

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE NO. 25-031**

**AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW A BAR ON PROPERTY LOCATED AT 125 S. KENTUCKY AVENUE; REPEALING ORDINANCE 5807; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed by Jeremiah Joaquim, on behalf of owner, RealPro Investment Group, LLC, for a conditional use to allow a bar on property located at 125 S. Kentucky Avenue, as more particularly described on Attachment “A” and graphically depicted on Attachment “B,” attached hereto (the “Property”); and

**WHEREAS**, on August 19, 2025, the Planning and Zoning Board held a public hearing on the request of the applicant to have such conditional use granted; and

**WHEREAS**, the Planning and Zoning Board approved the request on August 19, 2025 and recommended to the City Commission that the conditional use be granted; and

**WHEREAS**, following a duly-noticed public hearing at which all interested persons were afforded the opportunity to be heard, the City Commission finds that the request of the applicant for a conditional use as described above is in furtherance of the public health, safety and welfare and should be granted;

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

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

**SECTION 2.** A conditional use for a bar on the Property is hereby approved, subject to the following conditions and the Site Plan set forth in Attachment "C":

- A. Permitted Uses: A bar with a maximum floor area of 2,200 square feet.
- B. Site Plan: The project shall be developed and operated in substantial accordance with the floor plan included as Attachment "C." Minor adjustments may be made at the time of building permit review with the approval of the Director of Community and Economic Development without requiring a modification of this conditional use.
- C. Performance Standards:
  - 1. On Thursday, Friday and Saturday evenings, from 9:00 p.m. until 2:00 a.m. the following day, the proprietor of the establishment shall provide security and/or hire off-duty law enforcement to assist with crowd control and policing of patrons.
  - 2. Public entry to the establishment shall be from the entrance on S. Kentucky Avenue only. The rear entrance which exits toward the alleyway on the west side of the building shall be for emergency egress only and alarmed to prohibit public access into the establishment.
  - 3. All activities associated with the use shall occur indoors within the principal structure. Outdoor seating shall be prohibited.
- D. This conditional use shall be for the benefit of the applicant (Jeremiah Joaquim) only. Should the ownership of the establishment change, including the sale or transfer of a majority interest in any business owning the establishment, or should the establishment be leased to another person or entity, or the business tax allowing for the bar at this location lapse for a period of 365 days or longer, a bar shall not be re-established without the approval of the City Commission.
- E. The City Commission may revoke this conditional use upon the occurrence of more than one violation of the provisions of this Ordinance or upon the occurrence, in any 12-month period, of more than five City of Lakeland Code violations, Lakeland Police Department registered incidents, or any combination thereof.
- F. The conditions contained herein are intended to operate cumulatively. In the event of a conflict between any of the above conditions, the more restrictive condition(s) shall apply.

**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.** Conditional Use Ordinance 5807, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5.** 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 6.** This Ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 15th day of September, A.D. 2025.

