

City of Lauderhill

Special Exception Application No. 21-SE-007
Interventional Pain M.D., L.L.C.

I. APPLICANT INFORMATION

Petitioner

Vincentiu Popa, M.D.

Status of Petitioner

Business Owner and Operator

II. BACKGROUND INFORMATION

Requested Action

The petitioner, Dr. Vincentiu Popa of Interventional Pain M.D. L.L.C., requests approval of a Special Exception Use Application to allow an Office, Medical, with Controlled Substance Provider use within the General Commercial (CG) zoning district for the property located at 7501 W. Oakland Park Blvd, Lauderhill, Florida.

Applicable Land Development Regulations & City Codes:

Article III, Section 2.3. Allowable land uses.

Article III, Section 5.28. Offices.

Article IV, 4.3 B. Existing zoning provisions and uses.

Article IV, Section 4.4. Approval for Special Exception Uses.

III. SITE INFORMATION

Legal Description and location

CITY SHOPPES 107- 44 B LOT 1 ACCORDING TO THE PLAT THEREOF AND AS RECORDED IN THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
7501 W. OAKLAND PARK BLVD

FIGURE 1

7501 W Oakland Park Blvd
PROPOSED OFFICE, MEDICAL, WITH CONTROLLED SUBSTANCE PROVIDER



The proposed location is a 2,000 square foot unit within a 20,698 square foot building on 34,323 square foot (0.79+ acres) site. The parcel is developed with a three story office building within the General Commercial (CG) zoning district. Figure 1 is an aerial photograph highlighting in red the subject property and showing the general location of the property in relation to the surrounding roadways and uses.

According to Broward County Property Appraiser, the building was constructed in 1983. Based on City of Lauderdale records the site has been the home to medical, business, and professional office uses since it was constructed.

The subject parcel is generally located on the north side of W. Oakland Park Blvd and west of Inverrary Blvd West. The site is bordered to the east and west by Commercial zoned property and to the south by W. Oakland Park Blvd. The site is bordered to the north by property zoned residential multi-family and is the location of the Maple Run townhouses.

Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use Designation	Commercial
Zoning Designation	General Commercial (CG)

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Residential Multi-family	Low Medium (10) Residential	Residential Multi-family at 8

			dwelling units per acre (RM-8)
South	W. Oakland Park Blvd R.O.W. then Lauderhill Sports Park	Recreation and Open Space	W. Oakland Park Blvd R.O.W. then Local Park (PL)
East	Commercial	Commercial	General Commercial (CG)
West	Commercial	Medium-High (25) Residential	General Commercial (CG)

IV. ZONING HISTORY

Existing Special Exceptions:

None.

Violations:

None.

Existing Variances:

None

V. PLANNING ANALYSIS

As stipulated in the Land Development Regulations, Article IV, Section 4.6 Standards for Approval, the Planning and Zoning Division has reviewed the proposed request pursuant to the following special exception considerations:

1. The effect of such use on surrounding properties.
2. The suitability of the use in regard to its location, site characteristics, and intended purpose.
3. Access, traffic generation and road capacities.
4. Economic benefits or liabilities.
5. Demands on utilities, community facilities, and public services.
6. Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill.
7. Factors relating to safety, health, and general public welfare.

Dr. Vincentiu Popa proposes to operate an Office, Medical, with Controlled Substance Provider Use for a State of Florida licensed medical office for patients that are suffering from pain, primarily cause by back injuries. Dr. Popa’s practice is focused on back exams and procedures that cure chronic pain, particularly in order for patients to avoid long term narcotic solutions.

Dr. Popa currently operates his practice out of medical offices in Bloomfield New Jersey and Boca Raton Florida and performs surgical procedures at off-site surgical centers.

Dr. Popa is proposing to operate a medical office with exam rooms and X-ray at this location. Dr. Popa will not conduct any surgical procedures at this proposed office location, as all of his procedures are done at a surgical center in Boca Raton, FL. Their services at the proposed location would include, exams and X-rays. Procedures performed off-site include but are not limited to:

cervical and lumbar epidurals, facet injections, and radio frequency ablations.

The Applicant is proposing to operate from 9:00 a.m. to 5:00 p.m. Mondays, Wednesdays, and Fridays and 9:00 a.m. to 1:00 p.m. on Tuesdays and Thursdays. The office would be closed on weekends.

Dr. Vincentiu Popa currently holds a license for the prescribing of controlled substances, as such; the business is considered an Office, Medical with Controlled Substance Provider use. Although Dr. Popa may prescribe controlled substances to his patients depending on need, the goal of Interventional Pain M.D. is to cure patients of pain and therefore remove the need for controlled substance medications for the patient. There will not be any dispensing of controlled substances on site at this proposed location. Dr. Popa will be the only doctor on staff.

Dr. Vincentiu Popa, ME 134660, is in good standing with the Florida Board of Medicine and has no complaints or disciplinary actions on file.

Based upon its review, staff finds the proposed use of an Office, Medical, with Controlled Substance Provider use to be consistent with the above considerations. As such, staff recommends approval of the special exception request.

VI. RECOMMENDATION/ACTION

Division recommendation. The Planning and Zoning Division recommends the City Commission adopt a resolution granting to Interventional Pain, M.D., L.L.C. to allow an Office, Medical, with Controlled Substance Provider use on a 34,323 square foot (0.79+ acres) within the General Commercial (CG) zoning district and located at 7501 W. Oakland Park Blvd subject to the following conditions:

1. This special exception use development order for an Office, Medical, with Controlled Substance Provider use is specifically granted to Interventional Pain M.D., L.L.C., and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if any person or entity other than Interventional Pain M.D., L.L.C. operates the use. 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. This special exception use development order shall automatically expire and become null and void if the use shall cease to operate. Moreover, this special exception use development order shall automatically expire and become null and void if Interventional Pain M.D., L.L.C. is sold, assigned, transferred or otherwise conveyed to another person.
2. The Office, Medical, with Controlled Substance Provider use is restricted to a total of 2,000 square feet as proposed. 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 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. The general days and hours of operation are 9:00 a.m. to 5:00 p.m. Mondays, Wednesdays, and Fridays and 9:00 a.m. to 1:00 p.m. on Tuesdays and Thursdays. Any increase in hours to operate earlier than 7:00 a.m. or later than 7:00 p.m. Sunday through Saturday is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase which is categorized under an Office, Medical, after hours Use.
4. 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.
5. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, 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 or revocation.
6. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use 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 or revocation.
7. 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.
8. 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.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

Any violation of these conditions may result in a public hearing before the City Commission in order to determine whether this special exception use development order should be revoked, suspended or modified

VII. ATTACHMENTS

- Attachment A: SEU Application Submittal
- Attachment B: About the Doctor, Dr. V. Popa, excerpt from interventionalpainmd.com
- Attachment C: State of Florida Medical License, Dr. V. Popa
- Attachment D: Site plan and Floor plan
- Attachment E: SEU Conditions Affidavit

Prepared by: Molly Howson Acting City Planner
Date: April 28, 2021