

TOWN OF WESTLAKE

ORDINANCE NO. 591

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, BY REMOVING APPROXIMATELY 107 ACRES FROM THE PD 3-3 PLANNING AREA AND REZONING THAT ACREAGE TO BE CALLED PD 3-12. AUTHORIZING, AMONG OTHER THINGS A CONFERENCE AND EDUCATIONAL CENTER, DATA CENTER, OFFICE AND RELATED RETAIL USES; DEFINING CERTAIN TERMS; DESCRIBING AND INTERPRETING THE PD CONCEPT PLAN; REGULATING PERMITTED USES, HEIGHT, LOT SIZES AND BUILDING LINES, TOTAL FLOOR AREA, PARKING, LOADING AND OTHER DEVELOPMENT STANDARDS, LANDSCAPING, FLOOD PLAIN, AND DRAINAGE; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on August 24, 1992, the Board of Aldermen (sometimes referred to as the "Board") of the Town of Westlake, Texas (the "Town"), adopted a Comprehensive Plan (the "1992 Comprehensive Plan") for the Town; and

WHEREAS, on November 16, 1992, the Board, adopted a Comprehensive Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Zoning Ordinance has been amended by the Board 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 Board amended the Zoning Ordinance and the subdivision regulations by the adopting of a Unified Development Code (the "UDC") for the Town; and

WHEREAS, the UDC has been amended, with the most recent amendments being adopted on August 23, 2003; and

WHEREAS, there is located within the corporate limits of the Town an approximately 365 acre tract of land (commonly known as Planning Area 3 -3 Resort and hereinafter sometimes referred to as the "Planning Area"); and

WHEREAS, the Board of Aldermen agrees that the boundaries for PD 3-3 must be amended and certain uses clarified in order to accommodate the aforementioned Conference and Educational Center and Data Center; and

WHEREAS, the Board 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

Comprehensive Plan, the Thoroughfare Plan, Open Space Plan, and Master Water and Sewer Plan all as amended;

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

PART I

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

PART II

That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas, as codified in the Code of Ordinances and the Planned Development Supplement, is hereby amended by this PD Ordinance, by amending the property described in the attached Exhibit 1 attached hereto by reference for all purposes. This PD will be subject to the concept plan, development standards, and other regulations attached hereto as Exhibit 2.

PART III

Upon the adoption of this PD, the Town Secretary shall promptly enter the new Planned Development on the Town's Official Zoning Map, which entry shall include the abbreviated designation "PD No. 3-12" and the date that this Ordinance was adopted by the Board.

PART IV

It is hereby declared to be the intention of the Board of the Town 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 Board of the Town without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

PART V

This Ordinance shall become effective upon its passage.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS, ON THIS 9th DAY OF JUNE 2008.


Laura Wheat
Laura Wheat, Mayor

ATTEST:

Kim Sutter
Kim Sutter, TRMC, Town Secretary

Thomas E. Brymer
Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry
L. Stanton Lowry, Town Attorney

SHT. NO.

CHECKED: JFK

TAM

DRAWN:

DATE: 04-14-08

JOB # 015007.094



JE JACOBS
Carter Burgess

CARTER & BURGE
777 WASH STREET
HOUSTON TEXAS 77002
HO 739-4000

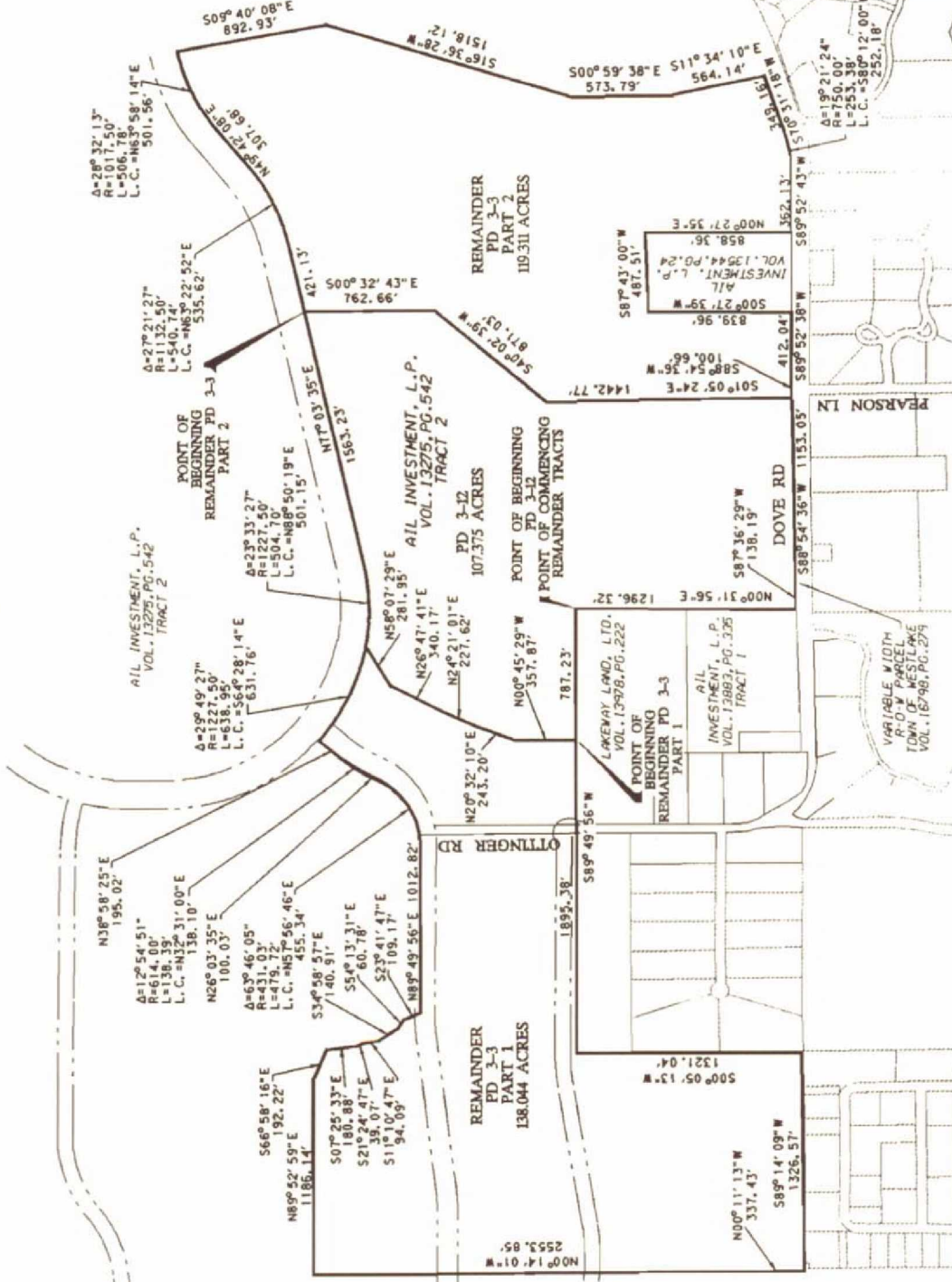
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AN EXHIBIT SHOWING PD 3-12 ZONING
AND THE REMAINDER OF THE PD 3-3 ZONING
TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

SCALE 1" = 1000'



"This document was prepared under 22 TAC 663.21, survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



LEGAL DESCRIPTION
PD 3-12

BEING a tract of land situated in the Jesse Gibson Survey, Abstract Number 592, the Wilson Medlin Survey, Abstract Number 1958, the Charles Medlin Survey, Abstract Number 1084 and the G. Hendricks Survey, Abstract Number 680, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract;

THENCE N 00°45'29"W, 357.87 feet;

THENCE N 20°32'10"E, 243.20 feet;

THENCE N 24°21'01"E, 227.62 feet;

THENCE N 26°47'41"E, 340.17 feet;

THENCE N 58°07'29"E, 281.95 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 504.70 feet, through a central angle of 23°33'27" having a radius of 1227.50 feet, the long chord of which bears N 88°50'19"E, 501.15 feet;

THENCE N 77°03'35"E, 1563.23 feet;

THENCE S 00°32'43"E, 762.66 feet;

THENCE S 40°02'39"W, 871.03 feet;

THENCE S 01°05'24"E, 1442.77 feet to north right-of-way line of Dove Road, as shown in that certain tract of land described by deed to the Town of Westlake, as recorded in Volume 16798, Page 279, County Records, Tarrant County, Texas;

THENCE S 88°54'36"W, 1153.05 feet along the north line of said Dove Road;

THENCE S 87°36'29"W, 138.19 feet continuing along the north line of said Dove Road to the east property line of that certain tract of land (Tract 1) described by deed to AIL Investment, L.P., as recorded in Volume 13883, Page 335, County Records, Tarrant County, Texas;

THENCE N 00°31'56"E, 1296.32 feet along the east property line of said AIL Tract 1 and then along the east property line of the aforementioned Lakeway Land tract to the POINT OF BEGINNING and containing 4,677,277 square feet or 107.375 acres of land more or less.

NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC S663.21, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY, EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



**LEGAL DESCRIPTION
REMAINDER PD 3-3
PART 1**

BEING a tract of land situated in the Jesse Gibson Survey, Abstract Number 592, the Richard Eads Survey, Abstract Number 492 and the J. Bacon Survey, Abstract Number 2026, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract to the POINT OF BEGINNING;

THENCE S 89°49'56"W, 1895.38 feet;

THENCE S 00°05'13"W, 1321.04 feet;

THENCE S 89°14'09"W, 1326.57 feet;

THENCE N 00°11'13"W, 337.43 feet;

THENCE N 00°14'01"W, 2553.85 feet;

THENCE N 89°52'59"E, 1186.14 feet;

THENCE S 66°58'16"E, 192.22 feet;

THENCE S 07°25'33"E, 180.88 feet;

THENCE S 21°24'47"E, 39.07 feet;

THENCE S 11°10'47"E, 94.09 feet;

THENCE S 34°58'57"E, 140.91 feet;

THENCE S 54°13'31"E, 60.78 feet;

THENCE S 23°41'47"E, 109.17 feet;

THENCE N 89°49'56"E, 1012.82 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 479.72 feet, through a central angle of 63°46'05" having a radius of 431.03 feet, the long chord of which bears N 57°56'46"E, 455.34 feet;

THENCE N 26°03'35"E, 100.03 feet to the beginning of a curve to the right;

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THENCE with said curve to the right, an arc distance of 138.39 feet, through a central angle of $12^{\circ}54'51''$ having a radius of 614.00 feet, the long chord of which bears $N\ 32^{\circ}31'00''E$, 138.10 feet;

THENCE $N\ 38^{\circ}58'25''E$, 195.02 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 638.95 feet, through a central angle of $29^{\circ}49'27''$ having a radius of 1227.50 feet, the long chord of which bears $S\ 64^{\circ}28'14''E$, 631.76 feet;

THENCE $S\ 58^{\circ}07'29''W$, 281.95 feet;

THENCE $S\ 26^{\circ}47'41''W$, 340.17 feet;

THENCE $S\ 24^{\circ}21'01''W$, 227.62 feet;

THENCE $S\ 20^{\circ}32'10''W$, 243.20 feet;

THENCE $S\ 00^{\circ}45'29''E$, 357.87 feet to the POINT OF BEGINNING and containing 6,013,216 square feet or 138.044 acres of land more or less.

**LEGAL DESCRIPTION
REMAINDER PD 3-3
PART 2**

BEING a tract of land situated in the Charles Medlin Survey, Abstract Number 1958, the Wilson Medlin Survey, Abstract Number 1958, the G. Hendricks Survey, Abstract Number 680 and the Mumucan Hunt Survey, Abstract Number 756, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract;

THENCE N 00°45'29"W, 357.87 feet;

THENCE N 20°32'10"E, 243.20 feet;

THENCE N 24°21'01"E, 227.62 feet;

THENCE N 26°47'41"E, 340.17 feet;

THENCE N 58°07'29"E, 281.95 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 504.70 feet, through a central angle of 23°33'27" having a radius of 1227.50 feet, the long chord of which bears N 88°50'19"E, 501.15 feet;

THENCE N 77°03'35"E, 1563.23 feet to the POINT OF BEGINNING;

THENCE N 77°03'35"E, 421.13 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 540.74 feet, through a central angle of 27°21'27" having a radius of 1132.50 feet, the long chord of which bears N 63°22'52"E, 535.62 feet;

THENCE N 49°42'08"E, 307.68 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 506.78 feet, through a central angle of 28°32'13" having a radius of 1017.50 feet, the long chord of which bears N 63°58'14"E, 501.56 feet;

THENCE S 09°40'08"E, 892.93 feet;

THENCE S 16°36'28"W, 1518.12 feet;

THENCE S 00°59'38"E, 573.79 feet;

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THENCE S 11°34'10"E, 564.14 feet;

THENCE S 70°31'18"W, 349.16 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 253.38 feet, through a central angle of 19°21'24" having a radius of 750.00 feet, the long chord of which bears S 80°12'00"W, 252.18 feet;

THENCE S 89°52'43"W, 362.13 feet;

THENCE N 00°27'35"E, 858.36 feet;

THENCE S 87°43'00"W, 487.51 feet;

THENCE S 00°27'39"W, 839.96 feet;

THENCE S 89°52'38"W, 412.04 feet;

THENCE S 88°54'36"W, 100.66 feet;

THENCE N 01°05'24"W, 1442.77 feet;

THENCE N 40°02'39"E, 871.03 feet;

THENCE N 00°32'43"W, 762.66 feet to the POINT OF BEGINNING and containing 5,197,170 square feet or 119.311 acres of land more or less.

NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC S663.21, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY, EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



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CIRCLE T PLANNING AREA 3-12
CONFERENCE AND EDUCATIONAL CENTER

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ARTICLE I. GENERAL PROVISIONS

SECTION 1 SHORT TITLE

This ordinance shall be known and may be cited as the "Circle T Planning Area No. 3-12 Conference and Educational Center Ordinance", or simply as the "PD Ordinance".

