

ORDINANCE NO. 096-006

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT ORDINANCE 095-054 SO AS TO AMEND THE LEGAL DESCRIPTION AND INCLUDE ADDITIONAL CONDITIONS FOR APPROVAL, 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 REVISED DEVELOPMENT PLANS, PROVIDING FOR ADDITIONAL 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 Section 1 of Ordinance 095-054 shall be amended to read as follows:

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 Plaza Parkway, a distance of 740.48 feet to the POINT OF BEGINNING and CONTAINING 12.40 acres of land 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.

LOT 3

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 of Bent Tree Plaza Parkway with the easterly right-of-way 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 33°06'33". a radius of 460.00 fete, and a tangent of 136.73 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 265.82 feet, said point also being the beginning of a reverse curve to the right having a central angle of 32°54'17", a radius of 540.00 feet, and a tangent of 159.47 feet;

THENCE, along said curve to the right and along the south right-of-way lie of said Bent Tree Plaza Parkway, a distance of 310.12 feet;

THENCE, N 89°59'00" W, along the south right-of-way line of said Bent Tree Plaza Parkway, a distance of 72.23 feet;

THENCE, S 00°01'00" W, leaving the south right-of-way line of Bent Tree Plaza Parkway, a distance of 467.52 feet;

THENCE, N 89°59'00" W, a distance of 494.89 feet;

THENCE, N 00°01'00" E, a distance of 467.55 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 494.87 feet to the POINT OF BEGINNING and CONTAINING 5.31 acres of land.

SECTION 2. That Section 3 of Ordinance 095-054 shall be amended to read as follows:

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

SECTION 3. That Section 4 of Ordinance 095-043 shall be amended to read as follows:

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 final landscaping plan, which accurately indicates grading and stormwater detention areas, must be submitted for approval prior to the issuance of a building permit for the warehouse building.

-A 5-foot sidewalk shall be installed along Bent Tree Plaza Parkway for the entire length of the site.

-Stormwater detention shall be provided on the site.

-A Final Plat, which meets the requirements of the subdivision ordinance, shall be submitted and approved prior to the issuance of a building permit for the warehouse building.

SECTION 4. 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 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged

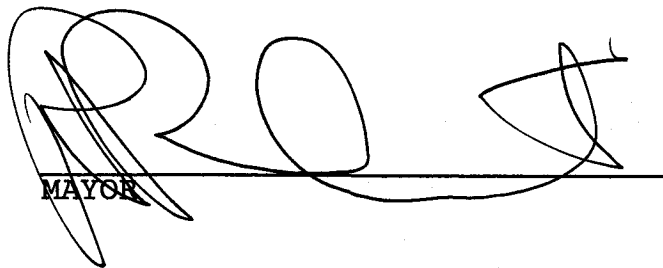
OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 096-006

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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 13th day of February, 1996.

