

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

On the 7th day of September 2022, 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 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, Vice Chairwoman | Y | 42 | 40 |
| Royce Gooch, Chairman | Y | 109 | 104 |
| Jason Ault | Y | 88 | 69 |
| Fred Griffin | Y | 42 | 41 |
| Cindi Bulla | Y | 18 | 15 |
| Jeff Perkins | Y | 18 | 12 |

CITY STAFF:

Cris Valverde, Director of Planning and Development Services
 Leslie Spear-Schmidt, Senior Assistant City Attorney
 Brady Kendrick, Planner II
 Jenine Cruz, Recording Secretary

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

Chairman Royce Gooch 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.

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 Aug 15, 2022, Planning and Zoning Commission Regular Meeting.

A motion to approve the minutes was made by Commissioner Cindi Bulla, seconded by Commissioner Jason Ault, and passed unanimously.

IV. Regular Agenda:

1. **PLAT/S:** The Planning and Zoning Commission will consider the following plat/s:

A. P-22-74 The Colonies Unit No. 81, an addition to the City of Amarillo, being a replat of Lots 3 and 4, Block 31, The Colonies Unit No. 63, in Section 40, Block 9, B.S.&F. Survey, Randall County, Texas.

VICINITY: Patriot Dr. and Wesley Rd.

APPLICANT/S: Paul Tiffany for Paul Tiffany Homes, Inc.

Brady Kendrick, Planner II presented the above item. This plat is for the purpose of reconfiguring a lot line between two residential lots. Consideration by the Planning and Zoning Commission is required as the plat is considered a residential replat. The plat has been reviewed by the customary City Departments and local utility companies and complies with all Subdivision and Development ordinance standards.

Considering the just mentioned, Staff does note they have not received the corrected originals for this plat and be recommending this plat be allowed to be reconsidered and resubmitted at a later meeting prior to its expiration.

Chairman Royce Gooch asked when does the plat expire.

Brady Kendrick replied October 11, 2022.

Chairman Royce Gooch asked if they have time.

Brady Kendrick replied yes, there are two more P & Z meetings to be considered at.

Chairman Royce Gooch asked the commissioners if they have any questions.

No comments were made.

Chairman Royce Gooch asked if anyone in the audience would like to speak for or against this item.

No comments were made.

Chairman Royce Gooch asked if the commissioners have any recommendations or a motion.

Commissioner Jeff Perkins made a motion to approve as presented.

Chairman Royce Gooch asked if he wanted to include receiving the corrected originals as part of his recommendation.

Commissioner Jeff Perkins stated yes.

Chairman Royce Gooch asked Brady Kendrick what else needs to be included in the motion.

Brady Kendrick replied staff recommendation was for it to be allowed to be reconsidered at a later date once the plat is ready prior to expiration. The Commission is allowed to make any other recommendations if they would like.

Commissioner Jeff Perkins stated that would be his recommendation (Staff's).

Chairman Royce Gooch asked if we have a motion about this.

Vice Chairwoman Renee Whitaker asked if City Staff would like for them to table the item or postpone the item until the originals are returned.

Brady Kendrick replied the plat has two additional meetings to be considered at. City Staff recommends this be considered at a later meeting. If the board wants to approve it now, provided we receive the corrected originals prior to expiration, they can make that recommendation.

Chairman Royce Gooch asked if city Staff's recommendation is to allow this to be resubmitted at a later date.

Brady Kendrick replied yes, prior to the plat's expiration.

Commissioner Cindi Bulla asked the Chairman if we need a motion for no action.

Brady Kendrick replied yes, we do need a motion today since the public was notified. They can choose to table it until the next meeting.

Chairman Royce Gooch made a motion to have this item resubmitted at a later date, prior to the plat's expiration.

Leslie Spear-Schmidt, Senior Assistant City Attorney asked if we will be tabling the item.

Chairman Royce Gooch stated no, we will postpone the item. Wanting to know if they are wanting to withdraw the plat and resubmit it at a later date.

Brady Kendrick replied no we just need the corrected originals back. Did not that if we were to postpone the item it will require us to re-notify the public. Tabling it until the next meeting would be the best option. We are expected to have it returned by the next meeting.

Chairman Royce Gooch made a motion to table this item until the next regular scheduled P & Z meeting, this was seconded by Vice Chairwoman Renee Whitaker.

The motion passed unanimously.

