



## **Frequently Asked Questions (FAQ) Regarding Recent Development Activity in Westlake**

### **1. What is the current status of the zoning changes requested by Centurion American on the 170 acres running from Dove and Davis (FM 1938) to SH 114?**

The 170 acres is comprised of two 85 acre tracts along the east side of Davis Blvd (FM 1938) to SH 114.

**The southernmost tract**, which is located at the northeast corner of Davis and Dove Roads and extends northward to the southeast corner of Solana Boulevard, was recently approved for rezoning from office-retail to single-family residential. This tract will be called **Granada** and is comprised of 84 lots for custom homes in the \$1.2 million and above range. **Granada will be a gated community with significant amenities, including extensive open space with privately maintained, but publicly accessible trails. These trails will be located outside the subdivision's walls and will connect with the Town's existing trail system. When Granada's trails are completed, our residents will be able to walk, run, or cycle from Terra Bella to Westlake Academy.**

**The northernmost tract**, which is located at the northeast corner of Solana Boulevard and Davis, was recently changed from office /retail to mixed-use. Centurion American, the owner of both parcels, wishes to put office, retail, and entertainment uses, along with single-family residences, town homes, and condominiums on this tract as a mixed-use development called **Westlake Entrada**. Although Centurion American is primarily a single-family residential developer, its owner, Mr. Mehrdad Moayedi, has indicated his intent for Westlake Entrada to be a signature mixed-use development that he will oversee with a team that has experience with this type of project. The Town may also hire a planning firm experienced with mixed-use developments to review Mr. Moayedi's development applications.

### **2. Why now? The property at Dove and Davis to 114 has been open space for a long time. Why can't the Town of Westlake just require that it remain open space?**

For many years, these two tracts were owned by the same group who owned the Solana office development (Maguire Partners or the "Solana Group"). For whatever reason, the Solana Group did not choose to sell the land in parcels or otherwise develop it. Last year, the Solana Group and the tracts in question were the subjects of a receivership action. In the fall of 2012, Centurion American gained control of the west Solana tracts with the express intent to develop them, which, as the property owner, it has every right to do. Thus, at that point in time, the question became HOW, not IF, the property would be



developed. The existing zoning on the property that Centurion American acquired included office/retail zoning entitlements that it had every right, subject to platting and site plan approval by the Town, to utilize.

**3. What other types of development can I expect to come in to Westlake? I moved here for the wide open space, and I want to see it preserved.**

While the Town does have public and open space dedication requirements in its development regulations, the fact is that all property within the Town of Westlake has various zoning entitlements, or uses, allowing the owner to develop his property in a manner consistent with those uses. The uses vary widely, depending on the tract, and range from small and large lot residential to retail, office, mixed-use, and multi-family (apartments). The Town granted much of this zoning in the late 1990's as the result of a settlement of litigation between the Town and Hillwood Properties, the owner of the Circle T Ranch – the largest undeveloped parcel of land in Westlake. Although the Ranch is developing slowly (i.e., only Vaquero, Fidelity, Chrysler Financial (now TD Auto), and Deloitte University), Hillwood, not the Town, has driven the pace of development.

**4. I have heard that the *Granada Westlake Entrada* developments violate Westlake's Comprehensive Plan. What is a Comprehensive Plan? Do these proposed developments cause us to violate Westlake's Comprehensive Plan?**

A Comprehensive Plan (Comp Plan) is the overall “blue print” to guide a municipality's physical development and includes its land use plan, transportation, open space, and utility plans. The Land Use Plan portion of the Comprehensive Plan guides zoning changes, but is amended from time to time as circumstances and types of development occur. Again, the Comp Plan is a guide, not a zoning ordinance.

Neither Granada nor Westlake Entrada violates Westlake's Comprehensive Plan. Prior to rezoning the Granada tract, the Land Use Plan was amended changing the tract's use from office/retail to single-family residential (via a planned district) for high-end custom homes, and prior to rezoning the Westlake Entrada tract, the Land Use Plan was amended to change the tract's zoning from office/retail to mixed-use. It is quite common for cities to amend Land Use Plans in this fashion. It is viewed as good planning practice to consider amendments to the Land Use Plan in conjunction with zoning change requests, just as the Town has done in this case.