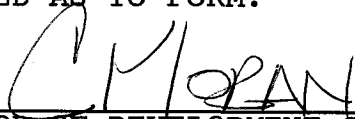

MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1247-Z

APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

Published
3/21/96

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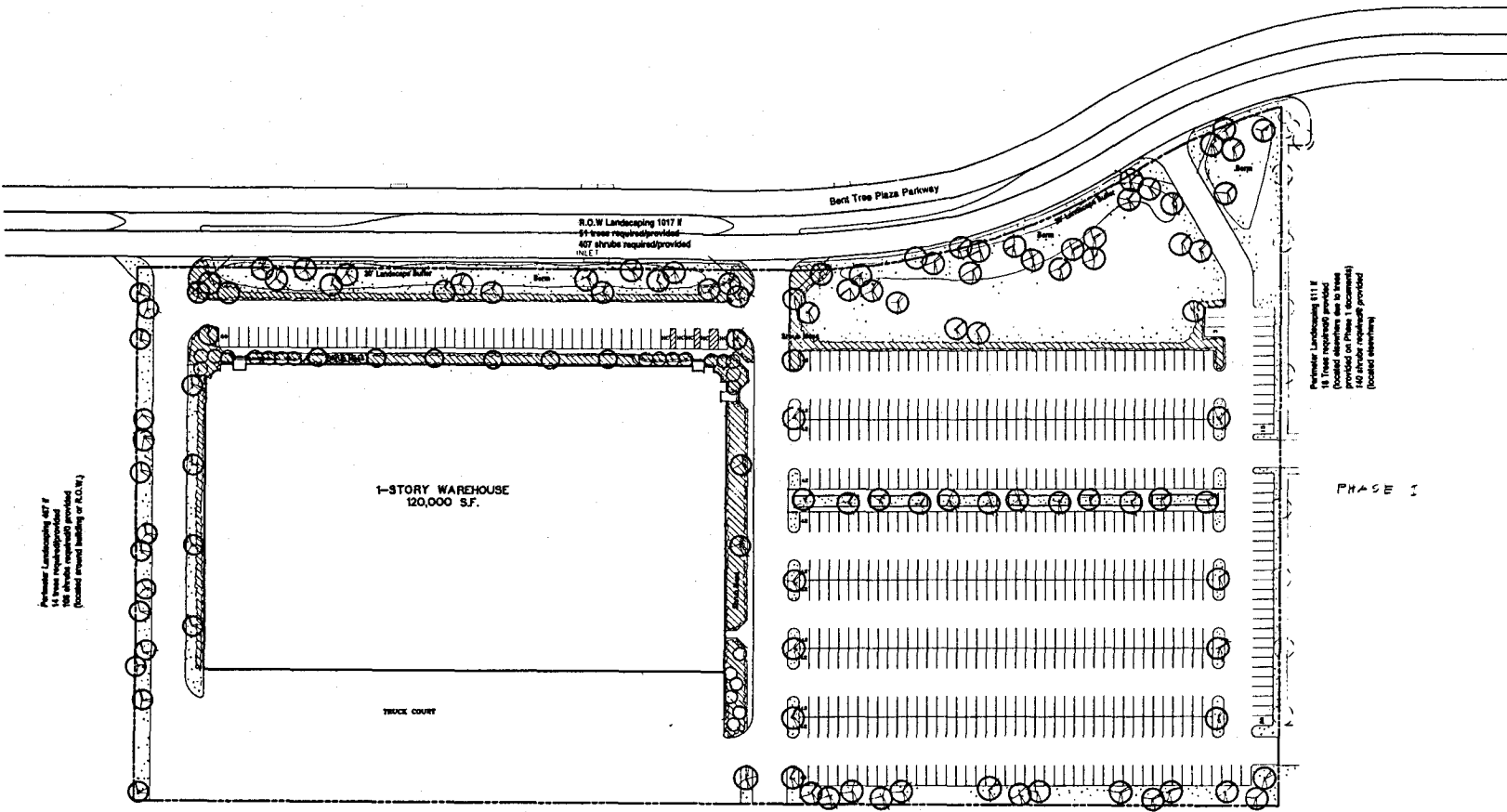


**Excel
Telecommunications, Inc**
Service Center
Addison, Texas

Landscape
Improvements

Wilcox Realty Group

**Places
Design
Inc.**
Landscape Architecture - Site Planning
8550 N. Central Expressway, Suite 112
Dallas, Texas 75231 214.750.1415



Perimeter Landscaping 467 #
51 trees required/17 provided
186 shrubs required/100 provided
(located around building or R.O.W.)

R.O.W Landscaping 1017 #
51 trees required/17 provided
467 shrubs required/100 provided
(R.O.W.)

1-STORY WAREHOUSE
120,000 S.F.

TRUCK COURT

Perimeter Landscaping 111 #
18 trees required/17 provided
106 shrubs required/100 provided
142 shrubs required/100 provided
(located elsewhere)

PHASE I

Perimeter Landscaping 961 #
26 trees required/17 provided
(remaining 12 are located elsewhere)
227 shrubs required/100 provided
(located around building or R.O.W.)

