

ORDINANCE NO. 202

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING THE TOWN'S COMPREHENSIVE ZONING ORDINANCE NO. 200, BY CREATING PLANNED DEVELOPMENT DISTRICT NO. 1 ("PD1"), ESTABLISHING THE APPLICABLE STANDARDS WITHIN PD1 AND SETTING OUT THE BOUNDARIES OF PD1 UPON THE OFFICIAL ZONING MAP OF THE TOWN OF WESTLAKE, TEXAS; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENAL CLAUSE; AND MAKING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 200, the Comprehensive Zoning Ordinance for the Town of Westlake, provides for numerous zoning categories including planned development districts; and

WHEREAS, the property included within PD1 has been developed as a planned office park with hotel and retail uses; and

WHEREAS, the Board of Aldermen of the Town of Westlake is desirous of creating "PD1" to permit both the existing development within PD1 and additional development within PD1; and

WHEREAS, the Board of Aldermen of the Town of Westlake, after considering the recommendations of the Planning and Zoning Commission, made after holding of public hearings as provided by ordinance, and after issuing notices and affording every person whose property was affected or who had any interest in the matter a free and fair opportunity to be heard, finds that it will promote the public health, safety, morals and welfare of the present and future residents of Westlake to establish the "PD1" zoning district; NOW, THEREFORE,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:

PART I

The recitals set forth above are hereby incorporated herein, adopted by the Town and declared to be true and correct.

PART II

That Ordinance No. 200, the Comprehensive Zoning Ordinance of 1992, is hereby amended, as envisioned by such ordinance, by adding Planned Development District No. 1 ("PD1") within the property described in Exhibit "A", attached hereto and incorporated herein by reference for all purposes, to the Comprehensive Zoning Ordinance. PD1 will be subject to the following zoning provisions.

Section 1. Principal Uses Permitted. No building, structure or premises shall be used other than for the following purposes, together with the ancillary and accessory uses specified in Section 2:

- A. Office buildings for business and professional use, including, but not limited to, administrative, executive, engineering, accounting, scientific, research and development, educational, marketing, information processing, computers, statistical and financial purposes, provided such use shall not involve any machinery or process which pollutes the environment, including without limitation those which emit dust, smoke, odor, fumes, noise, vibrations or the like;
- B. Educational facilities and temporary accommodations for employees, customers, and visitors to such educational facilities;
- C. Hotel and conferencing facilities;
- D. Retail uses including but not limited to, medical and dental clinics, cafeterias, restaurants, travel agencies, banks and other financial institutions, hair salons, jewelry stores, child care centers, dry cleaners, and other uses permitted under the retail category of the Comprehensive Zoning Ordinance of 1992, as amended;
- E. Institutional and/or Governmental Uses; and
- F. Sports and health club.

Section 2. Accessory Uses Permitted. No accessory uses shall be permitted in PD1 other than buildings and uses accessory to a principal use, including, but not limited to, the following:

- 1. off street parking and off street loading space as required;
- 2. storage and maintenance facilities;
- 3. utility services and facilities;
- 4. gatehouses, bus stops, pedestrian shelters and any similar structures;
- 5. caretaker houses;
- 6. signs, subject to illumination and other standards;
- 7. obelisks;

8. fire station, police station, or other security buildings.

Section 3. Dimensional standards and requirements. The following dimensional standards and requirements shall apply:

A. The minimum required lot area shall be five (5) acres.

B. The maximum percent of PD1 to be occupied by (i) principal use buildings shall be ten percent (10%) of the land area (as defined below), excluding court yards, atria, etc. not enclosed within the buildings. Parking garages shall not be included in the calculation of density or site coverage. For these purposes PD1 shall be deemed to have 251.757 acres of land area which is its original acreage before donations for roadways except for right of way within PD1 donated for S.H. 114.

