

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

On the 18th day of January 2023, 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 3:05 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	50	48
Royce Gooch, Chairman	Y	117	112
Jason Ault	Y	96	76
Fred Griffin	Y	50	49
Cindi Bulla	Y	26	23
Jeff Perkins	N	26	18
Lex Graham	Y	2	2

CITY STAFF:

Cris Valverde, Director of Planning and Development Services
Emily Koller, Assistant Director of Planning and Development Services
Cody Balzen, Economic Development Specialist.
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 3:05 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.

Chairman Royce Gooch asked if anyone wanted to speak on an item?

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 January 4, 2023, Planning and Zoning Commission Regular Meeting.

A motion to approve the minutes was made by Commissioner Cindi Bulla, seconded by Commissioner Fred Griffin.

Motion passed unanimously.

IV. **Regular Agenda:**

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

- A. P-22-112 Stone Crossing Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 36, Block 9, B.S.&F. Survey, Randall County, Texas.

VICINITY: Coulter St. and Sundown Ln.

APPLICANT/S: Daryl Furman for Collins Family Properties, LLC

Brady Kendrick, Planner II presented this item. This plat is for the purpose of creating 30 lots from an unplatted tract of land. Consideration by the Planning and Zoning Commission is required as the item is considered a final plat. 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 recommends approval of the plat as presented.

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

No comments were made.

Chairman Royce Gooch asked if there is anyone present who would like to speak for this item.

No comments were made.

Chairman Royce Gooch asked if there was anyone who would like to speak in opposition to this item.

No comments were made.

A motion to approve the minutes was made by Commissioner Jason Ault, seconded by Vice Chairwoman Renee Whitaker.

Motion passed unanimously.

- B. P-22-113 McCormick Estates Unit No. 15, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 3, Paul Christian Survey, Randall County, Texas.

VICINITY: McCormick Rd. and Georgia St.

APPLICANT/S Daryl Furman for Arland Arnett

Brady Kendrick, Planner II presented this item. This plat is for the purpose of creating nine lots from an unplatted tract of land. Consideration by the Planning and Zoning Commission is required as the plat is considered a final plat. 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 recommends approval of the plat as presented.

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

None were asked

Chairman Royce Gooch asked what the flag shaped piece of land coming out of the southern most lot was?

Brady Kendrick, Planner II replied it was a component of this property, they wanted to include the south lot because it was going to be undevelopable if it was not. It was proposed as a private drainage easement. The drainage is now on the back side of all of the lots.

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 on behalf of this item.

No comments were made.

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

No comments were made.

A motion to approve the plat was made by Commissioner Cindi Bulla, seconded by Commissioner Jason Ault.

Motion passed unanimously.

- C. P-22-114 Heritage Hills Unit No. 17, an addition to the City of Amarillo, being a replat of Lot 1, Block 3, Heritage Hills Unit No. 2, and a unplatted tract of land, all in Section 65, Block 9, B.S.& F. Survey, Randall County, Texas.

VICINITY: Legacy Pkwy. and Westin Dr.

APPLICANT/S: Daryl Furman for PEGA Development, LLC

Brady Kendrick, Planner II presented this item. This plat is for the purpose of creating 132 lots for the next phase of the Heritage Hills subdivision. Consideration by the Planning and Zoning Commission is required as the plat is considered a final plat, one lot variance is required, and public replat notices were sent for the plat. The plat has been reviewed by the customary City Departments and local utility companies, and with the exception of the just mentioned variance and corrected originals not being provided as of this writing, complies with all other subdivision and development ordinance standards. Staff notes that since the initial review of the plat and the sending of public notices, the final boundary of the plat was reduced from what was anticipated and the plat no longer is classified as a residential replat. Additionally, Staff does note that the final plat unit number for this plat will be unit number 18 if approved instead of unit number 17. The variance for the plat, a median in Legacy Parkway that will be maintained as a part of the Heritage Hills Public Improvement District (P.I.D.) does not meet Residential District 3 standards for lot width. Staff believes the variance is appropriate and will not result in any detrimental impacts. Notices were sent as the plat was initially classified as a residential replat. As of this writing no comments have been received.

Considering the just mentioned, Staff recommends approval of the plat as presented with the noted variance and pending the return of corrected originals.

