

CITY OF WILLOW PARK

ORDINANCE NO. 671-13

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, PROVIDING FOR A ZONING CHANGE FOR THAT CERTAIN 3.81 ACRE TRACT, MORE OR LESS, FURTHER DEFINED AS TRACT C-R, BLOCK 7, WILLOW SPRINGS OAKS ADDITION, AN ADDITION TO THE CITY OF WILLOW PARK, TX, , RECORDED IN VOLUME C, SLIDE 484, PLAT RECORDS, PARKER COUNTY, TX FROM CLASS IV – INDUSTRIAL “LI” – LIGHT INDUSTRIAL ZONING DISTRICT CLASSIFICATION AND USE TO CLASS III – BUSINESS “C” – COMMERCIAL DISTRICT ; PROVIDING FOR PUBLICATION, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, is a municipal corporation duly and legally formed in the State of Texas; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to protect the health, safety and general welfare of its citizens; and,

WHEREAS, pursuant to Chapter 211 TEXAS LOCAL GOVERNMENT CODE, the City of Willow Park has the authority to adopt comprehensive zoning plans and to amend said plans for the purposes of promoting the health, safety and welfare of the City; and

WHEREAS, Burton Parnell, on behalf of Davy & Burt, LLC, has applied for a change of zoning use for that certain 3.81 acre tract, more or less, further defined as Tract C-R, Block 7, Willow Springs Oaks Addition, an Addition to the City of Willow Park, TX, , recorded in Volume C, Slide 484, Plat Records, Parker County, TX (“Property”) from Class IV – Industrial “LI” – Light Industrial Zoning District classification and use to Class I – Special Purpose – “PD” – Planned Development Zoning District classification and use with a Base Zoning of Class III – Business “C” – Commercial District, (“Property”), as further described on Exhibit “A” and depicted on Exhibit “B”.

WHEREAS, a public hearing on the zoning change was previously held by the Planning and Zoning Commission of the City of Willow Park on May 7, 2013, and a final report and recommendation was submitted to the governing body of the City; and

WHEREAS, the City of Willow Park held a public hearing subsequent to that of the Planning and Zoning Commission and subsequent to receiving the final report and recommendation of the Planning and

Zoning Commission with respect to the application for a zoning change; and

WHEREAS, the City Council finds that the change is consistent with the Comprehensive Plan;

WHEREAS, all requirements concerning notice to adjacent property owners, publication and other procedural requirements have been complied with in accordance with Chapter 211, TEXAS LOCAL GOVERNMENT CODE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. LAND USE PERMITTED

The zoning district classification and use designation of the Property is hereby changed from Class IV – Industrial “LI” – Light Industrial Zoning District classification and use designation to Class III – Business “C” – Commercial Zoning District.

SECTION 3. MAP AMENDMENT

The City Secretary is hereby directed to amend the official zoning map to reflect the adoption of the zoning change approved herein consistent with markings as specified by Municipal Code of Ordinances of the City of Willow Park.

SECTION 4. SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of other provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

SECTION 6. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof as required by Section 52.011 of the TEXAS LOCAL GOVERNMENT CODE.

SECTION 7. EFFECTIVE DATE

The Willow Park City Council in acting on Ordinance No. ⁶⁷¹~~669~~-13, did on the 11th day of June, 2013 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	_____	_____
Gene Martin, Place 2	_____	_____
Amy Podany, Place 3	_____	_____
Dan Stalling, Place 4	_____	_____
Bernard Suchocki, Place 5	_____	_____

This Ordinance shall be in full force and effect after its publication as required herein.

PASSED AND ADOPTED this 11th day of June, 2013.

