



PLANNING AND ZONING COMMISSION MARCH 11, 2025

March 11, 2025 at 5:30 PM

Wolfforth City Hall - 302 Main Street Wolfforth, TX

AGENDA

CALL MEETING TO ORDER

ROLL CALL AND ESTABLISH A QUORUM

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the Planning and Zoning Commission regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Citizen comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the citizen engagement sign in sheet and state his/her name and city of residence before speaking. Speakers shall address the Planning and Zoning Commission with civility that is conducive to appropriate public discussion. Speakers can address only the Planning and Zoning Commission and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take appropriate action on minutes from November 12, 2024.
2. PUBLIC HEARING: Consider and take appropriate action on an amendment to the Overlook Planned Development District.
3. Consider and take appropriate action on an amendment to Overlook Planned Development District.
4. Consider and take appropriate action on approval of an amendment to The Overlook, Lot 304-334 plat.

5. PUBLIC HEARING: Consider and take appropriate action on a zoning change from R-1 to C-3 at 469 E Hwy 62-82; BLK AK SEC 25 AB 246 TR NE2A AC: 1.647.
6. Consider and take appropriate action on a zoning change from R-1 to C-3 at 469 E Hwy 62-82; BLK AK SEC 25 AB 246 TR NE2A AC: 1.647.
7. Consider and take appropriate action on discussion of an amendment to the Wolfforth Zoning Ordinance 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
8. PUBLIC HEARING: Consider and take appropriate action on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
9. Consider and take appropriate action on ordinance that will amend the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.

ADJOURN

In accordance with the Americans with Disability Act any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Secretary at 806-855-4120 or send written request to P.O. Box 36 Wolfforth Texas 79382 at least 48 hours in advance of the meeting date.

Certification

I, the undersigned authority do hereby certify that the Notice of Meeting was posted at City Hall of the City of Wolfforth, Texas was posted on March 7, 2025 at 5:00 p.m.

/s/ Tara Tomlinson, Director of Development Services



PLANNING AND ZONING COMMISSION NOVEMBER 12, 2024

November 12, 2024 at 5:30 PM

Wolfforth City Hall - 302 Main Street Wolfforth, TX

MINUTES

CALL MEETING TO ORDER

Kyle Reeves called the meeting to order at 5:32 pm.

ROLL CALL AND ESTABLISH A QUORUM

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the Planning and Zoning Commission regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Citizen comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the citizen engagement sign in sheet and state his/her name and city of residence before speaking. Speakers shall address the Planning and Zoning Commission with civility that is conducive to appropriate public discussion. Speakers can address only the Planning and Zoning Commission and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

No one participated in citizen engagement.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take appropriate action on minutes from October 8, 2024.

Motion made by Charlotte McDonald, second by Michael Adams to approve minutes from October 8, 2024. Motion carried unanimously.

2. Consider and take appropriate action on final plat for Harvest, Lots 1285-1386.

Motion was made by Michael Adams, second by Charlotte McDonald to recommend approval of Harvest, Lots 1285-1386. Motion carried unanimously.

3. PUBLIC HEARING: Consider and take appropriate action on a zoning change by the City of Wolfforth from C-2/MF to OTM (Old Town Mixed-Use) for BLK AK SEC 25 AB 246 BAL OF SW/4 AC: 49.5613 Acres. (R64833)

Due to staff recommendation, the public hearing was canceled.

4. Consider and take appropriate action on a zoning change by the City of Wolfforth from C-2/MF to OTM (Old Town Mixed-Use) for BLK AK SEC 25 AB 246 BAL OF SW/4 AC: 49.5613 Acres. (R64833)

Motion by Charlotte McDonald, second by Michael Adams to table Item #4 until a later date. Motion passed unanimously.

ADJOURN

Motion by Charlotte McDonald, second by Michael Adams to adjourn the meeting at 5:41 pm. Motion carried unanimously.

In accordance with the Americans with Disability Act any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Secretary at 806-855-4120 or send written request to P.O. Box 36 Wolfforth Texas 79382 at least 48 hours in advance of the meeting date.

Certification

I, the undersigned authority do hereby certify that the Notice of Meeting was posted at City Hall of the City of Wolfforth, Texas was posted on November 8, 2024 at 5:00 p.m.

Kyle Reeves, Chair of Planning and Zoning Commission

ATTEST:

Tara Tomlinson, Director of Development Services



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on an amendment to the Overlook Planned Development District.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

1. Conduct a public hearing on amendment to Overlook Planned Development District.
2. Consider and take appropriate action on amendment to Overlook Planned Development District.

On May 17, 2021, the City Council approved the Overlook Planned Development District (PDD) and its accompanying site map. A revision to the northern section of the development was approved on July 15, 2024, transitioning the area from townhomes to single-family homes.

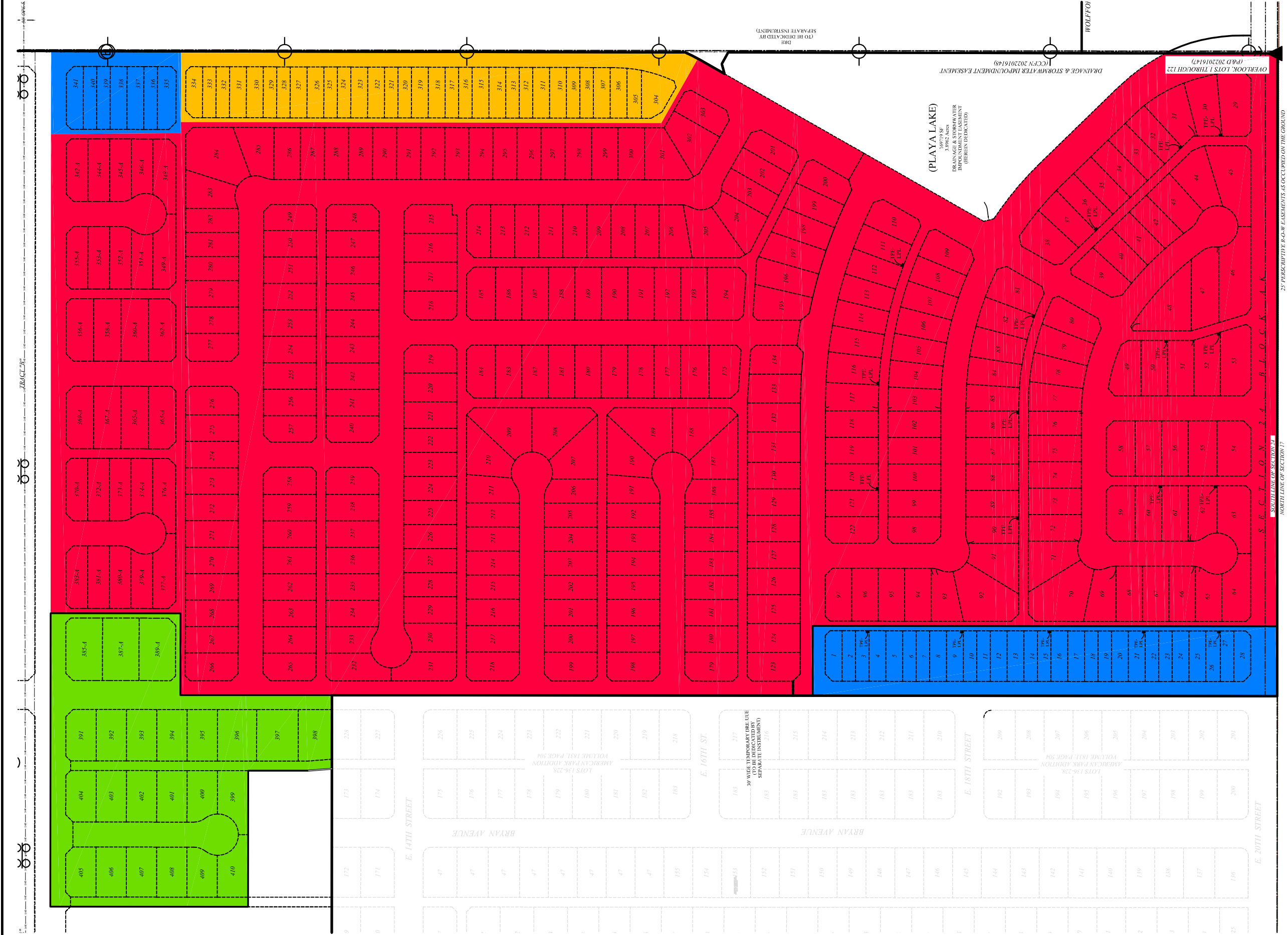
Now, Overlook Development Group is seeking approval for another revision to their PDD. Specifically, lots 304-334 along Good Prairie, originally platted as townhome lots with a minimum of 2,800 square feet and lot widths ranging from 28' to 35', are proposed for redevelopment. These 31 townhomes lots would be converted into 23 single-family cottage-style lots with a minimum lot size of 4,200 square feet and a minimum lot width of 40'. This would be a reduction in the number of connections needed. This proposed change represents a variance from the current ordinance, which mandates single-family homes to have a minimum lot width of 50'. While this change would introduce 40' lots in this area, it would differ from the other single-family lots in the development, which would maintain widths of 50' and 45'. Notably, this would be the second PDD in the area to include 40' lots.

EXHIBITS:

1. New Site Plan
2. Original Ordinance 568 and revisions
3. Public Hearing Notice/Letter

COMMITTEE ACTION/STAFF RECOMMENDATION:

Hold a public hearing.



NOTES:

SCALE: 1" = 200'

- SINGLE FAMILY – 303 LOTS WITH A MINIMUM OF 5,000 SQUARE FEET
- TOWNHOME – 35 LOTS WITH A MINIMUM OF 2,800 SQUARE FEET
- DUPLEX – 23 LOTS WITH A MINIMUM OF 6,000 SQUARE FEET
- COTTAGE STYLE SINGLE FAMILY – 23 LOTS WITH A MINIMUM OF 4,200 SQUARE FEET

THE OVERLOOK,
LOTS 1 THROUGH 410,
AN ADDITION TO THE CITY OF WOLFORTH,
LUBBOCK COUNTY, TEXAS



SCALE: 1"=200'



**CIVIL ENGINEERING
LAND SURVEYING**
AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424
Phone: 806-771-5976
Fax: 806-771-7625
TBP Reg. # F-9187

Accuracy - Efficiency - Integrity

ORDINANCE NO. 568

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING ORDINANCE NO. 256 CHANGING THE ZONING DESIGNATION FROM R-1 TO PLANNED DEVELOPMENT DISTRICT AS IT PERTAINS TO A 98.57684 ACRE TRACT OF LAND LOCATED IN SECTION 24, BLOCK AK, CO. SURVEY ABSTRACT NUMBER 885, LUBBOCK COUNTY, TEXAS (COLLECTIVELY THE "PROPERTY"); AUTHORIZING THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES AND PORTIONS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council passed and approved Ordinance No. 256 the City of Wolfforth Zoning Ordinance on August 18, 2003;

WHEREAS, the City published notice and conducted public hearings as required by Chapter 211 of the Texas Local Government Code and the City Code of Ordinances;

WHEREAS, on May 11, 2021, the Planning Commission met and voted 5-0 to recommend approval of the creation of the Planned Development District;

WHEREAS, the City Council finds that the proposed Planned Development District is consistent with the existing land use adjacent to the Property and that the creation of such district is in the best interest of the City; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, THAT:

Part 1. Enacted.

THAT the City of Wolfforth Ordinance No. 256 Section 1 is hereby amended to read as follows:

SECTION 1:

THAT, Ordinance No. 256, the Zoning Ordinance of the City of Wolfforth, Texas is hereby amended changing the zoning designation for the Property, described in Exhibit "A", from R-1 to Planned Development District. The conditions in the Planned Development District on the Property (the "District") are as follows:

- a. Row home and single family homes will be allowed in the District. Except as set forth in this Ordinance, row home lots will follow the requirements set forth in the Wolfforth Zoning Ordinance for the RH Zoning District. Single family lots will follow the requirements set forth in the Wolfforth Zoning Ordinance for the R1 Zoning District.

- b. Row home lots with a one story structure will have a 5' rear set back, a two story structure will have a 15' rear setback
- c. Row homes will have a 0' side set back for interior lots. Separate units must maintain 10' between structures.
- d. Any lot which fronts on cul-de-sacs will have a 5' front setback except for the garage which must maintain a 20' front setback
- e. Corner lots may have a five (5) foot side setback.
- f. Adhere to Site Plan (Exhibit A) for lot variation.

Part 2. Official Zoning Map

The Director of Planning and Community Development is directed to amend the official zoning map of the City to show the change in the zoning designation set forth herein.

Part 3. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be a separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 4. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

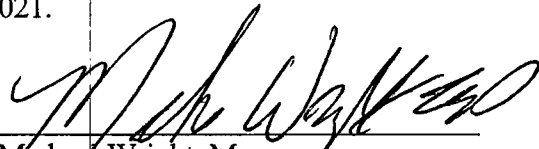
Part 5. Open Meetings

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code and Chapter 211, Texas Local Government Code.

Part 6. Effective Date.

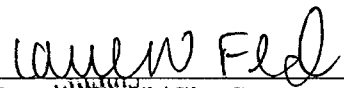
This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED and ADOPTED this 17th day of May 2021.



Michael Wright, Mayor
City of Wolfforth, Texas

ATTEST:



Lauren Field, City Secretary





April 8, 2024

Overlook Land Group LLC

Attn: Jordan Wheatley

3917 114th Street

Lubbock, TX 79423

RE: Site Plan Amendment to Wolfforth City Ordinance 568

This letter is to inform you that your request for a minor site plan adjustment for original lots 396-414 Single Family to lots 391-410 Duplexes and lots along the cul-de-sacs of Cottonwood and Farmhouse along 12th Street, adjusting from Townhouses to Single Family, within the Overlook Planned Development District Ordinance 568 has been approved. This approval will be incorporated into the current zoning.

Please let me know if you have any questions.

