

City of Lauderhill

Special Exception Application No.19-SEU-017

Body & Mind Works, Inc.

I. APPLICANT INFORMATION

PETITIONER

Jonelle Rivas Gibson, NP

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 use within the General Commercial (CG) Zoning District.

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/Legal Description

INDUSTRIAL 100 UNIT 2 B PT OF TRS C & D DESC AS COMM SW COR OF SEC 31, NLY 3765.19, ELY 100, NLY 50 TO POB, CONT NLY 145, ELY 300, SLY 145, WLY 300 TO POB AS RECORDED IN BOOK 85 PAGE 2 OF THE OFFICIAL RECORDS OF BROWARD COUNTY AND COMMONLY KNOWN AS 1600 N STATE ROAD 7, LAUDERHILL, FLORIDA.

Location Map



Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use Designation	TOC, Transit Oriented Corridor
Zoning Designation	CG

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Commercial	TOC, Transit Oriented Corridor	CG

South	Commercial	TOC, Transit Oriented Corridor	CG
East	Commercial	TOC, Transit Oriented Corridor	CG
West	Commercial	TOC, Transit Oriented Corridor	CG

IV. ZONING HISTORY

Existing Special Exceptions

None. This business is new to the City of Lauderhill

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 site in question is an existing outparcel office building which sits on the Northeast corner of NW 16th Street and the arterial roadway of NW 40 AVE, N State Road 7. The property abuts a General Commercial (CG) zoning to the North and East. Abutting to the West is the NW 40 AVE right-of-way followed by General Commercial (CG) zoning. Abutting to the South is NW 16th Street right-of-way followed by General Commercial (CG) zoning.

This building contains three suites. Each suite is occupied by an Office, Medical use to include dental, podiatry, and a general medical office. This site is suitable for medical and professional offices.

The applicant, Jonelle Rivas Gibson, APRN, is a licensed Advanced Practice Registered Nurse. She is proposing to operate this medical office as a general family practice with psychiatric services. This office would serve as a primary care office which also provides services to include but not be limited to; primary care, tele-medicine, psychiatric care, physicals, immunizations, allergy care and skin care.

Ms. Rivas Gibson is applying to be the operator of the Medical, Office, with Controlled Substance Provider use and is proposing to be the only medical practitioner within the office. Jonelle Rivas Gibson holds a DEA license to prescribe controlled substances and is in good standing with the Florida Board of Medicine.

Based upon its review, staff finds the proposed use of an Office, Medical, with Controlled Substance Provider to be consistent with the above considerations. As such, staff recommends approval of the special exception request.

VI. RECOMMENDATION/ACTION

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

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

1. This Special Exception Use development order for an Office, Medical with Controlled Substance Provider shall be specifically granted to BODY & MIND WORKS, INC. and shall cover the licensed Nurse Practitioner, Jonelle Rivas Gibson 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 BODY & MIND WORKS, INC. operates the use.
2. This Special Exception Use development order allows for no controlled substance prescriptions to anyone other than a patient on the day of an appointment.
3. This Special Exception Use development order allows for no prescription refills.

4. 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.

5. 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. Application submission
- B. Medical License & DEA Controlled Substances Prescriber License
- C. Site Plan
- D. SEU Conditions Affidavit

Prepared by:
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City of Lauderhill
Date: 1/16/20