

**TOWN OF WESTLAKE**

**RESOLUTION NO. 25-04**

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING A DEVELOPMENT AGREEMENT FOR SUBDIVISION IMPROVEMENTS BETWEEN THE TOWN OF WESTLAKE, TEXAS AND OTTER PARTNERS, LP FOR WESTLAKE VENTANAS RESIDENTIAL DEVELOPMENT (PD 1-2, PLANNED DEVELOPMENT DISTRICT 1-2), AND AUTHORIZING THE TOWN MANAGER OR DESIGNEE TO EXECUTE THE AGREEMENT.**

**WHEREAS**, the Property is located within PD 1-2, Planned Development District 1-2, that is commonly known as “**WESTLAKE ENTRADA**”, as approved by Ordinance No. 703 by the Town Council on the **22<sup>ND</sup>** day of **APRIL 2013**; and

**WHEREAS**, pursuant to the provisions approved by Ordinance No. 703 by the Town Council on the **22<sup>ND</sup>** day of **APRIL 2013**, a development plan subject to review and approval by the Town Council is required, and such development plan was approved by Ordinance No. 720 by the Town Council on the **28<sup>TH</sup>** day of **OCTOBER 2013** (the “Development Plan”); and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 830, as adopted by the Town on the **19<sup>TH</sup>** day of **JUNE 2017**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 918, as adopted by the Town on the **26<sup>TH</sup>** day of **OCTOBER 2020**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 934, as adopted by the Town on the **23<sup>RD</sup>** day of **AUGUST 2021**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 959, as adopted by the Town on the **5<sup>TH</sup>** day of **DECEMBER 2022**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 994, as adopted by the Town on the **1<sup>ST</sup>** day of **APRIL 2024**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 997, as adopted by the Town on the **3<sup>RD</sup>** day of **JUNE 2024**; and

**WHEREAS**, the Development Plan was subsequently amended by Ordinance No. 1001, as adopted by the Town on the **19<sup>TH</sup>** day of **AUGUST 2024**, including a revised Development Plan attached thereto as EXHIBIT “A” and included therein for all references and purposes; and

**WHEREAS**, the Development Plan amended by Ordinance No. 1001, as adopted by the Town on the **19<sup>TH</sup>** day of **AUGUST 2024**, included specific provisions relating to the Property, including Architectural Standards “according to the development guidelines and standards for The Knolls Development” and that the amendment to the Development Plan for the development of this portion of Westlake Entrada shall further reflect approval provided by Ordinance No. 959, as adopted by the Town on the **5<sup>TH</sup>** day of **DECEMBER 2022**; and

**WHEREAS**, the Development Plan amended by Ordinance No. 1001, included conditions that apply to “all further applications for development that are submitted pursuant to the Entrada Development Plan”; and

**WHEREAS**, the Town of Westlake, Texas (the “Town”) is a duly created and validly existing Type A General Law Municipality, created under the laws of the State of Texas, including

particularly, but not by way of limitation, Chapter 51, Texas Local Government Code, as amended (the “Code”); and

**WHEREAS**, the Town and Otter Partners, LP (the “Developer”) desire to enter into an agreement through a Development Agreement, which sets out certain responsibilities for the Town and the Developer as it relates to the development in Westlake; and,

**WHEREAS**, the Developer, as the owner of land located within the Town, intends to develop the approximately 22.164 acres of land fronting Solana Boulevard (the “Property”), and the development and construction on the Property is expected to significantly enhance the tax base of the Town; and

**WHEREAS**, the Town and the Developer desire to enter into a partnership to continue this planned growth through a Development Agreement for Subdivision Improvements, which sets out responsibilities for the Town and the Developer as it relates to the development in Westlake; and,

**WHEREAS**, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

**SECTION 1:** That, all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

**SECTION 2:** That, the Town Council of the Town of Westlake, Texas, hereby approves the Development Agreement for Subdivision Improvements attached hereto as **EXHIBIT “A”**,

with the Developer; and further authorizes the Town Manager to execute said agreements and pursue any necessary procedures on behalf of the Town of Westlake.

**SECTION 3:** If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

**SECTION 4:** That this resolution shall become effective from and after its date of passage.

**PASSED AND APPROVED ON THIS 21<sup>ST</sup> DAY OF JANUARY 2025.**

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**Kim Greaves, Mayor**

**ATTEST:**

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**Dianna Buchanan, Town Secretary**

**APPROVED AS TO FORM:**

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**L. Stanton Lowry, Town Attorney**

## **EXHIBITS**

**EXHIBIT “A” — DEVELOPMENT AGREEMENT FOR SUBDIVISION IMPROVEMENTS**

**EXHIBIT “B” — PROPERTY DESCRIPTION**

**EXHIBIT “C” — ARCHITECTURAL STANDARDS FOR THE KNOLLS**