

ORDINANCE NO. 097-033

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR A SELF-SERVICE STORAGE FACILITY, ON APPLICATION WITH COLUMBUS REALTY TRUST, LOCATED AT PHASE II OF THE ADDISON CIRCLE PROJECT, ON THE NORTH SIDE OF THE DART-OWNED RAILWAY LINE, BETWEEN QUORUM DRIVE AND THE PROPOSED SPECTRUM DRIVE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to a self-service storage facility. Said zoning amendment shall be noted on the official

zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, in Town of Addison, Dallas County, Texas, and being a portion of two tracts of land deeded to OPUBCO Properties, Inc. as evidenced by two instruments recorded in Volume 82020, Page 0864 and Volume 84151, Page 3619 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found with "Huitt-Zollars" cap at the intersection of the north right-of-way line of the Dallas Area Rapid Transit Property Acquisition Corporation, (formerly St. Louis Southwestern Railroad) a 100 foot wide right-of-way, as evidenced by instrument recorded in Volume 91008, page 1390 of the Deed Records of Dallas County, Texas, with east right-of-way line of Quorum Drive as established by instrument to the Town of Addison, Texas as recorded in Volume 82093, page 1077 of the Deed Records of Dallas County, Texas;

THENCE, North 00 degrees 08 minutes 00 seconds East along the east right-of-way line of Quorum Drive a distance of 96.69 feet to a one-half inch iron rod found with "Huitt-Zollars" cap at the beginning of a curve to the right having a radius of 1,392.39 feet;

THENCE, continuing along said east right-of-way line of Quorum Drive and along said curve to the right through a central angle of 06 degrees 52 minutes 23 seconds, an arc distance of 167.03 feet, being subtended by a chord which bears North 03 degrees 34 minutes 12 seconds East, and is 166.93 feet in length to a one-half inch iron rod found with "Huitt-Zollars" cap;

THENCE, North 07 degrees 00 minutes 23 seconds East continuing along the east right-of-way line of Quorum Drive a distance of 143.16 feet to a one-half inch iron rod found with "Huitt-Zollars" cap at the beginning of a non-tangent curve to the left having a radius of 130.00 feet;

THENCE, departing said east right-of-way line of Quorum Drive and along said curve to the left through a central angle of 144 degrees 58 minutes 13 seconds, an arc distance of 328.93 feet, being subtended by a chord which bears North 06 degrees 36 minutes 04 seconds East, and is 247.95 feet in length to a one-half inch iron rod found with "Huitt-Zollars" cap on said east right-of-way line of Quorum Drive, said point being the beginning of a non-tangent curve to the left having a radius of 1,472.39 feet;

THENCE, continuing along said east right-of-way line of Quorum Drive and along said curve to the left through a central angle of 03 degrees 17 minutes 22 seconds, an arc distance of 84.53 feet, being subtended by a chord which bears North 02 degrees 33 minutes 54 seconds East and is 84.52 feet in length to a one-half inch iron rod found with "Huitt-Zollars" cap for the point of tangency of said curve;

THENCE, North 00 degrees 55 minutes 13 seconds East continuing along the east right-of-way line of Quorum Drive a distance of 339.66 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 89 degrees 04 minutes 47 seconds East departing said east right-of-way line of Quorum Drive a distance of 13.00 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 00 degrees 55 minutes 13 seconds West a distance of 34.50 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 89 degrees 04 minutes 47 seconds East a distance of 496.03 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, North 00 degrees 55 minutes 13 seconds East a distance of 21.00 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 89 degrees 04 minutes 47 seconds East a distance of 69.00 feet to a one-half inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 00 degrees 55 minutes 13 seconds West a distance of 218.98 feet to a one-half inch rod set for the beginning of a curve to the right having a radius of 101.50 feet;

THENCE, along said curve to the right through a central angle of 57 degrees 31 minutes 26 seconds, an arc distance of 101.90 feet, being subtended by a chord which bears South 78 degrees 15 minutes 18 seconds East and is 97.68 feet in length to a one-half inch iron rod set with "Huitt-Zollars" cap;

THENCE, North 72 degrees 58 minutes 59 seconds East a distance of 400.69 feet to a one-half inch iron rod set with "Huitt-Zollars" cap on the east line of said OPUBCO recorded in Volume 82020, Page 0684 and the west right-of-way line of Dallas North Tollway;

THENCE, South 00 degrees 29 minutes 00 seconds East continuing along the east line of said OPUBCO tract and the west right-of-way line of Dallas North Tollway a distance of 187.22 feet to a one-half inch iron rod found at the

southeast corner of the OPUBCO tract as recorded in Volume 82020, page 0684, said corner also being the northeast corner of the OPUBCO tract as recorded in Volume 84151, page 3619;

