

TOWN OF WESTLAKE

ORDINANCE NO. 997

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING ORDINANCE 720, AS AMENDED, WHICH APPROVED THE DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONING DISTRICT 1-3 (PD 1-2), COMMONLY KNOWN AS ENTRADA; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, On October 28, 2013, the Westlake Town Council approved Ordinance 720, which approved the Development Plan for Planned Development District 1-2 (PD 1-2), an approximately 85 acre tract land, located north of Solana Boulevard, east of Davis Boulevard, and south of Highway 114, for the purpose of amending the Phase Two portion of the Development Plan; and

WHEREAS, On June 19, 2017, The Town Council approved Ordinance 830, which amended Ordinance 720 by amending only the Phase Two portion of the Development Plan; and

WHEREAS, On October 26, 2020, The Town Council approved Ordinance 918, which amended Ordinance 720, and repealed Ordinance 830, by approving various graphics changes and site plan updates to the development plan; and

WHEREAS, On August 23, 2021, The Town Council approved Ordinance 934, which amended Ordinance 720 (Entrada Development Plan) and repealed Ordinance 918, approving the removal of the amphitheater and addition of the repository to Block C and amendments to Block B, and adding new performance standards; and

WHEREAS, On December 5, 2022, The Town Council approved Ordinance 959, which rezoned Lot 2R1, Block 1, Westlake/Southlake Park Addition, from the PD1-1 zoning district to the PD1-2 zoning district and amended portions of the Entrada development plan; and

WHEREAS, On April 1, 2024, The Town Council approved Ordinance 994, which approved an Entrada development plan amendment specific to Lot 2R1, Block 1, Westlake/Southlake Park Addition for up to 51 single family lots; and

WHEREAS, an application has been received to amend the development plan specific to Block P, Westlake Entrada Addition to allow for single family residential and commercial uses on said block; and

WHEREAS, the Town Council of the Town of Westlake finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, following provision of proper legal notice, including written notice to all owners within the Entrada development and within 200 feet of the Entrada development, published notice and posted notice in accordance with the Texas Open Meetings Act of public hearing, a public hearing was held on May 7, 2024 by the Planning and Zoning Commission (Commission) whereby the Commission recommended to the Town Council approval of the amendments to the development plan and shown in the attached **Exhibit “A”**; and

WHEREAS, following provision of proper legal notice, including written notice to all owners within the Entrada development and within 200 feet of the Entrada development, published notice and posted notice in accordance with the Texas Open Meetings Act of public hearing, a public hearing was held on May 20, 2024 by the Town Council; 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 2015 Comprehensive Plan and its Land Use Map, Thoroughfare Plan, and Open Space Plan, all as amended to date; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission and after a public hearing, 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 these amendments to the Entrada development plan, as amended, included herein and shown in attached **Exhibit “A”**, should be approved and adopted.

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

SECTION 1: That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the Block P, Westlake Entrada Addition, as shown on the Entrada development plan, as amended, is hereby amended as shown in the attached Exhibit “A”, subject to the following conditions:

- A. Only the commercial portions of Exhibit “A” are approved as part of this amendment.
- B. All residential areas shown on Exhibit “A” are not approved by this Ordinance and shall remain commercial.
- C. Any future requests to amend the Block P development plan to allow for residential uses shall be done in the context of the entire Entrada development plan and may only be amended as such.

SECTION 3: That, except where provided specifically herein, 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 4: 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 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: 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 legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or 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 legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 6: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 20th DAY OF MAY 2024

ATTEST:

Kim Greaves, Mayor

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

EXHIBITS

EXHIBIT A Block P Development Plan Amendment