

ORDINANCE NO. 095-054

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM PLANNED DEVELOPMENT, ORDINANCE 085-073 TO A REVISED PLANNED DEVELOPMENT DISTRICT, ON APPLICATION FROM EXCEL TELECOMMUNICATIONS, LOCATED ON 18.2 ACRES AT THE SOUTHWEST CORNER OF ADDISON ROAD AND BENT TREE PLAZA PARKWAY, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR APPROVAL OF DEVELOPMENT PLAN, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: Planned Development. Said property being in the Town of Addison, Texas, and being described as follows:

LOT 1

BEING A TRACT OF LAND OUT OF THE WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, DALLAS COUNTY, TEXAS, AND BEING PART OF LOT AND 4 AND ALL OF LOTS 20 AND 21, BLOCK B OF CARROLL ESTATES, AN ADDITION TO THE TOWN OF ADDISON AS RECORDED IN VOLUME 10, PAGE 473, DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the intersection of the southerly right-of-way line of Bent Tree Plaza Parkway with the westerly right-of-way line of Addison Road;

THENCE, S 00°15'15" E, along the west right-of-way line of said Addison Road, a distance of 625.34 feet;

THENCE, N 89°59'00" W, leaving the west right-of-way line of said Addison Road, a distance of 864.42 feet;

THENCE, N 00°15'15" W, a distance of 611.44 feet to a point in the south right-of-way line of said Bent Tree Plaza Parkway; said point also being on a non-tangent curve to the right having a central angle of 15°37'04", a radius of 460.00 feet, a tangent of 63.08 feet, and a chord bearing and distance of N 84°24;43" E, 125.00 feet'

THENCE, along said curve to the right and along said Bent Tree Plaza Parkway, an arc distance of 125.39 feet;

THENCE, S 89°46'45" E, along the south right-of-way line of said Bent Tree Parkway, a distance of 740.48 feet to the POINT OF BEGINNING and CONTAINING 12.40 acres of lane more or less.

LOT 2

BEING A TRACT OF LAND OUT OF THE WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, DALLAS COUNTY, TEXAS, AND BEING PART OF LOTS 3 AND 4, BLOCK B AND LOTS 21 AND 22, BLOCK A OF CARROLL ESTATES, AN ADDITION TO THE TOWN OF ADDISON AS RECORDED IN VOLUME 10, PAGE 473, DEED RECORDS, DALLAS COUNTY TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the intersection of the southerly right-of-way line of Bent Tree Plaza Parkway with the westerly right-of-way line of Addison Road;

THENCE, N 89°46'45" W. along the south right-of-way line of said Bent Tree Plaza Parkway, a distance of 740.48 feet to the beginning of a curve to the left having a central angle of 15°37'04", a radius of 460.00 feet,, and a tangent of 63.08 feet;

THENCE, along said curve to the left and along the south right-of-way line of said Bent Tree Plaza Parkway, an arc distance of 125.39 feet to the POINT OF BEGINNING;

THENCE, S 00°15'15" E, leaving the south right-of-way line of Bent Tree Plaza Parkway, a distance of 614.44 feet;

THENCE, N 89°59'00" W, a distance of 496.11 feet;

THENCE, N 00°01'00" E, a distance of 467.52 feet to the intersection with the south right-of-way line of Bent Tree Plaza Parkway;

THENCE, S 89°59'00" E, along the south right-of-way line of said Bent Tree Plaza Parkway, a distance of 72.23 feet the beginning of a curve to the left having a central angle of 32°54'19", a radius of 540.00 feet, and a tangent of 159.47 feet, and a chord bearing and distance of N 73°33'51" E, 305.88 feet;

THENCE, along said curve to the left and along the south right-of-way line of said Bent Tree Plaza Parkway, a distance of 310.12 feet; said point also being the beginning of a reverse curve to the right having a central angel of 17°29'28", a radius of 460.00 , and a tangent of 70.76 feet, and a chord bearing and distance of N 65°51'27" E, 139.89 feet;

THENCE, along said curve to the right and along the south right-of-way line of said Bent Tree Plaza Parkway, an arc distance of 140.43 feet to the POINT OF BEGINNING and CONTAINING 5.85 acres of land.

