

# *CITY OF WILLOW PARK*

ORDINANCE NO. 714-15

**AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, PROVIDING FOR A ZONING CHANGE FROM CLASS I – SPECIAL PURPOSE AND “PD” PLANNED DEVELOPMENT DISTRICT (RACE TRACK) CLASSIFICATION AND USE DESIGNATION TO RESIDENTIAL CLASS II – RESIDENTIAL: R-5 SINGLE FAMILY MEDIUM DENSITY DISTRICT CLASSIFICATION AND USE DESIGNATION FOR THAT CERTAIN 39.02 ACRE TRACT, MORE OR LESS, SITUATED IN THE JOHN FROMAN SURVEY, ABSTRACT NO. 471 IN THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS; PROVIDING FOR A PENALTY, A SEVERABILITY CLAUSE, PUBLICATION 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**, Aledo Realty Investments, LLC (Owner), has applied for a change in zoning for that certain 39.02 acre tract, more or less, situated in the John Froman Survey, Abstract No. 471 (“Property”), as further described on Exhibit “A” and depicted on Exhibit “B” which are incorporated herein, from Class I – Special Purpose and “PD” Planned Development District (Race Track) classification and use designation to Class II – Residential: R-5 Single Family Medium Density District classification and use designation; and

**WHEREAS**, the City of Willow Park held a public hearing, and subsequent thereto received the 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 I – Special Purpose and “PD” Planned Development District (Race Track) classification and use designation to Class II – Residential: R-5 Single Family Medium Density District classification and use designation.

## 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 and the effective date of this ordinance as required by Section 52.011 of the TEX. LOCAL GOV'T CODE.

The Willow Park City Council in acting on Ordinance No. 714-15, did on the 11<sup>th</sup> day of August, 2015, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	_____	_____
Gene Martin, Place 2	_____	_____
Greg Runnebaum, Place 3	_____	_____
James E. Mullins, Place 4	_____	_____
Tim Griffiths, Place 5	_____	_____

SECTION 7. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption by the City Council of the City of Willow Park and after publication as required herein.

PASSED AND ADOPTED this 11<sup>th</sup> day of August, 2015.

/s/ \_\_\_\_\_  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
City Attorney