

City of Doral  
LAND-2402-0013  
Rezoning ApplicationVanessa Madrid, Esq.  
305.789.7453  
Vanessa.madrid@hklaw.com

February 22, 2024

VIA ELECTRONIC DELIVERYMr. Julian H. Perez, AICP, CFM  
Director, Community Development &  
Planning and Zoning Department  
City of Doral  
8401 NW 53 Terrace, 2<sup>nd</sup> Floor  
Doral, Florida 33166**RE: Harborgenix, LLC – Letter of Intent  
Application for a Rezoning from Industrial (I) to Industrial Commercial (IC)  
10450 NW 33 Street/ Folio No. 35-3029-118-0010**

Dear Mr. Perez:

This letter shall constitute our letter of intent on behalf of Harborgenix, LLC (the “Applicant”), in connection with the application to rezone that certain ±0.028 acre parcel of land located on the northwest corner of NW 33rd Street (as further identified by folio no. 35-3029-118-0010, the “Property”) from Industrial (I) to Industrial Commercial (IC). This rezoning request is being concurrently filed with an application to amend the Sections 53-128, 68-786, and 68-820.<sup>1</sup>

The rezoning of the Property from I to IC would allow for a more appropriate, neighborhood conducive, zoning for the Property given its surroundings. The intersection of NW 107th Avenue and NW 33rd Street is of commercial character with a hotel (and future mixed use) on the southeast and a healthcare center on the northeast. Additionally, this section of NW 33rd Street, between NW 107th Avenue and NW 97th Avenue, is predominantly residential with Costa del Sol on the north half and Milan Townhomes, Veterans Park, Costa D’oro, and Costa Verde on the south half.

---

<sup>1</sup> Please see the Applicant’s concurrent application for Text Amendment to City of Doral Code of Ordinances Sections 53-128, 68-786, and 68-820 to allow “academies” (as defined therein) in the IC zoning district.

Specifically, the proposed rezoning would allow for the existence of a small-scale martial arts academy on the Property. The proposed use is intended to serve the needs of the residential community and increase the supply of focused creative spaces in the City for martial arts. The size, operation, number of clientele and sound levels for the proposed use are no different from a neighborhood spa, beauty salon or barbershop. The anticipated hours of operation are Mondays through Fridays 2 p.m. to 7 p.m., with 45-minute sessions of eight (8) to 15 students per session and one (1) instructor.

Pursuant to Section 53-213(c), Procedure for public hearing, the City Council when considering an application for rezoning shall consider the following criteria:

- (1) Consistency with the comprehensive plan, or in the case of a plan amendment, consistency with the remainder of the plan and its goals, objectives, and policies.

The proposed rezoning is consistent with the following Comprehensive Plan, Future Land Use Element Goals, Objectives, and Policies (GOPs).

***Policy 2.1.1:*** *Doral's future development goal is to be a premier place to live, work and play, and to accomplish that the City is dedicated to maintaining and developing extraordinary community features and facilities associated with "#1 Great Cities" around the world including outstanding place and building design, plentiful parks, excellent schools and community education opportunities, beautiful streets, interesting cultural and artistic venues, smart technology, environmental conservation, efficient government services, and easily-accessible vehicular and personal mobility. All land use amendments shall contribute to the enhancement of these '#1 Great City' features and facilities.*

***Policy 2.1.18:*** *Code enforcement and other available regulatory measures shall be used to prevent incompatible land uses from locating adjacent to or near otherwise stable and viable uses, especially residential neighborhoods. The rezoning process may be used to discourage residential development in close proximity to industrial zoned areas and areas with unacceptable noise and/or odor levels. Incompatible non-residential land uses within established residential neighborhoods may be given incentives to adaptively reuse or replace structures to uses that are compatible with the residential area. Where it is physically not feasible to separate incompatible land uses such as residential and non-residential, buffering shall be required to promote a smooth land use transition. Buffering shall be specified in the Land Development Code and may include the following:*

*a) Physical barriers, including berms, hedges or other landscaping, as well as walls or fences aesthetically designed for screening purposes. Physical barriers may also include densely vegetated open space; and/or*

*b) The development of a transitional use between the incompatible uses. For example, a low intensity office development could be used to buffer a retail commercial center and a residential area.*

Overall, the proposed rezoning of the Property from I to IC will allow for uses that are compatible with and suitable for the neighboring residential areas, consistent with the Comprehensive Plan, Future Land Use Element GOPs.

