

ORDINANCE NO. 011-040

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING A FINAL DEVELOPMENT PLAN FOR A 121-UNIT MULTI-FAMILY DEVELOPMENT ON A TRACT OF LAND ZONED UC URBAN CENTER DISTRICT, COMMERCIAL SUB-DISTRICT, AND GENERALLY DESCRIBED AS AN APPROXIMATELY 1.23-ACRE TRACT ADDRESSED AS 15606 DALLAS PARKWAY, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, PROVIDING FOR APPROVAL OF WAIVERS TO THE UC (URBAN CENTER) DESIGN STANDARDS, 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 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, simultaneously with the approval of the UC Zoning Amendment and 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 and incorporated within the UC Zoning Ordinance; and

WHEREAS, the Concept Plan governing the Commercial Sub-district was amended by Ordinance No. 000-037; and subsequently amended by Ordinances 003-040 and 005-001; 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 approval a preliminary development plan on application from Behringer-Harvard Addison Circle Land, LLC, 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 approval of this preliminary development plan is in the best interest of the Town 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 final development plan is hereby approved for a tract identified as Allegro, Phase II, a tract described as follows:

Being all of Lot 3, a 1.231 acre tract of land described as follows:

Whereas SNK Addison, LP, owner of that 6.536 acres tract of land located in the State of Texas, County of Dallas, Town of Addison, out of the G.W> Fisher Survey, Abstract No. 482, said 6.536 acres being all of that tract of land conveyed to SNK Addison, LP by deed of record in Volume 2005166, page 50 (all references being to the records of the Recorder's Office, Dallas County, Texas) and more particularly bounded and described as follows:

BEGINNING at a 1/2" iron rod found in the easterly right-of-way line of Spectrum Drive, at the southwesterly corner of the subdivision entitled "15851 Dallas North Parkway Addition", of record in Volume 85021, Page 1686;

THENCE South 89°05'45" East, with the southerly line of said subdivision, a distance of 478.70 feet to a 1/2" iron rod found in the westerly right-of-way line of Dallas Parkway;

THENCE with said westerly right-of-way line the following courses and distances:

South 01°25'29" West, a distance of 141.45 feet to a 1/2" iron rod found at a point of curvature to the left;

With the arc of said curve (Delta = 14°18'25", Radius = 646.62 feet) a chord bearing and distance of South 05°43'44" East, 161.04 feet to a 1/2" iron rod found;

South 12°52'56" East, a distance of 248.05 feet to a 1/2" iron rod found at a point of curvature to the right; and

With the arc of said curve (Delta = 05°50'57", Radius = 626.62 feet) a chord bearing and distance of South 09°57'32" East, 63.91 feet to a ½" iron rod found at the northeasterly corner of that tract conveyed to Staubach Assets, Inc. by deed of record in Instrument Number 20070092073;

THENCE with the boundary of said Staubach Assets, Inc. tract the following courses and distances:

South 90°00'00" West, a distance of 239.67 feet to a ½" iron rod found;

North 00°00'00" West, a distance of 72.87 feet to a ½" iron rod found; and

North 89°04'47" West, a distance of 326.53 feet to an "X" found cut in brick in the easterly right of way line of said Spectrum Drive;

THENCE North 00°55'13" East, with said easterly right-of-way line, a distance of 535.93 feet to the POINT OF BEGINNING, containing 6.535 acres of land, more or less.

SECTION 2. That the above-described property shall be developed in accordance with the final development plans; attached hereto and a part hereof for all purposes.

SECTION 3. That the following waivers to the design standards of the Urban Center district shall be approved for this proposed development:

Waiver 1 – Section 5, Subsection A. *Minimum area per dwelling unit.*

Approval of the applicant's request for 63, 1-bedroom units of less than 750 square feet in area.

Waiver 2 – Section 5, Subsection C. *Setbacks*, paragraph 2. Side yard, subparagraph (b).

Approval of the applicant's request for a minimum 5'-0" side yard with maximum 2'-0" projections into the required side yard for brick and stone pilasters, and metal columns at the corners of the buildings.

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, as heretofore amended, and upon conviction shall be

punished by a fine set in accordance with Chapter 1, General Provisions, Section 1-7, of the Code of Ordinances for the Town of Addison, Texas.


SECTION 5. 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 6. 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 7. 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 8. 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 14th day of June, 2011


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1632-Z/Allegro Phase II

APPROVED AS TO FORM:

