

**REGULAR MEETING OF THE
CITY OF ALVARADO PLANNING AND ZONING COMMISSION
104 W. COLLEGE AVE.
FEBRUARY 15, 2024
6:30 PM
AGENDA**

The Planning and Zoning Commission of the City of Alvarado will meet in a regularly called session on Thursday, February 15, 2024 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 1/18/2024 Regular Planning and Zoning Commission Meeting.

CONSENT AGENDA: NA

NEW BUSINESS:

2. Consideration and action on the application of Richard Rushton on behalf of Agave Trail Development LLC for approval of the Agave Trail Addition preliminary plat on 113.09 acres known as Tract 6 and a portion of Tract 22A1 in the John Ross Survey, A-737, approximately addressed at 1220 and 1300 N. Cummings 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

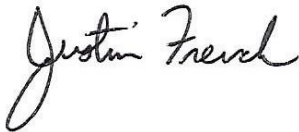
ACCESSIBILITY STATEMENT

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. 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 February 12, 2024 before 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



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

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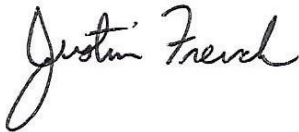
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A handwritten signature in black ink that reads "Justin French". The signature is written in a cursive, flowing style.

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



Planning and Zoning Commission Meeting Management Report

Meeting Date: February 15, 2024

Contact: Justin French, Community Development Director

AGENDA ITEM:

Consideration and action on the application of Richard Rushton on behalf of Agave Trail Development LLC for approval of the Agave Trail Addition preliminary plat on 113.09 acres known as Tract 6 & a portion of Tract 22A1 in the John Ross Survey, A-737, approximately addressed at 1220 and 1300 N. Cummings Drive.

BACKGROUND & FINDINGS:

The preliminary plat application was submitted and deemed administratively complete on February 6, 2024. Per Section 34-34.c of the Alvarado subdivision ordinance, the Planning and Zoning Commission shall:

- (1) Act within 30 days after the filing of preliminary plat,
- (2) Submit one of the following recommendations to the City Council.
 - a. Approve.
 - b. Approve with conditions.
 - c. Disapprove with reasons.

The Future Lane Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Low Density Residential, which generally includes single-family detached residences at approximately four dwelling units per acre. On November 20, 2023, City Council approved a rezoning of the site to the Planned Development District. Staff finds the preliminary plat to comply with the minimum standards of the Alvarado subdivision ordinance and all other ordinances with the exceptions being stated in the attached recommended conditions of approval letter.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

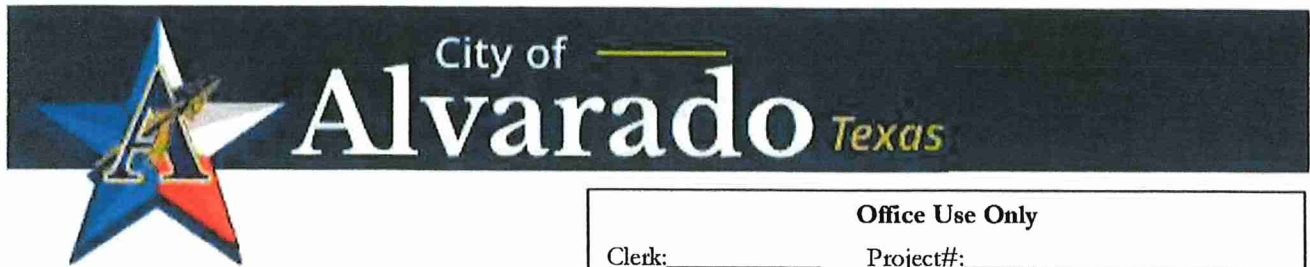
Staff suggests the Commission recommend to Council approval with conditions listed in the recommended conditions of approval letter attached.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Application
Location Map
Future Land Use Map
Zoning Map
Applicant's Preliminary Plat
Applicant's Response to DRC Comments
Applicant's Letter Requesting Subdivision Ordinance Variances
Draft Recommended Conditions of Approval Letter
Preliminary Plat with City Engineer's Comments



PLAT APPLICATION

Office Use Only

Clerk: _____ Project#: _____
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 AGAVE TRAILS
Total Lots 654 Total Acres 113.09 ACRES Current Zoning EXIST. PD
ORD #2022-007
Subdivision Name AGAVE TRAIL Lots 654 Block(s) 21
Survey Name(s) JOHN ROSS Abstract No.(s) 737 Tract(s) 6, 8 & 22
Address/Location 1220 N. CUMMINGS DRIVE / SE CORNER CR 508 & CR 600

Applicant

Company or Name AGAVE TRAIL DEVELOPMENT LLC
Contact Name RICHARD RUSHTON
2140 E. SOUTHLAKE BLVD., SUITE L-655, SOUTHLAKE, TX 76092
Address _____ City _____ State _____ Zip _____
Telephone 760-902-5000 Email rjr@rushtonwest.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.

