

**City of Lauderhill**

Special Exception Application No.19-SE-012

Medical Consultants of Florida, LLC DBA MedFlorida Medical Centers

**I. APPLICANT INFORMATION**

PETITIONER

Dr. Mazin Shikara

STATUS OF PETITIONER

Business Owner

**II. BACKGROUND INFORMATION**

Requested Action

Request for a Special Exception Use General Development Order for an Office, Medical, with Controlled Substance Provider and with extended hours of operation.

Applicable Land Development Regulations

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

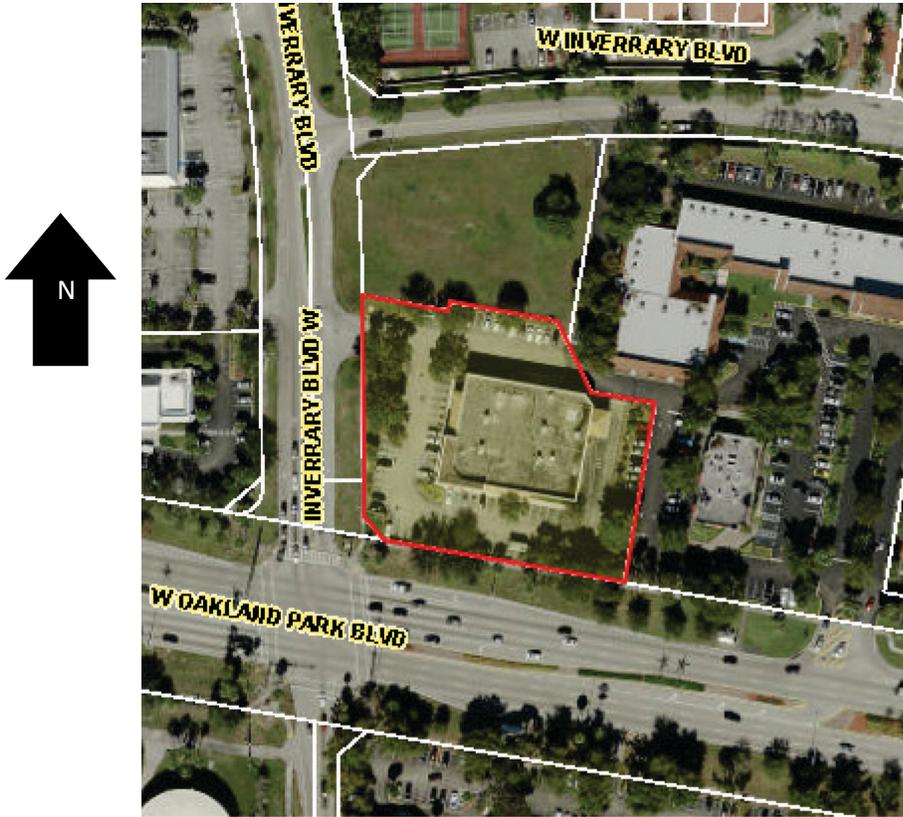
7229 w. Oakland Park Blvd

Legal Description

PLAT OF INVEREALTY Tract 1 111-46 B A Portion of Tract B According to the Plat thereof, Recorded in the Official Record Book 111, Page 46 of the Public Records of Broward County Florida.

FOLIO # 4941 22 26 0030

**LOCATION MAP, 7229 W. Oakland Park Blvd**



Land Use/Zoning:

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

Adjacent Designations:

	<b>Existing Use</b>	<b>Future Designation</b>	<b>Zoning</b>
North	Commercial Plaza	Commercial	(CG) General Commercial (CG)
South	West Oakland Park Blvd then a Commercial Plaza	Public ROW and Commercial	Public ROW then (CG) General Commercial
East	Commercial Plaza	Commercial	(CG) General Commercial
West	Inverrary Blvd West then a Commercial Plaza	Public ROW and Commercial	Public ROW and (CG) General Commercial

#### **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 use is for a full service medical health and wellness center, categorized by the City of Lauderhill Land Development Regulations as an Office, Medical with controlled substance provider and with extended hours of operation use. This Medical Consultants of Florida, LLC. DBA MedFlorida Medical Centers, office will offer services to include an urgent care center, primary care center, pharmacy, wellness center, and transportation services.

