

City of Pembroke Pines Planning & Economic Development Department 601 City Center Way 3rd Floor Pembroke Pines FL, 33025

Summary

Agenda Date:	February 13, 2025	Application ID:	ZC2024-0004
Project:	Village of Mayfair	Project Number:	PRJ2024-0017
Project Planner:	Cole Williams, Senior Planner	Enacting Document:	☐ Resolution☒ Ordinance
Owner:	Raintree at Pines LLC	Agent:	Manuel Synalovski
Acreage:	+/- 9.9 acres	Commission District:	1
Location:	Located at the northwest c	orner of Pembroke	Road and Hiatus Road
Existing Zoning:	B-3 (General Business) with restrictive covenants	Proposed Zoning:	C-1 (Commercial) with restrictive covenants
Existing Land Use:	Commercial (Flexibility Rule Applied)	Proposed Land Use:	Commercial (Flexibility Rule Applied)
Reference Applications:	SP2021-08, SP2020-09, ZV 2020-08, SP 2017-03, ZV 2017-02, ZV 2017-03, ZV 2017-04, ZV 2017-14, ZC 2017-02, SP 2015-01, SP 2014-22, MSC 2010-07, SP 2008-02, MSC 2007-71, SP 2006-53, ZC 2005-06, ZC 2005-07, ZC 2003-02, AM 2003-07		
Applicant Request:	Rezone a +/-9.9 acre parcel from B-3 (General Business) with restrictive covenants to C-1 (Commercial) with updated restrictive covenants		
Transmit to the City Commission with a favorable recommendation for zoning change amending the restrictive covenants.			
Final:	□Planning & Zoning Board	⊠City Commissio	on
Reviewed for the Agenda:	Director:	Assistant Directo	or: (34)

Project Description / Background

Manuel Synalovski, agent, requests consideration to rezone a +/- 9.9 acre property located at the northwest corner of Pembroke Road and Hiatus Road from B-3 (General Business) with restrictive covenants to C-1 (Commercial) with updated restrictive covenants.

Currently, a commercial shopping center with a Wawa gas station exist on site. The City Commission approved the base site plan for the shopping center (SP 2006-53) at its April 18, 2007 meeting. Modifications to the site plan were made in 2007, 2008 and 2010, 2014 and 2015 (SP2015-01). The Wawa gas station was approved in 2017 through SP2017-03.

The City Commission has approved the following zoning changes for the property:

- February 15, 2006 rezoning of the underlying property from R-6 (Hotel) to B-2 (General Business) with associated commercial flexibility conversion (Ordinance 1537). That rezoning approval included a restrictive covenant which restricted certain B-2 uses on the property.
- March 18, 2009, amended to the restrictive covenants (Ordinance 1636) to allow daycare facilities over 5,000 square feet within the list of approved uses.
- May 17, 2017 rezoning of the underlying property from B-2 (Community Business) to B-3 (General Business) with amended restrictive covenants (Ordinance 1878). The amended restrictive covenants allow for:
 - o Only gasoline station use within the B-3 use list
 - o B-2 (Community Business District) restricted uses.

Previously, an office building was approved for the westernmost vacant parcel. The office building was never constructed, and now the applicant wishes to construct a self-storage facility on the site. Self-storage requires Commercial (C-1) zoning. Therefore, self-storage cannot be permitted on this site under current restrictions.

To rectify this issue, the applicant proposes a zoning change with modified restrictive covenants to allow the following:

- Self-storage from C-1 uses
- All B-3 uses

In addition to the restriction of the uses, the applicant is proposing that the self-storage facility built on the Commercial Parcel shall not exceed a maximum height of sixty-five (65) feet, excluding parapets, architectural facades, decorative features and/or any screening, air conditioning or other items located on any structure.

A site plan application for a self-storage will be heard by the Planning and Zoning Board at a later date should the zoning change be adopted.