C. The minimum size of any front, side or rear yard for principal and accessory use buildings shall be:

1. One hundred (100) feet from any public road, street or highway, except for the building located immediately adjacent to the intersection of Sam School Road and Kirkwood Boulevard, for which building the setback shall be eighty (80) feet;

2. The minimum setback from State Highway 114 shall be two hundred (200) feet;

3. Five hundred (500) feet from any residentially zoned area; or

4. Otherwise setbacks shall be one hundred (100) feet for side yards. Setbacks shall be one hundred (100) feet for rear yards except for Lots 1R and 2R of the Addition.

D. Utility service facilities, playground restrooms and storerooms, bus stops, gate houses, signs and similar types of minor accessory structures, may be located in the required yard areas provided that the height and location of such structures shall be approved as part of a site plan or in the building permit process. Below grade parking structures may also be located in the yard areas subject to approval as part of a site plan.

E. The maximum permitted building height for any principal or accessory building shall not exceed seven hundred (700) feet mean sea level.

F. Any lot within PD1 may have more than one (1) principal use building on such lot.

Section 5. Requirement of a Comprehensive Site Plan, etc. Notwithstanding any provisions in the Comprehensive Zoning Ordinance No. 200 addressing the form of site plans, the comprehensive site plans for all the area covered by PD1, which are attached hereto as Exhibits "B", "C", "D" and "E" (collectively, the "Site Plans" or individually a "Site Plan") are hereby reapproved by the Town of Westlake and declared to be in conformance with the Comprehensive Zoning Ordinance No. 200. The Site Plans for Westlake/Southlake Park, an addition to the Town of Westlake as filed in Volume 388-214, Pages 78-79 of the Map and Plat Records of Tarrant County, Texas, as modified by plat filed in Cabinet A, Slide 283, of the Map and Plat Records of Tarrant County, Texas (the "Addition") permit not less than the approximate land coverage for principal use buildings as set forth in Exhibit "F" attached hereto and approximate gross building square footages as set forth in Exhibit "G" attached hereto, both of which exhibits are incorporated herein by reference for all purposes. Any development within PD1 not materially in accordance with the Site Plans will require the submission and approval of a new comprehensive site plan for such additional or substantially changed development provided in no event shall the site coverage by principal buildings be more than ten percent (10%) as set forth in Section 3B above.

Any requirement of a concept plan shall be deemed satisfied by the Site Plans. Any requirement of a development schedule shall be required only in connection with any future request for a building permit. No preliminary service plan will be required since water and sewer service is already provided by Trophy Club Municipal Utility District No. 1 (the "MUD"), and police, fire and ambulance services are provided either by Tarrant County, the MUD or the City of Southlake.

Section 6. Landscaping. Landscaping and irrigation of PD1 shall be generally in accordance with building plans approved by the Town from time to time. Any material change in such landscaping and irrigation of PD1 not in accordance with approved building plans shall be subject to the Town's applicable landscape ordinances and regulations.

Section 7. Service Road. The width of the service road providing access for trucks and other deliveries to the back of the hotel and office building located at Seven Village Circle may be fifteen feet (15') in width, notwithstanding any contrary provision in Ordinance No. 155.

Section 8. Development Agreement. A development agreement will be required prior to issuance of any future building permit(s).

Section 9. Conformance with Town's Comprehensive Plan. Present development within PD1 conforms to the requirements of the Town's Comprehensive Plan as adopted by Ordinance No. 199.

Section 10. Approval of Existing Plat As Amended. The plat, as amended, for the Addition as referenced in Section 5 above is hereby unconditionally approved.

Section 11. Comprehensive Zoning Ordinance. Except as amended by this ordinance, the Town's Comprehensive Zoning Ordinance of 1992, as amended, shall govern property zoned PD1.

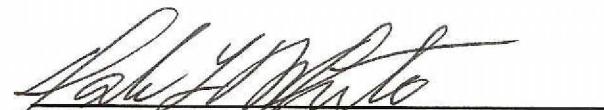
PART III

It is hereby declared to be the intention of the Board of Aldermen of the Town of Westlake, that sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 Board of Aldermen of the Town of Westlake without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

PART IV

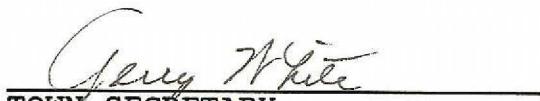
This ordinance shall become effective immediately upon its passage and is

ACCORDINGLY SO ORDAINED, PASSED AND APPROVED this 16th day of November, 1992 A.D.



