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PLANNING COMMISSION MEETING AGENDA ITEM REPORT

DATE: May 21, 2025

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **AGENDA ITEMS**

SUBJECT: **Resolution 25-57; Case PLN-SUP-24-0009:**
Request for a Special Use Permit to allow for a sidewalk café with alcoholic beverage sales; to be located at 440 12th Street West (Parcel ID 3318900002) in the T5 (Urban Center) transect zoning district. Application filed by Joseph Bennett (agent) for Jan R. DeLesline, as Trustee of the Jan R. DeLesline Revocable Living Trust dated February 14, 2008 (owner).

SUGGESTED ACTION: Motion to recommend to City Council either approval or denial of Resolution 25-57, Case PLN-SUP-24-0009.

If the action is to approve, the following are recommended stipulations for approval:

- a. The sidewalk café is permitted no more than 7-tables and 28-chairs.
- b. The approved Resolution, including the approved site plan and conditions shall be on display and accessible on the Property during business hours.
- c. Within 30 days following the approval, the Property Owner shall execute an Indemnification Agreement in a form acceptable to the City.
- d. After the business is closed, all furniture (7-tables and 28-chairs) must be stored in the alleyway located to the south of the building. The tables shall be placed adjacent to the building unit and the alleyway gates shall be secured when the business is closed.

- e. Clear pedestrian access on the public sidewalk of no less than 5' shall be maintained at all times in a way that neither seating nor tables affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.
- f. The property/business owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.
- g. Any cleaning solution used to clean the sidewalk café area shall be approved by the Bradenton Public Works.
- h. Any future increase in seating for the sidewalk café area shall be approved by City Council.

Is this item Quasi-Judicial?

Yes

Does this item require a public hearing?

Yes

EXPLANATION:

The applicant has submitted a Special Use Permit application requesting permission to allow a sidewalk cafe with alcoholic beverages at 440 12th Street West.

While a sidewalk cafe has been in place at the subject property, the subject Special Use Permit will ensure compliance to City of Bradenton's Form Based Code and Land Use Regulations, should approval be granted by City Council.

FINANCIAL IMPACT:

N/A

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:

Motion to recommend either approval or denial of Resolution 25-57 with stipulations recommended by staff.

ATTACHMENTS:

[Resolution 25-57 \(DRAFT\).pdf](#)

[Application.pdf](#)

[Staff Report.pdf](#)