

CITY OF LAUDERHILL
COMMISSION MEETING

Agenda Request

Indicate with an (x) this type of request:

 ORDINANCE
 X RESOLUTION
 OTHER

Meeting Date: January 8, 2024

Title: Special Exception Application No.23-SE-011

GUIDEWELL SANITAS I, LLC

Request action: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO GUIDEWELL SANITAS I, LLC 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 9,800 SQUARE FEET UNIT WITHIN A 189,639 SQUARE FEET SITE LEGALLY DESCRIBED AS C & U SHOPPING CENTER 81-26 B POR TR A AND ALL OF TR A OF PLAT C&U SHOPPING CTR ADD 100-45 BDESC AS:COMM SW COR OF TR A OF C&U SHOPPING CENTER 81-26 B,E 498.33 TO POB,CONT E 546.69,N 643,W 535.12,S 642.90 TO POB AKA:PARCEL 1 TOG WITH POR TR A C&U SHOPPING CENTER 81-26 B DESC AS:BEG SW COR TR A OF SAID PLAT, N 450,E 200,N 43,E 150,N 150,E 159.90,S 642.90,W 498.33 TO POB AKA:PARCEL 2 AND MORE COMMONLY KNOWN AS 7342 W. COMMERCIAL BLVD., LAUDERHILL, FLORIDA.

Need: WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A MEDICAL OFFICE WITH CONTROLLED SUBSTANCE PRACTITIONER USE IS A SPECIAL EXCEPTION USE REQUIRING CITY COMMISSION APPROVAL. THE APPLICANT NEEDS CITY COMMISSION APPROVAL IN ORDER TO OPERATE THE PROPOSED USE.

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Summary Explanation/ Background:

A special exception use is requested to allow in the General Commercial (CG) zoning district a Medical Office with Controlled Substance Practitioner Use in a 9,800 square feet unit within a 189,639 square feet site generally located on the Southeast corner of W. Commercial Blvd and N. University Drive.

The site is bordered to the North and East by arterial roadways. The site is bordered to the South by commercially zoned property and by a canal and single family residentially zoned properties. The site is bordered to the West by commercially zoned property and single family residentially zoned property.

The site is a part of multi-tenant retail plaza commonly known as 7342 W Commercial Blvd. The applicant intends to operate a medical center which provides a variety of non-emergency healthcare services, including general consultations, preventative care, and specific medical treatments. The applicant will employ a medical director, a nurse practitioner, clinical care assistants, charge nurses, and a health coach.

Based upon its review, the Planning and Zoning Division recommends **approval** of the Special Exception Use request. As such, should the commission choose to approve the request, staff recommends 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 9,800 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 Guidewell Sanitas I, LLC and shall cover the licensed practitioners of Guidewell Sanitas I, LLC (to include both employee practitioners and independent contractors working for Guidewell Sanitas I, LLC where for clarification, such independent contractor bills under the billing number of Guidewell

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Sanitas I, LLC and the patients are patients of record of Guidewell Sanitas I, LLC, 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 Guidewell Sanitas I, LLC 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 five (5) days a week, Monday through Friday 9:00 a.m. to 6:00 p.m., Saturdays and Sundays are closed. 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. Guidewell Sanitas I, LLC 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.

Attachments: Development Review Report, Floor Plan, Affidavit of Conditions

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Cost Summary/ Fiscal Impact:

The division 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: Explain how this Agenda item advances one or more objectives

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

Recommended By:

(Division Director)

Recommended By:

(Department Director)

Approved By:

(Finance Director)

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Approved By:

(City Manager)

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