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CITY COUNCIL MEETING AGENDA ITEM REPORT

DATE: November 6, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Resolution

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

SUBJECT: **QUASI-JUDICIAL:** RESOLUTION 24-78 - PUBLIC HEARING

SUGGESTED ACTION: Motion to either approve or deny Resolution 24-78, Case SU.24.3622 with the following stipulations:

1. The approved Resolution, including the approved site plan and conditions shall be on display and accessible on the Property during business hours.
2. Within 30 days following the approval, the Property Owner shall execute an Indemnification Agreement in a form acceptable to the City.
3. No more than 4 tables with umbrellas and 16 chairs may remain on the sidewalk when the business is closed. The items shall be cabled in a tight cluster rendering them unusable and shall be placed as shown on the site plan attached as Exhibit "B".
4. 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, or umbrellas affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.
5. The property/business owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.
6. Any cleaning solution used to clean the sidewalk café area shall be approved by the Bradenton Public Works Department.
7. Any future increase in seating for the sidewalk

café area shall be approved by City Council.

Planning Commission met on September 18, 2024, and voted 4-1 to recommend to City Council approval with stipulations for Resolution 24-78.

Is this item Quasi-Judicial?

Yes

Does this item require a public hearing?

Yes

EXPLANATION:

Michael W. Adams of Mike Carter Construction Inc., agent for The Carter Family Revocable Living Trust, has submitted a Special Use application requesting permission to allow a sidewalk café with alcohol sales at 421-435 12th Street West (O' Bricks).

While a sidewalk cafe has been in place at the subject properties, the subject Special Use permit will ensure compliance to the 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 either approve or deny Resolution 24-78, Case SU.24.3622 with the stipulations recommended by staff.

ATTACHMENTS:

[Resolution 24-78](#)

[Special Use Application](#)

[Staff Report](#)

[Presentation](#)