Signature of Applicant, Owner, or Authorized Agent

2/2/2024

Date

Planning Official

Fee: \$

Date of P&Z Meeting

Date of Council Meeting

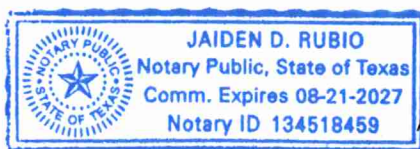
Signature of Planning Official

****FOR OFFICE USE ONLY****

Received By

Date Received

Date Approved



2-2-24

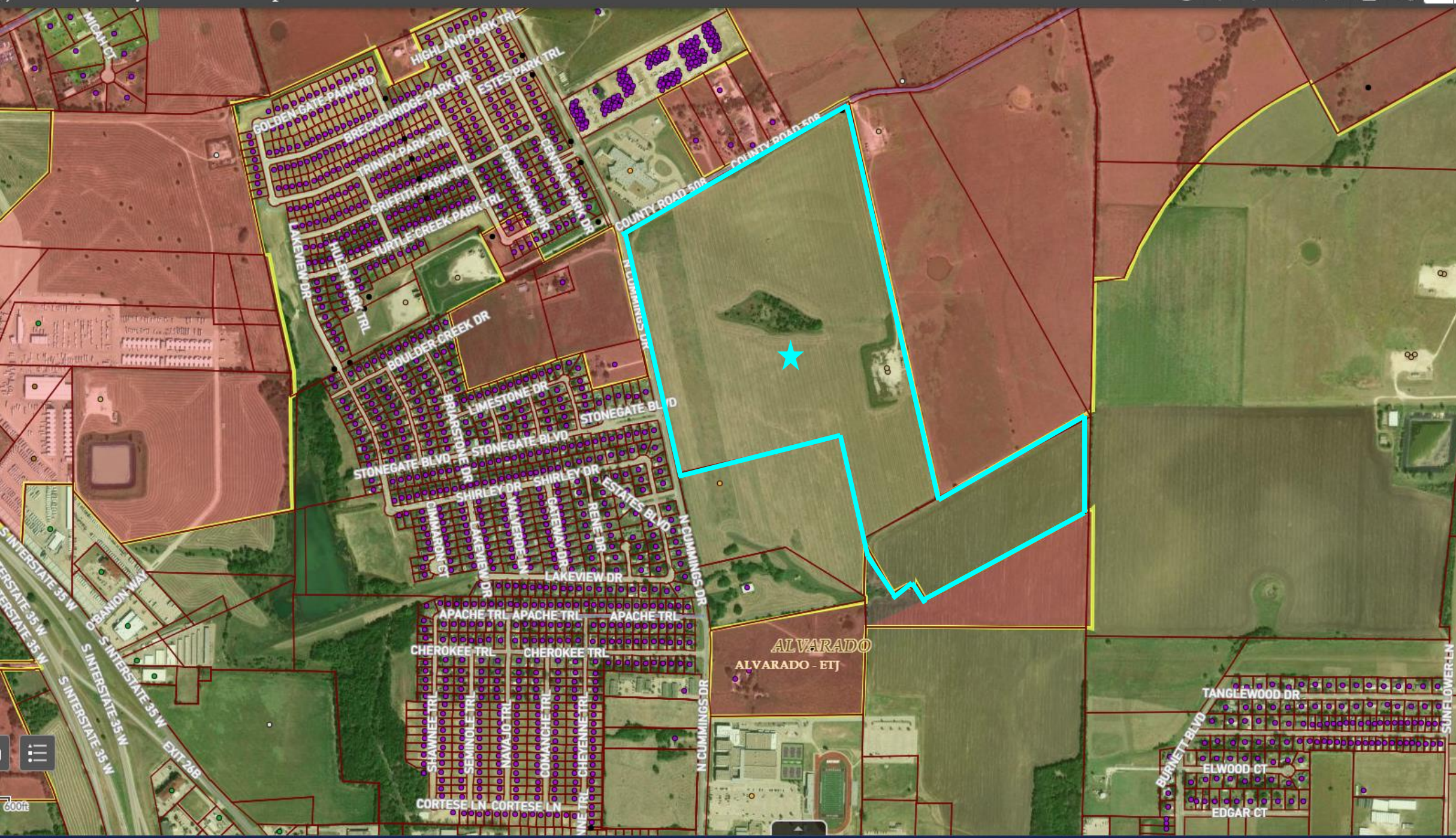
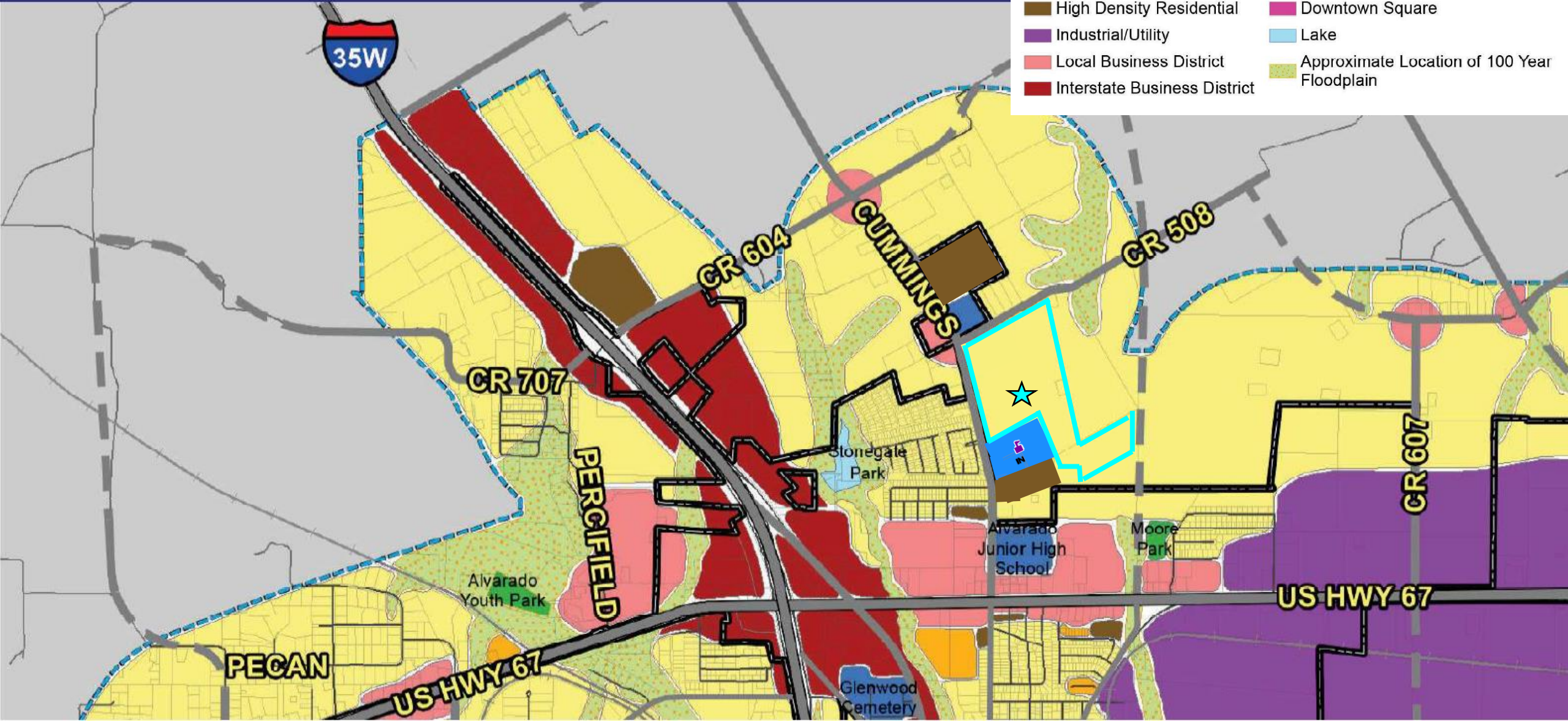


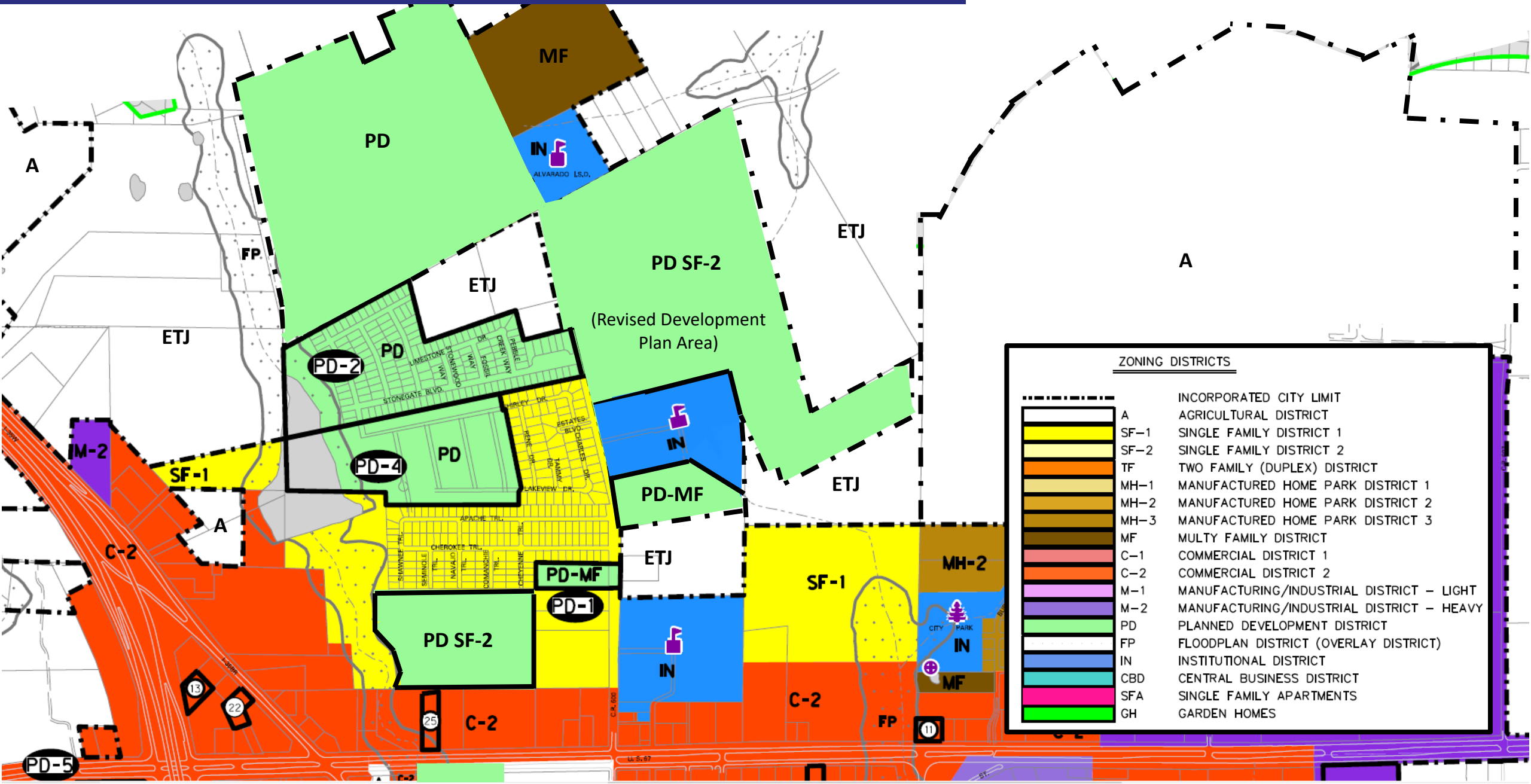
Figure 18. Future Land Use

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 with Proposed Amendment



PROPOSED LOT COUNTS		
BASE SIZE	40' - 4,800 SF	
PHASE 1	336	
PHASE 2	277	
PHASE 3	41	
TOTAL:	654	

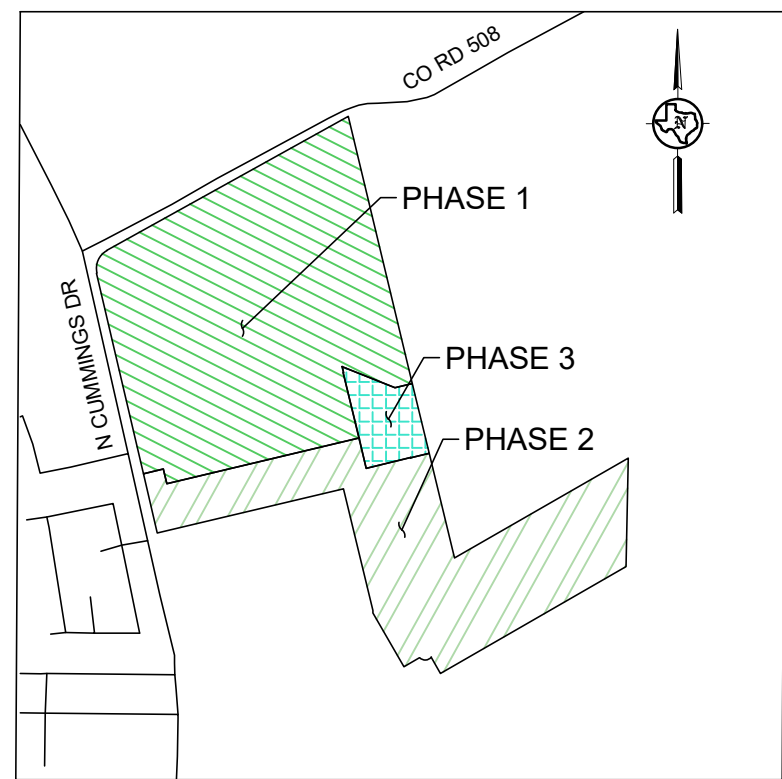
NOTES:

- PER SECTION 34-167(I) OF THE ALVARADO SUBDIVISION ORDINANCE, REAR AND SIDE DRIVEWAY ACCESS TO MAJOR THOROUGHFARES SHALL BE PROHIBITED.
- ALL COMMON LOTS SHOWN HEREIN MUST BE MAINTAINED BY THE AGAVE TRAILS HOA.

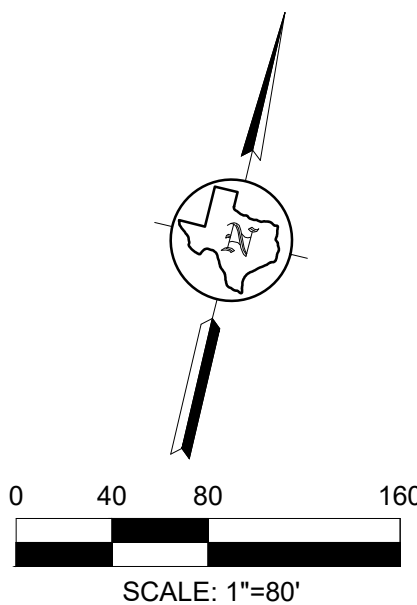
CALLER: 10 ACRES
ALVARADO INDEPENDENT
SCHOOL DISTRICT
VOL. 1000, PG. 747,
D.R.J.C.T.

ROYE ESTATES
VOL. 8, PG. 953,
P.R.J.C.T.

OWNER:
ROY ANDERSON
MANAGEMENT, LLC
J.C.C.I. NO. 2013-008805,
O.P.R.J.C.T.



VICINITY MAP
N.T.S.



LEGEND

- PRELIMINARY PLAT BOUNDARY
- PHASE LINE
- EXISTING PIPELINE EASEMENT
- UTILITY EASEMENT (AS NO)
- UTILITY EASEMENT
- UTILITY AND WALL MAINTENANCE EASEMENT

PRELIMINARY PLAT
AGAVE TRAILS, PHASE I, II, III
BLOCK A, LOTS 1-22; BLOCK B, LOTS 1-9;
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BLOCK G, LOTS 1-10; BLOCK H, LOTS 1-20;
BLOCK I, LOTS 1-14; BLOCK J, LOTS 1-9;
BLOCK K, LOTS 1-32; BLOCK L, LOTS 1-10;
BLOCK M, LOTS 1-15; BLOCK N, LOTS 1-56;
BLOCK O, LOTS 1-56; BLOCK P, LOTS 1-64;
BLOCK Q, LOTS 1-36; BLOCK R, LOTS 1-58;
BLOCK S, LOTS 1-35; BLOCK T, LOTS 1-59;
BLOCK U, LOTS 1-38; COMMON LOTS 1X - 13X

BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

THIS DOCUMENT IS RELEASED
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OF SCOTT L. GRAVES, P.E.
88150. IT IS NOT TO BE USED
FOR CONSTRUCTION, BIDDING,
OR PERMIT PURPOSES.
DATE: 02/02/2024

REVISION No. DATE REVISION DESCRIPTION MADE CHECKED APPROVED

DEC ENGINEERING EXCELLENCE
T.B.P.E.S. FIRM REGISTRATION NO. F-8996
3000 LBJ Freeway, Suite 810, Dallas, TX 75244-7720, 972.285.2502

PRELIMINARY PLAT
(1 OF 3)

PRELIMINARY PLAT
FOR
AGAVE TRAIL DEVELOPMENT, LLC
BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

DESIGN BY: SS/SG DATE: 02/02/2024 SHEET No. 01 OF 9
DRAWN BY: AE/EL SCALE: 1" = 80' JOB NO. 5348-01
APPROVED: WG

SEE SHEET 2 OF 3

OWNER:
AGAVE DEVELOPMENT GROUP, LLC
300 BYERS STREET,
ROANOKE, TEXAS 76262
(817) 897-7737
CONTACT: John Heilman

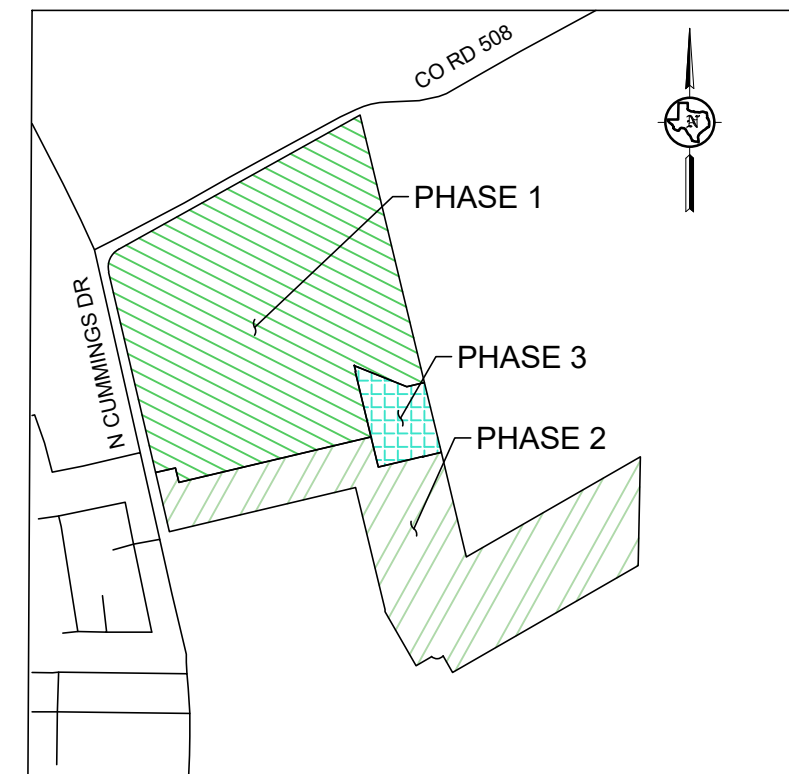
SURVEYOR:
SPOONER & ASSOCIATES
3030 LBJ FREEWAY,
SUITE 910, DALLAS, TX 75243-7720
(972) 239-2002
CONTACT: Eric Spooner

ENGINEER:
DE CORP.
3030 LBJ FREEWAY,
SUITE 910, DALLAS, TX 75243-7720
(972) 239-2002
CONTACT: William Gladbach

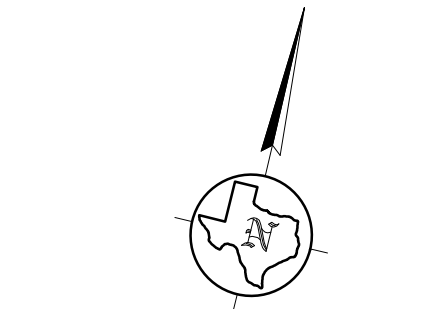
ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS

N:\1220\5348-01\CAD\SHEETS\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

SEE SHEET 1 OF 3



VICINITY MAP
N.T.S.



