

CITY OF WILLOW PARK
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLOW PARK, AMENDING THE ZONING ORDINANCE TO REZONE A TRACT OF LAND CONSISTING OF SEVEN (7.29) ACRES MORE OR LESS, SITUATED IN THE JAMES OXER SURVEY ABSTRACT NUMBER 1029 IN THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS HERETOFORE ZONED AS CLASS II RESIDENTIAL “R-1” SINGLE FAMILY DISTRICT REZONED TO CLASS III; BUSINESS “C” COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE..

WHEREAS, the City of Willow Park, Texas, is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Property Owner, Bar-Ko Land Company, LLC, requested a zoning change, subsequent to annexation, from "Class II: Residential: 'R-1' Single-Family District to the "Class III - Business: 'C' Commercial District being a 7.290 Acre tract of land being situated in the James OXer Survey, Abstract Number 1029, Parker County, Texas.in Willow Park, Parker County, Texas (the “Property”); and

WHEREAS, in accordance with Section 14.11.002 of the Willow Park Code of Ordinances, Chapter 14 Zoning upon annexation the 7.290 acres of land is initially zoned as Class II – Residential “R-1” Single Family District, and permanent zoning shall occur after public hearings and consideration by the planning and zoning commission, and the city council and;

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code and all other laws dealing with notice, publication, and procedural requirements of the rezoning of the Property; and

WHEREAS, after considering the information submitted at the public hearing and all other relevant information and materials, on April 21, 2026, the Planning and Zoning Commission of the City recommended to the City Council approval of the zoning change; and

WHEREAS, the City of Willow Park, Texas does hereby deem it advisable and in the public interest to amend Willow Park Zoning Ordinance and rezone this property as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated in the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment to Zoning. The Zoning Ordinance, set out in Chapter 14 of the Willow Park Code of Ordinances, and the Official Zoning Map are hereby amended as follows:

The zoning designation of the below described property containing 7.290 Acre tract of land being situated in the James Oxer Survey, Abstract Number 1029, Parker County, Texas, in Willow Park, Parker County, Texas (the "Property") and all street, roads, and alleyways contiguous and/or adjacent thereto with a base zoning subsequent to annexation of Class II – Residential "R-1" Single Family District is hereby zoned the to the Class III - Business: "C" Commercial District.

The Property as a whole is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

Three (3) original, official, and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the City Secretary and retained as the original records and shall not be changed in any manner.
- b. One (1) copy shall be filed with the building inspector and shall be maintained up to date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time to time be made of the official zoning district map.

SECTION 3. No Vested Interest/Repeal

No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone or any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 4. Unlawful Use of Premises.

It shall be unlawful for any person, firm, or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5. Cumulative Clause. This ordinance shall be cumulative of all provisions of ordinances of the City of Willow Park, Texas except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Willow Park's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

SECTION 6. Savings/Repeal Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. Severability Clause. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence paragraph or section.

SECTION 8. Penalty. Any person, firm, entity, or corporation who violates any provision of this Ordinance or the code of ordinances, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction, therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, this the ____ day of April 2026.

APPROVED:

Teresa Palmer, Mayor

ATTEST:

Deana McMullen, City Secretary

Wm. A. Messer, City Attorney

**EXHIBIT A
LEGAL DESCRIPTION**

WHEREAS BAR-KO LAND COMPANY LLC IS THE OWNER OF ALL THAT CERTAIN 7.290 ACRE TRACT OF LAND BEING SITUATED IN THE JAMES OXER SURVEY, ABSTRACT NUMBER 1029, PARKER COUNTY, TEXAS AND BEING ALL OF A CALLED 2,518 SQUARE FOOT TRACT OF LAND DESCRIBED IN A DEED TO BAR-KO LAND COMPANY LLC, RECORDED IN DOCUMENT NUMBER 202515735 OF THE DEED RECORDS OF SAID COUNTY AND BEING PART OF A CALLED 24.365 ACRE TRACT OF LAND DESCRIBED IN A DEED TO BAR-KO LAND COMPANY LLC, RECORDED IN DOCUMENT NUMBER 202142647 OFF SAID DEED RECORDS, AND SAID 7.290 ACRE TRACT OF LAND BEING MORE

PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON REBAR WITH CAP STAMPED "STEVENS SURVEYING" FOUND FOR THE CORNER OF A CALLED 0.82 ACRE RIGHT-OF-WAY DEDICATION DESCRIBED IN DOCUMENT NUMBER 202515356 OF SAID DEED RECORDS, BEING IN THE SOUTH LINE OF LOT 1, BLOCK 1 OF BANKHEAD COMMONS, RECORDED IN DOCUMENT NUMBER 202313961 OF THE PLAT RECORDS OF SAID COUNTY, AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO J.P. ELDER FAMILY LIMITED PARTNERSHIP RECORDED IN DOCUMENT NUMBER 201931531 OF SAID DEED RECORDS;