SURROUNDING PROPERTIES:

The existing zoning and land use plan designations of the surrounding properties to the subject site are as follows:

North - Planned Unit Development (PUD) / Irregular Residential 5.52 du/acre

East - Apartment (R-4) / Commercial (Flex to Residential)

South - Pembroke Road / City of Miramar

West - Planned Unit Development (PUD) / Irregular Residential 5.52 du/acre

ANALYSIS:

Staff has reviewed the use proposed on the subject site and finds it generally compatible with the existing shopping center and gas station (B-3 Use). The restrictive covenant for self-storage use is consistent with the underlying commercial land use and represents a reduction in trips compared to office use that was previously approved for the site. Staff therefore has no objection to the proposal.

Staff Recommendation: Transmit to the City Commission with a favorable recommendation inclusive of restrictive covenant.

Enclosures: Unified Development Application

Declaration of Restrictions

Conceptual Plan

Subject Site Aerial Map



City of Pembroke Pines Planning and Economic Development Department **Unified Development Application**

Planning and Economic Development

City Center - Third Floor 601 City Center Way Pembroke Pines. FL 33025

have a pre-application	n of this application, the applicant must meeting with Planning Division staff d project submittal and processing
Pre Application Meetin	ng Date:
# Plans for DRC	Planner:

Phone: (954) 392-2100 http://www.ppines.com	requirements.	
nttp://www.ppines.com	Pre Application Meeting Date:	
	# Plans for DRC Planner:	
Indicate the type of application you are	e applying for:	
☐ Appeal*	☐ Sign Plan	
☐ Comprehensive Plan Amendment	☐ Site Plan*	
☐ Delegation Request	☐ Site Plan Amendment*	
☐ DRI*	☐ Special Exception*	
☐ DRI Amendment (NOPC)*	☐ Variance (Homeowner Residential)	
Flexibility Allocation	☐ Variance (Multifamily, Non-residential)*	
☐ Interpretation*	Zoning Change (Map or PUD)*	
☐ Land Use Plan Map Amendment*	Zoning Change (Text)	
☐ Miscellaneous	Zoning Exception*	
☐ Plat*	Deed Restriction	
INSTRUCTIONS:		
1. Ali questions must be completed on	this application. If not applicable, mark N/A.	
2. Include all submittal requirements / attachments with this application.		
 All applicable fees are due when the application is submitted (Fees adjusted annually). Include mailing labels of all property owners within a 500 feet radius of affected site with 		
signed affidavit (Applications types marked with *).		
5. All plans must be submitted no later than noon on Thursday to be considered for		
Development Review Committee (DRC) review the following week. 6. Adjacent Homeowners Associations need to be noticed after issuance of a project		
number and a minimum of 30 days before hearing. (Applications types marked with *).		
7. The applicant is responsible for addressing staff review comments in a timely manner.		
Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.		
8. Applicants presenting demonstration boards or architectural renderings to the City		
Commission must have an electron	ic copy (PDF) of each board submitted to Planning	
Division no later than the Monday p	receding the meeting.	
Staff Use Only		
Project Planner: Project #: PRJ 20 Application #:		
Date Submitted:// Posted Signs Required: () Fees: \$		

SECTION 1-PROJECT INFORMATION:
Project Name: Villege of Play Pair
Project Address: NW Corner of Hiatus Road and Rubroke Road
Location / Shopping Center:
Acreage of Property: 9.975 Acres Building Square Feet: 4.55,991 St developed 1
Flexibility Zone: Folio Number(s): 5/40 24 02 0000 no6/ 0062
Plat Name: levebroke lakes Jouth Traffic Analysis Zone (TAZ):
Legal Description: All is Tract & 3 of Pembroke Lakes South (F.E.119, Fg.1) Brown Covary (FL tog that with the following describe percel (Fait G.2)
said lands lynes to the City of Pendrote Prois, Brown Court,
Florida and infairing 4- 935, 492 St (9.9975 Auses)
Has this project been previously submitted?

