

TOWN OF WESTLAKE

ORDINANCE NO. 693

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS TO AMEND THE ZONING FOR AN APPROXIMATELY 84.04 ACRE TRACT OF LAND IDENTIFIED AS PLANNING AREA 3 OF THE PD1 PLANNED DEVELOPMENT DISTRICT (PD1-3), GENERALLY LOCATED IN TARRANT COUNTY, TEXAS; FROM THE USES PERMITTED IN THE "PD1" PLANNED DEVELOPMENT DISTRICT BEING, OFFICE, HOTEL AND CONFERENCING, EDUCATIONAL, GOVERNMENTAL, SPORTS AND HEALTH CLUB, AND RETAIL USES, TO SINGLE FAMILY RESIDENTIAL AND RELATED ACCESSORY USES; DEFINING CERTAIN TERMS; DESCRIBING AND INTERPRETING THE PD CONCEPT PLAN; REGULATING PERMITTED USES, HEIGHT, LOT SIZES, BUILDING LINES, BUILDING DESIGN, MINIMUM FLOOR AREA, PARKING, LANDSCAPING, DRAINAGE AND OTHER DEVELOPMENT STANDARDS AND; PROVING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

WHEREAS, on August 24, 1992, the Town Council adopted a Comprehensive Plan (the "1992 Comprehensive Plan") for the Town; and

WHEREAS, on November 16, 1992, the Town Council (sometimes referred to as the "Council") of the Town of Westlake, Texas (the "Town"), adopted a Comprehensive Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Zoning Ordinance has been amended by the Council after receiving recommendations from the Planning and Zoning Commission (the "Commission"); and

WHEREAS, on September 15, 1997, based on the recommendations of the Commission, the Town Council amended the Zoning Ordinance and the subdivision regulations by the adopting of a Unified Development Code (the "UDC") for the Town; and

WHEREAS, there is located within the corporate limits of the Town an approximately 84.04-acre tract of land (commonly known as Planning Area 3 of the PD1 zoning district, being the portion of the PD1 zoning district bounded by Dove Road to the south, FM 1938 to the east, and Solana Boulevard to the north); and

WHEREAS, because of the size, location, and natural features of the Planning Area and the Town's need for public infrastructure, amenities, and services, the Town has a critical interest in the development of the Planning Area and is encouraging such development to the highest possible standards of quality consistent with the Town's long-term development vision; and

WHEREAS, because of improvements to FM 1938, further urban growth throughout the region, and other changed conditions that affect the region, the Town believes there are unique and significant opportunities for residential uses within the Planning Area that will be consistent with the Town's long-term development vision; and

WHEREAS, the suitability of the Planning Area for such planned uses can be enhanced through modifications to the development regulations governing the Planning Area, including modifications to the zoning, subdivision and other standards otherwise applicable under the UDC; and

WHEREAS, the economic development and land use planning objectives of the Town will be furthered by the establishment of such planned development district; and

WHEREAS, the Commission and Council held public hearings upon the application of Centurion American, to establish PD1-3 and amend the zoning regulations for the approximately 84.04-acre tract of land to a "PD" Planned Development District with single-family residential uses on February 20, 2013, after written notice of such hearing having been sent to owners of real property being within 200 feet of the property and notice being published in a newspaper of general circulation in the Town, all in accordance with law; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission, 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 the amendments (**Exhibit "2"**) to the Westlake Code of Ordinances should be approved and adopted; 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 1992 Comprehensive Plan, the Thoroughfare Plan, and Open Space Plan, all as amended;

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

SECTION 1: That the recitals set forth above are hereby incorporated herein, adopted by the Town and declared to be true and correct.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas, Ordinance No. 202, as amended, is hereby amended by this PD Ordinance, by amending Planned Development District PD1, Planning Area 3 (PD1-3) within the property described in Exhibit 1 attached hereto by reference for all purposes. This Planning Area will be subject to the concept plan, development standards and other regulations attached hereto as Exhibit 2.

SECTION 3: 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 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 Town Council of the Town of Westlake without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4: That all provisions of Ordinance not hereby amended shall remain in full force and effect.

SECTION 5: That 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 6: 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 (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 25TH DAY OF FEBRUARY 2013.

