

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 24-028

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLE-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE DEVELOPMENT OF A FOUR-STORY COMMUNITY HEALTH CLINIC/MEDICAL-OFFICE USE ON APPROXIMATELY 2.29 ACRES LOCATED WEST OF N. FLORIDA AVENUE, SOUTH OF W. 5TH STREET, EAST OF N. NEW YORK AVENUE AND NORTH OF W. 4TH STREET; REPEALING ORDINANCES 4053, 5230 AND 5327; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board held a public hearing on October 18, 2022 to consider the request of Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A., on behalf of Central Florida Healthcare Inc., to change the zoning from RA-4 (Single-Family Residential) to PUD (Planned Unit Development) on approximately 2.29 acres located west of N. Florida Avenue, south of W. 5th Street, east of N. New York Avenue and north of W. 4th Street, as more particularly described on Attachment “A” and graphically depicted on Attachment “B” (the “Property”), to allow for the development of a four-story community health clinic/medical-office; and

WHEREAS, the Planning and Zoning Board approved the requested zoning change on July 16, 2024 and recommended said change to the City Commission; and

WHEREAS, the City Commission of the City of Lakeland, after due public notice and a public hearing at which all interested persons were provided the opportunity to be heard, finds that it is in furtherance of the public health, safety and welfare for the Property to be classified or zoned as recommended by the Planning and Zoning Board;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The Property is hereby zoned PUD (Planned Unit Development) as provided herein, subject to the following conditions:

- A. Permitted uses: A 34,000 sq. ft. health clinic with a drive-thru pharmacy as an accessory use.
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "C." With the approval of the Director of Community & Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification to the PUD zoning.
- C. Development Standards: In accordance with O-3/Urban Corridor context sub-district standards except as otherwise shown on Attachment "C" or specified herein.
- D. Outdoor Lighting: All outdoor lighting shall be shielded in accordance with Section 4.6 of the Land Development Code.
- E. Architectural Design: As a non-residential use, the principal building shall be subject to the Design Standards for Principal Buildings specified under Section 3.4.7 of the Land Development Code. The US 98 (N. Florida Avenue) frontage landscape and fencing treatments shall be developed in accordance with Attachment "C". The buffer shall be a minimum of 9.5 feet of width and consist of a five-foot high decorative fence with staggered masonry columns every 25 ft. and a minimum of 16 shrubs plus 4 B (Medium) trees and two A (Large) trees per 100 linear feet or fraction thereof.
- F. Landscaping and Buffering: As specified in Sub-Section 4.5.7.3 of the Land Development and Table 4.5-1 of the Land Development, a landscape frontage buffer with a minimum width of five feet, a Type A hedge and eight (8) C (small) trees per 100 lineal feet, or fraction thereof, shall be constructed and maintained where the off-street parking and vehicle use area abuts any adjacent public streets.

G. Transportation

1. Binding Concurrency Determination shall be made at the time of site plan submittal.
2. Prior to Certificate of Occupancy issuance, a transit shelter shall be installed along the west side of US 98 (N. Florida Avenue) along the site's frontage or between W. 3rd and W. 4th Streets. An easement shall be executed between the property owner and Lakeland Area Mass Transit District (LAMTD) for any portion of the transit stop located outside of public right-of-way. The final site location and design shall be approved by LAMTD and the Florida Department of Transportation (FDOT).
3. Bicycle parking shall be required in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
4. An enhanced pedestrian plaza with landscaping and seating shall be constructed between the principal building entrance and US 98 (N. Florida Avenue) sidewalk as depicted in Attachment "C". ADA-compliant pedestrian routes shall be constructed between the principal building entrance and W. 4th Street and W. 5th Street sidewalks. Where not already existing, sidewalks shall be constructed along all public street site frontages.

SECTION 2. The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5885.

SECTION 3. Conditional Use Ordinances 4053, 5230 and 5327, and all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 4. If any word, sentence, clause, phrase or provision of this Ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

SECTION 5. This Ordinance shall take effect immediately upon the effective date of Small-Scale Amendment #LUS23-003 to the Future Land Use Map, as provided in Ordinance No. _____.

PASSED AND CERTIFIED AS TO PASSAGE this 19th day of August, A.D.

2024.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

ATTACHMENT "A"

LEGAL DESCRIPTION:

Lots 1 thru 8, inclusive, Block 1, and Lots 1 thru 4, inclusive, Block 2, of the Re-Subdivision

of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records or Polk County, Florida.

