



AGENDA

PLANNING AND ZONING MEETING

5:00 PM - Thursday, January 28, 2021
VIRTUAL MEETING

Page

1. VIRTUAL INSTRUCTIONS

NOTICE IS HEREBY GIVEN that the Planning and Zoning Board of the Town of Pembroke Park, Florida, will hold a "Virtual" Planning and Zoning Board Meeting utilizing communications media technology ("CMT"), in accordance with Emergency Ordinance 2020-009, dated November 10, 2020, pertaining to conducting local government meetings while under the public health emergency related the spread of Novel Coronavirus Disease 2019 (COVID- 19)

Thursday, January 28, 2021 5:00 PM - 8:00 PM (EST)

You can dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 420-340-045

Two hours prior to meeting you can submit a text or voicemail at (954) 707-9820

Any member of the public wishing to comment publicly on any matter, including on items on the agenda, may submit their comments by email to the Town Clerk at townclerk@townofpembrokepark.com. All comments submitted by email that, if read orally, are three minutes or less shall be read into the record. All comments submitted by email shall be made a part of the public record. If any member of the public requires additional information about this Town Commission meeting or has any questions about how to submit a public comment at the meeting, please contact:

Marlen D. Martell, Town Clerk

Town of Pembroke Park

3150 SW 52 Avenue

Pembroke Park, FL 33023

954-966-4600, ext: 235

townclerk@townofpembrokepark.com

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. NEW BUSINESS

5.1. Introduction of Town Planner Heidi Siegel

5.2. Site Plan for Seneca Car Wash - Town Planner Miller

3 - 37

[MM PZB Staff Report Backup Site Plan Seneca Car Wash Jan 15 2021](#)

5.3. Seneca Special Permit - Town Planner Miller

38 - 59

[MM Staff Report Backup Seneca Car Wash Spec Permit Jan 15 2021](#)

5.4. Special Exception 5311 SW 25 Ct. - Town Planner Miller

60 - 95

6. ADJOURNMENT

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANY PERSON REQUIRING AUXILIARY AIDS AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERKS OFFICE AT 954-966-4600 AT LEAST TWO CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED PLEASE CONTACT THE FLORIDA RELAY SERVICES BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD)

DECORUM - ALL COMMENTS MUST BE ADDRESSED TO THE COMMISSION AS A BODY AND NOT TO INDIVIDUALS. ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS, OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION IS GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR IN OPPOSITION TO A SPEAKER OR HIS/HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PLEASE MUTE OR TURN OFF YOUR CELL PHONE OR PAGER AT THE START OF THE MEETING. FAILURE TO DO SO MAY RESULT IN BEING BARRED FROM THE MEETING. PERSONS EXITING THE CHAMBER SHALL DO SO QUIETLY.

**TOWN OF PEMBROKE PARK
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Planning and Zoning Board
Town of Pembroke Park

From: Michael J. Miller, AICP *MJM*
Consultant Town Planner

Date: January 15th, 2021

Subject: Site Development Plan Application – Major
Proposed Seneca Car Wash (Sonny's)
3441 West Hallandale Beach Boulevard
Pembroke Park Acct. No.: 19-302
MMPA Acct. No.: 00-1101-1118

RECOMMENDED ACTION

MMPA recommends the Planning and Zoning Board review this staff report, the most recent revised plans dated January 11th, 2021 and, if found acceptable, recommend **APPROVAL** of the proposed Site Development Plan application to the Town Commission, subject to any staff recommended conditions listed herein or other conditions deemed appropriate by the Board.

GENERAL PROJECT INFORMATION

Land Use Designation: C- Commercial

Zoning District: B-1 Business District

General Location: 3441 West Hallandale Beach Boulevard
Between the WPLG Channel 10 TV Station and Credit Union Site
South of SW 28th Street (Private Road)

Legal Description: A portion of Parcel "B" of the Seneca Plat, according to the plat thereof, as recorded in Plat Book 165, Page 29, of the public records of Broward County, Florida. Containing 1.18 acres, more or less.

**Town of Pembroke Park
Planning & Zoning Board Staff Report
Seneca Car Wash (Sonny's)
3441 W. Hallandale Beach Boulevard
January 15th, 2021
Page 2**

BACKGROUND INFORMATION

Architectural firm Ramos Martinez Architects, as agent for the owner of the above site, 3441 Hallandale LLC, has submitted a new Major Site Development Plan application to allow for the construction of a fully enclosed 3,770 sq. ft. automated car wash with 30 outdoor vacuum stations located at 3441 W. Hallandale Beach Boulevard (HBB). The subject site is located north of HBB between the WPLG Channel 10 TV station and the 1st Florida Credit Union. The site is within the commercial portion of the Seneca Industrial Park (SIP). When the SIP commercial lands were created in 2002 a special B-1 Business Zoning District Ordinance #03-06-03 was adopted with modifications for land uses (additions / deletions / special permits required) versus the standard B-1 Business District. An "Auto Laundry within an Enclosed Building" is listed in that Ordinance as a use that requires a Special Permit issued by the Town Commission prior to construction. Further, per Zoning Code Sec. 28-188 all activities in the B-1 Business District must occur inside a completely enclosed building unless the Town Commission approves a Special Permit – this applies to the proposed thirty (30) outdoor vacuum stations. The applicant has filed a concurrent Special Permit application for both the Auto Laundry (car wash) and outdoor vacuum use.

On November 20th, 2020 the Town's DRC held a meeting to discuss the above project. Due to the amount of missing information and required changes the DRC deferred action to allow the applicant to address the comments, provide the missing information, and revise the plans. On December 9th, 2020 the applicant submitted revised plans / documents. MMPA reviewed the new documents and noted the plans were partially revised as requested by the DRC members, and some information was still missing. However, at the January 8th, 2021 DRC meeting some of the corrected supplemental plans were submitted. Therefore, the DRC agreed to recommend that the application be allowed to proceed to the PZB / TC subject to submitting the remaining corrected plans / documents and having the DRC members sign-off. On January 13th, 2021 the applicant submitted final corrected plans to MMPA (approved) and water pressure test info to the BSO Fire Dept. staff.

PROJECT DESCRIPTION

As a matter of information and to avoid future confusion, **this application replaces a Site Development Plan application filed on 8/22/19 for a proposed 3-story office building on this site (Seneca Executive Offices).** The DRC reviewed that project on several occasions, and it was ready to move forward for final PZB / TC consideration. However, due to the COVID-19 pandemic impacts on real estate (especially office space) the current landowners have decided to pursue other land development opportunities. The proposed car wash operation (Sonny's) is a well-known brand that features memberships and modern facilities. They feel the site is attractive due to the SCC / SIP employment centers / WPLG / local market and proximity near I-95. As the site is currently vacant a full-scale Site Development Plan application is required.

The site will have multiple vehicular access points including recorded cross-access driveway easements that extends across the BSO site and Credit Union site and the subject site - but stops short of the west property line. On the east side of the BSO site the cross-access driveway turns north parallel to Seneca Blvd. connecting to a private east / west road referred to as SW 28th Street. SW 28th Street intersects with Seneca Blvd. (aka SW 32nd Ave.) at a stop-controlled intersection which allows motorists to travel either south to the signalized intersection with HBB or northerly to

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning & Zoning Board Staff Report
Seneca Car Wash (Sonny's)
3441 W. Hallandale Beach Boulevard
January 15th, 2021
Page 3**

Pembroke Road via Coca Cola Drive / SW 40th Ave. The recorded plat included a possible driveway connection to HBB from the Credit Union site, but this was not built (FDOT objected). However, on the WPLG site immediately west of the subject site a HBB connection driveway already exists and an easement allows joint access. The former office project was reviewed by FDOT staff and they issued a pre-app letter that would allow a new HBB driveway connection directly to the site (NVAL Amendment would be required); however, we believe FDOT forgot about the WPLG joint access easement. FDOT reviewed the new land use and issued a new pre-app letter for the car wash project. On December 3rd, 2020 FDOT issued a new pre-app letter for the car wash approving the access arrangements (WPLG driveway easement / SIP cross access easements).

The Town Off-Street Parking Code (Sec. 28-301) does not include a separate calculation for auto laundries / car washes, but MMPA believes this would fall within the standard commercial category at 1:300 sq. ft. The plans calculate the required parking as follows: Common Interior Building Area @ 1,290 sq. ft. = 5 spaces plus 6 employees @ 1:4 employees = 2 spaces = 7 total spaces required. A total of nine (9) parking spaces are provided including 1 ADA parking space. The site plan provides 30 vacuum area spaces outdoors west of the car wash building. It was noted on the original site plan submission that the proposed ADA parking space was shown on the south side of the east / west driveway near the south property line; therefore, a person with disabilities (wheelchair / other) would be required to travel across the main driveway to and from the car wash. A better and safer location would be on the west side of the building near the office / bathroom area of the building. An accessible route will be required from the ADA space to the building entry and also to the HBB walkway. The DRC members agreed at the November 20th, 2020 DRC meeting and requested the site layout be modified – it has been modified. An ADA accessible walkway from the HBB sidewalk to the building is now provided as well.

The Landscaping Plan includes a variety of trees / shrubs / ground cover / grass along the perimeter and within the interior parking areas. Generally, the proposed landscaping meets the Town's minimum landscape requirements.

COMPREHENSIVE PLAN / ZONING ANALYSIS

Comprehensive Plan

The Town's adopted Comprehensive Plan Future Land Use Map (FLUM) identifies the site for "C" Commercial development. The list of allowable uses includes retail & offices. The proposed land uses are deemed consistent with the Comprehensive Plan / FLUM.

Land Development Regulations / Zoning Code

The Town's adopted Official Zoning Map identifies the site in the B-1 Business District. Retail and office uses are listed as permitted uses. An auto laundry / car wash is not listed as a permitted use; however, as stated above, when the SIP commercial lands were created in 2002 a special B-1 Business Zoning District Ordinance #03-06-03 was adopted with modifications for land uses (additions / deletions / special permits required) versus the standard B-1 Business District. An "Auto Laundry within an Enclosed Building" is listed in that Ordinance as a use that requires a Special Permit issued by the Town Commission prior to construction. Further, per Zoning Code Sec. 28-188 all activities in the B-1 Business District must occur inside a completely enclosed building unless the

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning & Zoning Board Staff Report
Seneca Car Wash (Sonny's)
3441 W. Hallandale Beach Boulevard
January 15th, 2021
Page 4**

Town Commission approves a Special Permit – this applies to the proposed thirty (30) outdoor vacuum stations. The applicant has filed a concurrent Special Permit application for both the Auto Laundry (car wash) use and outdoor vacuum use. These zoning regulations control the types of future land uses that may occupy the buildings / land within the commercial SIP sites.

PLATTING

The site will not require re-platting, as the site is currently platted as described above. Please note that no re-subdivision is permitted in the future without the Town's prior written consent. If sites are to be "split" in the future, each site must be able to stand alone as to building setbacks, off-street parking, open space, etc. and approved by the Town via a plat waiver / re-subdivision survey.

RIGHT-OF-WAY AND ACCESS DESCRIPTION

As mentioned above, the site will have multiple vehicular access points including recorded cross-access driveway easements. One extends across the BSO site, the Credit Union site and the subject site - but stops short of the west property line (will need to be extended to west PL). On the east side of the BSO site the cross-access driveway turns north parallel to Seneca Blvd. connecting to a private east / west road referred to as SW 28th Street. The subject site also proposes one (1) two-way driveway connections to SW 28th Street on its northern border. SW 28th Street intersects with Seneca Blvd. at a stop-controlled intersection which allows motorists to travel either south to the signalized intersection with HBB or northerly to Pembroke Road via Coca Cola Drive / SW 40th Ave. The recorded plat included a driveway connection to HBB from the Credit Union site, but this was not built (FDOT objected). However, on the WPLG site immediately west of the subject site a HBB connection driveway already exists and an easement allows joint access. The former office project was reviewed by FDOT staff and they issued a pre-app letter that would allow a new HBB driveway connection directly to the site (NVAL Amendment would be required); however, we believe FDOT forgot about the WPLG joint access easement. As requested at the earlier DRC meeting FDOT reviewed the applicant's revised request for a car wash land use and issued a new pre-app letter approving the access arrangements.

CONCURRENCY ISSUES

Potable Water / Wastewater – Based on the development level indicated in the development plan the proposed project, according to the Town's LDR criteria, would generate a need of about 2,800 gallons per day for potable water and the same 2,800 gallons per day for wastewater (1,022,000 gallons per year). The Town owns the local Sanitary Sewer system (main lines / pumps) and all property owners must connect. Broward County owns and operates the Potable Water system in the South County area. The Town has large user agreements for both Potable Water (Broward County) and sanitary sewer treatment (Hollywood). Based on the probable demand, the operating and plant capacities of potable water and wastewater are sufficient and can serve the development without expansion. Water service will be provided by existing 8-inch / 10-inch water mains located in either SW 28th Street (8-inch line in private road on north side of the site) or within the access / utility easement in the private driveway within the front of the site next to West Hallandale Beach Blvd. The proposed domestic and irrigation water meters will tie into this existing water main. The project will be served by an existing 8-inch sanitary sewer force main within SW 28th Street to be extended.

Michael Miller Planning Associates, Inc.

Transportation System – This property is anticipated to generate approximately 40 new trips per day on a typical weekday and about 86 trips on Saturdays (peak day). Hallandale Beach Boulevard is currently a four (4) lane divided road with turn lanes at certain intersections near this site. The Town / FDOT has adopted a concurrency Level of Service (LOS) for this road of “D”. The Town was previously within the County’s Transportation Concurrency Exception Area (TCEA) but the County has now abandoned that concurrency method and adopted a Transit Oriented Concurrency / TCMA system that is focused more on mass transit than vehicles. Development is allowed to proceed with the payment of transit impact fees. Hallandale Beach Boulevard in this area carries about 30,000 trips per day / 2,790 trips in the PM Peak Hour. The design capacity of the roadway as a 4LD roadway @ LOS D is 32,700 trips per day / 3,110 trips in the PM Peak Hour. Therefore, the current V/C (volume to capacity) ratio is .92 or LOS D. The Town may approve the development despite any LOS problems in the area. There are long-range plans to possibly widen Hallandale Beach Boulevard to a 6LD roadway, but the exact timetable is unknown. Finally, there are existing mass transit bus routes along Hallandale Beach Boulevard and bus stops adjoining the site.

Stormwater System - The applicant has submitted drainage plans and calculations showing that they will comply with the Town’s LOS criteria (25-year storm event @ 24-hour duration). Prior to development the developer will have to obtain a Broward County drainage permit. Therefore, the on-site drainage system is oversized and should adequately serve the site.

Solid Waste – Based on the site plan data listed, this development would generate about 182 pounds per day / 66,430 pounds of solid waste per year. The Town’s solid waste provider is Waste Management. At this time sufficient service / capacity exists.

BUILDING AND ARCHITECTURAL DESIGN COMMENTS

Section 5-103 (p) of the Town Code requires all non-residential buildings to avoid the appearance of a “box-like” structure. Sloped roof surfaces and enhanced architectural detailing are strongly encouraged. The proposed building does have a sloped roof surface and there are building undulations with varying projected architectural details. The Town has the latitude to approve alternatives if deemed acceptable – enhanced architecture). Although the color renderings on the plans shows a “white” scheme, the building colors will generally follow the common color scheme found in the Seneca Industrial Park (SIP). Based on the architectural enhancements MMPA recommends approval.

COMMENTS / STAFF RECOMMENDATIONS

MMPA recommends **APPROVAL** of the proposed Site Development Plan prepared by project architect (Ramos Martinez Architects) as well as several engineering / landscape architect subconsultants, based on the latest revised plans dated January 11th, 2021 to allow for the construction of a one-story / 3,770 square foot Enclosed Auto Laundry (Car Wash) with 30 outdoor vacuum stations subject to the following conditions:

Michael Miller Planning Associates, Inc.

- 1) **Special Permit for Auto Laundry within an Enclosed Building** – The site is within the commercial portion of the Seneca Industrial Park (SIP). When the SIP commercial lands were created in 2002 a special B-1 Business Zoning District Ordinance #03-06-03 was adopted with modifications for land uses (additions / deletions / special permits required) versus the standard B-1 Business District. An “Auto Laundry within an Enclosed Building” is listed in that Ordinance as a use that requires a Special Permit issued by the Town Commission prior to construction. This approval is subject to the Town Commission approving the Special Permit for the Auto Laundry. If the Special Permit is denied this application is deemed null and void.
- 2) **Special Permit for Use Outside a Completely Enclosed Building (30 Outdoor Vacuum Stations)** – Per Zoning Code Sec. 28-188 all activities in the B-1 Business District must occur inside a completely enclosed building unless the Town Commission approves a Special Permit. This applies to the proposed thirty (30) outdoor vacuum stations. Therefore, this approval is subject to the Town Commission approving the Special Permit for the 30 outdoor vacuum stations. If the Special Permit is denied this portion of the application is deemed null and void.
- 3) **Exterior Building Colors** – The preliminary exterior building colors submitted appear to comply with the Town's Official Paint Color Palette. Prior to painting the exterior of the building, the applicant shall submit a separate Town Color application for formal approval by the Town Planner.
- 4) **Business Signage** - On Sheet A-3.1 the east / west building elevations include proposed business signs. Neither would be permitted via the Town Sign Code without a sign variance. Building signage is only allowed on a building façade facing an adjoining street (HBB / SW 28th Street). Notations were added on the plans indicating the signs will only be allowed if the Town Commission grants a sign variance, otherwise all signs must meet normal Sign Code requirements.
- 5) **Granting of Missing Access / Utility Easement to Existing WPLG Driveway Easement & Existing Cross Access Easement on the Site** - Prior to the issuance of building permits a new vehicular access / utility easement with a legal description / sketch of survey shall be submitted to and approved by the Town Attorney / recorded in the public records for the east / west “missing link” from the Credit Union site to the WPLG site to provide adequate cross-access between the commercial sites fronting W. Hallandale Beach Blvd. as required by FDOT / Town Code.
- 6) **BSO Fire Protection Water Supply Design Analysis** – Prior to the issuance of building permits BSO must review / sign-off on an adequate fire water supply (lines / pressure) to the site. If BSO requires additional improvements the developer shall provide these at their sole expense.
- 7) **Building Architecture** – Section 5-103(p) of the Town Code requires all non-residential buildings to avoid the appearance of a “box-like” structure. Sloped roof surfaces strongly encouraged. While the proposed structure does include a sloped roof surfaces the main

Michael Miller Planning Associates, Inc.

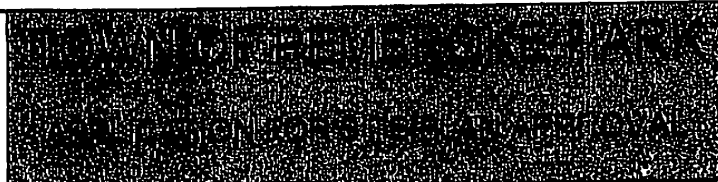
**Town of Pembroke Park
Planning & Zoning Board Staff Report
Seneca Car Wash (Sonny's)
3441 W. Hallandale Beach Boulevard
January 15th, 2021
Page 7**

building is somewhat "box-like". There are building undulations and architectural details. The Town has the latitude to approve alternatives if deemed acceptable. MMPA recommends the Town approve the architectural design as submitted, as enhanced building articulation has been provided. If the Town does not approve the current building architectural design, the applicant shall modify the plans accordingly prior to approval.

- 8) **Impact Fee Payments** – Prior to the issuance of building permits the developer / owner shall pay all required Broward County and Town impact fees, connection fees and Building Permit fees.
- 9) **Site Plan Expiration** - This Site Development Plan approval will expire 18 months from the date of Town Commission approval in accordance with Section 20-25 of the Code if no valid Building Permit for the principal building has been issued and kept in force.

Michael Miller Planning Associates, Inc.

SP



Date: 10-29-2020
Case No.: 20-304
Receipt No.: 10005

Fee: (1) Major: The initial cost recovery fee shall be \$7,600.00 plus the non-administrative costs incurred by the Town in processing the request. \$600.00 of the above referenced fee shall be non-refundable.

(2) Minor: The initial cost recovery fee shall be \$1,760.00 plus the non-administrative costs incurred by the Town in processing the request. \$600.00 of the above referenced fee shall be non-refundable.

IN ADDITION TO THE APPLICATION FOR SITE PLAN APPROVAL, THE APPLICANT SHALL SUPPLY THE DOCUMENTATION REQUIRED BY SECTION 20-18 OF THE TOWN'S CODE OF ORDINANCES AS WELL AS THE TOWN'S SITE PLAN SUBMISSION CHECKLIST. THE SITE PLAN APPLICATION CHECKLIST IS AVAILABLE FROM THE TOWN PLANNER.

PETITIONER: 3441 west Hallandale LLC
ADDRESS: 3441 west Hallandale Blvd
CITY: Pembroke Park FL 33027
PHONE: 954-6080108

IF PETITIONER IS NOT OWNER, NAME OF OWNER: _____

SIGNATURE OF PETITIONER: _____

PRESENT ZONING: _____ PRESENT LAND USE PLAN DESIGNATION: _____

ADDRESS OF PROPERTY: _____

LEGAL DESCRIPTION OF PROPERTY (Plat Book/Page or Moles and Bounds): _____

OWNER / AGENT CERTIFICATE:

This is to certify that I am the owner/agent of the subject lands described above in the application for Site Plan Approval, and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by Town personnel, for the purpose of verification of information provided by owner/agent.

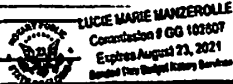
Signature of owner/agent: _____ Sworn to and subscribed before me this 29 day of October, 2020, by Verdine R. B. [Signature]

☒ He/She is personally known to me or

☐ He/She has presented _____ as identification.