ATTEST:

Kelly Edwards
Kelly Edwards, Town Secretary

APPROVED AS TO FORM:

Stan Lowry
Stan Lowry, Town Attorney

Laura Wheat
Laura Wheat, Mayor

Thomas E. Brymer
Thomas E. Brymer, Town Manager



EXHIBIT 2
PD1 PLANNING AREA 3 (PD1-3)
SINGLE FAMILY RESIDENTIAL

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ARTICLE I. GENERAL PROVISIONS

SECTION 1 SHORT TITLE

This ordinance shall be known and may be cited as the "Planned Development 1, Planning area 3 Single-Family Residential Planned Development Zoning District Ordinance." or simply as the "PD1-3 Ordinance".

SECTION 2 PURPOSES

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for single-family residential development of the property bounded by Dove Road to the south, FM 1938 to the west, and Solana Boulevard to the north. To provide for Land Uses similar to and compatible with the neighboring residentially zoned properties.

SECTION 3 GENERAL DEFINITIONS

Section 3.1 Usage For purposes of this PD Ordinance, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this Section. Other terms and words are defined elsewhere in this PD Ordinance. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural include the singular. The word "shall" will be interpreted as mandatory, and the word "may" as permissive.

Section 3.2 Words and Terms Defined

Applicable Town Ordinances means the UDC and all other ordinances, rules, and regulations that are adopted by the Council and that are applicable to development within the PD District or Planning Area.

Council means the Town Council of the Town of Westlake, Texas.

Commission means the Planning and Zoning Commission of the Town of Westlake, Texas.

Floor area ratio (FAR) means the ratio of floor area to lot area. Floor area means the total area of all floors of all buildings on a lot or unified development site measured between the outer perimeter walls of the buildings excluding (i) area in a building or in a separate structure (whether below- or above-grade) used for the parking of motor vehicles, (ii) courts or balconies open to the sky, and (iii) roof area used for recreation. Lot area means the gross site area excluding only (a) public roadways shown on the PD Concept Plans, (b) public hike, bike, and equestrian trails shown on the PD Concept Plans; and (c) the Town edge landscape zone.

Masonry means brick, stone, cast stone, concrete, glass block, split-face concrete masonry unit, or other masonry materials approved by the Town.

PD Concept Plan means any one or more of the drawings attached to this Ordinance and labeled "PD Concept Plan" (all of which plans are deemed part of the PD Concept Plan and this PD Ordinance).

PD District means the planned development zoning district or Planning Area established or amended by this PD Ordinance.

PD Ordinance means this planned development zoning district ordinance, including the PD Concept Plan.

Planning Area means an area within a Planned Development zoning district, the boundaries of which have been approved by the Town, which may have Permitted Uses and Development Regulations that are only applicable to the Planning Area.

Town means the Town of Westlake, Texas.

Town Manager means the Town Manager of the Town of Westlake or his/her designee.

UDC means the Town's Unified Development Code, or the development related chapters of the Code of Ordinances as amended.

SECTION 4 APPLICABILITY OF EXISTING REGULATIONS

Section 4.1 Applicable Town Ordinances

Except to the extent provided by the PD Concept Plan and this PD Ordinance, development within the PD1-3 Planning Area shall also be governed by the Applicable Town Ordinances for the R-1 Zoning District. In the event of any conflict between (i) the PD Concept Plan and this PD Ordinance, and (ii) the Applicable Town Ordinances, the terms, provisions and intent of the PD Concept Plan and this PD Ordinance shall control. Except as provided below, in the event of any conflict between the UDC and the Applicable Town Ordinances, the terms, provisions and intent of the UDC shall control.

Section 4.2 General Approval Criteria

To the extent, if any, that the Applicable Town Ordinances (and, in particular, the subdivision regulations of the UDC) grant to the Council, the Commission, the Town Planner, or any other Town employee or consultant, the authority to approve any aspect of development within the PD District (including, but not limited to, preliminary or final plats or any aspect thereof or any agreements or permits related thereto) based on conformity with the Town's Comprehensive Plan, Open Space Plan or Thoroughfare Plan, Master Water and Sewer and Master Drainage Plans (or with the objectives, goals or policies of such plans), then such authority shall be exercised to the extent necessary to determine whether the aspect of development being approved is consistent with the PD Concept Plan, this PD Ordinance, and the objectives, goals, and policies of such plan and ordinance.

