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CITY COUNCIL AGENDA ITEM REPORT

DATE: October 11, 2023

SUBMITTED BY: Jamie Schindewolf, Planning & Community Development

ITEM TYPE: Resolution

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

SUBJECT: **Quasi-Judicial:** Resolution 23-76 - PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON GRANTING SPECIAL USE PERMIT NO. SU.23.3297 TO OPERATE A DRIVE-THRU RESTAURANT FACILITY IN THE T4-O (GENERAL URBAN OPEN) ZONING DISTRICT FOR PROPERTY LOCATED AT 109, 116 AND 118 10TH AVENUE EAST (PARCEL IDS 4620200008, 4622000000 AND 4621900002) BRADENTON, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SUGGESTED ACTION: Approval of Resolution 23-76 with stipulations.

Planning Commission recommended approval of Resolution 23-76 with stipulations (vote 6-0).

Is this item Quasijudicial?

No

Does this item require a public hearing?

Yes

EXPLANATION:

The applicant is requesting approval of a Special Use Permit for a Drive-Through

Restaurant Facility. The subject properties are approximately 0.50 acres and zoned T4-O (General Urban Open). The properties are within the UCC, Urban Commercial Corridor, Future Land Use category. The properties are currently vacant, and the applicant is proposing a development utilizing new construction of an approximately 1,920 square foot drive thru with an overflow parking.

A conceptual site plan shows the drive thru restaurant situated close to 10th Ave E., reflecting Form Based Code siting standards. The parking located across 10th Ave E. is meant primarily for employees.

FINANCIAL IMPACT:

N/A

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:

Motion to approve Resolution 23-76 with the following stipulations:

1. The site plan and elevations shall be reviewed through the Form-based Code review process and shall be approved with adjustments as determined by the PCD Director.
2. An opaque fence and landscaping will be provided between the drive-thru restaurant and the parcel to the east.
3. The parking spaces on the northern parcel will be oriented away from the single-family home to the east.
4. Pedestrian safety features will be added and approved with the Site Improvement Permit.
5. Modifications to the site plan during the Site Improvement Permitting phase shall be reviewed for compliance with the Florida Fire and Building Codes and with City of Bradenton Form-based Code and Land Use regulations, as applicable.
6. Modifications to the site plan during the Site Improvement Permitting phase shall reflect safe and logical traffic circulation and pedestrian access.

ATTACHMENTS:

[Resolution 23-76](#)

[SU.23.3297 Application](#)

[SU.23.3297 Staff Report](#)

[SU.23.3297 Presentation](#)

[9-20-2023 Planning Commission Draft Minutes](#)