Together with:

That portion of North Missouri Avenue lying between Lots 1 and 4, Block 2, and Lots 2 and

3, Block 1 of the Re-Subdivision or McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk County, Florida.

and:

All that alley 15 feet in width lying in Block 1 of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk

County, Florida.

and:

All that vacated alley 15 feet in width lying in Block 2 of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records

of Polk County, Florida, lying north of the south line of aforesaid Lots 3, and 4 Block 2, as

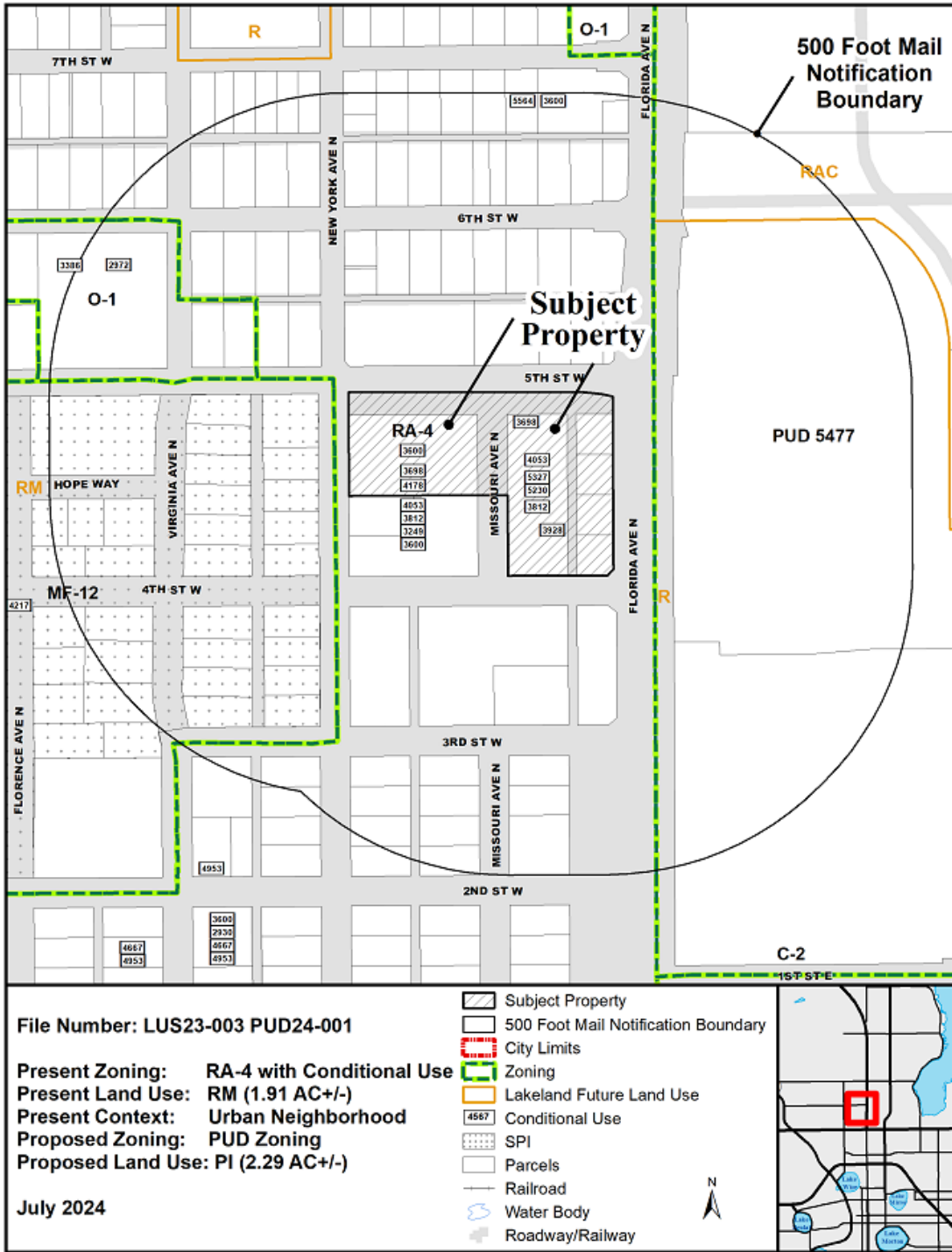
recorded in Official Records Book 1368 page 212, of aforesaid Public Records.

