



City of Pflugerville

Legislation Details (With Text)

File #: ORD-0526 **Version:** 1 **Name:** 115 E. Main St. Specific Use Permit
Type: Ordinance **Status:** Approved
File created: 5/22/2020 **In control:** City Council
On agenda: 7/14/2020 **Final action:**

Title: Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending Ordinance No. 1203-15-02-24 of the City of Pflugerville, Texas, as amended, by approving a specific use permit for a proposed bar/tavern on an approximate 0.86-acre tract of land zoned General Business 1 district (GB1) and Downtown District Overlay (DD) located generally southwest of the N. Railroad Ave. and E. Main St. Intersection, locally addressed as 115 E. Main St, to be known as the 115 E. Main St specific use permit (SUP2004-01); providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 115 E. Main St SUP - Location Map, 2. 115 E. Main St SUP - Staff Report, 3. 115 E. Main St SUP - Ordinance

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------|--|--------|
| 7/14/2020 | 3 | City Council | Approved on Second Reading | Pass |
| 6/23/2020 | 2 | City Council | Action taken to close the Public Hearing | Pass |
| 6/23/2020 | 2 | City Council | Approved on First Reading | Pass |
| 6/1/2020 | 1 | Planning and Zoning Commission | Recommended for Adoption | Pass |

To receive public comment and consider an application for a Specific Use Permit for a proposed Brew Pub in the Downtown District on an approximate 0.86-acre tract located on the southwest corner of the N. Railroad Ave and E. Main St intersection; locally addressed as 115 E. Main St, to be known as the 115 E. Main St Specific Use Permit. (SUP2004-01)

The address of 115 E. Main St is located on the southwest corner of the N. Railroad Ave and E. Main St intersection, in the Downtown District (formerly known as the Central Business District). The property consists of one building and the adjacent outdoor area to the rear of the building. The property is zoned General Business 1 (GB1) and is also within the Downtown District Overlay (DD). 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 applicant has proposed to establish a brew pub at 115 E. Main St, which is located on the southwest corner of the N. Railroad Ave and E. Main St intersection. The proposed brew pub is anticipated to serve a variety of drinks, including exclusive craft brews created in-house, no preparation of food is anticipated at this time. The applicant intends revitalize the

existing patio in the back of the building to provide a family-friendly destination with the inclusion of outside games, a food truck location, alley entryway and new furniture and shade to enhance the gathering space. The applicant intends to alter the second floor of the building's interior to create a two-story space within the entryway as well as constructing a platform lift to meet Texas Accessibility Standards (TAS). The establishment has proposed the following hours of operation: Monday : Closed, Tuesday-Thursday :12pm - 8pm, Friday & Saturday: 12pm - 12am, Sunday: 12pm - 8pm. 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 brew pub will be subject to TABC requirements. A total of 65 parking spaces are provided off-site around the block. While parking remains a challenge in Downtown Pflugerville, 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. Parking is available off-site and within the E. Main Street, N. Railroad Avenue and N. First Streets right of way.

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.

Located centrally in the commercial core of the Downtown District, the proposed brewpub is anticipated to be a destination and gathering place that will attract patrons to the area. The hours of operation for the brewpub will be Tuesday through Sunday with the brewpub opening at noon and closing no later than midnight. Parking remains to be a challenge in the downtown area however, on-street parking is available along East Main St, North Railroad Ave and North 1st St. 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 brewpub 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.

Ian Beck