SECTION 5 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 5.1 PD Concept Plan The PD Concept Plan attached to this PD Ordinance consists of drawings generally labeled as follows: (1) "Concept Plan". (2) "Open Space and Trail improvements." (3) "Perimeter Wall Plan." Except as otherwise provided by this PD Ordinance, each of these drawings is a part of this PD Ordinance, and all graphic depictions contained on such drawings are considered "regulatory" standards.

A. PD Concept Plan limits The drawing labeled "Concept Plan" identifies the general boundaries of the PD3-1 Planning Area. The exact boundaries of the PD1-3 Planning Area are shown on the metes and bounds description attached hereto as Exhibit 1. Any information shown on this drawing that is outside the boundaries of the PD1-3 Planning Area is not considered part of the PD Concept Plan or this PD Ordinance and does not bind or otherwise affect development within the PD1-3 Planning Area other than for the purposes of alignment of improvements with existing off-site improvements.

Section 5.2 PD Development Plans A PD Development Plan is not typically required for single-family residential developments.

Section 5.3 PD Site Plans A PD Site Plan is not typically required for single-family residential developments.

SECTION 6 PARK LAND DEDICATION REQUIREMENTS

Park Land Dedication requirements shall be in accordance with Town ordinances and shall be met prior to filing of Final Plats.

SECTION 7 TREE MITIGATION REQUIREMENTS

Tree Mitigation requirements shall be in accordance with Town ordinances and shall be met prior to the filing of Final Plats.

SECTION 8 DUCT BANK REQUIREMENTS

The Developer shall install a Duct Bank system throughout the subdivision as required by Town ordinances. The home builder shall tie into the Duct Bank prior to the Final Inspections or Certificate of Occupancy approval.

ARTICLE II. USES

SECTION 1 LAND USE SCHEDULE

Buildings, structures, and land within the PD1-3 Planning Area shall be used only in accordance with the uses permitted in the following "Land Use Schedule". The symbol "X" shall mean that the use is permitted as a principal use by right. The symbol "S" shall mean that the principal use is permitted only after first obtaining a "Specific Use Permit" as set forth in the UDC. The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use (this does not exclude other land uses which are generally considered accessory to the primary use). A blank square shall mean that the use is not allowed by right as a principal or accessory use.

PD1 PLANNING AREA 3 (PD1-3) – SINGLE FAMILY RESIDENTIAL LAND USE SCHEDULE

PERMITTED USES	
X=Permitted, A=Accessory Use, S=SUP	
RESIDENTIAL USES	
Single Family Detached	X
Single Family Zero Lot Line	
Single Family Attached	
Duplex	
Home Occupation (1)	X
Servants/Caretakers Quarters	A
Temporary Accommodation for Employees/Customers/Visitors	A
Swimming Pool (Private)	A
Detached Garage (Private)	A
Sport/Tennis Courts (Private unlit)	A
Sport/Tennis Courts (Private lighted)	S
INSTITUTIONAL and GOVERNMENTAL USES	
Emergency Ambulance Service	
Post Office (Governmental)	
Telephone, Electric, Cable, and Fiber Optic Switching Station	
Electrical Substation	
Utility Distribution Lines ²	X
Water and Sewage Pumping Station (below grade)	X
Water and Sewage Pumping Station (above grade)	
Water Storage Tank and Pumping System (Elevated or Above Grade)	X

PERMITTED USES	
X=Permitted, A=Accessory Use, S=SUP	
Water, Sewer, Electric, and Gas Meters	X
Electric Transformers	X
Private Streets/Alleys/Drives	X
Child Daycare (Private; 7 or more)	S
Government Building	X
Police Station	X
Fire Station	X
AMUSEMENT/RECREATION	
Park or Playground (Public or Private)	X
Satellite Dish	S
Non-Commercial Radio Tower	S
Recreation Center (Private)	X
Hike, Bike, and Equestrian Trails (Public or Private)	X
Temporary Sales Office (3)	X

NOTES:

1. As defined by Chapter one of the Town of Westlake Code of Ordinances.
2. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
3. Limited to period of construction.