0 40 80 160
SCALE: 1"=80'

LEGEND

- PRELIMINARY PLAT
--- BOUNDARY
--- PHASE LINE
--- EXISTING PIPELINE EASEMENT
--- UTILITY EASEMENT (AS NOTED)
U.E. UTILITY EASEMENT
U.W.M.E. UTILITY AND WALL MAINTENANCE EASEMENT
49.72' ** VARIANCE REQUEST FOR R.O.W. REDUCTION

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DEC ENGINEERING EXCELLENCE
T.B.P.E.S. FIRM REGISTRATION NO. F-8996
3000 US Highway, Suite 810, Dallas, TX 75248-7720 (972) 289-2002

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PHASE 3	41
TOTAL:	654

FUTURE
MULTI-FAMILY (MF)
431,541 SF 9.91 AC

FUTURE SCHOOL SITE

961,820 SF
22.08 AC

N 59°20'34" W 66'

ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS

N:\1220\5348-01\CAD\Sheets\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

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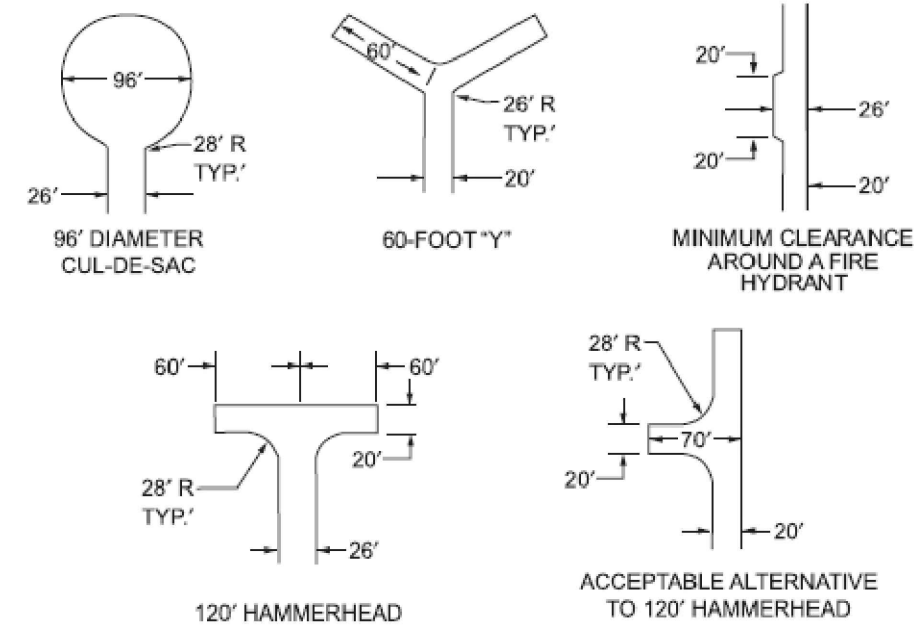
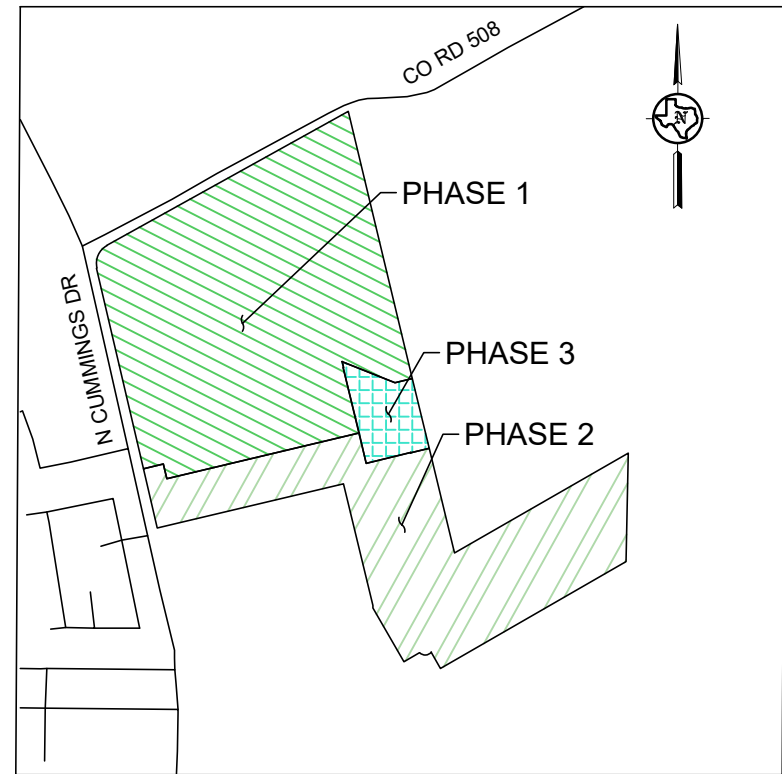


FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND



VICINITY MAP
N.T.S.



0 40 80 160
SCALE: 1"=80'

LEGEND

	PRELIMINARY PLAT BOUNDARY
	PHASE LINE
	EXISTING PIPELINE EASEMENT
	UTILITY EASEMENT (AS NOTED)
	U.E. UTILITY EASEMENT
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3030 LBJ Freeway, Suite 910, Dallas, TX 75238-7720, (972) 239-2002

PRELIMINARY PLAT
(3 OF 3)

PRELIMINARY PLAT
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ENGINEER:
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CONTACT: William Gladbach

CALLLED: 101.892 ACRES
ALVARADO INDEPENDENT
SCHOOL DISTRICT
J.C.C.I. NO. 2001-023658,
O.P.R.J.C.T.

CALLLED: 429.401 ACRES
ALVARADO 420 PARTNERS
INS. NO. 2021-23336,
O.P.R.J.C.T.

EXISTING 20' SS
EASEMENT INST.
#2023-12946

SEE SHEET 2 OF 3

THE LAND AREA DESIGNATE HEREIN AS PROPOSED DRAINAGE EASEMENT IS
A LAND PURCHASE FROM THE ALVARADO INDEPENDENT SCHOOL DISTRICT. A
PURCHASE CONTRACT AND LAND CLOSING IS ANTICIPATED IN EARLY 2024.
THIS AREA IS LOCATED WITHIN THE ETJ OF THE CITY OF ALVARADO AND IS
NOT PART OF THE PRELIMINARY PLAT LIMITS FOR THIS DEVELOPMENT

ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS

N:\1220\5348-01\CAD\SHETS\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

February 2, 2024

February 6, 2024 updated

City of Alvarado
Alvarado Development Review Committee
104 West College Street
Alvarado, Texas 76009

RE: Preliminary Review of Agave Trail Addition Preliminary Plat - UPDATE

To Whom It May Concern,

Please accept this letter as our comment responses to the review comments provided from the Alvarado DRC, received via email on January 31, 2024. We have provided a copy of the original comments and our corresponding response below. Since comments are being tracked in two locations, comment numbers for both locations are provided below and noted as follows:

Letter Comment # / Email Comment #

2a / 1. Offsite utility easements necessary must be secured for sanitary sewer facility improvement to bring sanitary sewer service to the subject site in accordance with the Alvarado Waste Water Master Plan **prior to submittal of the first final plat.**

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

2b / 2. A letter from JCSUD consenting to City of Alvarado being the water supplier within the northern portion of the preliminary plat, where located in JCSUD's CCN, is required **prior to submittal of the first final plat** if the City of Alvarado will be the water supplier.

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

2c / 3. A letter from JCSUD indicating that they agree to supply water to the Agave Trail development is required **prior to submittal of the first final plat** if JCSUD will be the water supplier.

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

2d / 4. If JCSUD is to be the water supplier, the **preliminary** plat must show a JCSUD easement where required by JCSUD. Typical JCSUD easement is 20 feet outside of right-of-way and other utility easements, which may result in the reduction of buildable lots along CR 508 and N. Cummings Drive.

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- 13 / 5. Provide a Traffic Impact Analysis (TIA) that supplements the Lone Oak TIA, the N. Cummings Drive TIA, and the Large Retailer's TIA for the City Engineer's review per Art. VI, Sec. 34-164(t) of the Alvarado subdivision ordinance **prior to submittal of the first final plat.**

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- 13a / 6. The N. Cummings Drive Reconstruction project's TIA recommends a right-turn deceleration lane for northbound N. Cummings Drive at proposed Agave Street subdivision entrance. Adequate, ROW dedication for this deceleration lane shall be shown on the ~~preliminary~~ plat, resulting in Lots 1-6, Block P becoming unbuildable due to insufficient lot depth. Therefore, consider showing on the preliminary plat, the area of Lots 1-6, Block P as a new common (open space) lot to be maintained by the HOA.

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- 14 / 7. Per Section 4.7 of the development agreement dated August 15, 2022, the developer is responsible for the design of all roadway facilities required to serve the development, which is to be determined by a TIA. The \$3.4M from the developer to the City per the development agreement is only for construction of improvements as warranted by a TIA. The party or parties responsible for design, utility relocation, ROW acquisition, etc. for CR 508 and the CR 508/N. Cummings Drive intersection improvements shall be determined **prior to any final plat approval.**

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- 15 / 8. In accordance with the TIA, reconstruction of CR 508 with four through lanes along the subject site's CR 508 frontage and adequate intersection improvements at CR 508 and N. Cummings Drive are required. Therefore, the recording information for the separate instrument that dedicates the offsite right-of-way for the northern portion of CR 508 to the City of Alvarado is required prior to the first final plat submittal. The responsible party to acquire this ROW shall be identified **prior to final plat approval.**

RESPONSE: Comment noted. Requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- 16a / 9. Along the far eastern boundary of the preliminary plat where closest to the proposed Lone Oak Addition, that necessary (approximately 60 feet) to achieve 120 feet of right-of-way dedication from the western property line of the proposed Lone Oak Addition must be shown as dedicated right-of-way on the **preliminary plat and the dead end of Antelope Street on the east end must have an adequate turn around for fire apparatus after this ROW dedication.**

RESPONSE: The request land area does not belong to the Agave Development; therefore, can not be dedicated as right-of-way. The land area in question remains the property of the Alvarado ISD.

