

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

The Planning and Zoning Commission of the City of Alvarado will meet in a regularly called session on Tuesday, October 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 9/12/2024 Regular Planning and Zoning Commission Meeting.

CONSENT AGENDA: NA

NEW BUSINESS:

2. Consideration and action on the application of David Lewis with Spry Surveyors on behalf of Alvarado 35/67, LLC for approval of a replat to create Lots 2R1 and 4, Block A of the CVS-Alvarado Addition being 8.04 acres, approximately addressed at 6198 S. IH 35W. (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

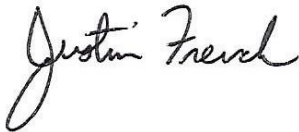
ACCESSIBILITY STATEMENT

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 October 11, 2024 before 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 12, 2024 @ 6:30 PM**

MINUTES

The Planning and Zoning Commission of the City of Alvarado met in a regularly called session on Thursday, September 12, 2024 at 6:30 p.m. in the Council Chambers at City Hall. The following members were present for roll call:

Mike McBee
Ryan Banister
Kelly Richardson

The following members were absent for roll call:

Bryan Thornton
Joshua Rendon

The following alternate was absent for roll call:

Flint Webb

City personnel present: Justin French, Community Development Director

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

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT – None

APPROVAL OF MINUTES – Commissioner Banister moved to approve the September 3, 2024 minutes as written. Commissioner Richardson seconded the motion. Motion passed with three votes in favor and none opposed.

CONSENT AGENDA – None

NEW BUSINESS

No action was taken. (Withdrawn by Applicant) Public hearing, consideration and action on the application by Natasha Harris on behalf of 379 Property Group for approval of a specific use permit in the General Commercial (C-2) District with Floodplain (FP) Overlay for child care center use on 0.195 acres known as Tract 110 of the I. Glaze Survey, Abstract 313, addressed at 202 N. Parkway Drive.

Public hearing, consideration and action on an ordinance amending the zoning ordinance regulations in Chapter 42 of the Alvarado Code of Ordinances, relating to building materials, hardware (inside and outside storage) uses. Mr. French presented a brief overview of the request. Business and property owners, Greg and Lana LaFountain, spoke briefly and were in support of the ordinance except for the requirement for outside storage and display must be on a paved concrete surface. Being no one further to speak upon the request, Vice Chairman McBee asked for a motion, and Commissioner Banister moved to recommend approval to City Council with no less than fifty percent (50%) of the outside display and outside storage be a paved concrete surface. Commissioner Banister seconded the motion. Motion passed with three votes in favor and none opposed.

ADJOURNMENT

Vice Chairman McBee adjourned the regular meeting at 7:15 p.m.

Passed and approved this _____ day of _____, 2024.

Bryan Thornton, Chairman

Attest:

Justin French, Community Development Director



Planning and Zoning Commission Meeting Management Report

Meeting Date: October 15, 2024

Contact: Justin French, Community Development Director

AGENDA ITEM:

Consideration and action to approve the application of David Lewis with Spry Surveyors on behalf of Alvarado 35/67, LLC for approval of a replat to create Lots 2R1 and 4, Block A of the CVS-Alvarado Addition being 8.04 acres, approximately addressed at 6198 S. IH 35W.

BACKGROUND & FINDINGS:

The replat application was submitted and deemed administratively complete on September 19, 2024. Per Section 34-36.c of the Alvarado subdivision ordinance, the Planning and Zoning Commission shall:

- (1) Act within 30 days after the filing of replat,
- (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 Interstate Business, which generally includes big box retail and lifestyle shopping centers along the IH-35W corridor that will increase the non-residential tax revenue for the City and attract residents and visitors. Staff finds the replat to comply with the minimum standards of the Alvarado subdivision ordinance and all other ordinances other than discretion matters reserved for City Council.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Staff suggests the Planning and Zoning Commission recommend approval to Council.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Application

Location Map

Replat

Engineering Plans (Available Upon Request)



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 cvs-Alvarado Addition

Total Lots 2 Total Acres 8.040 Current Zoning C-2

Subdivision Name cvs-Alvarado Addition Lots 2R-1 & 4 Block(s) A

Survey Name(s) John Dixon Abstract No.(s) 214 Tract(s) _____

Address/Location _____

Applicant

Company or Name Spry Surveyors

Contact Name David Lewis

Address 8241 Mid-Cities Blvd., Ste 102 City North Richland Hills State TX Zip 76182

Telephone 817-776-4049 Email spry@sprysurveyors.com

Owner (If Different)

Company or Name Alvarado 35/67, LLC

Contact Name _____

Address 3231 Harwood Road City Bedford State TX Zip 76021

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

Date

Planning Official

Fee: \$	
Date of P&Z Meeting	Date of Council Meeting
Signature of Planning Official	

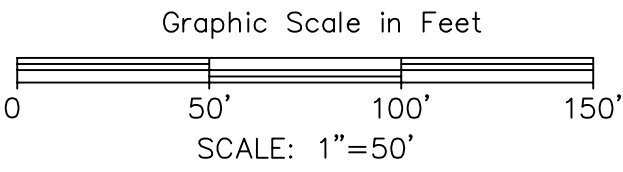
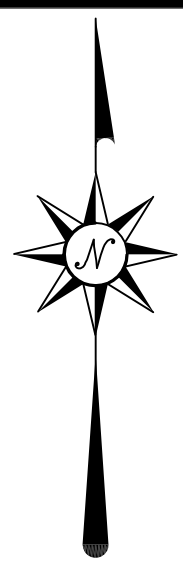
FOR OFFICE USE ONLY		
Received By	Date Received	Date Approved



Sep 30, 2024 - 10:04am
C:\Users\Spry\Surveyors\Spry Surveyors, LLC\Projects\127-Benchmark Group\127-Benchmark Group\127-002-Popeye's NW 135W E Hwy 67-Alvarado\30-Plat\spry-spry-Popeye Plat-Alvarado.dwg



