### **PUBLIC NOTICE OF MEETING**

**NOTICE** is hereby given that the Planning and Zoning Commission of the City of Amarillo, Texas, will meet in a **WORK SESSION AT 2:45 PM** and will hold their regularly scheduled public meeting at 3:00 PM on the Third Floor of City Hall, in the City Council Chambers, 509 Southeast 7<sup>th</sup> Avenue, Amarillo, Texas, on September 10<sup>th</sup>, 2018. The subjects to be considered at this meeting are as follows:

#### **WORK SESSION**

- A. Planning and Zoning Commission will discuss or receive reports on the following current matters or projects.
- (1) Review agenda items for regular meeting and attachments

#### **AGENDA**

- I. Call to order and establish a quorum is present.
- 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) If you wish to speak regarding an item on the agenda, please hold your comments until that item is introduced.
- 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 Aug. 27th, 2018 meeting.

## IV. Regular Agenda:

- 1. **SUDIVISION PLAT/S**: The Planning & Zoning Commission has final authority for approval; appeals may be directed to City Council.
- A. P-18-92 Westcliff Park Unit No.53, an addition to the city of Amarillo, being a replat of a portion of Westcliff Park Unit No. 51, in Section 25, Block 9, BS&F Survey, Potter County, Texas.

APPLICANT/S: Tractor Supply

VICINITY: Plum Creek and Tascosa Rd.

- 2: **REZONING:** The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.
- A. Z-18-23 Rezoning Lot 1, Block 7, Martin Addition Unit No. 3, in Section 136, Block 2, AB&M Survey, Potter County, Texas plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 with Specific Use Permit 22 (R-1/SUP-22) to Residential District 1 with a Specific Use Permit for a martial arts and athletic center (R-1/SUP-22A).

APPLICANT/S: Mike and Dena Lister VICINITY: Martin Rd. and Marrs St.

- 3. **ANNEXATION**: The Planning & Zoning Commission considers the following annexation request.
- A. A-18-01 Consideration to begin the Annexation process of 668.17± acres of unplatted land in Section 74, Block 9, BS&F Survey, Randall County, Texas.

  APPLICANT/S: Perry Williams

VICINITY: Helium Rd. and Hillside Rd.

4: <u>Discuss Items for Future Agendas.</u>

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Cris Valverde, Assistant Director Planning and Development Services

The Planning and Zoning Commission reserves the right and hereby gives notice that it may conduct an executive session, as the Planning and Zoning Commission may find necessary, on any item of business listed in this agenda for which state law authorizes an executive session, even if such item is not specifically designated to be an executive session item.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (S.E. 7<sup>th</sup> Avenue) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3014 or the City TDD number at 378-4229.

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

On the 27<sup>th</sup> day of August, 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	15	3
Royce Gooch	Y	15	14
Rob Parker, Chairman	N	97	81
Rick Thomason	Y	67	55
Bowden Jones	Y	58	45
Dick Ford	Y	42	34
Terry Harman	Y	41	40

#### PLANNING DEPARTMENT STAFF:

Kelly Shaw, Development Services Coordinator
Andrew Freeman, Director of Planning and Development Services
Cris Valverde, Assistant Director of Planning and Development Services
Sherry Bailey, Senior Planner
Cody Balzen, Planner II
Hannah Green, Recording Secretary

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

- 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. <u>Consent Agenda</u>: 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 August 13th, 2018 meeting.

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

# IV. Regular Agenda:

1: Consideration of Subdivision Ordinance Amendment, Section 4-6-59 (d) (1) (2) regarding partial release requirements.

Kelly Shaw presented this item. Mr. Shaw spoke briefly regarding recommended amendments to the current Subdivision Ordinance in regards to "partial release" of cash surety. Mr. Shaw ended the presentation with a staff recommendation of approval for the amendments.

Mr. Shaw then took questions from the Board regarding how the change will affect developers and who would take on which duties when it came to inspections.

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

A motion to approve this item was made by Commissioner Ford, but not seconded.

- 2: Subdivision Plats: The Planning & Zoning Commission has final authority for approval; appeals may be directed to City Council.
  - A. P-18-90 Riverroad Gardens Unit No. 31, an addition to the City of Amarillo, being a replat of a portion of Lot 1, Block 2, Riverroad Gardens Unit No. 4, in Section 161, Block 2, AB&M Survey, Potter County, Texas. (0.63 Acres)

Cody Balzen, Planner II, 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.

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

A motion to approve P-18-90 was made by Commissioner Harman, seconded by Commissioner Jones, and carried unanimously.

B. P-18-78 Wildflower Village at Four Corners Unit 2, An addition to the City of Amarillo, being an unplatted tract of land in Sections 62 and 63, Block 1 T.T. R.R.Co. Survey, Randall Co, Texas.

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.

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

A motion to approve P-18-78 was made by Commissioner Gooch, seconded by Commissioner Ford, and carried unanimously.