SECTION 2 PURPOSES

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for increased recreation and/or open space opportunities; to provide amenities or features that would be of special benefit to the property users or community; to protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and views; to protect or preserve any existing historical buildings, structures, features or places; and to provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

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 Board and that are applicable to development within the PD District 3-12.

Board means the Board of Aldermen of the Town of Westlake, Texas.

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

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.

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

PD District means the planned development zoning district established by this PD Ordinance.

PD Concept Plan means a plan for development which enables the town to evaluate major impacts of a proposed zoning district or planned development district.

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

PD Supplement means that certain Circle T Planned Development Zoning District As codified in the Planned Development Supplement.

Town means the Town of Westlake, Texas.

UDC means the Town's Unified Development Code, as amended.

SECTION 4 PD SUPPLEMENT

The Board adopted the PD Supplement. The PD Supplement includes additional standards that are applicable within this PD District. The PD Supplement establishes additional standards for the following: (i) concept, informational, development and site plans; (ii) signs; (iii) landscaping; (iv) roadway construction, parking and loading; (v) fencing; (vi) lighting; (vii) other special standards; and (viii) illustrations. To the extent that there is any conflict between a provision in the PD Supplement and this PD Ordinance, the terms of this PD Ordinance shall control.

SECTION 5 APPLICABILITY OF EXISTING REGULATIONS

Section 5.1 Applicable Town Ordinances Except to the extent provided by the PD Concept Plan, this PD Ordinance and the PD Supplement, development within the PD District shall be governed by the following UDC standards:

O-H Office Park-Hotel

Except to the extent provided by the PD Concept Plan, this PD Ordinance, and the PD Supplement, development within the PD District shall also be governed by the Applicable Town Ordinances. In the event of any conflict between (i) the PD Concept Plan, this PD Ordinance and the PD Supplement and (ii) the Applicable Town Ordinances, the terms, provisions and intent of the PD Concept Plan, this PD Ordinance and the PD Supplement 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 5.2 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 Board, the Commission, the Town Manager 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 (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

Article I. General Provisions

is consistent with the PD Concept Plan, this PD Ordinance, the PD Supplement and the objectives, goals, and policies of such plan, ordinance and supplement.

SECTION 6 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 6.1 PD Concept Plan. A PD Concept Plan for this PD District shall be approved prior to the approval of any development plans and site plans required by this PD Ordinance. The PD concept plan shall comply with the Comprehensive Land Use Plan, the Open Space and Trail Plan, the Master Thoroughfare Plan, the Master Water and Sewer Plan of the Town and the Master Drainage Plan of the town and the UDC

Section 6.2 PD Development Plans Article 1, Section 1-3, (3) of the Planned Development Supplement states that PD development plans shall not be required for development within any of the PD Districts.

Section 6.3 PD Site Plans PD site plans are required for development within the PD District. Article I, Section 1-3 (4) of the PD Supplement governs the process by which PD site plans are submitted and approved (including, but not limited to, the submittal requirements, approval criteria, and conditions).

ARTICLE II. USES

SECTION 1 LAND USE SCHEDULE

Buildings, structures, and land within the sub-areas identified on the PD Concept Plan 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 as a principal use.

CIRCLE T PLANNING AREA 3-3-B CONFERENCE AND EDUCATIONAL CENTER AND DATA CENTER LAND USE SCHEDULE

PERMITTED USES	Permitted "X" Special Use "S" Accessory "A"
AGRICULTURAL USES	
Orchard	X
Plant Nursery (Growing)	X
Plant Nursery (Retail Sales)	X
Farms General (Crops)	X
Farms General (Livestock, Ranch)	X
Veterinarian (Indoor Kennels)	
Veterinarian (Outdoor Kennels)	
Stables (Private Use)	S
Stables (As a Business)	
RESIDENTIAL USES	
Single Family Detached	
Single Family Zero Lot Line	
Single Family Attached	
Duplex	
Home Occupation	
Servants/Caretakers Quarters	
Accommodation for Employees/Customers/Visitors	A
Swimming Pool (Private)	A
Detached Garage (Private)	A
Sport/Tennis Courts (Private)	A