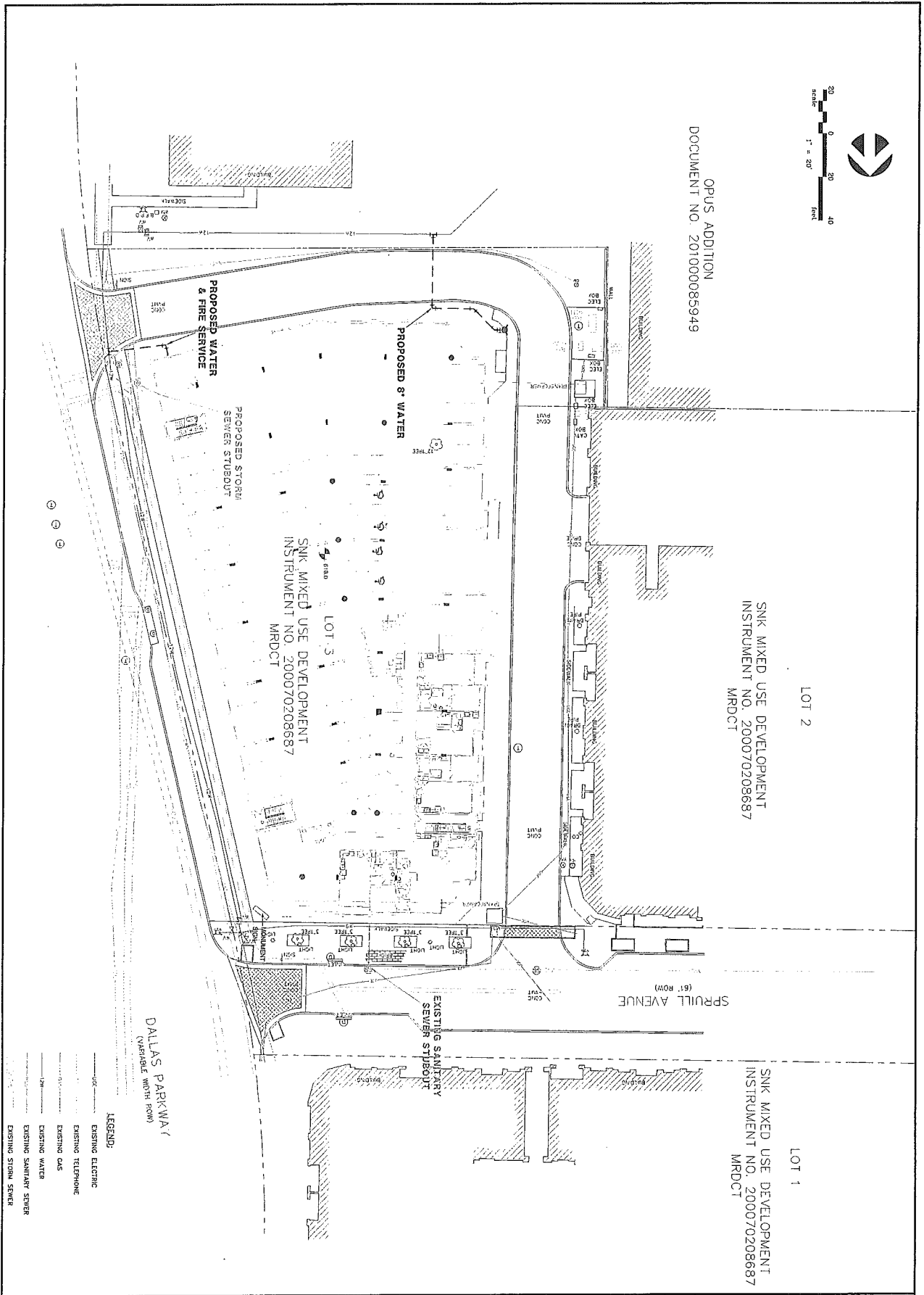

DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 7-30



Scale
1" = 20'
0 20 40
feet

OPUS ADDITION
DOCUMENT NO. 201000085949



LEGEND:
 ---○--- EXISTING ELECTRIC
 ---○--- EXISTING TELEPHONE
 ---○--- EXISTING GAS
 ---○--- EXISTING WATER
 ---○--- EXISTING SANITARY SEWER
 ---○--- EXISTING STORM SEWER

DATE	APRIL 2011
SCALE	AS SHOWN
DRAWN BY	ELT
CHECKED BY	BRG
DESIGNED BY	BRG
INSTRUMENT NO.	119211

**ALLEGRO PHASE 2
PRELIMINARY CIVIL SITE PLAN
HARVARD PROPERTY TRUST, LLC**

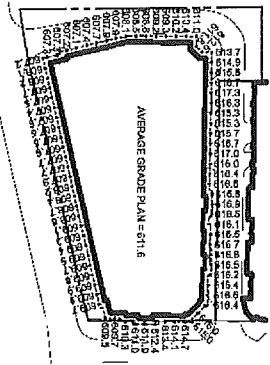
OWNER AND ASSOCIATES
 HAS CONDUCTED RESEARCHING
 AND DESIGNING THE PROJECT
 AND TO BE USED FOR
 CONSTRUCTION OF THE PROJECT
 AND TO BE USED FOR
 CONSTRUCTION OF THE PROJECT
 AND TO BE USED FOR
 CONSTRUCTION OF THE PROJECT

NO.	DATE	REVISION	APPROV.
1			
2			
3			
4			
5			
6			

Grantham & Associates, Inc.
 Civil Engineering & Surveying

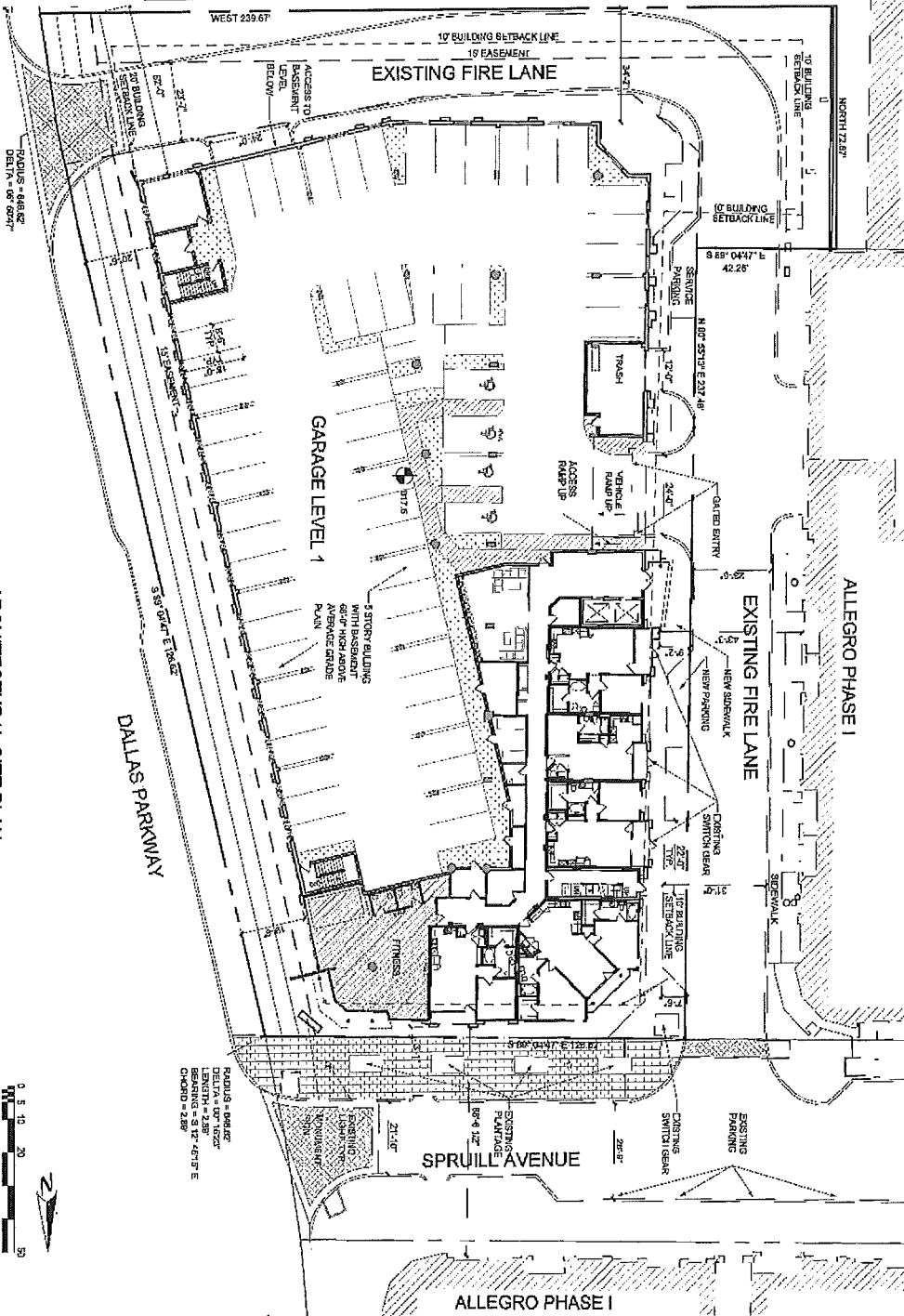
6570 NAKAMAN FOREST BLVD., SUITE 200, LB. 2
 GARLAND, TEXAS 75044

(972) 654-2333 (TX)
 (972) 654-2334 (TX)

