

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

On the 26th day of April, 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	Yes	68	47
Dean Bedwell	Yes	40	36
Judy Day	Yes	43	34
Brandon Neely, Vice Chairman	Yes	44	34
John Notestine, Chairman	Yes	89	82
Louise Ross	Yes	89	83
Howard Smith	Yes	79	70

PLANNING DEPARTMENT STAFF:

Kelley Shaw, Planning Director
Cris Valverde, Senior Planner

Karon Watkins, Planning Administrative Tech

Chairman Notestine opened the meeting, established a quorum, and conducted the consideration of the following items with a revision to the agenda order, addressing Item 2 last. Kelley Shaw, Planning Director, read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the April 12, 2010 meeting.

Motion to approve the minutes of the April 12, 2010 meeting was made by Commissioner Ross, seconded by Commissioner Neely and carried 7:0.

ITEM 2: Z-10-08 Rezoning of Lot 5, Block 114, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways to change from Light Industrial District to Light Industrial District with Specific Use Permit for the addition of a crematory. (Vicinity: Johnson St. & SE 9th Ave.)
APPLICANT: Keith Bassett

Mr. Shaw stated given the legal existing use of the site (mortuary), and the strict regulations of the cremation process by State of Texas agencies the addition of cremation services to existing operations would not create additional adverse impact to the commercial uses of the area. However, Mr. Shaw also said another aspect to consider is the location of the site which is in the Warehouse District as defined by the Downtown Amarillo Strategic Action Plan. The plan recommends high-density residential and mixed-use land uses for this area and, as such, staff has some concern as to the compatibility of the proposed use and the long-term redevelopment goals for this area. Should this request be approved, Mr. Shaw recommended the specifications of the crematory equipment as well as the analysis of the external emissions made within the report become incorporated into the "development standards" of this specific use permit.

Chairman Notestine asked if there was anyone wishing to speak for the request.

Keith Bassett
A to D Mortuaries
808 S Johnson
Amarillo, TX 79101

Mr. Bassett recognized that the mortuary/crematory business was sometimes perceived as less than positively. However, Mr. Bassett explained the necessity for crematory services and the suitability of the location as a service for Amarillo and surrounding areas, noting nearly all of the funeral service businesses in the area were in favor of the addition. Mr. Bassett described the crematory process and emissions, maintenance requirements and state regulations.

Mr. Bassett was asked by the Commissioners about other crematories within the city limits, what maintenance was involved to sustain a smokeless, odorless, particulate-free environment and why other funeral service businesses did not have crematories. Mr. Bassett said this crematory would be the only crematory within the city limits and the main reasons other similar businesses were supporting this addition and not adding a crematory at their locations was economics and cost efficiency. He said the cost to invest in a crematory would take several years to recover and one crematory would be benefit and be sufficient for all surrounding businesses. The cost to maintain the equipment is minimal if the equipment is maintained on a consistent, comprehensive basis.

Commissioner Neely asked Mr. Bassett he would be willing to sign an agreement stating that if any smoke, odor or particulate matter were detected, operations would be shut down immediately. Mr. Bassett said yes and noted a similar type of statement had been discussed with Mr. Valverde, Senior Planner already. However, Mr. Bassett did mention the possibility of a minute release of white smoke during the first 10 – 15 seconds on startup, which would be imperceptible. Chairman Notestine asked what would cause the white smoke at that time. Mr. Bassett said the containers.

Commissioner Neely asked why the location of the crematory wouldn't be just as suitable outside the city limits. Mr. Bassett explained the current site is a strategic location to the Sheriff's and Counties' offices for forensic purposes, and state law requires the crematory to be located at the same site as the mortuary, and state law requires the crematory to be located at the same site as the mortuary.

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

Wes Knapp
Western Builders
901 Johnson
Amarillo, TX 79101

Mr. Knapp stated his objection to the addition of a crematory in the downtown historic district. Mr. Knapp confirmed ownership of 2 of the 5 historic warehouses in this area and believes the area should remain a historic district with the focus on office and commercial redevelopment. Mr. Notestine asked Mr. Knapp what difference a crematory would make vs. the existing mortuary. Mr. Knapp said he had no problem with the existing mortuary since the nature of the business is not evident; However with the addition of a crematory, the potential for problem due to a malfunction or improper maintenance could create smoke or odor emissions that would be detectable and therefore unacceptable.

Beth Duke
Center City
1000 S Polk
Amarillo, TX 79101

Ms. Duke, Executive Director, Center City presented Center City's Board of Directors (Board) opposition to the crematory and stated that Center City's main objective is the redevelopment of downtown Amarillo, attempting to preserve historical buildings. The Board feels the addition of a crematory in this area would be have a negative effect on downtown growth and development. Mr. Notestine asked Ms. Duke what does she feel is the difference between mortuaries vs. crematories in perception. She stated the Board's apprehension of the possible occurrence of a catastrophe involving the crematory.

Melissa Dailey
Downtown Amarillo Inc. (DAI)
801 S Fillmore St., Ste 205
Amarillo, TX 79101

Ms. Dailey, Director, DAI expressed DAI's Board of Directors' opposition to the crematory, stating the same reasons as Ms. Duke. DAI's Board considers the crematory a possible deterrent to downtown growth and development. Ms. Dailey believes this type of business should be located in a Heavy Industrial District rather than in a part of downtown being established as a historical, redevelopment area intended for retail and commercial interests.

Chairman Notestine asked if there were any rebuttals for the request. Mr. Bassett assured the board members of the mandatory environmental safeguards imposed on crematory operations.

Chairman Notestine asked if there were any rebuttals against the request. Mr. Knapp stated he would have been reluctant to purchase the adjacent warehouse, had he been aware of plans to add a crematory.

Motion to deny Z-10-08 was made by Commissioner Smith, seconded by Commissioner Neely and passed 5:1:1.

ITEM 3: P-10-23 Alamo Acres Unit No. 1, a suburban subdivision to the City of Amarillo, being a replat of the remaining portion of Lot 1, Block 2, AB&M Survey, Randall County, Texas. (2.00 acres) (Vicinity: Whitaker Rd. & SW 34th Ave.)
DEVELOPERS: Juan and Leonel Alamo
SURVEYOR: Jeffrey Floyd Reasoner

Mr. Shaw stated this plat was not ready but could be resubmitted at a later date at no charge. Motion to deny P-10-23 was made by Commissioner Neely, seconded by Commissioner Bedwell and carried unanimously.

ITEM 4: P-10-24 Amarillo Medical Center Unit No. 17, an addition to the City of Amarillo, being a replat of the remaining portion of Lot 1, Block 2, Amarillo Medical Center Unit No. 2, all of Lots 2-A and 2-C, Block 2, Amended Plat of Amarillo Medical Center Unit No. 2, and a portion of Lot 2-D, Block 2, Amarillo Medical Center Unit No. 7, all in Section 26, Block 9, BS&F Survey, Potter County, Texas. (31.56 acres) (Vicinity: Wallace Blvd. & Coulter St.)
DEVELOPER: Baptist St. Anthony's Hospital Inc.
SURVEYOR: Robert E. Keys

Mr. Shaw stated this plat was not ready but could be resubmitted at a later date at no charge. Motion to deny P-10-24 was made by Commissioner Ross, seconded by Commissioner Day and carried unanimously.

CARRY OVERS:

ITEM 5: P-10-20 Blasdel-Eppstein Subdivision Unit No. 2, an addition to the City of Amarillo, being a replat of the north 5 feet of Lot 7 and the south 30 feet of Lot 6, Block A, Blasdel-Eppstein Subdivision, in Section 156, Block 2, AB&M Survey, Potter County, Texas. (0.11 acres) (Vicinity: N. Johnson St. & Wichita Ave.)
DEVELOPER: Larry Touchon
SURVEYOR: K.C. Brown

Mr. Shaw stated the applicant's request is appropriate and recommended approval with a lot area waiver and a lot width waiver. Motion to approve P-10-20 with a lot area waiver and a lot width waiver was made by Commissioner Ross, seconded by Commissioner Neely and carried unanimously.

ITEM 6 & 7: P-10-21 Coulter Acres Unit No. 12, P-10-22 Westover Village Unit No. 9.

No action required.

PENDING ITEMS:

ITEM 8-10: P-08-10 The Woodlands of Amarillo Unit No. 14, P-08-14 Webb Subdivision Unit No. 3, P-08-25 Miller Paper Unit No. 1.

No action required.

