

**Subject: Conditional Use Permit to Allow an On-Sale Liquor Establishment and Outdoor Seating at 963 Robert St. S.**

<b>Meeting Date:</b> Monday, March 23, 2026
<b>Submitted/Presented by/Department:</b> Melissa Houtsma, Community Development
<b>Action Type</b>
<input type="checkbox"/> Consent Item <input type="checkbox"/> Discussion/Direction <input type="checkbox"/> Public Hearing <input type="checkbox"/> Informational Only <input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Report <input checked="" type="checkbox"/> Resolutions (2) <input type="checkbox"/> Other:
<b>Action</b>
<p>Move to approve:</p> <ol style="list-style-type: none"> <li>1. The conditional use permit to allow an on-sale liquor establishment in a B-5, Gateway North Mixed-Use zoning district at 963 Robert St., subject to the conditions recommended by staff.</li> <li>2. The conditional use permit to allow an outdoor seating area in a B-5, Gateway North Mixed-Use zoning district at 963 Robert St., subject to the conditions recommended by staff.</li> </ol>
<b>Background</b>
<p>Tatiana Kilgore has submitted a conditional use permit application for an on-sale liquor establishment (beer and wine) and outdoor seating (less than eight seats) at 963 Robert St. If approved, the business would occupy the vacant southern portion of the building with a restaurant/café offering food such as pizza, sandwiches, and pastries as well as coffee, beer, and wine. This location would be an expansion of the franchise currently in Atlanta, Georgia, <a href="#">The Bougie Grazer</a>. In addition to the restaurant space, the applicant is also proposing to have three small outdoor tables, each with two chairs, near the entrance (west side) of the building. Additional information on the proposed project can be found in the attached planning commission memo.</p> <p><u>Planning Commission Meeting</u></p> <p>The planning commission met in regular session to review the application and held a public hearing. No one from the public came forward or called in to speak on the item.</p> <p>The planning commission discussed the following items:</p> <ul style="list-style-type: none"> <li>• Inquiry about the history and reasoning behind only allowing non-fortified wine in the outdoor seating area.</li> </ul>

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- Staff clarified that the limitation of only serving non-fortified wine is specific to the number of seats, as the zoning code has different requirements for the conditional use if the patio has more or less than eight seats. If the patio contains more than eight seats, the area then has to be fully enclosed, but is then able to serve other types of alcohol.
  - It was further discussed by the commission the merits of limiting the patio area to just a type of wine and not beer, etc. and if this is something that warrants additional review and possibly an amendment to the zoning code.
  - How the current proposal differs from the Bougie Grazer as it is shown on the current website, the existing locations seem to have a larger focus on catering and classes compared to the current application.
    - While the applicant was not present to speak in detail about this, staff summarized information from the submitted narrative and discussions with the applicant. The proposed use would indeed have less of a focus on catering and classes, with the primary focus being a café restaurant, with occasional instances of hosting private events or classes.
  - A few commissioners mentioned their interest in expanding the outdoor seating area to occupy a couple of the existing parking stalls, particularly as the site has a surplus of parking.
    - Staff and the commission agreed that this wasn't appropriate to require as a condition, but worth further review and discussion if the applicant and property owner were interested.
    - The possible difficulty in enforcing the allowance of strictly non-fortified wine on the patio area was also mentioned. Which, if interested, could be resolved by expanding the patio and enclosing it, which would then allow for both beer and wine.
- Ultimately, the commission voted 9-0 to recommend approval of both the conditional use permit applications as recommended by city staff.

<b>Attachments</b>
Application and narrative Planning commission memo and presentation Draft resolutions
<b>Previous Relevant Actions</b>
N/A
<b>Alternatives</b>

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If city council is not satisfied with the proposal or condition(s) as written, please advise staff of the desired changes and/or recommendations.	
<b>Financial</b>	
Budgeted: <input type="checkbox"/> Yes	<input type="checkbox"/> No Financial Impact
Fund: N/A	
Department: N/A	
Account: N/A	
Amount: N/A	