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

Commissioner Cindi Bulla asked if the 30 ft width variance, did it trigger anything with that made them have to change something due to the density level since it is R-3.

Brady Kendrick replied, it does not really have an impact on the density. Since the preliminary plan did not show the median, a variance was needed for the lot.

Chairman Royce Gooch asked if the variance only applies to the median.

Brady Kendrick replied yes. All other lots meet R-3 standards and matches the preliminary plan.

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 on behalf of this item.

No comments were made.

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

No comments were made.

A motion to approve this item with the noted variance and pending the return of corrected originals was made by Vice Chairwoman Renee Whitaker, seconded by Commissioner Lex Graham.

Motion passed unanimously.

- D. P-22-116 Wolflin Estates Unit No. 12, an addition to the City of Amarillo, being a replat of a portion of Lot 3, all of Lots 4 and 5, and the remaining portion of Lot 6, Block 38, Wolflin Estates, and Lot 7, Block 38, Wolflin Estates Unit No. 2, in Section 186, Block 2, A.B.&M. Survey, Randall County, Texas.

VICINITY: S.W. 32nd Ave. and Ong St.

APPLICANT/S: Daryl Furman for William J. Ware

Brady Kendrick, Planner II presented this item. This plat is for the purpose of creating two platted lots from the portion of existing platted lots to reflect current ownership boundaries. The plat requires consideration by the Commission as it 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 with the exception of corrected originals not being received (as of this writing). Public notices were sent as required by State Law. As of this writing, no comments have been received.

Considering the above, Staff recommends approval of the plat as presented pending the return of corrected originals.

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

Vice Chairwoman Renee Whitaker asked what is the benefit of cleaning this up, for tax rules or utilities?

Mr. Kenrick replied from his experience they may be doing this because a sale is about to occur. A lot of times the title company requires this to be part of the process.

Commissioner Jason Ault commented platting will also increase the value.

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 on behalf of this item.

No comments were made.

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

No comments were made.

A motion to approve this item pending the return of corrected originals was made by Commissioner Jason Ault, seconded by Vice Chairwoman Renee Whitaker.

Motion passed unanimously.

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

- A. Z-22-36 Rezoning of Lot 1, Block 11, Glen Arden Addition Unit No. 12, an addition to the City of Amarillo, in Section 30, 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 General Retail District.

VICINITY: Arden Rd. and Coulter St.

APPLICANT/S: Daryl Furman for The Alfred Group LLC

Brady Kendrick, Planner II presented this item. The applicant is proposing a change in zoning in order to develop the tract with a Dollar Tree retail store. Adjacent land uses consist of a church to the north, a Walmart Market and single family detached homes to the south, single family detached homes to the east, and undeveloped land to the west. Given the proposed zoning district and proposed use for the site, Staff is of the opinion that the request would conform with the Future Land Use Map. The applicant's tract is located at the northeast corner of the section line intersection of Arden Road and Coulter Street. Given the tracts location at this intersection, the request for General Retail in this area would conform with the NUC. Staff is of the opinion that if approved, the request would not result in any detrimental impacts to the surrounding area. Notices were sent as required by State Law. As of this writing, one call has been received that did not express opposition to the request.

Considering the previously mentioned, Staff recommends approval of the request as presented.

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

Vice Chairwoman Renee Whitaker replied she drives past this corner often and is excited to see this getting developed.

Commissioner Lex Graham asked if the store will be on the east side or on the west side.

Mr. Kendrick replied, it will be on the eastern side of the tract, they will be cutting the lot from north to south.

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 on behalf of this item.

No comments were made.

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

No comments were made.

A motion to approve this item was made by Vice Chairwoman Renee Whitaker, seconded by Commissioner Cindi Bulla.

Motion passed unanimously.

- B. Z-22-37 Rezoning of a 49.18 acre tract of unplatted land, in Section 31, 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 General Retail District.

