

**REGULAR MEETING OF THE  
CITY OF ALVARADO PLANNING AND ZONING COMMISSION  
104 W. COLLEGE AVE.  
AUGUST 8, 2023  
6:30 PM  
AGENDA**

The Planning and Zoning Commission of the City of Alvarado will meet in a regularly called session on Tuesday, August 8, 2023 at 6:30 p.m. in the Council Chambers at City Hall for the following agenda items.

**CALL TO ORDER - Roll Call**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION AND PUBLIC INPUT:**

This is an opportunity for citizens to address the convened board of this meeting on any matter. The presiding officer may ask for the citizen to hold his or her comment on an agenda item until that agenda item is reached. The convened board has no obligation to respond in any matter to comments or questions from the public. Any response from a member of the convened Board to comments related to items not on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future meeting.

**APPROVAL OF MINUTES**

1. Consideration and action to approve Minutes from the 7/11/2023 Regular Planning and Zoning Commission Meeting.

**CONSENT AGENDA: NA**

**NEW BUSINESS:**

2. Consideration and action on the application of Torrez & Sons Real Estate, LLC represented by John Torrez for approval of the Rambler's Corner Addition final plat on 1.096 acres known as Tract 25 of the J. M. Ross Survey, Abstract 737, addressed at 450 Hwy 67. (French)
3. Public hearing, consideration and action on an application of Robert and Ann Johnston for approval of a specific use permit in the Single Family Residential (SF-2) District for a guest house use on 0.46 acres known as Lot 5R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5th Street. (French)
4. Public hearing, consideration and action on application of Shabana Mallick with Superior Grocers, Inc. for approval of a specific use permit in the General Commercial (C-2) District for truck parking use on 1.1 acres known as Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67 (in 600 Block of N. Parkway Drive). (French)

**EXECUTIVE SESSION: (OPTIONAL WITH ADVANCED NOTICE TO CITY ATTORNEY)**

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council or other Board may convene in closed session to deliberate regarding the following matters: §551.071 Consultation with Attorney. The City Council or other Board may convene in Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council or other Board seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551.

**COMMISSIONER COMMENTS:**

Pursuant to LGC Section 551.0415, Commission Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest may include, but not necessarily limited to any of the following:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;

- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

## **ADJOURN**

### **ACCESSIBILITY STATEMENT**

The Alvarado City Hall and Council Chamber are wheelchair accessible. The exit and parking ramps 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, FAX: 817-783-7925, e-mail: [wallsb@cityofalvarado.org](mailto:wallsb@cityofalvarado.org). Please call 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 bulletin board at the City Hall of the City of Alvarado, Texas, a place convenient and readily accessible to the general public at all times, and said agenda was posted on July 28, 2023 at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

A handwritten signature in black ink that reads "Justin French". The signature is written in a cursive, flowing style.

Justin French, AICP  
Community Development Director  
City of Alvarado, Texas

**REGULAR MEETING OF  
THE CITY OF ALVARADO PLANNING AND ZONING COMMISSION**

**104 W. COLLEGE  
July 11, 2023 @ 6:30 PM**

**MINUTES**

The Planning and Zoning Commission of the City of Alvarado met in a regularly called session on Tuesday, July 11, 2023 at 6:30 p.m. in the Council Chambers at City Hall. The following members were present for roll call:

Bryan Thornton  
Mike McBee  
Joshua Rendon  
Kelly Richardson  
Ryan Banister

The following alternate was present for roll call:  
Barbara Fuller

The following alternate was absent for roll call:  
Flint Webb

City personnel present: Justin French, Community Development Director

Chairman Thornton called the meeting to order at 6:30 p.m.

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION AND PUBLIC INPUT – None**

**APPROVAL OF MINUTES** – Commissioner McBee moved to approve the May 9, 2023 minutes as written. Commissioner McBee seconded the motion. Motion passed with five votes in favor and none opposed.

**CONSENT AGENDA – None**

## **NEW BUSINESS**

Chairman Thornton opened the public hearing at 6:34 pm. for consideration and action on application of Michael Percifield with Keys2Ministry on behalf of Alvarado Old Pueblo Ltd. represented by Floyd Bartula for approval of a specific use permit in the General Commercial (C-2) District with the Floodplain (FP) Overlay District for place of worship uses on 0.204 acres known as Tract 110 of the I. Glaze Survey, A-313, addressed at 200 N. Parkway Drive. Mr. French presented a brief overview of the request. The applicant, Michael Percifield, and the property owner, Floyd Bartula, were present to answer any questions. Being no one further to speak upon the request, Chairman Thornton closed the public hearing at 6:37 pm, and Commissioner Banister moved to recommend approval to City Council. Commissioner McBee seconded the motion. Motion passed with five votes in favor and none opposed.

Chairman Thornton opened the public hearing at 6:38 pm. for consideration and action on an ordinance amending the zoning ordinance regulations in Chapter 42 of the Alvarado Code of Ordinances, relating to short-term/vacation rental, parking lot or parking garage (truck parking), and self-storage, mini-warehouse uses. Mr. French presented a brief overview of the request. Commissioner Rendon expressed concern for short term rentals in the middle of a residential subdivision. Chairman Thornton expressed support for private property rights and noted that the City of Alvarado is not like the cities of Dallas and Plano. Being no one further to speak upon the request, Chairman Thornton closed the public hearing, and Chairman Thornton moved to recommend approval to City Council with the stipulation that the specific use permit requirement for short term rentals be removed. Commissioner Rendon seconded the motion. Motion passed with three votes in favor and two opposed (Richardson, McBee).

## **ADJOURNMENT**

Chairman Thornton adjourned the regular meeting at 7:05 p.m.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bryan Thornton, Chairman

Attest:

\_\_\_\_\_  
Justin French, Community Development Director



## **Planning and Zoning Commission Meeting Management Report**

Meeting Date: August 21, 2023

Contact: Justin French, Community Development Director

### **AGENDA ITEM:**

Consideration and action on the application of Torrez & Sons Real Estate, LLC represented by John Torrez for approval of the Rambler's Corner Addition final plat on 1.096 acres known as Tract 25 of the J. M. Ross Survey, Abstract 737, addressed at 450 E. Hwy 67.

### **BACKGROUND & FINDINGS:**

The preliminary plans for the Rambler's Corner Addition were originally submitted in 2021, and City personnel have been working through various revisions and submittals of the plans. The final plat was submitted and deemed administratively complete on July 26, 2023. Per Section 34-36.c of the Alvarado subdivision ordinance, the Planning and Zoning Commission shall:

- (1) Act within 30 days after the filing of the final plat and engineering plans,
- (2) Submit one of the following recommendations to the City Council.
  - a. Approve.
  - b. Approve with conditions
  - c. Disapprove (with detailed explanation)

### **FINANCIAL IMPACT:**

None.

### **RECOMMENDATION:**

Staff suggests the Commission recommend to Council approval with conditions listed in the recommended conditions of approval letter attached.

### **MANAGEMENT REVIEW:**

Paul DeBuff, City Manager

### **ATTACHMENTS:**

Application

Location Map

Draft Recommended Conditions of Approval Letter

Final Plat

Engineering Plans (Available Upon Request)



## PLAT APPLICATION

### Office Use Only

Clerk: \_\_\_\_\_ Project#: 2023-0521  
Fee: \$ \_\_\_\_\_  
Date Pd: \_\_\_\_\_ Check# or Cash: \_\_\_\_\_  
Receipt#: \_\_\_\_\_ Received by: \_\_\_\_\_

Please submit all plat documents and ensure they are in compliance with the City of Alvarado Subdivision Ordinance.

### Type of Plat

☐ Preliminary Plat ☒ Final Plat ☐ Plat Revision ☐ Administrative Plat

Title of Plat \_\_\_\_\_

Total Lots 1 Total Acres 1.096 Current Zoning \_\_\_\_\_

Subdivision Name Ramblers Corner Lots 1 Block(s) A

Survey Name(s) J.M. Ross Survey Abstract No.(s) 737 Tract(s) 3

Address/Location 450 E U.S. Hwy 67, Alvarado TX 76009

### Applicant

Company or Name Torrez & Sons Real Estate, LLC

Contact Name John Torrez

Address PO BOX 961 City Waxahachie State TX Zip 75168

Telephone 214-980-1443 Email Office@integrapremier.com

### Owner (If Different)

Company or Name \_\_\_\_\_

Contact Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

I further understand that this request will be placed on the appropriate Planning & Zoning Commission and City Council agendas and must meet requirements of the Subdivision Regulations. All plats must be accepted in writing. A plat is not considered filed until accepted by the City Council.

John Torrez  
Signature of Applicant, Owner, or Authorized Agent

06/15/2023  
Date

**Planning Official**

|                                                        |                                                 |
|--------------------------------------------------------|-------------------------------------------------|
| Fee: \$ <input type="text"/>                           |                                                 |
| <input type="text"/><br>Date of P&Z Meeting            | <input type="text"/><br>Date of Council Meeting |
| <input type="text"/><br>Signature of Planning Official |                                                 |

|                                     |                                       |                                       |
|-------------------------------------|---------------------------------------|---------------------------------------|
| <b>**FOR OFFICE USE ONLY**</b>      |                                       |                                       |
| <input type="text"/><br>Received By | <input type="text"/><br>Date Received | <input type="text"/><br>Date Approved |





**City of Alvarado**  
104 W. College Alvarado, TX 76009  
817-790-3351 ♦ Fax 817-783-7925 ♦ [www.cityofalvarado.org](http://www.cityofalvarado.org)

August 8, 2023

Torrez & Sons Real Estate, LLC  
Attn: John Torrez  
PO Box 961  
Waxahachie, TX 75168  
214.980.1443  
[office@integrapremier.com](mailto:office@integrapremier.com)

Re: Lot 1, Block A of the Rambler's Corner Addition Final Plat

Dear Mr. Torrez,

This letter is to inform you that on August 8, 2023, the Alvarado City Planning and Zoning Commission recommended conditional approved the final plat and subdivision construction plans for the Rambler's Corner Addition with the following conditions that must be adequately addressed prior to recording the final plat with the Johnson County Clerk. Informational comments below may not be intended to trigger a change to the plat or plans but rather to provide ordinance reference supporting other comments.