SECTION 2. The following regulations shall govern the development of all land within this Planned Development District:

1. USE REGULATIONS

LOT 1 USES:

All buildings and uses permitted on the land contained in Lot 1 shall be those permitted in Article IX, C-1 (Commercial-1) as set forth by the Addison Zoning Ordinance No. 66.

LOT 2 USES:

All buildings and uses permitted in Article IX, C-1 (Commercial-1) district as set forth by the Addison Zoning Ordinance NO. 66, and all distribution and warehouse uses related to light assembly of paper goods, computer products, or similar materials. The use specifically excludes the manufacture of goods and materials. For the purposes of this ordinance, light assembly shall be defined as the process and procedures for the assimilation, packaging, and distribution of finished goods and materials.

2. HEIGHT REGULATIONS

No building or structure shall exceed three (3) standard stories in height unless additional height is set back from the street lines one (1') foot for each two (2') feet of height above each six story limit. Height of structures is further limited by the Federal Aviation Administration F.A.A.

3. AREA REGULATIONS

1. Front Yard

(A) The minimum required front yard is twenty-five (25) feet, such distance shall be measured from the property

2. Side Yard

- (A) Except as provided below, there is no minimum required side yard.
- (B) On a corner lot, a minimum required side yard of twenty-five (25) feet must be provided on the side street, such distance shall be measured from the property line.

3. Rear Yard

- (A) Except as provided below, there is no minimum required rear yard.

4. PARKING REGULATIONS

Off-street parking shall be provided for the appropriate building use classification as defined in articles IX, IX-A, X, XI and XI-a of the Addison Zoning Ordinance No. 66.

5. TYPE OF CONSTRUCTION

At least eighty (80) per cent of the exterior walls of all structures shall be of masonry or color textured concrete construction, exclusive of door and window openings. All facades visible from a divided thoroughfare must be of brick or stone or color textured concrete. Glass tile, glass block and plate glass may count as masonry.

6. OUTSIDE SALES OR COMMERCIAL PROMOTIONS

Any outside sales and/or commercial promotions shall be prohibited.

7. LOADING AND UNLOADING FACILITIES

- 1. All loading facilities shall be screened in accordance with the provisions of Article XVIII- Landscaping Regulations, Section 7b.

8. OUTSIDE STORAGE.

Except for the equipment or materials stored on a construction site and used for a temporary construction project, the long term outside storage of equipment, buildings or other materials, goods and products is prohibited.

9. MECHANICAL EQUIPMENT

All mechanical equipment must be constructed located and screened so as to not interfere with the peace, comfort and repose of the occupants of any adjoining building or residence and not be visible from any public street.

10. REFUSE CONTAINERS

All refuse and refuse containers must be screened from all public rights-of-way. Refuse containers must be placed on a designed, reinforced concrete pad and approach. Screening walls must be of an aesthetic material.

11. LANDSCAPING

All landscaping in this district shall be governed by the standards set forth in Article XII-A, Landscaping Regulations.

SECTION 3. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 4. The following special conditions are placed on the above described property:

-The applicant shall submit for approval a revised landscaping plan which includes the following: the detention areas along Bent Tree Plaza Boulevard shall be relocated to another point on the site, the fence type at

the loading area shall be specified, a landscape buffer shall be added to screen the loading area along the southwest corner of the property, and the revised plan shall show the square footage breakdown on landscaped area versus the gross site area.

-A traffic signal shall be installed at the intersection of Bent Tree Plaza Parkway and Addison Road.

-A 5-foot sidewalk shall be installed along Bent Tree Plaza Parkway.

