

STAFF REPORT

Planning and Zoning:	7/2/2018	Staff Contact:	Jeremy Frazzell, Asst. Planning Dir.
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SUBJECT: To receive public comment and consider an application for a Specific Use Permit for a proposed Bar/Tavern in the Downtown District on an approximate 0.90 acre tract located generally northeast of the N. Railroad Ave and E. Pecan St intersection; locally addressed as 200 E. Pecan St.; to be known as the Three Legged Goat Specific Use Permit. (SUP1805-01)

PURPOSE OF SPECIFIC USE PERMIT:

A specific use permit provides for a case by case review of the proposed land use to ensure compatibility with the surrounding uses as well as the Unified Development Code (UDC). A specific use permit is similar to a zoning request in that the application is considered at public hearings and allows for the public, Planning and Zoning Commission, and City Council to review and consider the proposed request based on the specific criteria outlined in the UDC.

The Planning and Zoning Commission and City Council shall consider the following criteria in determining the appropriateness of the specific use permit request:

1. Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses;
2. Whether the activities requested by the applicant are normally associated with the requested use;
3. Whether the nature of the use is reasonable; and
4. Whether any adverse impact on the surrounding area has been mitigated.

In granting a specific use permit, the City Council may impose conditions upon the proposed use.

LOCATION:

The address of 200 E. Pecan Street is located generally northeast of the N. Railroad Ave and E. Pecan St intersection, in the Downtown District (formerly known as the Central Business District). The property consists of two commercial buildings with multiple tenant spaces and the subject tenant space is in the northeastern corner of the development. The proposed Specific Use Permit is for Unit 5 and the adjacent outdoor area.

ZONING:

The property is zoned General Business 1 (GB1) and is also within the Downtown District Overlay (DD).

PROJECT DESCRIPTION:

The applicant has proposed to establish a wine bar at 200 E. Main St in Unit 5, which is located in the northern portion of the building that contains the El Rincon restaurant. The proposed wine bar is

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anticipated to serve Texas wines and beer for on premise consumption and wine by the bottle for off premise consumption. Partnerships may be established for food sales and consumption, but no preparation of food is anticipated at this time. In addition to occupying Unit 5, the applicant intends to utilize the existing patio area in front of the unit for outdoor seating and family friendly entertainment opportunities such as music and games. With success, opportunities for expansion may be pursued, which will result in an amendment to the Specific Use Permit.

Land Use: According to the Unified Development Code, a bar/tavern is an establishment with more than fifty (50%) percent of total gross revenue from the sale of any alcoholic beverage. While the existing base zoning of General Business 1 (GB1) allows for a bar/tavern by right, located in the Downtown District Overlay, a bar/tavern may only be permitted if approved through a Specific Use Permit (SUP).

The establishment is proposed to open throughout the week at 4 pm, which is generally consistent with the opening hours of the three other bar/taverns in the area. The City does not currently restrict hours of operation for land uses, including bars. The Texas Alcohol and Beverage Commission (TABC) does enforce hours of sale/service of alcoholic beverages based on permit type, and therefore if approved, the proposed bar will be subject to the TABC requirements.

Parking: Based on a provided survey, the property currently has 38 total parking spaces. The current uses on-site require a total of 54 parking spaces per the Downtown District Overlay parking requirements. The proposed bar/tavern use in the unit space will require an additional 6 spaces and the outdoor patio area will require an additional 13 spaces for the bar use. While the site is currently deficient in on-site parking, the Downtown District Overlay requires a minimum of 50% of the required parking to be provided off-site with preference given to parking in front of the site, within 200 feet of the site and in surface lots within 400 feet of the site. Railroad, Main Street, and 1st Street have right of way parking that is shared and utilized by all the downtown businesses. Opportunities for obtaining additional parking could be provided through the construction of additional right of way parking and also through private agreements with property owners with surface lots that have uses with off-setting peak hours of business. Patrons to the site currently utilize the Mo-Kan right of way for parking, especially in the peak hours of the restaurants. Mo-Kan is owned and controlled by the State of Texas, to which the City cannot consider as an available parking option at this time.

Structural Modifications and Landscaping: No external structural modifications are proposed to the building at this time. Enhancements to the outdoor area may occur, but are not anticipated to be major changes. Enhancements may include landscaping adjustments, seating, ambient site lighting, painting, and internal improvements to create the wine bar.

Signage: An existing sign is in place for the tenant space near the outdoor patio area and may be refaced. The sign requirements of the Downtown District overlay will apply for any new or additional signage.

