



DEVELOPMENT SERVICES

808 S. BUCHANAN St  
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AMARILLO TX 79105-1971  
(806) 378-5263

10/15/2019

Joe Bob McCartt, CCIM  
800 S. Polk, Suite 104  
Amarillo, TX 79105

**RE: Letter of Action: Approval- Rezoning ZB1903331 –174.51 Acre Tract of Unplatted Land in Section 107, Block 2, AB&M Survey, Potter County and Randall County, Texas**

Mr. McCartt,

The City of Amarillo has approved the rezoning of a 174.51 acre tract of unplatted land from Residential District 1 to Planned Development District 391 for Industrial Park Development in Section 107, Block 2, AB&M Survey, Potter County and Randall County, Texas, Project Number: ZB1903331 on 8/20/2019. The ordinance affecting this change is No. 7799. Enclosed you will find a copy of the ordinance.

As the Project Manager, please direct all questions to me, to avoid confusion or receipt of erroneous information. My contact information is [Brady.Kendrick@amarillo.gov](mailto:Brady.Kendrick@amarillo.gov) or 806-378-5286.

Sincerely,

A handwritten signature in blue ink that reads 'Brady Kendrick'.

Brady Kendrick  
Planner I

**ORDINANCE NO. 7799**

**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 WHITAKER ROAD AND SOUTHEAST THIRTY-FOURTH AVENUE, POTTER AND RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council adopted the "Amarillo Comprehensive Plan" on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

**WHEREAS**, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

**WHEREAS**, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

**WHEREAS**, the City Council 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; and

**WHEREAS**, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:**

**SECTION 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** 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 a 174.51 acre tract of unplatted land in Section 107, Block 2, A.B.&M. Survey, Potter County and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Planned Development District 391 for Industrial Park Development, more specifically detailed in the attached document incorporated herein.

BEGINNING at a ½ inch iron rod found for the Southeast corner of said Section 107 and the Northwest corner of Section 89, same block, same being the Southeast and BEGINNING CORNER of this tract of land;

THENCE N. 69° 48' 21' W. 2640.19 feet along the South line of said Section 107 and the North line of Section 108, same block, as monumented on the ground to a 1 inch iron pipe found for the Southwest corner of this tract of land, same being the Southeast corner of the Southwest quarter of said Section 107 as monumented on the ground, also being the Southeast corner of a tract of land described in that certain instrument recorded in Volume 998, Page 572 of the Deed Records of Potter County, Texas;

THENCE N. 00° 14' 52' E. 2973.88 feet along the East line of the West half of Section 107 and the West line of the East half of Section 107, as monumented, to a concrete cylinder with brass cap stamped "CFL" found for the Northwest corner of this tract of land, same being the Southwest corner of Lot 1, Block 3, Memory Acres Unit No. 6, an addition to the City of Amarillo, Potter County, Texas according to the map or plat thereof, of record in Volume 1656, Page 253 of the Official Public Records of Potter County, Texas;

THENCE S. 89° 54' 00" E. (Base Line) at 520.09 feet pass a concrete cylinder with brass cap stamped "CFL" found for the Southeast corner of said Lot 1, Block 2, Memory Acres Unit No. 6 and the Southwest corner of a 73.26 acre tract of land described in that certain instrument recorded in Volume 1434, Page 830 of the Official Public Records of Potter County, Texas at 1499.64 feet pass at ½ inch iron rod with cap stamped "Dorsey" found for the Southeast corner of said 73.26 acre tract of land and the Southwest corner of a tract of land described in that certain instrument recorded in Volume 2035, Page 102 of the Official Public Records of Potter County, Texas at 2602.80 feet pass a ½ inch iron rod with cap stamped "Dorsey" found for the Southeast corner of a said tract of land described in that certain instrument recorded in Volume 2035, Page 102 for a total distance of 2640.20 feet to a point in the East line of said Section 107 and in the West line of Section 90, same block, and the Northeast corner of this tract of land;

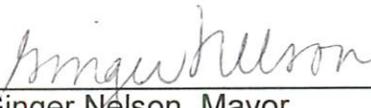
THENCE S. 00° 14' 52" W. 2978.02 feet along the East line of said Section 107 and the West line of said Section 90 to the PLACE OF BEGINNING and containing 180.37 acres of land more or less, of which 5.68 acres more or less are in fenced Right-of-Way and 0.15 acres more or less in a Street Deed recording Volume 1755, Page 693, leaving a net acreage of 174.51 acres more or less.

**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. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

**SECTION 4.** All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

**SECTION 5.** This Ordinance shall become effective from and after its date of final passage.

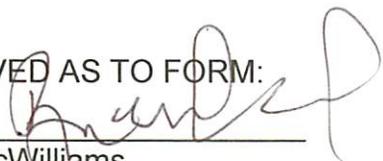
**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on First Reading on this the 6<sup>th</sup> day of August, 2019 and PASSED on Second and Final Reading on this the 20<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Ginger Nelson, Mayor

ATTEST:

  
\_\_\_\_\_  
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bryan McWilliams,  
City Attorney

Development standards for Planned Development District 391:

Allowed land uses are:

Those allowed (unless excluded below) in Office, General Retail, and Light Commercial Zoning Districts. Additional land use allowed are Meat Processing (no slaughter, butchering, housing of live animals) Motor Freight Terminal, Animal Clinic (outside pens), Hauling or Storage Business (not sand and gravel), and Screened outdoor storage.

Prohibited land uses include:

Manufactured Home sales  
Manufactured Home Park  
Industrial Housing  
Pawn Shop  
Tattoo Shop  
Animal Pound  
Hatchery  
Petroleum collecting and storage  
Adult Business

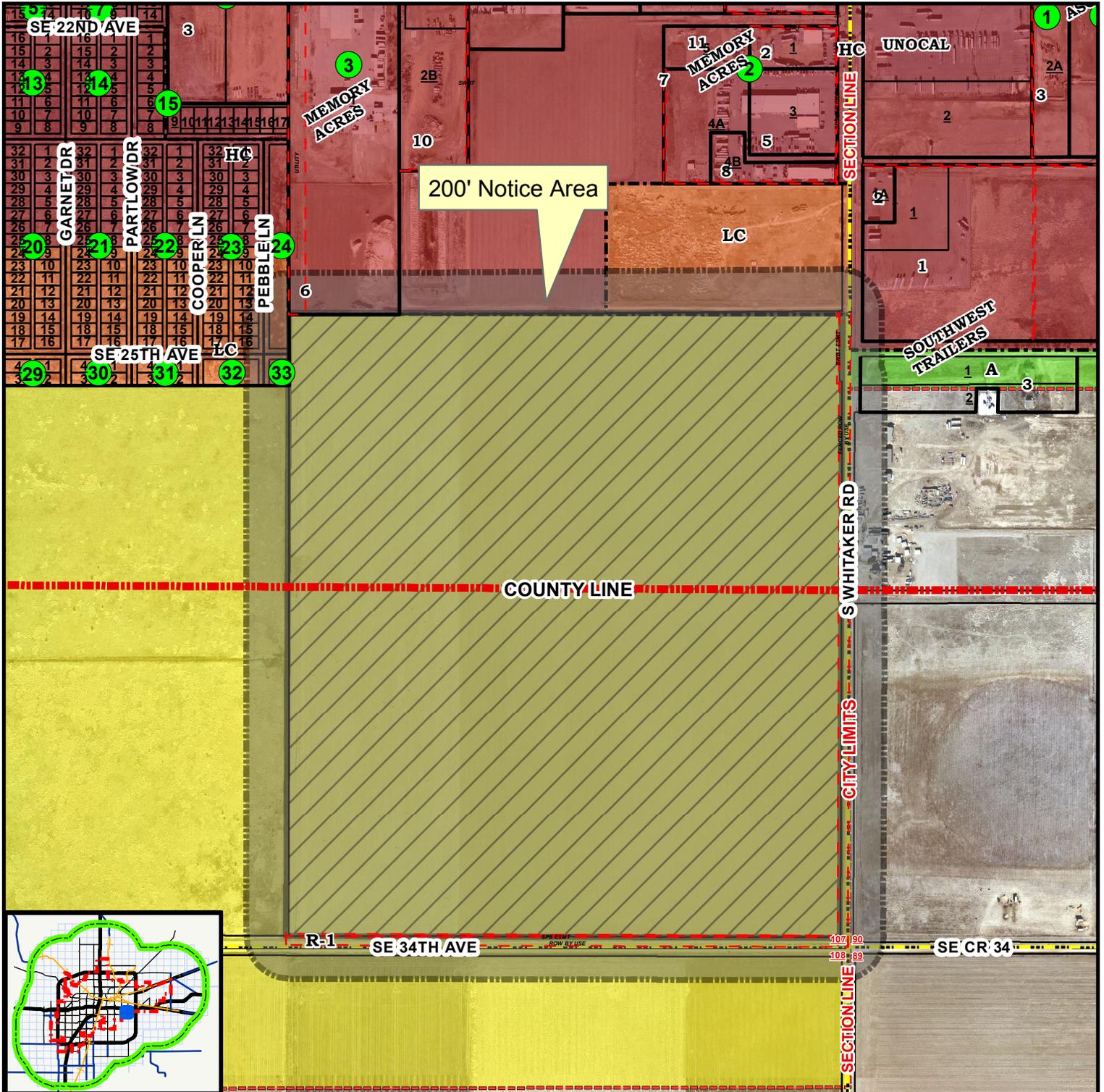
Architectural standards:

Buildings that front upon Whitaker and/or SE 34<sup>th</sup> Ave shall have elevations that consist of no less than 25 percent brick or similar masonry product.

Miscellaneous:

All other development standards not mentioned above shall conform to Heavy Commercial District standards.

# REZONING FROM R-1 TO PD



## CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 650 feet  
 Date: 7/8/2019  
 Case No: Z-19-15



Z-19-15 Rezoning of a 174.51 acre tract of unplatted land in Section 107, Block 2, AB&M Survey, Potter County and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to a Planned Development District for Business and Industrial Park Development.

Vicinity: SE 34th Ave. & S. Whitaker Rd.

APPLICANT: Matt Griffith for Happy Again LP  
 Tax Account #: R-200-1070-4500.0, R-200-1070-4000.0,  
 R-200-1070-5000.0

AP: R13