THENCE, South 89 degrees 59 minutes 39 seconds East continuing along the west right-of-way line of Dallas North Tollway and along the north line of the last mentioned OPUBCO tract a distance of 48.08 feet to a one-half inch iron rod set with "Huitt-Zollars" cap at the northeast corner of said OPUBCO tract, said corner being the beginning of a non-tan-tangent curve to the left having a radius of 2,964.79 feet;

THENCE, continuing along the east line of said OPUBCO tract and the west right-of-way line of Dallas North Tollway and along said curve to the left through a central angle of 01 degrees 54 minutes 29 seconds, an arc distance of 98.74 feet and being subtended by a chord bearing South 12 degrees 05 minutes 47 seconds East a distance of 98.73 feet to a one-half inch iron rod found with "Huitt-Zollars" cap;

THENCE, South 13 degrees 03 minutes 02 seconds East continuing along the east line of the OPUBCO tract and along the west right-of-way line of Dallas North Tollway a distance of 118.29 feet to the northwesterly right-of-way line of said Dallas Area Rapid Transit Tract;

THENCE, South 66 degrees 45 minutes 01 seconds West along the northwesterly right-of-way line of Dallas Area Rapid Transit tract a distance of 1,411.55 feet to the POINT OF BEGINNING and CONTAINING 18.694 acres of land, more or less.

SECTION 2. The Special Use Permit for the self service storage facility is approved subject to the following special conditions:

-The facility shall have the following regulations for operation:

- A. Self-storage facilities shall be limited to dead storage only.
- B. No activities other than rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises.
- C. Examples of activities prohibited in this facility include but are not limited to the following:
 1. Auctions, miscellaneous sales, garage sales, commercial wholesale or retail sales, provided however,; that retail sales from the facility office of locks, packing materials, boxes, tape and other related storage items are permitted hereunder. An auction of abandoned goods from a rental unit, which is held by the operator of the facility, is exempted.

2. The servicing, repair, fabrication of motor vehicles, boats, trailers, recreational vehicles, lawn mowers, appliances, or other similar equipment.
3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
4. The establishment of a transfer and storage business.
5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.

-There shall be no access to the balcony shown on the fourth floor of the north facade.

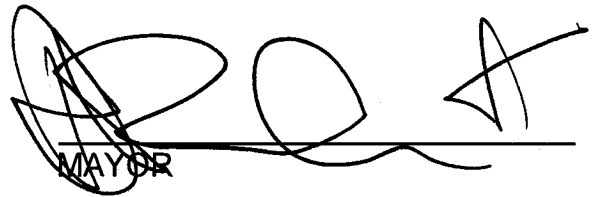
-The applicant shall consider lighting the glass block panels (from the interior) on the south facade.

SECTION 3. 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 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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 12th day of August, 1998. *ca*



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1301-Z/SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