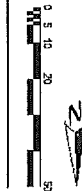


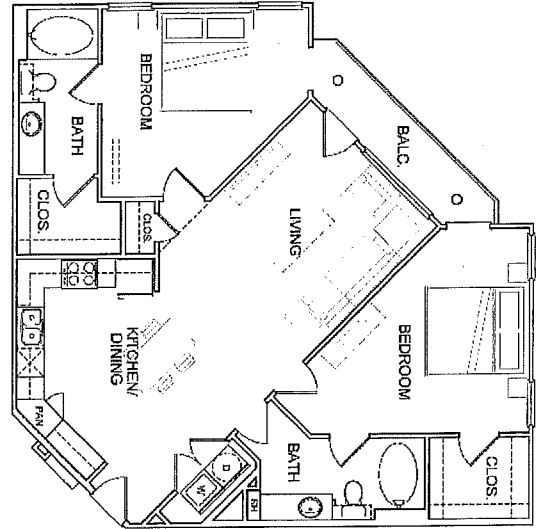
2 AVERAGE GRADE PLANE
N.T.S.

UNIT TYPE	DESCRIPTION	NET SQ FT	TOTAL UNITS	TOTAL NET SQ FT	% OF PHASE I
S1	Studio	546	13	7,124	7.26%
S2	Studio	602	4	2,408	2.38%
S3	Studio	602	4	2,408	2.38%
A1	1 Bedroom / 1 Bath	636	4	2,544	2.52%
A2	1 Bedroom / 1 Bath	705	51	35,850	35.18%
A3	1 Bedroom / 1 Bath	636	8	5,088	5.03%
B1	2 Bedroom / 2 Bath	955	4	3,820	3.77%
B2	2 Bedroom / 2 Bath	1,051	5	5,255	5.17%
B3	2 Bedroom / 2 Bath	1,101	9	9,909	9.76%
B4	2 Bedroom / 2 Bath	1,154	4	4,616	4.53%
B5	2 Bedroom / 2 Bath	1,277	4	4,888	4.78%
UNITS TOTAL			121	42,331	100.00%
PARKING GARAGE - BASEMENT LEVEL				23,020	
PARKING GARAGE - LEVEL 1				2,421	
COMMON AREA				1,380	
ASCULLARY				27,253	
BUILDING TOTAL				103,055	



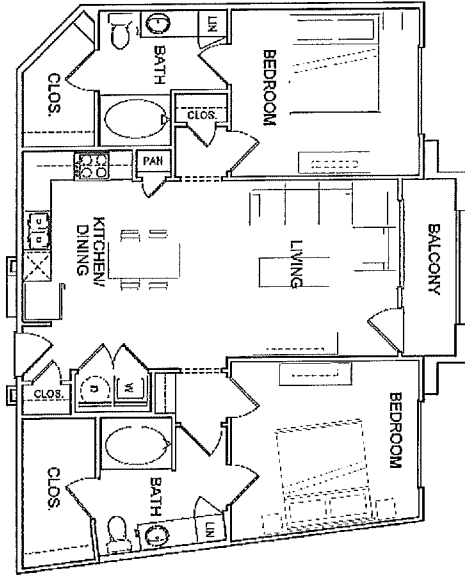
1 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"





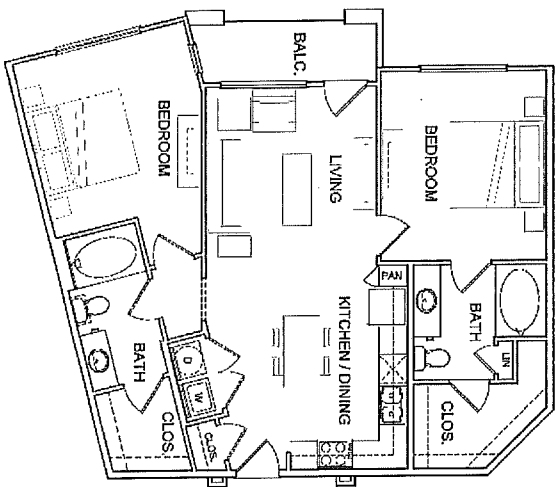
3 B3 UNIT PLAN

SCALE: 1/8" = 1'-0"
1,100 S.F.



2 B2 UNIT PLAN

SCALE: 1/8" = 1'-0"
1,681 S.F.

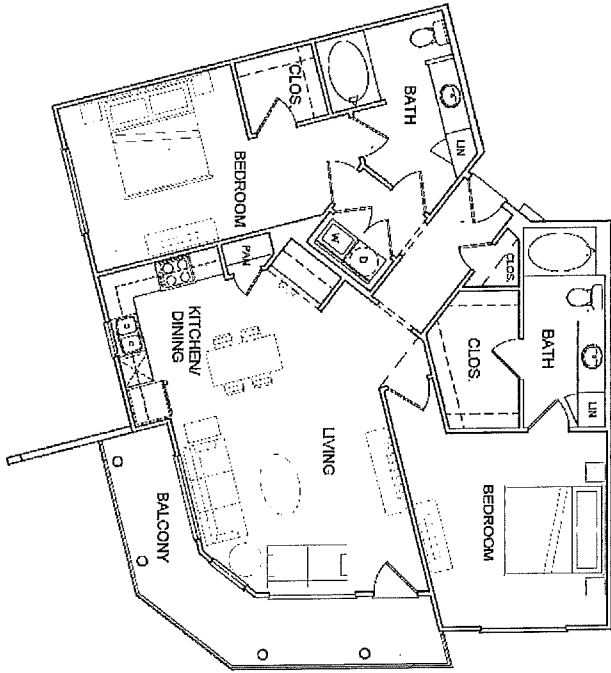


1 B1 UNIT PLAN

SCALE: 1/8" = 1'-0"
895 S.F.

