



Development Review Report (DRR)

To: Kennie Hobbs, Jr., *City Manager*
Via: Daniel T. Keester-O'Mills, AICP, *Development Services Director*
From: Dominic Lindsay, *Associate Planner*
RE: Special Exception Application No. 25-SE-009 (1879 NW 40 Ave)
Date: October 2, 2025

The applicant (Enrique Acosta, President and owner of Pediatric Dental Center of Lauderhill / tenant) has filed a Special Exception application on behalf of the property owner 1879 N State Road, LLC. The property is generally located along NW 40th AVE (US 441/SR 7), between NW 19th Street and NW 16th Street. The following table includes relevant information on the property and application request:

Property Address:	1879 NW 40 th Ave
Tax Folio ID(s):	494136310010
Property Owner:	1879 N State Road, LLC
Applicant Name:	Enrique Acosta, President and owner of Pediatric Dental Center of Lauderhill
Zoning District(s):	CG (General Commercial)
Land Use Designation(s):	Commercial
Legal Description:	Tract A, Galant subdivision, according to the plat thereof, as recorded in plat book 82, page 15, of the public records of Broward County, Florida.
Applicant Request:	The applicant is requesting a special exception approval to allow a medical (dental) office, which includes a medical provider authorized to prescribe controlled substances, within the Commercial General (CG) zoning district. The subject property is located at 1879 NW 40 th Ave, Lauderhill, Florida on an approximately 1.66± acre site.
Application Type:	Special Exception Special Exception uses which are essential or desirable for the orderly development of the City and for the public convenience or welfare but which, because of their particular characteristics or area requirements, should be given individual consideration with respect to adjacent property, under conditions as specified in these regulations because of public welfare, health or safety.
<u>Approval of any special exception use application shall require four (4) votes by the City Commission. In the event that there shall be a quorum of fewer than four (4) Commissioners, approval must then be unanimous.</u>	
There are seven standards for approval. All standards must be addressed in order to grant a special exception.	

I. AERIAL & ADJACENT PROPERTIES



Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Commercial	Transit Oriented Corridor	General Commercial (CG)
South	Commercial	Transit Oriented Corridor	General Commercial (CG)
East	Commercial	Transit Oriented Corridor	General Commercial (CG)
West	Residential	High (50) Residential	Residential Multi-Family (RM-45)

II. APPLICABLE LAND DEVELOPMENT REGULATIONS

LDR Article IV., Part 1.0., Subsection 1.3.1., addresses the pre-application conference

LDR Article IV., Part 1.0., Subsection 1.3.2., provides for the Department to review any land development order application

LDR Article IV., Part 1.0., Subsection 1.4.4., provides that within 45 days from the acceptance of the application for development subject to major review

LDR Article IV., Part 4.0., subsection 4.5.A. requires the application set forth in detail the proposed use

LDR Article IV., Part 4.0., Subsection 4.5.B. provides the Department shall not accept a special exception use application if the property is subject to unpaid city liens, fines or fees

LDR Article III, Section 2.2., addresses assignment of zoning districts

LDR Article III, Sections 2.3 and 2.4., and Schedule B. respectively address permitted and special exception uses

Article III, Section 5.28 - Offices

Article IV., Part 4.0., Section 4.6., Standards for approval, provides the City Commission, in reviewing any application for a special exception use, shall consider seven (7) specific standards

III. PROPERTY HISTORY

Special Exceptions

- N/A

Open Code Violations

- Case # 22100201 – Notice of Violation for trash & debris around swale and dumpster area.

Variances

- N/A

Development History

- The office building (~26,109 sq. ft. building) was constructed in approximately 1974.

IV. 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.

Based upon its review, staff finds that the proposed use is consistent with all of the above considerations. As such, staff recommends approval of the special exception request.

LDR Article III, Sections 2.3 and 2.4., and Schedule B. respectively address permitted and special exception uses. The LDR classifies a Medical Office with Controlled Substance Provider, which is allowed in the General Commercial (CG) zoning district as a special exception use.

