

**CITY OF WILLOW PARK
ORDINANCE _____-23**

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS PROVIDING FOR A ZONING CHANGE FROM “C” COMERCIAL AND “IH-20” OVERLAY DISTRICT TO “PD -SS” PLANNED DEVELOPMENT DISTRICT AND “IH-20” OVERLAY DISTRICT FOR LOT 1, BLOCK 3, PORTER ADDITION; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY; AND PROVIDING FOR 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 211 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, BPO Real Estate, LLC (Owner) has applied for a change in zoning for Lot 1, Block 3, Porter Addition, (the “Property”) from “C” Commercial and “IH-20” Overlay District to “PD-SS” Planned Development District, 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 for the rezoning of the Property; and

WHEREAS, The City of Willow Park, Texas does hereby deem it advisable and in the public interest to grant the requested zoning.

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

SECTION 1

The Zoning Ordinance, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Willow Park, Texas, as shown on the Zoning Site Plan attached hereto as Exhibit ‘A’, and described by legal description attached as Exhibit ‘B’, by changing the zoning of said property from C Commercial and IH-20 Overlay District to PD-SS Planned Development district, including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

SECTION 2 PD DEVELOPMENT STANDARDS

2.0 Planned Development – Restaurant Use

2.01 General Description: Restaurant use shall be establishments providing dine-in and take out food service to the general public. Access shall be allowed from access drives or parking areas connecting to adjacent public roadways. Requirements for development shall be governed by standards as described below and the City of Willow Park ‘C’ Design Standards (Zoning Ordinance Article 14.06.014). If there are conflicts between the requirements of Article 14.06.014 and these Planned Development requirements, the Planned Development requirements shall govern.

2.02 Multiple Food Service Establishments on a Single Lot:

- Within this Planned Development, Owner shall be permitted by right to develop and operate multiple restaurant concepts, both attached and free standing.
- If multiple food service establishments are constructed, each shall generally conform to the original structure built on the lot from an architectural perspective. Alternate, but complimentary color schemes are permissible.
- Submittal for building permit of subsequent food service establishments with similar exterior finishes shall be deemed as meeting the requirements of this ordinance.

2.03 Permitted Uses:

- All uses permitted in the ‘C’ Commercial Zoning District.
- A “Farmers Market” concept featuring direct sales to consumers on a periodic basis is specifically allowed. The “Farmers Market” is defined as temporary facilities consisting of portable tents, booths, canopies, or similar structures located within the open space or parking lot with local vendors selling produce, craft, and artesian products directly to the general public. The Farmers Market is limited to operational hours of Friday – Sunday on no more than six (6) consecutive weekends, once in the Spring and once in the Fall. Local public health and safety standards must be adhered to at all times. Operation of a Farmers Market within the open space of Lot 1, Block 3 is allowed without a Special Event Permit Application provided all other aspects of this Ordinance are adhered to. The property owner shall provide the City written notice of a planned Farmers Market within the open space a minimum of three weeks prior to the event. If the owners of the project desire to operate a Farmers Market withing the existing parking lot, the owners shall notify the City via submission and approval of a “Special Event permit Application” and payment of permit fee, if applicable, no later than three weeks prior to opening a Farmer Market.

Accessory Uses Allowed:

Accessory buildings compatible with restaurant use
Off-Street Parking
Passive Open Space Greenspace Uses