**Final Plat Comments**

1. Informational comment – Per Sec. 34-66(14) of the Alvarado subdivision ordinance, the developer must install storm drainage, sanitary sewer mains and laterals, fire hydrants, water valves, traffic signs, street lights, street signs and sidewalks, within and adjacent to the subdivision, or shall provide cash deposit or other guarantee acceptable to the City for the payment of the cost of such **installations** prior to the final approval by the City Council.
2. Informational comment – Per Sec. 34-130 of the Alvarado subdivision ordinance, (a) all subdivisions must provide an approved sewage disposal system and shall be connected to the City sanitary sewer system, (b) The developer must furnish and install the complete sewer system, including the mains, manholes, cleanouts, Y-branches, and service laterals for all lots, lift stations, and appurtenances. Within that roughly proportionate to the development, the sewage system must be designed and constructed in accordance with the master plan and standard specifications of the City.
3. Informational comment - Per Sec. 34-165 of the Alvarado subdivision ordinance, subdivisions within the city must provide an approved water supply and distribution system and with an approved sewage collection and disposal system. An adequate water supply and distribution system and sanitary sewer system, consistent with the master plan for water and sanitary sewer, must be a condition of plat approval. Subdivider must install all water and sanitary sewer facilities needed to serve the development and must extend all water and sanitary sewer mains

and appurtenances necessary to connect the development with the City's water supply and distribution system and with the City's sanitary sewer system. The location of all water and sanitary sewer lines and appurtenances thereto necessary to serve platted land shall be in accordance with the City's master plan for water and sanitary sewer facilities.

4. Informational comment – Per Sec. 34-165 of the Alvarado subdivision ordinance, construction of all water and sanitary sewer facilities required by these regulations must be in accordance with the requirements and specifications contained in the design standards for the City, the regulations of the state natural resource conservation commission, state water commission, state department of insurance, and the currently adopted International Fire Code, which are incorporated herein by reference and made a part hereof. The specifications for materials and workmanship must conform to the Standard Specifications for Public Works Construction, published by the North Central Texas Council of Governments.
5. Informational comment - Per Sec. 34-175(a) of the Alvarado subdivision ordinance, the City must be given opportunity to inspect all phases of the construction of improvements for subdivisions. The subdivider, or his contractor, shall maintain daily contact with the city engineer, or his representative, during construction of improvements, (b) No sanitary sewer, water, or storm sewer pipe shall be covered without approval of the city engineer or his representative. No concrete shall be poured for streets, structures, or curbs and gutters without said approval. No flexible base material shall be placed on the street subgrade, or asphaltic surface applied to the flexible base of a street without said approval.
6. Subdivision construction plans must be approved and constructed prior to the recording of the final plat with the County Clerk unless a performance bond is provided in the amount equal to the valuation of the necessary public improvement(s) for adequate public infrastructure. Per Sec. 34-172 of the Alvarado subdivision ordinance, no building permit nor any water, sewer, plumbing, or electrical permit shall be issued by the city to the owners or any other person with respect to any property in any subdivision covered by this article until:
  - (1) Such time as the developer and/or owner has complied with the requirements of this article and the approved final plat regarding improvements with respect to the block facing the street and/or streets on which the property abuts, including the installation of streets with proper base and paving, curbs and sewers and alleys;
  - (2) An escrow deposit has been made with the city secretary, such deposit being sufficient to pay for the cost of such improvements and being accompanied by an agreement signed by the developer and/or owner authorizing the city to make such improvements at prevailing private commercial rates, or to have the same made by a private contractor and pay for the same from the escrow deposit. Cost of such improvements is to be determined by the zoning administrator and computed on a private commercial rate basis. Should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, the city shall in no case be obligated to make such improvements itself, except that such deposit may be used by the owner and/or developer as a progress payment as the work progresses by making certified requisition to the city secretary when supported by evidence of work done; or
  - (3) The developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof with the time stated in the bond, which time shall be fixed by the zoning administrator.
7. Complete the Surveyor's Certification block and provide surveyor's seal on at least two plat mylars that have the ownership's signature notarized prior to the recording of the final plat with the County Clerk.

8. Per Texas Property Code, provide an official tax certificate for the property indicating a zero balance for all assessed taxes prior to recording of the final plat with the County Clerk.
9. Provide a check written to the Johnson County Clerk in the amount required to record the final plat. See Johnson County Clerk's website for fee schedule.

**Subdivision Construction Plan Comments**

1. Payment of \$650 for initial inspection of the sanitary sewer extension is required prior to the recording of the final plat, and any re-inspections require additional payment equal to \$75 per inspection hour.
2. A two-year maintenance warranty for the sanitary sewer extension is required prior to acceptance of the public improvements.
3. A maintenance bond equal to 100% of the sanitary sewer improvement's valuation is required prior to acceptance of the public improvements.
4. Three (3) paper sets and one (1) sepia set of as-built plans, checked and corrected by subdivider's engineer within 60 days after completion of each contract. (Subdivider shall have an engineer project-managing construction.)
5. DWG files for GIS mapping of public infrastructure are required prior to acceptance of the public improvements.
6. Submittal requirements shall be in accordance with approved civil plans and/or NCTCOG standard specifications for public infrastructure.
7. Informational comment – No building permit or public utility service shall be provided until the subdivision construction plans pass final inspection.
8. Informational comment – Impact fees in effective at time of this letter are due prior to issuance of the building permit.

Sincerely,



Justin French, AICP  
Community Development Director  
City of Alvarado  
104 W. College Ave. | Alvarado, TX 76009  
817.790.3351 | 817.240.9585 mobile  
[frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org)





## **Planning and Zoning Commission Meeting Management Report**

Meeting Date: August 21, 2023

Contact: Justin French, Community Development Director

### **AGENDA ITEM:**

Hold a public hearing, then consideration and action on the application of Robert and Ann Johnston for approval of a specific use permit in the Single Family Residential (SF-2) District for *guest house* use on 0.46 acres known as Lot 1R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5<sup>th</sup> Street.

### **BACKGROUND & FINDINGS:**

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Low Density Residential, which is generally single-family-detached homes at approximately four dwelling units per acre. Though guest houses are not directly mentioned in the Plan, the proposed use is consistent with the targeted density in the Comprehensive Plan.

### **FINANCIAL IMPACT:**

None.

### **RECOMMENDATION:**

Staff suggests the Commission recommend to Council approval of the requested specific use permit.

### **MANAGEMENT REVIEW:**

Paul DeBuff, City Manager

### **ATTACHMENTS:**

Application  
Applicant's Exhibits  
Location Map  
Zoning Map  
SF-2 District Quick Reference  
Property Owner Notice List  
Notices  
Drafted Ordinance 2023-0020

# CITY OF ALVARADO

## APPLICATION FOR A SPECIFIC USE PERMIT

DATE: 7/14/2023 CLERK: Pray FEE: 250<sup>00</sup> CASE NO: 2023-0549  
NAME OF APPLICANT: Robert & Ann Johnston PH: (817) 319-6555  
MAILING ADDRESS: 105 S. 5<sup>th</sup> Street Alvarado, TX 76009  
APPLICANT IS THE: OWNER / LEASER / PURCHASER OF THE PROPERTY.  
circle one  
NAME OF OWNER: Robert & Ann Johnston PH: (817) 319-6555  
MAILING ADDRESS: 105 S. 5<sup>th</sup> Street Alvarado, TX 76009  
STREET ADDRESS OF PROPERTY: 105 S. 5<sup>th</sup> Street ACREAGE: 0.457  
LEGAL DESCRIPTION: Lot 5R, Block A, Missouri - Pacific Addition  
PRESENT ZONE OF PROPERTY: Single Family PRESENT USE: Single Family Dwelling  
REASON FOR NEEDING A SPECIFIC USE PERMIT: METAL Building  
Guest house 872 sq. ft. (32'x36')  
USAGE OF ADJACENT PROPERTY NORTH: VACANT Lot / Austin Street  
SOUTH: Residential, Across S. SPARKS St.  
EAST: Gilbreath Residence (800 S. SPARKS St.)  
WEST: JOHNSTON (Tommy/Dennis) (100 S. 5<sup>th</sup> St.)

**PLEASE ATTACH REQUIRED SITE PLAN FOR APPLICATION CONSIDERATION.**

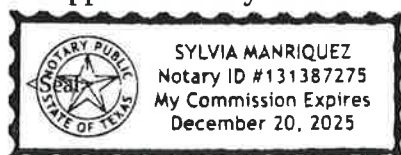
**NOTE:** If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property 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 surveyor's plat of the property.

APPLICANT'S SIGNATURE [Signature]

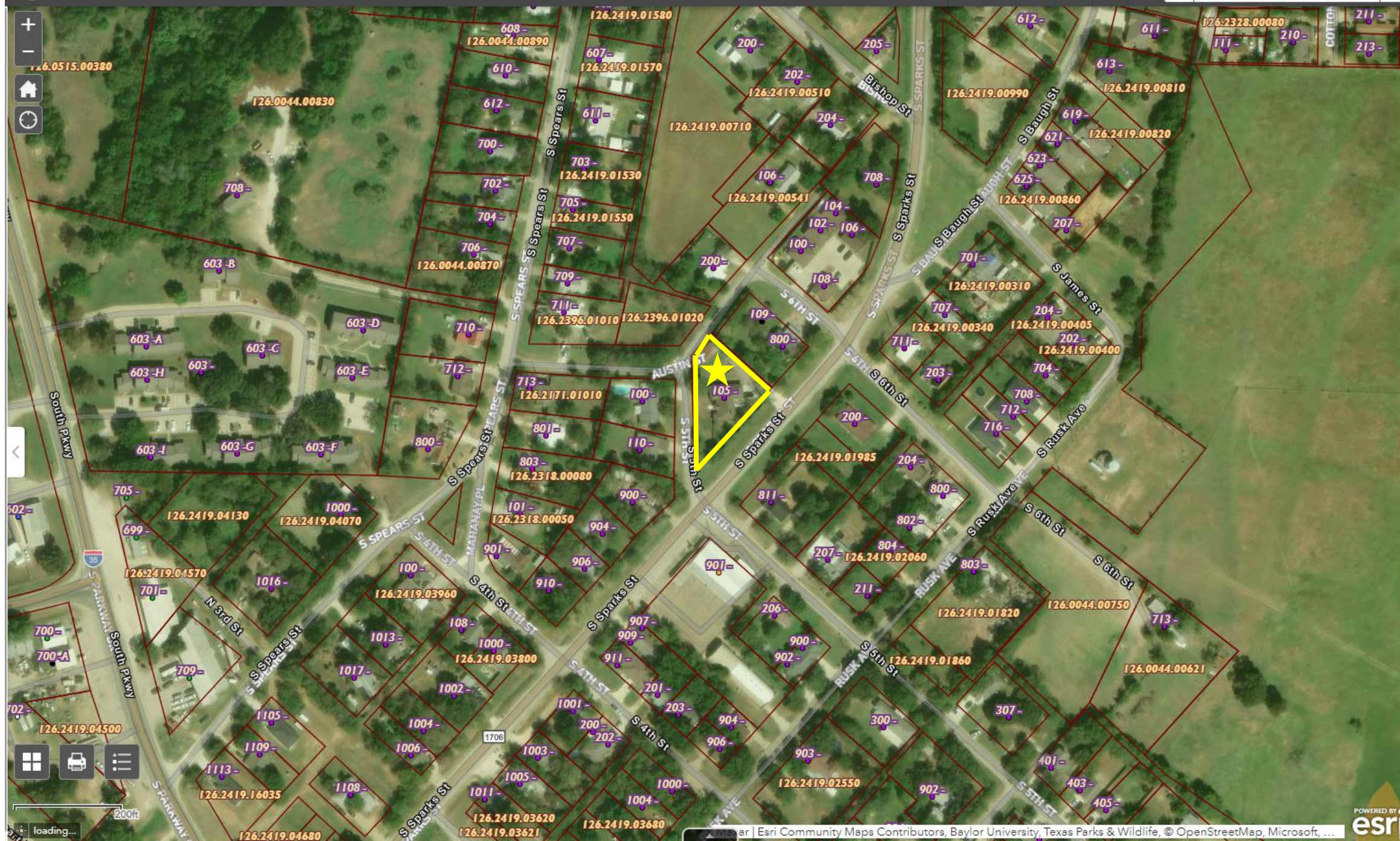
The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: [Signature]

