

**ORDINANCE NO. 005-019**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY (THE SAME BEING APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY) BY AMENDING THE ZONING ON A TRACT OF LAND ZONED UC URBAN CENTER DISTRICT, COMMERCIAL SUB-DISTRICT, AND GENERALLY DESCRIBED AS AN APPROXIMATELY 6.53 ACRE TRACT LOCATED WITHIN THE CITY BOUNDED BY SPECTRUM DRIVE ON THE WEST, THE MADISON OFFICE BUILDING ON THE NORTH, THE DALLAS NORTH TOLLWAY ON THE EAST, AND AN UNDEVELOPED PARCEL OF LAND ON THE SOUTH, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, BY AMENDING THE CONCEPT PLAN GOVERNING THE COMMERCIAL SUB-DISTRICT OF THE UC URBAN CENTER DISTRICT AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 095-032 (the "UC Zoning Amendment") of the Town of Addison, Texas (the "City"), certain land described in the UC Zoning Amendment (the "Entire Property") was zoned UC Urban Center District, Commercial Sub-district according to the UC Urban Center District Regulations set forth in the City's Comprehensive Zoning Ordinance (the "Comprehensive Zoning Ordinance"), the same being Appendix A - Zoning of the City's Code of Ordinances; and

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, a concept plan ("Concept Plan" or "Plan") governing the commercial sub-district (the "Commercial Sub-district") of the Entire Property was approved as a part of and incorporated within the UC Zoning Amendment; and

WHEREAS, pursuant to Ordinance No. 097-029, certain additional land as described therein was zoned UC Urban Center District, and the Concept Plan was modified by including as a part of the Concept Plan the additional land and providing that the additional land would be a Commercial Sub-district of the UC Urban Center District; and

WHEREAS, the real property described herein and which is the subject of this Ordinance (the "Property") is located entirely within the Commercial Sub-district; and

WHEREAS, application was made to the Planning and Zoning Commission of the City to amend the Comprehensive Zoning Ordinance, as required by State law and the Comprehensive Zoning Ordinance, by amending the Concept Plan as it pertains to the Property as set out in that plan identified as "SNK Realty," a true and correct copy of which is attached hereto as Exhibit 1 (the "SNK Realty Plan"); and

WHEREAS, all the legal requirements, conditions and prerequisites having been complied with, including the receipt of a final report from the Planning and Zoning Commission, the case came on as a public hearing before the City Council; and

WHEREAS, after due deliberations and consideration of the final report of the Planning and Zoning Commission and other information and materials, the City Council of the Town of Addison, Texas does find that the adoption of this Ordinance is in the best interest of the City and its citizens and of the public health and welfare; 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 (the "City"), the same being Appendix A - Zoning of the City's Code of Ordinances, is hereby amended as follows:

- A. The Concept Plan, as adopted by Ordinance No. 097-029, is hereby amended as shown on that plan identified as the SNK Realty Plan, attached hereto as Exhibit 1 and incorporated herein, for the following described Property:

BEING a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, Town of Addison, Dallas County, Texas, and being all of Tract II as described in instrument to Addison 2003, L.P., recorded in Volume 2004005, Page 17610 of the Deed Records of Dallas County, Texas being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with Huitt-Zollars cap at the platted northeast corner of Spectrum Drive (69 foot right-of-way) as established by the final plat of The Ashton, an addition to the Town of Addison, Texas as recorded in Volume 2000036, Page 2913 of the Deed Records of Dallas County, Texas also

being the southeast corner of that portion of Spectrum Drive (69 foot right-of-way) as established by deed in Volume 2003150, Page 57 of the Deed Records of Dallas County, Texas;

THENCE along the easterly right-of-way line of said Spectrum Drive the following courses:

North 00 degrees 55 minutes 13 seconds East, a distance of 184.06 feet to an X cut set in sidewalk at the POINT OF BEGINNING;

North 00 degrees 55 minutes 13 seconds East, a distance of 535.93 feet to an X cut set in sidewalk for a point on the northerly line of said tract to Addison 2003 L.P.;

THENCE departing the easterly line of said Spectrum Drive, South 89 degrees 05 minutes 45 seconds East, along the northerly line of said tract to Addison 2003 L.P., a distance of 478.70 feet to a ½ inch iron rod found with Huitt-Zollars for a corner on the westerly right-of-way line of Dallas Parkway (variable width right-of-way);

THENCE along the westerly right-of-way line of Dallas Parkway the following;

South 01 degrees 25 minutes 29 seconds West, a distance of 141.46 feet to a 5/8 inch iron rod found with Huitt-Zollars cap at the beginning of a curve to the left having a radius of 646.62 feet, a central angle of 14 degrees 18 minutes 25 seconds, and being subtended by a chord of 161.04 feet which bears South 05 degrees 43 minutes 44 seconds East;

Along said curve to the left an arc distance of 161.46 feet to a 1/2 inch iron rod found with Huitt-Zollars cap at the end of said curve;

