

ORDINANCE NO. 4445

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING BY GRANTING A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR THE PROPERTY LOCATED AT 1230 E. BELT LINE ROAD, RICHARDSON, TEXAS, ZONED LR-M(2) LOCAL RETAIL, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 22-13).

WHEREAS, the City Plan Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That Ordinance No. 4250, adopted on April 9, 2018, is hereby repealed.

SECTION 2. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended be, to grant a change in zoning by granting a Special Permit for a restaurant with drive-through service for the property located at 1230 E. Belt Line Road, Richardson, Texas, zoned LR-M(2) Local Retail, being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 3. That the Special Permit for a restaurant with drive-through service is hereby conditionally granted subject to the following special conditions:

1. A Special Permit shall be granted to allow a restaurant with drive-through service and shall be developed in substantial conformance with the Concept Plan, attached hereto as Exhibit "B", and Building Elevations, attached hereto as Exhibits "C-1" and "C-2". No other person,

company, business, or legal entity may operate a restaurant with drive-through service on the property other than Seven Brew Drive-through Coffee. The Special Permit automatically terminates upon change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.

2. The Special Permit shall expire and terminate, and this Ordinance be of no further effect in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.

SECTION 3. That the above-described tract of land shall be used in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended.

SECTION 4. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be

punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 23rd day of January 2023.



APPROVED:


MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY (TM132959)

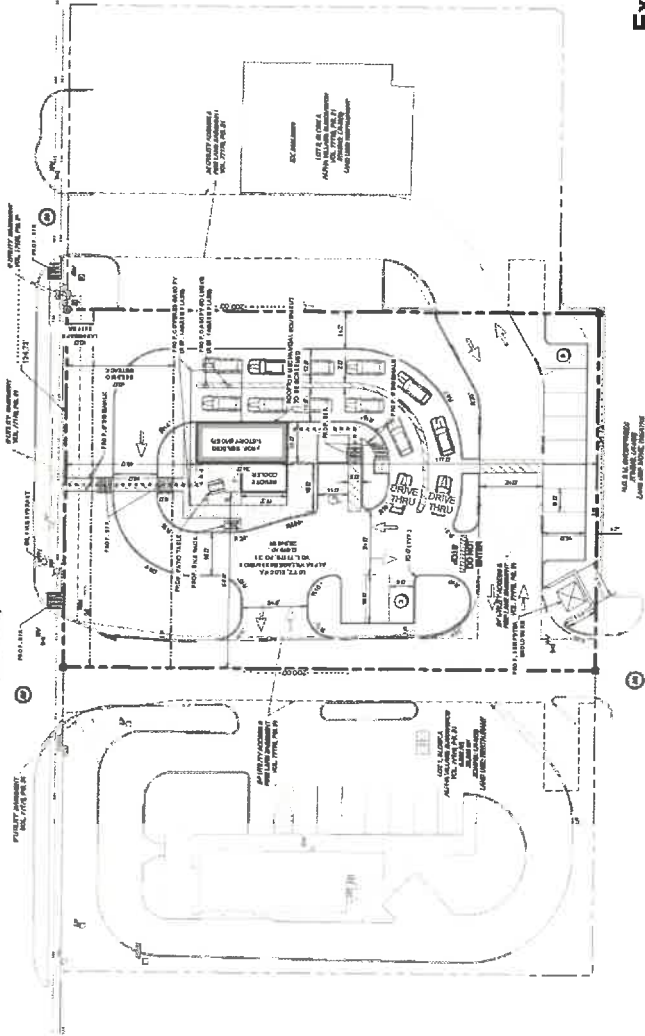
CORRECTLY ENROLLED:


CITY SECRETARY

EXHIBIT "A"

**LEGAL DESCRIPTION
ZF 22-13**

BEING all of Lot 2, Alpha Village Subdivision, an addition to the City of Richardson, Texas according to the plat recorded in Volume 77179, Page 31, Map Records, Dallas County, Texas.

[illegible]

GRAPHIC SCALE 10

[illegible]

SP1.0

PRELIMINARY
FOR REVIEW ONLY
THESE DOCUMENTS ARE FOR
DESIGN REVIEW ONLY AND
NOT INTENDED FOR THE PURPOSES
OF CONSTRUCTION, BIDDING
OR PERMIT. THEY WERE PREPARED
BY, OR UNDER THE SUPERVISION OF,
JOHNATHAN E. SCHMIDT
P E S
DALLI, December 12, 2002

