# City of Richardson City Plan Commission Agenda Packet Tuesday, November 19, 2024

To advance to the background material for each item in the agenda, click on the item title in the agenda or click on Bookmarks in the tool bar on the side of your screen.

#### **AGENDA**

# CITY OF RICHARDSON – CITY PLAN COMMISSION TUESDAY, NOVEMBER 19, 2024, AT 7:00 P.M. RICHARDSON CITY HALL 2360 CAMPBELL CREEK BOULEVARD, SUITE 525 RICHARDSON, TX 75082

The City Plan Commission meeting will be held in the Multipurpose Room #CH 157, of the Richardson City Hall located at 2360 Campbell Creek Boulevard, Richardson, TX 75082. Members of the public may also watch City Plan Commission (CPC) meetings via live-stream online and on-demand at (https://www.cor.net/city).

Persons not attending the meeting who would like their views to be made a part of the public record may utilize the online Public Comment Card (<a href="https://www.cor.net/PublicCommentForm">https://www.cor.net/PublicCommentForm</a>).

**BRIEFING SESSION: 6:15 P.M.** Prior to the regular business meeting, the City Plan Commission will meet with staff in Multipurpose Room #CH 157 at the above listed address to receive a briefing on:

- A. Discussion of regular agenda items
- B. Staff report on pending development, zoning permits, and planning matters

#### REGULAR BUSINESS MEETING 7:00 P.M. – MULTIPURPOSE ROOM #CH 157

#### **MINUTES**

1. Approval of minutes of the regular business meetings of October 3, 2024, and October 29, 2024.

# **PUBLIC HEARING**

- 2. Zoning File 24-21 PD Planned Development Lennox Innovation R&D Center: (Continued from October 3, 2024) Consider and act on a request to rezone approximately 7.52-acres from O-M Office with special conditions to PD Planned Development for the O-M Office District with amended development standards to accommodate the development of a 45,000-square foot research and development building at 2140 Lake Park Boulevard, on the north side of Lake Park Boulevard, east of Lake Park Way. Owner: Lennox International Inc. Staff: Derica Peters. (Requesting continuation to December 17, 2024, meeting)
- 3. Zoning File 24-24 PD Planned Development Valencia Villas: (Continued from October 3, 2024) Consider and act upon a request for approval to rezone approximately 4.08-acres located at 601 E. Main Street, north of E. Main Street, east of Grove Road, from R-1500-M Residential Temp District to PD Planned Development District for a townhome development with 38-units. Owner Jamy Properties LLC. Staff: Derica Peters. (Requesting continuation to December 3, 2024, meeting)
- **4. Zoning File 24-25 Special Permit Haraz Coffee House:** Consider and act on a request for approval of a Special Permit for a restaurant with drive-through service on a 0.85-acre lot currently zoned O/C Office/Commercial within a 3,000-square foot existing lease space located at 508 Centennial Boulevard, south of Centennial Boulevard, west of Audelia Road. Owner: Jamal Gharbieh, representing Centennial Falls, LLC. Staff: Derica Peters.
- 5. Zoning File 24-27 Special Permit 7 Brew Coffee: Consider and act on a request for approval of a Special Permit for a restaurant with drive-through service, on a 0.62-acre lot currently zoned LR-M(2) Local Retail, located at 1230 E. Belt Line Road, west of Plano Road. Owner: GMC Pursuit JV LLC. Staff: Derice Peters.

#### **ADJOURN**

I HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT RICHARDSON CITY HALL ON OR BEFORE 5:30 P.M., FRIDAY NOVEMBER 15,2024.

A.J. CASTANEDA, EXECUTIVE SECRETARY DEVELOPMENT SERVICES

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, LOCATED AT 2360 CAMPBELL CREEK BLVD., SUITE 550, RICHARDSON, TX 75082. VIA PHONE AT (972) 744-4168 OR VIA EMAIL AT ADACOORDINATOR@COR.GOV.

PURSUANT TO SECTION 46.03. PENAL CODE (PLACES WEAPONS PROHIBITED). A PERSON MAY NOT CARRY A FIREARM OR OTHER WEAPON ON THIS PROPERTY. \*

FOR THE PURPOSE OF THIS NOTICE "PROPERTY" SHALL MEAN THE RICHARDSON ROOM AND OR COUNCIL CHAMBERS OF ANY OTHER ROOM WHERE A MEETING SUBJECT TO AN OPEN MEETING UNDER GOVERNMENT CODE CHAPTER 551 OF THE RICHARDSON CITY PLAN COMMISSION IS HELD.

# Agenda 1tem 1

Approval of the Minutes of the October 3, 2024 & October 29, 2024 City Plan Commission Meetings

# CITY OF RICHARDSON CITY PLAN COMMISSION MINUTES – OCTOBER 3, 2024

The Richardson City Plan Commission met on October 3, 2024, at 7:00 p.m. in the Multipurpose Room #CH157 of the Richardson City Hall, 2360 Campbell Creek Boulevard, Suite 525, Richardson, TX.

**MEMBERS PRESENT:** Bryan Marsh, Chairman

Kenneth Southard, Vice Chairman Joe Costantino, Commissioner Nate Roberts, Commissioner Michael Keller, Commissioner Gary Beach, Commissioner Byron Purdy, Commissioner Sebrena Bohnsack, Commissioner Rebecca Poynter, Commissioner

CITY STAFF PRESENT: Charles Goff, Assistant City Manager

Dan Tracy, Assistant Director, Development Services

Derica Peters, Senior Planner

Amber Pollan, Planner – Strategic Planning Anna Jo Castaneda, Executive Secretary

# **BRIEFING SESSION**

Prior to the start of the regular business meeting, the City Plan Commission met with staff regarding staff reports and agenda items. No action was taken.

#### REGULAR BUSINESS MEETING

1. Approval of Minutes of the regular business meeting of September 17, 2024.

**Motion:** Vice Chairman Southard made a motion to approve the minutes as presented. Commissioner Roberts seconded the Motion. Motion passed 7-0.

#### **VARIANCE**

2. Variance 24-02 - Brand Dentistry: Consider and act upon a request for a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article XXIIC, Sec. 22(i) to reduce the separation requirement of where the side of a building in a non-residential district abuts a residential District by five (5) feet. The property is located at 501 W. Campbell Road, at the southwest corner of W. Campbell Road and Custer Road. Owner: Yazan Muhammad Al-Amin, represented by David Bond, Spiars Engineering, for Brand Dentistry. Staff: Aaron Zilz.

Dan Tracy stated the applicant is requesting a five (5) foot reduction from the required 46-feet separation from the side of the building to a residential zoning district to allow the construction of a 5,527 square-foot dental office. The Code requires a minimum of forty-six (46) feet of open space, including alley right-of-way, where the side of the building abuts a residential district. The lot has frontage along both W. Campbell Road and Custer Road and the southern wall is the side of the building, therefore encroaching on the side yard approximately three (3)

feet. The applicant is proposing eight (8) foot screening walls to be placed on the south and east side of the property for a visual block of the development.

Mr. Tracy confirmed this is not a public hearing, no notices were sent out as it is not required by state law.

Commissioner Roberts asked what side of the alley the south screening wall was to be located.

Mr. Tracy stated the screening wall will be on the north side of the alley.

Seeing no further questions for staff, Chairman Marsh asked the applicant to come forward.

Mr. David Bond, Spiars Engineering, 501 President George Bush Highway, Richardson, representing Brand Dentistry stated the site is located at the southwest corner of Campbell Road and Custer Road where five (5) residential lots were originally plotted facing Campbell Road. A single house stood on the entire property for a period before it was demolished; after that, the site was rezoned to O-M office. He stated Brand Dentistry is looking to expand beyond their current location in Garland and the doctors in the practice are very familiar with the Richardson area.

Mr. Bond stated the property has been vacant for some time, due to access issues with the intersection of two (2) roadways, overhead power lines in the front, and the lot being only 120 feet deep. They do not want to take any access from the alley; therefore, they are seeking relief of the forty-six (46) foot setback to the south. The additional five (5) feet is comparable to the setback of the daycare immediately adjacent to the west which is zoned residential.

Mr. Bond advised they wanted to be respectful of the structure height since it is so close to a neighborhood; they propose a structure that is eighteen (18)-feet tall with tower elements making it twenty-four (24)-feet tall.

Mr. Bond stated that after looking at different layouts, the most efficient layout is a square building with windows on all sides of the building that provide a nice view of landscaping for patients to see from inside patient exam rooms. They reached out to the Northrich Neighborhood Association and put information out on social media. There is also a letter in the CPC packet from a contact person in the neighborhood.

Dr. Ben Donnelli, 2928 N. St. Andrews Drive, Richardson, dentist of Brand Dentistry, stated they would like consideration of the Variance to serve the public with a needed service in the community which will also add to the city's tax base. The proposed use is allowed under existing zoning and is in line with adjacent properties with no other subdivision or zoning variances or requests needed to develop the property as proposed.

Chairman Marsh asked if they looked at a layout where the building was on the west side and the parking lot was on the east side.

Mr. Bond stated if they structured it that way, they did not like how far back the building would be and the front door would face a huge parking lot at the corner. Having an activated corner gave the site better traffic flow.

Chairman Marsh asked why the number of parking spaces was almost double the amount required by the Code.

Mr. Bond stated there will be twelve (12) dental operatories and three (3) dentists and with overlapping appointments all rooms could be full at one time, and they need employee parking.

Chairman Marsh asked if the plans were far enough in development to know where the mechanical equipment will be located and if there was any service entry loading.

Mr. Bond replied that the HVAC will be roof mounted with a parapet. Once all the heavy dentistry furnishings are in place, the deliveries will be smaller packages from USPS or UPS in a box truck with no need for a loading area.

Chairman Marsh asked what type of landscaping would be placed at the northeast corner of Custer Road and Campbell Road.

Mr. Bond stated there would be landscape and the tower element and the waiting room will have glass all along Campbell Road.

Vice Chairman Southard asked if the offices were on the east side of the building.

Mr. Bond stated the east side will be exam rooms.

Chairman Marsh asked staff to confirm the request is to reduce the forty-six (46)-foot setback by five (5)-feet of separation from the side of the building to a residential zoning district; and that the applicant will submit a replat to combine the existing five (5) lots into a singular lot to be approved by the City Planning Commission.

Mr. Tracy stated that is correct.

**Motion:** Commissioner Roberts made a motion to recommend approval of the request as presented. Commissioner Beach seconded the Motion. Motion passed 7-0.

# **PUBLIC HEARING**

**3. Zoning File 24-21 PD Planned Development- Lennox:** Consider and act upon a request for approval to rezone approximately 7.52-acres from O-M Office District with amended development standards to accommodate the development of a 45,000-square foot research and development building at 2140 Lake Park Boulevard, on the north side of Lake Park Boulevard, east of Lake Park Way. Owner: Lennox International Inc. Staff: Derica Peters.

Ms. Peters stated the request is to rezone approximately 7.52 acres from O-M Office with special conditions to PD Planned Development for the O-M Office District with amended development standards to accommodate a new building which is thirty-six (36)-feet tall with a 10,000-square foot office and 35,000-square foot warehouse. The request also includes allowing the use of a research and laboratory facility, which is allowed by right in the base office district, however the zoning ordinance that governs this site did not list this as an allowed use at the time of adoption.

Ms. Peters stated this facility will be used to operate, test, and develop new control systems for climate control equipment. The center will contain an office area, testing rooms with limited occupancy and one dock loading area with an overhead bay door. The applicant estimates they will have sixty-two (62) employees working on a daily shift of 9:00 am to 3:00 pm.