- 2.04** **Required Parking:** In accordance with City of Willow Park Development standards.
- 2.05** **Overlay District:** Subject property is located within the C/IH-20 Overlay District. Provisions of Zoning Ordinance Article 14.06.016 shall apply.
- 2.06** **Building Materials:** In accordance with City of Willow Park Development standards.
- 2.07** **Architectural Standards:** In accordance with City of Willow Park Development standards.
- 2.08** **Lot Coverage:** In accordance with City of Willow Park Development standards.
- 2.09** **Building Setbacks:** In accordance with City of Willow Park Development standards.
- 2.10** **Building Height:** In accordance with City of Willow Park Development standards.
- 2.11** **Cross Access:** Owner shall incorporate vehicular cross-access between subject property and Lot 2, Block 3, Porter Addition into the site plan for the development.
- 2.12** **Open Space:** Private open space within the subject property and floodplain/ floodway of the Clear Fork Trinity River may be provided within subject property. Owner may use this private open space for recreation opportunities for its patrons and/or a public hike/bike trailhead, provided no improvement or construction occurs which would impact water flow within the floodway. Overflow parking is provided within the floodway as shown on the site plan, which parking is hereby approved by the City of Willow Park. Placement of tables, chairs, moveable seating, speakers, television screens and similar event related items within the open space are permissible under the terms of this Ordinance without prior approval provided the items are not of a permanent nature. A floodplain development permit is required for any development of permanent structures within the Special Flood Hazard Area.
- 2.13** **Garbage and Trash Collection:** In accordance with City of Willow Park Development standards. The materials of the dumpster enclosure and doors, which face the front of the building and Hwy. I-20, will mimic and complement the building materials and colors, as approve by the City, for a cohesive aesthetic.
- 2.14** **Landscaping:** Landscaping shall be completed in accordance with the Landscape Plan attached hereto as Exhibit "D".
- 2.15** **Signage:** Signage shall be in accordance with the City of Willow Park standard signage requirements.

SECTION 3 SEVERABILITY 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.

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 an 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 4
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this the _____ day of _____, 2023.

APPROVED:

Doyle Moss, Mayor

ATTEST:

Crystal Dozier, City Secretary

The Willow Park City Council in acting on Ordinance No. _____-23 did on the _____ day of _____, 2023 vote as follows:

	FOR	AGAINST	ABSTAIN
Doyle Moss, Mayor	_____	_____	_____
Eric Contreras, Place 1	_____	_____	_____
Chawn Gilliland, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
Lea Young, Place 4	_____	_____	_____
Nathan Crummel, Place 5	_____	_____	_____

**EXHIBIT A
SITE PLAN**

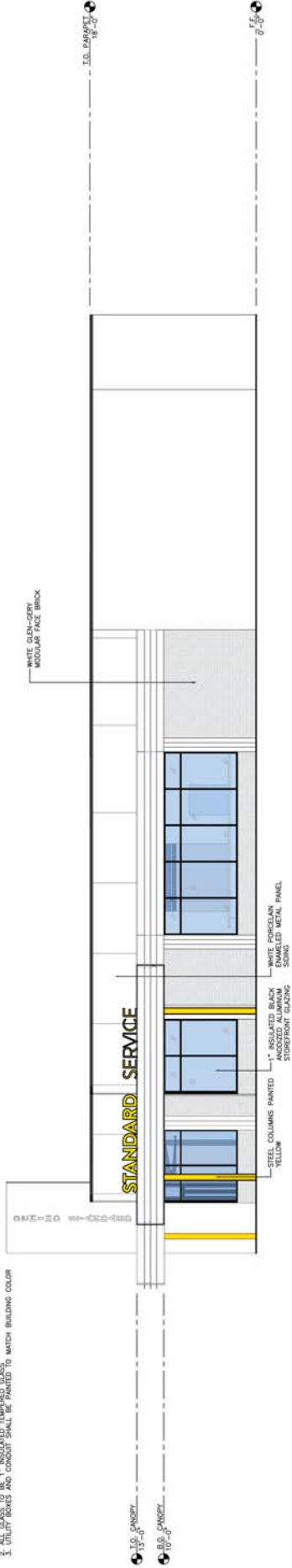
EXHIBIT B
LEGAL DESCRIPTION

Being all of Lot 1, Block 3, Porter Addition, an addition to the City of Willow Park, Texas as recorded in Cabinet F, Slide 310, Plat Records Parker County, Texas.