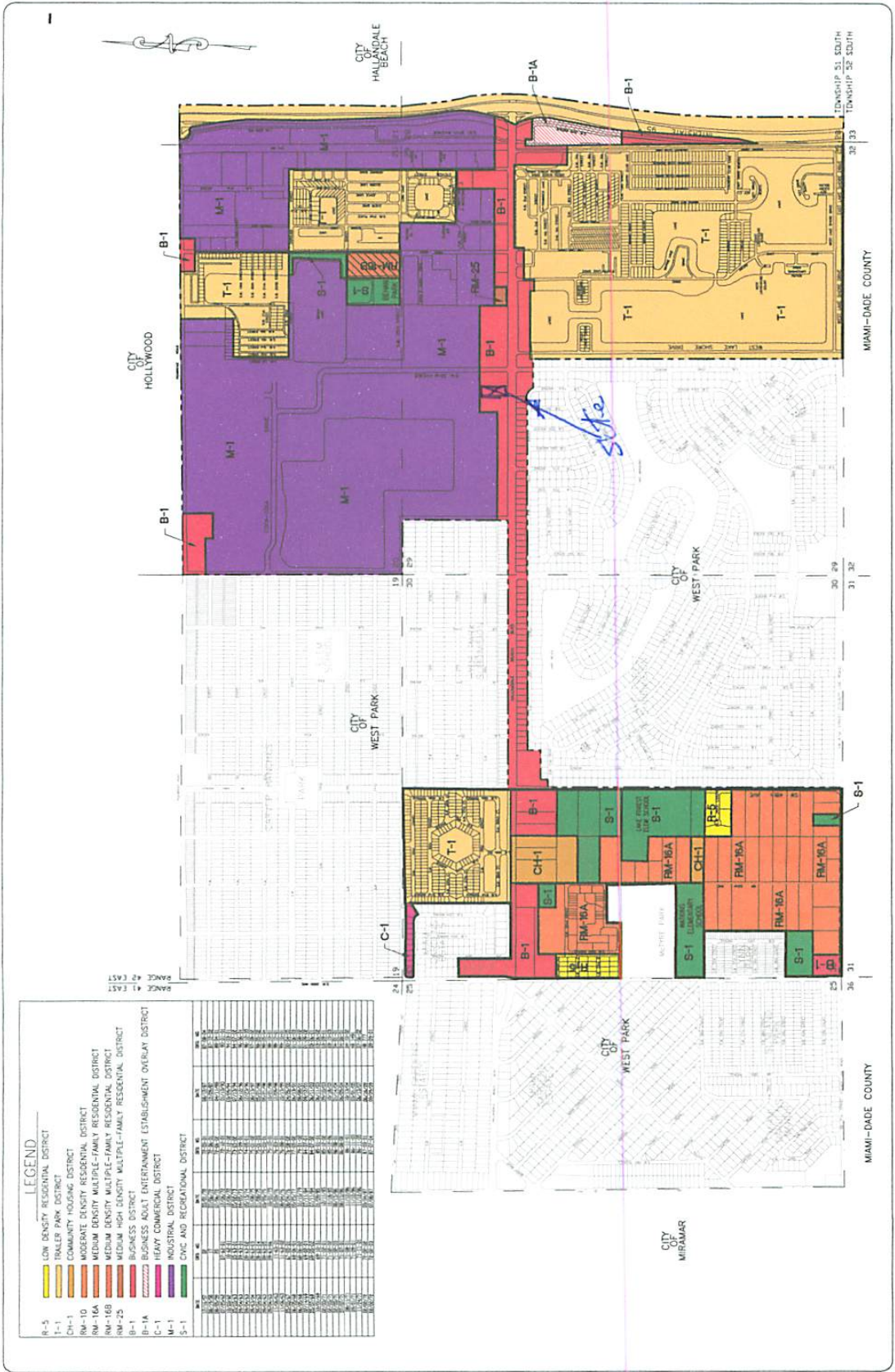
Signature of Notary Public: _____

Type or Print Name: Lucie Manzerolle



3465 NW LLC 4520 W HALLANDALE BCH BLVD STE 2 PEMBROKE PARK, FL 33023		10005 43-01670660
DATE <u>10-29-20</u>		
PAY TO THE ORDER OF <u>Town of Pembroke Park</u>		
<u>Five thousand &</u>		\$ <u>5000.00</u>
City National Bank		DOLLARS
Secy		
10005 066004367 30000020188		

LEGEND	
R-5	LOW DENSITY RESIDENTIAL DISTRICT
T-1	TRAILER PARK DISTRICT
CH-1	COMMUNITY HOUSING DISTRICT
RM-10	MODERATE DENSITY RESIDENTIAL DISTRICT
RM-15	MODERATE DENSITY RESIDENTIAL DISTRICT
RM-18	MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT
RM-25	MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT
B-1	BUSINESS DISTRICT
B-1A	BUSINESS ADULT ENTERTAINMENT ESTABLISHMENT OVERLAY DISTRICT
C-1	HEAVY COMMERCIAL DISTRICT
M-1	INDUSTRIAL DISTRICT
S-1	Civic AND RECREATIONAL DISTRICT



DESIGNED BY: DATE: DRAWN BY: DATE: CHECKED BY: DATE:	PREPARED FOR: TOWN OF PEMBROKE PARK	OFFICIAL ZONING MAP	SHEET NO. 1
MICHAEL MILLER PLANNING ASSOCIATES, INC. 1101 West Pines Road, Suite 100 West Palm Beach, Florida 33411 Tel: (561) 733-7000 Fax: (561) 733-7009			



The just values displayed below were set in compliance with [Sec. 193.011](#), Fla. Stat., and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

Property Assessment Values

2021 Exemptions and Taxable Values by Taxing Authority

Sales History

Land Calculations

* Denotes Multi-Parcel Sale (See Deed)

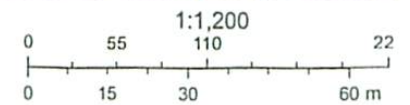
Special Assessments

Property Id: 514220170074

**Please see map disclaimer



November 6, 2020



Flight Date : Between Dec 15, 2019 and Jan 26, 2020 Broward County Proper

SW #2

ORDINANCE NO. 03-06-03

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, RELATING TO CHAPTER 28, ZONING; AMENDING THE ZONING CLASSIFICATION FOR A PORTION OF PARCEL B, SENECA FLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 165, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hallandale Remaining Lands, LLC and Seneca Security Holdings, LLC have submitted an application to amend the permitted use for their property described in Section 1 hereof and located in the B-1 Business Zoning District; and

WHEREAS, the subject property previously was entitled to all of the permitted uses described in the B-1 Business Zoning District; and

WHEREAS, the prior owners of the subject property requested that the permitted uses be amended to a more restricted schedule of permitted uses of their property for their development purposes; and

WHEREAS, the Town amended the permitted uses on the subject property as set forth in Ordinance No. 96-6-1; and

WHEREAS, the applicants have requested that the permitted uses be amended so that they are more consistent with the permitted uses of other properties within the B-1 Business Zoning District; and

WHEREAS, the Town's Consultant Planner has reviewed the re-zoning application, the Town's Code of Ordinances and Comprehensive Plan, the development of the property in the area, and has prepared a report setting forth the appropriate permitted uses for the subject property; and

WHEREAS, the Hearing Examiner of the Town of Pembroke Park pursuant to the notice requirements of Chapter 28, of the Code of Ordinances of the Town of Pembroke Park, and Chapter 166, Florida Statutes, conducted a public hearing on June 9, 2003 to consider the re-zoning application and took testimony from the applicant, Town Staff and interested parties; and

WHEREAS, the Hearing Examiner has prepared a report based upon the evidence submitted at the aforesaid public hearing and has recommended that the Pembroke Park Town Commission

grant the request for amendment of the permitted uses on the property as set forth in the attached Exhibit "A"; and

WHEREAS, the Pembroke Park Town Commission has reviewed the Hearing Examiner's Report and conducted a public hearing on June 11, 2003 and deems it in the best interest of the Town of Pembroke Park to amend the permitted uses of the subject property as set forth in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:

Section 1: That the re-zoning petition filed by Hallandale Remaining Lands, LLC and Seneca Security Holdings, LLC to amend the zoning classification for the following described property, to wit:

Parcel B, "SENECA PLAT", according to the plat thereof, as recorded in Plat Book 165, Page 9 of the Public Records of Broward County, Florida

Less the following described parcel of land:

Commence at the Southeast corner of said Parcel B;

Thence North 01°39'19" West along the East line of said Parcel B, a distance of 346.34 feet to the Point of Beginning;

Thence South 88°18'54" West, a distance of 1,341.09 feet;

Thence North 01°33'09" West along the West line of said Parcel B, a distance of 104.05 feet;

Thence North 88°18'07" East along the North line of Parcel B, a distance of 670.28 feet;

Thence North 88°21'41" East along the North line of said Parcel B, a distance of 670.63 feet;

Thence South 01°39'13" East along the East line of said Parcel B, a distance of 103.66 feet to the Point of Beginning.

Said lands situate, lying and being in the Town of Pembroke Park, Broward County, Florida; containing 10.43 acres, more or less.

be and the same is hereby granted, and the permitted uses for the subject property shall be those set forth in the attached Exhibit "A".

Section 2: That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not effect the other sections, paragraphs, sentences, words or application of this Ordinance.

EXHIBIT "A"

PERMITTED USES OF REAL PROPERTY DESCRIBED IN SECTION 1 OF
ORDINANCE 03-06-03

- (1) The following types of retail stores:
Antiques, art supply, automobile accessory, automobile new parts, ball and tackle, boat and marine motors in buildings, business machines, camera and photographic supply, confectionery, dairy products, dairy supplies and equipment not including feed or fertilizer, department, dresses, poultry, drug, dry goods, florist, fruit and vegetable, furniture, furrier, garden supply, gift, greeting cards, grocery, hardware, hobby hobby supply, home appliances, household furnishings, ice cream, jewelry, leather goods and luggage, linens, fabrics and draperies, meat market, music and musical instruments, newsstand, notions, office furniture and equipment, optical goods, package liquor, paint, pets and pet supply, seafood, souvenir, sporting goods, stationery and books, sundry, supermarket, television, tobacco, radio and phonograph, toy, wallpaper, wearing apparel, swimming pool supplies and equipment, variety.
- (2) Bakery and delicatessen provided all preparation of food is for retail sale on the premises, and the services of not more than six (6) persons are utilized in any such establishment including the preparation, distribution and retail sales of products (such as Dunkin Donuts / Knead Knead).
- (3) The following personal services:
Barber, beauty parlor, pressing and mending, shoe repair, shoe shine.
- (4) The following miscellaneous uses:
Day nursery, dressmaking, laundry and dry cleaning pickup station, medical and dental offices, nonalcoholic beverage bar, nursery school, restaurant, tailor, watch and jewelry repair, self-service laundry.
- (5) Automobile parking lot and parking garage.
- (6) Hotel and motel.
- (7) The following services:
Bath and massage parlors, commercial gymnastiums, service stations (see Special Permit Use List), fur storage, hospitals as defined in Section 396.002, Florida Statutes 1985, radio, television and phonographic repair incidental to sales, recording studio, quick-service laundry, utility trailer display and storage incidental to a service station with not more than ten (10) such trailers for rental or sale purposes (see Special Permit Use List).
- (8) Dry cleaning establishment for direct services to customers, subject to the following limitations and requirements:
 - a. Service shall be rendered directly to customers who bring in and pick up the articles to be dry-cleaned.
 - b. The establishment shall not provide wholesale or commercial pickup or delivery service.
 - c. The services of not more than five (5) persons shall be utilized in the operation of the establishment.
 - d. Not more than two (2) cleaning units shall be used in any establishment, neither of which shall have a rated capacity of forty (40) pounds.
 - e. The entire cleaning and drying process shall be carried on within completely enclosed solvent-reclaiming units.

1. All solvents used in the cleaning process and the vapors therefrom shall be non-explosive and nonflammable.

The following amusement and recreational uses:

(9) Theater, museum, exhibit hall, nightclub, music hall, bar, tavern, pool or billiard room, and the following types of office uses:

(10) Banks and financial institutions, business and professional offices, custom brokers and manufacturers agency, employment office, governmental offices, messenger office, post office, public utility offices, stock broker, stock exchanges, foreign office, bidet office, travel agency, newspaper office.

The following miscellaneous uses:

(11) Art, charm, dancing, dramatics or musical school, earliest studio, auction of art goods, rugs and the like, costume, dental laboratory, interior decorator, motor-vehicle repair, lawn furniture sale, photographic studio, radio and television studios, public safety such as police, rescue and fire stations.

(12) New or used automobiles, truck and trailer display, sales and repairs, when a special permit has been issued by the Town Commission approving the operation of the house, lighting, signage and location of vehicles. Repair and service garage, not including

(13) Home appliance repair, hand laundry, boat sales (less Special Permit Use List), bumping and painting. Auto laundry, boat sales (less Special Permit Use List).

(14) Grinding, radio, television and photographic repair, newpaper-printing plant, Archery range (indoor), barbecue stand, boxing and sports arena, drive-in restaurant, refreshment stand, golf driving range, miniature golf course, bowling alley, penny-ride-and-penny-riding rink, swimming pool, drive-in-theater.

(15) Research and testing laboratory, mortuary or undertaker, pest control agency, plant nursery or landscape.

(16) Tire and battery store (less Special Permit Use List), retail plumbing and electrical

footcure, lawn mower rental, sales and service, ship chandlery, upholstery and upholstery services or not more than four (4) persons on the premises and occupying not more than four (4,000) square feet of floor space, offices or electrical and plumbing contractors, including not over four thousand (4,000) square

feet of enclosed storage and shop space, with no outside or open air storage of supplies or materials, used furniture and household-appliances-entirely-within-a-fully enclosed-building.

(17) Accessory uses and structures.

The following uses may be permitted by the Town of Pembroke Park by Special Permit in accordance with the procedures in Section 28-154 of the Code of Ordinances:

(1) Gasoline, diesel or natural gas sales, motor vehicle service stations (limited to one

truck fueling facility).

(2) Automobile repair establishments, commercial sales

(3) New or used automobiles, boat, motorcycle, RV, truck or trailer display, sales and

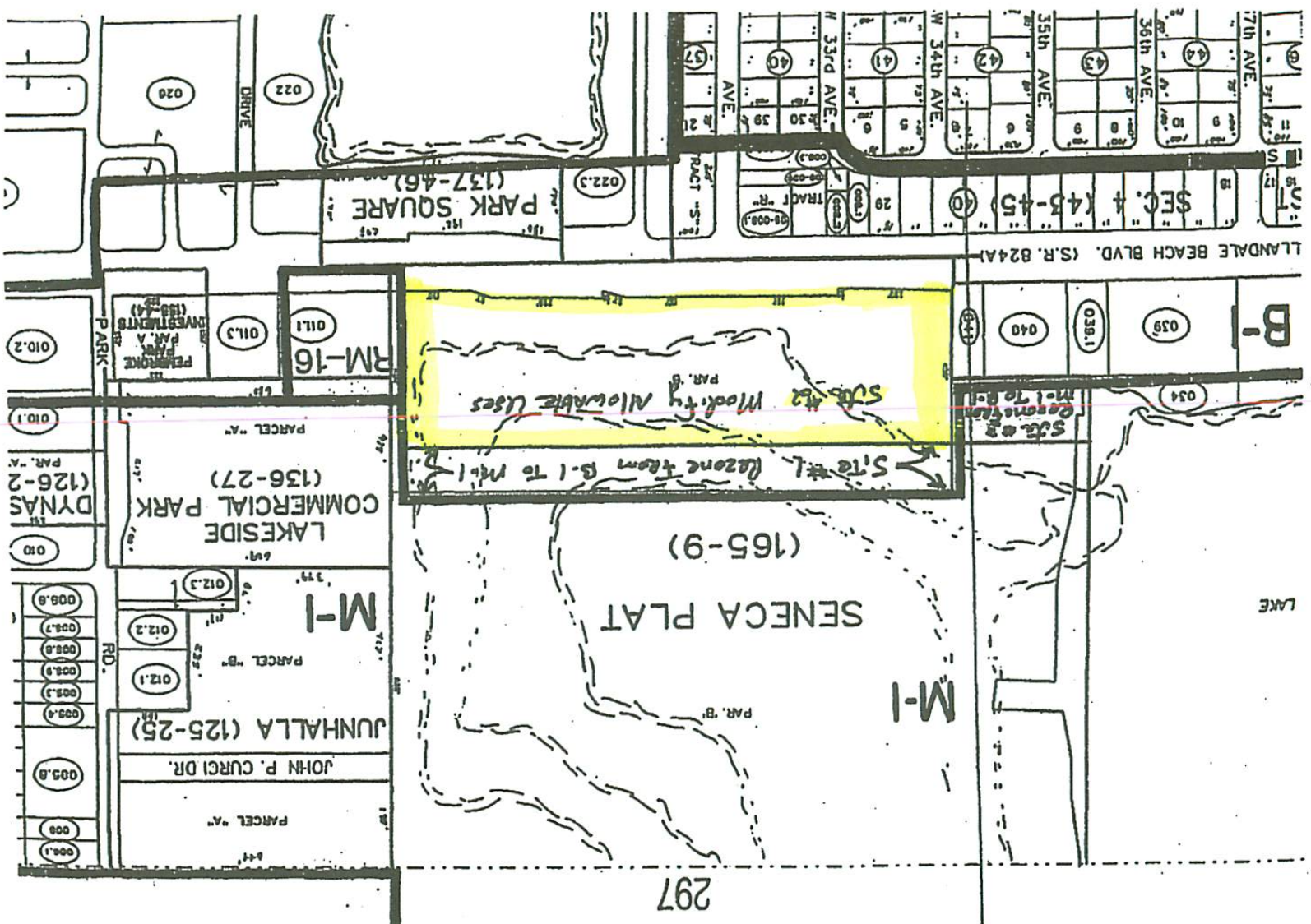
repairs.

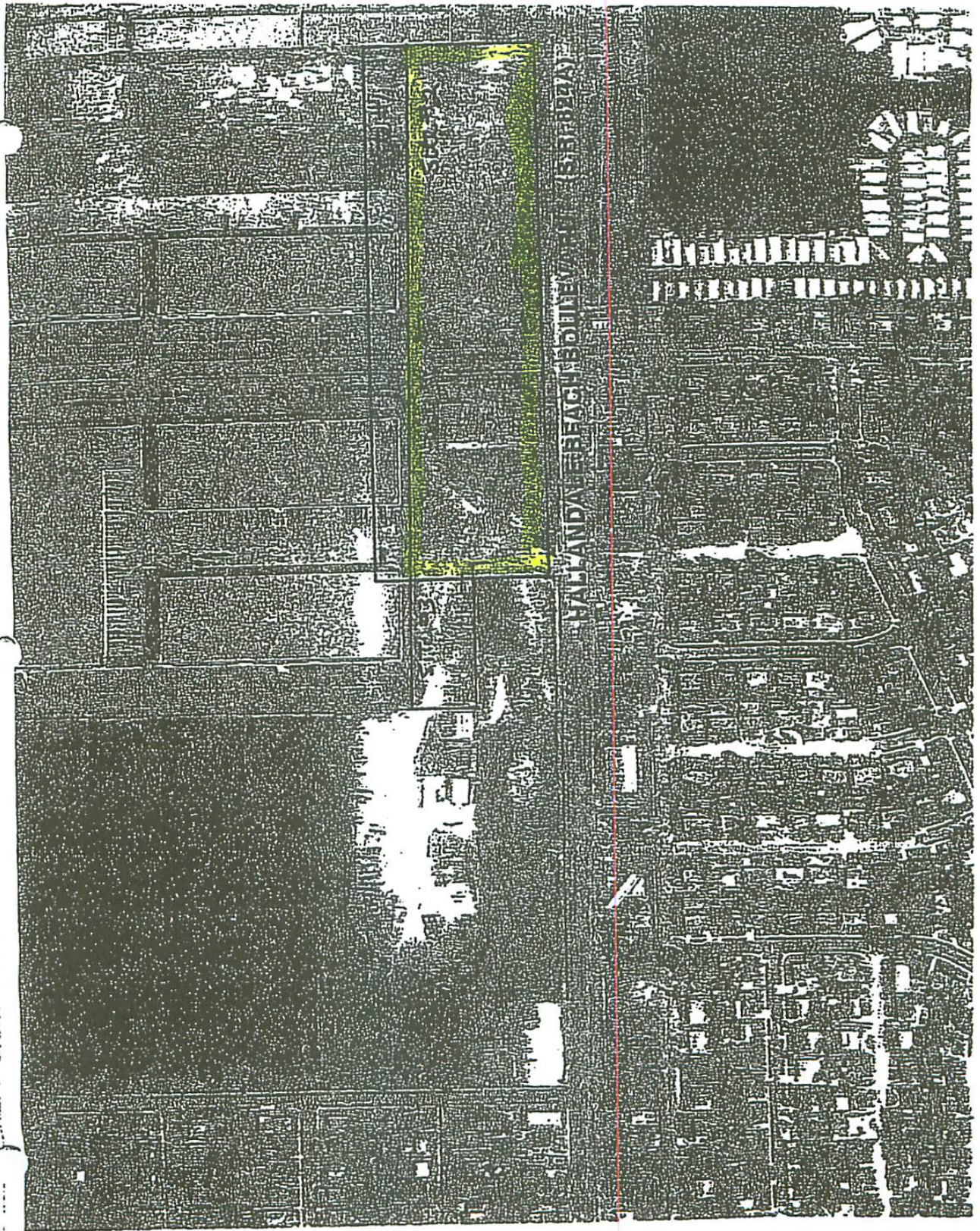
(4) Auto laundry within an enclosed building.

(5) Tire and battery store.

None of the following uses shall be permitted:

- (1) Bath and massage parlors, adult entertainment uses as defined in Chapter 16 Article IX of the Town's Code of Ordinances. This provision shall not be construed to prohibit the owner from requesting a special use to the Town's B-1A Business Adult Use Overlay Zoning District. The Town is not obligated to approve any such request.
- (2) Pawn shops.
- (3) Thrift stores.
- (4) Tattoo and piercing centers.
- (5) Fortune tellers / Astrology.
- (6) Flea markets.
- (7) Religious establishments.