C. P-18-86 Arrowhead Addition Unit No. 11, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 149, Block 2, A.B.&M. Survey, Randall County, Texas.

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.

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

A motion to approve P-18-86 was made by Commissioner Ford, seconded by Commissioner Gooch, and carried unanimously.

- 3: Rezoning: The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.
  - A. Z-18-19 Ridgeview Medical Center Unit 26 Rezoning of a 3.82 acre tract of land out of Section 43, Block 9, BS&F Survey, City of Amarillo, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to General Retail District (GR). (Vicinity: Outlook Dr. & Research St.)

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change from Agricultural District (A) to General Retail (GR) to provide for retail and office related land uses within the site. Ms. Bailey ended the presentation with a staff recommendation

of approval with the recommended changes to the applicant's initial request of General Retail for the entire tract, instead have a piece of area be zoned Neighborhood Service or Office 1 District to act as a buffer from the Business Park uses.

Ms. Bailey then took questions from the board regarding land use and the Comprehensive Plan. Cris Valverde, Assistant Director of Planning, also stood to answer questions from the board.

Acting Chairman Thomason asked if anyone wanted to speak in favor of this item. Rachel Shreffler, 5701 Time Square Blvd Suite 190, stood in favor of this item to take questions from the board. Mike Hughes, property owner, also stood in favor of this item to further explain their reasoning for the requested zoning change.

Acting Chairman Thomason asked if anyone wanted to speak against this item. No comments were made.

A motion to approve Z-18-19 as entirely General Retail was made by Commissioner Ford, seconded by Commissioner Gooch. The motion passed 4-1 with Commissioner Jones against.

4: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:53 P.M.

Cris Valverde, Assistant Director of Planning Planning & Zoning Commission

- I. Call to order and establish a quorum is present.
- 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) If you wish to speak regarding an item on the agenda, please hold your comments until that item is introduced.
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#### IV. Regular Agenda:

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- A. P-18-92 Westcliff Park Unit No.53, an addition to the city of Amarillo, being a replat of a portion of Westcliff Park Unit No. 51, in Section 25, Block 9, BS&F Survey, Potter County, Texas.

**APPLICANT/S: Tractor Supply** 

VICINITY: Plum Creek and Tascosa Rd.

Consideration of a request for approval of a replat creating 1 commercial lot from a portion of Westcliff Park Unit No. 51. Public improvements were needed for this project mandating the plat be required to go to the Planning and Zoning Commission for consideration.

Planning Department staff recommends approval of this plat.

- 2: **REZONING:** The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.
- A. Z-18-23 Rezoning Lot 1, Block 7, Martin Addition Unit No. 3, in Section 136, Block 2, AB&M Survey, Potter County, Texas plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 with Specific Use Permit 22 (R-1/SUP-22) to Residential District 1 with a Specific Use Permit for a martial arts and athletic center (R-1/SUP-22A).

APPLICANT/S: Mike and Dena Lister VICINITY: Martin Rd. and Marrs St.

### **Area Characteristics**

The adjacent zoning in all directions is Residential District – 1 (R-1) with single family homes to the north, west and south and Whittier Elementary school to the east.

### **Proposal**

The applicant is requesting to amend the existing Specific Use Permit 22 which was granted to Opportunity House in 1975. Opportunity House used the site until just recently. Their program was a childcare, after school care program, residential program that grew to include early childhood learning and infant and toddler day care. The placement adjacent to the elementary school was a needed alternative to working families in the neighborhood.

The Martial Arts & Athletic Center (MAAC) entered into an agreement to purchase the property and continued the service, care and support base in the neighborhood.

## **Analysis**

In reviewing each Specific Use Permit request, staff reviews the Zoning Code requirements for a Specific Use Permit in order to determine if the applicant has met the application requirements. Staff then looks to the City of Amarillo Comprehensive

Plan in order to determine the land use recommendations for this area as it pertains to additional land uses within General Residential land use designation.

#### Characteristics:

General Residential primarily calls for residential areas with less openness and separation between dwellings than the more suburban areas.

The overall design is more auto-oriented in character with front and rear yards.

Neighborhood scale commercial uses may emerge over time and should be encouraged on sites near the edges of General Residential districts. The existing facility is a block and a half from the start of the large General Retail area along N. Grand St. and NE 24<sup>th</sup> Ave.

The case before the Planning Commission will utilize the existing facility that has been used as a child care and education facility since 1975. There exists a large lot with ample room for exterior play areas and exercise areas. There are some existing buildings on the site but the applicant intends to remodel and build an additional space that will tie the existing classroom spaces together with the gym, eating area and restrooms.

Attached to the staff report is an in-depth description of the existing program and the expansion planned in the area of fitness and family health and welfare as well as expansion of his child care program. He also has included the site plan showing the physical expansion of the facility. A landscape plan is also included in his portfolio.

