
ORDINANCE NO. O-1819-12

ITEM NO. 7

STAFF REPORT

GENERAL INFORMATION

APPLICANT	UNP Restaurant, L.L.C., dba Redrock Canyon Grill
REQUESTED ACTION	Amendment of the allowed uses approved with the Planned Unit Development established by Ordinance No. O-0203-2, as amended by O-0506-9, O-0607-13 and O-1415-45
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: PUD, Planned Unit Development District East: PUD, Planned Unit Development District South: PUD, Planned Unit Development District West: PUD, Planned Unit Development District and RM-6, Medium Density Apartment District
LOCATION	1820 Legacy Park Drive
SIZE	1.898 acres, more or less
PURPOSE	To amend the use allowed on a specific lot by adding - Seasonal use of an outdoor stage for live entertainment
EXISTING LAND USE	Restaurant
SURROUNDING LAND USE	North: City Park – Legacy Park East: City R-O-W South: Commercial Strip Center West: I-35 & Multi-Family
2025 LAND USE PLAN DESIGNATION	Mixed Use

SYNOPSIS:

The applicant is requesting to amend the University North Park PUD for the single parcel they own, situated south of Legacy Park, to allow continuation of the outdoor live entertainment they were providing to their guests at Redrock Canyon Grill. If adopted this PUD amendment will allow for an outdoor live entertainment venue only at this subject tract.

The applicant opened Redrock Canyon Grill in 2015. Redrock has a covered patio area on the east side of their building; this is a patio dining area. In addition to the patio dining area there is a gazebo, also located on the east side of the lot and this gazebo operates as an outdoor bar area for the restaurant. In the spring of 2018 (to staff's knowledge) the applicant constructed a 221 square foot "stage" area also on the east side of their property, in close proximity to the outdoor bar and patio dining area. The stage floor is approximately 7-inches off the ground. This stage has been used as the performance area for musicians and is close enough to the patio area that those dining on the patio and sitting at the bar can hear the music. Use of the stage area is dependent on weather conditions and only during business hours, the restaurant closes at 9 o'clock Sunday through Thursday and 10 o'clock on Friday and Saturday nights. Please see Attachment A for the subject tract and location of the stage.

BACKGROUND:

This application is coming to Planning Commission and City Council due to a violation filed with Code Compliance. At a previous City Council meeting the Planning Director was asked if there was a business in the City that was operating with outdoor live entertainment – the Director stated there was not. Following the Council meeting a citizen posted on one of the FaceBook Ward pages that Redrock Canyon Grill was providing outdoor live entertainment to their guests. This information was passed along to the Planning Director, the Director notified Code Compliance and they reached out to the owners of Redrock Canyon Grill notifying them that they were operating outside of the allowed uses in the UNP PUD Narrative. The applicant is now coming to Planning Commission and City Council requesting approval of an amendment to the UNP PUD so they may continue providing their customers with musical entertainment.

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, an area designated for an outdoor live entertainment venue is not currently allowed.

With the exception of the City park area – Legacy Park - the subject parcel advertised for this amendment will be the only location in University North Park where outdoor live entertainment will be allowed. The PUD amendment will be labeled "Exhibit I" and become part of the PUD Narrative.

As part of the UNP PUD amendment the applicant has provided a definition of "outdoor live entertainment" for their specific use as follows:

Outdoor Live Entertainment: Allowing outdoor live entertainment within the area designated on the site plan (Exhibit I). The outdoor live entertainment will occur seasonally, weather permitting, and during business hours, so long as said outdoor live entertainment does not interfere with any permitted or City organized activities at the adjacent parkland.

ALTERNATIVES/ISSUES:

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

This proposal will not create any negative impacts to the overall development of University North Park; UNP development was designed as a master development plan to accommodate traffic, parking and commercial and entertainment uses to serve the surrounding population. Again, this proposal is strictly for Redrock Canyon Grill, for an area of 221 square feet and as stated in the definition the applicant will not interfere with any permitted or City organized activities at the adjacent parkland.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT:** No meeting was required for this application.
- **GREENBELT COMMISSION MEETING:** No meeting was required for this application.
- **PARK BOARD:** Park land dedication not required for this application.
- **PUBLIC WORKS:** There are no additional platting or public works requirements for this property.

STAFF RECOMMENDATION:

University North Park is continuing to grow, with new/different service oriented businesses, retail shops, hotels, and residential uses. As the growth continues more types of businesses will want to locate within this area and be granted the ability to provide to their customers a level of service they propose. Additionally, the residential elements allowed within the University North Park development demonstrates the population is expanding in the area and more diverse goods and services will be sought-after. Staff submits this request to Planning Commission with recommendation of approval for Ordinance No. O-1819-12.