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CITY COUNCIL AGENDA ITEM REPORT

DATE: August 9, 2023

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: **Quasi-Judicial:** ORDINANCE 4012 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE CITY OF BRADENTON LAND USE ATLAS; CHANGING ZONING FROM T5, URBAN CENTER TO SD, SPECIAL DISTRICT, FOR PROPERTIES LOCATED AT 101 AND 113 5TH AVENUE DRIVE EAST AND A PORTION OF 102 AND THE ENTIRETY OF 120 MANATEE AVENUE EAST; MORE PARTICULARLY DESCRIBED IN ATTACHED "EXHIBIT A", PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Staff - Deny Ordinance 4012.
Planning Commission - Approve Ordinance 4012.

Is this item Quasijudicial?

No

Does this item require a public hearing?

Yes

EXPLANATION:

Applicant is requesting to rezone approximately 1.52 acres of land from T5 Urban Center to SD Special District for the purpose of constructing a new carwash.

Based on the fact that the proposed Zoning Atlas Amendment (rezoning) request

does not meet the intent of the Form Based Code's description of a Special District, the intent and goal of the Downtown by Design Plan, the intent of the Urban Central Business District Future Land Use Category, and that the Comprehensive Plan states that car washes are prohibited unless approved by City Council, staff recommends denial of the proposed request.

The Planning Commission reviewed this request at their June 21, 2023, meeting and voted 4-1 to recommend approval.

FINANCIAL IMPACT:

N/A

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by Attorney Rudacille.

SUGGESTED MOTION:

TBD

ATTACHMENTS:

[Ordinance 4012](#)

[Staff Report, Application and Legal Notices](#)