



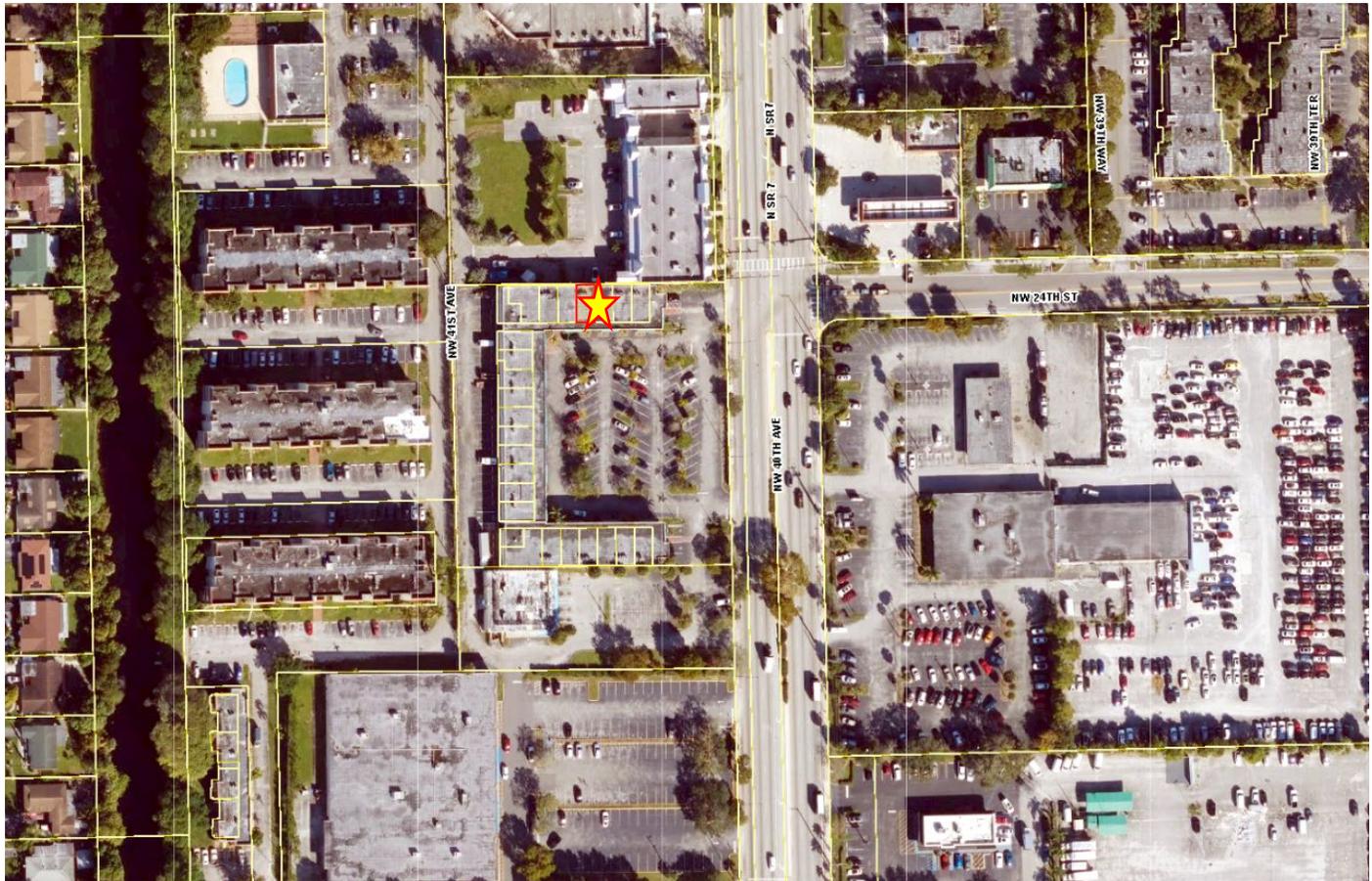
Development Review Report (DRR)

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-017 (2331 N. State Road 7, Suite 121)
Date: January 15, 2025

The applicant (Dr. Thamar Maurice, Business Owner of Infinity Health Community Clinic / tenant) has filed a Special Exception application on behalf of the property owner HBS Company LLC. The property is generally located along N State Road 7 and NW 24th Street. The following table includes relevant information on the property and application request:

Property Address:	2331 N. State Road 7, Suite 121
Tax Folio ID(s):	494125KB0210
Property Owner:	HBS Company LLC
Applicant Name:	Dr. Thamar Maurice owner of Infinity Health Community Clinic
Zoning District(s):	CG (General Commercial)
Land Use Designation(s):	Commercial
Legal Description:	Unit No. 121 of Sunrise Professional Center Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 40983, Page 1208, and all exhibits and amendments thereof, Public Records of Broward County, Florida.
Applicant Request:	The applicant is requesting a special exception approval to allow a medical office, which includes a medical provider authorized to prescribe controlled substances, within the General Commercial (CG) zoning district. The subject property is located at 2331 N. State Road 7 Unit #121, Lauderhill, Florida.
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	City of Lauderdale Lakes (Commercial)	City of Lauderdale Lakes	City of Lauderdale Lakes
West	Multi-Family Residential (More than 10 units)	Transit Oriented Corridor	RM-22

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

- N/A

Variances

- N/A

Development History

- The office building (~53,250 sq. ft. building and 757 sq. ft. unit) was constructed in approximately 1972.

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.

The owner of Infinity Health Community Clinic, Dr. Tamar Maurice, is a Board-Certified Nurse Practitioner and intends to provide essential healthcare services including HIV care, PrEP/PEP, STI testing, weight loss management and primary services. Although some procedures may require a medical prescription, there will be no dispensing of controlled medication from the office building. 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 property is zoned General Commercial (CG) on the City of Lauderhill Zoning Map and is generally located along N State Road 7 and NW 24th Street. The Applicant is proposing to operate a medical office, which includes a medical provider authorized to prescribe controlled substances. City of Lauderhill records show that there are various medical offices located within the subject office plaza, therefore, 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 medical 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 26th Street and NW 21st Street. The intended purpose is to provide a service where the immediate community can receive various healthcare services of their choice. Since this plaza has various medical offices, 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 which is a major thoroughfare. The medical office will operate within a 757 sq. ft office unit and will be doing interior renovations to the unit. Furthermore, the site is located within the Transit Oriented Corridor, making the location more pedestrian friendly. 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 Medical Office 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 medical office, which includes a medical provider authorized to prescribe controlled substance is a similar use and that the responsible operation of the medical office should generate a similar demand to other neighboring medical offices on utilities and community facilities.
6. **Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill:** Staff finds that the medical 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. Of note, there will not be any dispensing of controlled substances on site. Furthermore, the medical office uses an ADT alarm system and surveillance cameras to help deter crime.

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:

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 757 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 the property owner: HBS Company LLC. 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.
4. 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 certificate of use application is applied for within the one hundred eighty-day period. This special exception use development order shall automatically expire and become null and void if the necessary applications are not filed timely. 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.
5. The general days and hours of operation are Mondays through Fridays 9:00 a.m. to 5:00 p.m. and Saturday 8:30 a.m. to 3:00 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.
6. The applicant 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, the Florida Board of Nursing and the City when operating a Medical Office with Controlled Substance Practitioner.
7. Any violation of these conditions of approval, or if there are any Code Enforcement violations or liens against the property owner, this special exception use development order may be brought before the City Commission to be reconsidered, at which time the development order, or conditions of approval, may be subject to modification, suspension and/or revocation.
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.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

VI. ATTACHMENTS

1. *SEU Application Submittal*