DALE L. WHITE, MAYOR
TOWN OF WESTLAKE, TEXAS

ATTEST:



Garry White
TOWN SECRETARY
TOWN OF WESTLAKE, TEXAS

APPROVED AS TO LEGAL FORM:



Dale M. Johnson
TOWN ATTORNEY
TOWN OF WESTLAKE, TEXAS

EXHIBIT "A"
DESCRIPTION OF LAND

PROPERTY DESCRIPTION

Being a tract of land in the C. M. Throop Survey, Abstract No. 1510, the U. P. Martin Survey, Abstract No. 1015, the T. W. Mann Survey, Abstract No. 1107, the J. B. Martin Survey, Abstract No. 1134, and the W. Medlin Survey, Abstract No. 1958, all located in northern Tarrant County, Texas. This tract of land embraces all of those tracts of land described in deeds to International Business Machines Corporation and recorded in Volume 7376, Page 1792, Volume 7824, Page 2033, Volume 7376, Page 1779, Volume 7359, Page 1579, Volume 7362, Page 1168, Volume 7362, Page 1164, and Volume 7376, Page 2043. It includes portions of those tracts of land described in deeds to International Business Machines Corporation and recorded in Volume 7376, Page 1765, Volume 7376, Page 1737, Volume 7376, Page 2067, and Volume 7422, Page 2157 (embraces Tract Two). All deeds are recorded in County Records, Tarrant County, Texas. Said tract is more particularly described as follows:

BEGINNING at a steel fence post set in concrete in the southwest right-of-way of State Highway No. 114 at highway station 56+23.87 and being an angle point in the right-of-way of State Highway No. 114;

THENCE S 36° 32' 25" E, at 116.54 feet pass the centerline of Peytonville Road (County Road No. 3088), at 232.93 feet pass a highway monument at an angle point in the right-of-way of State Highway No. 114, and continue on with the southwest right-of-way of State Highway No. 114, a total distance of 2913.13 feet to a 5/8" iron pin with cap stamped "Carter & Burgess" set at the southeast corner of Tract Two as described in Volume 7422, Page 2157;

THENCE N 88° 29' 50" W, at 110.41 feet pass a 5/8" iron pin found and continue on a total distance of 907.77 feet to a 5/8" iron pin found by a fence post at the most easterly northeast corner of the tract described in Volume 7824, Page 2033;

THENCE S 00° 17' 58" W, 197.59 feet to a 5/8" iron pin found by a fence corner at the southeast corner of the tract described in Volume 7824, Page 2033;

THENCE S 86° 22' 05" W, 518.25 feet to a $\frac{1}{2}$ " iron pin found in the easterly right-of-way of Peytonville Road;

THENCE N 19° 09' 01" W, with the easterly right-of-way of Peytonville Road, 393.02 feet to a 5/8" iron pin with cap stamped "Carter & Burgess" set at the southwest corner of the tract described in Volume 7376, Page 1779;

C&B No. 8466402
7/15/85

EXHIBIT "A"

THENCE S 88° 45' 45" W, at 26.53 feet pass a 60d nail found in the centerline of Peytonville Road, at 52.28 feet pass the westerly right-of-way of Peytonville Road, and continue on a total distance of 439.73 feet to a 3/8 inch iron pin in concrete found by a fence post in the south line of a tract described in Volume 7376, Page 2087;

THENCE S 89° 33' 46" W, 1,466.76 feet to a fence corner at the southwest corner of the tract described in Volume 7376, Page 2087;

THENCE N 00° 47' 24" E, 460.91 feet to a 5/8 inch iron pin with cap stamped "Carter & Burgess" set by a fence post at the southeast corner of the tract described in Volume 7376, Page 2043 and from which a one inch pipe found bears N 00° 47' 24" E, 2.21 feet;

