

City of Alvarado
County of Johnson
State of Texas
Planning and Zoning Commission
May 6, 2021
6:30 p.m.

AGENDA

The City of Alvarado Planning and Zoning Commission will meet in a Regular Called Session on Thursday, May 6, 2021 at 5:30 p.m. by videoconference. An electronic copy of the agenda packet has been made available on the City's website and a recording of the meeting will be made available at: <https://www.cityofalvarado.org/>.

THE PLANNING AND ZONING COMMISSION INTENDS TO PARTICIPATE IN THE MEETING VIA TELECONFERENCE.

Members of the public may dial the following number to join the meeting starting at 6:30 pm by using either of the following methods:

<https://us02web.zoom.us/j/84276425456?pwd=U014UGxXOG9nbE1UmxCtIMVEc3Zz09>

Meeting ID number: 842 7642 5456 Password: 059732 : You may also join the meeting by telephone using one of the following telephone numbers along with meeting id and password: 1-346-248-7799, 1-408-638-0968 , 1-888-788-0099 and 1877-853-5247.

Please email the City Secretary at: thomasd@cityofalvarado.org if you plan to provide public hearing comments during the meeting and indicate which item you would like to comment on. In order to facilitate the public hearings during the meeting, each name on the speaking list will be called at which time you will be provided an opportunity to comment. You are encouraged to email your public hearing comments to the City Secretary at: thomasd@cityofalvarado.org, any comments submitted will be read aloud during the respective public hearing.:

CALL TO ORDER/ROLL CALL

INVOCATION

CONSENT AGENDA:

A Minutes from the March 8, 2021 regular called meeting.

1. Public Hearing and consideration and action regarding the request for rezoning for property known as 3.55 acres out of 6.55 acres known as George S. McIntosh Survey, Abstract No. 625, also known as 000 Highway 67 E, Alvarado, Johnson County, Texas from a C-2 (Commercial) Zoning District) to a MF (Multi-Family Zoning District).
2. Public Hearing and consideration and action regarding request for a final plat for property known as 6.55 acres known as George S. McIntosh Survey, Abstract No. 625, also known as 000 Highway 67 E, Alvarado, Johnson County, Texas Alvarado, Johnson County, Texas.

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3. Consideration and action regarding the request for a Specific Use Permit to open a child day care center on property described as Business 126.2431.03790, also known as 110 W. College, Alvarado, Johnson County, Texas.

ACCESSIBILITY STATEMENT

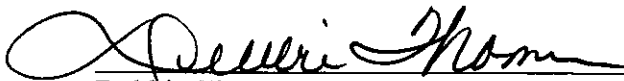
City Hall is wheelchair accessible. The exit and parking ramp are located in the front of the building. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested

to contact the City Secretary's Office at 817-790-3351, by FAX 817-783-7925, or by e-mail thomasd@cityofalvarado.org. Please contact the city at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

NON-DISCRIMINATION STATEMENT

The City of Alvarado does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

I, the undersigned authority do hereby certify that the above agenda was posted on the city's website at <https://www.cityofalvarado.org> on this the 3rd day of May, 2021 and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



Debbie Thomas, TRMC,
City Secretary

CITY OF ALVARADO
Planning and Zoning Commission
and Alvarado City Council
Regular Called Meeting
County of Johnson
State of Texas
March 8, 2021
MINUTES

The Planning and Zoning Commission of the City of Alvarado met in Regular Called Session on Monday, March 8, 2021 at 6:30 p.m. via videoconferencing. The following were present for roll call:

Brian Thornton	*	Chairperson
Tracy Melson	*	Member
Mike McBee	*	Member
Gayla Robison	*	Member
Jacob Wheat	*	Mayor Pro Tem
Lydia Moon	*	Councilperson
Beverly Short	*	Councilperson
Cherry Bryant	*	Councilperson
Shawn Goulding	*	Councilperson

Absent:

Michael Bennett	*	Councilperson
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Others Present:

Emile Moline	*	Economic Development Director
Debbie Thomas	*	City Secretary

Chairperson Brian Thornton called this regular called meeting to order at 6:30 P.M.

CONSENT AGENDA

Motion was made by Member Gayla Robison, duly seconded by Member Mike McBee to approve the consent agenda as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR A REPLAT FOR LOT 2R, BLOCK A, CVS ADDITION, LOCATED ON THE NORTHWEST CORNER OF IH-35 W AND U.S. HIGHWAY 67 , ALVARADO, JOHNSON COUNTY, TEXAS.