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LAND USE COMPATIBILITY:

The proposed use is adjacent to the large green space encompassing Mo-Kan right of way and surrounded by commercial uses including restaurant, retail, personal service, government, and bar/tavern/entertainment. As with the subject property, the surrounding zoning is General Business 1 (GB1) with Downtown District Overlay (DD). The site is located within close proximity to three other bar/taverns in the area, with Hanover's Draught Haus located on Main St, and Marshall's Tavern and Red Rooster located on Pecan Street. As proposed, Three Legged Goat will sell Texas wine and beer, and is required to obtain all required state permits for alcohol sales. The use of the outdoor patio as part of the use will encourage patron interaction outside and may help to encourage patronage by passersby. The proposed land use will be an additional destination land use in the downtown and is not anticipated to have a negative impact on surrounding land uses.

OLD TOWN VISION REPORT:

As presented, the proposed small business use appears consistent with the stated desired characteristics for the development of the area per the Old Town Report which include:

- Be vibrant
- Be accessible
- Have a civic presence
- Be walkable
- Have a residential component
- Be a gathering place
- Be green
- Have a distinct image and draw
- Be attractive for business
- Maintain historic features

STAFF RECOMMENDATION:

Located centrally in the commercial core of the Downtown District, the proposed wine bar is anticipated to be a destination and gathering place that will attract patrons to the area. The hours of operation coincide with the other bars in the area and are generally opposite of the office/service uses, which will help to reduce conflicts. Parking remains to be a challenge in the downtown area however on-site parking is available, and immediate on-street parking is provided within the Railroad, Main Street, 1st Street right of way. The enhancement and use of the outdoor patio area is anticipated to add interest to the site, and offer an opportunity to attract passersby. Given the hours of operation, noise is not anticipated to be an issue, but nothing provided herein precludes enforcement of the existing noise ordinance. The proposed bar/tavern may achieve many of the desired characteristics as identified in the Vision Report for Old Town including the establishment of a small, locally owned destination business within the downtown. Staff recommends approval of the request with no specific conditions.

NOTIFICATION:

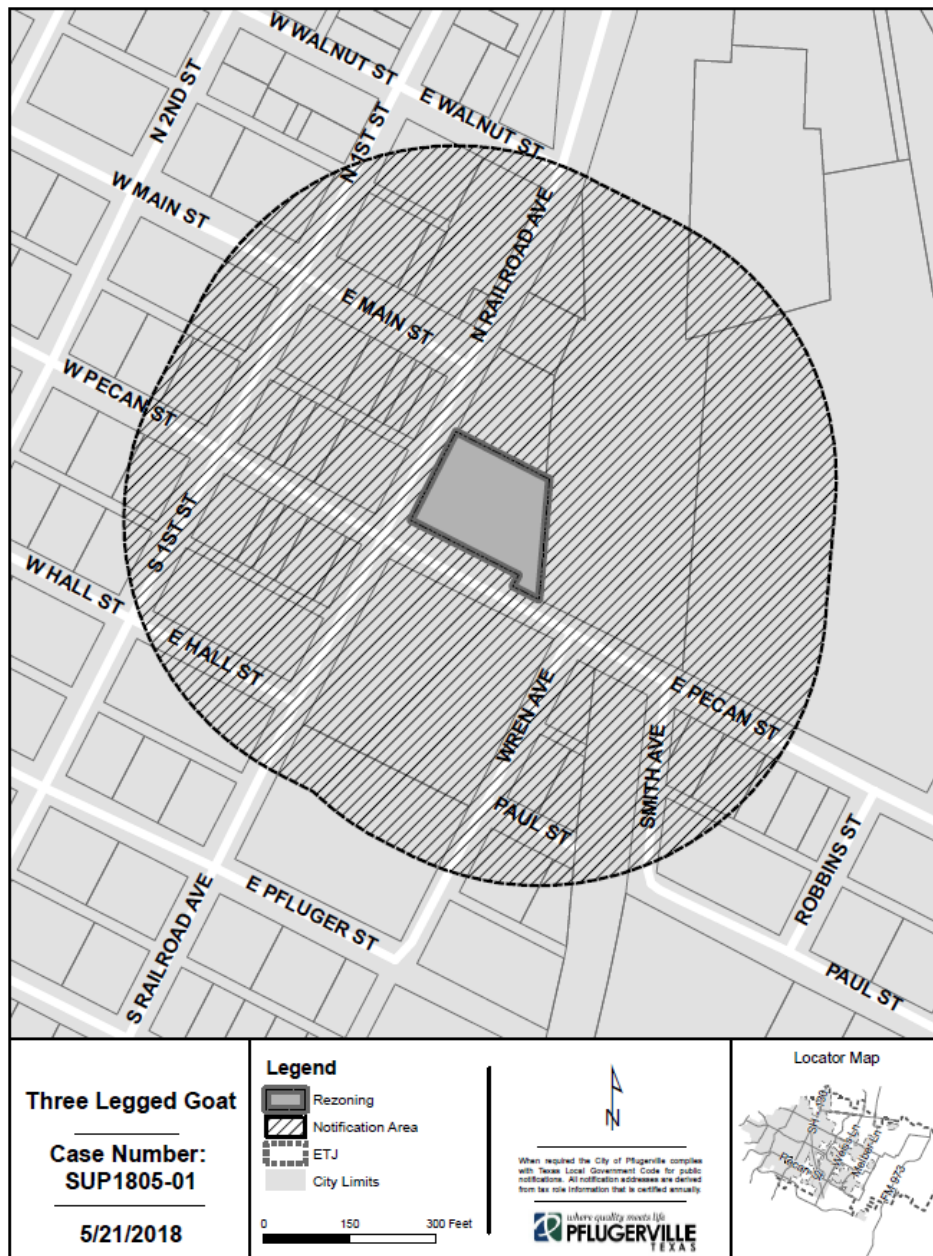
Notification letters were sent to property owners within 500-ft. of the proposed site. A sign was placed on the property and a public notice appeared in the Pflugerville Pflag newspaper. A few general inquiries have been received to date, with one noting parking as a concern.

