## ORDINANCE NO. O21-20

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT TO ALLOW THE TEMPORARY PLACEMENT OF SEVENPORTABLE SCHOOL BUILDINGS AT GREENHILL SCHOOL LOCATED AT 4141 SPRING VALLEY ROAD AND 14101 MIDWAY ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the property located at 4141 Spring Valley Road and 14101 Midway Road, is zoned R-1, Residential-1, and PD, Planned Development, through Ordinance No. 084-092, with a Special Use Permit for a school, through Ordinance No. 085-035, as amended by Ordinances No. 087-043, No. 091-064, No. 094-025, No. 004-010, No. 013-053, And No. 018-39; and

WHEREAS, at its regular meeting held on April 20, 2021, the Planning & Zoning Commission considered and made recommendations on a request to allow the temporary placement of portable school buildings (Case No.1827-SUP); and

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes the general welfare and safety of this community.

## NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

**SECTION 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

<u>SECTION 2</u>. That a Special Use Permit, authorizing the temporary placement of seven portable school buildings, on the property located at 4141 Spring Valley Road and 14101 MidwayRoad, is hereby granted subject to the following conditions:

(a) Prior to the issuance of a Certificate of Occupancy for the temporary portable school buildings, the Property shall be improved in accordance with the site plan, floor plan, and building elevations, which are attached hereto as **Exhibit A** and made a part hereoffor all purposes.

- (b) That the Special Use Permit shall be subject to review and reconsideration at least every 18 months following the date of authorization, and the City Council may initiate revocation of this SUP requiring removal of the buildings by the earlier of:
  - a. Within thirty (30) days of issuance of a Certificate of Occupancy for the new science building, or;
  - b. January 1, 2024.

**SECTION 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**SECTION 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**SECTION 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That this Ordinance shall become effective from and after its passage andapproval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the  $\underline{25^{th}}$  day of  $\underline{MAY}$ 2021.

TOWN OF ADDISON, TEXAS

**APPROVED AS TO FORM:** 

Brenda N. McDonald, City Attorney

Irma G. Parker, City Secretary

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SUP Request:

- 6 Temporary Classroom Trailers (1,536 sq ft each)
- 1 Temporary Bathroom Trailer (408 sq ft)