#### Recommendation

Under the **Educational and Institutional Uses** heading the Institution of Religious, Charitable, or Philanthropic Nature and the School, Private, Elementary, or Secondary categories can apply to this application. Where the Opportunity House program was a residential transitional living facility as well as an educational and after school care program MAAC's program is a more narrow educational and exercise health and welfare program with the same goal of safe guarding children. Since they are asking for the existing SUP to be amended to apply to their facility and the fact that their educational, child care and health and welfare programs are substantially the same as the Opportunity House program's without the residential component, staff is recommending approval of the SUP request.

Notices have been sent out to twenty-four property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any comments regarding this request.

- 3. ANNEXATION: The Planning & Zoning Commission considers the following annexation request.
- A. A-18-01 Consideration to begin the Annexation process of 668.17± acres of unplatted land in Section 74. Block 9, BS&F Survey, Randall County, Texas.

APPLICANT/S: Perry Williams

VICINITY: Helium Rd. and Hillside Rd.

On July 16, 2018 Perry Williams submitted an application for annexation for 668+ acres of unplatted land in section 74 west of Helium Rd., north of Hillside Rd. and west to Hope Rd. On July 22, 2018 the annexation petition was validated and the process to consider the annexation application was begun. The application indicated the intent was to develop 2600 lots (size and land use yet undetermined) and consideration of commercial land use, again acreage undetermined. The departments met and started work on both a service plan and a fiscal impact analysis that will be part of the annexation discussion considered by council.

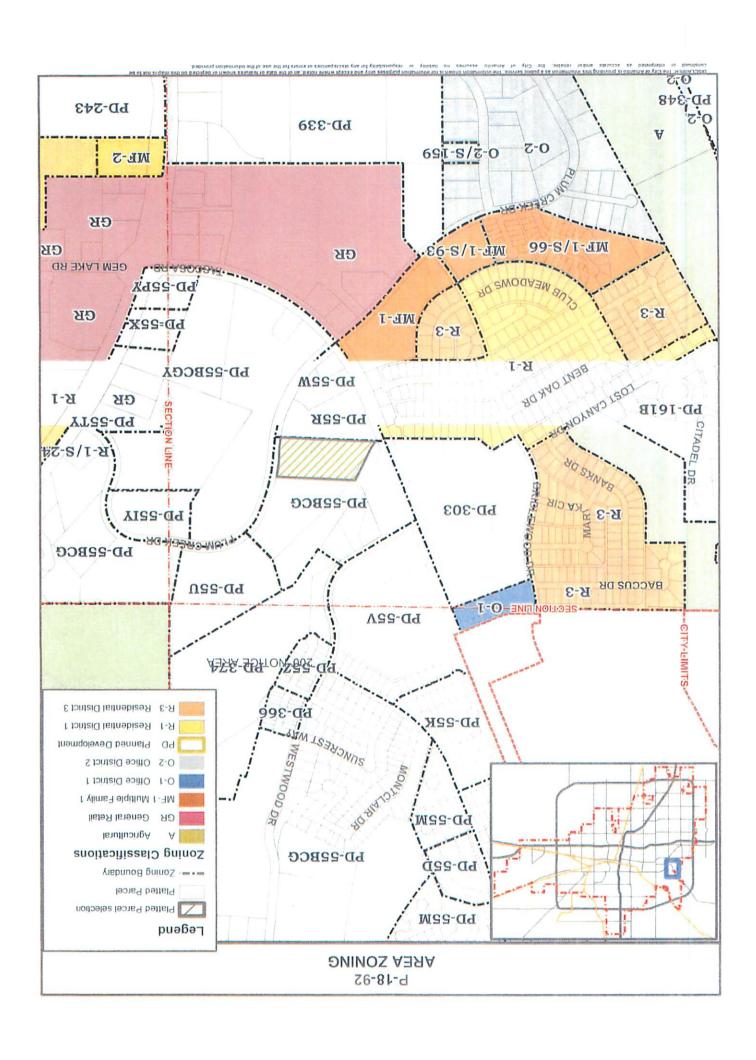
This is the first informal step in a state mandated process to consider annexation and evaluate its value to the city. There are two public hearings to come, one on or near the site hosted by the Planning Commission and one before City Council, as well as the annexation ordinance public hearing and discussion before City Council. Over the next 70 days the city will be developing the service plan required by an annexation development of this size. Roughly this number of homes translates to 6,300 people at build out. The city is responsible for identifying how the needs of the new area will be met over the next 2.5 to 20 years. Each of the service areas listed must be provided for as well as others that may surface.

