

ORDINANCE NO. O-1516-24

ITEM NO. 11

STAFF REPORT

GENERAL INFORMATION

APPLICANT	UTC II, L.L.C. and University Town Center, L.L.C.
REQUESTED ACTION	Amendment of the approved uses in the Planned Unit Development established by Ordinance No. O-0607-13 in specific areas
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: PUD, Planned Unit Development East: PUD, Planned Unit Development and A-2, Rural Agriculture South: PUD, Planned Unit Development West: PUD, Planned Unit Development
LOCATION	2050 24 th Avenue N.W. and the 2000 Block of 24 th Avenue N.W.
SIZE	49.84 acres more or less
PURPOSE	To amend the uses allowed in specific areas by adding: 1) Bar, lounge or tavern; 2) Live entertainment venue; and 3) Mixed buildings
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Hotel East: Airport South: Grocery Store West: Retail and Parkland
2025 LAND USE PLAN DESIGNATION	Mixed Use
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: The applicant is requesting to amend the University North Park PUD for two parcels; both parcels combined are approximately 49.84 acres. This PUD amendment will allow a bar, lounge or tavern, a live entertainment venue and a mixed building.

ANALYSIS: The PUD, Ordinance No. O-0607-13, passed on December 12, 2006 regulates uses allowed within University North Park. The PUD narrative allows any use by right in the C-2, General Commercial Zoning District; as stated in the current PUD narrative, only C-2 uses "permitted as a matter of right" are currently allowed in University North Park. Therefore, a bar, lounge or tavern, a live entertainment venue or mixed building is not currently allowed.

Recently, there have been inquiries for development proposals in University North Park that are classified as a bar. There must be 50% of sales generated from food to classify the establishment as a restaurant; if the establishment generates 50% of total sales from alcohol the establishment is considered a bar. Therefore, Planning cannot approve any building permit applications for a bar.

The applicant is also requesting a live entertainment venue and mixed building in this amendment for future development plans in the area of the "lifestyle center".

The subject parcels advertised for this amendment will be the only location in University North Park these uses will be allowed. The PUD amendment will be labeled "Exhibit H" and become part of the current PUD narrative.

ALTERNATIVES/ISSUES:

- **IMPACTS** As University North Park continues to develop with more hotels, apartments, retail shops, restaurants and Legacy Park, it is evident there is a need for compatible diverse uses within the development. This PUD amendment will bring this element to University North Park.

This proposal will not create any negative impacts to the overall development of University North Park; this development was designed as a master development plan to accommodate traffic, parking and commercial and entertainment uses to accommodate the surrounding population.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT:** PD NO. 15-25 October 22, 2015
Neighbor's Comments/Concerns
The only neighbor that attended the meeting was a representative from KITE Reality; the main concern was the type of amendment requested and the location of the land it would apply to. He also asked about the Mixed Building use and exactly what that meant?

Applicant's Response

The applicant did not attend the meeting.

Staff was able to provide the applicant's information so they could directly contact the applicant for any unanswered questions.

Staff was contacted by phone on November 4, 2015 by Kite Reality to notify the Planning Department that there were no questions or concerns with the proposal; all their questions have been answered by the applicant.

- **GREENBELT COMMISSION MEETING:** No Meeting Required
- **PARK BOARD:** Park land dedication not required for this application.
- **PUBLIC WORKS:** This request contains two parcels; one parcel is final platted located at 2050 24th Avenue N.W. and is approximately 2.05 acres. The other parcel is located south of Conference Drive and north of Crest Supermarket and contains approximately 47.79 acres and is preliminary platted. All public improvements will be required for the parcel that is preliminary platted.

STAFF RECOMMENDATION: As University North Park continues to develop with new retail shops, hotels, and apartments, it is reasonable that more types of businesses be allowed to develop within University North Park. Furthermore, the residential element allowed within the University North Park development demonstrates the population is expanding in the area and more diverse goods and services will provide local walkable amenities. Staff supports and recommends approval of Ordinance No. O-1516-24.