

ORDINANCE O2022-27

AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARIES OF THE ZONING DISTRICT MAP OF THE CITY OF WEATHERFORD, TEXAS, CONCERNING CERTAIN PARCELS OR TRACTS OF LAND AT 2065 TIN TOP ROAD IDENTIFIED AS BEING LOT 1, BLOCK 1 OF THE GRAND ADVENTURE ADDITION, AN ADDITION TO THE CITY OF WEATHERFORD, PARKER COUNTY, TEXAS, WITHIN THE CORPORATE LIMITS OF THE CITY OF WEATHERFORD, TEXAS; HERETOFORE ZONED C1 GENERAL COMMERCIAL SHALL HENCEFORTH BE ZONED C2 INTERSTATE COMMERCIAL WITH A CONDITIONAL USE PERMIT FOR OUTDOOR COMMERCIAL AMUSEMENT, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING A SAVINGS CLAUSE:

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WHEREAS, the governing body of the City of Weatherford, Texas, after thorough study, has determined that the Zoning District Map of said City and the Zoning District Boundaries shown thereon should be changed and amended in certain particulars, and

WHEREAS, all reviews and public hearings and all notices incident thereto have been in full compliance with the provisions applicable thereto as contained in the zoning ordinance as set forth in the laws of the State of Texas, and

WHEREAS, the City Council now desires to record said authorized changes in the Zoning District Map by passage of this ordinance amending said map and directing the Department of Development and Neighborhood Services to make appropriate changes in the one (1) copy of the original Zoning District Map on file in the office of the City Secretary and all other copies of maps purporting to be copies of the current Zoning District Map of the City of Weatherford, Texas, as provided for in Title XII, Chapter 2, Section 12-2-101, of the City Code of Weatherford, Texas.

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

SECTION 1: That the Zoning District Map of the City of Weatherford, Texas, is hereby amended by changing the zoning district boundaries as herein indicated on the hereinafter described tracts of parcels of land within the corporate limits of the City of Weatherford, Texas:

PREVIOUS ZONING  
DISTRICT DESIGNATION  
**C1 General Commercial**

AMENDED ZONING  
DISTRICT DESIGNATION  
**C2 Interstate Commercial with a  
conditional use permit for a  
Commercial Amusement - outdoor**

For the area more particularly described in **Exhibit 'A' Property Description.**

SECTION 2: The City Council, after thorough investigation and review finds that all prerequisites as to study, review, notice, public hearings, and all other legal requirements have been met and fully complied with concerning the changes set forth in Section 1 of this ordinance prior to the passage hereof, and that the changes indicated therein will be to the benefit of the particular neighborhood concerned and to the City as a whole.

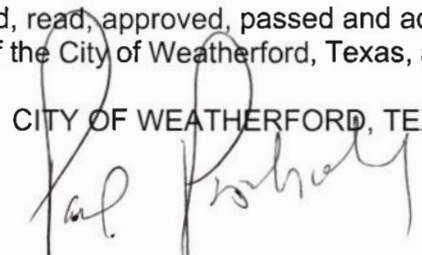
SECTION 3: The Department of Development and Neighborhood Services is hereby instructed to change the one (1) copy of the Zoning District Map on file in the office of the City Secretary and all other copies of maps purporting to be copies of the current Zoning District Map of the City of Weatherford, Texas, to show the changes set forth herein.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance shall and the same are hereby repealed to the extent of said conflict only.

SECTION 5: If any section, subsection, paragraph, sentence, clause, phrase or word of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance, and the City Council hereby declares that it would have passed such remaining portions despite such invalidity or unconstitutionality.

The foregoing ordinance was introduced, read, approved, passed and adopted by a vote of 5 ayes and 0 nays by the City Council of the City of Weatherford, Texas, at its meeting on the September 27<sup>th</sup>, 2022.