SWORN TO AND SUBSCRIBED before me this 14 day of June, 2023, by the person whose signature appears directly above.



[Signature]  
Notary Public in and for The State of Texas.  
My Commission expires Dec. 20, 2025



**SF-2**

**MF**

**TF**

**TF**

**M1**

2

I-35BR

S. SPEARS ST.

M. HWY. 1706

AUSTIN

SOUTH

N.

AVE.

SPARKS

N.

5TH

N 6TH

JAMES AVE.

STREET

AVE.

ST.

BROWN

COTTON

ST.

ST.

BA

S.

ST.



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**Sec. 42-22. SF-2 single-family residential district.**

- (a) *Purpose.* The SF-2 district is not as restrictive as the "SF-1" district. This district is to be applied in areas where smaller residential lots are appropriate and in areas of transition between nonresidential uses and the SF-1 single-family residential district. This district also functions as a buffer or transition between major streets and the SF-1 district.
- (b) *Permitted uses and parking regulations.* In the SF-2 single-family residential district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

| USE                                                               | PARKING REGULATIONS                                                                                                                                                                                                            |
|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessory building to main use                                    | 0 spaces                                                                                                                                                                                                                       |
| Carport                                                           | 0 spaces                                                                                                                                                                                                                       |
| Concrete, asphalt batching plant (temporary)                      | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater |
| Electrical transmission line                                      | 0 spaces                                                                                                                                                                                                                       |
| Greenhouse or plant nursery, noncommercial                        | 1 space per employee                                                                                                                                                                                                           |
| Home occupation                                                   | 0 spaces                                                                                                                                                                                                                       |
| Local utility distribution lines                                  | 0 spaces                                                                                                                                                                                                                       |
| Park, playground or recreation center (public or private)         | 1 space per acre plus additional parking per facility constructed as herein provided                                                                                                                                           |
| Private open space as a part of a planned residential development | 0 spaces required                                                                                                                                                                                                              |
| Railroad track and right-of-way                                   | 1 space per employee                                                                                                                                                                                                           |
| Retirement housing                                                | 1 space for each 6 beds per unit                                                                                                                                                                                               |
| Sewage pumping station                                            | 0 spaces                                                                                                                                                                                                                       |
| Single-family dwelling, detached                                  | 2 enclosed spaces per unit, must be attached to the main structure                                                                                                                                                             |
| Swimming pool, private                                            | 1 space for each 100 square feet of gross water surface and deck area                                                                                                                                                          |
| Telephone line                                                    | 0 spaces                                                                                                                                                                                                                       |
| Transit station or turnaround                                     | 1 space per intended user                                                                                                                                                                                                      |
| Water pumping station or well                                     | 0 spaces                                                                                                                                                                                                                       |

- (c) *Development requirements.*

|                           |                                  |
|---------------------------|----------------------------------|
| Minimum lot area:         | 6,000 square feet <sup>1</sup>   |
| Minimum lot width:        | 50 linear feet                   |
| Minimum lot depth:        | 120 linear feet                  |
| Minimum front yard:       | 25/35 linear feet <sup>2</sup>   |
| Minimum side yard:        | 8/10/15 linear feet <sup>3</sup> |
| Minimum rear yard:        | 25 linear feet <sup>4</sup>      |
| Maximum ground coverage:  | 45/55 <sup>5</sup>               |
| Maximum density per acre: | 6.00 DU                          |

|         |                |
|---------|----------------|
| Height: | 35 linear feet |
|---------|----------------|

<sup>1</sup> A lot of less than 6,000 square feet may be used for a single family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

<sup>2</sup> The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

<sup>3</sup> The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

<sup>4</sup> A one-story wing or extension may be built to within 15 feet of the rear lot line.

<sup>5</sup> The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) *Specific uses.* The following specific uses are allowed in the SF-2 district when authorized under the provisions of section 42-45:

| USE                                                     | PARKING REGULATIONS                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Assisted living facility                                | 1 space per employee, plus 1 space for each 6 beds                                                                                                                                                                                                                                                               |
| Boarding home facility                                  | 1 space per employee, plus 1 space for each 6 beds                                                                                                                                                                                                                                                               |
| Cemetery or mausoleum                                   | 1 space per employee plus 1 space for every 1,000 square feet of gross floor area                                                                                                                                                                                                                                |
| Child care center                                       | 1 space per ten pupils/clients (design capacity)                                                                                                                                                                                                                                                                 |
| Church, rectory, place of worship                       | 1 space for every 4 seats in the main auditorium                                                                                                                                                                                                                                                                 |
| College or university                                   | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                                                                                                                                     |
| Community center, public or private                     | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains |
| Community home                                          | 1 space per employee, plus 1 space for each 6 beds                                                                                                                                                                                                                                                               |
| Country club (private)                                  | 1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater                                                                                                                                                                                                                |
| Electrical substation                                   | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Farm, ranch, or orchard                                 | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Gas metering station                                    | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Golf course                                             | Minimum of 30 spaces                                                                                                                                                                                                                                                                                             |
| Guest house                                             | 1 space per unit                                                                                                                                                                                                                                                                                                 |
| Hospital (chronic care); long term health care facility | 1 space for each 2 beds                                                                                                                                                                                                                                                                                          |
| Library                                                 | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and                                                                                       |

|                                                                                                                                 |                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                 | additional parking provided on the basis of 1 space for each 4 seats that it contains                                                   |
| Nursery school, kindergarten                                                                                                    | 1 space per 10 pupils/clients (design capacity)                                                                                         |
| Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses | 1 space per employee                                                                                                                    |
| Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i))                                        | 1 space per employee                                                                                                                    |
| Registered family home                                                                                                          | 1 space per employee                                                                                                                    |
| School, private (primary and/or secondary)                                                                                      | 1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater |
| School, public (primary and/or secondary)                                                                                       | 1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater |
| Servant's, caretaker's or guard's residence                                                                                     | 1 space per unit                                                                                                                        |
| Service yards of government agency                                                                                              | 1 space per employee                                                                                                                    |
| Water storage, elevated or ground                                                                                               | 0 spaces                                                                                                                                |
| Water treatment plant                                                                                                           | 1 space per employee                                                                                                                    |
| Zero lot line house                                                                                                             | 2 enclosed spaces per unit                                                                                                              |

(e) *Special construction requirements.*

- (1) *Developments of ten or more lots.* All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.
- (2) *Developments of one to nine lots.* All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin-type material and design. It is provided; however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.
- (3) *Applicability of regulations.* These construction requirements shall apply to all the following:
  - a. Newly constructed houses.
  - b. Houses moved into or within the city from a previous location.
- (4) *Attic space.* All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.
- (5) *Living space.* All residential structures must have at least 1,200 square feet of living space.

( Ord. No. 2015-005, § 1, 4-20-2015 )



**City of Alvarado**  
104 W. College Ave. Alvarado, TX 76009  
817-790-3351 ♦ [www.cityofalvarado.org](http://www.cityofalvarado.org)

July 20, 2023

Robert & Ann Johnston  
105 S. 5<sup>th</sup> Street  
Alvarado, TX 76009  
817.319.6555

The City of Alvarado has received your request for approval of a specific use permit in the Single Family Residential (SF-2) District for *guest house* use on 0.46 acres known as a Lot 5R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5<sup>th</sup> Street.

#### NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

Notice is hereby given that a public hearing will be held before the Planning and Zoning Commission of the City of Alvarado on Tuesday, the 8th day of August 2023, in the Council Chambers, 104 W. College Avenue, at 6:30p.m. regarding this request. The Planning and Zoning Commission will forward a recommendation to the City Council.

#### NOTICE OF HEARING BEFORE CITY COUNCIL

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For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at [frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org).