Article II. Uses

PERMITTED USES	Permitted "X" Special Use "S" Accessory "A"
INSTITUTIONAL and GOVERNMENTAL USES	
Emergency Ambulance Service	X
Post Office (Governmental)	X
Mailing Service (Private)	X
Heliport	
Helistop/Verti-stop	S
Telephone, Electric, Cable, and Fiber Optic Switching Station	X
Electrical Substation	S
Utility Distribution Lines ²	X
Utility Shop and Storage	A
Water and Sewage Pumping Station (below grade)	X
Water and Sewage Pumping Station (above grade)	S
Water Storage Tank and Pumping System (Elevated or Above Grade)	S
Water, Sewer, Electric, and Gas Meters	X
Electric Transformers	X
Private Streets/Alleys/Drives	X
Retirement Home	
Nursing/Convalescent Home	
Hospice	
Hospital	
Psychiatric Hospital	
Clinic	A
Child Daycare (Public; 7 or more)	
Child Daycare (Private; 7 or more)	A ⁵
School, K-12 (Public or Private)	
School (Vocational)	
College or University	X
Community Center (Public)	
Civic Club	X
Church or Place of Worship	X
Use Associated to a Religious Inst.	X
Government Building	X
Police Station	X
Fire Station	X
Library	X
Data Center	X

Article II. Uses

PERMITTED USES	Permitted "X" Special Use "S" Accessory "A"
COMMERCIAL USES	
Multifamily (Apartments)	
Offices (General)	X
Studio	X
Banks and Financial Institutions	X
Information Processing	X
Hotel/Motel	X
Hotel/Motel with Conferencing Facility	X
Laundry/Dry Cleaning (<3,000 S.F.)	A
Laundry/Dry Cleaning (Drop/Pick)	A
Shoe Repair	A
Beauty Parlor/Barbershop	A
Clothing Store	A
Quick Copy/Duplicating Services	A
Personal Services	A
Liquor Store	
Micro-brewery and Wine Production and Sales (<30,000 S.F.)	S
Grocery	
Convenience Store	A
Service Station	
Drug Store	A
Variety Store	A
Bakery Sales	A
Stationery and/or Book Store	A
Antique Shop	
Art Gallery/Museums	A
Hardware Store	
Sporting Goods	A
Paint and Wallpaper	
Cloth Store	
Retail Stores - General (Excluding Second Hand Goods)	A
Restaurant, Cafe or Dining Facility	X
Restaurant, Cafe or Dining Facility with alcohol sales	S
Auto/Truck Parts and Accessories	
Household Furniture/Appliances (including Sales and Service)	
Farmer's Market	
Feed Store	

Article II. Uses

PERMITTED USES	Permitted "X" Special Use "S" Accessory "A"
Parking Structure	X
Cafeteria (Private)	A
Job Printing, Lithography, Printing, or Blueprinting	A
Vehicle Display and Sales (inside)	
Medical Laboratory	
R&D Laboratory	A ⁶
Conference Center	X
Live Theater	A
Motion Picture Theater	A
Custom Business Services	X
Electronic Appliances Store and Computer Sales and Service	
Tavern, Bar or Lounge	S
Dance Halls/Nightclubs	S
AMUSEMENT/RECREATION	
Golf Course (Public or Private)	X
Park or Playground (Public or Private)	X
Satellite Dish	X
Non-Commercial Radio Tower	
Race Track Operation	
Recreation Facility, Health Studio (Public)	X
Country Club (Private Membership)	X
Golf Clubhouse (Public or Private)	X
Community Center (Private)	X
Recreation Center (Private)	X
Hike, Bike, and Equestrian Trails (Public or Private)	X
Golf Maintenance Facility	A
Golf Pro Shop	A
Health/Spa Facilities (Private)	A
Athletic Fields (Private)	A
Athletic Courts (Private)	A
Equestrian Center	A
Athletic Courts (Public)	A
Commercial Amusement (Inside)	A
Lake Cruise/Water Taxi	

Article II. Uses

PA 3-12 Conference and Educational Center -

PERMITTED USES	Permitted "X" Special Use "S" Accessory "A"
AUTO SERVICES	
Truck/Trailer Rental	
Auto Body Repair	
Auto Mechanical Repair	A
Quick Lube/Oil Change	
Vehicle Maintenance (Private)	A
Vehicle Fueling (Private)	A
WHOLESALE TRADE	
Warehouse/Storage (Inside)	
Warehouse/Storage (Outside)	
Scrap/Waste Recycling Collection and/or Storage	
Gas/Chemical Bulk Storage	
Light Manufacturing/Assembly	
Apparel Manufacturing	
Packaging and/or Distribution	
Printing, Engraving and related Reproductive Services	
Distribution of Books/Other Printed Material	
Machine Shop	
Welding Shop	
Temporary Batching Plant	S
Temporary Construction Office	X ³
Temporary Construction Materials Storage	X ³
Temporary Sales Office	X ⁴

NOTES:

1. Individual retail occupants (except grocery store and drug store) cannot exceed 25,000 square feet.
2. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
3. Limited to period of construction.
4. Limited to "build-out" period.
5. "Private" shall be deemed to include a daycare that is made available to any employee on the property.
6. Limited to white collar research and development (i.e., non-industrial, non-chemical, and non-water processing).

Article II. Uses

SECTION 2 ACCESSORY USES AND STRUCTURES

An accessory use or structure which is customarily incidental to the principal use or structure, and which 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

Section 1.1 Conference and Educational Center and Data Center: The maximum aggregate floor area for the Conference and Educational Center and Data Center shall be 1,250,000 square feet and limited to a total of 1,200 Guest rooms (Guest rooms defined as rooms used for overnight accommodations).

SECTION 2 MINIMUM LOT SIZE

Section 2.1 Conference and Educational Center and Data Center The minimum lot size for the Conference and Educational Center and Data Center use area shall be 200,000 square feet.

SECTION 3 MINIMUM LOT WIDTH

Section 3.1 Conference and Educational Center and Data Center The minimum lot width for the Conference and Educational Center and Data Center use area and all other uses shall be 200 feet.

SECTION 4 MAXIMUM BUILDING HEIGHT

Section 4.1 Conference and Educational Center and Data Center Except as provided below, the maximum height for all structures within the Conference and Educational Center and Data Center use area shall be no higher than an elevation of 735.00 feet above mean sea level.

Section 4.2 Exceptions to Height Requirements The height limits imposed above shall not apply to (a) chimneys and vent stacks, church spires, cupolas, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices provided such equipment, fixtures, and devices are screened from view with a solid wall that is architecturally consistent with the design of the building to which they are attached.

SECTION 5 MINIMUM BUILDING SIZE

Section 5.1 Conference and Educational Center and Data Center The minimum building size for Conference and Educational Center and Data Center use shall be 3,000 square feet.

SECTION 6 FRONT YARD SETBACKS

Section 6.1 Conference and Educational Center and Data Center The minimum front yard for the Conference and Educational Center and Data Center use area shall be 100 feet.

Article IV. Exhibits

Section 6.2 General

A. Required front yards must be open and unobstructed except for fences and signs allowed by this PD Ordinance; provided, however, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required front yard. A fireplace chimney may project up to two feet into the required front yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves and balconies may project up to five feet into the required front yard.

B. The front yard setback is measured from the front lot line or from the required right-of-way, whichever creates the greater setback.

C. If a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets. If access is prohibited on one frontage by plat, the following structures or portions of structures in the yard along such frontage are governed by the rear yard regulations: swimming pools; game courts; fences; garages; and other accessory buildings.

D. If a corner lot has two street frontages of equal distance, one frontage is governed by the front yard regulations and the other frontage by the side yard regulations. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by the front yard regulations and the longer by the side yard regulations.

SECTION 7 REAR YARD SETBACKS

Section 7.1 Conference and Educational Center and Data Center The minimum rear yard for the Conference and Educational Center and Data Center use area shall be 100 feet.

Section 7.2 General

A. Required rear yards must be open and unobstructed except for fences and signs allowed by this PD Ordinance; provided, however, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required rear yard. A fireplace chimney may project up to two feet into the required rear yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required rear yard. Balconies may not project into the required rear yard.

B. The rear yard setback is measured from the rear lot line.

SECTION 8 SIDE YARD SETBACKS

Section 8.1 Conference and Educational Center and Data Center The minimum side yard for the Conference and Educational Center and Data Center use area shall be 75 feet.

Section 8.2 General

A. Required side yards must be open and unobstructed except for fences and signs allowed by this PD Ordinance; provided, however, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.

B. The side yard setback is measured from the side lot line, except when a front yard is treated as a side yard, in which case, the setback is measured from the lot line or the required right-of-way, whichever creates the greater setback.

C. Air conditioning units may be located in the required side yard, but not nearer than one foot to the property line.

SECTION 9 SLOPE REQUIREMENTS

Section 9.1 Residential Slope Except as provided below, non single family structures shall not exceed the height of a line drawn at a slope of 4:1 (including streets and other rights of way) from any single family lot line. If the grade of the ground rises or falls from the point of origin of the slope line, the maximum permitted height shall increase or decrease by the difference in grade.

Section 9.2 Roadway Slope Non single family structures shall not exceed the height of a line drawn at a slope of 2:1 (including streets and other rights of way) from the right-of-way line of any roadway. If the grade of the ground rises or falls from the point of origin of the slope line, the maximum permitted height shall increase or decrease by the difference in grade.

SECTION 10 MISCELLANEOUS DEVELOPMENT REQUIREMENTS

Section 10.1 Hiking and/or Biking Trails. If required by the Town, public hiking and biking trail(s) shall be located along and generally parallel to public rights-of-way and designed such that the trail(s) do not penetrate greater than 100 feet onto the subject property in any direction. The design of the trail pathway shall meander in keeping with the nature of the area and proposed development.