The subject site is a 1.6± acre site located on the corner of W. Oakland Park Blvd and Inverrary Blvd West. The site is the former home of Walgreens Pharmacy and retail store. Bordering the site to the North and East are Commercial Plazas and a vacant commercial lot. Bordering the site to the West is Inverrary Boulevard West followed by a commercial plaza. Bordering the site to the South is West Oakland Park Blvd followed by a commercial plaza.

The subject site is located within the General Commercial (CG) zoning district, is suitable for medical, business and professional offices. The existing tenants within the plaza include; the DMV, retail and restaurant uses, personal services, and medical, business, and professional offices.

Dr. Shikara of Medical Consultants of Florida is proposing to operate a full service medical health and wellness center. This medical office will offer services to include an urgent care center, primary care center, pharmacy, wellness center, and transportation services. The center will operate on Sundays from 9:00am to 4:00pm and on Mondays through Saturdays from 8:00am to 8:00pm. For Office, Medical uses hours of operations beyond 7:00pm are considered extended hours of operation.

The proposed urgent care component will offer walk-in urgent care services on site seven days a week.

The proposed primary care component will offer the full range of services typically associated with a primary care office.

The proposed pharmacy component will serve the patients of the facility on the day of an appointment or walk-in visit. The pharmacy will dispense medicines typically associated with common medical issues and conditions. The pharmacy will not dispense controlled substances.

The proposed wellness center component will provide a wide range of activities, with a focus on serving the senior citizen population. Offerings will include; exercise classes such as yoga and zumba, health and wellness workshops, and art and crafts and other hands on activities appropriate for the senior citizen population. Please see Executive Summary provided by the applicant and included as attachment B.

The proposed transportation services will provide patients with transportation to and from the facility. This service will provide transportation from patient's homes as well as from the facility to specialist's offices that may provide services not housed at this facility. Transportation vehicles will be kept off site and brought in daily for operation.

Dr. Mazin Shikara is a Florida Department of Health Division of Medical Quality Assurance licensed Medical Doctor. Dr. Shikara is in good standing with the Florida Board of Medicine, and has no complaints or disciplinary actions on file.

Special Exception Considerations:

**1. The effect of such use on surrounding properties.**

The site is developed with a freestanding building and is the former site Walgreens pharmacy and retail store. The site is bordered on all sides by commercial zoned properties. The site is located on the corner of an existing commercial plaza which is currently occupied by medical, business, and professional offices as well as retail and restaurant uses.

Staff concludes that the land use will not generate incompatibilities that adversely impact the surrounding land uses as it pertains to light pollution, noise, vibration, or air or water pollution and that the application is **in conformance** with LDR Article IV, Section 4.6 as it pertains to the effect of such use on surrounding properties.

**2. The suitability of the use in regard to its location, site characteristics, and intended purpose.**

The site is located within the General Commercial (CG) zoning district and the Commercial Future Land Use Map Series designation. Staff concludes that an Office, Medical with controlled substance provider use is allowed in the General Commercial zoning district through Special Exception Use approval of the City Commission. Further, Staff concludes that such uses are commercial in nature and are suitable in commercial zoning districts, provided they are buffered and screened, particularly when they abut residential zoned property. Staff finds that the site is adjacent to commercial on four sides and that the location is suitable for this use.

Site characteristics include size, dimension, shape, and features. The site is 1.6± acres in size. It has 275± linear feet of frontage along the north side of W. Oakland Park Blvd and 235± linear feet of frontage along the west side on Inverrary Blvd West. The lot depth is approximately 260 linear feet but varies along the rear property line. As there is no minimum lot depth requirement for Office Medical, with controlled substance provider uses within the Land Development Regulations, Staff concludes the site characteristics are suitable for this type of uses.

Staff concludes that traditionally, the intended purpose of a commercial zoning district is to establish a zone where commercial retail sales and commercial and personal services, business, professional and medical offices can be located or concentrated. Staff concludes that the proposed use of an Office, Medical with controlled substance provider is suitable with the intended purpose of the zoning district.

Thus, staff concludes that the uses are **in conformance** with LDR Article IV, Section 4.6 as it pertains to the suitability of the uses with regard to location, site characteristics, and intended purpose.