VICINITY: Coulter St. and Hollywood Rd (Loop 335)

APPLICANT/S: Daryl Furman for Attebury Elevators LLC, Happy Again LP, and Rockrose Development LLC

Brady Kendrick, Planner II presented this item. The applicant is proposing a change in zoning in order to develop the tract with retail land uses in the form of a proposed development that will feature multiple retail sites in the area to be rezoned. Adjacent land uses consist of single family detached homes, vacant land, and two churches to the north, vacant land and a hotel to the south, a coffee shop to the east, and vacant land and a medical clinic to the west. Given the tracts location along these corridors and the fact that it is located between the intersection of Loop 335/Interstate 27 and Loop 335/Coulter Street, Staff is of the opinion that General Retail zoning is an appropriate zoning district to establish for this property. Staff believes the request is appropriate and would not negatively impact existing zoning or development patterns in the area. Notices were sent to all property owners as required by State Law. As of this writing, one comment has been received in support of the request.

Considering all the just mentioned, Staff recommends approval of the request as presented.

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

Vice Chairwoman Renee Whitaker asked today if we are just looking at rezoning and if it is approved the next step would be development at that time is when we would look at the plat and approve setbacks.

Mr. Kendrick replied that is correct those items will be looked at during mainly the site

plan stage.

Vice Chairwoman Renee Whitaker asked if this item would come back to the board for review for the plat.

Brady Kendrick replied depending on how they plat it, it could possibly come back. There will likely be some infrastructure improvements that will be required for this area to get water and sewer out in this area to service this potential site. It will likely come back in the form of a final plat.

Commissioner Cindi Bulla asked if the board zoned it right now as General Retail can they decide to use it for Multi Family with the rewrite.

Brady Kendrick replied going back to the zoning rewrite Multi Family is now allowed in General Retail. We will be reviewing what is going to be allowed in GR.

Commissioner Cindi Bulla asked would the developer be made aware possibly in the future they would be limited.

Brady Kendrick replied yes, this developer in particular has been involved in the zoning rewrite process and provided comment along the way and is in the loop about potential proposals.

Commissioner Jason Ault stated it makes sense that this would be zoned General Retail, especially because of the corner is going to be the new United Market Street.

Chairman Royce Gooch stated he is interested in seeing the site plan eventually.

Mr. Kendrick replied they have seen some ideas but nothing has been decided yet.

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 on behalf of this item.

No comments were made.

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

No comments were made.

A motion to approve this item was made by Commissioner Jason Ault, seconded by Commissioner Lex Graham.

Motion passed unanimously.

3. MISCELLANEOUS: The Planning and Zoning Commission will discuss the following item/s:

A. Discussion of a proposed annexation and associated proposed zoning plan for the annexation of 1081.30+/- acres of unplatted land in Sections 40, 49, 50, 71, and 62, Block 2, A.B.&M. Survey, Potter County, Texas.

VICINITY: U.S. Hwy. 60 and Parsley Rd.

APPLICANT/S: Amarillo Economic Development Corporation

Brady Kendrick, Planner II presented this item. This item is to discuss a proposed property owner initiated annexation request and the associated proposed zoning plan that is currently being processed by the City. Planning Department staff will compile any comments Planning Commissioners may have for use in the annexation process moving forward. At this time, Staff is in the process of finalizing an agreed service plan with the property owner/s which must be considered by City Council prior to the annexation moving forward. At the conclusion of the Public Hearing, Council is to consider whether to approve the request. The proposed annexation is associated with the recently announced CVMR critical minerals refinery which will be constructed on a portion of the site. Regarding the zoning plan, It has typically been the practice of the City to zone land as Agricultural District upon annexation. By zoning as part of the annexation process, this will save the developer/s approximately eight weeks that typically would be required as part of the rezoning process prior to development of property.

While the Future Land Use Map identifies the applicant's tract as being in the Rural category, given the nature of surrounding development. Staff does believe that the requested zoning District would be appropriate for the area.

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

Commissioner Fred Griffin asked if this piece of land now adjoins the city limits or will the utilities have to be extended and go through people's land.

Mr. Kendrick replied it adjoins the city limits on the west side and we will be annexing the adjacent right of ways along the south side by the airport. Engineering Dept is finalizing what is needed for utility extensions, there are areas the mains can be extended from.

Commissioner Cindi Bulla asked if this is annexed as heavy industrial does the city forfeit its right to have any sort of input in what is built here even if it will have a heavy tax on the city's infrastructure.