Chairperson Brian Thornton opened this public hearing at 6:36 p.m. Emile Moline, City Manager, explained that this is a re-plat for property to the north of CVS for development of a Jack in the Box. He then closed the public hearing at 6:38 p.m. Motion was made by Member Mike McBee, duly seconded by Member Tracy Melson to approve the request for a re-plat as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR REZONING FOR PROPERTY KNOWN AS LOTS 1 AND 2, SERENITY AVE. ADDITION, ALSO KNOWN AS 705 E. DAVIS, ANDREW J. PATTON SURVEY, ALVARADO, JOHNSON COUNTY, TEXAS FROM AN SF-2 (SINGLE FAMILY) TO A MF (MULTI-FAMILY) ZONING DISTRICT.

Chairperson Brian Thornton opened this public hearing at 6:39 p.m. Emile Moline, City Manager, explained that this rezoning request is so that duplexes or fourplexes could be built here. He then closed the public hearing at 6:43 p.m. Motion was made by Member Gayla Robison, duly seconded by Member Tracy Melson to approve the rezone request as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR A RE-PLAT FOR PROPERTY KNOWN AS LOTS 1 AND 2, SERENITY AVE. ADDITION, ALSO KNOWN AS 705 E. DAVIS, ANDREW J. PATTON SURVEY, ALVARADO, JOHNSON COUNTY, TEXAS.

Chairperson Brian Thornton opened this public hearing at 6:44 p.m. He then closed the public hearing at 6:45 p.m. Motion was made by Member Mike McBee, duly seconded by Member Gayla Robison to approve the re-plat request as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR RE-ZONING FOR PROPERTY KNOWN AS 6.550 ACRES OUT OF THE J. S. MCINTOSH SURVEY, ABSTRACT NO. 625, ALSO KNOWN AS 0000 HIGHWAY 67 E. ALVARADO, JOHNSON COUNTY, TEXAS FROM A C-2 (COMMERCIAL) TO A MF (MULTI FAMILY) ZONING DISTRICT.

Chairperson Brian Thornton opened this public hearing at 6:46 p.m. Emile Moline, City Manager, explained that this property is currently prime commercial property. A concept plan was shared with the commission which showed the Highway 67 frontage as staying commercial with the back of the property rezoned to Multi-Family. The commission was concerned with re-zoning commercial property with the highway frontage. He then closed the public hearing at 7:07 p.m. Motion was made

by Member Mike McBee, duly seconded by Member Gayla Robison to decline the re-zoning request as presented. This motion supported two votes in approval and two votes opposed. Motion tied.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR A RE-PLAT FOR PROPERTY KNOWN AS LOT 4R, BLOCK 1, HERENCIA ADDITION, ALVARADO, JOHNSON COUNTY, TEXAS.

Chairperson Brian Thornton opened this public hearing at 7:08 p.m. He then closed the public hearing at 7:10 p.m. Motion was made by Member Gayla Robison, duly seconded by Member Tracy Melson to approve the re-plat request as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A FINAL PLAT FOR PROPERTY KNOWN AS LOT 1, BLOCK 1, ALVARADO 1700 DEVELOPMENT, LLC ALSO KNOWN AS 100 N. CUMMINGS, ALVARADO, JOHNSON COUNTY, TEXAS.

Motion was made by Member Tracy Melson, duly seconded by Member Gayla Robison to approve the final plat request as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A FINAL PLAT FOR PROPERTY KNOWN AS ABSTRACT NUMBER 625, G. S. MCINTOSH SURVEY, ALSO KNOWN AS 000 BURNETT BLVD., ALVARADO, JOHNSON COUNTY, TEXAS.

Motion was made by Member Gayla Robison, duly seconded by Member Tracy Melson to approve the final plat request contingent on the final civil engineering study. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A PRELIMINARY PLAT FOR PROPERTY KNOWN AS 51.23 ACRES OUT OF THE J. DIXON SURVEY, ABSTRACT NUMBER 214, AND THE J. M. ROSS SURVEY, ABSTRACT NUMBER 737, ALVARADO, JOHNSON COUNTY, TEXAS.