Tara Tomlinson

Director of Development Services

Randy Criswell

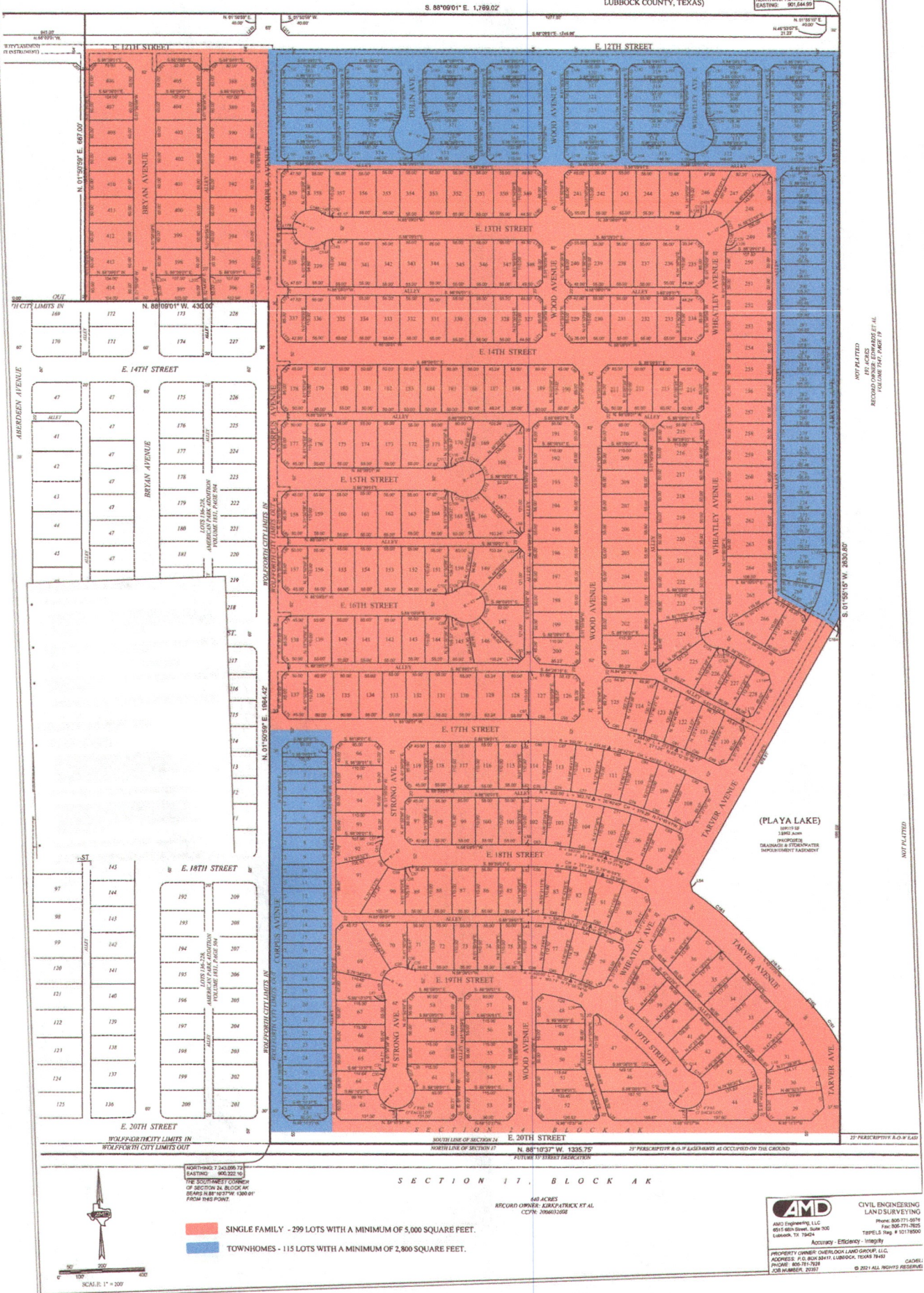
City Manager

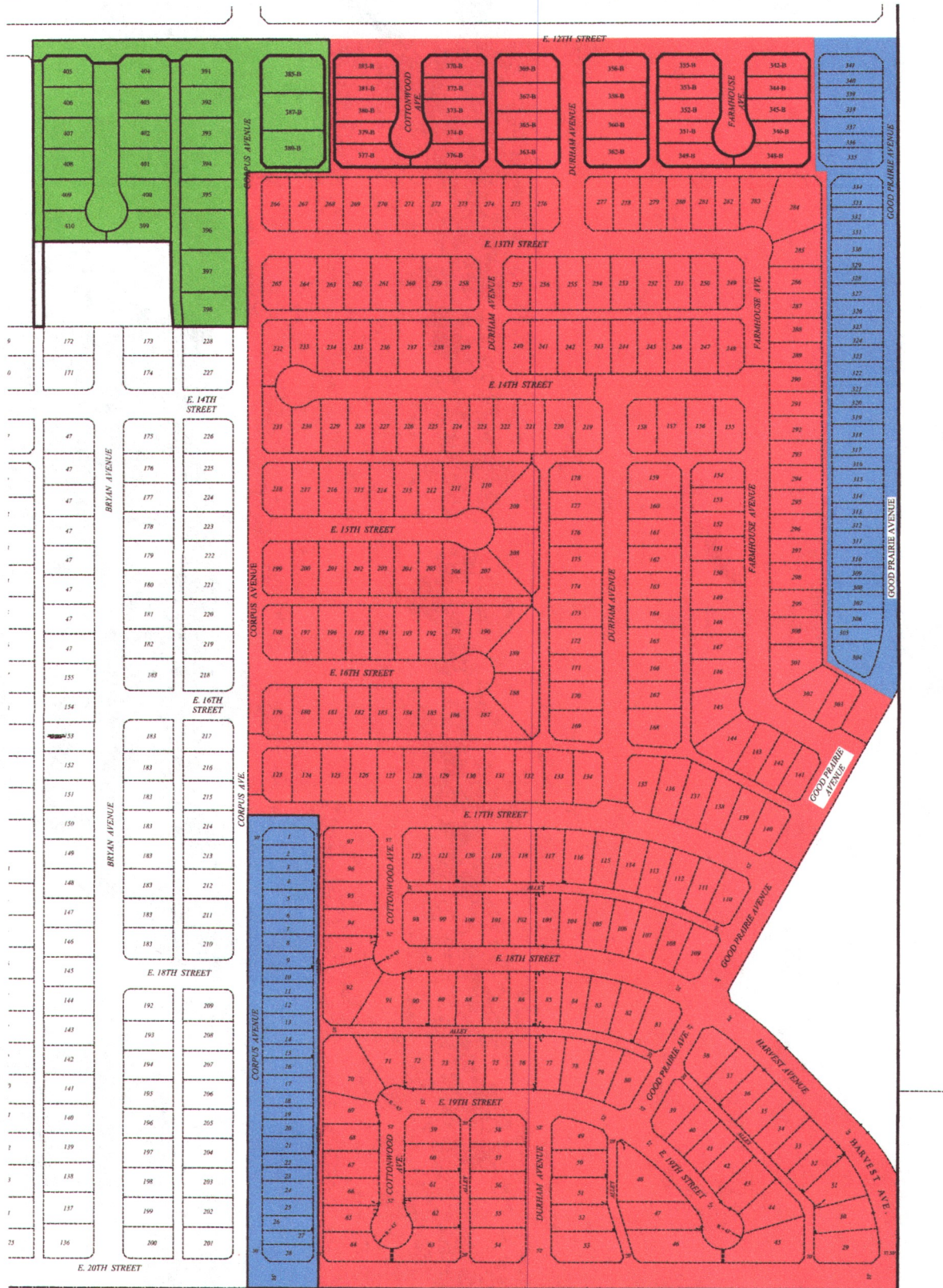
Exhibit A

(ZONE CHANGE EXHIBIT)
THE OVERLOOK,
LOTS 1 THROUGH 414,
 AN ADDITION LOCATED IN,
 SECTION 24, BLOCK AK, ABSTRACT NO. 885
 LUBBOCK COUNTY, TEXAS

(WARRANTY DEED RECORDED IN COUNTY
 CLERK'S FILE NUMBER 2019035457 OF
 THE OFFICIAL PUBLIC RECORDS OF
 LUBBOCK COUNTY, TEXAS)

Item # 2.





NOTES:

SCALE: 1" = 200'

- SINGLE FAMILY - 303 LOTS WITH A MINIMUM OF 5,000 SQUARE FEET
- TOWNHOME - 66 LOTS WITH A MINIMUM OF 2,800 SQUARE FEET
- DUPLEX - 23 LOTS WITH A MINIMUM OF 6,000 SQUARE FEET



SCALE: 1"=200'



THE OVERLOOK,
LOTS 1 THROUGH 410,
AN ADDITION TO THE CITY OF WOLFORTH,
LUBBOCK COUNTY, TEXAS



AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424

CIVIL ENGINEERING
LAND SURVEYING
Phone: 806-771-5876
Fax: 806-771-7825
TBPE Reg. # F-9197

Accuracy - Efficiency - Integrity

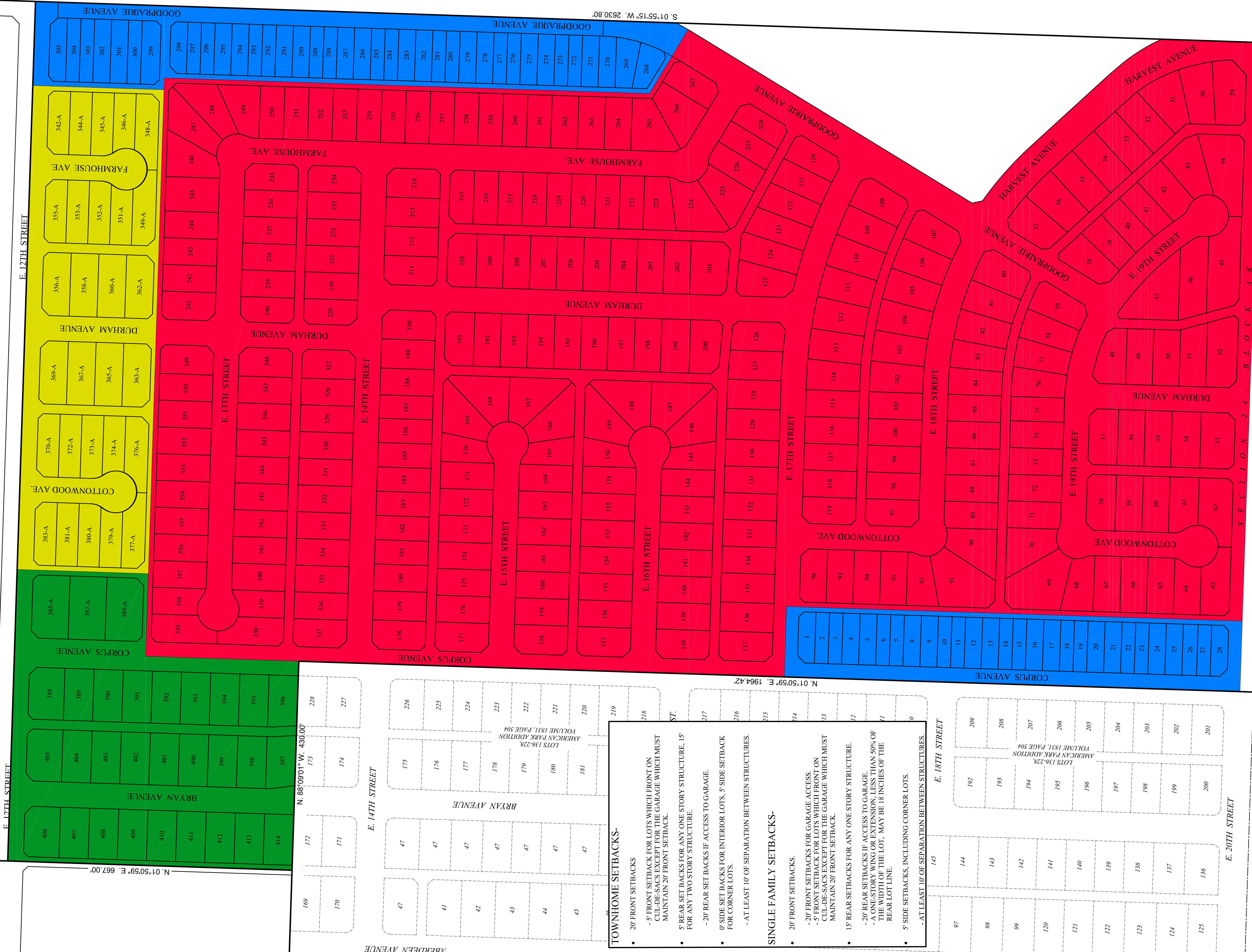
(ZONE CHANGE EXHIBIT)
THE OVERLOOK,
LOTS 1 THROUGH 414,
AN ADDITION LOCATED IN,
SECTION 24, BLOCK AK, ABSTRACT NO. 885
LUBBOCK COUNTY, TEXAS

(WARRANTY DEED RECORDED IN COUNTY
CLERK'S FILE NUMBER 2019035457 OF
THE OFFICIAL PUBLIC RECORDS OF
LUBBOCK COUNTY, TEXAS)

NORTHING: 7245.881.89
EASTING: 901644.89

S. 88°09'01" E. 1,769.02'

N. 01°50'59" E. 667.00'



NORTHING: 7243.085.72
EASTING: 900.222.10
THE SOUTHWEST CORNER
OF SECTION 24, BLOCK AK,
BEARS N 88°03'37\" W, 1300.01'
FROM THIS POINT.

S E C T I O N 2 4 . B L O C K A K
N. 88°10'37\" W. 1335.75'
E. 20TH STREET
E. 19TH STREET
E. 18TH STREET
E. 17TH STREET
E. 16TH STREET
E. 15TH STREET
E. 14TH STREET
E. 13TH STREET
E. 12TH STREET

- SINGLE FAMILY - 272 LOTS WITH A MINIMUM OF 5,000 SQUARE FEET.
- TOWNHOMES - 66 LOTS WITH A MINIMUM OF 2,800 SQUARE FEET.
- DUPLEX - 30 LOTS WITH A MINIMUM OF 6,000 SQUARE FEET.
- OVERLOOK 2B - 28 LOTS WITH A MINIMUM OF 45' LOT WIDTH

6.40 ACRES
RECORD OWNER: KIRKPATRICK ET AL
CCFN: 2006032608

AMD
CIVIL ENGINEERING
LAND SURVEYING
AMD Engineering, LLC
Phone: 806-771-5976
Fax: 806-771-5976
1000 West 300
Lubbock, TX 79424
Accuracy - Efficiency - Integrity
PROPERTY OWNER: OVERLOOK LAND GROUP, LLC
CADD: 1000 WEST 300, LUBBOCK, TEXAS 79405
PHONE: 806-781-7938
JOB NUMBER: 20397
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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Wolfforth Planning and Zoning Commission will meet March 11, 2025 at 5:30pm and City Council March 17, 2025 at 6:00pm in the City Hall Meeting Room, 302 Main Street, Wolfforth Texas to hold public hearings and take public comments regarding an amendment to the Overlook Planned Development District site map.

