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| Conditional Use Permit | 1506 N IH 35, Suite 101 |
| CUP-24-09 | First Watch Daytime Cafe |



Summary

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| Request: | New Conditional Use Permit | | |
| Applicant: | Susan Hibbs 11750 Katy Fwy #1300 Houston, TX 77079 | Property Owner: | Aquarena Crossing 1B, Ltd. 750 N St Paul St #250 Dallas, TX 75201 |
| CUP Expiration: | N/A | Type of CUP: | Mixed Beverage |
| Interior Floor Area: | 3,252 sq ft | Outdoor Floor Area: | 630 sq ft |
| Parking Required: | 31 spaces | Parking Provided: | Yes |
| Days & Hours of Operation: | Monday-Sunday: 7am-2:30pm | | |

Notification

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| Posted: | 03/22/2024 | Personal: | 03/22/2024 |
| Response: | None as of the date of this report | | |

Property Description

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|------------------------------|--|---|------------|
| Legal Description: | Lot 1, Block B, Northgate Center 1 Subdivision (2021) | | |
| Location: | Along IH 35 frontage Rd, approximately 250 feet South of Aquarena Springs Dr | | |
| Acreage: | 1.43 acres | PDD/DA/Other: | N/A |
| Existing Zoning: | General Commercial (GC) | Proposed Zoning: | Same |
| Existing Use: | New Commercial Building | Proposed Use: | Restaurant |
| Preferred Scenario: | High Intensity Zone | Proposed Designation: | Same |
| CONA Neighborhood: | Two Rivers East | Sector: | 6 |
| Utility Capacity: | Adequate | Floodplain: | Yes |
| Historic Designation: | N/A | My Historic SMTX Resources Survey: | No |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---|--|---------------------------|
| North of Property: | General Commercial (GC) & Multifamily Residential (MF-12) | Gas Station Health Care Facility (Valero) | High Intensity Zone |
| South of Property: | Public and Institutional (P) | Public Building (Texas Department of Public Safety) | High Intensity Zone |
| East of Property: | Multifamily Residential (MF-24) | Apartments (Villagio & Riverside Ranch) | High Intensity Zone |
| West of Property: | General Commercial (GC) | Restaurants (Hawaiian Bros, In-N-Out Burger, Chic-fil-A) | High Intensity Zone |

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Staff Recommendation

| | | | | |
|--|-------------------------------------|---------------------------------|--------------------------|-------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions | <input type="checkbox"/> | Denial |
| <ol style="list-style-type: none"> 1. The permit shall be valid for one (1) year provided standards are met; and 2. The permit shall be effective upon issuance of the Certificate of Occupancy; and 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | | | |
| Staff: Kaitlyn Buck | | Title: Planner | | Date: 04/03/2024 |

History

This is a new request.

Additional Analysis

In August of 2023, this property received a building permit and began constructing a shell building. In February of 2024, First Watch Daytime Café received their tenant finish out permit.

See additional analysis below.

Comments from Other Departments

| | |
|------------------------|------------|
| Police | No Comment |
| Fire | No Comment |
| Public Services | No Comment |
| Engineering | No Comment |

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| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|---|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. <i>Studies were not complete at the time of the request.</i> |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. <i>Section 9.2.2.6 (General Commercial District of the City's Land Development Code defines the purpose of the zoning district as, "...to provide areas for quality larger general retail establishments and service facilities for the retail sale of goods and services." Staff believes a restaurant with alcohol sales is consistent with the purpose of the zoning district.</i> |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. |
| | | <u>X</u> | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. |
| | | <u>X</u> | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1. |