

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

On the 11th day of June, 2018, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, and then convened in regular session at 3:00 PM in the City Council Chamber 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
Joshua Raef	N	9	3
Royce Gooch	Y	9	8
Rob Parker, Chairman	Y	91	76
Rick Thomason	Y	61	50
Bowden Jones	Y	52	40
Dick Ford	Y	36	30
Terry Harman	Y	35	35

PLANNING DEPARTMENT STAFF:
Sherry Bailey, Senior Planner
Hannah Green, Recording Secretary

Cody Balzen, Planner I

Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Sherry Bailey and Cody Balzen gave the recommendations for the agenda items.

- I. Call to order and establish a quorum is present.
- II. Public Comment: Citizens who desire to address the Planning and Zoning Commission with regard to matters on the agenda or having to do with policies, programs, or services will be received at this time. The total time allotted for comments is three (3) minutes per speaker. Planning and Zoning Commission may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff.
(Texas Attorney General Opinion. JC-0169)

No comments were made.

- III. Consent Agenda: The Commission may request a consent agenda item to be moved to the Regular Agenda for presentation and comment. Otherwise, the consent agenda will be considered in one vote. Consent agenda items are routine items recommended for approval, and which do not include requests for waivers or variances.

- 1: Approval of the minutes of the April 23rd, 2018 meeting.

A motion to approve the consent agenda was made by Commissioner Thomason seconded by Commissioner Jones, and carried unanimously.

- IV. Regular Agenda:

- 1: Vacations: The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.

- A. V-18-02 Vacation of a 20' alley located at Block 16 Benton Highland Addition, an addition to the City of Amarillo, Potter County, Texas (Vicinity: S. Vernon St & S. Spring St. and SE 17th Ave. & Interstate – 40 East)

Sherry Bailey, Senior Planner, gave a brief presentation and concluded with a staff recommendation of approval.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve V-18-02 was made by Commissioner Thomason seconded by Commissioner Gooch, and carried unanimously.

- B. V-18-03 Vacation of a 25' Drainage Easement (DE) located on Lots 1 and 2, Block 37, Lawrence Park Unit No. 25, in Section 227, Block 2, AB&M Survey, Potter County, Texas. (0.16 acres) (Vicinity: Lometa Dr. & Olsen Blvd.)

Sherry Bailey, Senior Planner, gave a brief presentation and concluded with a staff recommendation of approval.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve V-18-03 was made by Commissioner Ford, seconded by Commissioner Harman, and carried unanimously.

- 2: Subdivision Plats: The Planning & Zoning Commission has final authority for approval; appeals may be directed to City Council.

- A. P-18-41 Blair Addition Unit No. 3, a suburban subdivision to the City of Amarillo, being a replat of a portion of Lot 1-A, Block 1, Blair Addition Unit No. 2 and an unplatted tract of land in Section 36, Block 2, AB&M Survey, Potter County, Texas. (8.40 Acres) (Vicinity: South US Hwy 287 & Jackrabbit Rd.)

Sherry Bailey, Senior Planner, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Ms. Bailey gave a brief presentation and concluded with a staff recommendation of approval as submitted. City staff and the board discussed any liability involving this case.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-41 was made by Commissioner Thomason, seconded by Commissioner Gooch, and carried unanimously.

- B. P-18-51 Lonesome Dove Estates Unit No. 9, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 111, Block 2, AB&M Survey, Randall County, Texas. (38.35 Acres) (Vicinity: Cpt. Woodrow Call Trl. & Cpt. Augustus McCrae Trl.)

Sherry Bailey, Senior Planner, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Ms. Bailey gave a brief presentation and concluded with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-51 was made by Commissioner Ford, seconded by Commissioner Jones, and carried unanimously.

- C. P-18-52 The Colonies Unit No. 70, an addition to the City of Amarillo, being an unplatted tract of land out of Section 40, Block 9, BS&F Survey, Randall County, Texas. (2.51 Acres) (Vicinity: Wesley Rd. & Liberty Cir. S)

Sherry Bailey, Senior Planner, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Ms. Bailey gave a brief presentation and concluded with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-52 was made by Commissioner Harman, seconded by Commissioner Thomason, and carried unanimously.

- D. P-18-53 Hamlet Addition Unit No. 21, an addition to the City of Amarillo being an unplatted tract of land in Section 157, Block 2, AB&M Survey, Potter County, Texas. (7.53 Acres) (Vicinity: N Hayes St. & NE 15th Ave.)

Sherry Bailey, Senior Planner, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Ms. Bailey gave a brief presentation and concluded with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-53 was made by Commissioner Jones, seconded by Commissioner Ford, and carried unanimously.

- E. P-18-58 Heritage Hills Unit No. 9, an addition to the City of Amarillo being an unplatted tract of land in Section 65, Block 9, BS&F Survey, Randall County, Texas. (14.97 Acres) (Vicinity: Crestline Dr. & Cagle Dr.)

Cody Balzen, Planner I, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Mr. Balzen gave a brief presentation and concluded with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-58 was made by Commissioner Thomason, seconded by Commissioner Harman, and carried unanimously.

- F. P-18-56 Time Square Village Unit 2, a replat of Lots 12, 13, 14, 15, 16, 17, 18, 19 and 20, Block 2, Time Square Village Unit No. 1 in Section 64, Block 9, B.S.&F. Survey Randall County, Texas (0.04 Acres) (Vicinity: Staten Island & Mosely St.)

Sherry Bailey, Senior Planner, presented this item, explaining that a public hearing is required per Texas Local Government Code 212.015(c).

Ms. Bailey gave a brief presentation and concluded with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against this item. No comments were made.

A motion to approve P-18-56 was made by Commissioner Ford, seconded by Commissioner Jones, and carried unanimously.

- 3: Rezoning: The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.

- A. Z-18-11 Rezoning of The Colonies Unit No. 70, in Section 40, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and publicways to change from Agricultural District (A) to Residential District 2 (R-2). (2.51 Acres) (Vicinity: Wesley Rd. & Liberty Cir. S)

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change in order to develop another residential phase of The Colonies subdivision. Ms. Bailey ended the presentation with a staff recommendation of approval as submitted. Commissioner Ford made an observation regarding the plat and zoning procedures.

Chairman Parker asked if anyone wanted to speak in favor or against this item. No comments were made.

A motion to approve Z-18-11 was made by Commissioner Thomason, seconded by Commissioner Gooch, and carried unanimously.

- B. Z-18-12 Rezoning of Lots 39-46, Block 476, Mirror Addition Unit 1, in Section 155, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to amend Planned Development District -107 to allow offsite parking to Planned Development 107 (PD-107)

for Wesley Community Center (vicinity: between Roberts St and Williams St. and SE 15th Ave. and SE 16th Ave.)

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change in order to continue to provide for more parking for the Wesley. Ms. Bailey ended the presentation with a staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor or against this item. No comments were made.

A motion to approve Z-18-12 was made by Commissioner Jones, seconded by Commissioner Harman, and carried unanimously.

C. Z-18-13 Rezoning of Lot 1, Block 1, Fox Hollow Unit No. 2, in Section 160, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Planned Development 389 (PD-389) for Mini-Storage. (2.642 Acres) (Vicinity: Pavillard Dr. & E Saint Francis Ave. (Loop 335))

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change in order to build mini-storage on the site. Ms. Bailey ended the presentation with a request that the item be tabled, to be heard at a future meeting at the wishes of the applicant.

A motion to table Z-18-13 was made by Commissioner Harman, seconded by Commissioner Gooch, and carried unanimously.

D. Z-18-14 Rezoning of Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alley, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium. (0.49 Acres) (Vicinity: S Bivins St. & SE 4th Ave.)

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change in order to operate a crematorium on the property in conjunction with an already operational mortuary business. Ms. Bailey ended the presentation with a staff recommendation of approval as submitted. The city staff and board discussed the item's history further.

Chairman Parker asked if anyone wanted to speak in favor of this item. Eric Shafer, owner of Shafer Mortuary Services, stood in favor of the item, explaining the process they followed and that they continued to follow regarding what was needed to maintain operations on the property.

Chairman Parker asked if anyone wanted to speak against this item. Joel Carver, owner of A to D Mortuary Services, stood to speak against this item, expressing his desire that Shafer Mortuary Services be held to current procedures and that operations be held until the applicant can get official approval to continue.

Tyler Carver, owner of A to D Mortuary Services stood against this item as well to express his desire for the enforcement of the zoning policies, and explained why he wanted the operation to follow the process.

In a rebuttal by Candice Shafer, general manager of Cox Funeral Home, Mrs. Shafer spoke explaining the process they followed in choosing the property and noting they would have followed the procedure had they known the needed process or any changes to it.

Tyler Carver stood to offer a rebuttal to discuss the importance of following the process through.

A motion to approve Z-18-14 was made by Commissioner Ford, seconded by Commissioner Thomason, and carried unanimously.

E. Reconsideration of Z-18-04 Rezoning of Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, 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 (R-3) to General Retail District (GR). (0.44 Acres) (Vicinity: S Washington St. & Wolflin Ave.)

Cody Balzen, Planner I, presented this item, and advised that the applicant is requesting a zone change in order to develop the property with a restaurant with drive-in service. Mr. Balzen noted that this item was previously acted on by the Planning and Zoning Commission and that City Council had voted to send this zoning request back to the Planning and Zoning Commission for reconsideration. Mr. Balzen also noted that another meeting had been held with the applicant, city planning staff, and some of the concerned neighbors to discuss this item and a submitted petition. Mr. Balzen ended his presentation with staff recommendation of approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of this item. Rick Crawford, applicant, stood to speak in favor of this item. Mr. Crawford spoke about his plans for the property.

Chairman Parker asked if anyone wanted to speak against this item. Joseph Kutin, 2006 South Madison, spoke against this item to further explain why he and the neighboring residents continued to stand in opposition.

Mr. Crawford stood in rebuttal to explain his understanding of the reasons for the residents desiring a change to Neighborhood Service zoning and his plans for fence placement and material.

In a rebuttal by Mr. Kutin, he stood to further explain the discussion of the desires of the neighborhood, their approval if it was a change to Neighborhood Services, and his concerns about the proposed change to General Retail.

A motion to approve Z-18-04 was made by Commissioner Thomason, seconded by Commissioner Ford at a 5-1 vote with Commissioner Jones against.

4: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 4:10 P.M.



Sherry Bailey, Senior Planner
Planning & Zoning Commission