(2) Consistency with applicable sections of the Land Development Code.

The proposed rezoning is consistent with the Land Use Table under Sec. 53-42, and IC zoning district requirements set forth in Chapter 68, Article VI, Division 2, as amended from time. – Industrial Commercial District (IC), Sec. 68-794 through 68-790, respectively.

(3) Additionally, as to rezoning amendments:

- a. Whether justified by changed or changing conditions.
- b. Whether adequate sites already exist for the proposed district uses.
- c. Whether specific requirements of this Land Development Code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.

The IC zoning district allows a variety of uses, including retail and commercial establishments that are currently existing in the area. In fact, the existing development on the Property is already home to successful commercial tenants, which makes the Property apt for a zoning change from the more intense zoning district (I) to a more neighborhood and commercial friendly zoning district (IC).

Based on the foregoing, we ask for your favorable consideration of this request. Thank you in advance for your considerate attention to this application. Should you have any questions, please contact our office.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Vanessa Madrid, Esq.

Enclosures

Cc: Erica Adams, Esq.



8401 NW 53rd Terrace, Doral, Florida 33166 Tel. (305) 593-6630 Facsimile: (305) 593-6768 Website: cityofdoral.com

**PUBLIC HEARING APPLICATION PLANNING AND ZONING DEPARTMENT**

/ Administrative Review Application

- Please check one:
- CITY COUNCIL
  - ADMINISTRATIVE REVIEW

**OFFICIAL USE ONLY**  
 Application No.: **LAND-2402-0013**  
 Date Received: **RECEIVED**  
By Stephanie Puglia at 11:36 am, Feb 26, 2024

**INSTRUCTIONS**

This application, with all supplemental data and information, must be completed in accordance with the specific instructions in this application. Applications and all supplemental information must be filed no later than 60 days prior to the regular public hearing date.

**APPLICATION**

Please indicate which type of application you are submitting by checking one category below:

- Change in Zoning District
- Variance
- Appeal of Decision
- Conditional Use
- Plat
- Entry Feature
- Site Plan
- Other

**IMPORTANT: THE APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE HEARING TO PRESENT THE PROPOSAL.**

Please print or type

Name of Applicant, agent or tenant (with owners affidavit)		
Harborgenix, LLC, C/o Vanessa Madrid, Esq., Attorney for the Applicant		
Mailing Address: Holland & Knight LLP 701 Brickell Avenue, Suite 3000	City, State, Zip Miami, Florida 33131	Telephone 305-789-7453  Fax  Email: Vanessa.madrid@hklaw.com
Name of Owner Harborgenix, LLC		
Mailing Address 19076 NE 29 Ave	City, State, Zip Aventura, FL, 33180	Telephone  Fax  Email:



**PROPERTY INFORMATION**

A. LEGAL DESCRIPTION. (If subdivided - lot, block, complete name of subdivision, plat book and page numbers). If metes and bounds description - Complete description, including section, township and range).

Folio Numbers: 35-3029-118-0001

Address 10450 NW 33 St, Doral, Florida

Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Section \_\_\_ Plat Book No. 134 Page No. 36

FINISHED FLOOR ELEVATION (if applicable): \_\_\_\_\_ FLOOD ZONE: \_\_\_\_\_

B. ADDRESS (If number has been assigned) \_\_\_\_\_

C. SIZE OF PROPERTY \_\_\_\_\_ ft. X \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.; ± 0.028 acre(s)  
Width Depth

D. Provide legal description or address of any property held by the owner which is contiguous to that which is the subject matter of this application.