\_\_\_\_\_  
MICHAEL MUSICK  
MAYOR PRO TEM

ATTEST: \_\_\_\_\_  
KELLY S. KOOS, CITY CLERK

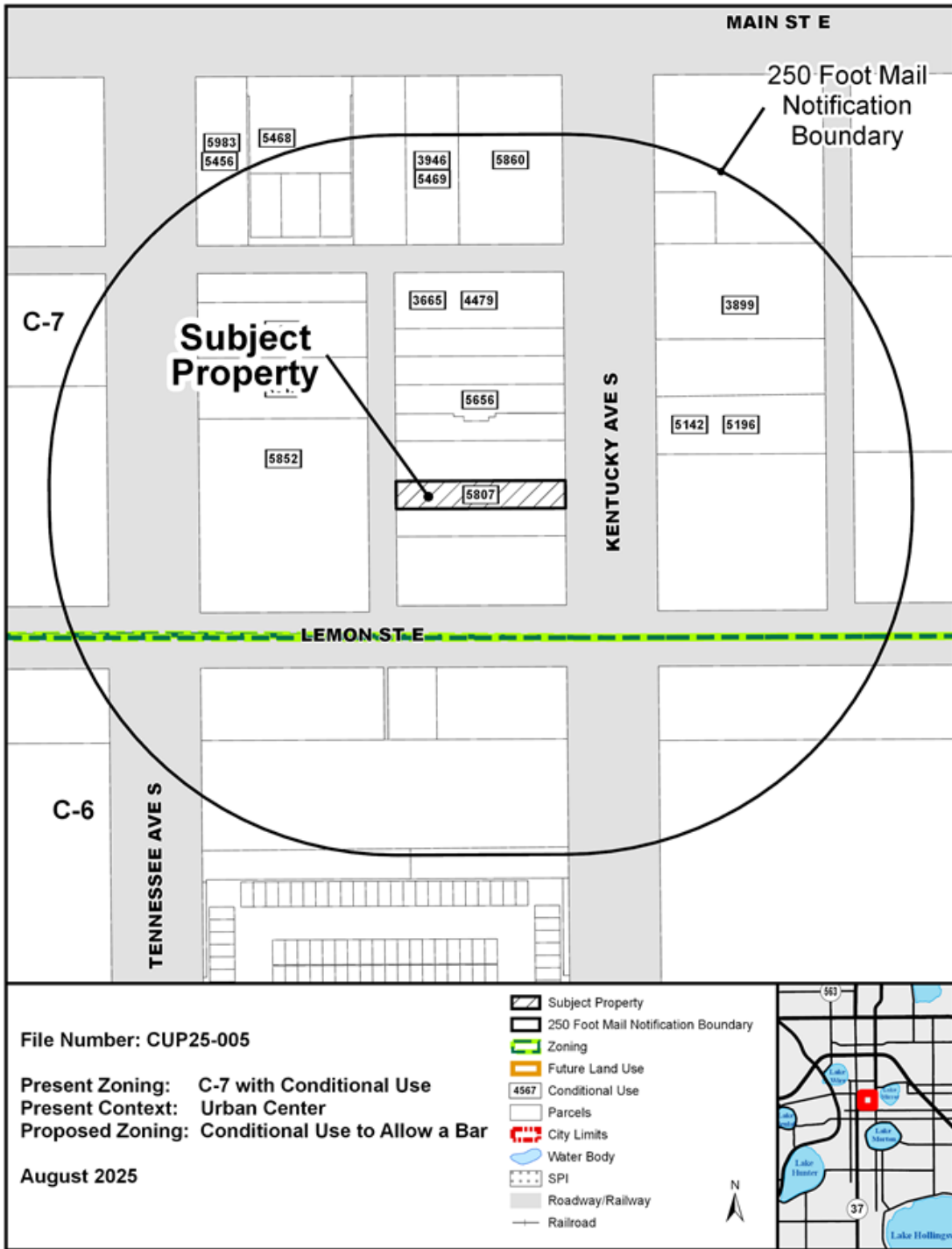
APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
PALMER C. DAVIS  
CITY ATTORNEY

ATTACHMENT "A"

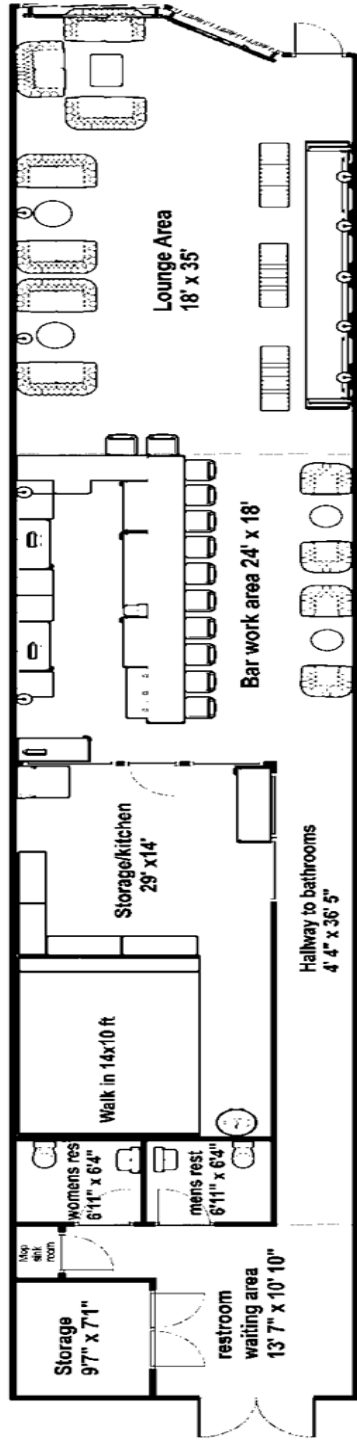
**Legal Description:**

MUNNS SURVEY DB G PG 392 BLK 18 N 1/2 OF LOTS N S 12.4 FT & N 27.6 FT OF  
O

ATTACHMENT "B"