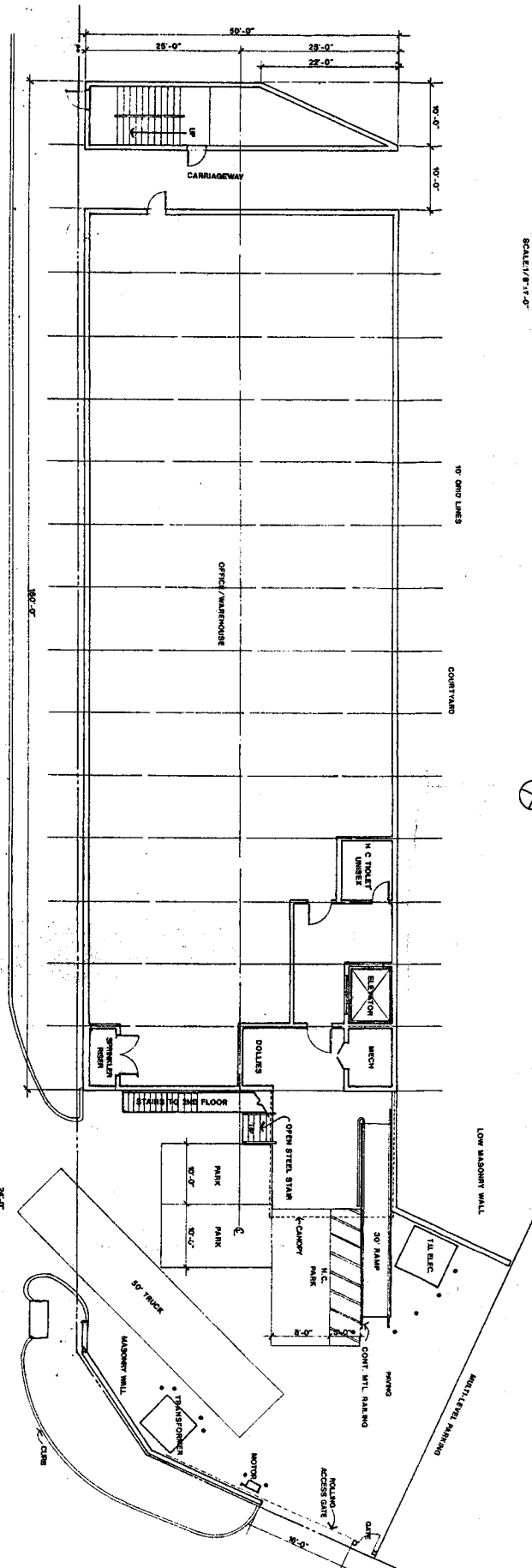
PUBLISHED ON: 6/12/98

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6/12/98

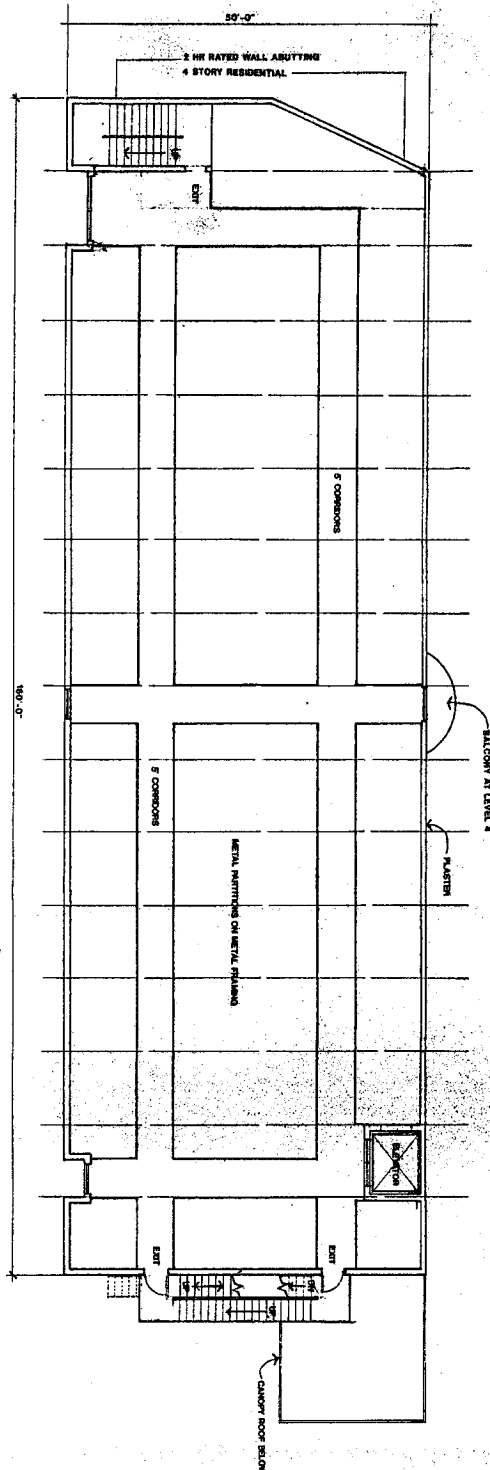


FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

TO BE DONE
SELF-ADMINISTERED
NON-COMMERCIAL CONSTRUCTION



SECOND, THIRD, AND FOURTH FLOOR PLANS
SCALE: 1/8" = 1'-0"