Sincerely,

Justin French, AICP  
Community Development Director  
City of Alvarado  
[frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org)

| <b>Alvarado Address</b>      | <b>Owner within 200 Feet</b>     | <b>Mailing Address</b>   | <b>City</b> | <b>State</b> | <b>Zip Code</b> |
|------------------------------|----------------------------------|--------------------------|-------------|--------------|-----------------|
| 800 S. Sparks Street         | Lisa Jannette Gibreath           | PO Box 1155              | Alvarado    | TX           | 76009           |
| 811 S. Sparks Street         | Ruben Marin Sanchez              | 811 S. Sparks Street     | Alvarado    | TX           | 76009           |
| 900 S. Sparks Street         | Martin Gurrola                   | 900 S. Sparks Street     | Alvarado    | TX           | 76009           |
| 901 S. Sparks Street         | New Life Ministries Inc.         | PO Box 488               | Alvarado    | TX           | 76009           |
| 904 S. Sparks Street         | Leanna Cowan                     | 113 S. Dick Price Road   | Kennedale   | TX           | 76060           |
| 106 Austin Street            | Willie Lee Davis                 | 10900 CR 103             | Grandview   | TX           | 76050           |
| 200 Austin Street            | Bah Alpha Etux                   | 907 Rockcress Drive      | Mansfield   | TX           | 76063           |
| 300 Austin Street            | Alma Vega                        | 2809 CR 206              | Alvarado    | TX           | 76009           |
| 100 S. 5th Street            | Tommy B. Johnston                | PO Box 196               | Alvarado    | TX           | 76009           |
| 110 S. 5th Street            | Sanuel D. Pence Etux             | 4309 FM 2415             | Alvarado    | TX           | 76009           |
| 707 S. Spears Street         | Thurman & Penelope Susan Shumate | 4034 CR 317              | McKinney    | TX           | 75069           |
| 709 S. Spears Street         | Randell S. Gaskill               | Box 166                  | Alvarado    | TX           | 76009           |
| 711 S. Spears Street         | CM Jackson Enterprises, LLC      | 7300 Hinton Drive        | Mansfield   | TX           | 76063           |
| 713 S. Spears Street         | Dennis Weiss                     | 5420 CR 707              | Alvarado    | TX           | 76009           |
| 801 S. Spears Street         | Dennis Weiss                     | 5420 CR 707              | Alvarado    | TX           | 76009           |
| 803 S. Spears Street         | Rafael Flores                    | 101 Mahaney              | Alvarado    | TX           | 76009           |
| 199 Bishop Street            | CM Jackson Enterprises, LLC      | 1241 W. Green Oaks Blvd. | Arlington   | TX           | 76013           |
| 100-108 S. 6th Street        | Vonlar Inc.                      | 2816 S. I35W             | Burleson    | TX           | 76028           |
| 200 S. 6th Street            | Robert Garcia Etux Sulema V      | 2809 Maverick Ave.       | Dallas      | TX           | 75228           |
| 200 S. 6th Street            | Robert Garcia Etux Sulema V      | 2809 Maverick Ave.       | Dallas      | TX           | 75228           |
| <b>Owner, Applicant, ISD</b> |                                  | <b>Mailing Address</b>   | <b>City</b> | <b>State</b> | <b>Zip Code</b> |
| Owner                        | Robert & Ann Johnston            | 105 5th Street           | Alvarado    | TX           | 76009           |



**City of Alvarado**  
104 W. College Ave. Alvarado, TX 76009  
817-790-3351 ♦ [www.cityofalvarado.org](http://www.cityofalvarado.org)

July 20, 2023

Dear Property Owner,

The City of Alvarado has received the request made by Robert and Ann Johnston for approval of a specific use permit in the Single Family Residential (SF-2) District for *guest house* use on 0.46 acres known as a Lot 5R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5<sup>th</sup> Street.

#### NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

Notice is hereby given that a public hearing will be held before the Planning and Zoning Commission of the City of Alvarado on Tuesday, the 8th day of August 2023, in the Council Chambers, 104 W. College Avenue, at 6:30p.m. regarding this request. The Planning and Zoning Commission will forward a recommendation to the City Council.

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According to City and County Tax Records, you are the owner of property which is located within two hundred (200) feet of the area of the requested zoning change. This is notice of the public hearings, at which any interested persons will be given an opportunity to be heard. In hearing this matter, the Planning and Zoning Commission and City Council may approve the request as submitted, may approve an amended request, or may deny the request.

For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at [frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org).

Sincerely,

Justin French, AICP  
Community Development Director  
City of Alvarado  
[frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org)

July 14, 2023

City of Alvarado  
104 W. College Ave  
Alvarado, TX 76009

RE: Permit for proposed metal dwelling @ 105 S. 5th Street (Johnston)

To whom it may concern -

As a neighbor and property owner adjacent to the Johnston residence located at 105 S. 5th Street, I do not have any objections to the proposed dwelling to be constructed on their property.

Sincerely,



Lisa Gilbreath

800 S. Sparks Street

Alvarado, TX 76009

Tommy & Donnie Johnston

100 S 5<sup>th</sup> Street

Alvarado TX 76009

July 13, 2023

City of Alvarado

Planning and Development

To Whom it May Concern:

We understand our neighbors at 105 S 5<sup>th</sup> Street are petitioning the city for permission to construct a metal building on their property. Let it be known that we have no objection to this structure being built.

Respectfully,



Donnie Johnston  
Tommy & Donnie Johnston

**ORDINANCE NO. 2023-0020**

**AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, APPROVING A SPECIFIC USE PERMIT IN THE SINGLE FAMILY RESIDENTIAL (SF-2) DISTRICT FOR A GUEST HOUSE USE ON 0.46 ACRES KNOWN AS LOT 5R, BLOCK A OF THE NEW TOWN ADDITION (AKA MISSOURI PACIFIC ADDITION), ADDRESSED AT 105 S. 5<sup>TH</sup> STREET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICAITION IN THE OFFICAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alvarado, Texas is a home-rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the provisions of, and subject only to the limitations imposed by the State Constitution, State Laws, and the City Charter; and

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the City has previously adopted a Zoning Ordinance for the purpose of promoting health, safety, and general welfare of the citizens of the City of Alvarado to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

**WHEREAS**, in accordance with Chapter 42 of the City's Code of Ordinances, the owner(s) of the 0.46-acre property described herein have filed an application for approval of a specific use permit to allow a guest house use; and

**WHEREAS**, the Planning and Zoning Commission of the City of Alvarado, Texas held a public hearing on August 8, 2023, with respect to the proposed specific use permit described herein and recommended \_\_\_\_\_ by a vote of \_\_\_\_\_; and

**WHEREAS**, in accordance with Section 211 of the Texas Local Government Code the City Council of the City of Alvarado, Texas held a public hearing on August 21, 2023, with respect to the specific use permits described herein; and

**WHEREAS**, the City Council finds it appropriate to approve the specific use permit described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, City ordinances, and all other laws dealing with notice, publication, and procedural requirements for approval of an ordinance approving a specific use permit; and

**WHEREAS**, the City Council finds approval of the specific use permit as outlined herein are in the best interest of the City of Alvarado and will promote the health, safety, and general welfare of the citizens of the City of Alvarado and the general public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS THAT:**

### **SECTION 1**

The zoning map of the City of Alvarado is hereby amended by approving a specific use permit in the Single Family Residential District (SF-2) District for a guest house use on 0.46 acres known as Lot 5R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5<sup>th</sup> Street.

### **SECTION 2**

The use of the property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" Performance and Design Standards, Exhibit "B" Site Plan, and to all applicable regulations contained in the 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 is valid indefinitely following publication as prescribed in Section 7.

### **SECTION 3**

This ordinance shall be cumulative of all other ordinances of the City of Alvarado, Texas, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

### **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.**

All rights or remedies of the City of Alvarado, Texas are expressly saved as to any and all violations of any ordinance affecting subdivisions or design standards that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 6.**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the City Council of the City of Alvarado shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 9-67 of the Code of Ordinances, City of Alvarado, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

## **SECTION 7.**

The City Secretary of the City of Alvarado is hereby directed to 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 52.013 of the Local Government Code.

## **SECTION 8.**

This ordinance shall be in full force and effect from and after its passage as required by law,

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED ON** this the 21<sup>st</sup> day of August, 2023.

**CITY OF ALVARADO**

**By:** \_\_\_\_\_  
**Jacob Wheat, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Beth A. Walls, City Secretary**

**“Exhibit A”  
Performance and Design Standards**

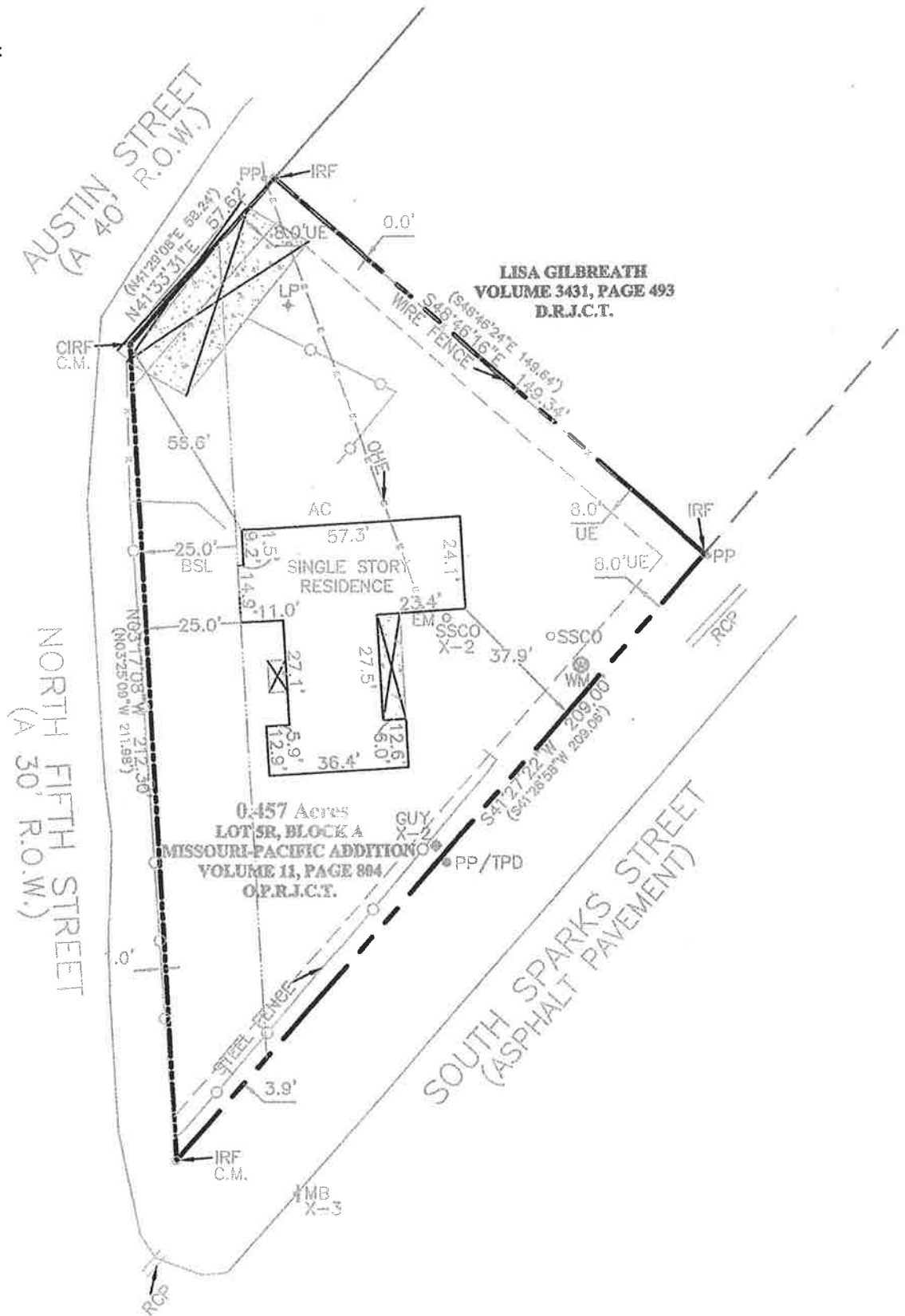
- 1. This specific use permit allows an 872-square-foot guest house at 105 S. 5<sup>th</sup> Street.**
- 2. Two off-street parking spaces are required for the existing residence and one additional off-street space is required for the guest house use. The additional off-street parking space must be paved concrete or hot-mix asphalt.**
- 3. By definition in the Alvarado zoning ordinance, the guest house must be living quarters within a detached accessory building located on the same premises with the principal residence for use by temporary guests of the occupants of the premises. A guest house shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling.**
- 4. The guest house must be at least six feet from other structures and at least eight feet from the nearest side property line.**