Additionally, the developer worked specifically with the AISD to leave the City's requested 60' ROW as part of the developer's land swap deal and subsequent plat. It was previously communicated to the developer, by the City, that Lone Oak would be responsible for the remaining 60' of ROW dedication. As such, the Agave development planned accordingly. The current plat submitted with the 60' ROW is exactly what was asked of the development; complying with the City's request. The developer would like to proceed with the Preliminary Plat as submitted.

Dimension have been added to the preliminary plat (sheet 03) indicating the remaining ISD land size suitable for the ROW dedication, as per a previous request.

The dead-end turnaround on Antelope Street has been sized based on the minimal dimensional requirements of the International Fire Code. A copy of the IFC reference has been placed on the preliminary plat (Sheet 03).

- 17 / 10. Per Art. VI, Sec. 34-164(d) of the Alvarado subdivision ordinance, street right-of-way widths shall be as shown on the thoroughfare plan and where not shown therein shall be not less than those shown in the design standards. The Alvarado Thoroughfare Plan indicates local streets are to have 54 feet of right-of-way width.

RESPONSE: Per previous conversations with City Staff, the development will request a variance of the subdivision ordinance to reduce the required right-of-way width from 50-feet to 49.5' to allow a variable width right-of-way in front of Lots 37-53, Block P.

- 18 / 11. Per Sec. 34-167 of the Alvarado subdivision ordinance, on the basis of the land use district in which they lie and the use to which they are to be put, all lots must conform to the zoning regulations of Chapter 42 (Alvarado zoning ordinance), including minimum area, width and depth. The Agave Trail Planned Development requires a minimum lot depth of 120 feet unless backing to a major street. Lots 37-53, Block P must comply with the minimum lot depth required.

RESPONSE: Per previous conversations with City Staff, the development will request a variance of the subdivision ordinance to reduce the required right-of-way width from 50-feet to 49.5' to allow a variable width right-of-way in front of Lots 37-53, Block P.

In conjunction with the variance request for a variation in the width of right-of-way, Lots 37-53, Block P have been adjusted to the minimum depth of 120- feet.

21 / 12. Label the area between Lots 59 & 60, Block P the next available Open Space Lot or combine the areas into one or both adjacent lots.

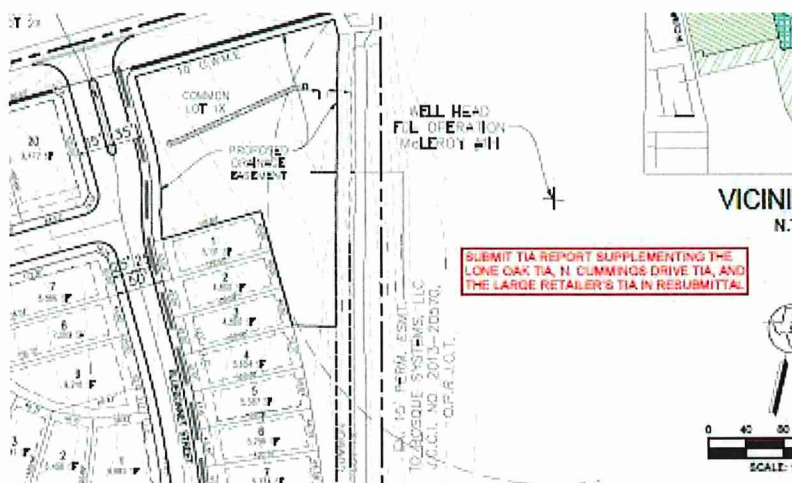
RESPONSE: The area in question has been labeled "Common Lot 12x".

22 / 13. Lot 31, Block U shows less than 40' of lot frontage. Per Sec. 34-167(j) of the Alvarado subdivision ordinance, each lot shall be provided with adequate access to an existing or proposed public street by frontage on such street not to be less than 40 feet.

RESPONSE: The frontage for Lot 31, Block U has been adjusted to 40.25' and is now in compliance.

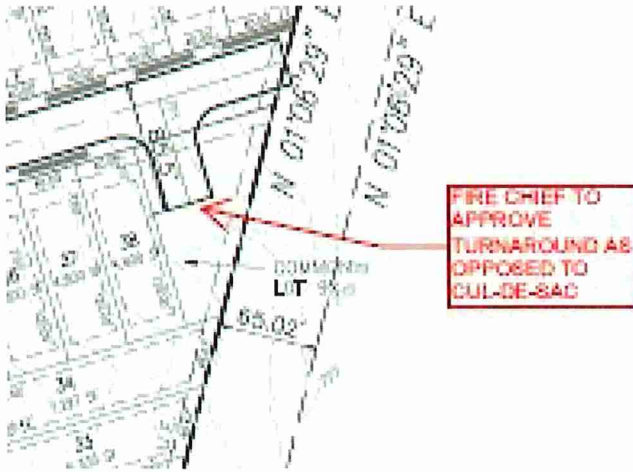
Additional comments were provided on the submitted plans by the City Engineer's Office. The review comments were provided through the Alvarado DRC, received via email on January 31, 2024. We have provided a copy of the original comments and our corresponding response below.

- Submit a TIA supplementing the "Lone Oak TIA", "N. Cummings Drive TIA" and the "Large Retailer TIA ...".



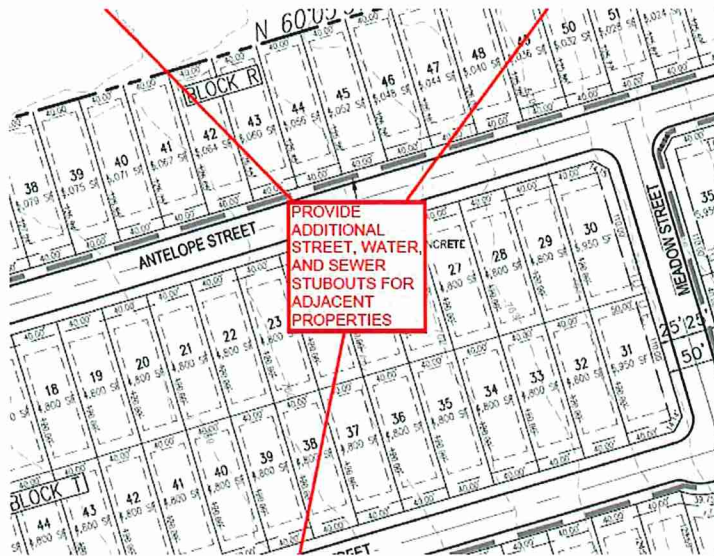
RESPONSE: In response to Comment 5 above, the TIA requirement has been pushed to prior to the first final plat submittal. No action taken with this resubmittal.

- Fire Chief to approve turnaround as opposed to a cul-de-sac.



RESPONSE: In response to Comment 9 above, The dead-end turnaround on Antelope Street has been sized based on the minimal dimensional requirements of the International Fire Code. A copy of the IFC reference has been placed on the preliminary plat (Sheet 03).

- Provide additional street, water and sewer stubouts for adjacent properties



RESPONSE: Street, water and sewer has been stubbed for future connection to the east property within the Phase 3 area of the project (refer to Sheet 02 and 07).

Street and water for the south property will be from within the future North Baugh Street right-of-way proposed along the eastern property line (refer to Sheet 02) or from existing City infrastructure along the parcels south property line, Highway 67. Additionally, the south property is Alvarado Independent



DEC- North Texas, LLC
2501 Parkview Dr. Suite 670
Fort Worth, TX 76102
(817) 763-8883

School District property. It is standard design practice and safety protocols to limit the number and location of entrances to the school property.

Sewer for the south property will be from the proposed offsite sewer 24-inch extension proposed along the eastern property line (refer to Sheet 09).

Thank you for your consideration, closure of comments that have been addressed or deferred to a later approval stage and the approval of the variance request.

Respectfully,

A handwritten signature in blue ink, appearing to read "Scott L. Graves".

Scott L. Graves, PE, ENV SP
Senior Project Manager
DEC – North Texas, LLC

February 2, 2024

City of Alvarado
Alvarado Development Review Committee
104 West College Street
Alvarado, Texas 76009

RE: Agave Trails Preliminary Plat – Variance Request

To Whom It May Concern,

Please accept this letter as our request for a variance to the Alvarado Subdivision Ordinance, specifically:

Section 34-164 (i): Street widths. Street right-of-way widths shall be as shown on the thoroughfare plan and where not shown therein shall be not less than those shown in the design standards.