1. **The effect of such use on surrounding properties:** The subject property and all of the surrounding properties are designated Transit Oriented Corridor in the Future Land Use Map Series. The property is zoned General Commercial (CG) on the City of Lauderhill Zoning Map and located along NW 40th AVE (US 441/SR 7), between NW 19th Street and NW 16th Street. The Applicant is proposing to operate a dental office, which includes a medical provider authorized to prescribe controlled substances. The presence of a pediatric dental office may positively impact surrounding properties by attracting families seeking convenient access to high-quality healthcare. The stability and long-term presence of a healthcare facility like a Pediatric Dental Center may create a more family oriented, thriving neighborhood, enhancing the overall desirability of the surrounding area. As the Office, Medical with Controlled Substance Provider Use will operate within a newly renovated commercial plaza, Staff does not anticipate adverse effects to the surrounding units within the office plaza. As such, Staff concludes that this is an appropriate location for the proposed use as it pertains to the use's effect on the surrounding properties.
2. **The suitability of the use in regards to its location, site characteristics, and intended purpose and access:** The proposed dental office, which includes a medical provider authorized to prescribe controlled substances is located along N. State Road 7 (NW 40th Ave) which is a major thoroughfare, between NW 19th St and NW 16th St. The intended purpose is to provide a service where the children in the immediate community can receive essential dental services that focus on preventive care, early detection of dental issues, and education for both children and parents.

Since this property has been newly renovated along a major thoroughfare, Staff finds that the use is suitable in regard to location, characteristics and purpose.

3. **Access, traffic generation and road capacities:** Staff finds that there is existing access along N. State Road 7. The dental office will operate within a 2,736 sq. ft office unit and will be doing interior renovations to the unit. The applicant advised that the subject site for the proposed Pediatric Dental Center would be well-suited to accommodate a state-of-the-art facility that integrates cutting-edge technology with a child-friendly environment. Furthermore, pediatric dental centers typically see fewer patients per hour compared to other healthcare providers, as appointments are more spaced out to accommodate the needs of young children. As such, Staff concludes the use conforms to this criteria as the intensity of the use will remain the same in regards to access, traffic generation and road capacities.
4. **Economic benefits or liabilities:** Staff concludes that the proposed dental office would provide both direct and indirect economic benefits. The direct benefits are the additional jobs within the City of Lauderhill. An additional benefit is the collected sales tax and local business receipt tax. The indirect economic benefits could include sales taxes collected due to employee expenditures within the City. The economic liabilities would include the continued use of public services.
5. **Demands on utilities, community facilities, and public services:** Staff finds that the dental office, which includes a medical provider authorized to prescribe controlled substance will require consistent access to water, electricity, and waste disposal services.
6. **Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill:** Staff finds that the dental office, which includes a medical provider authorized to prescribe controlled substances is a commercial use. Both the City and the County plans allow for a medical office, which includes a medical provider authorized to prescribe controlled substances use within a commercial corridor. Staff finds that the proposed use is in conformance with the City and County Comprehensive plans.
7. **Factors relating to safety, health, and general public welfare:** Staff acknowledges that the medical office, which includes a medical provider authorized to prescribe controlled substances can adversely impact the public safety, health, and general welfare unless such adverse impacts are substantially mitigated.

V. RECOMMENDATION/ACTION

Staff recommends approval of this special exception request for an Office, Medical with Controlled Substance Provider Use.

In order to ensure potential effects on the surrounding area is minimized, staff recommends the following conditions be imposed:

This special exception use development order allows for no controlled substance prescriptions to anyone other than a dental patient in connection with a dental procedure performed or to be performed and no prescription refills.

1. This special exception use development order is granted to the property owner, 1879 N STATE ROAD LLC. The property owner may delegate authority of the approval to tenants to operate a doctor's office on-premise. Pursuant to 1.3.11. Transfer of Development Orders or Approvals, should the property be sold, transferred or otherwise re-assigned the new owner shall notify the Development Services Department of the City updated contact information within five (5) days of change of ownership.
2. The dental office, which includes a medical provider authorized to prescribe controlled substance use is restricted to 2,736 square feet of leasable space located at 1879 NW 40th Ave, Lauderhill, Florida 33313. Consistent with Land Development Regulations Article IV., Part 4.0., Section 4.3., 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 or grants a new 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, or removal of the use to another location.
3. This Special Exception Use development order to allow a dental office, which includes a medical provider authorized to prescribe controlled substances is specifically granted to the property owner. Each medical office is required to obtain a Certificate of Use (COU) and each dentist is required to apply for a Certificate of Use, as well as maintain an active and valid dental license at all times. 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.
4. The general days and hours of operation are (6) days a week, Monday – Friday 9am – 5pm and Saturdays 9am – 1pm. 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. If there are any code enforcement violations or liens, Police or Florida Board of Medicine complaints, or any disciplinary actions by the Department of Health, they are grounds for this Special Exception Use Development Order to 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.
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.
7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved within the one hundred eighty-day period.
8. 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. Pursuant to Article IV Section 5.3.11. of the Land Development Regulations, a discontinuance of operations for a period of one year would forfeit any legal nonconformities related to the proximity of residential zoning districts.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

VI. ATTACHMENTS

1. *SEU Application Submittal*