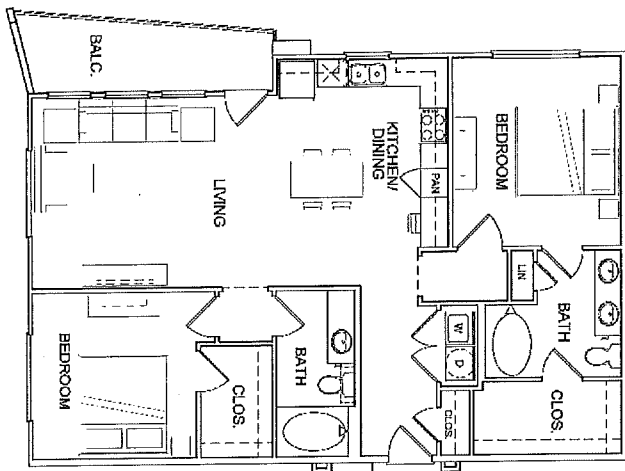
- UNIT PLAN GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE OF 2x4 STUD (3 1/2" X 1 1/2" ACTUAL DIM.)
 2. ALL ANGLES ARE 45 DEG. TO HORIZONTAL AND VERTICAL, UNLESS NOTED OTHERWISE.
 3. INTERIOR WALLS TO HAVE R-11 FIBERGLASS INSULATION AS INDICATED.
 4. R-11 INSULATION OCCURS AT ONE SIDE OF EXTERIOR WALLS AND CEILING.
 5. R-11 INSULATION AT UNIT FLOOR/CEILING ASSEMBLY.
 6. HATCHED AREAS INDICATE FLOOR FINISH TO BE LAYED DOWN TO 5/8" A.C. AT ALL ROOMS.
 7. PROVIDE AND LOCATE FOR ALL TONES, DIMERS, GRAB BARS, ELECTRICAL FIXTURES AND SHOWER BATHS.
 8. TEXTURE ON WALLS/CEILING TO BE "ORANGE PEEL" TEXTURE.

THIS PLAN IS THE PROPERTY OF BEHRINGER HARVARD ADDISON CIRCLE LAND, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF BEHRINGER HARVARD ADDISON CIRCLE LAND, LLC IS STRICTLY PROHIBITED. THE DESIGN AND CONSTRUCTION OF THIS PROJECT SHALL BE IN ACCORDANCE WITH THE CITY OF ADDISON, TEXAS, ORDINANCES AND REGULATIONS. THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN. THE DESIGNER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE DESIGNER. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAN. THE DESIGNER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE DESIGNER. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAN.



1 B5 UNIT PLAN
SCALE: 1/4" = 1'-0"

1223 SF.



1 B4 UNIT PLAN
SCALE: 1/4" = 1'-0"

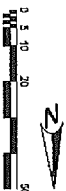
1154 SF.

- UNIT PLAN GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE OF 2X4 STUD (3 1/2" X 1 1/2" ACTUAL DIM.)
 2. ALL ANGLES ARE 45 DEG. TO HORIZONTAL AND VERTICAL, TYP. ALL UNITS.
 3. INTERIOR WALLS TO HAVE R-11 FIBERGLASS INSULATION AS INDICATED.
 4. R-11 INSULATION OCCURS AT ONE SIDE OF PARTY WALL BETWEEN UNITS.
 5. FLOOR INSULATION IN ALL UNIT FLOOR CEILING ASSEMBLIES.
 6. HATCHED AREAS INDICATE FLOOR DOWNING TO 0'-0" A.F.F. AT ALL HOOKS.
 7. PROVIDE NO. BLOCKING FOR ALL ACCESSORIES AS REQD. INCLUDING TOWER BARS, CRAB BARS, ELECTRICAL, PICTURE AND SHOWER BARS.
 8. TEXTURE ON WALLS/CEILING TO BE CHANGED PER TEXTURE.

BEHRINGER HARVARD ADDISON CIRCLE LAND, LLC IS THE DEVELOPER OF THIS PROJECT. THE DEVELOPER HAS REVIEWED THE ARCHITECTURAL PLANS AND SPECIFICATIONS AND HAS APPROVED THEM FOR CONSTRUCTION. THE ARCHITECT HAS REVIEWED THE ARCHITECTURAL PLANS AND SPECIFICATIONS AND HAS APPROVED THEM FOR CONSTRUCTION. THE ARCHITECT HAS REVIEWED THE ARCHITECTURAL PLANS AND SPECIFICATIONS AND HAS APPROVED THEM FOR CONSTRUCTION.



1 BUILDING PLAN - BASEMENT LEVEL
SCALE: 3/32" = 1'-0"



10/18/2011
 15605 Dallas Parkway
 Suite 600
 Addison, Texas 75001
 (214) 655-1600
 Behringer Harvard Addison Circle Land, LLC
 15605 Dallas Parkway
 Suite 600
 Addison, Texas 75001
 (214) 655-1600

A311

DATE: 01/19/2011
 DRAWN BY: [unintelligible]
 CHECKED BY: [unintelligible]



