

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 25-014

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5391 TO PROVIDE FOR A MAJOR MODIFICATION OF AN EXISTING CONDITIONAL USE FOR A NEIGHBORHOOD CONVENIENCE CENTER (NCC) TO EXPAND THE BOUNDARIES OF THE CONDITIONAL USE TO ALLOW A BOOKSTORE ON PROPERTY LOCATED AT 737 S. MISSOURI AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission previously adopted Ordinance No. 5391, approving a Conditional Use for a Neighborhood Convenience Center (NCC) to allow a coffee shop on property located at 119 Hillcrest Street; and

WHEREAS, the applicant, Finley Walker, on behalf of owner, Chris and Judith Cheatwood, seeks to modify the subject Conditional Use approval in order to expand the boundaries of the conditional use to allow a bookstore on property located at 737 S. Missouri Avenue, which property is more specifically described in Attachment “A” and graphically depicted on Attachment “B,” attached hereto and made a part hereof (the “Property”); and

WHEREAS, the Planning and Zoning Board approved the requested modification to the Conditional Use on May 20, 2025 and recommended said modification to the City Commission; and

WHEREAS, the City Commission, after due public notice and a public hearing at which all interested persons were afforded the opportunity to be heard, finds that the Conditional Use for the Property should be modified as recommended by the Planning and Zoning Board;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF LAKE LAND, FLORIDA:**

SECTION 1. The foregoing findings are true and correct and are incorporated herein by reference and made a part hereof.

SECTION 2. Ordinance No. 5391, is hereby amended as follows:

1. Site Development Plan: The project shall be developed in substantial accordance with the proposed site development plan included as Attachments “C.” and “D.” With the approval of the Director of Community and Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification to this conditional use. New accessory structures not shown on the site development plan shall be permitted in accordance with the Land Development Regulations Code.
2. Permitted Uses:
 - a. Property Located at 119 Hillcrest Street (Hillcrest Coffee): Use of the property shall be limited to uses permitted by right within the O-1 zoning district and a 1,600 sq. ft. restaurant/snack bar
 - b. Property Located at 737 S. Missouri Avenue (Inking’s Book Shoppe): Use of the property shall be limited to uses permitted by right within the O-1 zoning district and a 2,700 sq ft bookstore with a café as an accessory use. The café may serve beer and wine for on-premises consumption only, non-alcoholic beverages and pre-made, pre-packaged foods. Alcoholic beverage sales shall not exceed 49% of the gross receipts for the café. As an accessory use incidental to the bookstore use, activities and functions such as tutoring services, book clubs and community meeting spaces may also be hosted on-site during the business hours contained in Condition 3.
3. Business Hours shall be limited as follows
 - a. Restaurant/Snack Bar (Hillcrest Coffee)

| | |
|---------------------------|-------------------------|
| Sunday through Wednesday | 6:00 a.m. to 9:00 p.m. |
| Thursday through Saturday | 6:00 a.m. to 11:00 p.m. |
 - b. Bookstore (Inking’s Book Shoppe)

| | |
|-------|----------------------------------|
| Daily | 8:00 a.m. to 12:00 a.m. Midnight |
|-------|----------------------------------|
4. Performance Standards
 - a. Restaurant/Snack Bar (Hillcrest Coffee): Amplified music shall be prohibited outside the building. Non-amplified music shall be permitted within the front porch and shall only be allowed during hours of operation on Thursdays, Fridays, and Saturdays.

- b. Bookstore (Inkling's Book Shoppe): Outdoor display of merchandise shall be prohibited.
- 5. Buffering, landscaping and parking shall be provided in accordance with the Land Development ~~Regulations~~ Code.
- 6. Conditions of Approval Specific to Bookstore Use

Prior to the issuance of a Business Tax Receipt (BTR) for a bookstore, the following improvements shall be made to the property located at 737 S. Missouri Avenue subject to Building Inspection and Parks and Recreation review and approval.

- a. One ADA-compliant parking space shall be provided as shown on Attachment "D."
- b. An ADA compliant pedestrian path shall connect from the parking lot to the principal customer entrance.
- c. Bicycle parking shall be provided in accordance with Section 4.11.6 of the City Land Development Code and Index 900 of the City Engineering Standards Manual.
- d. Existing off-street parking spaces shall be maintained as a durable, dust free surface at all times and demarcated through the use of wheel stops and/or paint striping where applicable.
- e. For the three off-street parking spaces located west of the existing building, a Type A hedge shall be planted and maintained to screen the parking spaces from view when viewed from Hillcrest Street.