**Phase 2
Mandatory Requirements**

| Required | Provided |
|--|--|
| 1. 20% landscape area | yes |
| 2. 20' r.o.w landscape buffer | yes (see notes on plan) |
| 1 tree/8 shrubs for every 20 ft r.o.w. | yes |
| 3. min. tree planting areas 80 sq ft | yes |
| 6' wide | |
| 4. screen off street loading | 8' fence |
| 5. parking lot screening along r.o.w. | broad low berm/with shrubs |
| 6. parking lot perimeter | yes (see notes on plan) |
| 7. 10% of parking lot area req. to be landscape area | no (opted for large open space along Bert Tree R.O.W.) |
| 8. 13 trees interior to parking lot req. | 26 canopy trees provided + ornamentals |
| 9. 52' max. between parking stall and tree | no (opted for large open space in lieu of islands) |
| 10. irrigation | yes |

General Notes
 •Plant material spacing and positioning requirements along R.O.W.s will be met
 •The intent of the R.O.W parking lot screening requirements are met with a combination of berms and mass shrub planting
 •The intent of the parking lot perimeter requirements is met locating some required trees and shrubs elsewhere on site
 •The intent of the interior parking lot requirement is met creating large area on Bert Tree in lieu of chopping up parking lot with small islands
 •An automatic underground irrigation system will be designed by licensed Texas irrigator and installed in all landscape areas
 •Quantities are approximate
 •This is a conceptual document for zoning only, not for construction or cost estimation.

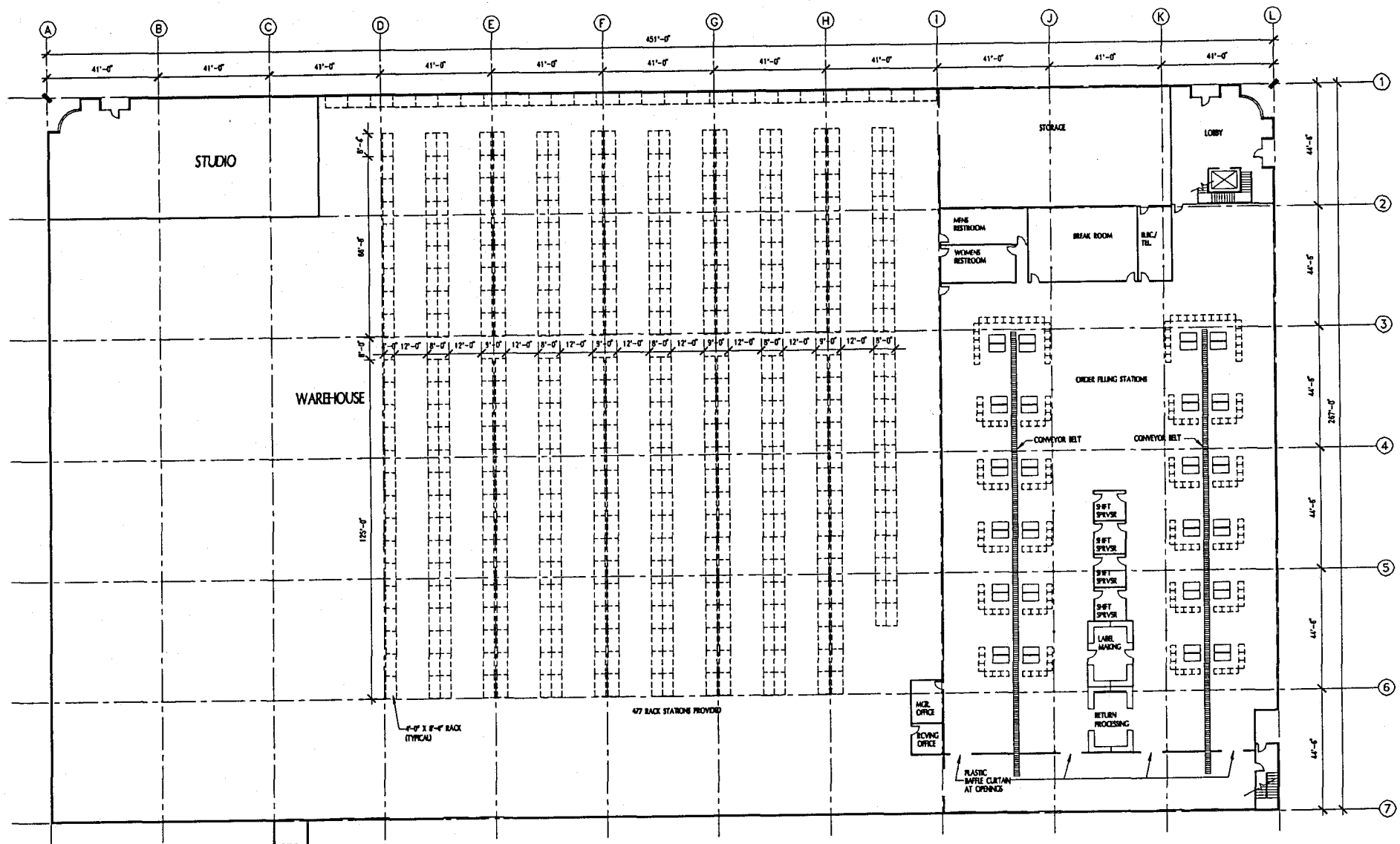
Date: January 15, 1998
 Drawn By:
 Issued: January 15, 1998