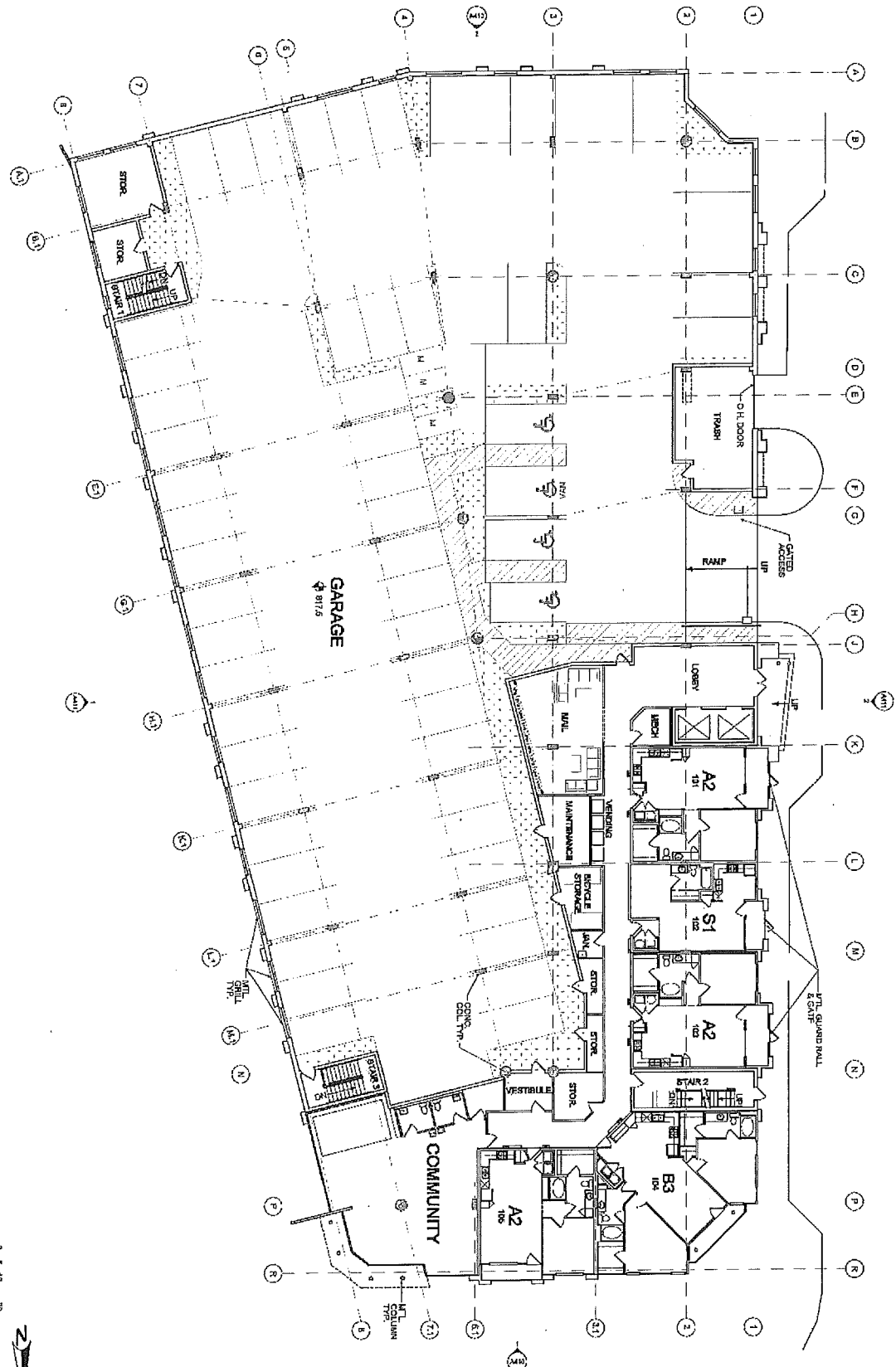
ARCHITECTURAL CONSULTANT GROUP, INC.
 15605 Dallas Parkway
 Suite 600
 Addison, Texas 75001
 (214) 655-1600

01/19/2011
 FINAL
 DEVELOPMENT
 PLAN

3/32" Scale
 Building Plans

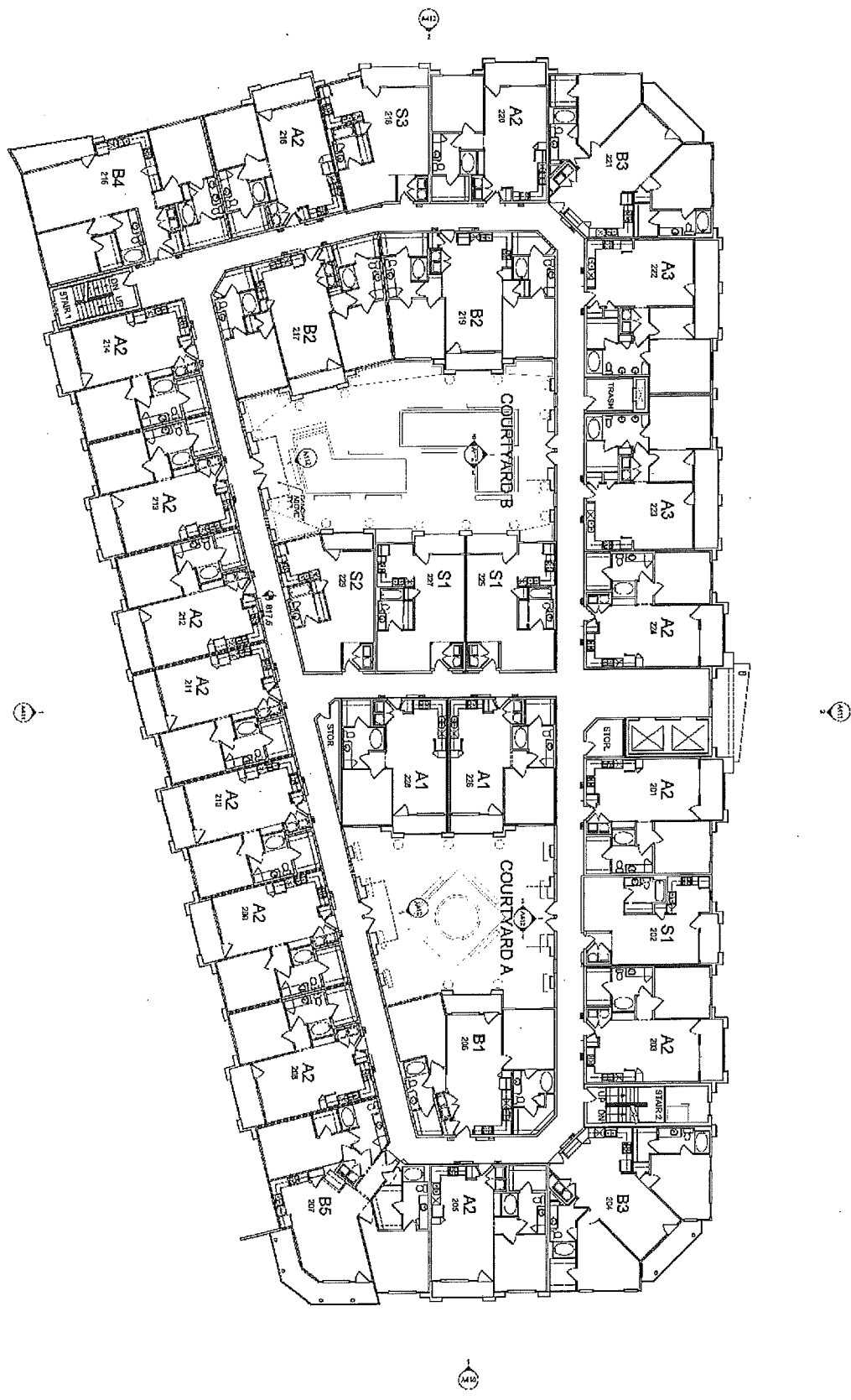
Allegro Phase II
 15605 Dallas Parkway
 (Lot 3)
 Addison, Texas

Behringer Harvard Addison Circle Land, LLC
 15601 Dallas Parkway
 Suite 600 Addison, Texas
 (214) 655-1600

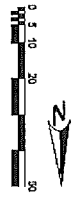


1 BUILDING PLAN - LEVEL 1
SCALE: 3/32" = 1'-0"

1. The information contained herein is for informational purposes only. It is not intended to constitute an offer of insurance or any other financial product. The information is not intended to be used as a basis for any investment decision. The information is not intended to be used as a basis for any investment decision. The information is not intended to be used as a basis for any investment decision.



