Business & Professional Regulation

HOME CONTACT US MY ACCOUNT

ONLINE SERVICES

- Apply for a License
- Verify a Licensee
- View Food & Lodging Inspections
- File a Complaint
- Continuing Education Course Search
- View Application Status
- Find Exam Information
- Unlicensed Activity Search
- AB&T Delinquent Invoice & Activity List Search

LICENSEE DETAILS

10:38:46 AM 9/23/2023

Licensee Information

Name: KUBA CABANA DORAL LLC (Primary Name)
DBA Name: KUBA CABANA (DBA Name)
Main Address: 3450 NW 83 AVE UNIT 140
 MIAMI Florida 33122
County: DADE
License Location: 3450 NW 83RD AVENUE UNIT 140
 MIAMI FL 33122
County: DADE

License Information

License Type: Retail Beverage
Rank: 4COP
License Number: BEV2335996
Status: Current,Active
Licensure Date: 11/27/2019
Expires: 03/31/2024

Special Qualifications

Qualification Effective

Invoice Sent 11/28/2019
Dual Beverage and Tobacco License 08/22/2021
Special Food Service - COP only 11/27/2019
Over the Counter 08/22/2021

Alternate Names

[View Related License Information](#)
[View License Complaint](#)



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
KUBA CABANA DORAL, LLC

Filing Information

Document Number	L19000173461
FEI/EIN Number	84-2289609
Date Filed	07/03/2019
Effective Date	07/01/2019
State	FL
Status	ACTIVE

Principal Address

3450 NW 83RD AVE
UNIT 140
DORAL, FL 33122

Mailing Address

3403 NW 82nd Ave
Suite 101A
Doral, FL 33122

Changed: 03/31/2022

Registered Agent Name & Address

THE GARRETSON GROUP, LLC
3403 NW 82nd Ave
Suite 101A
Doral, FL 33122

Address Changed: 03/31/2022

Authorized Person(s) Detail

Name & Address

Title MGR

THE GARRETSON GROUP, LLC
3403 NW 82nd Ave
Suite 101A
Doral, FL 33122

Annual Reports

Report Year	Filed Date
2021	03/25/2021
2022	03/31/2022
2023	03/02/2023

Document Images

03/02/2023 – ANNUAL REPORT	View image in PDF format
03/31/2022 – ANNUAL REPORT	View image in PDF format
03/25/2021 – ANNUAL REPORT	View image in PDF format
08/30/2020 – ANNUAL REPORT	View image in PDF format
07/03/2019 – Florida Limited Liability	View image in PDF format

Date of this notice: 07-03-2019

Employer Identification Number:
84-2289609

Form: SS-4

Number of this notice: CP 575 A

KUBA CABANA DORAL
DAVID GARRETSON MBR
1228 WEST AVE APT 1103
MIAMI BEACH, FL 33139

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-2289609. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	01/31/2020
Form 940	01/31/2020
Form 1065	03/15/2020

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.