ATTACHMENT "C"

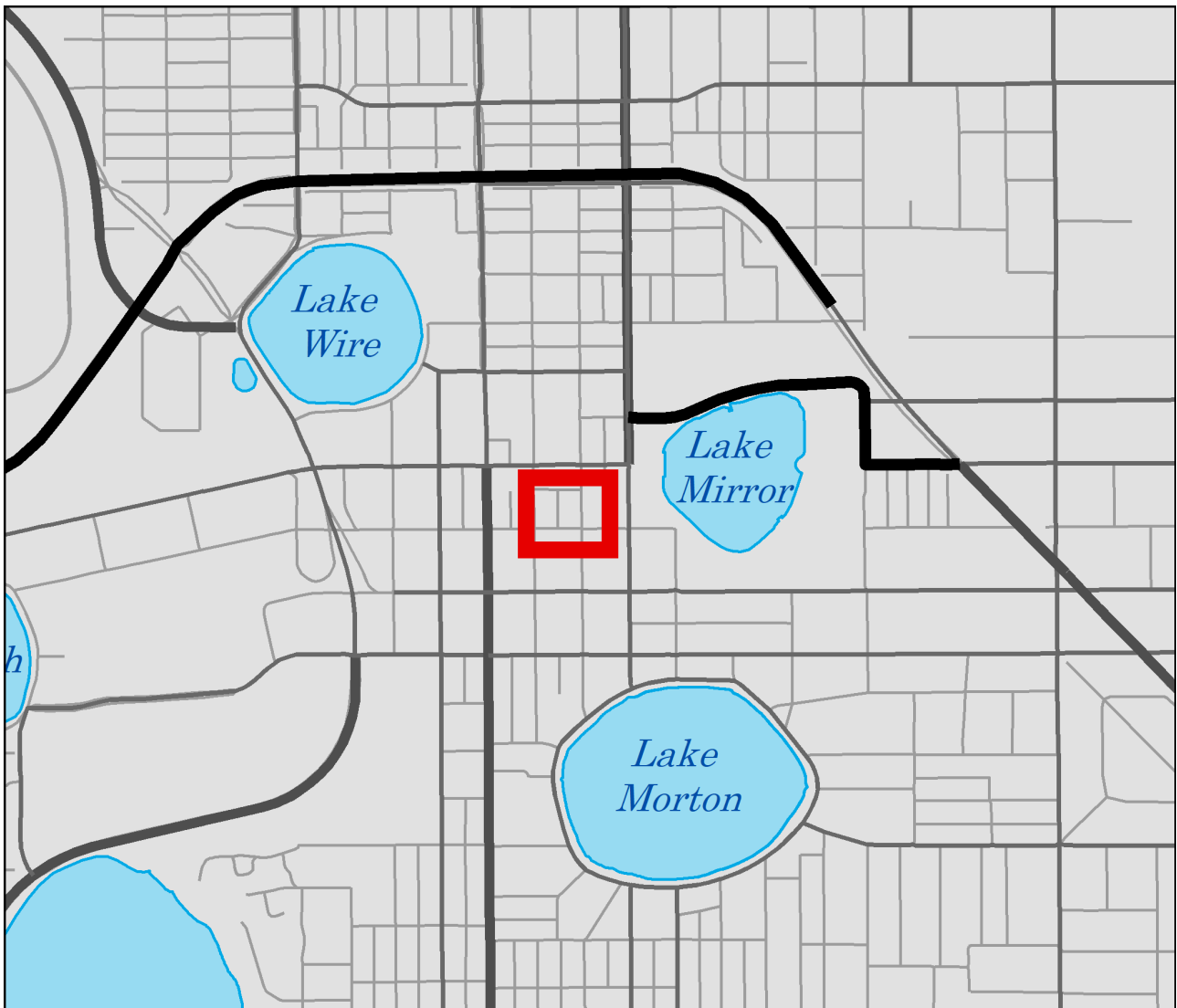




# Planning & Zoning Board Recommendation

Date:	September 2, 2025	Reviewer:	Audrey McGuire
Project No:	CUP25-005	Location:	125 S. Kentucky Avenue
Owner:	RealPro Investment Group, LLC		
Applicant:	Jeremiah Joaquim		
Current Zoning:	C-7 (Munn Park Historic District)	Future Land Use:	Regional Activity Center (RAC)
Context District:	Urban Center (UCT)		
P&Z Hearing:	August 19, 2025	P&Z Final Decision:	August 19, 2025
Request:	Conditional use to allow a bar on property located at 125 S. Kentucky Avenue.		

## 1.0 Location Maps





MAIN ST E

250 Foot Mail  
Notification  
Boundary

C-7

5983 5468  
5456 5469  
3946 5860

0  
4317  
3665 4479  
5656

5852  
5807

KENTUCKY AVE S

3899  
5142 5196

LEMON ST E

C-6

TENNESSEE AVE S

34855

## 2.0 Background

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### 2.1 Summary

Jeremiah Joaquim requests a conditional use to allow a bar on property located at 125 S. Kentucky Avenue. A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property consists of a 2,200 sq. ft. vacant storefront space within an existing one-story commercial building. The subject property has a future land use designation of Regional Activity Center (RAC) and is zoned C-7 (Munn Park Historic District) with an Urban Center (UCT) context sub-district designation. The subject property is located within the boundaries of the Munn Park Historic District, the Downtown Community Redevelopment Area (CRA), and the Lakeland Downtown Development Authority (LDDA) area.

In 2019, a conditional use was approved by the City Commission (Ordinance 5807) to allow a bar with an accessory brewing use on the subject property (Dissent Brewing). The bar / brewery closed earlier this year, and the storefront space has been vacant since that time.

### 2.3 Project Background

The purpose of this request is to obtain conditional use approval to establish a new full-service bar (The Velvet Swan) which will serve beer, wine and liquor. A floor plan, which shows the interior layout of the proposed bar, is included as Attachment “C.”

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Retail Commercial	RAC	C-7	UCT
South	Restaurant (Bedrock Wings)	RAC	C-7	UCT
East	Restaurant (Frescos)	RAC	C-7	UCT
West	Restaurant (Smith’s American Tavern)	RAC	C-7	UCT

### 2.5 Attachments

Attachment A: Legal Description

Attachment B: Location Map