THENCE N 89° 57' 44" W, 1,774.98 feet to a 5/8 inch iron pin with cap stamped "Carter & Burgess" set;

THENCE North, 1,882.23 feet to a 5/8 inch iron pin with cap stamped "Carter & Burgess" set;

THENCE N 52° 00' 00" E, 1,000.00 feet to a 5/8 inch iron pin with cap stamped "Carter & Burgess" set;

THENCE East, 2,141.45 feet to a 5/8 inch iron pin with cap stamped "Carter & Burgess" set, said pin being in the aforementioned southwest right-of-way line of State Highway No. 114;

THENCE S 36° 32' 25" E along said right-of-way line 950.14 feet to the POINT OF BEGINNING, containing 255.930 acres of land.

PD-1
APPROXIMATE LAND COVERAGE
PRINCIPAL USE BUILDINGS
November 16, 1992

Approximate Building Footprints

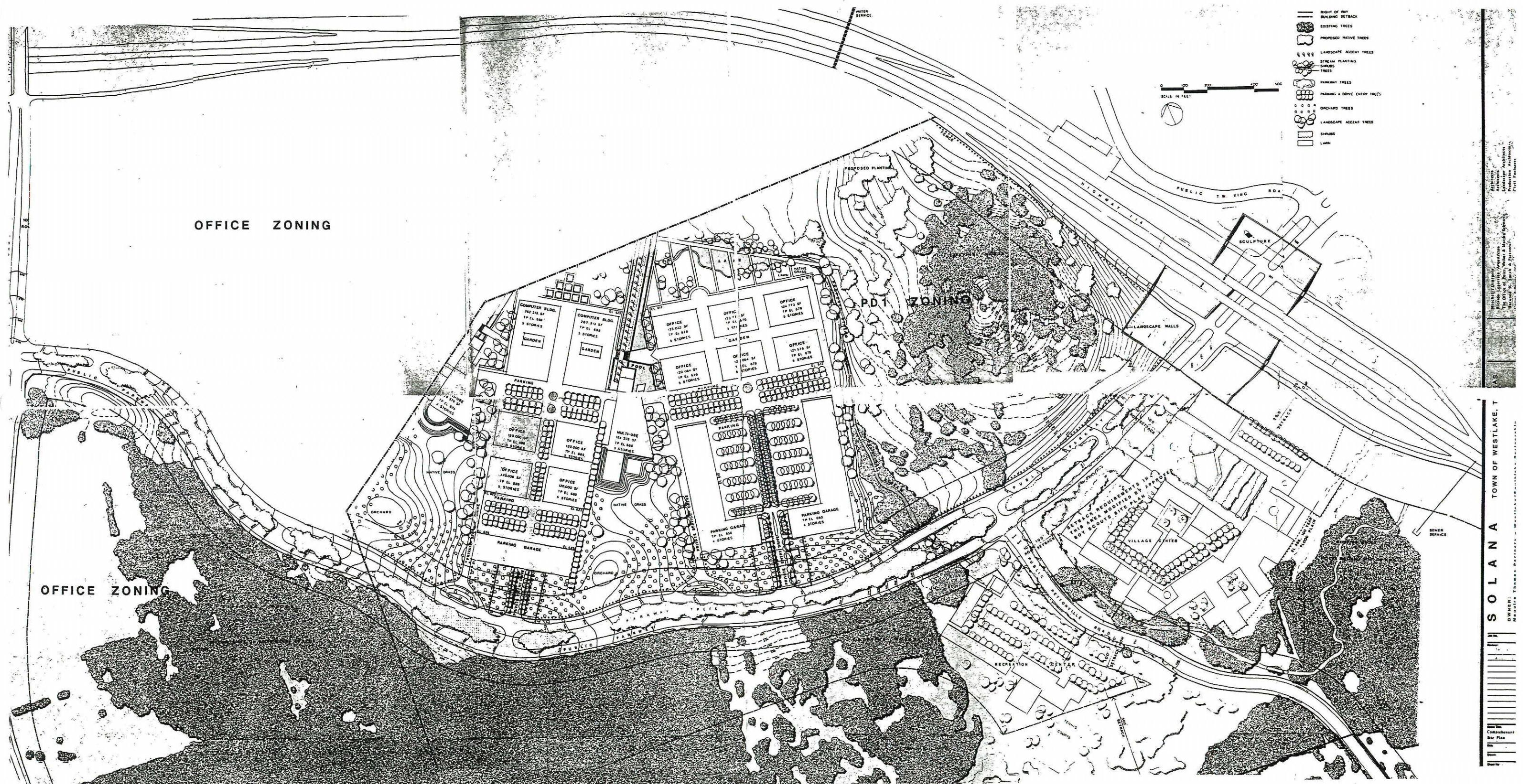
Lot 1, Block 1 (Existing)	242,000
Lot 2, Block 1 (Future)	191,000
Lot 1, Block 2	
7 Village Circle (Existing)	32,000
9 Village Circle (Existing)	28,000
Boy Scouts (Existing)	11,000
Village Center Retail (Existing)	32,000
Village Center Expansion (Future)	61,000
Hotel	
• Existing	60,000
• Future	13,000
Sports Club	
• Existing	30,000
• Future	5,000
Total	705,000 SF