Revisions:

Scale: 1" = 50'

Sheet Title: Landscape Plan - Zoning

Sheet #: 1 of 1

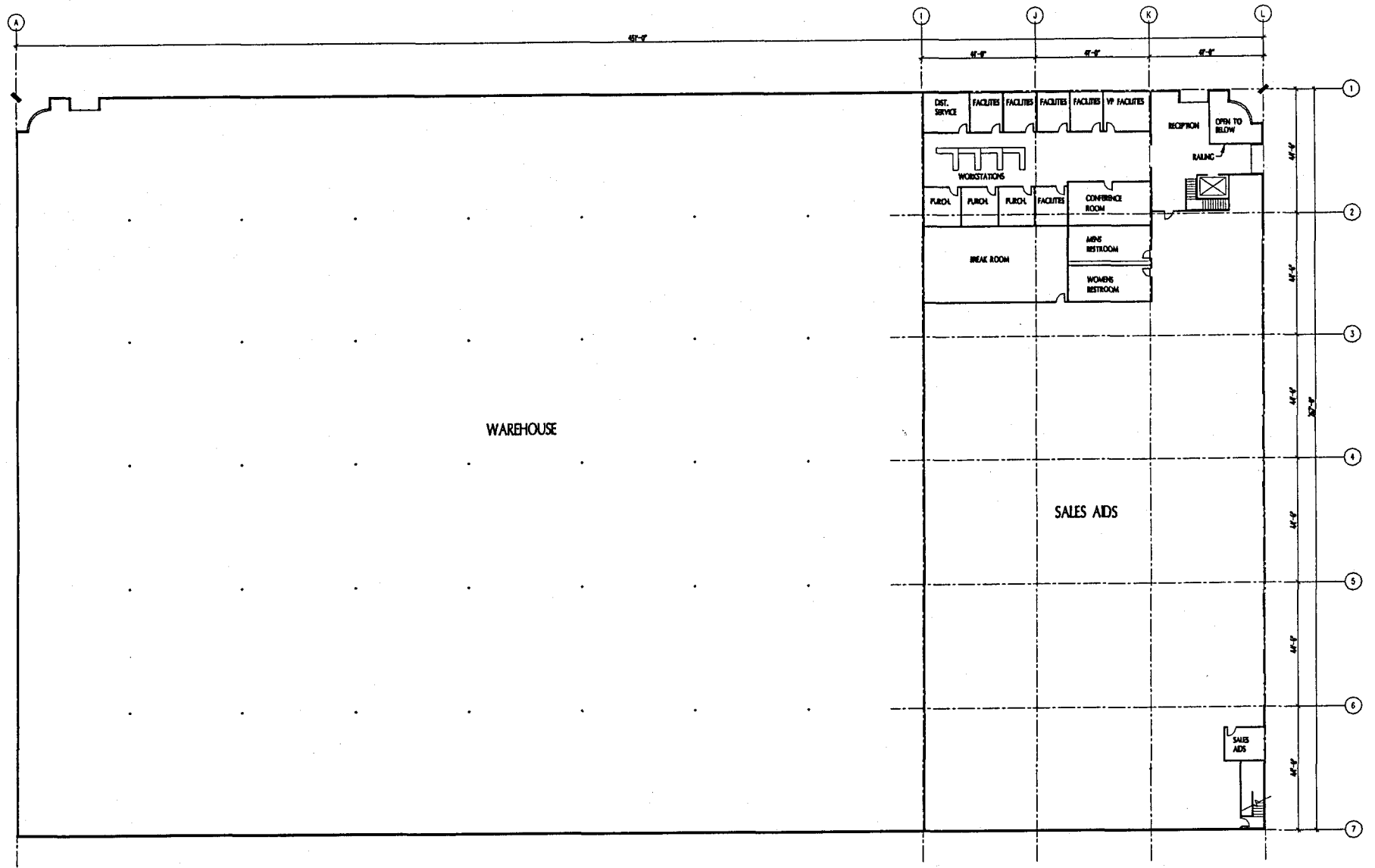


GROUND FLOOR PLAN

1/16" = 1'-0"

120,417 SF

EXCEL TELECOMMUNICATIONS, INC. WAREHOUSE

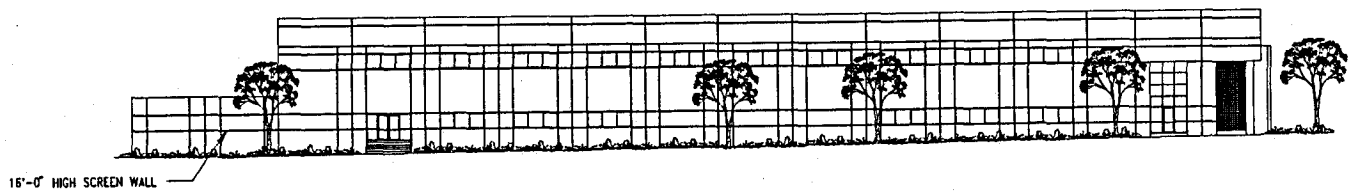


SECOND FLOOR PLAN
1/8" = 1'-0"

32,841 SF

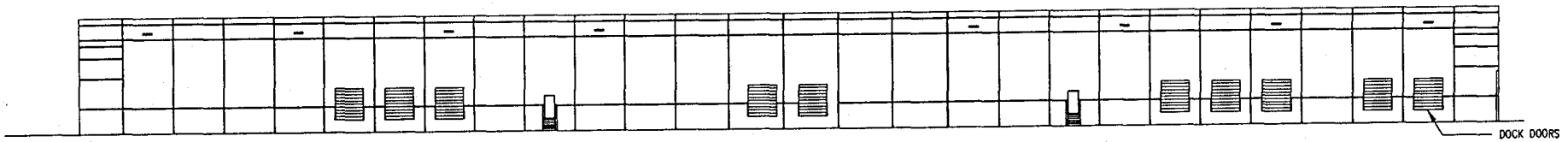
EXCEL TELECOMMUNICATIONS, INC. WAREHOUSE

| | | | | | |
|----------------|-----------------------------------|---------------|------------------|--------------|--|
| Addison, | | Texas | | 9 5 2 4 | |
| WSI ARCHITECTS | ARCHITECTS □ PLANNERS □ INTERIORS | DALLAS, TEXAS | (214) 458 - 9999 | 12 JAN. 1996 | |



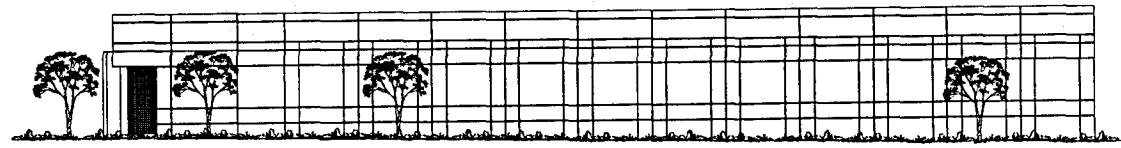
EAST ELEVATION

SCALE 1" = 16'- 0"