Although much of the zoning in Westlake, that the Town granted to Hillwood in the late 1990's, did not comport to the Land Use part of the Town's Comp Plan at that time, the Land Use Plan was subsequently amended in 2004 so that zoning on the Circle T is now consistent with such Plan. The current Land Use Plan is available on the Town's website at: <http://www.westlake-tx.org/DocumentCenter/View/572>



**5. Some of my neighbors have said the Town’s vision is changing. Is that true?**

The Town’s vision, as stated on our website, is to be an “oasis of tranquility and natural beauty amidst an ever expanding urban landscape.” Identified under the vision statement, are five vision points that describe a sense of place, our desire to be a leader, the nature of our community, and the quality of our service and governance. The statements can be viewed at: <http://www.westlake-tx.org/index.aspx?NID=87>

The Town Staff does not believe that either Granada or Westlake Entrada contradict the Town’s vision. It is important to remember, however, that whatever we identify as our vision must be balanced with and adapted to the rights (i.e., zoning entitlements) that have already been granted to the Town’s current property owners.

It is also important to remember that even if development is consistent with the Town’s vision that is not to say that the Town will not change as the result of development. It will. The Town changed when Solana was developed. The Town changed when the Stagecoach neighborhood was annexed in the mid-1990s amidst great controversy, significantly increasing the Town’s population literally overnight. The Town changed when the 85 homes in Glenwyck Farms were built and sold. And the Town continues to change as the approximate 300 home sites in Vaquero are purchased and developed. Change is evident in that our residential population has increased by approximately 400% since 2000, and without doubt, change will continue so long as property owners choose to develop their privately owned property.

**6. Have you considered how *Granada*, and *Westlake Entrada* will impact Westlake Academy?**

Yes, the impact of these developments has been considered. The Town of Westlake retained two outside parties to examine Westlake’s past, present, and future growth, and its impact on the Academy. In addition, Staff has conducted comparison research to determine the potential impact of future growth on the Academy.

The first consultant, School District Strategies, provided growth rate scenarios based upon slow, moderate, and high residential growth rates. The second consultant, Petty & Associates, analyzed the potential impact of the Granada and the first iteration of the mixed-use development known formerly as Vallecito (now known as Westlake Entrada) on Westlake Academy. Additionally, Staff members compiled the consultants’ research and added the historical admission rates for Highland Park ISD as a benchmark.

There are a number of avenues to accommodate the potential growth from development, including: (a) managing admissions from our secondary boundary; (b) the Westlake Academy Phase 1 Expansion (soon underway) which will be completed for the FY 2014-15



school year; and (c) natural student turnover. **Ultimately, as the ratio of Westlake residents attending the Academy increases, the number of students attending the Academy from the secondary boundary will decline.** You may view this analysis on the Town's website at the following locations:

<http://www.westlake-tx.org/DocumentCenter/View/582>

<http://www.westlake-tx.org/DocumentCenter/View/589>

Additionally, with respect to both the Granada and Westlake Entrada developments, the owner/developer, by separate agreements, has agreed to pay the Town \$10,000 per residential unit for Westlake Academy improvements.

#### **7. And what about traffic? How will these developments impact traffic in Westlake?**

The recently completed Davis Boulevard/FM 1938 was improved to a 4 lane-divided roadway (with median) and was sized based on traffic study forecasts for the development of the all the undeveloped and developed property that adjoins it (which would include both the Granada and Westlake Entrada tracts).

Since Granada is a single-family residential subdivision with ingress and egress limited to Solana Boulevard, it will have minimal impact on traffic throughout the rest of Westlake (although traffic on Dove Road may increase somewhat during school drop off and pick up hours should Granada residents choose to attend Westlake Academy). Should any signal or other Solana Boulevard improvements be required, Centurion American will be obligated to fund its pro-rata share of any such improvements identified as being attributable to Granada.

With respect to Westlake Entrada, Centurion American will be required to improve Solana Boulevard by adding 2 lanes to the existing roadway that is adjacent to the south side of that tract (presently Solana Blvd is only 2 lanes at this location). Centurion American will also contribute their pro-rata share of any traffic signal costs attributable to their subdivision at intersections near or adjacent to its development. Again, this is determined by the Town's review of a required traffic study (prepared at the owner's cost) that ascertains the impact of these developments on traffic along roadways adjacent to the development.

#### **8. When will construction begin in Granada? When will it be completed?**

Thus far, the only things pertaining to Granada that have been approved are a Land Use Plan amendment and zoning to allow high-end custom type homes. Next steps for Centurion American include submitting a preliminary plat, detailed engineering plans and construction drawings, a tree mitigation plan, deed restrictions, as well as detailed plans



for the amenities package for this subdivision (i.e., the subdivision's masonry wall, entry ways, streetscaping, landscaping, water feature, and trails).

Staff anticipates that these items will be submitted in the next 30-60 days, following which Staff reviews must take place. Any changes that Staff determines are necessary must be made prior to consideration of the preliminary plat by the Planning & Zoning Commission. Once the preliminary plat is approved, construction of the subdivision's infrastructure will begin. Centurion American estimates that this will take most of 2013, with consideration of the final plat taking place in 2014, at which time lots can be sold and building permits secured by custom home builders.