Motion was made by Member Mike McBee, duly seconded by Member Gayla Robison to approve the preliminary plat request as presented. This motion supported three votes in approval and one vote opposed (Thornton). Motion carried.

Planning & Zoning Commission and Alvarado City Council
Regular Meeting
March 8, 2021
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ADJOURNMENT

Chairperson Bryan Thornton adjourned this regular meeting at 7:25 p.m..

Passed and approved this this ____ day of _____, 2021.

Brian Thornton, Chairperson

ATTEST:

Debbie Thomas, TRMC
City Secretary

CITY OF ALVARADO

APPLICATION FOR ZONING CHANGES

DATE: 04/21/2021 CLERK: Picena FEE: 471⁰⁰ CASE NO: 2021-0260

NAME OF APPLICANT: Kunz Mainali (Valley View Capital Partners) PH: (630) 550-2000

MAILING ADDRESS: 1081 Leisure Lane

APPLICANT IS THE: OWNER / LEASER / PURCHASER OF THE PROPERTY.
circle one

NAME OF OWNER: Jerry Don Pritchard / Eddy Montgomery PH: ()

MAILING ADDRESS: _____

STREET ADDRESS OF PROPERTY: 000 Hwy 67 ACREAGE: 3.55 (back half of lot)

LEGAL DESCRIPTION: _____

PRESENT ZONE OF PROPERTY: Commercial PRESENT USE: Vacant land

REQUESTED ZONE: MF PROPOSED USE: MF

REASON FOR CHANGE: Development, limited to no use for back-side of lot

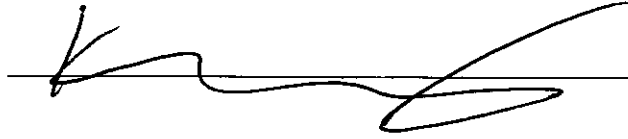
USAGE OF ADJACENT PROPERTY NORTH: Single-family residential

SOUTH: US-67 E

EAST: Commercial

WEST: Vacant (Future Church)

NOTE: If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a surveyor's plat of the property.

APPLICANT'S SIGNATURE: 

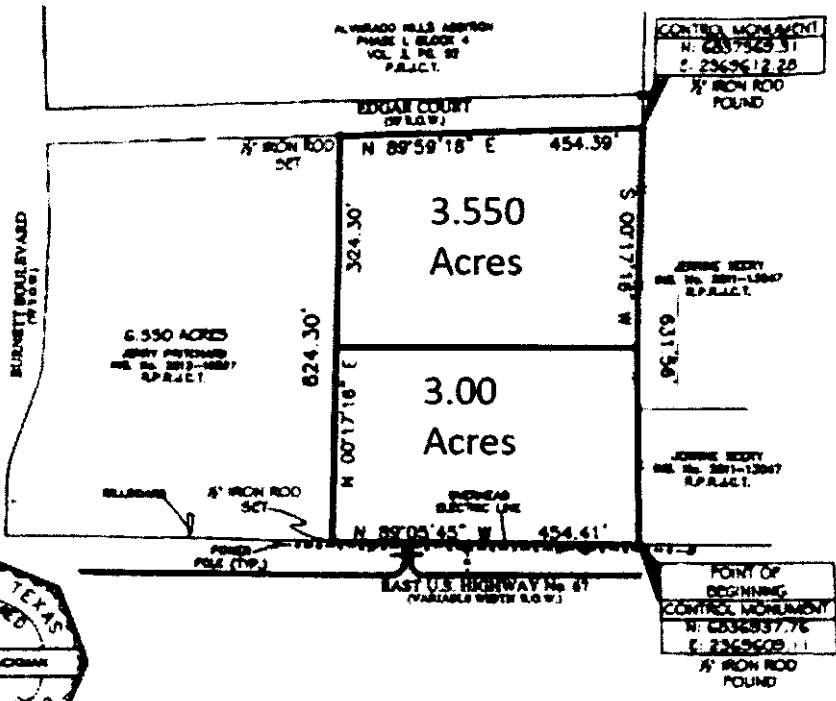
The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____, _____, by the person whose signature appears directly above.

<Seal>

Notary Public in and for The State of Texas.
My Commission expires _____



I HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUNDS OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS TO THE BEST OF MY KNOWLEDGE CORRECT, AND THERE ARE NO ENCUMBRANCES, CONTRACTS, INTERESTS IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPS OF SURVEYS, EASEMENTS, OR DEEDS OF TRUST, EXCEPT AS SHOWN HEREON.

SURVEY WAS MADE ON THE EVENING OF JULY, 2019.

Mickey Lynn McGowan
 MICKEY LYNN MCGOWAN R.P.L.S. 4874

FIELD NOTES

BEING A 6.550 ACRES TRACT OF LAND BOUNDARIES BY THE GEORGE S. McINTOSH SURVEY, ADJUSTED No. 488 AND BEING A PORTION OF TRACT CERTAIN TRACT OF LAND AS CONTAINED IN DEEDS RECORDING, PLUS AS REFERRED TO IN THE SURVEY BEING MADE HEREON, WITH PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (P.L.C.'S) AND BEING MORE PARTICULARLY DESCRIBED BY METERS AND BOUNDS AS FOLLOWS:

BEING 6.550 ACRES OF LAND BEING BOUNDARIES BY THE NORTH PART OF TRACT NO. 488 OF DEEDS RECORDING, JOHNSON COUNTY, TEXAS.

BEING 6.550 ACRES OF LAND BEING BOUNDARIES BY A DISTANCE OF 624.30 FEET TO A 1/2\"/>

- NOTES:
1. STATE OF TEXAS AND TEXAS NORTH CENTRAL ZONE HAS BEING OBSERVED.
 2. BEING ON FEMA MAP PANEL No. 48800001A DATED DECEMBER 1, 2012 A PORTION OF THIS PROPERTY LIES WITHIN 100 YEAR FLOOD ZONE.
 3. THIS SURVEY WAS DONE WHOLLY FOR THE BENEFIT OF A TITLE POLICY.

**BOUNDARY SURVEY
 SHOWING
 6.550 ACRES OF LAND
 GEORGE S. McINTOSH SURVEY, A-625
 ALVARADO, TEXAS
 JOHNSON COUNTY, TEXAS**

FIRM REGISTRATION No. 100784-00 107 E COLLEGE AVENUE ALVARADO, TEXAS 76009 817-790-8800	JOB # 2019063 PRITCHARD BOUNDARY SURVEY EAST TRACT	DATE: 07/30/19	DRAWN: CGH CHECKED: RLH	JOHNSON COUNTY TEXAS
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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING PROPERTY KNOWN AS 3.55 ACRES OUT OF 6.55 ACRES OUT OF THE GEORGE S. MCINTOSH SURVEY, ABSTRACT NUMBER 625, CITY OF ALVARADO, JOHNSON COUNTY, TEXAS FROM A "C-2" (COMMERCIAL) TO A "MF" (MULTI-FAMILY) ZONING DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado, Texas at least 15 days before such hearing; and

WHEREAS, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zoning change; and

WHEREAS, The City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Alvarado; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and the Zoning Map of the City of Alvarado are hereby amended by rezoning 3.55 acres out of 6.55 acres out of the George S. McIntosh Survey, Abstract Number 625, City of Alvarado, Johnson County, Texas from a "C-2" (Commercial) zoning district to a "MF" (Multi-Family Development) zoning district.

SECTION 2. This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3. 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 or decree of any court of

competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section 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. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5. The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

SECTION 6. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND SO IT IS ORDAINED.

Passed on this the 6th day of May, 2021 by a vote of ____ to ____.

ATTEST:

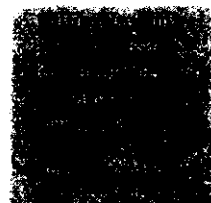
CITY OF ALVARADO

Debbie Thomas, City Secretary

By: _____
Jacob Wheat, Mayor Pro Tem

CITY OF ALVARADO

APPLICATION FOR PLATTING CHANGES



Plat change is: Preliminary / Final / Combo / Replat

DATE: 04/21/2021 CLERK: Phay FEE: 310⁰⁰ CASE NO: 2021-0259

NAME OF APPLICANT: Kunz Mainali (Valley View Capital Partners) PH: (630) 550-2000

MAILING ADDRESS: 1081 Leisure Lane Irving 75063

APPLICANT IS THE: OWNER / LEASER / (PURCHASER) OF THE PROPERTY.

NAME OF OWNER: Jerry Don Pritchard / Eddy ^{circle one} Montgomery PH: ()

MAILING ADDRESS: _____

STREET ADDRESS OF PROPERTY: 000 Hwy 67 E

LEGAL DESCRIPTION: _____

ACREAGE: 6.55 PRESENT USE: Vacant land

PROPOSED USE OF PROPERTY: 3 Acre front - Commercial, 3.55 Acre back - MF

USAGE OF ADJACENT PROPERTY NORTH: Single-family residential

SOUTH: US-67 E

EAST: Commercial

WEST: Vacant (Future Church)

A tax certificate from Johnson County is attached indicating all property taxes are current.

NOTE: If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a surveyor's plat of the property.

APPLICANT'S SIGNATURE: [Signature]

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____, _____, by the person whose signature appears directly above.

<Seal>

Notary Public in and for The State of Texas.
My Commission expires _____

CITY OF ALVARADO

APPLICATION FOR A SPECIFIC USE PERMIT

DATE: 2-26-2021 CLERK: DS FEE: 250.00 CASE NO: 2021-0166

NAME OF APPLICANT: Natasha Harris PH: 82 465-8486

MAILING ADDRESS: 509 W Cotter Ave, Alvarado TX 76009

APPLICANT IS THE: OWNER / LEASER / PURCHASER OF THE PROPERTY.

NAME OF OWNER: Larry Doran- Steel City Holdings LLC PH: ()

MAILING ADDRESS: 101 S Sparks St, Alvarado, TX 76009

STREET ADDRESS OF PROPERTY: 110 W College St, Alvarado TX 76009 ACREAGE: _____

LEGAL DESCRIPTION: BUSINESS 1262431.03790

PRESENT ZONE OF PROPERTY: _____ PRESENT USE: _____

REASON FOR NEEDING A SPECIFIC USE PERMIT: childcare center

USAGE OF ADJACENT PROPERTY NORTH: _____

SOUTH: _____

EAST: _____

WEST: _____

PLEASE ATTACH REQUIRED SITE PLAN FOR APPLICATION CONSIDERATION.

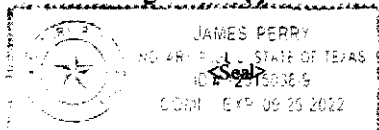
NOTE: If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a survey plat of the property.

APPLICANT'S SIGNATURE: _____

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: _____

SWORN TO AND SUBSCRIBED before me this 26 day of Feb 2021, by the person whose signature appears directly above.



Notary Public in and for The State of Texas.
My Commission expires 09-25-2022

ORDINANCE NO. __

AN ORDINANCE AMENDING ZONING ON PROPERTY DESCRIBED AS BUSINESS 126.2431.03790, ALSO KNOWN AS 110 W COLLEGE, ALVARADO, JOHNSON COUNTY, TEXAS, BY AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A CHILD DAY-CARE FACILITY IN A CBD (CENTRAL BUSINESS DISTRICT) ZONING DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado at least 15 days before such hearing; and,

WHEREAS, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zone change; and,

WHEREAS, the City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Alvarado; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS:

Section 1: THAT the Comprehensive Zoning Ordinance and the Zoning Map of the City of Alvarado are hereby amended by changing the zoning on property known as Business 126.2431.03790, City of Alvarado, Johnson County, Texas, also known as 110 W. College, by authorizing the issuance of a Specific Use Permit to accommodate a child day-care facility in a "CBD" (Central Business District) zoning district

Section 2: The use of the property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" and to all applicable regulations contained in the Comprehensive Zoning Ordinance, as amended, and all other applicable and pertinent ordinances of the City of Alvarado, Texas. In addition, the authorization to conduct the land use

described in Section 1 hereof shall terminate and expire on the five year anniversary of the approval date of this ordinance and the land use shall no longer be permitted except by subsequent permission of the City Council of the City of Alvarado, Texas.

- Section 3: This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.
- Section 4: 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 or 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 5: Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.
- Section 6: The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.
- Section 7: This ordinance shall be in full force and effect from and after its passage and publication as required by law,

AND IT IS SO ORDAINED.

Passed on this ___ day of _____, 2021, by a vote of ___ to ___.

CITY OF ALVARADO

By: _____
Jacob Wheat, Mayor Pro Tem

ATTEST:

Debbie Thomas, City Secretary

Approved as to form and legality:

Ashley Dierker, Attorney

Exhibit "A"
Conditions of SUP