THENCE SOUTH 11°48'12" WEST, WITH THE COMMON LINE OF SAID 0.82 ACRE RIGHT-OF-WAY TRACT AND SAID

J.P. ELDER FAMILY LIMITED PARTNERSHIP TRACT, A DISTANCE OF 112.85 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "RPLS 7068" FOUND FOR THE SOUTHWEST CORNER OF SAID 0.82 ACRE RIGHT-OF-WAY TRACT, AND THE POINT OF BEGINNING, FOR THE NORTHWEST CORNER HEREIN DESCRIBED;

THENCE WITH THE SOUTH LINE OF SAID 0.82 ACRE RIGHT-OF-WAY TRACT, THE FOLLOWING COURSES AND DISTANCES;

NORTH 89°32'01" EAST, A DISTANCE OF 73.66 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "BARRON/STARK" FOUND FOR THE BEGINNING OF A CURVE TO THE LEFT, WITH A RADIUS OF 60.00 FEET AND

A CHORD WHICH BEARS NORTH 51°48'16" EAST, A DISTANCE OF 73.54 FEET;

ALONG SAID CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 75°35'11" AND AN ARC DISTANCE OF 79.15 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED

"BARRON/STARK" FOUND FOR THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, WITH A RADIUS OF 20.00 FEET AND A CHORD WHICH BEARS NORTH 51°46'21" EAST, A DISTANCE OF 24.48 FEET;

ALONG SAID CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 75°28'22" AND AN ARC DISTANCE OF 26.34

FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "BARRON/STARK" FOUND FOR CORNER;

NORTH 89°32'01" EAST, A DISTANCE OF 95.05 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "RPLS 7068" SET FOR THE BEGINNING OF A CURVE TO THE LEFT, WITH A RADIUS OF 330.00 FEET AND A CHORD

WHICH BEARS NORTH 83°17'46" EAST, A DISTANCE OF 71.71 FEET;

ALONG SAID CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 12°28'31" AND AN ARC DISTANCE OF 71.85

FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "BARRON/STARK" FOUND FOR CORNER;

NORTH 77°03'30" EAST, A DISTANCE OF 73.10 FEET TO A 1/2 INCH IRON REBAR WITH

CAP STAMPED "RPLS 7068" SET FOR THE BEGINNING OF A CURVE TO THE RIGHT, WITH A RADIUS OF 270.00 FEET AND A CHORD WHICH BEARS NORTH 83°18'06" EAST, A DISTANCE OF 58.72 FEET; ALONG SAID CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 12°29'11" AND AN ARC DISTANCE OF 58.84 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "BARRON/STARK" FOUND FOR CORNER;

NORTH 89°32'41" EAST, A DISTANCE OF 141.16 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "BARRON/STARK" FOUND FOR THE BEGINNING OF A CURVE TO THE LEFT, WITH A RADIUS OF 180.00 FEET AND A CHORD WHICH BEARS NORTH 64°20'38" EAST, A DISTANCE OF 153.28 FEET; ALONG SAID CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 50°23'57" AND AN ARC DISTANCE OF 158.33 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "RPLS 7068" SET FOR CORNER;

NORTH 38°51'37" EAST, A DISTANCE OF 17.15 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "RPLS 7068" SET FOR THE NORTH CORNER OF SAID 2,518 SQUARE FOOT TRACT, BEING IN THE SOUTHWEST RIGHT-OF-WAY LINE OF EAST BANKHEAD HIGHWAY, A 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY, FOR THE NORTHEAST CORNER HEREIN DESCRIBED;

THENCE SOUTH 51°09'59" EAST, WITH THE NORTHEAST LINE OF SAID 2,518 SQUARE FOOT TRACT, THE NORTHEAST LINE OF SAID 24.365 ACRE TRACT, AND SAID SOUTHWEST RIGHT-OF-WAY LINE OF EAST BANKHEAD HIGHWAY, A DISTANCE OF 183.65 FEET TO A 1/2 INCH IRON REBAR WITH CAP STAMPED "RPLS 7068" SET FOR CORNER;

THENCE, IN OVER, AND THROUGH SAID 24.365 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 32°27'39" WEST, A DISTANCE OF 446.43 FEET TO A 1/2 INCH IRON REBAR WITH CAP STAMPED "RPLS 7068" SET FOR THE SOUTHEAST CORNER HEREIN DESCRIBED;

SOUTH 89°32'45" WEST, A DISTANCE OF 707.58 FEET TO A 1/2 INCH IRON REBAR WITH A CAP STAMPED "RPLS 7068" SET IN THE COMMON LINE OF SAID 24.365 ACRE TRACT AND SAID J.P. ELDER FAMILY LIMITED PARTNERSHIP TRACT, FOR THE SOUTHWEST CORNER HEREIN DESCRIBED;

THENCE NORTH 11°48'12" EAST, WITH SAID COMMON LINE, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7.290 ACRES, (317,544 SQUARE FEET) OF LAND