-Stormwater detention shall be provided on the site.

SECTION 5. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose

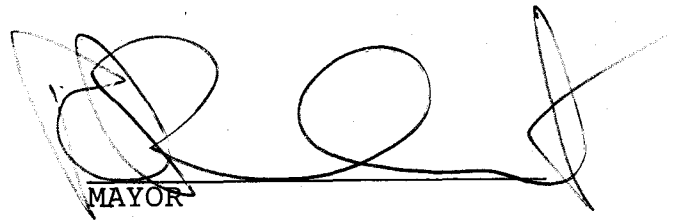
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 8. 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 9. The importance of this ordinance creates an emergency and an imperative public necessity and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of November, 1995.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1238-Z

APPROVED AS TO FORM:

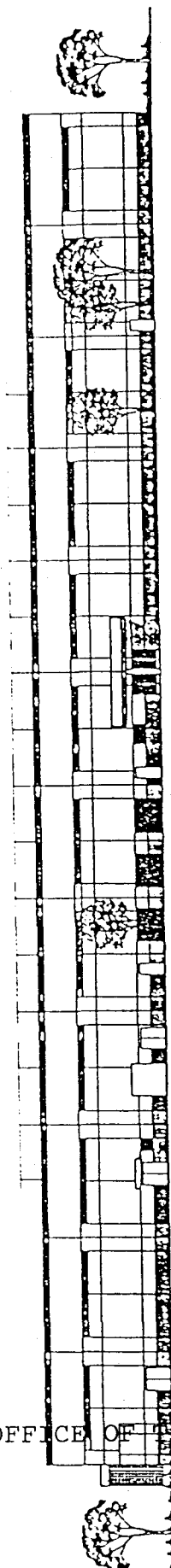


DIRECTOR OF DEVELOPMENT SERVICES

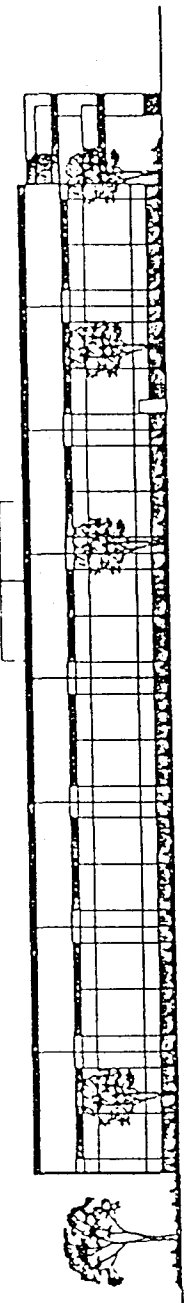
OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 095-054

