



City of Lauderhill

City Commission
Chambers at City Hall
5581 W. Oakland Park
Blvd.
Lauderhill, FL, 33313
www.lauderhill-fl.gov

File Details

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File Created: 10/23/2024

File Name:

Final Action:

Title: RESOLUTION NO. 24R-10-263: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING DENTAL BLUSH SUNRISE A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A DENTAL OFFICE, WHICH INCLUDES A MEDICAL PROVIDER AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCES, ON A 3.86± ACRE SITE LEGALLY DESCRIBED AS "CITY OF LAUDERHILL SECTION 1" A PORTION OF TRACT G, AS RECORDED IN PLAT BOOK 81, PAGE 4 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 4581 N. UNIVERSITY DRIVE, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Notes:

Sponsors:

Enactment Date:

Attachments: RES-24R-10-263-Special X - Dental Blush.pdf, Attachment A - Application Submittal, Attachment B - Narrative, Attachment C - Floor Plan Sketch, Attachment E - Public Notice Affidavit

Enactment Number:

Contact:

Hearing Date:

* **Drafter:** dkeester@Lauderhill-fl.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 24R-5952

RESOLUTION NO. 24R-10-263: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING DENTAL BLUSH SUNRISE A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO

ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A DENTAL OFFICE, WHICH INCLUDES A MEDICAL PROVIDER AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCES, ON A 3.86± ACRE SITE LEGALLY DESCRIBED AS “CITY OF LAUDERHILL SECTION 1” A PORTION OF TRACT G, AS RECORDED IN PLAT BOOK 81, PAGE 4 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 4581 N. UNIVERSITY DRIVE, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Request Action:

Consider a Special Exception Use with conditions for a medical office with controlled substance providers for a dental office, as requested by Dental Blush Sunrise, on a site approximately 3.86 acres in size at the subject property west of North University Drive , between NW 47th Street and NW 45 Court, commonly known as 4581 N University Drive.

Need:

Applicant is requesting approval of a special exception use with conditions.

Summary Explanation/ Background:

The Applicant (Dr. Filiberto Jose Herdocia, DDS, doing business as Dental Blush Sunrise) is requesting special exception approval to allow the a dental office with providers authorized to prescribe controlled substances at the subject property (4581 N University Drive, Lauderhill, FL). If approved by the City Commission, the proposed tenant will commence operation.

The Planning and Zoning Department recommends the City Commission approve this “Dental Office with Controlled Substance Providers” subject to the following conditions:

1. This special exception use development order allows for no controlled substance prescriptions to anyone other than a dental patient in connection with a dental procedure performed or to be performed and no prescription refills.

2. This special exception use development order is granted to Dr. Filiberto Jose Herdocia, who must maintain an active dental license at all times. All employees and staff of Dental Blush must maintain all relevant licenses and certifications to provide care for the patients of the business. Any further disciplinary actions by the Department of Health may result in the revocation, modification or suspension of the COU and/or Special Exception.

3. Dental office, which includes a medical provider authorized to prescribe controlled substances is restricted to a total of 1,300± square feet as indicated on the lease agreement. Consistent with Land Development Regulations Article IV, Section 4.3.B., the expansion, alteration or enlargement or removal to another location outside the approved plaza 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.

4. This Special Exception Use development order to allow a dental office, which includes a medical provider authorized to prescribe controlled substances is specifically granted to Dental Blush Sunrise and shall cover the licensed dentists. In addition to Dental Blush Sunrise receiving a Certificate of Use, each dentist is required to apply for a Certificate of Use and to maintain and active and valid dental license at all times. This special exception use development order shall automatically expire and become null and void if any entity other than Dental Blush Sunrise operates the dental office. All doctors, employees, agents and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Use Development Order.

5. The dental office, which includes a medical provider authorized to prescribe controlled substance use is restricted to 1,300 square feet of leasable space located at 4581 N. University Drive, Lauderhill, Florida 33351. Consistent with Land Development Regulations Article IV., Part 4.0., Section 4.3., 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 or grants a new 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, or removal of the use to another location.

6. The general days and hours of operation are (6) days a week, Monday - Friday 9am - 6pm and Saturdays 9am - 3pm. Any increase in hours of operation is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.

7. If there are any code enforcement violations or liens, Police or Florida Board of Medicine complaints, or any disciplinary actions by the Department of Health, they are grounds for this Special Exception Use Development Order to 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.

8. 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.

9. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved 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. Pursuant to Article IV Section 5.3.11. of the Land Development Regulations, a discontinuance of operations for a period of one year would forfeit any legal

nonconformities related to the proximity of residential zoning districts.

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

12. Property Owner or Operator must provide a security plan that demonstrates how they will prevent and reduce the amount of police calls associated with trespassing or the presence of other loitering. In addition to said security plan the property owner or operator shall also provide a property maintenance plan that demonstrates how they will maintain cleanliness in compliance with the Code of Ordinances.

Cost Summary/ Fiscal Impact:

The Planning & Zoning Department finds that the implementation of this resolution will not require a budget allocation or expenditure of city funds and concludes it does not have any direct fiscal impact on the city's budget.

Attachments:

- Attachment A: SEU Application
- Attachment B: Applicant Narrative
- Attachment C: Floor Plan
- Attachment D: Development Review Report (DRR)
- Attachment E: Public Notice Affidavit
- Attachment F: SEU Conditions Affidavit

Budget Code Number(s): _____

Procurement Information: [check all that apply]

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|---|--|--------------------------------|
| <input type="checkbox"/> RFP/Bid | <input type="checkbox"/> Emergency Purchase | <input type="checkbox"/> SBE |
| <input type="checkbox"/> Proposal/Quote | <input type="checkbox"/> State Grant Funds | <input type="checkbox"/> Local |
| Preference | | |
| <input type="checkbox"/> Piggyback Contract | <input type="checkbox"/> Federal Grant Funds | |
| <input type="checkbox"/> Sole Source | <input type="checkbox"/> Matching Required | |