## ORDINANCE NO. 095-060

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO APPROVE AN AMENDMENT TO ORDINANCE 095-019, THE URBAN CENTER DISTRICT ORDINANCE, IN ORDER TO CHANGE STREET CROSS-SECTIONS FOR EAST MILDRED STREET AND THE MEWS, AND TO APPROVE A FINAL DEVELOPMENT PLAN FOR PHASE I OF A MULTI-FAMILY RESIDENTIAL PROJECT, ON APPLICATION FROM COLUMBUS REALTY TRUST, LOCATED ON 12.2 ACRES AT THE NORTHEAST CORNER OF THE INTERSECTION OF QUORUM DRIVE AND MILDRED STREET, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 095-060

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending Ordinance 095-019, Appendix A, to substitute the cross-sections for Mildred Street at the "neck-down" and the cross section for the Mews, which are attached hereto and made a part hereof, for the cross-sections that were originally approved.

SECTION 2. As provided in Ordinance 095-019, Section 9, FINAL DEVELOPMENT PLAN APPROVAL, said property shall be improved in accordance with the approved final development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. That the development plans, which have been submitted by Columbus Realty Trust in accordance with the requirements of Ordinance No. 095-019, Section 9, FINAL DEVELOPMENT PLAN APPROVAL, are hereby approved with the exception of the following items which are not approved as a part of this development plan:

- 1. Streetscape plans for any streets. Insufficient information is provided. The elements that need to be resolved relate to crosswalks, eye-brows, inter-face between edge of building and street, and final drive locations. In addition, elements on the various plans conflict with one another.
- 2. Paving plan for the mews streets.
- 3. Security gates and control devices.
- 4. Landscape architectural design development drawings for both the public and private improvements.
- 5. Master Street Plan for the district.
- 6. Master Drainage and Utility plan for the district.
- 7. Final design for roundabout.

Staff recommends the above-listed items be submitted to, and approved by the staff prior to the issuance of any construction permits for the development.

SECTION 4. That the development plans shall be approved subject to the following conditions:

The waiver request for 18% of efficiency units at smaller than 500 square feet shall be approved.

The waiver request for 18% of 1-bedroom units at smaller than 750 square feet shall be approved.

Public property may be used for locations for switch gears and any transformers needed to serve the public facilities. Transformers needed for Building A shall be located either within Building A or within the courtyard for Building A unless a plan for the location of the transformers within the park property is approved by the staff.

Tree wells along Quorum Drive shall be changed from 5'x10'to 5'x12'.

Tree wells along the residential streets shall be changed to 5'x9'.

Tree wells at the round-a-bout shall be changed from 5'x5' with tree grates to 5'x7.5' with tree guards with protective bollards. A plan for the tree guards shall be submitted to the staff for approval prior to the issuance of a building permit.

Tree wells in the Mews shall be changed from 5'x5' with tree grates to 5'x5' with tree guards with protective bollards. A plan for the tree guards shall be submitted to the staff for approval prior to the issuance of a building permit.

No foundation planting along the north side of Building A, except for vine pockets at building entrances, shall be required

Buildings A, B, C, shall be allowed to have a minimum 5-foot building setbacks from public rights-of-way, and from adjacent city property. The lot width for Building B shall be approved at 166 feet.

Sufficient parking for all uses shall be provided. A final plan for parking shall be approved by the staff prior to the issuance of any construction permits for the development.

All encroachments into the public rights-of-way, below a height of 10 feet shall be eliminated. All encroachments between the height

of 10 feet and 20 feet shall be limited to not more than 12" (one foot) of encroachment, and a license agreement shall be prepared to provide the City with any insurance/indemnification that is required. In addition, the license agreement should provide for future maintenance of encroachments.

The water line under the proposed location for Building A shall be relocated.

Genetically matched, 200-gallon, container-grown trees shall be used throughout the project, unless an alternate is approved by the Parks Director. In addition, the city shall have the right to inspect all trees before installation.

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
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repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12th day of December 1995.

MAYOR

ATTEST:

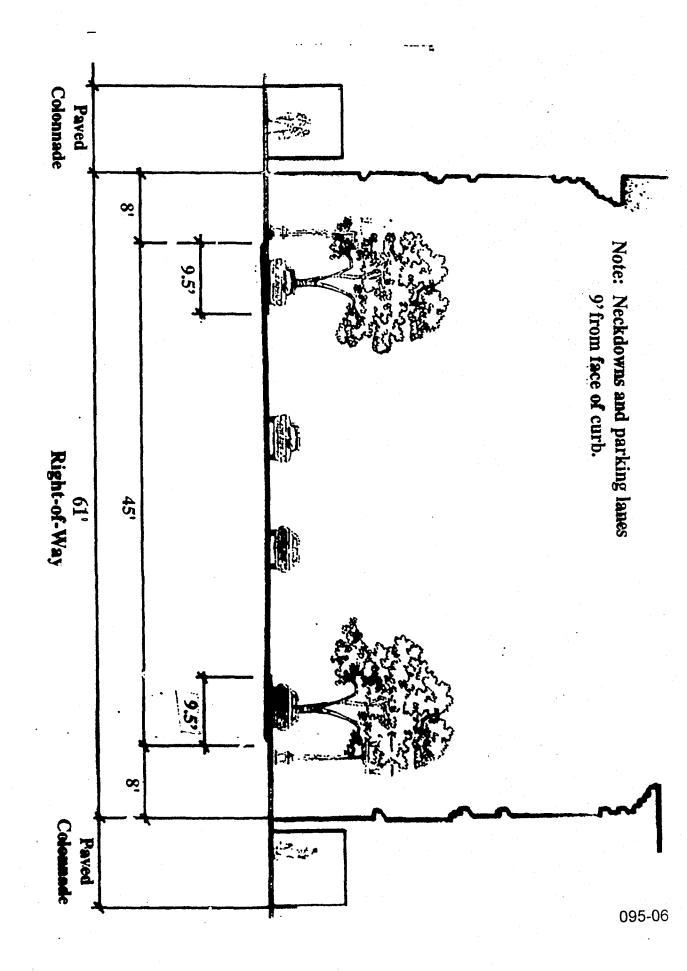
CITY SECRETARY

CASE NO. 1234-Z

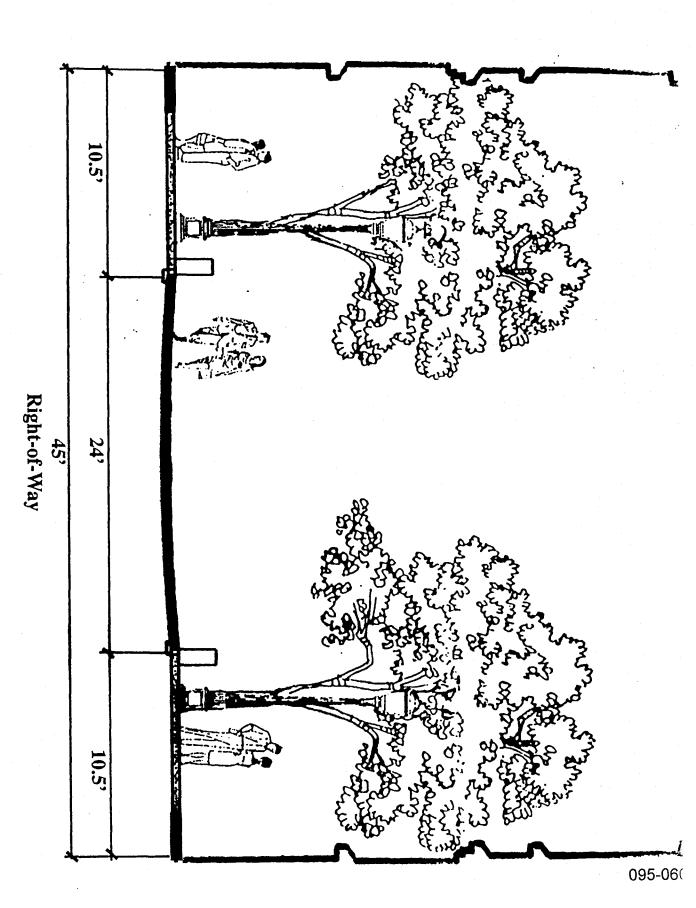
APPROVED AS TO FORM:

DIRECTOR OF DEVELOPMENT SERVICES

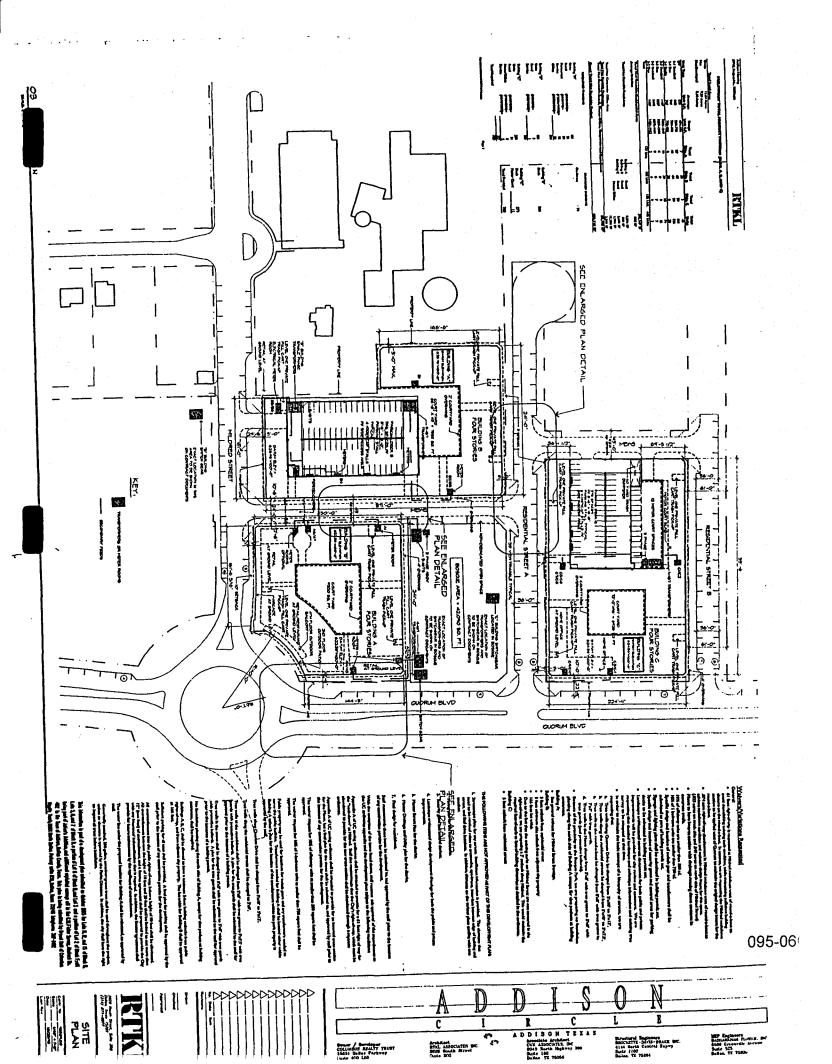
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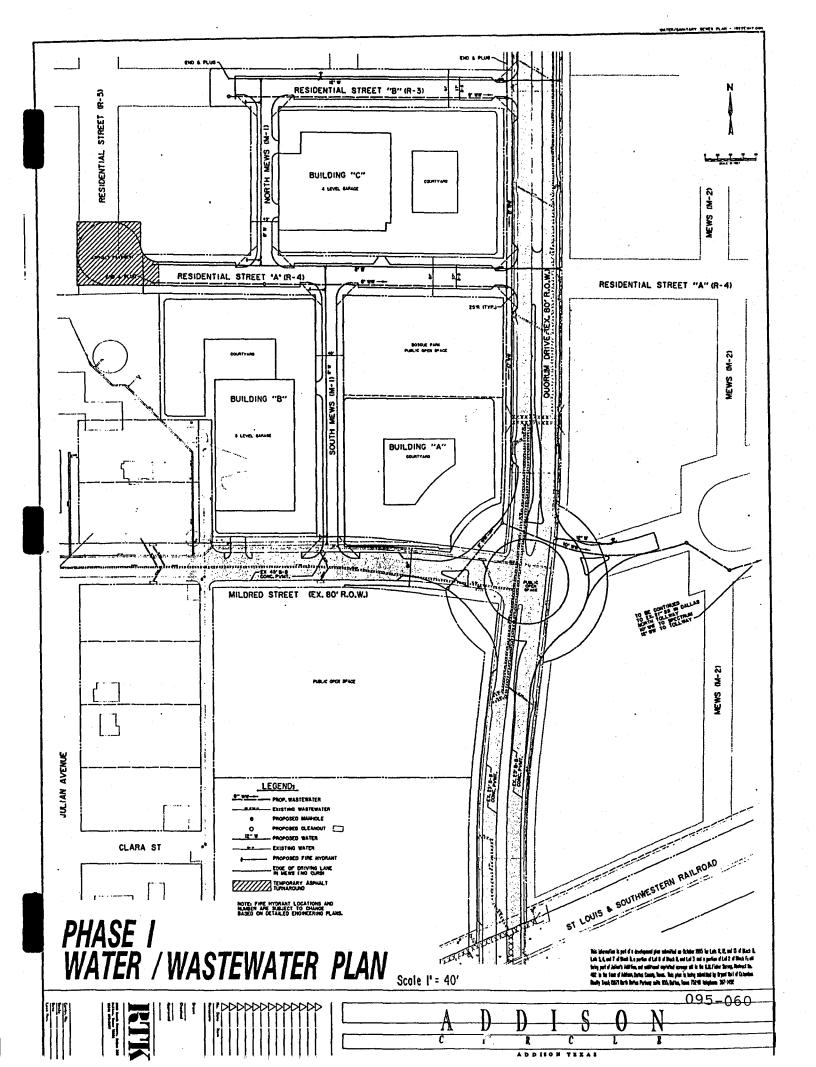