Section 10.2 Landscape Irrigation. Upon the submission and approval by Town staff of a landscape design utilizing low water or Xeriscaping plantings, the inclusion of an automated landscape irrigation system may be waived for part or all of the subject property. A temporary irrigation system may be utilized at the owner's discretion to allow for the establishment of plantings, but such a system may be temporarily or permanently disengaged, at such owner's sole discretion.

Section 10.3 Fencing. Fencing around any data center use may exceed seven feet in height if such height is reasonably required for the security of such data center; provided, that any fencing that exceeds seven feet in height be screened from adjacent rights of way or properties by topography, structures or plantings.

Section 10.4 Lighting.

A. Luminaries used for building security or to illuminate building facades, entrances, parking areas and loading and service areas may be installed (i) on the building façade but not above the building roof line; and (ii) anywhere on the lot with a maximum height of 25 feet, but not higher than the building roof line.

B. Luminaries used to illuminate pedestrian areas shall have a maximum height of 12 feet, and no pedestrian walkways are allowed to run parallel to a line of upright fixtures (excluding bollards 12 feet or less in height) and a building. Walkways connecting pedestrian areas and adjacent buildings shall be allowed to be located in this area, so long as the primary intent is to connect the pedestrian walkway and the building.

Section 10.5 Tree Requirement. No more than 25 large trees (including existing trees) per acre of the site's permeable green space shall be required. The foregoing sentence shall not apply to portions of the site dedicated to open pasture, and any additional trees required shall be concentrated in appropriate areas to provide buffering from adjacent sites and public rights of way.

SECTION 11 SITE ACCESS

The Primary ingress/egress point for guests of the Conference and Educational Center shall be from the north via a private road extending from Westlake Parkway. There shall be allowed a secondary entry point from the west for ingress/egress, including without limitation, for service and employee access.

Emergency access shall be permitted off of Dove Road.

All ingress/egress locations shall be shown on the final approved site plan.

LEGAL DESCRIPTION
PD 3-12

BEING a tract of land situated in the Jesse Gibson Survey, Abstract Number 592, the Wilson Medlin Survey, Abstract Number 1958, the Charles Medlin Survey, Abstract Number 1084 and the G. Hendricks Survey, Abstract Number 680, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract;

THENCE N 00°45'29"W, 357.87 feet;

THENCE N 20°32'10"E, 243.20 feet;

THENCE N 24°21'01"E, 227.62 feet;

THENCE N 26°47'41"E, 340.17 feet;

THENCE N 58°07'29"E, 281.95 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 504.70 feet, through a central angle of 23°33'27" having a radius of 1227.50 feet, the long chord of which bears N 88°50'19"E, 501.15 feet;

THENCE N 77°03'35"E, 1563.23 feet;

THENCE S 00°32'43"E, 762.66 feet;

THENCE S 40°02'39"W, 871.03 feet;

THENCE S 01°05'24"E, 1442.77 feet to north right-of-way line of Dove Road, as shown in that certain tract of land described by deed to the Town of Westlake, as recorded in Volume 16798, Page 279, County Records, Tarrant County, Texas;

THENCE S 88°54'36"W, 1153.05 feet along the north line of said Dove Road;

THENCE S 87°36'29"W, 138.19 feet continuing along the north line of said Dove Road to the east property line of that certain tract of land (Tract 1) described by deed to AIL Investment, L.P., as recorded in Volume 13883, Page 335, County Records, Tarrant County, Texas;

THENCE N 00°31'56"E, 1296.32 feet along the east property line of said AIL Tract 1 and then along the east property line of the aforementioned Lakeway Land tract to the POINT OF BEGINNING and containing 4,677,277 square feet or 107.375 acres of land more or less.

NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC S663.21, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY, EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



**LEGAL DESCRIPTION
REMAINDER PD 3-3
PART 1**

BEING a tract of land situated in the Jesse Gibson Survey, Abstract Number 592, the Richard Eads Survey, Abstract Number 492 and the J. Bacon Survey, Abstract Number 2026, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract to the POINT OF BEGINNING;

THENCE S 89°49'56"W, 1895.38 feet;

THENCE S 00°05'13"W, 1321.04 feet;

THENCE S 89°14'09"W, 1326.57 feet;

THENCE N 00°11'13"W, 337.43 feet;

THENCE N 00°14'01"W, 2553.85 feet;

THENCE N 89°52'59"E, 1186.14 feet;

THENCE S 66°58'16"E, 192.22 feet;

THENCE S 07°25'33"E, 180.88 feet;

THENCE S 21°24'47"E, 39.07 feet;

THENCE S 11°10'47"E, 94.09 feet;

THENCE S 34°58'57"E, 140.91 feet;

THENCE S 54°13'31"E, 60.78 feet;

THENCE S 23°41'47"E, 109.17 feet;

