

TOWN OF WESTLAKE

ORDINANCE NO. 933

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING ORDINANCE 760, WHICH APPROVED THE DESIGN GUIDELINES FOR PLANNED DEVELOPMENT ZONING DISTRICT 1-3 (PD 1-2), COMMONLY KNOWN AS ENTRADA; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law municipality; and

WHEREAS, On December 14, 2015, the Westlake Town Council approved Ordinance 760, which approved the design guidelines for Planned Development District 1-2 (PD 1-2), an approximately 85 acre tract land, located north of Solana Boulevard, east of Davis Boulevard, and south of Highway 114, for the purpose of amending the Phase Two portion of the Development Plan; and

WHEREAS, Town staff proposes amendments to the signage standards in the design guidelines; and

WHEREAS, the Town Council of the Town of Westlake finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, following provision of proper legal notice, including written notice to owners within 200 feet of the subject property, published notice and posted notice in accordance with the Texas Open Meetings Act of public hearing, a public hearing was held on August 16, 2021 by the Planning and Zoning Commission (Commission) whereby the Commission recommended to the Town Council approval of the amendments to the development plan and shown in the attached **Exhibit "A"**; and

WHEREAS, following provision of proper legal notice, including written notice to owners within 200 feet of the subject property, published notice and posted notice in accordance with the Texas Open Meetings Act of public hearing, a public hearing was held on August 23, 2021 by the Town Council; and

WHEREAS, the Council believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town, are best served by adopting this Ordinance, which the Council has determined to be consistent with the 2015 Comprehensive Plan and its Land Use Map, Thoroughfare Plan, and Open Space Plan, all as amended to date; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission and after a public hearing, the Town Council of the Town of Westlake, Texas, is of the opinion that it

is in the best interests of the Town and its citizens that these amendments to the Entrada design guidelines, as approved by Ordinance 760, should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the following amendments to the Entrada design guidelines, as approved by Ordinance 760, Exhibit B, are hereby approved:

- A. Ordinance 760, Exhibit B, Page 64, Signage – Materials: Letters, is hereby repealed and replaced with the following language:

“Letters: Channel letters, pierced or laser cut metal displaying lettering, number or logos. Acceptable materials are brass, bronze, copper, or ferrous metal. Acceptable metal finishes include oil rubbed, dark bronze, black iron or a shop applied natural patina finish. Colors and design to be approved by the Town or their designee.”

- B. That all other provisions of Ordinance 760 shall remain in full force and effect, except as amended herein.

SECTION 3: That, except where provided specifically herein, this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

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 Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 6: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 23rd DAY OF AUGUST 2021.

ATTEST:

Todd Wood

Todd Wood, Town Secretary

Laura Wheat

Laura Wheat, Mayor

Amanda De Gan

Amanda DeGan, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry

L. Stanton Lowry, Town Attorney





TOWN COUNCIL AGENDA ITEM

Public Hearing Monday, August 23, 2021

TOPIC: Conduct a public hearing and consider approval of an ordinance approving amendments to Ordinance 760 approving the design guidelines for the PD1-2 zoning district, known as “Westlake Entrada”, located north of Solana Blvd., east of Davis Blvd., and south of State Highway 114.

STAFF: **Ron Ruthven, Planning and Development Director**

STRATEGIC ALIGNMENT

| <u>Vision, Value, Mission</u> | <u>Perspective</u> | <u>Strategic Theme & Results</u> | <u>Outcome Objective</u> |
|-----------------------------------|--------------------------------|--|---|
| Planned / Responsible Development | Citizen, Student & Stakeholder | High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards. | Preserve Desirability & Quality of Life |

SUMMARY

Staff proposes a minor amendment to the Entrada design guidelines regarding signage. The Entrada design guidelines, approved by the Town Council on December 14, 2015 by [Ordinance 760](#), currently permit internally illuminated plastic channel letters on a case by case basis. Existing examples of this type of sign in Entrada can be found on the front façades of the CVS Pharmacy and the façade of the Sendera Title building. Staff proposes eliminating plastic internally illuminated channel letters from the design guidelines. These types of signs are pervasive in most suburban retail developments across the nation and are not consistent with the rustic Catalonian design theme of Entrada, particularly in multi-tenant situations where more than one business is in a single building.

COUNCIL ACTION/OPTIONS

- Approve the proposed Ordinance, which contains staff's recommendations;
- Approve the Ordinance with additional conditions/modifications;
- Deny the proposed Ordinance with prejudice
- Deny the proposed Ordinance without prejudice
- Table the item

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 16, 2021, the Planning and Zoning Commission voted to approve the proposed amendments by a (5-0) vote subject to the recommendation that, in the future, staff seek ways to incentivize businesses to replace existing signage with signage that complies with the proposed amendments where applicable.

STAFF RECOMMENDATION

Staff recommends approval.

FISCAL/SERVICE LEVEL IMPACT TO COMMUNITY

Project Cost/Funding Amount: \$0.00

Funding Source: N/A

Contract: No

Forms: N/A

DEVELOPMENT/MOBILITY IMPACT TO COMMUNITY

Westlake Academy: The proposed amendments do not affect Westlake Academy.

Comprehensive Plan: The proposed amendments comply with the comprehensive plan.

Traffic Impact: The proposed amendments do not present any traffic impacts.