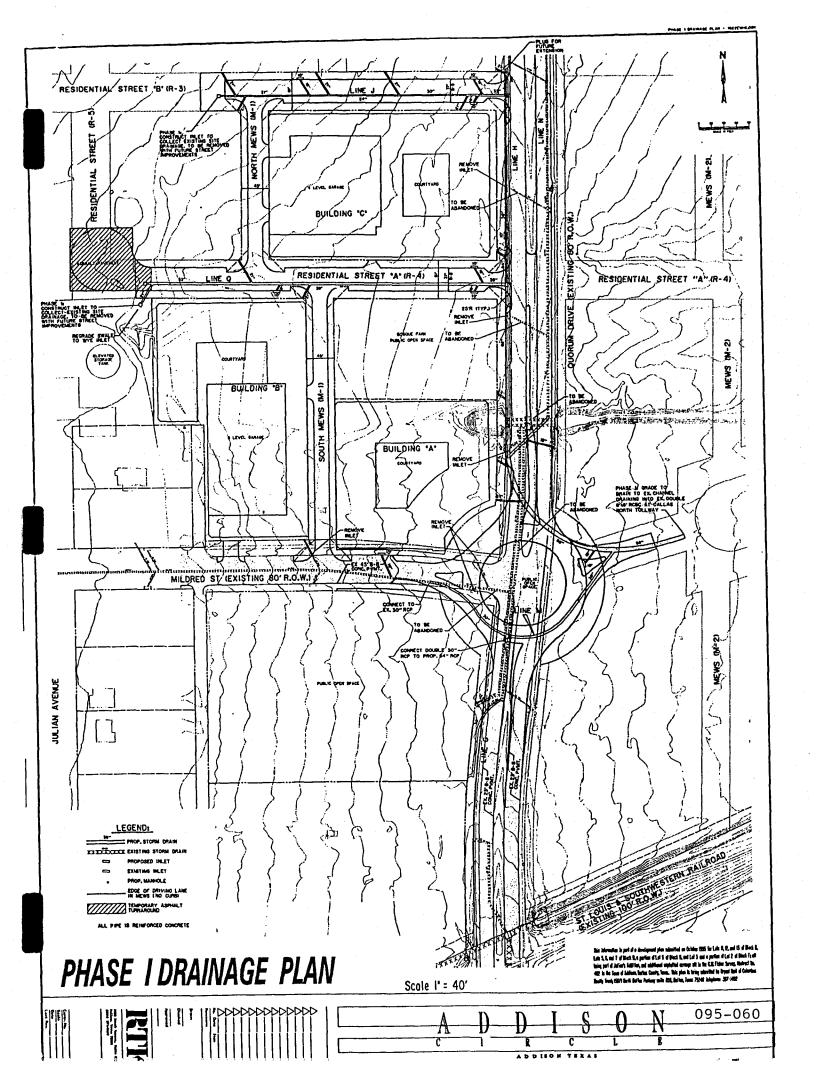
Category G - Retail Street @ Neckdown (Mildred)