VICINITY MAP
NOT TO SCALE



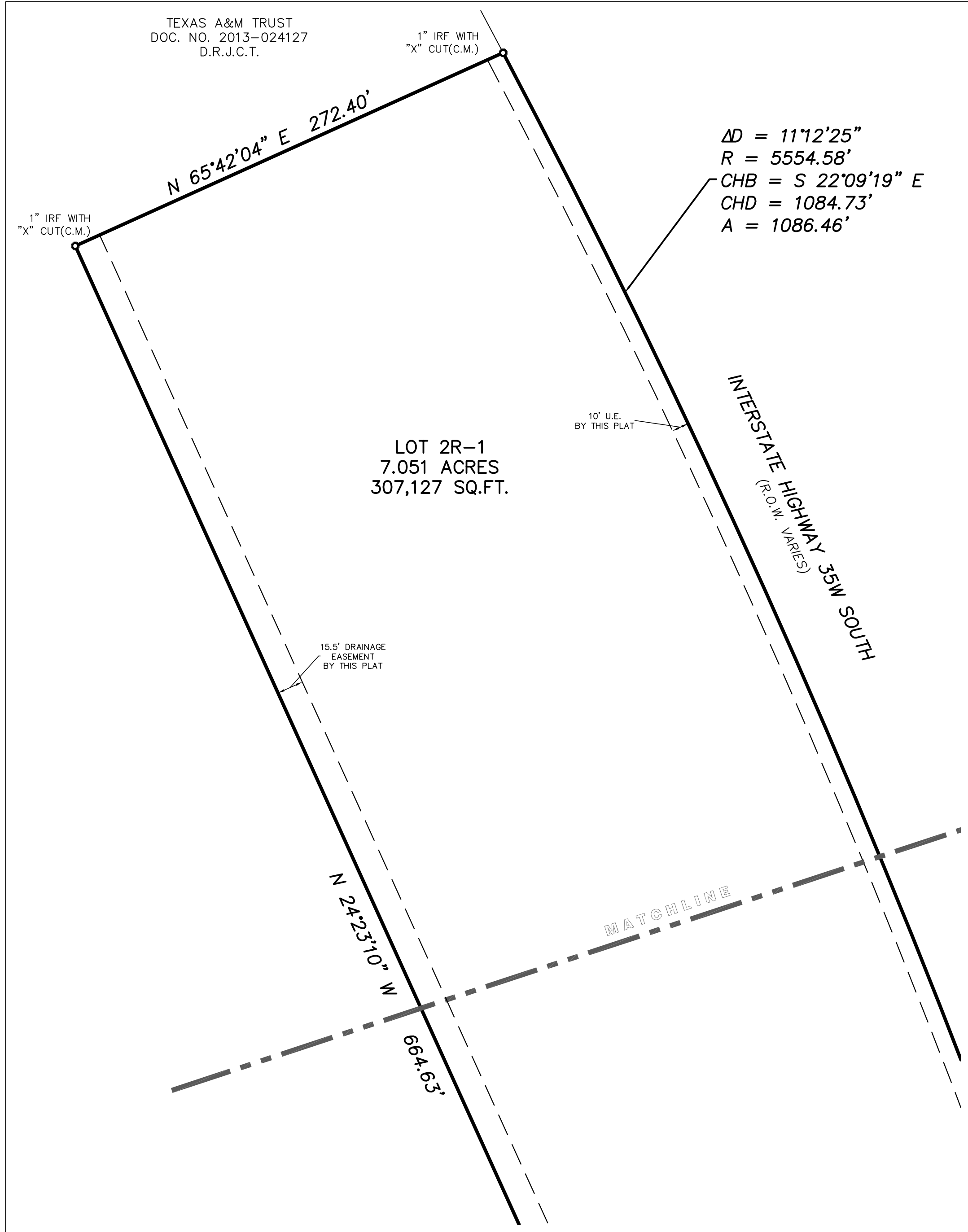
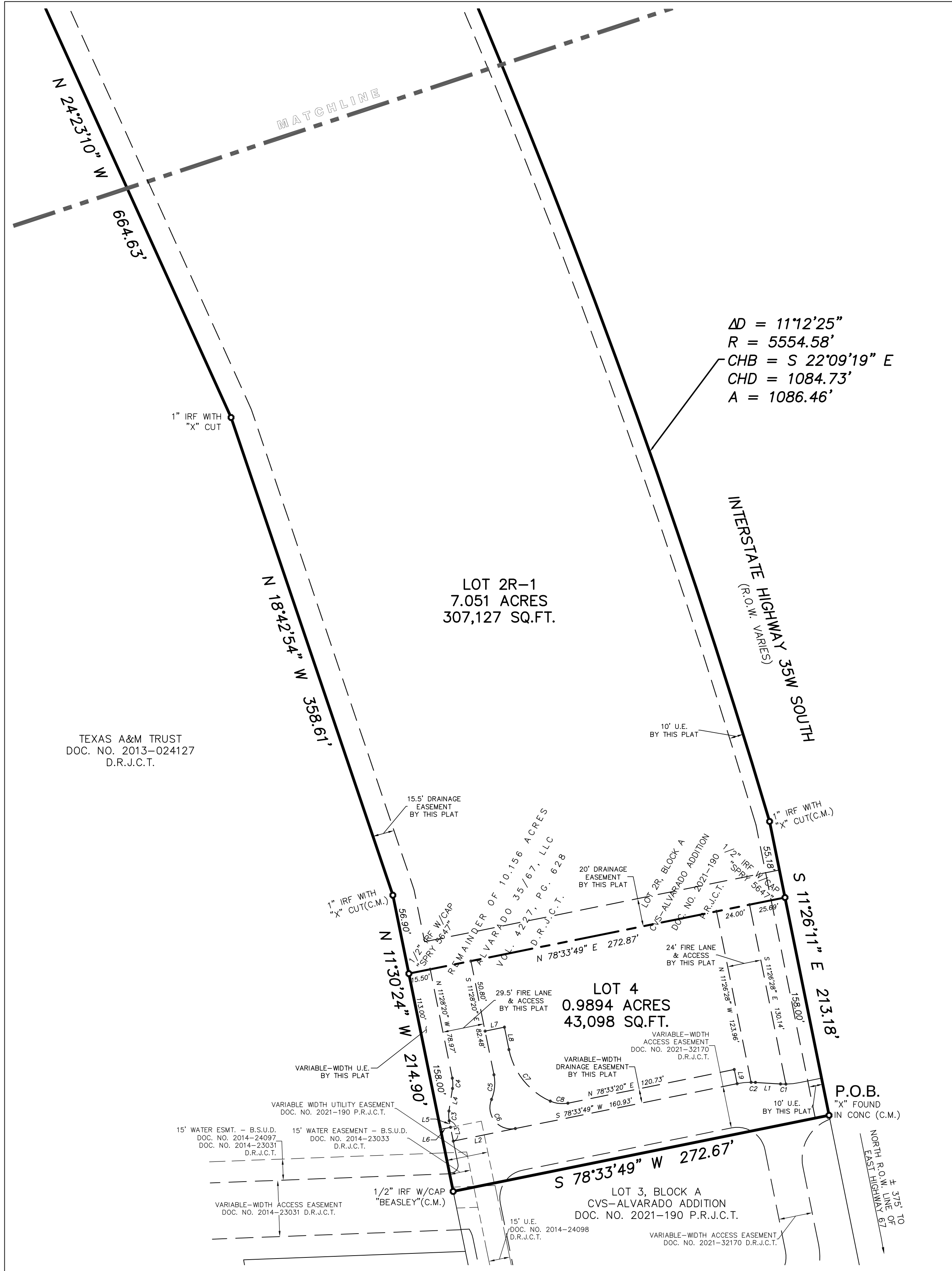
ABBREVIATIONS
D.R.J.C.T. DEED RECORDS OF JOHNSON COUNTY, TEXAS
P.R.J.C.T. PLAT RECORDS OF JOHNSON COUNTY, TEXAS
DOC. NO. DOCUMENT NUMBER
P.O.B. POINT OF BEGINNING
C.M. CONTROLLING MONUMENT
IRF IRON ROD FOUND
R.O.W. RIGHT-OF-WAY
U.E. UTILITY EASEMENT