Ms. Peters advised the applicant is requesting an exception and reduction in parking for the existing office tower and the office portion of the proposed building. There are no parking standards for research laboratories. The applicant submitted parking observations and found that only 65% of the parking spaces were utilized.

Ms. Peters stated the applicant is requesting an exception to building height to exceed the height of a standard story limitation of twenty-five (25) feet when residential property is within 150 feet of the office building. The proposed building would be a single-story structure at thirty-six (36) feet in height to accommodate equipment within the building. Ms. Peters stated the applicant intends to construct a building with similar building materials and architectural style as the existing Lennox office buildings. They expect truck deliveries one to two times per week.

Ms. Peters concluded by saying the City received one public comment card and a proposed revision to the site plan by an adjacent neighbor.

Vice Chairman Southard asked if staff had responded to the correspondence in the packet and if the questions were within the purview of the Planning Commission.

Ms. Peters stated the first question relates to the use of the building, the second is regarding the air quality that the applicant will answer, and the third question is about who to call, the City of Dallas or Richardson, in the event of an emergency.

Chairman Marsh asked how many employees were expected to work in this new building.

Ms. Peters answered 62.

Chairman Marsh asked if there were any other questions for staff, seeing none the public hearing was opened and the applicant was asked to come forward.

Mr. Rick Ruiz, BRW Architects, 409 Grace Drive, Richardson 75081, stated Lennox is a well-known reputable comfort control company that provides mechanical equipment to commercial and residential clients. They have an office in Richardson and research and development facilities are in Carrollton. Research and development have expanded, and a new facility is needed to test climate control equipment. Tests will be conducted in rooms with engineered environmental testing chambers developed to simulate harsh climate conditions, The research and development equipment is large and would need a 36-foot building height to fit the internal equipment that is 25 ft high.

Mr. Ruiz explained the building will be constructed in line with the existing office building with a two-story office portion constructed on the front portion of the building facing the street, featuring storefront windows, awnings, and a patio. There will be a tilt wall with brick veneer that wraps the entire building and the island at the entry will be removed and landscaped. Mr. Ruiz presented the one-way circulation road going west through the site where trucks will come through

one to two (1-2) times a week. The north side of the property has a 6'6" tall concrete screening wall that sits on top of the retaining wall and varies between 2'6" to 7'0" tall. The proposed building is approximately 15'0" from the adjoining property line. Mr. Ruiz added that their existing parking is heavily underutilized, so they are proposing to provide 613 parking spaces.

Mr. John Hurst, Lennox Vice President of Government and Sustainability, 2140 Lake Park Blvd., Richardson, stated the new building will be an engineering research and design center, called an innovation center. The type of work they will be doing is a heavily regulated industry by the Department of Energy and the Environmental Protection Agency and the equipment must be tested to efficiency standards. The inside of the building will have testing chambers to test equipment in extreme conditions without any toxic chemicals. The facility will have a marketing element to it where they will give tours and meet with customers.

Margo Murphy, Baldwin Associates, 3904 Elm Street, Suite B, Dallas stated that she was hired by Lennox to assist with public outreach on this zoning case. She stated she received a list of the property owners in the notice area and has been provided information on inquiries received by the City of Richardson. There will be a community meeting with a presentation to answer any concerns from the homeowners adjacent to Lennox.

Mr. Frank Papatonis, Lennox Project Engineer, 604 Biltmore Lane, McKinney, TX 75071 advised that Lennox is still in the concept phase, and they needed to know what is required in the physical dimension of the proposed building before going any further. When they get to the design portion of the plan, they will be able to address more questions from the community.

Commissioner Roberts asked if the tilt wall was going to be wrapped in brick.

Mr. Ruiz responded yes.

Commissioner Roberts acknowledged that the chemicals they deal with are not hazardous and asked about their procedures for disaster recovery.

Mark Diesch, Lennox Chief Engineer, 1600 Metrocrest Drive, Carrollton, stated he works in research and development at the Carrollton facility and advised they have an established business continuity plan where exercises have been for different scenarios that could occur. Lennox has a well thought out plan with direct contacts established for different organizations to help in recovery, ranging from a tornado, fire, or an electrical outage.

Mr. Ruiz advised there are only five (5) testing cells in the facility that will have mechanical equipment like those located on top of buildings, however these are in a chamber inside the building engineered with its own safety regulations for testing. He stated they could get safety guidelines on the chamber safety regulations if needed.

Vice Chairman Southard asked if the testing is in development rather than manufacturing.

Mr. Ruiz stated the testing is for development of the equipment.

Mr. Diesch indicated the testing conducted at their facilities involves safety which is an internal requirement to make Lennox products. They have performance guidelines that are regulated by

the Department of Energy to establish efficiency ratings to ensure their products are reliable and meet the customer needs.

Vice Chairman Southard asked if newly manufactured products would be brought there for testing before shipment.

Mr. Hurst stated they would test representative units using a specific test procedure required by the Department of Energy, not factory testing.

Vice Chairman Southard asked if the employees testing the equipment would be on a single shift.

Mr. Hurst answered yes.

Chairman Marsh asked for an explanation on why they want to put this facility in Richardson and not some other location.

Mr. Hurst responded they want a showcase facility where they can be close to their product management team and close to the headquarters building, and they like being in Richardson.

Chairman Marsh asked if Lennox allowed employees to work from home during covid.

Mr. Hurst stated they have 14,000 employees and to retain product flow, the CEO made the decision that all Lennox employees would work at the office and not at home. A flex schedule of four (4) days per week Monday through Thursday was offered and Friday is optional.

Chairman Marsh asked if there was excess parking in the garage on the other parcel.

Mr. Hurst answered ves.

Chairman Marsh asked how the density of each floor of the office tower was laid out and if it was mainly comprised of individual offices.

Mr. Hurst answered the building was equipped in the 1990's and they have been renovating floor by floor where the offices are on the interior and workstations are along the exterior.

Chairman Marsh asked if the sixty-two employees included office workers as well as production staff in the Research and Development building.

Mr. Hurst answered that is correct.

Chairman Marsh asked if the mechanical equipment for the new building was located on the roof.

Mr. Hurst answered that is correct and a parapet will cover the equipment.

Chairman Marsh asked what the height of the parapet would be.

Mr. Ruiz stated that the parapet will be four (4) feet and the City of Richardson requires each unit to have its own screen wall covering three (3) sides leaving the side facing the building open.

Mr. Diesch clarified that the rooftop units are for comfort air and not part of the testing being done inside the building.

Chairman Marsh asked if there was exhaust in the testing room.

Mr. Diesch answered there was minimal exhaust and there would not be any chemical fumes.

Chairman Marsh asked about power requirements and if they would have capacity on site or would they need new power or transformers for testing equipment.

Mr. Ruiz responded that they are in the conceptional phase and don't have that information.

Chairman Marsh asked if their plan for the west side property line was to leave the tubular steel fence and landscape.

Mr. Ruiz advised they would leave the wrought iron fence without introducing a large screen wall and there is shrubbery that hides the parking, but islands or additional trees will be added according to the landscaping code.

Chairman Marsh asked what would be on the west side of the building west of the fire lane.

Mr. Ruiz stated they would leave the parking.

Chairman Marsh asked if the setback from the west property line to the building was forty-four (44) feet or more.

Mr. Ruiz stated the physical setback is fifty-three (53) feet from the face of the fence to the face of the building.

Chairman Marsh asked staff if that setback was in conformance with code.

Mr. Ruiz stated it could be smaller but there is a sidewalk between the building and the fire lane for egress.

Ms. Peters advised the setback is consistent with the zoning requirement.

Chairman Marsh commented that the wrought iron fence and row parking on the north side was lined up close with the parking garage and asked if they knew what the setback was.

Mr. Ruiz replied that from the face of the screen wall and the retaining wall to the face of the building is approximately eight-five (85) feet. They want to put landscaping on the north side, but a 47.5-foot utility easement goes up to that line.

Chairman Marsh asked if he knew the height of the parking garage.

Mr. Ruiz answered it was a three (3) story with 30+ feet, three (3) decks and a 42" inch required wall along the perimeter.

Chairman Marsh stated one of the special conditions staff recommended was the building height would be a single standard story not to exceed thirty-six (36) feet; should that be clarified for the two (2) story office.

Ms. Peters advised that office portion is only a small section like a mezzanine, so the building code considers it to be a one-story building.

With no further questions for the applicant, Chairman Marsh asked if anyone in favor or opposition would like to come forward and speak.

Robert Snelling, 2113 Lucerne Cove, Richardson 75080, President for University World Owners Association explained that Lennox stated they were working with the surrounding neighborhood HOA and community on proposing the re-development of the existing lake along Park Blvd to provide a walking trail and dog park. He stated that Lennox is not the owner of the lake and if there are any changes, they must be run by all the University World Owners Association members and will need a super majority vote. He advised he would speak with Margot Murphy regarding this information at the community outreach meeting.

Brenda Bailey, 2209 London Avenue, Richardson 75080 advised she has lived in the neighborhood for nine (9) years, and she wants more information about the generator and the noise. She stated the loading dock currently exists behind her house and she worries about the traffic and what the development will do to her property values.

Cliff Wood, 8226 Vitex Avenue, Dallas, 75252 stated he lives in-line with the drive between the proposed building and the parking garage and is concerned about losing his view and how this development will affect his property values. Mr. Wood proposed a site plan that would shift the existing fire lane from the north to the south and then swap the head in parking spaces that face the parking garage to the north side of the fire lane. This would allow tree islands between the parking spaces that would effectively screen the neighbors to the north and allow fifty-six (56) parking spaces to remain north of the parking garage.

Susan Baskin, 2230 Hibiscus Avenue, Richardson, stated she is a resident of Parkside Towns townhomes to the west of the site, and she advised that the project poses significant challenges to their quality of life. Primary concerns include the noise pollution from the operation of forklifts, large 18-wheel trucks, and generators that will disrupt their community. She stated that the level of noise, traffic and the industrial lighting intruding on the neighborhood needs to be safely monitored. Ms. Baskin advised that to mitigate these issues, they request that the construction of a twelve (12) foot brick masonry wall be built on the fence line to act as a noise and visual barrier because the six (6) foot tubular metal fencing is not adequate. She explained this measure would help balance the needs of the development with the well-being of their community.

Anne Edelen, 2128 Meridian Way, Richardson stated she moved to the neighborhood knowing that Lennox was there, however with this request she is concerned about what the facility will do to the value of her property. The drive that was shown in the presentation runs extremely close to the windows of the homes on that side.

Allen Baskin, 2230 Hibiscus, Richardson stated he is a resident in the Parkside Towns community near the proposed building and that it seems Lennox has decided to put up an industrial building

because the parking area is underutilized People bought homes with the impression there would only be office type buildings adjacent and there would be no way of enforcing that if other uses are allowed. Mr. Baskin expressed more discussion was needed with details on what Lennox's plans were because at this point no one has reached out to them to advise.

Lindsey Brooksher, 8266 Vitex Avenue, Dallas, states her residence faces the Lennox parking garage. She has questions about the hours of operation and deliveries and noise expectations to consider. She did not like the fact she was not sent a notification even though she is within 200 feet but lives in Dallas. Ms. Brooksher stated there is a maintenance issue with the line of trees she sees from her house; none have been maintained or replaced. She is not for or against the request, but the neighborhood has not been given enough information or had their questions answered.

Chairman Marsh asked if anyone else would like to come forward, seeing none he asked the Lennox team to come back up and address some of the comments.