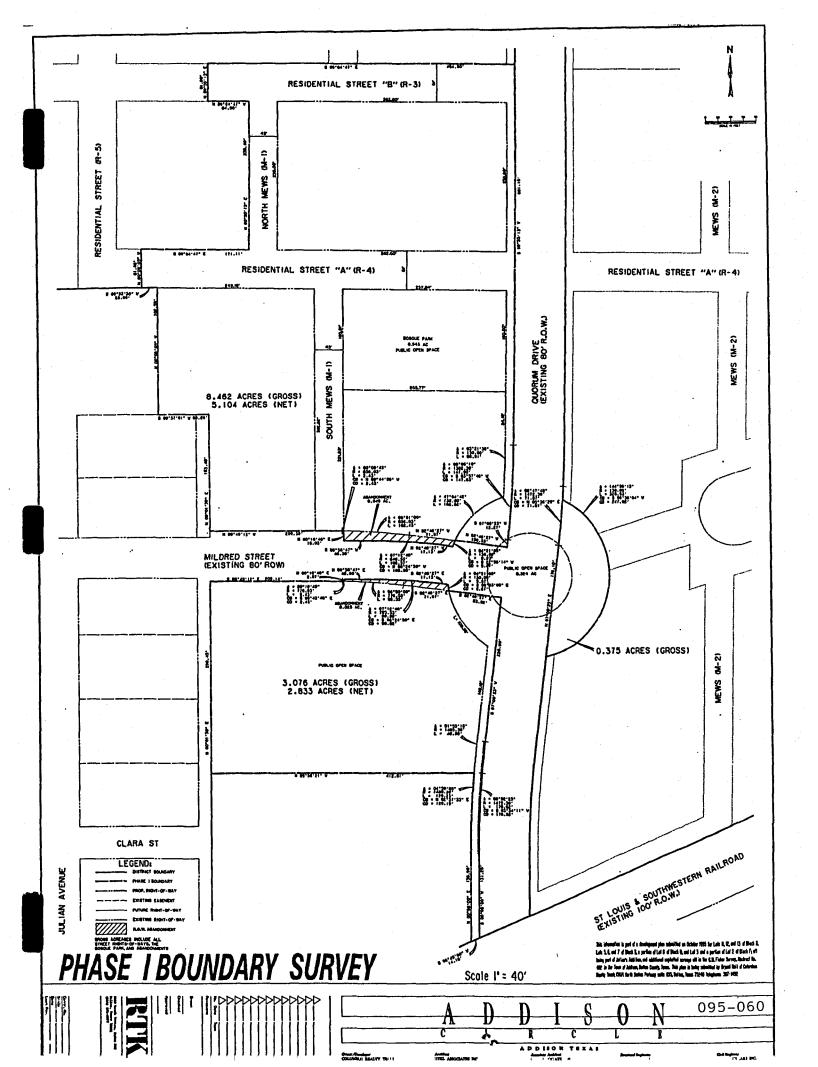


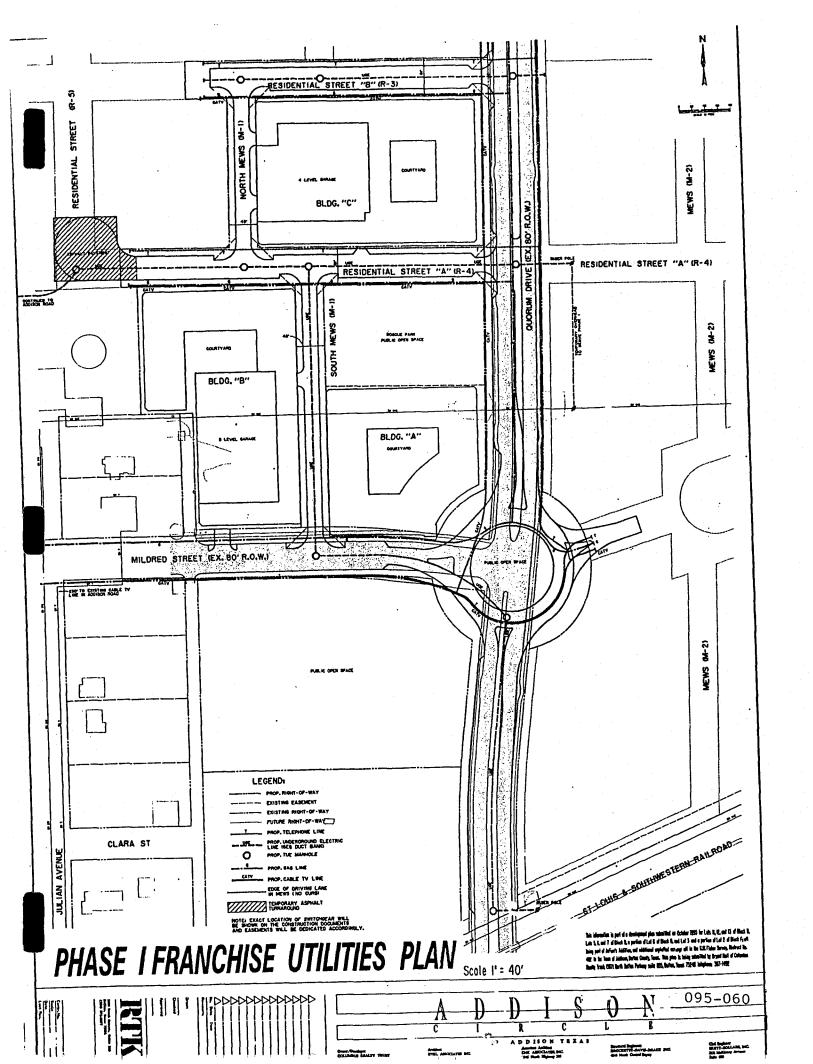
Category D - Mews

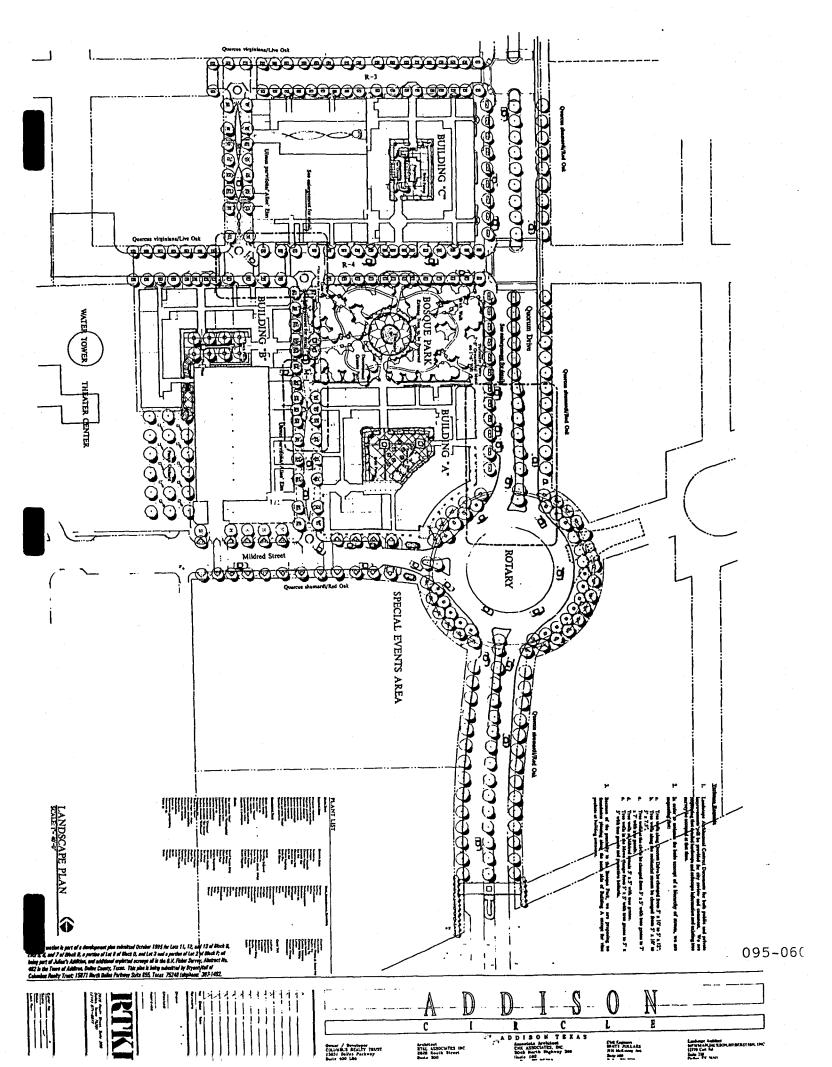