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 86°26'11" W	17.81'
L2	S 78°33'49" W	45.00'
L3	N 11°26'11" W	14.77'
L4	N 08°56'59" E	16.29'
L5	S 11°26'11" E	4.80'
L6	S 78°33'49" W	7.23'
L7	N 78°31'40" E	14.04'
L8	S 11°24'02" E	16.23'
L9	S 11°26'40" E	10.29'

EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	3.85'	3.84'	N 88°38'19" W	4°24'23"
C2	50.00'	3.13'	3.13'	N 88°13'56" W	3°35'20"
C3	19.50'	6.94'	6.90'	N 01°14'36" W	20°23'10"
C4	20.50'	7.31'	7.27'	N 01°15'41" E	20°25'18"
C5	30.00'	17.85'	17.59'	S 05°34'21" W	34°05'22"
C6	15.17'	32.74'	26.74'	N 39°13'14" E	123°40'32"
C7	51.28'	48.85'	47.03'	S 38°44'13" E	54°35'08"
C8	21.33'	12.74'	12.56'	S 83°21'49" E	33°34'51"

NOTES

- This Plat is issued in conjunction with the Commitment for Title Insurance, prepared by First American Title Guaranty Company, G.F. No. 2860498-DFW60, effective date: February 21, 2014. This Land Title Survey reflects the easements and building lines along with other documented restrictions, of record which have been reported to this Surveyor in Schedule "B" of said Commitment for Title Insurance. Surveyor has performed no additional research for documented restrictions to the land.
- All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone. All distances shown hereon are surface.
- The Surveyor has not physically located any underground utilities and/or improvements which may be located under or near the subject property.
- Selling a portion of this addition by metes and bounds is a violation of the city Subdivision Ordinance and State platting statutes and is subject to fines and withholding of utilities and building permits.
- According to the Flood Insurance Rate Map No. 48251C0215J, published by the Federal Emergency Management Agency, dated: December 4, 2012, the surveyed property shown hereon does not lie within any special flood hazard area inundated by the 100-year flood.
- Unless otherwise noted, all boundary and/or lot corners for the subject property shown hereon are 1/2" iron rods set with a cap stamped "SPRY 5647".
- ** denotes an easement that was corrected by Document Number 2015-15513, D.R.J.C.T.



PLAT FILED _____
INSTRUMENT _____
DRAWER _____ SLIDE _____
JOHNSON COUNTY CLERK
BY _____, DEPUTY CLERK

Approved this ____ day of _____, 2024, by the director of community development of the City of Alvarado, Texas, as authorized by section 4.6 of the Subdivision Ordinance (section 34-38 of the City Code) of the City of Alvarado, Texas

Director of Community Development

City Secretary

SURVEYOR: Spry Surveyors, LLC
8241 Mid-Cities Blvd., Ste.102
North Richland Hills, TX 76182
Phone: 817-776-4049
Firm Reg. No. 10112000
Spry Project No. 127-002-30

ENGINEER: Hamilton Duffy, P.C.
E.S.&C.M., Inc.
8241 Mid-Cities Blvd., Ste.100
North Richland Hills, TX 76182
Phone: 817-268-0408

OWNER: Alvarado 35/67, LLC
3231 Harwood Road
Bedford, TX 76021

PURPOSE OF REPLAT
The Purpose of this replat is to subdivide existing Lot 2R, Block A, CVS-Alvarado Addition into two commercial lots.