N/A

E. DATE SUBJECT PROPERTY WAS ACQUIRED \_\_\_\_\_

**APPLICANT'S PROPOSAL**

Specify in full the request. (Use a separate sheet of paper if necessary.)

The Applicant is seeking rezoning for the subject property from Industrial to Industrial Commercial (IC). For further information and details relating to the specifics of this request, please see the Letter of Intent filed in connection with this Application.

**INTENT**

Explain purpose of application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal. (Use a separate sheet of paper if necessary.)

The purpose of this application is to allow for the development of the subject property in accordance with all applicable zoning regulations. For further information and details relating to this request, please see the Application Letter of Intent.



Is this application the result of a Notice of Violation or deviation from approved plans?  Yes  No

Are there any existing structures on the property?  Yes  No

If so, what type? (CBS, Frame, Frame-Stucco, Wood, Other) CBS

Any applications (except plat applications) which involve new building construction or exterior improvements to an existing building must submit the plans with this application. Plans that are not filed with this application will not be considered by the City of Doral.

All data and exhibits submitted in connection with this application become a **PERMANENT PART OF THE PUBLIC RECORDS OF THE CITY OF DORAL.**

The following enclosures where applicable **MUST BE ATTACHED** to complete the application:

- A.  **SURVEY OF PROPERTY:** For vacant or improved property. Must be no more than five years old and sealed by a registered land surveyor. The Building and Planning Department may require a more recent survey if a site visit indicates any discrepancies. Survey must include, where applicable, lot lines, all structures, walls, fences, landscaping, and all physical improvements.
- B.  **SITE DEVELOPMENT PLAN:** Where applicable, plans shall show location and elevations of existing and proposed buildings, proposed additions, alterations and use of each; all dimensions of buildings and space between buildings; setbacks from property lines; proposed and existing off-street parking showing lined spaces, driveways, handicap spaces, compact spaces; a landscape plan that complies with the City of Doral Landscape Ordinance showing location of existing and proposed vegetation, landscaping (i.e. trees and hedges), number, height and species type. The plan shall also show wall and fence height, location and material.
- C.  **LETTER OF INTENT:** A letter of intent must be filed explaining in detail the extent of the development and how the proposal meets the applicable Code criteria. Signature and address must be shown.
- D.  **OTHER GOVERNMENTS/AGENCIES ENDORSEMENTS:** All applicable DERM, Miami-Dade Fire Department, or the Miami-Dade Water and Sewer Department's endorsement must be submitted.
- E.  **OWNER'S AFFIDAVIT:** Owner's affidavit allowing the filing of an application is required on all applications where the applicant is not the owner of the property under consideration; same form allows posting of property.
- F.  **TRAFFIC STUDY:** A detailed traffic analysis considering the impacts of the proposed development on current level-of-service (LOS) standards in abutting (or nearby) roads and intersections.

**NOTE: SURVEYS, SITE DEVELOPMENT PLANS, LANDSCAPE PLANS MUST BE SUBMITTED AT STANDARD PLAN SIZE. AN APPLICATION WILL NOT BE CONSIDERED COMPLETE UNLESS 12 COPIES OF THE APPLICATION AND SUPPORTING DOCUMENTATION (FRONT AND BACK), APPROPRIATE PLAN DRAWINGS AND SURVEYS ARE SUBMITTED.**

In support of this request, I submit the following additional items, which are attached hereto and made a part of this application:

- 35 MM Photo(s) (Mounted 8½ x 11)  Other \_\_\_\_\_
- Letters from Area Residents

I/We understand that additional public hearings may be required and any interested person may discuss the application with City staff to the same extent as the applicant. The application may change during the hearing process and additional public notices may affect the schedule of the hearings. If my/our appeal is denied, I/we must file an appeal to the Circuit Court within 30 days of the meeting.