#### **9. Which custom home builders will be building in *Granada*?**

While it is still early, according to the Centurion American, custom home builders that have indicated that they are interested in building in Granada include: Scott Simmons of Simmons Estate Homes, Crescent Homes, Tommy Cunningham, Sharif - Munir, Nick Smith, Terry Horton Custom Homes, as well as Mike Garabedian of Garabedian Properties.

#### **10. What are the standards of residential construction in *Granada*? How can I be assured that these standards won't be relaxed in the future?**

The following standards were approved in the zoning ordinance allowing single-family homes as a permitted use for Granada:

- maximum building height: 28 feet measured at mid-span of roof (this is similar to Vaquero requirements).
- roofing types- no composition roofs; tile, slate, or similar roofing as approved only.
- exterior wall material must be primarily stone with a maximum of 30% brick or stucco as accent; exception: Tuscan or Mediterranean style houses.
- wood windows only; no aluminum or vinyl.

The Town also, as a part of consideration of approval of the plat for Granada, will have approval authority for the deed restrictions for this development.

#### **11. What were the terms of the agreement between the Town and Centurion American as it relates to *Granada*?**

Centurion American agreed to pay \$10,000 per lot for impact its subdivision may have on Westlake Academy. (Note: Granada is within the Carroll ISD, so Westlake Academy will likely not receive all of the students this development generates).

Although it was under no requirement or obligation to do so, initially Centurion American proposed that it would incur the cost to streetscape the public property (right-of-way) on



the west side of their property along FM 1938/Davis Boulevard from Dove Road to Solana Boulevard (the “FM1938 Streetscaping Improvements”). However, when Centurion American agreed to reduce the number of lots it could develop in Granada and further agreed to increase its building standards so only custom home builders could afford to build there, Centurion American was no longer able to incur the cost for the FM1938 streetscaping improvements (not limited to landscaping – also includes shade structures, trail head amenities and parking). The FM1938 Streetscape Improvements were already funded in the Town’s Capital Improvement Plan (estimated at \$1.4 million) prior to Centurion American coming to the Town with the proposed Granada development and will be paid for by the Town as originally contemplated. This information was emailed to all residents on February 2, 2013.

*Important to note: Centurion American is required and responsible for maintaining all public improvements including exterior areas outside of the sub-division wall along Davis/FM 1938 and Solana Blvd. This includes: landscaping, streetscaping, open space, trails/trail head, etc. throughout the property and the right-of-way adjacent to the property.*

The economic development agreement and related negotiations were posted pursuant to State law and appropriately reflected in the meeting minutes, whenever discussed by Council in Executive Session over several meeting dates. Subsequently, any action taken regarding this agreement was also appropriately reflected on both the meeting agenda and in its related minutes, pursuant to State law.

**12. What are the uses now permitted on the property known as *Westlake Entrada*?  
What were the new uses requested by Centurion American for *Westlake Entrada* in their rezoning application?**

Prior to the recent rezoning, this property was zoned for a number of office and other commercial uses, including retail, governmental uses, health clubs and a conference center.

In order to achieve a mixed-use type development, the owner requested, and was granted, zoning to add residential and entertainment uses to the zoning to which he was already entitled. As a total package, this is proposed as a mixed-use planned development that will blend a wide range of various uses including offices, governmental, retail, restaurants, business services, medical services, entertainment establishments, and conference center type meeting space with residential uses. **The residential uses will be single-family residential detached homes and villas or town homes. There are no apartments in this request, and condominiums may only be constructed pursuant to a Special Use Permit approved by both the Planning and Zoning Commission and the Town Council.** The number of residences is limited to 322. The development will utilize a



design for a European style village with a Texas-Spanish mission (Spanish) architectural theme.

### **13. Why is adding a residential use to the office commercial uses important to the owner of *Westlake Entrada*?**

According to Centurion American, the residential uses proposed for Westlake Entrada are essential if it is to be a true mixed-use development with a unique sense of place - a place where people live, work, and play. The residential uses are single-family residential detached homes and villas or town homes (and condominiums, if specifically approved), which are intended to provide a sense of community for all of Westlake, as well as provide life and activity within the confines of the development. This is different from an office park where activity is typical only from Monday - Friday, 8am-5pm.

