

## **Exhibit B – Land Use and Development Regulations – Ordinance No. 3788 – Page 1 of 2**

Special Development Plan Case ZC23-0048  
Portion of Tract 6D, John H Barlough Survey, Abstract 130  
6205 Davis Boulevard, North Richland Hills, Texas

This Special Development Plan (SDP) must adhere to all the conditions of the North Richland Hills Code of Ordinances, as amended, and the base zoning district of TOD (Transit Oriented Development). The following regulations shall be specific to this Special Development Plan. Where these regulations conflict with or overlap another ordinance, easement, covenant or deed restriction, the more stringent restriction shall prevail.

A. *Permitted Land Uses.* Uses in this SDP shall be limited to those permitted in the General Mixed Use - Smithfield character zone of the TOD (Transit Oriented Development) district with the addition of the following.

1. Quick service restaurant with drive-through service

B. *Building form and development standards.* Development of the property must comply with the development standards of the TOD (Transit Oriented Development) district and the standards described below.

1. The site improvements must be constructed as shown on the site plan attached as Exhibit "C."
2. Landscaping must be installed as shown on the site plan attached as Exhibit "C." All trees planted on site must be container-grown trees.
3. The drive-through components on the site must comply with Section 118-633(26) of the zoning ordinance and the standard described below.
  - a. The drive-through lane improvements must be constructed as shown on the special use permit exhibit attached as Exhibit "C," including pickup window, lane widths, pavement markings, and menu board locations.
  - b. The drive-through stacking lane may be located on the south side of the building between the building and Davis Boulevard and Smithfield Road.
  - c. A solid row of evergreen shrubs must be planted between the drive-through lane and Davis Boulevard and Smithfield Road to screen the area from the street. The screening shrubs must be planted the entire length of the area and be maintained at a height of thirty (30) inches above the grade of the pavement.
4. The refuse container enclosure screening wall must be faced with the same brick and/or stone used on the primary building. A pedestrian access door or opening must be added to the enclosure.

C. *Building design standards.* Building design and appearance must comply with the building elevations attached as Exhibit "C" and the standards described below.

1. The quick service restaurant must be at least two thousand one hundred (2,100) square feet in floor area.

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2. Signs on the site must comply with Chapter 106 (Signs) of the Code of Ordinances and the standards described below.

a. Wall signs are permitted on four facades of the building.

- B. *Expiration.* The special development plan will expire three (3) years from the effective date of this ordinance. If the quick service restaurant is still in operation at the time of expiration, the business shall be considered a legal non-conforming use and may continue operation subject to the standards described in Section 118-153 of the zoning ordinance.
- C. *Amendments to Approved Special Development Plans.* An amendment or revision to the special development plan will be processed in the same manner as the original approval. The application for an amendment or revision must include all land described in the original ordinance that approved the special development plan.
- D. *Administrative Approval of Site Plans.* The development is subject to final approval of a site plan package. Site plans that comply with all development-related ordinances, and this Ordinance may be administratively approved by the Development Review Committee.

The city manager or designee may approve minor amendments or revisions to the standards provided the amendment or revisions does not significantly:

1. Alter the basic relationship of the proposed uses to adjacent uses;
2. Change the uses approved;
3. Increase approved densities, height, site coverage, or floor areas;
4. Decrease on-site parking requirements;
5. Reduce minimum yards or setbacks; or
6. Change traffic patterns.