Mr. Hurst advised they plan to have a community meeting to address the schedule of deliveries, the generator noise, tree maintenance and landscaping, challenges with the easement, light spill and removing some towering lights in the parking lot, among other issues. He stated he does not know the history of the former HOA and all the neighborhood input is appreciated. He commented that the purpose for tonight was about getting a rezoning.

Chairman Marsh asked if there were any other questions for the applicant, seeing none, Commissioner Costantino made a motion to close the public hearing. Commissioner Beach seconded the motion and motion passed 7-0.

Commissioner Costantino commented the biggest concern was the building height and stated if they did not have that concern, they could just build the facility.

Ms. Peters stated they could not build the facility because the concept plan does not show a building in this location, and the zoning does not list this as an allowed use.

Vice Chairman Southard expressed that the valid comments from the neighborhood could have been addressed prior to this hearing.

Mr. Hurst stated they would like to request a continuance for their case.

Commissioner Roberts asked staff how long an applicant can ask to continue a case.

Mr. Goff advised the case can be tabled to a date certain so that staff would not have to re-notice, or it can be tabled indefinity and staff would have to send out notices again.

Commission Roberts asked who decides on the date.

Mr. Goff answered staff would need to have a conversation with applicant about time needed to address the neighborhood and make any adjustments deemed reasonable.

**Motion:** Vice Chairman Southard made a motion to recommend continuance of the public hearing until November 19, 2024, at 7:00 pm. Commission Beach seconded the motion. Motion passed 7-0.

**4. Zoning File 24-24 PD Planned Development - Valencia Villas:** Consider and act upon a request for approval to rezone approximately 4.08-acres located at 601 E. Main Street, north of E. Main Street, east of Grove Road, from R-1500-M Residential Temp District to PD Planned Development District for a townhome development with 38-units. Owner Jamy Properties LLC. Staff: Derica Peters.

Chairman Marsh opened the public hearing and stated the applicant has asked for a continuance until November 19, 2024. Chairman Marsh stated anyone who was present and wished to speak in favor or opposition could come forward or wait until November 19 to speak and that no action would be taken at this meeting.

Mr. Goff clarified the reason the applicant requested the continuance is based on feedback they received from the neighborhood and needed additional time to meet with neighborhood representatives.

Richard Tilleni, 629 Graystone Lane, Richardson stated he had no objection to the continuance and looked forward to speaking with the developers. He surveyed some of the residents of the community and many were in opposition because of the number of units being proposed, the traffic, and lack of available parking for the area.

Debbie Reinhart Young, 105 Sonoma Creek Lane, Richardson stated that to her knowledge no one in the community had been contacted by the applicant. She commented the traffic is already bad in the area and there will be opposition to the request.

**Motion:** Chairman Marsh made a motion to recommend continuance of the public hearing until November 19, 2024, at 7:00 pm. Commission Beach seconded. Motion passed 7-0.

#### **ADJOURN**

With no further business before the Commission, Chairman Marsh adjourned the regular business meeting at 9:29 p.m.

Bryan M	Iarsh, Cl	nairman	

# CITY OF RICHARDSON CITY PLAN COMMISSION MINUTES – OCTOBER 29, 2024

The Richardson City Plan Commission met on October 29, 2024, at 7:00 p.m. in the Multipurpose Room #CH157 of the Richardson City Hall, 2360 Campbell Creek Boulevard, Suite 525, Richardson, TX.

**MEMBERS PRESENT:** Bryan Marsh, Chairman

Kenneth Southard, Vice Chairman

Gary Beach, Commissioner
Joe Costantino, Commissioner
Michael Keller, Commissioner
Nate Roberts, Commissioner
Sebrena Bohnsack, Commissioner
Rebecca Poynter, Commissioner
Byron Purdy, Commissioner

**CITY STAFF PRESENT:** Charles Goff, Assistant City Manager

Keith Krum, Planning Project Manager Amber Pollan, Planner-Strategic Planning Anna Jo Castaneda, Executive Secretary

# **REGULAR BUSINESS MEETING**

# **PUBLIC HEARING**

**1. Envision Richardson Comprehensive Plan Update:** Consider and act upon a request for approval of updates to the City's Comprehensive Plan. Applicant: City of Richardson. *Staff: Keith Krum.* 

Keith Krum stated his presentation would outline the Comprehensive Plan Update beginning with an overview of community engagement activities, followed by the draft plan structure including elements.

Mr. Krum advised major efforts were made to reach out to the public by holding three summits, each structured with multiple face-to-face and virtual options for engagement. The project website, EnvisionRichardson.com, provided the online presence for the project. The summits included open houses, a virtual meeting room and online surveys, and meeting-in-a-box small group discussions. There was outreach to the community and organizations to promote the planning process, such as setting up pop-up banners with QR codes that linked to online surveys. Promotional efforts were made through the City website, email updates, Richardson Today, social media posts, rack cards at City facilities and community organizations, and HOA newsletters. There were also multiple joint sessions with Council and CPC, individual interviews with City Council and City Plan Commission members, and five City Council briefings.

Mr. Krum described the comprehensive plan as a single plan that works with other technical plans to address the community's future, with flexible guidance that evolves as a city and markets change. The plan is not zoning, but informs land use, development standards, and capital investment. The *Envision Richardson* report structure has a strategic direction that includes a vision statement; chapters with guiding principles, content with action items; and appendices. All community comments will be available in recap form on the City of Richardson website.

Mr. Krum stated the Comprehensive Plan elements detail the steps that need to be taken to achieve the vision statement. There are nine chapters focused on individual topics and an implementation chapter discussing how the plan will advance after adoption. Mr. Krum went into additional detail about the Land Use chapter. He began by defining PlaceTypes as building blocks for describing the overall character of an area with primary and secondary uses. He then noted that the Future Land Use Plan map indicates where PlaceTypes have been assigned throughout the city. He discussed Missing Middle Housing and its potential to support a wide variety of individual and family needs between the single-family home and large apartment complexes. Sustainability topics are included throughout the plan chapters. The three appendices include a summary of Richardson's history, additional transportation and mobility information, and an implementation matrix that compiles all the chapter action items in a table format.

Mr. Krum stated that should the CPC recommend approval, with or without revisions, the City Council public hearing would be held on November 11, 2024.

Chairman Marsh asked if there were any questions for staff before the public hearing opened.

Commissioner Roberts asked if the changes made from the joint session had been mailed out.

Mr. Krum advised the information was provided in their Commission packet that was sent to them on Friday, October 25, 2024, by the Executive Secretary.

Chairman Marsh asked if there were any other questions for staff and seeing none, the public hearing was opened.

Scott Eckstein, 314 Syracuse Place, Richardson, stated his support for the comprehensive plan as it is adaptative, addresses missing components, details challenges, and works in conjunction with City departments to bring businesses, residents, and sustainability to our community.

Rishik Yechuri, 850 Cecil Drive, Richardson came forward in favor of Envision Richardson. He stated compact residential neighborhoods should be placed within mixed-use so that the neighborhoods can be more walkable.

Chandu Garapaty, President, UTD Comets for Better Transit, 2800 Waterview Parkway, Richardson, came forward and stated she was in favor of the presentation. However, she had hoped for a bolder vision within the comprehensive plan, particularly in the Enhancement Area near W. Campbell Road and Floyd Road. The area is already low-density, and that vision does not benefit the community next to UTD. Miss Garapaty stated that UTD students come to Comets for Better Transit demanding more housing, amenities, and more food options near campus. With the transit connectivity and demand from the student population it makes sense to have mixed-use with dense housing. She stated UTD has numerous events that bring people to the campus, but unfortunately

attendees drive in and out because there is nothing to keep them there. The area needs to be revisited to utilize the student population and where people can spend time and money that benefit the city.

Seeing no more speakers, Chairman Marsh made a motion to close the public hearing. Vice Chairman Southard seconded the motion and motion passed 7-0.

Chairman Marsh asked staff to speak about the Enhancement Areas plan process and how they arrived at the recommendations.

Mr. Krum answered that Enhancement Areas are an extension of a concept included in the 2009 Comprehensive Plan where certain areas were indicated for additional study, but no additional information was included within that plan. Areas that were further studied since 2009 include West Spring Valley corridor, the Main Street Central area, and the East Collins/Arapaho area. This update sought to expand that process by gathering input at community summits to determine the location of Enhancement Areas, designate PlaceType recommendations, and develop vision statements for the areas.

Chairman Marsh referred to the *Envision Richardson* draft for the West Campbell Enhancement Area. It discusses primary and secondary PlaceTypes and was supported by 75% of community participants.

Vice Chairman Southard asked how people can stay updated about the status of the plan.

Mr. Krum stated the content of EnvisionRichardson.com will move to the City's website and it will include an implementation tracker listing the status of action items that are listed in the plan. In addition, there is an email list started at the beginning of this process to keep people informed.

Commissioner Poynter asked how often the plan will be evaluated and will it be offered to the public on the website.

Mr. Krum advised they will put the specifics together after the council approves but it could possibly be an annual dashboard evaluation on the website.

Commissioner Roberts asked if there is planned outreach in the implementation of the sixty-six items that were listed as high priority and if there were plans for inclusion of the public in execution of implemented plan items.

Mr. Krum stated they would have to look at each individual item in terms of the public's role in the project.

Commissioner Roberts asked if the housing needs assessment plans had been fully developed.

Charles Goff answered they have not but will likely bring on a consultant.

Chairman Marsh stated that code updates can follow as part of implementation and those will include public input.

**Motion:** Commissioner Beach made a motion to recommend approval of the request as presented. Commissioner Bohnsack seconded the motion. Motion passed 7-0.

# **ADJOURN**

With no further business before the Commission, Chairman Marsh adjourned the regular business meeting at 7:44 p.m.

Bryan Marsh, Chairman



# Agenda Item 2

Zoning File 24-21: PD Planned Development Lennox Innovation R&D Center



**MEMO** 

**TO:** City Plan Commission

**FROM:** Derica Peters, AICP, Senior Planner - Development Services **DP** 

**DATE**: November 15, 2024

**RE:** Zoning File 24-21: Lennox Innovation R&D Center

The applicant has requested this item be continued to the City Plan Commission meeting date on Tuesday, December 17, 2024, to accommodate neighborhood engagement efforts and availability of Lennox staff members to attend the meeting.

This project was continued at the October 3, 2024, City Plan Commission meeting to November 19, 2024. The applicant has been working on outreach efforts and additional time is needed for considerations on their proposal and staff review prior to meeting with the Commission.

# Agenda Item 3

Zoning File 24-24: PD Planned Development Valencia Villas



# **MEMO**

**TO:** City Plan Commission

**FROM:** Derica Peters, AICP, Senior Planner - Development Services **DP** 

**DATE**: November 15, 2024

**RE:** Zoning File 24-24: Valencia Villas

The applicant has requested this item be continued to the next City Plan Commission meeting date on Tuesday, December 3, 2024, so that they can continue with neighborhood engagement efforts.

This project was continued at the October 3, 2024, City Plan Commission meeting to November 19, 2024. The applicant has been working on outreach efforts and additional time is needed for considerations on their proposal and staff review prior to meeting with the Commission.