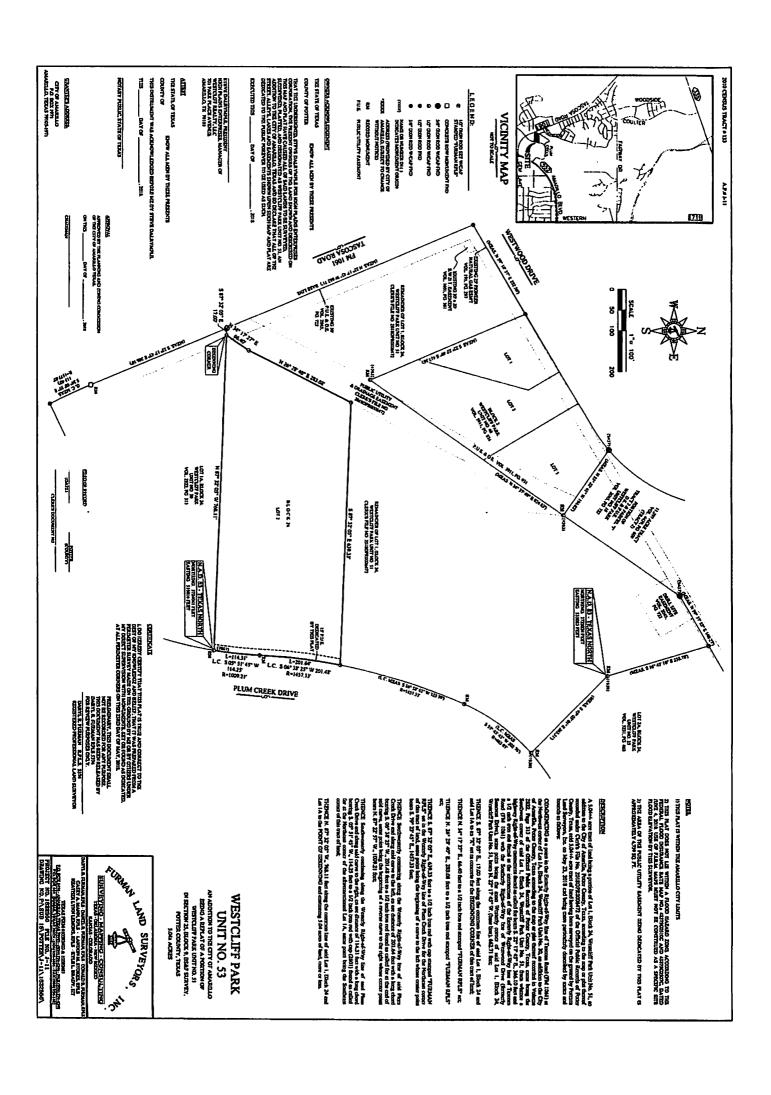
- Fire
- Police
- Building Inspection
- Planning and Zoning
- Library
- Parks
- Health Department-Health Code Enforcement
- Streets
- Storm water Management
- Street Lighting
- Traffic Engineering
- Water
- Sanitary Sewer
- Solid Waste
- And the continued maintenance of the above services

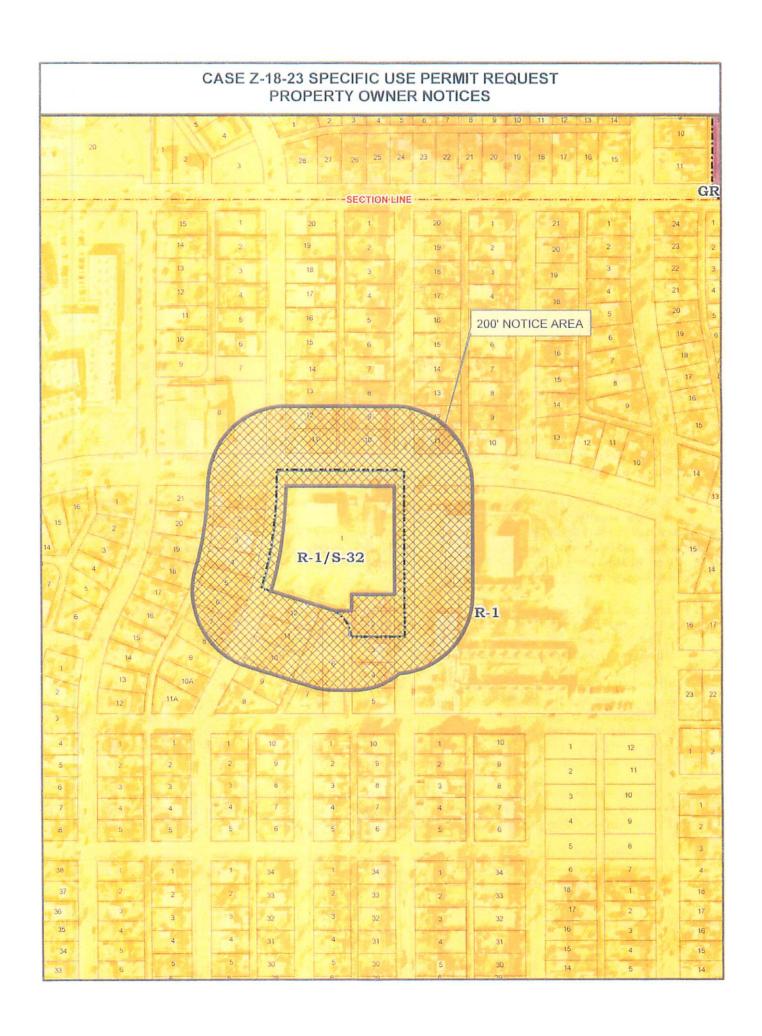
We will be conducting a fiscal impact analysis with a 20 year build out scenario that applies the expected tax revenues (property and sales) from 2600 homes and anticipated commercial/retail construction expansion represented by those 6,300 people. At the end of that study we will be bring the results to the City Council for discussion. Staff will analyze benefits of continued expansion growth outweigh the effects and how can those effects be mitigated. Conversely, what might be the effects of denying any further annexation requests and having continued one acre development outside of the city limits in a random ungoverned fashion between here and the City of Canyon. How does the City balance growth expansion with the need to incentivize infill development? What are the alternatives?