Date Application Request Action Resolution / Conditions of Approval

Perpetual Left South Plat (Original Plat)

2004

Walley of Hayfait (Sife Plan Regolution)

2016

Date Repussion (Sife Plan Regolution)

Flefy Crost Expansion (Boilding 6-B)

Revisions for Play are (Building 7)

Revisions for Play are (Building 7)

Describe previous applications on property (Approved Variances, Deed Restrictions, etc...) Include previous application numbers and any conditions of approval.

SECTION 2 - APPLICANT / OWNER / AG	ENT INFORMATION
Owner's Name: Remtree of	Pries LLG
Owner's Address: 6540 Firt	Tropical Way, Plantedon, FL 3.
Owner's Email Address:	nstein com
Owner's Phone: 954 804.35/5	Owner's Fax:
Agent: Manue/Synalde	ski
Contact Person: Wanny Synal.	nys/ci
Agent's Address: 6540 Fact TH	picel Way, Plantifing FC 333/7
Agent's Email Address: Maunuams	kem.com
Agent's Phone: 954.864.35/15	Agent's Fax:
All staff comments will be sent direct writing from the owner.	ly to agent unless otherwise instructed in
SECTION 3- LAND USE AND ZONING IN	FORMATION:
OROHOUT BUILD CONTINUE TOWNS IN	
EXISTING	PROPOSED
*	
EXISTING	PROPOSED
Zoning: Land Use / Density: Use:	PROPOSED Zoning: Land Use / Density: Use:
EXISTING Zoning: Land Use / Density:	PROPOSED Zoning: Land Use / Density:
Zoning: Land Use / Density: Use:	PROPOSED Zoning: Land Use / Density: Use:
EXISTING Zoning:	PROPOSED Zoning: Land Use / Density: Use: Plat Name: Peus broke lake Josh
EXISTING Zoning:	PROPOSED Zoning: Land Use / Density: Use: Plat Name: Pewbroke lake Josh Plat Restrictive Note:
EXISTING Zoning:	PROPOSED Zoning: Land Use / Density: Use: Plat Name: Pewbroke lake Josh Plat Restrictive Note: B-3 Uses + Self Storye
EXISTING Zoning:	PROPOSED Zoning:
EXISTING Zoning:	PROPOSED Zoning:

-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-SECTION 4 - VARIANCE • ZONING APPEAL • INTERPRETATION ONLY Application Type (Circle One): OVariance OZoning Appeal OInterpretation Related Applications: Code Section: Required: Request: Details of Variance, Zoning Appeal, Interpretation Request: SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY ☐ City and County Amendment City Amendment Only Existing City Land Use: _____ Requested City Land Use: Existing County Land Use:

Requested County Land Use:

SECTION 6 - DESCRIPTION OF PROJECT (attach additional pages if necessary)

Proposed Regioning from cutyent B3 to G-1 in order to develop a four (+) story Self-Storage tecility. Said Self-Storage tecility will not exceed 50! A declaration of testrictive commants shall be amended and tertified as follows:
"Afthough romed G-1, the posturited was on the Property stall be limited to self-storage allowed by the "storage were house" category muder G-1 District and all uses pointly in the D-3 District."

SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

all information supplied herein is true and correct to the best of my knowledge.
12/26/2024
Signature of Owner MANUEL (I) Date /
THE DE ENTINE
Sworn and Subscribed before me this 26 day
= : 00 180854 :
of
OF FLORILING
N/c (Ver/len) 9.30.25
Fee Paid Signature of Notary Public My Commission Expires
AGENT CERTIFICATION
This is to prediffer that I am the execut of the property owner described in this application
This is to certify that I am the agent of the property owner described in this application and that all information supplied herein is true and correct to the best of my knowledge.
12/26/2024
Signature of Agent MANJEL SINALOVSK! Date / /
TARRED TARREST
Sworn and Subscribed before me this 26 day
of
OF FLOREIGN
NIC Sullen 9-30-25

