

**REGULAR MEETING OF THE
CITY OF ALVARADO PLANNING AND ZONING COMMISSION
104 W. COLLEGE AVE.
OCTOBER 10, 2023
6:30 PM
AGENDA**

The Planning and Zoning Commission of the City of Alvarado will meet in a regularly called session on Tuesday, October 10, 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 9/5/2023 Regular Planning and Zoning Commission Meeting.

CONSENT AGENDA: NA

NEW BUSINESS:

2. Public hearing, consideration and action on an application of Chris Bruckner on behalf of the E. R. Russell Estate for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604. (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

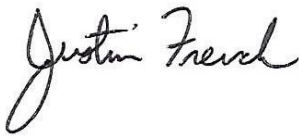
ACCESSIBILITY STATEMENT

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. 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 September 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
September 5, 2023 @ 6:30 PM**

MINUTES

The Planning and Zoning Commission of the City of Alvarado met in a regularly called session on Tuesday, September 5, 2023 at 6:30 p.m. in the Council Chambers at City Hall. The following members were present for roll call:

Mike McBee
Joshua Rendon
Kelly Richardson
Ryan Banister

The following alternate was present for roll call and was called to the dais to serve on the Commission by Acting Chairman McBee:
Barbara Fuller

The following members were absent for roll call:
Bryan Thornton

The following alternate was absent for roll call:
Flint Webb

City personnel present: Justin French, Community Development Director

Acting Chairman McBee called the meeting to order at 6:33 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT – None

APPROVAL OF MINUTES – Commissioner Banister moved to approve the August 8, 2023 minutes as written. Commissioner Richardson seconded the motion. Motion passed with five votes in favor and none opposed.

CONSENT AGENDA – None

NEW BUSINESS

Acting Chairman McBee opened the public hearing at 6:34 pm. for consideration and action on 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. Mr. French presented a brief overview of the request. The applicants, Mr. and Mrs. Johnston were present to answer any questions. Being no one further to speak upon the request, Acting Chairman McBee closed the public hearing at 6:39 pm, and after some deliberation by the Commission, Commissioner Rendon moved to recommend approval to City Council. Commissioner Fuller seconded the motion. Motion passed with four votes in favor, none opposed, and Commissioner Banister absent for the vote.

Acting Chairman McBee opened the public hearing at 6:45 pm. for consideration and action on application of Auburn-Cal Associates, LP for approval of a zoning change from Multi-family (MF) District with a portion having the Floodplain (FP) Overlay District to General Commercial (C-2) District on 2.15 acres known as Lot 2 of the Great Divide Addition, addressed at 101 N. Parkway Drive. Mr. French presented a brief overview of the request. The applicant's representative, Mr. Renfro McCoy, was present to answer any questions. Being no one further to speak upon the request, Acting Chairman McBee closed the public hearing at 6:49 pm, and after some deliberation by the Commission, Commissioner Banister moved to recommend approval to City Council. Commissioner Fuller seconded the motion. Motion passed with five votes in favor and none opposed.

ADJOURNMENT

Acting Chairman McBee 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: October 10, 2023

Contact: Justin French, Community Development Director

AGENDA ITEM:

Public hearing, consideration and action on the application of Chris Bruckner on behalf of Robert E. Russell, Independent Executor for the Charles Marvin Russell Estate, and Successor Executor for the Ernest Russell and the Dimple Russel Estate, for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604.

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 rezoning is anticipated to produce development consistent with the Comprehensive Plan.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Staff suggests the Commission recommend approval to Council per the Comprehensive Plan.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Application
Applicant's Boundary Survey
Location Map
Future Land Use Map
Zoning Map
General Commercial District Quick Reference
Property Owner Notice List
Notices
Drafted Ordinance 2023-0029

CITY OF ALVARADO

APPLICATION FOR ZONING CHANGES

DATE: 9/5/23 CLERK: _____ FEE: _____ CASE NO: _____

NAME OF APPLICANT: CHRIS BRUCKNER PH: (806) 376-6273

MAILING ADDRESS: 9471 I-40 EAST, AMARILLO, TX 79118

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

NAME OF OWNER: Bruckner Truck Sales PH: (806) 376-6273

MAILING ADDRESS: 9471 I-40 E Amarillo, TX 79118

STREET ADDRESS OF PROPERTY: TBD ACREAGE: 26.995 AC.