SECTION 2 ACCESSORY USES AND STRUCTURES

An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land, shall be permitted as an accessory use without being separately listed as a permitted use.

ARTICLE III. DEVELOPMENT STANDARDS

SECTION 1 DENSITY

A maximum of 84 single-family residential lots may be allowed in this PD district..

SECTION 2 MINIMUM LOT SIZE

The minimum lot size shall be 23,500 square feet. The minimum average size of all single-family lots within Granada shall be 30,000 square feet.

SECTION 3 MINIMUM LOT WIDTH

The minimum lot width shall be 80 feet measured at the building line.

SECTION 4 MAXIMUM BUILDING HEIGHT

Section 4.1 Maximum Building Height. The maximum height for all structures located on residential lots shall be two and one-half stories or 28 feet measured to the mid-span of the highest roof span.

Section 4.2 Exceptions to Height Limitations. The height limits imposed above shall not apply to (a) chimneys and vent stacks, cupolas, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) structures shown on the approved concept plan.

SECTION 5 MINIMUM BUILDING SIZE

The minimum building size shall be 3,000 square feet for single story houses and 4,000 square feet for two story houses.

SECTION 6 LOT COVERAGE

The footprint of the main level of each residence shall not exceed 30% of the entire area of the lot. Footprint shall not include porches, patios, or other unenclosed areas.

SECTION 7 FRONT YARD SETBACKS

The minimum front yard shall be 40 feet. The Town Manager or his/her designee may approve a reduction of the required setback or may require an increase in the required setback by a maximum of ten (10) feet to avoid monotony or to accommodate unique site conditions including the preservation of old growth trees.

SECTION 8 REAR YARD SETBACKS

The minimum rear yard shall be 40 feet. The Town Manager or his/her designee may approve a reduction of the required setback by a maximum of ten (10) feet to avoid monotony or to accommodate unique site conditions including the preservation of old growth trees.

SECTION 9 SIDE YARD SETBACKS

The minimum side yard shall be 20 feet. The Town Manager or his/her designee may approve a reduction of the required setback by a maximum of five (5) feet to accommodate unique site conditions including the preservation of old growth trees.

SECTION 10 SLOPE REQUIREMENTS

The height of non-residential structures within the PD District shall not be limited based on any adjacency to (i) a residential lot (whether such residential lot is located inside or outside of the PD District), or (ii) any roadway. All non-residential structures must be shown on an approved concept plan are exempt from height limitations.

SECTION 11 SIGNAGE REQUIREMENTS

Section 11.1 Signs The UDC and the Westlake Code of Ordinance shall govern all signage other than signage shown on the approved Concept Plan

Section 11.2 Exceptions to sign regulation. Signs shown on the approved Concept Plan are exempt from regulation in the UDC.

SECTION 12 LANDSCAPE REQUIREMENTS

Section 12.1 Landscape requirements for residential home sites.

1. Shrubs or flower beds shall be located in flower beds along the foundation line of all structures, except where paving is adjacent to the structure, and must extend away from the foundation a minimum of five (5) feet. No more than seventy-five percent (75%) of the landscaped area of a front yard may be covered by grass.
2. The landscape requirements of the Roadway Landscape Zones contained within the UDC are applicable to all residential lots within this Planning Area.
3. Lots that have rear yards facing Dove Road or FM 1938 shall have a minimum of two (2) large trees and two small trees per lot in each rear yard. The Town Manager or his/her designee may waive this requirement if adequate landscaping within the Common Open Space between the lot and the roadway is in place.

Section 12.2 Landscape requirements for Common Areas

1. Landscaping shown in the common areas on the Concept Plan shall be installed and maintained by the Developer or the Home Owners Association.
2. .
3. Parking spaces within the common areas for Trail Head or other public use shall be screened adjacent property or right-of-way. Landscaping and or berms shall create a solid screening thirty (30) inches high between the parking area and any adjacent street.

