# AGENDA

## FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, JULY 26, AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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*City Council Mission: Use democracy to govern the City efficiently and effectively to accomplish the City's mission.*

*Please note: The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.*

**INVOCATION**: Gene Shelburne, Anna Street Church of Christ

**PROCLAMATION**: "Parks and Recreation Month"

**PUBLIC ADDRESS**:
(For items on the agenda for City Council consideration)
The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday at 8:00 a.m. until Tuesday at 12:45 p.m. at https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form or by calling the City Secretary's office at (806) 378-3014.

## AGENDA

1. **City Council will discuss or receive reports on the following current matters or projects**:

   A. Review agenda items for regular meeting and attachments;
   B. Updates from Councilmembers serving on outside boards and commissions
      i. Beautification and Public Arts Advisory Board
      ii. Parks and Recreation Advisory Board
      iii. Amarillo Local Government Code
      iv. Amarillo Metropolitan Planning Organization;
   C. Update on City of Amarillo Drought Contingency Plan; and
   D. Request future agenda items and reports from City Manager.

2. **CONSENT ITEMS**:
   It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction:

   THE FOLLOWING ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCILMEMBER, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

   A. **CONSIDER APPROVAL – MINUTES**:
      (Contact: Stephanie Coggins, City Secretary)

      This item considers approval of the City Council minutes for the regular meeting held on July 12, 2022.

   B. **CONSIDER APPROVAL – MINUTES**:
      (Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on July 13, 2022.

C. **CONSIDER APPROVAL – MINUTES**:
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on July 14, 2022.

D. **CONSIDER APPROVAL – MINUTES**:
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on July 15, 2022.

E. **CONSIDERATION OF ORDINANCE NO. 7970**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning a 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) and Agricultural District (A) to Heavy Commercial District (HC). (Vicinity: Interstate 40 and Airport Blvd.; Applicant/s: Drew Donosky for Attebury Farm LLC)

F. **CONSIDERATION OF ORDINANCE NO. 7993**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an Ordinance annexing into the City of Amarillo, in Randall County, Texas, on petition of property owner, territory generally described as a 244.97-acre tract of unplatted land, in Sections 61, 62, 75, and 76, Block 9, B.S.&F. Survey, Randall County, Texas. (VICINITY: Soncy Rd. and S.W. 34th Ave.; APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust)

G. **CONSIDERATION OF ORDINANCE NO. 7994**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an Ordinance providing for the establishment of zoning districts on the Official Zoning Map of the City of Amarillo, Texas, establishing Agricultural District, Residential District 3, Moderate Density District, Multiple-Family District 1, Planned Development District 400 for single-family detached homes with reduced lot depth and area, and Planned Development District 401 for single-family detached homes with reduced lot width, all in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas. (VICINITY: Soncy Rd. and S.W. 34th Ave.; APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust.)

H. **CONSIDERATION OF ORDINANCE NO. 7995**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning a 13.50-acre tract of land, being a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo, and unplatted land, all in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Residential District 2 to Moderate Density District. (VICINITY: Western St. and Arden Rd.; APPLICANT/S: Daryl Furman for Valleyview Church of the Nazarene.)

I. **CONSIDERATION OF ORDINANCE NO. 7996**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lots 3 through 5, Block 93, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Commercial District to Planned Development District 399 for increased lot coverage and reduced onsite parking. (VICINITY: SW 8th Ave. and Monroe St.; APPLICANT/S: Charles R. Lynch for Amarillo Steam Team, LLC.)

J. **CONSIDER AWARD – OFFICE SUPPLIES ANNUAL CONTRACT**:
(Contact: Trae Kepley, Purchasing Agent)
Award to: Officewise/Navajo Office Products – Not to exceed $275,000.00 (TexBuy Purchasing Cooperative RFP #022-001)

This item considers award of an annual contract to purchase office supplies that will be used by various city departments in their daily office duties.

K. **CONSIDER APPROVAL – CHANGE ORDER NO. 1 FOR 34TH AVENUE PUMP STATION SWITCHGEAR REPLACEMENT**:
(Contact: Kyle Schniederjan, Capital Projects & Development Engineering Director)
Award to: Brown Construction Services PLLC

| | |
|---|---|
| Original Contract Amount: | $2,165,000.00 |
| Current Change Order No. 1: | $ 65,750.00 |
| Revised Contract Total: | $2,230,750.00 |

This item considers approval of a change order to the 34th Avenue Pump Station Switchgear Replacement project that was necessitated by an unexpected increase in commodity item and material costs.

L. **CONSIDER AWARD – CONTRACT FOR RECOATING OF THREE STORAGE TANKS**:
(Contact: Kyle Schniederjan, Capital Projects & Development Engineering Director)
Award to: Dixie Painting and Sandblasting, Inc. - $2,621,455.00

This item considers the award of a construction services contract that consists of surface preparation and application of high-performance coating systems for the Independence Elevated Storage Tank and two identical, welded steel ground storage tanks located at NE 24th Avenue Pump Station.

M. **CONSIDER APPROVAL – CHANGE ORDER NO. 2 FOR FY 20/21 MILLING AND OVERLAY OF VARIOUS STREETS**:
(Contact: Matthew Thomas, City Engineer)
Award to: L.A. Fuller & Sons, LTD

| | |
|---|---|
| Original Contract Amount: | $2,084,695.73 |
| Change Order No. 1 | $ 20,375.00 |
| Current Change Order No. 2: | $ (430,168.67) |
| Revised Contract Total: | $1,674,902.06 |

This item considers approval of a change order to the FY 20/21 Milling and Overlay of Various Streets project to establish final installed quantities and adjust the scope of the project.

N. **CONSIDER PURCHASE – TASERS AND ACCESSORIES FOR AMARILLO POLICE DEPARTMENT**:
(Contact: Martin Birkenfeld, Police Chief)
Award to: Axon Enterprise - $59,932.32

This item considers purchase of tasers and related accessories for the Amarillo Police Department academy personnel. This item will be funded through a Justice Assistance Grant (JAG).

O. **CONSIDER AWARD – CONTRACT FOR ONLINE LEARNING MANAGEMENT SYSTEM SERVICE**:
(Contact: Mitchell Normand, Human Resources Director)
Award to: Cornerstone on Demand - $116,836.00

This item considers award of a contract for Learning Management System (LMS) services that will be utilized by multiple city departments. The contract will be for a term of three years.

P. **CONSIDERATION OF RESOLUTION NO. 07-26-22-1**:
(Contact: Donny Hooper, Public Works Director)

This item considers a resolution modifying the original Resolution No. 01-11-22-1 to authorize additional funds to support the advance funding agreement for highway safety improvement program with the Texas Department of Transportation (TXDOT).

Q. **CONSIDER APPROVAL – LAND DEDICATION**:
(Contact: Brady Kendrick, Planner II)

This item considers the dedication of a 1.90-acre tract of land for Public Right-of-way purposes lying in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: S Georgia St. and Hollywood Rd. (Loop 335); APPLICANT/S: Kevin Carter for Amarillo Economic Development Corporation.)

**3. NON-CONSENT ITEM**:

A. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7997**:
(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This item is a public hearing and first reading of an ordinance designating certain areas of the City as Reinvestment Zone No. 19 for commercial and industrial tax abatement. The zone is approximately 20.70 acres in the vicinity of S. Georgia St. and Farmers Ave.

B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7998**:
(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This item is a public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 20 for commercial and industrial tax abatement. The zone is approximately 30.00 acres in the vicinity of Airport Boulevard and SE Third Avenue.

C. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7999**:
(Contact: Brady Kendrick, Planner II)

This item is a public hearing and first reading to consider an ordinance rezoning an 8.29-acre tract of unplatted land, in Section 191, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential District 3. (VICINITY: W Hastings Ave. and Broadway Dr.; APPLICANT/S: Tommy Nielson for Nielson Communities.)

D. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8000**:
(Contact: Brady Kendrick, Planner II)

This item is a public hearing and first reading to consider an ordinance rezoning Lots 10 and 11, Block 11, Lawrence Park Addition Unit No. 4, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Office District 2 to Neighborhood Service District.

E. **CONSIDERATION OF ORDINANCE NO. 8001**:
(Contact: Emily Koller, Assistant Director of Planning)

This item is a first reading to consider an ordinance to amend the Amarillo Municipal Code Title IV – Building Codes, Development and Zoning, by adding Chapter 4-12 regarding the City's Recognized Neighborhood Association program.

F. **DISCUSSION AND POSSIBLE CONSIDERATION OF JOB TRAINING FACILITIES AGREEMENT BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION AND AMARILLO COLLEGE**:
(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This item considers approval of an agreement between Amarillo Economic Development Corporation (AEDC) and Amarillo College to renovate Amarillo College's existing facility at 11th and Polk for the creation of the Innovation Outpost, a job training facility for primary employees. AEDC will provide $3,000,000 over five annual payments to help fund the facility.

G. **DISCUSSION AND POSSIBLE CONSIDERATION OF HIGH DEMAND JOB TRAINING AGREEMENT BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION, PANHANDLE REGIONAL PLANNING COMMISSION, AND TEXAS WORKFORCE COMMISSION**:
(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This item considers approval of an agreement between Amarillo Economic Development Corporation (AEDC), Panhandle Regional Planning Commission (PRPC), and the Texas Workforce Commission (TWC) to support High Demand Job Training. AEDC will provide $150,000 to match funding from the TWC to be used by all five area independent school districts for their Career and Technical Education departments. The agreement will be administered through PRPC on behalf of TWC, Workforce Solutions of the Panhandle, and AEDC.

H. **CONSIDER APPROVAL - SETTLEMENT AGREEMENT AND RELEASE WITH MISSION CLAY PRODUCTS, LLC.**:
(Contact: Floyd Hartman, Assistant City Manager)

This item considers authorizing the City Manager to execute a settlement agreement related to the case styled as City of Amarillo, Texas v. Brandt Engineers Group, Ltd., L.A. Fuller & Sons Construction, Ltd., and Mission Clay Products, LLC.; Cause No. 106315-E-CV pending in the 108th Judicial District Court of Potter County, Texas. Per the agreement, Mission Clay Products, LLC agrees to pay or cause to be paid the total sum of $11,100,000.00 to the City of Amarillo to settle disputed claims alleged in the aforementioned cause.

I. **CONSIDER APPROVAL – PURCHASE OF GROUNDWATER RIGHTS**:
(Contact: Floyd Hartman, Assistant City Manager)
Owner: Travis Chester – Up to $29,565,000.00 plus closing and other related costs

This item is to consider approval of a contract to purchase up to 15,768 acres of groundwater rights in Roberts County, at a cost of $1,875 per acre and authorizes the City Manager to execute all necessary documents. The final acreage will be determined by a survey, up to $29,565,000.00 plus the City's

closing and other related costs. Approval of this item would increase the City's water inventory for future use by over 800,000-acre feet.

4. **EXECUTIVE SESSION**:

The City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:

A. 551.072 – Discussion regarding the purchase, exchange, lease, or value of real property:
   i. Purchase of real property in the Eastern Texas panhandle.
   ii. Purchase of real property located in the Northeast quadrant of the City of Amarillo

B. 551.071 – Consult with an attorney regarding pending or contemplated litigation, or settlement of the same; consult with an attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter:
   i. City of Amarillo v. Mission Clay Pipe, et. al.

C. 551.087 – Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
   i. Project # 22-02-05 (Manufacturing)
   ii. Project # 22-05-01 (Manufacturing)
   iii. Project # 22-05-04 (Manufacturing)
   iv. Project # 22-06-01 (Manufacturing)

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations, or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3014 or the City TDD number at 378-4229.

Watch the meeting live: http://amarillo.gov/city-hall/city-government/view-city-council-meetings.

I certify that the above notice of meeting was posted on the electronic bulletin board in City Hall, 601 S. Buchanan, Amarillo, Texas, and the City website (www.amarillo.gov) on or before the 22nd day of July 2022, at 4:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

Stephanie Coggins

Stephanie Coggins, City Secretary

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 12th day of July 2022, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chamber, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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|---|---|
| GINGER NELSON | MAYOR |
| FREDA POWELL | MAYOR PRO TEM/COUNCILMEMBER NO. 2 |
| COLE STANLEY | COUNCILMEMBER NO. 1 |
| EDDY SAUER | COUNCILMEMBER NO. 3 |

Absent was Howard Smith, Councilmember No. 4. Also in attendance were the following administrative officials:

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|---|---|
| JARED MILLER | CITY MANAGER |
| ANDREW FREEMAN | ASSISTANT CITY MANAGER |
| FLOYD HARTMAN | ASSISTANT CITY MANAGER |
| LAURA STORRS | ASSISTANT CITY MANAGER |
| BRYAN MCWILLIAMS | CITY ATTORNEY |
| STEPHANIE COGGINS | CITY SECRETARY |
| JENIFER RAMIREZ | ASSISTANT TO THE CITY MANAGER |
| CARTER ESTES | ASSISTANT TO THE CITY MANAGER |

A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley. Mayor Nelson called the meeting to order at 1:04 p.m., welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Betty Nickerson with New Light Ministry. Mayor Nelson led the Pledge of Allegiance.

**ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:**

A. Review agenda items for regular meeting and attachments;

**PUBLIC ADDRESS**

Michael Conkling, of Amarillo, spoke on Agenda Item No. 4. Mike Ford, of Amarillo, spoke on Agenda Item No. 2C.

**ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:**

B. Discuss Solid Waste Departmental Update; and
C. Request future agenda items and reports from City Manager.

**ITEM 2 – CONSENT AGENDA**

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. A motion was made to approve the consent agenda as presented by Councilmember Powell, seconded by Councilmember Sauer.

A. **CONSIDER APPROVAL – MINUTES**:
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on June 27, 2022.

B. **CONSIDER APPROVAL – MINUTES**:

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on June 28, 2022.

C. **CONSIDER APPROVAL – MINUTES**:
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on June 28, 2022.

D. **CONSIDERATION OF ORDINANCE NO. 7990**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance vacating a 2,492 square foot portion of a public right-of-way (alley) located adjacent to Lots 4 through 6 and a portion of Lot 3, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas. (Vicinity: Amarillo Blvd. and Mirror St.; Applicant/s: Andrew Mitchell for Jamal Enterprises, LP)

E. **CONSIDERATION OF ORDINANCE NO. 7991**:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lot 26J, Block 25, Coulter Acres Unit No. 8, the remaining portions of Lots 26 and 27, Block 2, Coulter Acres Unit No. 1, a portion of Lot 27C and all of 27D, Block 2, Coulter Acres Unit No. 5, all in Section 38, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 (R-1) to Office District 2 (O-2). (Vicinity: SW 77th Ave. and Coulter St.; Applicant/s: Greg Farber on behalf of The Reserve Offices LLC, Hayes Holdings & Investment Group LLC, and Redeemer Presbyterian)

F. **CONSIDER AWARD –TRAFFIC LIGHT POLES AND ACCESSORIES**:
(Contact: Trae Kepley, Purchasing Agent)
Award to: Zigzag International Group - $65,610.00

This item considers the purchase of traffic light poles and accessories to replenish warehouse stock that will be used by the Traffic department.

G. **CONSIDER AWARD – OFFICE FURNITURE CONTRACT**:
(Contact: Trae Kepley, Purchasing Agent)
Award to: The HON Company LLC – $1,000,000.00 list price (OMNIA Public Sector Region 4 Contract #R191804)

This item considers the award of a contract for the purchase of office furniture to be used by various city departments. The contract will have a term ending April 30, 2025. This contract will be between HON and the following local agencies: Amarillo College, Amarillo Independent School District, Cal Farley's Boys Ranch, Canyon Independent School District, City of Amarillo, City of Canyon, Potter County and Randall County.

H. **CONSIDER AWARD – THOMPSON AREA 4 PLAYGROUND REPLACEMENT**:
(Contact: Michael Kashuba, Parks and Recreation Director)
Award to: Kompan Inc. - $159,174.48 (Buy Board Contract 592-19)

This item considers the award of contract for turn-key replacement of playground equipment within the existing Thompson Area 4 park.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

Mayor Nelson called a recess of the meeting at 2:19 p.m. Mayor Nelson resumed the meeting at 2:32 p.m.

**ITEM 3 – NON-CONSENT ITEMS**:

**ITEM 3A**: Mayor Nelson introduced a resolution authorizing applications to the Federal Transit Administration and the Texas Department of Transportation for capital and operating assistance for Amarillo City Transit. Chris Quigley, Transit Director, presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Sauer.

RESOLUTION NO. 07-12-22-1

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING; AUTHORIZING THE ACCEPTANCE OF GRANTS WITH THE FEDERAL TRANSIT ADMINISTRATION FOR THE URBANIZED AREA FORMULA GRANT (49 U.S.C. 5307), THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN OPERATING GRANT, THE BUS AND BUS FACILITIES INFRASTRUCTURE INVESTMENT PROGRAM (49 U.S.C. 5339) GRANT, AND FOR TRANSPORTATION DEVELOPMENT CREDITS.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

**ITEM 3B**: Mayor Nelson introduced an ordinance annexing into the City of Amarillo, in Randall County, Texas, on petition of property owner, territory generally described as a 244.97-acre tract of unplatted land, in Sections 61, 62, 75, and 76, Block 9, B.S.&F. Survey, Randall County, Texas. (VICINITY: Soncy Rd. and S.W. 34th Ave.; APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust). Brady Kendrick, Planner II presented the item. Mayor Nelson opened a public hearing. Speaking for the item was Chris Berry, with Amarillo. Mayor Nelson closed the public hearing. A motion was made that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7993

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, IN RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS A 244.97 ACRE TRACT OF LAND LOCATED IN SECTIONS 61, 62, 75, AND 76, BLOCK 9, B.S.&F. SURVEY, RANDALL COUNTY, TEXAS; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY

CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

**ITEM 3C**: Mayor Nelson introduced an ordinance providing for the establishment of zoning districts on the Official Zoning Map of the City of Amarillo, Texas, establishing Agricultural District, Residential District 3, Moderate Density District, Multiple-Family District 1, Planned Development District 400 for single-family detached homes with reduced lot depth and area, and Planned Development District 401 for single-family detached homes with reduced lot width, all in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas. (VICINITY: Soncy Rd. and S.W. 34th Ave.; APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust). Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7994

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR THE ESTABLISMENT OF ZONING DISTRICTS ON THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR ZONING CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHWEST THIRTY-FOURTH AVENUE AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

**ITEM 3D**: Mayor Nelson introduced an ordinance rezoning a 13.50-acre tract of land, being a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo, and unplatted land, all in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Residential District 2 to Moderate Density District. (VICINITY: Western St. and Arden Rd.; APPLICANT/S: Daryl Furman for Valleyview Church of the Nazarene). Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 7995

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 WESTERN STREET AND ARDEN ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

**ITEM 3E**: Mayor Nelson introduced an ordinance rezoning Lots 3 through 5, Block 93, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Commercial District to Planned Development District 399 for increased lot coverage and reduced

onsite parking. (VICINITY: SW 8th Ave. and Monroe St.; APPLICANT/S: Charles R. Lynch for Amarillo Steam Team, LLC). Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7996

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 EIGHTH AVENUE AND MONROE STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Stanley; voting NO were none; absent was Councilmember Smith; the motion passed by a 4-0 vote.

**ITEM 4 – EXECUTIVE SESSION**:

Mr. McWilliams advised at 2:57 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) 551.072 – Discussion regarding the purchase, exchange, lease, or value of real property: (i) Purchase of real property in the Eastern Texas panhandle, and (ii) Purchase of real property within the Tax Increment Reinvestment Zone #1 Boundary

Mr. McWilliams announced that Executive Session was adjourned at 3:46 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 13th day of July 2022, the Amarillo City Council met at 9:00 a.m. for a special meeting held in the Hospitality Room, located in the Amarillo Civic Center, at 401 South Buchanan Street, with the following members present:

| | |
|---|---|
| GINGER NELSON | MAYOR |
| FREDA POWELL | MAYOR PRO TEM/COUNCILMEMBER NO. 2 |
| COLE STANLEY | COUNCILMEMBER NO. 1 |
| EDDY SAUER | COUNCILMEMBER NO. 3 |
| HOWARD SMITH | COUNCILMEMBER NO. 4 |

Arriving late was Councilmember No. 4 Howard Smith. Absent were none. Also in attendance were the following administrative officials and presenters:

| | |
|---|---|
| JARED MILLER | CITY MANAGER |
| ANDREW FREEMAN | ASSISTANT CITY MANAGER |
| LAURA STORRS | ASSISTANT CITY MANAGER |
| RICH GAGNON | MANAGING DIRECTOR AND CIO |
| BRYAN MCWILLIAMS | CITY ATTORNEY |
| STEPHANIE COGGINS | CITY SECRETARY |

**ITEM 1: Establish Quorum and Convene in Open session**. A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, and Stanley. Mayor Nelson called the meeting to order at 9:23 a.m., welcomed those in attendance, and the following items of business were conducted. At 10:15 a.m., Councilmember Smith joined the meeting.

**ITEM 2: City Council Budget Workshop**. No action taken.

**ITEM 3: Adjourn**. Mayor Nelson adjourned the special meeting at 4:00 p.m.

ATTEST:

_____ _____

Stephanie Coggins, City Secretary Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of July 2022, the Amarillo City Council met at 9:00 a.m. for a special meeting held in the Hospitality Room, located in the Amarillo Civic Center, at 401 South Buchanan Street, with the following members present:

| | |
|---|---|
| GINGER NELSON | MAYOR |
| FREDA POWELL | MAYOR PRO TEM/COUNCILMEMBER NO. 2 |
| COLE STANLEY | COUNCILMEMBER NO. 1 |
| EDDY SAUER | COUNCILMEMBER NO. 3 |
| HOWARD SMITH | COUNCILMEMBER NO. 4 |

Absent were none. Also in attendance were the following administrative officials and presenters:

| | |
|---|---|
| JARED MILLER | CITY MANAGER |
| ANDREW FREEMAN | ASSISTANT CITY MANAGER |
| LAURA STORRS | ASSISTANT CITY MANAGER |
| RICH GAGNON | MANAGING DIRECTOR AND CIO |
| BRYAN MCWILLIAMS | CITY ATTORNEY |
| STEPHANIE COGGINS | CITY SECRETARY |

**ITEM 1: Establish Quorum and Convene in Open session**. A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, and Stanley. Mayor Nelson called the meeting to order at 9:06 a.m., welcomed those in attendance, and the following items of business were conducted.

**ITEM 2: City Council Budget Workshop**. No action taken.

**ITEM 3: Adjourn**. Mayor Nelson adjourned the special meeting at 3:54 p.m.

ATTEST:

_____
Stephanie Coggins, City Secretary

_____
Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 15th day of July 2022, the Amarillo City Council met at 9:00 a.m. for a special meeting held in the Hospitality Room, located in the Amarillo Civic Center, at 401 South Buchanan Street, with the following members present:

| | |
|---|---|
| GINGER NELSON | MAYOR |
| FREDA POWELL | MAYOR PRO TEM/COUNCILMEMBER NO. 2 |
| COLE STANLEY | COUNCILMEMBER NO. 1 |
| EDDY SAUER | COUNCILMEMBER NO. 3 |
| HOWARD SMITH | COUNCILMEMBER NO. 4 |

Absent were none. Also in attendance were the following administrative officials and presenters:

| | |
|---|---|
| JARED MILLER | CITY MANAGER |
| ANDREW FREEMAN | ASSISTANT CITY MANAGER |
| LAURA STORRS | ASSISTANT CITY MANAGER |
| RICH GAGNON | MANAGING DIRECTOR AND CIO |
| BRYAN MCWILLIAMS | CITY ATTORNEY |
| STEPHANIE COGGINS | CITY SECRETARY |

**ITEM 1: Establish Quorum and Convene in Open session**. A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, and Stanley. Mayor Nelson called the meeting to order at 9:07 a.m., welcomed those in attendance, and the following items of business were conducted.

**ITEM 2: City Council Budget Workshop**. No action taken.

Mayor Nelson recessed the meeting for a lunch break at 11:59 a.m. Mayor Nelson reconvened the meeting at 1:49 p.m.

**ITEM 2: City Council Budget Workshop**. No action taken.

**ITEM 3: Adjourn**. Mayor Nelson adjourned the special meeting at 5:05 p.m.

ATTEST:

_____
Stephanie Coggins, City Secretary

_____
Ginger Nelson, Mayor

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2E**

| Meeting Date | July 26, 2022 | Council Priority | Consent Agenda Item |
|---|---|---|---|

| Department | Planning and Development Services<br>Brady Kendrick – Planner II |
|---|---|

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 7970

Second and final reading to consider an ordinance rezoning a 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) and Agricultural District (A) to Heavy Commercial District (HC).
VICINITY: Interstate 40 and Airport Blvd.
APPLICANT/S: Drew Donosky for Attebury Farm LLC

**Agenda Item Summary**

**Adjacent land use and zoning**

Adjacent zoning consists of Agricultural District to the south and Heavy Commercial District in all other directions.

Adjacent land uses consist of a Truck wash Lube and Tire Center to the east, a Travel Information Center to the west, a Restaurant and Convenience Store across the highway (Interstate 40) to the north, and undeveloped land in all directions.

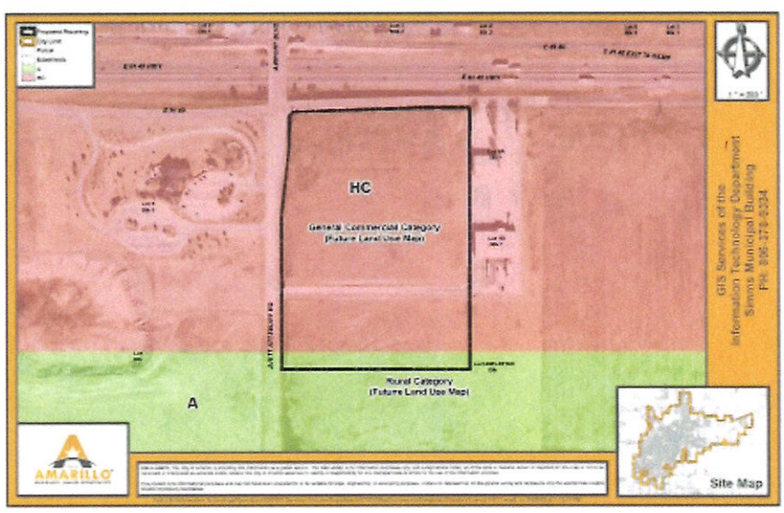
**Proposal**

The applicant is requesting a change in zoning to develop the tract with a retail land use (Convenience Store).

**Analysis**

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan's Future Land Use and Character Map, the recommended Neighborhood Unit Concept (NUC) of development, and what impacts, if any, a particular request will have on existing area zoning and development patterns.

The recommended development categories for the applicant's tract are General Commercial and Rural (Shown Below). The General Commercial category calls for a wide range of commercial retail and services uses at varying scales and intensities depending on the site. (As shown in the following image)



The proposed retail activity is one of the recommended development types recommended by the General Commercial category. The Rural category calls for a mix of residential homesteads with a rural character, agricultural uses, and parks and public spaces typically located on very large parcels. The applicants request for Heavy Commercial zoning would not fit this category.

That said, considering existing land use and zoning patterns along Interstate-40 either have or allow for retail and commercial uses and the fact that the applicant is expanding the boundary of the existing Heavy Commercial zoning minimally southward into the Rural Category to encompass the entire site of the proposed project, the Planning and Zoning Commission believes that if approved, deviating from the recommended land use category is warranted.

The Neighborhood Unit Concept of Development calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.

In this case, the applicant's tract does not fall within such areas. However, the typical development concept has not been established in this area along Interstate-40 whereas much of the property along Interstate-40 has either developed with or is zoned for retail and/or commercial land uses. Considering this and the expansion of commercial zoning southward is minimal as mentioned previously, the Planning and Zoning Commission is of the opinion that the applicant's request will not create any significant impacts on the surrounding area.

## Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet as required by State Law. As of this writing, no comments have been received regarding the request.

Considering the just mentioned, the Planning and Zoning Commission believes the applicant's request is a logical expansion of existing zoning and development patterns in the area and recommends **APPROVAL** of the request as presented.

LSS 3/9/2022

**ORDINANCE NO. 7970**

**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 INTERSTATE FORTY AND AIRPORT BOULEVARD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

---

**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 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) and Agricultural District (A) to Heavy Commercial District (HC), and being further described in attached Exhibit A, incorporated herein:

**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 22nd day of March, 2022 and PASSED on Second and Final Reading on this the 26th day of July, 2022.

