

STATE OF TEXAS §
COUNTIES OF POTTER §
AND RANDALL §
CITY OF AMARILLO §

On the 22nd day of August 2011, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:15 PM to review agenda items, then convened in regular session at 3:00 PM in the Commission Chambers on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
David Craig	N	3	0
Dean Bedwell, Vice Chairman	Y	70	64
Judy Day	Y	73	62
Casey Webb	Y	3	3
John Notestine	Y	119	106
Louise Ross	Y	119	111
Howard Smith, Chairman	Y	108	95

PLANNING DEPARTMENT STAFF: Cris Valverde, Senior Planner
Kelley Shaw, Planning Director Jan Sanders, Admin Tech

Chairman Smith opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Kelley Shaw, Planning Director read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the August 8, 2011 meeting

A motion to approve the minutes of the August 8, 2011 meeting was made by Commissioner Day, seconded by Commissioner Bedwell, and carried 4:0:2, with Commissioner Ross and Commissioner Notestine abstaining.

ITEM 2: Z-11-21 Rezoning of Lot 1, Block 1, Wolflin Place Amended and a 0.37 acre tract of unplatted land north of Lot 1, Block 1, Wolflin Place Amended in Section 186, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 to Neighborhood Service District. (Vicinity: Wolflin Ave. & Washington St.)
APPLICANT: Gabe Irving

Mr. Shaw stated the applicant is requesting permission to expand and replace the current convenience store, and rezone the three residential lots to the south. He went on to describe development standards that would apply to any development allowed by the zoning change that would help mitigate potential negative impacts. Such standards include at least a 6' screening fence, landscaping and building setbacks. Mr. Shaw stated Planning & Zoning Commissioners tabled this item on August 8, 2011 in order to give the applicant time to visit with the adjacent property owner and possibly work out any differences. Mr. Shaw further stated meetings had taken place, and staff recommends approval of the item as presented.

Chairman Smith asked if anyone present wished to speak in favor of the rezoning request. Kip Frazer, 2418 S. Lipscomb St, Glen Parkey, 2819 S. Ong St, Brenda Talley, 2206 S. Parker St. spoke in favor of the request. Comments included a store expansion would create more parking, additional entrances should help with traffic congestion, and upgrades to a facility generally enhance the visual attractiveness in a neighborhood. Gabe Irving, 2403 Bowie St, applicant, stated congestion issues should improve due to restricted entrances on the property. Chairman Smith asked if a meeting was held with the property owner opposing the rezoning, and Mr. Irving responded yes. Richard Sims, 1908 S. Harrison, project manager, informed the Commissioners this site is for a convenience store only, with no plans for a car wash or lube center.

Chairman Smith asked if anyone present wished to speak against the rezoning request. Brandon Parlow, 2038 S. Washington St, adjacent property owner to the south, voiced concerns of increased lighting issues pertaining to his home, possibility of decreasing the value of his

property, additional congestion issues, and accessibility to and from his driveway. Mr. Parlow stated he is willing to work with the property owner but has not reached an agreement at this time.

Chairman Smith asked for any rebuttals in favor of the rezoning request. Greg Mitchell, 3005 S. Ong St., President of Toot 'n Totum, informed the Commissioners his company would install and maintain a fence to separate property owners from the convenience store. Mr. Mitchell further stated his company would assist the Parlows on the cost of a rear-entry carport to help alleviate their concerns on traffic issues on Washington.

Chairman Smith asked for any rebuttals against the zoning request. Mr. Parlow stated he is not against Toot 'n Totum in the area, his concern is the size of the proposed convenience store.

Commissioner Notestine inquired as to the required height of the fence. Mr. Shaw stated the fence would be a minimum of 6' and up to 8' along the property line as long as the fence did not interfere with site restrictions.

A motion to approve Z-11-21 as presented was made by Commissioner Webb, seconded by Commissioner Notestine and passed 5:1.

ITEM 3: Z-11-22 Rezoning of Lot 14, Block 12, Bivins Estates, in Section 187, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys and public ways to change from Planned Development District 232 to amended planned development for office development.(Vicinity: Georgia St. & Julian Blvd.)
APPLICANT: Peggy Warren

Mr. Shaw stated this item was tabled on August 8, 2011 in attempt to have additional Planning and Zoning Commissioners present for input, and provide an opportunity for the applicant and opposition time to discuss the issues and find an acceptable solution. Mr. Shaw advised this request will only amend the original 1995 planned development for three items to address how the site now exists. Applicant would not have to replace the 6' brick column wooden fence, allow an additional 1' x 10' non-illuminated wall sign on the south side of the building and the site would remain as is concerning landscaping. Mr. Shaw commented staff does not feel this request is unreasonable, however, staff must point out the public hearing and rezoning process of 1995 is a legitimate process and concerns of the neighbors remain the same today in trying to protect the character of their neighborhood.

Chairman Smith asked if anyone present wished to speak in favor of the rezoning request. Peggy Warren, applicant, stated the reason for requesting elimination of the fencing requirement is to improve her safety as there were problems with transients loitering behind the required wooden fence. Mrs. Warren further stated she has replaced trees and added landscaping to manicure and maintain her property. Mrs. Warren requested the Commissioners to allow her to keep the 1' x 10' hand-carved wooden sign, install a wrought iron fence with rose bushes for a soft screen effect, and plant additional trees.

