

**ORDINANCE NO. 099- 049**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING A FINAL DEVELOPMENT PLAN FOR A MULTI-FAMILY RESIDENTIAL PROJECT, ON APPLICATION FROM AMICUS PARTNERS, LIMITED, LOCATED ON 1.39 ACRES AT THE NORTHEAST CORNER OF ADDISON CIRCLE AND SPECTRUM DRIVE, 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:

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 approve development plans for the hereinafter described. Said property being in the Town of Addison, Texas, and being described as follows:

WHEREAS, Amicus Partners, Ltd., a Texas limited partnership is the owner of a tract of land situated in the G.W. FISHER SURVEY, Abstract No. 482, in the Town of Addison, Dallas County, Texas, as described in Special Warranty Deed to Amicus Partners, Ltd. as recorded in Volume 99195, Page 07791 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a cut "X" found in pavement at the intersection of the west right-of-way of Dallas Parkway (variable width) as evidenced by instrument to Gaylord Properties, L.P. (described as Tract 5) as recorded in Volume 97211, Page 01264 of the Deed records of Dallas County, Texas with the northwesterly right-of-way line of Addison Circle (109 foot wide right-of-way at this point) as evidenced by plat of Addison Circle Phase I an addition t the Tow of Addison, Texas as recorded in Volume 97217, Page 3056 of the Deed Records of Dallas County, Texas;

THENCE, South 72 degrees 58 minutes 59 seconds West along the northerly right-of-way line of Addison Circle a distance of 179.69 feet to a five-eighths inch iron rod found with "Huitt-Zollars" cap for a corner, said point being the beginning of a non-tangent curve to the left having a radius of 101.50 feet;

THENCE, westerly along the northerly right-of-way line of Addison Circle and said curve to the left through a central angle of 57 degrees 31 minutes 26 seconds an arc distance of 101.90 feet and being subtended by a chord bearing North 78 degrees 15 minutes 198 seconds West a distance of 97.68 feet to a five-eighths inch iron rod found with "Huitt-Zollars" cap for the end of said curve;

THENCE, South 72 degrees 58 minutes 59 seconds West along the northerly right-of-way line of Addison Circle a distance of 84.75 feet to a five-eighths inch iron rod found with "Huitt-Zollars" cap for a corner on the east right-of-way line of Spectrum Drive (69 foot wide right-of-way at this point) as evidenced by said plat of Addison Circle Phase II;

THENCE, North 00 degrees 55 minutes 13 seconds East along the east right-of-way lie of Spectrum Drive a distance of 253.20 feet to a five-eighths inch iron rod set with Huitt-Zollars cap for corner;

THENCE, South 89 degrees 04 minutes 47 seconds East departing the east right-of-way line of Spectrum Drive a distance of 104.49 feet to a five-eighths inch iron rod set with "Huitt-Zollars" cap for corner;

THENCE, South 58 degrees 20 minutes 25 seconds East a distance of 261.51 feet to a five-eighths inch iron rod set with Huitt-Zollars cap for corner;

THENCE, South 17 degrees 01 minutes 01 seconds East a distance of 59.32 feet to the POINT OF BEGINNING and CONTAINING 1.388 acres of land, more or less.

Tract II

WHEREAS, Gaylord Properties, L.P. is the owner of a tract of land situated in the G.W. FISHER SURVEY, Abstract No. 482, in the Town of Addison, Dallas County, Texas, and being a portion of two tracts of land described as Tract 3 and 4 in instrument to Gaylord Properties, L.P. as recorded in Volume 97211, Page 01264 of the Deed Records of Dallas County Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with Huitt-Zollars cap at the most northerly northeast corner of Addison Circle Phase II, an addition to the Town of Addison, Texas, said point being on the east right-of-way line of Spectrum Drive (69 foot wide right-of-way as established by said plat) from which a 5/8 inch iron rod found with Huitt-Zollars cap at the intersection of the east right-of-way line of said Spectrum Drive with the northwesterly right-of-way line of Addison Circle (45 foot wide right-of-way at this point) bears South 00 degrees 55 minutes 13 seconds West at a distance of 281.98 feet;

THENCE North 89 degrees 04 minutes 47 seconds West along the north line of said Addison Circle Phase II, crossing said Spectrum Drive, a distance of 69.00 feet to a 5/8 inch iron rod found with Huitt-Zollars cap for a corner on the west right-of-way line of said Spectrum Drive from which a 5/8 inch iron rod found with Huitt-Zollars cap at the intersection of the west right-of-way line of said Spectrum Drive with the north right-of-way line of Morris Avenue (61 foot wide right-of-way) bears South 00 degrees 55 minutes 13 seconds West at a distance of 21.00 feet;