SECTION 13 LIGHTING STANDARDS

All exterior lighting shall be subdued and indirect and comply with Town ordinances as well as follow Dark Skies Design Guidelines. Nuisance lighting and or glare must be avoided. THE OBJECTIVE OF THE REGULATION OF OUTDOOR LIGHTING IS TO PRESERVE THE NIGHT TIME DARK SKY BY MIMIMIZING THE AMOUNT OF EXTEROR LIGHTING. TO UTILIZE LOW INTENSITY INDIRECT LIGHT SOURCES TO THE EXTENT REQUIRED FOR SAFETY AND SUBTLE DRAMA, TO ACHIEVE OUTDOOR LIGHTING OF PLANT MATERIALS WITH HIDDEN LIGHT SOURCES. THE TOWN OF WESTLAKE SUPPORTS THE “DARK SKY” PHILOSOPHY AND HAS ADDITIONAL OUTDOOR LIGHTING REGULATIONS IN THE CODE OF ORDINANCES.

Section 13.1 Street lighting. Street Lighting shall be located at all corners and intersections. Lights shall be low pedestal type fixtures with fully shielded light sources as approved by the Town.

Section 13.2 Outdoor lighting regulations. The Outdoor Lighting regulations contained in the UDC are applicable to this Planning Area with the following additions:

1. Up-lighting shall be limited to lighting landscaping elements and shall be limited to 25 watt incandescent or equivalent lumens.
2. Building walls shall not be illuminated and light from landscape lighting may not illuminate building walls higher than four (4) above grade.
3. Floodlights are prohibited. Except as allowed in the UDC.
4. All light sources must be fully shielded from view from adjacent property or right-of-ways. Light sources of 25 watts incandescent or equivalent may be shielded with frosted or opaque glass.

SECTION 14 BUILDING DESIGN ELEMENTS

Section 14.1 Architectural Control Committee. An Architectural Control Committee shall be established that has approval authority over house designs prior to submittal for permitting.

The committee shall have three voting members with at least one member appointed by the Town Manager and at least one member appointed by the developer. The member appointed by the Town Manager may approve minor variances to any of the Building Design Elements if he/she feels that the intent of the ordinance has been met.

Section 14.2 Roofs. Roofing materials shall be limited to concrete or clay tile, slate, , standing seam metal (as accent roof projections not exceeding 200 sq. ft., or other materials with similar appearance if approved by the Town. No more than two houses on adjacent lots, fronting on the same street, may have the same type and color roof material. No more than two houses on adjacent lots may have the same roof pitch unless one or both roofs have multiple pitches.

Roof slope for the main structure and garage shall have a minimum roof pitch of 8:12, unless otherwise approved by the Architectural Control Committee. This minimum pitch shall be used on all roofs except Tuscan and Mediterranean style homes which can have a minimum of 4:12 roof pitch.

Roof design shall include offsets and dormers to break up large expanses of roof area.

Section 14.3 Exterior Walls. Exterior walls shall have horizontal and vertical articulation or architectural features on all elevations.

Acceptable exterior wall materials:

Brick - as an accent limited to 30% of the exterior wall.

Stone

Cast Stone

Stucco – $\frac{3}{4}$ inch thick minimum and limited to 30% Except Tuscan and Mediterranean style homes may have up to 100%.

Note: Siding of any type is prohibited for use on walls or chimneys.

Exterior wall materials shall make changes at inside corners only. Every elevation shall have a minimum of two wall materials or textures. Single wall covering materials may be approved if architectural features, wall offsets, and enhanced trim around openings are utilized to limit continuous blank wall areas.

Walls shall not exceed thirty feet in length without an offset of two (2) feet or more unless the wall area is broken up by architectural elements such as ornate masonry work, changes in construction material, or openings for windows or doors that are trimmed and recessed a minimum of three (3) inches.

Section 14.4 Parking. Every house must have a minimum of three enclosed parking spaces.

Section 14.5 Exterior doors and windows. All doors and windows other than those within court yards shall be recessed a minimum of three inches.

Windows shall be wood and those visible from off-site shall have mullions or muntins.

Primary Entry Doors shall vary in design from house to house. If the same door is used on houses within the same block, trim, accents or other architectural enhancements shall be used to create a diverse appearance and maintain the appearance of a custom home neighborhood.

Garage doors shall be made of sectional wood or be wood clad. Aluminum or fiberglass doors are prohibited.

Garage doors shall be recessed a minimum of six inches.