# Agenda Item 4

Zoning File 24-25: Special Permit Haraz Coffee House

# **ZONING FILE 24-25**

# **Attachments:**

- 1. Staff Report
- 2. Zoning/Aerial Map
- 3. Site Plan Exhibit B
- 4. Applicant's Statement
- 5. Site Photos
- 6. Notice of Public Hearing
- 7. Notification List



# STAFF REPORT

**TO:** City Plan Commission

FROM: Amber Pollan, AICP, Planner AXP

**DATE**: November 19, 2024

**RE:** Zoning File 24-25: Special Permit – Haraz Coffee House Drive Thru

# **REQUEST**

Request for approval of a Special Permit for a restaurant with drive-through service on a 0.85-acre lot currently zoned O/C Office/Commercial within a 3,000-square foot existing lease space located at 508 Centennial Boulevard, south of Centennial Boulevard, west of Audelia Road.

# **APPLICANT/ PROPERTY OWNER**

Jamal Gharbieh / Centennial Falls LLC

# **EXISTING DEVELOPMENT**

The site is located on a 0.85-acre lot currently developed with a 5,000-square foot, single-story building. The building includes two suites, with the subject suite constructed with a drive-through window. The site is developed with parking, access, landscaping, and a dual drive-through lane painted along the south side of the building.

# **ADJACENT ROADWAYS**

**Centennial Boulevard**: Six-lane divided arterial; 40,800 vehicles per day on all lanes, eastbound and westbound, east of Audelia Road, (April 2023).

**Audelia Road**: Six-lane divided arterial; 16,600 vehicles per day on all lanes, northbound and southbound, south of Centennial Boulevard (May 2023).

# SURROUNDING LAND USE AND ZONING

**North:** Single-Family Residential; R-1100-M Residential

**South:** Single-Family attached residential; O/C Office/Commercial

**East:** Retail/Commercial; O/C Office/Commercial **West:** Retail/Commercial; O/C Office/Commercial

# **FUTURE LAND USE PLAN**

The Envision Richardson Comprehensive Plan and Future Land Use Plan was adopted November 11, 2024. This area is designated **Neighborhood Service**. This PlaceType provides services for the surrounding neighborhoods, unlike larger shopping centers that may attract regional customers. Neighborhood Service development is characterized by small, free-standing buildings containing one or more businesses. This PlaceType is generally located within walking distance or surrounding residential uses and neighborhoods. Primary land uses include retail, restaurant, office, entertainment, and recreation. Secondary uses may include mixed-use buildings, multi-family, single-family attached housing, drive-through restaurants, open space, public or institutional facilities, and utilities.

# **Future Land Uses of Surrounding Area:**

North: Neighborhood Residential South: Neighborhood Service East: Neighborhood Service West: Neighborhood Service

# **EXISTING ZONING**

The subject property is zoned O/C Office Commercial, per the Town of Buckingham zoning ordinance. The area was rezoned in 2018 under Ordinance 4245, which requires a Special Permit for a restaurant with drive-through/or curb service in the O/C zone.

# TRAFFIC/INFRASTRUCTURE IMPACTS

The proposed request will not have a significant impact on the surrounding roadway system nor impact existing utilities in the area. A traffic impact analysis was not required; the proposed use would not generate more trips compared to other allowed uses such as a restaurant without drive-through service. Additionally, many of the trips would be "pass-by" trips meaning that most trips to the site would already be on the roadway, passing by the site.

# STAFF COMMENTS

# **Background**

The site was originally developed with a 3,000 square foot building. A dry cleaner operated at this location from at least 2007 until 2017. The dry cleaner had a drive-up service door on the east side of the building. In 2018, prior to Ordinance 4245 going into effect, a site plan and landscape plan was approved by the City Plan Commission and City Council for a 2,000 square foot addition on the west side of the building, removal of the drive-up door and addition of a drive-through window on the east side of the building, and site improvements including the drive-through lanes. During the City Plan Commission and City Council review and public hearings, no correspondence was received and there was no discussion on the request.

Construction was completed in 2021. Office and retail use has occupied the 2,000 square foot lease space but a tenant has not occupied the eastern lease space and established the drive-through use. As 180 days have lapsed without establishing the use, a Special Permit is required at this time.

# **Request:**

The applicant is proposing to operate a coffee restaurant in a 3,000 square foot existing lease space. A restaurant use is allowed by right but any restaurant that provides drive-through service requires approval of a Special Permit. The restaurant, Haraz Coffee House, is a Yemeni coffee shop serving drinks like coffees and teas and pastries and desserts. There will also be seating inside the restaurant.

The site has access to Centennial Boulevard through an existing driveway located to the west and east of the property. Mutual access is provided from an easement with adjacent properties. Drive through traffic would enter the site and travel south along the west side of the building. There are dual drive-through lanes along the south side of the building that could accommodate ten (10) vehicles. There will be a menu board in each of the drive-through lanes with a speaker ordering system. The applicant will need to confirm the hours of operation but other Haraz locations in Irving and Plano open at either 7:00 am or 8:00 am and operate until 11:00 pm daily. Other adjacent properties along Centennial Boulevard have similar hours and include drive-through lanes with menu boards and speaker systems.

# **Proposed Development:**

The building and site improvements are existing. There is not any proposed new development. The site plan and landscaping appear to be consistent with approved plans except for a bike rack at the northeast corner of the building that does not appear to have been installed.

#### **Site Related Considerations:**

<u>Site Access</u> – The access to this lot is from an east/west shared drive along the front of the building and access at the southeast portion of the property with a mutual access easement to the adjacent properties.

<u>Site Circulation</u> – Vehicles entering the property will be able to access the drive-through lanes with 2-way traffic and can circle the building counter-clockwise. Vehicles exiting the drive-through would be able to turn right or left and move to adjacent properties.

<u>Drive-through Stacking</u> – The Comprehensive Zoning Ordinance does not include a standard requirement for the number of stacking spaces for a drive-through facility. The entrance to the proposed drive-through lanes is located approximately 120 feet from the property to the west and 220' from the property to the east. There is over 200' to an access to Centennial Boulevard in any direction. Approximately fourteen (14) vehicles can stack within the drive-through lanes and the area along the west side of the building before backing into the shared driveway along the north side of the building.

The other Haraz locations in the DFW area have peak hours for customers typically in the late afternoon and evening. Those locations do not have drive-throughs, so those peak times are for sit down and take-out orders. The applicant may need to estimate their anticipated peak hour trips. It

does appear that the provided stacking would be able to accommodate adequate traffic consistent with other drive-through restaurants.

<u>Parking</u> – A restaurant is to provide parking at one (1) space per 100 square feet of building floor area. The subject site has the 3,000 square foot restaurant which is required to provide thirty (30) parking spaces and the 2,000 square foot office space would require six (6) spaces at a ratio of one (1) space to 333 square feet. A total of 36 spaces are required and 51 spaces are provided.

**Correspondence:** To date, staff has not received any correspondence related to the request.

**Motion:** The Commission will be making a recommendation to the City Council regarding this request. The Commission may approve the request, add, or amend conditions, or recommend denial of the request.

Should the CPC accept the applicant's request as presented, the motion should include the following:

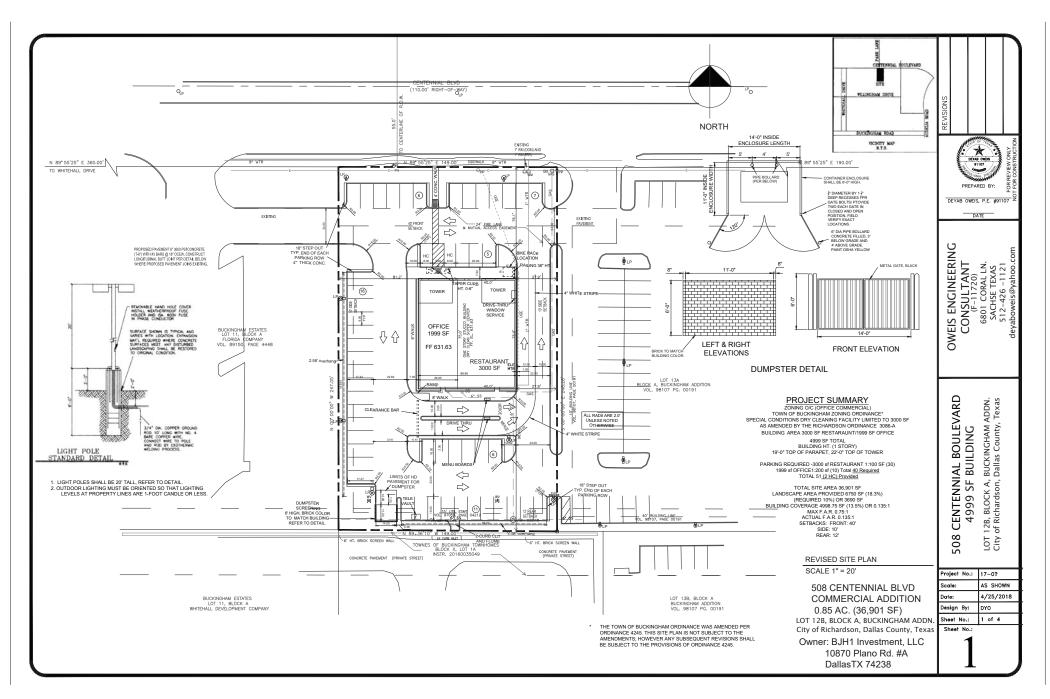
- 1. A Special Permit is hereby approved for a restaurant with drive-through service only and shall be developed in substantial conformance with the Concept Plan attached hereto as Exhibit "B", and subject to the following conditions:
  - a. No other person, company, business, or legal entity may operate a restaurant with drive-through service on the property other than Haraz Coffee House. The Special Permit automatically terminates upon the change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.
  - b. 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.



ZF 24-25 Aerial and Zoning Map 508 Centennial Blvd.
Special Permit

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





# Centennial Falls, LLC 508 Centennial Blvd. STE # 102

# Richardson, Texas 75081 8/19/2024

Ms. Derica Peters, AICP

Senior Planner, Development Services

City of Richardson

411 W Arapaho Rd. Suite 204

Richardson, Texas 75080

Reference: Request for reinstating the Drive Thru use for 508 Centennial Blvd # 101, Richardson Texas.

Dear Ms. Peters.

When we developed this property, we did so with a restaurant with a drive thru use in mind.

We were not aware that there was a timeline to do so or that the approval would expire.

As you all know, we have complied with all the city's requirements, specifically regarding the drive thru lanes and hope that this SUP would be reinstated or approved again.

Best Regards

Jamal A. Gharbieh, PE

Owner

Centennial Falls LLC

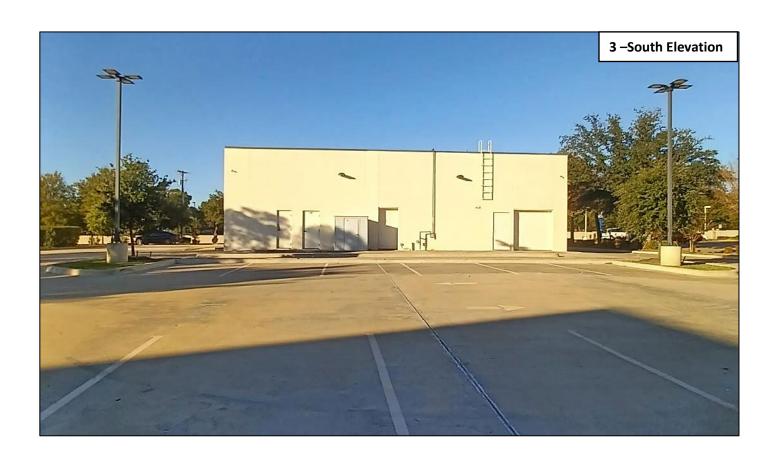
214-727-6161

# SITE PHOTOS – $\mathbb{Z}F$ 24 – 27





# **SITE PHOTOS – ZF 24 – 27**





An application has been received by the City of Richardson for a:

#### SPECIAL PERMIT

File No.: ZF 24-25 Haraz Coffee House

**Applicant:** Jamal Gharbieh

**Location:** (See map on reverse side)

Request: Consider and act on a request for approval of a Special Permit for a

restaurant with drive-through service on a 0.85-acre lot currently zoned O/C Office/Commercial within a 3,000-square foot existing lease space located at 508 Centennial Boulevard, south of Centennial Boulevard, west of Audelia Road. Owner: Jamal Gharbieh, representing Centennial

Falls, LLC. Staff: Derica Peters.