SECTION 3. 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 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 its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of June, A.D. 2025.

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:

Restaurant/Snack Bar (Hillcrest Coffee)

Parcel of land lying within Section 24, Township 28 S, Range 23 E of Polk County, Florida being further described as:

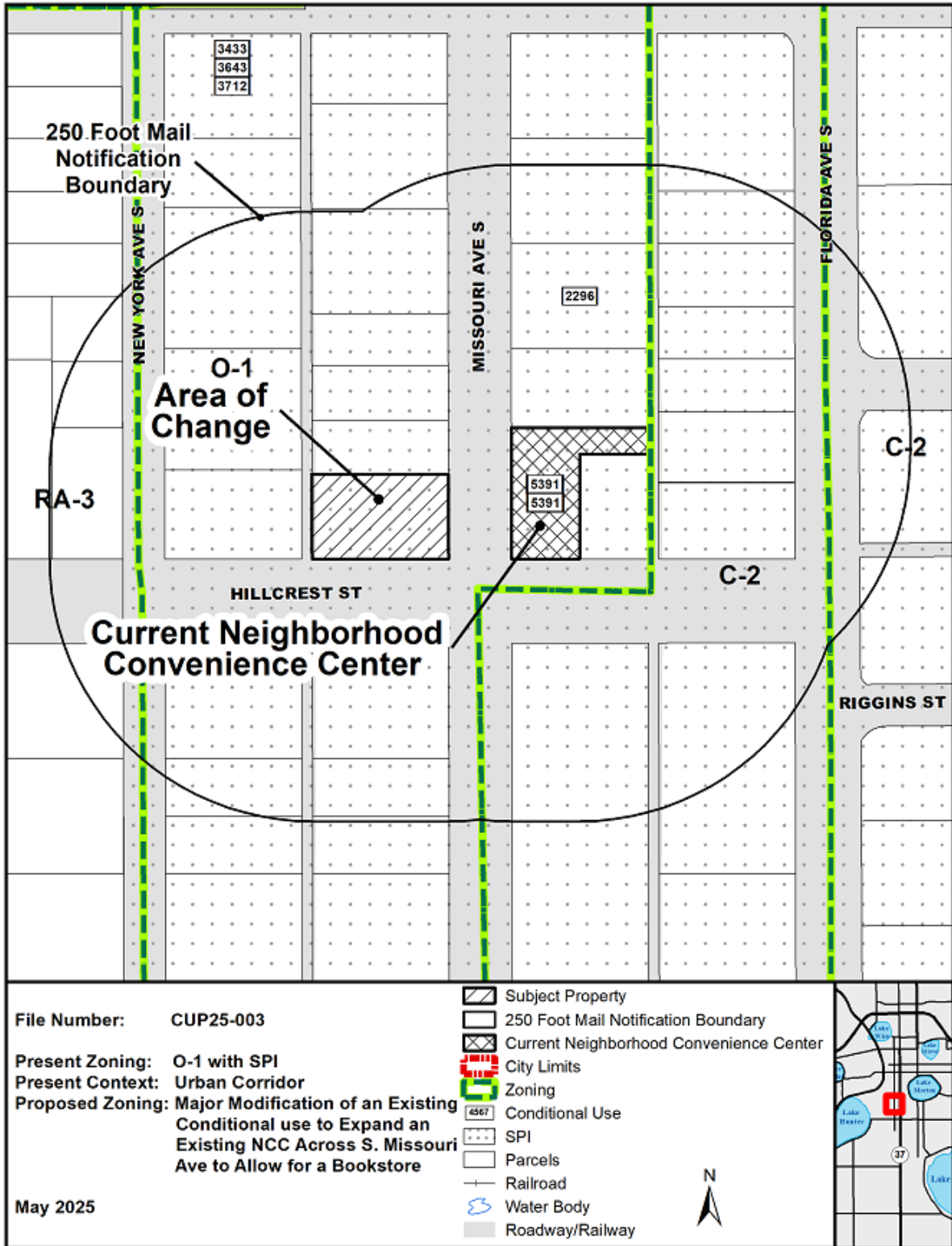
DRANES 2ND ADDITION PB 1 PG 47B BLK 1 LOTS 7 S 25 FT & W 65 FT OF 10

Bookstore (Inkling's Book Shoppe)