All, LESS and EXCEPT that portion of the maintained right-of-way for Fifth Street, within the City of Lakeland maintained right-of-way, being subject to Florida Statute 95.361, and

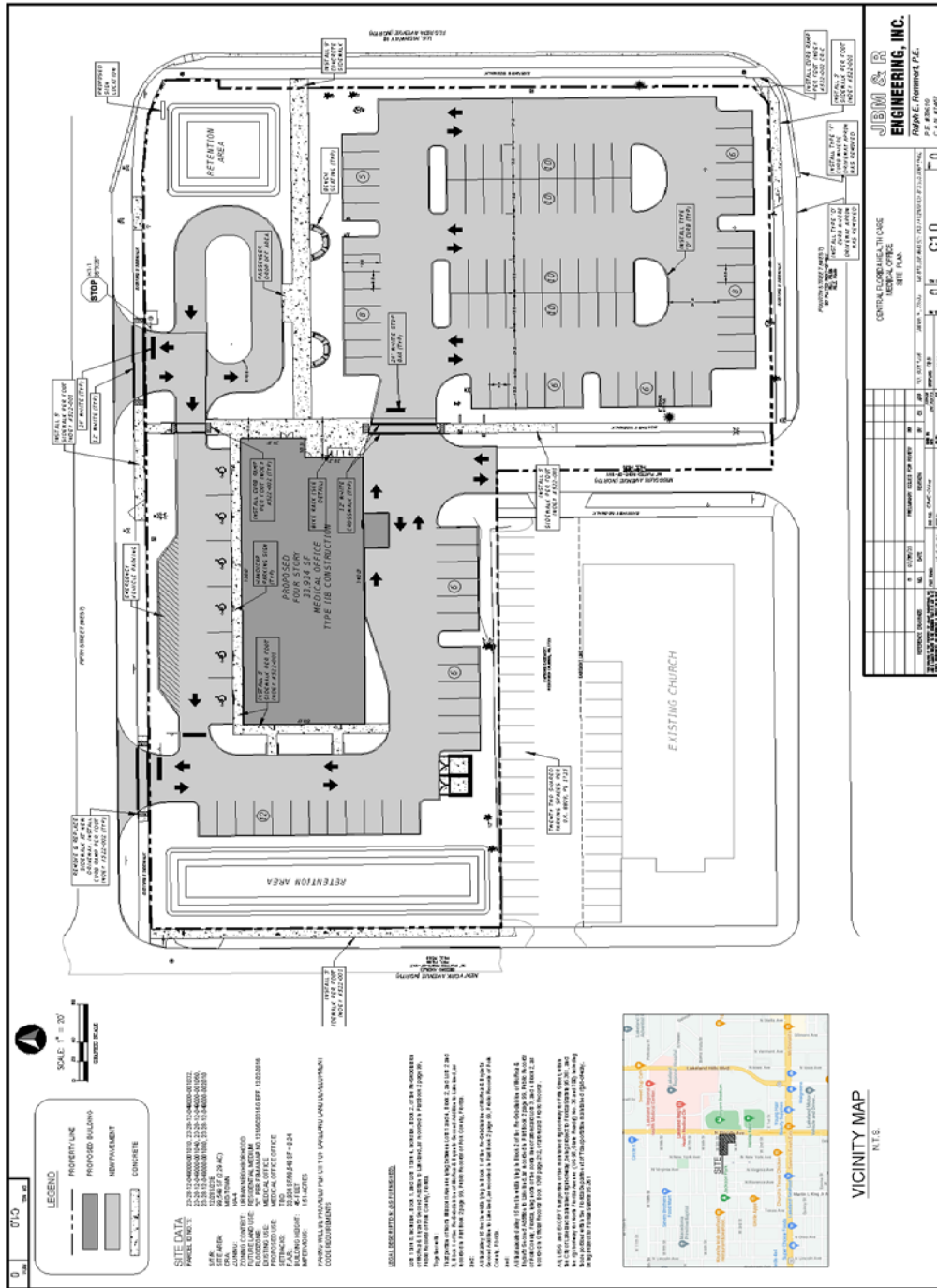
the right-of-way for North Florida Avenue (US 98, State Road(s) No. 35 and 700) including

those portions within the Florida Department of Transportation maintained right-of-way, being subject to Florida Statute 95.361

ATTACHMENT "B"



ATTACHMENT "C"