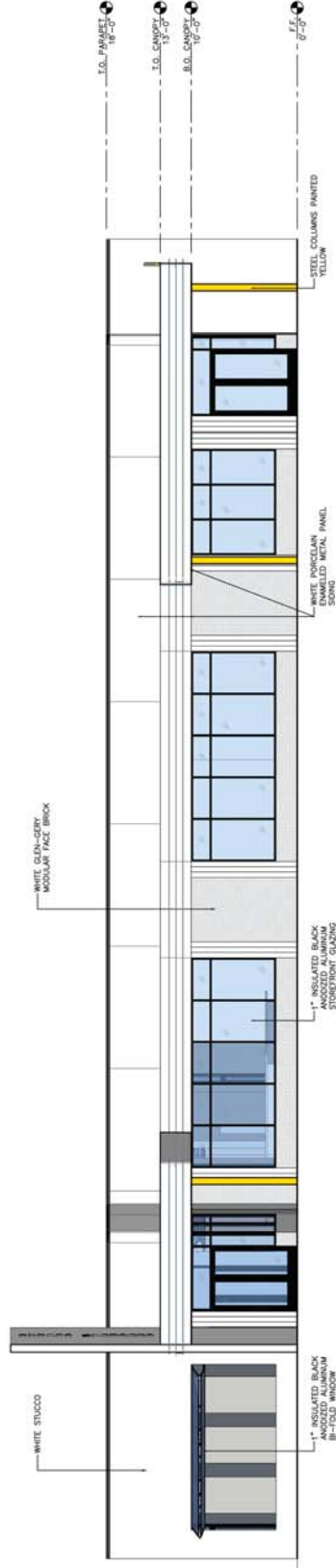
EXHIBIT C
ARCHITECTURAL DRAWINGS

MATERIAL CALCULATION			
	N ELEVATION	E ELEVATION	S ELEVATION
MASONRY	50%	54%	66%
GLASS	15%	23%	7%
METAL	35%	36%	3%

1. ALL SURFACE SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL.
 2. ALL SURFACE SHALL BE PAINTED TO MATCH BUILDING COLOR.
 3. ALL SURFACE SHALL BE PAINTED TO MATCH BUILDING COLOR.



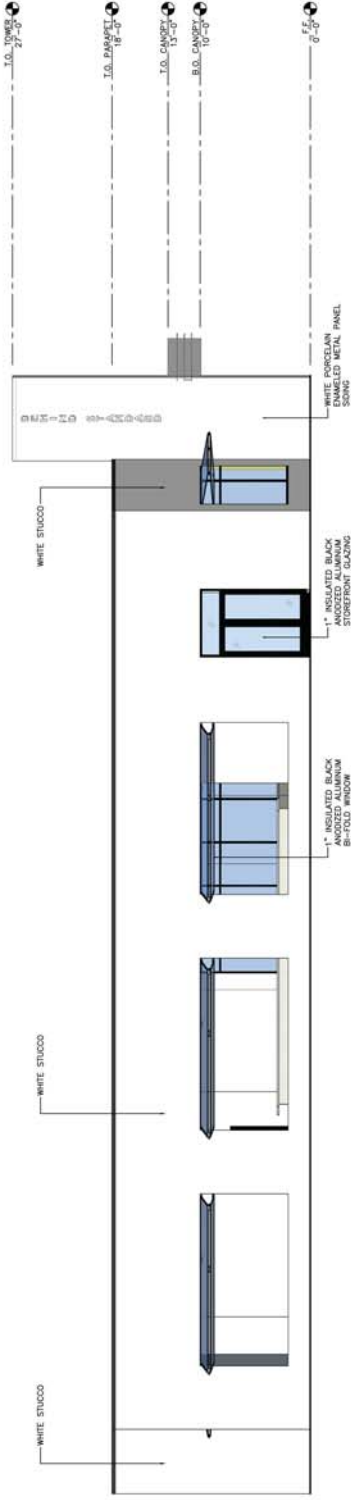
NORTH EXTERIOR ELEVATION
 SCALE : 3/16" = 1'-0"