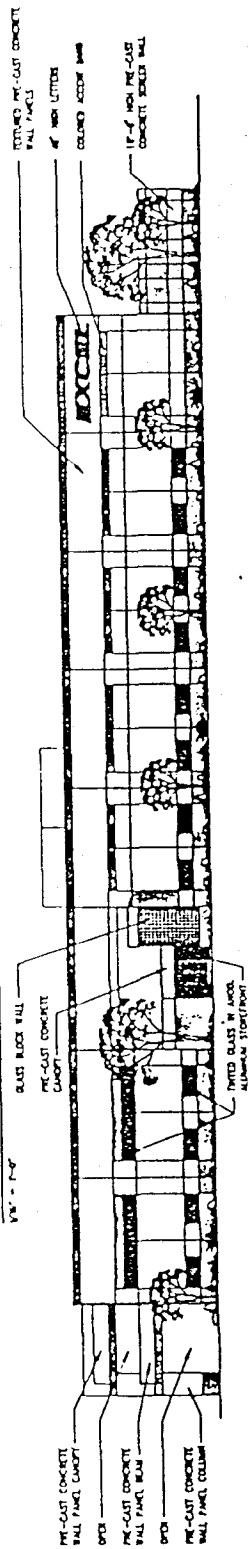
Published
12/21/95



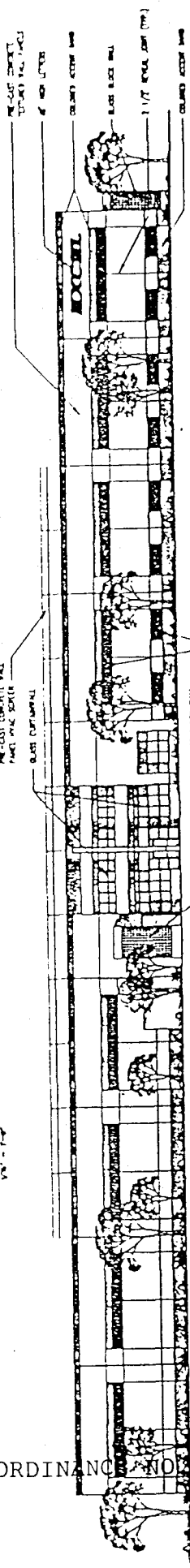
WEST ELEVATION
WV - 147



SOUTH ELEVATION
VS - 147

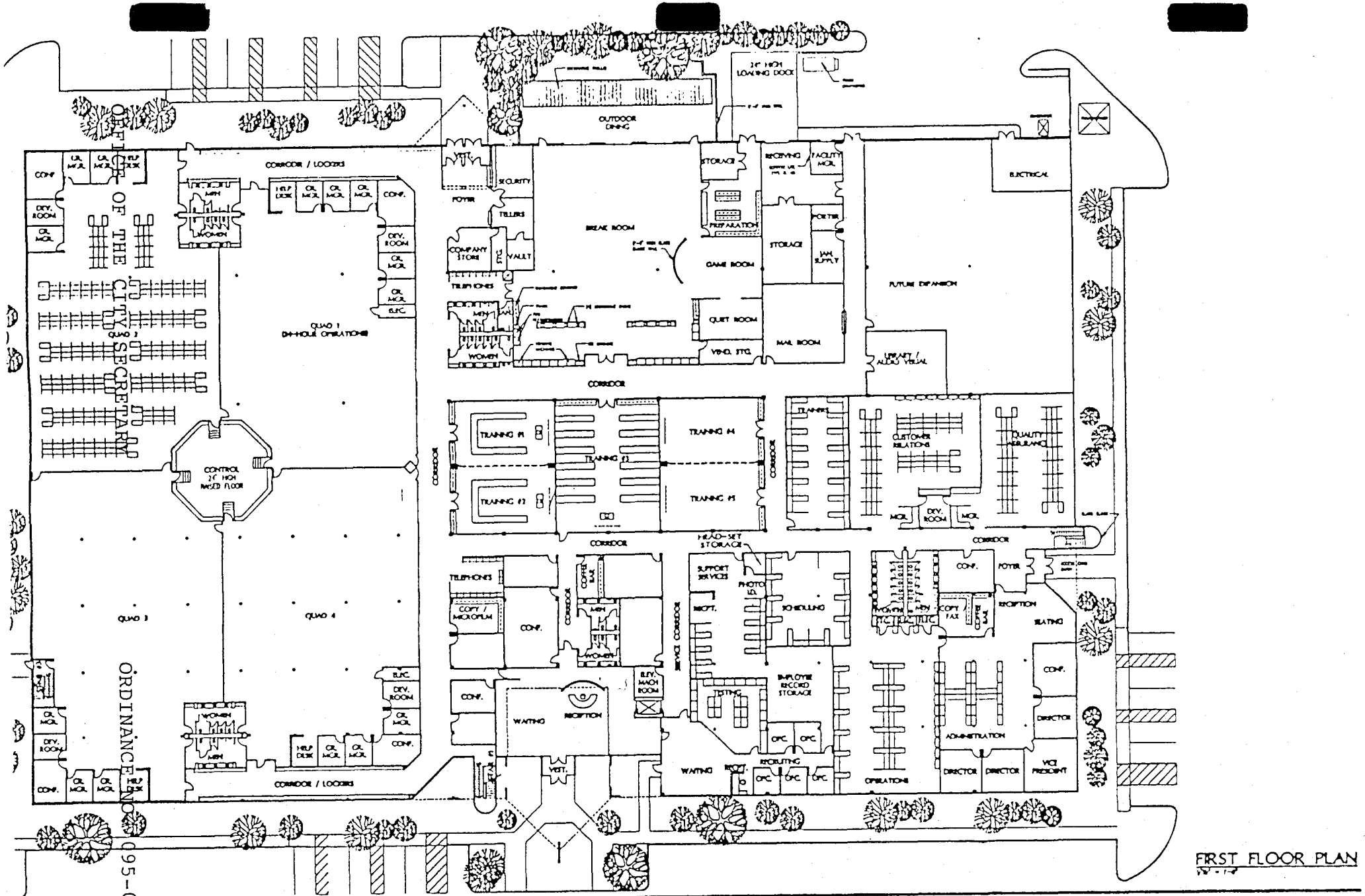