CITY OF WEATHERFORD, TEXAS

  
\_\_\_\_\_  
Paul Paschall, Mayor

ATTEST:

  
\_\_\_\_\_  
Malinda Nowell, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert M. Allibon, City Attorney

### **Exhibit 'A' Property Description**

BEING A 4.000 ACRES TRACT OF LAND OUT OF THE T.W. BEALL SURVEY, ABSTRACT NO. 166 AD THE J.L. DETISTE SURVEY, ABSTRACT NO. 369, PARKER COUNTY, TEXAS; BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN VOLUME 1808, P. 271, OFFICIAL RECORDS, PARKER COUNTY TEXAS; BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 100D NAIL, AT THE NORTHWEST CORNER OF THAT CERTAIN LOT 1 OF HOME DEPOT WEATHERFORD AS RECORDED IN PLAT CABINET B, SLIDE 372, PLAT RECORDS, PARKER COUNTY, TEXAS AND IN THE CALLED EAST LINE OF TIN TOP ROAD, FOR THE SOUTHWEST AND BEGINNING CORNER OF TIS TRACT;

THENCE N 11 DEGREES 15'28" W 23.10 FEET ALONG SAID TIN TOP ROAD TO A FOUND ½" IRON ROAD (CAPPED), FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 75 DEGREES 35' 04" E 661.18 FEET TO A FOUND 5/8" IRON ROD, IN THE WEST LINE OF THAT CERTAIN LOT 1R-A-1R1 OF WAL-MART SUBDIVISION AS RECORDED IN PLAT CABINET D, SLIDE 466, PLAT RECORDS, PARKER COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS TRACT;

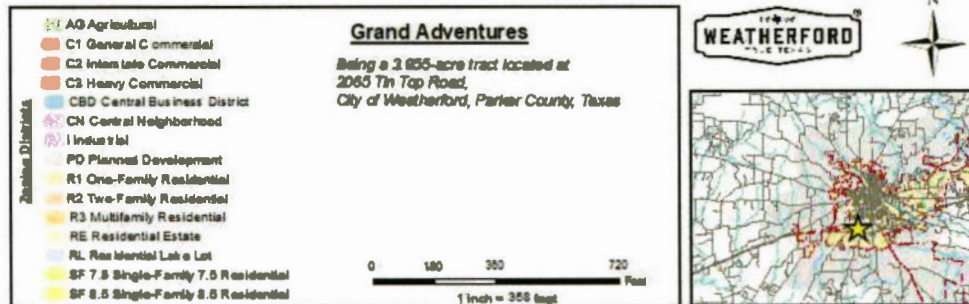
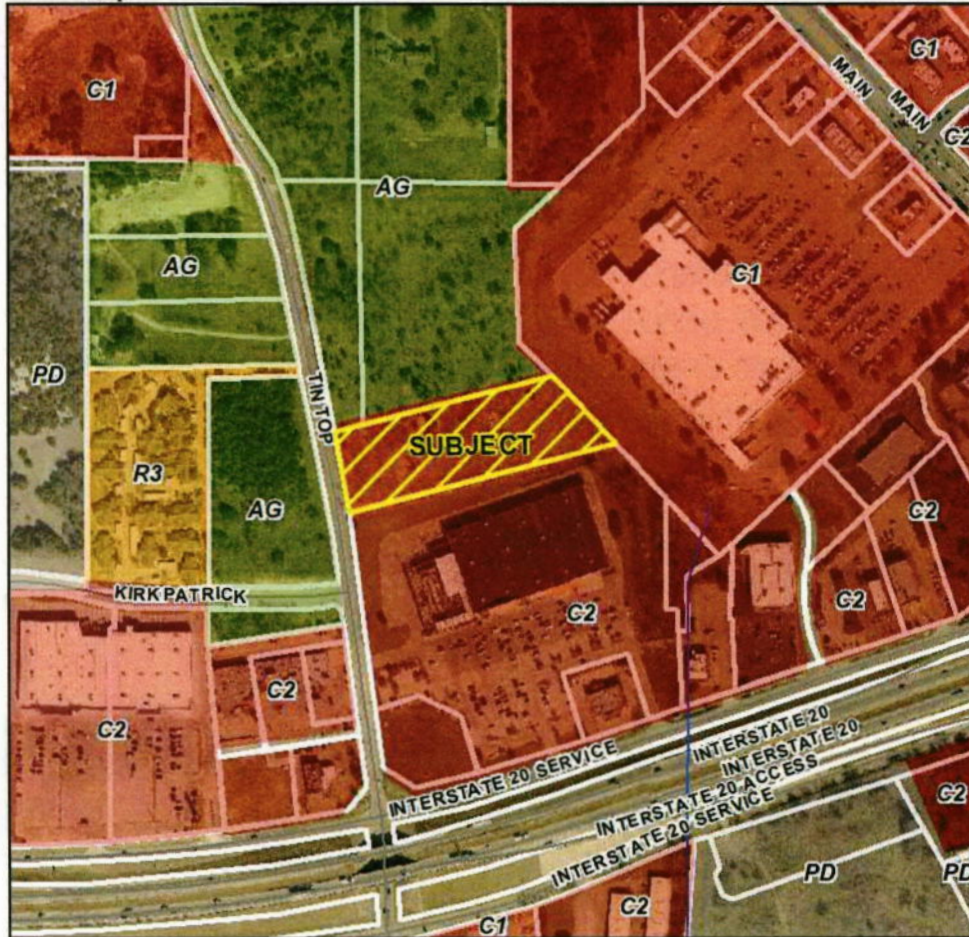
THENCE S 43 DEGREES 07' 57" E 271.07 FEET ALONG SAID LOT 1R-A-1R1 TO A FOUND ½" IRON ROAD, AT THE NORTHERNMOST CORNER OF SAID LOT 1 OF HOME DEPOT WEATHERFORD, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 75 DEGREES FOR 35' 02" W 804.54 FEET ALONG SAID LOT 1 OF HOME DEPOT WEATHERFORD TO THE POINT OF BEGINNING.



