RESOLUTION NO. 24R-01-11

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO HEALTH HOLDINGS COMPANY, LLC D/B/A PALM MEDICAL CENTERS A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERICAL (CG), ZONING DISTRICT AN OFFICE, MEDICAL WITH CONTROLLED SUBSTANCE PROVIDER, USE IN A 1,500 SQUARE FEET UNIT WITHIN A +/- 10,347 SQUARE FEET SITE LEGALLY DESCRIBED AS LOT 6 OF CITY SHOPPES PLAT AS RECORDED IN PLAT BOOK 107 PAGE 44 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND MORE COMMONLY KNOWN AS 7351 W. OAKLAND PARK BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this property is zoned General Commercial (CG) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the General Commercial (CG) zoning district by Special Exception approval only; and

WHEREAS City Staff recommends that the City Commission vote IN FAVOR OF of this Special Exception Use Development Order request, subject to the following conditions;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1.   The Special Exception Use Order of Health Holdings Company, LLC. d/b/a Palm Medical Centers to allow in the General Commercial (CG) Zoning District an office, medical, with controlled substance practitioner use in a 1,500 square feet unit within a +/- 10,347 square feet site legally described herein and as more commonly known as 7351 West Oakland Park Blvd., Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This Special Exception Use Development Order allows for no controlled substance prescriptions to anyone other than a patient in connection with a medical procedure performed or to be performed.

2. The Office, Medical, with Controlled Substance Provider use is restricted to a total of 1,500 square feet as indicated in the lease agreement. The expansion, alteration, enlargement or removal to another location of this use is prohibited and shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is

without authority to allow the expansion, enlargement, reduction or removal of the use to another location.

3. This Special Exception Use Development Order for Office, Medical with Controlled Substance Provider shall be specifically granted to HEALTH HOLDINGS COMPANY, LLC and shall cover the licensed practitioners of HEALTH HOLDINGS COMPANY, LLC (to include both employee practitioners and independent contractors working for HEALTH HOLDINGS COMPANY, LLC) where for clarification, such independent contractor bills under the billing number of HEALTH HOLDINGS COMPANY, LLC and the patients are patients of record of HEALTH HOLDINGS COMPANY, LLC, and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision. Further, this special exception use development order shall automatically expire and become null and void if any entity other than HEALTH HOLDINGS COMPANY, LLC operates the medical space. All practitioners, employees, agents and independent contractors are subject to and covered by the express terms and conditions of the Special Exception Use Development Order.

4. The general days and hours of operation are five (5) days a week, Monday through Friday 8:00 a.m. to 5:00 p.m., Saturdays and Sundays are closed. Any increase in hours of operation is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.

5. HEALTH HOLDINGS COMPANY, LLC shall be required to comply with, and operate in accordance with, all standards and requirements by the State of Florida, the Florida Board of Medicine, and the City when operating a Medical Office with Controlled Substance Practitioner.

6. Complaints to Code Enforcement, Police or the Florida Board of Medicine may cause the SEU approval to be reviewed by the City Commission for possible revocation.

7. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both.

8. If there are any code enforcement violations or liens, this Special Exception Use Development Order may be brought before the City Commission to be reconsidered, at which time the development order, or the conditions of approval, may be subject to modification, suspension and/or revocation.

9. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a development permit or site plan approval is applied for within the one hundred eighty-day period.

10. If a use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire.

11. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2024.

PASSED AND ADOPTED on first reading this _____ day of _____, 2024.

_____
PRESIDING OFFICER

ATTEST:

_____
CITY CLERK

MOTION   _____
SECOND   _____

M. DUNN   _____   Approved as to Form
D. GRANT   _____
L. MARTIN   _____
S. MARTIN   _____   _____
K. THURSTON   _____   Angel Petti Rosenberg
                                                                City Attorney