The City Plan Commission will consider this request at a public hearing on:

TUESDAY, NOVEMBER 19, 2024 7:00 p.m. Richardson City Hall 2360 Campbell Creek Boulevard, Suite 525 Richardson, TX 75082

This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 3 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

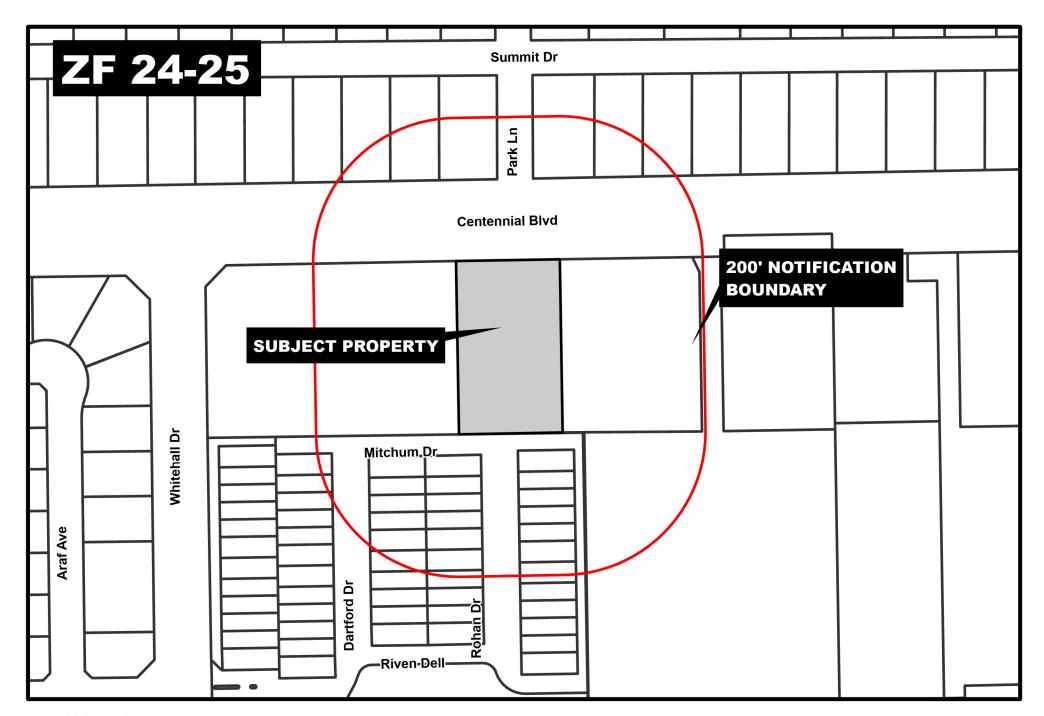
Persons not attending the meeting who would like their views to be made a part of the public record may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083 or by utilizing the Public Comment Card at <a href="https://www.cor.net/PublicCommentForm">https://www.cor.net/PublicCommentForm</a>.

The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions, or recommend denial. Final approval of this application requires action by the City Council.

**Agenda**: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: cor.net/cpc.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 24-25.

Date Posted and Mailed: November 8, 2024



ZF 24-25 Notification Map 508 Centennial Blvd Special Permit

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



SANDIFER WILLIAM C CORNETT DANIEL BURTON JR **VALDEZ DENISE** 512 SUMMIT DR 440 SUMMIT DR 514 SUMMIT DR RICHARDSON, TX 75081 RICHARDSON, TX 750815120 RICHARDSON, TX 750815118 **TOLIVER SUSAN P** SIKDER MAMUN U & TIMM RONALD SULTANA T NAHAR 510 SUMMIT DR 438 SUMMIT DR RICHARDSON, TX 75081 436 SUMMIT DR **RICHARDSON, TX 750815120** RICHARDSON, TX 75081 LOPEZ DIANA & NORTHLAND DEVELOPMENTS INC **RETAIL BUILDINGS INC GUZMAN MAXIMILIANO N** 2601 AVENUE OF THE STARS PO BOX 25429 442 SUMMIT DR FRISCO, TX 75034 OKLAHOMA CITY, OK 73125 **RICHARDSON, TX 750815118** CENTENNIAL FALLS LLC LBF RICHARDSON LLC **AZIZ SYED SUITE 102** 2 ST JAMES DR 8712 CLEAR SKY DR **508 CENTENNIAL BLVD** OAKLAND, CA 94611 PLANO, TX 75025 RICHARDSON, TX 75081 PAXTON JENNIFER PRADIA VINCENT PAUL DANIEL MARK EDWARD 837 DARTFORD DR 825 ROHAN DR 1019 SPRINGFIELD DR RICHARDSON, TX 75081 RICHARDSON, TX 75081 SAN CARLOS, CA 94070 **CHENG ANYU NGUYEN PHAN TON &** MEMBRENO MARIO ENRIQUE & 845 DARTFORD DR VAN THUY TRAN **ASHLEY DIANE RICHARDSON, TX 750810103** 841 DARTFORD DR 848 ROHAN DR RICHARDSON, TX 75081 RICHARDSON, TX 75081 **CORNELIUS MILAGROS** ST MUQEET ABDUL & **GILROY MEGHAN** 828 DARTFORD DR **BURNEY NAVIDA RAHAT** 829 DARTFORD DR RICHARDSON, TX 75081 849 ROHAN DR RICHARDSON, TX 75081 RICHARDSON, TX 75081 DANNER JAMES MATTHEW LEONG CHIANG KEEN & BASTAMI PARSA 832 ROHAN DR YEOH CHOO SAIK 829 ROHAN DR RICHARDSON, TX 75081 828 ROHAN DR RICHARDSON, TX 75081 RICHARDSON, TX 75081 **GUERRERO ALAYNA MARIE** ZAPTA 3120 LLC SMITH PATRICK 849 DARTFORD DR 4603 S 113TH ST 840 ROHAN DR RICHARDSON, TX 75081 MILWAUKEE, WI 53228 RICHARDSON, TX 75081 **COLLETTI SAMANTHA &** TOWNES OF BUCKINGHAM TOWNHO KRAUSS LISA ANN

OWNERS ASSOCIATION INC

1512 CRESCENT DR STE 112

CARROLLTON, TX 75006

841 ROHAN DR

RICHARDSON, TX 75081

**BRIGNOLI ANDREA** 

824 DARTFORD DR

RICHARDSON, TX 75081

GORANTLA RAGINI 845 ROHAN DR RICHARDSON, TX 75081 RUBIN RONALD P & CAROLYN
833 DARTFORD DR
RICHARDSON, TX 75081

ELKIK ZAHER 825 DARTFORD DR RICHARDSON, TX 75081

KALRA VARNEET &
SINGH HARMEET
2025 ANTWERP AVE
PLANO, TX 750253322

YANG QIANQIAN 1716 AMBER LN PLANO, TX 75075 LONDONOCEBALLOS MAURICIO 303 23RD AVE S APT 412 SEATTLE, WA 98144

JAMAL GARBIEH 508 CENTENNIAL BLVD, #102 RICHARDSON, TX 75081 **ZF 24-25 HA02RAZ COFFEE HOUSE** 

# Agenda Item 5

Zoning File 24-27: Special Permit 7 Brew Coffee

# **ZONING FILE 24-27**

# **Attachments:**

- 1. Staff Report
- 2. Zoning/Aerial Map
- 3. Proposed Concept Plan (Exhibit "B")
- 4. Proposed Elevations (Exhibits "C-1" and "C-2")
- 5. Applicant's Statement
- 6. Zoning Ordinance 4445
- 7. Site Photos
- 8. Notice of Public Hearing
- 9. Notification List



# STAFF REPORT

**TO:** City Plan Commission

FROM: Amber Pollan, AICP, Planner AXP

**DATE**: November 19, 2024

RE: Zoning File 24-27: Special Permit – 7 Brew Drive Thru Coffee

#### **REQUEST**

Request for approval of a Special Permit Special Permit for a restaurant with drive-through service on a 0.62-acre lot currently zoned LR-M(2) Local Retail, located at 1230 E. Belt Line Road, on the south side of Belt Line Road, west of Plano Road.

# APPLICANT/ PROPERTY OWNER

Scott Wilson, representing High Octane Joe's d.b.a. 7 Brew / Brian Waxler, GMC Pursuit JV, LLC

# **EXISTING DEVELOPMENT**

The site is located on a 0.62-acre lot currently developed with a 3,838-square foot building. The last tenant was Velvet Snout, a dog daycare and boarding facility, which included an outdoor dog play area along the south property line. The Velvet Snout relocated in 2020, and the building has been vacant since that time.

#### **ADJACENT ROADWAYS**

**E. Belt Line Road:** Six-lane divided arterial; 30,700 vehicles per day on all lanes, eastbound and westbound, west of Plano Road (May 2023).

**N. Plano Road:** Six-lane divided arterial; 34,200 vehicles on all lanes, north and southbound, north of Belt Line Road (May 2023).

# SURROUNDING LAND USE AND ZONING

North: Retail/Commercial; C-M Commercial South: Retail/Commercial; LR-M(2) Local Retail East: Retail/Commercial; LR-M(2) Local Retail West: Retail/Commercial; LR-M(2) Local Retail

# **FUTURE LAND USE PLAN**

The *Envision Richardson Comprehensive Plan* and Future Land Use Plan was adopted November 11, 2024. This area is in the Belt Line/Plano Enhancement Area. The Future Land Use Plan does not currently designate a specific PlaceType for this parcel but provides a vision statement and direction for primary and secondary PlaceTypes for the area.

The vision statement is the following: The Belt Line/Plano area is envisioned as a mixed-use environment with neighborhood-serving retail, office, and service uses. New low-intensity residential uses and new commercial uses that would serve more than the surrounding neighborhoods are also part of the vision.

The proposed primary PlaceTypes include Neighborhood Mixed Use, Community Commercial, and Neighborhood Service. The Community Commercial and Neighborhood Service uses both list drive-thru restaurants as secondary uses in these areas.

### **Future Land Uses of Surrounding Area:**

North: Belt Line/Plano Enhancement Area South: Belt Line/Plano Enhancement Area East: Belt Line/Plano Enhancement Area West: Belt Line/Plano Enhancement Area

#### **EXISTING ZONING**

The subject property is zoned LR-M(2) Local Retail District per Ordinance 1060 in 1977. A Special Permit, Ordinance 3557, was granted in 2006 to allow a dog daycare and boarding facility. In 2017, the Special Permit was amended per Ordinance 4237 to allow a change in ownership. In 2018, the Special Permit was amended again per Ordinance 4250 to allow the use without restriction to a specific owner.

The current ownership, Brian Waxler, GMC Pursuit JV, LLC, brought this request to the City Plan Commission and City Council and Ordinance 4445 was approved on January 23, 2023. It rescinded Ordinance 4250 and granted approval of a Special Permit for a restaurant with drive-through service for 7 Brew Coffee. The applicant had some delays and did not acquire a building permit or receive an extension for the Permit within 180 days so the Permit terminated.