7 BREW COFFEE
1230 E. BELT LINE ROAD
ALPHA VILLAGE LOT 2, BLOCK 1
CITY OF RICHARDSON
DALLAS COUNTY, TEXAS



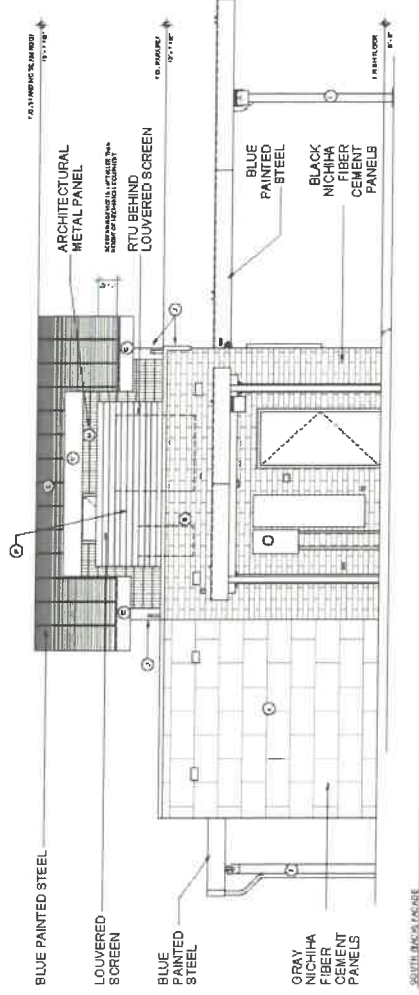
DATE: 01/11/11
 ZONING EXHIBIT
 SP1.0

EXHIBIT "C-1"

MATERIAL PERCENTAGES

SOUTH (BACK) FACADE

MATERIAL PERCENTAGES:	
METAL PANEL:	3%
LOUVERED SCREEN:	8%
(P-L-1) FIBER CEMENT PANELS:	31%
(P-L-2) FIBER CEMENT PANELS:	33%
PAINTED STEEL:	25%



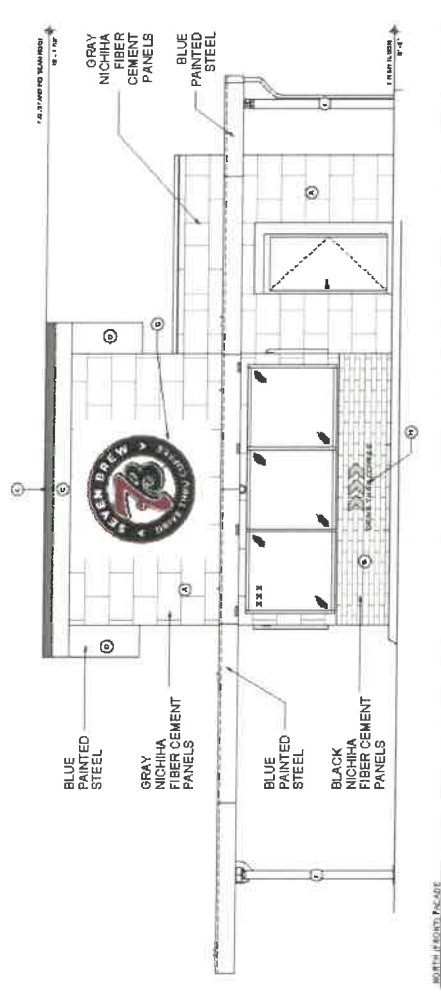
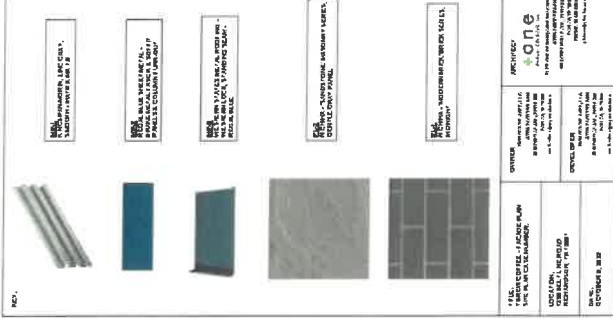
PREFABRICATED BUILDING

THIS BUILDING HAS NOT BEEN REVIEWED BY THE BUILDING DEPARTMENT AND THE DEPARTMENT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED. THE BUILDING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY OCCUR AS A RESULT OF THE USE OF THIS INFORMATION.

NOTE:
SIGNAGE FOR ILLUSTRATIVE PURPOSES
ONLY. SUBJECT TO BUILDING INSPECTION
REVIEW AND APPROVAL.

EXTERIOR ELEVATION MATERIALS LEGEND

NO. TEXT	
1	GRAY NICHIA FIBER CEMENT PANELS
2	BLACK NICHIA FIBER CEMENT PANELS
3	BLUE PAINTED STEEL
4	LOUVERED SCREEN
5	ARCHITECTURAL METAL PANEL
6	RTU BEHIND LOUVERED SCREEN
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NORTH (FRONT) FACADE

MATERIAL PERCENTAGES:	
(P-L-1) FIBER CEMENT PANELS:	12%
(P-L-2) FIBER CEMENT PANELS:	63%
PAINTED STEEL:	25%

Exhibit C-1