**“Exhibit B”  
Site Plan**

**(See Next Page)**

Property Survey  
As of 1/30/2020

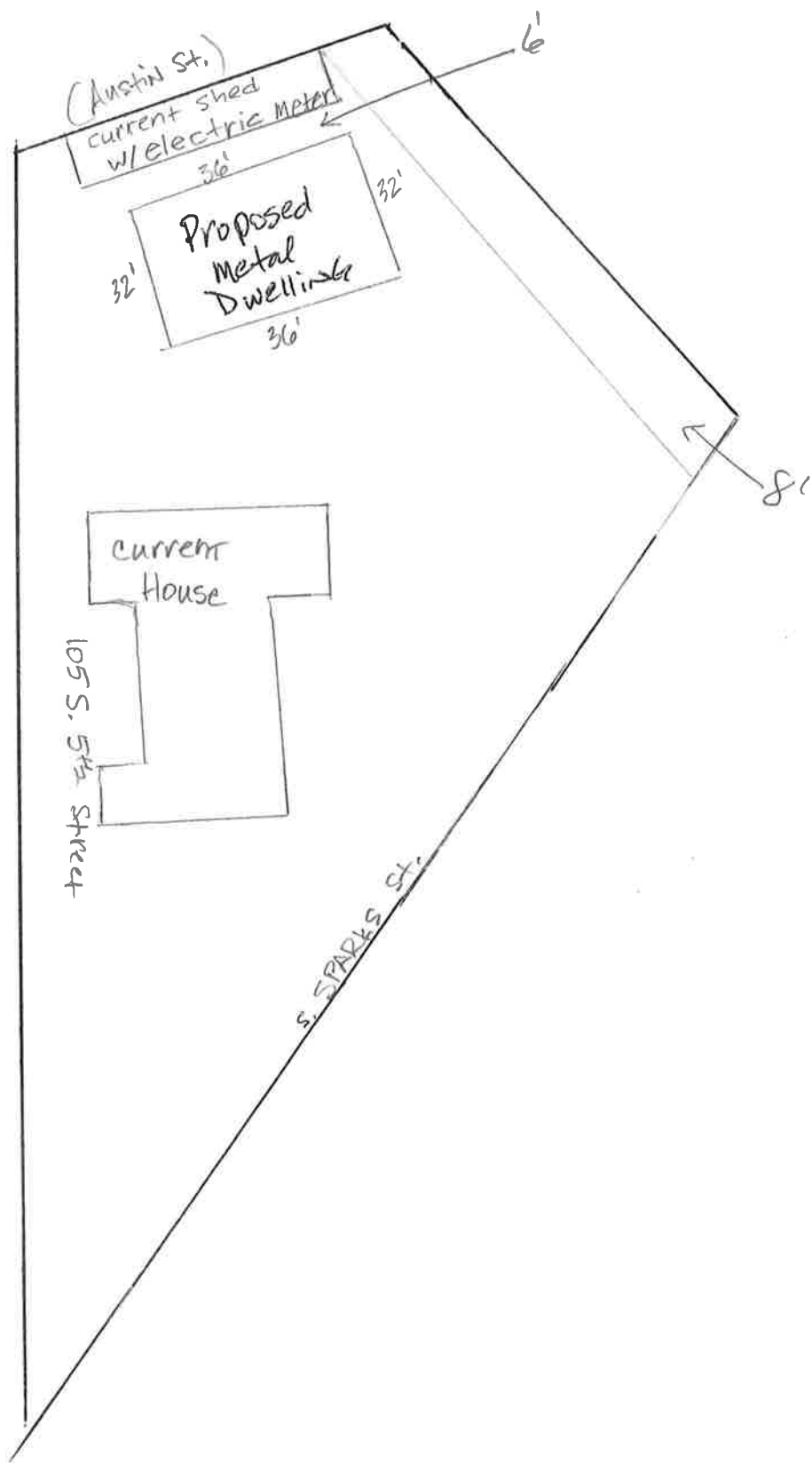
PROPERTY ADDRESS:  
105 N FIFTH ST.  
ALVARADO, TEXAS



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SURVEY EXHIBIT SHOWING



32' x 36'

Cottage Plan: 872 Square Feet, 1 Bedroom, 1.5 Bathrooms - 348-00296

No Fireplace  
1 story

CLOSE



Slab foundation / Same color scheme as existing home  
Metal exterior & roof

"Illustration purposes"



## **Planning and Zoning Commission Meeting Management Report**

Meeting Date: August 21, 2023

Contact: Justin French, Community Development Director

### **AGENDA ITEM:**

Hold a public hearing, then consideration and action on the application of Shabana Mallick with Superior Grocers, Inc. for approval of a specific use permit in the General Commercial (C-2) District for *truck parking* use on 1.1 acres known as Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67 (and in the 600 Block of N. Parkway Drive).

### **BACKGROUND & FINDINGS:**

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Interstate Business, which generally includes big box retail and lifestyle shopping centers. This type of development is targeted to increase the non-residential tax revenue for the City and attract residents and visitors. The requested use will not increase tax revenue and is not consistent with the Comprehensive Plan.

On October 17, 2011, by a vote of 6-0, the Alvarado City Council approved Ordinance No. 2011-040, which granted a specific use permit (SUP) for *truck parking* with a five-year expiration. The City notified the current owner of this expiration, and the current owner now request renewal of the previously approved SUP.

### **FINANCIAL IMPACT:**

None.

### **RECOMMENDATION:**

Staff suggests the Commission make recommendation to Council on the requested specific use permit.

### **MANAGEMENT REVIEW:**

Paul DeBuff, City Manager

### **ATTACHMENTS:**

Application  
Location Map  
Zoning Map  
General Commercial District Quick Reference  
Property Owner Notice List  
Notices  
Expired Ordinance 2011-040  
Drafted Ordinance 2023-0019

# CITY OF ALVARADO

## APPLICATION FOR A SPECIFIC USE PERMIT

DATE: 07-13-23 CLERK: Pay FEE: \$ 250.00 CASE NO: 2023-0546

NAME OF APPLICANT: Superior Grocers, Inc PH: (817) 783-8700

MAILING ADDRESS: 1165, West HWY 67 ALVARADO, TX-76009

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

circle one

NAME OF OWNER: SHABANA. MALLICK PH: (817) 707-7861

MAILING ADDRESS: 1165, West HWY 67 ALVARADO, TX-76009

STREET ADDRESS OF PROPERTY: 1165, West HWY 67 ACREAGE: (1)

LEGAL DESCRIPTION: Open lot Using For Truck Parking for Hotel

PRESENT ZONE OF PROPERTY: Land PRESENT USE: Parking

REASON FOR NEEDING A SPECIFIC USE PERMIT: Guest Parking

USAGE OF ADJACENT PROPERTY NORTH: \_\_\_\_\_

SOUTH: \_\_\_\_\_

EAST: East side front of Hotel

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 surveyor's plat of the property.

APPLICANT'S SIGNATURE: Shabana, Inc

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

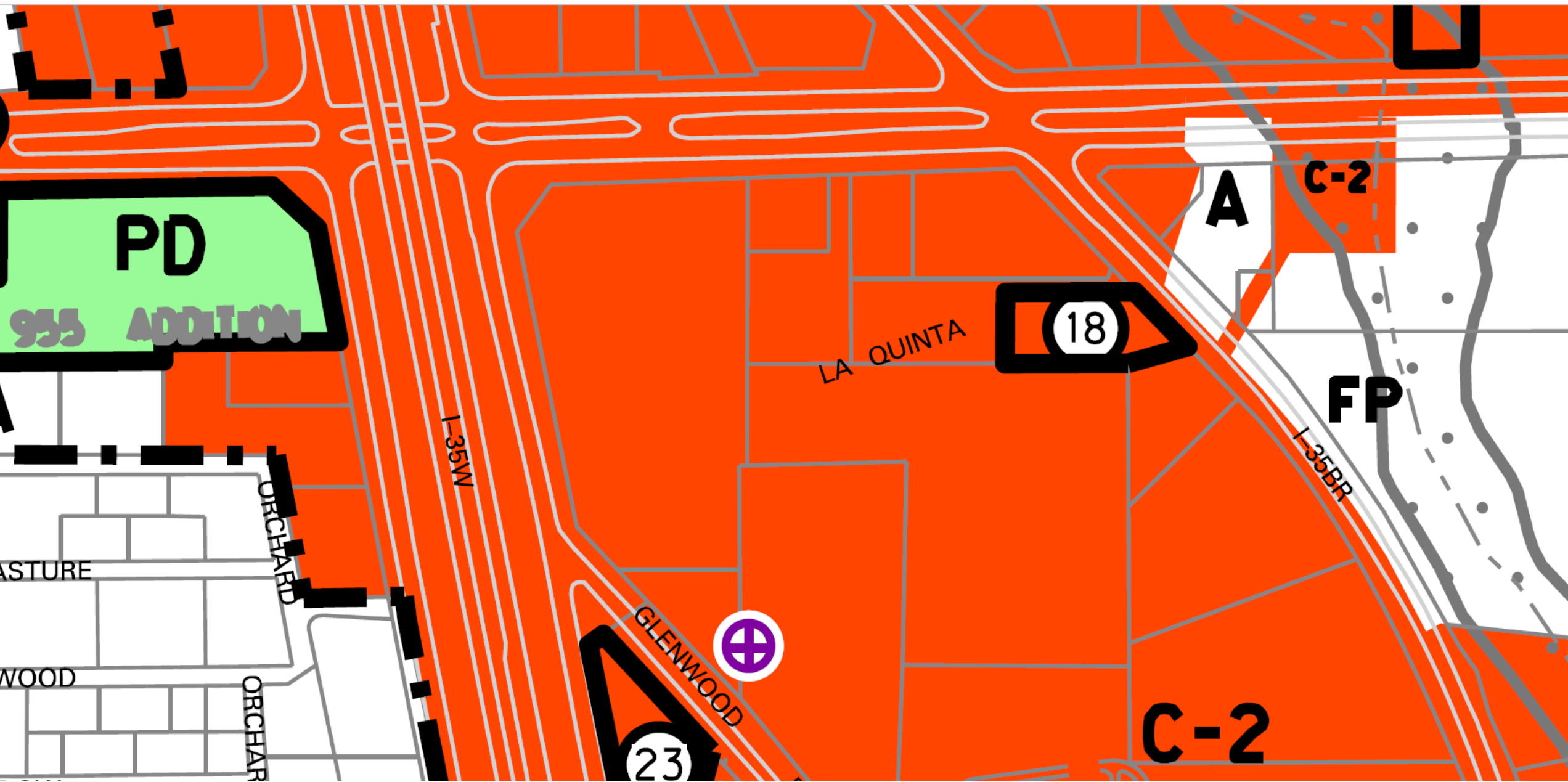
OWNER: Shabana, OR Jay Mallick

SWORN TO AND SUBSCRIBED before me this 13 day of July, 2023, by the person whose signature appears directly above.