NORTH ELEVATION - BENT TREE PLAZA PARKWAY
VN - 147



EAST ELEVATION - ADDISON ROAD
VW - 147

EXCEL TELECOMMUNICATIONS, INC. SERVICE CENTER

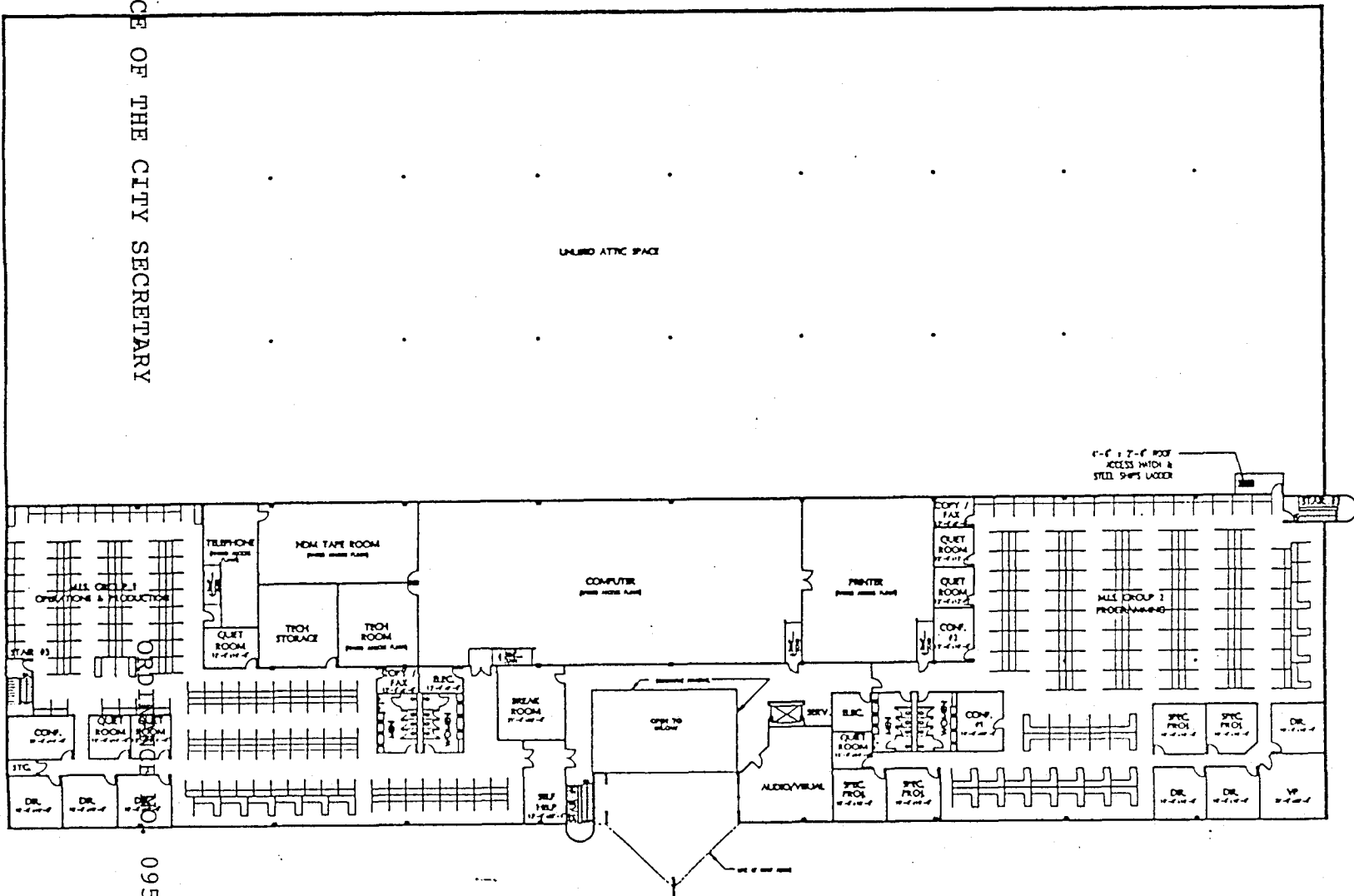


FIRST FLOOR PLAN
18-114

EXCEL TELECOMMUNICATIONS, INC. SERVICE CENTER

WSI ARCHITECTS	ARCHITECTS • PLANNERS • INTERIORS	Address, Texas DALLAS, TEXAS	9521 (214) 458 - 9999 22 Sept. 1995
----------------	-----------------------------------	---------------------------------	---