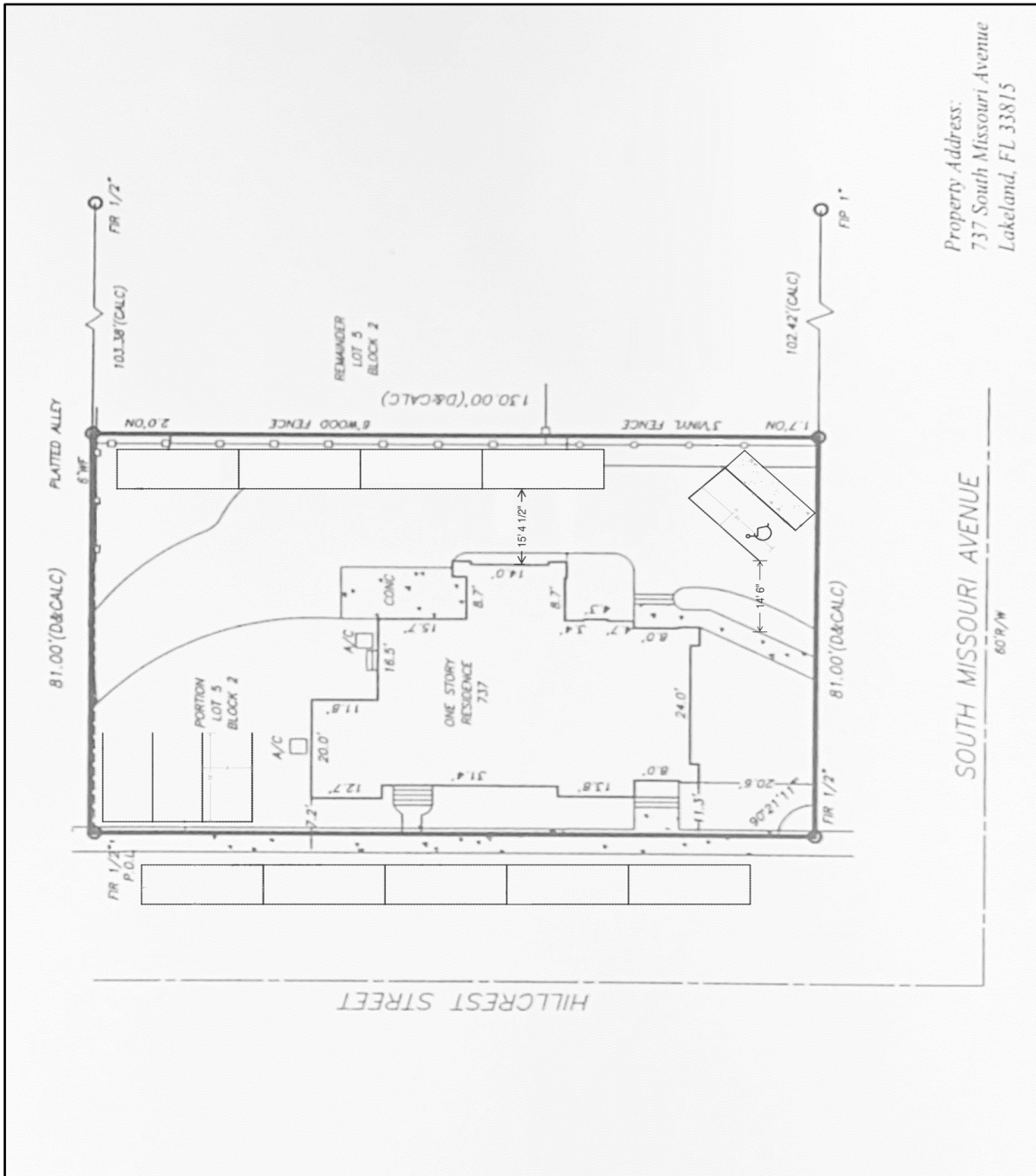
Parcel of land lying within Section 24, Township 28 S, Range 23 E of Polk County, Florida being further described as:

DRANES 2ND ADDITION PB 1 PG 47B S 81 FT LOT 5 BLK 2

ATTACHMENT "B"



ATTACHMENT "D"



Property Address:
 737 South Missouri Avenue
 Lakeland, FL 33815

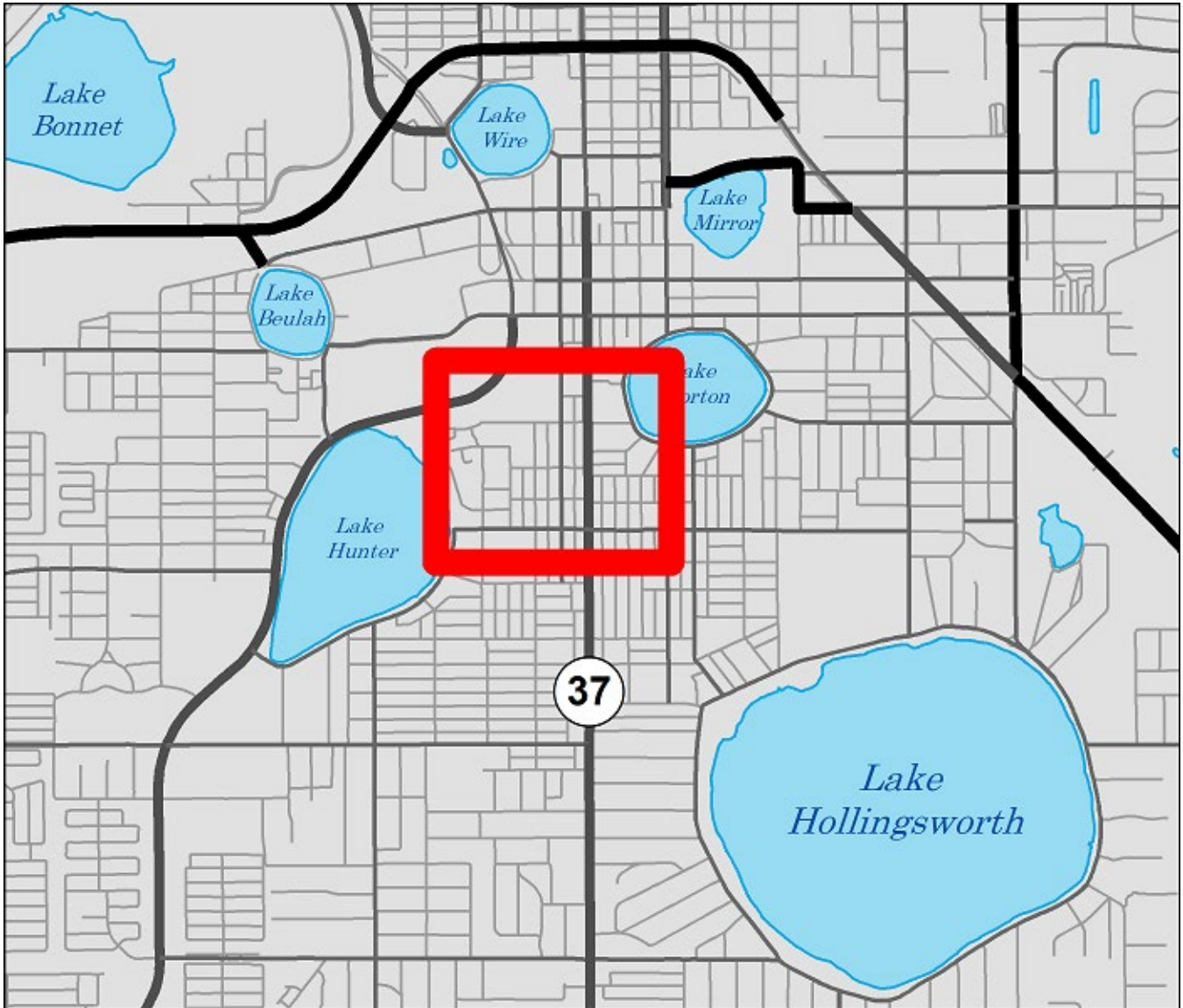
SOUTH MISSOURI AVENUE
 60' R/W

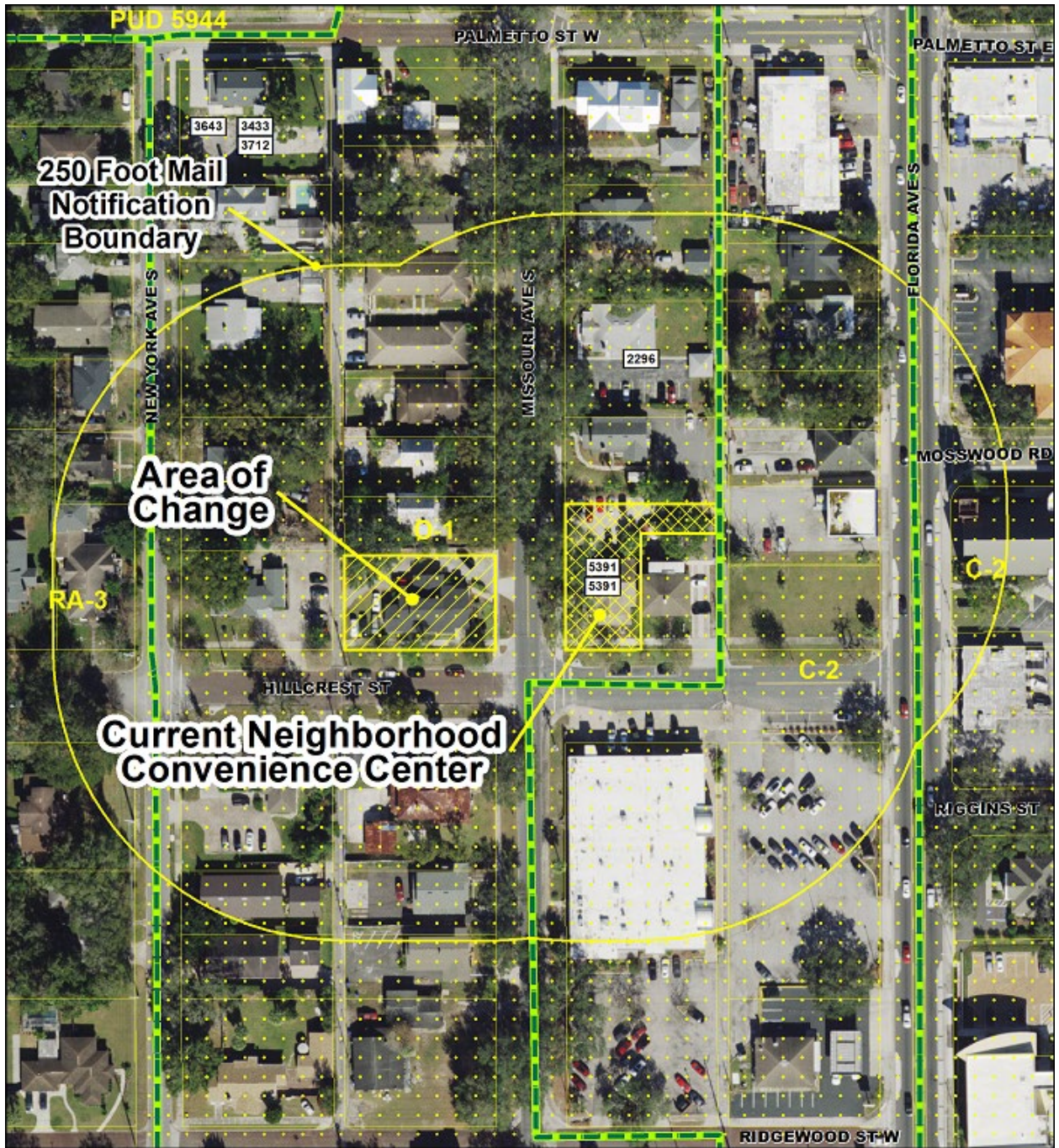


Planning & Zoning Board Recommendation

| | | | |
|-------------------|---|---------------------|------------------------|
| Date: | June 2, 2025 | Reviewer: | Todd Vargo |
| Project No: | CUP25-003 | Location: | 737 S. Missouri Avenue |
| Owner: | Chris and Judith Cheatwood | | |
| Applicant: | Finley Walker | | |
| Current Zoning: | O-1 (Low Impact Office) | Future Land Use: | RH (Residential High) |
| Context District: | Urban Corridor (UCO) | | |
| P&Z Hearing: | May 20, 2025 | P&Z Final Decision: | May 20, 2025 |
| Request: | A major modification to an existing conditional use for a Neighborhood Convenience Center (NCC) to expand the boundaries of the conditional use to allow a bookstore on property located at 737 S. Missouri Avenue. | | |