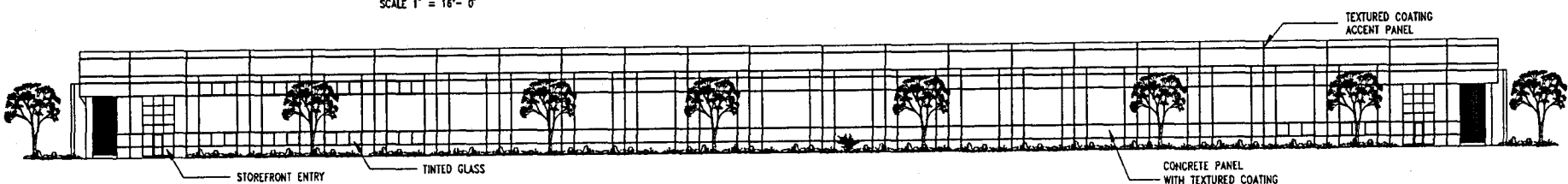
SOUTH ELEVATION

SCALE 1" = 16'- 0"



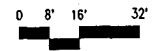
WEST ELEVATION

SCALE 1" = 16'- 0"



NORTH ELEVATION - BENT TREE PLAZA PARKWAY

SCALE 1" = 16'- 0"



EXCEL TELECOMMUNICATIONS, INC. WAREHOUSE

Addison,

Texas

9 5 2 4

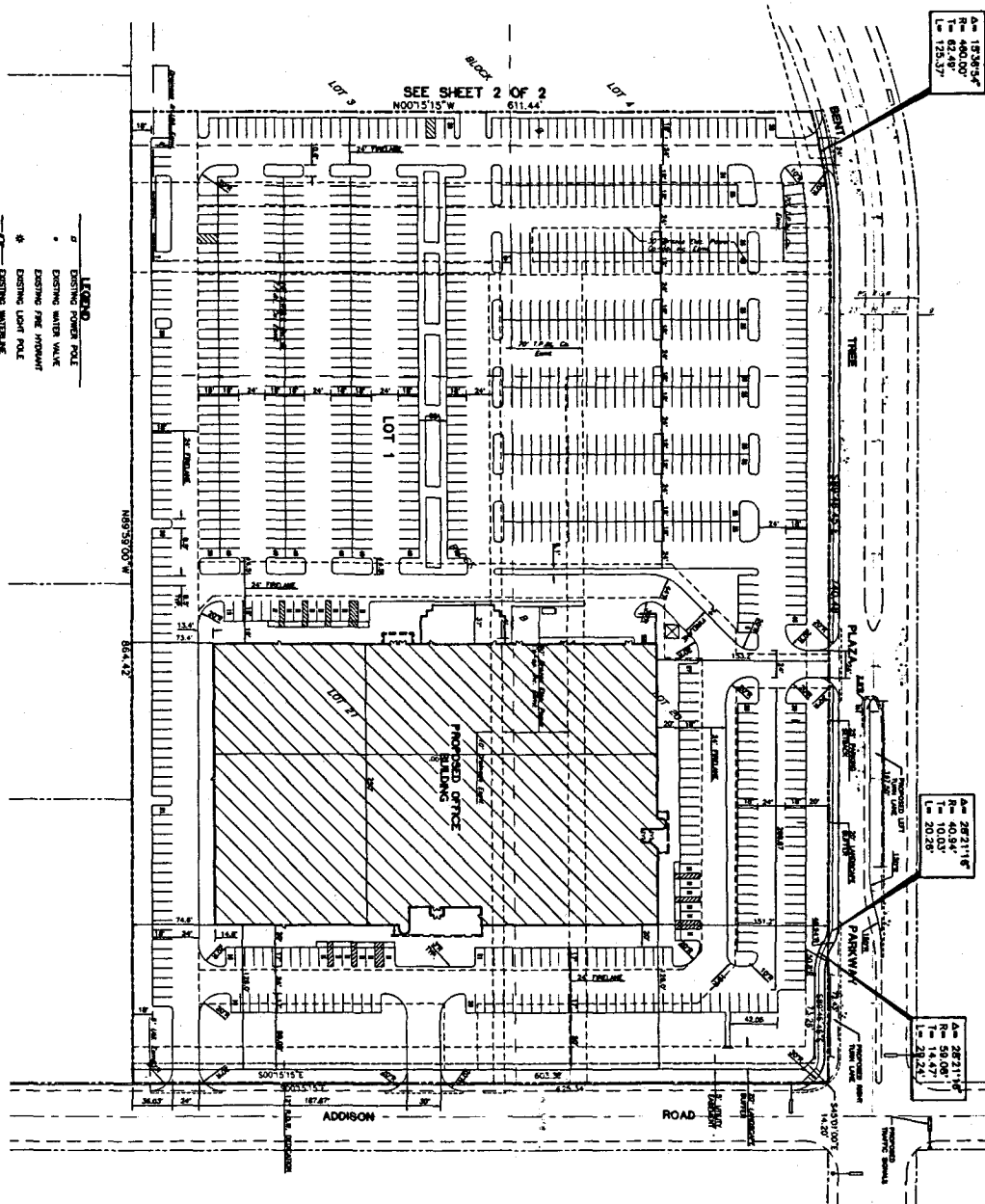
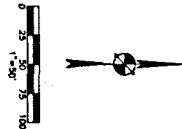
WSI ARCHITECTS

