

CITY OF WILLOW PARK

ORDINANCE NO. - 674-13

AN ORDINANCE PROVIDING AUTHORIZATION FOR AND RATIFICATION OF THAT CERTAIN ACTION TAKEN BY THE GOVERNING BODY OF THE CITY OF WILLOW PARK, TEXAS, ON OCTOBER 11, 2010 BY UNANIMOUS VOTE RELATING TO A CHANGE IN ZONING CLASSIFICATION FOR THAT CERTAIN 17.336 ACRE TRACT; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

WHEREAS, the City has received an application for a zoning district classification change, for that certain tract of land out of the I. & G.N.R.R. Co. Survey, Abstract No. 1821, Parker County, Texas; further described as Trinity Church Properties, an addition to the City of Willow Park, Parker County, Texas, being all of those certain tracts of land comprising 17.336 acres described in Volume 1076, Page 1258, Volume 1722, Page 269 and Volume 2457, Page 1882, Real Property Records, Parker County, Texas ("Property") from: "Class II - Residential 'R-2' Single Family/Duplex District and Class III - Business 'LR' Local Retail District to: Class III - Business 'C' Commercial District; and

WHEREAS, the Planning & Zoning Commission held a duly noticed and posted public hearing on the zoning district reclassification for the Property on September 13, 2010 and the City Council held a duly noticed and posted public hearing on the zoning district reclassification for the Property on October 11, 2010; and

WHEREAS, the Planning & Zoning Commission on September 13, 2010, subsequent to the public hearing thereon unanimously voted to accept the rezoning application of Trinity Christian Academy to Commercial and recommend to City Council favorable action on the same; and

WHEREAS, the City Council did on October 11, 2010 subsequent to the public hearing on the proposed zoning district classification change receive the report from the Planning and Zoning Commission thereon and voted unanimously to change the zoning district classification of the Property.

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

SECTION 1. AUTHORIZATION.

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

SECTION 2. FINDINGS

- A. The Planning and Zoning Commission on September 13, 2010, subsequent to the public hearing thereon unanimously voted to accept the rezoning application of Trinity Christian Academy to Commercial and recommend to City Council favorable action on the same.
- B. Notice prior to public hearings was given pursuant to §211.006(a) TEX. LOCAL GOV'T CODE.

SECTION 3. HEARING

A public hearing was held by the City Council on October 11, 2010, and the Planning and Zoning Commission hearing was held on September 13, 2010, regarding the Property for the matters set out herein,

SECTION 4. ZONING RATIFICATION.

The City Council does hereby ratify, accept and affirm it's action taken on October 11, 2010 changing the zoning district classification of the Property from: "Class II - Residential 'R-2' Single Family/Duplex District and Class III - Business 'LR' Local Retail District to: Class III - Business 'C' Commercial District. This ratification by City Council does in all aspects affirm, approve and confirm the zoning district classification change of October 11, 2010 as if it were by the adoption of this Ordinance on that date.

SECTION 5. REPEALER.

To the extent any other Ordinance or Resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 6. 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 7. 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, TEX. LOCAL GOV'T CODE.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect from and after its adoption and relate back and give full effect and lawful authority to the action of the City Council on October 11, 2010.

PASSED AND APPROVED this 13th day of August, 2013.

/s/ *[Signature]*
 ATTEST:

/s/ *Joel Hoffman*
 City Secretary/Clerk

APPROVED AS TO FORM:

/s/ *[Signature]*
 City Attorney

The Willow Park City Council in acting on Ordinance No. 674-13, did on the 13th day of August, 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	_____/_____ ✓	_____