_____

Ginger Nelson, Mayor

ATTEST:

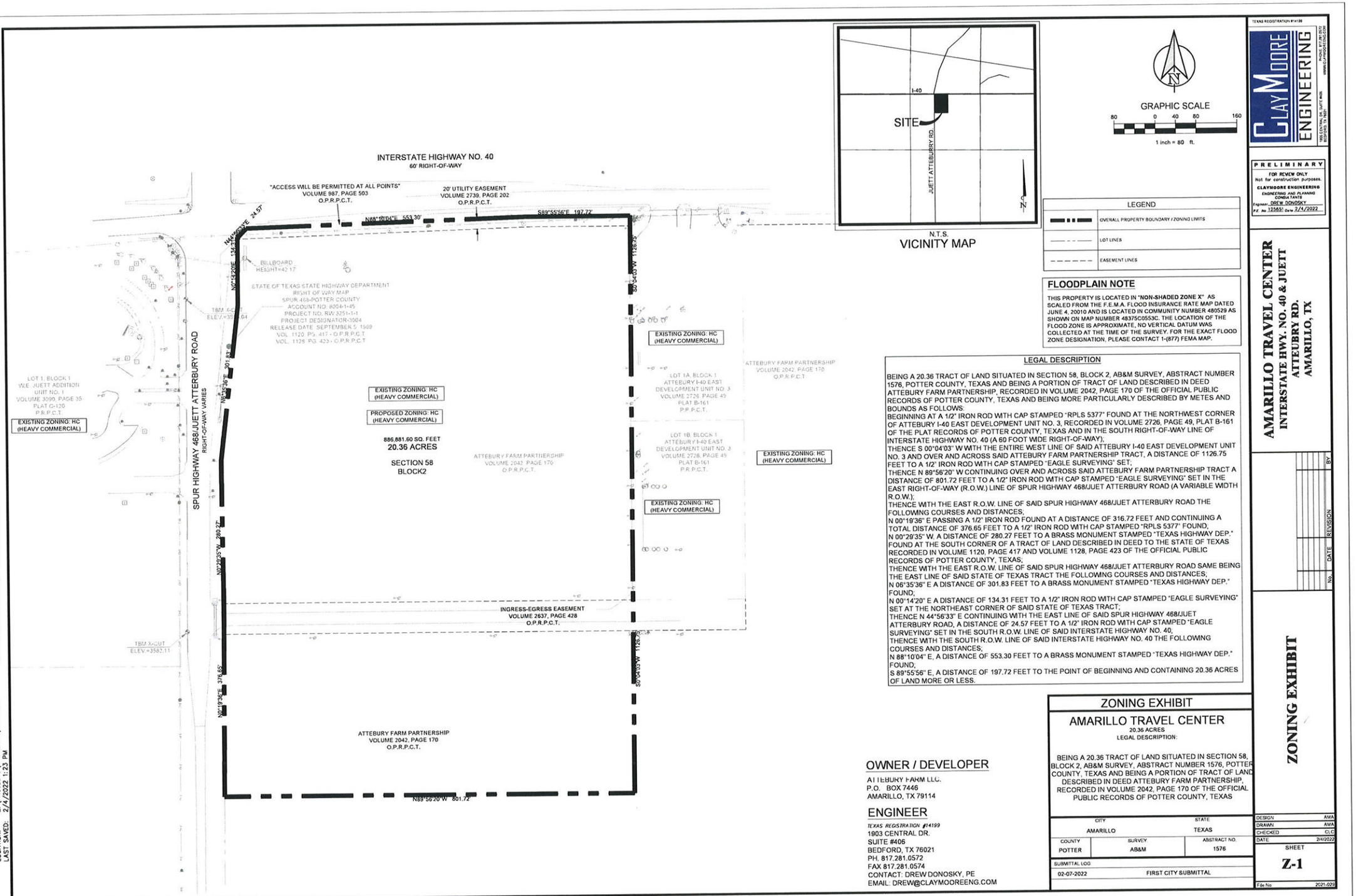
_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams, City Attorney










| LEGEND | |
|---|---|
| | OVERALL PROPERTY BOUNDARY / ZONING LIMITS |
| | LOT LINES |
| | EASEMENT LINES |

## FLOODPLAIN NOTE

THIS PROPERTY IS LOCATED IN "NON-SHADED ZONE X" AS SCALED FROM THE F.E.M.A. FLOOD INSURANCE RATE MAP DATED JUNE 4, 20010 AND IS LOCATED IN COMMUNITY NUMBER 480529 AS SHOWN ON MAP NUMBER 48375C0553C. THE LOCATION OF THE FLOOD ZONE IS APPROXIMATE, NO VERTICAL DATUM WAS COLLECTED AT THE TIME OF THE SURVEY. FOR THE EXACT FLOOD ZONE DESIGNATION, PLEASE CONTACT 1-(877) FEMA MAP.

## LEGAL DESCRIPTION

BEING A 20.36 TRACT OF LAND SITUATED IN SECTION 58, BLOCK 2, AB&M SURVEY, ABSTRACT NUMBER 1576, POTTER COUNTY, TEXAS AND BEING A PORTION OF TRACT OF LAND DESCRIBED IN DEED ATTEBURY FARM PARTNERSHIP, RECORDED IN VOLUME 2042, PAGE 170 OF THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5377" FOUND AT THE NORTHWEST CORNER OF ATTEBURY I-40 EAST DEVELOPMENT UNIT NO. 3, RECORDED IN VOLUME 2726, PAGE 49, PLAT B-161 OF THE PLAT RECORDS OF POTTER COUNTY, TEXAS AND IN THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 40 (A 60 FOOT WIDE RIGHT-OF-WAY);
THENCE S 00°04'03" W WITH THE ENTIRE WEST LINE OF SAID ATTEBURY I-40 EAST DEVELOPMENT UNIT NO. 3 AND OVER AND ACROSS SAID ATTEBURY FARM PARTNERSHIP TRACT, A DISTANCE OF 1126.75 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "EAGLE SURVEYING" SET;
THENCE N 89°56'20" W CONTINUING OVER AND ACROSS SAID ATTEBURY FARM PARTNERSHIP TRACT A DISTANCE OF 801.72 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "EAGLE SURVEYING" SET IN THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF SPUR HIGHWAY 468/JUET ATTERBURY ROAD (A VARIABLE WIDTH R.O.W.);
THENCE WITH THE EAST R.O.W. LINE OF SAID SPUR HIGHWAY 468/JUET ATTERBURY ROAD THE FOLLOWING COURSES AND DISTANCES;
N 00°19'36" E PASSING A 1/2" IRON ROD FOUND AT A DISTANCE OF 316.72 FEET AND CONTINUING A TOTAL DISTANCE OF 376.65 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5377" FOUND,
N 00°29'35" W, A DISTANCE OF 280.27 FEET TO A BRASS MONUMENT STAMPED "TEXAS HIGHWAY DEP." FOUND AT THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 1120, PAGE 417 AND VOLUME 1128, PAGE 423 OF THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS;
THENCE WITH THE EAST R.O.W. LINE OF SAID SPUR HIGHWAY 468/JUET ATTERBURY ROAD SAME BEING THE EAST LINE OF SAID STATE OF TEXAS TRACT THE FOLLOWING COURSES AND DISTANCES;
N 06°35'36" E A DISTANCE OF 301.83 FEET TO A BRASS MONUMENT STAMPED "TEXAS HIGHWAY DEP." FOUND;
N 00°14'20" E A DISTANCE OF 134.31 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "EAGLE SURVEYING" SET AT THE NORTHEAST CORNER OF SAID STATE OF TEXAS TRACT;
THENCE N 44°56'33" E CONTINUING WITH THE EAST LINE OF SAID SPUR HIGHWAY 468/JUET ATTERBURY ROAD, A DISTANCE OF 24.57 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "EAGLE SURVEYING" SET IN THE SOUTH R.O.W. LINE OF SAID INTERSTATE HIGHWAY NO. 40;
THENCE WITH THE SOUTH R.O.W. LINE OF SAID INTERSTATE HIGHWAY NO. 40 THE FOLLOWING COURSES AND DISTANCES;
N 88°10'04" E, A DISTANCE OF 553.30 FEET TO A BRASS MONUMENT STAMPED "TEXAS HIGHWAY DEP." FOUND;
S 89°55'56" E, A DISTANCE OF 197.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 20.36 ACRES OF LAND MORE OR LESS.

## OWNER / DEVELOPER

ATTEBURY FARM LLC.
P.O. BOX 7446
AMARILLO, TX 79114

## ENGINEER


TEXAS REGISTRATION #14199
1903 CENTRAL DR.
SUITE #406
BEDFORD, TX 76021
PH. 817.281.0572
FAX 817.281.0574
CONTACT: DREW DONOSKY, PE
EMAIL: DREW@CLAYMOOREENG.COM


## ZONING EXHIBIT

### AMARILLO TRAVEL CENTER

20.36 ACRES
LEGAL DESCRIPTION:

BEING A 20.36 TRACT OF LAND SITUATED IN SECTION 58, BLOCK 2, AB&M SURVEY, ABSTRACT NUMBER 1576, POTTER COUNTY, TEXAS AND BEING A PORTION OF TRACT OF LAND DESCRIBED IN DEED ATTEBURY FARM PARTNERSHIP, RECORDED IN VOLUME 2042, PAGE 170 OF THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS

| CITY | STATE | |
|---|---|---|
| AMARILLO | TEXAS | |
| COUNTY | SURVEY | ABSTRACT NO. |
| POTTER | AB&M | 1576 |

SUBMITTAL LOG

| | |
|---|---|
| 02-07-2022 | FIRST CITY SUBMITTAL |


TEXAS REGISTRATION #14199
CLAYMOORE ENGINEERING
1903 CENTRAL DR., SUITE #406
BEDFORD, TX 76021
PHONE: 817.281.0572
WWW.CLAYMOOREENG.COM


**PRELIMINARY**
FOR REVIEW ONLY
Not for construction purposes.
CLAYMOORE ENGINEERING
ENGINEERING AND PLANNING CONSULTANTS
Engineer: DREW DONOSKY
P.E. No. 125691 Date: 2/4/2022

# AMARILLO TRAVEL CENTER
INTERSTATE HWY. NO. 40 & JUETT
ATTEUBRY RD.
AMARILLO, TX

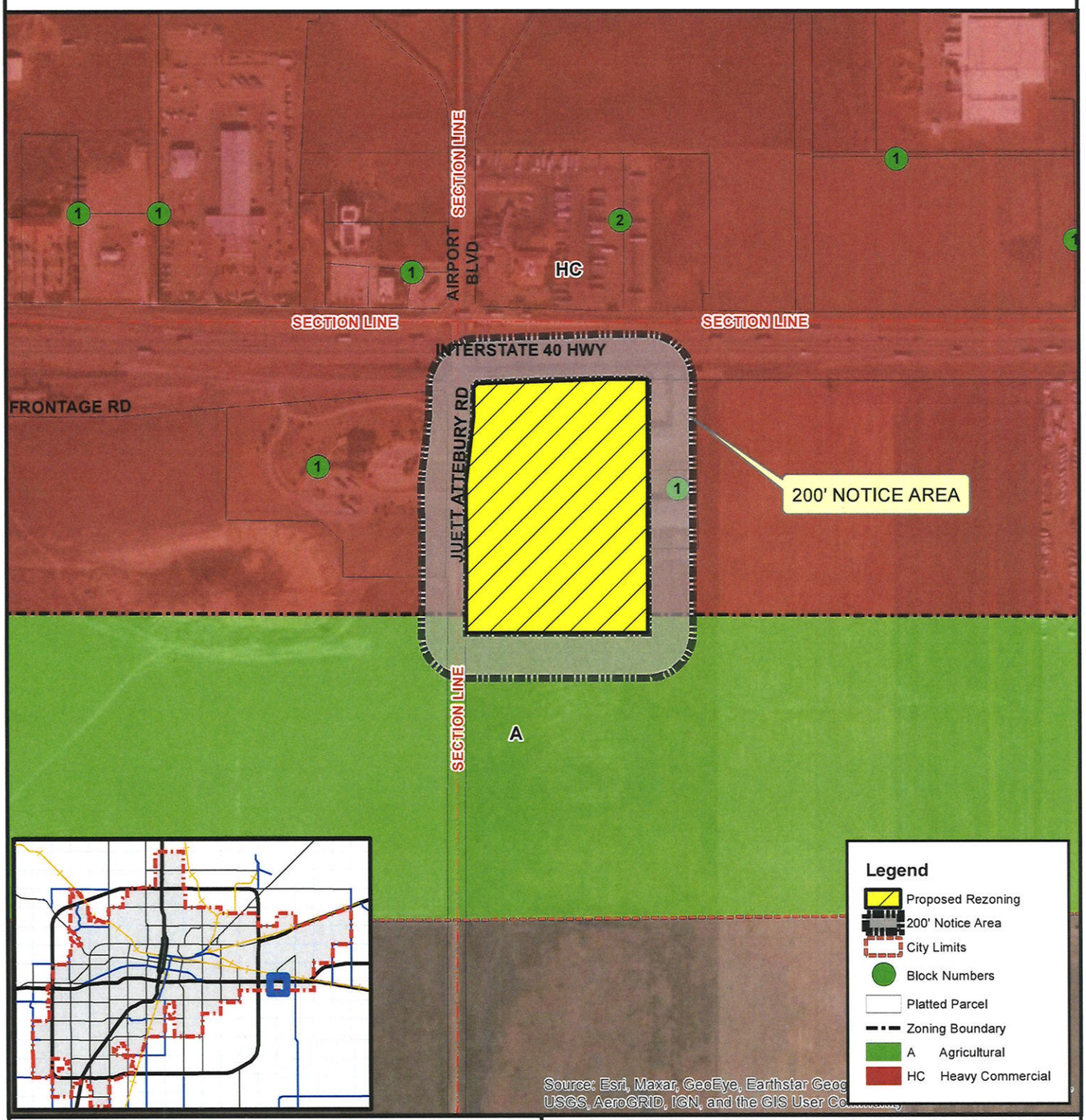
| No. | DATE | REVISION | BY |
|---|---|---|---|

# ZONING EXHIBIT

| | |
|---|---|
| DESIGN | AMA |
| DRAWN | AMA |
| CHECKED | CLC |
| DATE | 2/4/2022 |
| SHEET | Z-1 |
| File No | 2021-029 |

PLOTTED BY: AMRA ABDALLAH
PLOT DATE: 2/4/2022 1:32 PM
LOCATION: Z:\PROJECTS\PROJECTS\2021-168 AMARILLO\CADD\EXHIBIT\Z-1 ZONING EXHIBIT_.DWG
LAST SAVED: 2/4/2022 1:23 PM

# REZONING FROM A AND HC TO HC




## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 600 feet
**Date:** 2/11/2022
**Case No:** Z-22-07

N
W E
S

**Rezoning of a 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) and Agricultural District (A) to Heavy Commercial District (HC).**

**Owner: Drew Donosky for Attebury Farm, LLC**

**Vicinity: Interstate 40 & Airport Blvd**

**AP: O-11**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2F**

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Consent Agenda Item |
| **Department** | Planning and Development Services<br>Brady Kendrick – Planner II | | |

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 7993

Second and final reading to consider an Ordinance annexing into the City of Amarillo, in Randall County, Texas, on petition of property owner, territory generally described as a 244.97-acre tract of unplatted land, in Sections 61, 62, 75, and 76, Block 9, B.S.&F. Survey, Randall County, Texas.
VICINITY: Soncy Rd. and S.W. 34th Ave.
APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust

**Agenda Item Summary**

The applicant is requesting annexation of approximately 244.97 acres of land into the City Limits. This is a landowner-initiated annexation request that includes vacant land and public rights-of-ways (Loop 335 to the west and SW 34th to the south).

This event, in the annexation process, is where Council considers annexing the just-mentioned property or not as well as provide an opportunity for all interested parties to be heard.

It should be noted that although State Law allows a city to adopt the ordinance at the conclusion of the First Reading and Public Hearing, the Annexation Ordinance will not be effective until the Second Reading due to the City Charter requiring all annexation ordinances have two readings before Council. The Second Reading of the Annexation Ordinance is scheduled to occur on July 26, 2022, and if approved at the Second Reading, the Agreed Service Plan executed by the applicant and City Manager becomes binding.

Annexation is one of the primary means by which a City grows and also allows a municipality to provide services to developing areas and exercise regulatory authority (enacting land use control) necessary to protect public health and safety and ensure orderly development occurs at the fringes of a City.

Annexation also ensures future land uses that benefit from access to City facilities and services share in the tax burden associated with constructing and maintain said facilities and services. Attached is a map of the proposed annexation area, the executed Agreed Service Plan, and a Cost Benefit Analysis.

**Requested Action/Recommendation**

Notices were sent as required by State Law and no comments have been received at the time of this writing.

# ORDINANCE NO. 7993

**AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, IN RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS A 244.97 ACRE TRACT OF LAND LOCATED IN SECTIONS 61, 62, 75, AND 76, BLOCK 9, B.S.&F. SURVEY, RANDALL COUNTY, TEXAS; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THECITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE**

DRAFT

**WHEREAS**, the City of Amarillo, Texas is a home-rule municipality authorized by State law and the City Charter to extend its boundaries and to annex area adjacent and contiguous to its corporate limits; and

**WHEREAS**, the City of Amarillo's policy is not to pursue involuntary annexations; and

**WHEREAS**, an offer of a development agreement has been made and rejected; and

**WHEREAS**, the owners of the property, described in Exhibit A (hereinafter the "Area"), have petitioned the City Council in writing to annex this area into the corporate limits of the City of Amarillo; and

**WHEREAS**, an Agreed Service Plan has been prepared and executed that provides for the extension of appropriate municipal services to the Area, outlined in Exhibit B, attached hereto and made a part hereof for all purposes; and the City of Amarillo is able to provide such services by any of the methods by which the City extends the services to any other area of the City; and

**WHEREAS**, the notice, publication, time periods and other procedural requirements of Texas Local Government Code, Chapter 43, Subchapter C-3, have been complied with, including with respect to this annexation that a public hearing has been held at which persons interested in annexation of the Area into the corporate limits of the City were given the opportunity to be heard, on **July 12, 2022**; and

**WHEREAS**, the hereinafter described properties and territory lies within the extraterritorial jurisdiction of the City of Amarillo.

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

**SECTION 1. Findings of Fact**. All of the above premises are hereby found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth.

**SECTION 2. Annexation**. The Area, described in Exhibit A, attached hereto and incorporated herein for all purposes, is hereby added and annexed into the City of Amarillo, Texas, said Area shall hereafter be included within the

corporate limits of the City of Amarillo, and the present boundary lines of said City are hereby altered, extended and amended so as to include said Area within the corporate limits.

**SECTION 3. Amendment of Boundaries and Official Map**. The official map and boundaries of the City of Amarillo, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Area.

**SECTION 4. Agreed Service Plan**. The service plan, attached hereto as Exhibit B, is hereby approved and is incorporated herein for all purposes. The City of Amarillo makes an affirmative determination that this service plan provides for services to the annexed Area which are comparable to other areas within the City of Amarillo with similar land utilization, population density, and topography.

**SECTION 5. Pro Rata Share of Taxes**. The annexed Area, being a part of the City of Amarillo for all purposes, the property situated herein shall bear its pro rata part of taxes levied by the City of Amarillo.

**SECTION 6. Rights, Privileges and Duties of Inhabitants**. The inhabitants of the annexed Area shall be entitled to the rights and privileges of the other citizens of the City of Amarillo and shall be bound by the Charter, Ordinances, Resolutions, and other regulations of the City of Amarillo.

**SECTION 7. Filing of Ordinance**. The City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Randall County, Texas, the County Tax Assessor of Randall County, Texas, the Randall County Appraisal District, the Texas Secretary of State, the Census Bureau, the Texas Department of Insurance, the Texas Public Utility Commission, the Texas Comptroller of Public Accounts, and all local utility companies, in the manner required by law.

**SECTION 8. Severability**. If any part, provision, section, subsection, sentence, clause or phrase of this Ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this Ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**SECTION 9. Open Meeting Act Compliance**. The City Council for the City of Amarillo hereby finds and declares that the meetings at which this Ordinance was introduced and finally passed were open to the public as required by law, and public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 10. Effective Date.** This Ordinance will become effective on the day of its adoption.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on First Reading on this the **12th day of July, 2022**; and PASSED on Second and Final Reading on this the **26th day of July, 2022**.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams, City Attorney

# Exhibit A

2128347- REVISED – ANNEXATION DESCRIPTION

A 244.97+/- acre tract of land out of Sections 61, 62, 75 and 76, Block 9, B.S. & F. Survey, Randall County, Texas, being described by metes and bounds as follows:

BEGINNING at a mag nail set in the South line of Section 61, whence a railroad spike found and accepted for the Southeast corner of Section 61, same being the Northeast corner of Section 62 bears S. 89° 29' 16" E. 1240.05 feet and a 1-1/2 inch iron pipe found and accepted for the Southeast corner of said Section 61, bears N. 89° 29' 16" W. 4140.56 feet;

THENCE S. 00° 27' 44" W. 30.00 feet to a point;

THENCE N. 89° 29' 16" W. 4170.36 feet along a line 30.00 feet South of and parallel to the South line of said Section 61, passing the common line between said Sections 62 and 75 to the Southwest corner of this tract of land;

THENCE N. 00° 05' 15" E. 2404.63 feet along a line 30.00 feet West of and parallel to the West line of said Section 61 to a point in the Potter-Randall County line for the Northwest corner of this tract of land;

THENCE S. 89° 41' 44" E., along said county line, at 30.00 feet pass a 5/8 inch iron rod with cap stamped "CDS/MUERY S.A. TX" found in the common line between said Sections 62 and 76, continuing for a total distance of 4512.42 feet to a point in the approximate existing City Limit line of the City of Amarillo for the Northeast corner of this tract of land;

THENCE S. 00° 01' 44" W. 1792.88 feet along said approximate existing City Limit line to a point in the North Right-of-Way of Roach Drive as dedicated per plat of Soncy Acres Unit No. 3, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 2007019982 of the Official Public Records of Randall County, Texas, same being a jog corner of this tract of land;

THENCE N. 89° 27' 18" W. 414.81 feet along said apparent North R-O-W line of Roach Drive to a 1/2 inch iron rod found;

THENCE S. 00° 32' 42" W. 60.10 feet to a 1/2 inch iron rod found in the apparent South R-O-W line of said Roach Drive for a jog corner of this tract;

THENCE S. 89° 27' 18" E. 75.00 feet to a 1/2 inch iron rod found for the Northwest corner of Lot 15, Block 1, of said Soncy Acres Unit No. 3;

THENCE S. 00° 27' 44" W. 538.24 feet to the PLACE OF BEGINNING and containing 244.97 acres of land, more or less.

NOTE: This metes and bounds description is for annexation purposes only and has not surveyed on the ground at this time. This description has been prepared from previous surveys and data from record documents. It cannot be used for any other purpose.

# Exhibit B

**The City of Amarillo Agreed Service Plan**

**Homestead Subdivision – SW 34th and Loop 335**

**AREA TO BE ANNEXED: 244.97+/- Acres**

**Property Description: See Attached**

**Introduction:**

**This Agreed Service plan has been prepared in accordance with V.T.C.A. Local Government Code Section 43.0672, as indicated by the signatures below, is agreed to by the annexation petitioners. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City of Amarillo at the following levels and in accordance with the following schedule:**

**FIRE**

*Existing Services:*

None

*Services to be Provided:*

Fire suppression, prevention, and first response Emergency Medical Services (EMS) will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 2, located at 9000 SW 34th Ave. Fire prevention and fire inspection activities will be provided by the Fire Marshal's office as needed.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**POLICE**

*Existing Services:*

None

*Services to be Provided:*

Upon annexation, the City of Amarillo Police Department will extend routine patrols and response to calls for service to the area. Police Department activities to serve the area upon annexation can be afforded to the annexed area within current budget appropriation.

As the City experiences development in this area, the Police Department will provide approximately two additional officers per every 1,000 residents to respond to additional calls for service. Additionally, one new patrol unit will be provided for every 3 new officers. Upon full development of this area, it is anticipated that four additional officers and two additional patrol units will be provided to service this area.

As the City experience growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of the additional officers and patrol units.

## BUILDING SAFETY

*Existing Services:*

None

*Services to be Provided:*

The Department of Building Safety will provide plan review and inspection services upon annexation and/or as development warrants. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Amarillo.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## PLANNING AND ZONING

*Existing Services:*

None

*Services to be Provided:*

The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Amarillo's Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Amarillo's Subdivision Ordinance.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## PARKS & RECREATION

*Existing Services:*

None

*Services to be Provided:*

There are no parks or recreational facilities being proposed within the annexed area. As such, no services will be provided from the Parks and Recreation Department upon annexation. However, the developer should be aware that should the proposed Subdivision Regulations pertaining to parkland dedication be approved prior to the approval of a preliminary plan associated with the area to be annexed, dedication of neighborhood/community parks sufficient to meet the proportionate demand created by anticipated subdivision and development will be required. The preferred method of complying with Parkland dedication is through dedicating improved parks within a proposed subdivision. In some circumstances, the City may require alternative means as recommended by the Parks and Recreation Master Plan (Fee-in-lieu of, dedication of land, etc.).

Should parkland be dedicated, the City will be responsible for maintenance following the completion of park improvements.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**LIBRARY**

*Existing Services:*

None

*Services to be Provided:*

Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. Department activities can be afforded to the annexed area within current budget appropriation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**ENV. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:*

Sanitary nuisances (limited), OSSF

*Services to be Provided:*

The Amarillo Area Public Health District will continue to provide all programs currently offered to the District (Sanitary nuisances, OSSF, Food Hygiene, Rec. Water, Group Care). The department will implement the control of vectors (mosquito control) upon annexation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**ANIMAL MANAGEMENT AND WELFARE SERVICES**

*Existing Services:*

None

*Services to be Provided:*

Animal Management and Welfare services will be provided to the area upon annexation.

Upon development of this area with the anticipated use, 1 additional Animal Management Officer and 1 additional Animal Management unit will be provided.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## PUBLIC RIGHT-OF-WAY

*Existing Services:*

None

*Services to be Provided and Public Right-of-Way Requirements:*

Developers will provide streets and alleys within the area to be annexed at their own expense upon development. Construction of all streets and alleys shall comply fully with City of Amarillo Street Standard Specifications. Maintenance to any future street and alley facilities or any existing streets or alleys annexed, excluding TXDOT maintained right-of-way, will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period and upon annexation of any existing street or alleys, excluding TXDOT maintained right-of-way.

There is one adjacent Section Line Arterial right-of-way proposed for annexation that will require the dedication of additional right-of-way which is detailed below:

**SW 34th Avenue:** Currently has a total right-of-way width of 60ft. (30ft. south of section line and 30ft. north of section line). An additional 30ft of right-of-way north of the northern most 30ft of right-of-way, will be required to be dedicated by the Developer upon development of land adjacent SW 34th Avenue.

The developer typically would be responsible for their portion of the widening of 34th Avenue per the Development policy manual and responsible for widening the road to a 37-foot road with curb and gutter minus the width of the existing pavement adjacent to residential areas and to a 45-foot road with curb and gutter minus the width of the existing pavement adjacent to commercial areas.

The improvement of SW 34th Avenue was included in the previously approved Proposition 1 Bond that was passed in 2016. Funding for the improvements of SW 34th Avenue to get it from the above referenced 37' or 45' road to a 65' arterial in this area will come from those funds and be the responsibility of the City.

**Helium Road/Loop 335:** Helium Road (Loop 335) is a TxDOT right-of-way and will be improved and maintained by TxDOT.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## STORM WATER MANAGEMENT

*Existing Services:*

None

*Services to be Provided:*

The Developer will provide storm water facilities at their own expense within the subdivision and will be jointly inspected by the Capital Projects and Public Works Department at time of completion. Due to constrictions of downstream systems, private detention ponds may be necessary to attenuate flow from the subdivision to the offsite storm sewer facilities within adjacent State of Texas or City of Amarillo Right of way. Construction of all storm water drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the drainage facilities upon approval.

The city will be responsible for installing storm water facilities in SW 34th Avenue at the time of its upgrade to a 67' arterial. The storm water would flow through an existing line that is near capacity and therefore will only be designed to handle existing predeveloped flow from the subdivision. Onsite solutions such as private detention facilities may be required by the developer.

Maintenance of any public drainage facilities will be provided by the City upon acceptance and completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**STREET LIGHTING**

*Existing Services:*

None

*Services to be Provided:*

All street lighting will be provided by the developer as development occurs. The City of Amarillo Traffic Engineering Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

Maintenance of the above street lighting will be the responsibility of the City once annexed and installed and accepted according to City Standards.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**TRAFFIC ENGINEERING**

*Existing Services:*

None

*Services to be Provided:*

Upon annexation and as development occurs, the City of Amarillo Traffic Engineering Department will provide traffic control devices deemed necessary by that Department.

Traffic signing will be placed as development occurs and at appropriate locations. Signing will include Stops, Yields, Do Not Enter, 1-Way, and Speed Limit as required. Based upon the proposed street layout, it is anticipated that a minimum of 95 individual sign pole installations will be required.

Maintenance of the above signage will be the responsibility of the City once installed according to City Standards.

Future traffic patterns may warrant a traffic signal/s at appropriate locations. Should this be warranted, installation and maintenance of the traffic signal/s will be the responsibility of TXDOT and/or the City of Amarillo.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**WATER SERVICE**

*Existing Services:*

*None*

*Services to be Provided:*

The land proposed for annexation is adjacent to three water mains in the following locations: a 30" water main along the south side in SW 34th Avenue, a 16" water main in Westgate Parkway, and an 8" water main Roach Dr.

As development occurs, the Developer is responsible for extension of water mains within the subdivision as well as the construction of a 12" water main along proposed Loop 335 on the west. The developer will also be responsible for a 12" water main running north and south from SW 34th Avenue to the north property line at approximately the midpoint of the section. Any upsizing based on development needs within the proposed annexation area is the responsibility of the Developer.

The City will be responsible for the upsizing of required water mains beyond what is required to serve the proposed development needs.

Maintenance of any public water mains will be provided by the City upon acceptance and completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**SANITARY SEWER SERVICE**

*Existing Services:*

*None*

*Services to be Provided:*

The land proposed for annexation is adjacent a 15" Sanitary Sewer main running north and south, east of the midpoint of the section. As development occurs, the Developer will be responsible for the extension of sanitary sewer mains within the subdivision. Any upsizing based on development needs within the proposed annexation area is the responsibility of the Developer.

The City will be responsible for the upsizing of required sewer mains beyond what is required to serve the proposed annexation as development occurs.

Maintenance of any public sewer mains will be provided by the City upon acceptance and completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## SOLID WASTE SERVICES

*Existing Services:*

None

*Services to be Provided:*

After annexation and upon development, solid waste collection shall be provided to the area of annexation in accordance with the present City Ordinance as development occurs. Service shall begin with occupancy of structures. Based on this being proposed as a no alley subdivision, residential solid waste service will be provided by polycarts.

The Solid Waste Department will provide one polycart for each home.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## TRANSIT

*Existing Services:*

None

*Services to be Provided*:

There are no plans for fixed route service within the area proposed for annexation, yet ACT-Connect will be provided upon annexation.

It is anticipated that the purchase of an additional ACT-Connect vehicle will be required to continue ACT-Connect service to the area by year three of the build-out.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## AMARILLO AREA OFFICE OF EMERGENCY MANAGEMENT

*Existing Services:*

*None*

*Services to be provided:*

The area proposed for annexation will require the need of an additional Outdoor Warning Siren. The City will be responsible for the installation and maintenance of the siren.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**MISCELLANEOUS**

All other applicable municipal services will be provided to the area in accordance with the City of Amarillo's established policies governing extension of municipal services to newly annexed areas.

James Louis Sobieski, Co-Trustee
Emeline Bush O'Brien/Sobieski Trust

Date: 06/24/2022

Emeline Sobieski, Co-Trustee
Emeline Bush O'Brien/Sobieski Trust

Date: 06/23/2022

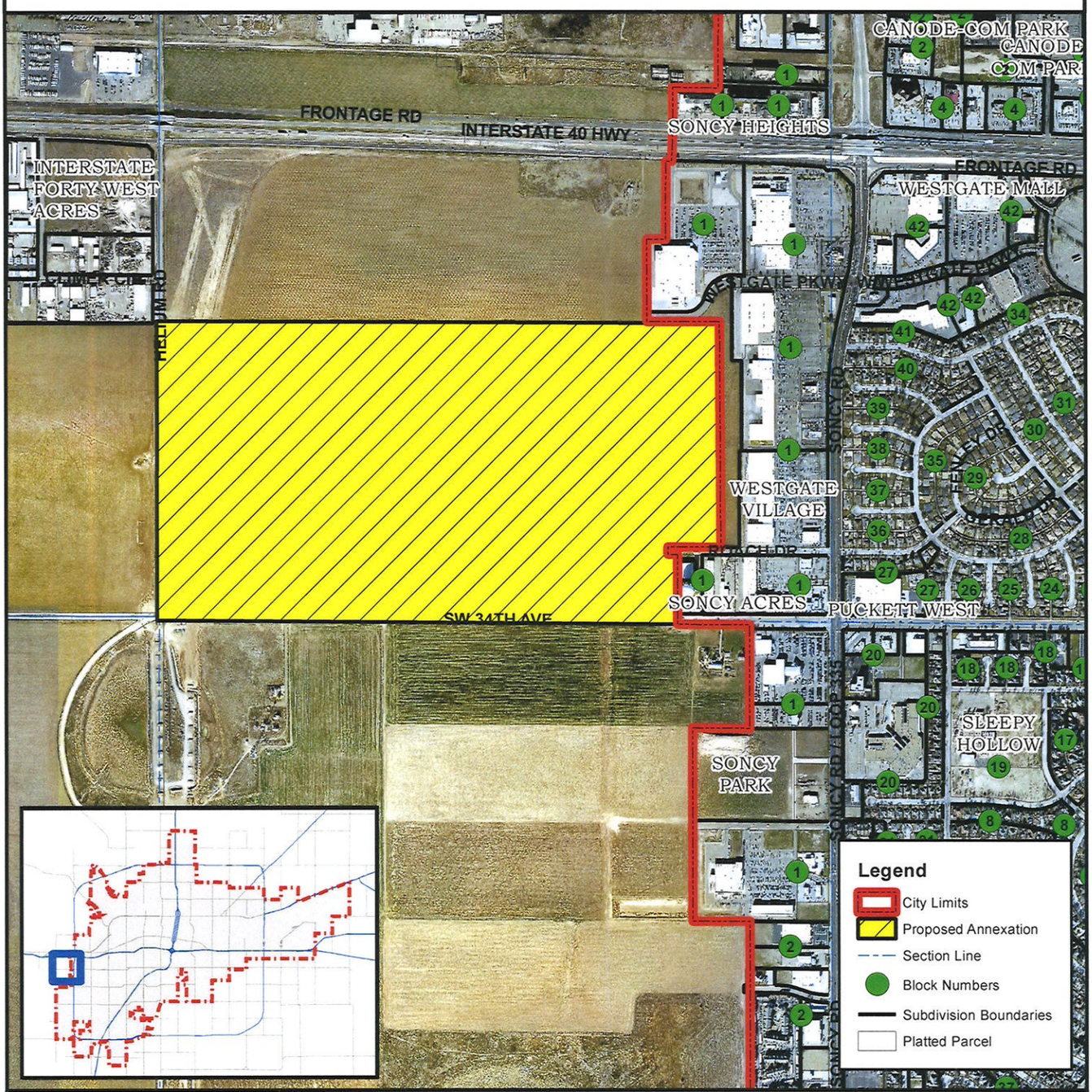
James B. Sobieski, Co-Trustee
Emeline Bush O'Brien/Sobieski Trust

Date: 06/23/2022

Jared Miller, City Manager
City of Amarillo, Texas

Date: 7/06/2022

# PROPOSED ANNEXATION OF 244.97 ACRES




## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 1,081 feet
**Date:** 3/3/2022
**Case No:** A-21-01

N
W E
S

**Annexation of a 244.97 acre tract of unplatted land, in Sections 61, 62, 75, and 76, Block 9, B.S.&F. Survey, Randall County, Texas.**

**VICINITY: Soncy Rd. and S.W. 34th Ave.**
**APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/ Sobieski Trust**

**AP: H-13**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2G**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Consent Agenda Item |
| **Department** | Planning and Development Services - Brady Kendrick – Planner II | | |

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 7994

Second and final reading to consider an Ordinance providing for the establishment of zoning districts on the Official Zoning Map of the City of Amarillo, Texas, establishing Agricultural District, Residential District 3, Moderate Density District, Multiple-Family District 1, Planned Development District 400 for single-family detached homes with reduced lot depth and area, and Planned Development District 401 for single-family detached homes with reduced lot width, all in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas
VICINITY: Soncy Rd. and S.W. 34th Ave.
APPLICANT/S: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust

**Agenda Item Summary**

This particular agenda item is a Zoning Plan associated with the proposed annexation of 244.97 acres of land to be considered on the same Council Agenda. A Zoning Plan establishes zoning districts/patterns for land to be annexed should Council vote to approve the associated annexation.

Considering the developer has finalized development plans for a majority of the land and in order to save time in the development process, staff recommended that the establishment of zoning districts/patterns run concurrently with the annexation consideration. In the past, when land is annexed, it is assigned Agricultural District as a place holder and zoning designations that fit the proposed development plans need to be established via the rezoning process after annexation occurs. A typical rezoning process can take approximately eight to ten weeks from start to finish.

The recommended development type, per the Future Land Use and Character Map, is General Residential. General Residential calls for detached residential dwellings as a primary focus along with townhomes, duplexes, and a mix of housing types and varying densities depending on the location.

The following zoning districts within the area to be annexed are proposed below:

- Agricultural District
- Planned Development 400 for lots that will have reduced lot depth (85' minimum) and reduced lot area (4,250 square feet) for single family detached homes. All other standards will follow Moderate Density District.
- Planned Development 401 for lots that will have reduced lot width (minimum of 45') for single-family detached homes. All other standards will follow Residential District 3.
- Residential District 3
- Moderate Density District
- Multiple-Family District 1

Land along Loop 335 and SW 34th Avenue is proposed for Agricultural District (green on the attached map) as development plans are not known at this time. These areas could develop with a mix of uses that could include retail, multi-family, office, and other appropriate non-residential development typically found on the periphery of a residential subdivision adjacent to major throughfares.

Planned Development 400 is the first of two proposed Planned Development Districts. Planned Development 400 (light blue on the attached map) is at the northeast corner of the land to be annexed. This area will feature Cottage style single-family detached homes on lots with reduced lot depths (85' minimum) and lot area (4,250 square foot). The average size of the proposed residential product will be approximately 1,100 to 1,200 square feet in size and at a reduced price-point. This will introduce a housing product that is largely absent from the Amarillo market as identified by the recently completed Housing Study.

The second of the proposed Planned Development Districts is Planned Development 401 (dark blue on the attached map) and will be generally located along the western and northern portions of the proposed subdivision. This area will largely feature lots that meet Residential District 3 standards; however, the developer wishes to reduce the required lot width minimum of fifty feet by five feet as it is intended to intermix forty-five foot wide lots in this area to offer differing single-family detached residential footprints and create a slightly higher density within this particular area.

The remaining zoning districts proposed by this Zoning Plan are Residential District 3 (yellow on the attached map), Moderate Density District (orange on the attached map), and Multiple Family District 1 (red on the attached map).

## Requested Action/Recommendation

The developer's proposed Zoning Plan has been reviewed by both the Planning and Zoning Commission and City Staff with no objections offered. Considering this, staff believes the Zoning Plan meets typical Planning practices and recommends approval as presented should the associated annexation be approved.

**ORDINANCE NO. 7994**

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR THE ESTABLISMENT OF ZONING DISTRICTS ON THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR ZONING CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHWEST THIRTY-FOURTH AVENUE AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

DRAFT

**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 the establishment of zoning districts associated with annexations must be submitted to the City Council for consideration; and

**WHEREAS,** after a public hearing before the City Council for the proposed establishment of zoning districts on the recently annexed property hereinafter described, the Council has considered the attached zoning plan and has held the required public hearing on such zoning plan, as required by law; and

**WHEREAS,** the City Council further determined that the request to establish zoning districts at 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 establishment of the following zoning districts:

Agricultural District, Residential District 3, Moderate Density District, Multiple-Family District 1, Planned Development District 400 for single-family detached homes with reduced lot depth and area, and Planned Development District 401 for single-family detached homes with reduced lot width, all in Section 61, Block 9, B.S.&F. Survey, Randall County, Texas, as described in Exhibit A.

**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 12th day of July, 2022 and PASSED on Second and Final Reading on this the 26th day of July, 2022.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams, City Attorney

# EXHIBIT A - SHEET 1 OF 5

| PROPOSED LOT CONFIGURATION | | | | |
|---|---|---|---|---|
| LOT COUNT | UNIT | LOT NUMBER RANGE | AVERAGE LOT DIMENSION WIDTH (ft) X LENGTH (ft) | ZONING |
| 118 | 1 | 1-118 | 50' X 115; 40' X 115' | PD |
| 45 | 3 | 119-163 | 65 X 125; 60' X 125; 50' X 125' | RS |
| 55 | 3 | 164-218 | 50' X 115; 40' X 115' | PD |
| | | 210-268 | 50' X 85' | PD |
| 107 | 4 | 219-314 | 60' X 115' | MD |
| | | 315-376 | 50' X 115'; 40' X 115' | PD |
| 106 | 5 | 377-482 | 40' X 115'; 50' X 115' | PD |
| 37 | 6 | 484-519 | 65 X 125'; 60' X 125'; 50' X 125' | RS |
| 36 | 7 | 520-555 | 65 X 125'; 60' X 125'; 50' X 115' | RS |
| TOTAL NUMBER OF LOTS | | 555 | | |

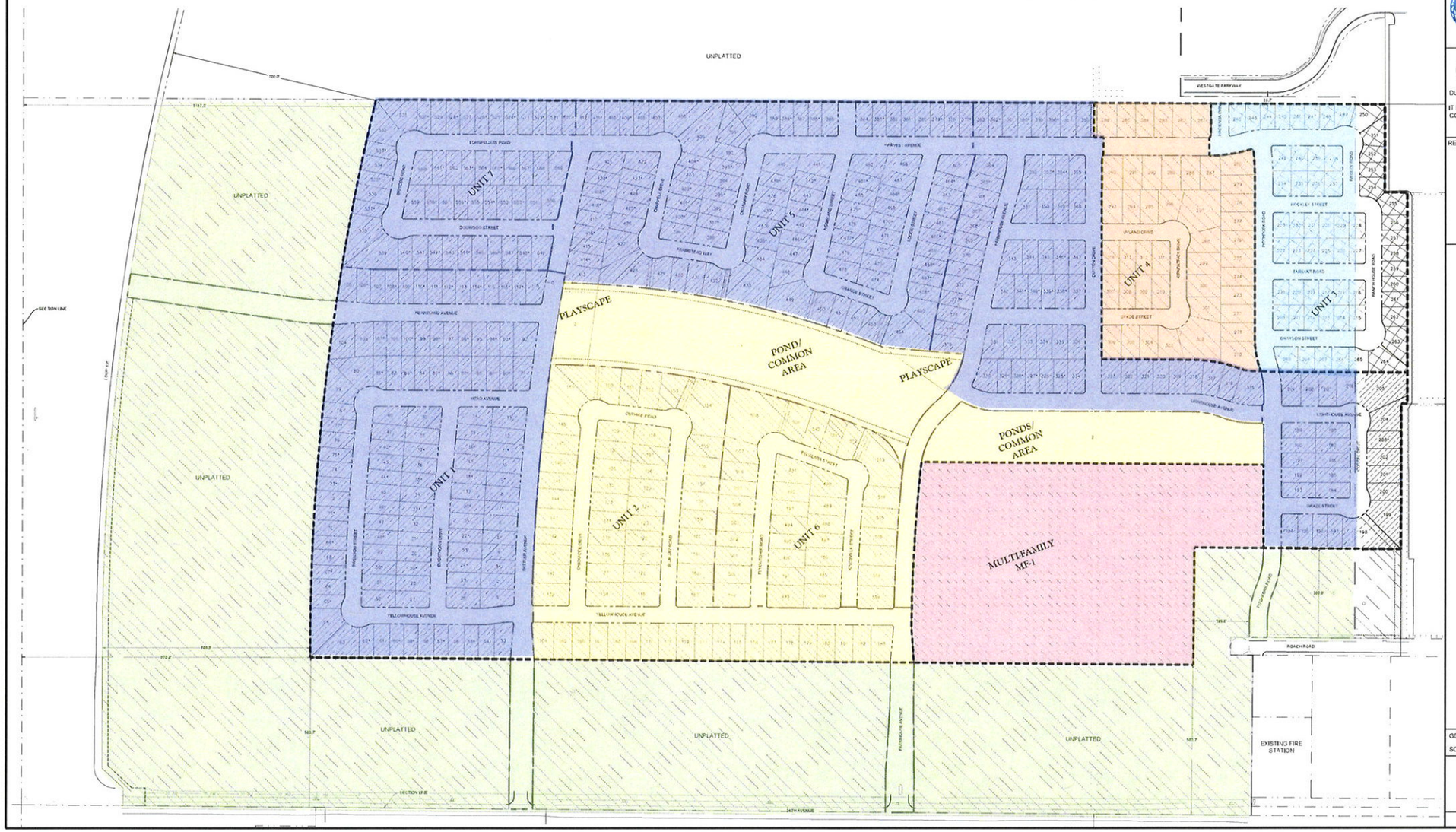
NOTES

PROPOSED UNIT BOUNDARY
PROPOSED ROLL CURB
PROPOSED STANDARD CURB
PROPOSED EDGE OF PAVEMENT
PROPOSED DITCH CENTER LINE
PROPOSED ROW
PROPOSED LOT LINE
PROPOSED DRAINAGE EASEMENT
PROPOSED MAINTENANCE EASEMENT
PROPOSED PRIVATE DRAINAGE EASEMENT
PROPOSED ZONING BOUNDARY
EXISTING CITY LIMITS

PROPOSED UTILITY EASEMENT
PROPOSED WATER LINE EASEMENT
PROPOSED SANITARY SEWER EASEMENT
SECTION LINE
PD - 450 (LOTS LESS THAN 100' DEEP)
PROPOSED R-3 RESIDENTIAL
PROPOSED MD - MODERATE DENSITY 2F - DUPLEX UNIT
PROPOSED MF-1 MULTIPLE FAMILY
PD - 451 (LOTS LESS THAN 55' WIDE)
AG

N

0 150 300 Feet





3501 S. Georgia, Suite A
Amarillo, Texas 79109
Phone: 806.467.3777
Firm Registration #: F-17198

GDI Geospatial Data, Inc.
ENGINEERING SURVEYING
GIS SOLUTIONS
BEYONDMAPPING.COM


THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF DUSTIN DAVIS, P.E. 101045 ON 6/14/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMITTING PURPOSES.

REVISIONS

HOMESTEAD
ZONING PLAN

GDI JOB NO. E21-174
SCALE: 1" = 150'

PROPOSED ZONING

SHEET 1 OF 5

# EXHIBIT A PAGE 2 OF 5

**AGRICULTURAL DISTRICT**

A 79.00+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 79.00+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap (MUERY) found in the South line of said Section 61, from whence the Southwest corner of said Section 61 bears N. 89° 29' 16" W. 341.94 feet;

THENCE N. 00° 30' 53" E. 60.00 feet to a 5/8 inch iron rod with cap (MUERY) found;

THENCE N. 47° 08' 42" W. 97.16 feet to a 5/8 inch iron rod with cap (MUERY) found;

THENCE N. 00° 02' 59" E. 413.37 feet to a 5/8 inch iron rod with cap (MUERY) found for the beginning of a curve to the right whose center bears S. 89° 57' 01" E. 8527.00 feet;

THENCE Northerly 1850.55 feet along said curve to the right with a long chord of N. 06° 16' 01" E. 1846.92 feet to a 5/8 inch iron rod with cap (MUERY) found in the Potter-Randall County line, same being the North line of said 246.75/- acre tract of land, for the Northwest corner of this tract of land;

THENCE S. 89° 41' 44" E. 717.62 feet along said county line, same being the North line of said 246.75/- acre tract of land, to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the most North Northeast corner of this tract of land and the beginning of a curve to the left whose center bears S. 76° 24' 27" E. 7827.00 feet;

THENCE Southerly 1850.06 feet along said curve to the left with a long chord of S. 06° 49' 16" W. 1845.75 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE S. 00° 02' 59" W. 40.74 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for an interior corner of this tract of land;

THENCE S. 89° 29' 16" E. 2973.02 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for an interior corner of this tract of land;

THENCE N. 00° 27' 44" E. 394.75 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE S. 89° 27' 18" E. 537.60 feet to the most East Northeast corner of this tract of land;

THENCE S. 00° 01' 44" W. 300.01 feet to a point in the apparent North Right-of-Way line of Roach Drive as dedicated per plat of Soncy Acres Unit No. 3, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 2007019982 of the Official Public Records of Randall County, Texas;

THENCE N. 89° 27' 18" W. 414.81 feet along said apparent North Right-of-Way line of said Roach Drive to a 1/2 inch rod found for an interior corner of this tract of land;

THENCE S. 00° 32' 42" W. 60.10 feet to a 1/2 inch iron rod found in the apparent South Right-of-Way line of said Roach Drive for an interior corner of this tract of land;

THENCE S. 89° 27' 18" E. 75.00 feet to a 1/2 inch found for the Northwest corner of Lot 15, Block 1, of said Soncy Acres Unit No. 3;

THENCE S. 00° 27' 44" W. 538.24 feet to a mag nail found, as called for, in the South line of said Section 61 for the Southeast corner of said 246.75+/- acre tract of land;

THENCE N. 89° 29' 16" W. 3798.62 feet to the PLACE OF BEGINNING and containing 79.00 acres of land, more or less.

**PLANNED DEVELOPMENT DISTRICT 400**

A 7.50+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 7.50+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a point in the Potter-Randall County line, same being the North line of said 246.75+/- acre tract of land for the Northeast corner of this tract of land, from whence a 1/2 inch iron rod with cap (FURMAN) found, as called for, in the West line of Lot 6, Block 1, Amended Westgate Village Addition Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, recorded in Volume 1554, Page 172 of the Deed Records of Randall County, Texas, for the Northeast corner of said 246.75+/- acre tract of land, bears S. 89° 41' 44" E. 98.92 feet;

THENCE S. 00° 01' 44" W. 900.01 feet along the existing city limits line of the City of Amarillo per Ordinance No. 6069 to the Southeast corner of this tract of land;

THENCE N. 89° 41' 44" W. 253.52 feet to a point;

THENCE N. 87° 24' 15" W. 62.53 feet to the Southwest corner of this tract of land, same being the beginning of a curve to the left whose center bears S. 74° 28' 38" W. 270.00 feet;

THENCE Northerly 12.51 feet along said curve to the left with a long chord of N. 16° 51' 00" W. 12.51 feet to the end of said curve, same being the beginning of a curve to the right whose center bears N. 71° 49' 22" E. 330.00 feet;

THENCE Northerly 104.84 feet along said curve to the right with a long chord of N. 09° 04' 34" W. 104.40 feet to the end of said curve;

THENCE N. 00° 01' 31" E. 532.24 feet to a point being the beginning of a curve to the left whose center bears N. 89° 58' 29" W. 970.00 feet;

THENCE Northerly 88.29 feet along said curve to the left with a long chord of N. 02° 34' 57" W. 88.26 feet to the end of said curve;

THENCE N. 05° 11' 24" W. 6.43 feet to a point;

THENCE N. 53° 40'39" W. 6.63 feet to a point being the beginning of a curve to the left whose center bears S. 12° 42' 01" E. 267.50 feet;

THENCE Southwesterly 20.56 feet along said curve to the left with a long chord of S 75° 05' 53" W. 20.55 feet to the end of said curve, same being the beginning of a curve to the right whose center bears N. 17° 06' 13" W. 387.50 feet;

THENCE Southwesterly 117.73 feet along said curve to the right with a long chord of S. 81° 36' 02" W. 117.28 feet to the end of said curve;

THENCE N. 89° 41' 44" W. 7.33 feet to a point;

THENCE N. 00° 18' 16" E. 60.00 feet to a point;

THENCE N. 45° 11' 01" E. 7.06 feet to a point;

THENCE N. 00° 03' 46" E. 110.00 feet to a point in said county line, same being the North line of said 246.75+/- acre tract of land, for the Northwest corner of this tract of land;

THENCE S. 89° 41' 44" E. 483.97 feet along said county line, same being the North line of said 246.75+/- acre tract of land, to the PLACE OF BEGINNING and containing 7.50 acres of land, more or less.

**PLANNED DEVELOPMENT DISTRICT 401**

A 71.02+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 71.02+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the Potter-Randall County line, same being the North line of said 246.75+/- acre tract of land, for the Northwest corner of this tract of land, from whence the Southwest corner of said Section 61 bears N. 89° 41' 44" W. 1187.21 feet and S. 00° 05' 15" W. 2374.78 feet;

THENCE S. 89° 41' 44" E. 2418.00 feet along said county line, same being the North line of said 246.75+/- acre tract of land, to the most North Northeast corner of this tract of land;

THENCE S. 00° 18' 16" W. 115.00 feet to a point;

THENCE S. 89° 41' 44" E. 32.72 feet to a point;

THENCE S. 00° 18' 16" W. 60.00 feet to a point;

THENCE S. 45° 11' 01" W. 7.06 feet to a point;

THENCE S. 00° 03' 46" W. 680.01 feet to an interior corner of this tract of land;

THENCE S. 89° 41' 44" E. 306.64 feet to a point being the beginning of a curve to the right whose center bears S. 00° 18' 16" W. 445.00 feet;

THENCE Easterly 158.16 feet along said curve to the right with a long chord of S. 79° 30' 49" E. 157.33 feet to the end of said curve, same being the beginning of a curve to the left whose center bears N. 20° 40' 07" E. 155.00 feet;

THENCE Easterly 55.09 feet along said curve to the left with a long chord of S. 79° 30' 49" E. 54.80 feet to the end of said curve;

THENCE S. 89° 41' 44" E. 19.49 feet to a point;

THENCE S. 87° 24' 15" E. 62.53 feet to a point;

THENCE S. 89° 41' 44" E. 253.52 feet to the most East Northeast corner of this tract of land;

THENCE S. 00° 01' 44" W. 592.86 feet along the existing city limits line of the City of Amarillo per Ordinance No. 6069 to the most East Southeast corner of this tract of land;

THENCE N. 89° 27' 18" W. 306.42 feet to a point;

THENCE N. 00° 03' 46" E. 414.07 feet to an interior corner of this tract of land;

THENCE N. 44° 48' 59" W. 7.09 feet to a point;

THENCE N. 89° 41' 44" W. 25.16 feet to a point being the beginning of a curve to the right whose center bears N. 00° 18' 16" E. 330.00 feet;

THENCE Westerly 117.29 feet along said curve to the right with a long chord of N. 79° 30' 49" W. 116.67 feet to the end of said curve, same being the beginning of a curve to the left whose center bears S. 20° 40' 07" W. 270.00 feet;

THENCE Westerly 95.96 feet along said curve to the left with a long chord of N. 79° 30' 49" W. 95.46 feet to the end of said curve;

THENCE N. 89° 41' 44" W. 659.06 feet to a point being the beginning of a curve to the right whose center bears N. 00° 18' 16" E. 230.00 feet;

THENCE Northwesterly 119.70 feet along said curve to the right with a long chord of N. 74° 47' 10" W. 118.35 feet to the end of said curve;

THENCE N. 59° 52' 35" W. 65.13 feet to a point being the beginning of a curve to the left whose center bears N. 49° 12' 13" W. 270.00 feet;

THENCE Northeasterly 142.45 feet along said curve to the left with a long chord of N. 25° 40' 56" E. 140.80 feet to the end of said curve;

THENCE N. 84° 55' 49" W. 273.69 feet to a point being the beginning of a curve to the left whose center bears S. 21° 32' 41" W. 3103.62 feet;

THENCE Westerly 1103.42 feet along said curve to the left with a long chord of N. 78° 38' 25" W. 1097.61 feet to the end of said curve, same being the beginning of a curve to the left whose center bears S. 80° 02' 40" E. 7082.00 feet;

THENCE Southerly 1086.15 feet along said curve to the left with a long chord of S. 05° 33' 43" W. 1085.09 feet to the end of said curve;

THENCE S. 44° 10' 11" E. 7.03 feet to a point;

THENCE S. 00° 54' 19" W. 55.00 feet to a point;

THENCE S. 45° 35' 15" W. 7.08 feet to a point;

THENCE S. 04° 14' 34" E. 120.41 feet to the most South Southeast corner of this tract of land;

THENCE N. 89° 29' 16" W. 754.42 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Southwest corner of this tract of land;

THENCE N. 00° 02' 59" E. 40.74 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the right whose center bears S. 89° 57' 01" E. 7827.00 feet;

THENCE Northerly 1850.06 feet along said curve to the right with a long chord of N. 06° 49' 16" E. 1845.75 feet to the PLACE OF BEGINNING and containing 71.02 acres of land, more or less.