THENCE North 00 degrees 55 minutes 13 seconds East departing said north line of Addison Circle Phase II, a distance of 44.00 feet to a 5/8 inch iron rod set with Huitt-Zollars cap for a corner;

THENCE South 89 degrees 04 minutes 47 seconds East parallel with the said north line of Addison Circle Phase II, a distance of 69.00 feet to a 5/8 inch iron rod set with Huitt-Zollars cap for a corner;

THENCE South 00 degrees 55 minutes 13 seconds West a distance of 44.00 feet to the POINT OF BEGINNING and containing 3,036 square feet or 0.0697 of an acre of land, more or less.

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 shall be approved subject to the following conditions:

- Prior to the issuance of a building permit for this project, a master utilities plan, including electric, gas, sanitary sewer, storm sewer, and water, shall be developed for the area from Spectrum Drive to the Tollway, north of Addison Circle. The plan shall determine the extent of the infrastructure necessary to service this area, including any on-site and/or off-site easements that may be required. Based on this submittal, additional comments may be forthcoming.
- The property shall be platted in accordance with the Town's subdivision ordinance. The plat shall be extended to cover the proposed road extension to the north curb return of the proposed parking garage driveway. The applicant shall, at his cost, construct Spectrum Drive in accordance with the street construction standards for the UC district. The construction shall include all utilities to the north curb return of the parking garage driveway.
- All utility lines shall be extended the entire length of the property so as to be available to adjacent developments to the north and east.
- The project shall comply with all applicable standards contained in the 1997 Uniform Building Code.

SECTION 4. The development plans are hereby approved with the following waivers to the design standards contained in Ordinance 095-019.

- The setback shall be 15 feet for the entire height of the building, which is a waiver from the setback requirement contained in Section 5, Dimensional and Design Standards, Paragraph B, Building Heights, Subsection 1.
- The facades for the building shall be approved as submitted, which is a waiver from the exterior appearance standards contained in Section 5, Dimensional and Design Standards, Paragraph H, Subsection 1, subparagraph (2).

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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, on this the 9th day of November, 1999.




MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 1358-Z

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES  
PUBLISHED ON: 2/18/00

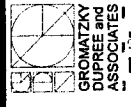
THE ASHTON



**AMICUS PARTNERS LIMITED**  
1001 West Lake Street  
Suite 200  
Chicago, IL 60606  
Tel: (773) 233-0800  
Fax: (773) 233-0801  
www.amicuspartners.com

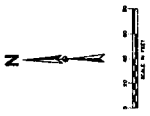
NOTE:  
A SHARED AND SEAL ED BOUNDARY SURVEY WILL BE  
CONDUCTED ON THIS DEVELOPMENT  
ENGINEERING PLANS.

NO.	DATE	ISSUES AND REVISIONS



**GROMATZKY  
DUPREE BIRD  
ASSOCIATES**  
1001 West Lake Street  
Suite 200  
Chicago, IL 60606  
Tel: (773) 233-0800  
Fax: (773) 233-0801  
www.gromatzkydupreebird.com

**ISSUES AND REVISIONS**



FUTURE RESIDENTIAL STREET (R-3)

FUTURE DEVELOPMENT

FUTURE GARAGE

FUTURE OFFICE TOWER

1.388 ACRES

DALLAS PARKWAY (SOUTH BOUND)

ADDITION CIRCLE OFFICE TOWER

20' SHEDDING BUILDING

ADDITION CIRCLE E

TOWN OF ADDISON

FUTURE SPECTRUM DRIVE

SPECTRUM DRIVE

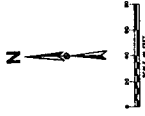
MORRIS AVENUE

ADDITION CIRCLE BUILDING "M"