ITEM 11: P-08-34 Mirror Addition Unit No. 23, and addition to the City of Amarillo, being a replat of Lots 37 thru 48, Block 482, Mirror Addition in Section 155, Block 2, AB&M Survey, Potter County, Texas. (0.86 acres) (Vicinity: Williams St. & Federal Ave.)
DEVELOPER: Raghi Ramesh
SURVEYOR: Kevin Brown

Withdrawn.

ITEM 12-15: P-08-58 Centerport Addition Unit No. 2, P-08-65 Point West Business Campus Unit No. 5, P-08-68 Lonesome Dove Estates Unit No. 5, P-08-69 Redstone Addition Unit No. 1.

No action required.

ITEM 16: P-08-81 McMurtry Acres Unit No. 3, a suburban subdivision to the City of Amarillo, being a replat of a portion of Tract 22, McMurtry Acres, in Section 2, Block 2, J. Poitevent Survey, Randall County, Texas. (4.09 acres) (Vicinity: S. Georgia St. & Beacon Rd.)
DEVELOPER: Johnny Mote
SURVEYOR: David Miller

Withdrawn.

ITEM 17-27: 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-09-33 Western Crossing Addition Unit No. 4, P-09-35 Sunrise Park Unit No. 10, P-09-40 Hillside Terrace Estates Unit No. 7, P-09-43 South Haven Addition Unit No. 3, P-10-01 Holland's Addition Unit No. 13, P-10-04 The Colonies Unit No. 43, P-10-10 Vista Grande Height Unit No. 1, P-10-11 Teresa D'Ann Unit No. 3.

No action required.

ITEM 28: P-10-15 River Falls Unit No. 19, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 8, Block 6, I&GN RR Survey, in Section 83, Block 2, AB&M Survey and JP Campbell Survey, Randall County, Texas. (32.79 acres) (Vicinity: FM 1151 & John's Way Blvd.)
DEVELOPER: Tully R. Currie
SURVEYOR: Dwayne R. Gresham

Mr. Shaw stated the applicant's request is appropriate and recommended approval as submitted. Motion to approve P-10-15 as submitted was made by Commissioner Smith, seconded by Commissioner Day and carried unanimously.

ITEM 29: P-10-16 Glenwood Addition Unit No. 11, an addition to the City of Amarillo, being an unplatted tract of land in Section 154, Block 2, AB&M Survey, Randall County, Texas. (2.24 acres) (Vicinity: 34th Ave. & Osage St.)
DEVELOPER: Greg Mitchell
SURVEYOR: Richard E. Johnson

Mr. Shaw stated the applicant's request is appropriate and recommended approval with an alley waiver. Motion to approve P-10-16 with an alley waiver was made by Commissioner Neely, seconded by Commissioner Ross and carried unanimously.

ITEM 30: P-10-17 South Side Acres Unit No. 22, an addition to the City of Amarillo, being a replat of a portion of Lot 9, Block 1, South Side Acres Unit No. 3, in Section 230, Block 2, AB&M Survey, Randall County, Texas. (1.49 acres) (Vicinity: Farmers Ave. & Western St.)
DEVELOPER: Greg Mitchell
SURVEYOR: Richard E. Johnson

Mr. Shaw stated the applicant's request is appropriate and recommended approval as submitted. Motion to approve P-10-17 as submitted was made by Commissioner Bedwell, seconded by Commissioner Neely and carried unanimously.

ITEM 31: P-10-18 Westover Village Unit No. 8, an addition to the City of Amarillo, being an unplatted tract of land in Section 38, Block 9, BS&F Survey, Randall County, Texas. (1.51 acres) (Vicinity: Loop 335 & Coulter St.)
DEVELOPER: Greg Mitchell
SURVEYOR: Richard E. Johnson

Signed by the Assistant City Manager on April 26, 2010.

ITEM 32: P-10-19 Dixon Acres Unit No. 5, an addition to the City of Amarillo, being a replat of the east 50 ft. of Tract 1, Block 1, Dixon Acres in Section 157, Block 2, AB&M Survey, Potter County, Texas. (0.17 acres) (Vicinity: NE 16th Ave. & Roberts St.)
DEVELOPERS: Maria Elida Munoz and Uriel Lopez
SURVEYOR: Heather Lynn Lemons

No action required.

ITEM 33: 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 4:20 p.m. All remarks are on file in the Planning Department.



Kelley Shaw, Secretary
Planning & Zoning Commission