CVS-ALVARADO ADDITION

AN ADDITION TO THE CITY OF ALVARADO, WHICH IS A REPLAT OF LOT 2R, BLOCK A, CVS-ALVARADO ADDITION, JOHNSON COUNTY, TEXAS, 8.040 ACRES
IN THE JOHN DIXON SURVEY, A - 214, CITY OF ALVARADO, JOHNSON COUNTY, TEXAS

PLAT-xxxxxx-2024
SEPTEMBER 2024

OWNER'S DEDICATION STATE OF TEXAS COUNTY OF JOHNSON

WHEREAS Alvarado 35/67, LLC is the owner of all that certain 8.040 acres of land, out of the 10.156 acre tract, by virtue of the deed recorded in Volume 4227, Page 628 in the Deed Records of Johnson County, Texas (D.R.J.C.T.), which is all of Lot 2R, Block A, CVS-Alvarado Addition recorded in Document Number 2021-190, in the Plat Records of Johnson County, Texas (P.R.J.C.T.) in the John Dixon Survey, A-214, City of Alvarado, Johnson County, Texas and more particularly described by metes and bounds as follows: (All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone)

BEGINNING at a "X" cut in concrete found for the southeast corner of the herein described tract, common to the northeast corner of Lot 3, Block A, of said CVS-Alvarado Addition, in the west right-of-way line of Interstate Highway 35W (right-of-way varies);

THENCE South 78° 33' 49" West - 272.67' along the south line of the herein described tract, common to the north line of said Lot 3, Block A, CVS-Alvarado Addition, to a 1/2" iron rod with a cap stamped "BEASLEY" found for the southwest corner of the herein described tract, common to the northwest corner of said Lot 3, Block A, CVS-Alvarado Addition;

THENCE North 11° 30' 24" West, passing a 1/2" iron rod with a cap stamped "SPRY 5647" set at a distance of 158.00', and continuing for a total distance of 214.90' to a 1" iron rod with an X cut found for an angle corner of the herein described tract;

THENCE North 18° 42' 54" West - 358.61' to a 1" iron rod with an X cut found for an angle corner of the herein described tract;

THENCE North 24° 23' 10" West - 664.63' to a 1" iron rod with an X cut found for the northwest corner of the herein described tract;

THENCE North 65° 42' 04" East - 272.40' to a 1" iron rod with an X cut found for the northwest corner of the herein described tract, in the west right-of-way line of said Interstate Highway 35W, and being a point on a curve to the right, having a central angle of 11° 12' 25", a radius of 5554.58', and a chord bearing and distance of South 22° 09' 19" East - 1084.73';

THENCE along said curve to the right, along the east line of the herein described tract, common to the west right-of-way line of said Interstate Highway 35W, an arc distance of 1086.46' to a 1/2" iron rod with an "X" cut found for the end of curve;

THENCE South 11° 26' 11" East, along the east line of the herein described tract, common to the west right-of-way line of said Interstate Highway 35W, passing a 1/2" iron rod with a cap stamped "SPRY 5647" set at a distance of 55.18', and continuing for a total distance of 213.18' to the POINT OF BEGINNING and containing 8.040 acres.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That Alvarado 35/67, LLC, the Owner, does hereby adopt this plat designating the herein before described property as LOTS 2R-1 AND 4, BLOCK A, CVS-ALVARADO ADDITION, an addition to the City of Alvarado, Johnson County, Texas, and do hereby dedicate fee simple to the public use forever any streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Alvarado, Texas.

Witness our hands this _____ day of _____, 2024.

Jim Makens-Signature
For Alvarado 35/67, LLC

NOTARY CERTIFICATE STATE OF TEXAS COUNTY OF JOHNSON

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Jim Makens, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed herein.

Given under my hand and seal of office, this _____ day of _____, 2024.

Notary Signature _____ Notary Stamp: _____

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

This document shall not be recorded for any purpose. This drawing shall be used for REVIEW PURPOSES ONLY

David Carlton Lewis, R.P.L.S.
Texas Registration No. 5647
Spry Surveyors, LLC
8241 Mid Cities Blvd Ste 102
North Richland Hills, TX 76182
Date: September 30, 2024