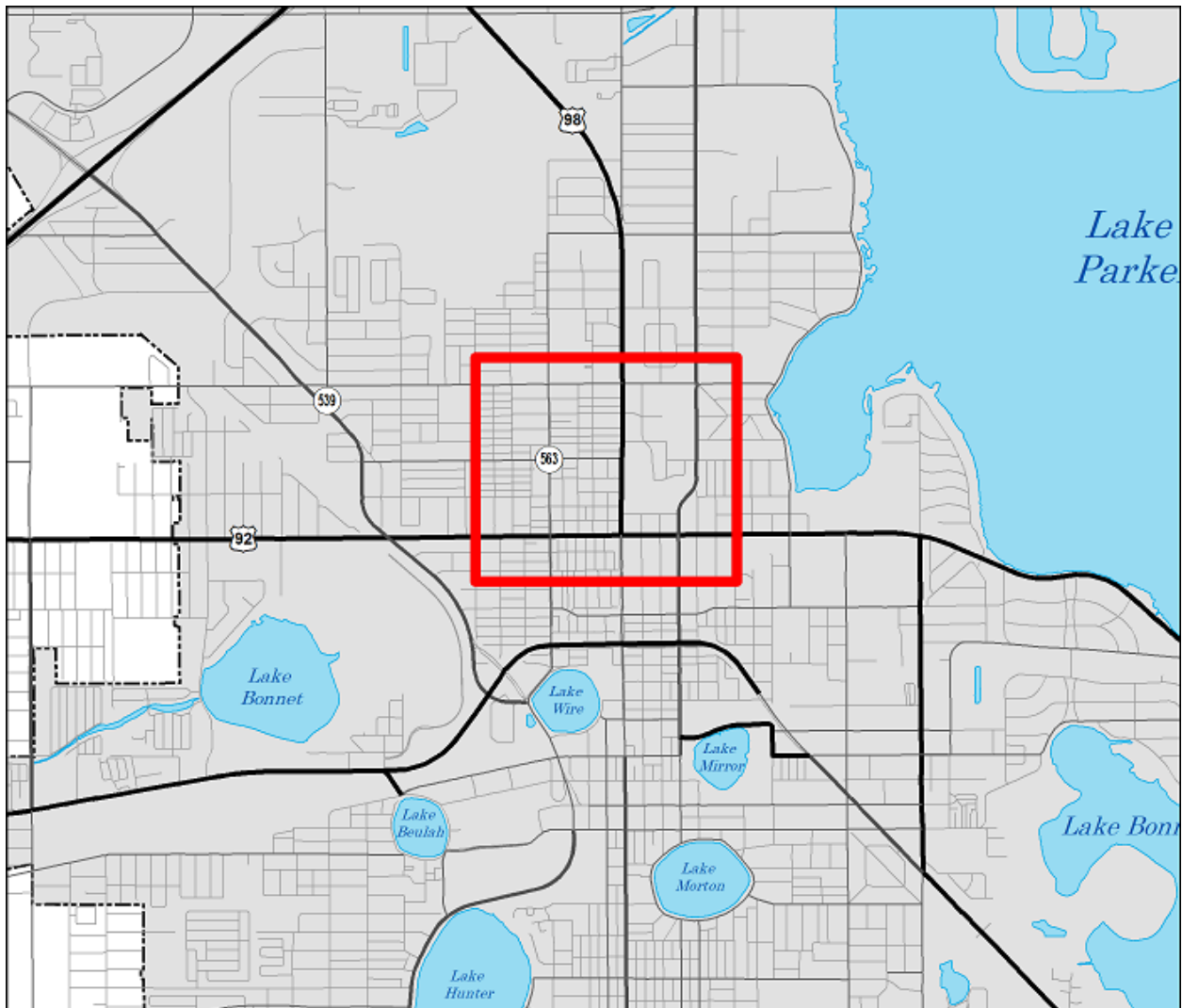


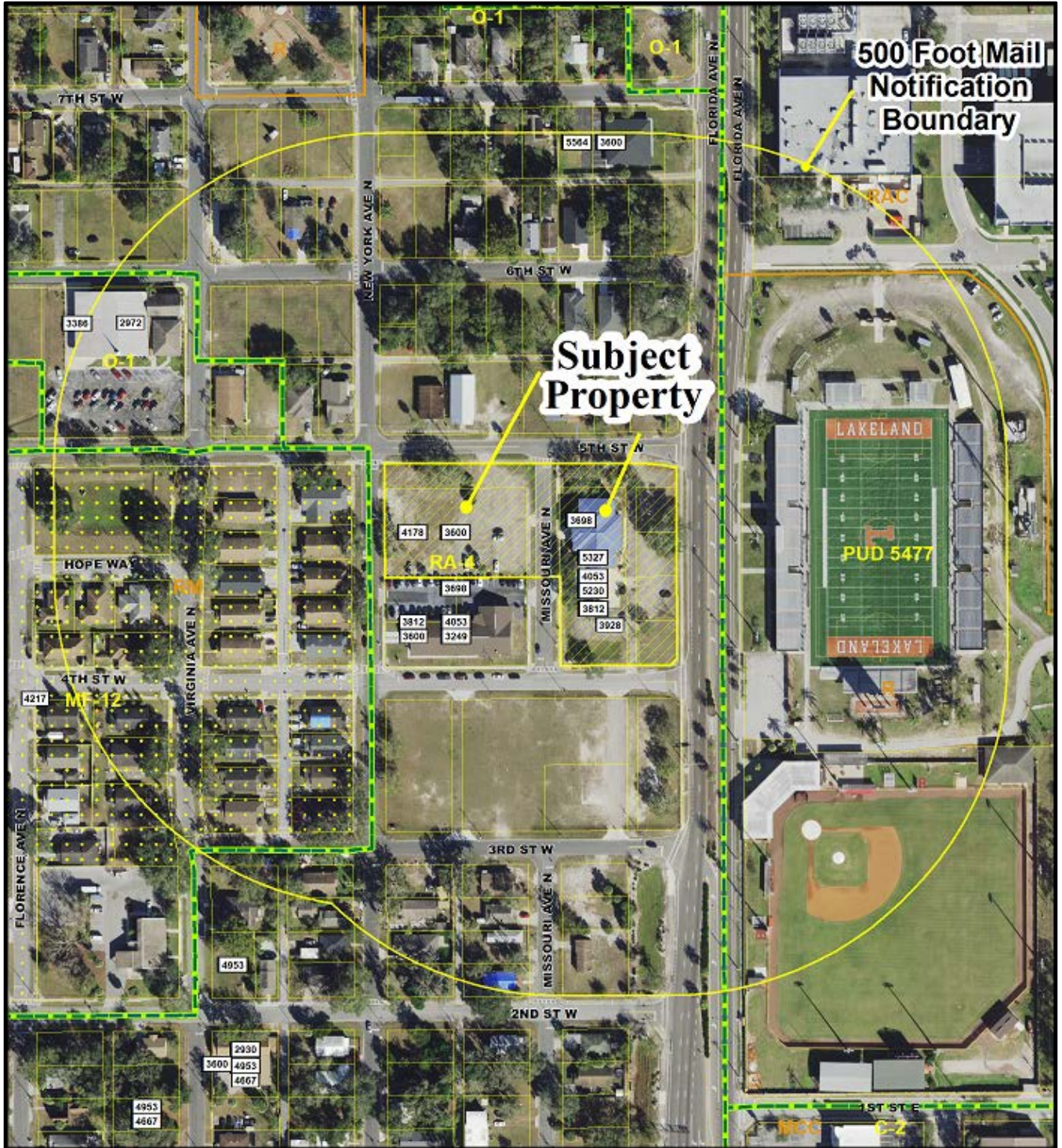


Planning and Zoning Board Recommendation

Date:	August 5, 2024	Reviewer:	Phillip Searce
Project No:	LUS23-003 PUD24-001	Location:	1129 N Missouri Avenue
Owner:	Central Florida Healthcare Inc.		
Applicant:	Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A.		
Current Zoning:	RA-4 (Single-Family)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	October 18, 2022	P&Z Final Decision:	July 16, 2024
Request:	A small-scale land use amendment to change the future land use designation from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI), and a change in zoning from RA-4 (Single-Family Residential) to PUD (Planned Unit Development) to allow for the development of a four-story community health clinic/medical-office use on approximately 2.29 acres located west of N. Florida Avenue, south of W. 5th Street, east of N. New York Avenue and north of W. 4th Street (1129 N. Missouri Avenue).		

1.0 Location Maps





2.0 Background

2.1 Summary

Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A., on behalf of Central Florida Healthcare Inc., requests a small-scale land use amendment to change the future land use designation from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI), and a change in zoning from RA-4 (Single-Family Residential) to PUD (Planned Unit Development), to allow for the development of a four-story community health clinic/medical-office use on approximately 2.29 acres located west of N. Florida Avenue, south of W. 5th Street, east of N. New York Avenue and north of W. 4th Street (1129 N. Missouri Avenue). A map of the subject property is included as Attachment "B."