Attachment C: Floor Plan

### 3.0 Discussion

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The Munn Park Historic District serves as the primary entertainment and cultural district within downtown Lakeland. The intent of the C-7 zoning designation is to allow for the use and development of properties in ways that contribute to the economic development and revitalization of downtown while protecting and preserving the historic resources which define the area. Use regulations in the C-7 zoning district allow for Bars, Lounges and Related Entertainment Uses to be considered only through a conditional use permit. When properly managed, bars can be positive elements which enhance the social and cultural life of downtown Lakeland.

The previous alcoholic beverage establishment, Dissent Brewing, operated under a 2COP license which allowed for beer and wine sales for on-premises consumption. The proposed bar, The Velvet Sawn, will operate under a 4COP license as a full-service bar with beer, wine, and liquor sales for on-premises consumption. The establishment will be open to individuals 21 years of age and older until 2:00 a.m. Seating will not be allowed outdoors as the City's Sidewalk Café Standards within the Engineering Standards Manual only allow outdoor sidewalk seating for restaurants and food services establishments.

In accordance with Sub-Section 5.4.5 of the Land Development Code, new bars in downtown are subject to specific review criteria to qualify for a conditional use permit. Each of the review criteria are addressed as follows:

- a. Whether the proposed use will result in a concentration of such uses within a particular block or part of a block so as to be detrimental to the growth and revitalization of downtown.**

There are a total of eight existing bar-type establishments (i.e. there are no food sales) with similar conditional uses in the downtown area. A ninth establishment, the Island Breeze rooftop bar, received conditional use approval in 2023 but is not anticipated to open until 2026. Within the 100 block of S. Kentucky Avenue, there are three bar-type establishments currently in operation: Molly McHugh's Irish Pub, Revival Cocktail Bar, and Hookah Palace. Within the same block are three restaurants which serve alcoholic beverages as an accessory use: The Chop Shop, Palace Pizza and Fresco's. Other bars in the vicinity include Linkster's Tap Room, Bar Vasco, and Lakeland Loft.