Waiver of Florida Statutes Section 166.033, Development Permits and Orders
Applicant: Paintrees of PMS LLC
Authorized Representative: Manuel Synafouske
Application Number:
Application Request:
of <u>Perserverses</u> (print Applicant/Authorized Representative name), on behalf procedural requirements of Florida Statute Section 166.033 as the provisions of said statute apply to the above referenced application, including, but not limited to the following:
 a. 30-day requirement for Applicant Response to Staff determination of incompleteness as described in DRC Comments and/or Letter to Applicant;
b. 30-day Staff review of Applicant Response to DRC Comments and/ or Letter to Applicant;
c. Limitation of three (3) Staff Requests for Additional Information;
d. Requirement of Final Determination on Applicant's application approving, denying, or approving with conditions within 120 or 180 days of the determination of incompleteness, as applicable.
Signature of Applicant or Applicant's Date Date Authorized Representative Print Name of Applicant/Authorized Representative

This Instrument Was Prepared By:

Dwayne L. Dickerson, Esquire Miskel Backman, LLP 14 S.E. 4th Street, Suite 36 Boca Raton, FL 33432

Record and Return To:

Dwayne L. Dickerson, Esquire Miskel Backman, LLP 14 S.E. 4th Street, Suite 36 Boca Raton, FL 33432

SPACE ABOVE, THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

FOURTH AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS

THIS FOURTH AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS ("Amendment") is made as of the ____ day of ______, 2025 by V & H Development Corp., a Florida corporation, having an address of 111 SW 3rd Street, Penthouse, Miami, FL, 33130 ("V&H"), Imperial Hornet Developers Florida, LLC, a Deleware limited liability company, having an address of 916 South Gretna Green Way, Los Angeles, CA, 90049 ("Imperial"), Ocean Bank, a Florida banking corporation, having an address of 780 NW 42nd Avenue, Suite 601, Miami, FL, 33126 ("Ocean Bank"), Flaky Crust Properties, LLC, a Florida limited liability company, having an address of 1458 South Hiatus Road, Pembroke Pines, FL, 33025 ("Flaky Crust"), Raintree at Pines "LLC", a Florida limited liability company, having an address of 7027 West Broward Boulevard, Suite 324, Fort Lauderdale, FL, 33317 ("Raintree") and Elite Realty Group Consultants, LLC, a Florida limited liability company, having an address of 2200 North Ocean Boulevard, Suite 1201, Fort Lauderdale, FL 33305 ("Elite") collectively hereinafter referred to as the "Owners".

WITNESSETH

WHEREAS, that certain Declaration of Restrictive Covenants was recorded in Official Records Book 42392, Pages 1952-1972 and the Corrective Declaration of Restrictive Covenants (the "Corrective Declaration") dated June 4, 2007 and recorded June 20, 2007 in Official Records Book 44218, Page 1631, as amended by that certain First Amendment to Declaration of Restrictive Covenants (the "First Amendment") dated January 23, 2013 and recorded January 25, 2013 in Official Records Book 49450, Page 410, as further amended by that certain Second Amendment to Declaration of Restrictive Covenants (the "Second Amendment") dated October 10,2013 and recorded October 21, 2013 in Official Records Book 50269, Page 1959, as further amended by City of Pembroke Pines Ordinance No. 1636, as further amended by that certain Third Amendment to Declaration of Restrictive Covenants (the "Third Amendment") dated October 31, 2017 and recorded November 1, 2017 as Instrument Number 114698090 (collectively, the "Declaration") each of the Public Records of Broward County, Florida, under the terms of which certain real

property more particularly described in the Declaration was subjected to the covenants, conditions, easements, reservations and restrictions set forth in the Declaration; and

WHEREAS, the Owners, collectively, own all of the Commercial Parcel as defined in the Declaration consisting of approximately 9.99 acres (+/-) of land in Pembroke Pines, Florida which is located in Broward County, Florida; and

WHEREAS, the City Commission approved an amendment to the City's Zoning Map on June 21, 2017 pursuant to Ordinance No. 1878 to change the zoning designation of the Commercial Parcel from "B-2 Community Business" to "B-3 General Business," to allow for the development of a convenience store and gas station facility on a 1.75 acre (+/-) portion of the Commercial Parcel; and