Front facing garage doors are allowed if located further back on the lot than the side-facing garage portion, are in a motor court setting, and behind a gate that extends over the driveway.

Section 14.6 Mechanical equipment screening All mechanical equipment and pool equipment shall be completely screened from view from adjacent properties or right-of-way. Screening may include landscaping provided the plant sizes are sufficient to provide seventy-five percent screening at building final.

Section 14.7 Accessory buildings Architectural design, wall coverings and roof materials for accessory structures shall be similar to those used on the primary structure

Section 14.8 Driveways and sidewalks All driveways and sidewalks and parking areas shall be made of concrete, stone or pavers. Concrete shall have an exposed aggregate finish, salt finish, or be stamped and stained. All paving shall be a minimum of one foot from any adjacent property line.

Section 14.9 Fencing and gates. All fencing shall be masonry or decorative metal. Posts shall have decorative caps.

SECTION 15 UTILITIES AND DRAINAGE

Section 15.1 Utilities offsite. Water and sewer utilities for this site are provided by the Town of Westlake. Off-site water and sewer line extensions as well as drainage improvements needed to serve the site are the responsibility of the developer.

Section 15.2 Franchise Utilities. All on-site electric utility lines, new or existing, shall be placed underground. All above grade equipment approved by the Town to be placed above grade shall be screened from view as approved by the Town. All exclusive franchise utility easements shall be identified on the preliminary plat and must be approved by the Town.

Section 15.3 Drainage. The post development drainage run-off quantities leaving the site shall not exceed post development drainage run-off quantities. This section is applicable to the subdivision as a whole and to any portion of a buildable lot that drains on to or across another buildable lot. Drainage inlets and outfalls shall be designed to appear natural and not engineered.

Exception: Lot to lot drainage run-off is not limited if it is contained within underground piping.

ARTICLE IV. FIGURES

ARTICLE V. EXHIBITS

EXHIBIT A-1 Legal Description of PD District

EXHIBIT A-2 Boundary Map

EXHIBIT 2 PD Concept Plans

EXHIBIT A-1 Legal Description of PD District

LEGAL DESCRIPTION
TRACT 2A 84.28 Acres

BEING a tract of land situated in the C.M. Throop Survey, Abstract No. 1510, the W. Medlin Survey, Abstract No. 1958, Tarrant County, Texas and being a portion of Tract 2 as described in the Special Warranty Deed to MAGUIRE PARTNERS – SOLANA LAND, L.P. as recorded in Volume 16858, Page 176 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with "Huitt-Zollars" cap at the southwest corner of Lot 1, Block 3, Westlake/Southlake Park Addition No. 1, an addition of the Town of Westlake, Texas as recorded in Volume 388-214, Page 78 of the Plat Records of Tarrant County, Texas; THENCE North 89 degrees 57 minutes 44 seconds West a distance of 200.93 feet to a point from which a 1 inch iron rod found bears North 59 degrees 11 minutes 44 seconds West a distance of 0.35 feet;

THENCE North 00 degrees 20 minutes 49 seconds West a distance of 45.01 feet to a 5/8 inch iron rod found with cap stamped "Huitt-Zollars";

THENCE North 89 degrees 39 minutes 10 seconds West a distance of 462.17 feet to a 1/2 inch iron rod found with Graham cap on the northerly right-of-way line of Dove Road as described in Dedication Deed to the Town of Westlake as recorded under Instrument No. D208427746, Deed Records of Tarrant County, Texas;

THENCE along the northerly right-of-way line of Dove Road the following:

North 00 degrees 19 minutes 57 seconds West a distance of 22.57 feet to a 1/2 inch iron rod found with Graham cap;

North 89 degrees 24 minutes 50 seconds West a distance of 790.52 feet to a 1/2 inch iron rod found with Graham cap at the beginning of a non-tangent curve to the right having a central angle of 09 degrees 15 minutes 02 seconds, a radius of 1,047.14 feet and being subtended by a chord which bears North 84 degrees 42 minutes 50 seconds West a distance of 168.88 feet;

Along said curve to the right an arc distance of 169.06 feet to a 5/8 inch iron rod set with Huitt-Zollars cap at the end of said curve;