1.0 Location Maps





2.0 Background

2.1 Summary

Finley Walker requests a major modification to an existing conditional use for a Neighborhood Convenience Center (NCC) to expand the boundaries of the conditional use to allow a bookstore on property located at 737 S. Missouri Avenue. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property has a future land use designation of Residential High (RH) with O-1 (Low Impact Office) zoning. The subject property is currently improved with a 2,700 sq. ft. office building that was constructed in 1922 according to the Polk County Property Appraiser. The subject property is located within the Dixieland Historic District and the Dixieland Community Redevelopment Area (CRA). The existing structure, originally constructed for use as a single-family home, is listed as a contributing structure to the Dixieland Historic District.

2.3 Project Background

The purpose of this request is to expand the boundaries of an existing conditional use for a Neighborhood Convenience Center that currently encompasses the property located at 119 Hillcrest Street to include the subject property located to the west at 737 S. Missouri Avenue to allow a bookstore. The site plan for the existing NCC, which allows for a restaurant/snack bar, is included as Attachment “C.” A site plan for the proposed expansion area where the bookstore would be located is included as Attachment “D.”

2.4 Existing Uses of Adjacent Properties

| Boundary | Existing Land Use | FLUM | Zoning | Context |
|----------|---------------------------|------|--------|---------|
| North | Single-Family Residential | RM | O-1 | UCO |
| South | Multi-Family | RM | O-1 | UCO |
| East | Coffee shop | RM | O-1 | UCO |
| West | Counseling Office | RM | O-1 | UCO |

2.5 Attachments

Attachment A: Legal Description

Attachment B: Location Map

Attachment C: Existing Site Development Plan for 119 Hillcrest Street (Hillcrest Coffee)

Attachment D: Site Development Plan for 737 S Missouri Avenue (Inkling’s Bookstore)

3.0 Discussion

Section 5.13 of the Land Development Code (Neighborhood Convenience Centers) allows for the development of small-scale, neighborhood-oriented retail and personal services uses compatible with the residential context of existing neighborhoods through the conditional use process. Neighborhood Convenience Centers (NCCs) enhance neighborhoods by providing retail sales and personal services necessary for daily living within walking distance of residents. New NCCs are limited to urban context sub-districts, must be located on a collector, minor arterial or arterial street type, and may not be located within one-quarter mile of another NCC or activity center. While there is no maximum limit in terms of the size of a NCC, the maximum floor area of any single use within the NCC is limited to 5,000 sq. ft.

The conditional use for the existing NCC, approved in 2013 as Ordinance 5391, allowed for the conversion of a single-family home located at 119 Hillcrest Street into a restaurant/snack bar use, currently Hillcrest Coffee. The proposed changes to the conditional use will expand the boundaries of the NCC across S. Missouri Avenue to incorporate the subject property located at 737 S. Missouri Avenue. The applicant, Finley Walker, is the owner and operator of Inklings Book Shoppe presently located in downtown Lakeland at 243 N. Florida Avenue. While the bookstore is currently successful at this location, it operates out of a leased commercial space and Mr. Walker would like to relocate to another property in which he can purchase and own the building. Prior to applying to the Planning & Zoning Board, staff met with Mr. Walker and Brian Goding, the owner of Hillcrest Coffee, to discuss the process for expanding the conditional use. In that meeting, Mr. Goding indicated he was supportive of the proposed changes to the conditional use as he believes the addition of a bookstore will complement the existing coffeehouse.

The subject property is an ideal location for the proposed use. S. Missouri Avenue, from W. Lime Street to W. Highland Street, is classified as a collector roadway. Adjacent properties to the north, south, east and west are uniformly zoned for office uses and consists of a mixture of professional office, single-family and multi-family residential uses. The closest NCC is located approximately one-half mile to the east of the subject property E. Palmetto Street. In accordance with Sub-Section 5.13.21 of the Land Development Code, bookstores are included among the list of retail uses permitted in NCCs. The proposed bookstore will require a minimum of nine (9) parking spaces (1 space/300 sq. ft. of gross floor area). A total of eight (8) parking spaces, including one ADA-accessible parking space, will be available on-site with five (5) additional on-street parking spaces available within the right-of-way for Hillcrest Street.