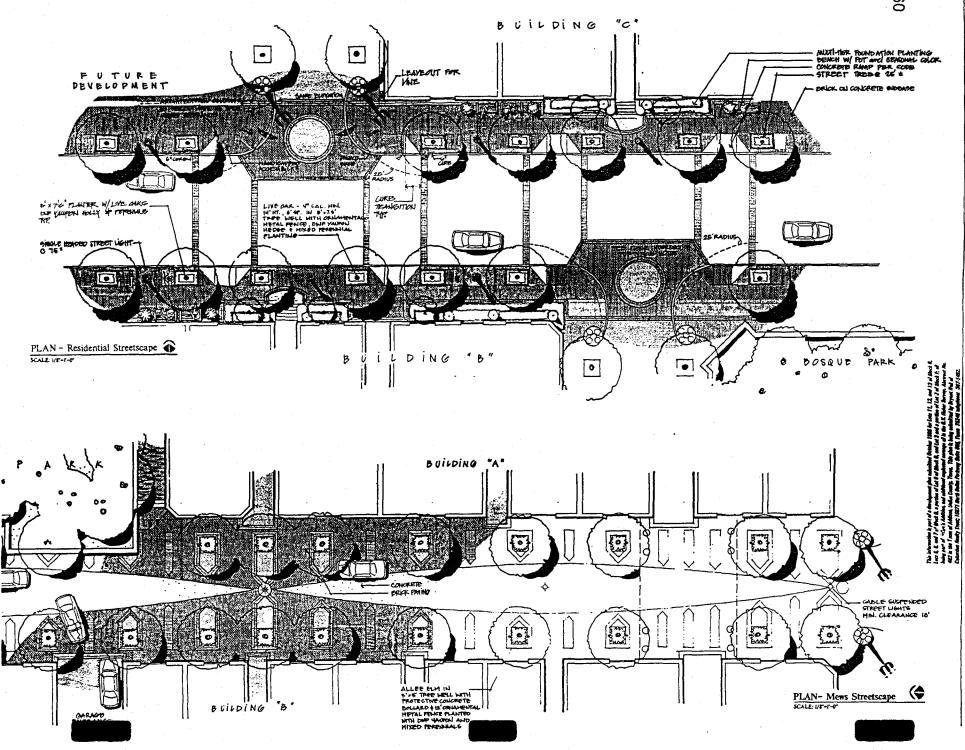








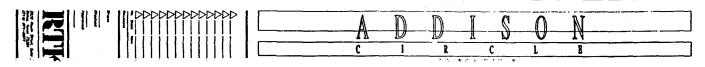


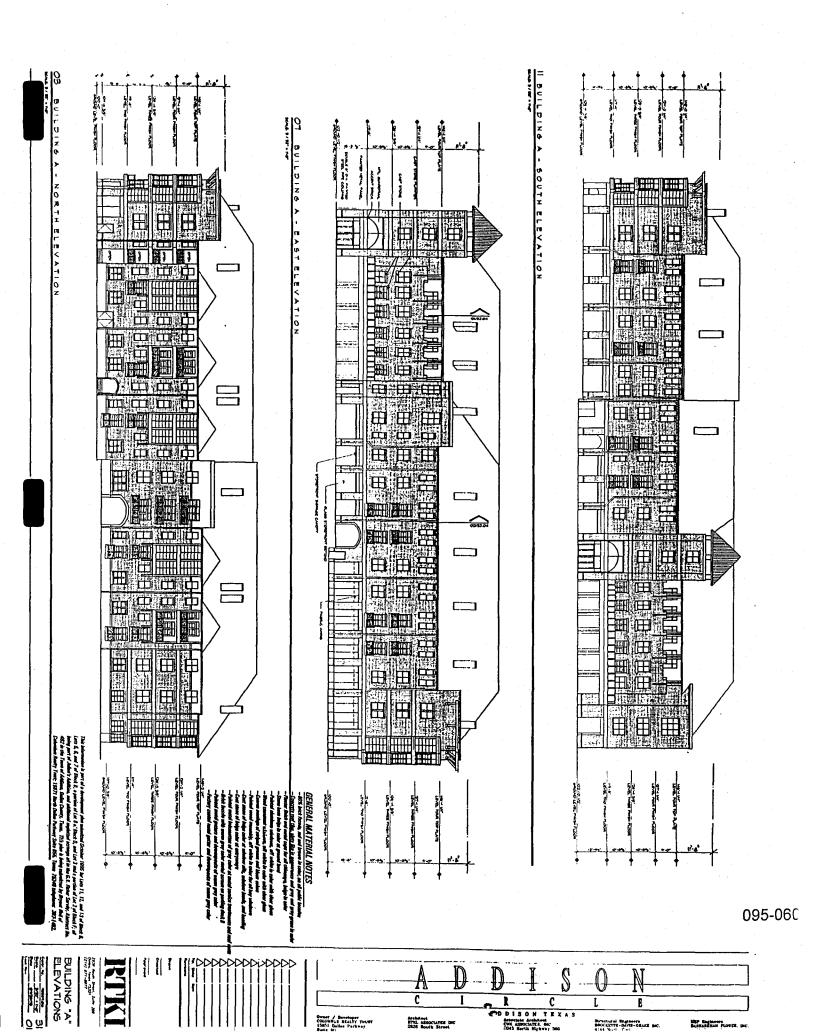


