

RESOLUTION NO. 25R-11-216

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING ATRIUM LAUDERHILL SHOPPING CTR, FOR SOUTH FLORIDA WELLNESS & CLINICAL RESEARCH INSTITUTE A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL (WITH CONTROLLED SUBSTANCE PRACTITIONER) ON A 1.9± ACRE SITE LEGALLY LOCATED AT 4966 N. PINE ISLAND ROAD, LAUDERHILL FLORIDA, AND MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner, Atrium Lauderhill Shopping CTR, for South Florida Wellness & Clinical Research Institute (tenant), is requesting special exception use approval to allow a medical office, which includes a medical provider authorized to prescribe controlled substances, within the Commercial General (CG) zoning district on an approximately 1.9± acre site located at 4966 N. Pine Island Road, Lauderhill, Florida; and

WHEREAS, the subject property is also more particularly described as Tract "C", City of Lauderhill Section Once, according to the Plat thereof, as recorded in Plat Book 81, at Page 4, of the public records of Broward County, Florida; and

WHEREAS, the office building was constructed in approximately 1986 and a special exception use for a Medical Office with a Controlled Substance Practitioner was approved in 2019; and

WHEREAS, City Staff has analyzed the application and the City's Code of Ordinances and finds that the request meets the criteria as set forth in the code of ordinances; and

WHEREAS, approval of a special exception use requires four (4) affirmative votes of the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, THAT:

Section 1. The above recitations are true and incorporated herein.

Section 2. The City Commission, having considered all testimony and evidence presented at the Commission meeting, including the staff report, and pursuant to the City's Code of Ordinances, hereby finds that the request meets relevant land development regulation criteria and specifically meets the criteria set forth in section Article IV, Section 4.6, Standards for Approval, of the City's Code of Ordinances.

Section 3. The Special Exception Use Order for property located at 4966 N. Pine Island Road, is hereby approved, 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 or clinical trial performed or to be performed.
2. The Office, Medical, with Controlled Substance Provider use is restricted to a total of 855 square feet (the entire unit) 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 South Florida Wellness & Clinical Research Institute and shall cover the licensed practitioners of South Florida Wellness & Clinical Research Institute (to include both employee practitioners and independent contractors working for South Florida Wellness & Clinical Research Institute) where for clarification, such independent contractor bills under the billing number of South Florida Wellness & Clinical Research Institute and the patients are patients of record of South Florida Wellness & Clinical Research Institute, and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. 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 Monday to Thursday 8:30 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 2:30 p.m. Any increase in either the days or hours of operation or both is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.
5. South Florida Wellness & Clinical Research Institute 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.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC

CITY CLERK

MOTION _____

SECOND _____

R. CAMPBELL _____

M. DUNN _____

D. GRANT _____

J. HODGSON _____

S. MARTIN _____

Approved as to Form

Hans Ottinot

City Attorney