LEGAL DESCRIPTION: SEE ATTACHED

PRESENT ZONE OF PROPERTY: AG PRESENT USE: VACANT FIELD

REQUESTED ZONE: C-2 PROPOSED USE: TRUCK DEALERSHIP/COMM

REASON FOR CHANGE: DEVELOPMENT

USAGE OF ADJACENT PROPERTY NORTH: TRUCK DEALERSHIP

SOUTH: MOBILE HOME & TRAILER SALES

EAST: VACANT LAND

WEST: INTERSTATE I-35

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: Chris Bruck

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

OWNER: Robert E Russell, Independent Executor - Charles Marvin Russell Estate, Successor Executor - Ernest Russell Estate & Dimple Russell estate

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

<Seal>

Notary Public in and for The State of Texas.

My Commission expires _____

0 300 600 900



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1954.58'	306.20'	305.88'	N 39°24'15" W	8°58'33"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 34°55'10" W	162.23'
L2	N 43°53'52" W	175.00'
L3	N 01°37'05" E	70.09'
L4	N 45°51'37" E	210.20'

SURVEYOR:
FORT WORTH SURVEYING
P.O. BOX 760
ALVARADO, TX 76009
Phone: (817) 819-7391
FIRM REGISTRATION No. 10194635

DRAWN BY: C.G.H.

APPROVED BY: R.L.H.

DATE: 05-23-2023

JOB No. 2023_015

WILLIAMS PRODUCTIONS
GULF COAST COMPANY, L.P.
VOL. 3743, PG. 474,
R.P.R.J.C.T. (10q.)

FND. 1/2" IRON ROD

COUNTY ROAD No. 604
N 60°50'55" E
1423.84'

26.995 ACRES
E.R. RUSSELL ESTATE
VOL. 1659, PG. 388
D.R.J.C.T.

JOHN MULLICAN SURVEY
ABSTRACT No. 584
S 29°46'55" E
1179.01'

THE O'BANION FAMILY
GROUP, LTD.
INS. No. 2017-21851
R.P.R.J.C.T.

60D NAIL FOUND

530.57'

N 39°17'55" W

823.96'

S 45°52'58" W

631.03'

45°54'13" W

POB

CONTROL MONUMENT
N=6841783.28
E=2358930.36

FND. 1/2" IRON ROD

SET 1/2" IRON ROD

INTERSTATE No. 35W
(VARIABLE WIDTH
RIGHT-OF-WAY)

POWER POLE (TYP.)

CONTROL MONUMENT
N=6841344.16
E=2358477.17

FND. 1/2" IRON ROD

NATIONAL RETAIL
PROPERTIES, L.P.
PLAT 2022-067
R.P.R.J.C.T.

NATIONAL RETAIL
PROPERTIES, L.P.
INS. No. 2019-04271
R.P.R.J.C.T.

R.V. RETAILER TEXAS
REAL ESTATE, L.L.C.
INS. No. 2018-18562
R.P.R.J.C.T.

FND. 1/2" IRON ROD

S 45°49'49" W

303.36'

S 45°49'49" W

FND. 1/2" IRON ROD

THE O'BANION FAMILY
GROUP, LTD.
INS. No. 2017-21851
R.P.R.J.C.T.