Again, staff is presenting the above request in order to gain input on the proposal. Such input will be included in the analysis of the annexation and incorporated into the formal annexation process.

4: <u>Discuss Items for Future Agendas.</u>









Date: August 7, 2018

To: Amarillo Zoning Commission

Re: Request for Rezoning

Martial Arts & Athletic Center North Campus

2009 N. Marrs Amarillo, TX 79107 806-418-6149

This petition on behalf of the Martial Arts & Athletic Center North Campus at 2009 N. Marrs is requesting rezoning of the property. The current zoning for the property is "IF-2" Single Family Housing District with an amended Specific Use Permit for Opportunity House (per documents reviewed and accepted by the City Commission of Amarillo in September of 1975). The petitioner requests that the property be rezoned to be "IF-2" Single Family Housing Development with an amended Specific Use Permit for the use of the program (described in the letter below) offered by The Martial Arts & Athletic Center, MAAC. The MAAC, is a homegrown business striving to improve the community by caring for and training its youngest demographic and creating a sense of community within its members.

The MAAC is owned and operated by Grand Master Mike Lister. Grand Master Lister has been teaching Martial Arts in the Amarillo area for 37 years and is a 7th degree black belt in Tae Kwon do. He opened his first Tae Kwon do school in 1984. In 1991 he decided Tae Kwon do would make an excellent tool for teaching kids discipline, respect, self-control and raising self-esteem in the public school system. Higher Esteem & Achievement through Tae Kwon do, also known as the H.E.A.T.T. Program, was created as a public school program giving kids their P. E. credit through learning martial arts.

It is Master Lister's commitment to shaping healthy, happy, productive students that has given him the reputation of the top martial arts instructor in the Panhandle. As such, when he decided to open the MAAC, he was already known and had a following in the community. Now he is known as the founder of one of the most innovative facilities in the state of Texas, The Martial Arts & Athletic Center.

The MAAC is a unique business offering child care, martial arts, athletics, and fitness services and has been in operation since 2003. The MAAC was established to offer parents and children a safe, nurturing environment in which children could learn discipline, respect, self-control and self-esteem through a martial arts program in an after school setting. It soon became apparent that the need for quality childcare was greater than imagined and expanded care by adding an all-day summer program. This need has become even greater in the 79107 area code which is why the MAAC North Campus is a needed facility in that community.

The MAAC is licensed by the State of Texas as a child care and offers and after school pick-up program and an all day summer program for children ages 5 and up. This program includes a variety of athletic and martial arts classes for the students as well as games, arts and crafts, outside play, guest speakers, field trips, and learning opportunities.

As a licensed childcare, the MAAC is able to accept Child Care Services funding through the Panhandle Workforce Solutions. This system subsidizes childcare costs for families who could not otherwise afford it. It is for low to moderately low income families. The majority of children at the MAAC facilities come from this system.

The goal of the MAAC North Campus is to become 79107's premier child care and family fitness center. At first glance, these two industries seem to have nothing in common. However, in looking at national trends of high rates of obesity, heart disease, diabetes and other weight related illnesses, the need for physical fitness and healthy lifestyles are evident. By offering an athletic, fitness oriented curriculum to children and incorporating class opportunities for parents to participate, we hope to bring healthy living to the family as a whole.

This is accomplished by offering not only the childcare option, but evening classes to youth and adults in Tae Kwon do, Boxing, Grappling and Adult Fitness. The Youth Boxing program has students competing in regional and national competitions and has seen a student through the state competition of the Junior Olympics. To help increase parent participation and optimum health, fitness classes are offered free of charge to parents with children in the childcare program.

The MAAC Grappling Team includes both youth and adults and competes in regional, state and national tournaments. Students feel a great sense of accomplishment when returning with the medals, many of which are 1st place.