1 BUILDING PLAN - LEVEL 2
SCALE: 3/32" = 1'-0"



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DATE: 04/19/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 A313

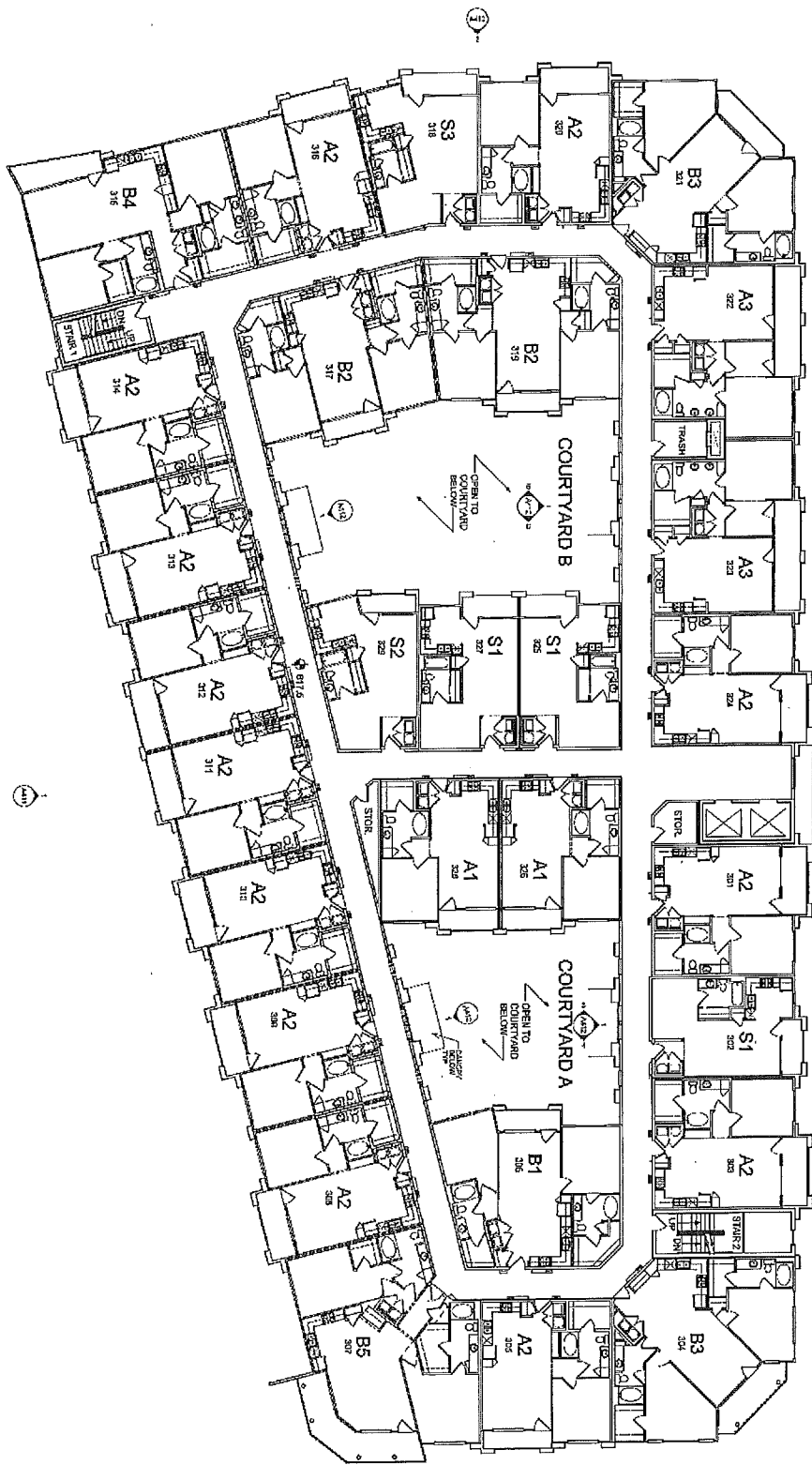


04/19/2011
 FINAL DEVELOPMENT PLAN

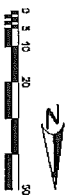
3/32" Scale
 Building Plans

Allegro Phase II
 15605 Dallas Parkway
 Suite 600 Addison, Texas

Behringer Harvard Addison Circle Land, LLC
 15601 Dallas Parkway
 Suite 600 Addison, Texas
 (214) 665-1600