Stanley Warren, applicant's husband, Don & Kathryn Langford, 1200 Bowie St., Brenda Williamson, customer, Tom Mechler, 12940 S FM 1258, and Tom Roller, 2101 S. Coulter St., spoke in favor of the request. Comments included a wooden fence creates public safety issues and sight restrictions when leaving the business, the overall lot appearance has improved without the fence, the grounds are well maintained, and this type of business works well in the neighborhood.

Chairman Smith asked if anyone present wished to speak against the rezoning request. Steve & Martha Walton, 2102 Julian Blvd., Bob Davis, 1802 Julian Blvd., Don & Karen Babcock, 2405 Julian Blvd., Tom Heidler, 2500 Julian Blvd., Vanessa Rauscher, 1230 S. Lamar St., Normal & Genie Friddell, 2404 Julian Blvd., David Gayhart, 1019 S. Bryan St., Roy Northrup, 2302 Julian Blvd., Harvey Baskett, 2304 Julian Blvd, Donna Curry, 1601 S. Milam St., Kelley Netherton, 1201 S. Crockett, David & Genie Pendergrass, 2505 Julian Blvd., Walter Riggs, 1905 Julian Blvd., Chris Seals, 1016 S. Fannin St., Kathy Nunn, 2200 Julian Blvd., Nell Prowell, 2305 Julian Blvd., Mike Abdo, 2402 Julian Blvd., and Roseann Davis, 1802 Julian Blvd., voiced their concerns. Comments included replacing the 6' brick column wooden fence for clear division of commercial and residential property, a wooden fence will maintain the symmetry of the gateways into Julian Blvd., felt visibility of a business, parking lot and any amendment of the planned development could reduce the residential property values, requested the original planned development continue as approved in 1995, including the twelve trees, and non-illuminated signage. A petition from residences on Julian Blvd. was presented to the Commissioners.

Chairman Smith asked for any rebuttals in favor of the rezoning request. Mr. and Mrs. Warren asked the Commissioners to approve their request due to safety issues, and allow a wrought iron fence be installed closer to Julian Blvd. Lynn McClure, 2000 Julian Blvd., and Sondra Kennon, 2100 Julian Blvd. commented the Warren's maintain the property better than previous owners and stated the wrought iron fence with soft landscape screen would create a visual barrier into the lot.

Chairman Smith asked for any rebuttals against the rezoning request. Mr. and Mrs. Babcock, and Don Storseth, 2103 Julian Blvd., petitioned the Commissioners to deny the zoning request.

A motion to approve Z-11-22 as presented was made by Commissioner Webb, seconded by Commissioner Day and failed 1:5.

ITEM 4: P-11-49 Victor's Addition Unit No. 2, an addition to the City of Amarillo, being a replat of Lots 7, 8, and 9, Block 20, Victor's Addition, in Section 136, Block 2, AB&M Survey, Potter County, Texas. (0.39 acres) (Vicinity: Marrs St. & 10th Ave.)
DEVELOPERS: Ernesto Isabel Yanes & Jose Manuel Valenzuela
SURVEYOR: Kevin Brown

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-11-49 was made by Commissioner Ross, seconded by Commissioner Notestine and carried unanimously.

CARRY OVERS:

ITEM 5: P-11-48 South Park Addition Unit No. 42, an addition to the City of Amarillo, being an unplatted tract of land in Section 30, Block 9, BS&F Survey, Randall County, Texas. (0.74 acres) (Vicinity: Bell St. & Hillside Rd.)
DEVELOPER: Scott Camarata
SURVEYOR: David Miller

A motion to approve P-11-48 was made by Commissioner Day, seconded by Commissioner Bedwell and carried unanimously.

PENDING ITEMS:

ITEMS 6-17: P-08-10 The Woodlands of Amarillo Unit No. 14, P-08-69 Redstone Addition Unit No. 1, P-10-19 Dixon Acres Unit No. 5, P-10-21 Coulter Acres Unit No. 12, P-10-25 Medical Institute Subdivision Unit No. 9, P-10-26 Mariposa ecoVillage Unit No. 2, P-10-27 Amarillo Medical Center Unit No. 18, P-10-40 Freeman Subdivision Unit No. 4, P-10-47 Grand Avenue Estates Unit No. 5, P-10-48 Famous Heights Addition Unit No. 41, P-10-57 North River Road Gardens Unit No. 3, P-10-60 Alta Vista Estates Unit No. 2.

No action was required on these plats.

ITEM 18: P-11-18 City View Estates Unit No. 9, an addition to the City of Amarillo, being an unplatted tract of land in Section 231, Block 2, AB&M Survey, Randall County, Texas. (16.20 acres) (Vicinity: Knoll Dr. & City View Dr.)
DEVELOPER: Matt Griffith
SURVEYOR: Robert Keys

A motion to approve P-11-18 was made by Commissioner Notestine, seconded by Commissioner Bedwell and carried unanimously.

ITEMS 19-27: P-11-19 City View Estates Unit No. 10, P-11-31 Sundown Acres Unit No. 6, Hillside Terrace Estates Unit No. 14, P-11-34 Plemons Addition Unit No. 14, P-11-36 Rolling Hills Unit No. 6, P-11-39 Coulter Acres Unit No. 15, P-11-41 The Greenways at Hillside Unit No. 26, P-11-42 La Paloma Estates Unit No. 9, P-11-45 Tascosa Estates Unit No. 11.

No action was required on these plats.

ITEM 28: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No one spoke. The meeting was adjourned at 5:25 PM.

Kelley Shaw, Secretary
Planning & Zoning Commission