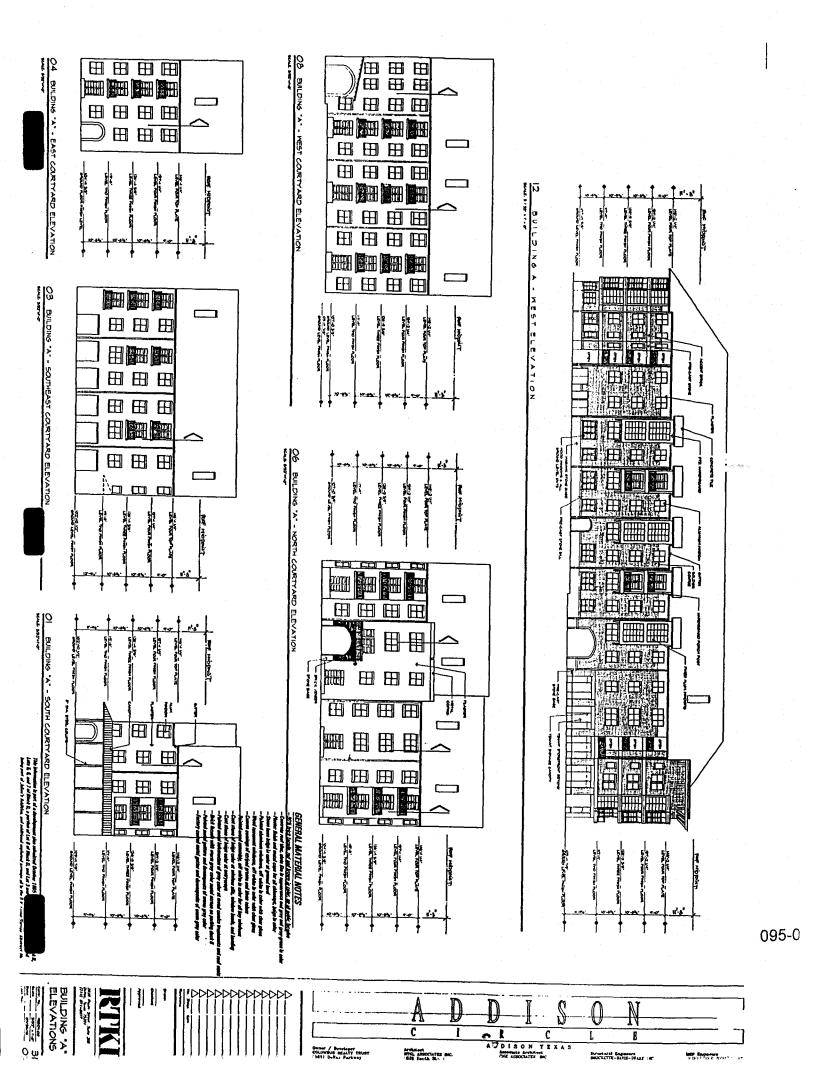
PLAN - Quorum Drive Streetscape

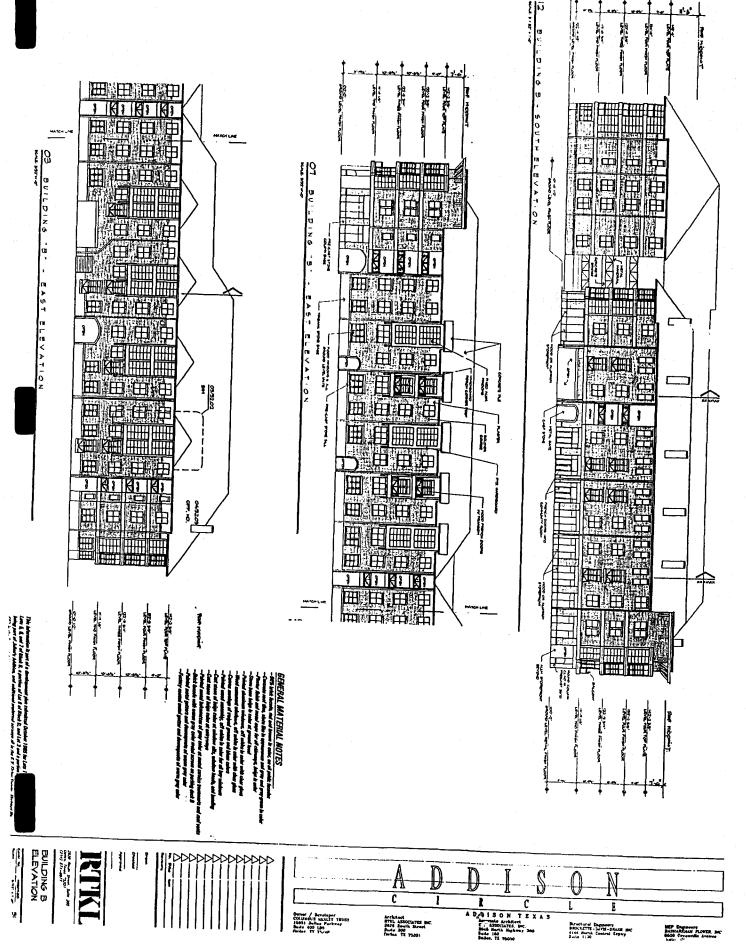
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