

City of Lauderhill

Special Exception Application No. 23-SE-010

HEALTH HOLDINGS COMPANY, LLC

I. APPLICANT INFORMATION

PETITIONER

HEALTH HOLDINGS COMPANY LLC DBA PALM MEDICAL CENTERS

STATUS OF PETITIONER

Business representative

II. BACKGROUND INFORMATION

Requested Action

The petitioner 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 plaza unit located at 7351 W. Oakland Park Blvd, Lauderhill, Florida.

Applicable Land Development Regulations & City Codes:

Article IV, Part 4, Section 4.4. Approval for Special Exception Uses.

Article III, Section 2.3. Allowable land uses.

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

III. SITE INFORMATION

Location/Legal Description

7351 WEST OAKLAND PARK BOULEVARD, LAUDERHILL FLORIDA

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.

FIGURE 1

PROPOSED MEDICAL OFFICE



7351 W. OAKLAND PARK BLVD

The site is a 1,500 square foot unit located within a 10,347 square foot commercial plaza within the General Commercial (CG), zoning district. The plaza is generally located on the Northwest corner of W. Oakland Park Blvd and Inverrary Blvd West and is a rectangle shaped building with parking in front of the building and throughout the plaza. 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 erected in 1987.

Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use Designation	Commercial

Zoning Designation	General Commercial (CG)
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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 Development 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.

The proposed Office, Medical with Controlled Substance Provider Use is for a State of Florida licensed medical center which provides a variety of non-emergency healthcare services, including general consultations, preventative care, drawing labs and specific medical treatments. The applicant will employ a medical doctor, medical assistants, a receptionist, and an administrator.

Palm Medical Centers is proposing to operate five days per week from 8:00 a.m. to 5:00 p.m. Mondays through Fridays. Since 2013, Palm Medical Centers has been operating multiple locations throughout the Central and South Florida region and provides healthcare primarily to seniors ages 65 and older.

Dr. Mohammed Feroz Allahrakha will be the only Doctor on staff that holds a DEA license to prescribe controlled substances to medical patients. Dr. Allahrakha is in good standing with the Florida Board of Medicine, and has no complaints or disciplinary actions on file according to the Florida Department of Health.

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 Health Holdings Company LLC to allow an Office, Medical, with Controlled Substance Provider use within a 1,500 square foot unit on a 10,347 square foot site within the General Commercial (CG) zoning district and located at 7351 W. Oakland Park Blvd 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.

VII. ATTACHMENTS

Attachment A: SEU Application

Attachment B: Floor Plan

Attachment C: SEU Conditions Affidavit

Attachment D: Inventory of equipment