ARCHITECTS □ PLANNERS □ INTERIORS

DALLAS, TEXAS

(214) 458 - 9999

11 JAN 96



SEE SHEET 2 OF 2
N00°15'15"W 611.44'

Area 12826.94'
Per 44.83'
Per 62.48'
Per 125.37'

Area 28211.16'
Per 40.34'
Per 10.03'
Per 20.28'

Area 28211.16'
Per 59.08'
Per 28.24'

- LEGEND**
- EXISTING POWER POLE
 - EXISTING WATER VALVE
 - EXISTING FIRE HYDRANT
 - EXISTING LIGHT POLE
 - EXISTING WATERLINE
 - EXISTING UNDERGROUND TELEPHONE LINE
 - EXISTING GAS MAIN
 - LOT LINE
 - PROPOSED POWER POLE

NOTE: ALL UNDERGROUND ARE TO FACE OF CURB.

LOT 1 SITE AREA SUMMARY

- NET AREA: 1230 ACRES
- REGULAR PARKING: 862 SPACES
- IRREGULAR PARKING: 1028 SPACES
- TOTAL PARKING: 1890 SPACES
- TOTAL NET AREA: 1230 ACRES

096-006

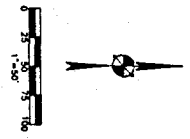
Scale: 1" = 50' Date: 01-08-98
Topic: Drawn by: C.D.R.
Sheet: 02701PBA.02701ESA
File: 02702SHE.DWG
Approved by: D.L.V.
Project No.: 3027-01