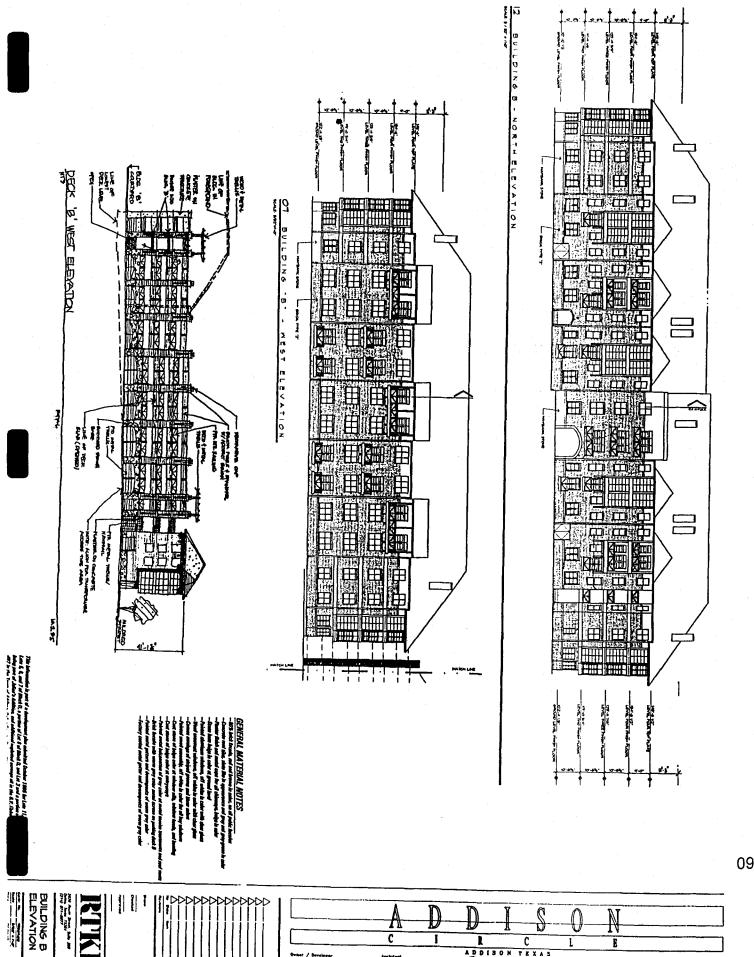
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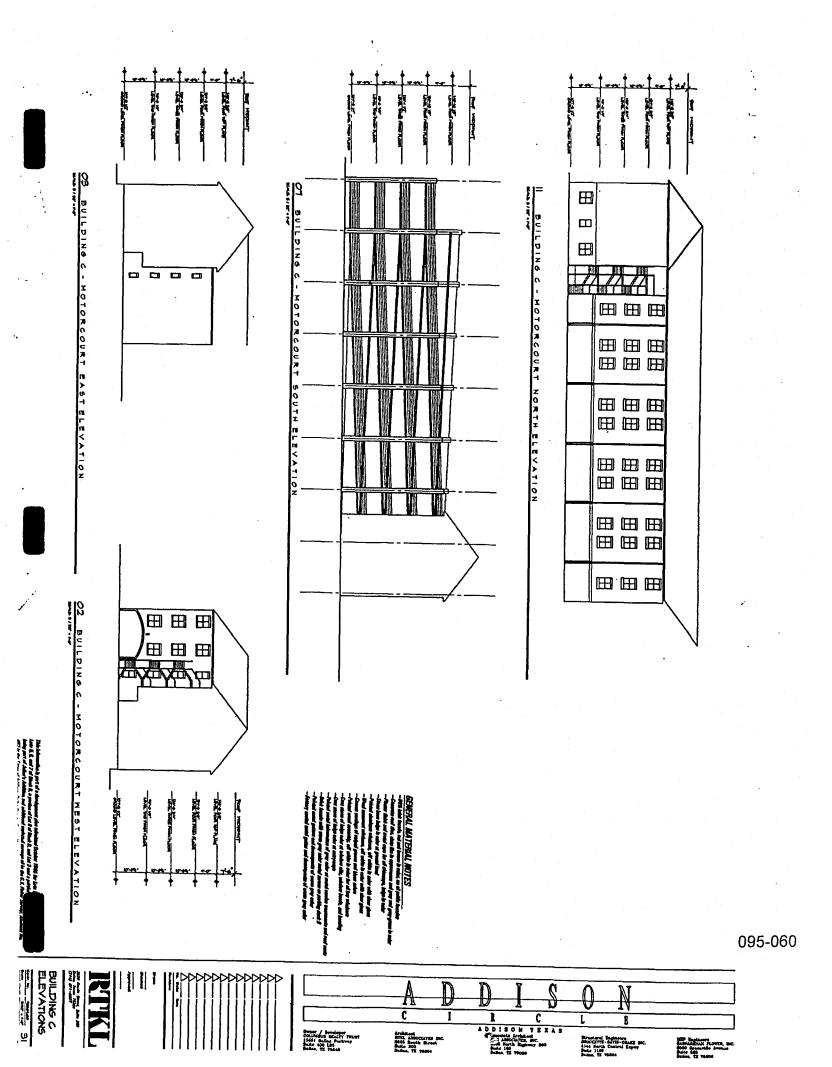