**RESIDENTIAL DISTRICT 3**

A 40.25+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 40.25+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at the Southwest corner of this tract of land, from whence the Southwest corner of said Section 61 bears S. 00° 30' 44" W. 503.70 feet and N. 89° 29' 16" W. 1721.51 feet;

THENCE N. 04° 14' 34" W. 120.41 feet to the beginning of a curve to the right whose center bears S. 89° 21' 28" E. 7082.00 feet;

THENCE Northerly 1151.15 feet along said curve to the right with a long chord of N. 05° 17' 56" E. 1149.89 feet to the end of said curve for the Northwest corner of this tract of land, same being the beginning of a curve to the right whose center bears S. 01° 10' 29" W. 3103.62 feet;

THENCE Southeasterly 1103.42 feet along said curve to the right with a long chord of S. 78° 38' 25" E. 1097.61 feet to the end of said curve;

THENCE S. 84° 55' 49" E. 273.69 feet to a point being the beginning of a curve to the right whose center bears N. 79° 25' 55" W. 270.00 feet;

THENCE Southwesterly 142.45 feet along said curve to the right with a long chord of S. 25° 40' 56" W. 140.80 feet to the end of said curve;

THENCE S. 59° 52' 35" E. 65.13 feet to a point being the beginning of a curve to the left whose center bears N. 30° 07' 25" E. 230.00 feet;

THENCE Southeasterly 119.70 feet along said curve to the left with a long chord of S. 74° 47' 10" E. 110.85 feet to the end of said curve;

THENCE S. 89° 41' 44" E. 659.06 feet to a point being the beginning of a curve to the right whose center bears S. 00° 18' 16" W. 270.00 feet;

THENCE Easterly 95.96 feet along said curve to the right with a long chord of S. 79° 30' 49" E. 95.46 feet to the end of said curve, same being the beginning of a curve to the left whose center bears N. 20° 40' 07" E. 330.00 feet;

THENCE Easterly 117.29 feet along said curve to the left with a long chord of S. 79° 30' 49" E. 116.67 feet to the end of said curve;

THENCE S. 89° 41' 44" E. 25.16 feet to a point;

THENCE S. 44° 48' 59" E. 7.09 feet to a point;

THENCE S. 00° 03' 46" W. 162.50 feet to the most East Southeast corner of this tract of land;

THENCE N. 89° 29' 16" W. 1152.07 feet to a point being the beginning of a curve to the left whose center bears S. 84° 07' 30" E. 5802.00 feet;

THENCE Southerly 527.15 feet along said curve to the left with a long chord of S. 03° 16' 20" W. 526.97 feet to the end of said curve;

THENCE S. 04° 14' 53" E. 120.24 feet to the Southeast corner of this tract of land;

THENCE N. 89° 29' 16" W. 1280.00 feet to the PLACE OF BEGINNING and containing 40.25 acres of land, more or less.

**MODERATE DENSITY DISTRICT**

A 9.73+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 9.73+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a point in the Potter-Randall County line, same being the North line of said 246.75+/- acre tract of land for the Northeast corner of this tract of land, from whence a 1/2 inch iron rod with cap (FURMAN) found, as called for, in the West line of Lot 6, Block 1, Amended Westgate Village Addition Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, recorded in Volume 1554, Page 172 of the Deed Records of Randall County, Texas, for the Northeast corner of said 246.75+/- acre tract of land, bears S. 89° 41' 44" E. 582.89 feet;

THENCE S. 00° 03' 46" W. 110.00 feet to a point;

THENCE S. 45° 11' 01" W. 7.06 feet to a point;

THENCE S. 00° 18' 16" W. 60.00 feet to a point;

THENCE S. 89° 41' 44" E. 7.33 feet to a point being the beginning of a curve to the left whose center bears N. 00° 18' 16" E. 387.50 feet;

THENCE Northeasterly 117.73 feet along said curve to the left with a long chord of N. 81° 36' 02" E. 117.28 feet to the end of said curve, same being the beginning of a curve to the right whose center bears S. 17° 06' 13" E. 267.50 feet;

THENCE Northeasterly 20.56 feet along said curve to the right with a long chord of N. 75° 05' 53" E. 20.55 feet to the end of said curve;

THENCE S. 53° 40' 39" E. 6.63 feet to a point;

THENCE S. 05° 11' 24" E. 6.43 feet to a point being the beginning of a curve to the right whose center bears S. 84° 48' 36" W. 970.00 feet;

THENCE Southerly 88.29 feet along said curve to the right with a long chord of S 02° 34' 57" E. 88.26 feet to the end of said curve;

THENCE S. 00° 01' 31" W. 532.24 feet to a point being the beginning of a curve to the left whose center bears S. 89° 58' 29" E. 330.00 feet;

THENCE Southerly 104.84 feet along said curve to the left with a long chord of S. 00° 04' 34" E. 104.40 feet to the end of said curve, same being the beginning of a curve to the right whose center bears S. 71° 49' 22" W. 270.00 feet;

THENCE Southerly 12.51 feet along said curve to the right with a long chord of S. 16° 51' 00" E. 12.51 feet to the end of said curve, same being the Southeast corner of this tract of land;

THENCE N. 89° 41' 44" W. 19.49 feet to a point being the beginning of a curve to right whose center bears N. 00° 18' 16" E. 155.00 feet;

THENCE Northwesterly 55.09 feet along said curve to the right with a long chord of N. 79° 30' 49" W. 54.80 feet to the end of said curve, same being the beginning of a curve to the left whose center bears S. 20° 40' 07" W. 445.00 feet;

THENCE Northwesterly 158.16 feet along said curve to the left with a long chord of N. 79° 30' 49" W. 157.33 feet to the end of said curve;

THENCE N. 89° 41' 44" W. 306.64 feet to the Southwest corner of this tract of land;

THENCE N. 00° 03' 46" E. 680.01 feet to a point;

THENCE N. 45° 11' 01" E. 7.06 feet to a point;

THENCE N. 00° 18' 16" E. 60.00 feet to a point;

THENCE N. 89° 41' 44" W. 32.72 feet to a point;

THENCE N. 00° 18' 16" E. 115.00 feet to a point in said county line, same being the North line of said 246.75+/- acre tract of land, for the Northwest corner of this tract of land;

THENCE S. 89° 41' 44" E. 393.24 feet along said county line, same being the North line of said 246.75+/- acre tract of land, to the PLACE OF BEGINNING and containing 9.73 acres of land, more or less.

**MULTIPLE FAMILY DISTRICT 1**

A 15.28+/- acre tract of land out of Section 61, Block 9 B.S.&F. Survey, Randall County, Texas, being a portion of that certain 246.75+/- tract of land being described in that certain instrument recorded under Clerk's File No. 2018001728 of the Official Public Records of Randall County, Texas, said 15.28+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at the Southwest corner of this tract of land, from whence the Southwest corner of said Section 61 bears S. 00° 30' 44" W. 503.70 feet and N. 89° 29' 16" W. 3001.51 feet;

THENCE N. 04° 14' 53" W. 120.24 feet to a point being the beginning of a curve to the right whose center bears S. 89° 19' 51" E. 5802.00 feet;

THENCE Northerly 527.15 feet along said curve to the right with a long chord of N. 03° 16' 20" E. 526.97 feet to the end of said curve being the Northwest corner of this tract of land;

THENCE S. 89° 29' 16" E. 1152.07 feet to the Northeast corner of this tract of land;

THENCE S. 00° 03' 46" W. 251.57 feet to the most East Southeast corner of this tract of land;

THENCE N. 89° 27' 18" W. 231.18 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for an interior corner of this tract of land;

THENCE S. 00° 27' 44" W. 394.75 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the most South Southeast corner of this tract of land;

THENCE N. 89° 29' 16" W. 938.61 feet to the PLACE OF BEGINNING and containing 15.28 acres of land, more or less.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2H**

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Consent Agenda Item |
| **Department** | Planning and Development Services, Brady Kendrick – Planner II | | |

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 7995

Second and final reading to consider an ordinance rezoning a 13.50-acre tract of land, being a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo, and unplatted land, all in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Residential District 2 to Moderate Density District.
VICINITY: Western St. and Arden Rd.
APPLICANT/S: Daryl Furman for Valleyview Church of the Nazarene

**Agenda Item Summary**

**Adjacent land use and zoning**

Adjacent zoning consists of Residential District 2 to the north and east, Residential District 1 to the west, and Residential District 1 and Moderate Density District to the south.

Adjacent land uses consist of single-family detached homes to the north, vacant land and single-family detached homes to the south, single-family detached homes to the east, and single-family detached homes and a church to the west.

**Proposal**

The applicant is proposing a change in zoning to develop the site with single-family detached and attached (townhomes) residential products. Single-family attached homes are not allowed in Residential Districts 1 through 3 and is the reason for the Moderate Density request. The tract is currently owned by the neighboring church and is utilized for outdoor activities associated with the church.

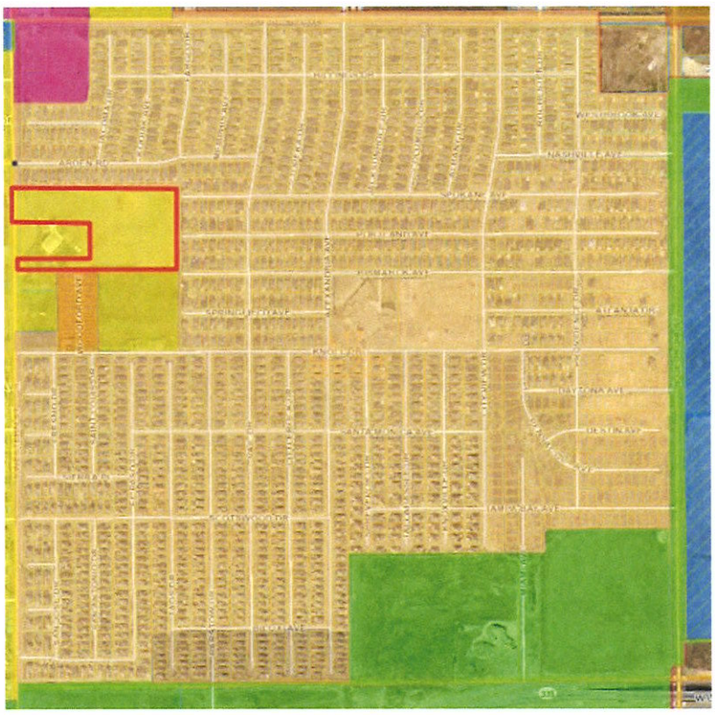
**Analysis**

When considering a rezoning request, the Planning and Zoning Commission analyzes existing zoning and development patterns in the area along with common Planning principles such as the Comprehensive Plan's Future Land Use and Character Map and the Neighborhood Unit Concept of Development (NUC).

The applicant's tract is identified as being within the Suburban Residential category. Suburban Residential calls for detached single family dwellings on larger lots to encourage a greater separation between homes. While the applicant's request and development plans are residential in nature, they would not conform with the Future Land Use Map category for this tract as the tracts proposed for development are smaller in overall size. Additionally, it is worth noting that Moderate Density does allow for multi-family land uses such as duplexes, triplexes, and apartments.

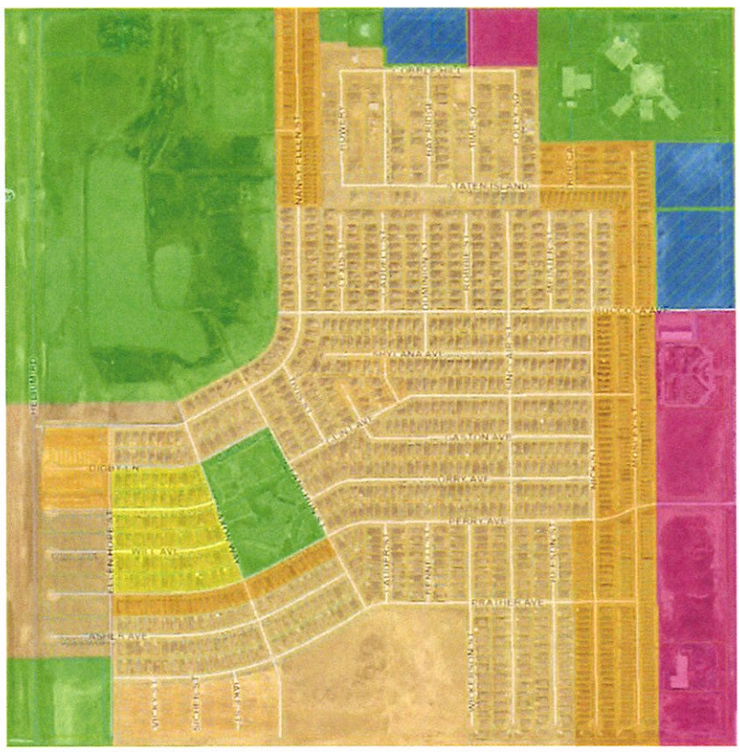
Regarding the NUC, it is recommended that higher density residential be located at the periphery of a subdivision and/or between more intense zoning, land uses, and/or major thoroughfares and less dense single-family detached homes internal to a section.

Considering the location of the applicant's tract is adjacent to the heavily traveled throughfare of Western Street and an institutional land use (church), Commissioners believe higher density of residential development at this location could serve as a buffer and appropriate transition in zoning between Western Street and external activities associated with the church to the single-family detached homes on larger lots to the east.



It is worth noting that townhome development and/or zoning is largely absent within the City View Estates Subdivision as a whole. This is unique in that developers typically provide various residential products (detached, attached, and apartments) within a subdivision. These additional residential products are recommended to strengthen a neighborhood, by adding a wider choice of residential products. Such variety of residential products are in character with other subdivisions found around Amarillo.

Additionally, the Comprehensive Plan and City's policy calls for and encourages appropriate infill development when possible. This request represents one of those opportunities in the Planning and Zoning Commission's opinion. Based on the just mentioned, Commissioners believe that the request is a logical continuation of existing zoning and sets appropriate development patterns in the area that would not result in any significant impacts to surrounding properties.



**Requested Action/Recommendation**

Notices were sent to property owners within 200 feet as required by State Law. As of this writing, two phone calls have been received with one caller expressing no opposition and the other expressing opposition. The primary concern expressed by the caller was the fact that Moderate Density District could allow for apartments if the current development plans fall through.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented.

LSS 7/1/2022

**ORDINANCE NO. 7995**

**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 WESTERN STREET AND ARDEN ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

DRAFT

**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 13.50 acre tract of land, being a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo, and unplatted land, all in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Residential District 2 to Moderate Density District and being further described in Exhibit A attached herein.

**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 12th day of July, 2022 and PASSED on Second and Final Reading on this the 26th day of July, 2022.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Stephanie Coggins, City Secretary

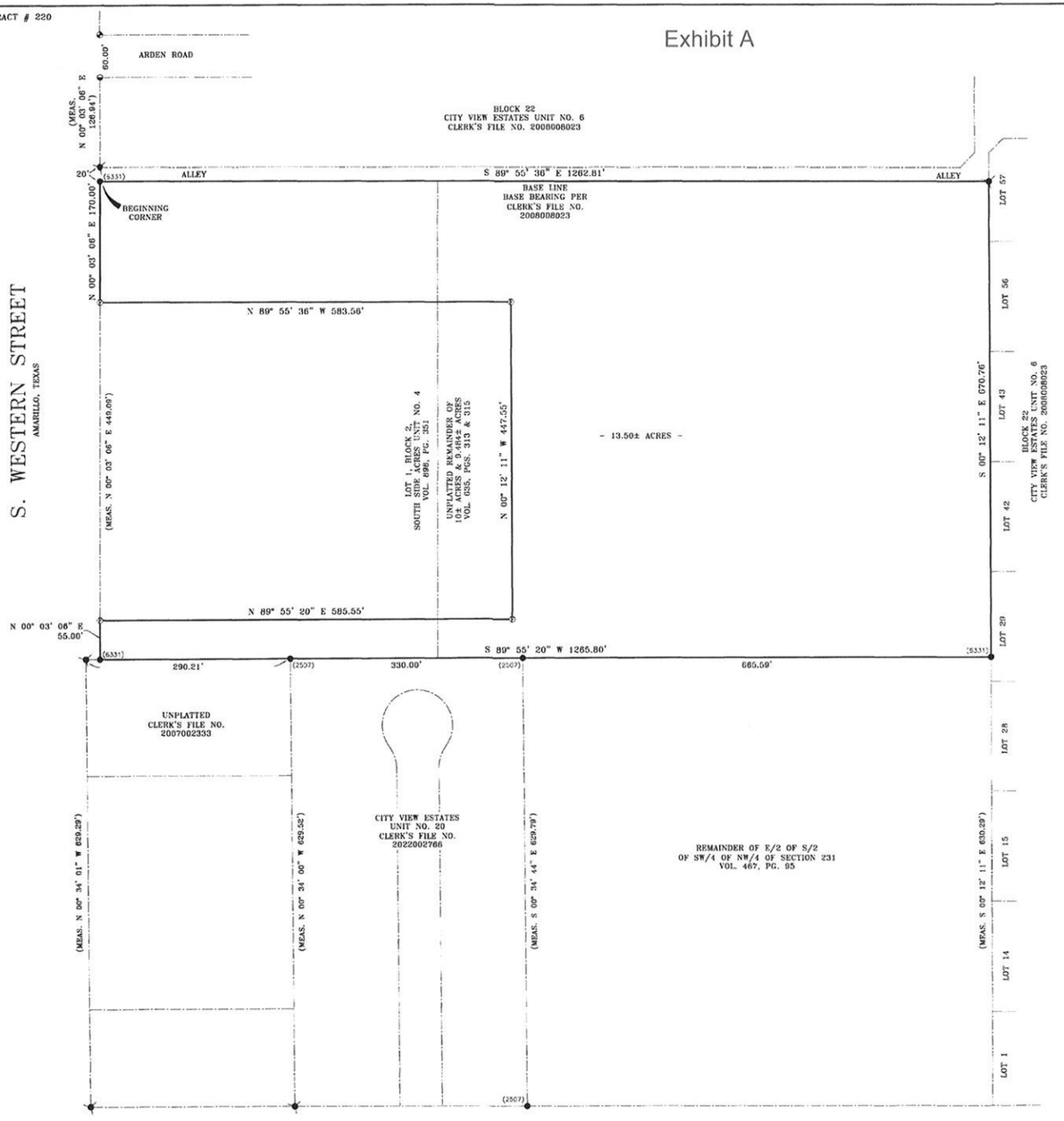
APPROVED AS TO FORM:

_____

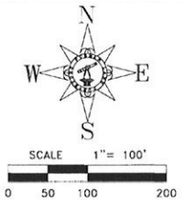
Bryan McWilliams, City Attorney

2010 CENSUS TRACT # 220

# Exhibit A




REZONING EXHIBIT




LEGEND:

- 1/2" IRON ROD SET W/CAP STAMPED "FURMAN RPLS"
- 1/2" IRON ROD W/CAP FND
- 1/2" IRON ROD FND
- 3/8" IRON ROD W/CAP FND
- 3/8" IRON ROD FND
- (xxxx) NAME OR NUMBER IN ( ) INDICATES MONUMENT ORIGIN

## NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.

2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2022.

3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

4. The tract of land surveyed and shown hereon may be subject to the State of Texas and City of Amarillo platting rules and regulations. This surveyor suggests that the City of Amarillo Planning and Zoning Department be consulted about these rules, regulations and any requirements that this property may be subject to.

5. Boundary survey. Improvements, if any, are not shown hereon.

## DESCRIPTION

A 13.50+/- acre tract of land in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, being a portion of those certain 9.484+/- and 10+/- acre tracts of land being described in those certain instruments being recorded in Volume 635, Pages 313 & 315 of the Deed Records of Randall County, Texas, and a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo according to the map or plat thereof, recorded in Volume 898, Page 351 of the Deed Records of Randall County, Texas, said 13.50+/- acre tract of land having been surveyed on the ground on May 20, 2022 by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod with cap (6831) found in the North line of said Lot 1, Block 2, South Side Acres Unit No. 4, same being a South alley line as dedicated per plat of City View Estates Unit No. 6, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 2008008023 of the Official Public Records of Randall County, Texas, for the Northwest corner of this tract of land, from whence the Northeast corner of said Lot 1, Block 2, bears N. 89° 55' 36" W. 20.00 feet (per record data);

THENCE S. 89° 55' 36" E. (Base line) 1262.81 feet along an East-West line of said City View Estates Unit No. 6 to a 3/8 inch iron rod found in the East line of Lot 57, Block 22, said City View Estates Unit No. 6, for the Northeast corner of this tract of land;

THENCE S. 00° 12' 11" E. 670.76 feet along a North-South line of said City View Estates Unit No. 6 to a 3/8 inch iron rod with cap (6331) found in the East line of Lot 29, said Block 22, for a the Southeast corner of this tract of land;

THENCE S. 89° 55' 20" W., at 665.59 feet pass a 3/8 inch iron rod with cap (2507) found for the Northeast corner of City View Estates Unit No. 20, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 2022002766 of the Official Public Records of Randall County, Texas, at 995.59 feet pass a 3/8 inch iron rod with cap (2507) found for the Northwest corner of City View Estates Unit No. 20, same being the Northeast corner of that certain tract of land being described in that certain instrument recorded under Clerk's File No. 2007002333 of the Official Public Records of Randall County, Texas, continuing for a total distance of 1265.80 feet to a 3/8 inch iron rod with cap (6331) found for the Southwest corner of this tract of land, from whence a 3/8 inch iron rod found for the Northwest corner of said tract of land described under Clerk's File No. 2007002333, same being the Southwest corner of the aforementioned Lot 1, Block 2, South Side Acres Unit No. 4, bears S. 89° 55' 20" W. 20.00 feet;

THENCE N. 00° 03' 06" E. 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for a jog corner of this tract of land;

THENCE N. 89° 55' 20" E. 585.55 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for an interior corner of this tract of land;

THENCE N. 00° 12' 11" W. 447.55 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for an interior corner of this tract of land;

THENCE N. 89° 55' 36" W. 583.56 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for a jog corner of this tract of land;

THENCE N. 00° 03' 06" E. 170.00 feet to the PLACE OF BEGINNING and containing 13.50 acres of land, more or less.

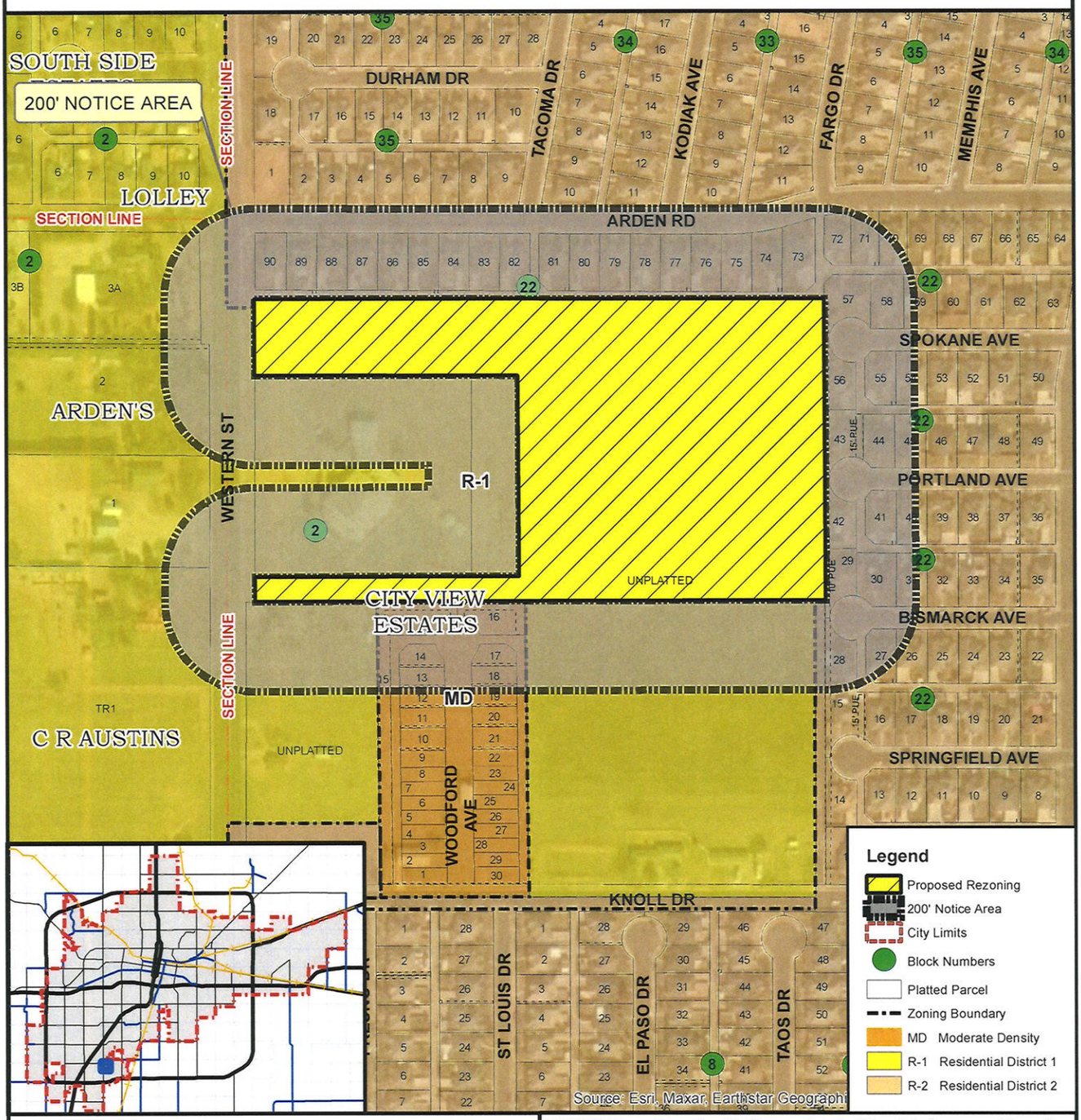
PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. THIS DOCUMENT HAS BEEN RELEASED BY DARYL R. FURMAN RPLS 5374 FOR REVIEW PURPOSES ONLY. DATE: 05/23/2022


FURMAN LAND SURVEYORS, INC.
SURVEYING · MAPPING · CONSULTING
TEXAS · OKLAHOMA NEW MEXICO
KANSAS · COLORADO

DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS · LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS
CEASE ROME, SIT · LEONARD A. MCLAUGHLIN, SIT
TEXAS FIRM #10092600 & 10092601
P.O. BOX 1476 · AMARILLO, TEXAS 79105 · (806) 374-4256 · FAX (806) 374-4288
P.O. BOX 464 · DUMAS, TEXAS 79029 · (806) 934-1405 · FAX (806) 934-1482


PROJECT NO. 22297022 FILE NO. L-17
DRAWING NO. P:\SUB 22\RANDALL\L-17\2229702\rezoning

# REZONING FROM R-1 & R-2 TO MD




## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 300 feet
**Date:** 5/26/2022
**Case No:** Z-22-21

N
W E
S

**Z-22-21 Rezoning of a 13.50 acre tract of land, being a portion of Lot 1, Block 2, South Side Acres Unit No. 4, an addition to the City of Amarillo, and unplatted land, all in Section 231, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Residential District 2 to Moderate Density District.**
**VICINITY: Western St. and Arden Rd.**
**APPLICANT/S: Daryl Furman for Valleyview Church of the Nazarene**

**AP: L-17**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2I**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Consent Agenda Item |
| **Department** | Brady Kendrick – Planner II, Planning and Development Services | | |

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 7996

Second and final reading to consider an ordinance rezoning Lots 3 through 5, Block 93, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Commercial District to Planned Development District 399 for increased lot coverage and reduced onsite parking.
VICINITY: SW 8th Ave. and Monroe St.
APPLICANT/S: Charles R. Lynch for Amarillo Steam Team, LLC

**Agenda Item Summary**

**Adjacent land use and zoning**

Adjacent zoning consists of Light Commercial District in all directions.

Adjacent land uses consist of an institutional space (church) to the east and commercial uses at varying scales in all other directions.

**Proposal**

The applicant, who owns Steam Team of Amarillo, is proposing a change in zoning in order to adaptively reuse and expand an existing building on the site.

While the applicant's proposed use is allowed under the current zoning, the project scope was designed with the understanding that the City's Zoning Ordinance Rewrite recommended lot coverage maximums to be 100 percent and that no non-residential parking minimums be set for properties located in the Urban Neighborhood Overlay District (UN-O District), which this property would fall within.

The property is currently zoned Light Commercial, and the maximum lot coverage is fifty percent and per the current parking ratios, be required to provide 24 parking spaces.

**Analysis**

Considering the proposed use and base zoning is not being changed other than two development standards by this proposed Planned Development, the typical considerations of the Comprehensive Plan's Future Land Use and Character Map, zoning and development patterns, or conformity to the Neighborhood Unit Concept of Development (NUC) do not come into play. What is staff's primary focus is whether the proposed change is in character with surrounding development and/or zoning.

When looking at surrounding development characteristics for properties within Light and Heavy Commercial Districts, there are several commercial buildings located that currently observe a lot coverage that exceeds fifty percent (many at or near a 100 percent lot coverage) and parking areas that fall below minimum parking requirements. Additionally, Central Business District zoning is approximately three blocks east of the applicant's site. This is noteworthy as Central Business District mirrors the proposed development standards (increased lot coverage/no minimum off-street parking).

Taking all this into account, the Planning and Zoning Commission believes that utilizing development standards proposed, the applicant's request would not be out of character with the area nor would create any detrimental impacts to the area.

**Requested Action/Recommendation**

Notices were sent to all property owners within 200 feet as required by State Law. As of this writing, no comments have been received regarding the request.

Considering the previously mentioned information, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented.

**ORDINANCE NO. 7996**

**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 EIGHTH AVENUE AND MONROE STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

DRAFT

**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 Lots 3 through 5, Block 93, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Commercial District to Planned Development District 399 for increased lot coverage and reduced onsite parking.

**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 12th day of July, 2022 and PASSED on Second and Final Reading on this the 26th day of July, 2022.

_____

Ginger Nelson, Mayor

ATTEST:

_____

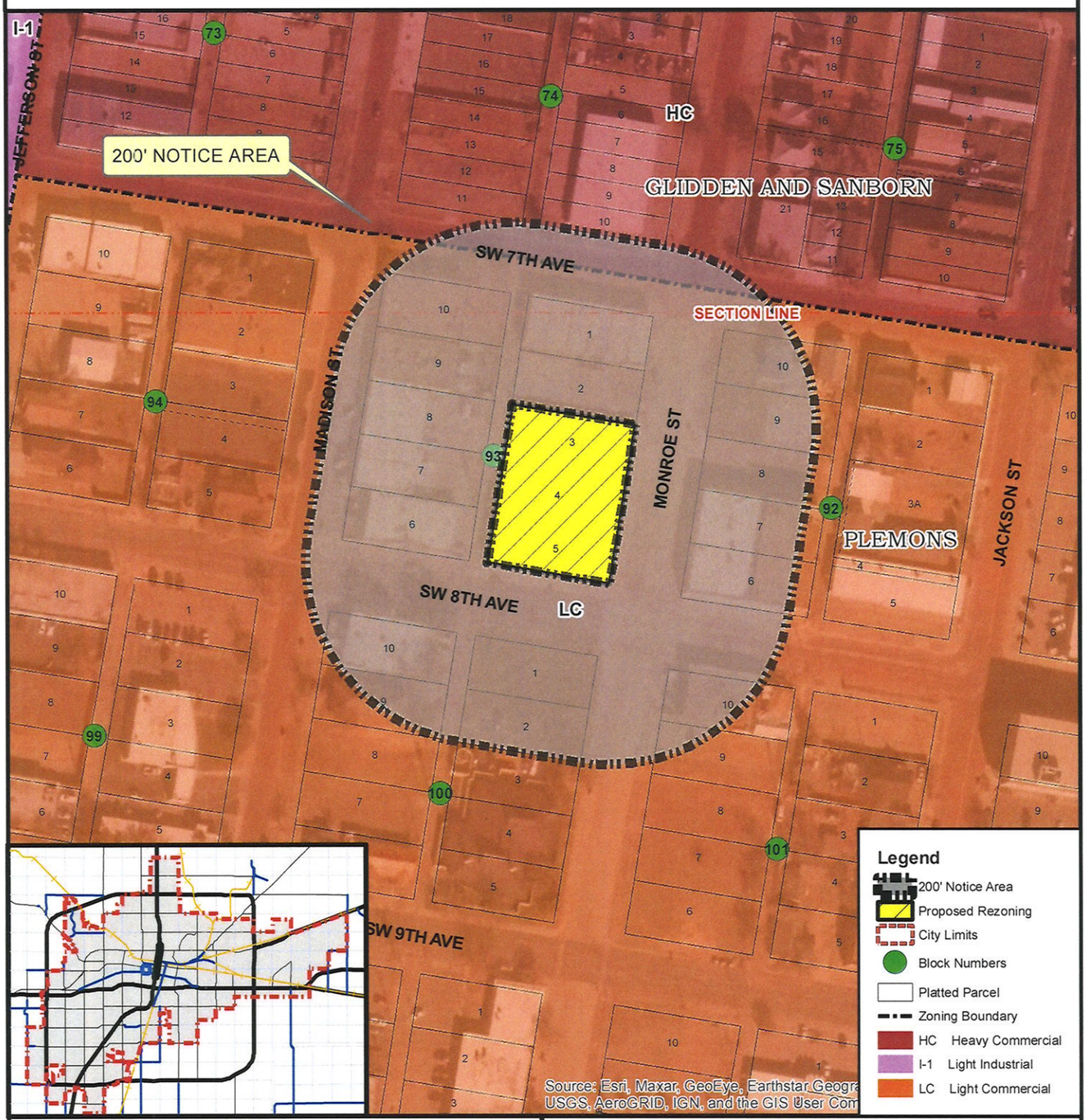
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams, City Attorney

# REZONING FROM LC TO PD




## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 150 feet
**Date:** 6/1/2022
**Case No:** Z-22-23

N W E S

Rezoning of Lots 3 through 5, Block 93, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Commercial District to Planned Development District 399 for increased lot coverage and reduced on-site parking.

Applicant: Charles R. Lynch for Amarillo Steam Team, LLC

Vicinity: SW 8th Ave. and Monroe St.

AP: N-12

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2J**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Fiscal Responsibility |
| **Department** | Purchasing | | |
| **Contact** | Trae Kepley, Director of Purchasing | | |

**Agenda Caption**

Award – Officewise/Navajo Office Products in the amount not to exceed $275,000

Office Supplies Annual Contract awarded to Officewise/Navajo Office Products off the TexBuy Purchasing Cooperative RFP #022-001

**Agenda Item Summary**

Award of Office Supplies to be used by various City Departments in their daily office duties.

**Requested Action**

Consider approval and award for the Office Supplies Annual Contract

**Funding Summary**

Funding for this award is available in the department's various supply accounts.

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff is recommending approval and award of the contract.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2K**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Infrastructure Initiative |
| **Department** | Capital Projects & Development Engineering | | |
| **Contact** | Kyle Schniederjan, Director of Capital Projects & Development Engineering | | |

**Agenda Caption**

CONSIDER – APPROVAL OF CHANGE ORDER NO. 1 FOR 34TH AVE PUMP STATION SWITCHGEAR REPLACEMENT

Project No. 530045, Bid No. 6885
Brown Construction Services PLLC – $ 65,750.00

| | |
|---|---|
| Original Contract Amount: | $ 2,165,000.00 |
| This Change Order No. 1: | $ 65,750.00 |
| Revised Contract Total: | $ 2,230,750.00 |

**Agenda Item Summary**

Change Order No. 1 addresses an unexpected increase in commodity items/material costs. The commodity items include wire, conduit, conduit appurtenances, unistrut, pull boxes, and structural steel. Contract Time is increased due to longer, unanticipated lead times on the variable frequency drives and main switchgear. The project is approximately 86% complete. With the change order, the anticipated completion time frame is end of October 2022.

**Requested Action**

Consider approval of Change Order No. 1 to the contract with Brown Construction Services PLLC in the amount of $65,750.00 for execution by the City Manager.

**Funding Summary**

Funding for this project is available in the Project Budget Number 530045.17400.2040. This project was approved in the FY 18/19 Community Investment Program. This project is funded with water and sewer revenue bonds.

**Community Engagement Summary**

The work is located within the boundaries of the 34th Avenue Pump Station. Coordination will occur with water transmission personnel as the project progresses. Construction of the project is not anticipated to have physical impact on the surrounding community.

**Staff Recommendation**

City staff is recommending approval of the change order.

Bid No. 6885 Best Value Bid FY17-21 Community Investment Program 34th Avenue Pump Station Switch Gear Replacement for the City of Amarillo
Opened 4:00 p.m., October 1, 2020

| To be awarded as one lot | Brown Construction Services | | Missouri Valley Inc | |
|---|---|---|---|---|
| Line 1 Do all the work and provide all tnecessary superintendence, labor, tools, euqipment, machinery and apparatus, and whatsoever else may be necessary to comple all of the work, per specifications: BASE BID | | | | |
| 1 ea | | | | |
| Unit Price | $1,962,000.000 | | $2,036,850.00 | |
| Extended Price | | 1,962,000.00 | | 2,036,850.00 |
| Line 2 ALTERNATE NO. 1, per specifications | | | | |
| 1 ea | | | | |
| Unit Price | $203,000.000 | | $410,230.00 | |
| Extended Price | | 203,000.00 | | 410,230.00 |
| Bid Total | | 2,165,000.00 | | 2,447,080.00 |
| Award by Vendor | | $ 2,165,000.00 | | |
| Change Order #1 | | $ 65,750.00 | | |
| Revised Total | | $ 2,230,750.00 | | |



Item No. 2L

# Amarillo City Council
# Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Infrastructure Initiative |
| **Department** | Capital Projects & Development Engineering | | |
| **Contact** | Kyle Schniederjan, Director of Capital Projects & Development Engineering | | |

**Agenda Caption**

CONSIDER AWARD – CONTRACT FOR RECOATING OF THREE STORAGE TANKS
Award to: Dixie Painting and Sandblasting, Inc. - $2,621,455.00

This item considers the award of a construction services contract that consists of surface preparation and application of high-performance coating systems for the Independence Elevated Storage Tank and two identical, welded steel ground storage tanks located at NE 24th Avenue Pump Station.

Bid No. 7285
Project No. 530058 – FY 2017-2021 Community Investment Program: Recoating of Ground Storage Tanks at NE 24th Ave Pump Station
Project No. 530059 – FY 2017-2021 Community Investment Program: Recoating of Independence Elevated Storage Tank

**Agenda Item Summary**

This is a construction services contract that consists of surface preparation and application of high-performance coating systems for the Independence Elevated Storage Tank (EST) and two identical, welded steel ground storage tanks located at NE 24th Ave Pump Station. Improvements to the tanks are within the project scope and include replacement of ladders, vents, access hatches, and other appurtenances. The Independence EST coating includes the approved Route 66 emblem as the logo.

**Requested Action**

Consider approval and award to Dixie Painting & Sandblasting, Inc. in the amount of $2,621,455.00.

**Funding Summary**

Funding for this project is available in Project Budget Numbers 530058 and 530059. This project was approved in the FY 17/18 Community Investment Program. This project is funded with water and sewer revenue bonds. The logo cost portion will be reimbursed to the City by the San Jacinto Neighborhood Committee.

**Community Engagement Summary**

The elevated storage tank and ground storage tanks are located on City-owned property. As the project progresses through construction, coordination will occur with Osage Water Treatment Plant personnel. Construction of the project is not anticipated to have physical impact on the public.

**Staff Recommendation**

City Staff is recommending approval and award of the contract.

| Bid No. 7285 BEST VALUE BID FOR FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: RECOATING OF GROUND STORAGE TANKS AT NE 24TH AVE PUMP STATION AND RECOATING OF INDEPENDENCE ELEVATED STORAGE TANK | Purchase Price | Bidder's Qualifications | Safety Record Questionnaire | Maximum Possible =300 | | | | |
|---|---|---|---|---|---|---|---|---|
| **Tabulation Compilation showing Scoring Criteria** | | | | | | | For Additional Comments or if More Space is Needed, Please Attach A Separate Sheet. | |
| Company | 65.00 | 30.00 | 5.00 | Total | Average | Rank | Comments | |
| | | | | | | | | |
| DIXIE PAINTING & SANDBLASTING INC. | 65.0000 | 24.6666 | 4.6700 | 94.34 | 94.34% | 1 | | |
| | | | | | | | | |
| VIKING PAINTING, LLC | 58.8600 | 27.6666 | 4.9500 | 91.48 | 91.48% | 2 | | |
| | | | | | | | | |
| TANK PRO INC. | 48.6500 | 26.6666 | 3.0000 | 78.32 | 78.32% | 3 | | |
| | | | | | | | | |
| BLASTCO TEXAS INC. | 39.0700 | 26.3333 | 5 | 70.40 | 70.40% | 4 | | |
| | | | | | | | | |
| | | | | 0.00 | 0.00% | | | |
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Item No. 2M

# Amarillo City Council
# Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Transportation |
| **Department** | Capital Projects & Development Engineering | | |
| **Contact** | Matthew Thomas, City Engineer | | |

**Agenda Caption**

CONSIDER APPROVAL – CHANGE ORDER NO. 2 FOR BID #6969/PROJECT #462134 – FY 20/21 MILLING AND OVERLAY OF VARIOUS STREETS COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1

This item is to consider approval of Change Order 2 to the construction contract for the FY 20/21 Milling and Overlay of Various Streets project to: L.A. Fuller & Sons Construction, LTD. This change order is a decrease of $430,168.67.

Original Contract Amount: $2,084,695.73
Previous Change Orders: $20,375.00
Current Change Order: $(430,168.67)
Total Revised Contract: $1,674,902.06

**Agenda Item Summary**

The purpose of this change order is to establish final installed quantities and adjust the scope of the project to address a drainage issue that exist on Coulter St. This additional scope will include the removal and replacement of driveways, valleys, sidewalk, curb and gutter, and asphalt pavement as necessary to re-establish proper drainage of the area near 4200 and 4140 Coulter Street.

**Requested Action**

Consider approval of the change order for execution by City Manager.

**Funding Summary**

This is a decrease in the total contract amount that does not obligate the need for additional funds.

**Community Engagement Summary**

This change order will have minor impact on citizens and business owners along Coulter St due to a temporary lane closure, however two-way traffic and business access will be continuously accommodated. City staff has regularly updated the public throughout construction of this project with a public meeting, as well as press releases, public announcements, and an interactive web-based project status page before and during the project. Additional public notification and engagement are part of the contract requirements of the project.

**Staff Recommendation**

City Staff is recommending approval and award of the change order.

Bid No. 6969 BEST VALUE BID FOR CITY OF AMARILLO 2020-2021 MILLING AND OVERLAY OF VARIOUS STREETS; FY 16/17-20/21 COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1
Opened 4:00 p.m., March 4, 2021

| To be awarded as one lot | L.A. FULLER & SONS CONSTRUCTION, LTD | | ADVANCED PAVEMENT MAINTENANCE, LTD | | J. LEE MILLIGAN, INC. | |
|---|---|---|---|---|---|---|
| Line 1 Preparing the Right of Way or Project Site: Removal and disposal of concrete structure as shown on plans, (COA 3.03), per specifications | | | | | | |
| 50 sy | | | | | | |
| Unit Price | $48.500 | | $25.000 | | $36.000 | |
| Extended Price | | $2,425.00 | | $1,250.00 | | $1,800.00 |
| Line 2 Plane existing Asphaltic Concrete Pavement (ACP) from one to one and one half(1" to 1-1/2") inch and stockpile salvaged materials, (COA 4.15), per specifications | | | | | | |
| 127,785 sy | | | | | | |
| Unit Price | $1.850 | | $3.000 | | $1.950 | |
| Extended Price | | $236,402.25 | | $383,355.00 | | $249,180.75 |
| Line 3 Furnish, haul, place, and compact one and one-half inch (1 1/2") hot-mix asphaltic concrete, Type D, (COA 4.17), per specifications | | | | | | |
| 127,785 sy | | | | | | |
| Unit Price | $10.300 | | $10.000 | | $11.650 | |
| Extended Price | | $1,316,185.50 | | $1,277,850.00 | | $1,488,695.25 |
| Line 4 Street Repair, including saw cuts, compaction, tack coat, remove and replace hot-mix asphaltic concrete (HMAC) and flex base, installed per COA Street Repair detail (COA 4.02, 4.07, and 4.17), per specifications | | | | | | |
| 6,000 sy | | | | | | |
| Unit Price | $49.400 | | $71.000 | | $77.250 | |
| Extended Price | | $296,400.00 | | $426,000.00 | | $463,500.00 |
| Line 5 Asphalt Repair, including saw cuts, compaction, tack coat, remove and replace hot-mix asphaltic concrete (HMAC) of varying thickness, installed per COA Street Repair detail (COA 4.02, 4.07 and 4.17), per specifications | | | | | | |
| 1,000 SY | | | | | | |
| Unit Price | $34.900 | | $49.000 | | $40.650 | |
| Extended Price | | $34,900.00 | | $49,000.00 | | $40,650.00 |

| To be awarded as one lot | | L.A. FULLER & SONS CONSTRUCTION, LTD | | ADVANCED PAVEMENT MAINTENANCE, LTD | | J. LEE MILLIGAN, INC. | |
|---|---|---|---|---|---|---|---|
| Line 6 Reflectorized Pavement Markings (Type II, White, Four inch (4"), Broken), (COA 4.20), per specifications | | | | | | | |
| 10,010 | lf | | | | | | |
| | Unit Price | $0.330 | | $0.330 | | $0.330 | |
| | Extended Price | | $3,303.30 | | $3,303.30 | | $3,303.30 |
| Line 7 Reflectorized Pavement Markings (Type II, Yellow, Four inch (4"), Broken), (COA 4.20), per specifications | | | | | | | |
| 7,880 | lf | | | | | | |
| | Unit Price | $0.330 | | $0.330 | | $0.330 | |
| | Extended Price | | $2,600.40 | | $2,600.40 | | $2,600.40 |
| Line 8 Reflectorized Pavement Markings (Type II, Yellow, Four inch (4"), Solid), (COA 4.20), per specifications | | | | | | | |
| 32,426 | lf | | | | | | |
| | Unit Price | $0.330 | | $0.330 | | $0.330 | |
| | Extended Price | | $10,700.58 | | $10,700.58 | | $10,700.58 |
| Line 9 Reflectorized Pavement Markings (Type II, White, Eight inch (8"), Broken), (COA 4.20), per specifications | | | | | | | |
| 255 | lf | | | | | | |
| | Unit Price | $0.660 | | $0.650 | | $0.670 | |
| | Extended Price | | $168.30 | | $165.75 | | $170.85 |
| Line 10 Reflectorized Pavement Markings (Type II, White, Eight inch (8"), Solid), (COA 4.20), per specifications | | | | | | | |
| 3,690 | lf | | | | | | |
| | Unit Price | $0.660 | | $0.650 | | $0.670 | |
| | Extended Price | | $2,435.40 | | $2,398.50 | | $2,472.30 |

| To be awarded as one lot | L.A. FULLER & SONS CONSTRUCTION, LTD | | ADVANCED PAVEMENT MAINTENANCE, LTD | | J. LEE MILLIGAN, INC. | |
|---|---|---|---|---|---|---|
| 960 lf | | | | | | |
| Unit Price | $11.000 | | $11.000 | | $11.100 | |
| Extended Price | | $10,560.00 | | $10,560.00 | | $10,656.00 |
| Line 12 Reflectorized Pavement Markings (Type I, White, Arrow, Right Turn), (COA 4.20), per specifications | | | | | | |
| 15 ea | | | | | | |
| Unit Price | $275.000 | | $275.000 | | $275.000 | |
| Extended Price | | $4,125.00 | | $4,125.00 | | $4,125.00 |
| Line 13 Reflectorized Pavement Markings (Type I, White, Arrow, Left Turn), (COA 4.20), per specifications | | | | | | |
| 40 ea | | | | | | |
| Unit Price | $275.000 | | $275.000 | | $275.000 | |
| Extended Price | | $11,000.00 | | $11,000.00 | | $11,000.00 |
| Line 14 Reflectorized Pavement Markings (Type I, White, Arrow, Straight/Right Turn), (COA 4.20), per specifications | | | | | | |
| 5 ea | | | | | | |
| Unit Price | $550.000 | | $550.000 | | $555.000 | |
| Extended Price | | $2,750.00 | | $2,750.00 | | $2,775.00 |
| Line 15 Reflectorized Pavement Markings (Type I, White, Chevron), (COA 4.20), per specifications | | | | | | |
| 12 ea | | | | | | |
| Unit Price | $275.000 | | $275.000 | | $275.000 | |
| Extended Price | | $3,300.00 | | $3,300.00 | | $3,300.00 |
| Line 16 Reflectorized Pavement Markings (Type I, White, Crosswalk, Type A), (COA 4.20), per specifications | | | | | | |
| 15 ea | | | | | | |
| Unit Price | $825.000 | | $825.000 | | $835.000 | |
| Extended Price | | $12,375.00 | | $12,375.00 | | $12,525.00 |
| Line 17 Manhole adjustment, installed, per specifications | | | | | | |
| 40 ea | | | | | | |
| Unit Price | $930.000 | | $750.000 | | $1,200.000 | |
| Extended Price | | $37,200.00 | | $30,000.00 | | $48,000.00 |

| To be awarded as one lot | L.A. FULLER & SONS CONSTRUCTION, LTD | | ADVANCED PAVEMENT MAINTENANCE, LTD | | J. LEE MILLIGAN, INC. | |
|---|---|---|---|---|---|---|
| Line 18 Water Valve Box Adjustment, installed, per specifications | | | | | | |
| 30 ea | | | | | | |
| Unit Price | $990.000 | | $350.000 | | $500.000 | |
| Extended Price | | $29,700.00 | | $10,500.00 | | $15,000.00 |
| Line 19 Furnish, install, and maintain Traffic Control Plan, (COA 9.04), per specifications | | | | | | |
| 1 ls | | | | | | |
| Unit Price | $21,760.000 | | $65,000.000 | | $46,000.000 | |
| Extended Price | | $21,760.00 | | $65,000.00 | | $46,000.00 |
| Line 20 Mobilization / Demobilization including Insurance, Payment Bond, Performance Bond, Maintenance Bond, and related Ancillary Costs. (Shall not exceed five percent (5%) of the Total Construction Cost) (COA 10.01), per specifications | | | | | | |
| 1 ea | | | | | | |
| Unit Price | $46,405.000 | | $100,000.000 | | $125,000.000 | |
| Extended Price | | $46,405.00 | | $100,000.00 | | $125,000.00 |
| **TOTAL BID AMOUNT** | | $2,084,695.73 | | $2,406,233.53 | | $2,541,454.43 |

| | | |
|---|---|---|
| AWARD BY VENDOR | $ | 2,084,695.73 |
| Change Order #1 | $ | 20,375.00 |
| **Change Order #2** | $ | (430,168.67) |
| Revised Total | $ | 1,674,902.06 |



# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2N**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Public Safety |
| **Department** | Amarillo Police Department | | |
| **Contact** | Martin Birkenfeld, Police Chief | | |

**Agenda Caption**

CONSIDER PURCHASE – TASERS AND ACCESSORIES FOR AMARILLO POLICE DEPARTMENT

Award to: Axon Enterprise - $59,932.32

Purchase of 34 AXON X2 Tasers, and accessories, for upcoming Amarillo Police Academy personnel.

**Agenda Item Summary**

This item considers approval of the purchase of Tasers for Amarillo Police Department Academy Recruits, using the 2021 JAG Grant Funds, 26140.51850.

**Requested Action**

Request approval of the purchase of 34 AXON X2 Tasers and Accessories.

**Funding Summary**

$59,880 will be made with 2021 JAG Funds, Account 26140.51850, allotted to the Amarillo Police Department and the remainder of $52.32 using the Minor Tools Account 1610.51850.

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff recommends approval.

Bid No. 7321 Axon Tasers and Accessories for Amarillo Police Academy
Opened 4:00 p.m. July 11, 2022

| To be awarded as one lot | AXON ENTERPRISE | |
|---|---|---|
| Line 1 Yellow X2 Cew Handle, per specifications | | |
| 34 ea | | |
| Unit Price | $1,485.600 | |
| Extended Price | | 50,510.40 |
| Line 2 TPPM Tactical Battery Pack, Pink Extender X2/X26P, per specifications | | |
| 34 ea | | |
| Unit Price | $79.230 | |
| Extended Price | | 2,693.82 |
| Line 3 Right-Hand Holster X2 Blackhawk, per specifications | | |
| 30 ea | | |
| Unit Price | $95.250 | |
| Extended Price | | 2,857.50 |
| Line 4 Left-Hand Holster X2 Blackhawk, per specifications | | |
| 4 ea | | |
| Unit Price | $95.250 | |
| Extended Price | | 381.00 |
| Line 5 25 FT Smart Cartridge X2 NS, per specifications | | |
| 80 ea | | |
| Unit Price | $43.620 | |
| Extended Price | | 3,489.60 |
| Award by Vendor | $ | 59,932.32 |
| City | Scottsdale, AZ | |



Item No. 20

# Amarillo City Council
# Agenda Transmittal Memo

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | |
| **Department** | Human Resources | | |
| **Contact** | Mitchell Normand, HR Director | | |

**Agenda Caption**

Review and approval of a three-year contract with Cornerstone on Demand, an online learning management system ("LMS") service provider, to commence July 1, 2022.

**Agenda Item Summary**

The Human Resources Department is requesting a three-year contract to commence July 1, 2022, with Cornerstone on Demand, an online learning management system ("LMS").

**Requested Action**

Requesting approval of a three-year contract with Cornerstone on Demand, an online learning management systems ("LMS") service provider, to commence July 1, 2022, for an estimated amount of $116,836 ($37,800 Year 1, $38,934 Year 2, $40,102 Year 3).

**Funding Summary**

Funded by various City of Amarillo departments

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff recommends award of this three-year contract with Cornerstone on Demand, an online learning management system ("LMS") service provider, to commence July 1, 2022.

## RFP 05-22
## CITY OF AMARILLO LEARNING MANAGEMENT SYSTEM

| Best and Final Points Evaluation Compilation Criteria Ranking | Proposed Security Requirements and Quality of Content: | Proposed System Requirements: | References: | Proposed Pricing: | Demonstrated Project Management, Implementation, Professional Services, Training: | Total Points Possible | Ranking | |
|---|---|---|---|---|---|---|---|---|
| | Points Possible | | | | | | | |
| **Vendor** | 90 | 90 | 45 | 45 | 30 | 300 | | **Comments** |
| **INFORPRO LEARNING INC.** | 83.00 | 60.00 | 33.00 | 21.63 | 26.00 | 223.63 | **4** | |
| **CORNERSTONE ON DEMAND** | 83.00 | 78.00 | 42.00 | 45.00 | 29.00 | 277.00 | **1** | |
| **SMART TRAINING** | 83.00 | 75.00 | 35.25 | 34.32 | 27.00 | 254.57 | **2** | |
| **NEOGOV** | 83.00 | 74.00 | 36.99 | 27.90 | 28.00 | 249.89 | **3** | |
| **Date: 5-20-22** | | | | | | | | |

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2P**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Infrastructure |
| **Department** | Traffic / 1731 | | |
| **Contact** | Donny Hooper, Public Works Director | | |

**Agenda Caption**

CONSIDERATION OF RESOLUTION NO. 07-26-22-1

Consider Approval – Modification to original Resolution #1-11-22-1 Authorizing Advance Funding Agreement for Highway Safety Improvement Program with TXDOT for Transportation Improvements for Additional Funds of up to $150,000.

**Agenda Item Summary**

Approve funds of up to $150,000 for year 1 of four-year project. TxDOT to bid, award and construct/install project and the City of Amarillo to design, operate and maintain signals installed with eligible federal or special program funds at Adams & SE 3rd Ave, Georgia & SW 26th Ave, and Western & SW 34th Ave. The TxDOT upgrades are for Safety improvements in left turns and detection.

**Requested Action**

Requesting Council to consider and approve additional funding (up to $150,000) for modification of Resolution #1-11-22-1 for Advance Funding Agreement for Highway Safety Improvement Program (Off System).

**Funding Summary**

TxDOT's funds will be from federal and special program funds Highway Safety Improvement Program (Off System) of $182,622.00 with estimate at $290,136.47. The City's portion will be remaining balance after bids and will be funded through Photographic Traffic Enforcement funds.

**Community Engagement Summary**

The City will work with TXDOT to produce media releases to inform the public of the upcoming installations.

**Staff Recommendation**

Approval for the City of Amarillo to Modify its agreement with The Texas Department of Transportation (TXDOT) to provide appropriate additional funding for resolution #1-11-22-1 which provides TXDOT to install and the City of Amarillo to operate and maintain signals installed with eligible federal or special program funds at Adams & SE 3rd Ave, Georgia & SW 26th Ave, and Western & SW 34th Ave.

LSS 7/18/2022

**RESOLUTION NO. 07-26-22-1**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO MODIFYING THE ORIGINAL RESOLUTION NUMBER 1-11-22-1 TO AUTHORIZE ADDITIONAL FUNDS TO SUPPORT THE ADVANCE FUNDING AGREEMENT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR TRANSPORTATION IMPROVEMENTS WITHIN THE SPECIFIED PROGRAM; PROVIDING SAVINGS CLAUSE; PROVIDING SEVERABILITY CLAUSE AND EFFECTIVE DATE.**

---

**WHEREAS**, the Texas Department of Transportation (TxDOT) and the City of Amarillo (COA) entered an Agreement for transportation improvements in the total amount of approximately Two Hundred Two Thousand and Six Hundred Twenty-Two and No/100 Dollars ($202,622.00);

**WHEREAS,** the Agreement allocates costs based on 100% federal funding ($182,622.00) with 0% local funding until the federal funding reaches the maximum amount obligated to this Project;

**WHEREAS,** the City of Amarillo agreed to participate in the amount of Twenty Thousand and No/100 Dollars ($20,000.00) for engineering costs, however, an additional amount of up to One Hundred and Fifty Thousand and No/100 Dollars ($150,000.00) is needed for estimated costs that have risen since Resolution 1-11-22-1;

**WHEREAS**, the highway safety improvement project is described as TxDOT will improve traffic signals and install flashing yellow arrows, and the COA will operate and maintain the signals in TxDOT right-of-way; and

**WHEREAS,** the City Council agrees such modification of Resolution 1-11-22-1 for additional estimated costs will be in the best interests of the City of Amarillo citizens.

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

**SECTION 1.** All of the above recitals 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 Resolution as if copied in their entirety.

**SECTION 2.** The City Council authorizes the COA to modify Resolution 1-11-22-1 only to approve the additional estimated costs of up to One Hundred and Fifty Thousand and No/100 Dollars ($150,000.00) for the COA allocation of costs in the Advance Funding Agreement for Highway Safety Improvement Program Off-System with TxDOT, in which TxDOT will improve and install traffic signals, and the COA will operate and maintain such signals in the TxDOT right-of-way.

**SECTION 3.** Resolution 1-11-22-1 remains in effect as to the whole document except for the modification to approve the additional estimated costs stated above.

**SECTION 4.** Should any part of this Resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict of this Resolution.

**SECTION 5.** Should any word, phrase or part of this Resolution be found to be invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and such shall be and continue in effect.

**SECTION 6.** This Resolution shall be effective on and after its adoption.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, this 26th day of July 2022.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 2Q**

CITY OF AMARILLO® CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Consent Agenda |

| | |
|---|---|
| **Department** | Planning and Development Services<br>Brady Kendrick- Planner II |

**Agenda Caption**

CONSIDER APPROVAL – LAND DEDICATION

Dedication of a 1.90-acre tract of land for Public Right-of-way purposes lying in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas.
VICINITY: S Georgia St. and Hollywood Rd. (Loop 335)
APPLICANT/S: Kevin Carter for Amarillo Economic Development Corporation

**Agenda Item Summary**

The applicant is requesting to dedicate the above-mentioned land as public right-of-way (Augustus Drive). This public right-of-way will serve as the primary access point for the South Georgia Business Park.

City staff and franchised utility companies have reviewed the request and as of this writing, no objections to the dedication have been received.

**Requested Action/Recommendation**

Considering the just mentioned, Staff recommends **APPROVAL** of the request as presented.

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER**

**STREET DEDICATION**

| | |
|---|---|
| Date: | July 7, 2022 |
| GRANTOR: | Amarillo Economic Development Corporation |
| GRANTOR'S ADDRESS: | 3905 S. Bell St., Suite B, Amarillo, Randall County, Texas 79109 |
| GRANTEE: | City of Amarillo, Texas, a municipal corporation |
| GRANTEE'S ADDRESS | P.O. Box 1971, Amarillo, TX 79105-1971 |
| CONSIDERATION: | $10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged. |
| DEDICATED PROPERTY: | A 1.90 acre tract of land lying in Section 182, Block 2, A.B.&M. Survey, Amarillo, Randall County, Texas being more fully described and displayed in Exhibits "A" and "B" attached hereto and by reference incorporated into this Street Dedication. |

In consideration of the benefits to accrue to GRANTOR by GRANTEE's agreement to accept this Street Dedication, the value of which is hereby acknowledged, GRANTOR hereby dedicates, gives, and conveys to GRANTEE for the use and benefit of the public, including the streets, curb, gutter, sidewalk, drainage ways, rams, cuts, traffic control devices, public utilities and all other public purposes, as a perpetual right of way for the passage and accommodation of vehicular and pedestrian traffic, and the construction, operation, use, maintenance, inspection, repair, alteration, and replacement of a paved road within the boundaries of the right-of-way area, and for all other purposes for which a public street and right of way is commonly used, including installing, repairing, maintaining, altering, replacing, relocating, and operating utilities in, into, upon, over, across, and under said right of way, and including but not limited to, all such uses permitted by the laws of the State of Texas and the City of Amarillo Ordinances and Charter.

TO HAVE AND TO HOLD said right of way unto the City of Amarillo, its successors and assigns, and GRANTOR(S) hereby bind(s) itself (themselves), its (their) successors and assigns to warrant and forever defend, all and singular, said premises unto the City of Amarillo, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

GRANTOR covenants and agrees that GRANTOR and GRANTOR'S heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein any temporary or permanent structures, and it is further agreed that the City of Amarillo shall have the right to excavate and fill upon said permanent easement, any fences, buildings or other obstructions as may now be found upon said permanent easement.

It is further intended that the permanent right of way herein granted to the City of Amarillo shall run with the land and forever be a right in and to the land belonging to GRANTOR, and GRANTOR'S successors and assigns, and said grant is expressly excepted from any right of reversion of said premises under any prior deeds in GRANTOR's chain of title. The permanent right of way rights and privileges granted therein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by the grant to any other person.

**IN WITNESS WHEREOF**, this dedication instrument is executed this _____ day of _____, 2022.

**AMARILLO ECONOMIC DEVELOPMENT CORPORATION**

**(GRANTOR)**

By: Kevin Carter
Kevin Carter, President

THE STATE OF TEXAS §

COUNTY OF POTTER §

This instrument was acknowledged before me on the 7 day of July, 2022 by Kevin Carter, President of Amarillo Economic Development Corporation on behalf of the company.

CHRIS LYLES
Notary ID #8345720
My Commission Expires
September 12, 2025

Chris Lyles
Notary Public in and for the State of Texas

My commission expires: Sept 12, 2025

**ACCEPTED BY CITY OF AMARILLO, TEXAS**
**(GRANTEE)**

_____
Jared Miller, City Manager

ATTEST:

_____
Stepanie Coggins, City Secretary

Date: _____

DRAFT

FIELD NOTES for a 1.90 acre tract of land out of Section 182, Block 2, A. B. & M. Survey, Randall County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found on the east right-of-way line of S. Georgia St. which bears S. 00° 03' 26" W. a distance of 3599.33 feet and S. 89° 56' 34" E. a distance of 50.04 feet from a 1/2" iron rod found at the northwest corner of said Section 182 for the northwest corner of this tract.

THENCE N. 00° 03' 26" E., along said east right-of-way line, a distance of 80.00 feet to a 1/2" iron rod set with a yellow cap on said east right-of-way line for the northwest corner of this tract.

THENCE N. 90° 00' 00" E. a distance of 374.19 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 00° 00' 00 E. a distance of 10.00 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 90° 00' 00" E. a distance of 80.00 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE S. 00° 00' 00 E. a distance of 10.00 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 90° 00' 00" E. a distance of 439.97 feet to a 1/2" iron rod set with a yellow cap at the beginning of a curve to the right for the northeast corner of this tract.

THENCE in a southwesterly direction along said curve with a radius equal to 60.00 feet, a long chord bearing of S. 00° 18' 07" W. and a long chord distance of 80.00 feet, a curve length of 289.42 feet to a 1/2" iron rod set with a yellow cap for the southeast corner of this tract.

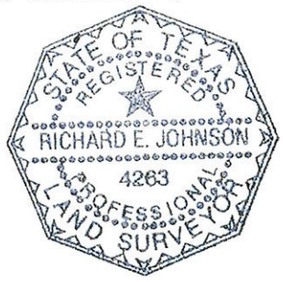
THENCE N. 90° 00' 00" W. a distance of 893.82 feet to the place of BEGINNING and containing 1.90 acres (82,791 square feet) of land.

* * * * * * * * * * * * * * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS, that I, Richard E. Johnson, Registered

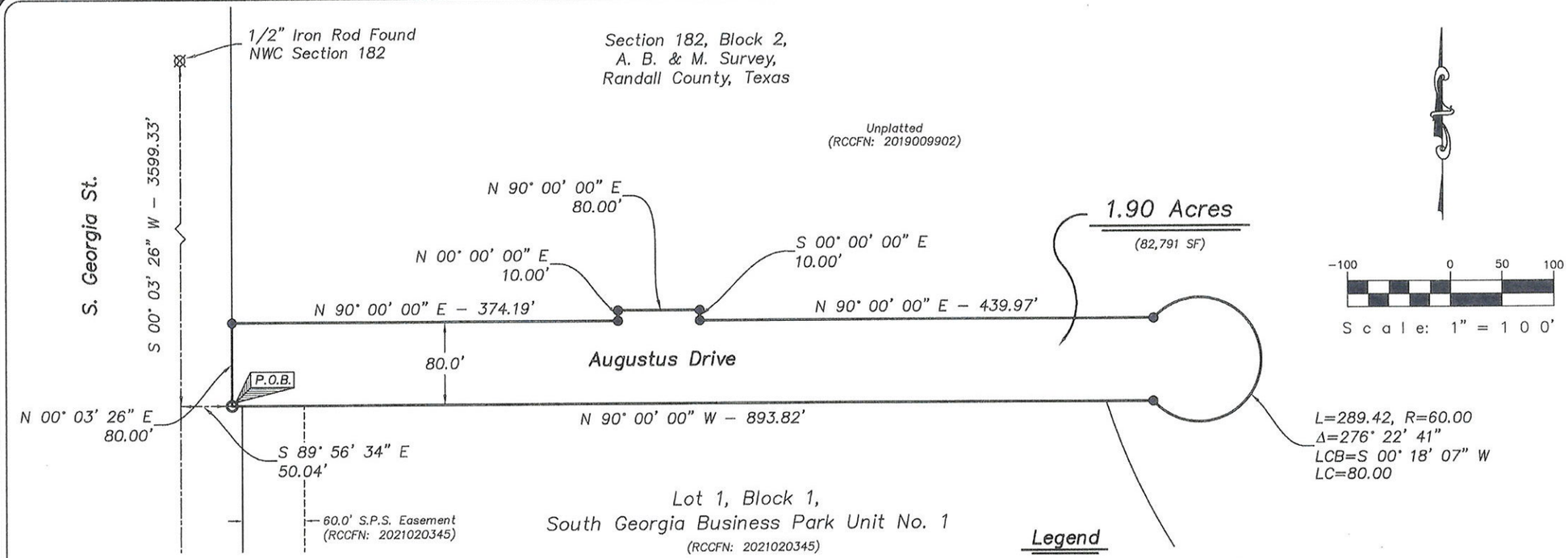
COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 31st day of May, A.D., 2022.




Richard E. Johnson
Registered Professional
Land Surveyor #4263

OJD ENGINEERING, LLC * WELLINGTON, TX * FIRM NO. 10090900




**Legend**

- ⊠ = 1/2" Iron Rod Found
- O = 1/2" Iron Rod Found w/ Yellow Cap
- ● = 1/2" Iron Rod Set w/ Yellow Cap

Bearings based on the U.S. State Plane Coordinate System (NAD83) – Texas North Zone 4201

Distances shown are ground distances. Grid to ground scale factor: 1.0002507

STATE OF TEXAS :
COUNTY OF COLLINGSWORTH :

KNOW ALL MEN BY THESE PRESENTS, that I, Richard E. Johnson, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the tract of land shown on this plat, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 31st day of May, A.D., 2022.

STATE OF TEXAS
REGISTERED
RICHARD E. JOHNSON
4263
PROFESSIONAL
LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263

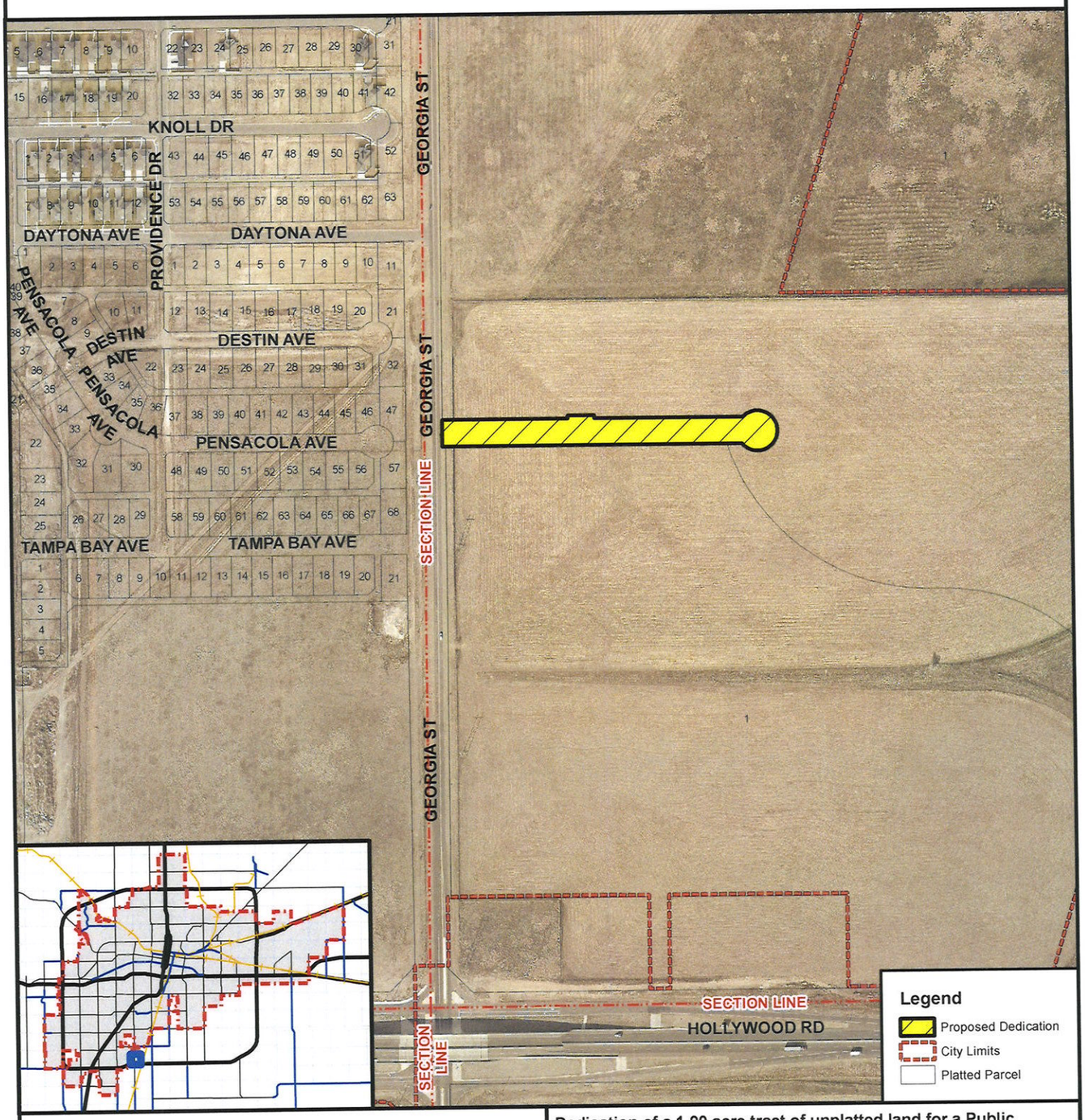
Dedication of 1.90 acre tract of unplatted land for Public Right-of-Way in Section 182, Block 2, A. B. & M. Survey, Randall County, Texas

| | | |
|---|---|---|
| SCALE: 1" = 100' | Firm No. 10090900 | DRAWN BY: JA |
| DATE: May 2022 | | FILE NAME: |

OJD Engineering, LLC
Consulting Engineers & Surveyors
806-447-2503
P.O. Box 543
Wellington, Texas 79095

DRAWING NUMBER

## CASE D-22-03
## Dedication of a 1.90 acre tract of unplatted land




# CITY OF AMARILLO
# PLANNING DEPARTMENT

**Scale:** 1 inch = 400 feet
**Date:** 5/18/2022
**Case No:** D-22-03

Dedication of a 1.90 acre tract of unplatted land for a Public Right-Of-Way in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas.

Grantor: Kevin Carter for Amarillo Economic Development Corporation

Vicinity: S Soncy Rd. and Hollywood Rd. (Loop 335)

**AP: M-17**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

Item No. 3A

# Amarillo City Council
# Agenda Transmittal Memo

AMARILLO ECONOMIC DEVELOPMENT

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Economic Development |
| **Department** | Amarillo Economic Development Corporation | | |
| **Contact** | Kevin Carter, President and CEO | | |

**Agenda Caption**

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7997

Public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 19 for commercial and industrial tax abatement. The zone is approximately 20.70 acres in the vicinity of S. Georgia Street and Farmers Avenue.

**Agenda Item Summary**

Designating a reinvestment zone is a step in the property tax abatement process under Chapter 312 of the Tax Code. Local governments often use tax abatements to attract new industry and commercial enterprises and to encourage the retention and development of existing businesses. Designation of an area as a reinvestment zone is required before City Council has the ability to offer a tax abatement.

The 20.70 acres proposed for Reinvestment Zone No. 19 is located at S. Georgia Street and Farmers Avenue. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective manufacturing facility.

Before Council may consider a new zone, it must be preceded by a public hearing, with 7 days written notice of the hearing provided to the presiding officer of each of the other taxing entities with jurisdiction in the zone and notice of the hearing in a newspaper of general circulation in the city.

Council must make findings that the improvements sought in the zone are feasible and practical and would be a benefit to the zone after expiration of a tax abatement agreement. Zones must also meet one of the applicable criteria for reinvestment zones. For the case of this zone, the criteria met is that with designation of the zone it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.

**Requested Action**

Conduct a public hearing and first reading of the Ordinance on July 26, 2022. The final reading is scheduled for August 2, 2022.

**Funding Summary**

N/A

**Community Engagement**

N/A

**Staff Recommendation**

AEDC staff is recommending approval of the designation of Reinvestment Zone 19.

ORDINANCE NO. 7997

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS CITY COMMISSION: DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. 19 FOR COMMERCIAL / INDUSTRIAL TAX ABATEMENT, CITY OF AMARILLO, TEXAS, PURSUANT TO TEXAS TAX CODE, CHAPTER 312, SUBCHAPTERS A & B, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Amarillo, Texas ("City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a Reinvestment Zone for commercial/industrial tax abatement, as authorized by Texas Tax Code Chapter 312, Subchapters A & B; and

WHEREAS, City has elected by Resolution No. 08-24-21-1 to become eligible to participate in tax abatements; and

WHEREAS, a public hearing in a regularly scheduled meeting before the City Council was held on June 14, 2022, such date being at least seven (7) days after the date of publication of the notice of such public hearing as required by the Texas Tax Code; and

WHEREAS, notice of the public hearing was delivered to the presiding officer of the governing body of each taxing unit located within the proposed Reinvestment Zone at least seven (7) days before the date of the public hearing; and

WHEREAS, the City at such hearing invited all interested persons, or their counsel, to appear and speak for or against the creation of the proposed Reinvestment Zone, the boundaries of the proposed Reinvestment Zone, and whether all or part of the property described in this ordinance should be included in such proposed Reinvestment Zone; and

WHEREAS, all interested persons were given the opportunity to be heard and the proponents of the Reinvestment Zone offered evidence in favor of the creation of the proposed Reinvestment Zone and the proponents also submitted evidence as to the proposed improvements, and any opponents of the proposed Reinvestment Zone were given the opportunity to contest creation of the proposed Reinvestment Zone; and

WHEREAS, the area to be designated meets the statutory requirement that, it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality, and/or meets other criteria that satisfies state law for establishment of a reinvestment zone;

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

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and are adopted as findings of fact by this body and as part of its official record.

SECTION 2. The City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the testimony and evidence presented to it:

a) That a public hearing on the designation of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing was published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zones; and

b) That the boundaries of the area to be known as City of Amarillo Reinvestment Zone No. 19 shall be the area of land described on the document attached hereto as Exhibit "A", which is incorporated herein for all purposes; and

c) That the creation of the City of Amarillo Reinvestment Zone No. 19 with the boundaries as described in (b) above, will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical; and

d) That the Reinvestment Zone as described in (b) above meets the criteria for the creation of a Reinvestment Zone as set forth in Texas Tax Code Chapter 312, Subchapters A & B in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the Reinvestment Zone that would be a benefit to the property and that would contribute to the economic development of the City; and

e) That the City of Amarillo Reinvestment Zone No. 19 as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement in the City of Amarillo, Resolution No. 08-24-21-1.

SECTION 3. That pursuant to Texas Tax Code Chapter 312, Subchapter B, the City hereby creates a Reinvestment Zone for commercial/industrial tax abatement encompassing the area described by the legal description in Section 2 (b) above and such Reinvestment Zone is hereby designated and shall hereafter be designated City of Amarillo Reinvestment Zone No. 19 for a period of five (5) years.

SECTION 4. If any portion of this ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

SECTION 5. That the establishment of City of Amarillo Reinvestment Zone No. 19 shall take effect on the date of the final passage of this Ordinance.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 26th day of July 2022 and PASSED on Second and Final Reading on this the 2nd day of August 2022.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

DRAFT

**EXHIBIT A**
**LEGAL DESCRIPTION OF REINVESTMENT ZONE NO. 19**

LEGAL DESCRIPTION for a 20.70 acre tract of land out of Section 182, Block 2, A. B. & M. Survey, Randall County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found with a yellow cap on the south right-of-way line of Farmers Ave. which bears S. 89° 50' 39" E. a distance of 361.61 feet and S. 00° 09' 21" W. a distance of 59.10 feet from a 1/2" iron rod found at the northwest corner of said Section 182 for the northwest corner of this tract.

THENCE S. 89° 50' 39" E., along said south right-of-way line, a distance of 1433.16 feet to the northeast corner of this tract.

THENCE S. 17° 00' 16" W. a distance of 710.03 feet to the southeast corner of this tract.

THENCE N. 89° 41' 02" W. a distance of 1226.20 feet to a 1/2" iron rod found for the southwest corner of this tract.

THENCE N. 0° 03' 26" E., at a distance of 434.76 feet pass a 1/2" iron rod found with a yellow cap, a total distance of 676.12 feet to the place of BEGINNING and containing 20.70 acres (901,479 square feet) of land.

DRAFT

Item No. 3B

# Amarillo City Council
# Agenda Transmittal Memo

AMARILLO ECONOMIC DEVELOPMENT

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Economic Development |
| **Department** | Amarillo Economic Development Corporation | | |
| **Contact** | Kevin Carter, President and CEO | | |

**Agenda Caption**

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7998

Public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 20 for commercial and industrial tax abatement. The zone is approximately 30.00 acres in the vicinity of Airport Boulevard and SE Third Avenue.

**Agenda Item Summary**

Designating a reinvestment zone is a step in the property tax abatement process under Chapter 312 of the Tax Code. Local governments often use tax abatements to attract new industry and commercial enterprises and to encourage the retention and development of existing businesses. Designation of an area as a reinvestment zone is required before City Council has the ability to offer a tax abatement.

The 30.00 acres proposed for Reinvestment Zone No. 20 is located at Airport Boulevard and SE Third Avenue. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective manufacturing facility.

Before Council may consider a new zone, it must be preceded by a public hearing, with 7 days written notice of the hearing provided to the presiding officer of each of the other taxing entities with jurisdiction in the zone and notice of the hearing in a newspaper of general circulation in the city.

Council must make findings that the improvements sought in the zone are feasible and practical and would be a benefit to the zone after expiration of a tax abatement agreement. Zones must also meet one of the applicable criteria for reinvestment zones. For the case of this zone, the criteria met is that with designation of the zone it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.

**Requested Action**

Conduct a public hearing and first reading of the Ordinance on July 26, 2022. The final reading is scheduled for August 2, 2022.

**Funding Summary**

N/A

**Community Engagement**

N/A

**Staff Recommendation**

AEDC staff is recommending approval of the designation of Reinvestment Zone 20.

ORDINANCE NO. 7998

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS CITY COMMISSION: DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. 20 FOR COMMERCIAL / INDUSTRIAL TAX ABATEMENT, CITY OF AMARILLO, TEXAS, PURSUANT TO TEXAS TAX CODE, CHAPTER 312, SUBCHAPTERS A & B, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE.

---

WHEREAS, the City Council of the City of Amarillo, Texas ("City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its extra territorial jurisdiction by the creation of a Reinvestment Zone for commercial/industrial tax abatement, as authorized by Texas Tax Code Chapter 312, Subchapters A & B; and

WHEREAS, City has elected by Resolution No. 08-24-21-1 to become eligible to participate in tax abatements; and

WHEREAS, a public hearing in a regularly scheduled meeting before the City Council was held on July 26, 2022, such date being at least seven (7) days after the date of publication of the notice of such public hearing as required by the Texas Tax Code; and

WHEREAS, notice of the public hearing was delivered to the presiding officer of the governing body of each taxing unit located within the proposed Reinvestment Zone at least seven (7) days before the date of the public hearing; and

WHEREAS, the City at such hearing invited all interested persons, or their counsel, to appear and speak for or against the creation of the proposed Reinvestment Zone, the boundaries of the proposed Reinvestment Zone, and whether all or part of the property described in this ordinance should be included in such proposed Reinvestment Zone; and

WHEREAS, all interested persons were given the opportunity to be heard and the proponents of the Reinvestment Zone offered evidence in favor of the creation of the proposed Reinvestment Zone and the proponents also submitted evidence as to the proposed improvements, and any opponents of the proposed Reinvestment Zone were given the opportunity to contest creation of the proposed Reinvestment Zone; and

WHEREAS, the area to be designated meets the statutory requirement that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality, and/or meets other criteria that satisfies state law for establishment of a reinvestment zone;

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

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and are adopted as findings of fact by this body and as part of its official record.

SECTION 2. The City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the testimony and evidence presented to it:

a) That a public hearing on the designation of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing was published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zone; and

b) That the boundaries of the area to be known as City of Amarillo Reinvestment Zone No. 20 shall be the area of land described on the document attached hereto as Exhibit "A", which is incorporated herein for all purposes; and

c) That the creation of the City of Amarillo Reinvestment Zone No. 20 with the boundaries as described in (b) above, will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical; and

d) That the Reinvestment Zone as described in (b) above meets the criteria for the creation of a Reinvestment Zone as set forth in Texas Tax Code Chapter 312, Subchapters A & B in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the Reinvestment Zone that would be a benefit to the property and that would contribute to the economic development of the City; and

e) That the City of Amarillo Reinvestment Zone No. 20 as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement in the City of Amarillo, Resolution No. 08-24-21-1.

SECTION 3. That pursuant to Texas Tax Code Chapter 312, Subchapter B, the City hereby creates a Reinvestment Zone for commercial/industrial tax abatement encompassing the area described by the legal description in Section 2 (b) above and such Reinvestment Zone is hereby designated and shall hereafter be designated City of Amarillo Reinvestment Zone No. 20 for a period of five (5) years.

SECTION 4. If any portion of this ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

SECTION 5. That the establishment of City of Amarillo Reinvestment Zone No. 20 shall take effect on the date of the final passage of this Ordinance.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 26th day of July 2022 and PASSED on Second and Final Reading on this the 2nd day of August 2022.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

DRAFT

**EXHIBIT A**

## LEGAL DESCRIPTION OF REINVESTMENT ZONE NO. 20

FIELD NOTES for a 30.00 acre tract of land out of Section 74, Block 2, A. B & M. Survey, City of Amarillo, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod set with a yellow cap on the west right-of-way line of Airport Boulevard which bears S. 00° 08' 16" E. a distance of 2262.39 feet and S. 89° 51' 44" W. a distance of 55.16 feet from the northeast corner of said Section 74 for the northeast corner of this tract.

THENCE S. 09° 16' 27" W., along said west right-of-way line, a distance of 31.74 feet to a brass cap monument found on said west right-of-way line at the beginning of a curve to the right for a corner of this tract.

THENCE continuing along said west right-of-way line and along said curve with a radius equal to 1392.40 feet, with a long chord bearing of S. 13° 00' 45" W. and a long chord distance of 201.18 feet, a curve length of 201.35 feet to a brass cap monument found on said west right-of-way line at the end of said curve for a corner of this tract.

THENCE S. 16° 59' 18" W., continuing along said west right-of-way line, a distance of 170.90 feet to a brass cap monument found on said west right-of-way line at the beginning of a curve to the left for a corner of this tract.

THENCE continuing along said west right-of-way line and along said curve with a radius equal to 1472.40 feet, with a long chord of S. 13° 35' 52" W. and a long chord distance of 205.89 feet, a curve length of 206.05 feet to a brass cap monument found on said west right-of-way line at the end of said curve for a corner of this tract.

THENCE S. 10° 01' 22" W., continuing along said west right-of-way line, a distance of 90.28 feet to a 1/2" iron rod found on said west right-of-way line for the southeast corner of this tract.

THENCE N. 80° 34' 16" W. a distance of 241.14 feet to a 1-1/4" iron pipe found for the most southerly southwest corner of this tract.

THENCE N. 09° 33' 47" E. a distance of 301.34 feet to a 4" metal fence post found for a corner of this tract.

THENCE N. 80° 35' 29" W. a distance of 1543.94 feet to a 5/8" iron rod found for the most westerly southwest corner of this tract.

THENCE N. 46° 05' 09" E. a distance of 1414.14 feet to a 1/2" iron rod set with a yellow cap for the northwest corner of this tract.

THENCE S. 43° 54' 25" E. a distance of 1235.40 feet to the place of BEGINNING and containing 30.00 acres (1,306,604 square feet) of land.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 3C**

CITY OF AMARILLO
CITY MANAGER

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Regular Agenda Item – Public Hearing |

| | |
|---|---|
| **Department** | Brady Kendrick – Planner II<br>Planning and Development Services |

**Agenda Caption**

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7999

Public hearing and first reading to consider an ordinance rezoning an 8.29-acre tract of unplatted land, in Section 191, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential District 3.
VICINITY: W Hastings Ave. and Broadway Dr.
APPLICANT/S: Tommy Nielson for Nielson Communities

**Agenda Item Summary**

**Adjacent land use and zoning**

Adjacent zoning consists of Residential District 3 to the north and west and Agricultural District in all other directions.

Adjacent land uses consist of single-family homes and vacant land to the north and undeveloped land in all other directions.

**Proposal**

The applicant is requesting a change in zoning to develop the tract with single-family detached homes as part of the next phase of The Vineyards Subdivision.

**Analysis**

Future Land Use and Character Map, which identifies recommended future land uses. Additionally, staff considers what impact on area existing zoning and development patterns as well as its conformity to the Neighborhood Unit Concept of development (NUC).

The Future Land Use and Character Map identifies the applicant's tract as being in the Rural Category. The Rural category calls for residential homesteads and agricultural related land uses being the primary focus of development.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, in that the applicant's request is for zoning of a residential nature. That said, it is worth noting that it does differ from the recommended type of residential character (Rural). Rural calls for a higher degree of open space and larger lots.

Although the land to be rezoned and developed with higher density residential homes will not strictly algin with the recommended development type, it is also recognized that since the Rural category was assigned, there has been a change in development characteristics within the section of land surrounding the applicant's site whereby higher density single-family homes have become the predominate development pattern in the section.

The Neighborhood Unit Concept of Development calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section towards single-family development. The applicant's request would conform with the Neighborhood Unit Concept as the applicant's tract is located internal to the Section of land as recommended.

Considering the just mentioned information, the Planning and Zoning Commission is of the opinion that the applicant's request is a logical continuation of existing zoning and development patterns in the area and would not result in any detrimental impacts to existing development in the area.

## Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any comments regarding the request.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the rezoning request as presented.

**ORDINANCE NO. 7999**

**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 WEST HASTINGS AVENUE AND BROADWAY DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

DRAFT

**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 8.29 acre tract of unplatted land, in Section 191, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential District 3, and being further described in attached Exhibit A, incorporated herein:

**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 26th day of July 2022 and PASSED on Second and Final Reading on this the 2nd day of August 2022.

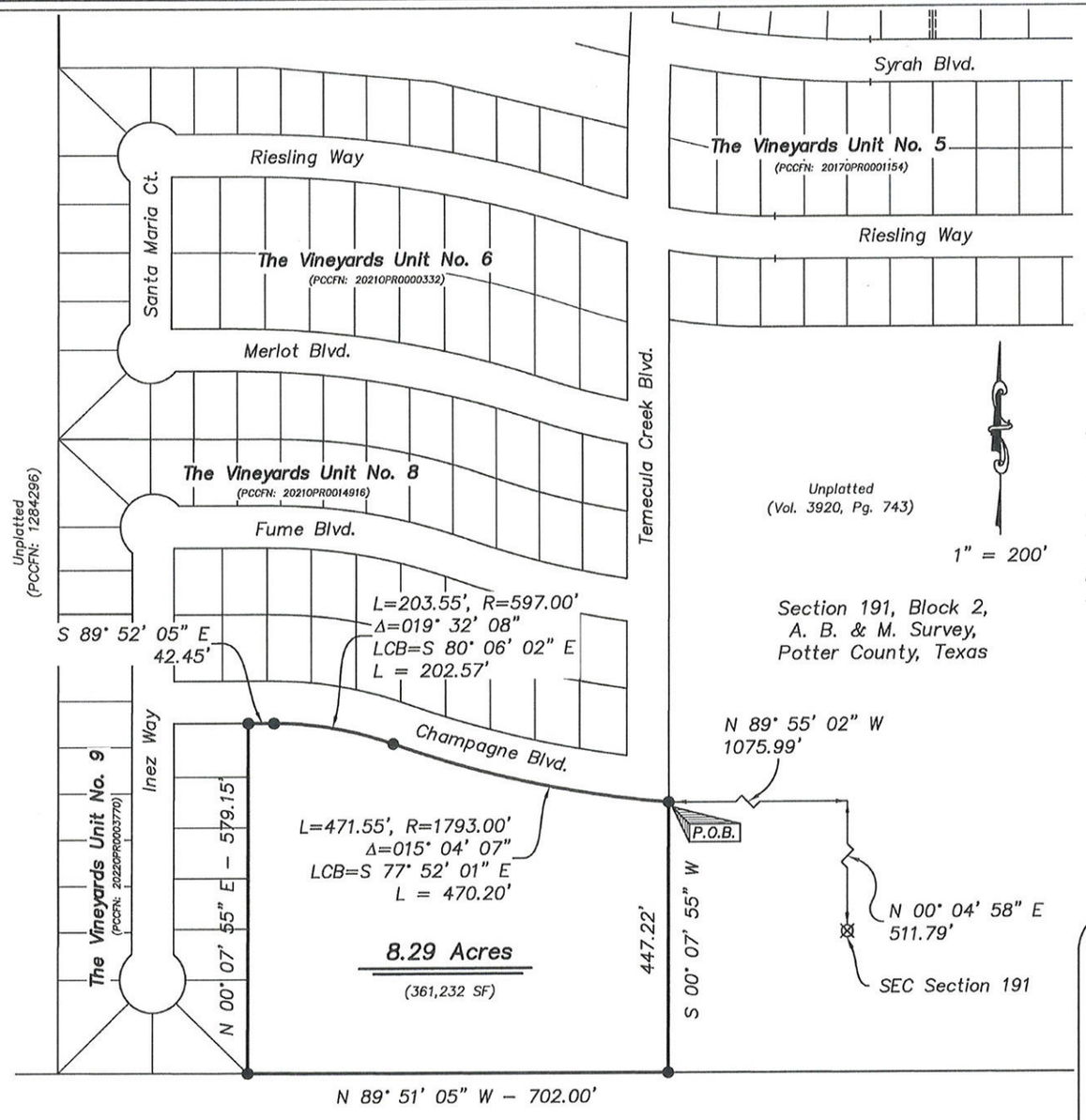
_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney




## LEGEND

- ● = 1/2" Iron Rod Set w/ Yellow Cap
- ○ = 1/2" Iron Rod Found w/ Yellow Cap
- ⊠ = Iron Rod Found w/ Apex Cap

## NOTES

Bearings based on the U.S. State Plane Coordinate System (NAD83) – Texas North Zone 4201

Distances shown are ground distances. Grid to ground scale factor: 1.0002507

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
that I, Richard E. Johnson, Registered
COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the tract of land shown on this plat, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 3rd day of June, A.D., 2022.

STATE OF TEXAS REGISTERED RICHARD E. JOHNSON 4263 PROFESSIONAL LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263

**Exhibit A**

A Plat of 8.29 Acres out of Section 191,
Block 2, A. B. & M. Survey,
Potter County, Texas

| | | |
|---|---|---|
| SCALE: 1" = 200' | Firm No. 10090900 | DRAWN BY: JA |
| DATE: June 2022 | | FILE NAME: |

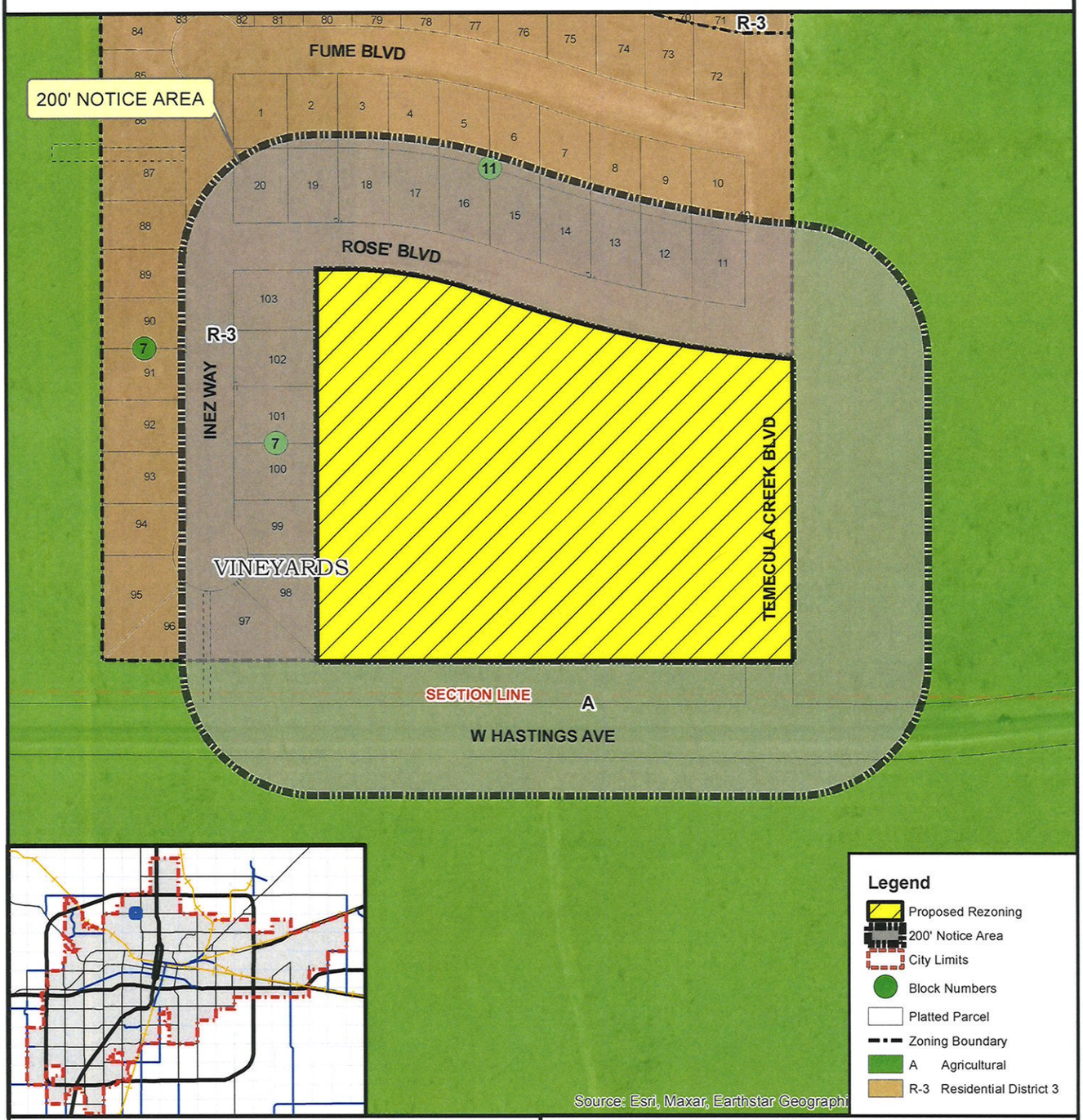
OJD Engineering, L.L.C.
Consulting Engineers & Surveyors

806-352-7117
2420 Lakeview Drive
Amarillo, Texas 79109

Rezone from Ag to R-3

DRAWING NUMBER

# REZONING FROM A TO R-3






**Legend**

- Proposed Rezoning
- 200' Notice Area
- City Limits
- Block Numbers
- Platted Parcel
- Zoning Boundary
- A Agricultural
- R-3 Residential District 3

## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 200 feet
**Date:** 6/10/2022
**Case No:** Z-22-24

**Rezoning of a 8.29 acre tract of unplatted land, in Section 191, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential District 3**

**Owner:Tommy Nielson for Nielson Communities**

**Vicinity: W Hastings Ave. and Broadway Dr.**

**AP: M-9**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 3D**

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Regular Agenda Item – Public Hearing |

| | |
|---|---|
| **Department** | Planning and Development Services<br>Brady Kendrick – Planner II |

**Agenda Caption**

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8000

Public hearing and first reading to consider an ordinance rezoning Lots 10 and 11, Block 11, Lawrence Park Addition Unit No. 4, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Office District 2 to Neighborhood Service District.
VICINITY: SW 28th Ave. and Paramount Blvd.
APPLICANT/S: Charles Leard for CPL-BLL Holdings

**Agenda Item Summary**

**Adjacent land use and zoning**

Adjacent zoning consists of General Retail to the north, Office District 2 and Planned Development District 49 to the south, Planned Development District 61 to the east, and Office District 2 to the west.

Adjacent land uses consist of a spa and drycleaners to the north, single-family attached townhomes and an office to the south, single-family attached townhomes to the east, and a real estate office to the west.

**Proposal**

The applicant is requesting a change in zoning in order to continue to utilize the existing building for office and storage that support several of the applicant's retail liquor store (M&R Liquor) locations in Amarillo.

Considering the fact that portions of the building will store alcoholic products and that before TABC can issue a permit, a zoning district that allows for Off-Premise Alcoholic Beverage Sales is needed.

**Analysis**

The Planning and Zoning Commission's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map, which identifies recommended future land uses. Additionally, the Planning and Zoning Commission considers what impact on area existing zoning and development patterns as well as its conformity to the Neighborhood Unit Concept of development (NUC).

The Future Land Use and Character Map (FLUCM) identifies the applicant's tract as being in the General Commercial and the Multi-Family Residential categories (with the lot and building being split evenly between the two categories).

The General Commercial category (west half) calls for a wide range of commercial, retail, and office uses while the Multi-Family Residential category (east half) calls for multi-family dwellings to be the primary focus. While the applicant's request would conform with the General Commercial category, Neighborhood Service District would not comply with the Multi-Family Residential category. It is worth nothing that the long-utilized office building predated the FLUCM.

Given the location of the applicant's tract, Neighborhood Service District is a zoning district that in the Planning ang Zoning Commission's opinion, can provide an appropriate transition in zoning by providing a step down in zoning from General Retail to the north and possibly to the west (the FLUCM recommends General Commercial) that could not only provide neighborhood amenities should the applicant's use no longer occupy the building but a buffer to residential to the east and south (see below map). Some of the allowed uses in this district would include the following:

- Antique Shop
- Bank
- Barber or Beauty Shop
- Office (medical/dental, general business)
- Pet Grooming
- Food and Beverage Sale Store




Expanding on the Neighborhood Unit Concept of Development (NUC) theme, as illustrated by the map below, this area has not followed this concept. Approximately the northern two-thirds of the Section is either developed with or zoned non-residential as much of the zoning includes Light Commercial District, General Retail District, and a mix of retail and commercial Planned Developments, while the southern one-third is composed of a mix of single-family, multi-family, and non-residential land uses and zoning districts.



As was mentioned previously, the applicant's tract is located in what can be considered a transitional area between higher intensity uses and zoning to lower intensity uses and zoning to the south and east. Given the tracts location in addition to area zoning and development patterns, the Planning and Zoning Commission is of the opinion that the applicant's request would not be out of character with the area and that a logical zoning district that would not result in any additional impacts to the surrounding area would be provided.

## Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any comments regarding the request.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the rezoning request as presented.

**ORDINANCE NO. 8000**

**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 TWENTY-EIGHTH AVENUE AND PARAMOUNT BOULEVARD, POTTER AND RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

DRAFT

**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 Lots 10 and 11, Block 11, Lawrence Park Addition Unit No. 4, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Office District 2 to Neighborhood Service District.

**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 26th day of July 2022 and PASSED on Second and Final Reading on this the 2nd day of August 2022.

_____
Ginger Nelson, Mayor

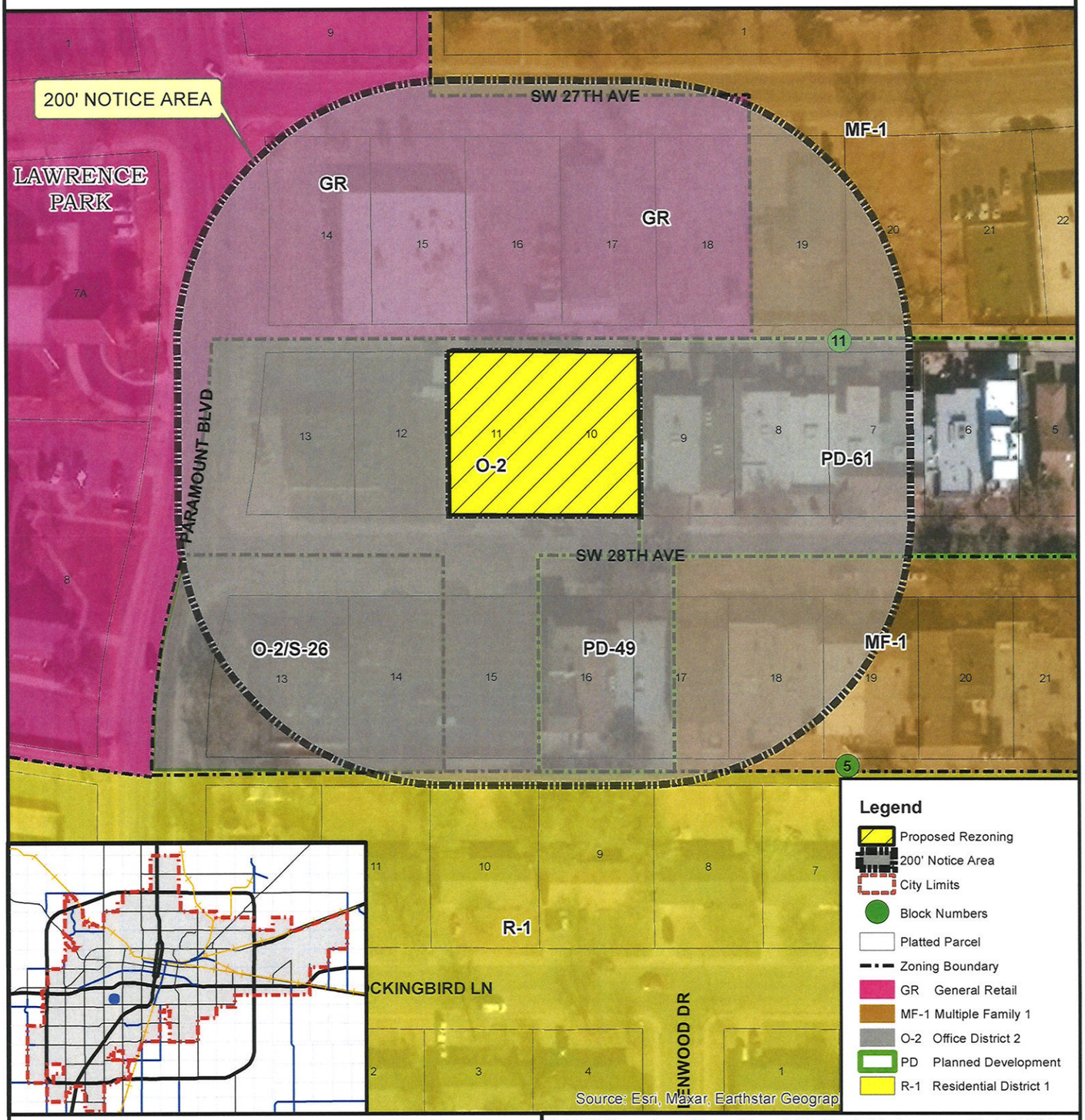
ATTEST:

_____
Stephanie Coggins
City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

# REZONING FROM O2 TO NS




## CITY OF AMARILLO
## PLANNING DEPARTMENT

**Scale:** 1 inch = 100 feet
**Date:** 6/10/2022
**Case No:** Z-22-25

N W E S

**Z-22-25 Rezoning of Lots 10 and 11, Block 11, Lawrence Park Addition Unit No. 4, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Office District 2 to Neighborhood Service District.**

**VICINITY: SW 28th Ave. and Paramount Blvd.**
**APPLICANT/S: Charles Leard for CPL-BLL Holdings**

**AP: L-13**

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

**Item No. 3E**

# Amarillo City Council
# Agenda Transmittal Memo

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Economic Development and Redevelopment |
| **Department** | Planning | **Contact Person** | Emily Koller, Assistant Director of Planning |

**Agenda Caption**

CONSIDERATION OF ORDINANCE NO. 8001

This item is a first reading and consideration of an ordinance to amend the Amarillo Municipal Code Title IV – Building Codes, Development and Zoning, by adding Chapter 4-12 regarding the City's Recognized Neighborhood Association program; defining terms; providing eligibility criteria for Recognition of a neighborhood association; establishing the responsibilities of a Recognized Neighborhood Association; clarifying the process for suspension or revocation of Recognition status; providing for severability; providing for a repealer; and providing for publication and effective date.

**Agenda Item Summary**

This ordinance amendment creates a new program to formally recognize the partnership between the City and the neighborhood associations for coordination on neighborhood plan projects and other initiatives related to the plan areas.

In order to become a Recognized Neighborhood Association (RNA), the ordinance proposes that neighborhood groups must meet certain eligibility criteria that ensures that they are running transparent, organized associations that are open to all residents, business owners, and property owners within their boundaries. They must demonstrate their eligibility through an application process and are then Recognized by a resolution adopted by City Council. The program also states ongoing responsibilities for both Planning staff and neighborhood associations including a project submittal process.

Neighborhood groups who represent their purpose as implementation of the adopted neighborhood plan are required to become Recognized. Neighborhood associations that have not participated in a planning effort through the Neighborhood Planning Initiative may also be Recognized if they meet the eligibility requirements.

The eligibility criteria are listed below:

1. Be governed by a board of directors with a minimum of seven members in regular attendance. The composition of the board shall include at least one representative of each of the following types of members: resident; property owner; non-profit/institutional/educational; neighborhood business owner; and at-large providing expertise in other priority areas as identified by the organization such as finance, historic preservation, marketing, etc.
2. Maintain open membership to any person who lives, rents, or owns any real property in the neighborhood.
3. Be an organized entity recognized by the Texas Secretary of State through the filing of a Certificate of Formation and abiding by adopted bylaws.
4. Establish and maintain 501 (c)(3) nonprofit status as a tax-exempt, charitable organization approved by the Internal Revenue Service.
5. Hold an annual meeting at which all members vote.
6. Hold regularly scheduled board of directors' meetings at which business is conducted in an organized manner following best practices for meeting procedures.
7. Hold regularly scheduled community meetings and/or events at which all members are invited to participate in ongoing neighborhood initiatives.
8. Post notice of all meetings in advance in public places and in readily obtained online and print publications.
9. Have clearly stated boundaries.
10. Not discriminate in policies, recommendations, or actions.
11. Follow a strategic plan of work demonstrating active engagement in projects that improve neighborhood quality of life (this refers to annual action items such as the Projects in Motion top ten list, rather than the long-range neighborhood plan document).

**Requested Action**

Approval as presented.

# Amarillo City Council
# Agenda Transmittal Memo

CITY OF AMARILLO
PLANNING & DEVELOPMENT SERVICES

**Funding Summary**

N/A

**Community Engagement Summary**

August 2020 - First draft of ordinance complete and presented to City Council
Fall 2020 - Outreach postponed due to COVID-19
October 2021 - First annual Neighborhood Leadership Day focuses on RNA program benefits and eligibility for neighborhoods with adopted plans
January-February 2022 - Ordinance revised with comments from Leadership Day. Follow-up presentations to clarify changes are made to existing neighborhood associations
March 2022 - Final draft posted for public comment
May-June 2022 - Review and final comment by Neighborhood Planning Oversight Committee

**Staff Recommendation**

Staff recommends approval as presented.

**ORDINANCE NO. 8001**

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, TITLE IV – BUILDING CODES, DEVELOPMENT AND ZONING, BY ADDING CHAPTER 4-12 REGARDING THE CITY'S RECOGNIZED NEIGHBORHOOD ASSOCIATION PROGRAM; DEFINING TERMS; PROVIDING ELIGIBILITY CRITERIA FOR RECOGNITION OF A NEIGHBORHOOD ASSOCIATION; ESTABLISHING THE RESPONSIBILITIES OF A RECOGNIZED NEIGHBORHOOD ASSOCIATION; CLARIFYING THE PROCESS FOR SUSPENSION OR REVOCATION OF RECOGNITION STATUS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS**, the City Council has been presented evidence that the City's adopted Neighborhood Plans rely on voluntary organizations to actively engage in improving the quality of life in their neighborhoods and bear significant responsibility in the implementation of the neighborhood plan projects; and

**WHEREAS,** the City Council desires to formalize and clarify the ongoing implementation partnership between the City and neighborhoods with adopted plans; and

**WHEREAS**, the City Council desires to establish a neighborhood association recognition program that provides a standardized policy and sets forth the association's responsibilities and benefits;

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

**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 Amarillo Municipal Code, Title IV – Building Codes, Development and Zoning is hereby amended by adding a new Chapter 4-12 and reads as follows:

**Chapter 4.12 Recognized Neighborhood Associations**

**Article I. In General**

**Section 4-12-1. Purpose**

The Recognized Neighborhood Association program will assist Amarillo's redeveloping neighborhoods through official recognition by the City of those that are voluntarily organizing and actively engaged in improving the quality of life in their neighborhoods.

The Recognized Neighborhood Association program will:

A. Formalize and clarify the ongoing implementation partnership between the City and neighborhoods with adopted plans;

B. Increase access to the various departments of the City for Recognized Neighborhoods and to improve the flow of information between these groups and the City; and

C. Help neighborhood associations understand how to navigate local government and be active participants in the process.

Neighborhood organizations are encouraged to work cooperatively among their own membership and with any adjacent or overlapping neighborhood organizations to determine positions on issues affecting the neighborhood and to conduct business in an organized, representative, and fair manner, which is designed to obtain informed participation from as many neighborhood citizens as possible. Neighborhoods are also encouraged to cultivate neighborhood participation that reflects the ethnic and socio-economic composition of the neighborhood they represent.

**Section 4-12-2. Definitions**

"Adopted Neighborhood Plan" refers to those neighborhoods that coordinated with the City to create a Neighborhood Plan, which was adopted as an amendment to the Amarillo Comprehensive Plan by the City Council.

"Neighborhood" means a geographically contiguous area within a designated boundary which is characterized by a substantial commonality of interest and identification as a neighborhood separate from others within the City of Amarillo.

"Neighborhood Association or Organization" means a voluntary association or organization formed by persons within a neighborhood for the purpose of considering and acting on issues affecting the livability and quality of life in their neighborhood. An association is open to all members within the boundaries of the neighborhood without bias and has as a regulated and predictable meeting pattern which is advertised in an appropriate manner to all members of the community. An association must have an organizing document ratified by the group.

"Neighborhood Planning Initiative" means the Interlocal Agreement created in 2016 between the City of Amarillo and Potter County to develop neighborhood plans as a revitalization tool for Amarillo's distressed neighborhoods.

"Homeowners Association" means a mandatory organization in a subdivision, planned community or condominium that makes and enforces rules for the properties and their residents. Those who purchase property within an HOA's jurisdiction automatically become members and are required to pay dues and follow the codes, covenants, and restrictions (CC&Rs) which are recorded legal documents in the county records.

"Projects in Motion" means priority projects identified annually by the neighborhood association. Any project where City assistance is requested must be submitted on a Projects in Motion form to the Planning Department with Neighborhood Association Board approval.

"Public Improvement District" is a designated area where property owners elect to pay a special assessment for improvements and services within that area. The services must benefit the PID area only and are supplemental to any City service. PIDs are created by the authority of Chapter 372 of the Texas Local Government Code.

**Section 4-12-3. Relation to the Neighborhood Planning Initiative**

One of the important outcomes of the Neighborhood Planning Initiative is the formation of an organized neighborhood association to continue stewardship of the plans and partner with the City for ongoing implementation. Neighborhood groups who represent their purpose as implementation of the adopted neighborhood plan are required to become Recognized. This ensures an ongoing mutual commitment on behalf of the City and the neighborhood to the plan goals.

Recognized Neighborhood Associations for plan areas must represent the boundary as adopted in the neighborhood plan and only one organization may be Recognized for each neighborhood boundary.

Neighborhood associations that have not participated in a planning effort through the Neighborhood Planning Initiative may also be Recognized if they meet the eligibility requirements in 4-12-5.

### Section 4-12-4. Relation to Mandatory Homeowners' Organizations and Public Improvement Districts

Homeowners Organizations and Public Improvement Districts are not eligible for participation in the neighborhood associations.

## Article II. Eligibility and Filing for Recognition

### Section 4-12-5. Eligibility and Boundaries

To be eligible for Recognition as provided in this article, neighborhood associations shall meet the following eligibility standards:

A. They shall be governed by a board of directors with a minimum of seven members in regular attendance. The composition of the board shall include at least one representative of each of the following types of members: resident; property owner; non-profit/institutional/educational; neighborhood business owner; and at-large providing expertise in other priority areas as identified by the organization such as finance, historic preservation, marketing, etc.

B. They shall maintain an open membership policy to any person who lives, rents, or owns any real property within the recognized boundaries of the neighborhood. The membership shall be a majority of residents and owners of real property within their prescribed boundary; other individuals or organizations may be members as further set forth in each neighborhood's bylaws or rules and regulations.

C. They shall be an organized entity as recognized by filing a Certificate of Formation with the Texas Secretary of State.

D. They shall establish and maintain 501 (c)(3) nonprofit status as a tax-exempt, charitable organization approved by the Internal Revenue Service.

E. They shall hold an annual meeting at which all members may vote.

F. They shall hold regularly scheduled board of directors' meetings at which business is conducted in an organized manner following best practices for meeting procedures such as Robert's Rules of Order or similar as identified in the organization's bylaws.

G. They shall hold regularly scheduled community meetings and/or events at which all members are invited to participate in ongoing neighborhood initiatives.

H. Notice of all meetings shall be posted in advance of such meeting, in public places and/or in readily obtained publications such as social media and newsletters, within their boundaries, as permitted and prescribed by law, and a record of said notice shall be maintained by the neighborhood organization;

I. They shall have clearly stated boundaries in their bylaws. The boundary of a neighborhood association shall be determined in one of two ways: 1) identified by the adopted Neighborhood Plan; or, 2) drawn by the association membership after consultation with City staff. The boundary shall be reasonable and representative of physical and social characteristics of the neighborhood; represent a geographic area that is no smaller than four square blocks; and, have parameters that correspond with street center lines and property parcel lines. The boundaries of adjacent neighborhood organizations may not overlap. If they do overlap, the Recognition of organizations with overlapping boundaries is not allowed.

J. They shall not discriminate against individuals or groups on the basis of race, religion, color, sex, sexual orientation, age, disability, national origin, income, or political affiliation in any of its policies, recommendations, or actions.

K. They shall follow a strategic plan of work demonstrating active engagement in projects that improve the quality of life in the respective neighborhood.

**Section 4-12-6. Recognition**

A. Any neighborhood association may file for recognition at any time in the calendar year with a form provided by the Planning Department with the following information:

1. Official name;
2. Current boundary;
3. The name, email, mailing address, and telephone number of the primary contact whom the City or a member of the public may contact;
4. A roster for the board of directors including officer positions; the schedule for electing directors and officers; and board of directors' composition as set forth in Section 4-12-5 (A).
5. The number of persons the organization represents and number of dues paying members, if any;
6. Methods used to communicate with members and the neighborhood;
7. A copy of the organization's articles of incorporation and/or bylaws;
8. Proof that the IRS currently recognizes the organization's status as an active 501 (c)(3);
9. The time and place of the board and community meetings and/or events;
10. Agenda and minutes of the required annual general membership meeting;
11. A copy of a current work plan or strategic plan demonstrating active engagement in activities that improve the quality of life in the respective neighborhood.

B. A new and/or previously Recognized neighborhood association may file with the Planning Department on a year-round basis.

C. There is no fee for filing for Recognition.

D. If the information filed by the neighborhood association is incomplete, staff will notify the neighborhood contact within 14 days. If no revisions are submitted, the filing will be considered incomplete, and the neighborhood association will not be Recognized. Neighborhoods may reapply in the same calendar year.

E. For complete submittals staff will, within 30 days, take one of the following actions:

1. Provide a recommendation to the Neighborhood Planning Oversight Committee for Recognition. The Committee will approve the recommendation and direct staff to extend official notice of Recognition, list the organization on the City's website, and prepare a resolution for City Council approval; or
2. Deny recognition by providing written notice of the denial, which will include the reason for denial. Neighborhood associations may re-apply for recognition the following year.

F. Only one organization may be recognized as the neighborhood association for a defined neighborhood boundary including a neighborhood plan area. If there is an existing Recognized Neighborhood Association in good standing, no new filings will be considered for the boundary area. If a Recognized Neighborhood Association is non-compliant, new filings may be considered. Should multiple organizations exist and file for Recognition to represent a previously unrepresented area, the following criteria will be used in addition to that which is described in Sec. 4-12-5 to determine which organization will be Recognized:

1. The size, composition, and attendance of the board of directors. Larger, active boards shall be given preference.
2. The total number of members. Larger membership will be given preference.
3. The total number of committees. Organizations with active committees will be given preference.
4. Organizations with active projects that demonstrate past success in collaborating with other neighborhood partners and governmental entities on neighborhood improvement projects will be given preference.

**Section 4-12-7. Annual Renewal**

In addition to the ongoing responsibilities in Section 4-2-10, Recognized Neighborhood Associations shall file the following renewal materials by March 31st each year to maintain their status:

1. Number of members for the previous year;
2. The name, email, mailing address, and telephone number of the primary contact whom the City or a member of the public may contact;
3. A roster for the board of directors including current officers;
4. Date, time and location of board and general membership meetings;
5. Agenda and minutes of the required annual general membership meeting;
6. Current bylaws or rules and regulation, if such bylaws or rules and regulation have been amended in the prior year;
7. Proof that the IRS currently recognizes the organization's status as an active 501 (c)(3); and,
8. A copy of a current work plan or strategic plan demonstrating active engagement in activities that improve the quality of life in the respective neighborhood.

**Section 4-12-8. De-listing and Re-listing**

Any Recognized Neighborhood Association which does not meet, or ceases to meet, the eligibility standards of section 4-12-5, the responsibilities of section 4-12-10, or which does not apply for renewal as required by section 4-12-7 shall be considered non-compliant. Non-compliant neighborhoods shall receive a written letter stating necessary steps to achieve compliance. If those steps are not achieved within six months, neighborhoods will be de-activated for a period of one year during which time the duties outlined in Section 4-12-9 shall not be required. After one year of non-compliance, neighborhoods will be recommended for removal from the list of Recognized Neighborhoods by the City Council.

**Article III. Duties, Benefits and Responsibilities**

**Section 4-12-9. Duties of the Planning Department**

Planning Department shall have the following duties in connection with all Recognized Neighborhood Associations:

A. To maintain a current map of the boundaries and a current list of the official names, boundaries, officers, and primary contact persons of all Recognized Neighborhood Associations on the City's official website;
B. To provide regular email communication about City-related events, policies, land use proposals, and projects to the president of each Recognized Neighborhood Association;
C. To notify all Recognized Neighborhood Associations each January of their requirement to renew their status by March 31st;
D. To collaborate with neighborhood leadership for implementation of City-related projects, including cost estimating, scheduling, and other feasibility items;
E. To administer Recognized Neighborhood Association specific programs as outlined in Department policies such as welcome signs, street sign toppers, community crosswalks, public arts grants, and other projects related to the beautification and enhancement of neighborhoods; and,
F. To proactively seek new funding and other resources for neighborhood plan projects on a continual basis.

**Section 4-12-10. Recognized Neighborhood Association Responsibilities**

Recognized Neighborhood Organizations commit to the following responsibilities:

A. Organize and undertake activities, projects, or programs which foster a sense of community and improve livability within the neighborhood;
B. Work in collaboration with City staff and other partners to mutually further the goals of adopted neighborhood plans;
C. Comply with their adopted bylaws or rules and regulations;
D. Establish and utilize an orderly and democratic process for making representative decisions;

E. Provide board meeting agendas and approved meeting minutes on a monthly basis to the Planning Department; and,
F. Follow an established Projects in Motion submittal process in the Planning Department for those projects where City coordination is requested regardless of funding source. Project submittals must have Neighborhood Association Board approval.
G. Recognized Neighborhood Associations may also establish and follow a clear method for reporting to the City actions which accurately reflect the Recognized Neighborhood Association's position on a matter that is the subject of a pending City agenda item and identify whether the decision was reached by the board, a survey of the general membership, or by a vote at a general membership meeting, and the vote for and against the position.

**SECTION 3. Severability.** If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

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

**SECTION 5. Publishing and Effective Date.** This Ordinance shall be published and 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 this the 26th day of July 2022 and PASSED on Second and Final Reading this the 2nd day of August 2022.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____
Bryan McWilliams, City Attorney

Item No. 3F

# Amarillo City Council Agenda Transmittal Memo

AMARILLO ECONOMIC DEVELOPMENT

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Economic Development |
| **Department** | Amarillo Economic Development Corporation | | |
| **Contact** | Kevin Carter, President and CEO | | |

**Agenda Caption**

DISCUSSION AND POSSIBLE CONSIDERATION OF JOB TRAINING FACILITIES AGREEMENT BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION AND AMARILLO COLLEGE.

This item considers approval of an agreement between Amarillo Economic Development Corporation (AEDC) and Amarillo College to renovate Amarillo College's existing facility at 11th and Polk for the creation of the Innovation Outpost, a job training facility for primary employees. AEDC will provide $3,000,000 over five annual payments to help fund the facility.

**Agenda Item Summary**

Amarillo College will renovate their existing facility at 11th and Polk for the creation of a job training facility for primary employees. The Amarillo Economic Development Corporation will provide five (5) annual payments of $600,000 to help fund the facility. The renovated facility (Innovation Outpost) is expected to have a substantial stimulative effect on the Amarillo Economy.

**Requested Action**

Approval of the agreement.

**Funding Summary**

$3,000,000 ($600,000 annually paid out over 5 years)

**Community Engagement**

N/A

**Staff Recommendation**

AEDC staff is recommending approval. AEDC board approved 5-0 on 6-20-22.

**JOB TRAINING FACILITY AGREEMENT**
**Between**
**AMARILLO ECONOMIC DEVELOPMENT CORPORATION**
**and**
**AMARILLO JUNIOR COLLEGE DISTRICT**

DRAFT

**THIS JOB TRAINING FACILITY AGREEMENT** (***Agreement***) is entered into this the ___ day of _____, 2022 (***Effective Date***), by and between **AMARILLO ECONOMIC DEVELOPMENT CORPORATION** (***Amarillo EDC***), a Texas corporation organized and chartered under Chapters 501 and 504 of the Texas Local Government Code, having its principal place of business in Amarillo, Potter County, Texas; and **AMARILLO JUNIOR COLLEGE DISTRICT** (***AC***), a Texas junior college district, having its principal place of business in Amarillo, Potter County, Texas.

WHEREAS, **Amarillo EDC** seeks to promote the creation of primary jobs in the Amarillo, Texas area by providing funding to **AC** for the construction or renovation/expansion of a job training facility as more specifically provided herein, which is expected to have a substantial stimulative effect on the Amarillo economy; and

WHEREAS, **AC** requests funding from **Amarillo EDC** under this Agreement and agrees to use such funding solely for the Expenditures (defined below) for a primary job training facility under the terms of this Agreement.

The following defined terms will be used in this Agreement:

| **Defined Term** | **Definition** |
|---|---|
| Expenditures | Use of funds from **Amarillo EDC** for the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements relating to the Facility and/or Program |
| Facility | That certain Innovation Outpost of **AC** located or to be located in the vicinity of 11th and Polk St., in Amarillo, Potter County, Texas |
| Primary Job | As defined in Section 501.002(12) of the Texas Local Government Code |
| Program | The job training and educational activities conducted by or on behalf of **AC** at the Facility, commonly known as the Innovation Outpost |

NOW, THEREFORE, in consideration of these presents (which are made a contractual part hereof) and the mutual agreements herein contained, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, **Amarillo EDC** and **AC** agree as follows:

1. **Primary Job Training Facility Incentives Package.**

a. **Amarillo EDC's Agreement to Provide the Funds**. **AC** hereby requests that **Amarillo EDC** partially finance the Expenditures up to the maximum amount of $3,000,000, to be disbursed under the terms of this Agreement (such funds from **Amarillo EDC** hereunder, the ***Funds***). In exchange, **AC** agrees to use the Funds solely with respect to the Expenditures and offer primary job training and related educational activities at or from the Facility. **AC** shall commence and diligently use the Funds for the Expenditures promptly upon receipt of same.

b. **Schedule of Fund Installments. Amarillo EDC** will pay to **AC** the annual amount of $600,000 (each a ***Fund Installment***) first beginning on or before September 30, 2022, and continuing thereafter on or before September 30 of each of the next five (5) years, provided **AC** is then in compliance with this Agreement and, for all years after 2022, provided **AC** has delivered to **Amarillo EDC** an Annual Report (defined below). As used herein, the term ***Annual Report*** means a written report in form and substance reasonably acceptable to **Amarillo EDC** including such documents and information as **Amarillo EDC** may reasonably request, including without limitation: (i) the number of students enrolled in the Program in the then current or immediately preceding academic term; (ii) the number of students who received a certificate, degree, or other certification in a field qualifying them for a Primary Job in the then current or immediately preceding academic term; and (iii) confirmation that **AC** is in full compliance with this Agreement and all Fund Installments have been or will be used solely for the Expenditures. In no event shall **Amarillo EDC** be or become liable for any of **AC's** obligations with respect to the Expenditures or in any way related to the Facility or the job training and educational services offered therefrom, except as specifically set forth herein.

c. **AC's Agreement to Repay**. In addition to any of the rights or remedies of **Amarillo EDC** herein, **AC** agrees that it will repay to **Amarillo EDC**, at Amarillo, Potter County, Texas the total amount of Funds advanced by **Amarillo EDC** under this Agreement should: (i) any part of the Funds not be used for the Expenditures; or (ii) the Facility is not or ceases to be used as a primary job training facility at any time there remains a potential obligation of **Amarillo EDC** to provide a Fund Installment. Notwithstanding the foregoing, it shall not be a default by **AC** under this paragraph if the Facility is not used for primary job training services between regular **AC** school sessions or if such services are not offered for any one session (whether regular or special) of any school year.

2. **Governmental Approval**. This Agreement is part of a Project (as defined in Tex. Loc. Gov't Code Ch. 504). If the Project is not approved by the Board of Directors of the **Amarillo EDC** and the City Commission of the City of Amarillo, Texas within forty-five days of the Effective Date this Agreement shall terminate without further obligations upon **Amarillo EDC** or **AC**.

3. **AC's Representations and Warranties**. **AC** warrants and represents that:

a. It is a duly organized and existing Texas junior college district.

b. The execution, delivery and performance by **AC** of this Agreement and all collateral documents have been duly authorized by its Board of Regents (or equivalent authority) and is evidenced by written resolutions, and are not in contravention of any law, rule or regulation or of the provisions of **AC**'s certificate of formation or policies, or of any agreement or instrument to which **AC** is a party or by which it may be bound.

c. No certificate or statement herewith or heretofore delivered by **AC** to **Amarillo EDC** in connection herewith, or in connection with any transaction contemplated hereby, contains any untrue statement of a material fact or fails to state any material fact necessary to keep the statements contained therein from being misleading in any material respect by reason of any omission.

d. These representations shall be deemed made and re-made upon the execution of this Agreement, the provision of each Fund Installment hereunder, and upon delivery of any document, financial statement, or other communication (written or oral) to **Amarillo EDC** relating to **AC** and its condition or operation.

4. **Affirmative Covenants of AC**. On a continuing basis while **Amarillo EDC** has any potential obligation to advance a Fund Installment hereunder, **AC** agrees that it will, at **AC**'s expense:

a. Cause the Facility to be kept in good and effective operating condition so as to allow **AC** to offer primary job training at or from the Facility to the full extent provided for in this Agreement.

b. Employ teachers and other instructors necessary or appropriate to provide primary job training at or from the Facility and maintain all accreditations required in connection therewith.

c. Encourage local employers to employ students and other persons who receive primary job training at or from the Facility.

d. Do and perform all acts required of **AC** under this Agreement.

5. **Default.** The term "default", as used in this Agreement and in addition to any other term or event of default described in this Agreement, means:

a. The failure of **AC** to pay or perform any covenant or agreement of **AC** contained herein within the time periods required.

b. Any material misrepresentation or materially inaccurate report, whether or not knowingly or intentionally provided, of **AC** to **Amarillo EDC**.

The occurrence of a default by **AC** under the terms and conditions of this Agreement shall, in addition to any other remedy hereunder or provided by law, be cause for **Amarillo EDC** at its option, without notice, demand, or presentment, which are hereby waived, to terminate its obligations under this Agreement, and upon such termination, all Fund Installments as have been previously advanced to **AC** shall be immediately due and payable by **AC** to **Amarillo EDC**.

6. **Assignability**. **THIS AGREEMENT SHALL BE BINDING UPON THE PARTIES HERETO AND THEIR SUCCESSORS AND ASSIGNS AND MAY NOT BE ASSIGNED BY EITHER PARTY WITHOUT THE PRIOR WRITTEN CONSENT OF THE OTHER, WHICH CAN BE WITHHELD FOR ANY REASON (EVEN ARBITRARILY).**

7. **Force Majeure**. If, by reason of force majeure, such as fire, flood, windstorm, or other act of God, **AC** is reasonably unable to fulfill its obligations under this Agreement (including, but not limited to, its obligation to offer primary job training from the Facility), **AC** shall use reasonable and diligent effort to rectify the situation to allow it to continue such operations within a reasonable time, which period shall, in no event, be longer than ninety (90) days.

8. **Certification Regarding Undocumented Workers**.

a. **AC** certifies that it does not and will not knowingly employ an Undocumented Worked (defined below) for so long as it owes any duties under this Agreement. ***Undocumented Worker*** means an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under law to be employed in that manner in the United States. **AC** shall immediately notify **Amarillo EDC** if: (i) **AC** becomes aware it employs or has employed an Undocumented Worker; (ii) **AC** receives notice that it is alleged an Undocumented Worker is or has been employed by **AC**; or (iii) **AC** is convicted of a violation under the following subparagraph.

b. If, after receiving any of the benefits of this Agreement and while AC or **Amarillo EDC** owes any actual or potential duties under this Agreement, **AC** is convicted of a violation under 8 U.S.C. Section 1324a(f), **AC** shall repay to **Amarillo EDC** the entire amount of Fund Installments as have been advanced hereunder, without deduction or offset. Such amount shall be due and payable in full on the 120th day after the date **Amarillo EDC** notifies **AC** of the violation and interest shall accrue on such amount at the contract rate thereafter.

9. **Governing Law, Venue, and Attorneys' Fees**. All obligations of the parties are performable in Amarillo, Potter County, Texas, and this Agreement is governed by the laws of the State of Texas. Venue for any action arising from or related to this Agreement will be exclusively

in the State District Courts in and for Potter County, Texas. The parties waive any claim that such forum in inappropriate or inconvenient. The prevailing party to any lawsuit arising from or related to this Agreement will be entitled to recover its reasonable and necessary attorneys' fees and costs. Interest on amounts past-due hereunder will accrue at the rate of eight percent (8%) per year.

10. **Cooperation on Publicity**. **AC** agrees to cause one or more of its senior representatives to attend all public events (e.g. Board or City Council meetings, ground-breakings, press conferences) related in any way to this Agreement, the Facility, and the like. Further, **AC** agrees to reasonably cooperate with **Amarillo EDC** on press releases and other publicity related to the subject matter of this Agreement, the Facility, and on-going efforts related to the recruitment and retention efforts of **Amarillo EDC** directed toward **AC**, if any.

11. **Counterparts; Signatures**. This Agreement may be executed in counterparts and, if so executed, is valid, binding, and will have the same effect as if all the Parties hereto actually joined in and executed one and the same document. Facsimile, scanned, and electronic signatures have the full force and effect of originals for all purposes.

12. **Severability**. In case any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

**THIS WRITTEN JOB TRAINING FACILITY AGREEMENT, TOGETHER WITH THE INSTRUMENTS DESCRIBED HEREIN AND CONTEMPLATED HEREBY, REPRESENT THE FINAL AGREEMENT BETWEEN THE PARTIES WITH RESPECT TO THE SUBJECT MATTER HEREOF AND THE PROVISIONS HEREOF AND THEREOF AND MAY NOT BE WAIVED, TERMINATED OR AMENDED EXCEPT BY SUBSEQUENT WRITTEN AGREEMENT OF THE PARTIES.**

**THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.**

***{Signature Page Follows}***

**EXECUTED** by the parties hereto, by their duly authorized representatives, to be and become effective as of the Effective Date.

**Amarillo EDC:**

**AMARILLO ECONOMIC DEVELOPMENT CORPORATION**

By: _____
Kevin Carter, President and CEO

**AC:**

**AMARILLO JUNIOR COLLEGE DISTRICT**

_____
Anette Carlisle, Chairperson Amarillo Junior College District Board of Regents

**ATTEST:**

_____
Sally Jennings, Secretary, Board of Regents Amarillo Junior College District

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 3G**

AMARILLO ECONOMIC DEVELOPMENT

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Pillar** | Economic Development |
| **Department** | Amarillo Economic Development Corporation | | |
| **Contact** | Kevin Carter, President and CEO | | |

**Agenda Caption**

DISCUSSION AND POSSIBLE CONSIDERATION OF HIGH DEMAND JOB TRAINING AGREEMENT BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION, PANHANDLE REGIONAL PLANNING COMMISSION, AND TEXAS WORKFORCE COMMISSION

This item considers approval of an agreement between Amarillo Economic Development Corporation (AEDC), Panhandle Regional Planning Commission (PRPC), and the Texas Workforce Commission (TWC) to support High Demand Job Training. AEDC will provide $150,000 to match funding from the TWC to be used by all five area independent school districts for their Career and Technical Education departments. The agreement will be administered through PRPC on behalf of TWC, Workforce Solutions of the Panhandle, and AEDC.

**Agenda Item Summary**

The Texas Workforce Commission through the Workforce Solution Boards across the state offers grants for High Demand Job Training. PRPC who partners with our local Workforce Solution Board administers the grant. AEDC has the ability to match a $150,000 grant from Texas Workforce Commission to be used by all five (5) Independent School Districts for their Career and Technical Education departments.

The agreement will be administered through PRPC on behalf of TWC, Workforce Solutions of the Panhandle and AEDC.

**Requested Action**

Approval of the grant.

**Funding Summary**

$150,000

**Community Engagement**

N/A

**Staff Recommendation**

AEDC staff is recommending approval. AEDC board approved 5-0 on 6-20-22.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 3H**

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Fiscal Responsibility |
| **Department** | City Manager's Office | **Contact Person** | Floyd Hartman |

**Agenda Caption**

CONSIDER APPROVAL - SETTLEMENT AGREEMENT AND RELEASE WITH MISSION CLAY PRODUCTS, LLC

This item considers authorizing the City Manager to execute a settlement agreement related to the case styled as City of Amarillo, Texas v. Brandt Engineers Group, Ltd., L.A. Fuller & Sons Construction, Ltd., and Mission Clay Products, LLC.; Cause No. 106315-E-CV pending in the 108th Judicial District Court of Potter County, Texas. Per the agreement, Mission Clay Products, LLC agrees to pay or cause to be paid the total sum of $11,100,000.00 to the City of Amarillo to settle disputed claims alleged in the aforementioned cause.

**Agenda Item Summary**

This agenda item authorizes the City Manager to execute a settlement agreement related to the case styled as *City of Amarillo, Texas v. Brandt Engineers Group, Ltd., L.A. Fuller & Sons Construction, Ltd., and Mission Clay Products, LLC.; Cause No. 106315-E-CV* pending in the 108th Judicial District Court of Potter County, Texas. Per the agreement, Mission Clay Products, LLC agrees to pay or cause to be paid the total sum of $11,100,000.00 to the City of Amarillo to settle disputed claims alleged in the aforementioned cause.

**Requested Action**

Approval for City Manager to execute Settlement Agreement and Release and all other related documents

**Funding Summary**

N/A

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff recommends approval as presented.

# Amarillo City Council
# Agenda Transmittal Memo

**Item No. 3I**

| | | | |
|---|---|---|---|
| **Meeting Date** | July 26, 2022 | **Council Priority** | Infrastructure Initiative/ Economic Development |
| **Department** | City Manager's Office | | |
| **Contact** | Floyd Hartman, Assistant City Manager, Development Services | | |

**Agenda Caption**

CONSIDER APPROVAL – PURCHASE OF GROUNDWATER RIGHTS

This item is to consider approval of a contract to purchase up to 15,768 acres of groundwater rights in Roberts County, at a cost of $1,875 per acre and authorizes the City Manager to execute all necessary documents. The final acreage will be determined by a survey, up to $29,565,000.00 plus the City's closing and other related costs. Approval of this item would increase the City's water inventory for future use by over 800,000-acre feet.

**Agenda Item Summary**

This item is to discuss and consider approval of a contract with Travis Chester to purchase up 15,768 acres of water rights in northern Roberts County. Closing of this contract would simultaneously close with Mr. Chester's contract to purchase the property.

1. Up to 15,768 acres.
2. Based on data available the average saturated thickness is well over 300 feet.

**Requested Action**

Consider approval of the contract for execution by the City Manager.

**Funding Summary**

Funding for this project is in the existing City water rights proceeds account with the remaining funding in the Capital Improvements Plan.

**Community Engagement Summary**

This contract has significant impact on the future of Amarillo and the region. It will supply over 800,000-acre feet of water for future development to support growth and economic development. The location of this property is adjacent to existing City and CRMWA owned water rights such that infrastructure already planned in the future will be utilized to provide this water to Amarillo.

**Staff Recommendation**

City Staff is recommending approval of the contract.