/s/ Richard Neverdousky
Mayor

ATTEST:

/s/ Joel Ho Arner
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney

STATE OF TEXAS)
COUNTY OF PARKER)

WHEREAS, REX BOURNE being the sole owner of 3.81 Acres being Tract C, Block 7, Willow Springs Oaks Addition, an addition to the City of Willow Park, Parker County, Texas, as recorded in Volume 361-A, Page 69, Plat Records, Parker County, Texas and Lot 11, Block 1, C. E. Beavers Addition recorded in Volume 240, Page 492, Deed Records, Parker County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod found, in the south right of way line of Interstate Highway No. 20, said iron being the northeast corner of said Lot 11, Block 1, C. E. Beavers Addition;

THENCE S 01°40'43"W, on or about a fence, 67.39 feet to an iron rod found;

THENCE N 89°25'20"W, 808.95 feet to an iron rod found in the east right of way line of Farm to Market Highway No. 5 in a non-tangent curve to the right with a radius of 1392.40 feet and whose chord bears N 18°32'35"E, 325.07 feet;

THENCE with said curve to the right and with the east right of way line of said Farm to Market Highway No. 5, through a central angle of 13°24'25" and a distance of 325.81 feet to a concrete monument found, said monument being the intersection of the east right of way of said Farm to Market Highway No. 5 with the south right of way line of said Interstate Highway No. 20;

THENCE N 70°12'48"E, with the south right of way line of said Interstate Highway No. 20, 71.17 feet to an concrete monument found in a non-tangent curve to the left with a radius of 11719.16 feet and whose cord bears S 66°36'51"E, 539.02 feet;

THENCE with said curve to the left and the south right of way line of said Interstate Highway No. 20 through a central angle of 02°38'08" and a distance of 539.07 feet to an iron rod found;

THENCE S 67°55'17"E, continuing along the south right of way line of said Interstate Highway No. 20, 157.30 feet to the POINT OF BEGINNING and containing 3.81 acres (165,984 square feet) of land.

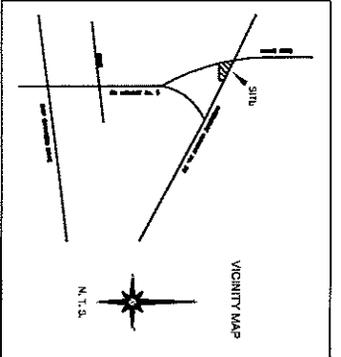
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, REX BOURNE HERE BY ADOPT THIS PLAT OF THE HEREIN ABOVE DESCRIBED REAL PROPERTY, TO BE DESIGNATED AS: TRACT C-R, BLOCK 7, WILLOW SPRING OAKS ADDITION to the City of Willow Park, Parker County, Texas, Being a replat of Tract C, Block 7, Willow Springs Oaks Addition and Lot 11, Block 1, C. E. Beavers Addition, an addition to the City of Willow Park, Parker County, Texas and does hereby dedicate to the public's use forever the streets, (alleys, parks) and easements shown thereon.

WITNESS my hand at _____ Parker County, Texas this
_____ day of _____, 2006.

Rex Bourne

EXHIBIT A



APPROVED BY the City of Willow Park, Parker County, Texas, this the _____ day of _____, 2008.