Land SF = 251.747 ac x 43,560 = 10,966,099 SF

Coverage of Principal Use Buildings = 705,000 ÷ 10,966,099 = 6.43%

PD-1
APPROXIMATE GROSS BUILDING SQUARE FOOTAGES
November 16, 1992

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
Lot 1, Block 1			
• Existing Buildings	1,225,000		1,225,000
Lot 2, Block 2		875,000	875,000
Lot 1, Block 3			
• Existing Sports Club	40,000		
• Expansion		5,000	
Total			45,000
Block 2, Lot 2R			
• Existing Hotel	183,000		
• Expansion		62,000	
Total			245,000
Block 2, Lot 1R			
• 7 and 9 Village Circle Office Buildings	298,000		
• 2 W. Kirkwood (Boy Scouts)	11,000		
• Village Center Retail	46,000		
• Village Center Expansion		75,000	
Total			430,000

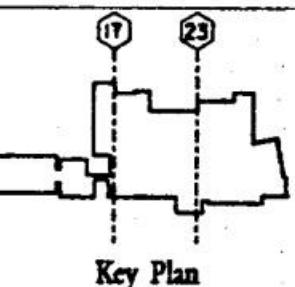


Dallas Marriott Solana

Westlake, Texas

Maguire Thomas Partners/
IBM Corporation

Architect of Record
Leason Pomeroy Associates
Design Architect
Lagorina Architects
Interior Design Consultant
Skidmore, Owings and Merrill
Landscape Architect
Peter Walker and Martha Schwartz
Civil Engineer
Carter and Burgess, Inc.
Structural Engineer
CBM Engineers, Inc.
Historical Planner and Detailed Engineer
Blum Consulting Engineers
Under Contract Engineer
Lord, Bates & Associates, Inc.