TOWN OF ADDISON



AMICUS PARTNERS LIMITED
1500 WEST LOOP
HOUSTON, TEXAS 77027
TEL: 713-261-1000
FAX: 713-261-1001
WWW.AMICUSPARTNERS.COM



MOTEL  
AND THE FUTURE OFFICE TOWER

NO.	DATE	ISSUE
1	10/27/99	ISSUES AND REVISIONS

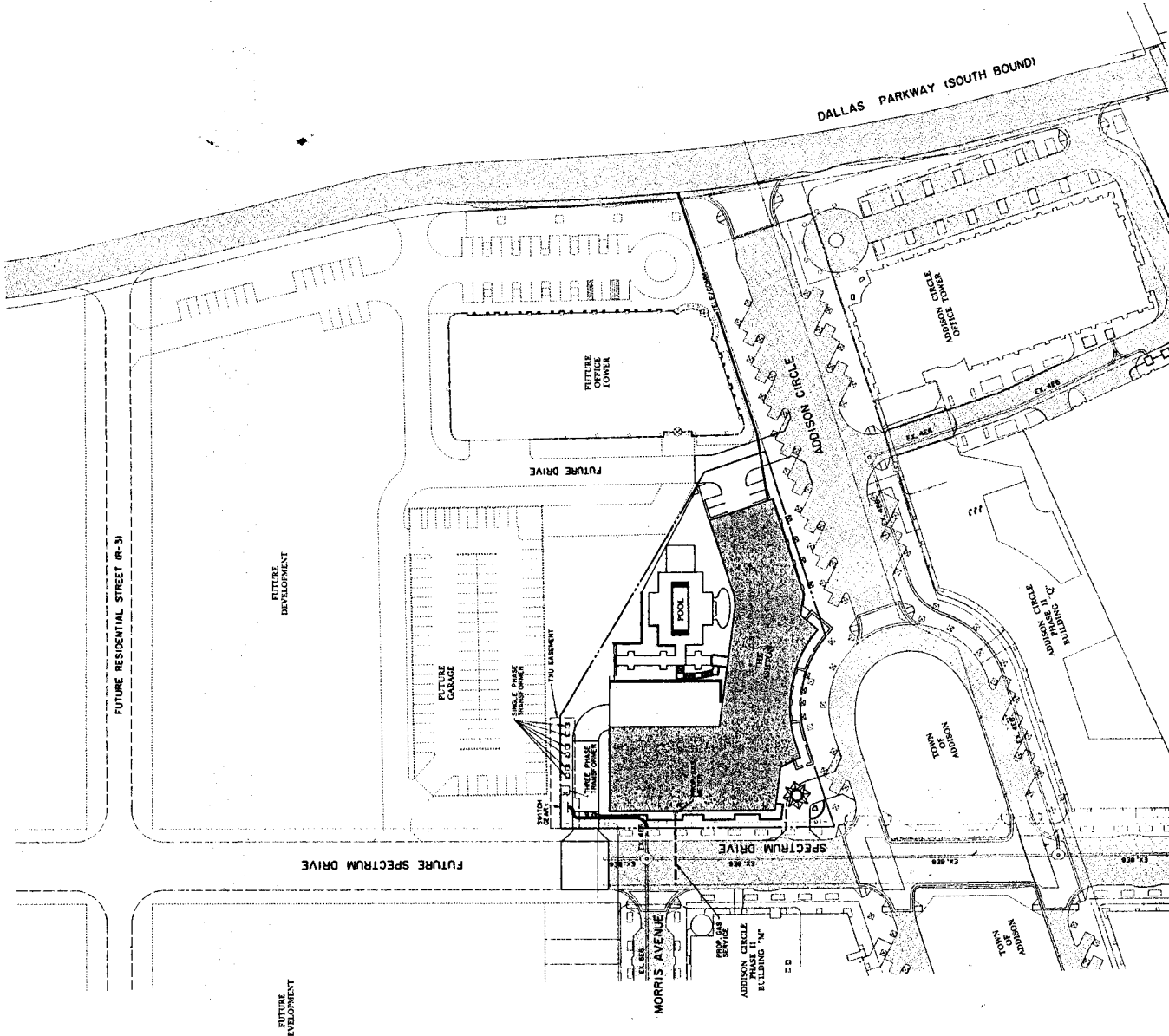


PROJECT: THE ASHTON
FRANCHISE UTILITIES PLAN
FINAL DEVELOPMENT PLAN
DISTRICT: D-3
D-1-2611-02
DATE: SEPTEMBER 27, 1999
BY: BRITT J. ZOLLARS
CHECKED BY: _____
SCALE: AS SHOWN

HUITT-ZOLLARS  
PLANNERS, ENGINEERS, ARCHITECTS  
1000 WEST LOOP NORTH, SUITE 400, HOUSTON, TEXAS 77028  
PH: 713-261-1001 FAX: 713-261-1002  
WWW.HUITT-ZOLLARS.COM

**LEGEND:**

- TEL/COMM PROPOSED TELEPHONE/COMMUNICATION DUCT
- EEB PROPOSED UNDERGROUND ELECTRIC DUCT
- CG PROPOSED GAS LINE BY OTHERS
- EEB/CG EXISTING UNDERGROUND ELECTRIC LINE
- CG EXISTING GAS LINE BY OTHERS
- EXISTING THE MANHOLE







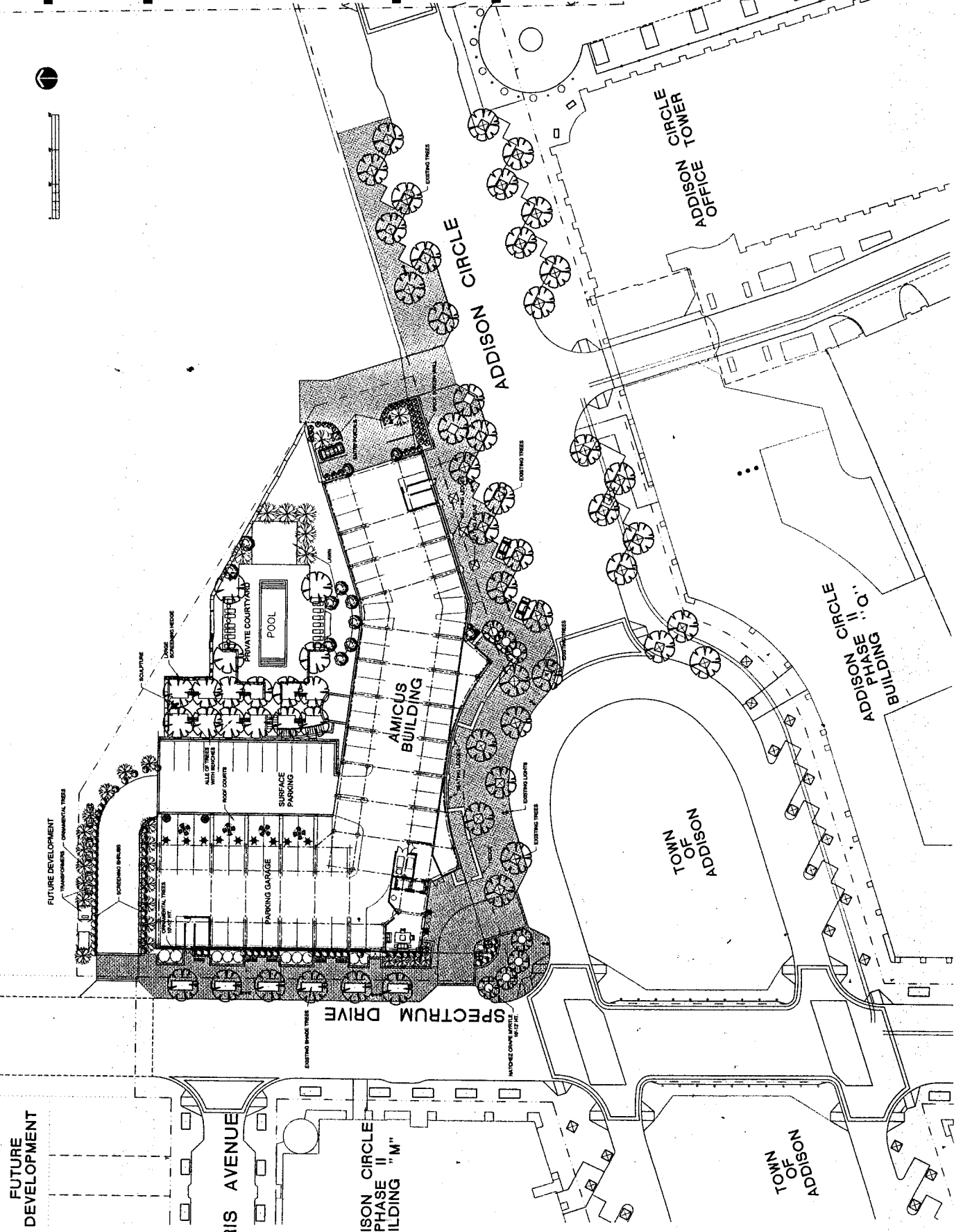




AMICUS PROFESSIONAL SERVICES  
 10000 W. 11th Ave., Suite 100  
 Denver, CO 80233  
 (303) 751-1100  
 www.amicus.com  
 PROJECT: THE ASHTON  
 LOCATION: 10000 W. 11th Ave., Suite 100  
 DATE: 08/11/09  
 DRAWN BY: J. G. GROMATZKY  
 CHECKED BY: J. G. GROMATZKY  
 DATE: 08/11/09  
 SCALE: AS SHOWN  
 SHEET: 01 OF 02  
 PROJECT NO.: 099-049

NO.	DATE	DESCRIPTION
1	08/11/09	ISSUES AND REVISIONS

LANDSCAPE PLAN  
 FINAL DEVELOPMENT PLAN  
 GROMATZKY  
 DUPREE and  
 ASSOCIATES  
 10000 W. 11th Ave., Suite 100  
 Denver, CO 80233  
 (303) 751-1100  
 www.gromatzky.com  
 PROJECT NO.: 099-049



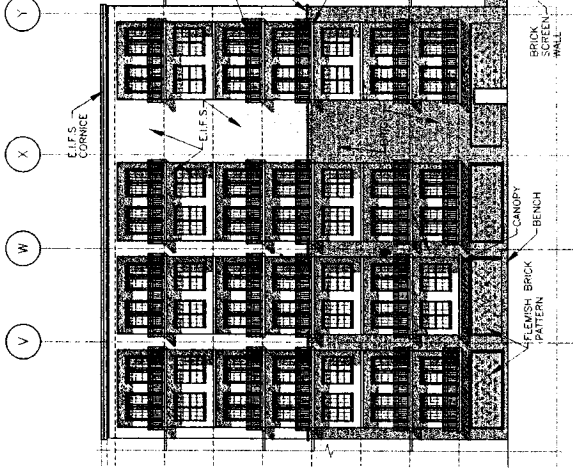


THE ASHTON

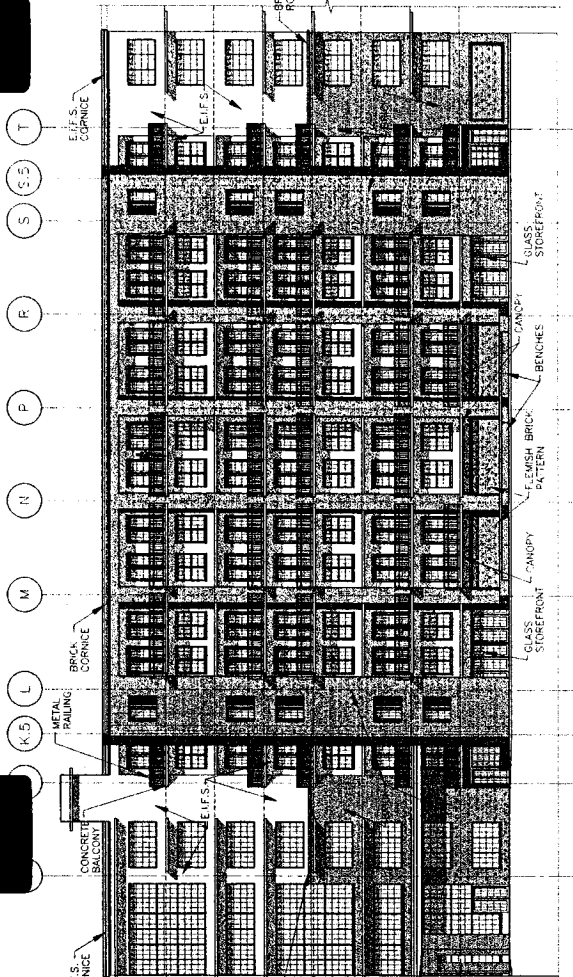


ARCHITECT: AMICUS PARTNERS LIMITED  
1000 WEST 10TH AVENUE, SUITE 1000  
DENVER, COLORADO 80202  
TEL: 303.733.1100  
FAX: 303.733.1101  
WWW.AMICUSPARTNERS.COM

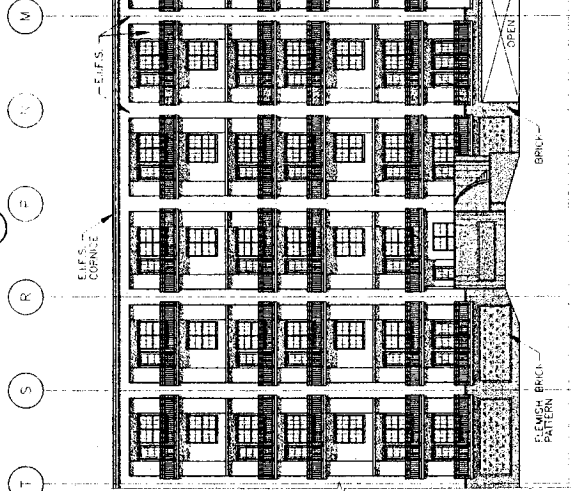
- T.O. PARAPET 3'-0" AFF. ROOF
- LEVEL 8 73'-6" A.F.F.
- LEVEL 7 63'-0" A.F.F.
- LEVEL 6 52'-6" A.F.F.
- LEVEL 5 42'-0" A.F.F.
- LEVEL 4 31'-6" A.F.F.
- LEVEL 3 21'-0" A.F.F.
- LEVEL 2 10'-6" A.F.F.
- PRK. LEVEL 1 0'-0" F.F.
- PRK. LEVEL 2 -10'-6" B.F.F.



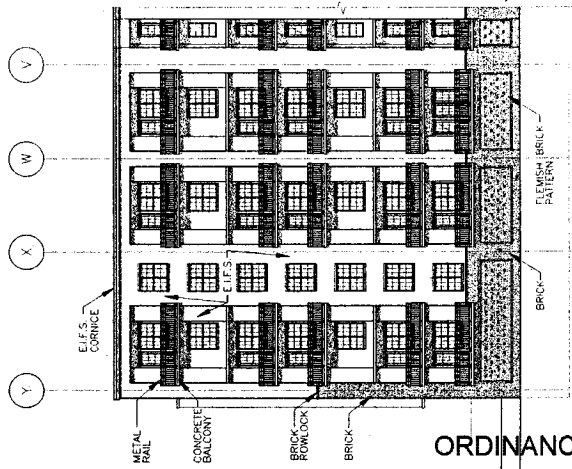
04 ADDISON CIRCLE FRONT ELEVATION  
SCALE: 3/32" = 1'-0"



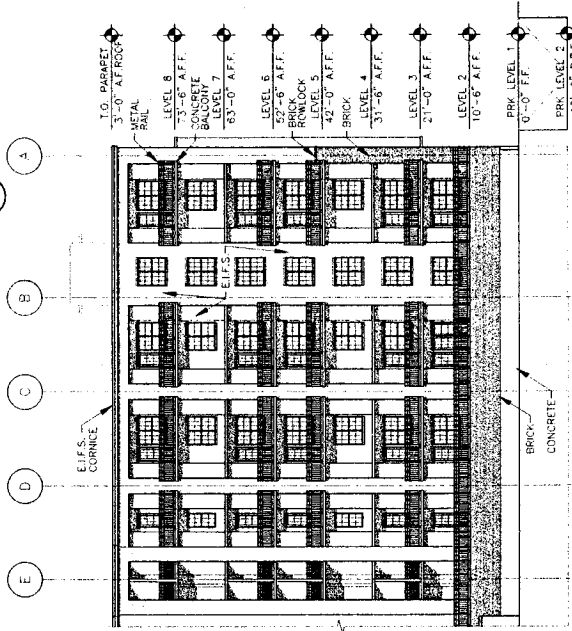
03 ADDISON CIRCLE FRONT ELEVATION  
SCALE: 3/32" = 1'-0"



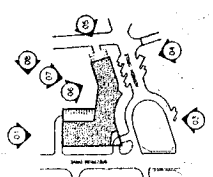
07 ADDISON CIRCLE REAR ELEVATION  
SCALE: 3/32" = 1'-0"



06 ADDISON CIRCLE REAR ELEVATION  
SCALE: 3/32" = 1'-0"



04 ADDISON CIRCLE FRONT ELEVATION  
SCALE: 3/32" = 1'-0"



08 SPECTRUM DR. REAR ELEVATION  
SCALE: 3/32" = 1'-0"

NO.	DATE	DESCRIPTION
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ISSUES AND REVISIONS

THE EXTERIOR ELEVATIONS  
FOR THE FINAL DEVELOPMENT PLAN  
FOR THE ADDISON CIRCLE  
PROJECT  
DATE: SEPTEMBER 27, 1999  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN



