

# THE CITY OF AMARILLO, TEXAS

Interdepartmental  
Office Communication

November 3, 2011

**TO:** Final Distribution

**FROM:** Planning Department

**SUBJECT:** Z-11-12 Rezoning of all of Lot 8 and the south 1/2 of Lot 9, Block 4, Nobles Subdivision of Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas, to change from Multiple Family 2 District to planned development district for a cigar shop. (Vicinity: S.W. 17th & Polk St)

**APPLICANT:** Todd Dailey

The Amarillo City Commission, at its meeting of May 10, 2011, approved the above-referenced zoning. The ordinance affecting this change is No. 7276. Copies of the ordinance and vicinity sketch are attached. Please post your records accordingly.



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Kelley Shaw, Planning Director



ORDINANCE NO. 7276

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHWEST SEVENTENTH AVENUE AND POLK STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has filed its final recommendation and report on such proposed zoning changes with the City Commission; and,

WHEREAS, the City Commission has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO:

SECTION 1. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of Lot 8 and the south half of Lot 9, Block 4, Nobles Subdivision of Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding rights-of-ways to change from Multiple-Family District 2 to Planned Development District 367 for a cigar shop. (Vicinity: SW 17<sup>th</sup> Ave. & Polk St.)

APPLICANT: Todd Dailey

SECTION 2. All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

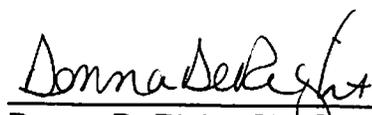
SECTION 3. In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

SECTION 4. This ordinance shall become effective from and after its date of final passage.

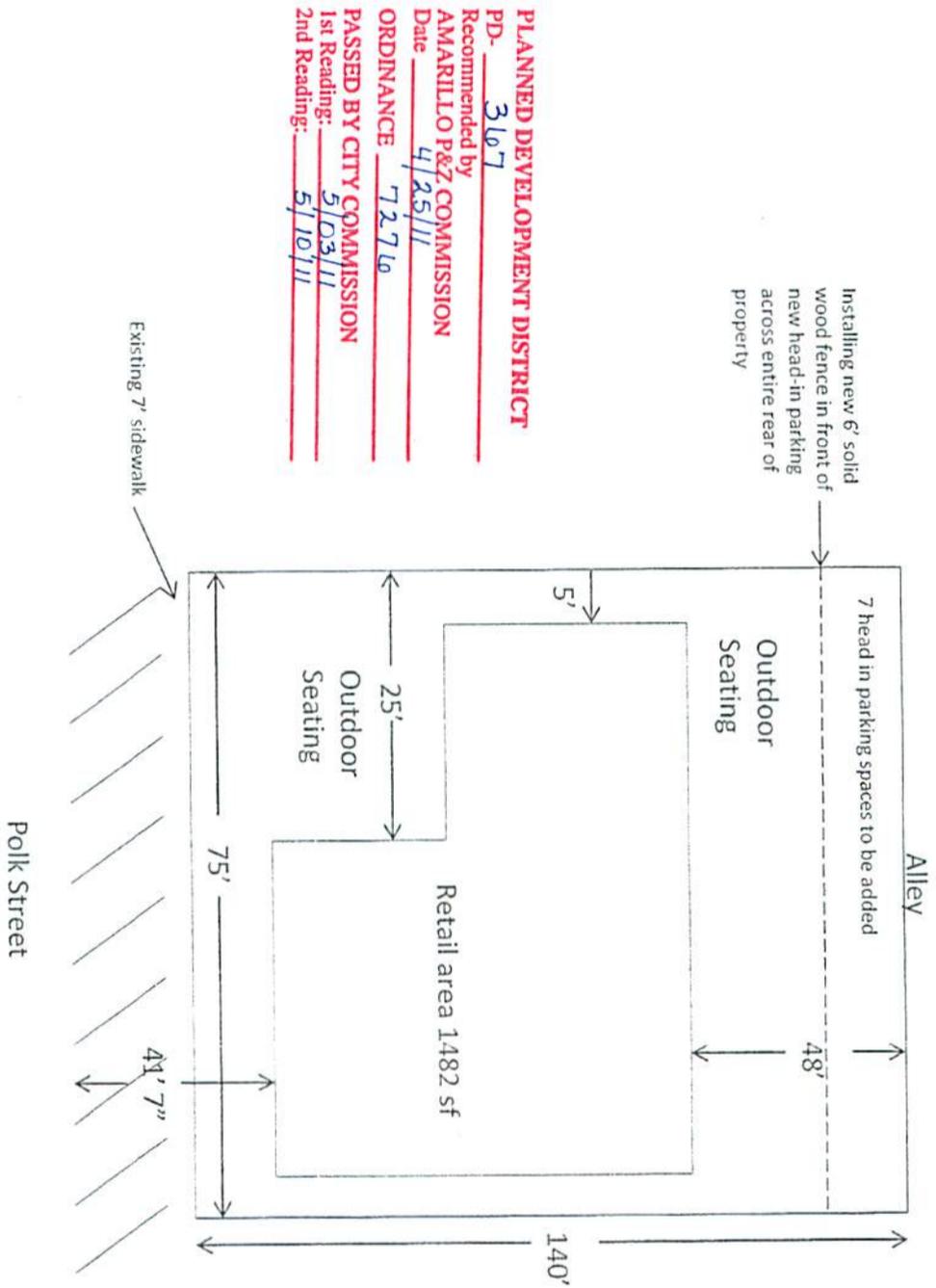
INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading on this the 3<sup>rd</sup> day of May 2011 and PASSED on Second and Final Reading on this the 10<sup>th</sup> day of May 2011.

  
Debra McCartt, Mayor

ATTEST:

  
Donna DeRight, City Secretary

1709 S. Polk Site Plan (not to scale)



**PLANNED DEVELOPMENT DISTRICT**  
 PD- 367  
 Recommended by **AMARILLO P&Z COMMISSION**  
 Date 4/25/11  
**ORDINANCE** 7276  
**PASSED BY CITY COMMISSION**  
 1st Reading: 5/03/11  
 2nd Reading: 5/10/11

Installing new 6' solid wood fence in front of new head-in parking across entire rear of property

7' head in parking spaces to be added  
 Alley  
 Outdoor Seating  
 48'

5'  
 25'  
 Retail area 1482 sf  
 75'  
 140'

Existing 7' sidewalk

Polk Street

41' 7"

- I. General information:
- A. The south half of lot 9 and all of lot 8, in Block 4, Nobles subdivision of the Plemens add.
  - B. Number of employees: 4
  - C. 7 days a week from 10am to 5pm

II. Specific detail:

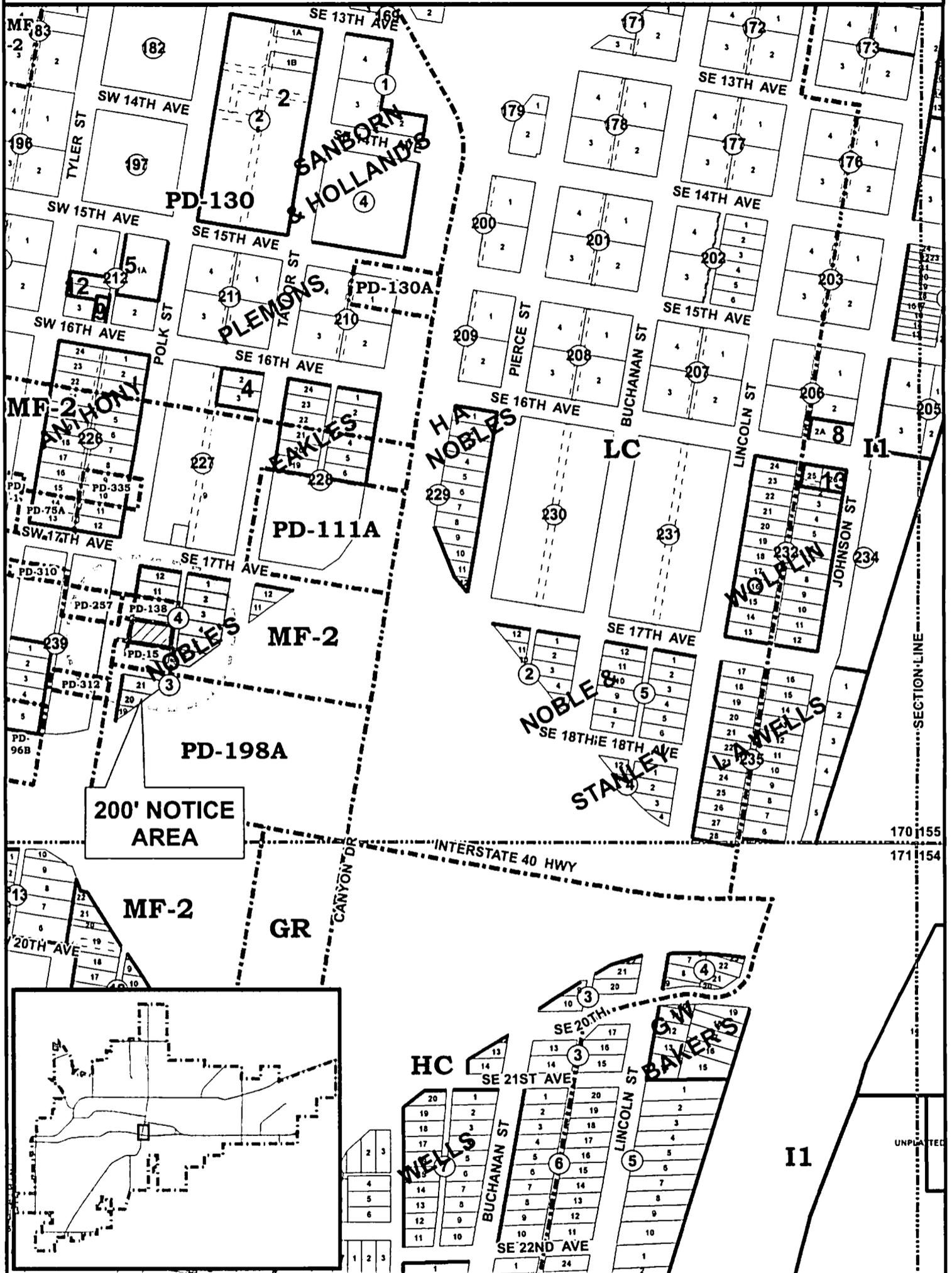
- A. Planned development for a cigar shop and retail activities related to cigars. No alcohol sales allowed.
- B. Lot area: 10,500
- C. Maximum lot coverage: 30 percent

III. Specific notes to be shown directly on site plan:

- A. All parking and driveways shall conform to the requirements of Section 9 of the Development Policy Manual of the City of Amarillo unless noted otherwise.
- B. All exterior lighting shall be directed onto the property in such a manner to minimize or eliminate glare across adjacent property lines.
- C. All signs shall adhere to the Downtown Urban Design standards related to signage.
- D. Any additional bulk or area requirement not specifically noted on this site plan shall comply with the zoning district in which the property was located prior to this amendment.
- E. Any and all utility relocations or adjustments required for this development shall be the responsibility of the developer(s).