In order to insure that Westlake Entrada will be a true mixed-use development, and that residential construction will not outpace or be built first in lieu of non-residential construction, the pace of development is defined in the proposed ordinance regulating this rezoning request as follows:

- For the first year of active development (as defined from the date of the first vertical construction building permit application for PD 1-2), Centurion American shall be entitled to permit ten (10) initial residential units. After the initial ten (10) units, the developer is then entitled to units eleven (11) through (30) after 45,000 non-residential air conditioned square footage is permitted.
- From Residential Unit 31 forward, Developer must demonstrate to the Westlake Building Official that the 45,000 air-conditioned square feet of non-residential building space is substantially completed, and that for Residential Unit 31 forward, Developer must also demonstrate to the Westlake Building Official that a ratio of 1,500 sq. ft. of non-residential use building space has been permitted for each additional Residential Unit permitted.
- During the second year of active development, the construction shall not exceed an additional sixty (60) units. The third year the development shall not exceed an additional eighty (80) residential units. Year four of active development and subsequent years will be based upon the 1,500:1 ratio.
- Centurion American is to maintain a database illustrating conformance to this requirement to the Westlake Building Official and include an up-to-date report with each new Residential Unit building permit application. Non-residential use buildings must be substantially outwardly completed within six (6) months of being included in the 1,500:1 Residential Unit calculations.

### **14. When will construction Westlake Entrada begin, and when will it be completed?**



The Town will have approval authority of several other steps after zoning. These include approval of detailed engineering plans, preliminary and final plats, site plan, landscape plan, deed restrictions, and the financing tool the developer will use for infrastructure construction (which will have no funding liability for the Town since the developer is responsible for all development costs). According to Centurion American, if these steps over which the Town has control move along at a reasonable pace, it is possible to begin a first phase of Westlake Entrada by the first quarter of calendar year 2014. The length of time required to complete Westlake Entrada will depend on the build-out pace of each phase, but it is estimated to be a long term project.

**15. What are the standards of residential construction in *Westlake Entrada* as proposed? How can I be assured that these standards won't be relaxed in the future?**

*Westlake Entrada's Design Guidelines*, which are part of the proposed zoning, establish design principles for PD1-2 that shape building design including building massing, scale and rhythm, architectural elements, entrances, façade treatments, lighting, signage, and streetscape.

Additionally, only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, and stucco will be considered primary materials for buildings in Westlake Entrada. Native Texas stone materials will be given primary consideration in the building material selection process. Primary materials as described here must comprise at least 80% of each floor, excluding windows and doors.

Other building material standards are contained in the proposed Zoning Ordinance for this request as well. Architecture will emphasize Spanish-Mission and/or Spanish type architecture.

Four-sided articulated architecture is required for all buildings. Residential and townhomes structures must have 80% stone exterior wall materials.

No composition roofs are allowed. Roofing materials are limited to natural slate or authentic clay tile, or roofing that has the appearance of slate or clay tile when approved on a case-by-case basis via Site Plan Approval. Flat roofing systems may be used where appropriately masked from street-level view corridors by parapets and/or other architectural features. Standing seam metal roofing may only be used for minor areas such as porches and patios and in areas not generally visible.

***Each permanent structure in Westlake Entrada must have building elevation review and approval from the Town prior to issuance of a building permit.***



**16. I think these developments, as proposed, will have a negative impact on my property value. How can you assure me that they will not?**

We have not encountered any evidence that Granada or Westlake Entrada will have any negative impact whatsoever on real estate values of existing properties in Westlake. In fact, the opposite may be the case given the history of development in Westlake.

In discussions with various local development and real estate professionals, we find **no evidence that Granada or Westlake Entrada would negatively impact real estate values so long as the development standards and building design standards are of high quality.** The zoning ordinances for both Granada and Westlake Entrada establish high quality standards. Also, the Town will have approval authority over deed restrictions at the time of platting for both developments.

Another way of saying this might be that there is no evidence to indicate that a \$1.2 million home in Glenwyck Farms has a negative impact on a \$5 million dollar home in Vaquero. This is because both homes meet high standards, both homes cater to a different price point, and both fill a different market niche. The same idea applies to the golf villas in Vaquero, which have not had an adverse impact on much larger and more expensive homes in Vaquero. What we have found in visiting with local real estate and development professionals is that, the key to maintaining value in real estate over time is consistent high quality standards. Granada and Westlake Entrada both achieve that end.

**17. I have heard that Westlake Entrada will include 'high rises'. Is that true?**

It depends. There are absolutely no 'high rises' contemplated for the Westlake Entrada development as one ordinarily thinks of 'high rises' in an urban area. However, *Webster's New Collegiate Dictionary* defines a high rise as "being multi-story and equipped with elevators," and the International Building Code defines a high rise as "any building with an occupied floor located more than 75' above the lowest level of fire department vehicle access." Under either of these definitions, it is possible that Westlake Entrada as finally platted and approved might include high rises. It is important to note that the original zoning, established prior to 2008, already allows for buildings at 735 feet above mean sea level, which could thus allow for high rises as defined by the International Building Code.