Background:

- The City of Alvarado "Comprehensive Plan", adopted June 2014, indicated "Local Streets" to have a right-of-way width of 54-feet; Table 9, page 67.
- The City of Alvarado "Design Standards Manual", updated February 20, 2023, indicates "Residential, Undivided" streets (R2U) to have recommended right-of-way width of 50-feet; Table No. 1, Page ii
- Accordingly, the right-of-way widths for the Agave Trails development have been laid out in adherence to the Design Standards at a width of 50-feet.
- **The variance request is to REDUCE the required minimum right-of-way width to 49.69-feet.**

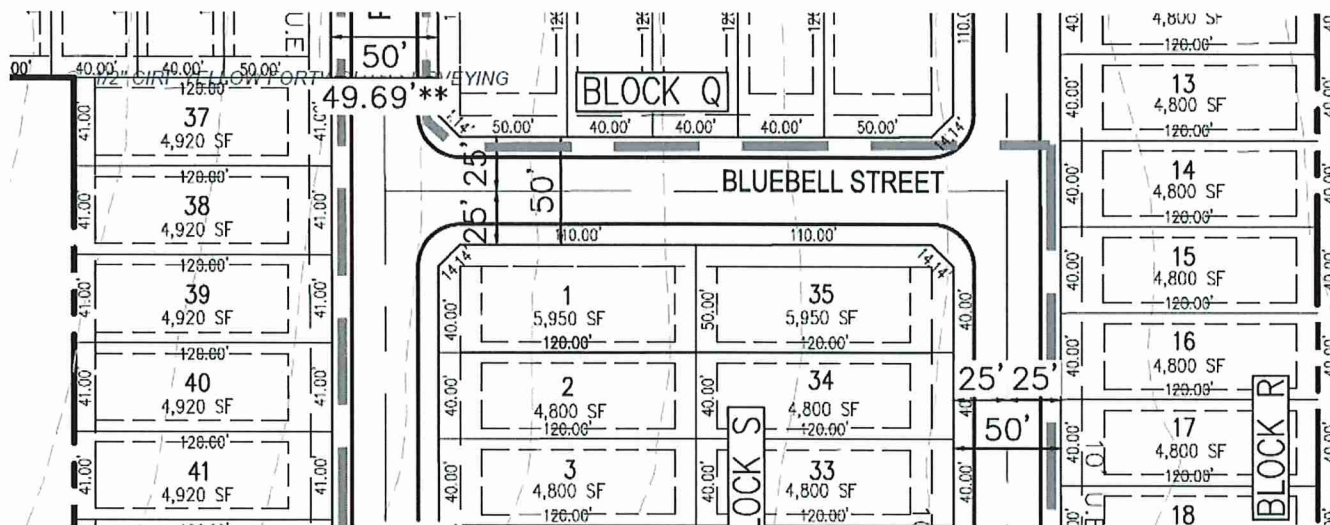
According to City Ordinance Section 34-174 – Variances,

"When a subdivider can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to and where, because of some condition peculiar to the site, in the opinion of the planning and zoning commission and/or the city council a departure may be made without destroying the intent of such provisions, the city council may authorize a variance. No variances will be granted unless the council finds the following:"

- (1) *There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.*

RESPONSE: The geometries of the property prevent adherence to both the Zoning Ordinance minimum lot depth of 120-feet (across four lots) and the Subdivision Ordinance minimum right-of-way with of 50-feet (across two

roadways). Accordingly, one right-of-way needs to be reduced by 0.31-feet to allow all lots to meet with the Zoning Ordinance minimum lot depth.



- (2) *The variances are necessary for the preservation and enjoyment of a substantial property right of the applicant and the granting of the variance will not be detrimental to the public health, safety, or welfare of individuals, or injurious to other properties in the area.*

RESPONSE: Without the variance being approved, seventeen lots would not meet the current City Zoning Ordinance, thereby not be buildable and would prevent the intended use of the affected property area. Additionally, the granting of the variance will not be detrimental to the public health, safety, or welfare of individuals, or injurious to other properties in the area.

- (3) *The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.*

RESPONSE: The granting of the variance request --- reduction of the minimum right-of-way by 0.31' ---- will not have an effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

Thank you for your consideration of this variance request for the Agave Trails development.

Respectfully,

Scott L. Graves, PE, ENV SP
Senior Project Manager
DEC – North Texas, LLC



City of Alvarado
104 W. College Alvarado, TX 76009
817-790-3351 ♦ Fax 817-783-7925 ♦ www.cityofalvarado.org

February 15, 2024

Agave Trail Development LLC
Attn: Richard Rushton
2140 E. Southlake Blvd., Suite L-655
Southlake, TX 76092
760.902.5000
rjr@rushtonwest.com

Re: Agave Trail Addition Preliminary Plat

Dear Mr. Rushton,

This letter is to inform you that on February 15, 2024, the Alvarado Planning and Zoning Commission recommended conditional approval of the preliminary plat for the Agave Trail Addition with the following conditions.

1. Offsite utility easements necessary must be secured for sanitary sewer facility improvement to bring sanitary sewer service to the subject site in accordance with the Alvarado Waste Water Master Plan prior to submittal of the first final plat.
2. A letter from JCSUD consenting to City of Alvarado being the water supplier within the northern portion of the preliminary plat, where located in JCSUD's CCN, is required prior to submittal of the first final plat if the City of Alvarado will be the water supplier.
3. A letter from JCSUD indicating that they agree to supply water to the Agave Trail development is required prior to submittal of the first final plat if JCSUD will be the water supplier.
4. If JCSUD is to be the water supplier, the plat must show a JCSUD easement where required by JCSUD. Typical JCSUD easement is 20 feet outside of right-of-way and other utility easements, which may result in the reduction of buildable lots along CR 508 and N. Cummings Drive. Required perimeter subdivision fencing and backyard fencing in accordance with the development agreement and the Agave Trail PD ordinance must be coordinated with JCSUD prior to the submittal of the phase one final plat.
5. Provide a Traffic Impact Analysis (TIA) that supplements the Lone Oak TIA, the N. Cummings Drive TIA, and the Large Retailer's TIA for the City Engineer's review per Art. VI, Sec. 34-164(t) of the Alvarado subdivision ordinance prior to submittal of the first final plat.
6. The N. Cummings Drive Reconstruction project's TIA recommends a right-turn deceleration lane for northbound N. Cummings Drive at proposed Agave Street subdivision entrance. Adequate, ROW dedication for this deceleration lane shall be shown on the plat, resulting in Lots 1-6, Block P becoming nonconforming (and so unbuildable) due to

insufficient lot depth. Therefore, consider showing on the plat, the area of Lots 1-6, Block P as a new common (open space) lot to be maintained by the HOA.

7. Per Section 4.7 of the development agreement dated August 15, 2022, the developer is responsible for the design of all roadway facilities required to serve the development, which is to be determined by a TIA. The \$3.4M from the developer to the City per the development agreement is only for construction of improvements as warranted by a TIA. The party or parties responsible for design, utility relocation, ROW acquisition, etc. for CR 508 and the CR 508/N. Cummings Drive intersection improvements shall be determined prior to any final plat approval.
8. In accordance with the TIA, reconstruction of CR 508 with four through lanes along the subject site's CR 508 frontage and adequate intersection improvements at CR 508 and N. Cummings Drive are required. Therefore, the recording information for the separate instrument that dedicates the offsite right-of-way for the northern portion of CR 508 to the City of Alvarado is required prior to the first final plat submittal. The responsible party to acquire this ROW shall be identified prior to final plat approval.
9. Along the far eastern boundary of the preliminary plat where closest to the proposed Lone Oak Addition, that necessary (approximately 60 feet) to achieve the 120 feet of right-of-way dedication from the western property line of the proposed Lone Oak Addition must be shown as dedicated right-of-way on the plat and the dead end of Antelope Street on the east end must have an adequate turn around for fire apparatus after this ROW dedication.
10. [Grant Variance to reduce ROW width for internal streets to 50 feet except along Lots 37-53, Block P for which is to be reduced to 49.69 feet only if still necessary after compliance with comment 9.](#) Per Art. VI, Sec. 34-164(d) of the Alvarado subdivision ordinance, street right-of-way widths shall be as shown on the thoroughfare plan and where not shown therein shall be not less than those shown in the design standards. The Alvarado Thoroughfare Plan indicates local streets are to have 54 feet of right-of-way width.

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

Cc.

DEC
Attn: Scott Graves, PE, ENV SP
2501 Parkview Drive, Suite 670
Fort Worth, TX 76102
Scott.graves@decorp.com

Att.

City Engineer Remarks on Preliminary Plat Copy

PROPOSED LOT COUNTS	
BASE SIZE	40' - 4,800 SF
PHASE 1	336
PHASE 2	277
PHASE 3	41
TOTAL:	654

BHC Sixth Review
01-31-2024

This is the sixth review of the Agave Trails Development submittal. Our review is for general compliance with the City of Alvarado's development requirements. It is based on the City's Subdivision Ordinance and Good Engineering Practice, and does not relieve the design engineer of their responsibilities as the Engineer of Record under the Texas Engineering Practice Act.