In the past year, The MAAC has been a part of the 79107 Community Youth Development Grant. Through this grant the MAAC has been able to offer free Tae Kwon do and Grappling classes to children ages 10 to 18 living in the 79107 area code.

The goal of this grant is to provide early intervention or prevention of at risk behaviors that may lead to delinquency, child abuse and neglect, bullying, running away and truancy, etc. The MAAC believes the curriculums we teach can have a positive effect on the lives of the students and the grant program allows us to reach children that could not otherwise afford classes.

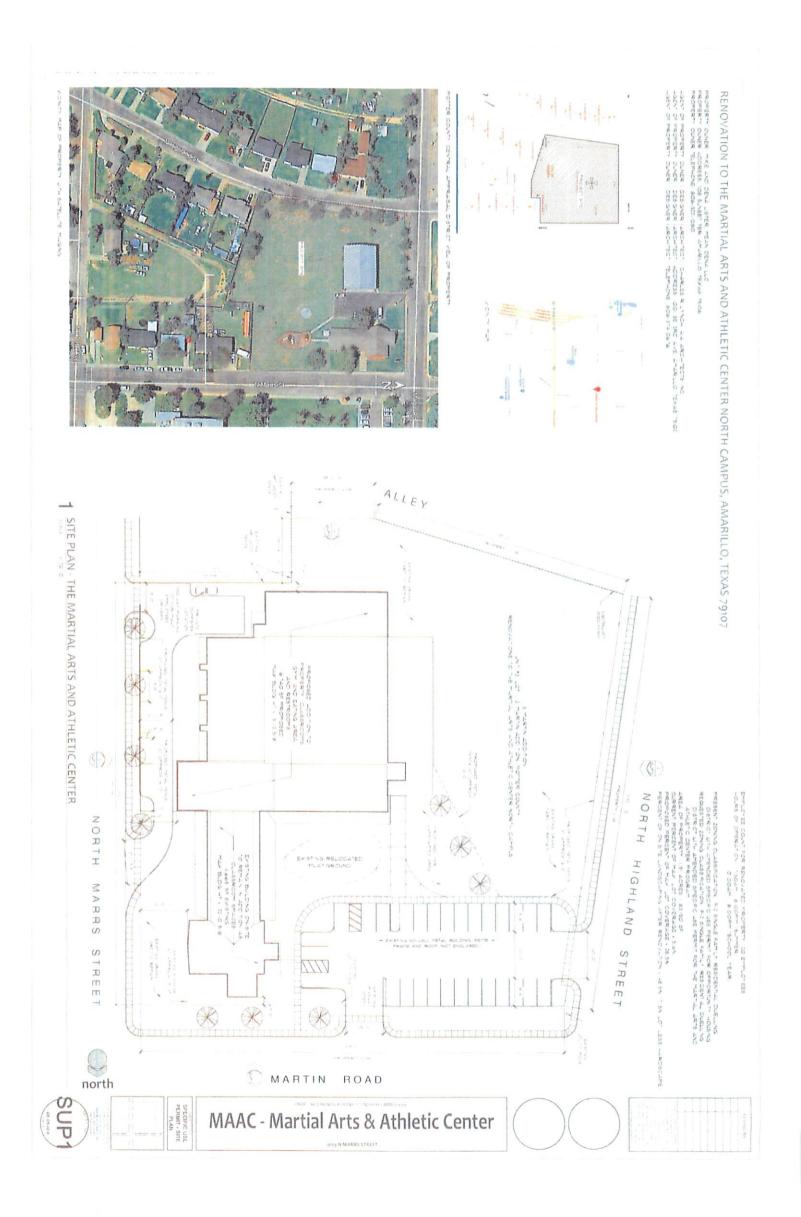
We feel the MAAC North Campus will give the 79107 a facility which meets many needs of the area. There is a lack of childcare options for the school age group the MAAC services. These children either must be picked up and taken to facilities across town from their homes and community or even worse, have become latchkey children with no supervision after school. By offering the after school program plus the evening classes, the MAAC is offering the 79107 community a place close to home that meets many needs of the family.

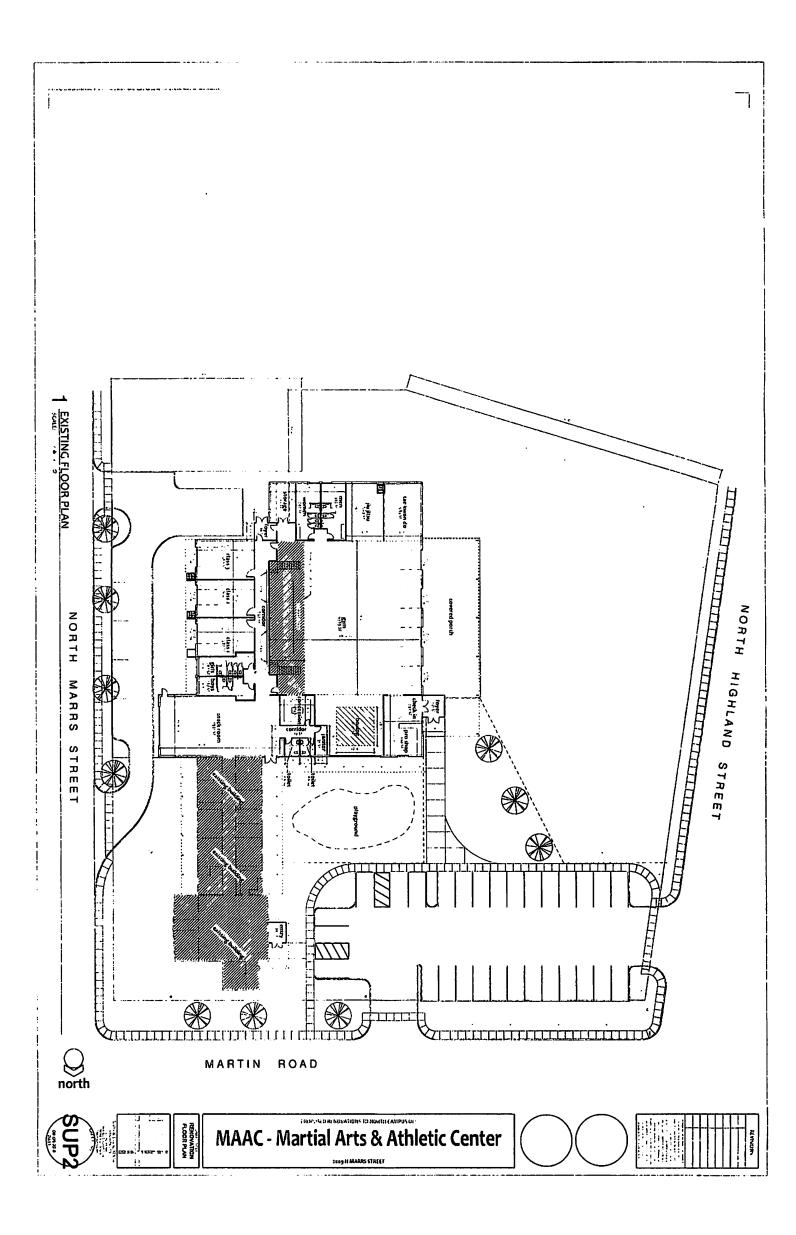
The MAAC North campus therefor askes for a rezoning of the property for the benefit of area children and the community it serves. If you have any questions, please contact me at the numbers below.

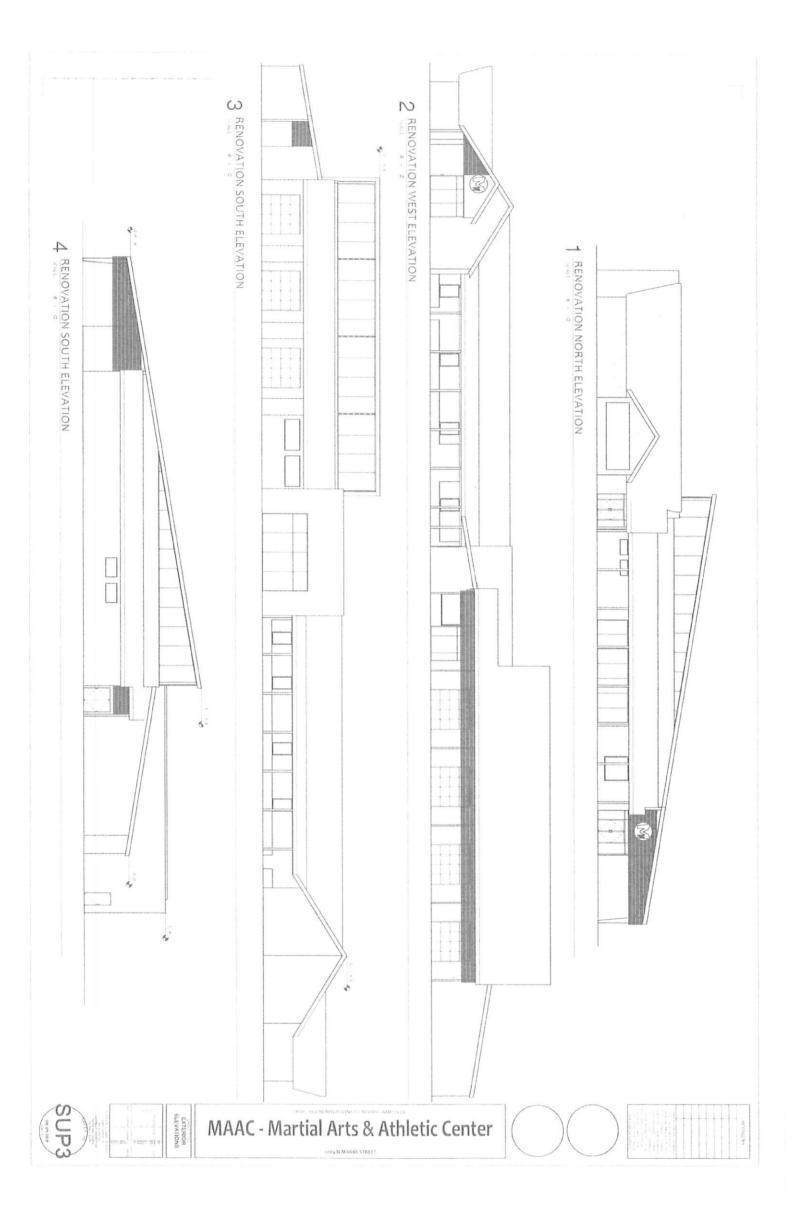
Thank you,

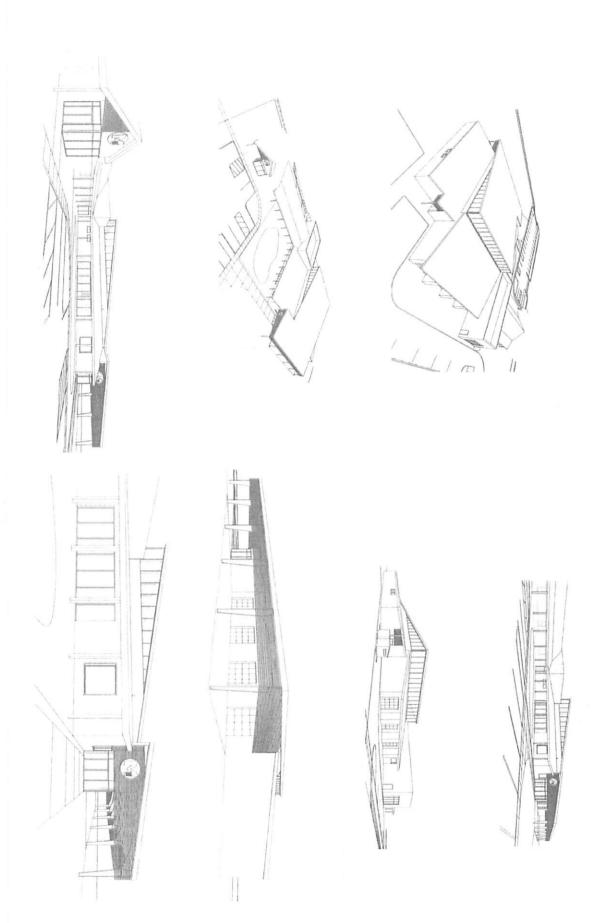
Michael K. Lister, Grand Master/Owner Martial Arts & Athletic Center North Campus 2009 N. Marrs Amarillo, TX 79107 Wk: 806-418-6149

Cell: 806-433-6407









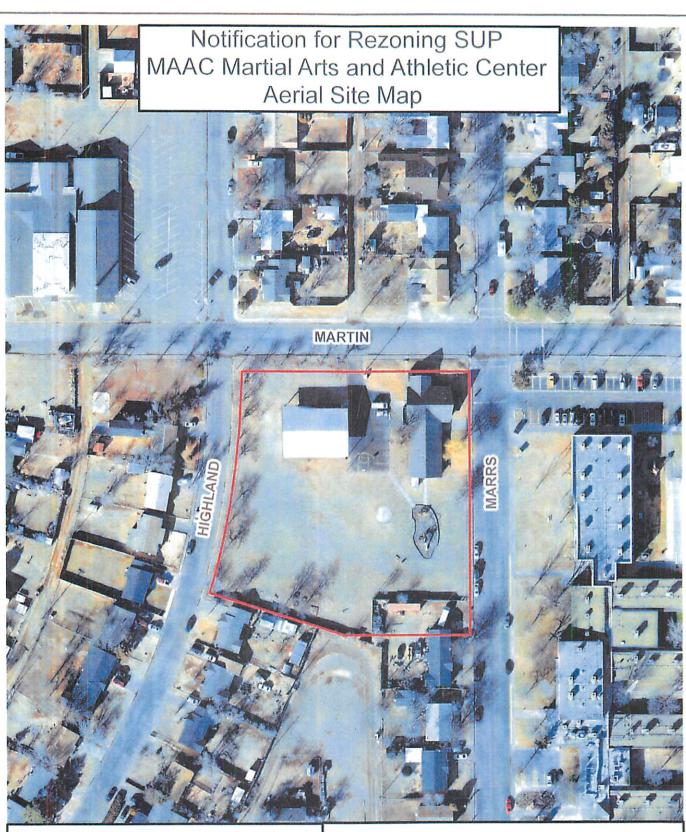












City of Amarillo Planning Department Scale: 1:1250

Date: 9/4/2018

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