#### TRAFFIC/INFRASTRUCTURE IMPACTS

The proposed request will not have a significant impact on the surrounding roadway system nor impact existing utilities in the area. A traffic impact analysis was not required; a trip generation comparison between the proposed use and current allowed uses demonstrated the proposed use would not generate more trips compared to other allowed uses such as a restaurant without drive-through service. Additionally, many of the trips would be "pass-by" trips meaning that a majority of trips to the site would already be on the roadway, passing by the site.

# **STAFF COMMENTS**

# **Background**

The site was developed in 1985 as a 3,838-square foot restaurant. In 2006, a Special Permit was granted to allow a dog daycare and boarding facility, The Velvet Snout. The dog daycare and boarding facility operated until 2020. In January 2023, a request for a drive-through restaurant for 7 Brew Coffee was reviewed and Ordinance 4445 was approved. During the City Plan Commission and City Council review and public hearings, no correspondence was received on the request. The applicant is ready to commence construction and is now requesting a new and separate Special Permit for a restaurant with drive-through use.

#### **Request:**

The applicant is proposing to develop a 660-square foot restaurant with drive-through service. Although a restaurant use is allowed by right, any restaurant that provides drive-through service requires approval of a Special Permit. The restaurant, Seven Brew Coffee, provides a variety of beverages including coffee, energy drinks, tea, smoothies and shakes. Service is provided only through the drive-through; there is no indoor seating or walk-up service. An outdoor seating area is provided on the west side of the building, but it is for employee use only.

The facility will utilize a dual drive-through configuration that accommodates thirteen vehicles (13) within the drive-through lanes. There will be no menu board in the drive-through lanes; instead, orders will be taken by employees with handheld devices or tablets who are stationed in the drive-through lanes. These team members are also able to direct traffic in the drive-through lanes to ensure proper on-site vehicle stacking. The proposed hours of operation are 5:30 a.m. to 10:00 p.m. (Sunday through Thursday) and 5:30 a.m. to 11:00 p.m. (Friday and Saturday). The applicant has stated that there are eight (8) to ten (10) employees per shift depending on the time of day.

### **Proposed Development:**

- Building Area: 660-square foot drive-through only coffee shop with no interior seating or walk-up window. A canopy will also be constructed and will cover an employee only outdoor seating area on the west side of the building and a portion of the drive-through lanes on the east side of the building.
- Building Materials: The proposed exterior façade materials include a combination of fiber cement panels (to replicate the look of brick and stone), architectural metal panels and painted steel canopies and roof elements. Painted metal louvered screens will be utilized to screen rooftop equipment. The proposed materials are approved in the Building Code.
- Height: 1-story building, 19'8" to top of roof / Maximum twenty-five (25) feet allowed for 1-story building.
- Front Setback: 49-foot along Belt Line Road proposed / Minimum 40-foot required.
- Side and Rear Setback: No side or rear setback required.

• Floor Area Ratio: 0.025:1 proposed / Maximum 0.50:1 allowed.

• Landscaping: 25.1% proposed / Minimum 7% required.

Parking Spaces: 13 provided / 7 Minimum required.
 Bicycle Parking: none provided / 2 Minimum required.

• Stacking: Thirteen (13) vehicle stacking spaces provided within the dual drive-

through lanes. Additional stacking can be accommodated on-site.

#### **Site Related Considerations:**

<u>Site Access</u> – The access to this lot along Belt Line Road will be closed and access will be from shared access drives on the northwest corner of the site and through the property to the east. The shared driveway at the northwest corner of the site provides access to the existing median opening. while the driveway to the east of the subject property provides right in/right out access to Belt Line Road. Both driveways are accessible through existing access easements that allow access between the subject property and surrounding properties.

<u>Site Circulation</u> – Vehicles entering the drive-through lanes will be required to enter at drive entrance along the west property line. The driveway opening located on the south side of the property near the entrance to the drive-through lanes is for exit. Signage is typically provided onsite at key locations to inform vehicular traffic of the proper circulation route. Additionally, since staff will be located within the drive-through areas to take orders, they can also assist in directing traffic and managing vehicle stacking.

<u>Drive-through Stacking</u> – The Comprehensive Zoning Ordinance does not include a standard requirement for the number of stacking spaces for a drive-through facility. Staff directed the applicant to provide as many stacking spaces in the dedicated lanes as possible to mitigate the prospect of vehicle stacking into drive aisles. The entrance to the proposed drive-through lanes is located approximately 180 feet south of the Belt Line Road driveway at the northwest corner of the site and approximately eight-five (85) feet from the entrance to the site located along the west property line. Approximately eighteen (18) vehicles can stack within the drive-through lanes and the area along the west side of the building before backing into the shared driveway along the west property line of the subject property.

Staff also requested the applicant to estimate their anticipated AM peak hour trips. Based on the applicant's estimate, approximately sixty (60) customer arrival trips would be expected during their peak hour of 8:00 a.m. to 9:00 a.m. The Institute of Transportation Engineers (ITE) trip generation calculation for a dual-lane restaurant with drive-through service only is forty-five (45) AM arrivals in the peak hour.

The applicant states a customer's time from arrival at the drive-through to exiting the drive-through lane is approximately 5 minutes and 31 seconds. Based on their estimated sixty (60) arrival trips in the AM peak hour, the applicant expects that one (1) vehicle per minute will enter the site and that the stack would be approximately six (6) vehicles at any given time during the AM peak hour. Therefore, thirteen (13) spaces within the drive-through lanes appears to be adequate to handle

peak stacking periods, and any overflow out of the drive-through lanes should be accommodated on-site.

<u>Parking</u> – A restaurant is to provide parking at one (1) space per 100 square feet of building floor area. The proposed building is 660 sq ft so the subject property is required to provide seven (7) parking spaces; thirteen (13) spaces are provided. Although service is available through the drivethrough lanes only, the applicant has stated the restaurant will be staffed with up to ten (10) employees at peak times to provide quick and efficient drive-through operations. The dumpster was relocated from the southeast corner of the site to the southwest corner to provide additional parking to ensure adequate employee parking during peak times.

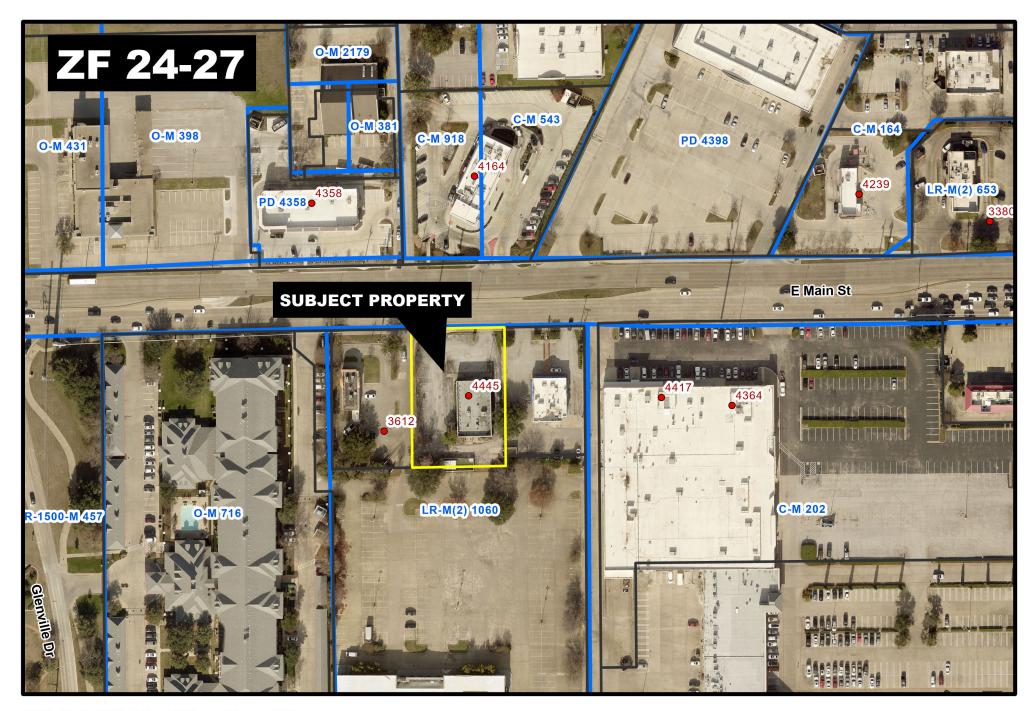
Bicycle parking is required a one bicycle parking space per 20 vehicle parking spaces provided, with a minimum of two bicycle parking spaces provided per site. A rack or parking to accommodate two (2) bicycles will need to be provided on site or alternative compliance met as stated in Appendix A, Article XXII-D. Sec. 2(h).

**Correspondence:** To date, staff has not received any correspondence related to the request.

**Motion:** The Commission will be making a recommendation to the City Council regarding this request. The Commission may approve the request, add, or amend conditions, or recommend denial of the request.

Should the CPC accept the applicant's request as presented, the motion should include the following:

- 1. A Special Permit is hereby approved for a restaurant with drive-through service only 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" subject to the following conditions:
  - a. 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 the change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.
  - b. 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.



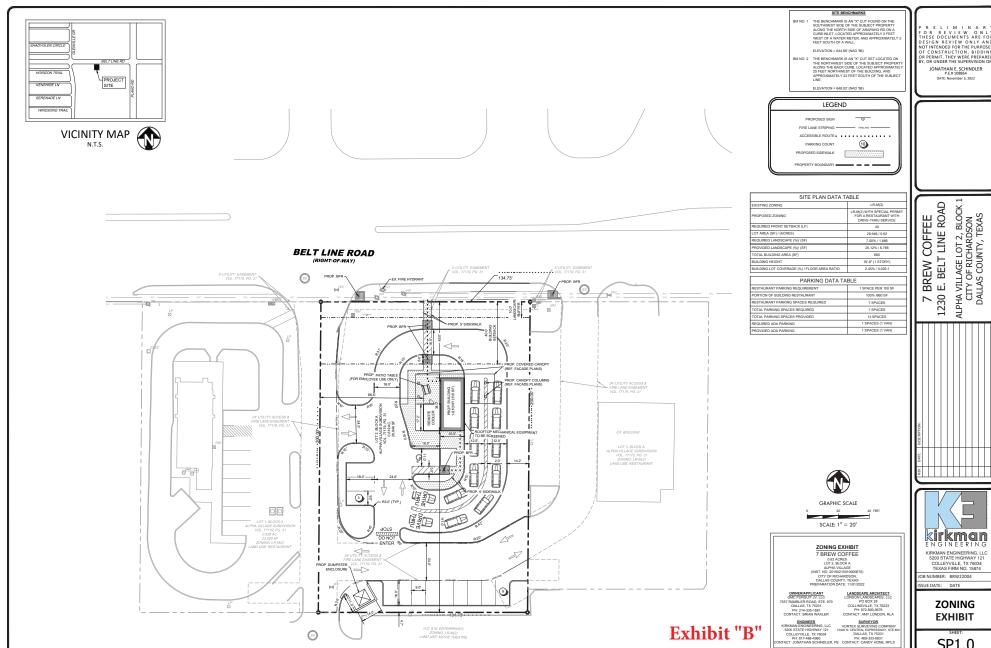
ZF 24-27 Notification Map 1230 E. Belt Line Rd Special Permit

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.











