

# Conditional Use Permit CUP-21-30

**2540 S IH 35**  
**Cheddar's Scratch Kitchen**



## Summary

<b>Request:</b>	Renewal of a Conditional Use Permit		
<b>Applicant:</b>	Cheddar's Casual Café, Inc. P.O. Box 695016 Orlando, FL 32869	<b>Property Owner:</b>	CSMS Investments, LLC P.O. Box 18995 Sugar Land, TX 77496
<b>CUP Expiration:</b>	December 28, 2021	<b>Type of CUP:</b>	Mixed Beverage
<b>Interior Floor Area:</b>	7,482 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	57 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Sunday – Thursday: 11am-10pm    Friday – Saturday: 11am-11pm		

## Notification

<b>Application:</b>	N/A	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	N/A	<b># of Participants:</b>	N/A
<b>Posted:</b>	September 10, 2021	<b>Personal:</b>	September 10, 2021
<b>Response:</b>	None as of the date of this report		

## Property Description

<b>Legal Description:</b>	Lot 3-C, Block 4, Stonecreek Crossing Phase 2		
<b>Location:</b>	Barnes Drive & Direct Drive		
<b>Acreage:</b>	+/-1.16 acres	<b>PDD/DA/Other:</b>	PDD – Ord. # 2008-59
<b>Existing Zoning:</b>	General Commercial (GC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Restaurant	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Medium Intensity	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	4
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	Yes
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	No

## Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	General Commercial	Retail / Vacant	Medium Intensity
<b>South of Property:</b>	General Commercial	Retail / Restaurant	Medium Intensity
<b>East of Property:</b>	General Commercial	IH 35	Employment Center
<b>West of Property:</b>	General Commercial	Retail	Medium Intensity

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### Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	Denial
1. The permit shall be valid for three (3) years, provided standards are met. 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy			
Staff: Amanda Hernandez		Title : Assistant Director of Planning	Date: September 22, 2021

### History

Cheddar's initial CUP was approved in 2019 for one year and became effective upon issuance of the certificate of occupancy in December, 2020.

### Additional Analysis

No changes are proposed with this renewal request.

### 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.
<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>N/A</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. <b><i>The property is surrounded by similar auto-oriented, interstate style development.</i></b>
<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.