LEGAL DESCRIPTION

BEING A 26.995 ACRE TRACT OF LAND SITUATED IN THE JOHN MULLICAN SURVEY, ABSTRACT No. 584 AND BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO RUSSELL ESTATE, AS RECORDED IN VOLUME 1659, PAGE 388, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND, SAID IRON ROD BEING IN THE EAST RIGHT OF WAY (R.O.W.) OF INTERSTATE No. 35 WEST (I-35W) AND THE SOUTHEAST CORNER OF SUBJECT PROPERTY;

FOLLOWING CALLS ARE ALONG THE EAST R.O.W. OF SAID I-35W AS FOLLOWS:

THENCE N 34°55'10" W CONTINUING ALONG EAST R.O.W. OF I-35W A DISTANCE OF 162.23 FEET TO A 1/2" IRON ROD SET WITH A YELLOW FORT WORTH SURVEYING CAP, SAID IRON ROD BEING THE BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 1954.58 FEET;

THENCE ALONG SAID CURVE THE LEFT AN ARC LENGTH OF 306.20 FEET, WITH A CHORD BEARING OF N 39°24'15" W AND A CHORD LENGTH OF 305.88 FEET TO A 1/2" IRON ROD SET WITH A YELLOW FORT WORTH SURVEYING CAP;

THENCE N 43°53'52" W A DISTANCE OF 175.00 FEET TO A 1/2" IRON ROD FOUND;

THENCE N 01°37'05" E A DISTANCE OF 70.09 FEET TO A 1/2" IRON ROD FOUND, SAID IRON ROD BEING IN THE SOUTH R.O.W. OF COUNTY ROAD No. 604;

THENCE N 45°51'37" E DEPARTING EAST R.O.W. OF SAID I-35W AND ALONG THE SOUTH R.O.W. OF COUNTY ROAD No. 604 A DISTANCE OF 210.20 FEET TO A 1/2" IRON ROD FOUND;

THENCE N 60°50'55" E A DISTANCE OF 1423.84 FEET TO A 1/2" IRON ROD FOUND; FOLLOWING CALLS ARE GENERALLY ALONG A 6 FOOT CHAIN LINK FENCE AS FOLLOWS:

THENCE S 29°46'55" E DEPARTING SAID COUNTY ROAD No. 604 A DISTANCE OF 1179.01 FEET TO A 1/2" IRON ROD FOUND;

THENCE S 45°49'49" W A DISTANCE OF 303.36 FEET TO A 1/2" IRON ROD FOUND;

THENCE N 39°17'55" W A DISTANCE OF 823.96 FEET TO A 60D NAIL FOUND;

THENCE S 45°52'58" W A DISTANCE OF 530.57 FEET TO A 1/2" IRON ROD FOUND;

THENCE S 45°54'13" W A DISTANCE OF 631.03 FEET TO THE POINT OF BEGINNING, AND CONTAINING 26.995 ACRES OF LAND, MORE OR LESS.

TITLE SURVEY of
26.995 ACRES
E.R. RUSSELL ESTATE
VOL. 1659, PG. 388
DEED RECORDS,
JOHNSON COUNTY, TEXAS
ALVARADO, TEXAS
JOHN MULLICAN SURVEY,
ABSTRACT No. 584



OVERHEAD
ELECTRIC
LINE
FND. 1/2" IRON ROD
SOUTHWESTERN BELL
TELEPHONE COMPANY
VOL. 622, PG. 720
D.R.J.C.T. (10j.)
TEXAS POWER & LIGHT
COMPANY
VOL. 707, PG. 793
D.R.J.C.T. (10i.)

JOHNSON COUNTY
WATER SUPPLY, CORP.
VOL. 789, PG. 288
D.R.J.C.T. (10n.)
TEXAS UTILITIES
ELECTRIC COMPANY
VOL. 1585, PG. 686
D.R.J.C.T. (10u.)

CONTROL
MONUMENT
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E=2358930.36

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THENCE N 39°17'55" W A DISTANCE OF 823.96 FEET TO A 60D NAIL FOUND;

THENCE S 45°52'58" W A DISTANCE OF 530.57 FEET TO A 1/2" IRON ROD FOUND;

THENCE S 45°54'13" W A DISTANCE OF 631.03 FEET TO THE POINT OF BEGINNING, AND CONTAINING 26.995 ACRES OF LAND, MORE OR LESS.

I HEREBY CERTIFY:

TO BRUCKNER TRUCK SALES, INC. A TEXAS CORPORATION, AND FIRST NATIONAL TITLE INSURANCE COMPANY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS TO THE BEST OF MY KNOWLEDGE CORRECT, AND THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON.