The proposed bookstore currently operates from 9:30 AM and 6:00 PM, Tuesday through Saturday, and from 12:00 – 4:00 PM on Sunday. Under the proposed changes to the conditional uses, hours of operation for the bookstore will be extended from 8:00 AM to 12:00 AM midnight to allow for special events such as midnight book parties in which new, pre-ordered books are distributed to customers on the publisher's release date. As an accessory use, the proposed bookstore will include a small café which offers pre-made and pre-packaged foods, non-alcoholic beverages such as coffee, tea, milkshakes, and alcoholic beverages such as beer or wine. This use is permitted under the provisions for NCCs provided that the alcoholic beverage sales are incidental to and do not exceed 49% of the gross receipts for the café.

As previously stated, the subject property is listed as contributing to the Dixieland Historic District. The applicant, however, does not have plans to make any changes to the exterior of the building at this time. Any new signage for the bookstore use, however, will require administrative approval and the issuance of a Certificate of Review.

3.1 Transportation and Concurrency

The proposed expansion of the Neighborhood Convenience Center is not anticipated to have any significant impacts on the surrounding road network and will complement on-going pedestrian and transit improvements within the Dixieland neighborhood, including a recent crosswalk, safety and wayfinding project along Hillcrest Street between State Road 37 (Florida Avenue) and Drane Park that was funded through a grant from AARP.

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 and the Board reviewed this request and recommends approval of the conditional use. Letters of notification were mailed to thirty (30) property owners within 250 feet of the subject property and no objections were received.

4.2 The Planning & Zoning Board

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

It is recommended that the request for a modification of the conditional use for a Neighbor Convenience Center, as described above and in Attachments “A,” “B,” “C,” and “D” be approved, subject to the following conditions:

1. Site Development Plan: The project shall be developed in substantial accordance with the proposed site development plan included as Attachments “C-” and “D.” With the approval of the Director of Community and Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification to this conditional use. New accessory structures not shown on the site development plan shall be permitted in accordance with the Land Development Regulations Code.
2. Permitted Uses:
 - a. Property Located at 119 Hillcrest Street (Hillcrest Coffee): Use of the property shall be limited to uses permitted by right within the O-1 zoning district and a 1,600 sq. ft. restaurant/snack bar
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a. Restaurant/Snack Bar (Hillcrest Coffee)

Sunday through Wednesday 6:00 a.m. to 9:00 p.m.

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b. Bookstore (Inking's Book Shoppe)

Daily 8:00 a.m. to 12:00 a.m. Midnight

4. Performance Standards

a. Restaurant/Snack Bar (Hillcrest Coffee): Amplified music shall be prohibited outside the building. Non-amplified music shall be permitted within the front porch and shall only be allowed during hours of operation on Thursdays, Fridays, and Saturdays.

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5. Buffering, landscaping and parking shall be provided in accordance with the Land Development ~~Regulations~~ Code.

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c. Bicycle parking shall be provided in accordance with Section 4.11.6 of the City Land Development Code and Index 900 of the City Engineering Standards Manual.

d. Existing off-street parking spaces shall be maintained as a durable, dust free surface at all times and demarcated through the use of wheel stops and/or paint striping where applicable.

e. For the three off-street parking spaces located west of the existing building, a Type A hedge shall be planted and maintained to screen the parking spaces from view when viewed from Hillcrest Street.

ATTACHMENT "A"

Legal Description

Restaurant/Snack Bar (Hillcrest Coffee)

Parcel of land lying within Section 24, Township 28 S, Range 23 E of Polk County, Florida being further described as:

DRANES 2ND ADDITION PB 1 PG 47B BLK 1 LOTS 7 S 25 FT & W 65 FT OF 10

Bookstore (Inkling's Book Shoppe)

Parcel of land lying within Section 24, Township 28 S, Range 23 E of Polk County, Florida being further described as:

DRANES 2ND ADDITION PB 1 PG 47B S 81 FT LOT 5 BLK 2

ATTACHMENT "B"