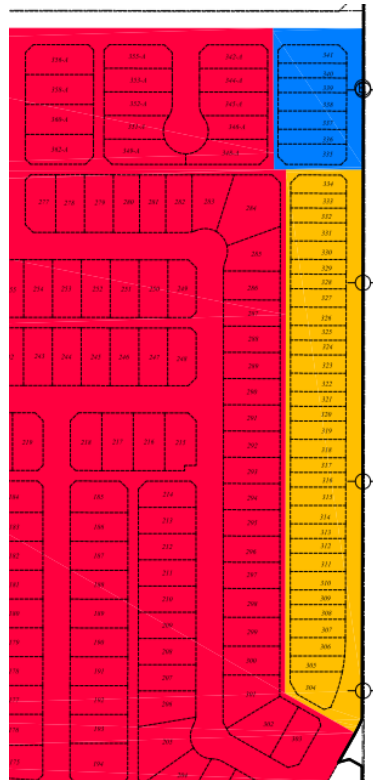
At this time and place all such persons shall have the right to appear and be heard.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 806-855-4120, fax 806-855-4121 or email city.secretary@wolfforthtx.us for further information.

February 21, 2025

Property Owner,

This letter is to inform you that The Overlook Land Group has requested an amendment to the current Overlook Planned Development District. The suggested revision is to change zoning along Good Prairie from Townhomes to Single-Family Residence. Below the orange area is where the proposed change would be made.



If you have any questions, please contact me at 806-855-4130.

Thank you,

Tara Tomlinson
Director of Development Services



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	Consider and take appropriate action on an amendment to Overlook Planned Development District.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

The previous item was to hold a Public Hearing to receive comments on an amendment to the Overlook Planned Development District.

EXHIBITS:**COMMITTEE ACTION/STAFF RECOMMENDATION:**

City staff recommends approval of amendment.



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	Consider and take appropriate action on approval of an amendment to The Overlook, Lot 304-334 plat.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

The following item is contingent on approval of amendment to Overlook PDD

The City Council approved the original final plat for Overlook Lots 179-390, submitted by Overlook Development Group, LLC, on August 2, 2023. Currently, the developer is seeking an amendment to this plat, specifically altering the eastern portion. The change involves replacing the originally planned townhomes (minimum of 2,800 sq ft) with a new single-family cottage home design, requiring a minimum lot width of 40 feet and a minimum lot size of 4,200 sq ft. The change would lower the number of need connections from 31 meters to 23 meters.

Attached are two plat documents: one showing the proposed amended final plat, and the other the originally approved final plat.

The proposed amendment has been reviewed by both staff and third-party reviewers and complies with the City's ordinances, contingent upon the prior approval of the amended Overlook PDD.

EXHIBITS:

1. Proposed amended plat
2. Original approved plat

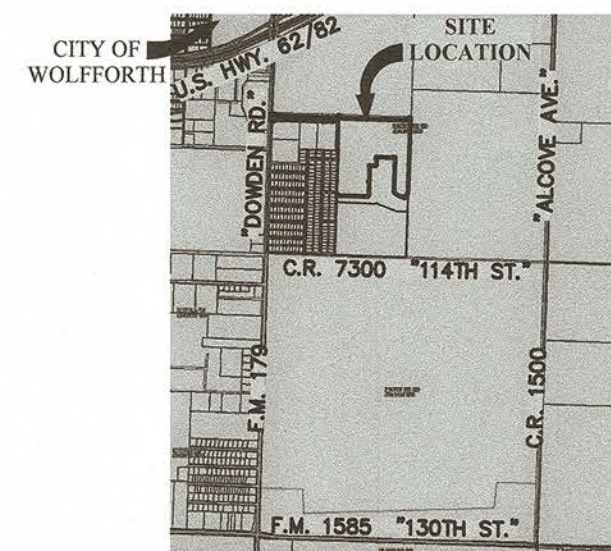
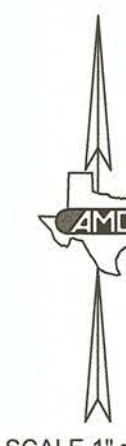
COMMITTEE ACTION/STAFF RECOMMENDATION:

City staff recommends approval with the condition of prior approval of amended Overlook PDD.

THE OVERLOOK,

LOTS 179 THROUGH 390,
AN ADDITION TO THE CITY OF WOLFORTH,
LUBBOCK COUNTY, TEXAS

BEING A PORTION OF THAT CERTAIN 51.723 ACRE TRACT RECORDED IN
COUNTY CLERK'S FILE NUMBER 2022045313 OF THE
OFFICIAL PUBLIC RECORDS OF LUBBOCK COUNTY, TEXAS.



VICINITY MAP
NOT TO SCALE

NOTES:

- HEAVY LINES INDICATE PLAT LIMITS.
- ALL STREETS, ALLEYS, AND EASEMENTS WITHIN PLAT LIMITS ARE HEREIN DEDICATED, UNLESS NOTED OTHERWISE.
- NO BUILDING PERMIT SHALL BE ISSUED ON ANY SURVEY CERTIFICATE THAT IS NOT IN ACCORDANCE WITH THIS FINAL PLAT.
- ANY RELOCATION OR REVISION OF EXISTING FACILITIES SHALL BE THE SUBDIVIDER'S EXPENSE. COMPENSATION SHALL BE MADE PRIOR TO RECORDING OF THIS FINAL PLAT.
- ANY EXISTING OR PROPOSED UTILITY SERVICES TO AND ON TRACTS INDICATED BY THIS PLAT SHALL BE CONTAINED IN THE PUBLIC RIGHT-OF-WAY AND PUBLIC OR PRIVATE UTILITY EASEMENTS. UTILITY SERVICE INSTALLATION REQUESTED AT A FUTURE DATE AND NOT WITHIN AN EASEMENT INDICATED BY THIS PLAT, SHALL BE WITHIN A PROPER UTILITY EASEMENT GRANTED BY THE OWNER OF SAID PROPERTY BY SEPARATE RECORDED INSTRUMENT PRIOR TO THE PROVISION OF SUCH SERVICE. SUCH EASEMENTS SHALL BE AT THE EXPENSE OF THE ENTITY REQUESTING SUCH INSTALLATION.
- ALL EASEMENTS HEREIN GRANTED SHALL ENTITLE THE CITY OR THE UTILITY COMPANY USING SUCH EASEMENTS TO THE RIGHT TO REMOVE, REPAIR OR REPLACE ANY LINES, PIPES, CONDUITS, OR POLES WITHIN SUCH EASEMENTS AS MAY BE DETERMINED BY THE CITY OR UTILITY COMPANY WITHOUT THE CITY OR UTILITY COMPANY BEING RESPONSIBLE OR LIABLE FOR THE REPLACEMENT OF IMPROVEMENTS, PAVING OR SURFACING OF THE EASEMENT NECESSITATED BY SUCH REPAIR, REMOVAL, OR REPLACEMENT. EASEMENTS DESIGNATED OR INTENDED FOR VEHICULAR PASSAGE (UTILITY AND EMERGENCY) OR PEDESTRIAN ACCESS SHALL NOT BE FENCED OR OTHERWISE OBSTRUCTED.
- ANY EASEMENTS OR RIGHTS-OF-WAY SHOWN AS "TO BE DEDICATED BY SEPARATE INSTRUMENT" ARE SHOWN ON THE PLAT FOR INFORMATION PURPOSES ONLY. THIS PLAT DOES NOT DEDICATE SAID EASEMENTS.
- IN ORDER TO PREVENT DAMAGE TO PUBLIC AND PRIVATE UTILITIES AND TO MINIMIZE AND OR ELIMINATE INTERRUPTION OF UTILITY SERVICES, THE CITY OF WOLFORTH REQUESTS THAT NO UTILITY RISERS, METER BASES, PEDESTALS, ETC., PUBLIC OR PRIVATE, BE PLACED IN THE CHAMFERED CORNERS OF ALLEYWAYS.

● = SET NAIL WITH WASHER MARKED "AMD ENGINEERING".
○ = FOUND 1/2" IRON ROD WITH CAP MARKED "DELTA SURVEYING" (PMRD).
● = FOUND 3/8" IRON ROD (PMRD).
DRE = DRAINAGE EASEMENT.
PAE = PEDESTRIAN ACCESS EASEMENT.
SPEC = SOUTH PLAINS ELECTRIC COOPERATIVE.
SLE = SEWER LINE EASEMENT.
TPE = 4'X6' (MINIMUM) TRANSFORMER PAD EASEMENT (HEREIN GRANTED TO SPEC).
AS INDICATED BY SYMBOL □.
UUE = UNDERGROUND UTILITY EASEMENT.
USE = UNDERGROUND STREET LIGHT CABLE EASEMENT.
CM = CONTROL MONUMENT.
PMRD = PHYSICAL MONUMENT OF RECORD DIGNITY.
CCFN = COUNTY CLERK'S FILE NUMBER.
P&D = PLAT AND DEDICATION NUMBER.
ALL CORNERS ARE MONUMENTED WITH 1/2" IRON RODS WITH CAPS MARKED "AMD ENGINEERING", EITHER FOUND OR SET, UNLESS OTHERWISE NOTED.
BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM OF 1983 (2011), TEXAS NORTH CENTRAL ZONE, AS DETERMINED BY A POINT OF ORIGIN LOCATED AT NORTHING: 7,245,217.570 AND EASTING: 999,519.772. THE CONVERGENCE ANGLE TO TRUE NORTH IS (-)0° 54' 48.24" AND THE COMBINED SCALE FACTOR IS 0.99974921.
DISTANCES SHOWN HEREON ARE AT SURFACE, IN U.S. SURVEY FEET.
THESE PLAT LIMITS CONTAIN 39.376 ACRES.
DESCRIPTION OF THESE PLAT LIMITS ARE ON A SEPARATE DOCUMENT, OF SAME DATE HEREWITH.

A PORTION OF THIS SURVEYED PROPERTY LIES WITHIN THE LIMITS OF A "SPECIAL FLOOD HAZARD AREA". THE BOUNDARIES OF THESE AREAS ARE ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. NOT THIS SURVEYOR. FEMA FLOOD HAZARD MAPS ARE ON FILE IN THE BUILDING INSPECTION OFFICE, CITY HALL, WOLFORTH, TEXAS AND ARE OPEN FOR PUBLIC INSPECTION.

APPROVED THIS 21st DAY OF August, 2023,
BY THE CITY COUNCIL OF THE CITY OF WOLFORTH, TEXAS.

MAYOR

ATTEST:

CITY SECRETARY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, LANDON MERRITT, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS AND/OR OTHER CONTROL SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF WOLFORTH, TEXAS.

Landon Merritt
08/17/2023



REGISTERED PROFESSIONAL LAND SURVEYOR #6466
LUBBOCK, TEXAS

SURVEYED: AUGUST 2, 2023

SECTION 24, BLOCK AK, H.E. & W.T. RR. CO. SURVEY, ABST. NO. 885



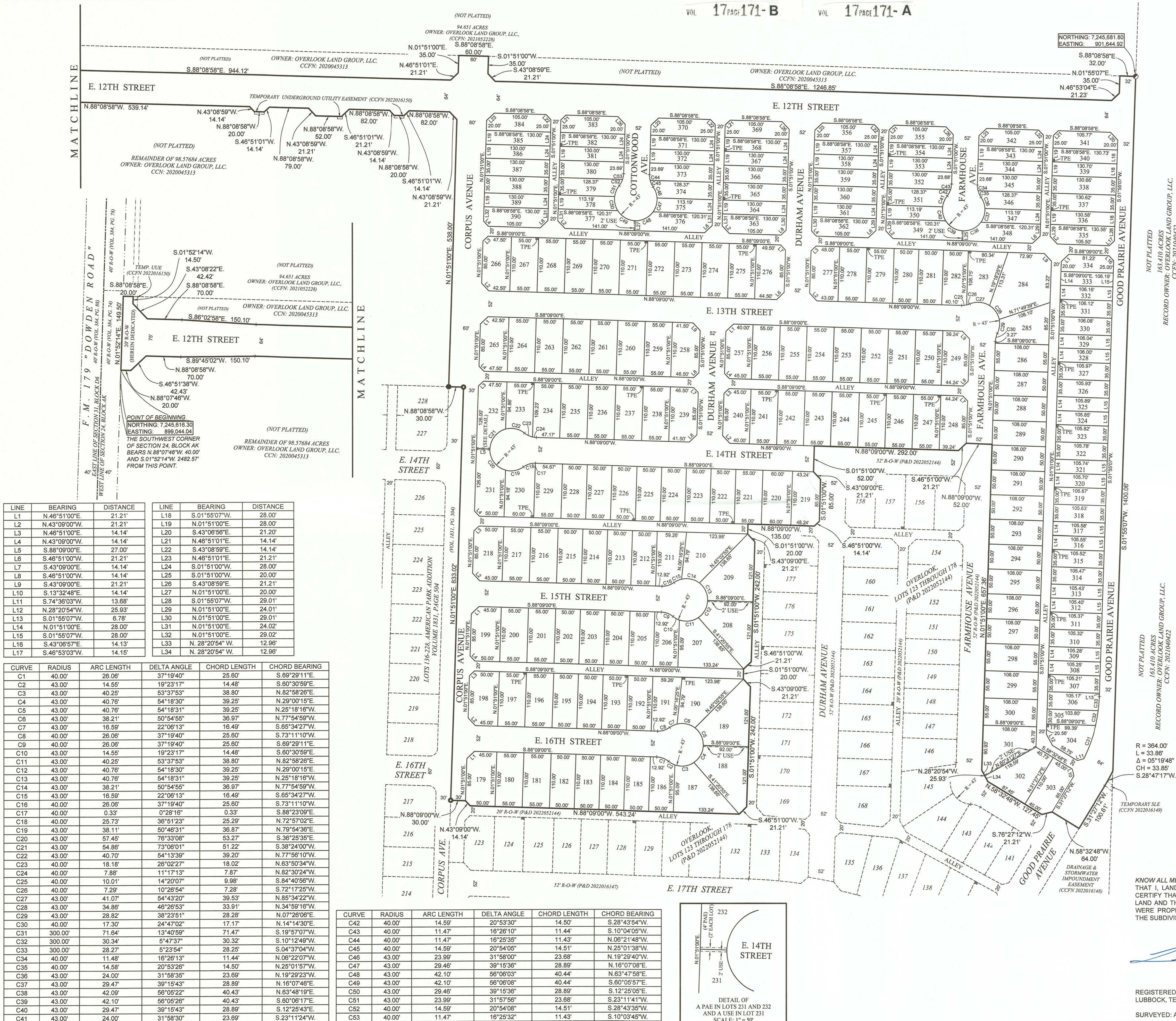
AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424

Accuracy - Efficiency - Integrity

PROPERTY OWNER: OVERLOOK LAND GROUP, LLC.
ADDRESS: P.O. BOX 53417, LUBBOCK, TEXAS 79453

PHONE: 806-771-7825
JOB NUMBER: 210569

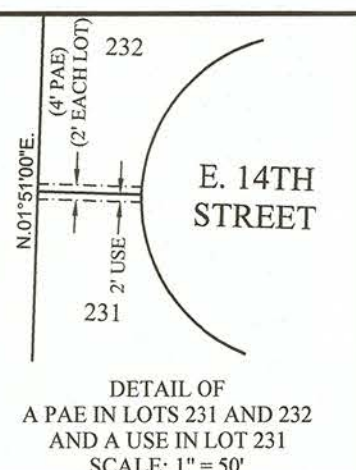
© 2023 ALL RIGHTS RESERVED



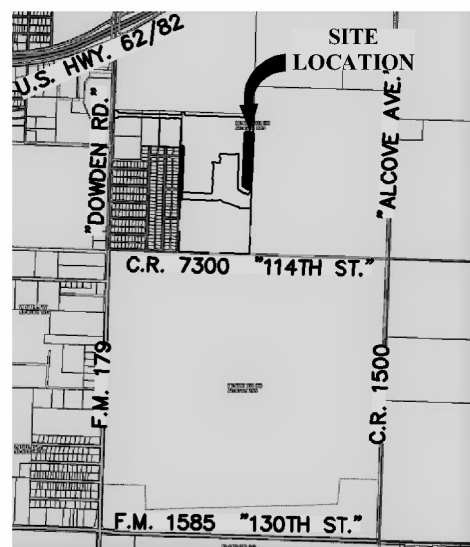
LINE	BEARING	DISTANCE
L1	N.46°51'00"E.	21.21'
L2	N.43°09'00"W.	21.21'
L3	N.46°51'00"E.	14.14'
L4	N.43°09'00"W.	14.14'
L5	S.88°09'00"E.	27.00'
L6	S.46°51'00"W.	21.21'
L7	S.43°09'00"E.	14.14'
L8	S.46°51'00"W.	14.14'
L9	S.43°09'00"E.	21.21'
L10	S.13°32'48"E.	14.14'
L11	S.74°36'03"W.	13.68'
L12	N.28°20'54"W.	25.93'
L13	S.01°55'07"W.	6.78'
L14	N.01°51'00"E.	28.00'
L15	S.01°55'07"W.	28.00'
L16	S.43°06'57"E.	14.13'
L17	S.46°53'03"W.	14.15'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	40.00'	28.06'	37°19'40"	25.60'	S.89°29'11"E.
C2	43.00'	14.55'	19°23'17"	14.48'	S.80°30'59"E.
C3	43.00'	40.25'	53°37'53"	38.80'	N.82°58'26"E.
C4	43.00'	40.78'	54°18'30"	39.25'	N.29°00'15"E.
C5	43.00'	40.78'	54°18'31"	39.25'	N.25°18'16"W.
C6	43.00'	38.21'	50°54'55"	36.97'	N.77°54'59"W.
C7	43.00'	16.59'	22°06'13"	16.49'	S.65°34'27"W.
C8	40.00'	28.06'	37°19'40"	25.60'	S.73°11'10"W.
C9	40.00'	28.06'	37°19'40"	25.60'	S.69°29'11"E.
C10	43.00'	14.55'	19°23'17"	14.48'	S.80°30'59"E.
C11	43.00'	40.25'	53°37'53"	38.80'	N.82°58'26"E.
C12	43.00'	40.78'	54°18'30"	39.25'	N.29°00'15"E.
C13	43.00'	40.78'	54°18'31"	39.25'	N.25°18'16"W.
C14	43.00'	38.21'	50°54'55"	36.97'	N.77°54'59"W.
C15	43.00'	16.59'	22°06'13"	16.49'	S.65°34'27"W.
C16	40.00'	28.06'	37°19'40"	25.60'	S.73°11'10"W.
C17	40.00'	0.33'	0°28'16"	0.33'	S.88°23'09"E.
C18	40.00'	25.73'	36°51'23"	25.29'	N.72°57'02"E.
C19	43.00'	38.11'	50°46'31"	36.87'	N.79°54'36"E.
C20	43.00'	57.45'	76°33'08"	53.27'	S.36°25'35"E.
C21	43.00'	54.86'	73°06'01"	51.22'	S.38°24'00"W.
C22	43.00'	40.70'	54°13'39"	39.20'	N.77°56'10"W.
C23	40.00'	18.18'	26°02'27"	18.02'	N.63°50'34"W.
C24	40.00'	7.88'	11°17'13"	7.87'	N.82°30'24"W.
C25	40.00'	10.01'	14°20'07"	9.98'	S.84°40'56"W.
C26	40.00'	7.29'	10°26'54"	7.28'	S.72°17'25"W.
C27	43.00'	41.07'	54°43'20"	39.53'	N.85°34'22"W.
C28	43.00'	34.86'	46°26'53"	33.91'	N.34°59'16"W.
C29	43.00'	28.82'	38°23'51"	28.28'	N.07°26'06"E.
C30	40.00'	17.30'	24°47'02"	17.17'	N.14°14'30"E.
C31	300.00'	71.64'	13°40'59"	71.47'	S.19°57'07"W.
C32	300.00'	30.34'	5°47'37"	30.32'	S.10°12'46"W.
C33	300.00'	28.27'	5°23'54"	28.25'	S.04°37'04"W.
C34	40.00'	11.48'	16°59'13"	11.44'	N.06°22'07"W.
C35	40.00'	14.58'	20°53'28"	14.50'	N.25°01'57"W.
C36	43.00'	24.00'	31°58'35"	23.69'	N.19°29'23"W.
C37	43.00'	24.00'	39°15'43"	23.89'	N.16°07'48"E.
C38	43.00'	42.00'	56°08'22"	40.43'	N.83°48'19"E.
C39	43.00'	42.10'	56°05'26"	40.43'	S.80°06'17"E.
C40	43.00'	29.47'	39°15'43"	28.89'	S.12°25'43"E.
C41	43.00'	24.00'	31°58'30"	23.69'	S.23°11'24"W.

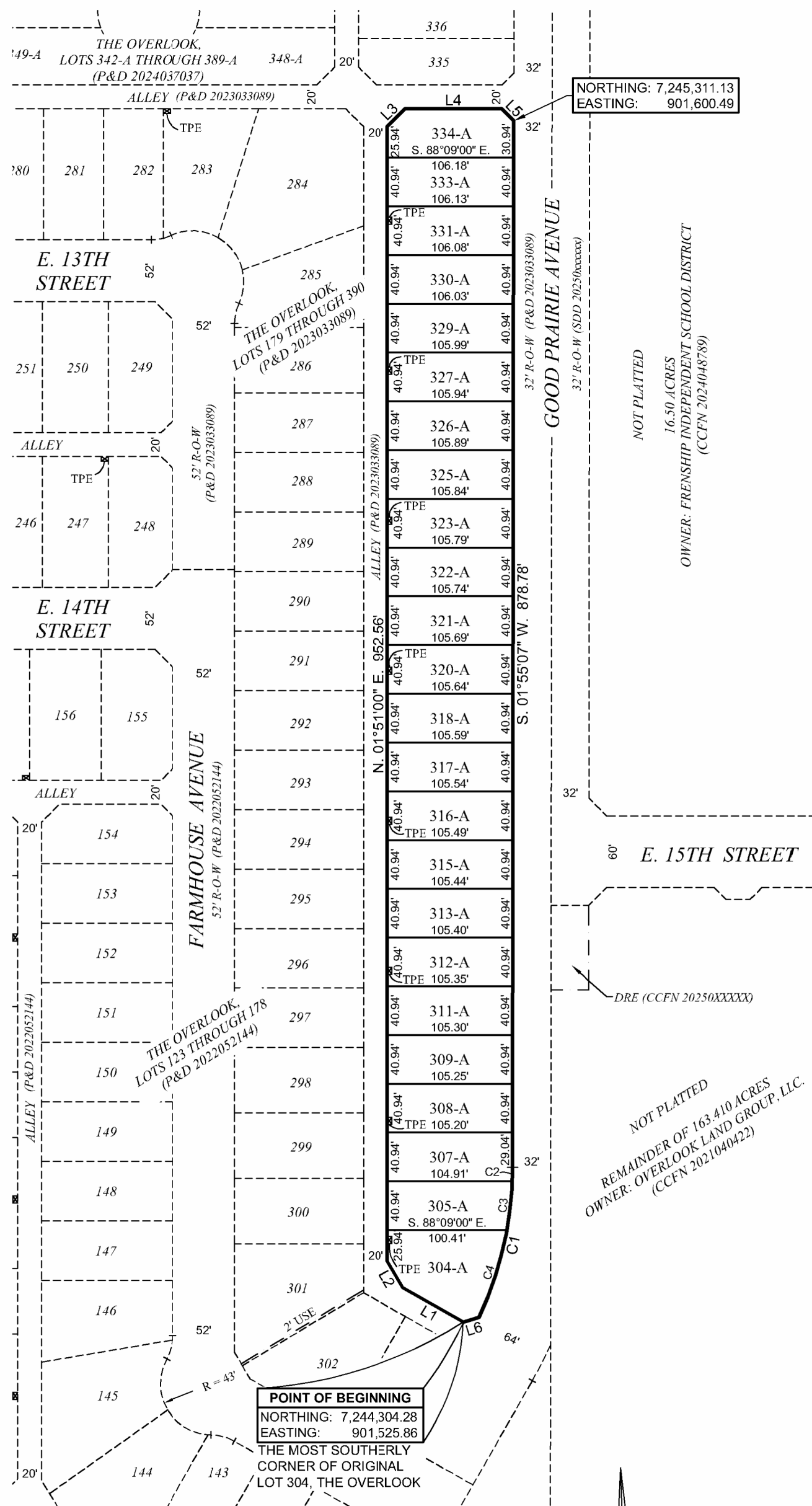
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C42	40.00'	14.59'	20°53'30"	14.50'	S.28°43'54"W.
C43	40.00'	11.47'	16°28'10"	11.44'	S.10°04'05"W.
C44	40.00'	11.47'	16°28'35"	11.43'	N.06°21'48"W.
C45	40.00'	14.59'	20°54'05"	14.51'	N.25°01'38"W.
C46	43.00'	23.99'	31°58'00"	23.89'	N.19°29'40"W.
C47	43.00'	29.48'	39°15'36"	28.89'	N.16°07'08"E.
C48	43.00'	42.10'	56°06'03"	40.44'	N.83°47'58"E.
C49	43.00'	42.10'	56°06'08"	40.44'	S.80°05'57"E.
C50	43.00'	29.48'	39°15'36"	28.89'	S.12°26'05"E.
C51	43.00'	23.99'	31°57'56"	23.88'	S.23°11'41"W.
C52	40.00'	14.59'	20°54'08"	14.51'	S.26°43'35"W.
C53	40.00'	11.47'	16°25'32"	11.43'	S.10°03'45"W.



DETAIL OF
A P&D IN LOTS 231 AND 232
AND A USE IN LOT 231
SCALE: 1" = 50'



VICINITY MAP
NOT TO SCALE



THE OVERLOOK, LOTS 304-A THROUGH 334-A,

A REPLAT OF LOTS 304 THROUGH 334
OF THE OVERLOOK, LOTS 179 THROUGH 390,

AN ADDITION TO THE CITY OF WOLFFORTH, LUBBOCK COUNTY, TEXAS

(ORIGINAL PLAT PREVIOUSLY RECORDED IN COUNTY CLERK'S PLAT AND DEDICATION NUMBER 20233033089 OF
THE OFFICIAL PUBLICRECORDS OF LUBBOCK COUNTY, TEXAS)

NOTES:

- HEAVY LINES INDICATE PLAT LIMITS.
- ALL STREETS, ALLEYS, AND EASEMENTS WITHIN PLAT LIMITS ARE HEREIN DEDICATED, UNLESS NOTED OTHERWISE.
- NO BUILDING PERMIT SHALL BE ISSUED ON ANY SURVEY CERTIFICATE THAT IS NOT IN ACCORDANCE WITH AN APPROVED FINAL PLAT UNLESS AN EXCEPTION IS PROVIDED BY THE CITY COUNCIL POLICY OR BY THE CITY OF WOLFFORTH CODE OF ORDINANCES.
- ALL UTILITY SERVICE SHALL BE IN ACCORDANCE WITH THE "UNDERGROUND UTILITIES POLICY" STATEMENT BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS AND THE PROVISIONS OF SECTION 15.08.095 OF THE CITY OF WOLFFORTH CODE OF ORDINANCES.
- ANY RELOCATION OR REVISION OF EXISTING FACILITIES SHALL BE THE SUBDIVIDER'S EXPENSE. COMPENSATION SHALL BE MADE PRIOR TO RECORDING OF THIS FINAL PLAT.
- ALL EXISTING OR PROPOSED UTILITY SERVICES TO AND ON TRACTS INDICATED BY THIS PLAT SHALL BE CONTAINED IN THE PUBLIC RIGHT-OF-WAY AND PUBLIC OR PRIVATE UTILITY EASEMENTS. UTILITY SERVICE INSTALLATION REQUESTED AT A FUTURE DATE AND NOT WITHIN AN EASEMENT INDICATED BY THIS PLAT, SHALL BE WITHIN A PROPER UTILITY EASEMENT GRANTED BY THE OWNER OF SAID PROPERTY BY SEPARATE RECORDED INSTRUMENT PRIOR TO THE PROVISION OF SUCH SERVICE. SUCH EASEMENTS SHALL BE AT THE EXPENSE OF THE ENTITY REQUESTING SUCH INSTALLATION.
- ALL EASEMENTS HEREIN GRANTED SHALL ENTITLE THE CITY OR THE UTILITY COMPANY USING SUCH EASEMENTS TO THE RIGHT TO REMOVE, REPAIR OR REPLACE ANY LINES, PIPES, CONDUITS, OR POLES WITHIN SUCH EASEMENTS AS MAY BE DETERMINED BY THE CITY OR UTILITY COMPANY WITHOUT THE CITY OR UTILITY COMPANY BEING RESPONSIBLE OR LIABLE FOR THE REPLACEMENT OF IMPROVEMENTS, PAVING OR SURFACING OF THE EASEMENT NECESSITATED BY SUCH REPAIR, REMOVAL, OR REPLACEMENT. EASEMENTS DESIGNATED OR INTENDED FOR VEHICULAR PASSAGE (UTILITY AND EMERGENCY) OR PEDESTRIAN ACCESS SHALL NOT BE FENCED OR OTHERWISE OBSTRUCTED.
- ANY EASEMENTS OR RIGHTS-OF-WAY SHOWN AS "BY SEPARATE INSTRUMENT" ARE SHOWN ON THE PLAT FOR INFORMATION PURPOSES ONLY. THIS PLAT DOES NOT DEDICATE SAID EASEMENTS.
- MINIMUM FLOOR ELEVATIONS SHALL CONFORM TO THE REQUIREMENTS OF THE CITY DRAINAGE DESIGN MANUAL AND SECTION 3.09.020 OF THE CITY OF WOLFFORTH CODE OF ORDINANCES.

CCFN = COUNTY CLERK'S FILE NUMBER

P&D = COUNTY CLERK'S PLAT AND DEDICATION NUMBER

R-O-W = RIGHT-OF-WAY

TPE = 4' X 6' (MINIMUM) TRANSFORMER PAD EASEMENT (SPEC), INDICATED BY SYMBOL

USE = UNDERGROUND STREETLIGHT CABLE EASEMENT

SPEC = SOUTH PLAINS ELECTRIC COOPERATIVE

ALL CORNERS ARE MONUMENTED WITH 1/2" IRON RODS WITH CAPS MARKED "AMD ENGINEERING", EITHER FOUND OR SET, UNLESS OTHERWISE NOTED.

BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM OF 1983 (2011), TEXAS NORTH CENTRAL ZONE, AS DETERMINED BY A POINT OF ORIGIN LOCATED AT NORTHING: 7,245,217.570 AND EASTING: 899,519.772. THE CONVERGENCE ANGLE TO TRUE NORTH IS (-)01° 54' 46.24" AND THE COMBINED SCALE FACTOR IS 0.99974921.

DISTANCES SHOWN HEREON ARE AT SURFACE, IN U.S. SURVEY FEET.

THESE PLAT LIMITS CONTAIN A TOTAL OF 2.408 ACRES OF LAND.

DESCRIPTION OF THESE PLAT LIMITS ARE ON A SEPARATE DOCUMENT, OF SAME DATE HERewith.

APPROVED THIS _____ DAY OF _____, 20____,
BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS.

APPROVED:

MAYOR

ATTEST:

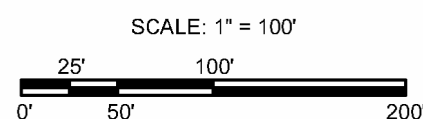
CITY SECRETARY

KNOW ALL MEN BY THESE PRESENTS:
THAT I, LONDON MERRITT, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I
PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER
MONUMENTS AND/OR OTHER CONTROL SHOWN THEREON WERE PROPERLY PLACED UNDER MY
PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF
WOLFFORTH, TEXAS.

PLAT LIMITS LINE TABLE		
LINE	BEARING	DISTANCE
L1	N. 58°32'48" W.	58.75'
L2	N. 28°20'54" W.	25.93'
L3	N. 46°51'00" E.	21.21'
L4	S. 88°09'00" E.	81.23'
L5	S. 43°06'57" E.	14.13'
L6	S. 74°36'03" W.	13.68'

PLAT LIMITS CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	300.00'	130.24'	24°52'29"	129.22'	N. 14°21'22" E.

LOT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C2	300.00'	11.91'	2°16'27"	11.91'	N. 03°03'20" E.
C3	300.00'	41.22'	7°52'20"	41.19'	N. 08°07'44" E.
C4	300.00'	77.12'	14°43'42"	76.91'	N. 19°25'45" E.



SECTION 24, BLOCK AK, HE & WT RR. CO., ABSTRACT NO. 885



AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424

CIVIL ENGINEERING
LAND SURVEYING

Phone: 806-771-5976

Fax: 806-771-7625

TBPELS Reg. # 10178500

Accuracy - Efficiency - Integrity

PROPERTY OWNER: OVERLOOK LAND DEVELOPMENT GROUP, LLC.
ADDRESS: P.O. BOX 53417, LUBBOCK, TEXAS 79453
PHONE: 806-781-7928
JOB NUMBER: 240233

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AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on a zoning change from R-1 to C-3 at 469 E Hwy 62-82; BLK AK SEC 25 AB 246 TR NE2A AC: 1.647.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

- 1. Conduct a Public Hearing on zoning change from R-1 to C-3.**
- 2. Consider and take appropriate action on approving R-1 to C-3.**

The property located at 469 E Hwy 62-82 is requesting approval for a zoning change from R-1 (residential) to C-3 (heavy commercial). This request arises due to the property's current use being in violation of its existing zoning. The surrounding area consists of a mix of C-2, C-3, and M-1 zoning designations, with some properties located outside the city limits. The zoning request aligns with the current Future Land Use map.

Currently, the property owner rents out the exterior space to the operator of High Winds Hay, a business located across 90th Street to the south. High Winds Hay utilizes the space for storing hay, flatbed trailers, livestock trailers, and other large equipment necessary for their operations. The property also contains two large, enclosed trailers, which are owned by the property owner. The building itself is not used for commercial purposes and is not accessible to the tenant. The front of the building is boarded up and is primarily used to store personal belongings, such as furniture and other items belonging to the property owner.

EXHIBITS:

1. Zoning Application
2. Map of Current zoning of the area
3. Future Land Use Map
4. Public Hearing Notice
5. Fencing requirements
6. Outdoor storage requirements

COMMITTEE ACTION/STAFF RECOMMENDATION:

Conduct a public hearing for comments.



City Bank
WEALTH MANAGEMENT

February 20, 2025

Tara Tomlinson
Director of Development Services
City of Wolfforth
P. O. Box 36
302 Main Street
Wolfforth, TX 79382

RE: Application for Zoning Change

Dear Ms. Tomlinson:

Regarding the request for a zoning change at the property located at 469 E. Hwy 62-82, Wolfforth, TX, owned jointly by Victoria Hunter Lowe, individually and as Trustee of the Veronica Rachel Lowe Trust, please find enclosed the required documents from the checklist.

- Application for Zoning Change – completed
- Check for the Fee Payment
- Executor's Special Warranty Deed as proof of ownership
- Lubbock CAD Notice of Appraisal for the legal description, also see Special Warranty Deed
- Site Plan
- Description of Planed Use, see Property Use notation on page 2 of Site Plan

On behalf of City Bank Trust as the trustee's agent, I greatly appreciate your help and assistance in this matter. Please do not hesitate to contact me if you have any questions or need more information.

Bryan Limmer
Sr. Vice President & Sr. Trust Officer

Enclosures:

BRYAN LIMMER

SVP, Senior Trust Officer
blimmer@city.bank

5219 City Bank Parkway, Suite 120
PO Box 2307
Lubbock, Texas 79408
(806) 687-2955 Main
(806) 786-1543 Cell
(806) 687-6184 Fax
city.bank/wealth

Investments
Private Banking
Trust
Member FDIC



City of Wolfforth
PO Box 36 / 302 Main Street
Wolfforth, TX 79382
APPLICATION FOR ZONING CHANGE

Checklist of Required Documents: (No incomplete applications will be processed)

Application	<input checked="" type="checkbox"/>	
Fee	<input checked="" type="checkbox"/>	
Proof of Ownership	<input checked="" type="checkbox"/>	
Survey/Legal Description	<input checked="" type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	
Description of Planned Use	<input checked="" type="checkbox"/>	If PDD zoning is requested, please include any variance requests

Project Information

Location or Address 469 E. Hwy 62-82, Wolfforth, TX 79382

Lots/Tracts: Tract NE 2A, Sec. 25, Blk. AK, AB 246, City of Wolfforth, Lubbock County, TX, 1.647 acres, more or less.

Existing Zoning N/A -default Requested Zoning Commercial

Representative/Agent Information (if different from owner)

Firm Name City Bank Trust
Name Agent for Victoria Lowe, Trustee of the Veronica Rachel Lowe Trust
Address 5219 City Bank Parkway, Suite 120 City Lubbock State TX
Zip 79407 Telephone 806-771-3235 Email blimmer@city.bank
Agent's Signature *Bryan Limmer*
Date 2.20.2025 Printed Name Bryan Limmer

Owner Information

Firm Name Victoria Lowe, individually, and as trustee of the Veronica Rachel Lowe Trust
Address P. O. Box 771 City Tombstone State AZ
Zip 85638-0771 Telephone 806-798-2890 Email lightningspearvetaz@gmail.com
Property's Owners Signature *[Signature]*
Printed Name Victoria Lowe Date 2-18-25

For City Use Only

Zoning Board Date: _____ City Council Date: _____
Notices Published: _____ Notices Mailed: _____

For any questions or more information on the Zoning process, please contact the City of Wolfforth Director of Planning and Community Development at (806)855-4159 or email planning@wolfforthtx.us

After Recording, Please Return To: Law Office of Nathan Ziegler & Associates, 12413 Quaker Avenue, Lubbock, Texas 79424

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

EXECUTOR'S SPECIAL WARRANTY DEED

Date: 1-5-2024, ~~2023~~

Grantor: VICTORIA HUNTER LOWE, as Independent Executor of the Estate of RONNY PAUL LOWE

Grantor's Mailing Address:

VICTORIA HUNTER LOWE
P.O. Box 771
Tombstone, Arizona 85638
Cochise County

Grantee: VICTORIA HUNTER LOWE, Trustee of the VERONICA RACHEL LOWE TRUST; and
VICTORIA HUNTER LOWE, dealing in her sole a separate property

Grantee's Mailing Address:

VICTORIA HUNTER LOWE, Trustee
P.O. Box 771
Tombstone, Arizona 85638
Cochise County

VICTORIA HUNTER LOWE
P.O. Box 771
Tombstone, Arizona 85638
Cochise County

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged; and, pursuant to that Order Probating Will and Authorizing Letters Testamentary dated October 11, 2022, under Cause Number CC-2022-PR-0708 in the County Court of Lubbock County, Texas.

Property (including any improvements):

See Exhibit "A" attached hereto and incorporated herein for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is expressly made and accepted subject to all valid and subsisting easements, restrictions, reservations, covenants, conditions, and royalty and mineral interests relating to the Property, to the extent the same are valid and enforceable against the Property, as shown by instruments filed for record in the Office of the County Clerk of Lubbock County, Texas, or as may otherwise validly exist.

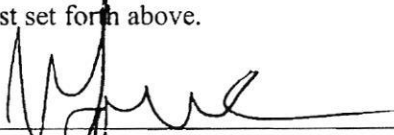
Grantor, for the consideration, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold same to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property unto Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under grantor, but not otherwise.

Grantor is the duly appointed Independent Executor for the Estate of RONNY PAUL LOWE, Deceased, pending in the County Court of Lubbock County under Cause Number CC-2023-PR-0708. The foregoing covenants and agreements made by Grantor are made solely in Grantor's fiduciary capacity as Independent Executor of the Estate of RONNY PAUL LOWE, Deceased, and in no other capacity whatsoever.

When the context requires, singular nouns and pronouns include the plural.

This instrument was prepared based on information furnished by the parties. No independent title search or verification of the completeness or accuracy of the legal property description has been performed.

EXECUTED effective as of the date first set forth above.


VICTORIA HUNTER LOWE, as Independent
Executor of the Estate of RONNY PAUL LOWE

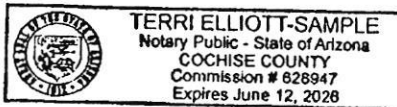
STATE OF ARIZONA

§

COUNTY OF Cochise

§

§



This instrument was acknowledged before me by VICTORIA HUNTER LOWE on January 5, 2024, ~~2023~~, in the capacity stated herein.

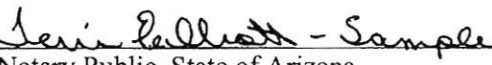

Notary Public, State of Arizona

EXHIBIT "A"

All of Grantor's right, title, and interest in and to real property located in Lubbock County, Texas, specifically including all of Grantor's community interest in and to the following:

A 1.647 acre tract of land located in the Northeast quarter (NE/4) of Section 25, Block AK, Lubbock County, Texas, being further described as follows:

BEGINNING at a 1/2" iron rod with cap found in the North right-of-way line of 90th Street for the Southeast corner of this tract, which bears N. 89 degrees 55' 30" W. a distance of 1986.50 feet from a 1/2" iron rod found at the Southeast corner of the Northeast Quarter (NE/4) of Section 25, Block AK, Lubbock County, Texas, said point being the Point of Beginning;

THENCE N. 89 degrees 55' 30" W., along said North right-of-way line, a distance of 305.20 feet to a 1/2" iron rod found in the East right-of-way line of U.S. Highway 62-82 ("Brownfield Highway") as the Southwest corner of this tract;

THENCE N. 19 degrees 54' 25" E., along said East right-of-way line, a distance of 313.86 feet to a 1/2" iron rod with cap found for the Northwest corner of this tract;

THENCE S. 73 degrees 15' 00" E., a distance of 236.31 feet to a 1/2" iron rod with cap found for the Northeast corner of this tract;

THENCE S. 07 degrees 00' 30" W., a distance of 229.11 feet to the Point of Beginning, commonly known as 469 E Highway 62-82, Wolfforth, Texas 79382.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
01/09/2024 03:42 PM
Recording Fee: \$33.00
2024000773

Lubbock Central Appraisal District
2109 Avenue Q
PO BOX 10542
Lubbock, Texas 79408-3542
806.762.5000 EXT 5
www.lubbockcad.org

NOTICE OF APPRAISED VALUE

This is NOT a Tax Bill

Item # 5.

Date: 04/01/2024

Quick Ref#: R160501

VERONICA RACHEL LOWE TRUST & LOWE VICTORIA
LOWE VICTORIA HUNTER TRUSTEE
PO BOX 771
TOMBSTONE AZ 85638

QuickRef#: (Refer to this # when inquiring about your property)

R160501

Property ID: AC12025-90246-30250-000

Street Address:

469 E HWY 62-82 WOLFFORTH TX 79382

Property Description:

BLK AK SEC 25 AB 246 TR NE2A AC: 1.647

DBA: closed

2019 Appraised Value: 149,796 %Chg (2019 to 2024): 318 %

This percentage information is required by Tax Code Section 25.19(b-1).

Dear Property Owner:

We have appraised the property listed above for the 2024 tax year. Based on the appraisal date of January 1 of this year, the appraisal is as follows:

Appraised Information	Last Year	Proposed This Year
Land Market Value	358,715	358,715
Agricultural Market Value	0	0
Agricultural Productivity Value	0	0
Improvement (Buildings) Market Value	244,040	267,410
Personal Property Market Value	0	0
Mineral Interest Market Value	0	0
Total Market Value of this Property	602,755	626,125
Total Appraised Value (with Hmstd Limit or Circuit Breaker)	602,755	626,125
Exemptions		

2023 Exemptions	2023 Exemption Amount	2023 Taxable Value	Taxing Unit	2024 Proposed Appraised Value	2024 Exemptions	2024 Exemption Amount	2024 Proposed Taxable Value	Exemption Amount Canceled or Reduced from Last Year
	0	602,755	Lubbock County	626,125		0	626,125	0
	0	602,755	Frenship ISD	626,125		0	626,125	0
	0	602,755	City Of Wolfforth	626,125		0	626,125	0
	0	602,755	Lubb Cnty Hospital	626,125		0	626,125	0
	0	602,755	Hi Plains Water	626,125		0	626,125	0

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

Property owners who file a notice of protest with the Appraisal Review Board (ARB) may request an informal conference with the Appraisal District to attempt to resolve their dispute prior to a formal ARB hearing. The informal conference must be held before the hearing on the protest.

The governing body of each taxing unit listed on this notice decides whether property taxes increase. The appraisal district only determines the value of your property. The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials."

Under Section 23.231, Tax Code, for the 2024, 2025, and 2026 tax years, the appraised value of real property other than a residence homestead for ad valorem tax purposes may not be increased by more than 20 percent each year, with certain exceptions. The circuit breaker limitation provided under Section 23.231, Tax Code, expires December 31, 2026. Unless this expiration date is extended by the Texas Legislature, beginning in the 2027 tax year, the circuit breaker limitation provided under Section 23.231, Tax Code, will no longer be in effect and may result in an increase in ad valorem taxes imposed on real property previously subject to the limitation.

*If you are 65 or older and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than when you first received the exemption on this home. If you are disabled and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than the 2003 taxes or the first year you received the exemption, whichever is later. If your county or city has approved a limitation on your taxes, your county or city taxes will not be higher than the first year your county or city approved the limitation or the first year you qualified for the limitation. If you improved your property (by adding rooms or buildings) your school, county, or city tax ceiling may increase for these improvements. If you are a surviving spouse age 55 or older, you may retain the tax ceiling.

**Your residence homestead is protected from future appraisal value increases in excess of 10% of the appraised value of the property for the preceding tax year plus the value of any new improvements.

SEE 2024 PROPERTY TAX PROTEST PROCESS INSERT

PLEASE FILE YOUR PROTEST ONLINE
Online Inquiry/Protest ID: xxxxxxxxxx

Protest Deadline: 05/15/2024
ARB Hearings Begin: 05/01/2024
Location of ARB Hearings: 2109 Avenue Q

Property	Owner	Property Address	Tax Year	2025 Market Value
R160501	VERONICA RACHEL LOWE TRUST & LOWE VICTORIA H	469 E HWY 62-82, WOLFFORTH, TX 79382	2025	N/A

Page: Property Details

2025 GENERAL INFORMATION

Property Status	Active
Property Type	Real Commercial
Legal Description	BLK AK SEC 25 AB 246 TR NE2A AC: 1.647
Neighborhood	0022 - City Of Wolfforth
Account	AC12025-90246-30250-000
Related Properties	R46407
Map Number	104
Effective Acres	-

2025 OWNER INFORMATION

Owner Name	VERONICA RACHEL LOWE TRUST & LOWE VICTORIA H
Owner ID	
Exemptions	
Percent Ownership	100%
Mailing Address	LOWE VICTORIA HUNTER TRUSTEE PO BOX 771 TOMBSTONE, AZ 85638
Agent	-

2025 VALUE INFORMATION

MARKET VALUE		
Improvement Homesite Value	N/A	
Improvement Non-Homesite Value	N/A	
Total Improvement Market Value	N/A	
Land Homesite Value	N/A	
Land Non-Homesite Value	N/A	
Land Agricultural Market Value	N/A	
Land Timber Market Value	N/A	
Total Land Market Value	N/A	
Total Market Value	N/A	
ASSESSED VALUE		
Total Improvement Market Value	N/A	
Land Homesite Value	N/A	
Land Non-Homesite Value	N/A	
Agricultural Use	N/A	
Timber Use	N/A	
Total Appraised Value	N/A	
Homestead Cap Loss	N/A	
Circuit Breaker Limit Cap Loss		
Total Assessed Value	N/A	

2025 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX CEILING
CWF- City Of Wolfforth		N/A	N/A	N/A
GLB- Lubbock County		N/A	N/A	N/A
HSP- Lubb Crnty Hospital		N/A	N/A	N/A
SFR- Frenship ISD		N/A	N/A	N/A
WHP- Hi Plains Water		N/A	N/A	N/A

2025 IMPROVEMENTS

Expand/Collapse All

Improvement #1	State Code	Homesite	Total Main Area (Exterior Measured)Market Value		
-	F1 - Real Commercial	No	4,656 Sq. Ft		N/A
RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	MA - Main Area	1986	4,656	N/A	Details

2025 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	TIM USE	LAND SIZE
1 - Commercial	F1 - Real Commercial	No	N/A	N/A	N/A	71,743 Sq. ft
TOTALS						71,743 Sq. ft / 1.646993 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG USE	TIM MARKET	TIM USE	APPRAISED	HS CAP LOSS	CBL CAP LOSS	ASSESSED
2024	\$267,410	\$358,715	\$626,125	\$0	\$0	\$0	\$0	\$626,125	\$0	\$0	\$626,125
2023	\$244,040	\$358,715	\$602,755	\$0	\$0	\$0	\$0	\$602,755	\$0	\$0	\$602,755
2022	\$254,751	\$53,807	\$308,558	\$0	\$0	\$0	\$0	\$308,558	\$0	\$0	\$308,558
2021	\$325,358	\$53,807	\$379,165	\$0	\$0	\$0	\$0	\$379,165	\$0	\$0	\$379,165
2020	\$95,638	\$53,807	\$149,445	\$0	\$0	\$0	\$0	\$149,445	\$0	\$0	\$149,445

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
1/9/2024	LOWE, RONNY P EST OF	VERONICA RACHEL LOWE TRUST & LOWE VICTORIA H	2024-773	
	LOWE, RONNY P	LOWE, RONNY P EST OF	-	
9/18/2014	REDDY & FAMILY INC	LOWE, RONNY P	2014-33789	
10/27/2005	FRANCHISE PORTFOLIO 2 INC	REDDY & FAMILY INC	2005-42969	10174/168
5/4/2004	HORKEY ENTERPRISES INC	FRANCHISE PORTFOLIO 2 INC	2004-18215	9104/92
2/2/2001	HORKEY LP/GAS CO INC	HORKEY ENTERPRISES INC	-	6960/192

SITE PLAN

Purpose:

Seeking approval for a zoning change with the City of Wolfforth for the described property from undesignated to commercial.

Property Owner:

Victoria Hunter Lowe, individually, and the Veronica Rachel Lowe Trust, Victoria Lowe, Trustee, 50/50 undivided interest owners.

Legal Description:

Tract NE 2A, Sec. 25, Blk. AK, AB 246, City of Wolfforth, Lubbock County, TX, 1.647 acres, more or less.

Address:

469 E. Hwy 62-82, Wolfforth, TX 79382

Present Zoning:

Lubbock County – Commercial

City of Wolfforth – N/A – Indication is that zoning is defaulted to Residential with no present designation.

Property Description:

The property is approximately 1.65 acres located on the East access road of Hwy 62-82 in Wolfforth, TX at 90th Street.

There is one (1) structure on the property located in the east/central part of the lot. The structure is a concrete building with a main area of 75'X40' (3,000 sq. ft.), an added building space on the east side measuring 50'X30' (1,500 sq. ft.), and a metal carport measuring 44'X27' (1,188 sq. ft.) on the south side of the building. The complete measured space is approximately 5,690 sq. ft.

Older satellite maps will show a second, unconnected structure west of the main structure. That structure was a covered island for gas pumps, but is no longer there.

In the central portion of the property, there is a concrete slab that measures approximately 10,350 sq. ft. that extends west from the main structure.

The parameter is fenced as follows:

North side - corrugated metal fence.

East side – cyclone fence.

South side – corrugated metal fence.

West side – No permanent fence. The west side is the access from the Hwy 62-82 access road.

The tenant has employed a temporary pipe panel fence along the west side and at several places on the south side at property access points.

Access points include two (2) on the south side and two (2) on the west side. The west side access points are along the Hwy 62-82 access road, which include concrete curb and gutter.

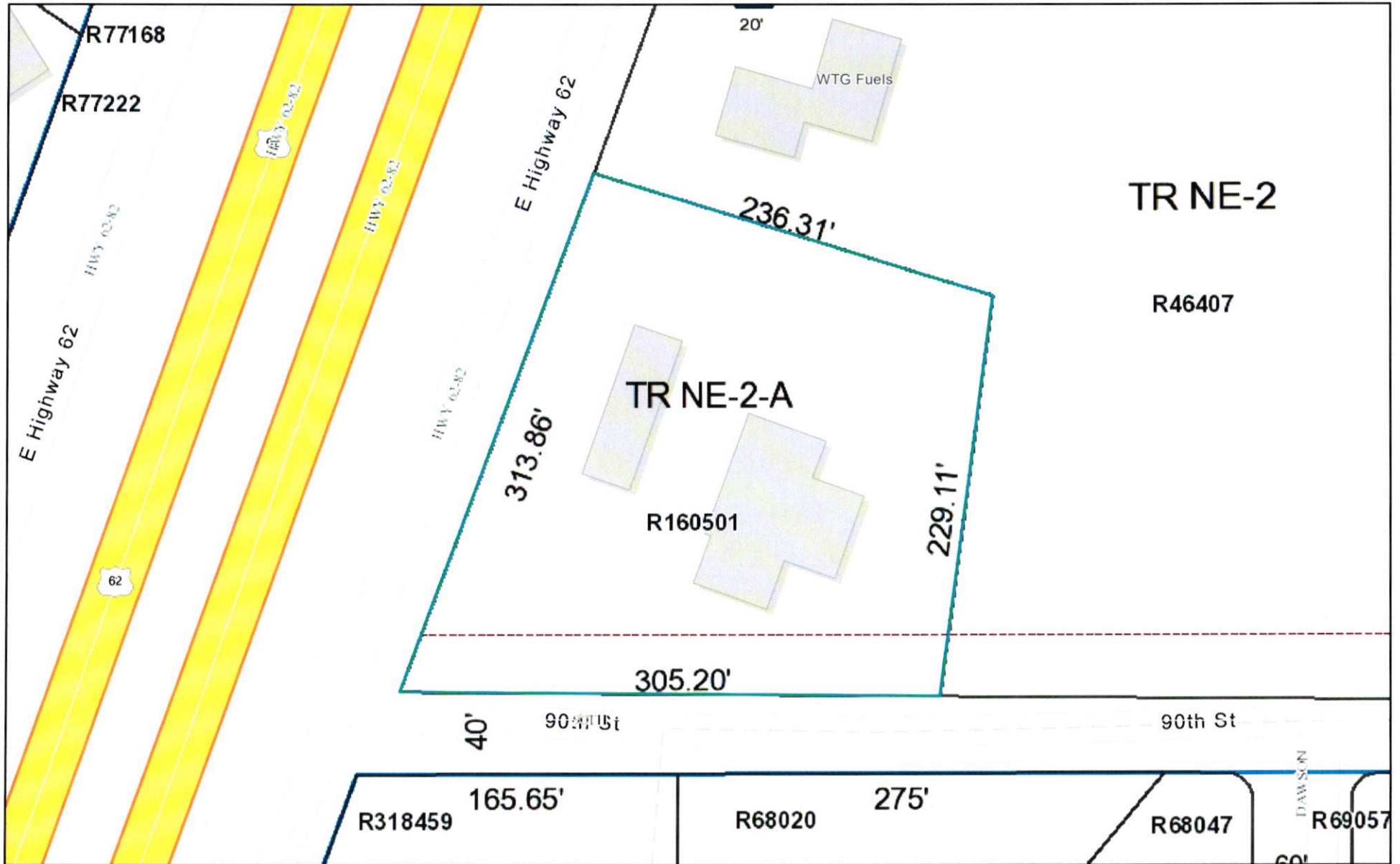
A Lubbock CAD Web Map and a Real Estate Evaluation Form conducted by City Bank in December 2022 are included to show visual evidence of the building and layout of the property.

There are no plans to add new or remove any existing structures.

Property Use:

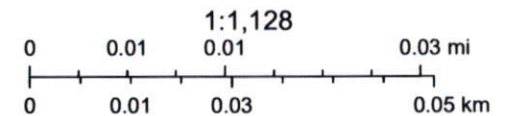
The outside area of the property is currently being rented to the proprietor of High Winds Hay located across 90th Street to the south. High Winds Hay uses the property to store additional inventory of hay, flat bed trailers, livestock trailers and other large items needed for their business. There are two large, enclosed trailers located on the property that are owned by the property owner.

The building is not being used for any commercial purpose and is not accessible by the tenant. The front of the building is boarded up and contains property of the owner. Contents being stored are personal items, i.e. furniture, etc.



1/22/2025, 11:45:05 AM

- Historic ROW Line
- Road Centerline
- Subdivision
- Historic Lot Line
- Land Hook
- Parcels



Esri Community Maps Contributors, City of Lubbock, Texas Parks & Wildlife, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph

Lubbock County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

REAL ESTATE EVALUATION FORM

SCAN TO: 2415

Item # 5.

THIS IS NOT AN APPRAISAL PERFORMED IN ACCORDANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE

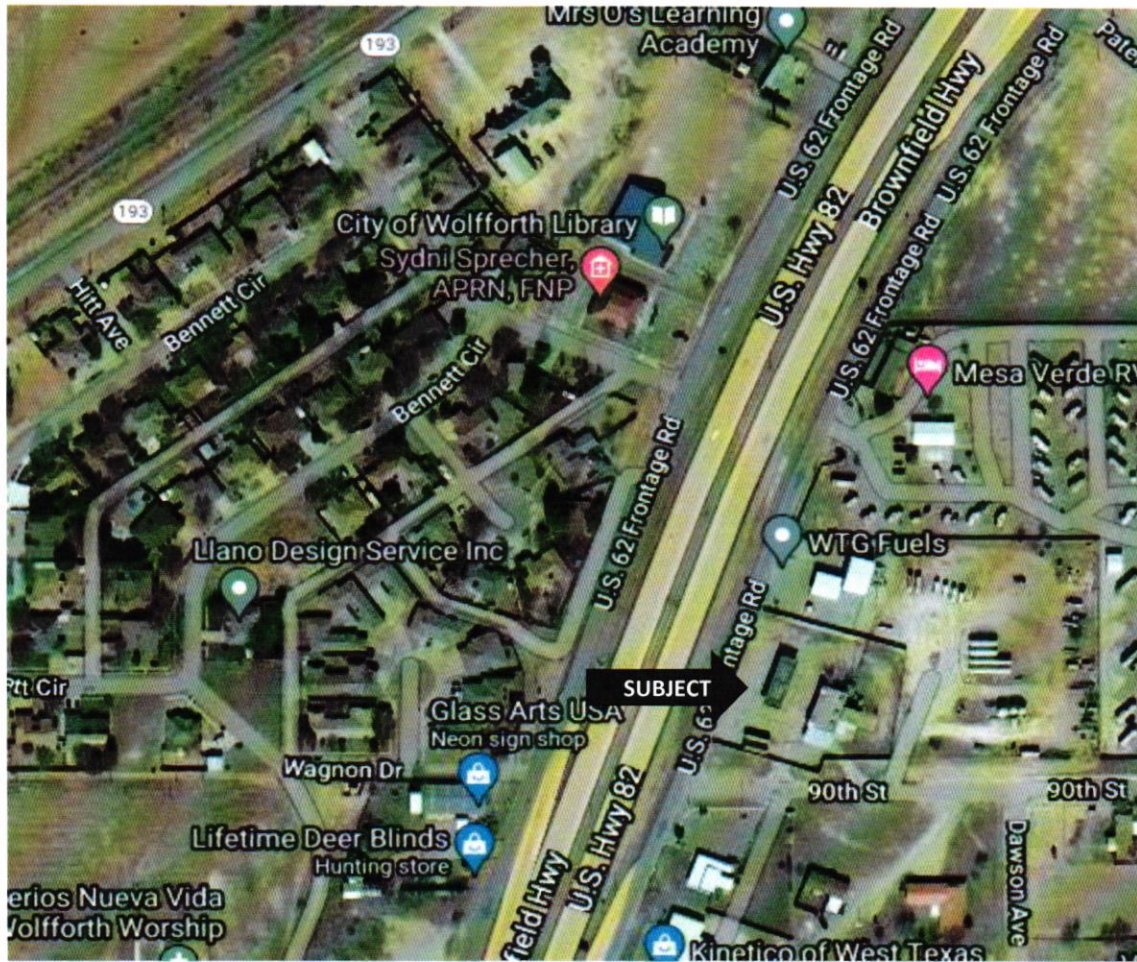
THIS IS AN INTERNAL EVALUATION AND NOT A USPAP COMPLIANT APPRAISAL REPORT AND IS INTENDED FOR BANK USE ONLY

THIS INTERNAL COLLATERAL EVALUATION WAS CONDUCTED BY A CITY BANK EMPLOYEE ACTING IN A CREDIT ADMINISTRATION ROLE AND MAY BE COMPLETED BY A VARIETY OF UNLICENSED, NON-APPRAISER STAFF MEMBERS AS ALLOWED BY FEDERAL REGULATIONS.

TRANSACTION INFORMATION										FILE #	11443
HPML	No	Customer Name	VICTORIA LOWE	Loan Amount	N/A						
Transaction Type	Res < \$400M	Officer	Sonny Garza	Superior Liens	N/A						
Loan Type	Other	Officer Phone	806-687-9925 x3902	Addnl Collat	N/A						
Request Purpose	Other	CBT #		Purch Price	N/A						
		Budget Prvd		SLTV	Other						
		Contract Prvd		Bank Max LTV	N/A						
					Actual LTV	N/A					
PROPERTY DESCRIPTION											
Sales History											
Listing History											
Address 469 E HWY 62-82, Wolfforth, Lubbock, Texas 79382											
Legal BLK AK SEC 25 AB 246 TR NE2A AC: 1.647											
Existing Property Type Industrial											
Existing Property Use Small Office Warehouse											
Property Status As is											
Occupancy Non-owner											
Interest Value Leased Fee											
				CAD PIN	R160501	Zoning					
				Tax Year	2022	Site Size		71,743. SF		Previous Appraisal Date	
				Improved Size	4,656 SF	Tax Value		\$308,558		Previous Appraisal Value	
										Previous Appraisal Source	
MARKET DATA											
Category	SUBJECT	Comp 1	Comp 2	Comp 3	Comp 4	Comp 5	Comp 6	Comp 7	Comp 8		
Address	469 E HWY 62-82, Wolfforth, Lubbock, Texas 79382	902 7th St, Lubbock, Tx	921 E 66th St, Lubbock, Tx	308 Avenue L, Shallowater, Tx	203 CR 7300, Lubbock, Tx	4820 Avenue Q, Lubbock, Tx	311-405 19th St, Lubbock, Tx				
\$/SF Imprv Unit		\$23.12	\$37.78	\$48.61	\$46.14	\$49.27	\$32.50				
Sales Price		\$340,000	\$1,200,000	\$350,000	\$220,000	\$350,000	\$650,000				
Sale Date		7/1/2021	6/1/2022	8/1/2022	6/1/2021	Active	Active				
Site Size(SF)	71,743.00 SF	19,166	95,706	152,460	45,302	21,344	16,553				
Improvement Area SF	4,656	14,704	31,760	7,200	4,768	7,104	20,000				
Year of Construction	1986	1964	1985	1979	2018	1959	1941				
Overall		similar	similar	similar	similar	similar	similar				
Source		Co-Star	Co-Star	Co-Star	Co-Star	Co-Star	Co-Star				
NARRATIVE											
The subject property is a vacant commercial property located in a mixed-use area within eastern Wolfforth. Adjoining properties include a fuel distribution facility to the north and east, retail to the south and U.S. 62-82 to the west. Approximately 275 ft. of frontage is provided off U.S. 62-82 Frontage Rd (one-way). Subject improvements consist of a 4,656 retail building. Site improvements feature a detached 6-car canopy, four-car attached carport paved parking and metal fencing. Improvements appear to be in poor condition based on exterior inspection. Fuel pumps have been removed. Comps are commercial buildings taken from competing areas within the market. Indicated value range is approximately \$23-\$49. Given the size of the subject improvements, a value toward the upper end of the range is considered appropriate. \$210,000, or \$45/sf, is the opinion of market value.											
FINAL ESTIMATE OF VALUE											
VALUE CONDITION: As-is				FINAL ESTIMATE OF VALUE: \$210,000				EFFECTIVE DATE: 12/8/2022		EXPOSURE TIME	
REVIEW & ADEQUACY & REASONABLENESS CHECKLIST											
NOT APPLICABLE	1. Have market conditions for this property deteriorated (market data kept in appraisal files)?						Prepared By: <i>Noe Borrego</i>				
NOT APPLICABLE	2. Has the condition of the property deteriorated? (Photo if nec.)						Title: R/E Analyst-Credit Admin, City Bank				
NOT APPLICABLE	3. Is existing Appraisal value still valid and acceptable?						Report Date: Thu-Dec/08/2022				
If not acceptable, explain:											
YES	4. If there is no appraisal available or none required, is this evaluation acceptable?						2ND REVIEW Noe Borrego - RE Analyst				
If not acceptable: what course of action is recommended?											
THIS INTERNAL COLLATERAL EVALUATION WAS CONDUCTED BY A CITY BANK EMPLOYEE ACTING IN A CREDIT ADMINISTRATION ROLE AND MAY BE COMPLETED BY A VARIETY OF STAFF MEMBERS.											

Pictures

eval-469 E Hwy 62-82



Pictures

eval-469 E Hwy 62-82



PAYMENT RECEIPT

Receipt ID 25-000225

**RECEIVED FROM**

Veronica Lowe
Trust
469 E Hwy 62-82
Wolfforth, TX 79382

RECEIVED BY

City of Wolfforth, TX
Building Department
PO Box 36
Wolfforth, TX 79382

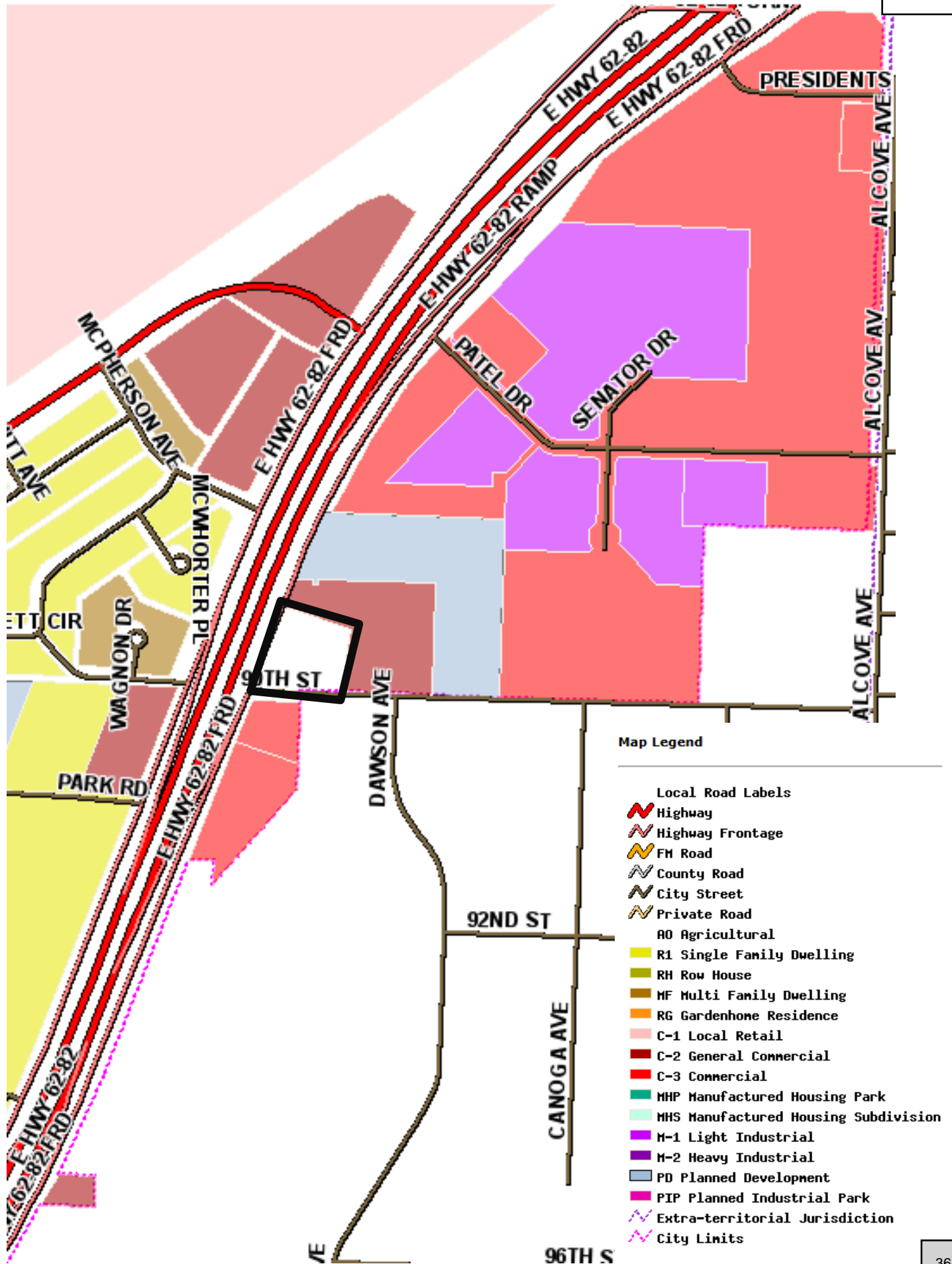
FEE NAME	INVOICE ID	ACCOUNT NO.	AMOUNT
Zone Change Request Fee	25-000276		\$ 200.00
Miscellaneous			\$ 200.00
TOTAL PAID			\$ 200.00

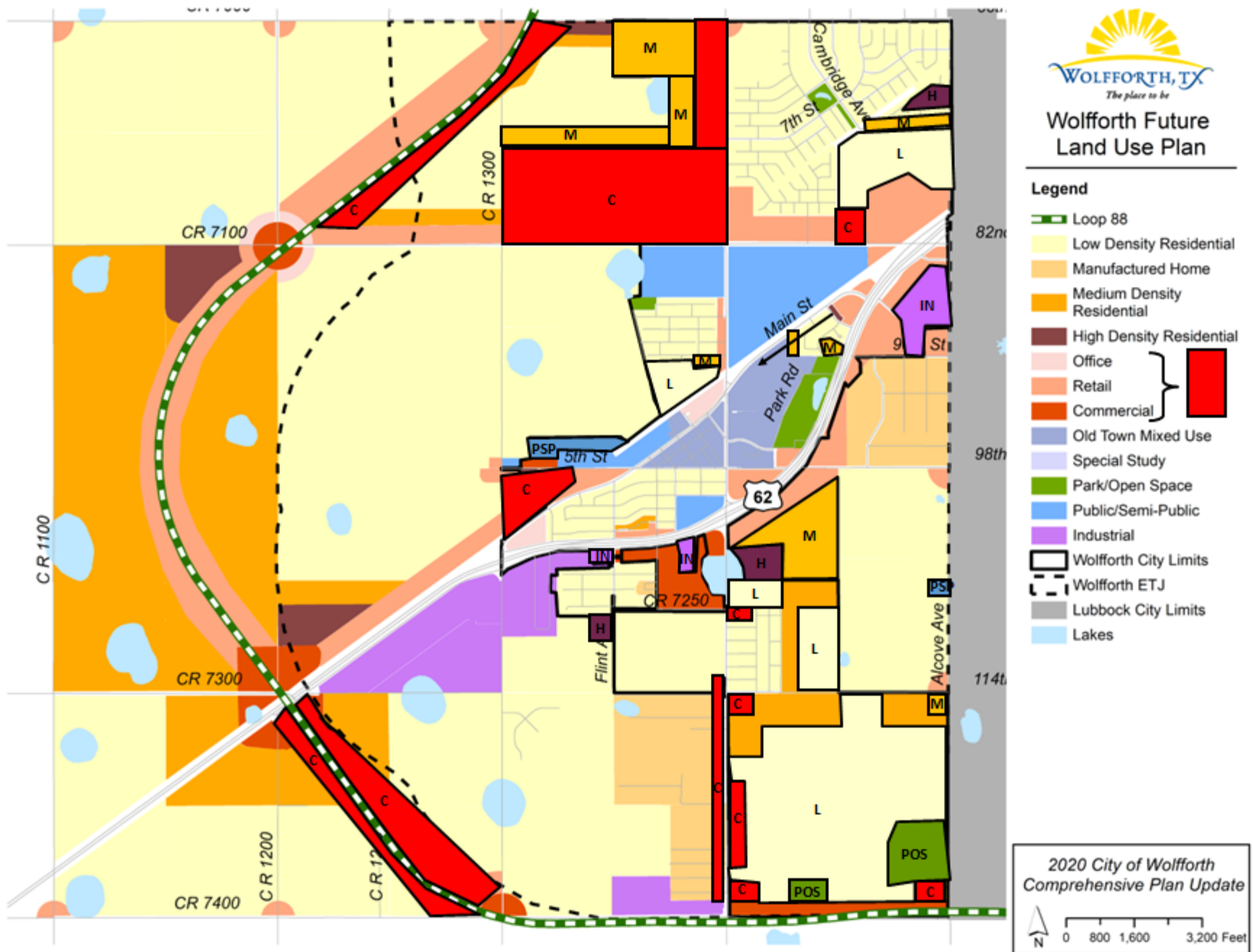
Paid Date

February 20, 2025

Payment Method

Check
043242





PUBLIC NOTICE

The Wolfforth Planning and Zoning Commission will meet on March 11, 2025 at 5:30 pm and the Wolfforth City Council will meet on March 17, 2025 at 6:00 pm in the City Council Chambers, 302 Main Street, Wolfforth, Texas. The Public Hearings are to receive comment regarding a zoning change by the City of Wolfforth from R-1 (Residential) to C-3 (Heavy Commercial) at 469 E Hwy. 62-82.

At said time and place all such persons shall have the right to appear and be heard.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 806-855-4120 or email at city.secretary@wolfforthtx.us for further information.

§ 14.05.009. Fences.**(a) Required privacy fences.**

- (1) A privacy fence shall be required where the side or rear lot line of a nonresidential use is adjacent to either of the following.
 - (A) A residential district boundary other than the AO District.
 - (B) An existing residential use.
 - (C) School or day care facility.
- (2) This requirement shall not apply when an equivalent fence already exists.
- (3) Properties immediately across a body of water, transportation, drainage or utility right-of-way, street or alley shall be considered adjacent if the intervening body of water, transportation, drainage or utility right-of-way, street or alley, is less than 80 feet wide.

(b) Height standards for required privacy fences.

- (1) All privacy fences shall meet the visual clearance requirements of section 14.05.010 below.
- (2) Maximum fence height in residential districts.
 - (A) No portion of any fence or enclosure in any residential district, excluding an AO district, shall exceed a height of 8 feet.
 - (B) A substantially open fence with a ratio of solid portion to open portion equal to or less than 1 (solid) to 4 (open) may be constructed up to a height of 10 feet.
- (3) Maximum height in required front yards.
 - (A) Any fence or enclosure extending into a required front yard shall not exceed a height of four feet.
 - (B) Fences on land located in the C3, M1 and M2 Districts shall be exempt from this requirement.
 - (C) In the AO District, a substantially open fence with a ratio of solid portion to open portion equal to or less than 1 (solid) to 4 (open) may be constructed up to a height of 6 feet.

(c) Approved fence material. Residential fences may be constructed of any of the following materials:

- (1) Masonry (brick, stone, reinforced concrete) or any other sustainable material with more than 30-year life expectancy;
- (2) Ornamental metal fencing;
- (3) Cedar, whitewood, or similar industry standard type of wood;

§ 14.05.009

§ 14.05.010

- (4) Composite fencing;
 - (5) Vinyl fencing;
 - (6) Wooden split-rail or painted pipe rail fencing may be installed on parcels of one acre or larger;
 - (7) Sheet, roll, or corrugated metal, only if constructed with metal posts, metal brackets, and metal caps. No galvanized metal; and
 - (8) Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Wooden horizontal members must be at least 2" x 4" in size.
- (d) Prohibited fence materials. Residential fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:
- (1) Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence, such as, but not limited to:
 - (A) Plywood or particleboard;
 - (B) Rope, string, or wire products; and
 - (C) Fiberglass panels;
 - (2) Barbed wire or concertina;
 - (3) Razor wire;
 - (4) Electrified components;
 - (5) Embedded glass shards;
 - (6) Damaged, deteriorated, or unsafe materials; or
 - (7) Chainlink fencing.

(Ordinance adopted 3/21/2022; Ordinance 2024-013 adopted 4/15/2024)

§ 14.05.010. Visual clearance on corner lots.

Except for freestanding signs with appropriate visual clearance below the display area, any fence, structure, sign, tree or landscaping on a corner lot and situated within 30 feet of the intersection of the two street property lines shall not exceed a height of three feet, including topography, measured from the top of the street curb or, in the absence of a raised curb, 3 1/2 feet above elevation of the center of the pavement. For this purpose, the restricted area shall be considered as a triangle rather than an area bounded by an arc.

(Ordinance adopted 3/21/2022)

§ 14.05.004. Outdoor storage and display in nonresidential districts.

- (a) Outdoor storage and display shall be allowed in any nonresidential district in accordance with this section. Any merchandise, material or equipment situated outdoors shall be subject to the requirements of this section. For the purpose of this section, outdoor storage and display shall be broken down into three types, as follows.
- (1) Type 1: Outdoor Display. Type 1, Outdoor Display, shall be allowed adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. Such storage shall not be permitted to block windows, entrances or exits, and shall not impair the ability of pedestrians to use the building.
 - (2) Type 2: Limited Outdoor Storage. Type 2, Limited Outdoor Storage, shall not exceed 1,000 square feet or 10 percent of the total site area (whichever is greater).
 - (3) Type 3: General Outdoor Storage. Type 3, General Outdoor Storage, shall be allowed in unlimited quantity, subject only to the location restrictions below.
- (b) Exceptions.
- (1) Vehicles (including boats) shall not be considered merchandise, material or equipment subject to the restrictions of this section.
 - (2) Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this section.
 - (3) Areas enclosed by solid, opaque walls on at least three sides and covered by a solid, opaque roof shall not be considered outdoor.
- (c) Location of outdoor storage and display.
- (1) Unless specifically authorized elsewhere in the city's Code of Ordinances, all outdoor storage and display shall be located outside the public right-of-way and/or at least 15 feet from the back edge of the adjacent curb or street pavement.
 - (2) No outdoor storage or display shall be allowed in required side yards.
- (d) Allowed storage table. The three types of storage shall be allowed in the districts designated in the Table below.

Use	C-1	C-2	C-3	M1
Type A: Outdoor Display	✓	✓	✓	✓
Type B: Limited outdoor storage		✓	✓	✓
Type C: General outdoor storage			✓	✓

(Ordinance adopted 3/21/2022)



AGENDA ITEM COMMENTARY

MEETING NAME: Planning and Zoning Commission

MEETING DATE: March 11, 2025

ITEM TITLE: Consider and take appropriate action on a zoning change from R-1 to C-3 at 469 E Hwy 62-82; BLK AK SEC 25 AB 246 TR NE2A AC: 1.647.

STAFF INITIATOR: Tara Tomlinson, Director of Development Services

BACKGROUND:

The previous item was to hold a Public Hearing to receive comments on a zoning change from R-1 to C-3 at 469 E Hwy 62-82; BLK AK SEC 25 AB 246 TR NE2A AC: 1.647.

EXHIBITS:

1. Ordinance

COMMITTEE ACTION/STAFF RECOMMENDATION:

City staff recommends approval of zoning change from R-1 to C-3.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING THE ZONING MAP AS IT RELATES TO PROPERTY KNOWN AS BLK AK SEC 25 AB 246 TR NE2A AC: 1.647, WOLFFORTH, LUBBOCK COUNTY, TEXAS, BY AMENDING THE ZONING DESIGNATION FROM R1 TO C-3; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES AND PORTIONS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Wolfforth established zoning regulations on August 18, 2003;

WHEREAS, the Veronica Rachel Lowe Trust and Victoria H. Lowe (the “Owners”) own the property known as BLK AK SEC 25 AB 246 TR NE2A AC: 1.647, Wolfforth, Lubbock County, Texas (further described as 469 E. Hwy 62-82, Wolfforth, Texas)(the “Property”);

WHEREAS, the Property is currently designated R1 Single-Family Dwelling as the default zoning designation when it was annexed into the City limits;

WHEREAS, the Owners have applied for and requested a change to the zoning designation of the Property from R1 to C-3 Commercial District;

WHEREAS, the C-3 designation is consistent with the Future Land Use Map adopted by the City Council;

WHEREAS, after a public hearing, the Planning and Zoning Commission recommended the change in zoning designation for the Property to C-3; and

WHEREAS, the City Council has determined that it is in the best interest of the City to change the zoning designation of the Property to C-3.

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

Part 1. Enacted.

1.01 Zoning Map: THAT the City of Wolfforth Zoning Map is hereby amended as it relates to BLK AK SEC 25 AB 246 TR NE2A AC: 1.647, Wolfforth, Texas to C-3 Commercial District which zone change shall hereafter be incorporated into the official map previously adopted by the City. The survey of the Property is attached hereto as Exhibit A.

Part 2. Severability.

If any section, sub-section, clause, phrase, or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section,

sentence, clause, phrase, or portion shall be deemed to be a separate, distinct, and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code and Chapter 211, Texas Local Government Code.

Part 5. Effective Date.

This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED and ADOPTED this 17th day of March 2025.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	Consider and take appropriate action on discussion of an amendment to the Wolfforth Zoning Ordinance 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

Recently, Lubbock County on December 23, 2024 passed an ordinance to go into effect May 1, 2025 for regulation of game rooms. Game rooms are defined as a for-profit business located in a building or place that contains in any combination, six or more amusement redemption machines or electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes, but does not include a video arcade facility. The purpose of the ordinance is to promote the public health, safety, and welfare by regulating the operation of game rooms, restricting the location of game rooms, and restricting the number of game rooms that may operate in the areas specified, and by regulating business activities which merely serve as a front for criminal activities, including but not limited to gambling, money laundering, and tax evasion.

In looking at the City of Wolfforth's zoning ordinances, game rooms were not specifically identified and regulations were vague. City staff is proposing updating and clarifying its zoning ordinance to help address public safety concerns, create more community-friendly regulations, and introduce preventative measures. The staff recommends the following changes and additions:

- 14.03.008- Use Table- Currently, the table only includes Game Halls, which are defined as a game arcade, bingo, billiard or pool hall. The staff recommends adding a separate section that is categorized as Game Room with the short definition of "any real estate where one of the uses is the playing amusement redemption machines or electronic, electromechanical, or mechanical contrivances".
- 14.03.013- Commercial Use Categories- The staff proposes adding a specific use category to provide more detailed descriptions of the characteristics and exceptions for this zone. This addition would help clarify the distinction between a Game Room and a Game Hall, ensuring a more precise understanding of each.
- 14.04.024- Specific Use Standards- In this article of the Code of Ordinances, the staff has the opportunity to establish specific zoning standards, including location requirements. In line with Lubbock County's ordinance, the staff proposes to align its location standards closely with those of the County for consistency and coordination.

- 14.08.004- Definitions- The addition of the following definitions—Game Room, Gambling Device, Game Hall, and Video Arcade—will further clarify and enhance the understanding of the ordinance.

EXHIBITS:

1. Amendment Recommendations

COMMITTEE ACTION/STAFF RECOMMENDATION:

Discuss recommended amendment to the Wolfforth Code of Ordinances 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions. Take one of the following actions:

1. Approve changes as recommended and then hold a public hearing.
2. Approve changes with revisions and then hold a public hearing.



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

1. Conduct a Public Hearing on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
2. Consider and take appropriate action on an ordinance that will amend the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.

EXHIBITS:

1. Public Hearing Notice

COMMITTEE ACTION/STAFF RECOMMENDATION:

Hold Public Hearing.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Wolfforth Planning and Zoning Commission will meet on March 11, 2025, at 5:30pm and the Wolfforth City Council March 17, 2025 at 6:00pm in the City Hall Meeting Room, 302 Main Street, Wolfforth Texas to hold public hearings and take public comments regarding an amendment to the Wolfforth Zoning Ordinance pertaining to the regulations of game rooms in Article 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.

At this time and place all such persons shall have the right to appear and be heard.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 806-855-4120, fax 806-855-4121 or email city.secretary@wolfforthtx.us for further information.



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	March 11, 2025
ITEM TITLE:	Consider and take appropriate action on ordinance that will amend the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

The previous item was to hold a Public Hearing to receive comments on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.

EXHIBITS:

1. Ordinance

COMMITTEE ACTION/STAFF RECOMMENDATION:

City staff recommends a recommendation to City Council for approval of the ordinance that will amend the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING THE CITY OF WOLFFORTH ZONING ORDINANCE BY AMENDING CHAPTER 14 ZONING; ADDING THE USE OF GAME ROOM AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Wolfforth Zoning Ordinance regulates the uses of property within the Wolfforth city limits;

WHEREAS, both the City of Lubbock and Lubbock County have recently adopted regulations regarding the operation of game rooms within their jurisdictions;

WHEREAS, The Lubbock County Commissioners Court stated that in their ordinance adopting their game room regulation that game room operations “have had a negative impact on the quality of life of its residents;”

WHEREAS, the Wolfforth Zoning Ordinance does not contain a zoning designation or definition for game rooms;

WHEREAS, the City staff have recommended an amendment to the Zoning Ordinance to regulate the operation of game rooms within the City;

WHEREAS, the Planning Commission held a public hearing on March 11, 2024, regarding the addition of game rooms as a Conditional Use in C-3, M1, and M2 districts;

WHEREAS, the City published notice on February 21, 2025, in the Lubbock-Avalanche Journal of the March 11, 2025, public hearing before the Zoning Commission; and

WHEREAS, the City Council believes it is in the best interest of the City to add game rooms as a Conditional Use in the C-3, M1, and M2 districts; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, THAT:

Part 1. Enacted.

THAT City of Wolfforth Zoning Ordinance is hereby amended by amending Chapter 14 Zoning § 14.03.008(5) Use table and § 14.08.004 Defined terms and adding § 14.03.013(n) Game Rooms and § 14.04.024 Game Room, such additional language shall read as follows:

§ 14.03.008 Use table.

(5) Use table.

Use Category	Short Definition	Special Use Regulation	C3	M1	M2
Game Room	Any real estate where one of the uses is the playing amusement redemption machines.	*	C	C	C

§ 14.03.013 Commercial use categories

(n) Game Room.

- (1) Characteristics. A for-profit business located in a building or place that contains, in any combination, six or more amusement redemption machines that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes.
- (2) Accessory Uses. Accessory uses may include offices or storage.
- (3) Exceptions. Game Halls, as defined in this Code, are not classified as Game Rooms and are a separate use category.

§ 14.04.024 Game Room.

Game rooms may only be located:

- (a) At least 1,000 feet from the premises of a school, the premises of a public or private youth center, or a playground;
- (b) At least 300 feet from the premises of a public swimming pool/splashpad or game hall;
- (c) At least 1,000 feet from any premises owned, rented, or leased by a general residential operation operating as a recovery facility;
- (d) At least 1,000 feet from a residential neighborhood;
- (e) At least 1,000 feet from a school; and
- (f) At least 1,000 feet from a regular place of worship.

§ 14.08.004 Defined terms.

Amusement redemption machine. Any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than 10 times the amount charged to play the game or device once, or \$5, whichever amount is less.

Game Room. A for-profit business located in a building or place that contains in any combination, six or more amusement redemption machines that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes; a Game does not include game halls.

Gambling device. A device described in Article 47.01(4) (a) of the Texas Penal Code.

Game Hall. A video arcade, bingo, or billiard/pool hall.

Video arcade. A family-oriented arcade that is an entertainment venue designed to cater to individuals of all ages. These arcades typically feature a mix of games and activities including classic arcade machines, modern video games, ticket redemption games, and sometimes even activities like mini-golf or bowling. These facilities must:

- (1) Be open to the public, including minors;
- (2) Contain at least three pinball, skee-ball, and/or video game machines intended to be played by any person, including minors; and
- (3) Does not contain any gambling devices.

Part 2. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be a separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code and Chapter 211 of the Texas Local Government Code.

Part 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption by the City Council.

PASSED and ADOPTED this 17th day of March 2025.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary