

TOWN OF WESTLAKE

ORDINANCE NO. 313-01

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING APPROXIMATELY 210.4 ACRES AS ESTABLISHED IN ORDINANCE NO. 313 (PD NO. 3-7) TO PROVIDE FOR AN "OC" OFFICE CAMPUS USE; PROVIDING AN EXHIBIT "A" BEING A ZONING EXHIBIT SHOWING THE AREAS BEING REZONED; PROVIDING FOR AN EXHIBIT "B" BEING A LEGAL DESCRIPTION; PROVIDING FOR GENERAL REGULATIONS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 24, 1992, the Board of Aldermen of the Town of Westlake, Texas adopted a Comprehensive Plan for the Town; and

WHEREAS, on November 13, 1992, the Board of Aldermen of the Town of Westlake, Texas adopted a Comprehensive Zoning Ordinance; and

WHEREAS, on September 15, 1997, based upon the recommendations of the Planning and Zoning Commission, the Board of Aldermen of the Town of Westlake, Texas amended the Zoning Ordinance and the subdivision regulations by adopting a Unified Development Code for the Town (the "Town"); and

WHEREAS, on September 14, 1998, the Board of Aldermen adopted Ordinance 313 rezoning an approximate 392.3 Acre tract of land to a Planned Development District known as "PD 3-7" and authorizing office, office/industrial, and retail uses; and

WHEREAS, an analysis of the Town's codes and regulations has determined that an amendment to these codes and regulations are required in order to protect the health, safety, and welfare of the Town and to comply with the development goals for low density residential development; and

WHEREAS, on November 9, 2000, the Planning and Zoning Commission of the Town has recommended that the Zoning Ordinance as contained in the Unified Development Code be revised in accordance with the procedures and processes established in that code for the Town; and

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

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

SECTION 1: General Regulations: The property as shown in Exhibits "A" and "B" is hereby rezoned in accordance with this ordinance. The general regulations and requirements of the PD 3-7, as hereby amended, "OC" Office Campus uses shall be established as follows:

1.1 Zoning Exhibit

- A Any amendment of PD 3-7 for the "OC" Office Campus land use shall be accompanied by a zoning exhibit map drawn to scale that clearly indicates the location of the requested zoning, the land uses planned for the land use, the floor area ratio for the site, the name of the applicant, the name of the owner, the date of preparation of the zoning exhibit, north arrow and scale, and any general notes deemed appropriate.
- B. The zoning exhibit map shall be a part of the zoning amendment and shall be filled with the adopting ordinance.

1.2 Concept Plan, Development Plan, and Site Plans

- A. This amendment shall not relieve the developer of submitting and providing concept plans, development plans, and site plans as required by the Uniform Development Code.
- B. The concept plan and the traffic impact analysis, as required by the Unified Development Code, shall not be required at the time of zoning approval but shall be required to be provided at the time of site plan approval.

1.3 Allowable Uses

- A. Upon the effective date of this amendment, the uses of the buildings, structures and land within the "OC" Office Campus land use shall be in accordance with the uses allowed in the "O" Office land use as provided in Section 1 of Article 4 of the Unified Development Code.
- B. In addition to the uses allowed in Section 1 of Article 4 of the Unified Development Code, the following uses shall be allowed;

- a. verti-stop
 - b. Electric, Cable, and Fiber Optic Switching Station
 - c. Water and Sewage Pumping Station (below grade)
 - d. Water, Sewer, Electric, and Gas meters
 - e. Electric Transformers
 - f. Private Streets/Alleys/Drives
 - g. Child Daycare (Public, 7 or more)
 - h. Community Center (Public)
 - i. Golf Clubhouse (Public or Private)
 - j. Health/Spa Facilities (Private)
- C. In addition to the uses allowed as accessory uses in Section 1 of Article 4 of the Unified Development Code, the following accessory uses shall be allowed:
- a. Child Daycare (Private, 7 or more)
 - b. Shoe Repair
 - c. Parking Structure
 - d. Custom Business Services
 - e. Recreation Center (Private)
 - f. Beauty Salon / Barber Shop
 - g. Retail clothing store
 - h. Conferencing Center (10,000 sq. ft. or smaller)
- D. In addition to the uses allowed by specific use permit in Section 1 of Article 4 of the Unified Development Code, the following specific uses shall be allowed:
- a. Water and Sewage Pumping Station (above grade)
 - b. Water Storage Tank and Pumping System (elevated or above grade)
 - c. Cafeteria (Private)
 - d. Job Printing, Lithography, Printing, or Blueprinting
 - e. Medical Laboratory
 - f. R&D Laboratory
 - g. Private Club
 - h. Athletic Fields
 - i. Athletic Courts (Private or Public)

- E. The individual retail or service uses located as accessory uses shall not exceed a total of 3,000 square feet.
- F. Temporary Construction Office or temporary construction material storage shall be limited to the period of construction.
- G. Future revisions of allowed uses of the "OC" Office Campus, after the effective date of this amendment, shall not be identical to the "O" Office land use but shall be unique to the "OC" Office Campus land use as listed in the Land Use Schedule contained in the Unified Development Code.

1.4 Open Space & Trail System

- A. Open Spaces, trail systems, and public recreational uses shall be subject to the Open Space plan of the Town. Compliance with requirements of the Open Space plan shall be shown on the required concept plan, development plan, or site plan as required by Section 2.2 of this ordinance.
- B. Specific Open Space designation may be provided for Public Golf Space as designated on the Zoning Exhibit Map. Land containing the Public Golf Space designation may be used for open space designated uses or may be developed as a commercial golf course to be used by the public.

1.5 Signs

Unless otherwise provided in this ordinance the sign regulations as contained in the Supplemental Standards shall apply to this ordinance, with the exception of wall signs placed on the exterior of buildings. The size of wall signs may be 5% of the total side of the exterior of the structure. The combination of wall signs located on a side of an exterior wall shall not exceed the cumulative total of 75 square feet. An increase in square feet of sign may be approved by a special exception by the Board of Aldermen upon determination by the Board of Aldermen that said increase in sign size is consistent with the aesthetic character of the office campus development. The applicant shall provide adequate documentation for the Board of Aldermen to make such determination.

1.6 Thoroughfares

Thoroughfares located adjacent to or within the area of a "OC" Office Campus land use shall be subject to the Thoroughfare Plan of the Town.

1.6 Applicable Town Ordinances

- A. Except to the extent as provided by this amendment, the “OC” Office Campus land use shall be subject to all regulations provided in the Uniform Development Code and other Town ordinances as amended.
- B. Unless otherwise provided in this ordinance, regulations as provided in Ordinance No. 307 Supplemental Regulations to the PDs shall apply.

SECTION 2: Development Standards: Land zoned as “OC” Office Campus land use shall be subject to the following development standards:

2.1 Density

- A. The maximum floor area ratio for structures located in the “OC” Office Campus land use shall be 0.25:1 for all sites abutting a residentially zoned property located within the corporate limits of the Town or adjoining municipality.
- B. The maximum floor area ratio for structures located in the “OC” Office Campus land use shall be 0.40:1 for all sites not abutting a residentially zoned property located within the corporate limits of the Town or adjoining municipality

2.2 Building Height

- A. The maximum building height for all sites having a 0.25:1 floor area ratio shall be two stories or 35 feet, whichever is less. Height shall be measured adjacent to the building at ground level of the finished grade.
- B. The maximum building height for all sites having a 0.40:1 floor area ratio shall be five stories or 75 feet, whichever is less.
- C. The height limits imposed in this Section 2.2 – Building Height shall not apply to:
 - a. chimneys and vent stacks, church spires, elevator shafts, penthouses, 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.

2.3 Building Size

- A. The minimum building size shall be 3,000 square feet.

2.4 Parking Requirements

- A. The minimum parking requirements for uses located within the “OC” Office Campus land use shall conform to the requirements provided in Article 6 – Parking and Loading Standards of the Unified Development Code.
- B. Relief from the parking requirements contained in Article 6 – parking and Loading Standards of the Unified Development Code for developments that constitute a number of structures and include shared parking or scheduled parking, shall be permitted upon approval of a parking study that justifies any departure from the regulations of Article 6. Said parking study must be reviewed by the Town Traffic engineer and approved by the Board of Aldermen upon recommendation by the Planning and Zoning Commission.
- C. No parking top floor of a parking structure, or floor that is open to the sky, shall have area lighting that extends above the parapet wall of the top floor. All parking lot lighting shall have full shielded cut-off of light and shall not have more than a 250-watt light source.

SECTION 3: Area Requirement: Land zoned as “OC” Office Campus land use shall be subject to the following area requirements:

3.1 Minimum Lot Size

The minimum lot size for lots in the “OC” Office Campus land use shall be 10 Acres. However, the lot size may be reduced by special exception of the Board of Aldermen upon demonstration that said reduction in lot size is consistent with the character and goal for development of office campus land uses.

3.2 Minimum Lot Width

The minimum lot width for lots in the "OC" Office Campus land use shall 150 feet measured at the minimum front yard setback distance for the "OC" Office Campus land use, with the exception of any area used for public use.

3.3 Front Yard Setback

The minimum front yard setback for lots in the "OC" Office Campus land use shall be 70 feet.

3.4 Rear Yard Setback

The minimum rear yard setback for lots in the "OC" Office Campus land use shall be 50 feet; and shall be 100 feet when adjacent to residentially zoned land.

3.5 Side Yard Setback

The minimum side yard setback for lots in the "OC" Office Campus land use shall be 45 feet, with the exception of any area used for public use.

3.6 Maximum Height Slope

- A. No structure located in the "OC" Office Campus land use shall exceed the height of a line drawn at a slope of 2:1 from any public right-of-way or roadway easement.
- B. No structure located in the "OC" Office Campus land use shall exceed the height of a line drawn at a slope of 5:1 from any abutting residential property line.
- C. If the grade of the ground rises or falls from the point of origin of the slope line, the maximum height shall increase or decrease by the difference in grade.

3.7 Scenic View Protection

no structure may extend beyond the elevation of 785 MSL. In addition, the Board of Aldermen may require additional sight line illustrations and/or cross-sections through sites having maximum FAR requirements of 0.40:1. Additional restrictions on sites that threaten the view corridors along natural slopes may be applied by the Board.

SECTION 4: Sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Board of Aldermen hereby

declares that it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5: This ordinance shall be cumulative of all other ordinances of the Town affecting the regulations of land and zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6: It shall be unlawful for any person to violate any provision of this ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$ 2,000) and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

SECTION 7: This ordinance shall become effective upon its passage by the Board of Aldermen.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN, TEXAS, ON THIS 13TH DAY OF NOVEMBER, 2000.



Scott Bradley, Mayor

ATTEST:

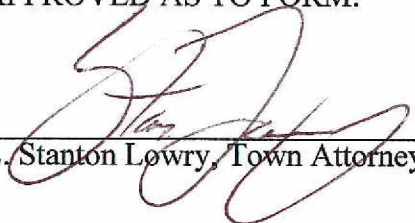


Ginger Crosswy, Town Secretary



Trent O. Petty, Town Manager

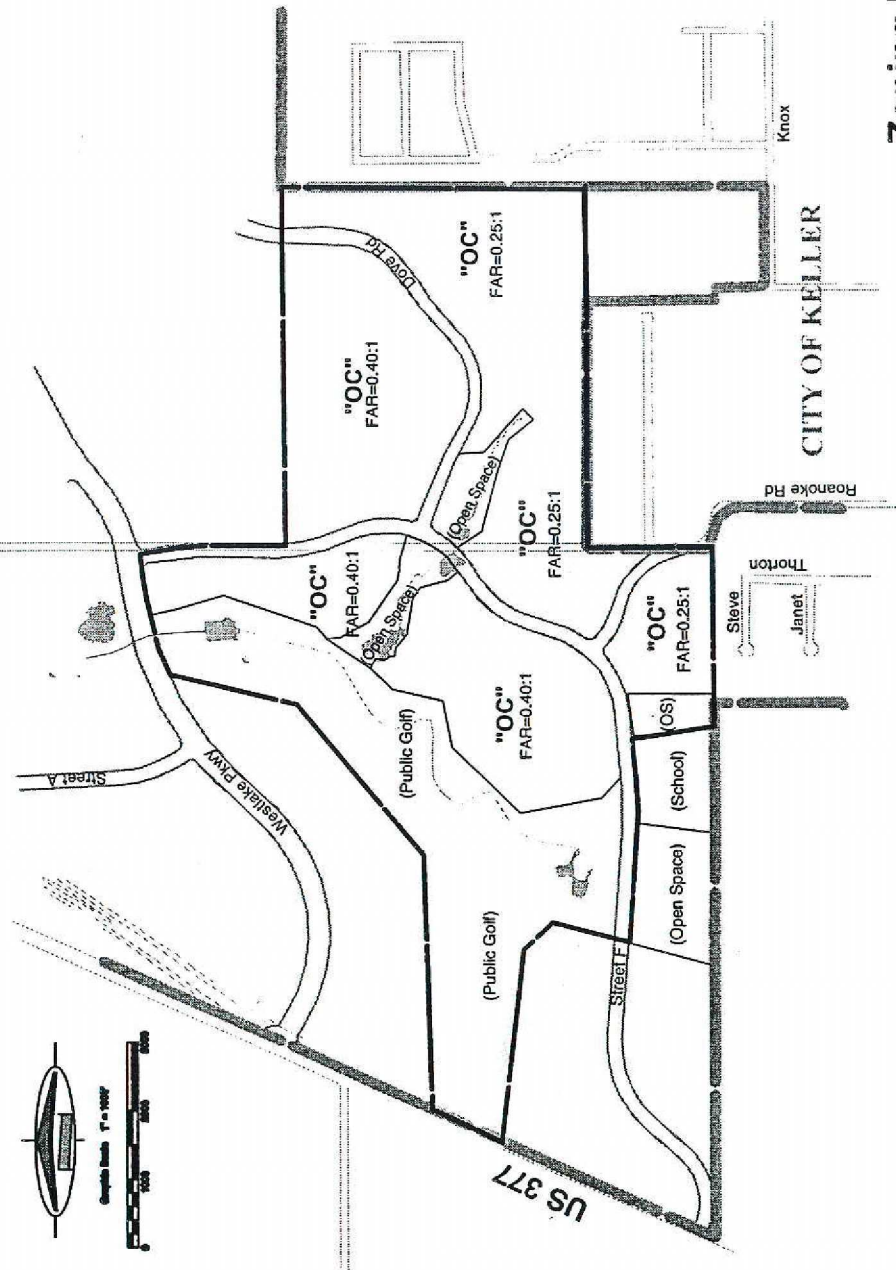
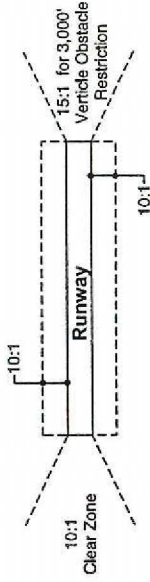
APPROVED AS TO FORM:



L. Stanton Lowry, Town Attorney

General Notes

1. The clear zone for the Stagecoach Hills landing strip shall be as shown below and shall be used as "OC" (Open Space).



Zoning Exhibit - "OC" Office Campus

Owner: AIL Investment, L.P. Developer: Hillwood Development Corporation
 13600 Heritage Parkway, Ste 200
 Fort Worth, Texas 76177

Being a rezoning of a portion PD 3-7,
 And also being approximately 210.4 acres of land situated in the William Huff
 Survey A-648, Tarrant Co. Texas

Exhibit A

Legal Description
Area 7

BEING a portion of that tract of land situated in the William Huff Survey, Abstract Number 648, Town of Westlake, Tarrant County, Texas and being a portion of that tract of land conveyed to Hillwood/Willow Bend, Ltd., recorded under County Clerk's Number 93-R0075228, of Real Property Records, Denton County, Texas and also being a portion of that tract of land conveyed to Lakeway Land, Ltd., recorded in Volume 12625, Page 504 of Deed Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the approximate centerline of Roanoke Road (a called 50 foot right-of-way), and the south line of that tract of land conveyed to Charles G. Slocum and wife Linda C. Slocum recorded in Volume 7165, Page 2322 of Deed Records, Tarrant County, Texas;

THENCE N 89°30'52"E, 2601.10 feet;

THENCE S 01°53'10" E, 336.79 feet;

THENCE S 00°38'10" E, 1903.05 feet ;

THENCE S 89°49'45" W, 2672.92 feet;

THENCE S 00°05'26" E, 929.99 feet;

THENCE S 89°37'10" W, 1099.95 feet;

THENCE N 00°36'00" W, 649.13 feet;

THENCE with said non-tangent curve to the left, through a central angle of 10°15'06", having a radius of 753.00 feet, the long chord which bears S 79°41'01" W, 134.55 feet, an arc distance of 134.73 feet;

THENCE S 84°48'34" W, 576.69 feet;

THENCE with said curve to the left, through a central angle of 08°43'30", having a radius of 2053.00 feet, the long chord which bears S 89°10'20" W, 312.33 feet, an arc distance of 312.63 feet;

THENCE N 86°27'55" W, 773.04 feet;

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Exhibit B

THENCE N 12°04'19" E, 566.65 feet;

THENCE N 40°28'24" NW, 296.15 feet;

THENCE N 84°11'33" W, 1523.31 feet;

THENCE N 24°35'49" E, 577.90 feet;

THENCE S 85°09'27" E, 245.59 feet;

THENCE N 87°28'47" E, 1706.63 feet;

THENCE N 49°44'46" E, 1470.56 feet;

THENCE N 13°45'07" E, 976.09 feet;

THENCE with said non-tangent curve to the right, through a central angle of 13°54'08", having a radius of 2225.00 feet, the long chord which bears N 74°20'31" E 538.55 feet, an arc distance of 539.87 feet;

THENCE N 81°16'44" E, 254.85 feet;

THENCE N 78°48'48" E, 200.06 feet;

THENCE with said non-tangent curve to the right, through a central angle of 82°57'04", having a radius of 50.00 feet, the long chord which bears S 32°45'29" W, 66.23 feet, an arc distance of 72.39 feet;

THENCE S 08°43'16"E, 192.54 feet; to the beginning of a curve to the right;

THENCE with said curve to the right, through a central angle of 08°51'18", having a radius of 2096.00 feet, the long chord which bears S 04°16'43", 323.61 feet, an arc distance of 323.93 feet;

THENCE S 00°08'55" W, 518.97 feet to the **Point of Beginning** and containing 14,705,856 square feet or 337.6 acres of land more or less.

The above description is for informational purposes and is not intended to be used in the conveyance of real property.

Variation in bearing, from the original document, due to file conversion to Town of Westlake Control Monumentation.

C&B Job No. 010671.010.4.0049
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