2.2 Subject Property

Located in the Paul A. Diggs neighborhood, the subject property consists of the existing Central Florida Health Care community health clinic, a portion of vacated right-of-way for N. Missouri Avenue (Ordinance No. 6044), and an existing unimproved parking lot located on the west side of N. Missouri Avenue. The subject property is zoned RA-4 (single-family) Urban Neighborhood (UNH) context district, with a Residential Medium (RM) future land use designation. The subject property is currently improved with an 11,600 sq. ft., two-story office building which was originally built in 2000 as a "multi-purpose educational center" for New Jerusalem Church through a conditional use permit (Ordinance No. 4053). In 2011, an application for a conditional use (Ordinance No. 5230) was approved to allow for the conversion of the building to a school for grades K4 – 5. However, plans for the school never came to fruition. In 2012, the property was purchased by Central Florida Health Care, Inc. which applied and received approval for a new conditional use (Ordinance No. 5327) to allow for the conversion of the existing office building to a health clinic which provides a broad range of healthcare services to the community.

2.3 Project Background

The applicant initially requested a major modification of the existing conditional use (CUP22-013) to allow a smaller three-story medical office building. While this request received a recommendation for approval by the Planning & Zoning Board on October 18, 2022, it was placed on hold for several months as the applicant worked with the City to vacate/dedicate right-of-way and public utility easements. During this time, the scale and scope of the project changed which necessitated the need to for a small-scale map amendment and PUD zoning instead of a modification to the existing conditional use.

The applicant now requests a small-scale map amendment, to change the future land use designation from RM to PI, and change of zoning from RA-4 to PUD to allow for the development of a four-story 33,934 sq. ft. medical office/community health clinic as a replacement for the existing 11,600 sq. ft., two-story office building. Associated with the proposed land use amendment and rezoning is an accompanying right-of-way and utility easement vacation request which was reviewed by the applicable City Departments and will be considered by the City Commission as part of the land use and zoning package.

Adjacent land uses to the north, across W. 5th Street, consist of church uses and vacant parcels zoned for single-family development. To the south, the subject property abuts Greater New Jerusalem Baptist Church of Lakeland, and vacant lands owned by the Polk County School Board which are used by the school district and Florida Southern College as parking for athletic events scheduled respectively at Bryant Stadium and Henley Field. To the west across N. New York Avenue, the subject property abuts single-family residences which were constructed as part of Lake Ridge Hope VI

housing development. To the east, the subject property is bounded by N. Florida Avenue with Bryant Stadium and Henley Field located on the opposite side of US 98 (N. Florida Avenue).

The new four-story building will be located on the west side of N. Missouri Avenue, where the unimproved parking lot is located, and within the portion of N. Missouri Ave right-of-way that has been vacated. If approved by the City Commission, the existing two-story office building will remain in use through the construction phase for the new medical office building. Upon completion of the new four-story medical office building, the existing two-story office building will be demolished. A copy of a site development plan which shows the proposed four-story medical office building, off-street parking areas and internal driveways is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Vacant Land, House of Worship	RM	RA-4	UNH
South	Vacant Land	RM	RA-4	UNH
East	Outdoor Recreation (Bryant Stadium)	R	PUD	PCR
West	Single-Family Residential	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

Central Florida Health Care, Inc. (CFHC), founded in 1972, provides critical health services for underserved communities throughout Central Florida. CFHC has operated out of its current location in the Paul A. Diggs neighborhood for more than a decade with minimal impacts to surrounding uses. However, in recent years, demand for CFHC’s services has grown and the existing facility no longer meets the community’s needs. Services provided include medical, dental (pediatric and adult), behavioral health, OB/GYN, nutritional counseling and optometry. For the proposed four-story medical office building/community health clinic, CFHC will also offer on-site labs and full pharmacy services including a drive-thru window for patients to pick-up prescriptions.

The proposed four-story, 33,934 sq. ft. medical clinic will provide ample room to meet the additional demand and provide additional services which are not currently offered. The surrounding area consists of vacant land religious institutions and parking for athletic events. The closest single-family dwellings will be approximately 150 feet away from the proposed 4-story medical office building which will be buffered by a stormwater retention area and landscaping. While the four-story building will be highly visible from the adjacent residential uses to the west, impacts will be limited to regular office hours held from 7:30 AM to 6:00 PM, Monday – Thursday, and from 7:30 AM – 5:00 PM on Friday and Saturday.