SP1.0

#### MATERIAL PERCENTAGES

#### P-T.O. STANDING SEAM ROOF BLUE PAINTED STEEL -ARCHITECTURAL METAL PANEL 0 LOUVERED SCREENING DEVICE IS 1'-0" TALLER THAN HEIGHT OF MECHANICAL EQUIPMENT SCREEN RTU BEHIND LOUVERED SCREEN **0**-TO PARAPET BLUE 0 $\searrow_0$ PAINTED STEEL BLUE PAINTED 0 (A) - STEEL 0 GRAY BLACK NICHIHA NICHIHA FIBER FIBER CEMENT CEMENT PANELS PANELS FINISH FLOOR

#### SOUTH (BACK) FACADE MATERIAL PERCENTAGES:

NORTH (FRONT) FACADE MATERIAL PERCENTAGES:

PAINTED STEEL:

(PL-1) FIBER CEMENT PANELS:

(PL-2) FIBER CEMENT PANELS:

12%

63%

25%

 METAL PANEL:
 3%

 LOUVERED SCREEN:
 8%

 (PL-1) FIBER CEMENT PANELS:
 31%

 (PL-2) FIBER CEMENT PANELS:
 33%

 PAINTED STEEL:
 25%

SOUTH (BACK) FACADE

NORTH (FRONT) FACADE

#### € T.O. STANDING SEAM ROOF 19' - 7 7/8" BLUE PAINTED GRAY STEEL **NICHIHA** (D) **(** FIBER CEMENT **PANELS** GRAY -© NICHIHA FIBER CEMENT BLUE (A) PAINTED **PANELS** STEEL XXX BLUE PAINTED STEEL BLACK NICHIHA FIBER CEMENT PANELS **−**(H)

#### Exhibit "C-1"

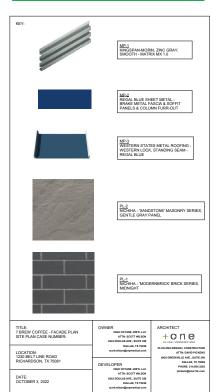
#### PREFABRICATED BUILDING

THIS BUILDING IS BEING FABRICATED IN A CONTROLLED ENVIRONMENT AND TRANSFERRED TO THE JOB SITE. A 3rd PARTY INSPECTION GROUP HAS BEEN BEINGED. TO COUNTED THE RESPECTION OF ALL PROSENTION OFFINE THE PROPERTY OFFINE ALL PROPERTY

#### NOTE:

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

Note Number	Note Text
Α	NICHIHA SANDSTONE - PANEL (PL-2)
В	NICHIHA MIDNIGHT BRICK - PANEL (PL-1)
С	REGAL BLUE BRAKE METAL FASCIA (MP-2)
D	REGAL BLUE SOFFIT PANELS (MP-2)
E	REGAL BLUE STANDING SEAM ROOF PANELS (MP-3)
F	REGAL BLUE (MP-2) CANOPYCOLUMN (TYP)
G	ROUND STOREFRONT SIGN; SUPPLIED AND INSTALLED BY SIGN CONTRACTOR
Н	1/4" THICK ACRYLIC SIGNAGE APPLIED TO SIDING WITH VH DOUBLE SIDE TAPE
J	CHARCOAL BRAKE METAL CAP (MP-4)
L	ILLUMINATED STOREFRONT SIGNAGE BY SIGN CONTRACTOR
M	METAL SIDING (MP-1)
N	SURFACE MOUNTED SIGN BOX
0	PAINTED STEEL GATE - CHARCOAL
P	PAINTED METAL LOUVERED SCREEN TO MATCH MP-1



2.51.07 PM Authorities (Docs.//7 Brew. - Richardson/789E-W - Richard

#### MATERIAL PERCENTAGES

#### WEST (SIDE) FACADE MATERIAL PERCENTAGES:

EAST (SIDE) FACADE MATERIAL PERCENTAGES:

LOUVERED SCREEN:

PAINTED STEEL:

(PL-1) FIBER CEMENT PANELS:

(PL-2) FIBER CEMENT PANELS:

4%

17%

64%

15%

LOUVERED SCREEN: (PL-1) FIBER CEMENT PANELS: 7% (PL-2) FIBER CEMENT PANELS: 78% PAINTED STEEL: 12%

WEST (SIDE) FACADE

EAST (SIDE) FACADE

BLUE PAINTED

STEEL

GRAY NICHIHA FIBER CEMENT PANELS

BLACK

**FIBER** 

NICHIHA

CEMENT

PANELS

<u>G</u>-

ⅎ

#### T.O. STANDING SEAM ROOF BLUE PAINTED LOUVERED STEEL SCREEN RTUREHIND LOUVERED SCREEN BLUE PAINTED BLUE STEEL (A) PAINTED STEEL O GRAY NICHIHA FIBER CEMENT N N PANELS BLACK NICHIHA **FIBER** B CEMENT EINISH EI OOR PANELS 7 BREW IS DRIVE-THRU SERVICE ONLY. DOORS ARE UTILIZED TO ALLOW THE "BREW CREW" TO EXIT BUILDING TO TAKE ORDERS AND DELIVER BEVERAGES.

(A)

7 BREW IS DRIVE-THRU SERVICE ONLY. DOORS ARE UTILIZED TO ALLOW THE "BREW CREW" TO EXIT BUILDING TO TAKE ORDERS AND DELIVER BEVERAGES.

BREW

# Exhibit "C-2"

#### PREFABRICATED BUILDING

THE BULLINE IS BEING FABRICATED AL CONTROLLED EMPROMEIST AND TRANSFERRED TO INFECT BY AN EPPT MISSECTION GROUP HIS SEEN ENGAGED TO CONDUCT THE RISPECTION OF ALL FABRICATION WITHIN THE 7 BREW COFFEE WARRENDUSE THE RISPECTION WILL INCLUDE STRUCTURAL FRAMING, BUILDING, PLUMBING AND ELECTRICAL REFERENCE BUILD AND INSTALL MANUAL FOR REPORT AND CONSTRUCTION HETHODS AND PROCEDURES.

#### NOTE:

T.O. STANDING SEAM ROOF

LOUVERED

TO PARAPET

SCREEN

PAINTED

STEEL

GRAY

**FIBER** 

NICHIHA

CEMENT

PANELS

SCREENING DEVICE IS 1'-0" TALLER THAN HEIGHT OF MECHANICAL EQUIPMENT

 $\sum\sum$ 

(A)

RTU BEHIND LOUVERED SCREEN

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

EXTERIOR ELEVATION MATERIALS LEGEND		
Note Number	Note Text	
А	NICHIHA SANDSTONE - PANEL (PL-2)	
В	NICHIHA MIDNIGHT BRICK - PANEL (PL-1)	
С	REGAL BLUE BRAKE METAL FASCIA (MP-2)	
D	REGAL BLUE SOFFIT PANELS (MP-2)	
E	REGAL BLUE STANDING SEAM ROOF PANELS (MP-3)	
F	REGAL BLUE (MP-2) CANOPYCOLUMN (TYP)	
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J	CHARCOAL BRAKE METAL CAP (MP-4)	
L	ILLUMINATED STOREFRONT SIGNAGE BY SIGN CONTRACTOR	
М	METAL SIDING (MP-1)	
N	SURFACE MOUNTED SIGN BOX	
0	PAINTED STEEL GATE - CHARCOAL	
P	PAINTED METAL LOUVERED SCREEN TO MATCH MP-1	







City of Richardson Development Services Department 2360 Campbell Creek Blvd. Richardson, Texas 75082

RE: Zoning – Special Permit

7 Brew Drive Thru Coffee 1230 E. Beltline Road Dallas, TX 75205

#### Dear Sir / Madam:

We are very excited about the prospect of opening a new 7 Brew Drive Thru coffee shop in Richardson. After initial delays, we are ready to commence construction as soon as approvals and permits are granted. We have six other locations in North Texas, including one at Coit and Arapaho, and all locations have been extremely well received by the surrounding communities.

As discussed, nothing is changing in the plans that were previously reviewed and approved. Please call me anytime with any questions at the number below.

My best regards,

Scott

Scott Wilson

CEO

(214) 707-7795

Applicant's Statement Seven Brew Drive-thru Coffee 2022-11-04

Development Services Department City of Richardson, Texas 411 W. Arapaho Rd. Richardson, TX 75080

RE: Proposed Seven Brew Drive-Thru Coffee Special Permit (SP) Request 1230 E. Belt Line Rd., Richardson, TX 75081

This letter is being submitted by Sydney Foster of Kirkman Engineering ("Applicant") on behalf of High Octane Joe's (DBA Seven Brew Drive-Thru Coffee) pertaining to the property located at **1230 E. Belt Line Rd**. This property is zoned as **Local Retail, LR-M(2)**. Below is a request for a Special Permit for a *Restaurant with drive-through or curb service* at this location.

The existing structure is currently a one-story stone/stucco, non-inhabited building, the former 'The Velvet Snout' location. The site is comprised of asphalt parking lot, an outdoor fenced-in pet play area at the rear (south) of the property and a clothing donation kiosk in the parking lot, near the western lot boundary. Existing landscaping includes a mix of large trees near the rear of the property and small trees along the western landscape buffer. There is an existing 'The Velvet Snout' pole sign at the NW corner of the property (along the Belt Line frontage) and two trash enclosures at the SE corner, one within the property boundary and the other immediately outside the property.

The proposed development is a new, prefabricated +/-660 sq. ft. Prototype Drive-thru Seven Brew Coffee Shop located on a **26,946 sq. ft (+/- 0.619 acre)** site at 1230 E. Belt Line Rd. This project consists of nine (12) surface-level parking spaces, including one (1) van accessible stall, which serve a prefabricated structure, drive-thru canopy, and an outdoor, employee-only patio. A trash enclosure, screened to match the building, and an exterior-access walk-in cooler, that is connected to the building, will be constructed, or installed, as part of this project. Access to Seven Brew's dual-lane Drive-Thru is proposed from the shared drive along the western lot boundary via a two-way curb cut; the layout will also provide a curb cut to facilitate cross access along the south side of the property with the adjacent property to the east. The building is constructed in a controlled manufacturing facility and shipped to the site, fully finished on the exterior and interior, where it is set in place on a concrete stem-wall and footing foundation. The exterior finishes boast a combination of Nichiha thin brick wainscot and vertically corrugated metal wall panels with a radial standing seam roof, painted exposed metal canopy and anodized aluminum storefront system.

The proposed prefabricated building is used for operations and preparation of menu items only; furthermore, it is not open to the public, making **drive-thru capabilities integral to the operation and success of Seven Brew Coffee.** 

As a Drive-Thru Only Coffee Concept, Seven Brew focuses on speed and quality in serving their customers in their vehicles. Each of Seven Brew's locations utilizes dual-lane drive-thrus, from entry to exit, to facilitate efficient queuing and drive-thru operations. With an average processing time of 5 minutes and 31 seconds, from arrival in the drive-thru to drive-thru exit, Seven Brew's speed of service is among the best in the industry. Team members (also referred to as the "Brew Crew") are deployed with handheld devices or tablets to take orders (in lieu of Menu Boards); team members ensure one-on-one service is provided at each vehicle. Additionally, team members direct Drive-Thru traffic and manage vehicle stacking on site. It is anticipated that Seven Brew will experience an arrival rate of 60 vehicles/hour during its peak hour, which is expected to occur between 8:00am and 9:00am.