1 BUILDING PLAN - LEVEL 3
SCALE: 1/8" = 1'-0"



04/19/2011
 FINAL
 DEVELOPMENT
 PLAN
 A314



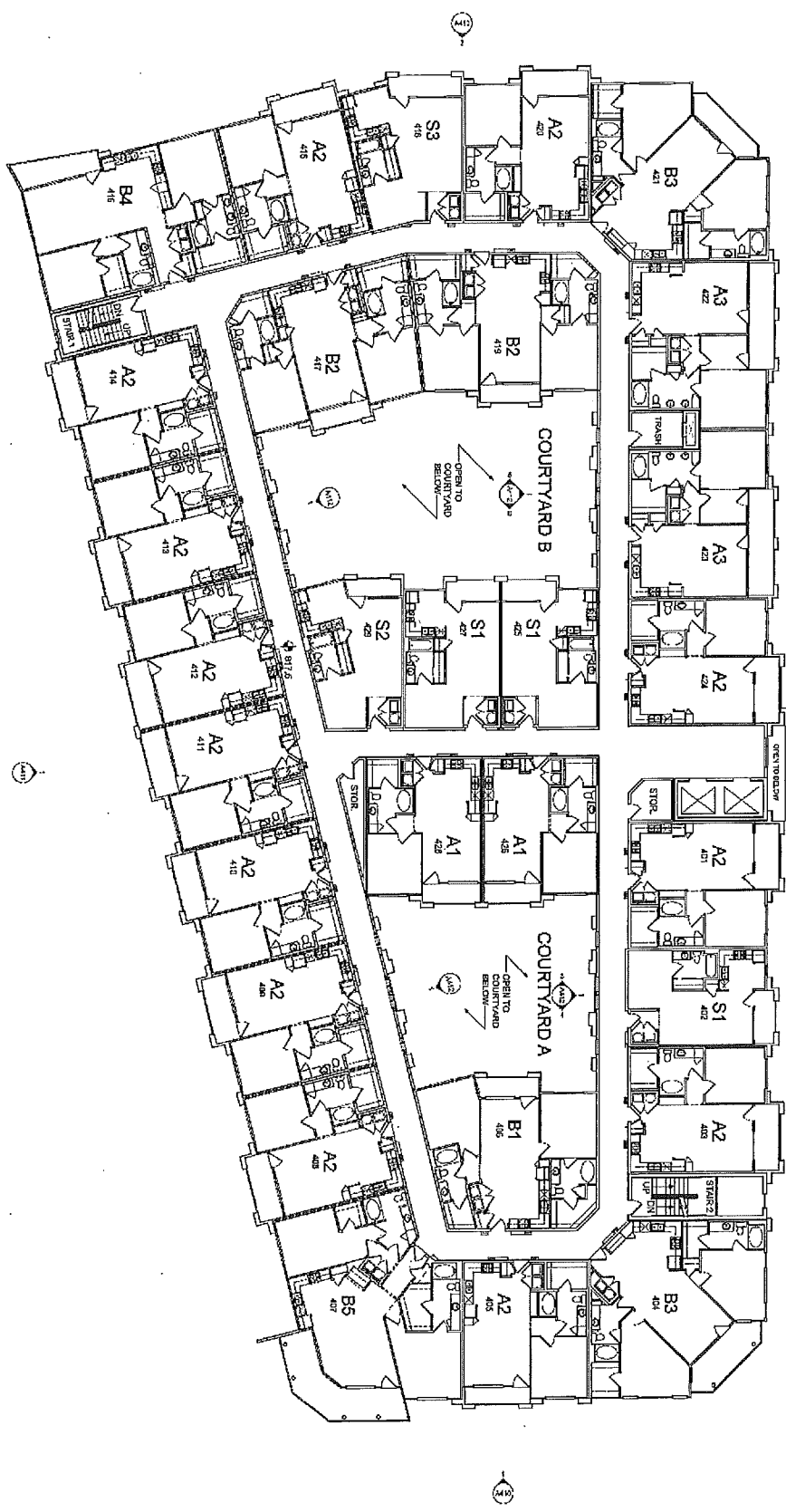
04/19/2011
FINAL
DEVELOPMENT
PLAN

3/32" Scale
Building Plans

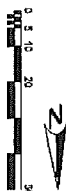
Allegro Phase II
15605 Dallas Parkway
(Lot 3)
Addison, Texas

Behringer Harvard Addison Circle Land, LLC
15601 Dallas Parkway
Suite 600 Addison, Texas
(214) 655-1600

A314



1 BUILDING PLAN - LEVEL 4
SCALE: 3/32" = 1'-0"



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A315

DATE: 04/19/2011
 SHEET: 4 OF 10

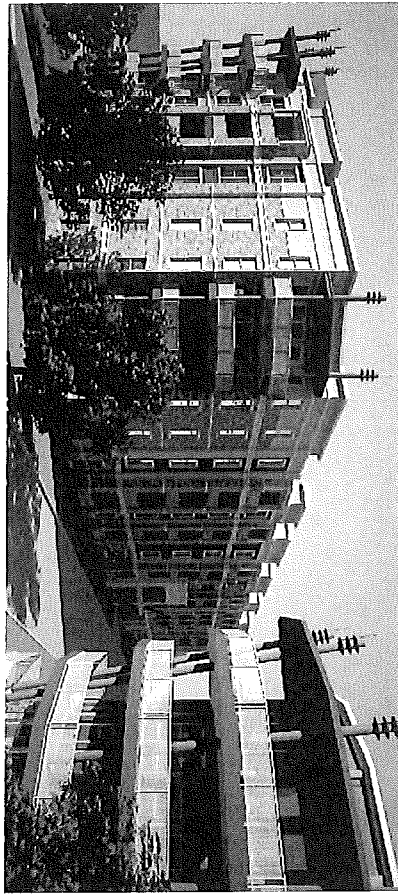


04/19/2011
 FINAL DEVELOPMENT PLAN

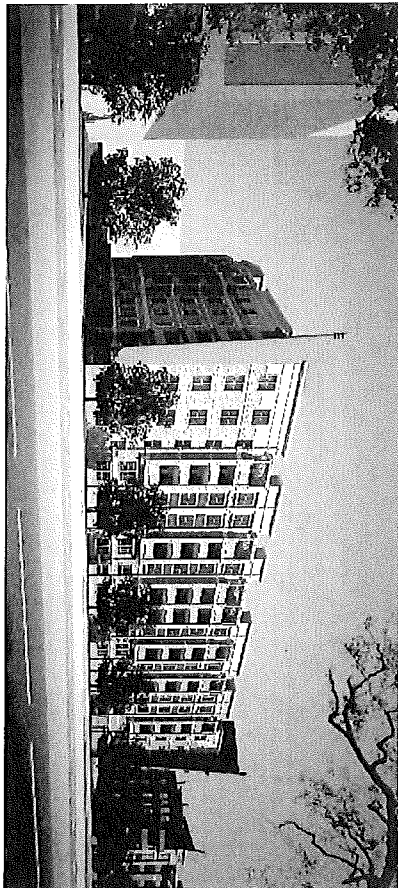
3/32" Scale Building Plans

Allegro Phase II
 15605 Dallas Parkway
 (Lot 3)
 Addison, Texas

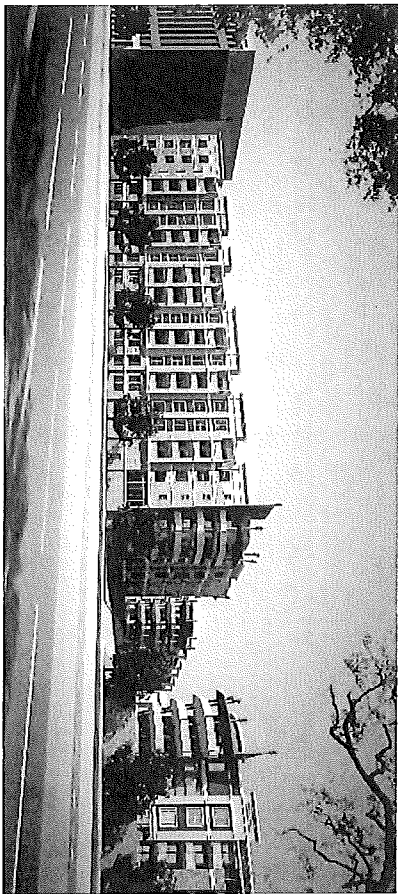
Behringer Harvard Addison Circle Land, LLC
 15601 Dallas Parkway
 Suite 600 Addison, Texas
 (214) 655-1600