Dana Diane Duncan  
Notary Public in and for The State of Texas.  
My Commission expires 10-07-24





| <b>Alvarado Address</b> | <b>Owner within 200 Feet</b> | <b>Mailing Address</b>              | <b>City</b>   | <b>State</b> | <b>Zip Code</b> |
|-------------------------|------------------------------|-------------------------------------|---------------|--------------|-----------------|
| 1165 W. Hwy 67          | Superior Grocers Inc.        | 1165 W. Hwy 67                      | Alvarado      | TX           | 76009           |
| 611 N. Parkway Drive    | Wells Fargo                  | 333 Market St. 10th Floor A0109-101 | San Francisco | CA           | 94105           |
| 415 N. Parkway Drive    | Alvarado Glenwood Cemetery   | PO Box 161                          | Alavarado     | TX           | 76009           |
| 601 N. Parkway Drive    | Bruce McAnally               | 2501 Bridle Path                    | Austin        | TX           | 78703           |
| 1009 W. Hwy 67          | Alvarado Express Lube        | PO Box 1050                         | Alvarado      | TX           | 76009           |
| 1011 W. Hwy 67          | Parsons Trust                | PO Box 2198                         | Memphis       | TN           | 38101           |

|       | <b>Owner, Applicant, ISD</b> | <b>Mailing Address</b> | <b>City</b> | <b>State</b> | <b>Zip Code</b> |
|-------|------------------------------|------------------------|-------------|--------------|-----------------|
| Owner | Superior Grocers Inc.        | 1165 W. Hwy 67         | Alvarado    | TX           | 76009           |



**City of Alvarado**  
104 W. College Ave. Alvarado, TX 76009  
817-790-3351 ♦ [www.cityofalvarado.org](http://www.cityofalvarado.org)

July 20, 2023

Superior Grocers Inc.  
Attn: Shabana Mallick  
1165 W. Hwy 67  
Alvarado, TX 76009  
817.707.7861

The City of Alvarado has received your request for approval of a specific use permit in the General Commercial (C-2) District for *parking lot or parking garage, truck parking* uses on 1.1 acres known as a Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67.

#### NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

Notice is hereby given that a public hearing will be held before the Planning and Zoning Commission of the City of Alvarado on Tuesday, the 8th day of August 2023, in the Council Chambers, 104 W. College Avenue, at 6:30p.m. regarding this request. The Planning and Zoning Commission will forward a recommendation to the City Council.

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Sincerely,

Justin French, AICP  
Community Development Director  
City of Alvarado  
[frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org)



**City of Alvarado**  
104 W. College Ave. Alvarado, TX 76009  
817-790-3351 ♦ [www.cityofalvarado.org](http://www.cityofalvarado.org)

July 20, 2023

Dear Property Owner,

The City of Alvarado has received the request made by Shabana Mallick on behalf of Superior Groceries, Inc. for approval of a specific use permit in the General Commercial (C-2) District for *parking lot or parking garage, truck parking* uses on 1.1 acres known as a Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67.

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Sincerely,

Justin French, AICP  
Community Development Director  
City of Alvarado  
[frenchj@cityofalvarado.org](mailto:frenchj@cityofalvarado.org)

---

**Sec. 42-30. C-2 general commercial district.**

- (a) *Purpose.* The C-2 district is intended to allow the development of areas that provide a greater number and mix of retail and commercial uses. The uses permitted in the C-2 district are not generally carried on completely within a building or structure and an expanded range of service and repair uses is permitted. This district is reserved for areas of adequate size and location so that its broad range of high intensity land uses will not cause or create nuisances to adjoining zoning districts.
- (b) *Permitted uses and parking regulations.* In the C-2 district, no building or land shall be used and no building shall be hereinafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

| USE                                            | PARKING REGULATIONS                                                                                                                                                                           |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessory building to main use                 | 1 space per employee to be occupying the building                                                                                                                                             |
| Amusement, commercial (indoor or outdoor)      | 1 space for every 1,000 square feet of gross floor area                                                                                                                                       |
| Antique shop                                   | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Arts, crafts store (indoor or outdoor sales)   | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Assisted living facility                       | 1 space per employee, plus 1 space for each 6 beds                                                                                                                                            |
| Auto laundry                                   | 1 space per 200 square feet of floor space                                                                                                                                                    |
| Auto parts sales (inside)                      | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Auto repair, minor                             | 3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle                                                                      |
| Automobile and trailer sales area, new or used | 1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater |
| Automobile service station                     | 3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle                                                                      |
| Bakery and confectionary, retail sales         | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| Bank, savings and loan, credit union           | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Bar, tavern, nightclub                         | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| Barber school or college                       | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                  |
| Barbershop                                     | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Beauty culture school; cosmetology spec. shop  | 6 or 1 space per 300 square feet of gross floor area                                                                                                                                          |
| Beauty shop                                    | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Bed and breakfast inn                          | 2 enclosed spaces per unit, must be attached to main structure                                                                                                                                |
| Boat sales and storage                         | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| Bowling alley                                  | Six spaces for each lane                                                                                                                                                                      |
| Building materials, hardware (inside storage)  | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                  |
| Bus terminal                                   | 1 space per intended user                                                                                                                                                                     |
| Business service                               | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| Candle manufacturing                           | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1                                           |

|                                              |                                                                                                                                                                                                                                                                                                                  |
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|                                              | space per 1,000 square feet of gross floor area, whichever is greater                                                                                                                                                                                                                                            |
| Carwash                                      | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Child care center                            | 1 space per ten pupils/clients (design capacity)                                                                                                                                                                                                                                                                 |
| Civic center                                 | 10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. In an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains                    |
| Clinic, medical or dental                    | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Community center, private                    | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains |
| Community center, public                     | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains |
| Concrete, asphalt batching plant (temporary) | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater                                                                                   |
| Construction yard (temporary)                | 1 space per employee to be occupying the area                                                                                                                                                                                                                                                                    |
| Convenience store                            | 1 space per 300 square feet of gross floor area or 32                                                                                                                                                                                                                                                            |
| Custom personal service shop                 | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Dance hall                                   | 1 space per 100 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Discount, variety, or department store       | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Drapery, needlework, or weaving shop         | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Electrical substation                        | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Electrical transmission line                 | 0 spaces                                                                                                                                                                                                                                                                                                         |
| Engine and motor repair                      | 3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle                                                                                                                                                                                         |
| Exhibition area                              | 1 space per employee, plus 1 space for each 2 patrons based on maximum patron load                                                                                                                                                                                                                               |
| Farm equipment, sales and service            | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                                                                                                                                     |
| Feed and farm supply (inside sales/storage)  | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Feed and farm supply (outside sales/storage) | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Field or sales office, temporary             | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Florist                                      | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Food store; grocery store                    | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |

|                                                            |                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fraternal organization, lodge or civic club                | 1.25 spaces per 200 square feet                                                                                                                                                                                                                                                                                  |
| Furniture and appliance repair and storage                 | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                                                                                                                                     |
| Furniture, appliance store                                 | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                                                                                                                                     |
| Garage, private                                            | 1 space per employee to be occupying the garage                                                                                                                                                                                                                                                                  |
| Garden center (retail sales)                               | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Gas metering station                                       | 1 space per employee                                                                                                                                                                                                                                                                                             |
| General merchandise indoor auction                         | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| General merchandise store                                  | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Greenhouse or plant nursery, commercial                    | 1 space per 200 square feet of floor area                                                                                                                                                                                                                                                                        |
| Greenhouse or plant nursery, noncommercial                 | 1 space per employee                                                                                                                                                                                                                                                                                             |
| Gymnastic or dance studio                                  | 1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet                                                                                                                                                                                                                  |
| Handcraft shop                                             | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Health club; gymnasium                                     | 1 space per employee plus 1 space per 100 square feet of floor area                                                                                                                                                                                                                                              |
| Heliport or heliostat                                      | 1 space if located on the ground                                                                                                                                                                                                                                                                                 |
| Hospital (acute care)                                      | 1 space for every 2 beds                                                                                                                                                                                                                                                                                         |
| Hospital (chronic care); long term health care facility    | 1 space for each 2 beds                                                                                                                                                                                                                                                                                          |
| Laboratory, medical or dental                              | 1 space per 300 square feet of gross floor area or 1 of the clinics                                                                                                                                                                                                                                              |
| Laundry and cleaning, commercial                           | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Library                                                    | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains |
| Liquefied petroleum gas, storage and sale (no bulk plants) | 1 space per employee plus 1 space for every 2,000 square feet of floor area                                                                                                                                                                                                                                      |
| Local utility distribution lines                           | 0 spaces                                                                                                                                                                                                                                                                                                         |
| Medical supplies, sales and service                        | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Metal dealer, crafted precious                             | 1 space per 300 square feet of gross floor area                                                                                                                                                                                                                                                                  |
| Mobile food vendor                                         | 0 spaces                                                                                                                                                                                                                                                                                                         |
| Mortuary or funeral home                                   | 1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms                                                                                                                                                                                                  |
| Motel, motor hotel, or motor lodge                         | 1 space for each sleeping room, plus 1 space for each 300 square feet of commercial floor area                                                                                                                                                                                                                   |
| Motorcycle sales and service                               | 1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater                                                                                                                    |
| Museum or art gallery                                      | 10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and                                                                                       |