EAST EXTERIOR ELEVATION
 SCALE : 3/16" = 1'-0"

MATERIAL CALCULATION				
	N. ELEVATION	E. ELEVATION	S. ELEVATION	W. ELEVATION
MASONRY	50%	54%	66%	60%
GLASS	15%	32%	23%	7%
METAL	33%	30%	11%	3%

1. ALL SOURCE SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL.
 2. UTILITY BOARDS AND CONDUIT SHALL BE PAINTED TO MATCH BUILDING COLOR.



SOUTH EXTERIOR ELEVATION
 SCALE : 3/16" = 1'-0"

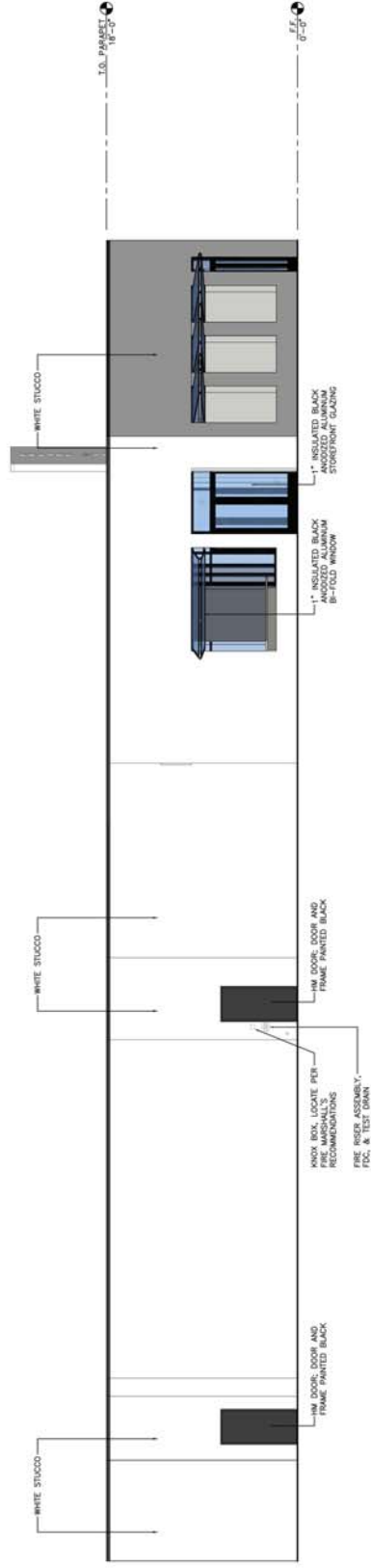
PROJECT NO. : 2212
 DATE : 6/28/2022
 DRAWN BY : MS

REVISIONS :

EXTERIOR ELEVATIONS

STANDARD SERVICE
 WILLOW PARK, TX

WEST EXTERIOR ELEVATION
 SCALE : 3/16" = 1'-0"



A201

MATERIAL CALCULATION				
	N ELEVATION	E ELEVATION	S ELEVATION	W ELEVATION
MASONRY	50%	34%	66%	90%
GLASS	15%	30%	23%	7%
METAL	35%	36%	11%	3%

NOTE: SIGNAGE SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL
 1. ALL GLASS TO BE 1" INSULATED TEMPERED GLASS
 2. ALL GLASS TO BE 1" INSULATED TEMPERED GLASS
 3. UTILITY BOXES AND CONDUIT SHALL BE PAINTED TO MATCH BUILDING COLOR



GLEN-GERY ASPEN WHITE SMOOTH FACE BRICK



WHITE PORCELAIN ENAMELED METAL PANEL SIDING



WHITE STUCCO

**EXHIBIT D
LANDSCAPE PLAN**