**3. Access, traffic generation and road capacities.**

Staff finds that the site has vehicular and pedestrian access. Staff finds vehicular access is indirectly available from both eastbound and westbound W. Oakland Park Blvd and directly available from north bound Inverrary Blvd West. Pedestrian access is available from the sidewalks in both the W. Oakland Park Blvd right-of-way and the Inverrary Blvd West right-of-way. Broward County provides public transit service along W. Oakland Park Blvd.

Staff does not have evidence to indicate that the use of a medical office will generate significantly more traffic than that of the previous use of Walgreen's pharmacy and retail store.

Therefore, staff concludes that the application is **in conformance** with LDR Article IV, Section 4.6 as it pertains access, traffic generation, and road capacities.

**4. Economic benefits or liabilities.**

The Applicant states that the medical health and wellness center will employ seventeen (17) employees with salaries ranging from 29k to 250k per year, which is an economic benefit to the city. Other direct economic benefits include collected sales taxes and local business receipt tax receipts. The indirect economic benefits could include multipliers, such as sales taxes collected due to employee expenditures within the City.

Based on the above, staff concludes that the application is **in conformance** with LDR Article IV, Section 4.6 as it pertains to economic benefits and liabilities.

**5. Demands on utilities, community facilities, and public services.**

Staff finds that the applicant's response to the standards of approval states that the school would not generate any additional demands for utilities, community facilities, and public services. Staff finds that the application does not contain any evidence demonstrating that the medical health and wellness center will generate a demand on utilities more than, equal to, or less than a similarly sized retail pharmacy use.

Staff concludes this application is **in conformance** with LDR Article IV Section 4.6 as it pertains to the 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.**

The site is designated Commercial on the City's Future Land Use Map Series (FLUMS) and the Broward County Future Land Use Plan Map. Both the City and County Plans allow for Office, Medical with controlled substance provider uses within that designation. Thus, this special exception use application is **in conformance** with LDR Article IV Section 4.6 as it pertains to the City and County Comprehensive Plans.

**7. Factors relating to safety, health, and general public welfare.**

The proposed business to operate a full service medical health and wellness center with urgent care services, primary care service, pharmacy, wellness center, and transportation services with a strength in serving senior citizens should provide a facility within the community that will serve the health and wellness needs of the residents. Staff has not

found evidence that the operation of a full service health and wellness center with daytime hours of operation at this location would create adverse impacts on the surrounding community.

Therefore, staff concludes that this application is **in conformance** with LDR Article IV, Part 4.0., Section 4.6. as it pertains to safety, health, and general welfare

Based upon its review, staff finds the proposed use of an Office, Medical, with Controlled Substance Provider with Urgent Care to be consistent with the above considerations. As such, staff recommends approval of the special exception request and recommends the conditions provided for in section VI. Recommendation/Action.

## **VI. RECOMMENDATION/ACTION**

Planning and Zoning recommends approval of the Special Exception Use application for an Office, Medical, with Controlled Substance Provider Use.

Recommend approval of the special exception development order with the following conditions:

1. This Special Exception Use development order for Office, Medical, with Controlled Substance Provider shall be specifically granted to Medical Consultants of Florida, LLC DBA MedFlorida Medical Centers and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Medical Consultants of Florida LLC DBA MedFlorida Medical Centers operates the medical 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.
2. This Special Exception Use development order allows for no controlled substance prescriptions or refills to anyone other than a patient in connection with a medical appointment with the doctor.
3. This Special Exception Use development order allows for no controlled substance distribution at the pharmacy at this location.
4. Commercial vehicles used for patient transportation shall not be stored on site overnight, except for one commercial vehicle sized to fit in a standard parking space and not to be parked along the commercial thoroughfare.
5. Changes to the exterior of the building and/or site will require site plan modification approval through the City of Lauderhill Development Review Committee.
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. Further, consistent with LDR Article IV, Part 1.0., Section 1.8, this development order may be revoked, suspended or modified based on the grounds stated herein. In addition, this development order is subject to post-approval review consistent with LDR Article IV, Part 4.0., Section 4.11.

**VII. ATTACHMENTS**

- A. Special Exception Use Application
- B. Medical License and DEA Controlled Substances Prescriber License
- C. Executive Summary
- D. Floor Plan
- E. SEU Conditions Affidavit

Prepared by: Molly Howson, Associate Planner, City of Lauderhill, FL

Date: October 15, 2019