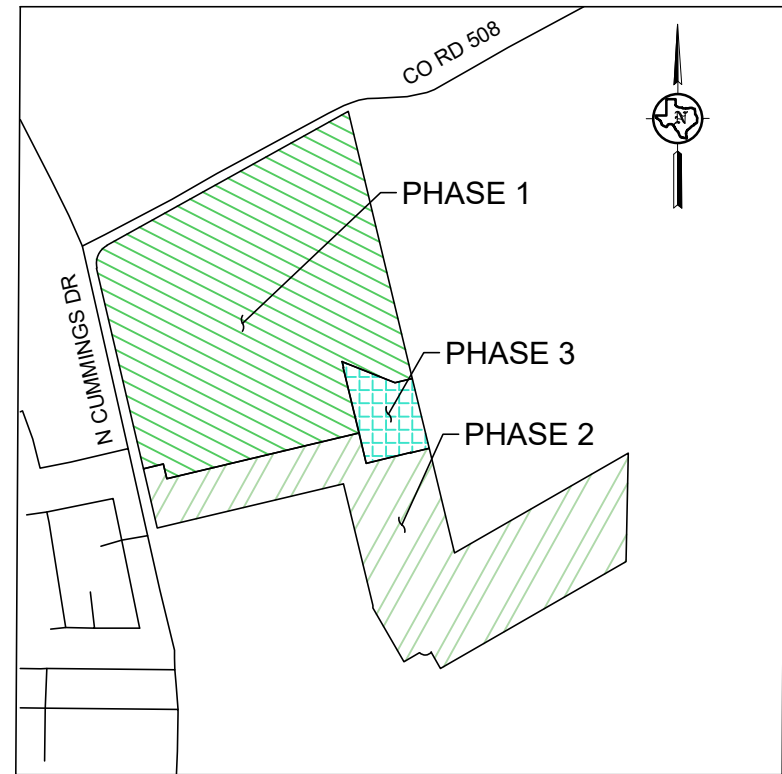
Resubmittal shall include previous review comments and the Engineer's responses to each comment, either on the marked up sheets or as a separate response letter.

Cooper Reinbold, P.E.

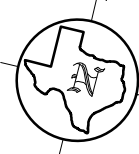
CALLED: 10 ACRES
ALVARADO INDEPENDENT
SCHOOL DISTRICT
VOL. 1000, PG. 747,
D.R.J.C.T.

ROYE ESTATES
VOL. 8, PG. 953,
P.R.J.C.T.

OWNER
ROY ANDERSON
MANAGEMENT, LLC
J.C.C.I. NO. 2013-008805,
O.P.R.J.C.T.



VICINITY MAP
N.T.S.



0 40 80 160
SCALE: 1"=80'

LEGEND

	PRELIMINARY PLAT BOUNDARY
	PHASE LINE
	EXISTING PIPELINE EASEMENT
	UTILITY EASEMENT (AS NO
U.E.	UTILITY EASEMENT
U.W.M.E.	UTILITY AND WALL MAINTENANCE EASEMENT

PRELIMINARY PLAT
AGAVE TRAILS, PHASE I, II, III
BLOCK A, LOTS 1-22; BLOCK B, LOTS 1-9;
BLOCK C, LOTS 1-20; BLOCK D, LOTS 1-28;
BLOCK E, LOTS 1-48; BLOCK F, LOTS 1-15;
BLOCK G, LOTS 1-10; BLOCK H, LOTS 1-20;
BLOCK I, LOTS 1-14; BLOCK J, LOTS 1-9;
BLOCK K, LOTS 1-32; BLOCK L, LOTS 1-10;
BLOCK M, LOTS 1-15; BLOCK N, LOTS 1-56;
BLOCK O, LOTS 1-56; BLOCK P, LOTS 1-65;
BLOCK Q, LOTS 1-36; BLOCK R, LOTS 1-58;
BLOCK S, LOTS 1-35; BLOCK T, LOTS 1-59;
BLOCK U, LOTS 1-37; COMMON LOTS 1X - 13X

BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF INTERIM
REVIEW UNDER THE AUTHORITY
OF SCOTT L. GRAVES, P.E.
88150. IT IS NOT TO BE USED
FOR CONSTRUCTION, BIDDING,
OR PERMIT PURPOSES.
DATE: 01/10/2024

REVISION No. DATE REVISION DESCRIPTION MADE CHECKED APPROVED

DEC ENGINEERING EXCELLENCE
T.B.P.E.L.S. FIRM REGISTRATION NO. F-8996
3000 LBJ Freeway, Suite 810, Dallas, TX 75244-7720 (972) 285-2502

PRELIMINARY PLAT
(1 OF 3)

PRELIMINARY PLAT
FOR
AGAVE TRAIL DEVELOPMENT, LLC
BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

DESIGN BY: SS/SG	DATE: 01/10/2024	SHEET No. 01 OF 9
DRAWN BY: AE/EL	SCALE: 1" = 80'	JOB No. 5348-01
APPROVED: WG		

N:\1220\5348-01\CAD\Sheets\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

SEE SHEET 2 OF 3

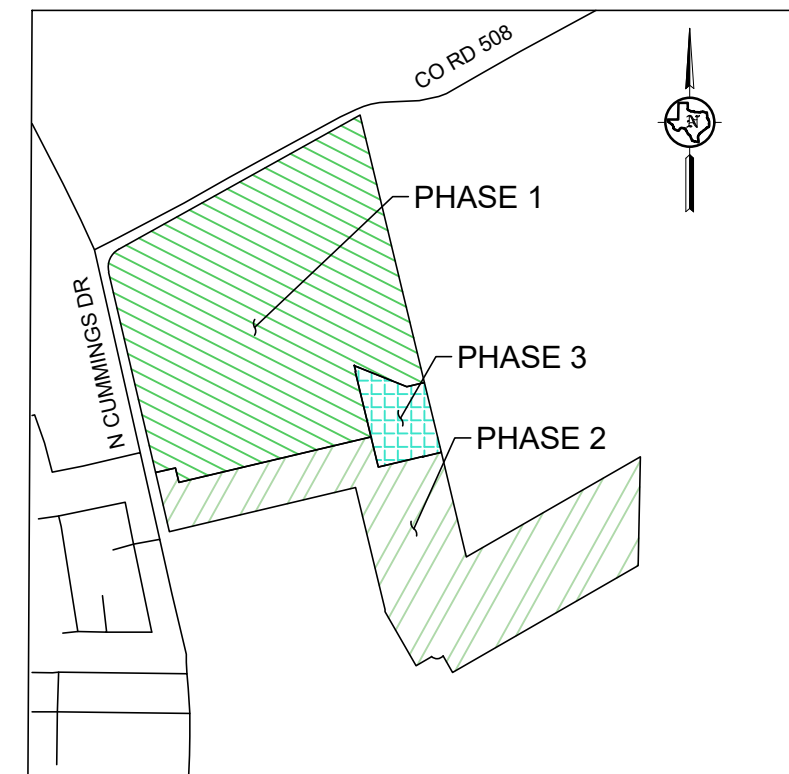
OWNER:
AGAVE DEVELOPMENT GROUP, LLC
300 LAMAR STREET,
ROANOKE, TEXAS 76262
(817) 897-7737
CONTACT: John Heilman

SURVEYOR:
SPOONER & ASSOCIATES
3030 BYERS STREET,
SUITE 100, EULESS, TEXAS 76039
(817) 897-7737
CONTACT: Eric Spooner

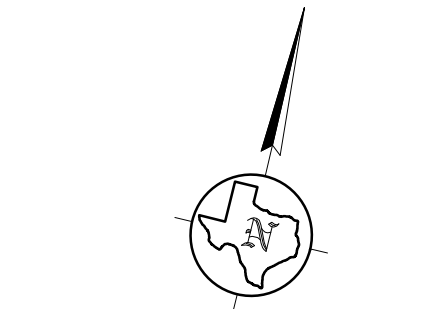
ENGINEER:
DE CORP.
3030 LBJ FREEWAY,
SUITE 910, DALLAS, TX 75243-7720
(972) 239-2002
CONTACT: William Gladbach

ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS

SEE SHEET 1 OF 3



VICINITY MAP
N.T.S.