SURVEY WAS MADE ON THE GROUND MAY 2023

Rickey Lynn Hickman
RICKEY LYNN HICKMAN R.P.L.S. 4974

THIS SURVEY ALSO SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A CONDITION II SURVEY.

- Bearings shown hereon are based on the found monuments shown & referenced per the recorded deed.
- The legal description does form a mathematically closed figure with no gaps, gores or overlaps.
- All distances are measured in U.S. Feet.
- According to the Flood Insurance Rate Map for Johnson County, Texas & incorporated areas, Community Panel No. 48251C0215U, Dated December 4, 2012 affects no portion of this property.
- Bearings (and distances and coordinates) shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone Grid, and based on the North American Datum of 1988.
- There was a Gas Pad Site along County Road No. 604 South of the North Line Property Line that has since been abandoned.

REFERENCES:

THIS SURVEY WAS PREPARED IN CONJUNCTION WITH THE TITLE COMMITMENT LISTED BELOW:

TITLE COMMITMENT: G.F. # 23-728162-CB
FIRST NATIONAL TITLE INSURANCE COMPANY

DATE ISSUED: 03-15-23
EFFECTIVE DATE: 03-07-23

ONLY THOSE MATTERS IDENTIFIED IN THE TITLE COMMITMENT AND THOSE THAT THE SURVEYOR WAS AWARE OF AT THE TIME OF THIS SURVEY ARE SHOWN.

