

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

On the 14th day of June, 2010, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:30 P.M. to review agenda items, then convened in regular session at 3:00 P.M. in the Commission Chambers 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
Michael Alexander	No	71	48
Dean Bedwell	Yes	43	38
Judy Day	Yes	46	36
Brandon Neely, Vice Chairman	Yes	47	36
John Notestine, Chairman	Yes	92	84
Louise Ross	No	92	84
Howard Smith	Yes	82	72

PLANNING DEPARTMENT STAFF:

Kelley Shaw, Planning Director
Cris Valverde, Senior Planner

Karon Watkins, Recording Secretary

Chairman Notestine opened the meeting, established a quorum, and conducted the consideration of the following items in the order presented with one exception, being Item 5 which was moved to after Item 29 for discussion. Kelley Shaw, Planning Director, read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the May 24, 2010 meeting.

Motion to approve the minutes of the May 24, 2010 meeting was made by Commissioner Smith, seconded by Commissioner Day and carried 5:0.

ITEM 2: Z-10-11 Rezoning of the south 115ft. of Lot 2, Block 1, Eastridge Unit No. 40, in Section 104, Block 2, AB&M Survey Potter County, Texas to change from Multiple-Family District 1 to Light Commercial District. (Vicinity: NE 11th Ave. & Aster St.)

APPLICANT: Gerardo Torres

Mr. Shaw stated the applicant's request for rezoning was appropriate and represents an acceptable expansion of the existing Light Commercial zoning eastward and recommended approval of Z-10-11 as presented. A motion to approve Z-10-11 was made by Commissioner Neely, seconded by Commissioner Day and carried unanimously.

ITEM 3: Z-10-12 Rezoning of a portion of Tract H, The Shores Unit No. 1 Amended and a portion of Tract H2, The Shores Unit No. 3 in Section 229, Block 2, AB&M Survey, Randall County, Texas to change from Planned Developments 52 and 52A to Agricultural District. (Vicinity: SW 58th Ave. Raindrop Ln.)

APPLICANT: City of Amarillo

Mr. Shaw stated the applicant's request for rezoning was appropriate, and if approved, the intent and character of the residential planned development will be maintained with the new zoning designation and recommended approval of Z-10-12 as presented. A motion to approve Z-10-12 was made by Commissioner Bedwell, seconded by Commissioner Smith and carried unanimously.

ITEM 4: V-10-02 Vacation of the Colonies Unit No. 41, in Section 40, Block 9, BS&F Survey, Randall County, Texas. (Vicinity: Pennsylvania Dr. & Walesa Ct.)

APPLICANT: Robert Ferrin

Mr. Shaw stated the applicant's request for vacation was in order and no objections have been made to the abandonment of the plat and recommended approval as presented. A motion to approve V-10-02 was made by Commissioner Day, seconded by Commissioner Bedwell and carried unanimously.

ITEM 5: M-10-01 Amending Chapter 2-6 and Chapter 4-10 of The Amarillo Municipal Code as it relates to the creation of a zoning district identified as The Downtown Urban Design Overlay District, City of Amarillo, Texas.

Mr. Shaw established a brief history of the development of the Downtown Amarillo Urban Design Standards being presented for approval today. Mr. Shaw stated that in 2006 the City of Amarillo created a Strategic Action Plan (SAP) which introduced two action steps, specifically, the adoption of Downtown Urban Design Standards and the appointment of professional staff to oversee the implementation of the SAP. Mr. Shaw introduced, Melissa Dailey, Director, Downtown Amarillo Inc. (DAI), under whose direction, expanded on the SAP's Urban Design Standards which were created by the local chapter of the American Institute of Architects (AIA) to create in an ordinance form the, Downtown Amarillo Urban Design Standards (DAUDS).

Ms. Dailey acknowledged the considerable amount of time and effort spent by the various downtown entities, developers, tenants and property owners and then presented an overview of the proposed DAUDS. Ms. Dailey stated that through these meetings, the design standards evolved. Ms. Dailey explained that compliance with the standards would be set in motion by the permit application. Ms. Dailey stated that applications will vary as will design standards as downtown Amarillo conditions change and the DAUDS would be adaptable to changing environs. Downtown Amarillo is different from the rest of the city due to conditions such as high density development, historic venues and mixed-use building occupancy. Ms. Dailey said with such diversity, the DAUDS, as a zoning ordinance overlay, will address landscaping, signage, building façade and walkway issues without hindering creativity and variety, and will have no influence on building interior, land use, code compliance, architectural design or demolition matters.

Chairman Nostestine asked if there was anyone present to speak in favor of approving the Amarillo Downtown Urban Design Standards.

Paul Harpole
6803 Stoneham Dr
Amarillo, TX 79109

Mr. Harpole, Vice Chairman, Tax Increment Reinvestment Zone Board (TIRZ), stated a TIRZ subcommittee performed an in-depth study of the standards and confirmed the TIRZ Board's complete endorsement of the DAUDS.

