



# City of Lauderhill

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

## File Details

**File Number: 23R-5087**

**File ID:** 23R-5087

**Type:** Resolution

**Status:** Agenda Ready

**Version:** 1

**Reference:**

**In Control:** City Commission Meeting

**File Created:** 04/29/2023

**File Name:** Special Exception - Med-Ped Associates

**Final Action:**

**Title:** RESOLUTION NO. 23R-05-124: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING MED-PED ASSOCIATES, P.A. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL, WITH CONTROLLED SUBSTANCE PROVIDER USE IN A 2,500 SQUARE FEET UNIT ON A +/-4,791 SQUARE FOOT SITE LEGALLY DESCRIBED AS A PORTION OF TRACTS C & D OF INDUSTRIAL 100 UNIT 2 PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85 PAGE 2 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, MORE COMMONLY 1600 NORTH STATE ROAD 7 (N.W. 40 AVENUE) SUITE 300, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

### Notes:

### Sponsors:

### Enactment Date:

**Attachments:** RES-23R-05-124-Special X - Med-Ped Spa.pdf, DRR 23-SE-003 Med-Ped Associates, P.A.pdf, Med Ped-Attachment A- SEU Application Submittal.pdf, Attach. B-Med-Ped-Signed Conditions Affidavit.pdf, Med-Ped -Attachment C Floor Plan.pdf, Med-Ped-Attachment D-Inventory.pdf

### Enactment Number:

### Contact:

### Hearing Date:

\* **Drafter:** apetti@laudershill-fl.gov

### Effective Date:

### Related Files:

## 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 23R-5087

RESOLUTION NO. 23R-05-124: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING MED-PED ASSOCIATES, P.A. A SPECIAL

EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL, WITH CONTROLLED SUBSTANCE PROVIDER USE IN A 2,500 SQUARE FEET UNIT ON A +/-4,791 SQUARE FOOT SITE LEGALLY DESCRIBED AS A PORTION OF TRACTS C & D OF INDUSTRIAL 100 UNIT 2 PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85 PAGE 2 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, MORE COMMONLY 1600 NORTH STATE ROAD 7 (N.W. 40 AVENUE) SUITE 300, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

**Need:**

Within the General Commercial (CG) Zoning District an Office, Medical, with Controlled Substance Practitioner Use is a special exception use that requires City Commission approval. The applicant needs City Commission approval in order to operate the proposed use.

**Summary Explanation/ Background:**

The site consists of one building, a one story building with multiple tenants consisting of approximately 4,791 square feet. The unit to be occupied by Med-Ped Associates, P.A. consists of 2,500 square feet. The site is located on the east side of North State Road 7 and north of NW 16th Street. The subject site falls with the General Commercial (CG) zoning district. Abutting the site to the north, south, east, and west are commercial used properties. Med-Ped Associates, P.A. is an existing Medical Office that has existed in Lauderhill since 1997. Owner has requested the ability to hire an additional doctor with the authority to prescribe controlled substances, triggering the need for a Special Exception Use approval from the City Commission.

1. This Special Exception Use Development Order allows for no controlled substance prescriptions to anyone other than a patient in connection with a procedure performed or to be performed at the Medical Office.
2. The Office, Medical, with Controlled Substance Provider use is restricted to a total of 2,500 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 Med-Ped Associates, P.A. and shall cover the licensed practitioners of Med-Ped Associates, P.A. (to include both employee practitioners and independent contractors working for Med-Ped Associates, P.A. where for clarification, such independent contractor bills under the billing number of Med-Ped Associates, P.A. and the patients are patients of record of Med-Ped Associates, P.A.) 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 Med-Ped Associates, P.A. 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 six (6) days a week, Monday through Friday 9:00 a.m. to 5:00 p.m., Saturday 9:00 a.m. to 12:00 p.m. 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. Any doctor hired to operate under Doctor Rufus Joseph of Med-Ped Associates, P.A. is required to obtain an individual Certificate of Use.
6. 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.
7. 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.
8. 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.
9. 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.
10. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

**Attachments:**

Attachment A- Development Review Report  
Attachment B- Affidavit  
Attachment C- Floor Plan  
Attachment D- Inventory of Fixtures & Equipment

**Cost Summary/ Fiscal Impact:**

The Department finds the implementation of this Resolution/Ordinance 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.

**Estimated Time for Presentation:**

**5 minutes**

**Master Plan:**

**Goal 1: Clean, Green Sustainable Environment**

- ☐ Increase mass transit ridership   ☐ Reduce City energy consumption  
☐ Reduce water consumption

**Goal 2: Safe and Secure City of Lauderhill**

- ☐ Crime in lower 50% in Broward   ☐ Residents feel safe in neighborhood

☐ Reduce emergency fatalities

**Goal 3: Open Spaces and Active Lifestyle for all ages**

☐ Increase participation in youth sports ☐ Add new park land and amenities

☐ Increase attendance at cultural programs and classes

**Goal 4: Growing Local Economy, Employment and Quality of Commercial Areas**

☒ Increase commercial tax base ☒ Increase employment in Lauderhill businesses

☐ Decrease noxious and blighted uses in commercial areas

**Goal 5: Quality Housing at all Price Ranges and Attractive Communities**

☐ Neighborhood signs and active HOAs ☐ Housing & streets improved, litter reduced

☐ Increase proportion of single family homes and owner occupied housing

**Goal 6: Efficient and Effective City Government, Customer Focused & Values Diversity**

☐ Improves City efficiency ☐ Increase use of Information Technology

☐ Increases residents perception of Lauderhill as an excellent place to live