

Conditional Use Permit CUP-25-24	1506 N IH 35, Suite 101 First Watch Daytime Cafe
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Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Holly Stolarsky 11750 Katy Fwy #1300 Houston, TX 77079	Property Owner:	Aquarena Crossing 1B, Ltd. 750 N St Paul St #250 Dallas, TX 75201
CUP Expiration:	6/4/2025	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

Posted:	5/23/2025	Personal:	5/23/2025
Response:	None as of the date of this report		

Property Description

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:	Restaurant	Proposed Use:	Restaurant
Preferred Scenario:	Mixed Use Medium	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)	Mixed Use Medium
South of Property:	Public and Institutional (P)	Public Building (Texas Department of Public Safety)	Neighborhood Low
East of Property:	Multifamily Residential (MF-24)	Apartments (Villagio & Riverside Ranch)	Neighborhood High
West of Property:	General Commercial (GC)	Restaurants (Hawaiian Bros, In-N-Out Burger, Chic-fil-A)	Commercial/Employment Medium

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Staff Recommendation

Approval as Submitted	<u>X</u>	Approval with Conditions	Denial
1. The permit shall be valid for three (3) years provided standards are met; and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.			
Staff: Kaitlyn Buck		Title: Planner	Date: 6/4/2025

History

On April 9, 2024, the Planning and Zoning Commission approved an initial Conditional Use Permit allowing the sale and on-premise consumption of Mixed Beverages at First Watch Daytime Café, effective upon issuance of the Certificate of Occupancy, valid for one (1) year. The Certificate of Occupancy was issued June 4, 2024.

Additional Analysis

See additional analysis below.

Comments from Other Departments

Police	They have a bunch of alarm calls, which is not unusual for a new business. See Attached Police Report.
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. The subject property is not located within a neighborhood character study area.
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. 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.
<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. The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.
<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. No improvements are being proposed as the subject structure is an existing development.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. No visual impacts are expected to cause adverse effects 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.