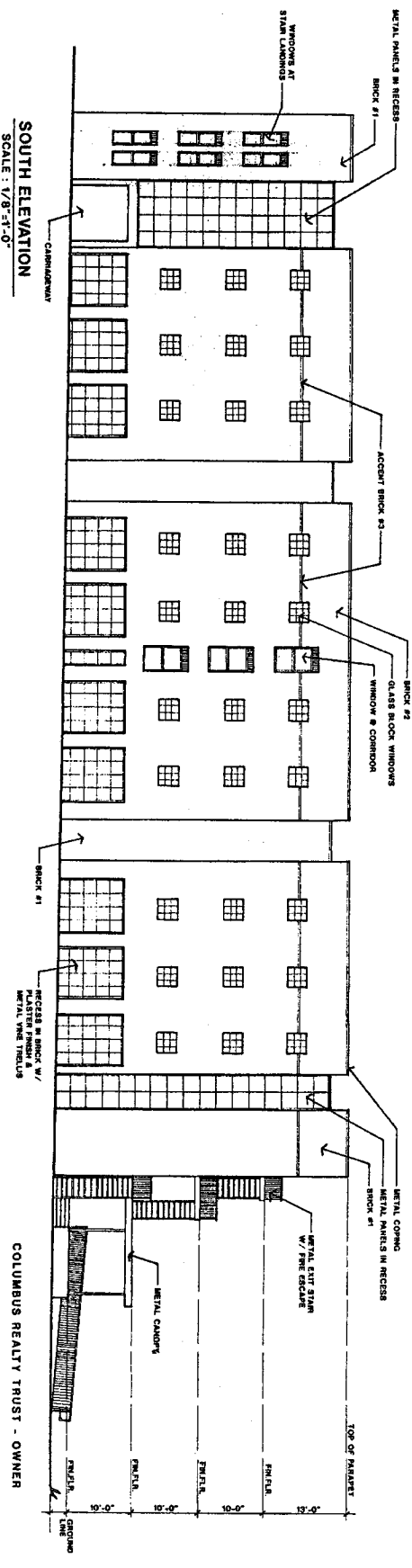
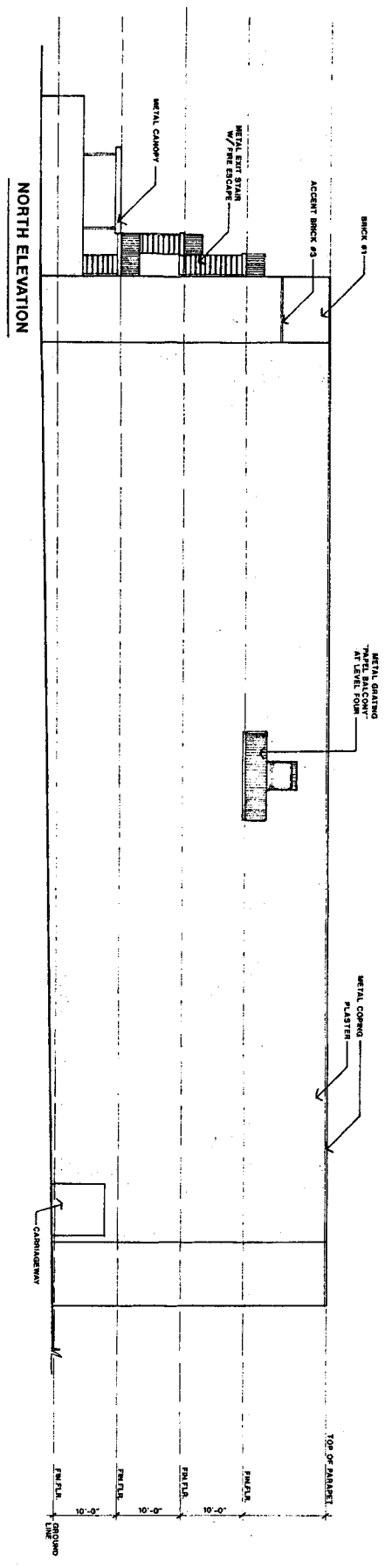
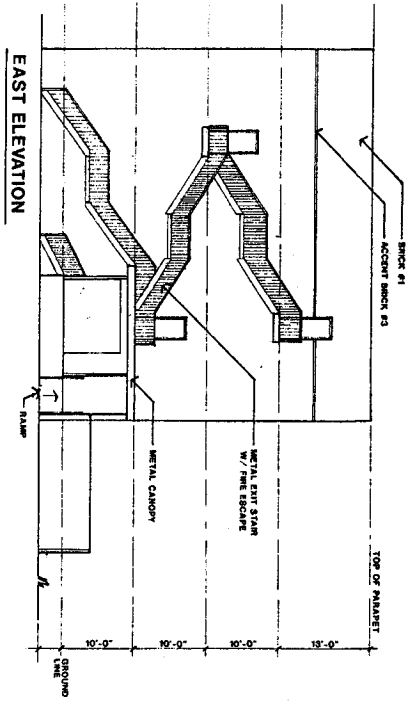


#9.3

OFFICE OF THE CITY ENGINEER
PREPARED FOR: BERRY CIRCLE SELF STORAGE BUILDING
 ADDISON, TEXAS

JOSEPH ARCHITECT INC. P.A.
 ORDINANCE NO. 097-038
 6958 ROYAL LANE
 DALLAS, TEXAS 75230 (214) 399 8624

DATE	1/17/97
JOB #	097
SHIT	01



SOUTH ELEVATION
SCALE: 1/8"=1'-0"

EAST ELEVATION

NORTH ELEVATION

SHEET TITLE OFFICE OF THE CITY SECRETARY	CIRCLE SELF STORAGE BUILDING ADDISON, TEXAS	JOSEPH R. FINANCE NO. 097-033 ARCHITECT, INC. AIA	6958 ROYAL LANE DALLAS, TEXAS 75230 (214) 399 8024
JOB # 097	9HT of		