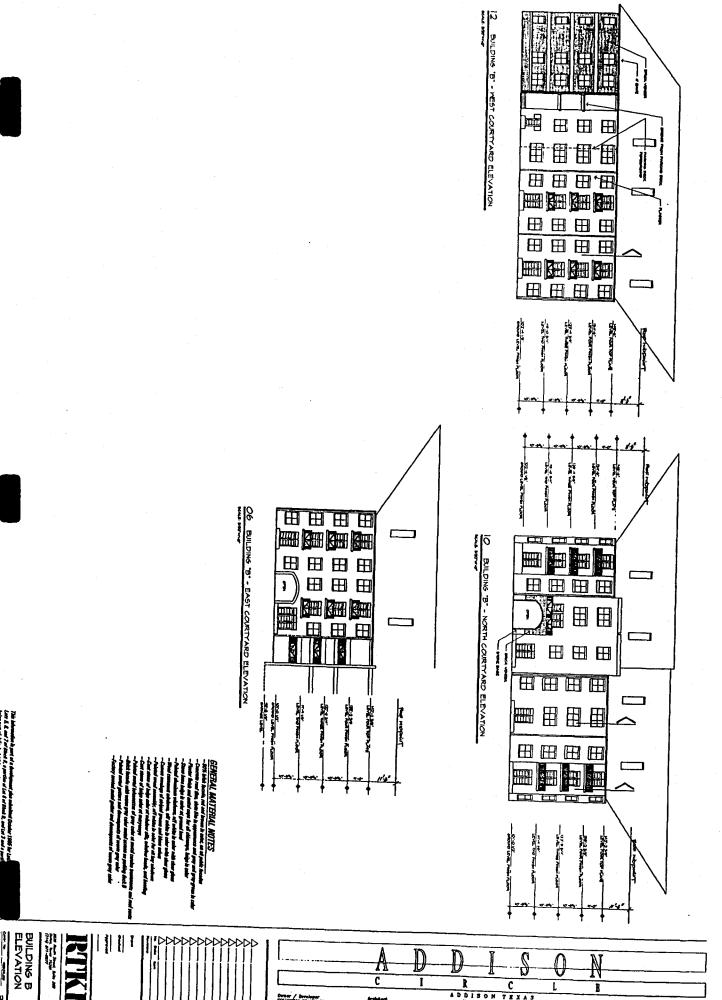


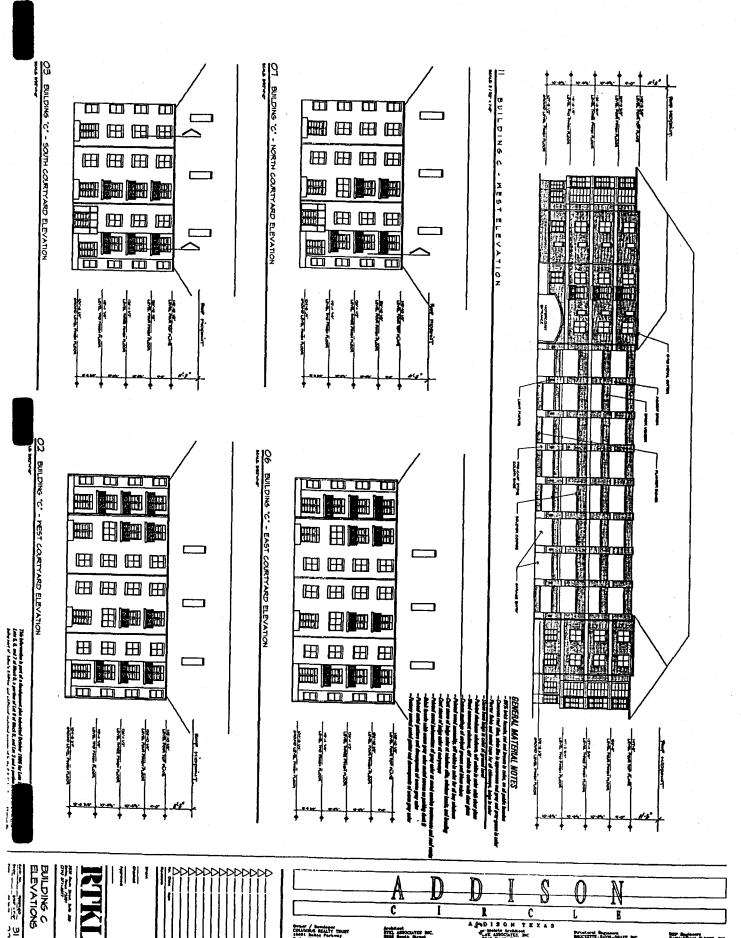


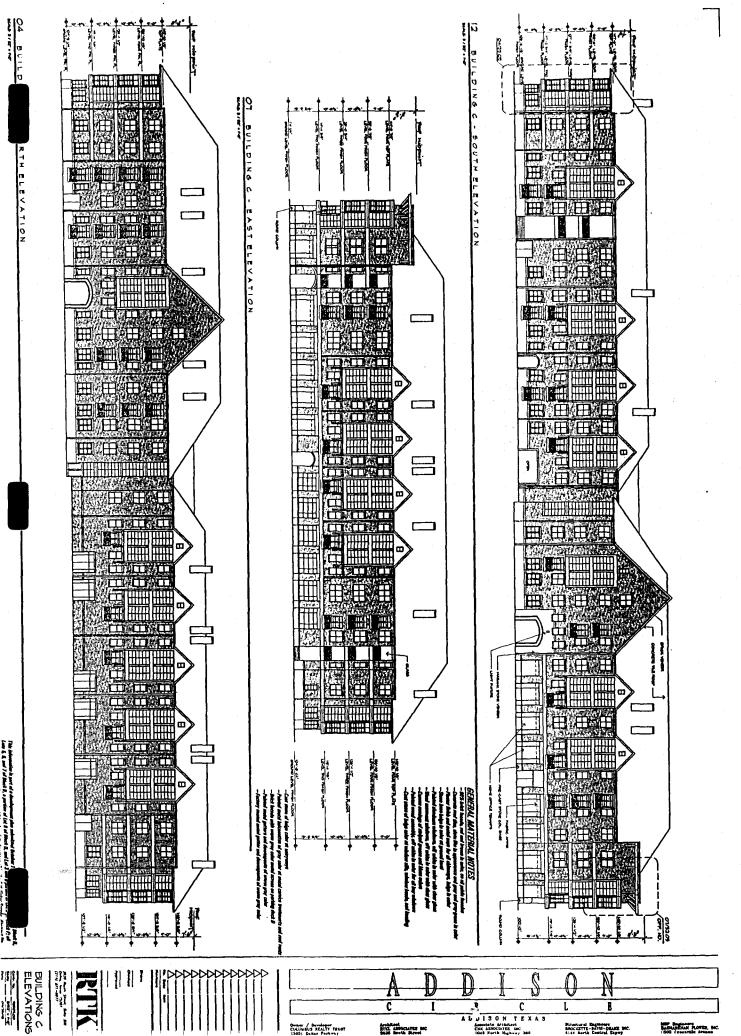


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Americals Accepts
First ASSOCIATES
First Maria Mag.
Build 140
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Architect BTEL ASSOCIATES DIC

Associate Architect ENK ASSOCIATES, INC. 1046 Forth Highway 360

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BASHARDIAN FLORER, SI

Structural Engineers BACCETTE-BAVIS-DRANE MC. 6144 North Control Expery

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