OFFICE OF THE CITY SECRETARY



095-054

SECOND FLOOR PLAN

EXCEL TELECOMMUNICATIONS, INC. SERVICE CENTER

Addon

Texas

9.5.2.1

WSI ARCHITECTS

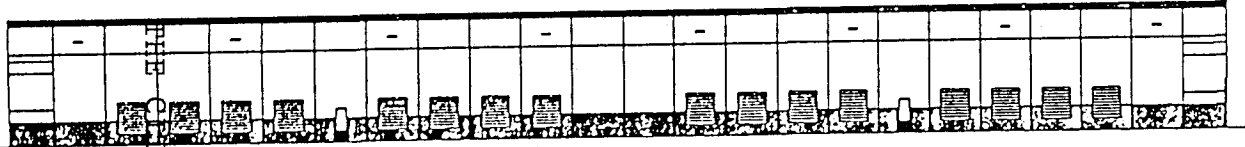
ARCHITECTS • PLANNERS • INTERIORS

DALLAS, TEXAS

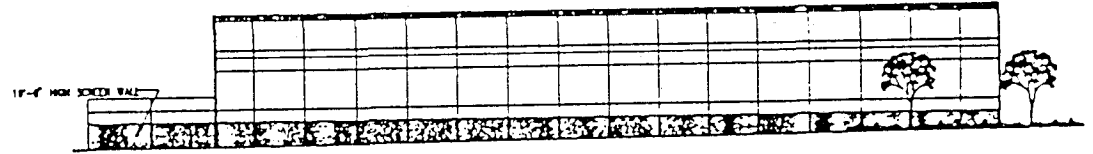
(214) 458 - 9999

22 Sept. 1995

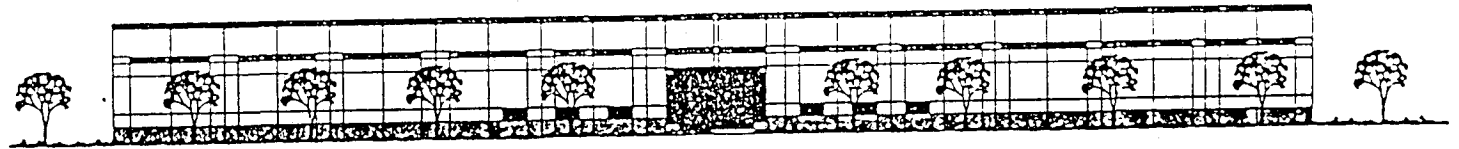
OFFICE OF THE CITY SECRETARY



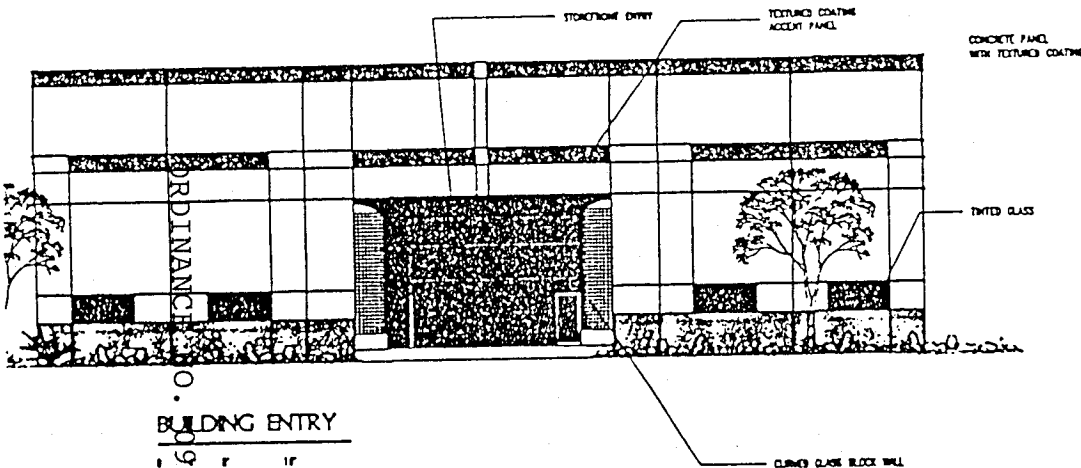