Beth Duke
3141 W. 28th Avenue
Amarillo, TX 79109

Ms. Duke, Executive Director, Center City, substantiated Center City Board of Directors' support for the proposed DAUDS and their recommendation to approve the DAUDS.

William Ware
3012 S. Ong
Amarillo, TX 79109

Mr. Ware stated he felt the design standards would work for the betterment and improvement of downtown Amarillo.

Anette Carlisle
1216 Lamar
Amarillo, TX 79102

Anette Carlisle, Chair Person, Comprehensive Plan Steering Committee stated the proposed DAUDS is a needed guideline aimed at creating a more cohesive, appealing downtown urban atmosphere.

Dana Williams
2315 Hancock
Amarillo, TX 79106

Ms. Williams commented the DAUDS would aide developers by establishing a high level of standards.

Bill Thomas
517 N Polk
Amarillo, TX 79109

Mr. Thomas, Thomas & Israel, Ms. Poindexter, stated support of the proposed DAUDS. However, Mr. Thomas expressed his concern for the size of the DAUDS boundary which includes some Industrial Zoned areas. He stated the standards restrict chain-link fences, however in the areas he is concerned about there are several stacking yards where fencing is necessary to prevent loss. Mr. Thomas said he feels the DAUDS area is too big.

Kay Poindexter
422 E. Bonita
Amarillo, TX 79108

Ms. Poindexter also expressed concern for the size, questioning how residential areas, especially those located in historic neighborhoods mixed with commercially zoned areas within the boundary, would be affected. Mr. Shaw said the staff would like to meet with individuals in these areas to determine if more appropriate zoning guidelines needed to be established.

Daryl Roberts
1617 S. Harrison
Amarillo, TX 79102

Mr. Roberts asked if when a piece of property is sold, will the grandfathered improvements status still be valid and if a sidewalk needs replacement or repairs, will the city notify the owner of that need. Mr. Shaw explained that the legal grandfathered use is based on land use not ownership and explained if the sidewalk is a safety hazard and/or presents a problem; the property owner is liable and responsible for the repairs.

Mike Robertson
3521 Kileen
Amarillo, TX 79109

Mr. Robertson, Western Builders, asked about the trigger associated with DAUDS compliance and stated the cost of interior remodeling would easily meet the \$50,000 cost.

Jason Herrick
7904 Continental
Amarillo, TX 79119

Mr. Herrick asked about the DAUDS compliance triggering mechanism, but also supports the DAUDS hoping it will create city pride, increased investments and promote forward planning and development. Ms. Dailey explained inside renovations would not fall under DAUDS jurisdiction and reiterated that DAUDS involvement would only be triggered by exterior changes and a permit application.

Chairman Nostestine asked if there was anyone present to speak against approving the Amarillo Downtown Urban Design Standards.

Fred Salamy
1900 S Goliad
Amarillo, TX 79106

Mr. Salamy stated he felt the proposed DAUDS boundary was too large and included such areas as west of Jackson, north of the railroad and property around W. 3rd Avenue and Jefferson which are mainly unimproved properties or property zoned as Light Commercial, Heavy Commercial or Industrial. He said these areas do not have pedestrian traffic running through them and the standards are not conducive to the area's intent. Items such as chain-link fences, for example, are essential to protect property and objects like walkways, benches, trees and special lighting would be wasted in these areas. Mr. Salamy agreed the DAUDS is a good idea, but feels the boundary is too big.

Arvell Williams
1313 NE 3rd Avenue
Amarillo, TX 79105

Mr. Williams expressed concern that the DAUDS will put too much power into the hands of the appointed Boards and the overlay will take away the rights and values from the properties without eminent domain.

Jena Taylor
3812 Fleetwood
Amarillo, TX 79109

Ms. Taylor questioned if any consideration had been given as to the homeless in this area.

Pam Monroe
1204 S Lincoln
Amarillo, TX 79101

Ms. Monroe expressed her concern for residential areas.

Chairman Nostestine asked if there was anyone wishing to speak in rebuttal in favor of approving the Amarillo Downtown Urban Design Standards.

Don Mason
400 W. 10th Ave.
Amarillo, TX 79101

Mr. Mason asked for clarification as to who set the costs of permits and fees and suggested encouraging property owners to invest their own money to help promote property revitalization from other downtown property owners. Mr. Mason stated all funds should be generated locally and not federally funded.

Ms. Dailey clarified the DAUDS did not address building interior renovations and improvements that did not affect the building exterior and the triggering mechanism for DAUDS conformance will be a permit application.

Richard Ware
3012 Hughes
Amarillo, TX 79109

Mr. Ware expressed his support for the proposed standards and stated it was a "work in progress".

Chairman Nostestine asked if there was anyone wishing to speak in rebuttal against approving the Amarillo Downtown Urban Design Standards.

No one spoke.

Chairman Nostestine asked if there were any questions or comments from the Commissioners.

Commissioner Smith asked how many calls had been received after the Planning and Zoning public notice and letters had gone out. Mr. Shaw stated there had been approximately 20 calls, most of which were simply asking questions with one call against the proposal. Both Commissions Bedwell and Neely spoke in favor of the proposed DAUDS and said many good points and observations had been made but agreed the DAUDS boundary was far reaching and might need to be reassessed.

Chairman Notestine said he felt the boundary was too extensive and the standards should cover only the Central Business (CB) district. He also expressed that the CB redevelopment should be done all at one time and not in sections.

Chairman Notestine called for a motion and a vote. A motion was made to approve M-10-01 by Commissioner Smith, seconded by Commissioner Neely and carried 4:1.

ITEM 6: P-10-28 Hillcrest Acres Unit No. 3, an addition to the City of Amarillo, being a replat of all of Hillcrest Acres Unit No. 2 including the 30 feet of additional right-of-way dedicated by plat of Hillcrest Acres Unit No. 2, in Section 160, Block 2, AB&M Survey, Potter County, Texas. (0.76 acres) (Vicinity: Willow Creek Dr. & Vinewood Dr.)

DEVELOPERS: N & B Properties, Inc. & Karen Boroughs
SURVEYOR: Heather Lemons

Mr. Shaw stated this plat was not ready but could be resubmitted at a later date at no charge. A motion to deny P-10-28 was made by Commissioner Neely, seconded by Commissioner Day and carried unanimously.

ITEM 7: P-10-29 The Shores Unit No. 15, an addition to the City of Amarillo, being a replat of a portion of Tract H, The Shores Unit No. 1 Amended and a portion of Tract H-2, The Shores Unit No. 3, in Section 229, Block 2, AB&M Survey, Randall County, Texas. (2.00 acres) (Vicinity: S.W. 58th Ave. & Raindrop Ln.)

DEVELOPER: City of Amarillo
SURVEYOR: Kevin Brown

Mr. Shaw stated this plat was not ready but could be resubmitted at a later date at no charge. A motion to deny P-10-29 was made by Commissioner Smith, seconded by Commissioner Neely and carried unanimously.

ITEM 8: P-10-30 Riverroad Gardens Unit No. 22, an addition to the City of Amarillo, being a replat of a portion of Tract 5, Riverroad Gardens, in Section 161, Block 2, AB&M Survey, Potter County, Texas. (1.00 acre) (Vicinity: Bluebonnet Dr. & Gallardia Ave.)

DEVELOPER: Michael Dale Pierce
SURVEYOR: Heather Lemons

Mr. Shaw stated this plat was not ready but could be resubmitted at a later date at no charge. A motion to deny P-10-30 was made by Commissioner Day, seconded by Commissioner Smith and carried unanimously.

CARRY OVERS:

ITEMS 9-10: P-10-26 Mariposa ecoVillage Unit No. 2, P-10-27 Amarillo Medical Center Unit No. 18.

No action was required on these plats.

PENDING ITEMS:

ITEMS 11-14: P-08-10 The Woodlands of Amarillo Unit No. 14, P-08-14 Webb Subdivision Unit No. 3, P-08-58 Centerport Addition Unit No. 2, P-08-65 Point West Business Campus Unit No. 5.

No action was required on these plats.

ITEM 15: P-08-68 Lonesome Dove Estates Unit No. 5, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 111, Block 2, AB&M Survey, Randall County, Texas. (12.63 acres) (Vicinity: Woodrow Call Trl. & Cpt. Augustus McCrae Trl.)

DEVELOPER: Kevin Hughes
SURVEYOR: H.O. Hartfield

P-08-68 was withdrawn.

ITEMS 16-29: P-08-69 Redstone Addition Unit No. 1, P-09-08 Canode-Com Park Unit No. 40, P-09-21 East Loop 335 Unit No. 7, P-09-23 Hillside Terrace Estates Unit No. 10, P-09-40 Hillside Terrace Estates Unit No. 7, P-09-43 South Haven Addition Unit No. 3, P-10-10 Vista Grande Height Unit No. 1, P-10-11 Teresa D' Ann Unit No. 3, P-10-19 Dixon Acres Unit No. 5, P-10-21 Coulter Acres Unit No. 21, P-10-22 Westover Village Unit No. 9, P-10-23 Alamo Acres Unit No. 1, P-10-24 Amarillo Medical Center Unit No. 17, P-10-25 Medical Institute Subdivision Unit No. 9,

No action was required on these plats.

ITEM 30: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No one spoke.

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There being no further items before the Commission, the meeting adjourned at 5:25 p.m. All remarks are on file in the Planning Department.

Kelley Shaw, Secretary
Planning & Zoning Commission