0 40 80 160
SCALE: 1"=80'

LEGEND

- PRELIMINARY PLAT
--- BOUNDARY
--- PHASE LINE
--- EXISTING PIPELINE EASEMENT
--- UTILITY EASEMENT (AS NO
U.E. UTILITY EASEMENT
U.W.M.E. UTILITY AND WALL
MAINTENANCE EASEMENT

PRELIMINARY PLAT
AGAVE TRAILS, PHASE I, II, III
BLOCK A, LOTS 1-22; BLOCK B, LOTS 1-9;
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BLOCK K, LOTS 1-32; BLOCK L, LOTS 1-10;
BLOCK M, LOTS 1-15; BLOCK N, LOTS 1-56;
BLOCK O, LOTS 1-56; BLOCK P, LOTS 1-65;
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BLOCK S, LOTS 1-35; BLOCK T, LOTS 1-59;
BLOCK U, LOTS 1-37; COMMON LOTS 1X - 13X

BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

SEAL

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DATE: 01/10/2024

REVISION No. DATE REVISION DESCRIPTION MADE CHECKED APPROVED

DEC ENGINEERING EXCELLENCE
T.B.P.E.S. FIRM REGISTRATION NO. F-8896
3000 US Highway, Suite 810, Dallas, TX 75244-7722 (972) 285-2502

PRELIMINARY PLAT
(2 OF 3)

PRELIMINARY PLAT
FOR
AGAVE TRAIL DEVELOPMENT, LLC
BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

DESIGN BY: SS/SG DATE: 01/10/2024 SHEET No. 02 OF 9
DRAWN BY: AE/EL SCALE: 1" = 80' JOB NO. 5348-01
APPROVED: WG

SEE SHEET 3 OF 3

OWNER:
AGAVE DEVELOPMENT GROUP, LLC
300 LAMAR STREET,
ROANOKE, TEXAS 76262
(817) 897-7737
CONTACT: John Heilman

SURVEYOR:
SPOONER & ASSOCIATES
309 BYERS STREET,
SUITE 910, EULESS, TEXAS 76039
(817) 685-8448
CONTACT: Eric Spooner

ENGINEER:
DE CORP.
3030 LBJ FREEWAY,
SUITE 910, DALLAS, TX 75243-7720
(972) 238-2002
CONTACT: William Gladbach

NOTES:

- PER SECTION 34-167(I) OF THE ALVARADO SUBDIVISION ORDINANCE, REAR AND SIDE DRIVEWAY ACCESS TO MAJOR THOROUGHFARES SHALL BE PROHIBITED.
- ALL COMMON LOTS SHOWN HEREIN MUST BE MAINTAINED BY THE AGAVE TRAILS HOA.

PROPOSED LOT COUNTS	
BASE SIZE	40' - 4,800 SF
PHASE 1	336
PHASE 2	277
PHASE 3	41
TOTAL:	654

FUTURE
MULTI-FAMILY (MF)
431,541 SF 9.91 AC

FUTURE SCHOOL SITE

961,820 SF
22.08 AC

N 59°20'34" W 66'

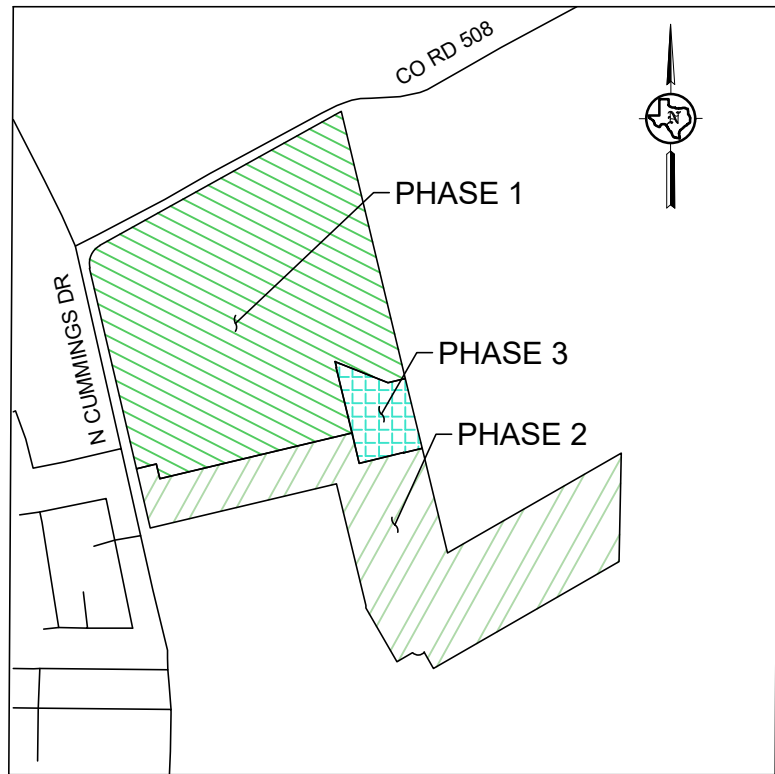
ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS

N:\1220\5348-01\CAD\Sheets\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

PROPOSED LOT COUNTS		
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NOTES:

- PER SECTION 34-167(I) OF THE ALVARADO SUBDIVISION ORDINANCE, REAR AND SIDE DRIVEWAY ACCESS TO MAJOR THOROUGHFARES SHALL BE PROHIBITED.
- ALL COMMON LOTS SHOWN HEREIN MUST BE MAINTAINED BY THE AGAVE TRAILS HOA.



VICINITY MAP
N.T.S.



0 40 80 160
SCALE: 1"=80'

LEGEND

---	PRELIMINARY PLAT BOUNDARY
---	PHASE LINE
---	EXISTING PIPELINE EASEMENT
---	UTILITY EASEMENT (AS NOTED)
U.E.	UTILITY EASEMENT
U.W.M.E	UTILITY AND WALL MAINTENANCE EASEMENT

PRELIMINARY PLAT
AGAVE TRAILS, PHASE I, II, III

BLOCK A, LOTS 1-22; BLOCK B, LOTS 1-9; BLOCK C, LOTS 1-20; BLOCK D, LOTS 1-28; BLOCK E, LOTS 1-48; BLOCK F, LOTS 1-15; BLOCK G, LOTS 1-10; BLOCK H, LOTS 1-20; BLOCK I, LOTS 1-14; BLOCK J, LOTS 1-9; BLOCK K, LOTS 1-32; BLOCK L, LOTS 1-10; BLOCK M, LOTS 1-15; BLOCK N, LOTS 1-56; BLOCK O, LOTS 1-56; BLOCK P, LOTS 1-64; BLOCK Q, LOTS 1-36; BLOCK R, LOTS 1-58; BLOCK S, LOTS 1-35; BLOCK T, LOTS 1-59; BLOCK U, LOTS 1-38; COMMON LOTS 1X - 13X

BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF SCOTT L. GRAVES, P.E. 88150. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. DATE: 01/10/2024	SEAL
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REVISION	No.	DATE	REVISION	DESCRIPTION	MADE	CHECKED	APPROVED
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DEC ENGINEERING EXCELLENCE
T.B.P.E.L.S. FIRM REGISTRATION NO. F-88996
3000 LBJ Freeway, Suite 910, Dallas, TX 75248-7720, 972.239.2502

PRELIMINARY PLAT
(3 OF 3)

PRELIMINARY PLAT
FOR
AGAVE TRAIL DEVELOPMENT, LLC
BEING 113.09 ACRES IN THE
JOHN ROSS SURVEY, ABSTRACT NO. 737
CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

DESIGN BY: SS/SG	DATE: 01/10/2024	SHEET No. 03 OF 9
DRAWN BY: AE/EL	SCALE: 1" = 80'	JOB No. 5348-01
APPROVED: WG		

N:\1220\5348-01\CAD\SHEETS\PRELIM PLAT\01_PRELIM PLAT_1_2_3.DWG

SEE SHEET 2 OF 3

CALLED: 98.41 ACRES
ROBERT LEE FRANKLIN &
MARTHA LEE FRANKLINE
VOL. 1085, PG. 578
O.P.R.J.C.T.

PROVIDE
ADDITIONAL
STREET, WATER,
AND SEWER
STUBOUTS FOR
ADJACENT
PROPERTIES

FIRE CHIEF TO
APPROVE
TURNAROUND AS
OPPOSED TO
CUL-DE-SAC

CALLLED: 429.401 ACRES
ALVARADO 420 PARTNERS
INS. NO. 2021-23336,
O.P.R.J.C.T.

CALLLED: 101.892 ACRES
ALVARADO INDEPENDENT
SCHOOL DISTRICT
SCHOOL C.I. NO. 2001-023658,
J.C.C.I. NO. 2001-023658,
O.P.R.J.C.T.

THE LAND AREA DESIGNATE HEREIN AS PROPOSED DRAINAGE EASEMENT IS A LAND PURCHASE FROM THE ALVARADO INDEPENDENT SCHOOL DISTRICT. A PURCHASE CONTRACT AND LAND CLOSING IS ANTICIPATED IN EARLY 2024. THIS AREA IS LOCATED WITHIN THE ETJ OF THE CITY OF ALVARADO AND IS NOT PART OF THE PRELIMINARY PLAT LIMITS FOR THIS DEVELOPMENT

OWNER:
AGAVE DEVELOPMENT GROUP, LLC
300 LAMAR STREET,
ROANOKE, TEXAS 76262
(817) 897-7737
CONTACT: John Heilman

SURVEYOR:
SPOONER & ASSOCIATES
309 BYERS STREET,
SUITE 100, EULESS, TEXAS 76039
(817) 885-8448
CONTACT: Eric Spooner

ENGINEER:
DE CORP.
3030 LBJ FREEWAY,
SUITE 910, DALLAS, TX 75248-7720
(972) 239-2002
CONTACT: William Gladbach

ORIGINAL SCALE IN INCHES
FOR REDUCED PLANS