Considering one vehicle enters the site per minute and the first vehicle is serviced at a rate of 5 minutes and 31 seconds, there will be approximately five to six vehicles in the drive-thru stack when the first vehicle departs with its beverages, which would begin a cyclical processing of one vehicle per minute thereafter, meaning the drive-thru stack is anticipated to sustain an average of five to six vehicles during the peak hour. Provided Seven Brew is proposing a drive-thru configuration that supports a total vehicle stack of thirteen, it is expected that stacking will remain onsite during the peak hour.

Standard hours of operation are 5:30am - 10pm, Sunday through Thursday, and 5:30am - 11pm, Friday & Saturday. Forty (40) full- and part-time team members will be employed, with an average of nine team members per shift (eight (8) during non-peak shifts and ten (10) during peak shifts). Seven Brew prides itself on its industry-leading wages, resulting in minimal employee turnover.

The Special Permit Zoning Exhibit submitted with this application includes a Conceptual Site Plan. The Site Plan is intended to show the overall proposed layout of the site, illustrating the dual-lane drive thru, as well as the observation of dimensional zoning requirements.

#### About Seven Brew Coffee

"Seven Brew was born from a desire to change drive-thru coffee into a fun, mind-blowing experience for everyone. We dreamed of serving premium coffee in record time and making new friends while we're at it. The dream came alive with our first 'stand' in Rogers, AR and our 7 original coffees.

From coffee to energy drinks, to tea, to smoothies, and shakes, Sevem Brew has a variety of beverages. Customizable options include adding extra espresso, sugar free, more or less sugar, milk choices, too."

Seven Brew began in 2017 in Rogers, AR, and has flourished into 21 open and operating locations across five states, with its first Texas location in Longview, Texas, which opened in February 2022. Seven Brew is a franchise-owned and -operated business with aggressive growth goals over the coming years. Seven

Applicant's Statement Seven Brew Drive-thru Coffee 2022-11-04

Brew aims to bring its contagious, high energy service and interactive experience to the great City of Richardson.

Genuinely, **Sydney Foster**Kirkman Engineering

#### **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 5<sup>th</sup> 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:

**CORRECTLY ENROLLED:** 

CITY ATTORNEY (TM132959)

CITY SECRETARY

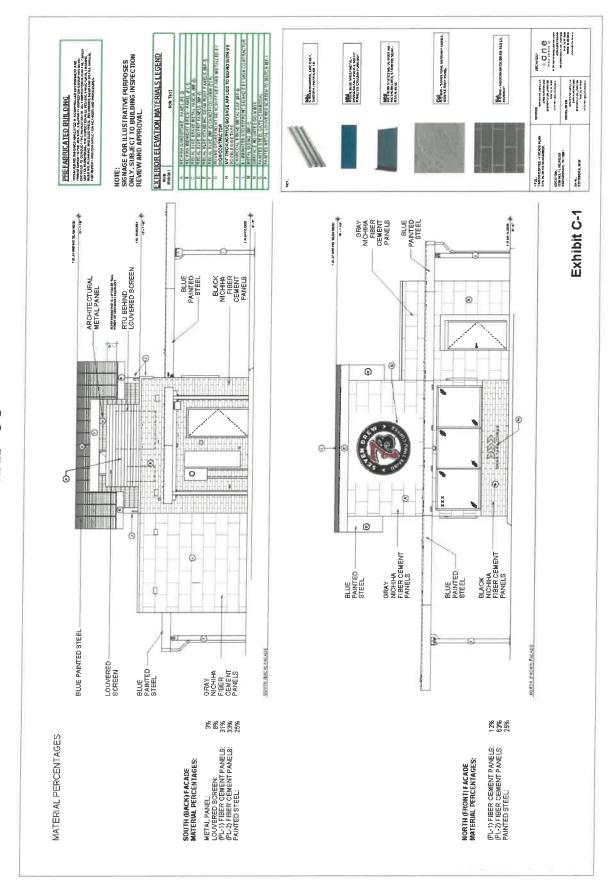
# **EXHIBIT "A"**

# 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.

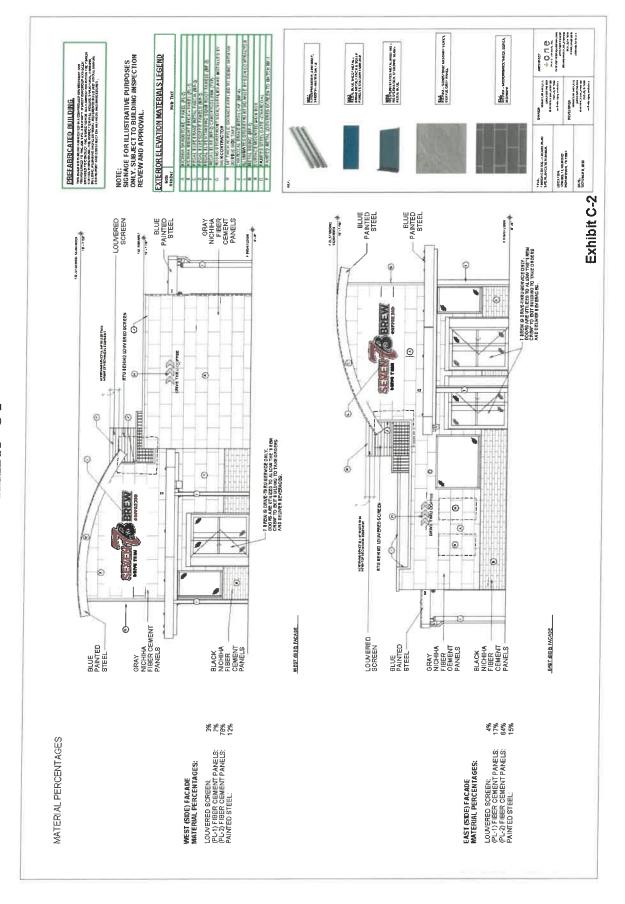
# ALPHA VILLAGE LOT 2, BLOCK CITY OF RICHARDSON ENGINEERO CONTROL OF STREET OF STREE ZONING EXHIBIT SP1.0 7 BREW COFFEE Annual to the property of the SITE PLANDATA TABLE LEGEND **Exhibit B** 0 A 1 L COLUMN BELT LINE ROAD (1) (1) PURLIT MINISTER HOL FIRST PRINT VICINITY MAP

EXHIBIT "B"



Ordinance No. 4445 (Zoning File 22-13)

# EXHIBIT "C-2"



Ordinance No. 4445 (Zoning File 22-13)

# **SITE PHOTOS – ZF 24 – 27**





# **SITE PHOTOS – ZF 24 – 27**





An application has been received by the City of Richardson for a:

#### SPECIAL PERMIT

File No.: ZF 24-27 Seven Brew Coffee

**Applicant:** Scott Wilson representing High Octane Joe's d.b.a. Seven Brew

**Location:** (See map on reverse side)

Request: Consider and act on a request for approval of a Special Permit for a

restaurant with drive-through service on a 0.62-acre lot currently zoned LR-M(2) Local Retail, located at 1230 E. Belt Line Road, on the south side of Belt Line Road, west of Plano Road. Owner: GMC Pursuit JV,

LLC. Staff: Derica Peters.

The City Plan Commission will consider this request at a public hearing on:

TUESDAY, NOVEMBER 19, 2024 7:00 p.m. Richardson City Hall 2360 Campbell Creek Boulevard, Suite 525 Richardson, TX 75082

This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 3 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

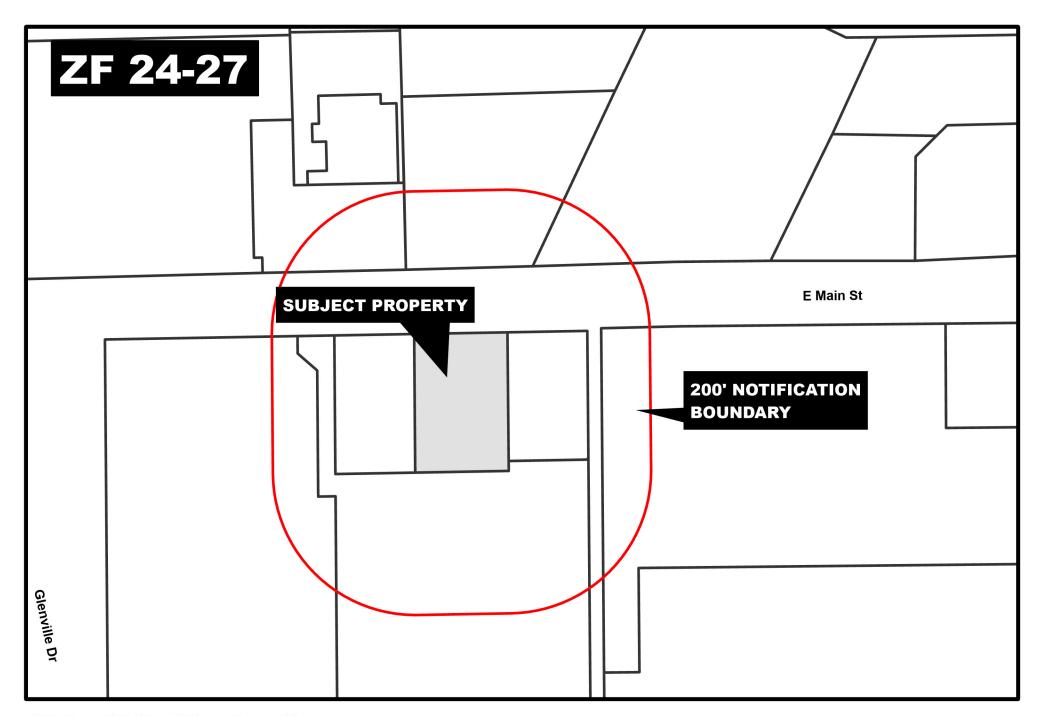
Persons not attending the meeting who would like their views to be made a part of the public record may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083 or by utilizing the Public Comment Card at <a href="https://www.cor.net/PublicCommentForm">https://www.cor.net/PublicCommentForm</a>.

The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions, or recommend denial. Final approval of this application requires action by the City Council.

**Agenda**: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: cor.net/cpc.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 24-27.

Date Posted and Mailed: November 8, 2024



ZF 24-27 Notification Map 1230 E. Belt Line Rd Special Permit

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



EBLR LLC 4083 S BARLETTA WAY MERIDIAN, ID 83642 MCDONALDS CORP 42 137 % WN ENTERPRISES PO BOX 182571 COLUMBUS, OH 43218 VICTORY SHOPS RICHARDSON SQ LLC 8001 LBJ FRWY STE 400 DALLAS, TX 75251

DUANE TEXAS PROPERTIES LLC 4001 N JOSEY LN STE 200 CARROLLTON, TX 75007 GMC PURSUIT JV LLC 7577 RAMBLER RD #970 DALLAS, TX 75231 IBMB PROPERTY LLC 5100 ELDORADO PKWY # 100 MCKINNEY, TX 75070

SP & DAUGHTERS CINEMA LLC 6850 TPC DR STE 108 MCKINNEY, TX 75070 GMC PURSUIT JV LLC 7557 RAMBLER RD STE 970 DALLAS, TX 75231

TWIN RIVERS RES LLC %MIKE THOMPSON 201 S GLENVILLE DR STE 350 RICHARDSON, TX 75081

SCOTT H WILSON HIGH OCTANCE JOE'S DBA 7 BREW 3600 DARTMOUTH AVE DALLAS, TX 75205 BRIAN WAXLER AVID REAL ESTATE ADVISORS 7557 RAMBLER RD STE 970 DALLAS, TX 75231

ZF 24-09