SCHEDULE B

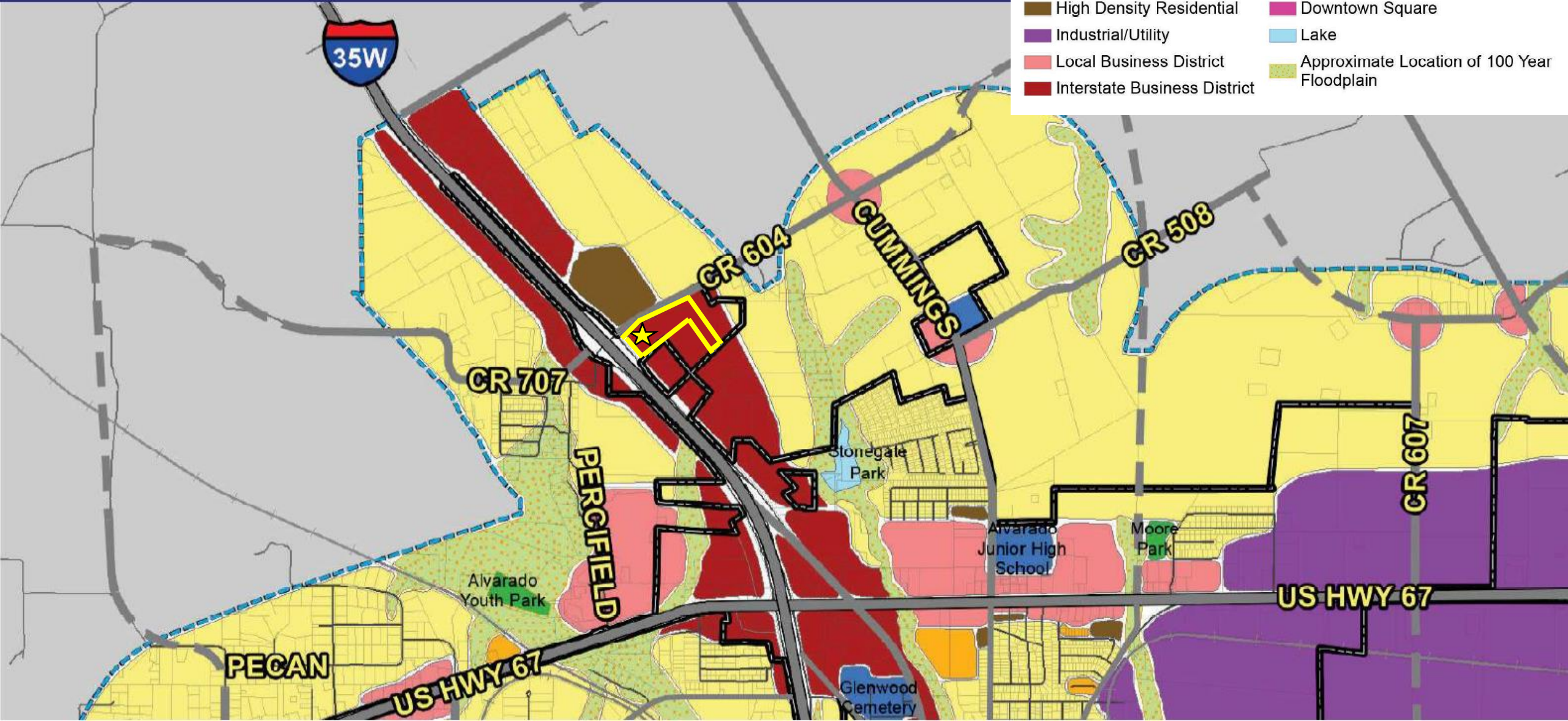
- Easement to Texas Power & Light Company as recorded in Vol. 382, Pg. 336, D.R.J.C.T. does not affect subject property.
- Easement to Dalworth Conservation District as recorded in Vol. 422, Pg. 498, D.R.J.C.T. does not affect subject property.
- Easement to Texas Power & Light Company as recorded in Vol. 435, Pg. 66, D.R.J.C.T. does not affect subject property.
- Easement to Texas Power & Light Company as recorded in Vol. 440, Pg. 485, D.R.J.C.T. does not affect subject property.
- Easement to Southwestern Bell Telephone Company as recorded in Vol. 622, Pg. 720, D.R.J.C.T. does affect subject as shown.
- Agreement by and between Otis U. Percifield & Ernest Russell as recorded in Vol. 529, Pg. 649, D.R.J.C.T. does not appear to affect subject property.
- Easement to Texas Power & Light Company as recorded in Vol. 707, Pg. 793, D.R.J.C.T. does affect subject property as shown.
- Boundary Line Agreement as recorded in Vol. 667, Pg. 173, D.R.J.C.T. does not affect subject property.
- Easement to Johnson County Water Supply as recorded in Vol. 789, Pg. 288, D.R.J.C.T. does affect subject property along property line adjacent to I-35W Frontage Road but said water line was located by dig-ress provided by Johnson County Special Utility District and the location is shown hereon.
- Easement to Energy Transfer Fuel, L.P. as recorded in Vol. 3674, Pg. 760, D.R.J.C.T. does not affect subject property.
- Easement to Williams Production-Gulf Coast Company, L.P. as recorded in Vol. 3700, Pg. 676, D.R.J.C.T. does not appear to affect subject property.
- Easement to Williams Production-Gulf Coast Company, L.P. as recorded in Vol. 3743, Pg. 474, D.R.J.C.T. does affect subject property as shown.
- Easement to Williams Production-Gulf Coast Company, L.P. as recorded in Vol. 3846, Pg. 779, & Vol. 4605, Pg. 864, D.R.J.C.T. does not affect subject property.
- Ingress/Egress Rights across subject property as recorded in Ins. No. 2011-24731, R.P.R.J.C.T. does not affect subject property.
- Easement to Peregrine Pipeline Company, L.P. as recorded in Vol. 4213, Pg. 159, D.R.J.C.T. does not affect subject property.
- Easement to Texas Utilities Electric Company as recorded in Vol. 1585, Pg. 686, D.R.J.C.T. does affect subject property as shown.