Development Impact Analysis Report

December 8, 2020

Project Name: Seneca Car Wash
Address: 3441 West Hallandale Beach Blvd.
General Project Description: Business
Site Square Feet / Acreage: 51,493 SF / 1.18 Acres

The following information and analysis is intended to satisfy the requirements set forth in Article 5 of Chapter 13.5 of the Town of Pembroke Park, Florida Code of Ordinances, which provides guidelines and requirements to ensure that the Level of Service (LOS) standards as set forth in the adopted Comprehensive Plan will be maintained, unless mitigation is provided. The following LOS standards shall be used to analyze the infrastructure of each development.

Potable Water

Based on Section 13.5.51 of the Town of Pembroke Park, Florida Code of Ordinances

Car Wash:

Total (as provided by Owner) 2,800 GPD

Sanitary Sewer

Based on Section 13.5.52 of the Town of Pembroke Park, Florida Code of Ordinances

Car Wash:

Total (as provided by Owner) 2,800 GPD

Local Streets

Based on Section 13.5.53 of the Town of Pembroke Park, Florida Code of Ordinances

See traffic study provided by owner. Trip generation calculated should not exceed LOS "D".

Arterial / Collector Roadways

Based on Section 13.5.53 of the Town of Pembroke Park, Florida Code of Ordinances

See traffic study provided by owner. Trip generation calculated should not exceed LOS "D".

Drainage

Based on Section 13.5.54 of the Town of Pembroke Park, Florida Code of Ordinances

To meet 1" in 25-year/24-hour storm event:

See drainage calculation report prepared by AM Civil Engineers & Planners

Solid Waste

Based on Section 13.5.55 of the Town of Pembroke Park, Florida Code of Ordinances

Storage Space:

<u>Storage area (790 SF / 100) x2</u>	<u>158 lbs.</u>
---------------------------------------	-----------------

Total	158 lbs.
-------	----------

Office Space:

<u>Office area (237 SF/ 100) x1</u>	<u>24 lbs.</u>
-------------------------------------	----------------

Total	24 lbs.
-------	---------

Recreation

Based on Section 13.5.56 of the Town of Pembroke Park, Florida Code of Ordinances

Not applicable in non-residential projects.

Public School Facilities

Based on Section 13.5.57 of the Town of Pembroke Park, Florida Code of Ordinances

Not applicable in non-residential projects.

TABLE 1 Trip Generation Summary (Proposed Use) Seneca Car Wash								
Land Use	Size	Daily Trips	Weekday Peak Hour			Saturday Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
Car Wash (LUC 948)	3,770 sf	n/a	54	27	27	115	58	58
Gross Trips		n/a	54	27	27	115	58	58
Pass-by (25%)		n/a	-14	-7	-7	-29	-14	-14
External Trips		n/a	40	20	20	86	44	44

Source: ITE Trip Generation Manual (10th Edition)

2

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

KEVIN J. THIBAUT
SECRETARY

December 3, 2020

THIS PRE-APPLICATION LETTER IS VALID UNTIL – December 3, 2021
THIS LETTER IS NOT A PERMIT APPROVAL

Danel Martinez
RamosMartinez Architects
655 W. Flagler St.

Dear Danel Martinez:

RE: Pre-application Review for **Category B Driveway**, Pre-application Meeting Date: **December 3, 2020**
Broward County - Pembroke Park; SR 858; Sec. # 86200; MP: 1.85; Access Class - 5;
Posted Speed - 40; SIS - Influence Area; Ref. Project:

Request: Use existing joint-use, right-in/left-in/right-out driveway and right-turn lane on the north side of SR 858, located approximately 520 feet west of Seneca Blvd.

SITE SPECIFIC INFORMATION

Project Name & Address: **Seneca Car Wash – 3301 W. Hallandale Beach Blvd.**
Applicant/Property Owner: 3441 Hallandale, LLC; Parcel Size: 1.18 Acres
Development Size: 1 Tunnel Car Wash

WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the conditions and comments below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

Conditions:

- A minimum driveway length of 50 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided. If a gate is installed a minimum driveway length of 100 feet is required.
- A recorded cross access agreement or easement with the adjacent property to the west shall be provided prior to the Permit approval.

Comments:

- All driveways not approved in this letter must be fully removed and the area restored.
- A Drainage Permit is required for any stormwater impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).
- The applicant shall donate property to the Department if right-of-way dedication is required to implement the improvements.
- Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway System and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: <https://osp.fdot.gov>; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact the Access Management Manager - Tel. # 954-777-4363 or e-mail: D4AccessManagement@dot.state.fl.us with any questions regarding the Pre-Approval Letter and Permits Office - Tel. # 954-777-4383 with any questions regarding permits.

Sincerely,

Date: 2020.
12.03 15:21:
48 -05'00'

Dalila Fernandez, P.E.
District Access Management Manager

cc: Jonathan Overton, P.E., Roger Lemieux

File: \\DOTSD4HQFS\Share\Transportation Operations\Traffic Operations\Access Management\1. Pre-Apps and Variance\2020-12-03 & AMRC Meeting\2. Seneca Car Wash\Seneca Car Wash.docx

www.dot.state.fl.us

Page 1 of 1

INSTR # 107983744
OR BK 45487 Pages 1073 - 1077
RECORDED 08/30/08 11:11:08
BROWARD COUNTY COMMISSION
DEPUTY CLERK 1043
#1, 5 Pages

This instrument prepared by, and
after recording, returned to:

Jorge E. Blanco, Esq.
1401 Ponce de Leon Blvd.
Suite 202
Coral Gables, Florida 33134

Parcel Id. No.: 11229-10-00100

Reserved for Cle

GRANT OF CROSS-ACCESS EASEMENT

THIS GRANT OF CROSS-ACCESS EASEMENT ("Easement") is made this 11th day
of June, 2008 by POST-NEWSWEEK STATIONS, FLORIDA, INC., doing business
as WPLG TV Channel 10, 3900 Biscayne Blvd., Miami, Florida, 33137, (hereinafter known as
"POST-NEWSWEEK")

WITNESSETH:

WHEREAS, POST-NEWSWEEK holds legal title to certain parcel of real property situated
in the City of Pembroke Park, Broward County, Florida, known as Tract "A" Weekly Plat
hereinafter called the "POST-NEWSWEEK Parcel" which abuts on the east side property line with
Parcel "B" Seneca Plat, as described on Exhibit "A," attached hereto and ;

WHEREAS, POST-NEWSWEEK'S property, is being developed in accordance with the
Approved Site Plan, and as part of FDOT application for Vehicular Access Connection (VAC), a
cross-access easement of ingress and egress in favor of Parcel "B" Seneca Plat, is required along
the east property line.

WHEREAS, POST-NEWSWEEK desires to grant a cross-access easement for ingress and
egress across and over the Tract A Weekly Plat as shown and described on Exhibit "A," such
casement area referred to as the "Post-Newsweek Tract A Weekly Plat Easement Area" or
"Easement Area" as described and shown on Exhibit "A";

WHEREAS, the POST-NEWSWEEK desire to set forth the terms and conditions upon which
the easement and undertakings shall be granted or made and to record such terms and conditions in
the land records of Broward County, Florida.

NOW, THEREFORE, in consideration of the mutual promises of the parties hereto, POST-
NEWSWEEK hereby covenants and agrees as follows:

1. **RECITALS:** The foregoing recitals are true and correct are hereby incorporated in their

6

entirety.

2. **GRANT OF EASEMENT.** POST-NEWSWEEK hereby declares, grants and agrees that the Property and any improvements hereafter located on or in the Property shall be subject to the following easement:

To Parcel B Seneca Plat, and the owner or owners thereof, as an easement appurtenant to the Parcel B Seneca Plat, a non-exclusive perpetual surface easement for pedestrian and vehicular ingress and egress over and across the Post-Newsweek Tract A Weekly Plat Easement Area as are paved and/or otherwise intended for such purposes, for the construction and installation of sidewalks and roadways across those portions of such property as are intended for pedestrian and vehicular ingress and egress, for the construction, installation, maintenance, repair and replacement of utilities and related facilities (water, sewer, electric, telephone, cable tv, etc, that may be located within the Easement Parcels, and for drainage. POST-NEWSWEEK reserves the right to use the Post-Newsweek Tract A Weekly Plat Easement Area for ingress and egress across and over the Post-Newsweek Tract A Weekly Plat and for other purposes not inconsistent with this easement.

3. **NON-EXCLUSIVE USE.** The Easement Area may be used by the owners of each of the Parcels and their respective invitees, licensees, agents, customers, tenants, and employees for the purpose of pedestrian and vehicular ingress and egress to, from and across the Parcels.

4. **FEES.** The Parties shall not be required to pay to each other any fee, compensation, or other consideration for use of the Easement Area.

5. **NO OBSTRUCTION.** POST-NEWSWEEK, shall at all times keep the Post-Newsweek Tract A Weekly Plat Easement Area free and clear of any and all obstructions and shall not allow any vehicles or equipment to park or stand thereon.

6. **MAINTENANCE.** Upon the request of the Owners, from time to time, of the Parcels, or to the extent that any property owner's association govern same, the association shall at all times, at its, or their sole cost and expense shall maintain any and all portions of Property burdened by the Easement granted herein, including any and all improvements which may be constructed thereon from time to time (i) keep the Easement Area clean, and free and clear of waste, rubbish and debris, (ii) maintain the Easement Area in a good state of repair, (iii) provide for directional markers or similar items, and (iv) resurface the Easement Area, as and when necessary, with an impervious surface suitable for motor vehicular ingress and egress, and in such a way so that same shall not unreasonably interfere with the easements herein granted .

7. **SUPERIOR ENCUMBRANCE.** POST-NEWSWEEK, covenants and agrees that the easements and restrictions established by this grant and all other terms and provisions hereof shall at all times be senior to any liens and encumbrances against the Easement Area or any portion thereof.

8. **UTILITY EASEMENTS.** In the event that utility lines are located under and/or within the Easement Area, the parties being serviced by such lines shall have the right of access and maintenance for such utilities, provided that at all times such repairs and /or maintenance are done

in a manner to minimize disruption to the use of the access roads and the provision of the utility services and provided that at all times the party performing such repairs and/or maintenance shall be responsible for the repair of any damage caused thereby to the access roads, Property common areas, and or to the provision of the utility services.

9. **ENFORCEMENT.** The provisions of this Grant of Easement may be enforced by all appropriate actions at law and in equity by the respective fee owners of the Property serviced and burdened by this Grant of Easement, provided, however that to the extent any property owners' association is established to govern same, but not all of the Property, then by such association in lieu of the fee owners of such portion.

10. **ATTORNEY'S FEES AND COSTS.** In the event either Party is required or elects to take legal action at law or in equity, to enforce against the other Party the performance of such other Party's obligations under this Grant of Easement the prevailing party shall have the right to an award of reasonable attorneys' fees, including any appeals, incurred by said Party in its successful prosecution or defense of that legal action.

11. **NON-INTERFERENCE.** It is the intention that the foregoing easement be located and utilized in such a way as not to interfere with the development of the POST-NEWSWEEK PROPERTY in accordance with the Approved Site Plan and said easements may be relocated within the property at the discretion of the owner of said parcel in accordance with the Approved site plan as may be amended from time to time with appropriate governmental approval, as required, to accomplish said development.

12. **BENEFIT.** The easement hereby granted and the covenants herein contained shall be easements and covenants appurtenant to and running with the land in perpetuity and shall inure to the benefit of, and be binding upon, the fee owners from time to time of the Property, and any property owner's association established to govern all or any portion of the Property, the parties hereto and their respective successors and assigns. Each property Owner may confer the benefits to which such owner is entitled hereunder to any of such owner's agents, employees, invitees, contractors, tenants or subtenants or any agents, or to any agents, employees, invitees and contractors of any such tenants or subtenants.

13. **EFFECTIVE DATE.** The provisions of this instrument shall become effective upon its recordation in the public records of Broward County, Florida.

14. **MODIFICATION.** The provisions of this instrument may not be amended, added to, derogated, deleted, modified, or changed from time to time except by recorded instrument executed by the then fee owners of the Properties burdened and serviced by the Grant of Easement with the approval of the Office of the County Attorney of Broward County, and FDOT, except any portion of the easement parcels owned at any time by Broward County, Florida, or other governmental entity, or dedicated to the public, provided however, that with respect to any portion of the Property for which property owners' or other similar association then exists other than an association governing the entire Property, the instrument of amendment or termination shall be executed by such association in lieu of the fee owners of such portions of the Property. Further, no modification or amendment shall be effective unless all existing mortgagees have approved same in writing.

15. **SEVERABILITY.** Invalidation of any one of the covenants, or portions thereof, contained herein shall in no way affect any of the remaining provisions, or portions thereof, which shall remain in full force and effect.

16. **CONSTRUCTION, JURISDICTION AND VENUE.** The Easement Declaration shall be governed by, and construed and enforced in accordance with the laws of the State of Florida. In construing this Grant of Easement, the singular shall be held to include the plural, the plural shall be held to include the singular and the use of any gender shall be held to include every other gender. The captions of the various paragraphs of this Grant of Easement are inserted for the purpose of convenient reference only and shall not affect the construction or interpretation to be given any of the provisions hereof or be deemed in any manner to define, limit, modify or prescribe the scope or intent of this Grant of Easement or any provision hereof. Jurisdiction and venue shall lie in the County Court in and for Broward County, Florida.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first hereinabove written.

POST-NEWSWEEK STATIONS, FLORIDA, INC.:

By: [Signature] (SEAL)
Name: DAVE BOYLAN, Vice-President

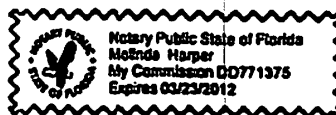
STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I, the undersigned Notary Public of and for the State of Florida in the County of Miami-Dade do certify that DAVE BOYLAN, Vice President of POST-NEWSWEEK STATIONS FLORIDA, INC., whose name is signed to the attached instrument, has acknowledged the same before me, this 11 day of June, 2008, and is personally known to me or has provided DL # as proof of identification.

[Signature]
Notary Public, State of Florida

My Commission Expires:

2012



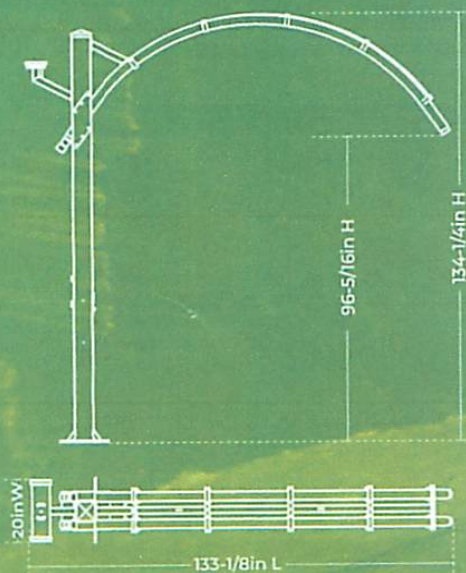
Vacuum Booms



Provide customers with an inviting free vacuum area that doesn't require a lot of staff, or effort, to keep ready to serve the next customer.

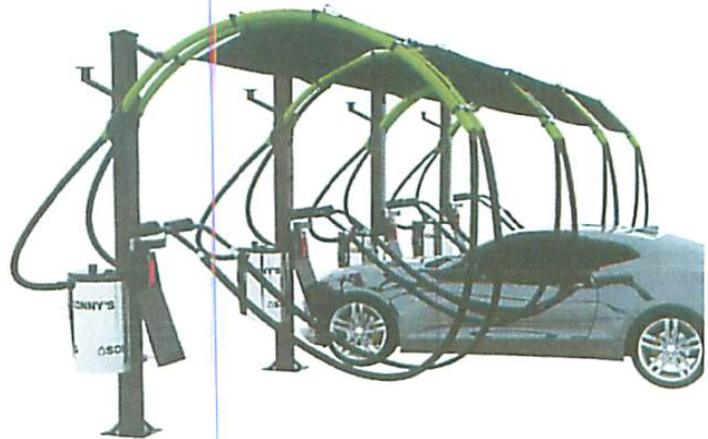
The boom style keeps hoses securely off the ground providing better access to both sides of the vehicle and reducing wear and tear. Choose from different boom styles, canopy colors, drop kits, attachments and piping.

Double-Drop Boom



Single Drop Boom

Dimensions	114-1/2inL x 20inW x 132-7-8inH
Clearance	Height Clearance 95-5/16inH



Boom Styles



Custom Color Powder Coating Options
Contact a Sonny's Sales Representative for details

Join Sonny's
OneWash
and Save

MAXIMIZE CUSTOMER EXPERIENCE

VACUUMS



VAC2500 Boom
Material ID:
VACUUM_BOOM_2500



Double-Drop Boom
Material ID:
VACUUM_BOOM_DOUBLE



65° Powder Coated Boom
Material ID:
VACUUM_BOOM

Choose your Boom Style*

DESCRIPTION	PRICE
Single VAC Drop 2500 with Powder Coating	\$1,834.00
Vacuum Canopy Double Drop Boom with Powder Coating	\$3,130.00
Vacuum Canopy Boom with Powder Coating	\$2,310.00

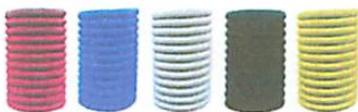
* No accessories included



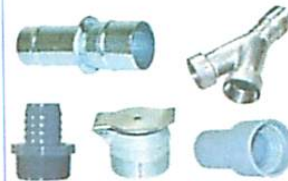
Crevice Tool



Express Claw



Hose



Cuffs, Valves, Adapters

Boom Options Available

The post mounted holster provides an air tight connection, reducing energy consumption and eliminating unnecessary air draw. Requires 1 Box of 1-1/2in or 2in hose for every 3 booms. For complete size, color selection and pricing refer to the vacuum parts section.

DROP KITS	CREVICE TOOL	EXPRESS CLAW
Single Vacuum Drop Kit Includes: (1) inlet valve (1) hose valve (1) cuff (1) swivel cuff (1) tool & holster selected. Vacuum hose not included	\$106.46	\$117.03
Dual Vacuum Drop Kit Includes: (1) double Y adapter (2) inlet valves (2) hose valves (2) cuffs (2) swivel cuffs (2) tools & holsters selected. Vacuum hose not included	\$291.72	\$304.29
1-1/2in Vacuum Hose (Box)	Requires 1 box of hose for every 3 booms. See Vacuum Parts section for colors and pricing	
2in Vacuum Hose (Box)		



Vacuum Post Foot Covers

- Fits all vacuum posts and booms
- Attractive polypropylene cover
- Improves site appearance and reduces trip hazards

ITEM NO.	DESCRIPTION	PRICE
10012466	Vacuum Post, Foot Cover set w/hdwr Black	\$54.05
10012467	Vacuum Post, Foot Cover set w/hdwr Red	\$55.11
10012468	Vacuum Post, Foot Cover set w/hdwr Blue	\$55.11

www.SonnysDirect.com | 1-800-327-8723

© 2020 SONNY'S Enterprises, LLC. All prices & availability subject to change without notice.

SONNY'S
The Car Wash Factory

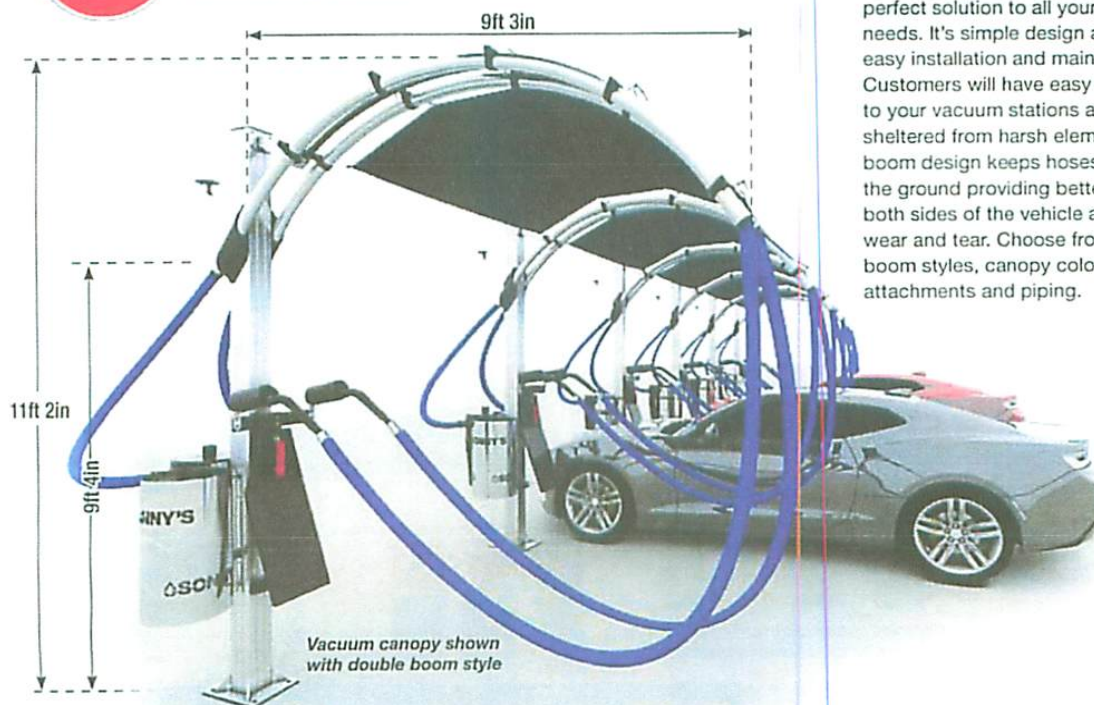


Vacuum Canopy Systems

SONNY'S Vacuum Canopy Systems

new

Longer boom reach makes it even easier to vacuum cargo areas.



Overview:

SONNY'S Vacuum Canopy is the perfect solution to all your vacuuming needs. It's simple design allows for easy installation and maintenance. Customers will have easy access to your vacuum stations and will be sheltered from harsh elements. The boom design keeps hoses securely off the ground providing better access to both sides of the vehicle and reducing wear and tear. Choose from different boom styles, canopy colors, drop kits, attachments and piping.



