

ORDINANCE NO. 658

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY LOCATED AT 5050 QUORUM DRIVE FROM "I-1" INDUSTRIAL TO "PD" PLANNED DEVELOPMENT DISTRICT NO. 19 SHALL BE GRANTED WITH REFERENCE TO THE HEREINAFTER DESCRIBED PROPERTY SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, Texas, and the City Council of the City of Addison, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given requisite notices 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 area, the City of Addison, Texas, is of the opinion that the said change of zoning on application by Quorum Partners should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended to give

the hereinafter described property the following zoning district classification, to-wit: Planned Development No. 19. Said property being in the City of Addison, Texas, and being described as follows:

A 4.441 acre tract of land out of the Josiah Pancoast Survey, Abstract No. 1146, and the G. W. Fisher Survey, Abstract No. 482, Dallas County, Texas, and being out of Quorum, a 71.90 acre addition to the City of Addison as recorded in Volume 79100, Page 1895, Plat Records, Dallas County, Texas said 4.441 acre tract being more particularly described as follows:

BEGINNING at a point; said point being the southeast corner at said 71.90 acre tract and also being located in the west R.O.W. of Dallas Parkway (120 foot R.O.W.)

THENCE S89°19'01" W along the south boundary line of said 71.90 acre tract, for a distance of 280.00 feet to a point for corner;

THENCE N1°39'54" W for a distance of 355.00 feet to a point for corner;

THENCE S89°19'01" W for a distance of 77.50 feet to a point for corner;

THENCE N1°39'54" W for a distance of 200.48 feet to the point of curvature of a curve whose chord bears N31°10'34" W for a distance of 334.28 feet, said curve having a central angle of 7°59'21", a radius of 334.28 feet and a tangent length of 23.34 feet;

THENCE Northeasterly, along said curve being the south right-of-way line of Quorum Drive (Variable R.O.W.); for an arc distance of 46.61 feet to a point of curvature of a curve to the right, said curve having an internal angle of 50°30'02", a radius of 257.38 feet, and a tangent of 121.39 feet.

THENCE Easterly along said curve for an arc distance of 226.86 feet to a point of curvature of a curve to the left, said curve having an internal angle of 12°59'57", radius of 462.49 feet, and a tangent of 52.69 feet.

THENCE Easterly along said curve for an arc distance of 104.93 feet to a point for corner; said point being at the intersection of the west right-of-way line of Dallas Parkway (120 foot R.O.W.) and the South right-of-way line of Quorum Drive, (Variable R.O.W.)

THENCE S01°39'54" E along Dallas Parkway (120 foot R.O.W.) for a distance of 622.05 feet, to a point said point being the POINT OF BEGINNING:

CONTAINING 193,462.91 square feet or 4.441 acres of land.

SECTION 2. In the herein above described land or building, no land shall be used, erected or converted to any use other than:

1. Office
2. Hotel (including related restaurants, alcoholic beverage sales, and retail sales facilities);
3. General retail;
4. Restaurant (including related alcoholic beverage sales for on premises consumption);
5. Surface parking to meet off-street parking requirements;
6. Parking structure to meet off-street parking requirements;
7. Access, utility, and drainage easements;
8. Accessory buildings, equipment, and uses customarily incident to the above uses;
9. Motor bank facilities.

SECTION 3. The following special conditions are placed upon the above described property:

1. No structure of any kind, and no part thereof shall be placed within the following set back lines:
 - a. 125 feet from the center line of Dallas Parkway (a 120 foot right-of-way);
 - b. 25 feet from major access drive;
 - c. Minimum 10 feet side yard set-back;
 - d. Minimum 10 feet rear yard set-back;
2. The following improvements are expressly excluded from the set-back restrictions:
 - a. Structures below and covered by ground;
 - b. Steps, walks, driveways, parking areas, and curbing;
 - c. Planters, walls, permanent signs, fences or hedges not to exceed 4 feet in height;
 - d. Landscaping and landscape features;
 - e. Guardhouses;
 - f. Exterior lighting sources;
3. No structure shall exceed the maximum height permitted by FAA including mechanical penthouses, antennas, etc.
4. Maximum land coverage for any use shall be 75% (first floor of building).
5. All office facilities shall provide off-street parking at a ratio of one (1) space for each 300 square feet of net floor. The net floor area shall be defined as the gross floor area less vertical air shafts, elevator shafts, stairwells, mechanical rooms, electrical and telephone rooms, and storage rooms.
6. All hotel or motel facilities shall provide off-street parking at the following ratios:

- a. One space per each guest room;
- b. One space per each 100 square feet of net floor area in meeting areas;
- c. One space per each 100 square feet of net floor area in dining rooms and cocktail lounges;
- d. No spaces required for sundries shop;
- e. One space per each employee for the first 20%;
- f. No spaces required for malls, atriums, patios, lobbies, or circulation areas;

7. All general retail facilities (exclusive of facilities within an office building, hotel or motel) shall provide off-street parking at a ratio of one space per each 200 square feet of floor area.

8. All restaurants shall provide off-street parking at a ratio of one space per each 100 square feet of floor area (exclusive of facilities within a hotel or motel).

9. All driveways, parking areas, access easements, and walkways shall be illuminated.

10. All exterior lighting sources shall be placed and reflected in such a manner so as not to create annoyances, nuisances, or hazards.

11. All building sides must be faced with face brick, stone, concrete, aluminum, glass, or with similar quality face materials.

12. Wood frame construction of exterior walls shall be prohibited.

13. All utilities (public and private) shall be underground.

14. Mechanical equipment shall be constructed, located, and screened so as not to interfere with the peace, comfort, and repose of the occupants of any adjoining building.

15. All refuse and refuse containers shall be screened from the view of all public streets adjacent to the property to be a solid fence or wall of at least six (6) feet in height.

16. Landscaping shall be required on all sites contemporaneously with completion of other improvements, but in no extent later than 180 days after first occupancy or completion of buildings, which ever

shall first occur.

17. Provide automatic underground sprinkling systems for all landscaped areas.

18. Shall not obstruct sight lines at street or driveway intersections.

19. Owners and occupants (including lessees) of any part of the properties shall jointly and severally have the duty and responsibility, acting themselves or through the Quorum Protective Corporation, at their sole cost and expense, to keep that part of the properties so owned or occupied, including buildings, improvements and grounds in connection therewith, in a well-maintained, safe, clean and attractive condition at all times. Such maintenance includes, but is not limited to the following:

- a. Prompt removal of all litter, trash, refuse and wastes;
- b. Lawn mowing;
- c. Tree and shrub pruning;
- d. Watering;
- e. Keeping exterior lighting and mechanical facilities in working order;
- f. Keeping lawn and garden areas alive, free of weeds, and attractive;
- g. Keeping parking areas, driveways, and roads in good repair;
- h. Striping of parking areas and repainting of improvements;
- i. Repair of exterior damages to improvements;
- j. Provide and maintain driveway marking and striping as required for fire lanes by the Addison Fire Department.

SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard City of Addison specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works.

SECTION 5. This Planned Development District is established pursuant to the Comprehensive Zoning Ordinance of the City of Addison as amended, and the provisions thereof unless directly conflict herewith, shall be applicable to the Planned Development District No. _____.

SECTION 6. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any paragraph, sentence, 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.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, this the 10 day of February, 1981.

MAYOR *Jim Kelly*

ATTEST:

Jacque Sharp
CITY SECRETARY