Figure 18. Future Land Use

Future Land Use

- | | |
|------------------------------|---|
| Low Density Residential | Parks and Open Space |
| Medium Density Residential | Public/Semi-Public |
| High Density Residential | Downtown Square |
| Industrial/Utility | Lake |
| Local Business District | Approximate Location of 100 Year Floodplain |
| Interstate Business District | |



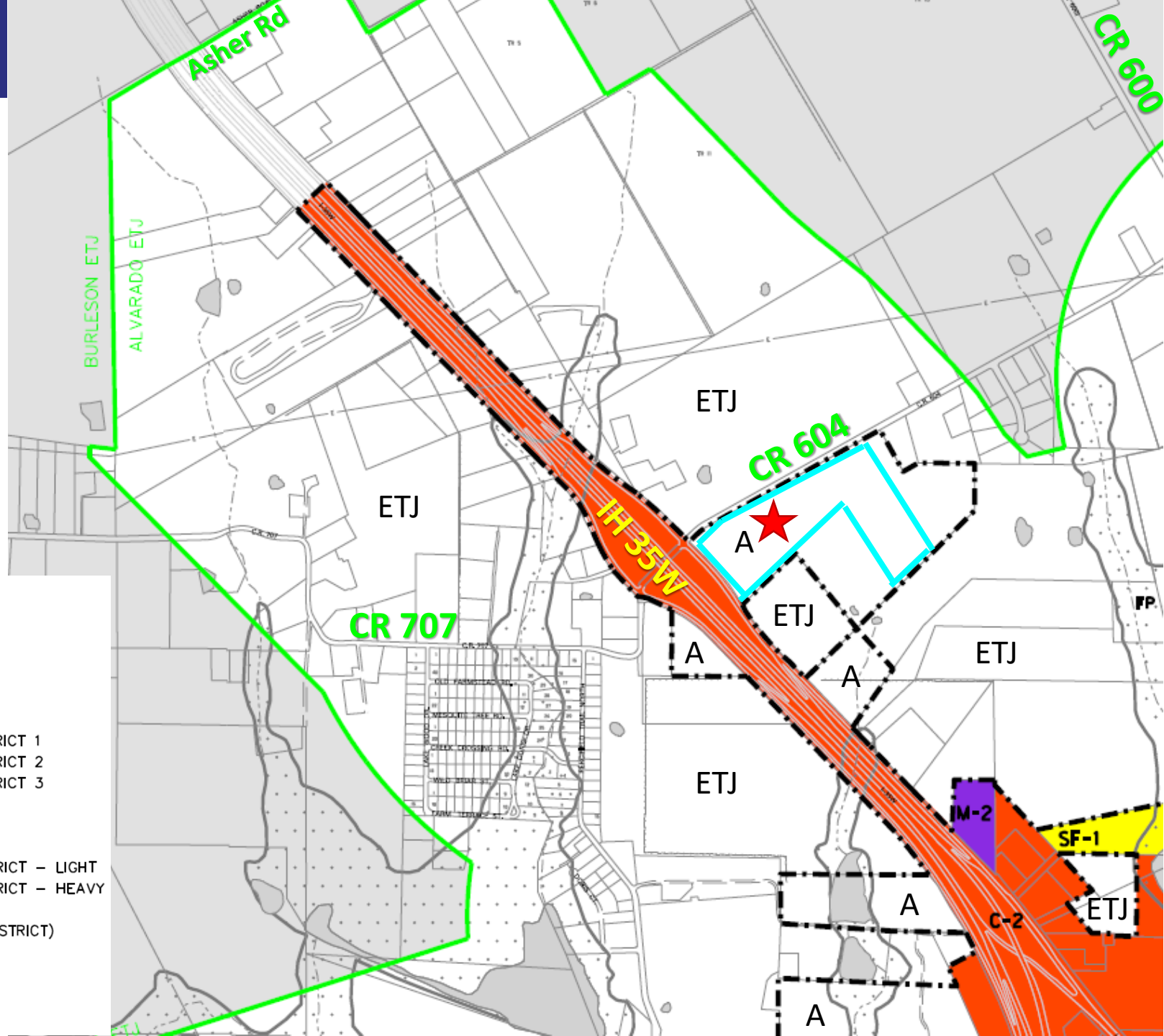
Zoning Map

(A Closer Look)