SOUTH ELEVATION



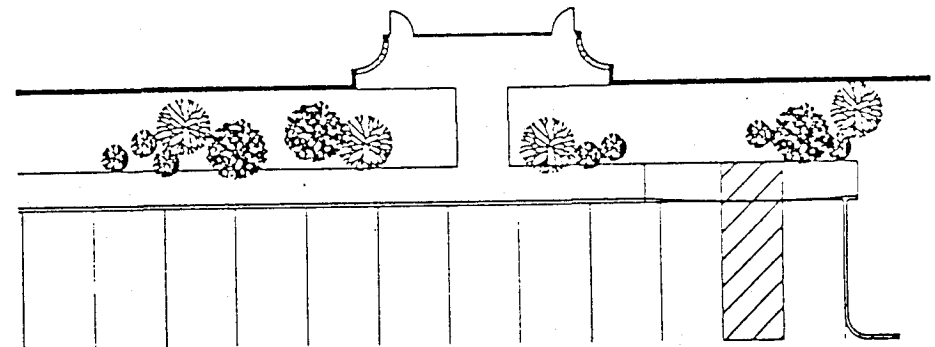
EAST ELEVATION - WEST SIMILAR



NORTH ELEVATION - BENT TREE PLAZA PARKWAY



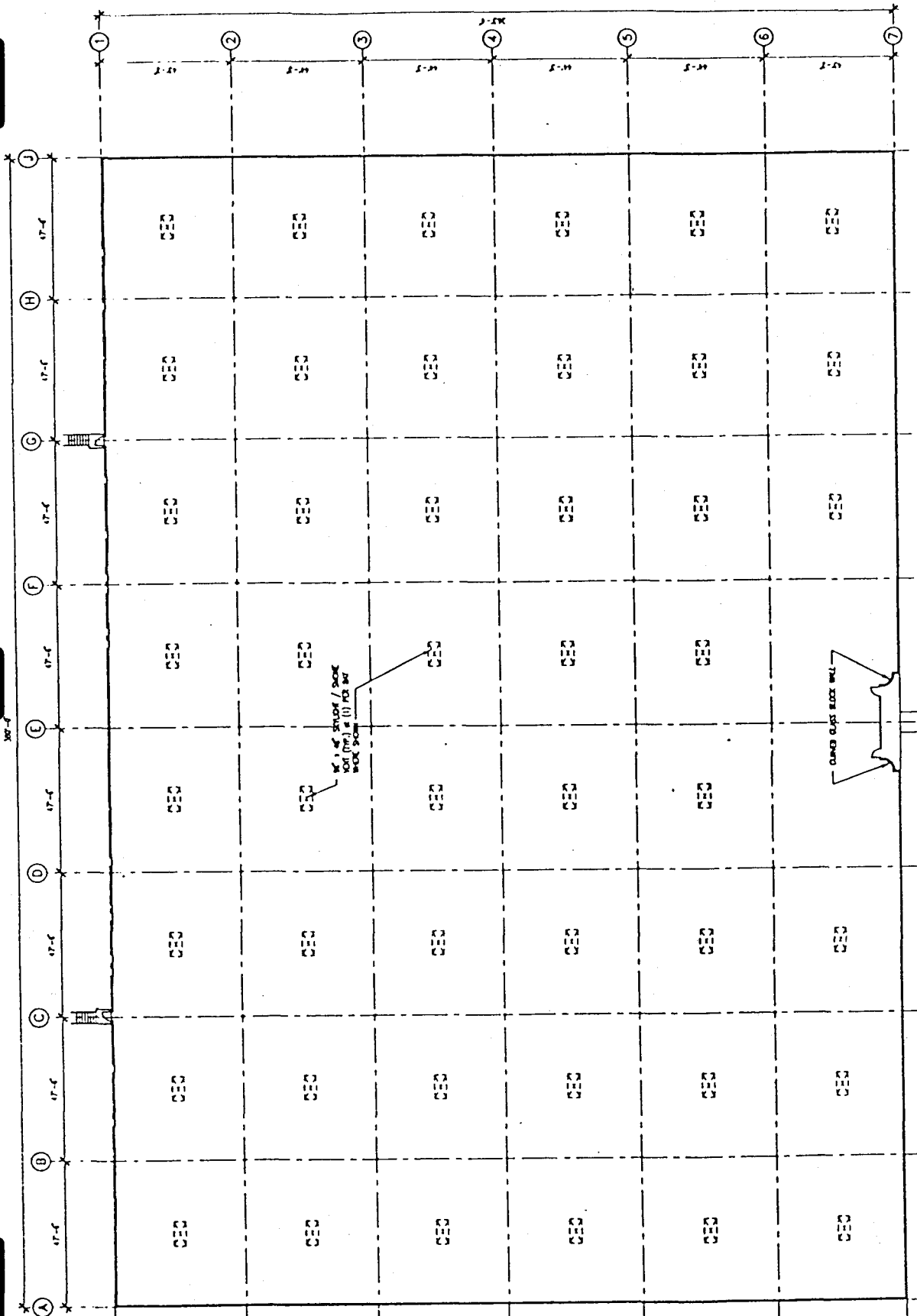
BUILDING ENTRY



PLAN at ENTRY



EXCEL TELECOMMUNICATIONS, INC. WAREHOUSE



BUILDING FLOOR PLAN
1/8" = 1'-0"

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 095-054

EXCEL TELECOMMUNICATIONS, INC. WAREHOUSE

Published
12-21-95