

## Item Cover Page

### PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** April 17, 2024

**SUBMITTED BY:** Greg DeLong, Planning & Community Development

**ITEM TYPE:** Resolution

**AGENDA SECTION:** AGENDA ITEMS

**SUBJECT:** **Quasi-Judicial:** Special Use Application, Resolution 24-29, Case SU.24.0895:

Request for a Special Use Permit to allow for a sidewalk café with alcoholic beverage sales; for property located at 1008 4<sup>th</sup> Avenue West (Parcel ID 3291400004) in the T6 (Urban Core) transect zoning district. Application filed by Margaret Tusing and K. Paige Estigarribia of ZNS Engineering, LC and Michael Krail of GL Distillery BRA, LLC, agents for owner 3<sup>rd</sup> Avenue Associates, LLLP (owner).

**SUGGESTED ACTION:** Recommend approval of Resolution 24-29, Case SU.24.0895 with stipulations.

**Is this item Quasijudicial?**

No

**Does this item require a public hearing?**

Yes

**EXPLANATION:**

Special Use application requesting permission to allow a sidewalk café with alcohol sales at 1008 4<sup>th</sup> Avenue West, which is the future home to Good Liquid Distillery and Taproom Downtown.

The subject property is located in the T6 Urban Core Transect District. According to Table 4.7 of the Form Based Code (FBC), Café/Sidewalk Café's with less than

20 seats are a permitted use. City Council approval may be required if there is the sale of Alcoholic beverages, per footnote #1 and Section 4.3.11.4 of the Land Use Regulations (LUR).

**FINANCIAL IMPACT:**

N/A

**ATTORNEY REVIEW/RECOMMENDATION:**

Reviewed by City Conflict Counsel Augello.

**SUGGESTED MOTION:**

Motion to recommend to City Council approval of Resolution 24-29, Case SU.24.0895 with the following stipulations:

1. An Indemnification Agreement shall be provided by the owner along with proof of liability insurance.
2. Curb and sidewalk shall be extended to remove the existing curb cut with said extensions matching in style, color and pattern.
3. Installation of planters along 4<sup>th</sup> Avenue West, with planters approved by Bradenton Public Works.
4. Planters and any plant material shall be properly maintained by the owner, with any damaged planters and dead/dying plant materials being removed and replaced.
5. Any necessary right-of-way permits shall be obtained by the owner from Bradenton Public Works.
6. Clear pedestrian access on the public sidewalk of no less than 5' shall be maintained at all times in a way that neither seating, tables, planters or umbrellas affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.
7. All seating, tables, and umbrellas shall be removed from the sidewalk and placed out of public view when the business is closed, or when an authorized agent of the city makes such request.
8. The owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.
9. The sidewalk shall be cleaned at the end of every day. Any type of cleaning solution shall be approved by the Bradenton Public Works.

**ATTACHMENTS:**

[Application - Resolution 24-29, Case SU.24.0895.pdf](#)

[Staff Report - Resolution 24-29, Case SU.24.0895.pdf](#)

[Resolution 24-29.pdf](#)