Vacuum booms with dual drops without canopies



Vacuum booms with dual drops with canopies

SONNY'S
The Car Wash Factory

The Tunnel Experts™

Vacuum Canopy Systems

Select Your Style and Quantity of Booms

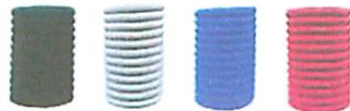


Description	Price ea.
Vacuum Canopy Double Drop Boom with Powder Coating	CALL
Vacuum Canopy Boom Stainless Steel	\$2,545.00
Vacuum Canopy Boom with Powder Coating	\$2,092.00

Material ID: VACUUM_BOOM



Select Your Vacuum Drop Kits



Description	Crevice Tool	Express Claw
Single Vacuum Drop Kit* Includes: (1) inlet valve (1) hose valve (1) cuff (1) swivel cuff (1) tool & holster selected	\$90.52	\$108.57
Dual Vacuum Drop Kit Includes: (1) double Y adapter (2) inlet valves (2) hose valves (2) cuffs (2) swivel cuffs (2) tools & holsters selected	\$310.36	\$346.46
1-1/2in Vacuum Hose (Box)	Requires 1 Box of hose for every 3 booms - See Page 151 for colors & pricing.	
2in Vacuum Hose (Box)		

*For Double Drop Boom, order (2) Single Vacuum Drop Kits

Select Your Attachments



For attachments details start on page 149

Select Your Canopy Color



new



Let there be light!

Linear LED design for uniform

lighting

WDL Series

Item #	Description	Price
40011690	Tunnel & Bay Light, 4ft White	\$1,021.00
40011691	Tunnel & Bay Light, 8ft White	\$1,200.00

SONNY'S
The CarWash Factory

The Tunnel Experts™

**TOWN OF PEMBROKE PARK
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Planning and Zoning Board
Town of Pembroke Park

From: Michael J. Miller, AICP 
Consultant Town Planner

Date: January 15th, 2021

Subject: Special Permit Application
#1 - Proposed Enclosed Auto Laundry (Seneca Car Wash)
#2 - Use Occurring Outside of a Completely Enclosed Building
(Proposed 30 Outdoor Vacuum Stations)
3441 West Hallandale Beach Boulevard
Pembroke Park Acct. No.: 20-XXX
MMPA Acct. No.: 00-1101-1118B

RECOMMENDED PLANNING AND ZONING BOARD ACTION

MMPA recommends the Planning and Zoning Board review the contents of this staff report, considers public testimony, and if found acceptable, recommend **APPROVAL** of the Special Permit to the Town Commission, subject to the applicant complying with the staff conditions stated herein, or additional conditions deemed appropriate by the Board.

GENERAL PROJECT INFORMATION

Land Use Designation: C- Commercial

Zoning District: B-1 Business District

General Location: 3441 West Hallandale Beach Boulevard
Between the WPLG Channel 10 TV Station and Credit Union Site
South of SW 28th Street (Private Road)

Legal Description: A portion of Parcel "B" of the Seneca Plat, according to the plat thereof, as recorded in PB 165, PG 29, of the public records of Broward County, Florida. Containing 1.18 acres, more or less.

Planning and Zoning Board Staff Recommendation

#1 - Proposed Enclosed Auto Laundry (Seneca Car Wash) – Special Permit

#2 - Proposed Outdoor Use – 30 Vacuum Stations (Seneca Car Wash) – Special Permit

3441 West Hallandale Beach Boulevard

January 15th, 2021

Page 2

PROJECT DESCRIPTION

Architectural firm Ramos Martinez Architects, as agent for the owner of the above site, 3441 Hallandale LLC, has submitted a new Major Site Development Plan application to allow for the construction of a fully enclosed 3,770 sq. ft. automated car wash with 30 outdoor vacuum stations located at 3441 W. Hallandale Beach Boulevard (HBB). The subject site is located north of HBB between the WPLG Channel 10 TV station and the 1st Florida Credit Union.

The site is located within the commercial portion of the Seneca Industrial Park (SIP) – Parcel “B”. When the SIP commercial lands were created in 2002 a special B-1 Business Zoning District Ordinance #03-06-03 was adopted with modifications for land uses (additions / deletions / special permits required) versus the standard B-1 Business District. An “Auto Laundry within an Enclosed Building” is listed in that Ordinance as a use that requires a Special Permit issued by the Town Commission prior to construction. Further, per Zoning Code Sec. 28-188 all activities in the B-1 Business District must occur inside a completely enclosed building unless the Town Commission approves a Special Permit – this applies to the proposed thirty (30) outdoor vacuum stations.

In addition to the normal Site Development Plan application (see separate staff report), the applicant has filed a concurrent Special Permit application for both the Auto Laundry (car wash) and outdoor vacuum use.

The DRC initially reviewed plans for a 3-story office building complex on several occasions. However, due to the COVID-19 pandemic impacts on real estate (especially office space) the current landowners have decided to pursue other land development opportunities. The proposed car wash operation (Sonny’s) is a well-known brand that features memberships and modern facilities. They feel the site is attractive due to the SCC / SIP employment centers / WPLG / local market and proximity near I-95.

The site will have multiple vehicular access points including recorded cross-access driveway easements that extends across the BSO site and Credit Union site and the subject site - but stops short of the west property line. On the east side of the BSO site the cross-access driveway turns north parallel to Seneca Blvd. connecting to a private east / west road referred to as SW 28th Street. SW 28th Street intersects with Seneca Blvd. (aka SW 32nd Ave.) at a stop-controlled intersection which allows motorists to travel either south to the signalized intersection with HBB or northerly to Pembroke Road via Coca Cola Drive / SW 40th Ave. The recorded plat included a possible driveway connection to HBB from the Credit Union site, but this was not built (FDOT objected). However, on the WPLG site immediately west of the subject site a HBB connection driveway already exists and an easement allows joint access. On December 3rd, 2020 FDOT issued a new pre-app letter for the car wash approving the access arrangements (WPLG driveway easement / SIP cross access easements).

Michael Miller Planning Associates, Inc.

Planning and Zoning Board Staff Recommendation

#1 - Proposed Enclosed Auto Laundry (Seneca Car Wash) – Special Permit

#2 - Proposed Outdoor Use – 30 Vacuum Stations (Seneca Car Wash) – Special Permit

3441 West Hallandale Beach Boulevard

January 15th, 2021

Page 3

The currently vacant site is located on the north side of West Hallandale Beach Boulevard between the WPLG site and the First Florida Credit Union site. To the north is the industrial portion of the Seneca Industrial Park. To the south across Hallandale Beach Blvd. are commercial uses including Sweeney's Bar & Liquor Store, an A/C contractor, Big Al's Pawn & Gun Range and Appetites Catering. It is noted there is a grandfathered hand car wash at the Sweeney's site.

The subject property is located within the B-1 Business Zoning District. Section 28-187 provides a list of permitted uses within this district, of which, a car wash is not listed as a permitted use. However, as mentioned above, when the SIP commercial lands were created in 2002 a special B-1 Business Zoning District Ordinance #03-06-03 was adopted with modifications for land uses (additions / deletions / special permits required) versus the standard B-1 Business District. An "Auto Laundry within an Enclosed Building" is listed in that Ordinance as a use that requires a Special Permit issued by the Town Commission prior to construction.

The Town has a long-standing policy that all activities in the B-1 Business District occur within completely enclosed buildings. Section 28-188 provides a list of exceptions to that rule and further provides a mechanism for requesting a "Special Permit" for other non-listed uses on a case-by-case basis. This process involves a formal application and fee to pay for the costs of review, mandatory public notice, etc. Public hearings are required before the Planning and Zoning Board and the Town Commission. A newspaper advertisement is required to be published two (2) times at least 15 days before each Town Commission meeting. Written notice must also be mailed to all property owners within 300 feet of the site.

As part of a Special Permit application, the Town Code requires the submittal of a conceptual site plan depicting the layout of the building, accessory uses, parking lot, etc. which are part of the concurrent Site Development Plan application. In this instance the plans show a double loaded corridor with thirty (30) decorative / distinctive vacuuming stations (by hand).

COMPREHENSIVE PLAN AND ZONING ISSUES

The property is designated as "C" Commercial on the Future Land Use Map (FLUM) allowing for various types of commercial uses and development. The property is located within the B-1 Business Zoning District. The "Auto Laundry" use would be deemed consistent with the permitted uses in the Comprehensive Plan and in the B-1 Zoning District, if the Town Commission grants a Special Permit for the use. The proposed vacuum stations are considered an accessory use to the main use. However, as previously mentioned, a Special Permit is required for certain outdoor uses, including the proposed outdoor vacuum stations. In most cases the vacuum station at a car wash is near the entry to a car wash building and performed by business employees.

PLAT ISSUES

The site will not require re-platting, as the site is currently platted as described above.

Michael Miller Planning Associates, Inc.

Planning and Zoning Board Staff Recommendation

#1 - Proposed Enclosed Auto Laundry (Seneca Car Wash) – Special Permit

#2 - Proposed Outdoor Use – 30 Vacuum Stations (Seneca Car Wash) – Special Permit

3441 West Hallandale Beach Boulevard

January 15th, 2021

Page 4

OPERATIONAL COMMENTS

The applicant has requested that the outdoor vacuum stations be allowed to operate when the car wash is open. Research in other municipalities noted a variety of operational hours. None appear to be open 24 / 7. Typically, the proposed operator - Sonny's Car Wash - appears to open at 8 AM and close at 8 PM according to their website. The Town can regulate the hours of operation for the car wash in general and the outdoor vacuum stations.

Based on the proposed customer service area and number of employees, a total of seven (7) parking spaces are required by Town Code. The site plan includes thirty-seven (37) parking spaces (includes the vacuum station) which exceeds the minimum Code requirements.

The main car wash tunnel building is located within the eastern portion of the site with the proposed outdoor vacuum stations are located within the western portion of the site. One row adjoins the WPLG site and the other row is next to the car wash building. There are no residential uses within near proximity to the site (Sundrift Towers / single-family homes south of the HBB commercial uses); therefore, it is not expected that this use would be a nuisance (visual / noise) to those uses. The Seneca Industrial Park (SIP) is an established regional employment center with a large number of employees. New uses (Amazon) may bring in a substantial number of new employees and vehicles. Many of the hand car washes in the Town / surrounding communities are small operations and have struggled with the Town's large seasonal population shifts and lower income residents. It is unknown if a commercial car wash will be successful at this location or affect the hand car washes – it is expected there will be impact. As we understand the Sonny's car wash business model memberships are sold but one may also just request a single car wash upon need.

One of the main reasons the Town (and many other communities) requires a Special Permit for outdoor activities is to regulate each use on a case-by-case basis to ensure that disturbances do not occur to Town residents, property owners or businesses, and conditions can be added as deemed necessary to control such uses. The days / hours of operation, noise, lighting, visual appearance, and related activities must be restricted to avoid disturbing the nearby residences and businesses. For example, loud music or conversation and bright lights can become nuisances.

STAFF RECOMMENDATION

MMPA has mixed opinions on this requested land use. The Town has long sought a planned business park with larger commercial sites (SIP) for shopping centers (Seneca Town Center) and offices (BSO / Credit Union / WPLG). A 3-story office building had been planned for this site and would have been excellent. The COVID-19 pandemic has and will continue to affect the real estate market in the near term. It is expected office uses will not be successful for some time due to high vacancies and more remote business operations. Does that mean the Town has to approve less than desirable land uses currently and wait for the market to return to normal – no it does not. A car wash – even a commercial enclosed building - is not a high-end business. The cost of building the complex will not be very high compared to an office complex or shopping center. If the project gets built and it is unsuccessful, redevelopment could occur quickly. Therefore, although MMPA would clearly prefer a 3-story office complex, the Town might consider an approval of this Special Permit to allow for an "Enclosed Auto Laundry" with accessory outdoor vacuum stations located at 3441 Hallandale Beach Boulevard subject to the following conditions:

Michael Miller Planning Associates, Inc.

Planning and Zoning Board Staff Recommendation

#1 - Proposed Enclosed Auto Laundry (Seneca Car Wash) – Special Permit

#2 - Proposed Outdoor Use – 30 Vacuum Stations (Seneca Car Wash) – Special Permit

3441 West Hallandale Beach Boulevard

January 15th, 2021

Page 5

1. This approval is granted exclusively / concurrently with the Site Development Plan dated January 11th, 2021 for a proposed Sonny's Auto Laundry (Car Wash) and may not be assigned or transferred to another operator or brand without the prior written approval of the Town Commission. If the use discontinues for a period of more than 90 days, this approval shall be null and void.
2. The days of operation of the car wash and outdoor vacuum stations shall be restricted to 8 AM to 8 PM (7 days a week), unless the Town approves periodic special events.
3. No outdoor music or speaker systems shall be installed or used for service / advertising that is discernable offsite.
4. No bright lights (over 150 watts), blinking lights, strobe lights, LED lights or holiday style lights shall be installed around or within the complex. The operator shall strictly follow the Town's Sign Code allowances.
5. The approval of this Special Permit is valid for a period of one (1) year from the date of approval of a final Certificate of Occupancy (CO) by the Town and will be renewed automatically for successive one (1) year periods, provided no complaints are received from neighboring sites, the Town's police department (BSO), or Town Code officers.
6. If a written complaint is filed by an aggrieved party negatively impacted by this use (noise / lights / traffic / etc.), the Town Commission may elect to hold a public hearing on the issue and may modify or add operational conditions or revoke the Special Permit approval.

Michael Miller Planning Associates, Inc.

SC

TOWN OF PEMBROKE PARK

SPECIAL PERMIT APPLICATION

ZONING - CHAPTER 28

Date: _____

Case No: _____

Receipt No. _____

Fee: A \$5,000 application fee is required, of which \$500 in nonrefundable (Chapter 28 Zoning).

APPLICANT'S NAME: 3341 Highlande LLC

BUSINESS NAME: Seneca CAR WASH

ADDRESS: 3441 West Highlande Beach Blvd

CITY: Pembroke Park FL 33023

PHONE / FAX NUMBERS: 954-6080108

E-MAIL ADDRESS: EC1750@yahoo.com

NAME AND ADDRESS OF OWNER IF OTHER THAN APPLICANT (Provide Letter of Authorization to Submit):

DESCRIPTION OF BUSINESS OPERATION (May attach separate letter / company brochure / concept site plan):

Seneca car wash with outdoor Vacuum

NUMBER OF OFF-STREET PARKING SPACES: _____

SQUARE FOOTAGE OF PROPOSED USES: _____

M&M 229 St. Lucie, LLC

3482 Derby Lane

Weston FL 33331

Valley National Bank
301 E Las Olas Blvd
Fort Lauderdale, FL 33301

021201383

258

**** FIVE THOUSAND AND 00/100 DOLLARS

TO THE
ORDER OF

Town of Pembroke Park

RECEIVED

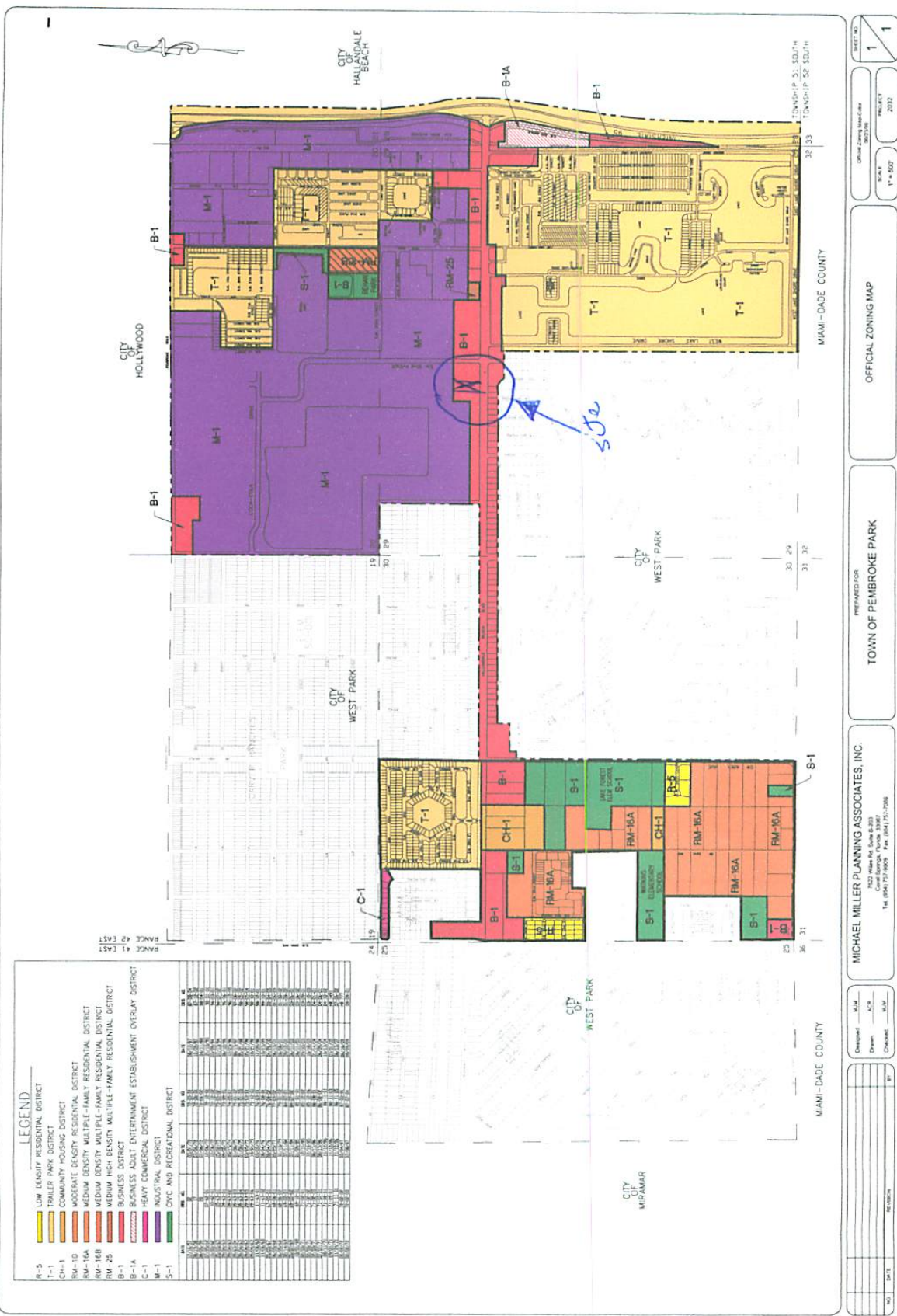
OCT 29 2020

10/28/20

\$5,000.00****

0000258

021201383042135834





The just values displayed below were set in compliance with [Sec. 193.011](#), Fla. Stat., and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

Property Assessment Values

2021 Exemptions and Taxable Values by Taxing Authority

Sales History

Land Calculations

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments

1/1

Property Id: 514220170074

**Please see map disclaimer



November 6, 2020

1:1,200
0 55 110 22
0 15 30 60 m

Flight Date: Between Dec 15, 2019 and Jan 26, 2020 Broward County Proper

SUP 52

ORDINANCE NO. 03-06-03

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, RELATING TO CHAPTER 28, ZONING; AMENDING THE ZONING CLASSIFICATION FOR A PORTION OF PARCEL B, SENECA PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 165, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hallandale Remaining Lands, LLC and Seneca Security Holdings, LLC have submitted an application to amend the permitted use for their property described in Section 1 hereof and located in the B-1 Business Zoning District; and

WHEREAS, the subject property previously was entitled to all of the permitted uses described in the B-1 Business Zoning District; and

WHEREAS, the prior owners of the subject property requested that the permitted uses be amended to a more restricted schedule of permitted uses of their property for their development purposes; and

WHEREAS, the Town amended the permitted uses on the subject property as set forth in Ordinance No. 96-6-1; and

WHEREAS, the applicants have requested that the permitted uses be amended so that they are more consistent with the permitted uses of other properties within the B-1 Business Zoning District; and

WHEREAS, the Town's Consultant Planner has reviewed the re-zoning application, the Town's Code of Ordinances and Comprehensive Plan, the development of the property in the area, and has prepared a report setting forth the appropriate permitted uses for the subject property; and

WHEREAS, the Hearing Examiner of the Town of Pembroke Park pursuant to the notice requirements of Chapter 28, of the Code of Ordinances of the Town of Pembroke Park, and Chapter 166, Florida Statutes, conducted a public hearing on June 9, 2003 to consider the re-zoning application and took testimony from the applicant, Town Staff and interested parties; and

WHEREAS, the Hearing Examiner has prepared a report based upon the evidence submitted at the aforesaid public hearing and has recommended that the Pembroke Park Town Commission

grant the request for amendment of the permitted uses on the property as set forth in the attached Exhibit "A"; and

WHEREAS, the Pembroke Park Town Commission has reviewed the Hearing Examiner's Report and conducted a public hearing on June 11, 2003 and deems it in the best interest of the Town of Pembroke Park to amend the permitted uses of the subject property as set forth in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:

Section 1: That the re-zoning petition filed by Hallandale Remaining Lands, LLC and Seneca Security Holdings, LLC to amend the zoning classification for the following described property, to wit:

Parcel B, "SENECA PLAT", according to the plat thereof, as recorded in Plat Book 165, Page 9 of the Public Records of Broward County, Florida

Less the following described parcel of land:

Commence at the Southeast corner of said Parcel B;

Thence North 01°39'19" West along the East line of said Parcel B, a distance of 346.34 feet to the Point of Beginning;

Thence South 88°18'54" West, a distance of 1,341.09 feet;

Thence North 01°33'09" West along the West line of said Parcel B, a distance of 104.05 feet;

Thence North 88°18'07" East along the North line of Parcel B, a distance of 670.28 feet;

Thence North 88°21'41" East along the North line of said Parcel B, a distance of 670.63 feet;

Thence South 01°39'13" East along the East line of said Parcel B, a distance of 103.66 feet to the Point of Beginning.

Said lands situate, lying and being in the Town of Pembroke Park, Broward County, Florida; containing 10.43 acres, more or less.

be and the same is hereby granted, and the permitted uses for the subject property shall be those set forth in the attached Exhibit "A".

Section 2: That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not effect the other sections, paragraphs, sentences, words or application of this Ordinance.