Current Record

ZONING DISTRICTS

	INCORPORATED CITY LIMIT
	A AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY DISTRICT 1
	SF-2 SINGLE FAMILY DISTRICT 2
	TF TWO FAMILY (DUPLIX) DISTRICT
	MH-1 MANUFACTURED HOME PARK DISTRICT 1
	MH-2 MANUFACTURED HOME PARK DISTRICT 2
	MH-3 MANUFACTURED HOME PARK DISTRICT 3
	MF MULTY FAMILY DISTRICT
	C-1 COMMERCIAL DISTRICT 1
	C-2 COMMERCIAL DISTRICT 2
	M-1 MANUFACTURING/INDUSTRIAL DISTRICT - LIGHT
	M-2 MANUFACTURING/INDUSTRIAL DISTRICT - HEAVY
	PD PLANNED DEVELOPMENT DISTRICT
	FP FLOODPLAN DISTRICT (OVERLAY DISTRICT)
	IN INSTITUTIONAL DISTRICT
	CBD CENTRAL BUSINESS DISTRICT
	SFA SINGLE FAMILY APARTMENTS
	GH GARDEN HOMES



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 heli-atop	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

	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

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;

-
- (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)

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 ¹
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 ²

¹ 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.

² 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)

Alvarado Address	Owner within 200 Feet	Mailing Address	City	State	Zip Code	PID
5221 S. IH 35W	National Retail Properties LP	450 S. Orange Ave Ste 900	Orlando	FL	32801	126.2142.01010
5473 S. IH 35W	The O Banion Family Group LTD	2150 S. Hwy A1A	Vero Beach	FL	32963	126.0584.00351

	Owner, Applicant, ISD	Mailing Address	City	State	Zip Code
Chris Bruckner	Bruckner Truck Sales	9471 I-40 E	Amarillo	TX	79118
	E. R. Russell Est	30571 Los Altos Drive	Redlands	CA	92373



City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

September 27, 2023

E. R. Russell Estate
30571 Los Altos Drive
Redlands, CA 92373

The City of Alvarado has received your request for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604.

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 10th day of October 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

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 16th day of October 2023, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this 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.

Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org



City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

September 27, 2023

Bruckner Truck Sales
Attn: Chris Bruckner
9471 I-40 E
Amarillo, TX 79118
806.376.6873

The City of Alvarado has received your request for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604.

NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

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NOTICE OF HEARING BEFORE CITY COUNCIL

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 16th day of October 2023, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this 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.

Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org



City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

September 27, 2023

Dear Property Owner,

The City of Alvarado has received the request made by Chris Bruckner on behalf of the E. R. Russell Estate for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604.

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 10th day of October 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

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 16th day of October 2023, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this request.

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.

Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org

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, October 10, 2023 at 6:30 P.M. to consider and act on the items below.

Application of Chris Bruckner on behalf of Robert E. Russell, Independent Executor for the Charles Marvin Russell Estate, and Successor Executor for the Ernest Russell and the Dimple Russell Estate, for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604.

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, October 16, 2023 at 6:30 p.m. in the Council Chambers at Alvarado City Hall, 104 W. College Avenue.

ORDINANCE NO. 2023-0029

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING FROM AGRICULTURAL (A) DISTRICT TO GENERAL COMMERCIAL (C-2) DISTRICT, A PORTION OF TRACT 9 OF THE J. MULLICAN SURVEY, A-584, BEING 26.995 ACRES ADDRESSED AT 6624 CR 604, IN THE CITY OF ALVARADO, JOHNSON COUNTY, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 11 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado, Texas at least 16 days before such hearing; and

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

WHEREAS, The City's Future Land Use map in the Alvarado Comprehensive Plan designates the subject site to the Interstate Business land use category and the proposed zoning is consistent with this land use category; and

WHEREAS, The City Council is of the opinion that the zoning 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 to change the zoning designation on the hereinafter described property and area as shown below:

Approximately 26.995 acres known as a portion of Tract 9 of the J. Mullican Survey, A-584, addressed at 6624 CR 604 from a Agricultural (A) District to General Commercial (C-2) District, in the City of Alvarado, Johnson County, Texas.

SECTION 2. This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the

provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

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

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

AND SO IT IS ORDAINED.

Passed on this the 16th day of October, 2023 by a vote of ____ to ____.

ATTEST:

CITY OF ALVARADO

Beth A. Walls, City Secretary

By: _____
Jacob Wheat, Mayor