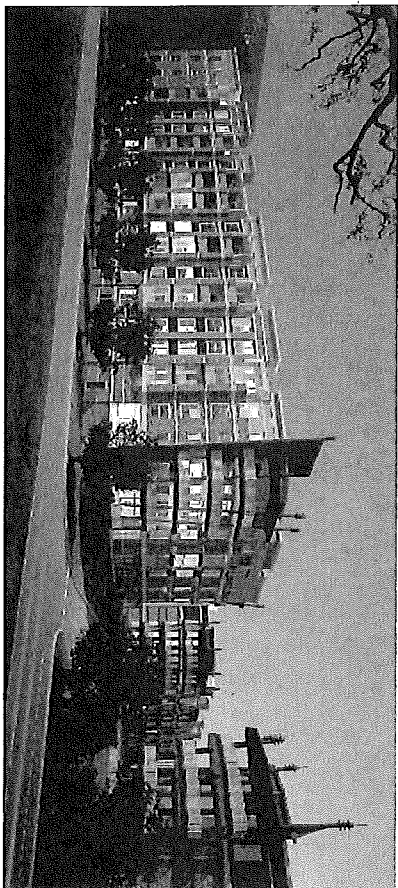
PERSPECTIVE 04



PERSPECTIVE 03



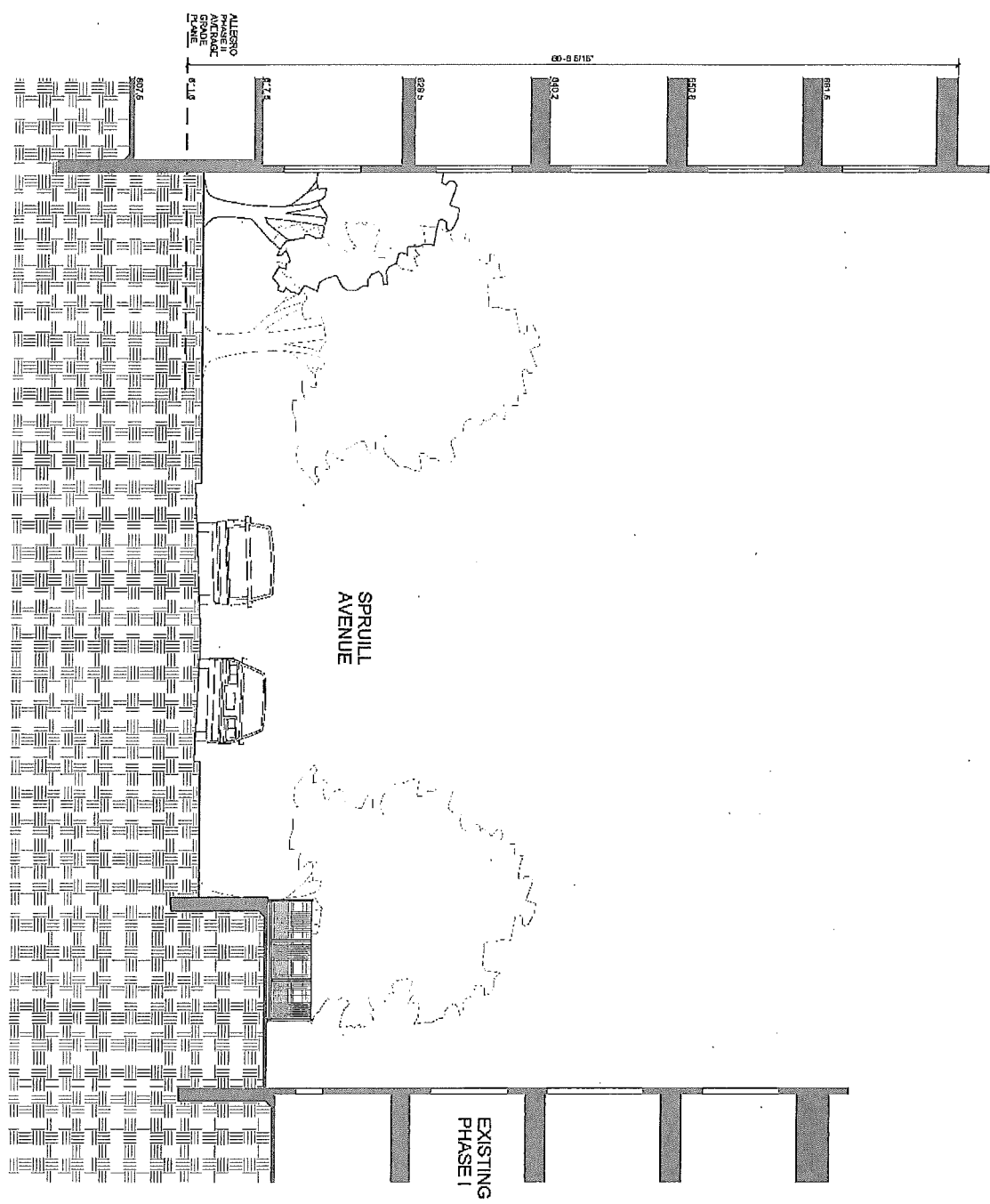
PERSPECTIVE 02



PERSPECTIVE 01

CONCEPTUAL PERSPECTIVES

DATE: 03/25/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: Allegro Phase II
 SHEET: A415



1 CONCEPTUAL CROSS SECTION
SCALE: 1/4" = 1'-0"



BEHRINGER HARVARD ADDISON CIRCLE LAND, LLC
 15605 DALLAS PARKWAY (LOT 3) ADDISON, TEXAS 75010
 BEHRINGER HARVARD ADDISON CIRCLE LAND, LLC
 15601 DALLAS PARKWAY SUITE 600 ADDISON, TEXAS 75010
 (214) 655-1600
 DATE: 01/18/2011
 PROJECT: ALLEGRO PHASE II
 SHEET: AS500

1/4" Scale
Conceptual
Cross Section

Allegro Phase II
15605 Dallas Parkway
(Lot 3)
Addison, Texas

Behringer Harvard Addison Circle Land, LLC
15601 Dallas Parkway
Suite 600 Addison, Texas
(214) 655-1600



01/18/2011
FINAL
DEVELOPMENT
PLAN

AS500