EXHIBIT "A"

PERMITTED USES OF REAL PROPERTY DESCRIBED IN SECTION 1 OF
ORDINANCE 03-06-03

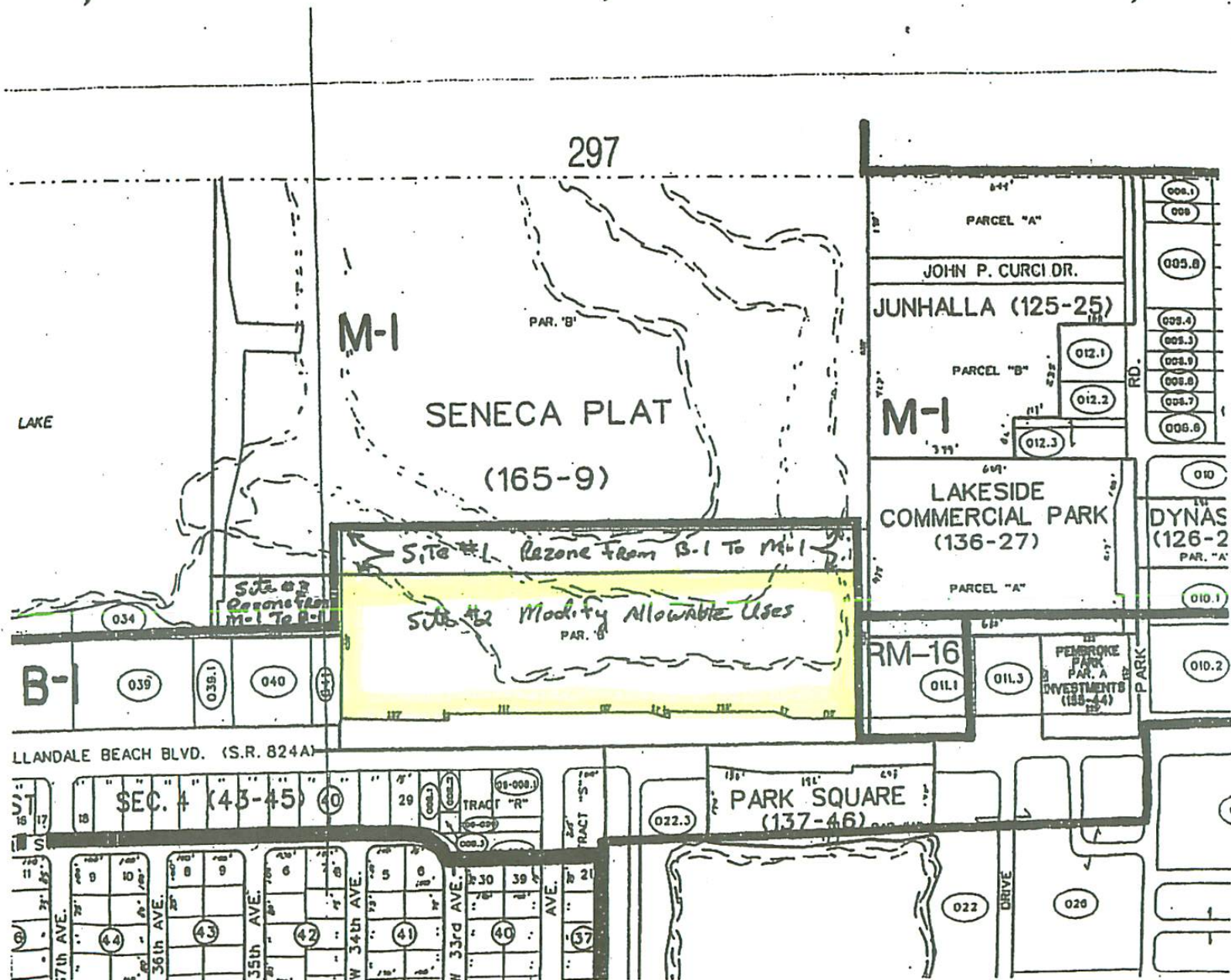
- (1) The following types of retail stores:
Antiques, art supply, automobile accessory, automobile new parts, bait and tackle, boat and marine motors in buildings, business machines, camera and photographic supply, confectionary, dairy products, dairy supplies and equipment not including feed or fertilizers, department, dresses, poultry, drug, dry goods, floral, fruit and vegetable, furniture, furter, garden supply, gift, greeting cards, grocery, hardware, hobby hobby supply, home appliances, household furnishings, ice cream, jewelry, leather goods and luggage, linens, fabrics and draperies, meat market, music and musical instruments, newsstand, notions, office furniture and equipment, optical goods, package liquor, paint, pets and pet supply, seafood, souvenir, sporting goods, stationery and books, sundry, supermarket, television, tobacco, radio and phonograph, toy, wallpaper, wearing apparel, swimming pool supplies and equipment, variety.
- (2) Bakery and delicatessen provided all preparation of food is for retail sale on the premises, and the services of not more than six (6) persons are utilized in any such establishment including the preparation, distribution and retail sale of products (uses such as Dunkin Donuts / Krispy Kreme).
- (3) The following personal services:
Barber, beauty parlor, pressing and mending, shoe repair, shoe shine.
- (4) The following miscellaneous uses:
Day nursery, dressmaking, laundry and dry cleaning pickup station, medical and dental offices, nonalcoholic beverage bar, nursery school, restaurant, tailor, watch and jewelry repair, self-service laundry.
- (5) Automobile parking lot and parking garage.
- (6) Hotel and motel.
- (7) The following services:
Bath and massage parlors, commercial gymnasia, service stations (see Special Permit Use Act), fur storage, hospitals as defined in Section 385.002, Florida Statutes 1995, radio, television and phonographic repair incidental to sales, reducing studio, quick-service laundry, utility trailer display and storage incidental to a service station with not more than ten (10) such trailers for rental or sale purposes (see Special Permit Use Act).
- (8) Dry cleaning establishment for direct services to customers, subject to the following limitations and requirements:
 - a. Service shall be rendered directly to customers who bring in and pick up the articles to be dry-cleaned.
 - b. The establishment shall not provide wholesale or commercial pickup or delivery service.
 - c. The services of not more than five (5) persons shall be utilized in the operation of the establishment.
 - d. Not more than two (2) cleaning units shall be used in any establishment, neither of which shall have a rated capacity of forty (40) pounds.
 - e. The entire cleaning and drying process shall be carried on within completely enclosed solvent-reclaiming units.

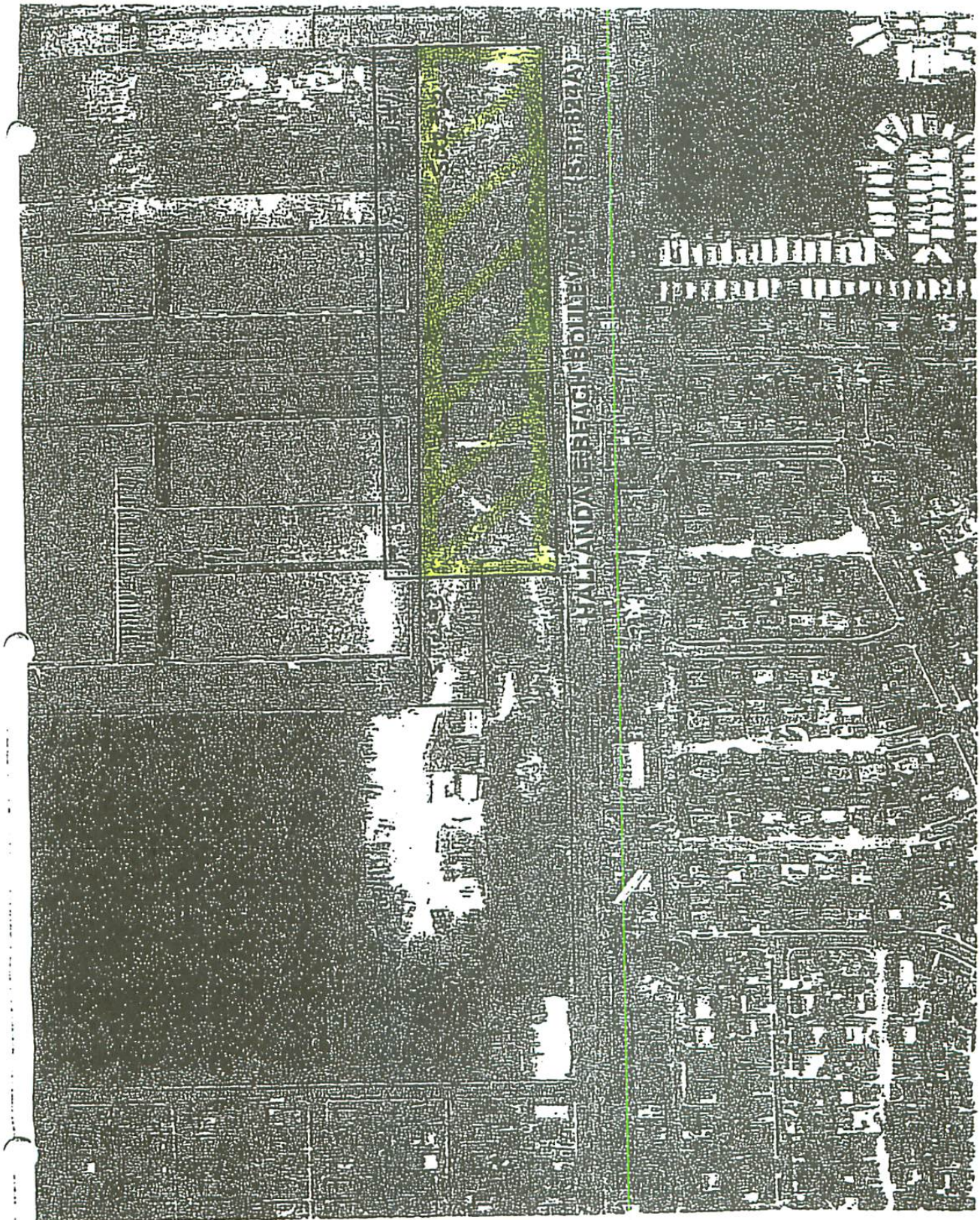
The following uses may be permitted by the Town of Pembroke Park by Special Permit in accordance with the procedures in Section 28-186 of the Code of Ordinances:

- Page 51 of 95

None of the following uses shall be permitted:

- (1) Bath and massage parlors, adult entertainment uses as defined in Chapter 15 Article IX of the Town's Code of Ordinances. This provision shall not be construed to prohibit the owner from requesting a specific variance to the Town's B-1A Business Adult Use Overlay Zoning District. The Town is not obligated to approve any such request.
- (2) Pawn shops.
- (3) Thrift stores.
- (4) Tattoo and piercing centers.
- (5) Fortune tellers / Astrology.
- (6) Flea markets.
- (7) Religious establishments.





Sec. 28-188. - Activities of permitted uses to be indoors; exceptions; special permit application; hearings.

In the B-1 Business District, except for automobile parking lots, archery ranges, baseball driving ranges, bathing beaches, golf courses, golf driving ranges, lawn bowling, miniature golf courses, shuffleboard courts, swimming pools, tennis courts, playgrounds, drive-in banks, filling stations, drive-in restaurants, pony ride rings, or drive-in theaters, all activities of permitted uses including sale, display, preparation and storage shall be conducted entirely within a completely enclosed building unless the Commission shall otherwise authorize by a special permit to be issued after a public hearing upon application therefor.

Application for a permit for any use for which a special permit is required as set forth in section 28-187.01 shall be first submitted to the Planning and Zoning Board, and shall contain the following information:

Name and address of the applicant, legal description of the property upon which the intended use is to be permitted, name and address of the owner of the property on which the use is sought to be permitted, description of the use sought to be permitted, plot plan of the improvements intended in connection with the proposed use, and such other information as the Planning and Zoning Board may require. The Planning and Zoning Board may at its discretion hold a public hearing upon consideration of the application, and may give notice thereof, but it shall not be required to do so. The Planning and Zoning Board shall provide the Town Commission with a written recommendation. The Town Commission shall hold a public hearing on the application and shall give notice of such hearing by publication in a newspaper of general circulation in the Town at least two (2) times, which notice shall be published fifteen (15) days before the date of the hearing, and shall further give written notice by United States mail to all owners of property within three hundred (300) feet of the proposed use.

(Ord. No. 63-5-1, § 16(c), 5-1-63; Ord. No. 88-9-5, § 2, 9-14-88; Ord. No. 17-10-02, § 5, 10-11-17)

Sec. 28-188.1. - Special permit renewal, fee revocation for noncompliance.

Any special permit issued herein shall be utilized in conformity with the ordinances of the Town of Pembroke Park. On the anniversary of the issuance of said special permit, the applicant who is utilizing said special permit shall pay a fee of one hundred dollars (\$100.00) to renew said permit, then upon proper notice, shall be subject to having such permit revoked by the commission in the event that said permit is not being utilized in accordance with the ordinances of the Town of Pembroke Park, Florida.

(Ord. No. 88-9-5, § 3, 9-14-88)

Editor's note— Ord. No. 88-89-5, § 3, adopted Sept. 14, 1988, did not specify manner of codification; hence, such provisions have been designated as § 28-188.1 by the editor.

Sec. 28-188.2. - Special permit application fee.

The Town Commission shall adopt by resolution the special permit application fee and initial deposit for nonadministrative costs for special permit applications as set forth in Section 28-188.

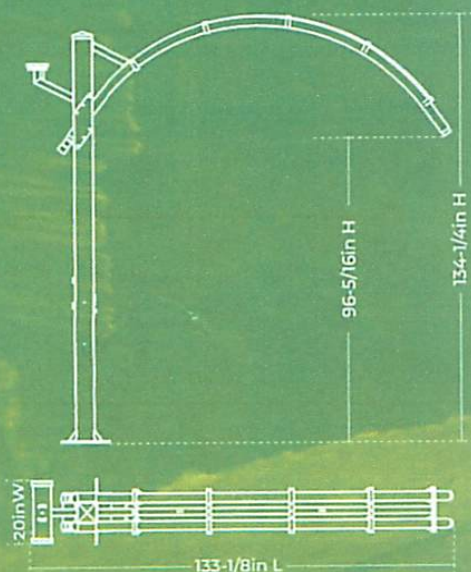
Vacuum Booms



Provide customers with an inviting free vacuum area that doesn't require a lot of staff, or effort, to keep ready to serve the next customer.

The boom style keeps hoses securely off the ground providing better access to both sides of the vehicle and reducing wear and tear. Choose from different boom styles, canopy colors, drop kits, attachments and piping.

Double-Drop Boom



Single Drop Boom

Dimensions	114-1/2inL x 20inW x 132-7-8inH
Clearance	Height Clearance 95-5/16inH



Boom Styles



Custom Color Powder Coating Options
Contact a Sonny's Sales Representative for details

Join Sonny's
OneWash
and Save

MAXIMIZE CUSTOMER EXPERIENCE

VACUUMS



VAC2500 Boom
Material ID:
VACUUM_BOOM_2500



Double-Drop Boom
Material ID:
VACUUM_BOOM_DOUBLE



65° Powder Coated Boom
Material ID:
VACUUM_BOOM

Choose your Boom Style*

DESCRIPTION	PRICE
Single VAC Drop 2500 with Powder Coating	\$1,834.00
Vacuum Canopy Double Drop Boom with Powder Coating	\$3,130.00
Vacuum Canopy Boom with Powder Coating	\$2,310.00

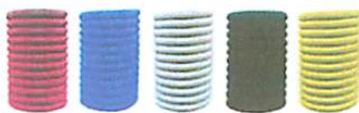
* No accessories included



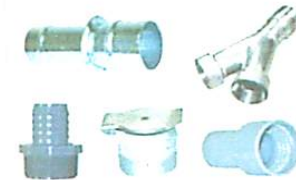
Crevice Tool



Express Claw



Hose



Cuffs, Valves, Adapters

Boom Options Available

The post mounted holster provides an air tight connection, reducing energy consumption and eliminating unnecessary air draw. Requires 1 Box of 1-1/2in or 2in hose for every 3 booms. For complete size, color selection and pricing refer to the vacuum parts section.

DROP KITS	CREVICE TOOL	EXPRESS CLAW
Single Vacuum Drop Kit Includes: (1) inlet valve (1) hose valve (1) cuff (1) swivel cuff (1) tool & holster selected. Vacuum hose not included	\$106.46	\$117.03
Dual Vacuum Drop Kit Includes: (1) double Y adapter (2) inlet valves (2) hose valves (2) cuffs (2) swivel cuffs (2) tools & holsters selected. Vacuum hose not included	\$291.72	\$304.29
1-1/2in Vacuum Hose (Box)	Requires 1 box of hose for every 3 booms. See Vacuum Parts section for colors and pricing	
2in Vacuum Hose (Box)		



Vacuum Post Foot Covers

- Fits all vacuum posts and booms
- Attractive polypropylene cover
- Improves site appearance and reduces trip hazards

ITEM NO.	DESCRIPTION	PRICE
10012466	Vacuum Post, Foot Cover set w/hdwr Black	\$54.05
10012467	Vacuum Post, Foot Cover set w/hdwr Red	\$55.11
10012468	Vacuum Post, Foot Cover set w/hdwr Blue	\$55.11

www.SonnysDirect.com | 1-800-327-8723

© 2020 SONNYS Enterprises, LLC. All prices & availability subject to change without notice

SONNY'S
The CarWash Factory

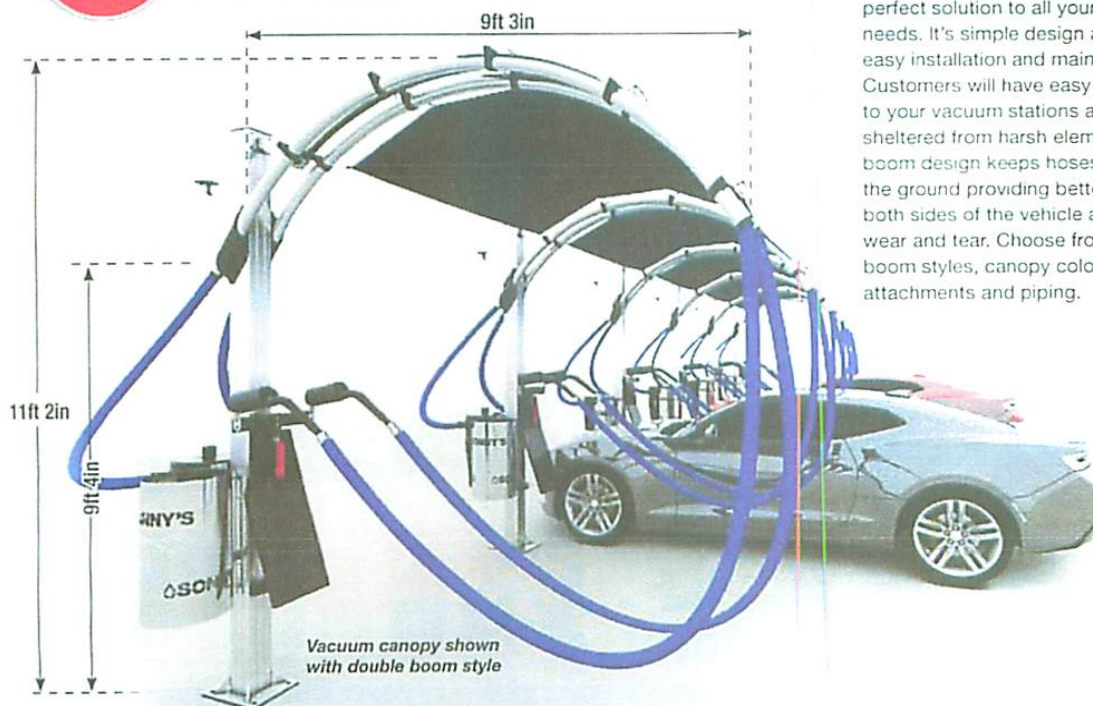


Vacuum Canopy Systems

SONNY'S Vacuum Canopy Systems

new

Longer boom reach makes it even easier to vacuum cargo areas.



Overview:

SONNY'S Vacuum Canopy is the perfect solution to all your vacuuming needs. It's simple design allows for easy installation and maintenance. Customers will have easy access to your vacuum stations and will be sheltered from harsh elements. The boom design keeps hoses securely off the ground providing better access to both sides of the vehicle and reducing wear and tear. Choose from different boom styles, canopy colors, drop kits, attachments and piping.



Vacuum booms with dual drops without canopies



Vacuum booms with dual drops with canopies

SONNY'S
The CarWash Factory

The Tunnel Experts™

Vacuum Canopy Systems

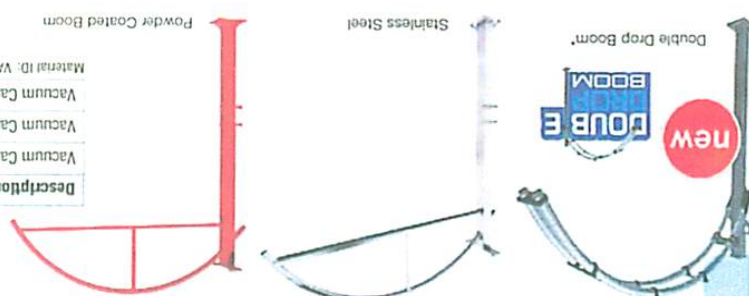
Select Your Style and Quantity of Booms

Description	Price ea.
Vacuum Canopy Double Drop Boom with Powder Coating	CALL
Vacuum Canopy Boom Stainless Steel	\$2,545.00
Vacuum Canopy Boom with Powder Coating	\$2,092.00



Powder coating color options

Material ID: VACUUM_BOOM



Select Your Vacuum Drop Kits



Vacuum Hose
For complete color selection
go to the vacuum section.

Cuffs, Valves, Adapters

Select Your Attachments



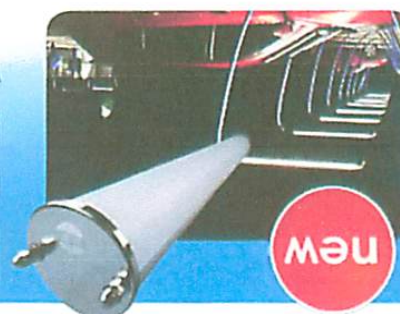
For attachments details start on page 149

Let there be light!