THENCE N 89°49'56"E, 1012.82 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 479.72 feet, through a central angle of 63°46'05" having a radius of 431.03 feet, the long chord of which bears N 57°56'46"E, 455.34 feet;

THENCE N 26°03'35"E, 100.03 feet to the beginning of a curve to the right;

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April 18, 2008

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THENCE with said curve to the right, an arc distance of 138.39 feet, through a central angle of $12^{\circ}54'51''$ having a radius of 614.00 feet, the long chord of which bears $N\ 32^{\circ}31'00''E$, 138.10 feet;

THENCE $N\ 38^{\circ}58'25''E$, 195.02 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 638.95 feet, through a central angle of $29^{\circ}49'27''$ having a radius of 1227.50 feet, the long chord of which bears $S\ 64^{\circ}28'14''E$, 631.76 feet;

THENCE $S\ 58^{\circ}07'29''W$, 281.95 feet;

THENCE $S\ 26^{\circ}47'41''W$, 340.17 feet;

THENCE $S\ 24^{\circ}21'01''W$, 227.62 feet;

THENCE $S\ 20^{\circ}32'10''W$, 243.20 feet;

THENCE $S\ 00^{\circ}45'29''E$, 357.87 feet to the POINT OF BEGINNING and containing 6,013,216 square feet or 138.044 acres of land more or less.

**LEGAL DESCRIPTION
REMAINDER PD 3-3
PART 2**

BEING a tract of land situated in the Charles Medlin Survey, Abstract Number 1958, the Wilson Medlin Survey, Abstract Number 1958, the G. Hendricks Survey, Abstract Number 680 and the Mumucan Hunt Survey, Abstract Number 756, Tarrant County, Texas, and being a portion of that certain tract (Tract 2) of land described by deed to AIL Investment, L.P., as recorded in Volume 13275, Page 542, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "Carter & Burgess" set being an ell corner in the southerly property line of said AIL Tract 2, said point also being the northeast property corner of that certain tract of land described by deed to Lakeway Land, Ltd., as recorded in Volume 13978, Page 222, County Records, Tarrant County, Texas;

THENCE S 89°49'56"W, 787.23 feet along the common property line of the southerly property line of said AIL Tract 2 and the north property line of said Lakeway Land tract;

THENCE N 00°45'29"W, 357.87 feet;

THENCE N 20°32'10"E, 243.20 feet;

THENCE N 24°21'01"E, 227.62 feet;

THENCE N 26°47'41"E, 340.17 feet;

THENCE N 58°07'29"E, 281.95 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 504.70 feet, through a central angle of 23°33'27" having a radius of 1227.50 feet, the long chord of which bears N 88°50'19"E, 501.15 feet;

THENCE N 77°03'35"E, 1563.23 feet to the POINT OF BEGINNING;

THENCE N 77°03'35"E, 421.13 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 540.74 feet, through a central angle of 27°21'27" having a radius of 1132.50 feet, the long chord of which bears N 63°22'52"E, 535.62 feet;

THENCE N 49°42'08"E, 307.68 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 506.78 feet, through a central angle of 28°32'13" having a radius of 1017.50 feet, the long chord of which bears N 63°58'14"E, 501.56 feet;

THENCE S 09°40'08"E, 892.93 feet;

THENCE S 16°36'28"W, 1518.12 feet;

THENCE S 00°59'38"E, 573.79 feet;

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THENCE S 11°34'10"E, 564.14 feet;
THENCE S 70°31'18"W, 349.16 feet to the beginning of a curve to the right;
THENCE with said curve to the right, an arc distance of 253.38 feet, through a central angle of 19°21'24" having a radius of 750.00 feet, the long chord of which bears S 80°12'00"W, 252.18 feet;
THENCE S 89°52'43"W, 362.13 feet;
THENCE N 00°27'35"E, 858.36 feet;
THENCE S 87°43'00"W, 487.51 feet;
THENCE S 00°27'39"W, 839.96 feet;
THENCE S 89°52'38"W, 412.04 feet;
THENCE S 88°54'36"W, 100.66 feet;
THENCE N 01°05'24"W, 1442.77 feet;
THENCE N 40°02'39"E, 871.03 feet;
THENCE N 00°32'43"W, 762.66 feet to the POINT OF BEGINNING and containing 5,197,170 square feet or 119.311 acres of land more or less.

NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC S663.21, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY, EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



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DATE: 15-Apr-08 12:38:00

AN EXHIBIT SHOWING PD 3-12 ZONING
AND THE REMAINDER OF THE PD 3-3 ZONING
TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

SCALE 1" = 1000'



This document was prepared under 22 TAC 663.21, survey, and is not to be used to convey or establish interests in real property except those rights and reconveyance of the boundary of the political subdivision for which it was prepared.