The Velvet Swan will occupy the former Dissent Brewery tenant space and will not result in a net increase in the total number of bars permitted in downtown. It is staff's opinion that approval of the conditional use will not result in a concentration of bar uses so as to be detriment to the growth and revitalization of downtown.

- b. Whether the proposed use is in close proximity to other land uses that may be particularly sensitive or unduly harmed by the negative impacts of the proposed use, such as facilities for children or the elderly.**

The nearest church (All Saints Episcopal Church) is located more than 600 feet away from the proposed establishment. The closest public recreation facility is Munn Park, a multi-purpose park that regularly hosts special events and serves as downtown Lakeland's primary public gathering space.

- c. Whether the size and scale of the proposed use is appropriate at the specific location.**

The size and scale of the proposed use is appropriate at this location. The proposed bar is compatible with surrounding uses and consistent with the LDDA's vision for downtown.

- d. Whether the owners and operators of the establishment are unlikely to manage and control negative impacts, as evidenced by prior criminal records, code enforcement citations or police service calls concerning other properties owned or operated by them, citizen complaints, or similar indicators.**

The Lakeland Police Department (LPD) provided information on service calls for all bars in the downtown area over a two-year period from July 2024 to July 2025. Within this two-year period, there were a total of 158 calls downtown ranging from 4 to 41 calls per establishment. The applicant currently operates CJ Vapes and Lounge at 5181 US Highway 98 N. from which the applicant indicates the 4COP license will be transferred. The LPD also provided information on service calls for this location for the same two-year period finding a total of 9 calls for service. Service calls at this location during the study period were as follows:

<b>Service Calls for CJ Vapes and Lounge (5181 US Hwy 98 N) July 2023 – July 2025</b>	
Community Service*	4
General Audible Alarm	2
Impaired Driver	1
Littering	1
Suspicious Incident	1
<b>Total:</b>	<b>9</b>

\*NOTE: Per LPD, Community Service calls may be self-initiated activity and not a call for service. This could be an officer staging in the area for presence, participation in an event, etc.

A background check was performed through the Florida Department of Law Enforcement (FDLE), and based on the information available, there is nothing to suggest the applicant would have difficulties managing or controlling impacts of a bar at this location.

- e. Whether the Board of Directors of the Lakeland Downtown Development Authority (LDD) supports the proposed use.**

The applicant presented the project to the Lakeland Downtown Development Authority (LDDA) at its regular meeting on June 25, 2025. At the meeting, the LDDA Board of Directors voted 4-0 to recommend that the City approve the conditional use application for the Velvet Swan at 125 S. Kentucky Avenue subject to the following conditions:

- Security staff be stationed at the front entry door on Thursday, Friday and Saturday nights.
- The back door be an emergency exit only and alarmed.
- The establishment only allow patrons 21 years of age or older.

- f. Other criteria which the City Commission shall consider appropriate in the particular case.**

No public comment was received prior to or during the public hearing before the Planning and Zoning Board.

State statutes that regulate alcoholic beverage licenses include provisions for minimum hours of operation to ensure the licensed premises is maintained in an active manner in which it is

open to the public [§ 561.29(h) and (i)]. Although this is a matter of State licensing, the City will need to verify appropriate zoning on the State application form for the alcoholic beverage license to be applied at the subject property. Accordingly, the applicant will be responsible for ensuring compliance with the State regulations for alcoholic beverage licenses.

### **3.1 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**

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### **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 twenty-eight (28) 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 7—0 vote of the Board.