Key Plan

Leason Pomeroy Associates³

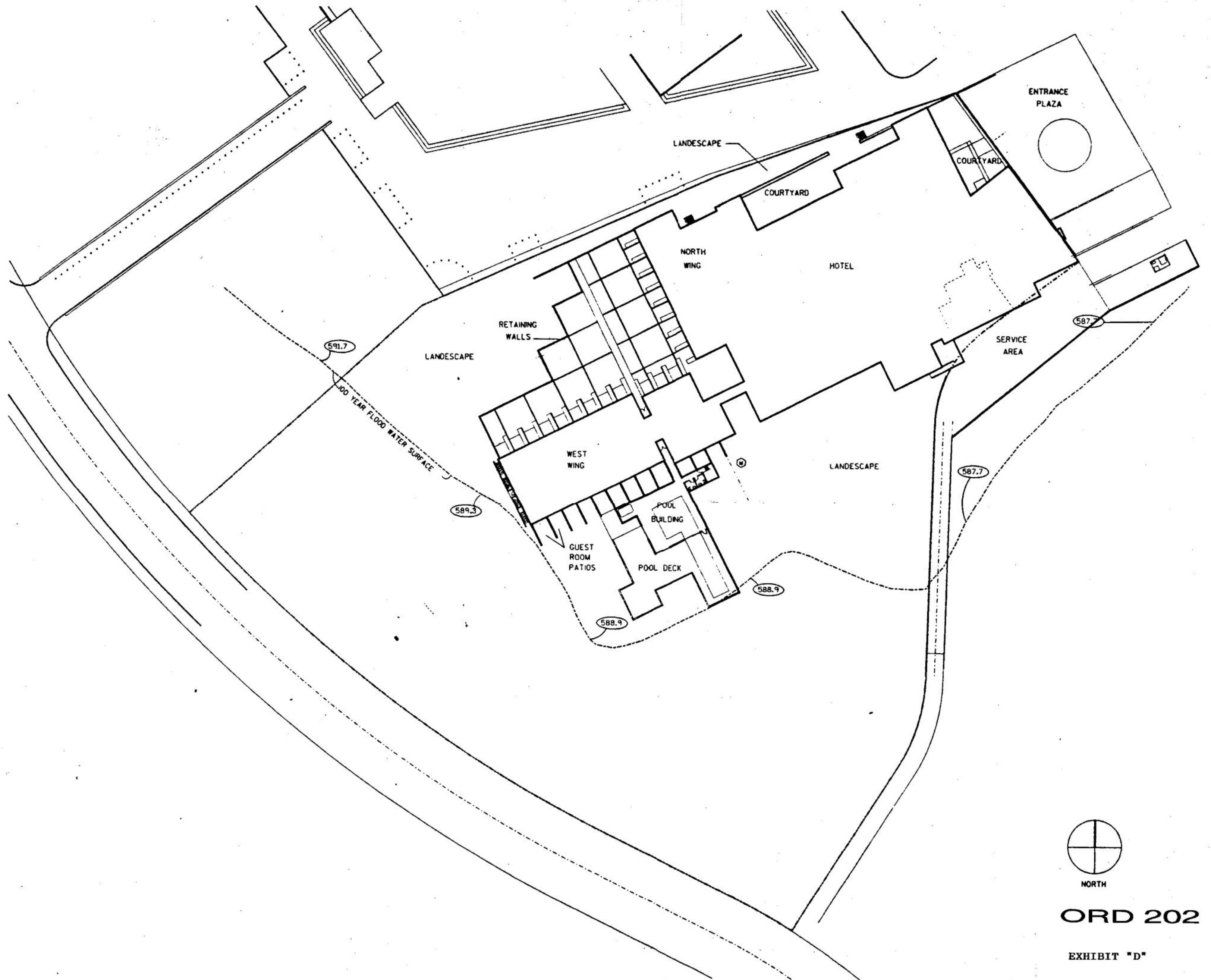
Address: 411 Main Street
Plano, Texas 75075
Phone: (214) 295-3800

411 Main Street
Plano, Texas 75075
Phone: (214) 295-3800

Project: ORD 202 PACKAGE #4
Description: Site Plan
Date: MAY 8, 1989

Sheet No.	ST002-20
Date	MAY 8, 1989
Drawn By	
checked by	
Sheet No.	

AI.1



ORD 202

EXHIBIT "D"

SITE PLAN

30'-0"

4

**Boy Scouts
of America
Solana**

Woodside, Texas

Maguire Thomas Partners
and the IBM Corporation

Architect of Record

Lesson Pomeroy Associates

Design Architects

Leggett Associates

Landscape Architects

Peter Walker and Martha Schwartz

Land Engineers

Carver and Burgess, Inc.

Structural Engineers

CBM Engineers, Inc.

Mechanical, Plumbing and Electrical Engineers

Elman Consulting Engineers

Lesson Pomeroy Associates

Architects

Planning

Interior Design

44 Plaza Square

Orange, California

714/778-4444

**SCHEMATIC
SITE PLAN**

ORD 202

EXHIBIT "E"

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