The proposed site plan (Attachment “C”) depicts the location of the new clinic facility, located to west of the existing office building. A total of 136 parking spaces are shown on the site plan, however, the final total number of parking spaces may be adjusted at the time of site plan review. Based on the stated square footage of 33,934 sq. ft., the minimum parking requirement before any offsets for access to transit services or bicycle parking facilities is 152 spaces. Because the site development plan includes bicycle racks and is located adjacent to existing Citrus Connection bus routes, the minimum parking required may be reduced to 121 spaces.

Site improvements include an enhanced plaza which will provide a pedestrian connection from the primary building entrance to N. Florida Avenue and will consist of decorative fencing, landscaping and outdoor seating for patients and visitors. In addition to these improvements, the applicant will work with the City and the Citrus Connection to construct a transit shelter adjacent to N. Florida Avenue.

On July 15, 2024, the City Commission approved the vacation of a portion of N. Missouri Avenue (Ordinance No. 6044), as well as the vacation of utility easements (Resolution No. 5918). This action connects the two parcels to create a unified development site.

3.1 Transportation and Concurrency

The subject property is located on US 98 (N. Florida Avenue), a principal arterial road operated by the Florida Department of Transportation (FDOT), as well as a Transit Oriented Corridor (TOC) within the Central City Transit Supportive Area as designated by the Lakeland Comprehensive Plan. US 98 (N. Florida Avenue) is a designated a Type I roadway in the Land Development Code which requires the provision of cross-access routes or service roads to adjacent properties to control access.

According to the Polk Transportation Planning Organization’s 2023 Roadway Network Database (published October 13, 2023), US 98 (N. Florida Avenue) between US 92 (Memorial Boulevard) and Griffin Road has a daily volume of 34,800 vehicles with a two-hour average PM peak period volume of 1,265 northbound and 1,215 southbound vehicles, operating at an acceptable level-of-service (LOS) “C”. The other streets around the subject property are local streets operated by the City of Lakeland and aren’t tracked for transportation concurrency purposes.

The Lakeland Area Mass Transit District (Citrus Connection) operates fixed-route bus service with 30-minute frequencies along Florida Avenue between Lake Miriam Square and Lakeland Square Mall/Lakeland Park Center via its Gold Line. The northwest corner of the subject property is located approximately 1,700 feet from a transfer point for Blue Line 1 and Yellow Line at the Dr. Martin Luther King Jr. Avenue/W. 8th Street intersection. Sidewalks and bicycle lanes exist along both sides of N Florida Avenue. Sidewalks exist on the south side of W. 5th Street between N. Florida Avenue and Dr. Martin Luther King Jr. Avenue. Except for an approximately 70-foot gap along the subject property’s frontage, a sidewalk exists along the north side of W. 4th Street between the site and Dr. Martin Luther King Jr. Avenue.

FDOT will soon begin construction of a signalized pedestrian crossing of N. Florida Avenue between W. 3rd and 4th Streets, providing enhanced access to Bryant Stadium and Henley Field. In response to a project priority established by the City Commission from FDOT’s Lakeland Area Alternatives Analysis in 2018, FDOT completed its US 98 Bus Rapid Transit Feasibility Study of premium infrastructure and service between Downtown and Lakeland Square Mall in support of providing connectivity to the potential for future regional rail services such as Brightline and/or SunRail. The Feasibility Study assumes a three-phased implementation of bus rapid transit service to an assumed full buildout in Year 2045, with a transit station near W. 6th Street to serve Lakeland Regional Health and the southern portion of the Medical District.

The Major Traffic Study submitted by Michael Raysor, P.E., Raysor Transportation Consulting, compared the trip generation of the existing 11,600 square foot medical office with the proposed

33,934 square foot medical office that is under consideration. Using data collected for Land Use Code 720 (Medical-Dental Office Building – Stand Alone) as published by the Institute of Transportation Engineers' Trip Generation Manual (11th Edition), project traffic is expected to increase by an estimated 960 Daily, 55 A.M. Peak Hour and 90 P.M. Peak Hour Trips. All study area roadway segments and intersections are expected to operate at an acceptable roadway LOS in the post-development condition; however, two approaches at the Florida Avenue/Parkview-10th Street intersection are estimated to operate at LOS "F" during the A.M. Peak Period in the background and post-development condition.

