

# Conditional Use Permit CUP-19-31

# 2540 South IH-35 Cheddar's Casual Cafe



## Summary

<b>Request:</b>	A Conditional Use Permit for a mixed beverages permit for on premise consumption of alcohol at 2540 South IH-35.		
<b>Applicant:</b>	Cheddar's Casual Café PO Box 695016 Orlando, FL 32869	<b>Property Owner:</b>	TFG San Marcos SC, LP. 2121 North Akard Street Suite 250 Dallas, TX 75201
<b>Square Feet:</b>	7,482	<b>Type of CUP:</b>	Mixed Beverage
<b>Interior seating:</b>	226	<b>Outdoor seating:</b>	0
<b>Parking Required:</b>	57	<b>Parking Provided:</b>	161
<b>Days &amp; Hours of Operation:</b>	Sunday – Thursday: 11 a.m. – 10 p.m. Friday-Saturday: 11 a.m. – 11 p.m.		

## Notification

<b>Posted:</b>	October 25, 2019	<b>Personal:</b>	October 25, 2019
<b>Response:</b>	None as of the date of this report		

## Property Description

<b>Legal Description:</b>	Lot 3-B Block 4 Stone Creek Crossing Phase 2		
<b>Location:</b>	Located near the intersection of IH-35 and Direct Drive.		
<b>Acreage:</b>	5.38 acres +/-	<b>Central Business Area:</b>	No
<b>Existing Zoning:</b>	PDD	<b>Preferred Scenario:</b>	Medium Intensity
<b>Existing Use:</b>	Vacant	<b>Proposed Use:</b>	Restaurant
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	4
<b>Utility Capacity:</b>	Adequate		

## Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	PDD	Vacant / Retail	Medium Intensity
<b>South of Property:</b>	PDD	Commercial / IH-35	Medium Intensity
<b>East of Property:</b>	PDD	Automotive Retail	Medium Intensity
<b>West of Property:</b>	PDD	Water Quality / Commercial	Medium Intensity

<b>Conditional Use Permit</b>	<b>2540 South IH-35</b>
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### History

This property is subject to the Stonecreek Crossing Planned Development District (PDD), which was approved in 2007.

### Additional Analysis

This restaurant is proposed to be developed on a vacant lot. It consists of a 7,482 square foot restaurant with 226 indoor seats, no outdoor seating is proposed.

### Comments from Other Departments

<b>Police</b>	No Concerns
<b>Fire</b>	No Concerns
<b>Public Services</b>	No Concerns
<b>Engineering</b>	No Concerns

### Staff Recommendation

<input type="checkbox"/>	Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
<ul style="list-style-type: none"> <li>The permit shall be valid for one (1) year, provided standards are met,</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> <li>The permit shall be valid upon the issuance of a Certificate of Occupancy.</li> </ul>					
<b>Staff:</b> Will Parrish		<b>Title :</b> Planner		<b>Date:</b> November 6, 2019	

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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. <b>Studies were not complete at the time of this request</b>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<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 as outlined in section 5.1.5.5.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3).