2/13/24  
Date

Applicant Signature

Print Name

Sang Koo Kang

PUBLIC HEARING APPLICATION

Page 3



PUBLIC HEARING APPLICATION

OWNER AFFIDAVIT

I/We Harborgenix, LLC, as Owner (s) of Lot (s) 35-3029-118-0001 Block \_\_\_\_\_ Section \_\_\_\_\_ PB/PG 134-36 of property which is located at 10450 NW 33 St, Doral, Florida desires to file an application for a public hearing before the  City Council  Administrative Review, and I/We do understand and agree as follows:

1. That the application for a variance will not be heard unless the applicant is present at the hearing.
2. The property will be posted with a sign, which must not be removed until after the public hearing, at which time the City staff will remove the sign.
3. That the requirements of the zoning code, Miami-Dade County Ordinances, the South Florida Building Code, and other government agencies may affect the scheduling and ability to obtain/issue a permit for the proposal.
4. That the only exceptions to the zoning code are those that have been specified in the written application and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the City of Doral or Miami-Dade County ordinances.
5. That the applicant will be responsible for complying with all the conditions and restrictions imposed by the City Council or City Staff in connection with the request and will take the necessary steps to make the request effective if approved by the City Council or City Staff.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the City Council or City Staff to consider the applicant's request.
7. That the applicant is responsible for timely submission and accuracy of all items requested on the application.
8. That the applicant is responsible for any additional fees which include but are not limited to mailing notices to surrounding property owners, legal fees, surveys, and technical reports.

I/We as the developer of the subject property (check one):

- do hereby authorize Holland and Knight LLP to act on my/our behalf as the applicant.  
 will on my/our own behalf act as applicant(s), and make application in connection with this request for a  public hearing  administrative review before the City Council or City Staff.

Owner's Name: Harborgenix, LLC

Signature [Handwritten Signature] Print Name: Sang Koo Kang Date 2/13/24

Notary to Owner:

STATE OF FLORIDA )  
COUNTY OF Miami-Dade ss:

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 14th day of February, 2024, by Sang Koo Kang who is personally known to me or who has produced Florida DL as identification

[NOTARIAL SEAL]

Print Name: Daniel Garcia  
Notary Public, State of Florida  
Commission #: HH 37152  
My Commission Expires: August 27, 2024



Attorney for Applicant: Vanessa Madrid, Esq.

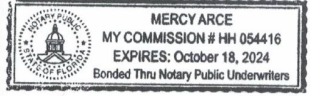
Signature [Handwritten Signature] Date 2/22/2024

Notary to Attorney:

STATE OF FLORIDA )  
COUNTY OF Miami-Dade ss:

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22 day of Feb, 2024 by Vanessa Madrid who is personally known to me or who has produced \_\_\_\_\_ as identification

[NOTARIAL SEAL]



Print Name: Mercy Arce  
Notary Public, State of Florida  
Commission #: HH 054416  
My Commission Expires: \_\_\_\_\_



**DISCLOSURE OF INTEREST\***

If a **COMPANY** owns or leases the subject property, list principal, stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Harborgenix, LLC

NAME AND ADDRESS	Percentage of Stock
<u>Harborgenix, LLC</u>	<u>100%</u>
<u>19076 NE 29 AVE, Aventura, FL 33180</u>	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Ownership

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

NAME AND ADDRESS (if applicable)	Percentage of Interest



--	--	--

Date of contract: 2/13/24

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

\_\_\_\_\_

**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Harborgenix, LLC**

Signature: [Handwritten Signature]

Print Name: Sang Koo Kang

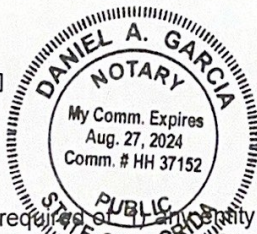
Title: President

STATE OF FLORIDA )

COUNTY OF Miami-Dade ) ss:

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 14 day of February, 2024, by Florida DL who is personally known to me or who has produced \_\_\_\_\_ as identification

[NOTARIAL SEAL]



Print Name: Daniel Garcia  
Notary Public, State of Florida  
Commission #: HH 37152  
My Commission Expires: August 27, 2024

\*Disclosure shall not be required for an entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.