**EXCEL TELECOMMUNICATIONS SERVICE CENTER
A DEVELOPMENT OF
WILCOX/CMC ADDISON, INC.**

SITE PLAN

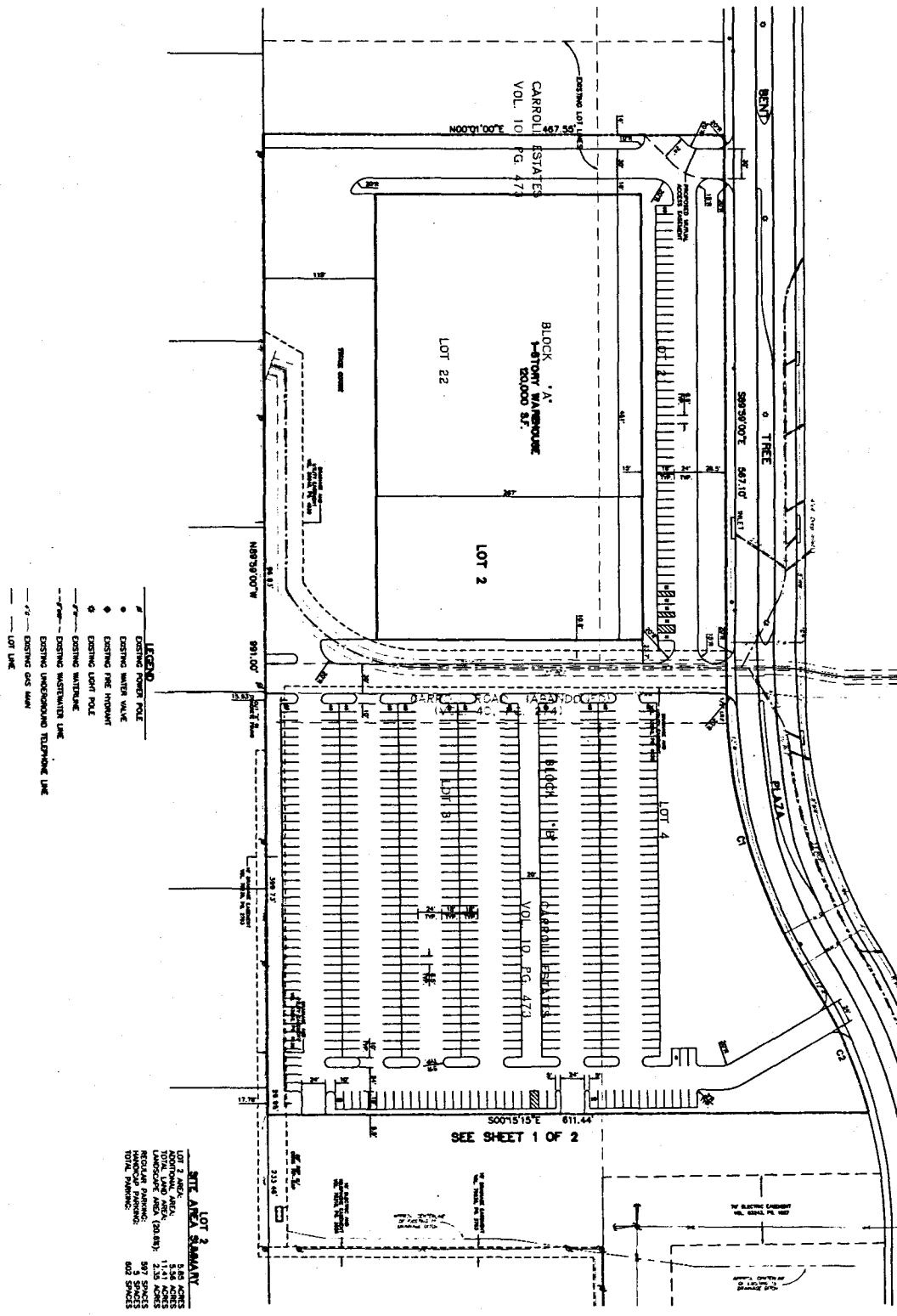
1
2

Bury + Pittman
Consulting Engineers and Surveyors
Dallas, Texas Tel 214/969-0861 Fax 214/969-0858
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CURVE TABLE

| Stationing | Radius | Chord Length | Chord Bearing |
|------------|--------|--------------|---------------|
| 17+29.58 | 450.00 | 140.43 | N45°37'27" |
| 21+29.58 | 450.00 | 140.43 | N45°37'27" |



- LEGEND**
- Existing FENCE POLE
 - Existing WATER VALVE
 - Existing FIRE HYDRANT
 - Existing LIGHT POLE
 - Existing ENTRANCE
 - Existing WATER MAIN LINE
 - Existing TELEPHONE LINE
 - Existing GAS MAIN
 - LOT LINE

LOT 2 SUMMARY

| | |
|--------------------------|--------|
| LOT 2 AREA (SQ. FT.) | 1,141 |
| TOTAL LOT AREA (SQ. FT.) | 11,411 |
| PERCENTAGE (SQ. FT.) | 9.99 |
| PERCENTAGE (%) | 90.01 |
| TOTAL PERCENTAGE (%) | 100.00 |

500°15'15"E 611.44'
SEE SHEET 1 OF 2

096-006

| | |
|----------------------------|----------------|
| Scale: 1" = 50' | Date: 01/10/96 |
| Drawn by: A.B.C. | |
| Proj. No: 02702BA, 02702PB | |
| File: 02702BA.DWG | |
| Approved by: D.L.V. | |
| Project No: 3027-02 | |

**EXCEL TELECOMMUNICATIONS, INC.
SERVICE CENTER**
A DEVELOPMENT OF
WILCOX REALTY GROUP

SITE PLAN

Bury+Pittman
Consulting Engineers and Surveyors
Dallas, Texas Tel 214/961-0011 Fax 214/961-0070
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2 OF 2 SHEET