North 80 degrees 10 minutes 28 seconds West a distance of 36.09 feet to a 1/2 inch iron rod found with Graham cap at the beginning of a non-tangent curve to the right having a central angle of 08 degrees 51 minutes 19 seconds, a radius of 154.38 feet and being subtended by a chord which bears North 39 degrees 37 minutes 29 seconds West a distance of 23.84 feet;

Along said curve to the right an arc distance of 23.86 feet to a 5/8 inch iron rod set with Huitt-Zollars cap at the end of said curve, said point being on the easterly right-of-way line of Precinct Line Road as described in said Dedication Deed to the Town of Westlake and being the beginning of a non-tangent curve to the left having a central angle of 08 degrees 26 minutes 37 seconds, a radius of 1,782.50 feet and being subtended by a chord which bears North 04 degrees 17 minutes 41 seconds East a distance of 262.45 feet;

Thence along the easterly right-of-way line of Precinct Line Road, the following:

Along said curve to the left an arc distance of 262.68 feet to a 1/2 inch iron rod found with Graham cap at the end of said curve;

North 00 degrees 07 minutes 18 seconds East a distance of 1,301.73 feet to 1/2 inch iron rod found with Graham cap at the beginning of non-tangent curve to the right having a central angle of 35 degrees 56 minutes 14 seconds, a radius of 1,267.50 feet and being subtended by a chord which bears North 18 degrees 08 minutes 14 seconds East a distance of 782.04 feet;

Along said curve to the right an arc distance of 795.01 feet to a 1/2 inch iron rod found with Graham cap at the end of said curve;

North 36 degrees 04 minutes 07 seconds East a distance of 138.75 feet to $\frac{1}{2}$ inch iron rod found with Graham cap at the beginning of a non-tangent curve to the right having a central angle of 06 degrees 53 minutes 02 seconds, a radius of 49.50 feet and being subtended by a chord which bears North 39 degrees 28 minutes 33 seconds East a distance of 50.37 feet;

Along said curve to the right an arc distance of 50.40 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the end of said curve;

North 43 degrees 01 minutes 31 seconds a distance of 59.51 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the beginning of a non-tangent curve to the left having a central angle of 06 degrees 52 minutes 41 seconds, a radius of 255.50 feet and being subtended by a chord which bears North 39 degrees 28 minutes 33 seconds East a distance of 30.65 feet;

Along said curve to the left an arc distance of 30.67 feet to a $\frac{5}{8}$ inch iron rod set with Huitt-Zollars cap at the end of curve;

North 36 degrees 03 minutes 35 East a distance of 329.53 feet to a $\frac{1}{2}$ inch rod found with Graham cap;

North 81 degrees 03 minutes 49 seconds East a distance of 21.21 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap, said point being on the southerly right-of-way line of Kirkwood Boulevard as described in said Dedication Deed to the Town of Westlake;

THENCE along the southerly right-of-way line of Kirkwood Boulevard, the following;

South 54 degrees 05 minutes 31 seconds East a distance of 123.12 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the beginning of a non-tangent curve to the right having a central angle of 46 degrees 48 minutes 17 seconds, a radius of 735.60 feet and being subtended by a chord which bears South 30 degrees 31 minutes 48 seconds East a distance of 584.34 feet;

Along said curve to the right an arc distance of 600.91 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the end of said curve;

South 07 degrees 14 minutes 24 seconds East a distance of 2.72 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the beginning of a non-tangent curve to the left having a central angle of 44 degrees 45 minutes 39 seconds, a radius of 932.50 feet and being subtended by a chord which bears South 29 degrees 29 minutes 44 seconds East a distance of 710.11 feet;

Along said curve to the left an arc distance of 728.49 feet to a $\frac{1}{2}$ inch iron rod found with Graham cap at the end of said curve;

South 51 degrees 46 minutes 54 seconds East a distance of 230.66 feet to a $\frac{1}{2}$ inch iron rod found at the beginning of a non-tangent curve to the right having a central angle of 19 degrees 15 minutes 50 seconds, a radius of 400.00 feet and being subtended by a chord which bears South 42 degrees 14 minutes 31 seconds East a distance of 133.86 feet;

Along said curve to the right an arc distance of 134.49 feet to a $\frac{1}{2}$ inch iron rod found with Huitt-Zollars cap at the end of said curve;

THENCE departing the southerly right-of-way line of Kirkwood Boulevard, South 00 degrees 00 minutes 00 seconds East a distance of 1475.04 feet to the POINT OF BEGINNING and containing 84.28 acres of land, more or less.