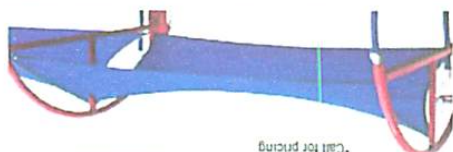
Linear LED design for uniform lighting

WDL Series

Item #	Description	Price
40011690	Tunnel & Bay Light, 4ft White	\$1,021.00
40011691	Tunnel & Bay Light, 8ft White	\$1,200.00



new



*Call for pricing

Select Your Canopy Color

*For Double Drop Boom, order (2) Single Vacuum Drop Kits

Description	Price ea.
Single Vacuum Drop Kit* Includes: (1) inlet valve (1) hose valve (1) cuff (1) swivel cuff (1) tool & holster selected	\$90.52
Dual Vacuum Drop Kit Includes: (1) double Y adapter (2) inlet valves (2) hose valves (2) cuffs (2) swivel cuffs (2) tools & holsters selected	\$310.36
1-1/2in Vacuum Hose (Box) Requires 1 Box of hose for every 3 booms - See Page 151 for colors & pricing.	\$346.46
2in Vacuum Hose (Box)	

Crevice Tool Express Claw

**TOWN OF PEMBROKE PARK
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Planning and Zoning Board
Town of Pembroke Park

From: Michael J. Miller, AICP 
Consultant Town Planner

Date: January 15th, 2021

Subject: Special Exception Application
C-1 Commercial District – Construction Company (aka Contractor Shop)
Applicant: 5311 Park Property, LLC
5311 SW 25th Court
Pembroke Park Acct. No.: 20-702
MMPA Acct. No.: 00-1101-1116

RECOMMENDED ACTION

MMPA recommends the Planning and Zoning Board (PZB) review the contents of this staff report, the applications / plans submitted by the applicant, and if found acceptable, recommend **APPROVAL** of the Special Exception application, subject to the applicant complying with any staff conditions discussed, or any additional conditions deemed appropriate by the Board.

GENERAL PROJECT INFORMATION

Land Use Designation: C - Commercial

Zoning District: C -1 Heavy Commercial District

General Location: 5311 SW 25th Court

Legal Description: Lot 10, Block 4, of MAMI GARDENS ESTATES SECTION 8, according to the plat thereof, as recorded in Plat Book 44, page 33, of the Public Records of Broward County, Florida.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 2**

BACKGROUND / PROJECT HISTORY

In mid-November 2019 MMPA was contacted by the applicant (Martin Applebaum) about the possibility of acquiring the above property located in the Town's C-1 Heavy Commercial Zoning District for a construction office (contractor) use. MMPA explained that the Town Code required that a Special Exception to be granted by the Town Commission, after receiving a recommendation from the Planning and Zoning Board, prior to any occupancy for that use. Many contractor / construction companies seek locations to store construction equipment, which requires screening from any adjoining residential areas. Also, MMPA explained that many of the older sites along SW 25 Court / Street annexed into the Town in 1977 did not meet current day Code requirements, and the Town would require certain improvements to be made. MMPA identified three other sites in this area where similar approvals / site improvements were done (Terzani Lighting / East Coast Facilities / Yo Roofing). MMPA provided a copy of the Town's Zoning Code requirements and an application form to Mr. Applebaum on Nov. 18th, 2019. Several follow-up conversations occurred about the proposed use and site improvements. Mr. Applebaum provided a copy of a site survey to MMPA in early Dec. 2019 to assist in our review of the existing conditions and possible site improvements. MMPA inspected the site and researched property information (BCPA / Google Earth). For the other similar redevelopment projects, the owners retained an architect to redesign / upgrade the sites. Prior to meeting with an architect / building contractor Mr. Applebaum requested MMPA to attempt to list possible improvements. As requested on February 25th, 2020 MMPA prepared a memo listing the probable site design and building improvements that would be necessary. No response occurred to the MMPA memo. In mid-May 2020 the Town noticed the building appeared to be occupied and began an investigation. Shortly thereafter a Building Permit request was made to re-roof the building. In June 2020 a site inspection occurred with the Building Official, Chief Code Enforcement Officer and myself. It was discovered the building was indeed being occupied by an unlicensed business. The Town staff discovered that no Business Tax Receipt (BTR), no Certificate of Use (CoC), and no prerequisite site inspections / signoffs by either Building Dept. or BSO Fire Inspectors ever occurred to determine if the building was safe to occupy. Florida law and Town Codes require that prior to any occupancy of a building or property, required Town approvals, a Special Exception in this case for the requested use, and subsequent BTR / CoC must be issued. The applicant / owner was instructed to vacate the building site immediately and seek the required Town approvals. Prior to any work occurring on the building / site, other than urgent safety repairs determined acceptable by the Bldg. Official, for the requested use - a contractor shop - a Special Exception must be obtained from the Town Commission. On July 7th, 2020 MMPA was requested to review a BTR application for the site. The requested use on the BTR application form was for an "administrative office for investment business". This land use is not listed as a permitted use in the C-1 Heavy Commercial Zoning District, therefore, the BTR was denied by our office. Only uses listed in the Zoning District list of permitted uses / special exception uses are allowed at this site. On July 13th, 2020 the Town received an initial letter from the applicant advising that the building had been vacated. The letter was felt to be inadequate by the Town and a revised letter was received on July 27th, 2020. In mid-May 2020 a roof repair permit was submitted to the Town. Due to the illegal occupancy and the fact that no Special Exception application was even filed – let alone processed or reviewed and approved – the Town held off issuing any permits. After the building was vacated and the revised acceptable letter was received, the Town staff approved the re-roofing permit for safety repairs. Lastly, On July 22nd, 2020 a Building Permit application was

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 3**

made for a “dry run” staff review. Some of the Building Dept. technical discipline staff have reviewed the plans. As the “contractor shop” use approval is uncertain, MMPA feels it is premature to review any plans other than the Site Development Plans that are required to be submitted with the Special Exception application – but have not been submitted to date. Our office entered a “denial” in the Town’s Building Permit system for the reason stated herein.

PROJECT DESCRIPTION

The applicant, 5311 Park Property, LLC (Martin Applebaum), has applied to the Town for a Special Exception application to allow the above referenced site to be utilized for a construction company (aka contractor shop), which is located within the Town’s C-1 Heavy Commercial Zoning District. Town Zoning Code Section 28-208.1 includes a listing of allowable commercial retail and service type uses in that district. While a “construction company” is not listed as a permitted use, a “contractor shop” is listed and is the same, in our opinion. The Town has previously approved two Special Exception applications for “contractor shops” in this area - a roofing contractor (Yo Roofing @ 5411 SW 25 Ct.) that closed and is now a construction / engineering consulting firm (ENCO) and East Coast Facilities @ 5301 SW 25th Ct. (property maintenance contractor). The application package does not include a very detailed description of the intended uses. The intended uses we understand may occupy the complex include construction management / real estate investments. While these uses are not specifically mentioned in the C-1 District, MMPA believes the proposed uses would closely resemble a “contractor shop”. Approximately half of the interior building area would be for storage / work areas while others will be for administrative offices. Town Code Section 28-83 sets forth the Special Exception application submittal requirements / procedures (see attached).

C-1 HEAVY COMMERCIAL DISTRICT PROVISIONS FOR SPECIAL EXCEPTIONS

The C-1 Heavy Commercial Zoning District was created by the Town in March 2003 specifically for this unique land area that was voluntarily annexed into the Town in July 1977. This narrow row of lots between SW 25th Court and SW 25th Street is completely surrounded by single-family homes (within the City of West Park) and adjoins the northwest corner of the Dale Village MHP. Almost all of the land parcels were pre-developed prior to annexation with heavy commercial / light industrial type uses, as was allowed under the former Broward County Zoning provisions.

The C-1 Heavy Commercial Zoning District regulations provide (Section 28-208.3) that several uses listed within the C-1 Heavy Commercial Zoning District are designated as “Special Exception” uses and are only allowed after public hearings and approval by the Town Commission, and after receiving a recommendation from the Planning and Zoning Board. The purpose of local governments reviewing Special Exception uses (process also called Conditional Approval) in detail is that, typically, due to the nature of the land use activity it may generate excessive traffic, noise, odors, light or other obnoxious impacts on nearby properties. Because this area is completely surrounded by single-family homes, the Town required several of the listed uses to undergo more intense review prior to allowing the use to operate. This approval process also allows “conditions” to be attached to the approval, such as hours of operation, parking limitations, etc.

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 4**

The applicant has stated to MMPA that there may occasionally be construction equipment / vehicles at the site. Applications that may include outside storage of materials, vehicles or products used in connection with proposed uses must include site plans designating the proposed front and rear of the business and must designate areas proposed to be utilized for outside storage of products, vehicles, materials or other items used in connection with proposed uses which, at a minimum, comply with the following:

- **Required Storage Area and Screening** – All areas proposed to be utilized for outside storage of materials, vehicles, products or other items utilized in connection with a proposed use must provide a designated area for the storage of such materials, vehicles, products or other items. Said storage area must be designated on a site plan and approved by the Town Planner prior to the issuance of an occupational license or certificate of occupancy. Storage areas must be located in the rear of the building as designated on the site plan and no closer than five (5) feet from the rear property line and must be screened from view in accordance with the provisions contained herein as further described in the following sections.
- Materials, vehicles, products or other items utilized in connection with a proposed use shall be located within the storage area in an orderly fashion and shall be located in such a way as to avoid traffic circulation conflicts and provide safe turning movements. Materials, products or items utilized in connection with a proposed use shall not protrude above the height of the screening wall.

According to Sec. 28-208.2(d) contractor shops shall be limited to office, warehouse storage and accessory equipment not including heavy equipment such as cranes. All activities to be conducted must be within a fully enclosed building and all storage of building materials shall be inside a fully enclosed building unless specifically approved by the Town Commission. This use (contractor shop) is not permitted unless the Town Commission, prior to occupancy of any building, grants a Special Exception application.

In addition, the Code requires that all outside storage be screened as follows:

- A decorative masonry wall, of uniform appearance a minimum of eight (8) feet in height above finished grade shall be provided along street frontages abutting a right-of-way and along property lines abutting residentially zoned property. The wall must be finished with stucco and painted and be consistent with the architecture of the building. Such screening walls must be set back at least 2 feet from the property line adjoining a street where storage will occur, and trees / shrubs are required on the outside of the wall for appearance. If driveway openings are provided, a decorative gate (chain link fence w/ slats is OK) shall be required.

CURRENT SITE CONDITION / PROPOSED IMPROVEMENTS

The site and building are in poor condition at the present time. The existing building is square-shaped and located adjoining the eastern property line (grandfathered 0' setback). The building is about 2,750 square feet in size. A small nonconforming asphalt parking lot exists in front of the building on SW 25th Court. Insufficient parking spaces exist for the use / size of the building. The balance of the site is open unkept grassed area with a 6' tall chain link fence (w/ fabric wind screen) along the SW

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 5**

25th Street roadway frontage and also from the SW corner of the building to the western property line securing those areas. The fabric wind screen does little to screen the outdoors areas from the nearby homes – that is why the Town does not allow them. The illegal storage of construction equipment (lift bucket / trailers / etc.) has been occasionally occurring at the site (see pictures). The building architecture is unattractive “box-like” with no architectural detailing. During the June 2020 Town staff inspection, it was discovered that some construction work had occurred (doors & windows with no building permits). One of the primary goals of the C-1 District is to require site upgrades for land uses being redeveloped / repurposed, including better screening for the nearby homes.

The proposed new site improvements include adding sloped metal mansard type roof structures at various locations on the building exterior for shade over windows and as architectural detailing. The newer doors / windows will be inspected for adequacy (those installed with no permits). The interior of the building will be modified with more office space at the front of the building facing SW 25th Court. Based on the revised floor plan and intended uses at least six (6) parking spaces are required by the Town Code and will be provided in the redevelopment. Due to the site small size the designers have proposed three (3) parallel parking spaces along the west property line, two (2) parking spaces in the reconfigured front parking lot along SW 25th Court, and one (1) parking space (ADA) in the new northern parking lot. New Code compliant landscaping buffers around the parking areas is included. Along SW 25th Street a continuous 10' tall decorative CBS buffer wall and landscaping is proposed. New driveways to the north / south parking lots are proposed as well as a one-way northbound driveway in the western portion of the site to access those parking spaces. Security gates will be installed to secure the northern parking / possible storage areas and the western parking lot. The new site design is as Code compliant as possible given the existing site size and improvements.

SPECIAL EXCEPTION CRITERIA

Section 28-83 of the Town Code contains the criteria for the granting of a Special Exception. A summary of the standards for review and approval of a Special Exception are as follows:

- a. An otherwise lawful activity may, because of its location, interfere with the property rights of adjacent landowners by creating an unreasonable disruption to the area by way of increasing vehicular traffic, noise, light, storage and use of dangerous materials, intensity of development and other reasons.
- b. Consideration for vehicular traffic associated with such use, particularly its impact on residential streets.
- c. Conformity to goals, objectives and policies of the Pembroke Park Comprehensive Plan.
- d. The economic impact on the Town's finances due to reduction of taxable property value, increased Town services or other related economic factors.
- e. Any additional factors or considerations which may be reasonably calculated to materially affect public health, safety and welfare.

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 6**

ANALYSIS

The applicant has stated the proposed use of the property (construction mgt. offices) will be similar to a "Contractor Shop" for their company offices and storage, including the occasional storage of construction vehicles (trucks / trailers / other). The interior of the building will be used for the storage of tools / other equipment, administrative offices and clerical files. The applicant has supplied the Town with a survey of the subject property, a conceptual site plan showing the proposed improvements, and illustrations of the subject site after the improvements have been completed.

RIGHT-OF-WAY AND ACCESS DESCRIPTION

Access to this commercial site will be through SW 25th Street on the north side of the property (driveway to northern parking lot / exit for one-way northbound driveway) and also through SW 25th Court on the south side of the site (southern parking lot / entry to northbound one-way driveway). New specifically designated Code compliant parking spaces are shown on the plans with required landscaping areas (5' adjoining road / 2.5' min. on interior lot lines).

SUMMARY / STAFF RECOMMENDATION

This application is the 3rd request for a Special Exception for a "Contractor Shop" since the C-1 Heavy Commercial District was created in 2003 (Yo Roofing was #1 / East Coast Facilities was #2). MMPA has worked with the owner / project contractor to create enhancements to the current building façade and site improvements. As required a new CBS decorative buffer wall (8' min. reqd. / 10' provided) will be constricted along SW 25th Street (north roadway frontage) with supplemental landscaping. This will result in implementing improvements as set forth in the C-1 District.

MMPA recommends the Planning and Zoning Board (PZB) review the application package and render a recommendation of **APPROVAL** of the Special Exception application to the Town Commission to allow a "Contractor Shop", subject to the following conditions:

1. The Special Exception application is based on the Site Development Plans received at the Town Bldg. Dept. December 28th, 2020 prepared by Thomas Moening Architect & DDSM Consulting, LLC.
2. This approval is granted exclusively to 5311 Park Property, LLC and its approval may not be transferred to another party without prior written consent of the Town Commission.
3. That prior to occupancy of the building / site, building plans shall be provided to the Town / permits issued to renovate the building, provide / pave the parking spaces, landscaping and buffer wall for the storage yard within the walled-in yard area as required by Town Code, including drainage as required by the Public Works Director.
4. That prior to building occupancy supplemental landscaping (trees / shrubs) shall be installed along the SW 25th Street and SW 25th Court frontage as shown on the plans as required by the Town Planner.

Michael Miller Planning Associates, Inc.

**Town of Pembroke Park
Planning and Zoning Board Staff Report
Special Exception Application – Construction Company (Contractor Shop)
5311 SW 25th Court
January 15th, 2021
Page 7**

5. All parking of vehicles (employee / customers / company vehicles) shall occur within the site. No vehicle shall be parked on the paved road surfaces of either SW 25th Court or SW 25th Street, nor within those roadway swales, nor on the sidewalks or on other landscaped areas.
6. No vehicles / materials stored outdoors may exceed the height of the walled-in storage yard buffer wall.
7. All refuse (dumpster / cans) shall be kept within the walled-in area.

Michael Miller Planning Associates, Inc.

SE

TOWN OF PEMBROKE PARK APPLICATION FOR SPECIAL EXCEPTION (also) CONDITIONAL APPROVAL

Date: _____
Case No: _____
Receipt No.: _____

Fee: The fee shall be \$6,600.00 plus the non-administrative costs incurred by the Town in processing the request. \$500 of the above referenced fee shall be non-refundable.

- (1) The undersigned hereby petitions the Town of Pembroke Park for Conditional Approval or Special Exception under the Town Code of Ordinances and requests that the necessary staff reviews and hearings by the Planning and Zoning Board and Town Commission be called for such purpose to allow;
FOR SPECIAL EXCEPTION TO ALLOW CONSTRUCTION COMPANY TO OCCUPY BUILDING
PLANS FOR BUILDING REVIEW SUBMITTED UNDER B-91887

on that property identified as :

- (a) General Location: 5311 SW 25 COURT
(b) Lot(s) _____ Block(s) _____
In the Subdivision know as _____ or,
(c) Metes and Bounds (Attach Survey): _____

- (2) (I) (We) are the (Check one)

☒ Owners ☐ Lessee ☐ Contract Purchaser
☐ Trustee ☐ Other (specify) _____

- (3) The record owner of this property is: 5311 PARK PROPERTY LLC
Mailing Address: 5901 SW 112 STREET, MIAMI FL 33156
Telephone No.: 305 407 6400 Fax No.: 305 662 8840
The occupant of this property is: TO BO H. K. CONSTRUCTION GROUP
Mailing Address: P.O. BOX 5706421, MIAMI FL 33256
Telephone No.: 786 425 6411 Fax No.: _____

- (4) The undersigned is aware that the Planning and Zoning Board and/or the Town Commission may stipulate or require that the petitioner exercise the approval as granted within a specified time period.
(5) The undersigned is aware that if the Planning and Zoning Board and Town Commission grant approval, they may stipulate such conditions and require such modifications, as they may deem necessary to accomplish the proper and orderly development of this proposal.

OWNER / AGENT CERTIFICATE:

This is to certify that I am the owner/agent of subject lands described above in the Application for Conditional Approval/Special Exception, and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by Town personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent: _____ Sworn to and subscribed before me this 22 day of July, 2020 by MARLIN APPLESBAUM.

☒ He/She is personally known to me or

☐ He/She has presented _____ as identification

Signature of Notary Public: _____

Type or Print Name: Laura M. Macauliffe



NOTE: Two (2) copies of a current survey (not more than one year old) together with a site plan (quantity to be determined) of the property described above must accompany and be part of this petition. The site plan, drawn to scale, shall show size of lot, existing and proposed buildings, adjacent land uses, and other data to clearly present information. A written description of the intended uses, hours of operation, etc. shall be provided. The Town may require other information as necessary to review the petition.

Last Revised 10/7/2003

5311 PARK PROPERTY LLC
5901 SW 112TH ST
PINECREST, FL 33156-5018

3005
63-9138/2031

DATE July 31, 2020

\$ 6500.00

PAY
TO THE
ORDER OF

Town of Pembroke Park

DOLLARS

xx/100

Six thousand five hundred dollars and



BRANCH BANKING AND TRUST COMPANY
1-800-BANK BB&T BB&T.com

FOR

Variance Application Fee

M.T. Opaleba

⑆00003005⑆ ⑆263191387⑆ ⑆100014663604⑆

Town of Pembroke Park
Building Department

AUG -3 2020

RECEIVED



MARTY KIARD
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	5311 SW 25 COURT, PEMBROKE PARK FL 33009	ID #	5142 30 10 0800
Property Owner	5311 PARK PROPERTY LLC	Millage	0613
Mailing Address	5311 SW 25 CT PEMBROKE PARK FL 33009	Use	48
Abbr Legal Description	MIAMI GARDENS ESTATES SEC 8 44-33 B LOT 10 BLK 4		

The just values displayed below were set in compliance with [Sec. 193.011](#), Fla. Stat., and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

* 2020 values are considered "working values" and are subject to change.

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2020*	\$45,520	\$203,160	\$248,680	\$248,680	
2019	\$45,520	\$201,900	\$247,420	\$247,420	\$5,402.16
2018	\$45,520	\$247,460	\$292,980	\$292,980	\$6,307.02

2020* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$248,680	\$248,680	\$248,680	\$248,680
Portability	0	0	0	0
Assessed/SOH	\$248,680	\$248,680	\$248,680	\$248,680
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$248,680	\$248,680	\$248,680	\$248,680

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
1/22/2020	WD*-E	\$380,000	116311328	\$7.00	6,503	SF
4/15/2015	WD*-E	\$130,000	112954866			
6/13/2012	QC*-T	\$100	112021587			
5/17/2012	CE*-T	\$100	48893 / 1731			
9/12/2007	WD*-D	\$101,200	44636 / 1670			
				Adj. Bldg. S.F. (Card, Sketch)		2750
				Eff./Act. Year Built: 1960/1959		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc

Property Id: 514230100800

**Please see map disclaimer



August 14, 2020

1:600
0 25 50 100 ft
0 5 10 20 m

Flight Date : Between Dec 15, 2019 and Jan 26, 2020 Broward County Proper



MARTY KIARD
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	SW 25 COURT, PEMBROKE PARK FL 33023	ID #	5142 30 10 0790
Property Owner	5311 PARK PROPERTY LLC	Millage	0613
Mailing Address	5901 SW 112 ST MIAMI FL 33156	Use	10
Abbr Legal Description	MIAMI GARDENS ESTATES SEC 8 44-33 B LOT 9 LESS W 40 BLK 4		

The just values displayed below were set in compliance with [Sec. 193.011, Fla. Stat.](#), and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

* 2020 values are considered "working values" and are subject to change.