|                                                                                                                                 |                                                                                                                                                                                                                                |
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|                                                                                                                                 | additional parking provided on the basis of 1 space for each 4 seats that it contains                                                                                                                                          |
| Nonprofit animal shelter                                                                                                        | 1 space per 200 square feet of floor area                                                                                                                                                                                      |
| Nursery school, kindergarten                                                                                                    | 1 space per 10 pupils/clients (design capacity)                                                                                                                                                                                |
| Office center                                                                                                                   | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Office, professional or general administrative                                                                                  | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Office-showroom/warehouse                                                                                                       | 1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area                                                                          |
| Oil, gas, other mineral extraction                                                                                              | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater |
| Park, playground or recreation center (public)                                                                                  | 1 space per acre plus additional parking per facility constructed as herein provided                                                                                                                                           |
| Parking lot or parking garage, automobile                                                                                       | 1 space per employee, plus 1 space per vehicle to be parked                                                                                                                                                                    |
| Pawn shop                                                                                                                       | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Personal service shop                                                                                                           | 1 space per 200 square feet of gross floor area                                                                                                                                                                                |
| Pet shop                                                                                                                        | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Pharmacy                                                                                                                        | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Plumbing service                                                                                                                | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Plumbing, heating, refrigeration or air conditioning business                                                                   | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Post office, government and private                                                                                             | 1 space per 300 square feet of gross floor area                                                                                                                                                                                |
| Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses | 1 space per employee                                                                                                                                                                                                           |
| Quick oil change facility                                                                                                       | 1 space per employee                                                                                                                                                                                                           |
| Quick tune-up facility                                                                                                          | 1 space per employee                                                                                                                                                                                                           |
| Racquetball facilities                                                                                                          | 4 spaces for each court                                                                                                                                                                                                        |
| Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i))                          | 1 space per employee                                                                                                                                                                                                           |
| Railroad station                                                                                                                | 1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel                                                                                                |
| Railroad Team track and right-of-way                                                                                            | 1 space per employee                                                                                                                                                                                                           |
| Railroad track and right-of-way                                                                                                 | 1 space per employee                                                                                                                                                                                                           |
| Residence hotel                                                                                                                 | 1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area                                                                                                                        |
| Restaurant or cafeteria, with drive-in or drive-through service                                                                 | 1 parking space per 100 square feet of gross floor area                                                                                                                                                                        |
| Restaurant or cafeteria, without drive-in or drive-through service                                                              | 1 parking space per 100 square feet of gross floor area                                                                                                                                                                        |
| School, commercial                                                                                                              | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                                                   |

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| School, private (primary and/or secondary)                     | 1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater                                                                                                                                                     |
| School, public (primary and/or secondary)                      | 1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater                                                                                                                                                     |
| School, trade                                                  | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                                                                                                                |
| Second hand store, furniture/clothing                          | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Service, retail                                                | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Sewage pumping station                                         | 0 spaces                                                                                                                                                                                                                                                                                    |
| Shopping center                                                | 1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area |
| Shops, office and/or storage area of public or private utility | 1 space per employee                                                                                                                                                                                                                                                                        |
| Stadium or playfield                                           | 1 parking space for each 4 seats or bench seating spaces                                                                                                                                                                                                                                    |
| Studio (photographer, musician, artist)                        | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Studio for radio and television                                | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Swimming pool, commercial                                      | 1 space for each 100 square feet of gross water surface and deck area                                                                                                                                                                                                                       |
| Tanning salon                                                  | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Tattoo parlor/body piercing studio                             | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Taxidermist                                                    | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Teen club                                                      | 1 space for every 1,000 square feet of floor area                                                                                                                                                                                                                                           |
| Telephone exchange                                             | 1 space per employee                                                                                                                                                                                                                                                                        |
| Telephone line                                                 | 0 spaces                                                                                                                                                                                                                                                                                    |
| Theater (indoor)                                               | 1 space for each 4 seats or bench seating spaces                                                                                                                                                                                                                                            |
| Tire dealer (with outside storage)                             | 1 space for every 200 square feet of floor area                                                                                                                                                                                                                                             |
| Tool rental shop                                               | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Transit station or turnaround                                  | 1 space per intended user                                                                                                                                                                                                                                                                   |
| Truck sales                                                    | 1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater                                                                                               |
| Washateria                                                     | 1 space per 200 square feet of gross floor area                                                                                                                                                                                                                                             |
| Water pumping station or well                                  | 0 spaces                                                                                                                                                                                                                                                                                    |
| Water storage, elevated or ground                              | 0 spaces                                                                                                                                                                                                                                                                                    |
| Water treatment plant                                          | 1 space per employee                                                                                                                                                                                                                                                                        |

(c) *District restrictions.* The following restrictions shall apply to uses in the C-2 district.

(1) The business shall be conducted wholly within an enclosed building;

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- (2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;
  - (3) All merchandise shall be sold at retail on the premises; and
  - (4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.
- (d) *Development criteria.* Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:
- (1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:
    - a. Off-street parking of motor vehicles in operable condition;
    - b. Off-street loading;
    - c. Permitted display of merchandise for sale to the public; and
    - d. Establishments of the drive-in type.
  - (2) The first ten feet of the required front yard setback, measured from the property line shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.
  - (3) No loading or storage of material or products shall be permitted in the required front yard.
- (e) *Specific uses.* The following specific uses are allowed in the C-2 district when authorized under the provisions of section 42-45:

| USE                                            | PARKING REGULATIONS                                                                                                                                                                           |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Air conditioning and refrigeration contractor  | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Airport, landing field                         | 1 space per employee, plus 1 space per stored vehicle                                                                                                                                         |
| Arcade                                         | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Assisted living facility                       | 1 space per employee to be occupying the building                                                                                                                                             |
| Auto leasing                                   | 1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater |
| Brew pub                                       | 1 space per 100 square feet of gross floor area                                                                                                                                               |
| Building materials, hardware (outside storage) | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                  |
| Cabinet and upholstery shop                    | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| Cemetery or mausoleum                          | 1 space per employee plus 1 space for every 1,000 square feet of gross floor area                                                                                                             |
| Church, rectory, place of worship              | 1 space for every 4 seats in the main auditorium                                                                                                                                              |
| Cleaning and dyeing, small shop                | 1 space per 300 square feet of gross floor area                                                                                                                                               |
| College or university                          | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                  |

|                                                    |                                                                                                                                                                                                                           |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community home                                     | 1 space per employee to be occupying the building                                                                                                                                                                         |
| Electric power generating plant                    | 1 space per employee                                                                                                                                                                                                      |
| Fairgrounds                                        | 1 space per employee, plus 1 space for each 2 patrons based on maximum patron load                                                                                                                                        |
| Farm seed and/or fertilizer sales/storage (inside) | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater |
| Flea market                                        | 1.5 spaces for each 200 square feet of gross floor area or market area                                                                                                                                                    |
| Food products processing                           | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater |
| Golf driving range                                 | 1 space per employee plus 1 space per 5,000 square feet of floor area                                                                                                                                                     |
| Heavy machinery sales                              | 2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet                                                                                                              |
| Hotel, motel, motor hotel, or motor lodge          | 1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area                                                                                               |
| Kennel (with or without outside pens)              | 1 space per 200 square feet of floor area                                                                                                                                                                                 |
| Microbrewery                                       | 1 space per 200 square feet of floor area                                                                                                                                                                                 |
| Microdistillery                                    | 1 space per 200 square feet of floor area                                                                                                                                                                                 |
| Newspaper printing                                 | 1 space per 300 square feet of gross floor area                                                                                                                                                                           |
| Parking lot or parking garage, truck parking       | 1 space per employee, plus 1 space per vehicle to be parked                                                                                                                                                               |
| Pipe sales and supply                              | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater |
| Print shop                                         | 1 space per 300 square feet of gross floor area                                                                                                                                                                           |
| Prison, jail or place of incarceration             | 1 space per employee plus 1 space for every 200 square feet of visitor floor area                                                                                                                                         |
| Pump sales, repair and maintenance                 | 1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater |
| Registered family home                             | 1 space per employee                                                                                                                                                                                                      |
| Retirement housing                                 | 1 space for each 6 beds per unit                                                                                                                                                                                          |
| Sand, gravel, stone or earth sales                 | 1 space per 300 square feet of gross floor area                                                                                                                                                                           |
| School, trade or commercial                        | 1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area                                                                                                                              |
| Self storage; mini-warehouse                       | 4 spaces per complex, plus 1 space per 5,000 square feet of storage area                                                                                                                                                  |

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(Supp. No. 8)

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| Servant's, caretaker's or guard's residence                                 | 1 space per unit                                                                                                                                                                              |
| Service yards of government agency                                          | 1 space per employee                                                                                                                                                                          |
| Sewage treatment plant                                                      | 1 space per employee                                                                                                                                                                          |
| Shooting range, target range                                                | 1 space per employee plus 1 space for every 5,000 square feet of floor area                                                                                                                   |
| Solid waste transfer station                                                | 1 space per employee                                                                                                                                                                          |
| Storage/wholesale warehouse, light                                          | 1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater                                                                                |
| Swimming pool, private                                                      | 1 space for each 100 square feet of gross water surface and deck area                                                                                                                         |
| Theater (outdoor)                                                           | 1 space for each 4 seats or bench seating spaces                                                                                                                                              |
| Tire dealer (no outside storage)                                            | 1 space for every 200 square feet of floor area                                                                                                                                               |
| Tire retreading and recapping                                               | 1 space per employee                                                                                                                                                                          |
| Tobacco sales                                                               | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Trailer rental                                                              | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Travel trailer, manufactured housing or manufactured home display and sales | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Truck and bus leasing                                                       | 1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater |
| Truck or motor freight terminal                                             | 1 space per employee plus one space for each intended vehicle to be accommodated                                                                                                              |
| Vendor, stationary                                                          | 1 space per 200 square feet of gross floor area                                                                                                                                               |
| Veterinarian clinic (with or without outside pens)                          | 1 space per 200 square feet of gross floor area                                                                                                                                               |

(f) *Development requirements.*

|                           |                                                                                                                                                                                                                                                           |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum lot area:         | None                                                                                                                                                                                                                                                      |
| Minimum lot width:        | None                                                                                                                                                                                                                                                      |
| Minimum lot depth:        | 80 linear feet                                                                                                                                                                                                                                            |
| Minimum front yard:       | 25/35 linear feet <sup>1</sup>                                                                                                                                                                                                                            |
| Minimum side yard:        | No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential district even when separated by an alley.                                                                         |
| Minimum rear yard:        | No rear yard is required except that a rear yard of not less than 25 feet or 20 percent of the depth of the lot, whichever is lesser, shall be provided upon that portion of a lot abutting or across a rear alley or street from a residential district. |
| Maximum ground coverage:  | None                                                                                                                                                                                                                                                      |
| Maximum density per acre: | NA                                                                                                                                                                                                                                                        |
| Height:                   | 45 linear feet <sup>2</sup>                                                                                                                                                                                                                               |

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<sup>1</sup> The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

<sup>2</sup> No building shall exceed 45 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond maximum building height. The height restrictions of this district shall not apply to church steeples.

(g) *Screening devices.* In the event that the C-2 district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1, MH-2, MH-3, TF, or MF, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building set back must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property.

(h) *Masonry requirements.*

(1) All single-story buildings hereafter constructed or placed in the C-2 district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the C-2 district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the C-2 district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

( Ord. No. 2015-005, § 1, 4-20-2015 )

**ORDINANCE NO. 2011-040**

**AN ORDINANCE AMENDING ZONING ON BLOCK 1, LOT 2 OF THE GHANDI ADDITION, ALVARADO, JOHNSON COUNTY, TEXAS, IN THE 600 BLOCK ON NORTH PARKWAY, BY AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A PARKING LOT FOR HEAVY TRUCKS IN A GENERAL COMMERCIAL "C-2" 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 Block 1, Lot 2 of the Ghandi Addition, Alvarado, Johnson County, Texas, in the 600 block of North Parkway, by authorizing the issuance of a Specific Use Permit to accommodate a parking lot for heavy trucks in a General Commercial "C-2" 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

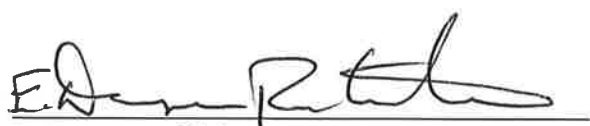
described in Section 1 hereof shall terminate and expire on the five year anniversary of the approval date of this ordinance and the land use shall no longer be permitted except by subsequent permission of the City Council of the City of Alvarado, Texas.

- 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 17<sup>th</sup> day of OCTOBER, 2011, by a vote of 6 to 0.

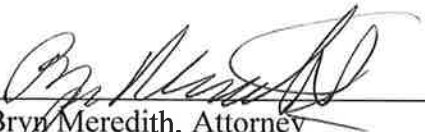
**CITY OF ALVARADO**

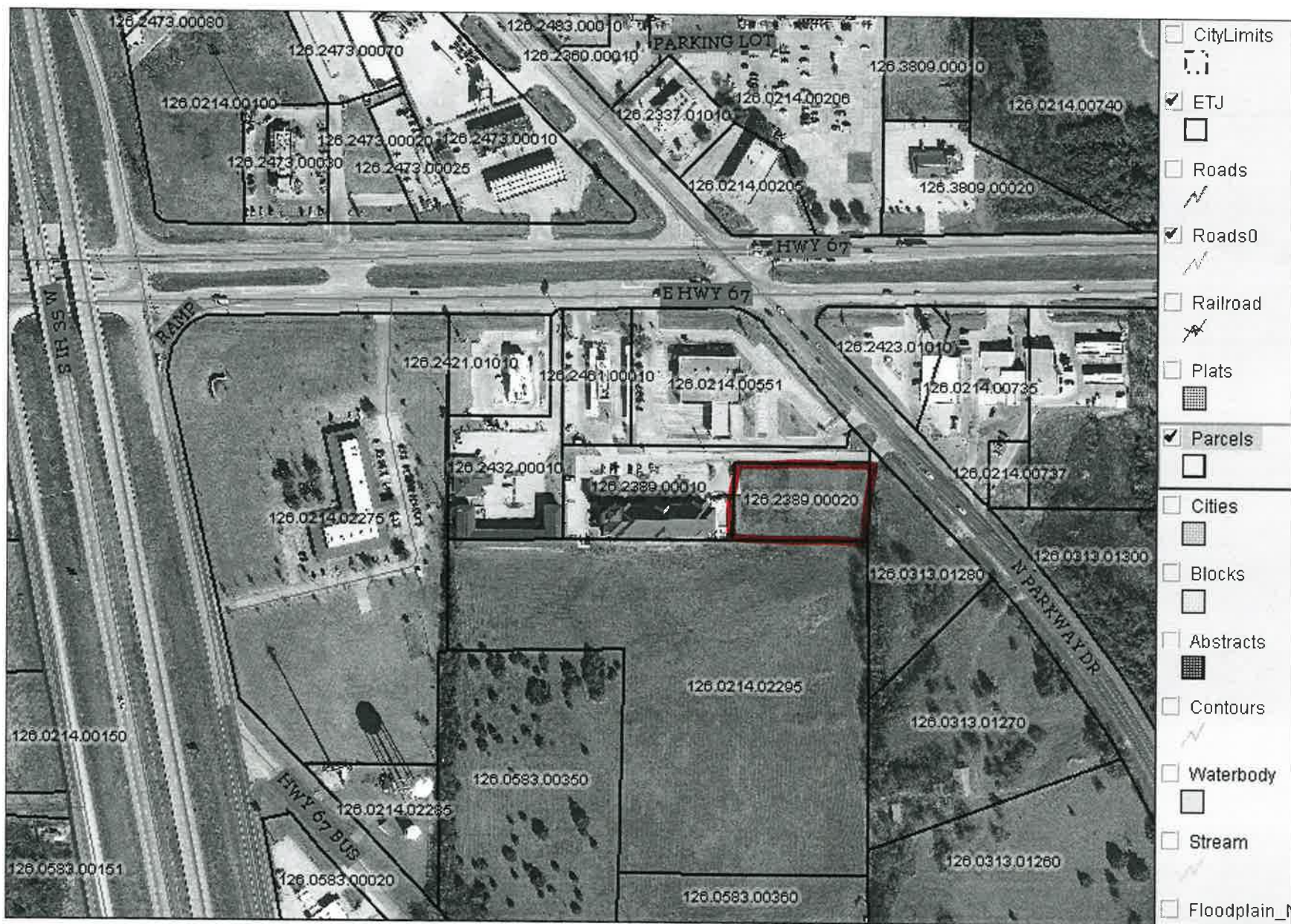
By:   
E. Dewayne Richters, Mayor

ATTEST:

  
\_\_\_\_\_  
Debbie Thomas, City Secretary

Approved as to form and legality:

  
\_\_\_\_\_  
Bryn Meredith, Attorney



**ORDINANCE NO. 2023-0019**

**AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, APPROVING A SPECIFIC USE PERMIT IN THE GENERAL COMMERCIAL (C-2) DISTRICT FOR PARKING LOT OR PARKING GARAGE, TRUCK PARKING USES ON 101 ACRES KNOWN AS LOT 2, BLOCK 1 OF THE GANDHI ADDITION, ADDRESSED AT 1163 W. HWY 67; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICAITION IN THE OFFICAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alvarado, Texas is a home-rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the provisions of, and subject only to the limitations imposed by the State Constitution, State Laws, and the City Charter; and

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the City has previously adopted a Zoning Ordinance for the purpose of promoting health, safety, and general welfare of the citizens of the City of Alvarado to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

**WHEREAS**, in accordance with Chapter 42 of the City's Code of Ordinances, the owner(s) of the 1.1-acre property described herein have filed an application for approval of a specific use permit to allow parking, garage, truck parking uses; and

**WHEREAS**, the Planning and Zoning Commission of the City of Alvarado, Texas held a public hearing on August 8, 2023, with respect to the proposed specific use permit described herein and recommended \_\_\_\_\_ by a vote of \_\_\_\_\_; and

**WHEREAS**, in accordance with Section 211 of the Texas Local Government Code the City Council of the City of Alvarado, Texas held a public hearing on July 17, 2023, with respect to the specific use permits described herein; and

**WHEREAS**, the City Council finds it appropriate to approve the specific use permit described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, City ordinances, and all other laws dealing with notice, publication, and procedural requirements for approval of an ordinance approving a specific use permit; and

**WHEREAS**, the City Council finds approval of the specific use permit as outlined herein are in the best interest of the City of Alvarado and will promote the health, safety, and general welfare of the citizens of the City of Alvarado and the general public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS THAT:**

### **SECTION 1**

The zoning map of the City of Alvarado is hereby amended by approving a specific use permit in the General Commercial (C-2) District for parking lot or parking garage , truck parking uses on 1.1 acres known as Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67.

### **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 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 is 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 other ordinances of the City of Alvarado, Texas, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

### **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.**

All rights or remedies of the City of Alvarado, Texas are expressly saved as to any and all violations of any ordinance affecting subdivisions or design standards that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 6.**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the City Council of the City of Alvarado shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 9-67 of the Code of Ordinances, City of Alvarado, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

## **SECTION 7.**

The City Secretary of the City of Alvarado is hereby directed to 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 52.013 of the Local Government Code.

## **SECTION 8.**

This ordinance shall be in full force and effect from and after its passage as required by law,

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED ON** this the 8th day of August, 2023.

**CITY OF ALVARADO**

By: \_\_\_\_\_  
**Jacob Wheat, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Beth A. Walls, City Secretary**

**“Exhibit A”  
Performance and Design Standards**

- 1. This specific use permit allows parking lot or parking garage, truck parking uses.**
- 2. The site is currently improved with road base and gravel.**
- 3. No additional improvements are located at the site.**

DRAFT

## PUBLIC NOTICE

Notice is hereby given that the Alvarado Planning and Zoning Commission will conduct a public hearing at their regularly scheduled meeting in the Council Chambers at Alvarado City Hall on Tuesday, August 8, 2023 at 6:30 P.M. to consider and act on the items below.

Application of Robert and Ann Johnston for approval of a specific use permit in the Single Family Residential (SF-2) District for a guest house use on 0.46 acres known as Lot 5R, Block A of the New Town Addition (aka Missouri Pacific Addition), addressed at 105 S. 5<sup>th</sup> Street.

Application of Shabana Mallick with Superior Grocers, Inc. for approval of a specific use permit in the General Commercial (C-2) District for truck parking use on 1.1 acres known as Lot 2, Block 1 of the Gandhi Addition, addressed at 1163 W. Hwy 67 (600 Block of N. Parkway Drive).

The Alvarado City Council will also conduct a public hearing and consider the recommendations of the Planning and Zoning Commission regarding the above matters on Monday, August 21, 2023 at 6:30 p.m. in the Council Chambers at Alvarado City Hall, 104 W. College Avenue.