- F. All fencing, screening, landscaping, driveways, and parking areas shall be maintained in good condition at all times by owners.
- G. The approval of this development by the City of Amarillo in no way shall alter or abrogate requirements of the International Building Code as adopted and amended by the City of Amarillo.
- H. Any use, other than that allowed under the previous zoning classification or that which is specified by this site plan, will require a zoning amendment.
- I. The City of Amarillo or its franchised utility shall not be required to replace any obstructions, paving, or plantings that must be removed during the course of an entrance, connection, or reconstruction within any public utility or drainage easement.
- J. All exterior mechanical equipment shall be located and/or screened in such a manner as to eliminate or minimize noise and visual impact to adjacent properties.
- K. All surface storm water collected on this site shall drain directly to adjacent public right-of-way or by other means approved by the City Engineer.
- L. No outdoor speakers allowed.

I acknowledge and agree to all standards of development as listed on this site plan.  
 NAME OF APPLICANT: \_\_\_\_\_ DATE: 5/19/11

# Rezoning from MF-2 to PD



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Scale: 1" = 400'  
Date: 4-7-11  
Case No: Z-11-12



Rezoning of Lot 8 and the south half of Lot 9, Block 4, Nobles Subdivision of Plemons Addition in Section 170, Block 2, AB&M Survey, Potter County, TX to change from Multiple Family District-2 to Planned Development District for a cigar shop.

Vicinity: SW 17th Ave. & Polk St.

Applicant: Todd Dailey

AP: N-12