



## Legislation Text

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**File #:** 2018-5161, **Version:** 1

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Consider public testimony regarding, and an ordinance approving the Planned Unit Development (PUD) No. 112 zoning district for an outdoor music amphitheater with restaurant and bar facilities, located southeast of the intersection of N. IH-35 and University Blvd. (First Reading)\*

Nutty Brown Café and Amphitheater was founded in July of 2000 and is currently located in Dripping Springs. It is an outdoor live music venue with a restaurant/bar. The owners of Nutty Brown announced in November of 2016 that they were planning to move the venue and restaurant/bar to McNeil Park in Round Rock.

McNeil Park is a City owned and operated facility which contains two softball fields, two tennis courts, a playscape, picnic shelters, restrooms and parking areas. Negotiations are underway for the sale of the park to the owners of the Nutty Brown venue. The site is unique in its suitability for the location of an outdoor live music venue because it is located close to IH (Interstate Highway) 35 and there are no residential or overnight lodging uses within an approximately ½ mile radius. Access to the site is provided from a driveway to the northbound IH-35 frontage road on the west side of the property. Additional access may be provided in the future with the construction of the extension of N. Mays Street and a road connection to the east side of the property. The PUD requires that the owner also utilize this access if it is provided.

The proposal is to develop the site with facilities including: an outdoor stage, arena and grandstands, a 'green room' building for performers, a restaurant/bar building, a building containing a bar and suites for concert viewing, a food truck area and both paved and unpaved parking areas. The outdoor music venue stage will be located to direct the amplified music towards IH 35. In addition to concerts, the venue would also be permitted to host temporary special events such as farmer markets, Christmas tree sales, charity events, and worship services.

A significant portion of the site is located in the flood plain and the owner has requested that the finished floor elevation for buildings be at or above the 1% annual flood probability, as required by FEMA, in-lieu of a minimum of two feet above it, as required by City Code.

The site contains many trees that will need to be removed in order to accommodate the planned uses. The PUD allows for the removal of up to 60% of the diameter inches of all protected trees on the site without being subject to the tree replacement requirements. City code allows for removal of up to 30% of the diameter inches without replacement. The PUD does not provide an exception for the removal of monarch trees.

The facility proposes two types of parking areas - paved parking which will meet City code requirements and an unimproved 'festival' parking area which will not. The paved parking will serve the restaurant/bar facility and the unimproved parking area will serve the music venue. Paved drive aisles will provide access to all the buildings on the site and to the entrance to the festival parking area. The festival parking area is designed for use only during concerts and special events, which will

generally occur several times each week during the outdoor music season.

The site will be allowed two pylon signs - one for the restaurant/bar and one for the music venue. The restaurant/bar sign will be subject to height and display area criteria of the City code, while the music venue sign will be allowed to be taller, with a larger display area, including an electronic messaging center display.

Operation of the venue may exceed the noise levels established by the City's noise ordinance. The City Council approved on first reading a revision to this ordinance, at their January 11, 2018 meeting, to provide an exemption for events at this location.

The Planning and Zoning Commission held a public hearing at their meeting on January 10, 2018 and there were no speakers in support or in opposition to the proposed PUD. The Commission voted 7-0 to recommend approval.