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

*Note: It is the intent of this conditional use to repeal the prior conditional use approval, Ordinance 5807.*

- A. Permitted Uses: A bar with a maximum floor area of 2,200 square feet.
- B. Site Plan: The project shall be developed and operated in substantial accordance with the floor plan included as Attachment “C.” Minor adjustments may be made at the time of building permit review with the approval of the Director of Community and Economic Development without requiring a modification of this conditional use.
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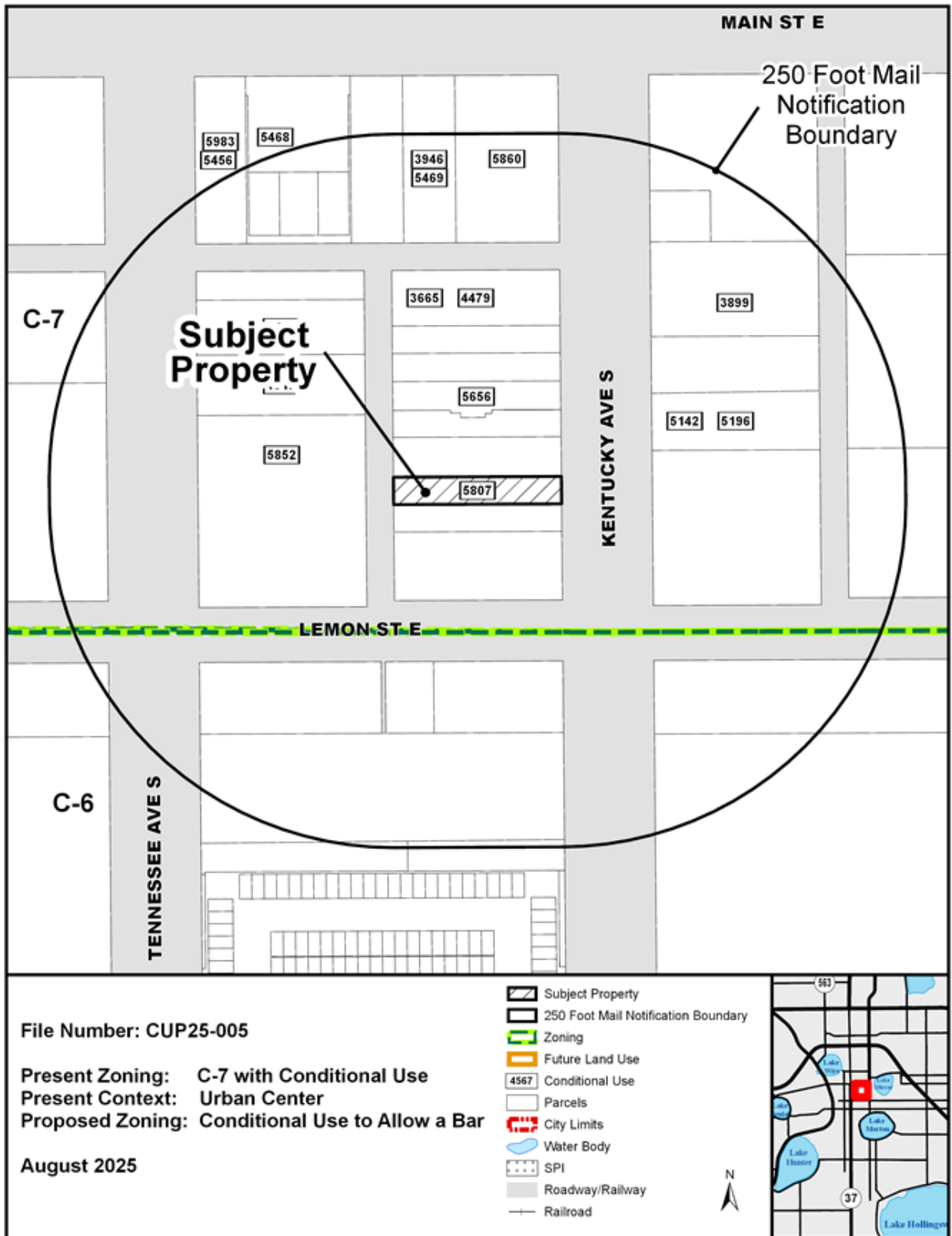
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ATTACHMENT "A"

**Legal Description**

MUNNS SURVEY DB G PG 392 BLK 18 N 1/2 OF LOTS N S 12.4 FT & N 27.6 FT OF O

ATTACHMENT "B"



ATTACHMENT "C"