Mr. Kendrick replied if it was annexed as Heavy Industrial that is what it will be zoned as. If a change is desired it will have to be initiated by the property owner, the City cannot go in and change the zoning of the property without the property owner requesting it.

Commissioner Cindi Bulla stated she is thinking about use. If the Commission zones it as Heavy Industrial, is the city forgoing its right to have a say about what the use will be. Is this the last look they will be getting.

Mr. Kendrick replied once it zoned and if they submit in a site plan for a use that is allowed for that zone they can do it that way. Part of the annexation process that both

City Staff and City Council will have to look at is the capacity of the City's ability to serve this area within this region. Engineering Dept. will look at this and decide what is needed for this area.

Commissioner Cindi Bulla asked if it turned out to be something we did not already have here or couldn't afford to put it here, could we deny it at the permit process.

Mr. Kenrick replied each site is looked at case by case. Utilities are looked at during the site plan review. If there is going to be potential issues with utility infrastructure, they would be addressed during the site plan review. Engineering and Utility Dept. will make comments at that time and would need to be addressed before a project is approved.

Commissioner Fred Griffin asked before a building permit can be issued do they have to come back with a plat.

Mr. Kendrick replied, a plat and infrastructure plans would have to be submitted.

Commissioner Lex Graham asked about where the proposed facility will be within this tract?

Mr. Kendrick replied the site plan has not been described yet to city officials, the facility will be located within the boundary.

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

No comments were made.

B. Discussion of a proposed annexation and associated proposed zoning plan for the annexation of 1158.57+/- acres of unplatted land in Sections 30, 31, 36,37, and 53, Block 2, A.B.&M. Survey, Potter County, Texas.

VICINITY: Spur 228 and U.S. Hwy. 287

APPLICANT/S: City of Amarillo and Producer Owned Beef, LLC

Brady Kendrick, Planner II presented this item. This item is to discuss a proposed property owner initiated annexation request and the associated proposed zoning plan that is currently being processed by the City. While meetings with the Planning and Zoning Commission are not a required event for the annexation process, Staff is of the opinion that before hearings occur with City Council. Planning Department staff will compile any comments Planning Commissioners may have for use in the annexation process moving forward. At this time, Staff is in the process of finalizing an agreed service plan with the property owner/s which must be considered by City Council prior to the annexation moving forward. At the conclusion of the Public Hearing, Council is to consider whether to approve the request. The proposed annexation is associated with the recently announced Producer Owned Beef meat packing facility which will be constructed on a portion of the site. Development plans are not known at this time for the remainder of the tract proposed for annexation. It has typically been the practice of the City to zone land as Agricultural District upon annexation. By zoning as part of the annexation process, this will save the developer/s approximately eight weeks that typically would be required as part of the rezoning process prior to development of property.

While the Future Land Use Map identifies the applicant's tract as being in the Rural category, given the presence of two major transportation corridors on both sides of the property along with a B.N.S.F. main rail-line that runs along the south side of the property, Staff is of the opinion that the tract is well suited to be developed with manufacturing and industrial type uses given the presence of immediately adjacent transportation infrastructure.

Chairman Royce Gooch asked the commissioners have any comments.

No comments were made.

4. Discuss Items for Future Agendas.

Brady Kendrick, Planner II, stated going forward with the training videos, we are anticipating putting a discussion period on the next agenda as a miscellaneous item.

Commissioner Cindi Bulla asked if the links were sent to them again.

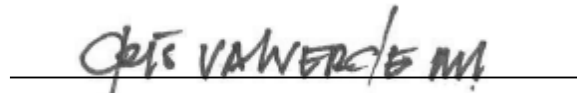
Chairman Royce Gooch also stated he had not received the email.

Cris Valverde, Director of Planning and Development Services, stated they should have been sent out we will reach out to the company again to get them resent.

Commissioner Lex Graham stated he started going through the links for training and they are talking about the laws but it does not pertain to Potter/Randall County. Requesting to get info about Texas laws pertaining to the videos

Brady Kendrick replied yes we will get something put together and sent out.

The meeting was adjourned at 3:43 PM.

A handwritten signature in black ink, appearing to read "CRIS VALVERDE", is written over a horizontal line.

Cris Valverde
Director of Planning and Development Services