2. **REZONING/S:** The Planning and Zoning Commission will consider the following rezoning/s:

A. Z-22-27 Rezoning of Lot 1A, Block 118, Mrs. M.D. Oliver-Eakles Addition Unit No. 3, an addition to the City of Amarillo, 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 1 with Specific Use Permit 78 to Residential District 1 with amended Specific Use Permit for increased lot coverage, reduced setbacks, and a change in hours of operation.

VICINITY: SW 25TH Ave. and Jackson St.

APPLICANT/S: Gene Mayfield for Amarillo Bible Chair

Brady Kendrick, Planner II presented the above item. This item was originally considered at the August 15, 2022 Planning and Zoning Commission meeting but was postponed by the Commission. Postponement was made so that an appraisal for the proposed project to determine any impacts on surrounding properties and whether any similar cases have been considered in the vicinity of Amarillo College. The applicant did obtain an appraisal for the property based on the proposed project for the site. It was the opinion of the Appraiser that the project, if allowed, would not negatively affect the property values of the adjacent properties in the area if the project were to move forward. Regarding similar cases that have been considered in the past, there are 3 that featured similar variance/s and/or development standard/s as to those being considered for this case, which Mr. Kendrick went over.

Mr. Kendrick also recapped the previous meeting and the reason for the request. He also went over the variances being considered again, a lot coverage increase, setback reductions, and a change in hours of operation.

He also briefly touched on other key development standards.

Notices were sent to all property owners within 200 feet as required by State Law. As of this writing, five comments in opposition have been noted on the request. The primary concerns expressed from the five individuals included:

- Concerns about a commercial style building being allowed in a residential area.
- Concerns that if approved, this would further erode the neighborhood and allow the college to expand further.
- Concerns that the building was not a good fit for the area in character and would be a negative impact on a historic neighborhood and would not enhance the area.
- Concerns about increases in traffic and noise and hours of operation.

Staff is aware of concerns raised during and after the August 15th meeting relating to the architectural styling of the proposed building. With the passing of Texas House Bill 2439 in 2019, cities are no longer able to dictate specific building materials, architectural styling, and/or specific characteristics of a building.

Mr. Kendrick also discussed that Staff had a meeting with Legal Staff. As a result of this internal meeting, it should be noted that should the Commission deem it necessary, it has the authority to require development or protective requirements considered necessary to create a reasonable transition and/or to protect adjacent property.

Chairman Royce Gooch asked the commissioners if they have any questions.

Vice Chairwoman Renee Whitaker asked after visiting with the legal team they can't make a recommendation on style, or material but they can recommend screening, fencing and enhanced landscaping. They can require them to bushes or trees.

Brady Kendrick replied yes if they deem it necessary they can require enhanced standards.

Chairman Royce Gooch asked if anything they decided today will go to city council next for approval.

Brady Kendrick replied yes the board is making a recommendation for City council. City Council has final approval over this.

Chairman Royce Gooch asked if it is because it has to be done by ordinance.

Brady Kendrick replied yes.

Commissioner Cindi Bulla stated she noticed in the appraisal the effective date was 08/04/2022 but the report date was 08/15/2022, she is assuming it was an appraisal that was already done but just submitted in.

Brady Kendrick replied yes.

Commissioner Cindi Bulla stated she seen the note in the appraisal it says the fellowship hall will not negatively affect any of the adjacent properties. Wanting to know if that paragraph was already in the existing report effective 08/04/2022 or was it added when the board requested it from the last meeting.

Brady Kendrick replied the applicant had requested an appraisal when this was submitted in because they saw it was a typical requirement.

Chairman Royce Gooch asked if there are any other questions.

Vice Chairwoman Renee Whitaker asked if anywhere in the appraisal says it will help the neighborhood or increase the value of the properties.

Brady Kendrick replied in the appraisal it states it would have no negative detrimental impact of the area. That is the wording that was used.

Chairman Royce Gooch asked if the commissioners have any other questions.

No comments were made.

Chairman Royce Gooch asked if anyone in the audience would like to speak for this item.

Gene Mayfield, 6606 Isabella Dr, stated they received the appraisal the day after we meet for the last meeting due to the company not able to meet the deadline. For the hours, the college sets the hours for the college classes. They are only trying to match what the college has in place. Needing the new building due to the uneven floors so no one falls and gets hurt.

Chairman Royce Gooch asked if anyone else would like to speak for this item.

Mural Worthey from 6831 Glenoak Lane, stated the directors and supporters saw a need for a new building they started fundraising 3 years ago. They have individual donors that donated more than \$400k. Stated Amarillo College is one of the top ranked colleges in the nation.

Vice Chairwoman Renee Whitaker asked if everything is privately funded. The demo, rebuild and private architecture.

Merrill replied yes it is, was in the agreement with the state colleges that they can't use taxes from the public to pay for anything having to do with the teaching of religion.

Chairman Royce Gooch asked if anyone else would like to speak for this item.

Teresa Guzman from 4308 S Jackson St mass media major at Amarillo College. Glad to know there is a place at Amarillo College that teaches religion. The bible chair does a lot for the community.

Brad Hamlin from 6516 Folsom Dr believes the facilities is in immediate need of updating, for a new facility being built.

Chairman Royce Gooch asked if anyone else would like to speak for this item.

Eric Sturkie from 4309 Scotty Dr stated when he was in college was not aware the college had a bible chair. When he found out and joined it has made such a huge difference in his life, they offer so much for you to do and help out the community.

Chairman Royce Gooch asked if anyone else would like to speak for this item.

Sam Collins from 6007 Harvard his wife attends the evening bible classes at Amarillo College she is in a walker, it is so hard to get his wife in the building. They are ready to have the new building built for easier access.

Chairman Royce Gooch asked if anyone else would like to speak for this item.

No comments were made.

Chairman Royce Gooch asked if anyone would like to speak against this item.

Mary Pfeffer from 2410 S Van Buren St not in favor of new building going up because it is a bigger building. Does not believe the fence will help with concealing the building. Thinks they will outgrow the building very soon. Thinks they should move to the north part of Amarillo College away from the houses.

Commissioner Jeff Perkins asked as a historical district can they enforce the standards.

Cris Valverde, Director of Planning and Development Services stated the historical boundary is adjacent to this specific property. It is not included in this historical boundary.

Mary Pfeffer asked if it was on Jackson St.

Cris Valverde replied the alley to the east and the property line to the south is the boundary line. City does allow for some considerations in historic districts but this is just outside of it.

Mary Pfeffer asked when you see the Plemons Eakle signs on 34th St that is not included.

Cris Valverde replied it is just specifically this lot that is not included. It is established by the state not sure why this lot was not included. City staff did look at all the reasons, if any, given by the State.

Chairman Royce Gooch asked if anyone else would like to speak against this item.

Dan Dowdy from 2501 S Van Buren St stated the building is going to be too big for the lot. Thinks it will be out of character for the area. Wanting to know why they didn't just add onto the house. Thinks they bible chair will not have enough funds to build and maintain the new structure. He also stated that the felt the increase was bigger than 10% to the building size versus what has been communicated.

Cathy Dowdy 2501 S Van Buren St said the neighborhood is very supportive of Amarillo College and the Bible Chair. Concerned about parking. Thinks the Bible Chair should relocate to the North Part of Amarillo College away from their residences.

Chairman Royce Gooch asked if anyone else would like to speak against this item.

No comments were made.

Chairman Royce Gooch asked if anyone on the in-favor side would like to speak for a rebuttal.

Gene Mayfield stated the 16ft height of the building is lower than any house in the neighborhood. There are requirements for how tall buildings can be. The parking lot north of them is always available for parking.

Mural Worthy stated the cost of the building is based upon \$150 per sq foot. In the appraisal it states the building will be valued at around \$390k. If they would have remodeled and just added onto the current building, they would have been throwing a lot of money into an old building and the maintenance. Cost wise it was decided to construct a new building.

Vice Chairwoman Renee Whitaker asked in the new building that will be constructed will there be room for growth versus what they currently have.

Mural Worthy stated yes, all the students are not there at once. With the new building we are arranging to have three different times to meet so everyone has different options.

Vice Chairwoman Renee Whitaker asked with the money they raised, it is in consideration for demoing the old building, building the new building and upkeep?

Mural Worthy stated just construction the upkeep will be included in the bible chairs monthly income. It comes from 14 churches in the panhandle.

Vice Chairwoman Renee Whitaker asked if there is concern that they will not complete the job halfway through.

Mural Worthy stated no it will be completed.

Chairman Royce Gooch asked if anyone else would like to speak as a rebuttal in favor of the item.

No comments were made.

Chairman Royce Gooch asked if anyone would like to speak as a rebuttal opposing the item.

Mary Pfeffer asked if fencing, ground cover or trees. Is that included in the bible chairs budget.

Mural Worthy stated yes.

Mary Pfeffer is questioning the amount per sq footage and if the bible chair has the funds to cover all expenses.

Mural Worthy stated they presently have \$408k, enough to cover everything.

Dan Dowdy is wanting to know during construction where will the bible chair's classes be held. Wanting to know when will construction start and how long will it take to complete. A lot of construction already happening around Amarillo College.

Chairman Royce Gooch asked if anyone else would like to speak in opposition of this

item for a rebuttal.

No comments were made.

Brady Kendrick stated Mr. Dowdy is correct the increase in building size and lot coverage will be approx. 30%. Back in 1988 they had a lot of accessory buildings on site that have now been removed.

Chairman Royce Gooch asked if the percentage increase was based on the original SUP and not the current status of the lot.

Brady Kendrick stated yes.

Vice Chairwoman Renee Whitaker asked if they could answer the questions about construction.

Gene Mayfield stated the next step would be getting a building permit which can take 3-6 weeks. There is also an issue with obtaining supplies & material. They will purchase all material and have it on site before they begin the project. As soon as they can start the project they will, and they expect to stay on this project until it is done which can be around 6 months. A lot of the landscaping is already on site the big trees, they will add some more trees. The landscaping will look like houses and the common area of Amarillo College.

Vice Chairwoman Renee Whitaker asked if the architect is the one who came up with the landscaping or is it just in accordance with city code.

Gene Mayfield stated the architect's plan.

Vice Chairwoman Renee Whitaker asked while the project is getting done does the bible chair have another location they will be using for the students.

Gene Mayfield stated bible classes will be held in a local Church of Christ location. That will be notated to anyone interested in taking classes so if they want to wait until after construction is done.

Chairman Royce Gooch asked if any of the commissioners had any more questions.

No comments were made.

Chairman Royce Gooch asked if the commissioners have a recommendation.

A motion to approve the item as presented by staff was made by Vice Chairwoman Renee Whitaker and seconded by Commissioner Fred Griffin.

The motion passed unanimously.

B. Z-22-28 Rezoning of 21.24 acres of land, plus one-half of all bounding streets, alleys and public ways, in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas being further described below:

1. Rezoning of 3.08 acres of unplatted land, in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Amended Planned Development District 400 for the expansion of development standards (single-family detached homes with reduced lot depth and area).

2. Rezoning of 2.14 acres of unplatted land, in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Amended Planned Development District 401 for the expansion of development standards (single-family detached homes with reduced lot width).

3. Rezoning of 16.02 acres of unplatted land, in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 3 and Multiple-Family District 1 to Multiple Family District 1.

VICINITY: SW 34th Ave. and Soncy Rd.

APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust.

Brady Kendrick, Planner II presented the above item. The applicant is proposing the above changes in zoning in order to develop this recently annexed area with a residential subdivision. That property under consideration includes the areas being rezoned to Amended Planned Developments 400 and 401 to expand the development standards in PD-400 and 401 to the areas in this request.

Additionally, since annexation, the applicant's plans for the area zoned Multiple-Family District 1 have changed resulting in the need to expand that zoning district by 0.78 acres. Given the tracts location at the periphery of the proposed subdivision adjacent to vacant land that will likely develop with non-residential land uses in the future, Staff believes a deviation is warranted in this instance. The applicant's request for higher density single family detached homes at the periphery of the subdivision would be appropriate as such development types can serve as a buffer between higher intensity uses located to the east along Soncy Road to the rest of the subdivision to the west. It is also worth noting that the request above would be in line with the approved Preliminary Plan for this area in addition to aligning with the annexation zoning plan that was approved. Notices were sent to all property owners within 200 feet as required by State Law. As of this writing, no comments have been received regarding the request.

Considering the previously mentioned, Staff believes the request is a logical continuation and expansion of existing zoning patterns in the area and would not result in detrimental impacts and recommends approval of the request as presented.

Chairman Royce Gooch asked the commissioners if they have any questions.

No comments were made.

Chairman Royce Gooch asked if anyone in the audience would like to speak for or against this item.

No comments were made.

A motion to approve the item as presented by Commissioner Jason Ault and seconded by Commissioner Jeff Perkins.

The motion passed unanimously.

C. Z-22-30 Rezoning of Lot 4, Block 23, Sunrise Park Unit No. 2, an addition to the City of Amarillo, in Section 106, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport within the front-yard setback.

VICINITY: SE 10th Ave. and Inman Dr.

APPLICANT/S: Moises and Rosa Martinez

Brady Kendrick, Planner II presented the above item. The applicant is requesting a Specific Use Permit (SUP) in order to keep a carport within the front-yard setback. The applicant constructed the carport without a permit and received a violation letter from the Building Safety Department.

It is Staff's opinion from the site visit that the carport has minimal impact on character of the street and would not be detrimental to the character of the street. Staff also visited the surrounding streets in the area and in addition to the applicant's carport, there are four additional carports in the area, two of which have permits and approved Specific Use Permits on file one block to the east of the applicant's homes. Of additional note, allowing drainage onto a neighbor's property is not allowed unless an easement is granted. Considering the pitch of the carport's roof, Staff has concerns that this would be the case. Notices were sent to all property owners within 200 feet as required by State Law. As of this writing, no comments have been received.

Considering the just mentioned information, Staff believes that the existing carport is similar to other permitted carports in the area, however any encroachment and/or drainage onto adjacent property will need to be addressed in an appropriate manner prior to approval. Should this Specific Use Permit be granted, it is important to state that the applicant will have to apply for a Building Permit to verify the structure meets all building code requirements.

Given this, Staff recommends approval of the request as presented provided the applicant make appropriate modifications to the structure to ensure it does not drain into the neighbor's yard.

Vice Chairwoman Renee Whitaker verified a drainage study is not required since it goes all the way to the property line.

Brady Kendrick stated yes. Given the pitch of the roof on the carport any rain or snow would go into the neighbor's yard. Staff did speak with the applicant letting him know modifications will need to be made. He has agreed to do so. Will be required to provide a design that would alleviate the drainage concerns prior to being presented at City Council.

Commissioner Cindi Bulla asked was this drawn to our attention because of a complaint from a neighbor.

Brady Kendrick stated he is not sure, Building Safety may have notated it on a drive by or a complaint came in.

Commissioner Cindi Bulla asked if we received any responses to the notices sent out.

Brady Kendrick replied no.

Commissioner Jeff Perkins asked if they make a motion to approve will it be subject to fixing the drainage problem?

Brady Kendrick replied yes.

Chairman Royce Gooch asked if the motion will be to approve with he needed changes

Brady Kendrick stated yes contingent on update plans for drainage before the item is presented to city council.

Chairman Royce Gooch stated once city council approves this, does the client still have to go through Building Safety.

Brady Kendrick stated yes, since client did not pull a permit once this is approved Building Safety will be notified of this SUP. They would go out and inspect it to see if it passes standards.

Chairman Royce Gooch asked the commissioners if they have any other questions.

No comments were made.

Chairman Royce Gooch asked if anyone in the audience would like to speak for or against this item.

No comments were made.

A motion to approve the item as presented by Staff pending the return of an updated design addressing drainage concerns and a detailed site plan was made by Commissioner Jeff Perkins and seconded by Commissioner Cindi Bulla.

The motion passed unanimously.

3. **VACATION/S:** The Planning & Zoning Commission will consider the following vacation/s:

- A. V-22-03 Vacation of two public rights-of-ways, being a public street (SE 6th Avenue) located adjacent to Blocks 354 and 355 of Mirror's Addition, and the public alley located in Block 355 of Mirror's and Holland's Addition, all additions to the City of Amarillo, being in Section 155 and 156, Block 2, A.B.&M. Survey, Potter County, Texas.

VICINITY: SE 5th Ave. and Johnson St.

APPLICANT/S: City of Amarillo

Brady Kendrick, Planner II presented the above item. The applicant is requesting vacation of the just mentioned rights-of-ways to create a unified development site for the upcoming City of Amarillo City Hall project at the Amarillo Hardware Building.

Traffic Engineering did not express any concerns about the closure of this segment as the street dead-ends approximately a block to the east and is not a thru street.

The City Solid Waste Department stated that this abandonment would not have impacts on any existing trash routes in the area.

The alley segment in the block to the south of this alley under consideration has also already been abandoned. While there are City and franchised utility company infrastructure located in both the alley and the street under consideration, the city will be relocating the city utilities in addition to coordinating with the other utility companies regarding relocation. The city will be retaining a PUE over the alley to be vacated and portions of the street to be vacated to cover utility infrastructure that will be in those areas.

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

Considering the above, staff recommends approval as presented.

Chairman Royce Gooch asked the commissioners if they have any questions.

No comments were made.

Chairman Royce Gooch asked if anyone in the audience would like to speak for or against the item.

No comments were made.

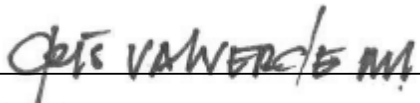
A motion to approve this item was presented by Commissioner Cindi Bulla and seconded by Vice Chairwomen Renee Whitaker.

Motion carried unanimously.

4. Discuss Items for Future Agendas.

No items to discuss.

The meeting adjourned at 4:15 PM.



Cris Valverde
Director of Planning and Development Services