## Exhibit 'A' Property Description

Location Map



### **Exhibit 'B' Conditions of Approval**

1. Details of the concept plan and associated development of the property shall be subject to the Site Plan Review process. Approval and final inspection of the site plan and all applicable permits is required prior to issuance of a Certificate of Occupancy.
2. 16 additional parking spaces and the associated landscaping island on each side of the parking aisle along the southern edge of the property to break up the long rows of parking spaces shall be completed concurrently with the first permit application. Each island shall contain one tree and four bushes from the Texas SmartScape plant list as noted in Commercial Building Permit COM2019-0006.
3. The Soaring Eagle amusement ride, including all towers, bracing, support structure, ride cart, and ride features may reach a maximum height of 110 feet above grade. Grade elevation shall be measured from the northeast corner of the existing parking area fronting Tin Top Road.
4. All amusement rides as regulated by TDI (Texas Department of Insurance) shall provide evidence of inspection sticker or compliance prior to final inspection and/or issuance of a Certificate of Occupancy. Compliance of all operational amusements on the site regulated by TDI shall be provided for prior to issuance of any building permit.
5. Signage for amusements in all phases shall be limited to Grand Adventure and Original Equipment Manufacturers logos or trademark names and identifications. No offsite advertising shall be allowed or permitted.
6. A maximum of 2 monument signs, as permitted by Section 12-4-101, may be allowed; no temporary or pole signs are permitted on the property.
7. No variances shall be requested or granted for development and operation of the business.
8. Full compliance must be maintained and if a third violation notice is issued within an 18-month period all operations must cease until compliance is met.
9. This conditional use permit will be void if construction has not been started within 8 months of Ordinance approval. Additionally, this conditional use permit will be void if construction and expansion is not completed within 36 months of Ordinance approval.
10. This conditional use permit will be void if the use is abandoned for more than 180 days after issuance of Certificate of Occupancy.

