



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: 24R-5866

File ID: 24R-5866

Type: Resolution

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Reference:

In Control: City Commission Meeting

File Created: 09/05/2024

File Name: Special Exception-Oscar Mendez. MD

Final Action:

Title: RESOLUTION NO. 24R-09-211: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING OSCAR MENDEZ, M.D. P.A. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE EXPANSION OF AN EXISTING OFFICE, MEDICAL, WITH CONTROLLED SUBSTANCE PRACTITIONER, ON A 1.43± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF TRACT "A" ACCORDING TO "THE OAKLAND SHOPPES" PLAT AS MORE FULLY DESCRIBED HEREIN AND AS RECORDED IN PLAT BOOK 82 PAGE 37 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 5950 W. OAKLAND PARK BLVD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Notes:

Sponsors:

Enactment Date:

Attachments: RES-24R-09-211-Special X - Oscar Mendez expansion medical office.pdf, Attachment A - Application, Attachment B - Applicant Narrative, Attachment C - Floor Plan, Attachment D - Development Review Report (DRR) (24-SE-013), Attachment E - Public Notification Affidavit, Attachment F - Affidavit of Conditions - UNSIGNED

Enactment Number:

Contact:

Hearing Date:

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

Effective Date:

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 24R-5866

RESOLUTION NO. 24R-09-211: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING OSCAR MENDEZ, M.D. P.A. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE EXPANSION OF AN EXISTING OFFICE, MEDICAL, WITH CONTROLLED SUBSTANCE PRACTITIONER, ON A 1.43± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF TRACT "A" ACCORDING TO "THE OAKLAND SHOPPES" PLAT AS MORE FULLY DESCRIBED HEREIN AND AS RECORDED IN PLAT BOOK 82 PAGE 37 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 5950 W. OAKLAND PARK BLVD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Request Action:

Consider a Special Exception Use with conditions for a medical office with controlled substance providers as an expansion to an existing office, as requested by Mendez Medical Center, on a site approximately 1.43 acres in size at the subject property on the south side of Oakland Park Blvd, between NW 60th Avenue and Inverrary Blvd, commonly known as 5950 W Oakland Park Blvd.

Need:

Applicant is requesting approval of a special exception use with conditions.

Summary Explanation/ Background:

The Applicant (Oscar Mendez, M.D., P.A. doing business as Mendez Medical Center) is requesting special exception approval to allow the expansion of an existing medical offices with providers authorized to prescribe controlled substances at the subject property (5950 W Oakland Park Blvd, Lauderhill, FL). If approved by the City Commission, the proposed tenant will continue to occupy the remainder of the building.

The Planning and Zoning Department recommends the City Commission approve this "Medical Office with Controlled Substance Providers" 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 41,070 square feet (the entire building) 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 OSCAR MENDEZ, M.D., P.A. and shall cover the licensed practitioners of OSCAR MENDEZ, M.D., P.A. (to include both employee

practitioners and independent contractors working for OSCAR MENDEZ, M.D., P.A.) where for clarification, such independent contractor bills under the billing number of OSCAR MENDEZ, M.D., P.A. and the patients are patients of record of OSCAR MENDEZ, M.D., 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 OSCAR MENDEZ, M.D., 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 7:00 a.m. to 7:00 p.m. Mondays through Fridays and Saturdays from 8:00 a.m. to 6:00 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. OSCAR MENDEZ, M.D., P.A. 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.

Cost Summary/ Fiscal Impact:

The Planning & Zoning Department finds that 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.

Attachments:

Attachment A: SEU Application

Attachment B: Applicant Narrative
Attachment C: Floor Plan
Attachment D: Development Review Report (DRR)
Attachment E: Public Notice Affidavit
Attachment F: SEU Conditions Affidavit