Exhibit A-2

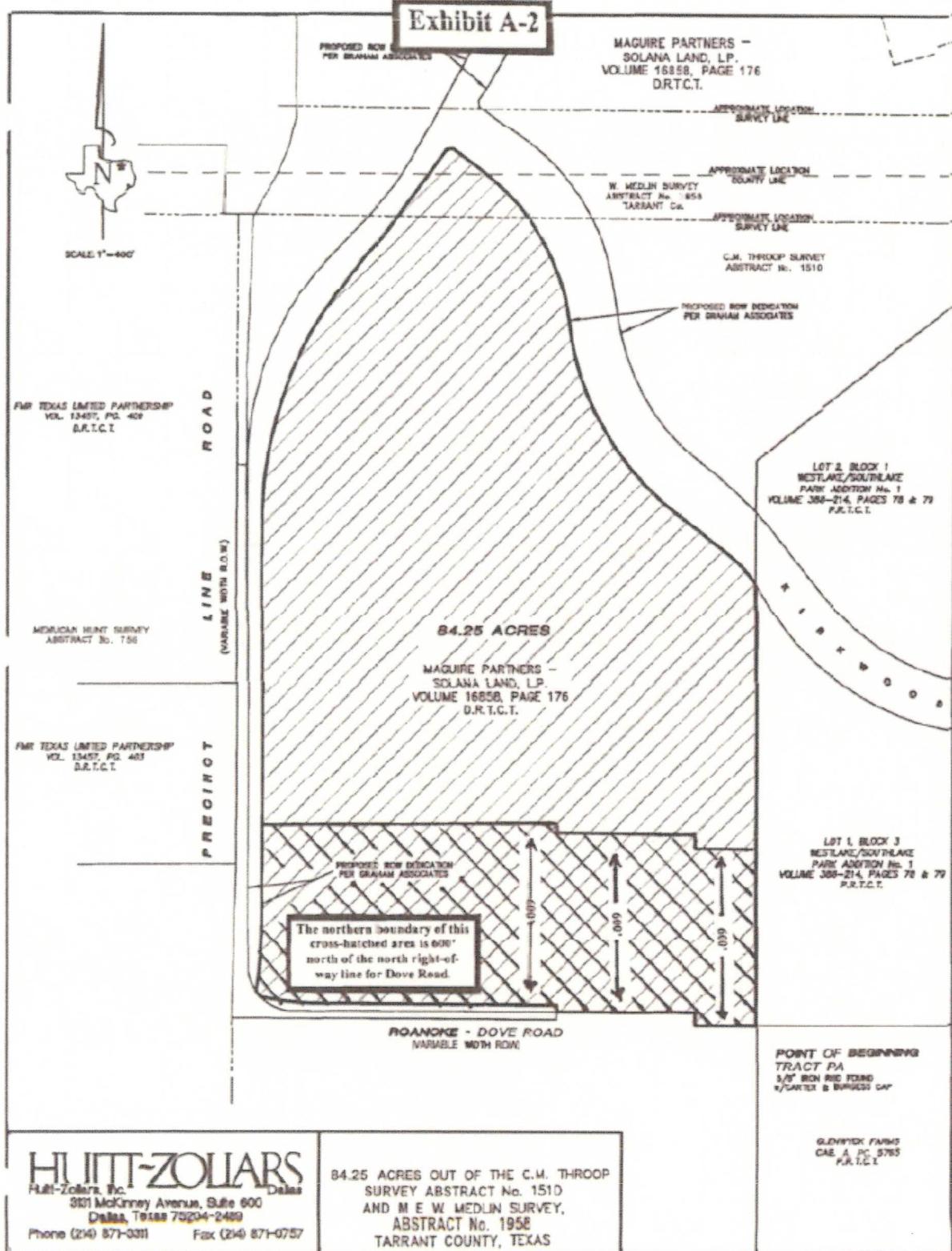


EXHIBIT A-2 Boundary Map

Exhibit 2 Concept Plan