The proposed transportation conditions are intended to encourage access via transit, bicycle, and pedestrian modes, particularly for clients that may not have access to an automobile. Since the existing 11,600 square foot clinic building must continue to operate while the new facility is constructed, the final site design will not meet the maximum Urban Corridor building setback requirements. An enhanced pedestrian plaza will be required between the principal entrance and N. Florida Avenue sidewalk, with decorative fencing, landscaping, and a transit shelter to create an interface with the public right of way that meets the spirit of the Land Development Code urban form standards. Bicycle parking and pedestrian connections to W. 4th and 5th Streets are also required on the subject property as well as the completion of frontage sidewalks on W. 4th Street and New York Avenue.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends that the request for a small-scale map amendment, to change the future land use designation from RM to PI, and a change to zoning, from RA-4 to PUD, be approved. Letters of notification were mailed to 10 property owners within 500 feet of the subject property. No emails or comments were received.

4.2 Recommendation

This recommendation was approved by a 5—0 vote of the Board.

Recommendation

It is recommended that the request for a small-scale map amendment, to change the future land use designation from RM to PI, and a change in zoning, from RA-4 to PUD, as described above and in Attachments "A", "B," and "C" be approved subject to the following conditions:

Note: It is the intent of this zoning action to repeal prior conditional use approvals, Ordinance Nos. 4053, 5230 and 5327, which will no longer be applicable upon the adoption of this ordinance.

- A. Permitted uses: A 34,000 sq. ft. health clinic with a drive-thru pharmacy as an accessory use.
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "C." With the approval of the Director of Community & Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification to the PUD zoning.

- C. Development Standards: In accordance with O-3/Urban Corridor context sub-district standards except as otherwise shown on Attachment “C” or specified herein.
- D. Outdoor Lighting: All outdoor lighting shall be shielded in accordance with Section 4.6 of the Land Development Code.
- E. Architectural Design: As a non-residential use, the principal building shall be subject to the Design Standards for Principal Buildings specified under Section 3.4.7 of the Land Development Code. The US 98 (N. Florida Avenue) frontage landscape and fencing treatments shall be developed in accordance with Attachment “C”. The buffer shall be a minimum of 9.5 feet of width and consist of a five-foot high decorative fence with staggered masonry columns every 25 ft. and a minimum of 16 shrubs plus 4 B (Medium) trees and two A (Large) trees per 100 linear feet or fraction thereof.
- F. Landscaping and Buffering: As specified in Sub-Section 4.5.7.3 of the Land Development and Table 4.5-1 of the Land Development, a landscape frontage buffer with a minimum width of five feet, a Type A hedge and eight (8) C (small) trees per 100 lineal feet, or fraction thereof, shall be constructed and maintained where the off-street parking and vehicle use area abuts any adjacent public streets.
- G. Transportation
 1. Binding Concurrency Determination shall be made at the time of site plan submittal.
 2. Prior to Certificate of Occupancy issuance, a transit shelter shall be installed along the west side of US 98 (N. Florida Avenue) along the site’s frontage or between W. 3rd and W. 4th Streets. An easement shall be executed between the property owner and Lakeland Area Mass Transit District (LAMTD) for any portion of the transit stop located outside of public right-of-way. The final site location and design shall be approved by LAMTD and the Florida Department of Transportation (FDOT).
 3. Bicycle parking shall be required in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
 4. An enhanced pedestrian plaza with landscaping and seating shall be constructed between the principal building entrance and US 98 (N. Florida Avenue) sidewalk as depicted in Attachment “C”. ADA-compliant pedestrian routes shall be constructed between the principal building entrance and W. 4th Street and W. 5th Street sidewalks. Where not already existing, sidewalks shall be constructed along all public street site frontages.

ATTACHMENT "A"

Legal Description:

Lots 1 thru 8, inclusive, Block 1, and Lots 1 thru 4, inclusive, Block 2, of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk County, Florida.

Together with:

That portion of North Missouri Avenue lying between Lots 1 and 4, Block 2, and Lots 2 and 3, Block 1 of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk County, Florida.

and:

All that alley 15 feet in width lying in Block 1 of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk County, Florida.

and:

All that vacated alley 15 feet in width lying in Block 2 of the Re-Subdivision of McRea & Bryant's Second Addition to Lakeland, as recorded in Plat Book 2 page 99, Public Records of Polk County, Florida, lying north of the south line of aforesaid Lots 3, and 4 Block 2, as recorded in Official Records Book 1368 page 212, of aforesaid Public Records.

All, LESS and EXCEPT that portion of the maintained right-of-way for Fifth Street, within the City of Lakeland maintained right-of-way, being subject to Florida Statute 95.361, and the right-of-way for North Florida Avenue (US 98, State Road(s) No. 35 and 700) including those portions within the Florida Department of Transportation maintained right-of-way, being subject to Florida Statute 95.361

ATTACHMENT "B"

