

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

On the 28th day of March 2022, the Amarillo Planning and Zoning Commission met in a Special session at 3:00 PM in the City Council Chambers on the third floor of city hall, 601 S. Buchanan, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Renee Whitaker	Y	31	30
Royce Gooch, Vice Chair	Y	98	93
Rob Parker, Chairman	Y	180	154
Jason Ault	Y	77	60
Fred Griffin	Y	31	30
Cindi Bulla	Y	7	6
Jeff Perkins	Y	7	5

CITY STAFF:

Jared Miller, City Manager
 Andrew Freeman, Assistant City Manager
 Cris Valverde, Director of Planning and Development Services
 Emily Koller, Assistant Director of Planning and Development Services
 Brady Kendrick, Planner II
 Jason Taylor, Planner I
 Thomas Oscarsson, Assistant Director of Aviation
 Leslie Spear-Schmidt, Senior Assistant City Attorney
 Andreanna Jarrett, Recording Secretary

I. Call to order and establish a quorum is present.

Chairman Rob Parker opened the meeting at 3:00 PM, established a quorum and conducted the consideration of the following items in the order presented.

II. Public Address: Citizens who desire to address the Planning and Zoning Commission with regard to items on the agenda will be received at this time.

Linda Sharp 2400 Canyon Dr stated she heard about the meeting earlier and wanted to know if her business will be affected and she hopes this change wont effect anyone’s business in any negative way.

Chairman Rob Parker stated that when the meeting is over for Ms. Sharp to get with staff and they should be able to determine if her property will be affected.

James Schenck, stated that there are a lot of blank spaces in the ordinance as reserved spots and he is concerned about that. He also stated it is hard to understand. He stated that things need to be slowed down and processed in a way people understand.

Gene Miller at 8603 Addison Dr stated his concerns on the zoning changes and expressed his concerns on hotels being able to be built close to schools as well as the wildlife concerns with the airport.

Pat Tunnel at 7019 Rio stated his concerns on the zoning ordinance change regarding restriction of storage in General Retail. Mr. Tunnel expressed his concern on new lot coverage requirements and drainage.

Gabe Irving at 6326 Kaylee expressed his concerns on the zoning changes he stated that he appreciates the revisions that have been made, but there is still a lot of things that need to be addressed and have a better understanding of it. Mr. Irving stated he had concerns about drainage and the traffic impact analysis.

Chairman Rob Parker stated that he got Mr. Irving's letter and he appreciates his input, and with that being said he wanted to state that no document is perfect, this board approves a lot of rezoning and SUP's there will be amendments to any document because nothing is perfect, and you have to look at the whole picture.

Commissioner Jeff Perkins asked where he got the numbers on the graph on non-conforming Mr. Irving's presented.

Mr. Irving stated that he got the numbers and information for the use chart in the ordinance and also from knowing certain parts of town well.

Dan Rodgers at 6907 Pinecrest expressed his concerns with the zoning ordinance change. He stated that he doesn't think that a lot of citizens are aware of this change, what is the rush and he things this needs to be tabled and looked at thoroughly. He stated the system is working and the new subdivisions should have the new rules and the old subdivisions should be left alone.

Beth Duke at 3141 W 28th as Executive Director of Center City Amarillo, she expressed her thoughts on the zoning ordinance. Ms. Duke explained the need for the rezoning change as Amarillo has grown immensely from 1968, she sees the zoning districts as they are now as a messy quilt, but with the change this will provide a bigger picture to plan our future growth. She supports the changes.

Dipak Patel at 46 Colonial Drive stated his concern with short term rentals and asked if they have to pay occupancy tax or do any sort of inspections as hotels have too.

Joseph Parson at 3601 Lamar an attorney here in town is here on behalf of Martin McDonald who owns a RV park at 900 Lakeside Dr. Mr. Parson stated he is for in regard to item 25 on the spreadsheet provided and being shown on the screen, his client has recently purchased 20 acres of land to expand the RV park and with the change he won't be able to expand possibly and is concerned.

Chairman Rob Parker asked if his client talked with city staff.

Mr. Parson responded yes, and we do believe that this is why item 25 is on the list of concerns. Chairman Rob Parker stated if it makes sense to allow RV parks in light industrial zone, they can make the motion to change it.

Mr. Parson stated that his client wouldn't want to rezone the property as light industrial is one of the more universal zones and he wouldn't want to rezone and lose value on it because a future buyer couldn't use it for what they wanted.

Tim Ingalls 1932 S Harrison he expressed his thoughts on the zoning change, he stated that some of the changes have a positive benefit to him and the properties he owns such as reduction of parking minimum and neighborhood overlays are a benefit to the city. He stated he does agree with some of the other citizens zoning is a very complicated thing and the more things that are put in noncompliance is not good for the community.

Debbie Stich at 4246 SW 12th stated there is a barndominium in her neighborhood and it is unappealing, and she would like to see more cohesive looks in the neighborhood. She stated she is against tiny homes because of congestion of parking, and she read that you can have a double wide in any neighborhood and wanted to know if that was true.

Commissioner Cindi Bulla asked what zone she currently lived in.

Ms. Stich replied in Residential 2.

Mr. Freeman stated that in the current and new zone double-wide are allowed and due to federal regulation, we cannot ban manufactured homes in the city.

Commissioner Cindi Bulla asked if Ms. Stich would like stricter rules in regard to the changes being made.

Ms. Stich responded yes and have more of a homeowner's point of view.

Vice Chairman Royce Gooch asked if he understood it right under the current code a double-wide is allowed in R-1 and R-2.

Mr. Freeman responded yes, as well as manufactured home district, light commercial, heavy commercial, light industrial, and heavy industrial, and the new code only older manufactured homes will be allowed in manufactured home district.

Cole Stanley at 12 Colonial Drive stated his concerns on the zoning ordinance change. Mr. Stanley commended the staff on their hard work, and although nothing is perfect, but we need to get as close as possible so when it comes to him, and fellow council members can confidently pass it. He believes that this needs more time for staff to get this document a little more structure and have the staff work on the language of the document for better understanding and work on it a bit longer, especially grandfathering.

Chairman Rob Parker stated he was going to ask City staff is how we are going to resolve the grandfathering and non-conforming issue.

Mr. Stanley responded that he knows as a builder things change all the time and what planning and zoning is here for but as a homeowner and citizen, he is trying to look out for existing property rights and thinks changes to the grandfather clause can do that.

Commissioner Renee Whitaker stated that with grandfathering clause as long as they don't change the current use and size your fine, but if you want to grow more than 35% and change the use that's where the issue comes in.

Mr. Freeman stated yes that is correct and that is not changing, we are just trying to clarify the language. Every situation is site specific, however.

Commissioner Renee Whitaker stated that if they wanted to change is that where the new clause comes in.

Mr. Freeman stated he thinks that's where the board and city council come into account to really figure out what we need to do to address this issue whether that is changing use categories or zoning. If changes are needed, they need to be proposed.

Commissioner Cindi Bulla stated that she believes this is where the main issue lies with the non-conformities the document is good but there is way more things that need to be changed, processed, and reviewed thoroughly before being passed along to the council and she feels that this can't be passed as is today.

Chairman Rob Parker stated that, we would like the document to be able to be passed to city council with a 5-0 vote, as well as assess the comments made by citizens and work more with city staff to have a clear and understanding document.

Karyl Restine expressed his thoughts on the zoning changes he stated that he thanks the city staff for answering all of his questions, he also wanted to thank staff for addressing the different points of concerns the citizen had and made the appropriate changes.

Dick Ford at 1605 S Austin expressed his thoughts on the zoning changes he is advocating for special uses and making it easier for properties to conform. He stated his reasonings as why he believes the non-conforming issues is the main concern at hand. He stated please don't vote on anything you don't understand because this will affect people's properties and livelihood.

Chairman Rob Parker asked if there were any more comments.

No comments were made.

III. Consideration of proposed revisions to the City of Amarillo Zoning and Subdivision Ordinances.

APPLICANT/S: City of Amarillo

Andrew Freeman City Assistant Manager presented the Zoning Code Revisions and Possible Recommendations List to the Commission. There were 47 recommendations that staff looked at to considered revising. Mr. Freeman went over each recommendation with board.

Commissioner Cindi Bulla expressed her concerns about new restrictions being placed on BYOB operations and event venues and regulating businesses. She asked why zoning should address these issues and not other parts of the City Code.

Mr. Freeman stated Staff and the Police Department felt that these zoning changes within the ordinance can have impacts on how the businesses can operate and also address previous issues seen with these types of businesses. They felt it was an appropriate location within the code to address them.

Commissioner Cindi Bulla expressed her concerns for item 20 and wanted more understanding on the wildlife attraction regulation and the 5-mile radius.

Thomas Oscarsson, Assistant Director of Aviation and Rick Gilliland, Wildlife Biologist for the airport, explained the reason for the airport overlay and the associated regulations. They stated these associated requirements and regulations are FAA mandated and required.

Kelley Cousino presented the clarification on non-conformity concerns. She stated the first major revision is clarification of minor repairs and the difference between non-conforming structures and non-conforming uses. Minor repairs are allowed. Ms. Cousino stated both definitions of non-conforming structures and non-conforming uses have been revised to clarify what it means exactly. Ms. Cousino stated other changes in verbiage on non-conforming uses for manufactured homes as well as parking standards.

Chairman Rob Parker stated he wanted to talk about grandfathering where someone is now conforming and with the changes will be non-conforming and a better definition on abandonment.

Commissioner Renee Whitaker asked if you could have a different set of standards for people who are grandfathering in. Can there be two sets of grandfathering codes.

Mr. Freeman stated the Legal Department would have to weigh in on that.

Commissioner Cindi Bulla stated we have got very far ahead from last week's meeting, but there is too much to digest at this moment and she would like to postpone the item and really try to grasp the concept of the changes.

Mr. Freeman suggested it be on the agenda every week so we can openly discuss and get feedback from the board.

Commissioner Cindi Bulla said postponement was probably the more appropriate way to go about it.

Chairman Rob Parker stated he would like an informal group with a couple of board members and some other outside citizens to converse on this item and to get comfortable so we can pass it.

Commissioner Renee Whitaker stated what are the options for getting together legally.

Leslie Spear-Schmidt, Senior Assistant City Attorney stated as long as it is no more than 3 members, a discussion can be conducted. Additionally, if the posted notice, the board as a whole could meet in a work session legally.

Chairman Rob Parker stated he would like himself, Cole Stanley, Gabe Irving, and two volunteers to get together to discuss possible changes with Staff. Commissioners Cindi Bulla and Renee Whitaker stated they would volunteer to be the other two.

The board openly discussed what is the best options moving forward to understand and clarify this document.

Commissioner Jason Ault left at 4:45 PM.

A motion to postpone the item presented was made by Commissioner Cindi Bulla and seconded by Commissioner Fred Griffith.

Motion passed Unanimously

No future items were presented.

The meeting adjourned at 5:18 PM



Cris Valverde
Director of Planning and Development Services