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ATTACHMENTS:

- Notification Map
- Applicant Project Description

NOTIFICATION MAP:



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APPLICANT PROJECT DESCRIPTION

The name of the proposed Texas Wine Bar is the Three Legged Goat and will be located at 200 E Pecan St, Unit 5. It is named after a local goat named Charlie that suffered an injury as a kid. The recommended option by the veterinarian was to put the animal down, but through the insistence of a Pflugerville resident, an alternative option was chosen. Since the amputation, Charlie has prospered. We feel that Charlie epitomizes the strength and character of Pflugerville and will serve as a conversation point around our establishment to underscore our commitment to the Pflugerville community. We will have a chair designated in the establishment for "Charlie's Angel".

What exactly is a Texas Wine Bar? We intend to sell only Texas wines, as may be eventually defined by the State legislature. As such, we will secure a license with the Texas Alcoholic Beverage Commission for a Beer and Wine Retailer's Permit that will allow us to sell beer and wine for on premise consumption and wine by the bottle for off premise consumption. Although we have no intention to prepare food at the establishment, we will secure partnerships with the neighboring food establishments (and potentially others) to offer prepared food to our guests. We estimate that our beer and wine sales will exceed 50% of our revenue.

Our hours of operation will be consistent with the TABC license requirements and other business considerations, with special consideration applied for the second and fourth Tuesday of the month. The premises will also be controlled by the TABC license and will include 200 E Pecan St Unit 5 and the patio area immediately in front of the entrance. (see attached map)

Our primary focus will be to create a Family Friendly Destination Retail outlet for Texas wines. As such, we intend to create additional entertainment opportunities by hosting local and regional talent such as musical and vocal soloists, acoustic guitar, string quartets and other artists that will align with the environment to create an engaging and family friendly destination. As such, we will have games like "giant jenga" and "cornhole" for kids and adults to enjoy.

In reviewing the Criteria for Approval we feel that our proposed use is harmonious and compatible with its surrounding existing uses or proposed uses as it is located in Downtown Pflugerville and fits within the general concept of expected downtown businesses. We are excited and encouraged by the new West Pecan Coffee + Beer and see our establishment creating an additive effect that will bring more business to downtown, for all downtown businesses.

The proposed activities are to operate the wine bar from 4:00 pm to close offering an expanded selection of wine, a limited selection of beer and a menu of tapas, appetizers and other prepared foods.

The nature of the proposed use is reasonable because it is located in the downtown business district near other establishments already serving beer and wine.

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APPLICANT PROJECT DESCRIPTION CONT'D.

In order to mitigate any negative impact on the surrounding area, we intend to continue working with businesses to create partnerships that will benefit all. We will pay particular attention to monitoring and controlling noise levels. Exterior lighting will be added to provide adequate illumination of the patio.

PROPOSED LOCATION



SURVEY:

