

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

On the 9th day of August, 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	75	51
Dean Bedwell	No	47	40
Judy Day	Yes	50	40
Brandon Neely, Vice Chairman	Yes	51	38
John Notestine, Chairman	Yes	96	87
Louise Ross	Yes	96	88
Howard Smith	Yes	86	76

PLANNING DEPARTMENT STAFF:

Kelley Shaw, Planning Director
Kathleen Collins, Planner I

Karon Watkins, Recording Secretary

Chairman Notestine opened the meeting, established a quorum, and conducted the consideration of the following items in the order presented. Kelley Shaw, Planning Director, read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the July 26, 2010 meeting.

A Motion to approve the minutes of the July 26, 2010 meeting was made by Commissioner Ross, seconded by Commissioner Day and carried 3:0:2 with Commissioners Neely and Notestine abstaining due to their absence at the July 26th meeting.

ITEM 2: Z-10-16 Rezoning of the west 225ft ± of Tract 4, Crouch's Subdivision, in Section 9, Block 9, BS&F Survey, Potter County, Texas to change from Residential District 1 to General Retail District. (Vicinity: SW 17th Avenue & Western Street)

APPLICANT: Sabrina Gafford

Mr. Shaw stated the request for rezoning was appropriate and it could be an appropriate infill opportunity, but also stated possible concerns with adjacent residential uses.

Chairman Notestine asked if anyone was present wishing to speak in favor of the rezoning request.

Rocky Gafford
6406 Andover
Amarillo, TX 79109-6456

Mr. Gafford stated that he was planning on opening a Papa Murphy's franchise on the east side of the tract and the west 225ft. would serve as a turnaround area and possible drive-through for the restaurant. Mr. Gafford maintained the restaurant's hours of operation would be from 11:00 a.m. – 8:00 p.m. and being a take and bake, additional trash would not be an issue.

Chairman Notestine asked if there were any questions from the Commissioners. Commissioner Ross asked if Mr. Gafford had considered applying for a planned development rezoning, which would require a better defined land use. Mr. Gafford said he did not know that option existed.

Chairman Notestine asked if anyone was present wishing to speak against the rezoning request.

Scott Dinges
4206 Crouch St.
Amarillo, TX 79106-5903

Mr. Dinges said he opposed the rezoning due to the potential for increased noise, increased lighting nuisances, excessive litter, traffic safety, possible drainage problems and a reduction in property value and/or a tax increase. Mr. Dinges stated traffic noise, litter and lights shining into their residence from existing businesses were an annoyance and traffic is on Western St. is already unsafe. He is also concerned about drainage runoff if that area is paved and water cannot soak into the ground.

Merton Grayson
1713 LaSalle St.
Amarillo, TX 79106-5912

Mr. Grayson reiterated what Mr. Dinges said and was particularly concerned with the safety of neighborhood children with increased traffic flow.

Don Williams
1715 LaSalle St.
Amarillo, TX 79106-5912

Mr. Williams also stated his concerns pertaining to noise and traffic safety, noting the increased number of rear-end collisions on Western St.

Larry Boyd
1723 S. LaSalle St.
Amarillo, TX 79106-5912

Mr. Boyd expressed his concerns relevant to property value and drainage runoff and believes the residents will have no protection against continued retail development so close to their houses.

Chairman Notestine asked if there were any questions from the Commissioners. Commissioner Smith suggested Mr. Gafford consider a planned development rezoning. Mr. Shaw stated a planned development is a viable alternate zoning which is more restricted and site specific to the land use. Mr. Shaw told Mr. Gafford, if he chose to pursue a planned development rezoning, fees associated with the planned development application would be waived and suggested the Commissioners table this issue until the next Planning and Zoning Meeting which will be held on August 23rd.

Chairman Notestine asked for any rebuttals in favor of the rezoning request. Mr. Gafford stated he had no problem with pursuing a planned development rezoning. Mr. Gafford stated he would be willing to do what was best for the surrounding residents as well as his business and would take into consideration their concerns where possible and indicated the lights to his restaurant would be off by 9:00 p.m. and explained that the drainage runoff sloped to the southwest, away from their homes. He maintained, however, that several of their concerns he had no control over such as the already existing noise and lights from surrounding businesses.

Mr. Shaw reminded Commissioners that the land in question is already land-locked and a drainage report is on file and will be reviewed during the building process. Mr. Shaw also stated there are codes in place that address lighting and noise control and he would be willing to look into the lighting issues but the noise ordinance is difficult to regulate.

Chairman Notestine asked for any rebuttals in favor of the rezoning request. Mr. Dinges, Mr. Grayson, Mr. Williams and Mr. Boyd all agreed with the idea of a planned development rezoning. Mr. Shaw explained that even if everyone opposing the rezoning agreed with a planned development rezoning, the Commissioners could still vote for or against the rezoning as presented.

A motion to table Z-10-16 until the next P&Z meeting with the stipulation any planned development application fees would be waived was made by Commissioner Neely, seconded by Commissioner Smith and carried unanimously.

ITEM 3: P-10-33 Mesa Verde Addition Unit No. 17, an addition to the City of Amarillo, being a replat of a portion of Lot 2, Block 43, Mesa Verde Addition Unit No. 5, in Section 126, Block 2, AB&M Survey, Potter County, Texas. (3.93. acres) Vicinity: Grand Street & NE 24th Avenue)
DEVELOPER: Ken Parish
SURVEYOR: Ken McEntire

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-10-33 was made by Commissioner Ross, seconded by Commissioner Neely and carried unanimously.

ITEM 4: P-10-34 Western Crossing Addition Unit No. 6, an addition to the City of Amarillo, being a replat of Lots 5 and 6, Block 1, Western Crossing Addition Unit No. 1, in Section 227, Block 2, AB&M Survey, Potter County, Texas. (1.86 acres) (Vicinity: Western Street & Interstate 40)
DEVELOPER: Carol Carpenter
SURVEYOR: Ken McEntire

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-10-34 was made by Commissioner Day, seconded by Commissioner Smith and carried unanimously.

CARRY OVERS:

None

PENDING ITEMS:

ITEMS 5-15: 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, 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-10-19 Dixon Acres Unit No. 5, P-10-21 Coulter Acres Unit No. 21.

No action was required on these plats.

ITEM 16: P-10-22 Westover Village Unit No. 9, an addition to the City of Amarillo, being an unplatted tract of land in Section 38, Block 9, BS&F Survey, Randall County, Texas. (5.77 acres) (Vicinity: Pinnacle Dr. & Addison Dr.)

DEVELOPER: Matt Griffith
SURVEYOR: Richard Johnson

Mr. Shaw stated the plat was in order and recommended approval as submitted. A motion to approve P-10-22 was made by Commissioner Neely, seconded by Commissioner Smith and carried unanimously.

ITEMS 17-20: P-10-25 Medical Institute Subdivision Unit No. 9, P-10-26 Mariposa ecoVillage Unit No. 2, P-10-27 Amarillo Medical Center Unit No. 18, P-10-28 Hillcrest Acres Unit No. 3.

No action was required on these plats.

ITEM 21: 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 the plat was in order and recommended approval as submitted. A motion to approve P-10-30 was made by Commissioner Day, seconded by Commissioner Ross and carried unanimously.

ITEM 22: 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. The meeting was adjourned at 4:00 p.m.



Kelley Shaw, Secretary
Planning & Zoning Commission