WHEREAS, the City Commission further approved an amendment to the City's Zoning Map on ______ pursuant to Ordinance No. ______ to change the zoning designation of the Commercial Parcel from "B-3 General Business" to "C-1 Commercial," to allow for the development of a self-storage facility on a 3.57 acre (+/-) portion of the Commercial Parcel; and

WHEREAS, pursuant to Paragraph 3 of the Declaration, the Declaration may be amended by written instrument executed by the current owner or owners of the Commercial Parcel together with the approval of the City Commission; and

WHEREAS, as a result of the City Commission's actions to change the zoning designation of the Commercial Parcel from "B-3 General Business" to "C-1 Commercial," Owners desire to amend the Declaration as hereinafter provided.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, Owners hereby agree to amend the Declaration as herein provided:

- 1. <u>Recitals; Defined Terms</u>. The recitals set forth above are true and correct in all respects and are incorporated into this Amendment by reference as if set forth in this Amendment verbatim. Defined (capitalized) terms which are used in and are not otherwise defined in this Amendment shall have the meaning set forth in the Declaration.
- 2. <u>Conflicts.</u> In the event that there is a conflict between this Amendment and the Declaration, this Amendment shall control. Whenever possible, this Amendment shall be construed as a single document. Except as modified by this Amendment, the Declaration shall remain in full force and effect.
- 3. <u>Paragraph 2(B)</u>. Paragraph 2(B) of the Declaration is deleted in its entirety and the following inserted in lieu thereof:
 - (B) The Commercial Parcel, for as long as the Commercial Parcel is zoned C-1, shall be restricted as follows:
 - (1) Except as otherwise provided in this subsection (B), the Commercial Parcel may be used for a self-storage facility as such use is permitted by the

"storage warehouse" use category in the City's "C-1 Commercial" zoning district and for all uses permitted in the "B-3 General Business" zoning district and not prohibited in subsection (3) below.

- (2) The only "C-1 Commercial" permitted use shall be for a self-storage facility, and no other "C-1 Commercial" use will be permitted unless otherwise permitted in the "B-3 General Business" district.
- (3) The Commercial Parcel will be used in accordance with the uses permitted in the "B-3 General Business" zoning district; however, the following permitted "B-3 General Business" uses shall be prohibited:
 - (a) Sewage or water treatment plants; and
 - (b) Shooting galleries; and
 - (c) Bars, taverns, music halls and pool/billiard rooms as a primary use (however, this restriction shall not apply to restaurants that also serve alcoholic beverages); and
 - (d) Amusement devices such not prohibit penny arcades that are an ancillary use to a primary uses including, but not limited to, restaurant use); and
 - (e) Drive-in theaters; and
 - (f) Nightclubs; and
 - (g) Day care facilities such as day nurseries or day care schools that occupy less than five thousand (5,000) square feet of interior floor area; and
 - (h) Churches or church schools, and uses accessory thereto; and
 - (i) Games of skill and science; and
- (4) The self-storage facility built on the Commercial Parcel shall not exceed a maximum height of sixty-five (65) feet, excluding parapets, architectural facades, decorative features and/or any screening, air conditioning or other items located on any structure. All other buildings built on the Commercial Parcel shall not exceed two (2) stories, excluding parapets, architectural facades, decorative features and/or any screening, air conditioning or other items located on any structure.
- 4. Except as expressly modified herein, the Declaration shall remain in full force and effect and is not otherwise amended.
- Miscellaneous. This Amendment cannot be modified or terminated except by written agreement executed by the then owner or owners of the Commercial Parcel as provided in the Declaration together with the approval of the City Commission. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original. The terms, conditions and provisions of the Declaration are, except as modified herein, ratified and confirmed, and this Amendment supersedes all prior agreements and understandings, both written and oral with respect to the matters set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Declaration of Restrictive Covenants on the day first above written.

Witnesses:	V & H Development Corp., a Florida corporation
By:	Ву:
Print Name:	Print Name:
By:	Title:
Print Name:	
STATE OF) SS: COUNTY OF)	
the foregoing instrument was acknowledged of V & H Developing	before me by, as ment Corp., a Florida corporation, and on behalf of brity duly vested in him, () who is personally
My Commission Expires:	Notary Public — State of Florida at Large
(SEAL)	Printed Name of Notary Public

Print Name: Print N	Name:
· · · · · · · · · · · · · · · · · · ·	
By: Title:	
Print Name:	
STATE OF) SS: COUNTY OF)	
I HEREBY CERTIFY that on this day of an officer duly authorized in the State aforesaid and in the Country the foregoing instrument was acknowledged before of Imperial Hornet Development in the Country of Imperial Hornet Development of the company, freely and him, () who is personally known to me of Driver's License as identification	County aforesaid to take acknowledgement, me by, as opers Florida, LLC, a Deleware limited d voluntarily under authority duly vested in r () who has produced his/her
My Commission Expires: Notary	Public — State of at Large
Printed (SEAL)	d Name of Notary Public

Witnesses:	Ocean Bank, a Florida banking corporation
By:	Ву:
Print Name:	Print Name:
By:	Title:
Print Name:	
STATE OF) SS: COUNTY OF)	
the foregoing instrument was acknowledged of Ocean Bank, a	and in the County aforesaid to take acknowledgement, defere me by, as a Florida banking corporation, and on behalf of the duly vested in him, () who is personally known
My Commission Expires:	Notary Public — State of Florida at Large
(SEAL)	Printed Name of Notary Public

Witnesses:	Flaky Crust Properties, LLC, a Florida limited liability company
By:	By:
Print Name:	Print Name:
By:	Title:
Print Name:	
STATE OF) SS: COUNTY OF)	
COUNTY OF)	
the foregoing instrument was acknowledged of Flaky Curst Property on behalf of the company, freely and voluntarily	of, 20, before me, d in the County aforesaid to take acknowledgement, before me by, as erties, LLC, a Florida limited liability company, and under authority duly vested in him, () who is sed his/her Florida Driver's License as identification.
My Commission Expires:	Notary Public — State of Florida at Large
(SEAL)	Printed Name of Notary Public

Witnesses:	Raintree at Pines "LLC", a Florida limited liability company	
By:	By:	
Print Name:	Print Name:	
By:	Title:	
Print Name:		
STATE OF) SS: COUNTY OF)		
COUNTY OF		
I HEREBY CERTIFY that on thisday of, 20, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgement, the foregoing instrument was acknowledged before me by, as of Raintree at Pines "LLC", a Florida limited liability company, and on behalf of the company, freely and voluntarily under authority duly vested in him, () who is personally known to me or () who has produced his/her Florida Driver's License as identification.		
My Commission Expires:	Notary Public — State of Florida at Large	
(SEAL)	Printed Name of Notary Public	

Witnesses:	a Florida limited liability company
By:	By:
Print Name:	Print Name:
By:	Title:
Print Name:	
STATE OF) SS:	
COUNTY OF	
I HEREBY CERTIFY that on thisday of an officer duly authorized in the State aforesaid and i foregoing instrument was acknowledged beof Elite Realty Group of Elite Realty Group of the company, freely and voluntarily under authors to me or () who has produced his/her Florian transfer for the company of	n the County aforesaid to take acknowledgement, the fore me by
My Commission Expires:	Notary Public — State of Florida at Large
(SEAL)	Printed Name of Notary Public

CITY

WITNESSED BY:	CITY OF PEMBROKE PINES, a Florida municipal corporation
	By:
Print Name:	Print Name: <u>ANGELO CASTILLO</u>
	Title:MAYOR
Print Name:	
ATTEST BY:	
DEBRA ROGERS, CITY CLERK	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	
CITY ATTORNEY	K.
STATE OF) SS: COUNTY OF)	
The foregoing instrument was acknowledged before ANGELO CASTILLO and a MAYOR	re me thisday of, 2025, by of CITY OF PEMBROKE PINES, a Florida municipal personally known to me or who has produced a driver's
My Commission Expires:	Notary Public — State of Florida
(SEAL)	Printed Name