University of North Carolina at Chapel Hill

Campus

Parking

Roads

Buildings

0 100 feet



# Exhibit 'C' Site Plan

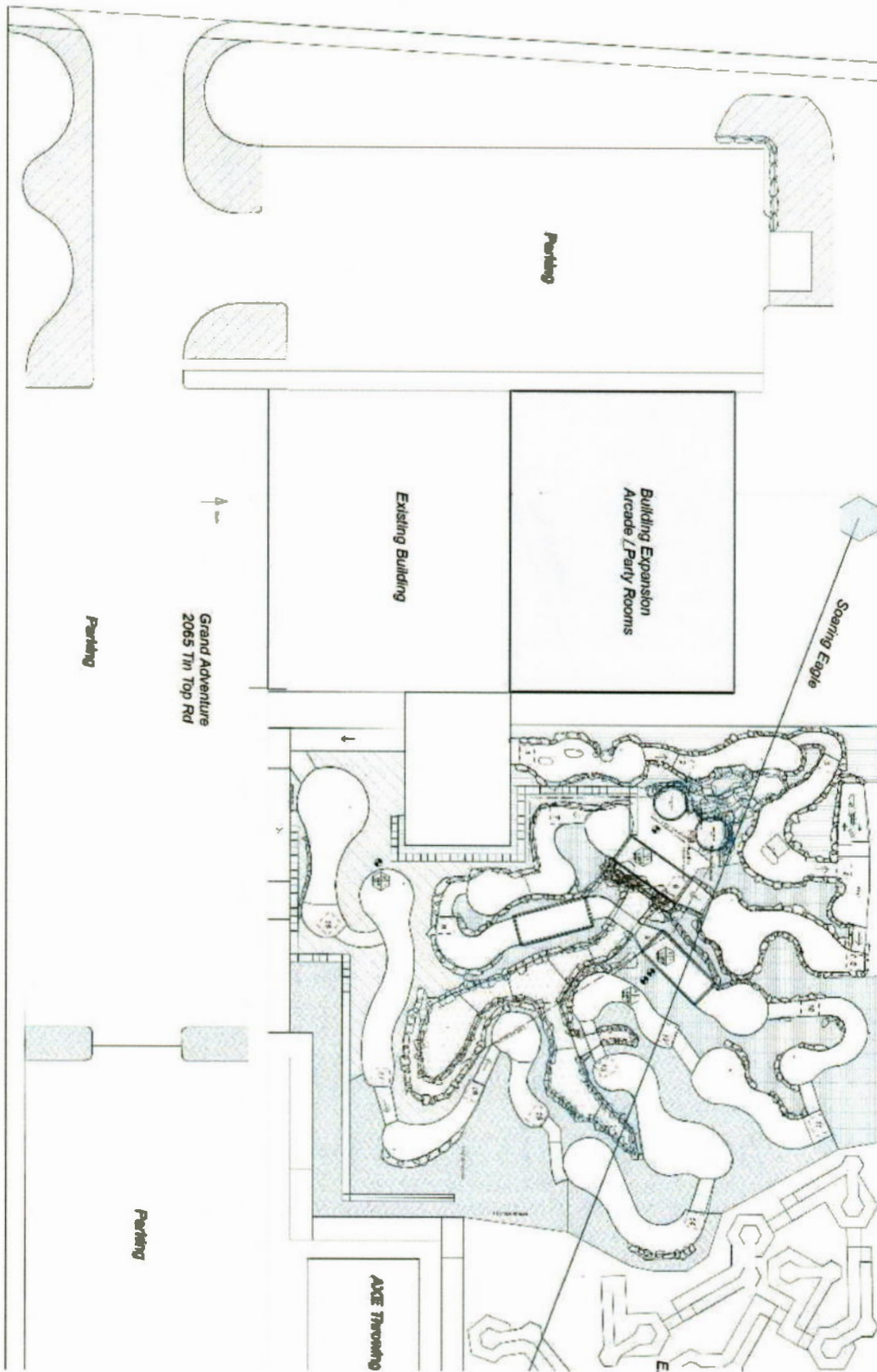
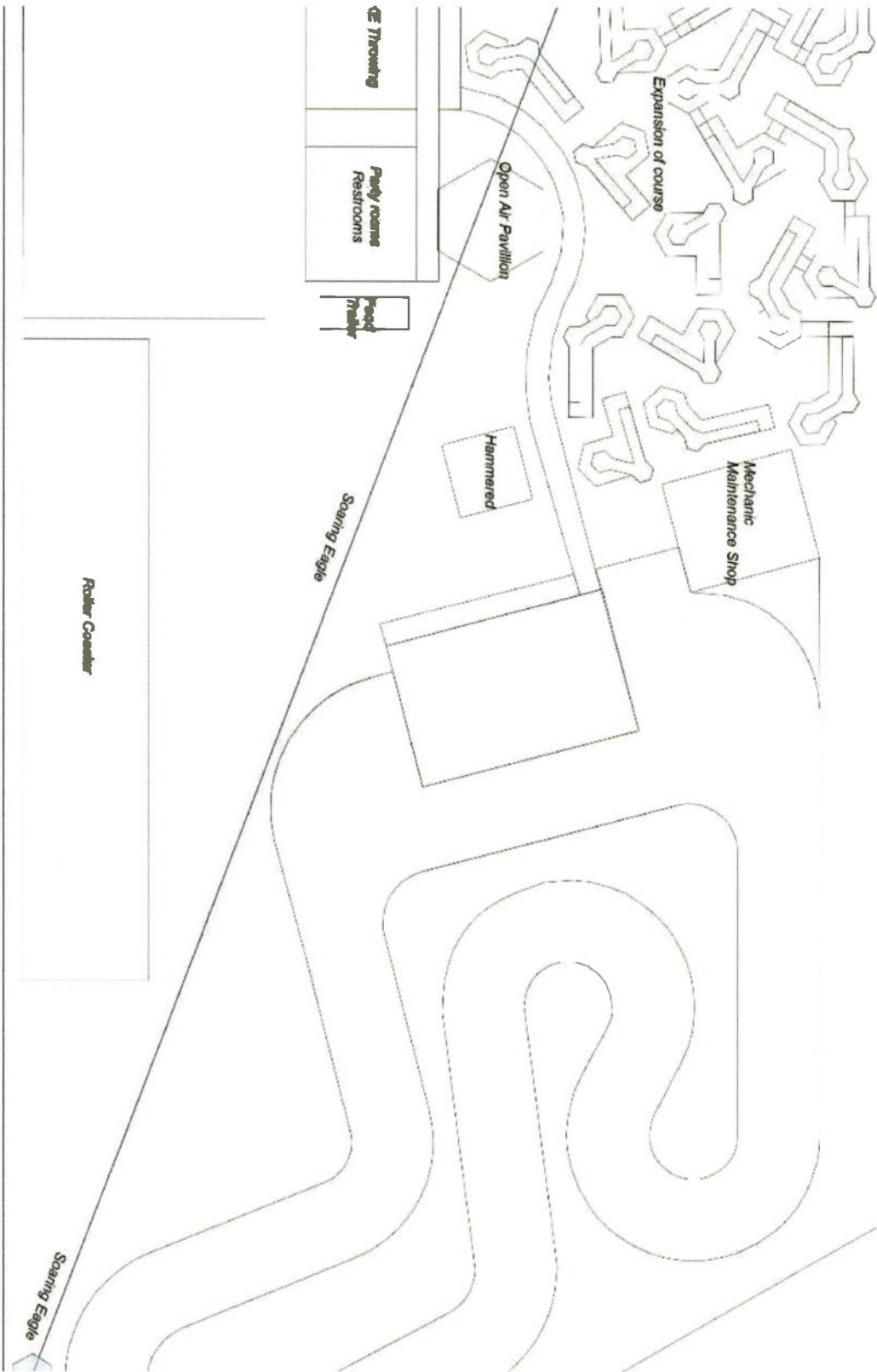


Exhibit 'C' Site Plan





## **Exhibit 'C' Site Plan Phasing**

Grand Adventure LLC  
General Plan for C2 Zoning and CUP  
2065 Tin Top Rd  
Weatherford, Tx 76087

### **Phase 1**

- The construction of the amusement ride, Soaring Eagle, with all needed queue support and utility support.
- The construction of an axe throwing range called the Mine Adventure. This will be a standard metal building with heavy gauge cages forming the lanes. Theming for the range to occur in phase 2.
- A metal frame building next to the axe throwing for reservations, dining, and restrooms.
- A second reservable area in the form of the corporate pavilion shown on the map.
- A maintenance building by the pit.

### **Phase 2**

- The amusement ride, Hammered. This is a dropper ride about 35 feet high.
- A second miniature golf course or the special attraction Misdirection. Misdirection is very similar to a miniature golf course. It represents a heavily landscaped region similar to what we did with our Tropical Adventure attraction.
- Additional theming for phase 1 and earlier attractions.
- Depending on the financial situation we might want to develop the rollercoaster at this phase or in the third phase.

### **Phase 3**

- Expansion of the main building. Expanding arcade space, reservable rooms, and indoor electronic attractions.
- The development of a medium or small sized rollercoaster and necessary support for it.