Mayor, City of Willow Park _____

City Secretary _____

Chairman, Planning and Zoning Commission _____

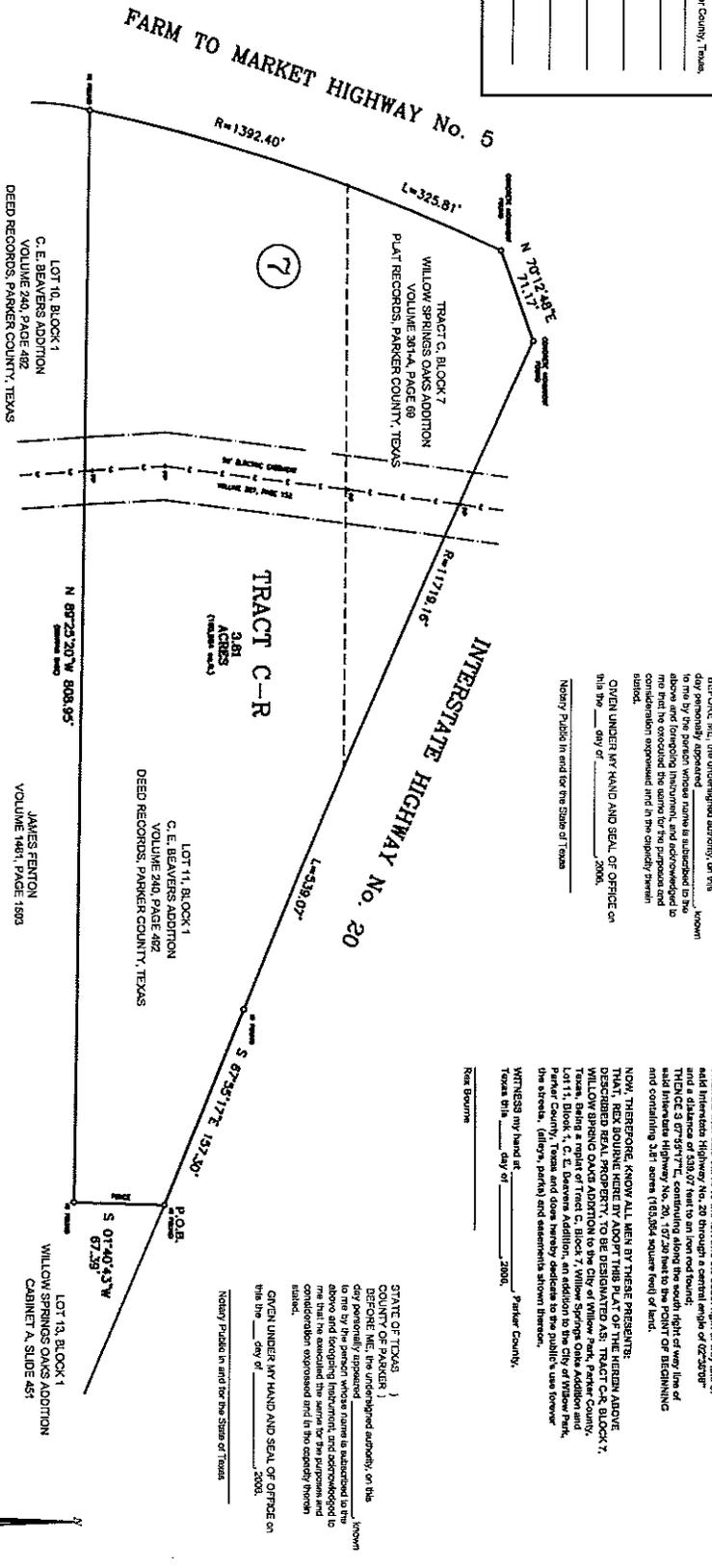
City Manager _____

City Engineer, City of Willow Park _____

**TRACT C-R, BLOCK 7
WILLOW SPRINGS OAKS ADDITION
AN ADDITION TO THE CITY OF WILLOW PARK
PARKER COUNTY, TEXAS**

**BEING A REPLAT OF TRACT C, BLOCK 7, WILLOW SPRINGS OAKS ADDITION
AND LOT 11, BLOCK 1, C. E. BEAVERS ADDITION
AN ADDITION TO THE CITY OF WILLOW PARK
PARKER COUNTY, TEXAS**

CONCES
4020 Interstate Highway No. 20
Willow Park, Texas 76087
817-261-4231



STATE OF TEXAS
COUNTY OF PARKER }
I, _____, Clerk of the County, do hereby certify that the foregoing plat is a true and correct copy of the original as recorded in the public records of this county, and that the same is subject to the provisions of the statute and court orders in this regard.

STATE OF TEXAS
COUNTY OF PARKER }
I, _____, Clerk of the County, do hereby certify that the foregoing plat is a true and correct copy of the original as recorded in the public records of this county, and that the same is subject to the provisions of the statute and court orders in this regard.

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STATE OF TEXAS
COUNTY OF PARKER }
I, _____, Clerk of the County, do hereby certify that the foregoing plat is a true and correct copy of the original as recorded in the public records of this county, and that the same is subject to the provisions of the statute and court orders in this regard.

SCALE: 1" = 60'

GRAPHIC SCALE: 1" = 60'

HARLAN LAND SURVEYING, INC.
1500 WEST 17TH STREET, SUITE 200
MCKINNEY, TEXAS 75069
PHONE: 972-561-7500
FAX: 972-561-7501
WWW.HARLANLANDSURVEYING.COM