

City of Lauderhill

Special Exception Application No.21-SE-008

Integrated Primary Care and Psych Mental Health LLC

I. APPLICANT INFORMATION

PETITIONER

Anahi P Munoz, APRN

STATUS OF PETITIONER

Joint Chief Executive Officer

II. BACKGROUND INFORMATION

Requested Action

Request for a Special Exception Use General Development Order for an Office, Medical, with Controlled Substance Provider.

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

4300 N University Drive Building C Suite 103

Legal Description

BOULEVARD SHOPPES NO 2 106-37 B LOT 1 THRU LOT 8 BLK 1

FOLIO # 4941 1512 0010

LOCATION MAP, 4300 N University Drive Building C Suite 103

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

The subject site is a 5.86± acre site located at the Southeast Corner of North University Drive and NW 44th ST. The site is improved with a two-story building consisting of approximately 108,050 Square Feet housing Medical and Office uses.

The Applicant, Anahi P Munoz, APRN, is applying to operate a Mental Health Care and Primary Health Care Center with the ability to administer and prescribe Controlled Substances at 4300 N University Drive Building C Suite 103. Integrated Primary Care and Psych Mental Health will treat patients with common medical disorders such as diabetes, heart disease, asthma to prevent and manage behavioral/mental health concerns. The Applicant is in "Good Standing" with the Florida Department of Health, and has no complaints or disciplinary actions on file. The Applicant **will not prescribe any pain medications/opiates** as she is only allowed to prescribe are related to psychiatric healthcare services as specified per her DEA license (DEA#MM4232904).

The proposed Office, Medical, with Controlled Substance Provider will operate Monday through Friday from 9:00am to 4:30pm.

Special Exception Considerations:

1. The effect of such use on surrounding properties.

The site is located on the Southeast Corner of North University Drive and NW 44th Street within a two-story building already housing medical office uses. The proposed Office, Medical, with Controlled Substance Provider Use will fit into an already existing Medical Use Environment.

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 provides for adequate screening from abutting residentially zoned properties as a lush landscape is accompanied by a canal to mitigate any impacts.

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 that pedestrian and vehicular access is available from both North University Drive and NW 44th Street. Staff does not have evidence to indicate that the use of a medical office will generate significantly more traffic than the existing Medical Office Uses that exist within the subject site.

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 three to five employees with salaries ranging from \$12.50 per hour to \$45 per hour. 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 Integrated Primary Care and Psych Mental Health LLC 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 Integrated Primary Care and Psych Mental Health LLC 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. Any change or addition of ownership or tenant shall require approval by the City Commission by process of Special Exception.
5. 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.
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. 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.
7. 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.

8. The owner shall regularly provide updated contact information for local management to the Lauderhill Police Department.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

VII. ATTACHMENTS

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

Prepared by: Chris Torres, City Planner, City of Lauderhill, FL

Date: May 5, 2021