ATTACHMENTS

1. Proposed Ordinance
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PLANNING AND DEVELOPMENT ANALYSIS

PROPOSED AMENDMENTS

The proposed amendments are detailed as follows (shown in mark-up format):

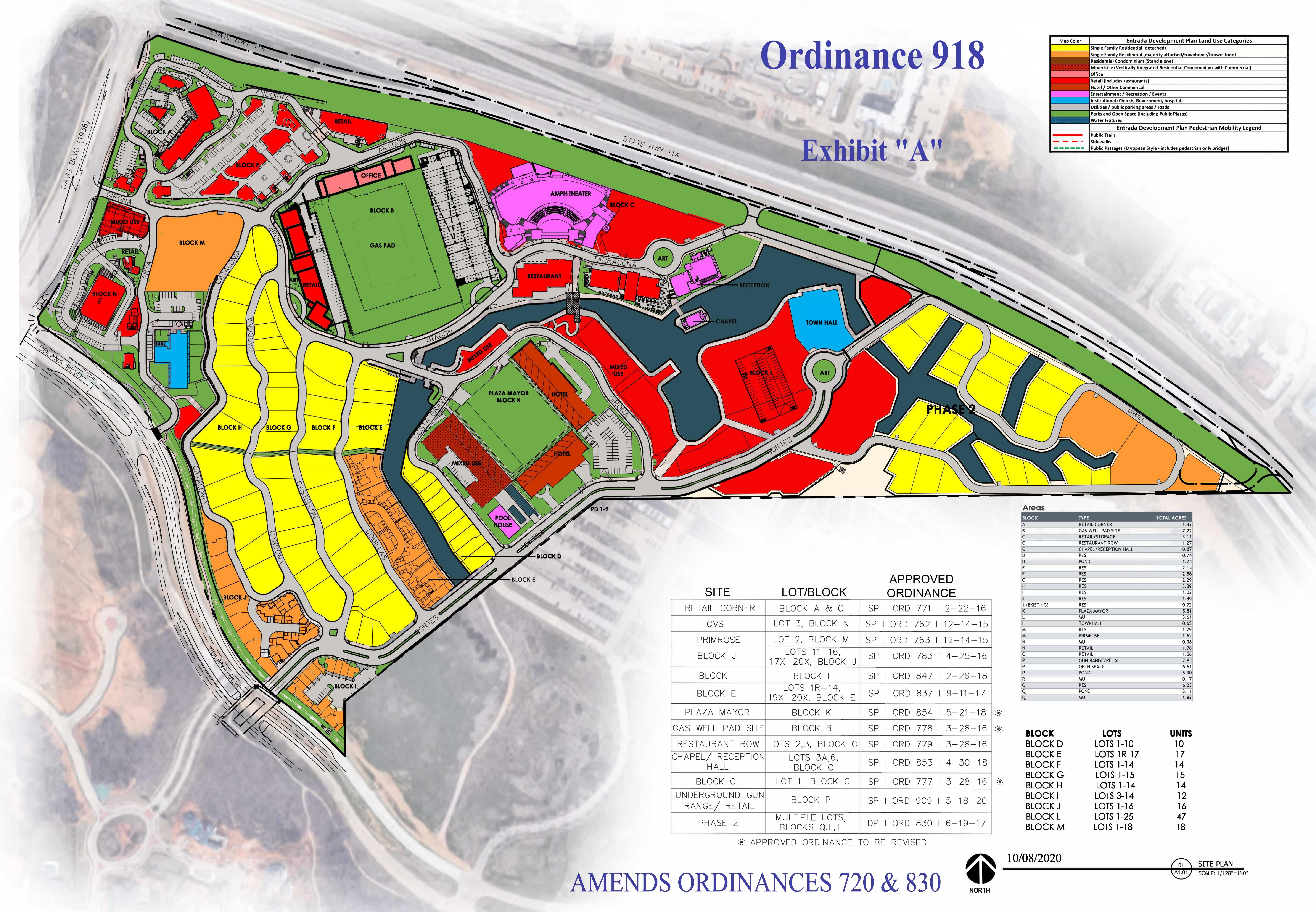
Ordinance 760, Exhibit B – Entrada Design Guidelines, Page 64, Signage – Materials: Letters

“Letters: Channel letters, pierced or laser cut metal displaying lettering, number or logos. Acceptable materials are brass, bronze, copper, or ferrous metal. ~~Plastic is allowed upon review and approval of proposed design.~~ Acceptable metal finishes include oil rubbed, dark bronze, black iron or a shop applied natural patina finish. ~~Internally lit or back lit plastic channel letters may be allowed on a case by case basis.~~ Colors and design to be approved by the Town or their designee.”

In situations where plastic, back-lit channel letters, or something similar, are deemed integral to the building design by the proposed developer, a waiver may be granted by the Town Council as part of the site plan approval process.

Ordinance 918

Exhibit "A"



AMENDS ORDINANCES 720 & 830

Ordinance 918

Exhibit "A"

| Map Color | Entrada Development Plan Land Use Categories |
|---|---|
| Yellow | Single Family Residential (semi-detached or detached) |
| Orange | Single Family Residential (majority attached/townhome/brownstone) |
| Brown | Residential Condominium (Stand alone) |
| Red | Mixed-Use (Vertically Integrated Residential Condominium with Commercial) |
| Pink | Office |
| Red | Retail (includes restaurants) |
| Brown | Hotel / Other Commercial |
| Pink | Entertainment / Recreation / Events |
| Blue | Institutional (Church, Government, hospital) |
| Grey | Utilities / public parking areas / roads |
| Green | Parks and Open Space (Includling Public Plazas) |
| Dark Blue | Water features |
| Entrada Development Plan Pedestrian Mobility Legend | |
| | Public Trails |
| | Sidewalks |
| | Public Passages (European Style - includes pedestrian only bridges) |