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2020*	\$20,010		\$20,010	\$19,940	
2019	\$18,130		\$18,130	\$18,130	\$395.85
2018	\$17,510		\$17,510	\$17,510	\$376.94

2020* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$20,010	\$20,010	\$20,010	\$20,010
Portability	0	0	0	0
Assessed/SOH	\$19,940	\$20,010	\$19,940	\$19,940
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$19,940	\$20,010	\$19,940	\$19,940

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
1/22/2020	WD*-E	\$380,000	116311328	\$8.00	2,501	SF
4/15/2015	WD*-E	\$130,000	112954866			
6/13/2012	QC*-T	\$100	112021587			
5/17/2012	CE*-T	\$100	48893 / 1731			
9/12/2007	WD*-D	\$101,200	44636 / 1670			
				Adj. Bldg. S.F.		

* Denotes Multi-Parcel Sale (See Deed)

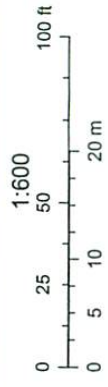
Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc

Property Id: 514230100790

**Please see map disclaimer



August 14, 2020



Flight Date : Between Dec 15, 2019 and Jan 26, 2020 Broward County Proper

Instr# 116311328 , Page 1 of 2, Recorded 01/27/2020 at 03:12 PM
Broward County Commission
Deed Doc Stamps: \$2660.00

Prepared by:

Jennie G. Farshchian, Esq.
Jurado & Farshchian, P.L.
12955 Biscayne Boulevard, Suite 328
Miami, FL 33181
305-921-0440

Return to:

Daniels Rodriguez Berkeley Daniels & Cruz, PA
4000 Ponce de Leon Blvd., Suite 800
Coral Gables, FL 33146
305-448-7988

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this ____ day of January, 2020 between Saul E. Barahona, a married man, whose post office address is 7101 SW 13th Street , Pembroke Pines, FL 33023, grantor, and 5311 Park Property LLC, a Florida limited liability company, whose post office address is 5311 SW 25 Court, Pembroke Park, FL 33009, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade and Broward Counties, Florida to-wit:

Lot 9, less the West 40 feet and Lot 10, Block 4, of MIAMI GARDENS ESTATES SECTION 8, according to the Plat thereof, as recorded in Plat Book 44, Page 33, of the Public Records of Broward County, Florida.

Parcel Identification Number: 5142 30 10 0800 and 5142 30 10 0790

A/k/a: 5311 SW 25 Court, Pembroke Park, FL 33009.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 7101 SW 13th Street , Pembroke Pines, FL 33023.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

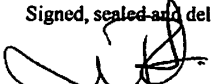
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:


Witness Name: Maria Fernanda Romero Tassone

Witness Name: Sandra Figueroa


Saul E. Barahona (Seal)

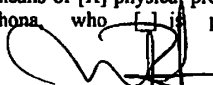
State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22 day of January, 2020 by Saul E. Barahona who ☐ is personally known or ☐ has produced FL Driver's License as identification.

[Notary Seal]



Maria Fernanda Romero Tassone
Comm. # GG907351
Expires: August 25, 2023
Bonded Thru Aaron Notary


Notary Public

Printed Name: Maria Fernanda Romero Tassone

My Commission Expires: 08/25/2023

**Electronic Articles of Organization
For
Florida Limited Liability Company**

**L19000299433
FILED 8:00 AM
December 09, 2019
Sec. Of State
msimmons**

Article I

The name of the Limited Liability Company is:

5311 PARK PROPERTY LLC

Article II

The street address of the principal office of the Limited Liability Company is:

5901 SW 112 STREET
MIAMI, FL. 33156

The mailing address of the Limited Liability Company is:

5901 SW 112 STREET
MIAMI, FL. 33156

Article III

The name and Florida street address of the registered agent is:

MARTIN A APPLEBAUM
5901 SW 112 STREET
MIAMI, FL. 33156

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: MARTIN APPLEBAUM

Article IV

The name and address of person(s) authorized to manage LLC:

Title: AMBR
MARTIN A APPLEBAUM
5901 SW 112 STREET
MIAMI, FL. 33156

L19000299433
FILED 8:00 AM
December 09, 2019
Sec. Of State
msimmons

Article V

The effective date for this Limited Liability Company shall be:

12/08/2019

Signature of member or an authorized representative

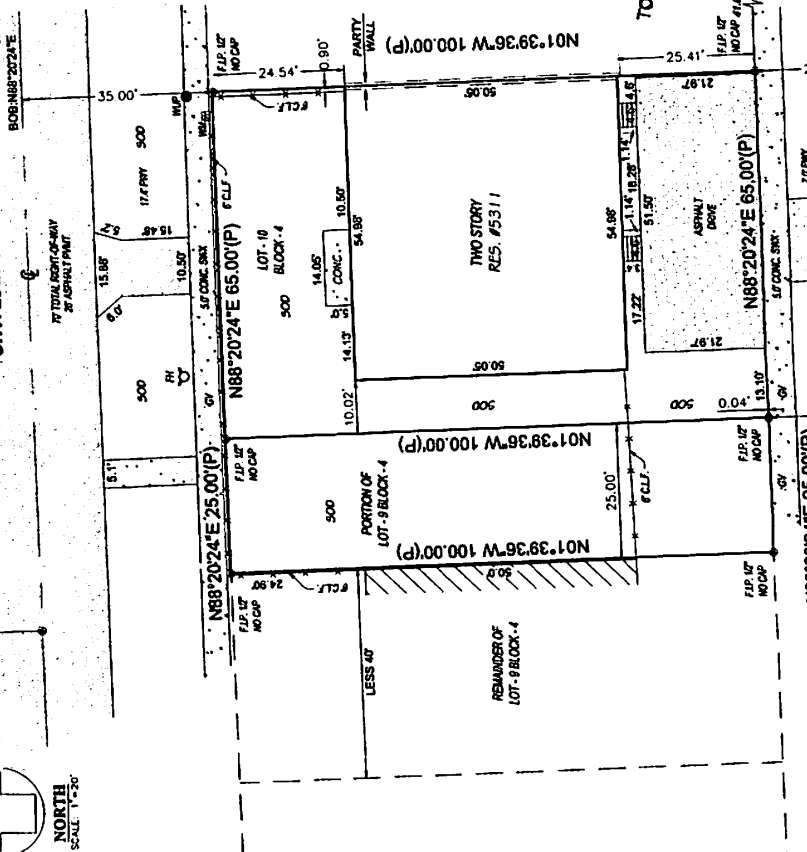
Electronic Signature: MARTIN APPLEBAUM

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

MAP OF BOUNDARY SURVEY



S.W. 25th STREET



RECEIVED
OCT 01 2020
TOWN OF PEMBROKE PARK
BULKHEAD
S.W. 25th COURT
(S.W. 25th TERRACE BY PLAT)

- LEGEND**
- ABBREVIATIONS:**
- A = A/C
 - B = Bldg
 - C = CONCRETE
 - D = DRIVE
 - E = ELEVATION
 - F = FENCE
 - G = GROUND
 - H = H/W
 - I = IRON
 - J = JAIL
 - K = KITCHEN
 - L = LANE
 - M = M/W
 - N = N/W
 - O = OIL
 - P = PAVEMENT
 - Q = QUARTER
 - R = ROAD
 - S = SIDEWALK
 - T = TANK
 - U = UTILITY
 - V = VALVE
 - W = WATER
 - X = X-ROAD
 - Y = Y-ROAD
 - Z = ZONE

- SYMBOLS:**
- 1" = TELEPHONE POLE
 - 2" = WATER MAIN
 - 3" = WATER METER
 - 4" = ELEVATION
 - 5" = ORIGINAL LOT DISTANCE
 - 6" = CENTER LINE
 - 7" = WATER VALVE
 - 8" = CURB RIFT
 - 9" = FIRE HYDRANT
 - 10" = LIGHT POLE
 - 11" = CATCH BASIN
 - 12" = UTILITY POLE
 - 13" = DRAINAGE MANHOLE
 - 14" = SEWER MANHOLE
 - 15" = ROOF FINCH
 - 16" = CHAIN LINK FENCE
 - 17" = OVERHEAD UTILITY WIRE
 - 18" = ASPHALT CONCRETE PAVEMENT
 - 19" = TILES
 - 20" = COVER

SURVEYOR'S NOTES:

1. NO ATTEMPT WAS MADE TO LOCATE FOOTINGS/FOUNDATIONS OR UNDERGROUND UTILITIES.

2. THE LAND SHOWN HEREON HAVE NOT BEEN ATTRACTED IN REGARDS TO ANY OTHER SURVEY.

3. THIS SURVEY WAS PREPARED FOR AND CERTIFIED TO THE PARTIES MENTIONED IN THIS INSTRUMENT.

4. THIS SURVEY IS NOT TRANSFERABLE OR ASSIGNABLE WITHOUT WRITTEN CONSENT OF THE SURVEYOR.

5. THE SURVEY IS COMMENCED BY THE CERTIFIED PARTIES TO THE INSTRUMENT.

6. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

7. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

8. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

9. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

10. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

11. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

12. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

13. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

14. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

15. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

16. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

17. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

18. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

19. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

20. THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

CERTIFIED TO:

3311 PARK PROPERTY LLC
DANIEL RODRIGUEZ BURGUELY DANIELS & CHUIZ, P.A.
NANCY STONER, ESQ.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
PRUDENTIAL BANK ITS SUCCESSOR AND/OR ASSIGNS AS THEIR INTERESTS
WAT APPEAL

REASONING:
09/27/2020 - UPDATED SURVEY. JDB/20095148

DATE OF FIELD WORK:
11/27/19

DRAWN BY:
JDB

CAD FILE APPENDIX:
SHEET 1 OF 1

PROFESSIONAL SURVEYOR & MAPPER:
STATE OF FLORIDA U.C. # 6945

Survey Pros, Inc.
5988 S. DIXIE HIGHWAY SUITE 300, MIAMI, FL 33143
TEL: 305.767.6802
WWW.SURVEY-PROS.COM

PROPERTY ADDRESS:
3311 SW 25th COURT, MIAMI, FL 33099

LEGAL DESCRIPTION:
LOT 9, LESS THE WEST 40 FEET THEREOF, BLOCK 4, OF MIAMI GARDENS ESTATES SECTION 1, ACCORDING TO THE PLAT THEREOF, BEING PART OF PLAT BOOK 44, PAGE 33, OF THE PUBLIC RECORDS OF DRENNAN COUNTY, FLORIDA.

FLOOD ZONE INFORMATION:
BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DATED 06/18/19, THE CHRONICALLY DEFECTED (SHADOWED) SHOWN ON THIS MAP OF SURVEY IS WITHIN ZONE 1 (VARIABLE FLOOD ELEVATION) VLA COMMUNITY MAP 4, MAP NUMBER 1201022Z, SURVEY 1.

RECEIVED
OCT 01 2020
TOWN OF PEMBROKE PARK
BULKHEAD
S.W. 25th COURT
(S.W. 25th TERRACE BY PLAT)

5311 SW 25 Court

Write a description for your map.

Legend

■ SW 25 S/SW



Google Earth

© 2019 Google
© 2020 Google



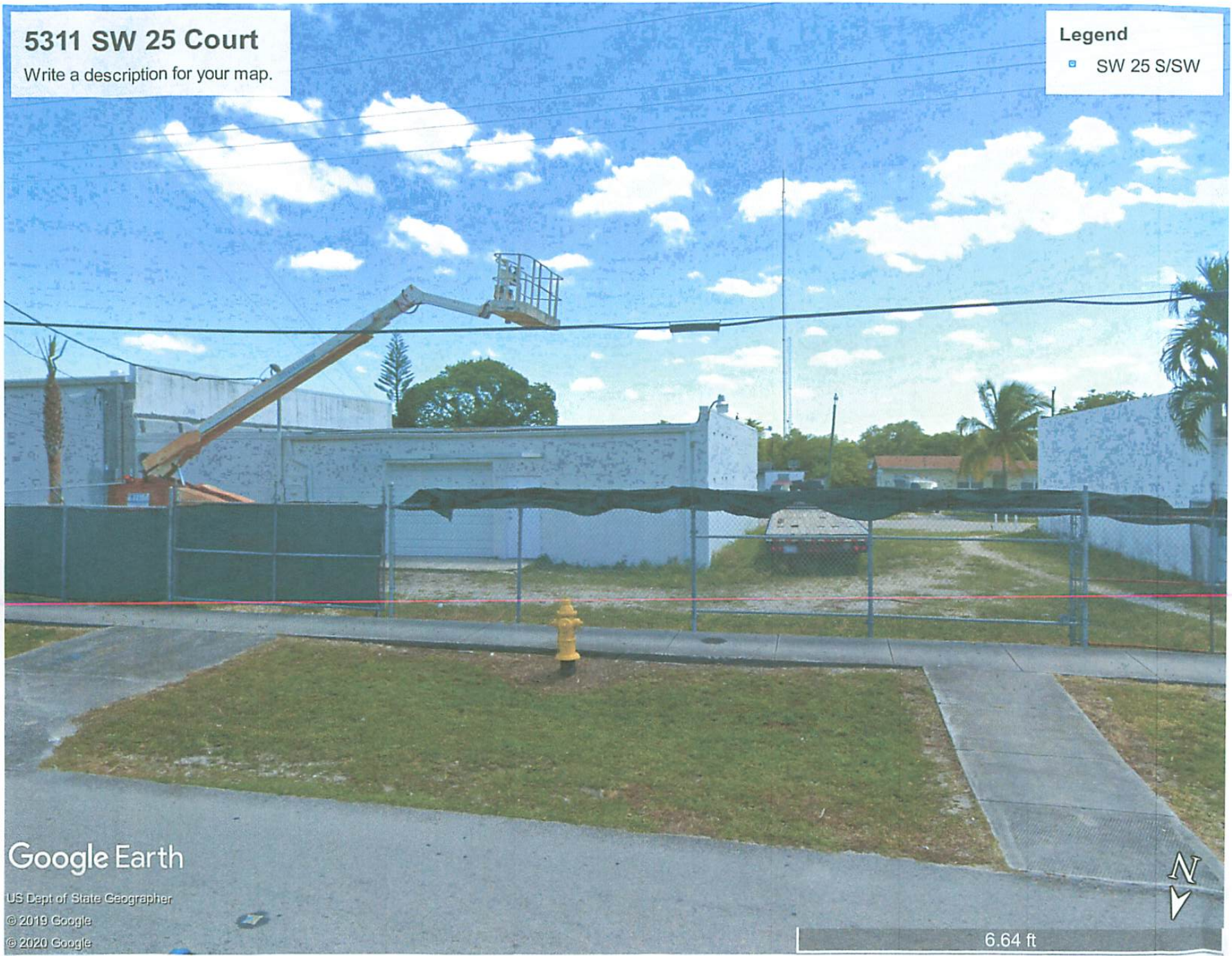
6.51 ft

5311 SW 25 Court

Write a description for your map.

Legend

- SW 25 S/SW



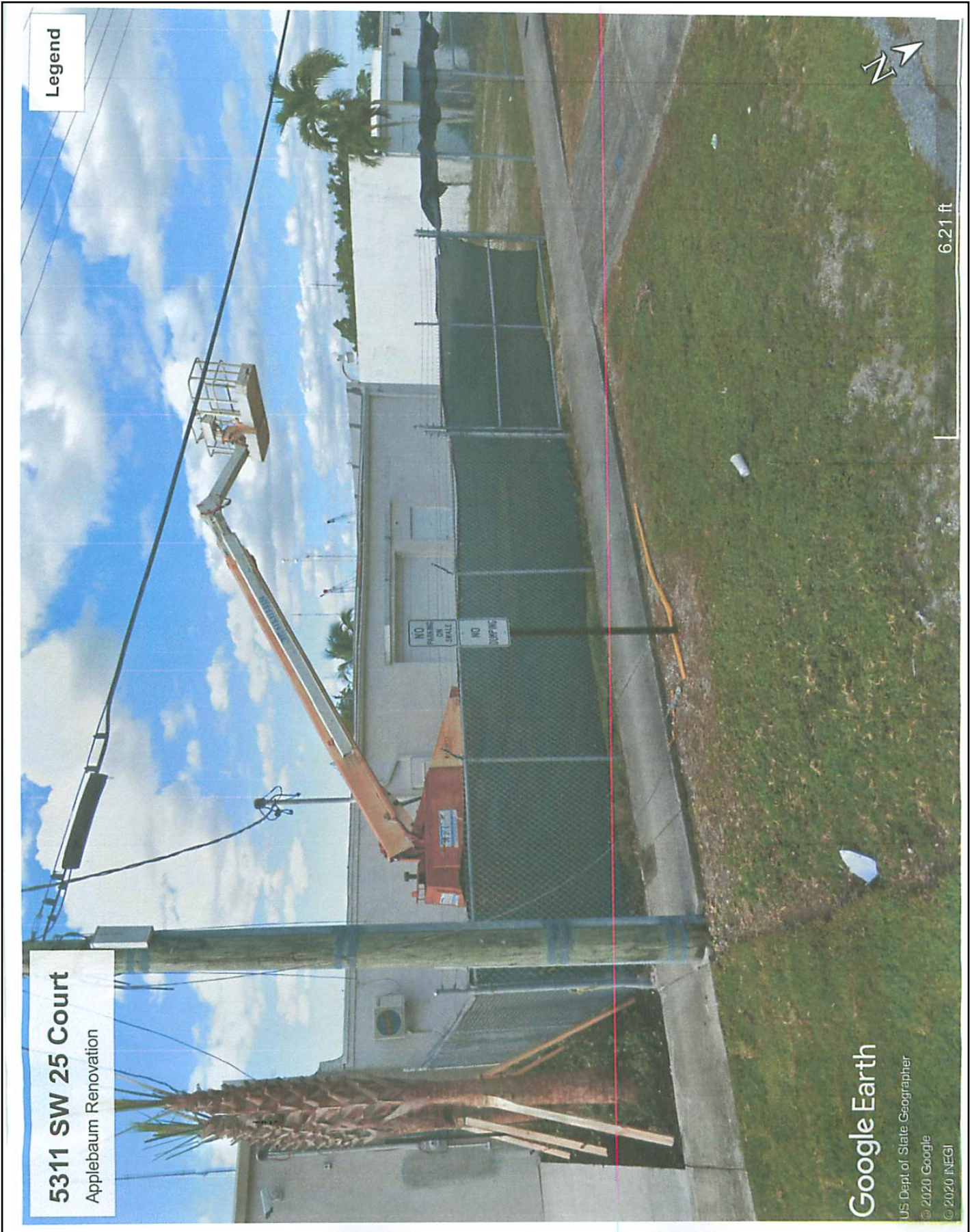
Google Earth

US Dept of State Geographer

© 2019 Google

© 2020 Google

6.64 ft



Google Earth

US Dept of State Geographer
© 2020 Google
© 2020 INEGI

Michael J. Miller

From: Michael J. Miller
Sent: Tuesday, February 25, 2020 3:14 PM
To: M. Applebaum
Cc: Lucie Manzerolle (lanzerolle@townofpembrokepark.com); Teresa Malcolm; Jeffrey Louis (jlouis@townofpembrokepark.com)
Subject: RE: Pembroke Park property
Attachments: PP 5311 SW 25 Ct Contractor Reuse Redevelop Comments Feb 2020.docx

Mr. Applebaum:

Sorry for the delay in responding about the 5311 SW 25 Court site in Pembroke Park. Not sure if you are still pursuing acquisition of the site or not.

As a follow-up to our conversations and your submittal of a survey of the site, and as you requested for our office to prepare a list of possible site improvements that might be required prior in conjunction with the Special Exception required for a contractor use at this location prior to occupancy, see the attached list of issues / site improvements we feel will be required.

Michael J. Miller, AICP
Town of Pembroke Park
Consultant Town Planner
February 25, 2020

From: Michael J. Miller
Sent: Monday, November 18, 2019 10:14 AM
To: M. Applebaum <m_apple1@yahoo.com>
Subject: RE: Pembroke Park property

Mr. Applebaum:

As a follow-up to our telephone conversation if you have not previously looked at the Town's C-1 Zoning District regulations – see the attached.

As we discussed the area was built originally under Broward County zoning laws and annexed into the Town in 1977 fully developed.

In 2003 I wrote a special commercial zoning district to encourage better uses and appearance – given the single-family uses nearby. Contractor uses need a Special Exception approval prior to occupancy.

See the LDRs below as to your proposed use.

DIVISION 5.7 - C-1 HEAVY COMMERCIAL DISTRICT[9]

Sec. 28-208. - Intent.

The C-1 Heavy Commercial District is intended for limited sales, repair and maintenance services, office/warehouse uses, light assembly and sales, storage or rental of certain machinery and equipment. Such districts generally serve a regional

TOWN OF PEMBROKE PARK

Proposed Contractor Use

C-1 Heavy Commercial Zoning District

5311 SW 25th Court

Conceptual Redevelopment Improvements

MMPA Comments: February 2020

In mid-November 2019 MMPA was contacted by Mr. Applebaum about the possibility of acquiring the above property located in the Town's C-1 Heavy Commercial Zoning District for a contractor use. MMPA explained that the Code requires a Special Exception to be granted by the Town Commission prior to occupancy for that use, as most can include construction equipment. Also, MMPA explained that many of these older sites along SW 25 Court / Street annexed into the Town in 1977 do not meet current day Code requirements, and the Town would require certain improvements to be made. MMPA identified three other sites in this area where similar approvals / site improvements were done (Terzani Lighting / East Coast Facilities / Yo Roofing). MMPA provided a copy of the Town's Zoning Code requirements to Mr. Applebaum on Nov. 18th, 2019. Several follow-up conversations occurred about the proposed use and site improvements. Mr. Applebaum provided a copy of a survey to MMPA in early Dec. 2019 to assist in our review of the existing conditions and possible site improvements. MMPA has inspected the site and researched property information (BCPA / Google Earth). For the other similar redevelopment projects, the owners retained an architect to redesign the site. Prior to meeting with an architect / building contractor Mr. Applebaum requested MMPA to attempt to list possible improvements.

1. Parking Lot – The existing driveway / parking lot design violates several Town Code provisions and needs to be redesigned.
 - a) The sole parking lot on SW 25th Court is a paved area between the street property line and face of the building. There is an existing narrow 15.45' wide driveway from the street pavement to the parking lot. At a minimum, two-way driveways for commercial uses must be 24' wide. The parking lot is 51.50' wide facing the building and almost 22' deep up to the street property line. It was observed that drivers have been driving over the grass swale to the parking spaces (not striped). Direct backout parking onto streets is prohibited in non-residential uses (dangerous / unsightly) (See Sec. 28-305 & 28-311). A redesigned driveway (24' max. for 2-way) needs to lead from the street pavement across the grass swale onto the site into a properly design parking lot. A min. 5' wide landscape strip needs to be constructed between the street property line and any paved areas. The parking spaces must be a min. of 10' wide x 20' deep placed

parallel to the street. Within the 5' landscape strip shade trees (12' hgt. x 5' spread min. at planting) and continuous shrubs (24" tall x 24" on center) must be installed.

- b) The building is 2,750 sq. ft. in size (55' x 50'). If the building was used totally as offices at least nine (9) parking spaces would be required (1 space per each 300 sq. ft.). If there were areas in the building used for other than office uses between 6-7 spaces would be required. If striped there could be maybe five (5) spaces existing in the SW 25th Court parking area. There is currently no ADA parking space. The site is non-conforming and needs to be brought up to Code. There are many areas of the site where additional parking facilities can be placed (north / west areas).
- 2. Building Architecture - The existing building is very plain, box-like, and unattractive. Architectural detailing must be added (banding / sloped roof surfaces / windows / exterior cladding of materials such as stone / other. The building needs to be repainted as the exterior paint is in poor condition. The east side of the building has a "zero lot line" setback that is non-conforming. The Code requires min. 10' setbacks from all property lines.
- 3. Landscaping – All commercial sites must have at least 20% open / pervious space for landscaping and drainage retention. The Town's Landscape Code is Chapter 27 and includes design criteria for parking lots and site landscaping. At present there are no trees or shrubs on the site – just the building, paved areas and open grassed areas. It has been noted that pieces of construction equipment have occasionally been parked on the grassed areas – this is illegal – all parking must be on paved areas. A Landscape Plan would be required (Sec. 28-310) as part of the redevelopment architectural plans with trees / shrubs / grass areas. If any portion of the northern site area is used a decorative CBS screen wall is required to replace the existing chain-link fence which does little to screen the houses across the streets. See the other redevelopment sites for guideline on landscaping requirements.
- 4. North / West Open Areas – These areas are currently just open grassed areas (not irrigated). Since the site is short of required parking spaces these areas could be used. No outdoor storage of construction equipment is allowed in those areas without pavement / screening / landscaping.
- 5. Mechanical Equipment / Construction Equipment Parking & Storage - No outdoor storage of construction equipment is allowed in those areas without pavement / screening / landscaping.

5311 Park Property LLC

5311 SW 25 Court
Pembroke Park, FL 33023

RECEIVED
12/13/22

Town of Pembroke Park
Building Department
3150 SW 52nd Ave.
Pembroke Park, FL 33023

Re: 5311 SW 25 Court

Dear Sir / Madam:

Please be advised that the property located at 5311 SW 25 Court is not occupied at this time. We are in the process of preparing and submitting plans for interior and exterior improvements for review.

Should you have any questions, please feel free to contact me at: 305 407-6400.

Sincerely,



Marty Applebaum

5311 Park Property LLC

5311 SW 25 Court
Pembroke Park, FL 33023

July 27, 2020

Mr. Michael J. Miller, AICP
Consultant Town Planner
Town of Pembroke Park
3150 SW 52 Avenue
Pembroke Park, FL 33023

Dear Mr. Miller,

Thank you for taking the time to respond to our July 13, 2020, letter. We have reviewed your July 22, 2020, e-mail and understand that you would like us to expand upon the sequence of events that have transpired since November 2019, through the present. In a continuing effort to show the Town that we come in good faith and are simply trying to protect and lawfully improve the premises, we offer the additional facts below:

As previously stated, the property at located at 5311 SW 25 Court is not occupied at this time. It was previously being used for administrative functions related to real estate. However, as of July 10, 2020, we have vacated the premises entirely. Because there are other offices within the neighborhood performing administrative type services like those we were engaged in, we mistakenly believed that this was a permissible use. We apologize for this mistaken assumption and have honored the request to vacate until approval for occupancy is granted.

We understand that the Town believes that improvements have been made to the property while under our ownership. However, please understand that NO improvements have been made to the property while it has belonged to us and we can demonstrate that for the Town's peace of mind. We purchased the building in January 2020, and prior to that, a pre-purchase inspection report was obtained. The inspection report is dated November 29, 2019 and a copy of it is attached for your review and records. You will note from the report that the improvements complained of (garage door and office space) were existing prior to our purchase of the property. You will also see that these improvements pre-dated our purchase at the website for the sale of the building, which dates back to 2019 <https://www.bhhsfloridarealty.com/commercial-for-sale/5311-SW-25th-Ct-Pembroke-Park-FL-33023-282469744>. We hope and trust this clears up any misunderstanding as to these improvements.

We are committed to rectifying any issues and lawfully improving the property and building out the space. To that end, a permit for a roof replacement has been applied for and has been issued, but is pending release upon submission of this extended narrative. More recently, on July 22, 2020, plans have been submitted to the Town concerning the build-out of the interior space.

The roof replacement is a time critical item as the building is suffering from extensive water intrusion. We respectfully ask that this permit be released so we can get to work on this right away so the property can be protected and further damages can be mitigated.

We have also just received a code violation, dated July 12, 2020, a copy of which is attached, and which requires the painting of the building. We got in touch with code enforcement as soon as this was received and we were advised that the violation is mitigated or superseded by the pending build-out plans that have already been submitted and which call for window replacement, which will include exterior penetrations. Code enforcement further advised that the painting would be required to take place after the build-out is completed. It makes sense that the painting would be done after the build-out, but we respectfully ask for confirmation in that regard so we do not do anything against the Town's wishes.

We hope that this additional information is helpful and sufficient. Again, thank you for your time and consideration. We are excited to work hand-in-hand with the Town of Pembroke Park in improving and completing this project for the benefit of the Town and the area residents. With your approval, 5311 Park Property will get started on replacing the roof and performing all other improvements as allowed by the Town. We look forward to hearing from you soon and hope you have a good and safe week.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin Applebaum', with a long horizontal flourish extending to the right.

Martin Applebaum
Owner



TOWN OF PEMBROKE PARK

3150 S.W. 52ND AVENUE • PEMBROKE PARK, FLORIDA 33023 • BROWARD (954) 966-1600 • FAX (954) 966-5186

August 14th, 2020

**5311 Park Property, LLC
5901 SW 112th Street
Miami, Florida 33156
Attn: Martin A. Applebaum**

**Re: Special Exception Application – "Contractor Shop"
5311 SW 25th Court
Pembroke Park Acct. No. 20-702
MMPA Account No.: 00-1101-1116**

Dear Mr. Applebaum:

The Town of Pembroke Park is in receipt of your recent Special Exception application which was submitted to the Town for consideration. The request is to consider allowing the above referenced site to be utilized for a "contractor shop", which is located within the Town's C-1 Heavy Commercial Zoning District. Section 28-208.1 of the Town's Zoning Code includes a listing of allowable retail and service uses in that district. On the Town's Special Exception application form you included a description of the intended use – "a construction company". Town Code Section 28-83 sets forth the Special Exception application submittal requirements / procedures (see attached). The Town's Special Exception application form also lists required submittal information and documents.

The Town of Pembroke Park engages the services of consultants to perform certain functions such as Planning and Zoning, Engineering and Legal services. Michael Miller Planning Associates, Inc. (MMPA) functions as the Town Planner. One of our primary functions is to coordinate the review and processing of land development requests through the Town's system. As the Town receives land development requests, the applications are forwarded to our office for an initial completeness review to ensure all of the Code and supplemental information is provided. The Town seeks to make informed decisions and needs a certain amount of information to make such decisions.

In mid-November 2019 MMPA was contacted by Mr. Applebaum about the possibility of acquiring the above property located in the Town's C-1 Heavy Commercial Zoning District for a contractor use. MMPA explained that the Town Code required that a Special Exception to be granted by the Town Commission, after receiving a recommendation from the Planning and Zoning Board, prior to any occupancy for that use. Many contractor / construction companies seek to store construction equipment, which requires screening from the adjoining residential areas. Also, MMPA explained that many of the older sites along SW 25 Court / Street annexed into the Town in 1977 did not meet current day Code requirements, and the Town would require certain improvements to be made. MMPA identified three other sites in this area where similar approvals / site improvements were done (Terzani Lighting / East Coast Facilities / Yo Roofing). MMPA provided a copy of

**5311 Park Property, LLC
Special Exception Application – Contractor Shop
5311 SW 25th Court
August 14th, 2020
Page 2**

the Town's Zoning Code requirements and an application form to Mr. Applebaum on Nov. 18th, 2019. Several follow-up conversations occurred about the proposed use and site improvements. Mr. Applebaum provided a copy of a survey to MMPA in early Dec. 2019 to assist in our review of the existing conditions and possible site improvements. MMPA inspected the site and researched property information (BCPA / Google Earth). For the other similar redevelopment projects, the owners retained an architect to redesign the site. Prior to meeting with an architect / building contractor Mr. Applebaum requested MMPA to attempt to list possible improvements. As requested on February 25th, 2020 MMPA prepared a memo listing the probable site design and building improvements that would be necessary. No response occurred to the memo. In mid-May 2020 the Town noticed the building appeared to be occupied and began an investigation. Shortly thereafter a Building Permit request was made to re-roof the building. In June 2020 a site inspection occurred with the Building Official, Chief Code Enforcement Officer and myself. It was discovered the building was indeed being occupied by an unlicensed business. The Town staff discovered that no Business Tax Receipt (BTR), no Certificate of Use (CoC), and no prerequisite site inspections / sign-offs by either Building Dept. or BSO Fire Inspectors ever occurred to determine if the building was safe to occupy. Florida law and Town Codes require that prior to any occupancy of a building or property, required Town approvals, a Special Exception in this case for the requested use, and subsequent BTR / CoC must be issued. The applicant / owner was instructed to vacate the building site immediately and seek the required Town approvals. Prior to any work occurring on the building / site, other than urgent safety repairs determined acceptable by the Bldg. Official, for the requested use - a contractor shop - a Special Exception must be obtained from the Town Commission. On July 7th, 2020 MMPA was requested to review a BTR application for the site. The requested use on the BTR application form was for an "administrative office for investment business". This use is not listed as a permitted use in the C-1 Heavy Commercial Zoning District, therefore, the BTR was denied by our office. Only uses listed in the Zoning District list of permitted uses / special exception uses are allowed at this site. On July 13th, 2020 the Town received an initial letter from the applicant advising that the building had been vacated. The letter was felt to be inadequate by the Town and a revised letter was received on July 27th, 2020. In mid-May 2020 a roof repair permit was submitted to the Town. Due to the illegal occupancy and the fact that no Special Exception application was even filed – let alone processed or reviewed and approved – the Town held off issuing any permits. After the building was vacated and the revised acceptable letter was received, the Town staff approved the re-roofing permit for safety repairs. Lastly, On July 22nd, 2020 a Building Permit application was made for a "dry run" staff review. Some of the Building Dept. technical discipline staff have reviewed the plans. As the "contractor shop" use approval is uncertain, MMPA feels it is premature to review any plans other than the Site Development Plans that are required to be submitted with the Special Exception application – but have not been submitted to date. Our office has entered a denial in the Town's Building Permit system for the reason stated herein.

**5311 Park Property, LLC
Special Exception Application – Contractor Shop
5311 SW 25th Court
August 14th, 2020
Page 3**

MMPA has reviewed the initial submittal package and finds the application package “Incomplete” at this time, as several minimum submittal requirements have not been presented. Listed below are the missing documents necessary to complete our analysis of this request.

Required Information:

Special Exception application package is missing the following information:

- Per the Special Exception application form – Two (2) copies of a current survey (24" x 36") are required (new / updated within last 6 months). No surveys were submitted with the application. In December 2019 one (1) copy of a survey was submitted for our review. Please submit a second survey as required for the Town's records.
- Per Sec. 28-83(2) and per the Special Exception application form full-size (24" x 36") Site Development Plans (site layout / building elevation plans / floor plans), Landscape Plan and Buffer Plan are required to be submitted with the application. As you know from our conversations several features of the existing site do not comply with current day Code requirements. One of the key features of the Town's C-1 District and the Special Exception review process is to require older sites to upgrade to the degree possible to meet current day requirements. There were no Site Development Plans submitted as required. At this earlier stage of review the Town will require four (4) copies for initial staff reviews. This is not the same as but similar to the plans recently submitted to the Building Dept. for early review. As we discussed there will be mandatory requirements screen any outdoor storage yards. In addition the existing parking lots will need to be modified, including the addition of landscaping (trees / shrubs). See the attached Site Development Plan Checklist for required types of documents.
- Per Sec. 28-38(2) – A narrative with a description of the intended use(s) is required. If a company brochure is available please include that as well. No information was submitted.
- Per Sec. 28-38(2) – A description of the proposed hours of operation. No information was submitted. Due to the existence of single-family homes to both the north / south of the site this is important.
- Per Sec. 28-38(2) – Proposed use limitations. No information was submitted. For example, what will be stored outdoors (types of vehicles / materials / other items that may extend higher than the new decorative concrete buffer wall that is required to be built; the proposed uses within the building (i.e. offices / storage / repairs / etc.). Need a floor plan of the building (offices / repairs / etc.).

**5311 Park Property, LLC
Special Exception Application – Contractor Shop
5311 SW 25th Court
August 14th, 2020
Page 4**

Preliminary Site Plan Comments:

In addition to the above minimum submittal requirements, our initial review of the application revealed several issues. We are providing these early comments for your information. Please address these preliminary comments prior to formal submittal of the Site Development Plan.

- 1) The site was annexed into the Town in 1977 as a fully developed site. Many of the existing site features are non-conforming (setbacks / parking / drainage / landscaping / etc.). It is the intent of the Town that any C-1 District re-development plans improve the sites and cure as many Code issue as possible.
- 2) There is Site Data Table on the early Building Permit plans – this must be added to those plans. Please ensure a Site Data Table with all required information on the Checklist is included on the Site Development Plan. For informational purposes the Town's Comprehensive Plan Future Land Use Map (FLUM) designate is "C" Commercial. The Zoning District classification is C-1 Heavy Commercial.
- 3) The early Building Permit plans state in the Title Block that the work will be for only "interior" work; however, the plans appear to include both interior and exterior work to the building facades, site layout and landscaping. Please revise the BP plans and title the Site Development Plans properly.
- 4) There are no off-street parking calculations on the early Building Permit plans - this must be added to those plans. This information is required to be on the Site Development Plans submitted with the Special Exception. Based on our initial review of the early Building Permit plans there appears to be 2,754 sq. ft. in the building. Of that 1,731 sq. ft. appears to be for offices while 1,023 sq. ft. appears to be for storage / warehouse areas. Based on the Town Off-Street Parking Code this will require eight (8) parking spaces (1,731 sq. ft. @ 1:300 sq. ft. office = 5.77 spaces / 1,023 sq. ft. @ 1:600 sq. ft. = 1.70 spaces = total 7.475 space rounded to 8). The plans show ten (10) parking spaces including one ADA space – but you may lose some spaces as noted below.
- 5) The early Building Permit plans show normal parking stall sizes at 9' in width x 18' in depth. Since 1973 the Town Code has required parking stall sizes to be 10' in width x 20' in depth. Additionally, the ADA space must be 12' in width x 20' in depth. No exceptions or variances allowed.

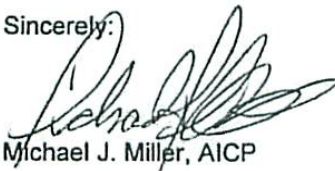
- 6) Sec. 28-208.3 requires a min. 8' tall "decorative" concrete buffer wall for any outdoor storage areas (SW 25th Street areas) with a 5-foot wide landscape strip on the outside of the wall facing the single-family homes in the neighborhood. Within the landscape strip shade trees and shrubs are required. The existing chain-link fence is unacceptable. The submittal package must include a detail of the proposed buffer wall / landscaping design. The early Building Permit plans show a plain CBS wall with no stucco finish or any decorative features. The wall design must be updated to include bands, a cap, columns, etc. See other sites.**
- 7) The design of the existing parking lot on SW 25th Court does not comply with current day requirements. Parking cannot back out directly onto a street – it must occur from a internalized parking lot with a designated driveway(s). Two-way driveways are 24' wide minimum (shows 22'). One-way driveways are 15' minimum (shows 12') per Sec. 13.5 and the BC Land Development Code (5-195) the Town Code references. The proposed two-way driveway to SW 25th Street shows a width of 15'. Must be 24' wide minimum. The one-way northbound driveway may become a convenient / safety nuisance for you and neighborhood. You might want to reconsider that design or gate it off for security.**
- 8) Landscape strips (5' wide min.) are required between the roads (property lines) and on-site parking spaces. There are no dimensions on some of the site features showing compliance. Please add more dimensions for all site features. On interior lot lines required landscape strips must be at least 2.5' in width. The Town is not supposed to guess or have to scale the plans.**
- 9) Where will the dumpster / enclosure be located on the site? The dumpster must be large enough for service and accessible for trucks. No dumpster is noted on the early Building Permit plans submitted. A dumpster / cans cannot be left in the open – must be in a walled-in CBS enclosure (see Town dumpster detail).**
- 10) This site must proved at least 20% open space landscaping per Sec. 13.5-38. It appears the site exceeds that percentage now as the entire north and western areas of the site are grassed. Need calculations.**
- 11) What are the types of busines trucks for the proposed use and where will they be parked? Please indicate the types and sizes (pick-up / box / flatbed / other) of trucks / trailers / etc. Within the parking areas between the building and adjoining streets only employee vehicles should park. All trucks should be placed indoors or the storage yard that is screened. Nothing (vehicles / equipment / materials can ever extend higher than the buffer wall. And never parked / stored on parking spaces.**

5311 Park Property, LLC
Special Exception Application – Contractor Shop
5311 SW 25th Court
August 14th, 2020
Page 6

12) Landscaping – The early Building Permit plan Sheet SP-2 needs to be re-labeled as L-1 Landscaping. Within each landscape area along SW 25th Court a shade tree is required in addition to a continuous shrub row (shrubs 24" tall / 24" on center at planting min. – not 18"). Silver Buttonwood small trees (12' tall x 5' spread) are OK. Along the outside of the buffer wall along SW 25th Street need to add shade trees in addition to the continuous shrub row at 1 per 20 foot separation. In the SW 25th Street roadway swale you must install Street Trees – one in each landscape area between the driveways. See neighboring 5301 SW 25th Street next door for planting pattern. Silver Buttonwood trees (12' tall x 5' spread) are OK as there are FPL lines overhead and species is restricted.

MMPA has attempted to list the missing informational items and address initial design and operational issues for this application. Please feel free to contact my offices directly at 954-757-9909 to discuss the issues or answer questions. Once we receive the missing information and find the application "complete" we will schedule the items for public meetings.

Sincerely:



Michael J. Miller, AICP
Consultant Town Planner

CC: J.C. Jimenez - Town Manager
Miguel Nunez - Building Official
Daniel Ortiz – Town Engineer

October 28, 2020

Town of Pembroke Park
Special Exception Application Review Comments

Preliminary Site Plan Comments and Answers

The below answers are related back to the comment numbers provided by the MMPA on August 14, 2020

1. No comment, informative
2. Site data table provided on sheet SP-2
3. The title block on the Architectural drawings is relative to the work sheet, scope of work is for interior and exterior improvements please refer to the entire scope of work on sheet A0.0
4. Off Street Parking Calculations are provided on sheet SP-1
5. Parking size revised to appropriate Town code of 10'x20' and 12'x20' for ADA see sheet SP-1
6. See wall details on sheet SP-3 with stucco, columns and bands sheet SP-3
7. Driveways have been revised to 24" wide for 2 way and 15' for one way. Drive lanes have also been revised per code. See Sheet SP-2 Proposed Site Plan
8. Additional dimensions have been added to the site plan to show that min requirements have been met. See Sheet SP-2 Proposed Site Plan
9. See Sheet SP-2 Proposed Site Plan for dumpster location, the same is closed off from R/W view therefore no enclosure has been provided
10. See Sheet SP-1 Site Data Table. In order to achieve the previous area total we have incorporated the use of Pervious concrete into the design, as stated on the preliminary review item #1 we have attempted to improve the site and cure as many code issues as possible.
11. The business is a construction Office all vehicles will go home at the end of the day, some equipment might be stored inside the building and the possible overnight storage of a small truck Ford F350 could be stored in the storage yard behind the buffer wall. This will not affect Parking Spaces.
12. Please refer to the changes made to L-1 Landscaping as we have addressed all the comments.

Should you have any questions regarding these plans please do not hesitate to contact us at your earliest convenience. We are eager to have this project move forward and proceed with the building permits as this will also continue to beautify the neighborhood.

Please see next pages for information provided by the owner as required in Special Exception Package.

Sincerely
DDSM Consulting LLC

Dario A Herrero PE
CA#28875

M. A. Construction Group is an asphalt paving company & commercial general contractor serving Miami-Dade County, Broward County and all of South Florida.

We provide asphalt & paving services, seal coating, striping, patching and repairs. We also offer commercial concrete paving, curbing, sidewalk installation and repair.

Our general construction division specializes in commercial leasehold improvements, tenant build outs, renovations and repairs, along with foreclosed property repairs.

We can help your business with disabled ramps and ADA compliance, code violations and expired permits, hurricane disaster and recovery.

The building at 5311 SW 25th Court will be used for the administrative offices of the company. We will perform materials testing for our concrete division and store the cylinders inside the warehouse. Our hours of operation will be from 8:00 AM to 6:00 PM Monday through Friday. Parking will be provided for employees during the day with only one vehicle will be parked outdoors overnight. This vehicle is our drill rig, the height of which is 7'2" and will be parked behind the required concrete block wall.