South 12 degrees 52 minutes 56 seconds East, a distance of 248.06 feet to a 5/9 inch iron rod found with Huitt-Zollars cap at the beginning of a curve to the right having a radius of 626.62 feet, a central angle of 05 degrees 50 minutes 47 seconds, and being subtended by a chord of 63.91 feet which bears South 09 degrees 57 minutes 32 seconds East;

Along said curve to the right an arc distance of 63.94 feet to a 5/8 inch iron rod found with Huitt-Zollars cap at the end of said curve and being the northeast corner of a tract of land described in instrument to the Staubach Company as recorded in Volume 2000046, Page 2903, Dee Records of Dallas County, Texas;

THENCE departing the westerly right-of-way line of said Dallas Parkway, along the northerly line of said Staubach Company Tract the following;

North 90 degrees 00 minutes 00 seconds West, a distance of 239.67 feet to a 5/8 inch iron rod found with Huitt-Zollars cap for a corner;

North 00 degrees 00 minutes 00 seconds East, a distance of 72.87 feet to a 5/8 inch iron rod found with Huitt-Zollars cap for a corner;

North 89 degrees 04 minutes 47 seconds West, a distance of 326.53 feet to a 5/8 inch iron rod found with Huitt-Zollars cap for the northwest corner of said Staubach Company Tract and the POINT OF BEGINNING and containing 6.536 acres of land, more or less.

The Property may only be developed in accordance with the Concept Plan, as amended by this Ordinance, and all other applicable ordinances, laws, standards, rules and regulations of the City.

SECTION 2. That all paved areas, permanent drives, streets and drainage structures in connection with the development of the Property must be constructed in accordance with standard Town of Addison specifications for paved areas, permanent drives, streets and drainage structures.

SECTION 3. 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, as heretofore amended, and upon conviction shall be punished by a fine (governing a zoning violation) set in accordance with Chapter 1, General Provisions, Section 1-7, of the Code of Ordinances for the Town of Addison, Texas.

SECTION 4. That the provisions of this Ordinance are severable, and 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 provision 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 5. That the above and foregoing premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

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.

SECTION 7. That this Ordinance shall take effect from and after its date of passage and publication as required by law.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,  
on this the 10th day of May 2005.

  
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MAYOR

ATTEST:

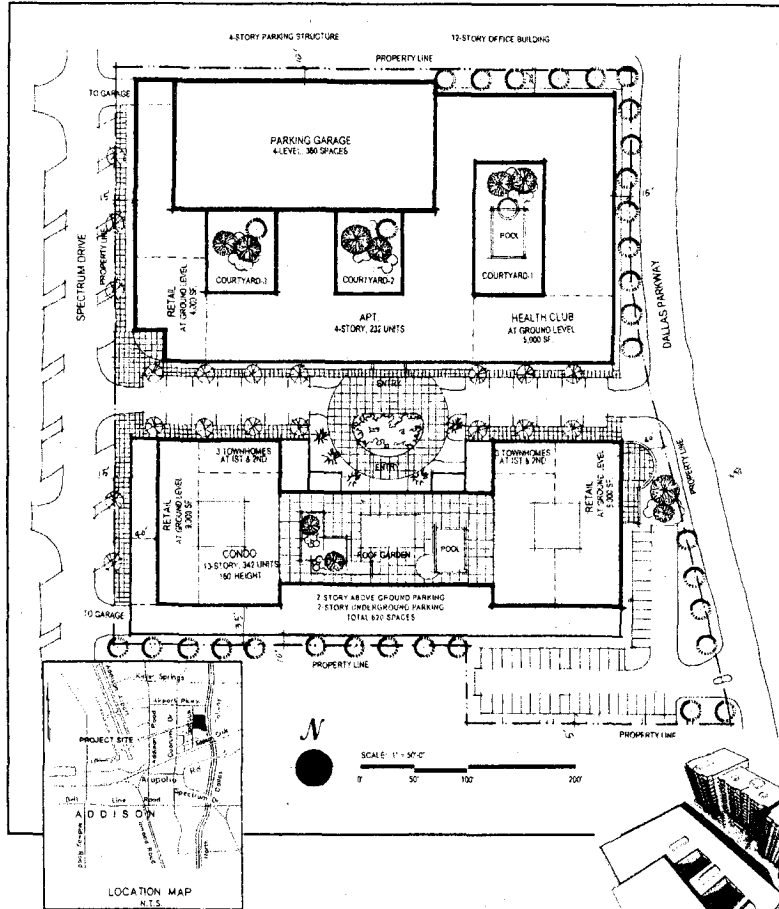
  
\_\_\_\_\_  
CITY SECRETARY

CASE NO. 1493-Z/SNK Realty

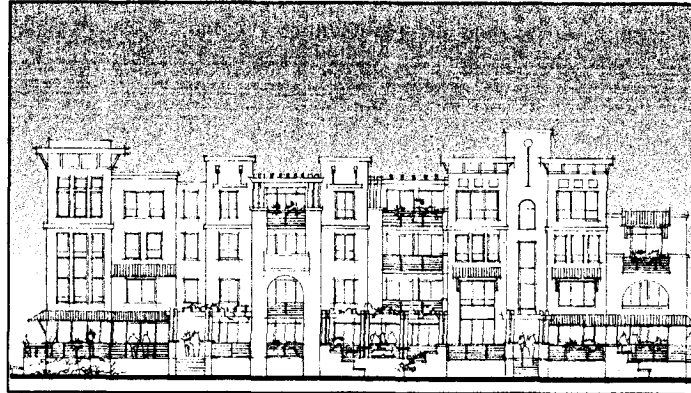
APPROVED AS TO FORM:

  
\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: \_\_\_\_\_

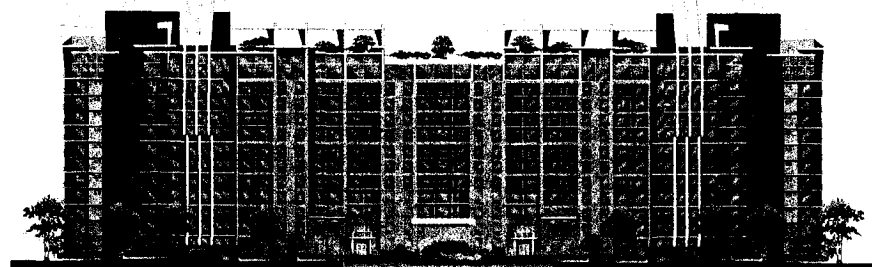


CONCEPTUAL SITE PLAN



CHARACTER ELEVATION

| SITE DATA                                 |                                |
|---|--------------------------------|
| LOT AREA (APR)                            | 4.5 M ACRES                    |
| CURRENT ZONE                              | LC2 (LOW-DENSITY) (100-10)     |
| PROPOSED USE                              | M1 (MEDIUM-DENSITY)            |
| NUMBER OF UNITS                           | 562 (167 UNITS PER ACRE)       |
| NUMBER OF STORIES                         | 4-13                           |
| BUILDING HEIGHT                           | 160'                           |
| FAA                                       | 131,800 SF (100%)              |
| LOT COVERAGE                              | 58.3%                          |
| REQUIRED VARIANCE                         | 38' BACK HEIGHT 1-4'           |
| UNIT DATA                                 |                                |
| APARTMENTS                                | 222 UNITS (162 UNITS @ 800 SF) |
| COMMERCIAL CONDOS                         | 342 UNITS (162 UNITS @ 800 SF) |
| TOWNHOMES                                 | 3                              |
| TOTAL                                     | 567                            |
| AREA                                      |                                |
| APR                                       | 164,000 GROSS SF               |
| CONDOS & TOWNHOMES                        | 274,000 GROSS SF               |
| RETAIL                                    | 16,400 GROSS SF                |
| TOTAL                                     | 454,400 GROSS SF               |
| PARKING                                   |                                |
| PARKING REQ'D                             |                                |
| 1 BED, 1.00-1.10 SPACES                   | 342 SPACES                     |
| 2 BED, 1.20-1.30 SPACES                   | 430 SPACES                     |
| RETAIL, 1 SPACE PER 750 SF OF 110K SPACES | 100 SPACES                     |
| TOTAL REQ'D                               | 872 SPACES                     |
| PARKING PROVIDED                          |                                |
| APT GARAGE                                | 360 SPACES                     |
| CONDO GARAGE                              | 430 SPACES                     |
| 1.50 SPACES PER UNIT (1.50 X 288 UNITS)   | 432 SPACES                     |
| SURFACE PARKING                           | 70 SPACES                      |
| TOTAL                                     | 1,292 SPACES                   |



CHARACTER ELEVATION

MASSING STUDY

COPY BY HUMPHREYS & PARTNERS ARCHITECTS, L.P.  
THE ARRANGEMENTS, DIMENSIONS, AND LOCATIONS OF THE PROPERTY OF HUMPHREYS & PARTNERS ARCHITECTS, L.P. AND ANY NOT BE REPRODUCED IN ANY FORM WITHOUT ITS WRITTEN PERMISSION.  
Architectural conceptual site plans are for feasibility purpose only; revisions may occur due to further investigations from regulatory authorities and building code analysis; dimensions shown are of a strategic intent only; refer to surveys and civil drawings for technical information and measurements.

**SNK-ADDISON**  
ADDISON, TEXAS

HPA #05096  
APRIL 6, 2005  
DEVELOPER: SNK DEVELOPMENT INC  
5956 SHERRY LANE, SUITE 1000  
DALLAS, TX 75225  
PHONE: 214-346-2913

Humphreys and Partners Architects, L.P.  
5350-ALPHA ROAD-DALLAS, TEXAS-75240-972.701.9636  
www.humphreys.com