



CITY COUNCIL MEETING

April 01, 2024 at 6:00 PM

WolfForth City Hall - 302 Main Street WolfForth, TX

AGENDA

CALL MEETING TO ORDER

INVOCATION - Council member Brashier

PLEDGE OF ALLEGIANCE - Council member Cooper

ROLL CALL AND ESTABLISH A QUORUM

SAFETY REVIEW

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the City Council 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 City Council with civility that is conducive to appropriate public discussion. Speakers can address only the City Council and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

RECOGNITION AND PROCLAMATIONS

1. April 2024 National Child Abuse Awareness Month

CONSENT AGENDA

Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

2. Consider and take appropriate action on minutes from March 18, 2024 City Council meeting
3. Consider and take appropriate action on acceptance of dedication of easement from Frenship ISD for water main installation

REGULAR SESSION

4. Consider and take appropriate action on approval for Lubbock County Critical Needs Funding usage for Wolfforth Fire EMS.
5. PUBLIC HEARING: Consider and take appropriate action on a zoning change from C-3 to M-1 at BLK AK SEC 25 AB 246 TR NE 12 (1.83 Acres) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 acres.
6. Consider and take appropriate action on Ordinance 2024-007

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 NE 12 (1.83 ACRES) AND SE ¼ OF BLK AK SEC 25 AB 246 TR NE9 FOR A TOTAL OF 2.35 ACRES, WOLFFORTH, TEXAS, BY AMENDING THE ZONING DESIGNATION FROM C-3 TO M-1; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES AND PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

7. PUBLIC HEARING: Consider and take appropriate action on amendment to the Wolfforth Zoning Ordinance 14.04.001- Accessory uses and structures.
8. Consider and take appropriate action on Ordinance 2024-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH ZONING ORDINANCE BY AMENDING CHAPTER 14 ZONING; AMENDING §14.01.001 ACCESSORY USES AND STRUCTURES; ALLOWING FOR A PRINCIPAL BUILDING SETBACK AND PROHIBITED STRUCTURES IN ALL DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

9. Consider and take appropriate action on an amended final plat for Overlook West Phase 2 Lots 207-310.
10. Consider and take appropriate action on proposed construction of Frenship Road for future Circle K.
11. Consider and take appropriate action on update from City Manager regarding Water Impact Fee implementation

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

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 28, 2024 at 5:00 p.m.

/s/ Terri Robinette, City Secretary

*office of the mayor
city of Wolfforth*

PROCLAMATION

Whereas: child abuse and neglect is a serious problem affecting every single segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resource and will shape the future of the City of Wolfforth, Lubbock County, our State and the Nation;

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, I, Charles Addington, II, Mayor of the City of Wolfforth, do hereby proclaim April 2024 as NATIONAL CHILD ABUSE PREVENTION MONTH in the City of Wolfforth and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

PROCLAIMED this 1st day of April, 2024



mayor




CITY COUNCIL MEETING

March 18, 2024 at 6:00 PM

WolfForth City Hall - 302 Main Street WolfForth, TX

MINUTES

CALL MEETING TO ORDER

Mayor Addington called the meeting to order at 6:00 pm

INVOCATION - Council member McDonald

PLEDGE OF ALLEGIANCE - Council member Brashier

ROLL CALL AND ESTABLISH A QUORUM

PRESENT

Mayor Charles Addington

Council member David Cooper, Place 1

Council member Gregory Stout, Place 2

Mayor Pro Tem Doug Hutcheson, Place 3

Council member Charlotte McDonald, Place 4

Council member Austin Brashier, Place 5

SAFETY REVIEW

CITIZEN ENGAGEMENT

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Speakers can address only the City Council and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

There were no public comments

CONSENT AGENDA

Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

Motion to accept the Consent Agenda

Motion made by Mayor Pro Tem Hutcheson, Seconded by Council member McDonald.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

1. Consider and take appropriate action on January 2024 departmental reports
2. Consider and take appropriate action on February 2024 departmental reports
3. Consider and take appropriate action on minutes from March 4, 2024 Council meeting.

REGULAR SESSION

4. Consider and take appropriate action on Fiscal Year 2023 Financial Audit

Fiscal year 2023 Annual Audit was presented by Tyler Canady with BSGM. General Fund fund balance ended at \$3,617,000 and the city received an unmodified opinion.

Motion to accept the FY 2023 Financial Audit

Motion made by Mayor Pro Tem Hutcheson, Seconded by Council member McDonald.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

5. Consider and take appropriate action on award of bid for 2024 Sealcoating to Missouri Petroleum Products Company, LLC.

Motion to award bid for 2024 sealcoating project to Missouri Petroleum in the amount of \$3,055,668.03

Motion made by Council member Brashier, Seconded by Council member Cooper.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

6. Consider and take appropriate action on proposal from SitePro to add SCADA to Harvest Wells

Motion to approve the proposal from SitePro for SCADA for new Harvest Wells in the amount of \$79,947.

Motion made by Mayor Pro Tem Hutcheson, Seconded by Council member Cooper.

Voting Yea: Council member Cooper, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

Voting Abstaining: Council member Stout

7. Consider and take appropriate action on a Resolution 2024-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS APPROVING A LEASE AGREEMENT WITH JERRY WEAVER FOR THE CITY OF WOLFFORTH WASTEWATER FARM; AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-010

Motion made by Council member Cooper, Seconded by Council member McDonald.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

8. Consider and take appropriate action on request for additional center pivot irrigation system for wastewater treatment facility

Motion to approve additional center pivot system for wastewater treatment location in the amount of \$32,500.

Motion made by Mayor Pro Tem Hutcheson, Seconded by Council member Cooper.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

EXECUTIVE SESSION

In accordance with Texas Government Code, section 551-001, et seq., the City Council will recess into executive session (closed meeting) to discuss the following:

551.071 Consultation with Attorney: To consult with 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 Chapter 551 – Open Meetings (i) Wolfforth Land Company 380 Agreement

Council entered executive session at 6:40pm

RECONVENE INTO OPEN SESSION

In accordance with Texas Government Code, chapter 551, the City Council will reconvene into regular session to consider action, if any, on matters discussed in executive session.

Council reconvened into open session at 7:02

No action resulting from Executive Session

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURN

Motion to adjourn at 7:03pm

Motion made by Council member Cooper, Seconded by Mayor Pro Tem Hutcheson.

Voting Yea: Council member Cooper, Council member Stout, Mayor Pro Tem Hutcheson, Council member McDonald, Council member Brashier

PASSED AND APPROVED THIS THE 1ST DAY OF APRIL, 2024.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary

DRAFT



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council
MEETING DATE:	April 1, 2024
ITEM TITLE:	Consider and take appropriate action on acceptance of dedication of easement from Frenship ISD for water main installation
STAFF INITIATOR:	Randy Criswell, City Manager

BACKGROUND:

We've successfully negotiated an easement from Frenship for the installation of a water main that will serve as a dedicated fill line for Elevated Tank #3. The installation of this line is a part of our ongoing capital improvements plan. Construction is on hold today for funding, but the acquisition of the easement is a necessary item.

I'd like to thank Frenship ISD for their support of the City of WolfForth, specifically Dr. Michelle McCord and Mr. Derek Cobb.

EXHIBITS:

Easement

COUNCIL ACTION/STAFF RECOMMENDATION:

Staff recommends acceptance of the easement, with authorization to the Mayor for execution.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

After filing return to: City of Wolfforth, P. O. Box 36, Wolfforth, Texas 79382

WATERLINE EASEMENT AGREEMENT

Preamble

This Agreement is made effective March 21, 2024, between Frenship Independent School District (“Grantor”) whose mailing address is 501 7th Street, Wolfforth, Lubbock County, Texas 79382 and the City of Wolfforth (“Grantee”) whose mailing address is City of Wolfforth, P. O. Box 36, Wolfforth, Lubbock County, Texas 79382.

Grant of Easement

1. For the consideration described in Paragraph 2, Grantor grants to Grantee an easement and right-of-way upon and across the following described property (the “Property”) of the Grantor:

0.36 acres out of a tract recorded in CCF #1992-26219, situated in Section 25, Block AK, G. Ry. Co. Survey, Abstract 246, Lubbock County, Texas, further described in Exhibit “A” attached hereto and incorporated herein for all purposes.

Consideration

2. This easement is granted in consideration of the Grantee's payment to Grantor of the sum of \$10.00 and other valuable consideration, receipt of which is hereby acknowledged.

Character of Easement

3. This instrument grants an easement in gross.

Purpose of Easement

4. This right-of-way easement, with its rights and privileges, shall be used only for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating, and removing water pipelines.

Duration of Easement

5. This easement shall be perpetual.

Warranty of Title

6. Grantor and Grantor's successors and assigns are and shall be bound to warrant and forever defend the easement and rights conveyed in this instrument to Grantee and Grantee's representatives, successors, and permitted assigns, against every person lawfully claiming or to claim all or any part of the interest in the Property by, through, or under Grantor, but not otherwise, except as to the Exceptions to Warranty and reservations set forth herein.

7. Exceptions to Warranty

All existing easements, right-of-ways and other conveyances of record and rights of parties in possession or apparent from inspection of the premises.

Nonexclusiveness of Easement

8. The easement, rights, and privileges granted by this conveyance are nonexclusive, and Grantor, for itself, its successors and assigns, reserves and retains the right to convey similar rights and easements to such other persons as Grantor or its successors and assigns may deem proper.

Indemnity

9. Grantee shall hold harmless, defend, and indemnify Grantor, its successors and assigns, against any suits, liabilities, claims, demands, or damages, including but not limited to personal injuries and attorneys' fees, arising from Grantee's exercise of easement rights granted by this instrument.

Temporary Easements

10. In addition to the right-of-way easement located as specified in Paragraph 1, Grantee shall have the right to use as much of the surface of the Property adjacent to the easement as may be reasonably necessary for Grantee to construct and install the contemplated facilities in the easement. On completion of construction and installation, Grantee shall replace and restore all fences, walls, or other structures existing on the date of this Easement Agreement that may have been relocated or removed during the construction period. In addition, Grantee shall pay Grantor reasonable compensation both for fences, walls, or structures that may not be replaceable and for all vegetation and crops that are damaged or destroyed during construction.

Termination

11. The easement, along with its rights and privileges shall terminate when the purpose of the easement, as described in Paragraph 4 of this Agreement, ceases to exist, is abandoned by Grantee, or becomes impossible of performance.

Rights Reserved

12. Grantor, for itself, its successors and assigns, retains, reserves, and shall continue to enjoy the use of the surface of the easement area described in Paragraph 1 of this Agreement for any and all purposes that do not interfere with and prevent Grantee's use of and access to the easement. Grantor may not block Grantee's access to the easement and, upon request by the Grantee, is responsible to remove any structure, improvement or other impediment placed or constructed by Grantor or with Grantor's approval which is blocking access to the easement. If Grantee must remove any structure, improvement or other impediment blocking access to the easement, Grantee will not be responsible to replace or repair any such structure, improvement, or other impediment.

Entire Agreement

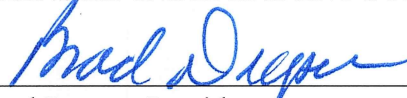
13. This Agreement contains the entire agreement between the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by both parties.

This Agreement shall bind and inure to the benefit of the Grantee and any Grantor-approved successor and assigns.

Executed this 21 day of March 2024.

Grantor:

FRENSHIP INDEPENDENT SCHOOL DISTRICT



Brad Draper, President
Board of Trustees

Grantee:

CITY OF WOLFFORTH

Charles Addington, II, Mayor

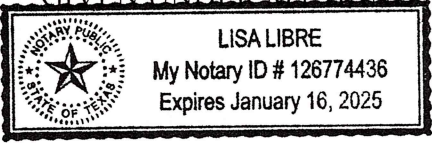
ATTEST:

Terri Robinette, City Secretary

STATE OF TEXAS §
 §
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on the 21 day of March, 2024 by Brad Draper, President of the Frenship Independent School District Board of Trustees, on behalf of said district.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21 day of March 2024.



Lisa Libre
Notary Public, State of Texas

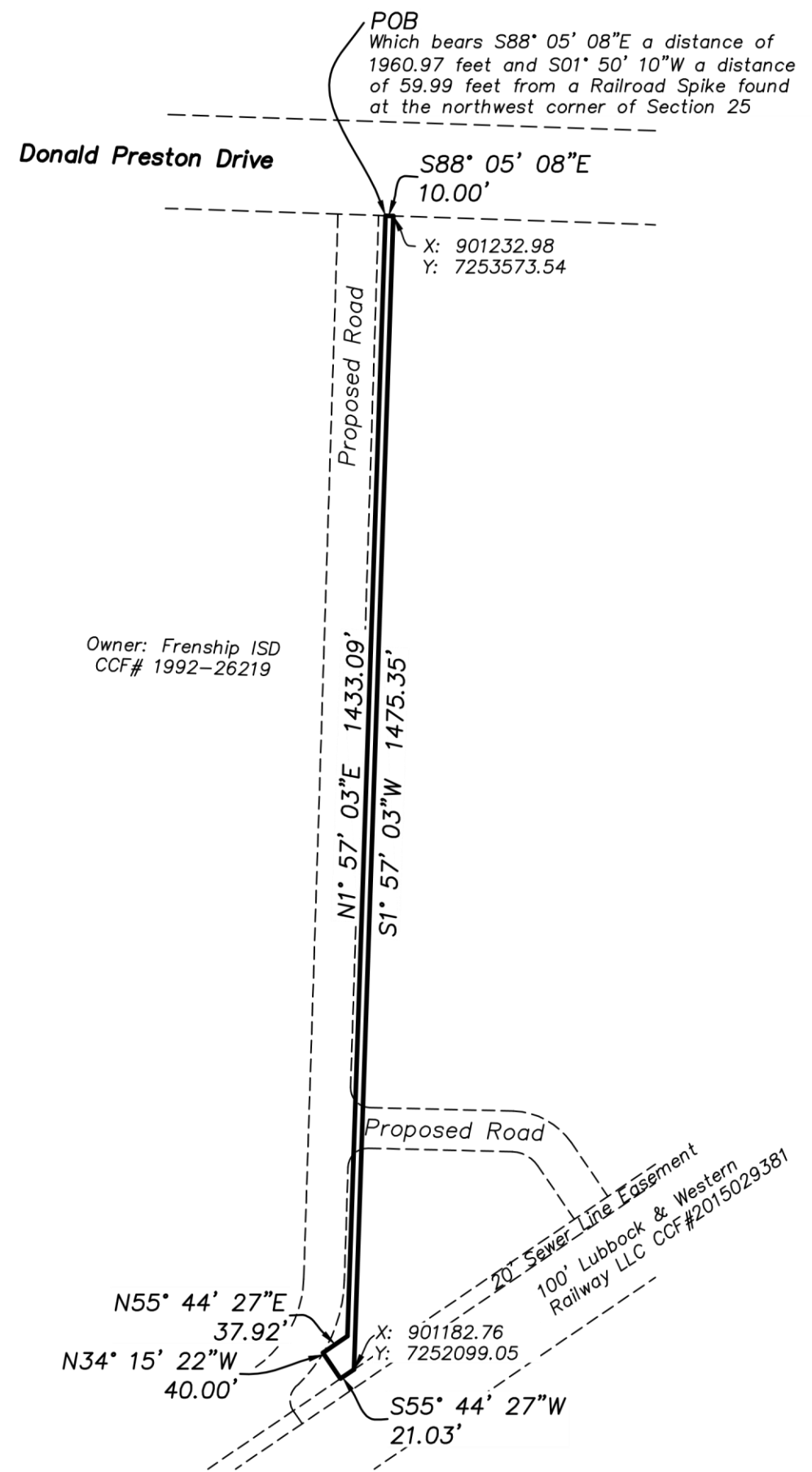
STATE OF TEXAS §
 §
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on the _____ day of March, 2024, by Charles Addington II, Mayor of the City of Wolfforth, a governmental entity, on behalf of said City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of March 2024.

Notary Public, State of Texas

EXHIBIT A



Owner: Frenship ISD
CCF# 1992-26219

NOTE:
P.O.B. = POINT OF BEGINNING.

Bearings based on U.S. State Plane of 1983
Texas North Central

Distances shown are grid distances.

This Drawing is on Grid

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : 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 11th day of January, A.D., 2024.



Richard E. Johnson
Richard E. Johnson
Registered Professional
Land Surveyor #4263

An Underground Utility Easement, being 0.36 acres out of a tract recorded in CCF #1992-26219, situated in Section 25, Block AK, G. Ry. Co. Survey, Abstract 246, Lubbock County, Texas.

SCALE: 1" = 200'	PROJECT #23-LS0065	DRAWN BY:
DATE: 1/11/2024		FILE NAME:
OJD Engineering, LLC Consulting Engineers & Surveyors		806-447-2503 P.O. Box 543 Wellington, Texas 79095
Firm No. 10090900	DRAWING NUMBER	

FIELD NOTES for an Underground Utility Easement, being 0.36 acres out of a tract recorded in CCF #1992-26219, situated in Section 25, Block AK, G. Ry. Co. Survey, Abstract 246, Lubbock County, Texas, and more particularly described as follows.

BEGINNING in the south right-of-way line of Donald Preston Drive which bears S. 88° 05' 08" E. a distance of 1960.97 feet and S. 01° 50' 10" W. a distance of 59.99 feet from a Railroad Spike found at the northwest corner of Section 25 for the northwest corner of this easement.

THENCE S. 88° 05' 08" E., along said south line, a distance of 10.00 feet to the northeast corner of this easement.

THENCE S. 01° 57' 03" W. a distance of 1475.35 feet to the southeast corner of this easement.

THENCE S. 55° 44' 27" W. a distance of 21.03 feet to the most southerly southwest corner of this easement.

THENCE N. 34° 15' 22" W. a distance of 40.00 feet to the most westerly southwest corner of this easement.

THENCE N. 55° 44' 27" E. a distance of 37.92 feet to an angle corner of this easement.

THENCE N. 01° 57' 03" E. a distance of 1433.09 feet to the POINT OF BEGINNING and containing 0.36 acres of land.

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS, that I,
COUNTY OF COLLINGSWORTH : 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
2024.

THEREOF, my hand and seal, this the 11th day of January,



Richard E. Johnson
Registered Professional
Land Surveyor #4263

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



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	4-1-24
ITEM TITLE:	Consider and take appropriate action on approval for Lubbock Co. Critical Needs Funding usage for Wolfforth Fire EMS.
STAFF INITIATOR:	Fire Chief Lance Barrett

BACKGROUND:

Annually, Lubbock County has been providing critical needs funding to all county fire departments. The past several years, Wolfforth Fire EMS has utilized this funding to upgrade bunker gear and SCBA. Lubbock County provided COVID funds to complete the bunker gear upgrade program we had started. This year we would like to use all the funding to upgrade outdated SCBA to new ones.

EXHIBITS:

Lubbock County Critical Needs Funding Application

Drager SCBA quote

Drager sole source letter

COUNCIL ACTION/STAFF RECOMMENDATION:

Recommend approval from council to accept the funds and use funds to purchase SCBA and associated equipment specified in the Drager SCBA quote.



LUBBOCK COUNTY
CONTRACTED FIRE DEPARTMENT
REQUEST FOR PUBLIC SAFETY
CRITICAL NEEDS FUNDING FY2024

In the FY24 Lubbock County Budget, the Lubbock County Commissioners Court have allocated a total of \$500,000 for Public Safety Critical Needs Funding to contracted fire departments in Lubbock County. These funds are separate and apart from the contractual Fire and Rescue Suppressions Services Interlocal Agreement and are not meant to function as a budget reduction mechanism for the fire department or to replace other source(s) of income by another governmental entity. This allocation is specifically allotted to supplement the fire department's budget in meeting the critical needs for equipment. They are meant to exclusively enhance the firefighting capabilities of the fire department and to facilitate the purchase of additional firefighting equipment and/or PPE to bolster the fire department's fire services and functions.

Lubbock County will distribute up to \$500,000 for Public Safety Critical Needs Funding with approved application between the 11 contracted fire departments that are in good standing with the County. Lubbock County shall not accrue any equity or ownership interest in any firefighting and/or PPE equipment purchased by the fire department and likewise, Lubbock County shall not be responsible for licensing, inspection, repairs or maintenance of any firefighting equipment and/or PPE purchased by the fire department. **Applications will be accepted through December 31, 2023. Completion of a funding request application does not guarantee Public Safety Critical Need Funding for any given entity.**

Applying for the Public Safety Critical Need Funding

- Applications for the Public Safety Critical Need Funding will be accepted through December 31, 2023.
- Completed applications must be actually received (not postmarked) by midnight on the submission deadline of December 31, 2023.
- Funding request should be submitted by email to the Lubbock County Office of Emergency Management at firereports@lubbockcounty.gov

OR

Lubbock County Office of Emergency Management
Attn: Clinton Thetford
P.O. Box 10536
Lubbock, TX 79408



**LUBBOCK COUNTY
CONTRACTED FIRE DEPARTMENT
REQUEST FOR PUBLIC SAFETY
CRITICAL NEEDS FUNDING FY2024**

Eligibility

- Fire departments must submit a complete application by the December 31, 2023 deadline.
- Fire departments must be contracted with Lubbock County for Fire and Rescue Suppression services.
- Contracted fire departments must be in compliance with all contractual obligations outline in the Fire and Rescue Suppression Interlocal Agreement.
- Eligible equipment purchases for firefighting equipment and/or personal protective equipment (PPE) related to fire and rescue services for the fire department must align with priority funding categories identified by Lubbock County.
- Purchases made with Public Safety Critical Needs Funding must be substantiated by required documentation. Unsubstantiated purchases will result in the ineligibility of the fire department for future Public Safety Critical Needs Funding, if any.

Requirements

- Fiscal year 2024 funds shall be used exclusively to enhance the firefighting capabilities of the fire department and to facilitate the purchase of additional firefighting equipment and/or PPE to bolster the fire department's fire services and functions.
- Equipment purchased with Public Safety Critical Needs Funding must be used to provide Fire and Rescue Services to the Citizens of Lubbock County.
- The fire department shall expend funds awarded by Lubbock County on the purchase of firefighting equipment and/or personal protective equipment (PPE) related to fire and rescue services for the fire department. The fire department's equipment must align with priority funding categories identified by Lubbock County. Categories include:
 1. Personal Protective Equipment
 2. Firefighting equipment related to fire and rescue services for the fire department (e.g. fire cache such as fire hoses, nozzles, rescue equipment, extrication equipment, hand tools, PPV fans, flashlights, ladders or other firefighting equipment).



LUBBOCK COUNTY
CONTRACTED FIRE DEPARTMENT
REQUEST FOR PUBLIC SAFETY
CRITICAL NEEDS FUNDING FY2024

3. Other equipment related to fire and rescue services for the fire department (e.g. Vehicles, Generators or associated equipment for vehicle maintenance).
- Any amount expended over awarded funds for the purchase of firefighting equipment and/or PPE related to fire and rescue services is the responsibility of the fire department alone.
 - Within 30 days of expending funds for the purchase of firefighting equipment and/or PPE, itemized receipts, invoices and canceled checks must be submitted to the Lubbock County Office of Emergency Management by email at firereports@lubbockcounty.gov
 - The purchase of firefighting equipment and/or PPE related to fire and rescue services must be accounted for with itemized receipts, and/or invoices and canceled checks reported to the Lubbock County Office of Emergency Management by July 31, 2024 by email at firereports@lubbockcounty.gov
 - Contracted fire department will provide Lubbock County Emergency Management Office all documentation necessary to verify equipment purchases and adhere to all reporting requirements as noted by Lubbock County. Unsubstantiated equipment purchases will result in the ineligibility of the agency for future Public Safety Critical Needs Funding, if any.
 - List of Approved Documentation required includes but is not limited to:
 - Quotes from Vendor (used for proposed budgets and funding request)
 - Order Forms (used if product are back ordered)
 - Receipts and / or Paid Invoice from the vendor and a canceled check. (equipment purchase substantiation)
 - Debit / Credit Card Receipt



LUBBOCK COUNTY
CONTRACTED FIRE DEPARTMENT
REQUEST FOR PUBLIC SAFETY
CRITICAL NEEDS FUNDING FY2024

By signing this request, I understand and affirm that:

I understand Lubbock County will distribute the Public Safety Critical Needs Funding to contracted fire departments with approved applications. I agree to abide by the requirements as outlined in this document for the use of the allocated funding.

I understand that funding awards will be determined by Lubbock County in its sole discretion. Applications may be awarded for the full or partial amounts of the funds requested, or may be declined.

I understand that this request for funding and any application materials voluntarily submitted as part of this request are public records unless otherwise exempt under applicable law. All information received from an applicant organization, whether received in connection with the application or in connection with any funded activities performed, is subject to disclosure pursuant to the Texas Public Information Act, unless otherwise accepted.

I certify that I have the legal authority of the organization represented in this application to submit this request for funding on its behalf, and I further certify that the information submitted in this application is true and correct to the best of my knowledge. I understand that Lubbock County will rely on the accuracy of the submittals and certifications made in conjunction with this application. Any false statements, concealment of information, submission of altered documents, use of funds for ineligible purposes, or similar actions are considered fraudulent and may result in repayment of the funds awarded or other legal action.

Any funds awarded to the contracted fire department, for the purchase of firefighting equipment and/or PPE related to fire and rescue services not accounted for with itemized receipts, and/or invoices and canceled checks reported to the Lubbock County by July 31, 2024 will be ineligible for future Public Safety Critical Needs Funding for fire suppression and rescue, if any, or until such proof of purchase is provided to Lubbock County.

Lance Barrett

Fire Chief

Printed Name

Title

DocuSigned by:
Lance Barrett

12/20/2023

7B54913BE634441...

Item # 4.



**LUBBOCK COUNTY
 CONTRACTED FIRE DEPARTMENT
 REQUEST FOR PUBLIC SAFETY
 CRITICAL NEEDS FUNDING FY2024**

Signature _____

Date _____

Please provide a line item detailed budget for the equipment for the **FY 2024 budget**. Specify whether your various match items will be cash or in-kind, if any. Please attach documentation such as Quotes for equipment to support your application.

Please see page 6 for an example budget.

<i>Item Requested</i>	<i>Category</i>	<i>Funding Requested</i>	<i>Quantity</i>	<i>Total Cost</i>
Draeger SCBA	1	\$6,162.75	5	\$30,813.75
SCBA Cylinders	1	\$1,103.30	10	\$11,033.00
Draeger Rit Pack	2	\$3,943.00	1	\$3,943.00
TOTAL				\$45,789.75



LUBBOCK COUNTY
CONTRACTED FIRE DEPARTMENT
REQUEST FOR PUBLIC SAFETY
CRITICAL NEEDS FUNDING FY2024

Equipment Budget – EXAMPLE

Please provide a line item detailed budget for the equipment requested for the **FY 2024 budget**. Please specify whether your various match items will be cash or in-kind., if any. Please add additional pages, if needed.

<i>Item Requested</i>	<i>Category</i>	<i>Funding Requested</i>	<i>Quantity</i>	<i>Total Cost</i>
Hose	2	\$1000.00	4	\$4000.00
SCBA	1	\$7500.00	3	\$22500.00
TIRES	3	\$500.00	4	\$2000.00
TOTAL				\$28,500



Siddons-Martin Emergency Group
 3500 Shelby Lane
 Denton, TX, 76207
 USA
 Phone: (940) 315-4948

Item # 4.

ESTIMATE

DO NOT PAY

Customer Info:

Wolfforth Fire EMS
 P.O. Box 36
 Wolfforth, TX, 79382
 USA

Document Info:

Quote #: 700-0006139
 Taken By: Richard Harkcom
 Expiration Date: 01/18/2024

Item #	Description	Quantity / Unit	Unit Price	Amount
254735	PSS 7000 HP/QC W/ UEBSS, 4500/30 SENTINEL, LDV HOLDER RIGHT WAIST DRA-VN00078	5.00 / EA	6,162.75	30,813.75
254735	4500 PSI / 30 MINUTE CUSTOM LOGO (COBHAM) - CUSTOM COLOR CYLINDER DRA-4058836	10.00 / EA	1,188.30	11,883.00
244708	Cylinder QC Adapter HP DRA-3357114	10.00 / EA	108.80	1,088.00
244722	Kit, RIT Life Guard Includes Mask, LDV, Pneumatics and 60 Mi DRA-3702124	1.00 / EA	3,943.00	3,943.00
000056	FREIGHT FRT	1.00 / EA	350.00	350.00

Total of All Services			
Labor total	\$0.00	Shop supplies	\$0.00
Parts total	\$47,727.75	Sublet total	\$0.00
Freight total	\$ 350.00	Core charges	\$0.00
		Sales tax	\$0.00

Total: \$48,077.75

Draeger, Inc.

Siddons Martin Emergency Group
1362 E. Richey Rd.
Houston, TX 77073

Tel
(682)-308-7399

E-mail
Paul.felegy@draeger.com

Draeger NFPA Responder Division Sole Source

February 21, 2024

Siddons Martin Emergency Group Customer,

This letter is to confirm that Siddons Martin Emergency Group is the Sole Source Provider for NFPA Approved SCBA's for the Responder Market in the following states: Texas, New Mexico, and Utah.

This is effective August 1, 2023 & going forward.

Should you have any questions regarding this, please do not hesitate to reach out to me for clarification.

Kind regards,



Paul Felegy
Regional Sales Manager
Texas, Oklahoma, & New Mexico

Draeger, Inc
3135 Quarry Road
Telford, PA 18969
USA
Tel +1 215 723 5935
www.draeger.com



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	April 1, 2024
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on a zoning change from C-3 to M-1 at BLK AK SEC 25 AB 246 TR NE 12 (1.83 Acres) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 acres.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

- 1. Conduct a Public Hearing on a zoning change from C3 to M1.**
- 2. Consider and take appropriate action on approving zoning ordinance C3 to M1.**

MMR Industrial LLC has contacted the City of WolfForth with plans to build an office/warehouse with loading dock height access for a little over 40,000 square feet building. (The speculative build will include about 2,100 SF of office space and 38,610 SF of warehouse space) Since over 50% of the building will have a principal use of warehousing, MMR Industrial LLC is asking for a zoning change from C-3 to M-1. Under city ordinances, “Warehouse and Freight Movement” falls under the Industrial use category for light manufacturing.

Prospective businesses that they are targeting include ones suitable for processing or storing materials that comply with IBC S-2, which means low-hazard storage. The ideal tenant will be able to perform light manufacturing and production, including but not limited to assembly, processing, fabrication, packaging, and movement of goods. The architectural characteristics include a blend of industrial and traditional materials, allowing this building to blend nicely into its C-3 and M-1 surroundings.

On February 29, 2024, 2 letters were mailed to all property owners within a 200’ radius of the property. No responses were received regarding this property.

On March 19, 2024, the P&Z Commission recommended the zoning change from C3 to M1 based on their principal use and designed expectations of future businesses.

EXHIBITS:

1. P&Z Commentary
2. Notice of Public Hearing
3. Current Zoning Map
4. Wide view of Area
5. Project Description from Architect
6. Use Table-Commercial and Industrial
7. Zoning Application

8. Site Plan
9. List of S-2 low-hazard storage items

COUNCIL ACTION/STAFF RECOMMENDATION:

Conduct a public hearing.



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission Meeting
MEETING DATE:	March 19, 2024
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on a zoning change from C-3 to M-1 at BLK AK SEC 25 AB 246 TR NE 12 (1.83 Acres) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 acres.
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 C-3 to M-1.**
- 2. Consider and take appropriate action on approving C-3 to M-1.**

MMR Industrial LLC has contacted the City of Wolfforth with plans to build an office/warehouse with loading dock height access for a little over 40,000 square feet building. (The speculative build will include about 2,100 SF of office space and 38,610 SF of warehouse space) Since over 50% of the building will have a principal use of warehousing, MMR Industrial LLC is asking for a zoning change from C-3 to M-1. Under city ordinances, “Warehouse and Freight Movement” falls under the Industrial use category for light manufacturing.

Prospective businesses that they are targeting include ones suitable for processing or storing materials that comply with IBC S-2, which means low-hazard storage. The ideal tenant will be able to perform light manufacturing and production, including but not limited to assembly, processing, fabrication, packaging, and movement of goods.

The architectural characteristics include a blend of industrial and traditional materials, allowing this building to blend nicely into its C-3 and M-1 surroundings.

EXHIBITS:

1. Notice of Public Hearing
2. Current Zoning Map
3. Wide view of Area
4. Project Description from Architect
5. Use Table-Commercial and Industrial
6. Zoning Application
7. Site Plan

COMMITTEE ACTION/STAFF RECOMMENDATION:

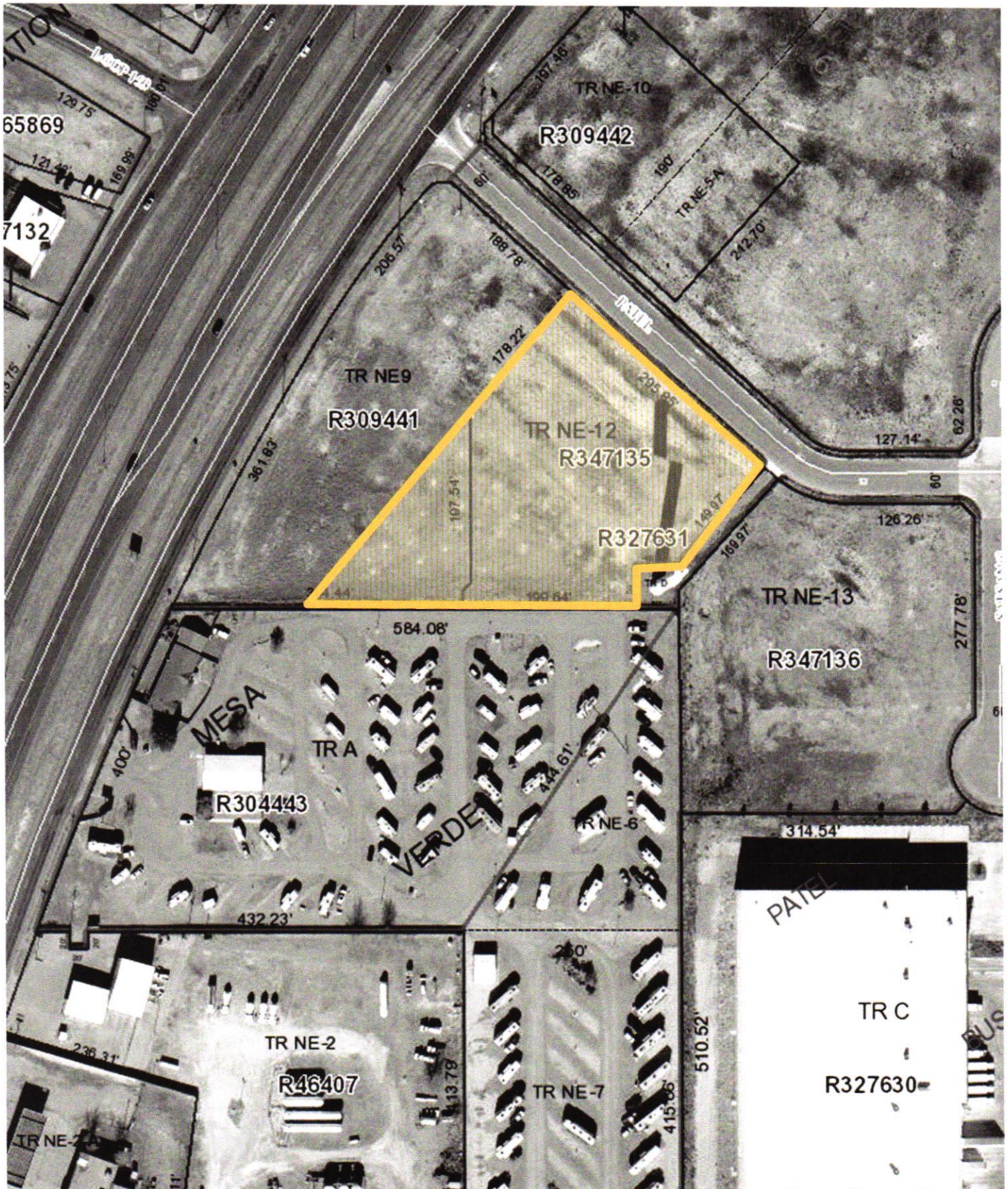
Conduct a public hearing for comments.

PUBLIC NOTICE

The Wolfforth Planning and Zoning Commission will meet on March 19, 2024 at 5:30 pm and the Wolfforth City Council will meet on April 1, 2024 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 C-3 to M-1 for Office and Warehousing at BLK AK SEC 25 AB 246 TR NE 12 1.83 Acres and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 Acres. (Currently the location of Patel Dr and 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.



BEING a 2.35 Acre tract located in the Northwest Quarter (NE 1/4) Section 25, Block AK, Abstract 246, G RR Co. Survey, being all of that certain called Tract 2 and part of that certain called Tract 5, as described in County Clerk File No. 2022028586, Official Public Records of Lubbock County, Texas, and being further described by metes and bounds as follows:

BEGINNING at a Point for the Southwest Corner, from which a 1/2 Inch Iron Rod Found for the Northwest Corner of Mesa Verde Addition, as recorded in Volume 9442, Page 120, Deed Records of Lubbock County, Texas bears North 88°05'24" West - 170.55 feet;

THENCE North 1°41'42" East - 36.34 feet to a Point for a Corner;

THENCE North 44°06'52" East - 436.54 feet to a 1/2 Inch Iron Rod Found for the Northmost Corner of said Tract 2, as described in County Clerk File No. 2022028586, Official Public Records of Lubbock County, Texas;

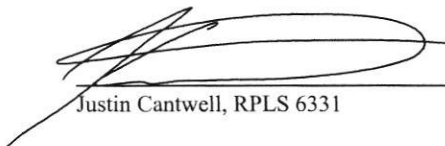
THENCE South 45°55'16" East - 296.04 feet along the Southwest Right-of-Way line of Patel Drive to a 1/2 Inch Iron Rod Found for the Northernmost Northwest Corner of Tract D, Patel Business Park, as described in Volume 13, Page 200-A, Deed Records of Lubbock County, Texas;

THENCE South 44°04'44" West - 149.83 feet to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for a Corner, same being an internal corner of said Patel Business Park, Tract D;

THENCE North 87°40'29" West - 48.33 feet along a North line of said Tract D to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for a Corner;

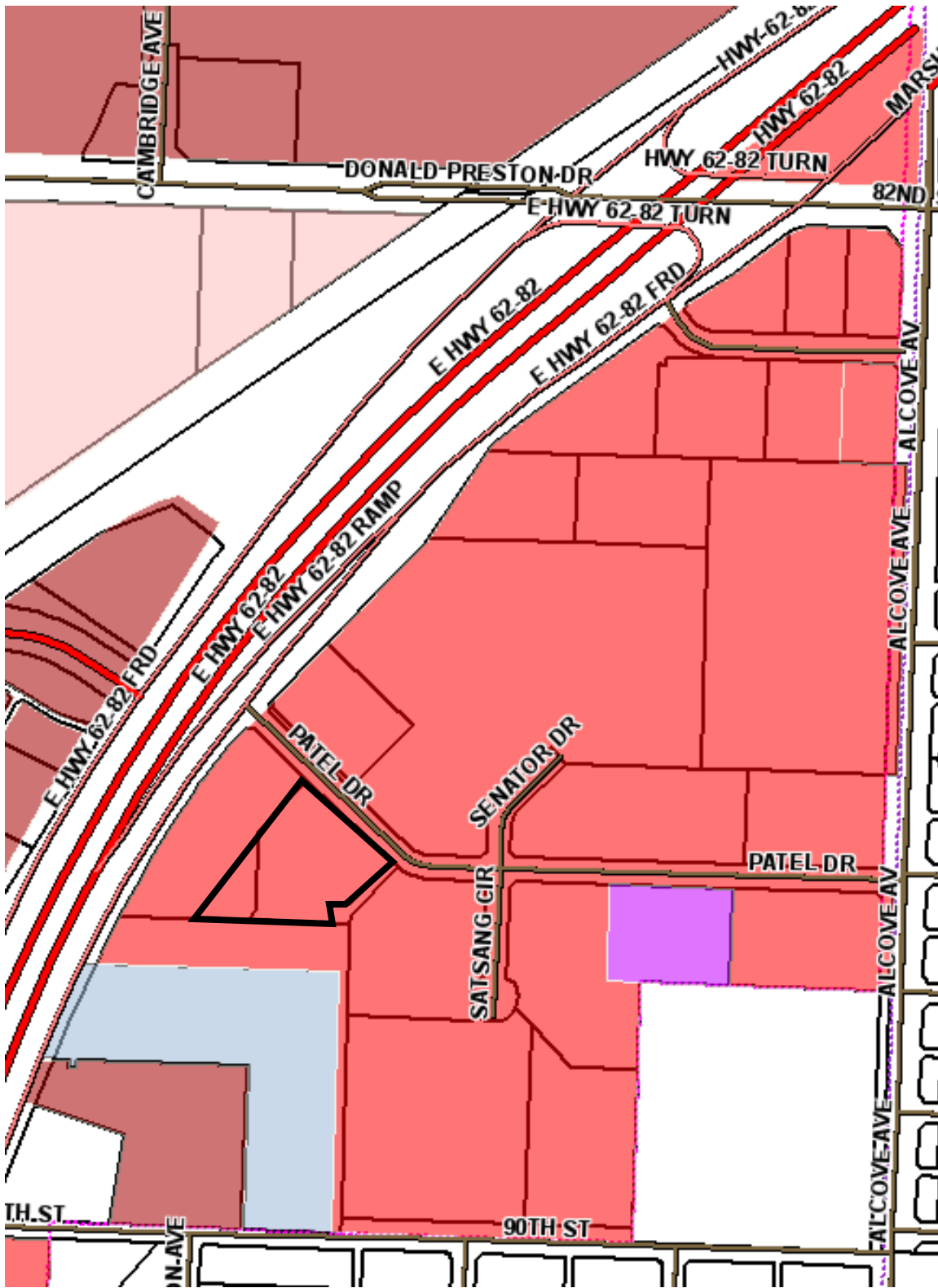
THENCE South 1°43'31" West - 50.27 feet along the West line of said Tract D to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for the Southeast Corner, same being the Southwest Corner of said Patel Business Park, Tract D;

THENCE North 88°05'24" West - 363.79 feet along the North line of said Mesa Verde Addition to the POINT OF BEGINNING and containing 2.35 Acres more or less.


Justin Cantwell, RPLS 6331

Date: February 9, 2024





- C-1 Local Retail
- C-2 General Commercial
- C-3 Commercial
- MHP Manufactured Housing Park
- MHS Manufactured Housing Subdivision
- M-1 Light Industrial
- M-2 Heavy Industrial
- PD Planned Development



February 28, 2024

To whom it may concern:

Seventeen Services seeks a zone change for 2.35 Acres at 8111 Patel Drive. The speculative build will include about 2,100 SF of office space and 38,610 SF of warehouse space. The building is suitable for processing or storing materials that comply with IBCS-2, which means low-hazard storage. The ideal tenant will be able to perform light manufacturing and production, including but not limited to assembly, processing, fabrication, packaging, and movement of goods. The architectural characteristics include a blend of industrial and traditional materials, allowing this building to blend nicely into its C-3 and M-1 surroundings.

Tyler Gentry, AIA NCARB
Principal Architect / Seventeen Services LLC
1500 Broadway Suite 203 Lubbock, TX 79401 | tyler@17services.com | 17services.com

§ 14.03.008. Use table.

All of the use categories listed in the table below are explained in sections 14.03.010 through 14.03.015. The second column of the use table contains an abbreviated explanation of the respective use category. If there is a conflict between the abbreviated definition and the full explanation in sections 14.03.010 through 14.03.015, the provisions of sections 14.03.010 through 14.03.015 shall control.

- (1) Allowed uses. Uses identified with an "A" are allowed by right as set forth in section 14.02.009. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (2) Conditional uses. Uses identified with a "C" are allowed subject to approval by the planning commission as set forth in section 14.02.005. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (3) Special uses. Uses identified with an "S" are allowed subject to approval by the city council as set forth in section 14.02.006. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (4) Excluded uses. The following uses shall be excluded from any and all zoning districts within the city limits.
 - (A) Meat and poultry rendering of byproducts;
 - (B) Chemical and nuclear waste storage dumps; and
 - (C) Mobile homes as defined in section 14.08.004.
- (5) Use table. Allowed, conditional and mandatory planned development uses are set forth in the following table. Uses that may be subject to additional specific use standards set forth in article 14.04 are designated with a "*".

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
A=Allowed S=Special Use	C= Conditional *=Specific use regulations may apply														
Group Living	Residential occupancy that does not meet the definition of "household living"	*	—	—	—	—	A	—	—	—	A	A	A	—	—
Household Living	Residential occupancy of a dwelling by a "household"	*	A	A	A	A	A	A	A	A	C	C	C	C	C
Recovery Facility, Alcohol and Drug	Residential programs that provide care and training or treatment for psychiatric, alcohol or drug problems	*	—	—	—	—	—	—	—	—	—	A	A	A	A
College	Institutions of higher learning	*	—	—	—	—	—	—	—	—	—	A	A	—	—

§ 14.03.008

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Community Services	Public, nonprofit, or charitable uses providing service to the community		—	—	—	—	—	—	C	C	A	A	A	C	C
Day Care	Care, protection and supervision for children or adults on a regular basis	*	—	—	—	—	—	—	—	—	A	A	A	C	C
Detention Facilities	Facilities for detention of incarcerated people		—	—	—	—	—	—	—	—	—	—	S	S	S
Golf Course, Golf Driving Range	Facilities for golf, including practice areas	*	S	S	—	—	S	S	S	S	S	S	S	S	S
Hospital	Medical or surgical care, with overnight care	—	—	—	—	—	—	—	—	—	—	C	C	C	C

§ 14.03.008

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Parks and Open Areas	Natural areas consisting mostly of vegetative landscaping, outdoor recreation, gardens, etc.		A	A	A	A	A	A	A	A	A	A	A	A	A
Religious Institutions	Meeting areas for religious activities		C	C	C	C	C	C	C	C	A	A	A	A	A
Safety Services	Public safety and emergency services		C	C	C	C	C	C	C	C	A	A	A	A	A
Schools	Elementary, middle, or high school level schools		C	C	C	C	C	C	C	C	C	A	A	—	—
Utilities, Basic	Infrastructure that needs to be located in or near the area where the service is provided		A	A	A	A	A	A	A	A	A	A	A	A	A
Auto and Boat Dealer	Sales of cars, light trucks and boats	*	—	—	—	—	—	—	—	—	—	—	A	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Bed & Breakfast	A single-family dwelling offering overnight accommodations	*	S	S	—	—	S	—	—	—	C	C	A	C	C
Campground/ Recreational Vehicle Park	Temporary, often overnight accommodations for camping units and recreational vehicles		S	—	—	—	—	—	S	—	—	—	S	S	S
Game Hall	A game arcade, bingo, billiard or pool hall	*	—	—	—	—	—	—	—	—	—	—	C	C	C
Office	Activities in an office setting focusing on business, government, professional, medical or financial services		—	—	—	—	—	—	—	—	A	A	A	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Bars & Taverns	The sale of beer, wine and mixed alcoholic beverages for consumption on the premises as the primary business activity.	—	—	—	—	—	—	—	—	—	—	—	A		A
Parking, Commercial	Parking not accessory to an allowed use, fees may be charged		—	—	—	—	—	—	—	—	C	A	A	A	A
Recreation and Entertainment, Outdoor	Large commercial uses that provide continuous recreation or entertainment		—	—	—	—	—	—	—	—	—	—	S	S	S

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Rental, Equipment	Firms leasing or renting heavy vehicles, equipment and machinery under 3.5 tons to the public, may also provide product repair	*	—	—	—	—	—	—	—	—	—	—	A	A	A
Retail Sales and Service	Firms involved in the sale or new or used products to the public, may provide personal services, entertainment or product repair	*	—	—	—	—	—	—	—	—	A	A	A	C	C
Self-Service Storage	Uses providing separate storage areas for individuals or businesses	*	—	—	—	—	—	—	—	—	C	C	A	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Vehicle Repair	Service to passenger vehicles, light or medium trucks, other consumer motor vehicles, generally, the customer does not wait at site while service is being performed	*	—	—	—	—	—	—	—	—	—		C	A	A
Vehicle Service, Limited	Direct services to vehicles where the customer generally waits nearby while the service is performed	*	—	—	—	—	—	—	—	—	A	A	A	A	A
Vehicle Wash	Automatic or nonautomatic facilities for washing vehicles		—	—	—	—	—	—	—	—	A	A	A	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Veterinary Clinics, Small Animals	Offices and clinics for small, non-hoofed animals		—	—	—	—	—	—	—	—	A	A	A	A	A
Industrial Service	Firms servicing industrial, business or consumer machinery, equipment, products or byproducts		—	—	—	—	—	—	—	—	—	—	—	A	A
Manufacturing and Production, Light	Firms involved in assembly, light manufacturing, processing, fabrication, or packaging of goods	*	—	—	—	—	—	—	—	—	—	—	—	A	A
Manufacturing and Production, Heavy	Firms involved in heavy manufacturing, production or fabrication of goods		—	—	—	—	—	—	—	—	—	—	—	—	A
Warehouse and Freight Movement	Firms involved in storage or movement of goods		—	—	—	—	—	—	—	—	—	—	C	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Waste-Related Use	Uses that receive recycled materials or wastes for disposal on-site or transfer to another location, uses that collect sanitary wastes, or that produce goods or energy from composting	*	—	—	—	—	—	—	—	—	C	C	C	A	A
Wholesale Trade	Firms involved in sale, lease, or rental of products for industrial, institutional, or commercial business	*	—	—	—	—	—	—	—	—	—	—	C	A	A
Agriculture	Raising or producing plants		A	—	—	—	—	—	—	—	—	—	—	C	C

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Animal Kennel	Facilities for overnight care of animals, except horses		—	—	—	—	—	—	—	—	—	—	—	C	C
Entertainment Event, Major	Activity or structure that draws large numbers of people to specific events		—	—	—	—	—	—	—	—	—	—	S	S	S
Firearms Range	Indoor or outdoor facilities for discharging firearms	*	S	—	—	—	—	—	—	—	—	—	S	S	S
Horse Boarding and Riding Academy	Overnight care of horses, with or without related equestrian facilities		S	—	—	—	—	—	—	—	—	—	—	C	C
Mining	Extraction of mineral or aggregate resources for off-site use		S	—	—	—	—	—	—	—	—	—	—	C	C

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Passenger Terminals	Facilities for the arrival or departure of airplanes, trains or buses		—	—	—	—	—	—	—	—	—	—	C	C	C
Plant Nursery	Facilities producing flowers, shrubs, horticultural or household plants for retail or wholesale trade		A	—	—	—	—	—	—	—	—	C	A	A	A
Telecommunications Facilities	Devices and supporting elements necessary to produce non-ionizing electromagnetic radiation operating to produce a signal	*	C	C	C	C	C	C	C	C	C	C	C	A	A

§ 14.03.008

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Any Use(s) Deemed Appropriate	Only where such uses(s) can provide effective transition between less restrictive and more restrictive zoning districts	*	S	S	S	S	S	S	S	S	S	S	S	S	S

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Light Manufacturing	Food and beverage processing; drug processing, tobacco manufacture; building materials processing; light metal fabrication; jewelry fabrication; processing and fabrication of optical and scientific instruments; artificial limb fabrication; broom fabrication; manufacture of wearing apparel including boots and shoes; bags and mattress manufacture		—	—	—	—	—	—	—	—	—	—	—	A	A
Small Residential/ Commercial Windmills	Windmills of less than 35 feet in height as described	*	A	A	A	A	—	—	—	—	A	A	A	A	A

§ 14.03.008

§ 14.03.008

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Residential/ Commercial Windmills	Larger windmills designed to supply power to a single location. Residential occupancy of a dwelling by a "household"	*	S	S	S	S	S	S	S	S	S	S	S	S	S
Industrial Windmills	Windmills designed to generate electricity for sales	*	—	—	—	—	—	—	—	—	—			S	S

§ 14.03.008

§ 14.03.013

(Ordinance adopted 3/21/2022)

§ 14.03.013. Commercial use categories.(a) Auto and Boat Dealers.

- (1) Characteristics. Auto Sales firms involve the sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, recreational vehicles and boats.
- (2) Accessory uses. Vehicle Repair and maintenance shall be allowed on the same lot as an Auto or Boat Dealer, so long as such repair and maintenance is clearly subordinate, accessory and incidental to the Auto or Boat Dealer.
- (3) Exceptions.
 - (A) Sales, rental or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.

(b) Campground/Recreational Vehicle Park.

- (1) Characteristics. Campgrounds and recreational vehicle parks are intended for camping units or recreational vehicles (of the general public) occupied as temporary living quarters for recreational, educational or vacation purposes.
- (2) Accessory uses. Accessory uses include laundry facilities, convenience groceries, indoor/outdoor games and boat rental.
- (3) Exceptions. Travel trailers, motorized recreational vehicles and other such relocatable housing that does not meet the definition of either a "mobile home" or of "manufactured housing" may be occupied within a manufactured housing park, provided these types of accommodations do not exceed 30 percent of the total units in the park.

(c) Office.

- (1) Characteristics. Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.
- (2) Accessory uses. Accessory uses may include sundry shops, cafeterias, health facilities, parking, or other amenities intended primarily for the use of employees in the firm or building.
- (3) Examples. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utility offices; TV and radio studios; medical and dental clinics (not including veterinary clinics), medical and dental labs; and blood-collection facilities.

(4) Exceptions.

- (A) Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when located on the same premises as or adjacent to a principal use in another category, are considered part of the other category.
- (B) Offices for construction contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the office site and fabrication, services, or similar work is not carried on at the office site.
- (C) Veterinary clinics for small, non-hoofed animals shall be classified as a separate use category. Veterinary clinics for large, hoofed animals shall be classified as Industrial Services.

(d) Parking, Commercial.

- (1) Characteristics. Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.
- (2) Accessory use. In a parking structure only, accessory uses may include gasoline sales, car washing and vehicle repair activities if these uses provide service only to vehicles parked in the garage.
- (3) Examples. Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others).
- (4) Exceptions.
 - (A) Parking facilities that are accessory to a use, but for which a fee is charged to the public to park for occasional events nearby, are not considered Commercial Parking facilities.
 - (B) Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the parking facility to the principal use or charges a fee to the individuals who park in the facility.
 - (C) Public transit park-and-ride facilities are classified as Basic Utilities.

(e) Plant Nurseries.

- (1) Characteristics. Plant Nurseries are comprised of land and buildings used for floricultural or horticultural plant production for retail or wholesale trade. This use category includes commercial greenhouses where the roof and sides of such buildings are made largely of transparent/translucent materials and in which temperature and humidity can be regulated for cultivation of delicate or out-of-

season plants, for subsequent sale.

- (2) Accessory uses. Accessory uses include office buildings, barns and sheds for storing materials and equipment, buildings for allowable retail sales. Selling lawn and garden supplies and equipment as well as plant material produced off-premises is ordinarily allowed in conjunction with a plant nursery, except in an AO District.
- (3) Exceptions. In AO Districts, the only retail sales allowed are of plant material produced on those same premises. In AO Districts, plant nurseries shall not include sales of lawn and garden supplies and equipment, nor shall the sale of plant material produced off-premises be allowed.

(f) Recreation and Entertainment, Outdoor.

- (1) Characteristics. Outdoor Recreation and Entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.
- (2) Accessory uses. Accessory uses may include concessions, restaurants, parking, caretaker's quarters and maintenance facilities.
- (3) Examples. Examples include amusement parks, theme parks, miniature golf facilities and zoos.
- (4) Exceptions.
 - (A) Golf courses and golf driving ranges are classified as a separate, distinct use category.
 - (B) Uses that draw large numbers of people to periodic events, rather than on a continuous basis, are classified as Major Entertainment Events.
 - (C) An amusement facility housed entirely indoors is classified as Retail Sales and Service.

(g) Retail Sales and Service.

- (1) Characteristics. Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.
- (2) Accessory uses. Accessory uses may include offices, storage of goods and equipment, manufacture or repackaging of goods for on-site sale, and parking.
- (3) Examples. Examples include uses from the four following groups:
 - (A) Sales-oriented: Stores selling, leasing, or renting consumer, home and business goods generally intended for actual use by the buyer or renter and not for resale, including art, art supplies, bicycles, clothing, dry goods,

electronic equipment, fabric, furniture, garden equipment and supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery and videos.

- (B) Personal service-oriented: Branch banks; emergency medical care; laundromats; photographic studios; photocopy and blueprint services; print shops and lithographers (where finished goods are sold primarily onsite and to the general public, not to wholesalers); hair, tanning and personal care services; photo developing and clothes cleaning, with customer drop-of and pickup; business, martial arts and other trade schools; dance or music classes; taxidermists; mortuaries; and animal grooming.
 - (C) Entertainment-oriented: Restaurants, cafes, delicatessens, indoor continuous entertainment activities such as bowling alleys and ice rinks; dance halls; theaters, health clubs, gyms, membership clubs and lodges; hotels, motels, campgrounds, recreational vehicle parks and other temporary lodging with an average length of stay of less than 30 days.
 - (D) Repair-oriented: Repair of televisions, bicycles, clocks, watches, shoes, guns, appliances and office equipment; tailor; locksmith; and upholsterer.
- (4) Exceptions.
- (A) Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.
 - (B) Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
 - (C) Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Services."
 - (D) Game arcades, billiard and pool halls are not classified as Retail Sales and Services. Game halls are classified as a separate use category.
 - (E) Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
 - (F) Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.
 - (G) Bars and Taverns are not classified as Retail Sales and Services. Bars and Taverns are classified as a separate use category.

(h) Self-Service Storage.

- (1) Characteristics. Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.
- (2) Accessory uses. Accessory uses may include living quarters for a resident administrator or security and leasing offices. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use.
- (3) Examples. Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.
- (4) Exceptions. A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.

(i) Vehicle Repair.

- (1) Characteristics. Vehicle Repair firms service passenger vehicles, light and medium trucks and other household consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.
- (2) Accessory uses. Accessory uses may include offices, sales of parts and vehicle storage.
- (3) Examples. Examples include general automotive repair; specialty shops for transmission, brake, muffler, radiator or alignment repair; auto body shop; auto upholstery shop; auto customizing; and tire sales and mounting.
- (4) Exceptions. Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.

(j) Vehicle Service, Limited.

- (1) Characteristics. Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed.
- (2) Accessory uses. Accessory uses may include minor auto repair and minor auto parts sales.
- (3) Examples. Examples include full-service, mini-service and self-service fuel stations; and quick lubrication services.
- (4) Exceptions. Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.

§ 14.03.013

§ 14.03.014

(k) Veterinary Clinics, Small Animals.

- (1) Characteristics. Diagnosis and treatment of diseases and injuries of animals, especially domestic animals. On-site diagnosis and treatment of large, hoofed animals shall not be allowed at such veterinary clinics. Outside boarding of any animals shall not be allowed.
- (2) Accessory uses. Accessory uses shall include laboratories, parking, and fenced-in areas for exercising (not boarding) animals admitted for treatment or care.
- (3) Exceptions. Veterinary clinics for on-site diagnosis and treatment of large, hoofed animals shall be classified as Industrial Services.

(l) Bars and Taverns.

- (1) Characteristics. The sale of beer, wine and mixed alcoholic beverages for consumption on the premises exceeds 75% of the gross revenues of the establishment.

(Ordinance adopted 3/21/2022)

§ 14.03.014. Industrial use categories.(a) Industrial Service.

- (1) Characteristics. Industrial Service firms are engaged in the repair or servicing of industrial, business or household consumer machinery, equipment, products or by-products. Firms that service household consumer goods do so by mainly providing centralized services for separate retail outlets. Construction contractors and building maintenance services and similar uses typically perform services off-site. Relatively few customers, especially the general public, come to the site.
- (2) Accessory uses. Accessory activities may include offices, parking and storage.
- (3) Examples. Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing (including wash) and repair; tire retreading or recapping; building, heating, plumbing or electrical contractors; utility, paving and road building contractors; printing, publishing and lithography; exterminators; recycling operations; janitorial and building maintenance services; fuel oil distributors; sign making; solid fuel yards; research and development laboratories; laundry, dry-cleaning and carpet cleaning plants; veterinary clinics for large hoofed animals and photofinishing laboratories that accept work only from separate retail outlets, not directly from the public.
- (4) Exceptions.
 - (A) Construction-related contractors and others who perform services off-site

are included in the Office category, if major equipment and materials are not stored at the site and fabrication or similar work is not carried on at the site.

- (B) Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop.
- (C) Printing, publishing and lithography in which finished goods are sold primarily on site and to the general public are included in the Retail Sales and Service category.

(b) Manufacturing and Production.

- (1) Characteristics. Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of overall sales. Relatively few customers come to the manufacturing site. In general, the difference between light and heavy uses is their effect on the surrounding area. If the uses routinely subject the surrounding area to noxious or malodorous impacts, they are considered heavy manufacturing and production. Light manufacturing in general is considered to have fewer noxious effects produced by noise, smoke, odor, dust, vibration or glare, in comparison with heavy manufacturing and production. See section 14.04.013 in the specific use standards.
- (2) Accessory uses. Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.
- (3) Examples.
 - (A) Examples include processing of food and related products; weaving or production of textiles or apparel; wood products manufacturing; woodworking, including cabinet makers; movie production facilities; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items and other electrical items; production of artwork and toys for mass distribution and marketing; and production of prefabricated structures, including manufactured homes.
 - (B) Examples that are expressly included in the heavy manufacturing and production category include, but are not limited to each of the following:
 - (i) Slaughterhouses and meatpacking;
 - (ii) Tanning or curing of furs, skins, leather or hides;

- (iii) Wool pulling and scouring;
- (iv) Cottonseed oil mills;
- (v) Refining of petroleum and coal products;
- (vi) Manufacture and processing of stone, clay and concrete products;
- (vii) Mixing and batching of concrete and asphalt;
- (viii) Fabrication of boilers and tanks;
- (ix) Manufacture and processing of chemicals, including gaseous products and fertilizer.

(4) Exceptions.

- (A) Manufacturing of goods (including printed material) to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
- (B) Manufacture and production of goods from composting organic material is classified as Waste-Related uses.
- (C) Rendering of meat and poultry byproducts shall be prohibited from all zoning districts.

(c) Warehouse and Freight Movement.

- (1) Characteristics. Warehouse and Freight Movement firms are involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some occasional will-call pickups. There is little on-site sales activity with the customer present.
- (2) Accessory uses. Accessory uses may include offices, truck fleet parking and maintenance areas.
- (3) Examples. Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; storage of weapons and ammunition; wholesale distribution centers; truck or air freight terminals; freight forwarding services; bus barns; parcel services; major post offices; grain terminals; gasoline and petroleum product terminals and the stockpiling of sand, gravel, or other aggregate materials.
- (4) Exceptions.
 - (A) Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.
 - (B) Mini-warehouses are classified as Self-Service Storage uses.
 - (C) Warehousing or freight facilities characterized by stabling or storage of

livestock shall be classified as Heavy Manufacturing and Production.

(d) Waste-Related Use.

- (1) Characteristics. Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-Related uses also includes uses that receive hazardous wastes from others.
- (2) Accessory uses. Accessory uses may include recycling of materials, offices and repackaging and transshipment of by-products.
- (3) Examples. Examples include sanitary landfills, recyclable materials collection centers, waste composting, energy recovery plants, sewage plants and hazardous-waste collection sites.
- (4) Exceptions. Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill. Chemical and nuclear waste storage dumps are prohibited from all zoning districts.

(e) Wholesale Trade.

- (1) Characteristics. Wholesale Trade firms are involved in the sale, lease, or rent of products primarily intended for distribution to other merchants or firms who will, in turn, distribute them to the ultimate consumer. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.
- (2) Accessory uses. Accessory uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.
- (3) Examples. Examples include sale or rental of machinery, heavy equipment, heavy trucks, farm and ranch supplies, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, building hardware.
- (4) Exceptions.
 - (A) Firms that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
 - (B) Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.
 - (C) Livestock auctions, or any wholesale trade facilities characterized by stabling or storage of livestock, shall be classified as Heavy Manufacturing and Production.

(Ordinance adopted 3/21/2022)



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
- Fee
- Proof of Ownership
- Survey/Legal Description
- Site Plan
- Description of Planned Use

If PDD zoning is requested, please include any variance requests

Project Information

Location or Address 2.35 Acre Tract Located in the Northwest Quarter (NE 1/4) Section 25 Block AK, Abstract 246 GRR

Lots/Tracts: Tract 2 and part of Tract 5

Existing Zoning C-3 Requested Zoning M-1

Representative/Agent Information (if different from owner)

Firm Name Seventeen Services LLC
 Name Tyler Gentry
 Address 1500 Broadway St. Ste. 203 City Lubbock State TX
 Zip 79401 Telephone 8067878533 Email tyler@17services.com

Agent's Signature *K'Leigh Hernandez*
 Date 02/09/2024 Printed Name K'Leigh Hernandez

Owner Information

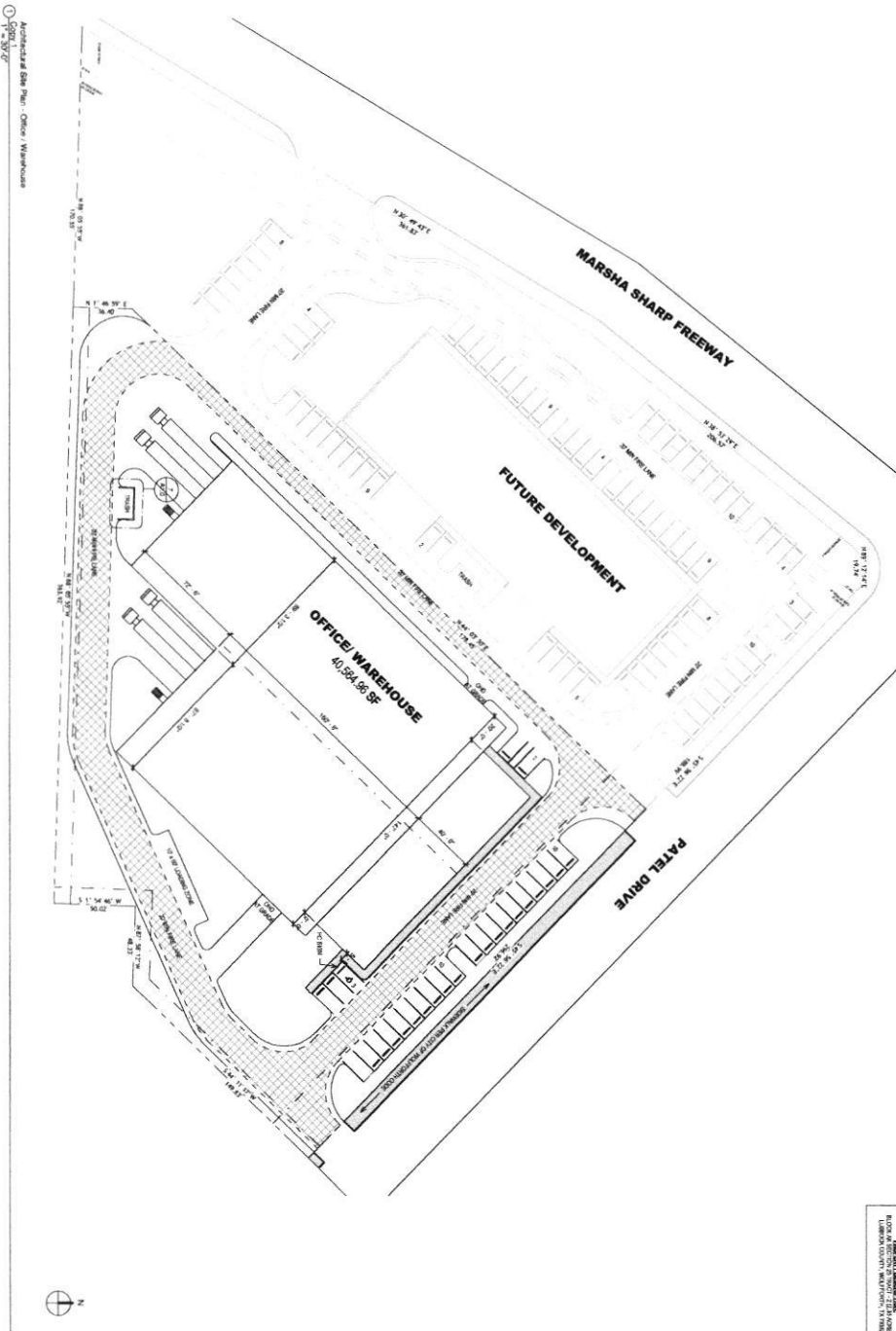
Firm Name MMR INDUSTRIAL LLC
 Address 1500 Broadway St. Ste. 1500 City Lubbock State TX
 Zip 79401 Telephone 806-401-6669 Email tyler@17services.com

Property's Owners Signature *Tyler Gentry*
 Printed Name Tyler Gentry Date 2-9-24

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



GENERAL NOTES:

1. THIS ARCHITECTURAL SITE PLAN IS PREPARED FOR THE ARCHITECT'S USE ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.
2. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR FOR THE COMPLETION OF THE PROJECT.
3. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR FOR THE COMPLETION OF THE PROJECT.
4. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR FOR THE COMPLETION OF THE PROJECT.
5. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR FOR THE COMPLETION OF THE PROJECT.

REVISIONS:

NO.	DATE	DESCRIPTION

Architectural Site Plan - Office Warehouse
 Scale: 1/8" = 1'-0"

Architectural Site Plan - Office Warehouse
 Scale: 1/8" = 1'-0"

WOLFFORTH INDUSTRIAL PARK - WAREHOUSE STREET ADDRESS WOLFFORTH, TX	REVISION No. Date
	61
TS TERRY QUINCY ARCHITECT #2212 PRELIMINARY DRAFT NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION 2024.02.08	Spenning Stephens LLC Texas Architectural Firm #003914 1501 Broadway, 5th Floor Lubbock, TX 79401 TSP@spenning.com
A1.1 PRELIMINARY ARCHITECTURAL SITE PLAN	Project Number: 2024 Date: 2024.02.08 Drawn By: J.A.K. Sheet Size: E1 30x42

311.3 Low-hazard storage, Group S-2.

Storage Group S-2 occupancies include, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products are permitted to have a negligible amount of plastic *trim*, such as knobs, handles or film wrapping. Group S-2 storage uses shall include, but not be limited to, storage of the following:

Asbestos

Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers

Cement in bags

Chalk and crayons

Dairy products in nonwaxed coated paper containers

Dry cell batteries

Electrical coils

Electrical motors

Empty cans

Food products

Foods in noncombustible containers

Fresh fruits and vegetables in nonplastic trays or containers

Frozen foods

Glass

Glass bottles, empty or filled with noncombustible liquids

Gypsum board

Inert pigments

Ivory

Meats

Metal cabinets

Metal desks with plastic tops and *trim*

Metal parts

Metals

Mirrors

Oil-filled and other types of distribution transformers

Parking garages, open or enclosed

Porcelain and pottery

Stoves

Talc and soapstones

Washers and dryers



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	April 1, 2024
ITEM TITLE:	Consider and take appropriate action on a zoning change from C-3 to M-1 at BLK AK SEC 25 AB 246 TR NE 12 (1.83 Acres) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 acres.
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 C-3 to M-1 at BLK AK SEC 25 AB 246 TR NE 12 (1.83 Acres) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 acres.

EXHIBITS:

1. Ordinance

COUNCIL ACTION/STAFF RECOMMENDATION:

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

ORDINANCE NO. 2024-0XX

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 NE 12 (1.83 ACRES) AND SE ¼ OF BLK AK SEC 25 AB 246 TR NE9 FOR A TOTAL OF 2.35 ACRES, WOLFFORTH, TEXAS, BY AMENDING THE ZONING DESIGNATION FROM C-3 TO M-1; 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, MMR INDUSTRIAL LLC plans to operate a warehouse facility on property known as BLK AK SEC 25 AB 246 TR NE 12 (1.83 ACRES) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 Acres (the “Property”)

WHEREAS, MMR INDUSTRIAL LLC has requested a change to the zoning designation of the Property from C-3 to M-1;

WHEREAS, after a public hearing, the Planning and Zoning Commission recommended the change in zoning designation for the Property to M-1 Light Industrial Manufacturing; 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 M-1.

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 NE 12 (1.83 ACRES) and SE ¼ of BLK AK SEC 25 AB 246 TR NE9 for a total of 2.35 Acres to M-1 Light Industrial and Manufacturing 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.

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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 the 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 APPROVED ON THIS THE 1ST day of April, 2024.

Charles Addington, II, Mayor
City of Wolfforth, TX

ATTEST:

Terri Robinette, City Secretary

[Type here]

EXHIBIT A



CENTERLINE ENGINEERING & CONSULTING, LLC.
 8312 Upland Avenue, Lubbock, Texas 79424
 (806) 470-8686
 TBPE Reg. No. F-16713
 TBPLS Reg. No. 10194378

BEING a 2.35 Acre tract located in the Northwest Quarter (NE 1/4) Section 25, Block AK, Abstract 246, G RR Co. Survey, being all of that certain called Tract 2 and part of that certain called Tract 5, as described in County Clerk File No. 2022028586, Official Public Records of Lubbock County, Texas, and being further described by metes and bounds as follows:

BEGINNING at a Point for the Southwest Corner, from which a 1/2 Inch Iron Rod Found for the Northwest Corner of Mesa Verde Addition, as recorded in Volume 9442, Page 120, Deed Records of Lubbock County, Texas bears North 88°05'24" West - 170.55 feet;

THENCE North 1°41'42" East - 36.34 feet to a Point for a Corner;

THENCE North 44°06'52" East - 436.54 feet to a 1/2 Inch Iron Rod Found for the Northmost Corner of said Tract 2, as described in County Clerk File No. 2022028586, Official Public Records of Lubbock County, Texas;


THENCE South 45°55'16" East - 296.04 feet along the Southwest Right-of-Way line of Patel Drive to a 1/2 Inch Iron Rod Found for the Northernmost Northwest Corner of Tract D, Patel Business Park, as described in Volume 13, Page 200-A, Deed Records of Lubbock County, Texas;

THENCE South 44°04'44" West - 149.83 feet to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for a Corner, same being an internal corner of said Patel Business Park, Tract D;

THENCE North 87°40'29" West - 48.33 feet along a North line of said Tract D to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for a Corner;

THENCE South 1°43'31" West - 50.27 feet along the West line of said Tract D to a 1/2 Inch Iron Rod with Cap marked "CEC 10194378" Set for the Southeast Corner, same being the Southwest Corner of said Patel Business Park, Tract D;

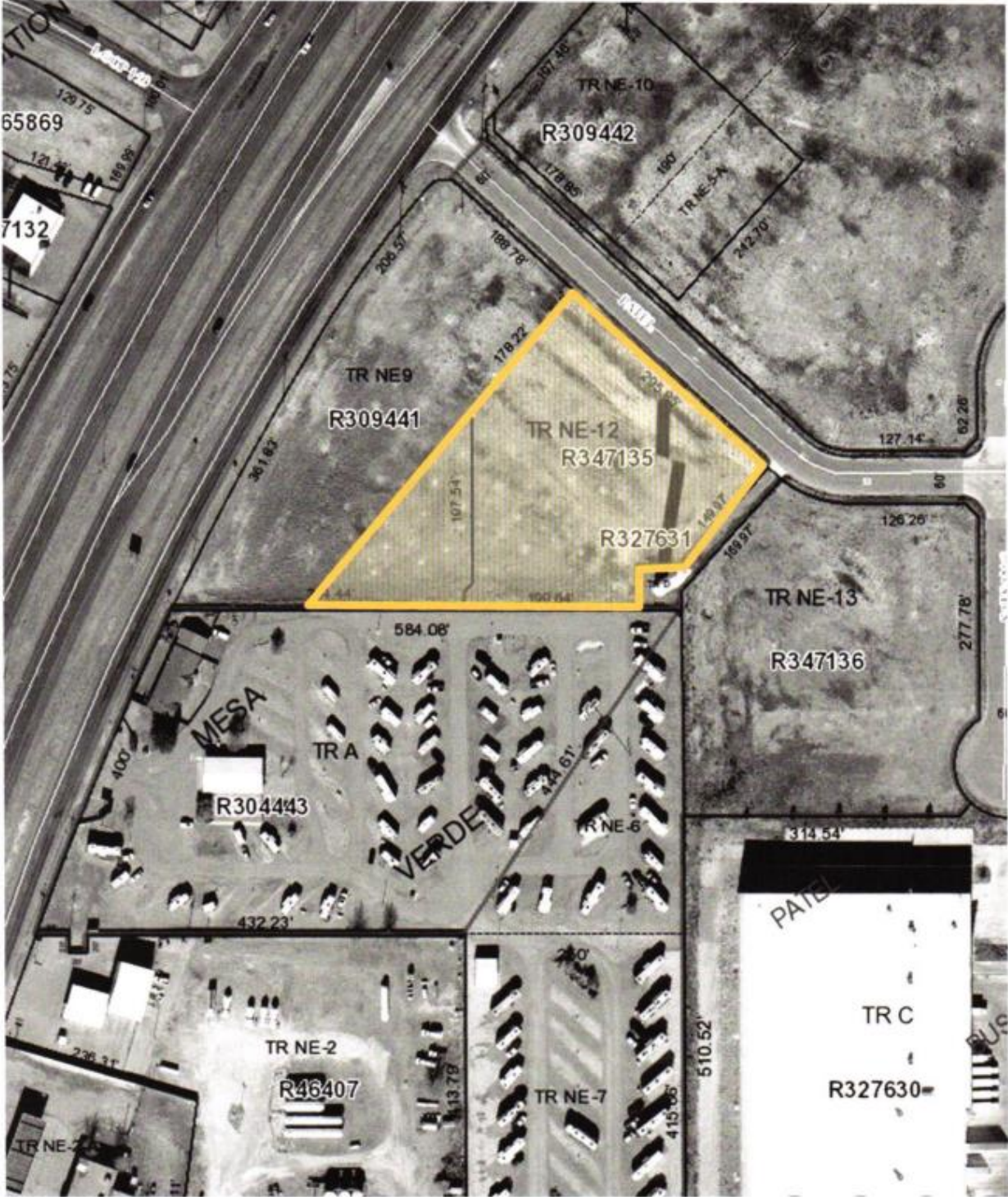
THENCE North 88°05'24" West - 363.79 feet along the North line of said Mesa Verde Addition to the POINT OF BEGINNING and containing 2.35 Acres more or less.


 Justin Cantwell, RPLS 6331

Date: February 9, 2024



[Type here]



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AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	April 1, 2024
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on amendment to the Wolfforth Zoning Ordinance 14.04.001- Accessory uses and structures.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

- 1. Conduct a Public Hearing on amending the Wolfforth Zoning Ordinance 14.04.001- Accessory uses and structures.**
- 2. Consider and take appropriate action on approving amendment to the Wolfforth Zoning Ordinance 14.04.001- Accessory uses and structures.**

Recently, the number of permits requested for accessory buildings has increased in all zoning districts. Our current ordinance specifies setback requirements from side and rear yards, along with the maximum floor space allowed. At this time, there is no requirement for a minimum separation from the principal building. To follow with other setback regulations, we suggest a 5-foot setback from the principal structure.

Along with setback requirements, our current ordinance allows uncharacteristic structures in commercial and industrial zones, but is prohibited in residential. This would allow businesses along Donald Preston and other major thoroughfares to be permitted to have shipping crates, railroad cars, and buses as storage facilities. To keep up the integrity of the city's aesthetics, the City of Wolfforth suggests that we prohibit these structures in all zoning districts.

On March 19, 2024, the P&Z Commission recommended both changes to the zoning ordinance 14.04.001.

EXHIBITS:

1. P&Z Commission Commentary
2. Public Hearing Notice
3. Suggested revisions to Ordinance 14.04.001

COUNCIL ACTION/STAFF RECOMMENDATION:

Conduct a public hearing.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Wolfforth Planning and Zoning Commission will meet on March 19, 2024, at 5:30pm and the Wolfforth City Council April 1, 2024 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 14.04.001 Accessory uses and structures.

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.

§ 14.04.001 **Accessory uses and structures.**

Principal uses classified as allowed uses by the district regulations of this chapter shall be deemed to include accessory uses and activities that are customarily associated with, as well as appropriate, incidental and subordinate to allowed principal uses. Accessory uses and activities shall be subject to the same regulations as principal uses unless otherwise expressly stated.

(1) Accessory buildings or structures.

(A) Setbacks.

An accessory building may be detached from the principal building, or constructed such that it is physically attached to the principal building.

(i) An accessory building attached to a principal building shall be considered integral to the principal building, and shall meet the same minimum side and rear setback requirements as the principal building.

(ii) Except for those carports allowed in section **14.05.013**, no accessory building, either attached or detached, shall be allowed within the minimum front yard required on the lot.

(iii) An accessory building that is detached from the principal building, or attached with only a breezeway, shall be allowed to extend into the required side or rear yard as follows:

a. Where the wall or edge of the roof will adjoin an alley right-of-way, no setback shall be required.

b. Where the wall or edge of the roof will adjoin any other side or rear lot line, a minimum setback of five (5) feet from that side or rear lot line shall be maintained.

(iv) In no event may any part of any accessory structure extend beyond any property line.

(v) An accessory building that is detached from the principal building, or attached with only a breezeway, shall maintain a 5 ft separation from the principal building.

(B) Size.

A maximum accessory building floor area of 600 square feet or 50 percent of the floor area of the principal building, whichever is greater, shall be permitted on any residential lot. Bona fide farm and agricultural buildings shall be exempt from this requirement.

(C) Prohibited structures.

Shipping crates, railroad cars, truck or bus bodies and other similar containers shall not be used as accessory buildings in any ~~residential~~ district.

(2) Satellite dish antennas in nonresidential districts.

Satellite dish antennas in nonresidential districts shall meet the following conditions for installation.

(A) All permanent installations shall be installed according to the manufacturer's requirements and shall meet appropriate building setbacks.

(B) All antennas, whether for sales and service or for permanent installation, shall be located in a manner that will not interfere with pedestrian or vehicular movement, shall not be a visual obstruction to traffic, and will not eliminate off-street parking spaces required by this chapter.

(3) Satellite dish antennas in residential districts.

Satellite dish antennas in residential districts shall meet the following conditions for installation.

(A) Antennas shall not be located in required front or side yards.

(B) The minimum distance between any point of the antenna and any property line shall be two feet.

(C) Installation on a roof is allowed, provided the total height of the structure and the antenna does not exceed the district standard set forth in article **14.05**.

(Ordinance adopted 3/21/2022)



AGENDA ITEM COMMENTARY

MEETING NAME: City Council Meeting
MEETING DATE: April 1, 2024
ITEM TITLE: Consider and take appropriate action on amendment to the Wolfforth Zoning Ordinance 14.04.001- Accessory uses and structures.
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 Zoning Ordinance 14.04.001- Accessory uses and structures.

EXHIBITS:

1. Ordinance

COUNCIL ACTION/STAFF RECOMMENDATION:

City staff recommends approval of amendment to Wolfforth Zoning Ordinance 14.04.001.



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission Meeting
MEETING DATE:	March 19, 2024
ITEM TITLE:	PUBLIC HEARING: Consider and take appropriate action on amendment to the Wolfforth Zoning Ordinance 14.04.001-Accessory uses and structures.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

1. Conduct a Public Hearing on amending the Wolfforth Zoning Ordinance 14.04.001-Accessory uses and structures.
2. Consider and take appropriate action on approving an amendment to the Wolfforth Zoning Ordinance 14.04.001-Accessory uses and structures.

Recently, the number of permits requested for accessory buildings has increased in all zoning districts. Our current ordinance specifies setback requirements from side and rear yards, along with the maximum floor space allowed. At this time, there is no requirement for a minimum separation from the principal building. To follow with other setback regulations, we suggest a 5-foot setback from the principal structure.

Along with setback requirements, our current ordinance allows uncharacteristic structures in commercial and industrial zones, but is prohibited in residential. This would allow businesses along Donald Preston and other major thoroughfares to be permitted to have shipping crates, railroad cars, and buses as storage facilities. To keep up the integrity of the city's aesthetics, the City of Wolfforth suggests that we prohibit these structures in all zoning districts.

EXHIBITS:

1. Public Hearing Notice
2. Ordinance 14.04.001 with revisions

COMMITTEE ACTION/STAFF RECOMMENDATION:

Staff recommends approval of revisions to ordinance 14.04.001.

ORDINANCE NO. 2024-0XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH ZONING ORDINANCE BY AMENDING CHAPTER 14 ZONING; AMENDING §14.04.001 ACCESSORY BUILDINGS AND STRUCTURES; ALLOWING FOR A PRINCIPAL BUILDING SETBACK AND PROHIBITED STRUCTURES IN ALL 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 including setbacks and prohibited structures;

WHEREAS, the Zoning Ordinance requires at least a five-foot setback from principal buildings;

WHEREAS, the Planning and Zoning Commission held a public hearing on March 19, 2024, regarding a principal building setback and prohibited structures; and

WHEREAS, the City published notice on March 1, 2024, in the Lubbock-Avalanche Journal for the March 19, 2024 public hearing before the Planning and Zoning Commission and the April 1, 2024 public hearing before the City Council; and

WHEREAS, the City Council believes it is in the best interest of the City to allow for a setback from the principal building and prohibited structures in all zones; NOW THEREFORE

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 Chapter 14 Zoning §14.04.001 (1) Accessory buildings or structures, such additional language shall read as follows:

§14.04.001 Accessory uses and structures.

(1) Accessory buildings or structures.

(A) Setbacks. An accessory building may be detached from the principal building or constructed such that it is physically attached to the principal building.

(i) An accessory building attached to a principal building shall be considered integral to the principal building, and shall meet the minimum side and rear setback requirements as the principal building.

- (ii) Except for those carports allowed in section **14.05.013**, no accessory building, either attached or detached, shall be allowed within the minimum front yard required on the lot.
 - (iii) An accessory building that is detached from the principal building, or attached with only a breezeway, shall be allowed to extend into the required side or rear yard as follows:
 - a. Where the wall or edge of the roof will adjoin an alley right-of-way, no setback shall be required.
 - b. Where the wall or edge of the roof will adjoin any other side or rear lot line, a minimum setback of five (5) feet from that side or rear lot line shall be maintained.
 - (iv) In no event may any part of any accessory structure extend beyond any property line.
 - (v) An accessory building that is detached from the principal building, or attached with only a breezeway, shall maintain a five-foot separation from the principal building.
- (B) Size. A maximum accessory building floor area of 600 square feet or 50 percent of the floor area of the principal building, whichever is greater, shall be permitted on any residential lot. Bona fide farm and agricultural buildings shall be exempt from this requirement.
- (C) Prohibited structures. Shipping crates, railroad cars, truck or bus bodies and other similar containers shall not be used as accessory buildings in any district.

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 separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portion.

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 the 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.

Part 5. Effective Date.

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

PASSED AND APPROVED ON THIS THE 1ST day of April 2024.

Charles Addington, II, Mayor
City of Wolfforth, TX

ATTEST:

Terri Robinette, City Secretary



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	April 1, 2024
ITEM TITLE:	Consider and take appropriate action on an amended final plat for Overlook West Phase 2 Lots 207-310.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

On April 18, 2022, Overlook West Phase 2 Lots 207-320 was approved by City Council. AMD, on behalf of Overlook, is requesting an amended plat, increasing lots sizes from 45' to 50', therefore, reducing the number of total lots by ten. The new plat will be Overlook West Phase 2 Lots 207-310.

The major changes include:

- Names updated to current streets
- On all cul-de-sacs: Lots will increase from 45' to 50', lots along 20th Street will increase to around 80'. A reduction of 6 total lots.
- Along Cedar: Lots will increase from 45' to 50, last lots will increase to 65' or 75'. A reduction of 2 lots.
- Along 17th and 18th Street: Lots will increase from 45' to 50'. A reduction of 2 lots.

EXHIBITS:

1. Original Overlook West Phase 2 Lots 207-320 plat
2. Proposed Overlook West Phase 2 Lots 207-310 plat

COUNCIL ACTION/STAFF RECOMMENDATION:

City staff recommends approval of amended final plat.

OVERLOOK WEST, LOTS 207 THROUGH 320, AN ADDITION TO THE CITY OF WOLFORTH, LUBBOCK COUNTY, TEXAS



VICINITY MAP
NOT TO SCALE

- NOTES:
- SCALE 1" = 100'
 - 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.
 - 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, PAYING 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.
- DRE = DRAINAGE EASEMENT.
PAE = PEDESTRIAN ACCESS EASEMENT.
R-O-W = RIGHT-OF-WAY.
UUE = UNDERGROUND UTILITY EASEMENT.
CM = CONTROL MONUMENT.
PMRD = PHYSICAL MONUMENT OF RECORD DIGNITY.
CCFN = COUNTY CLERK'S FILE NUMBER.
P&D = PLAT AND DEDICATION NUMBER.
BEARINGS ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM OF 1983 (2011), TEXAS NORTH CENTRAL ZONE. THE CONVERGENCE ANGLE TO TRUE NORTH BEARINGS IS -01° 55' 06.48". THE COMBINED SCALE FACTOR IS 0.99974709.
COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (2011), TEXAS NORTH CENTRAL ZONE.
DISTANCES SHOWN HEREON ARE AT SURFACE, IN U.S. SURVEY FEET.
THESE PLAT LIMITS CONTAIN 21.415 ACRES.
DESCRIPTION OF THESE PLAT LIMITS ARE ON A SEPARATE DOCUMENT, OF SAME DATE HEREWITH.

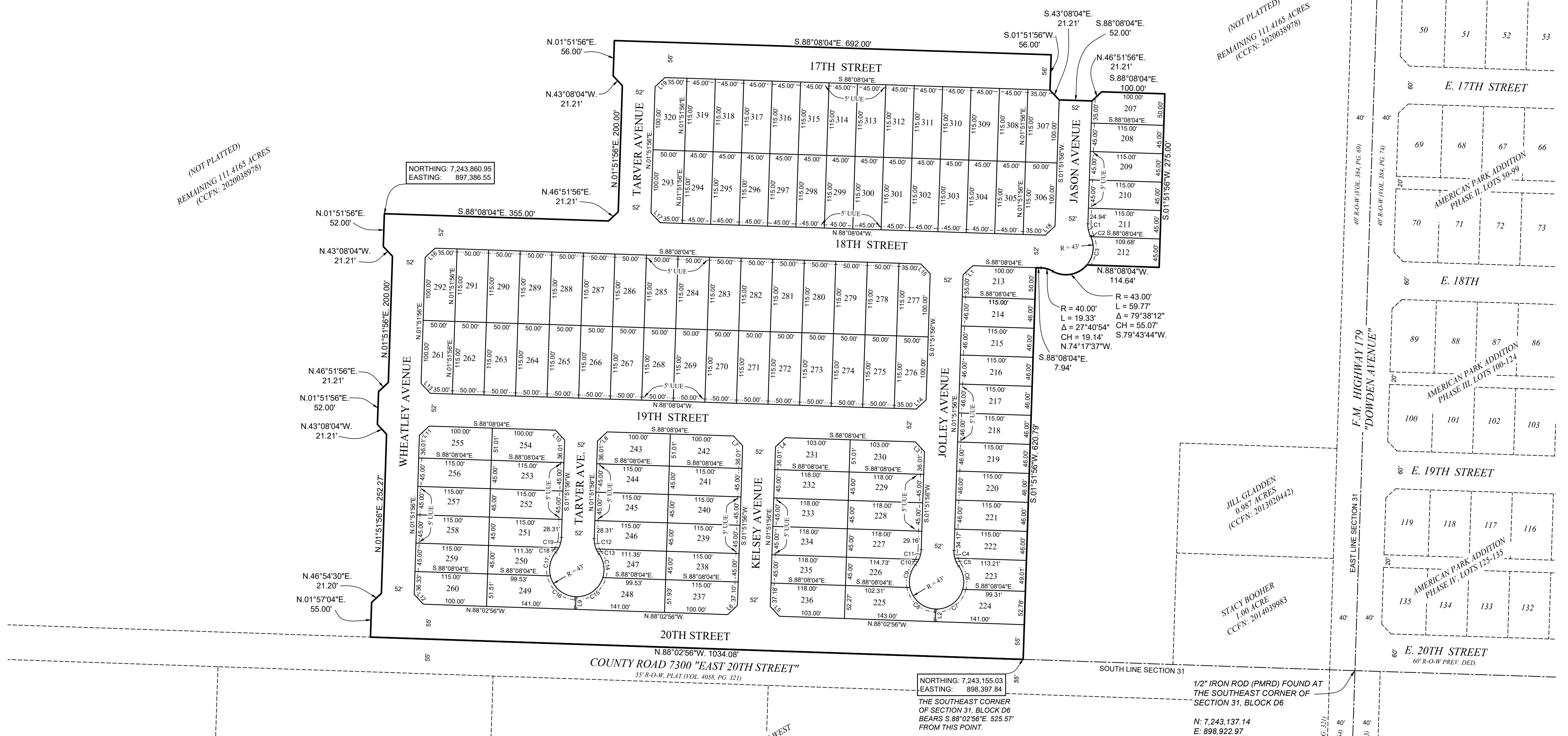
APPROVED THIS _____ DAY OF _____, 20____,
BY THE CITY COUNCIL OF THE CITY OF WOLFORTH, TEXAS.

MAYOR _____
CITY SECRETARY _____

REVIEWED
RECORDED
3:00 P.M.

(NOT PLATTED)
REMAINING 111.4165 ACRES
(CCFN: 2020038975)

(NOT PLATTED)
REMAINING 111.4165 ACRES
(CCFN: 2020038975)



JILL GLADDEN
0.987 ACRES
(CCFN: 2013020442)

STACY BOOHER
1.00 ACRE
(CCFN: 2014039983)

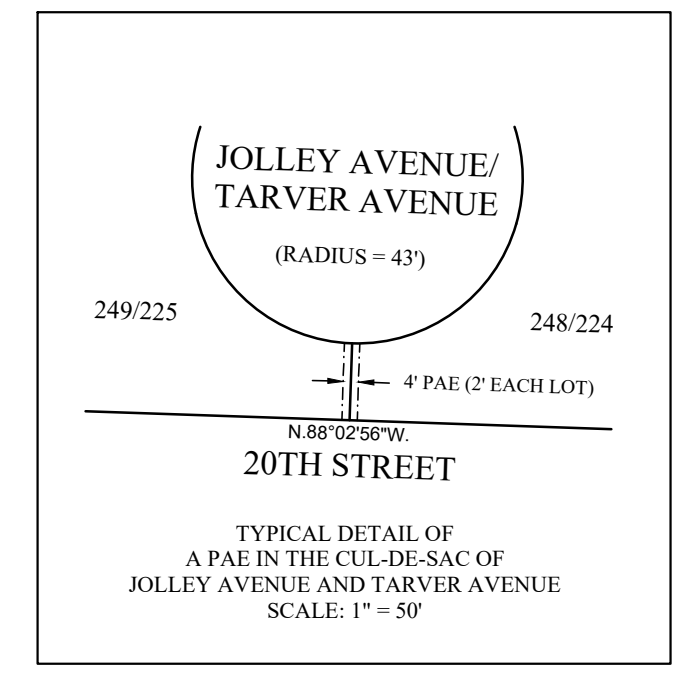
1/2" IRON ROD (PMRD) FOUND AT
THE SOUTHEAST CORNER OF
SECTION 31, BLOCK D6
N: 7,243,137.14
E: 898,922.97

NORTHING: 7,243,155.03
EASTING: 898,387.84
THE SOUTHEAST CORNER
OF SECTION 31, BLOCK D6
BEARS S.88°02'56"E. 525.57'
FROM THIS POINT.

FRANKFORD FARMS WEST
TRACTS 1 THROUGH 11
(VOL. 4058, PG. 321)

NOT PLATTED
BETENBOUGH HOMES, LLC
(CCFN: 2020031251)

LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
L1	N.46°51'56"E.	21.21'	C1	40.00'	19.33'	27°40'54"	19.14'	N.11°58'31"W.
L2	N.01°51'56"E.	20.08'	C2	43.00'	1.65'	2°11'58"	1.65'	N.24°42'59"W.
L3	S.43°08'04"E.	21.21'	C3	43.00'	47.68'	63°31'38"	45.27'	N.08°08'49"E.
L4	N.46°51'56"E.	21.21'	C4	40.00'	12.01'	17°12'26"	11.97'	N.06°44'17"W.
L5	N.43°05'30"W.	21.23'	C5	40.00'	14.05'	20°07'13"	13.97'	N.25°24'07"W.
L6	S.46°54'30"W.	21.20'	C6	43.00'	38.64'	51°28'57"	37.35'	N.09°43'15"W.
L7	S.43°08'04"E.	21.21'	C7	43.00'	56.92'	75°50'43"	52.86'	N.53°56'35"E.
L8	N.46°51'56"E.	21.21'	C8	43.00'	56.92'	75°50'43"	52.86'	S.50°12'42"E.
L9	N.01°51'56"E.	20.07'	C9	43.00'	38.64'	51°28'57"	37.35'	S.13°27'08"W.
L10	S.43°08'04"E.	21.21'	C10	40.00'	9.77'	13°59'34"	9.74'	S.32°11'49"W.
L11	N.46°51'56"E.	21.21'	C11	40.00'	16.29'	23°20'06"	16.18'	S.13°31'59"W.
L12	N.43°05'30"W.	21.23'	C12	40.00'	17.21'	24°39'19"	17.08'	N.10°27'43"W.
L13	N.43°08'04"W.	21.21'	C13	40.00'	8.85'	12°40'21"	8.83'	N.29°07'33"W.
L14	S.46°51'56"W.	21.21'	C14	43.00'	39.51'	52°38'34"	38.13'	N.09°08'27"W.
L15	S.43°08'04"E.	21.21'	C15	43.00'	56.05'	74°41'06"	52.17'	S.54°31'23"W.
L16	N.46°51'56"E.	21.21'	C16	43.00'	56.05'	74°41'06"	52.17'	N.50°47'31"W.
L17	N.43°08'04"W.	21.21'	C17	43.00'	39.51'	52°38'34"	38.13'	S.12°52'19"W.
L18	S.46°51'56"W.	21.21'	C18	40.00'	8.85'	12°40'21"	8.83'	S.32°51'26"W.
L19	N.46°51'56"E.	21.21'	C19	40.00'	17.21'	24°39'19"	17.08'	S.14°11'36"W.



KNOW ALL MEN BY THESE PRESENTS:
THAT I, NORRIS STEVENS, 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 HEREON
WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH
THE SUBDIVISION REGULATIONS OF THE CITY OF WOLFORTH, TEXAS.

REGISTERED PROFESSIONAL LAND SURVEYOR # 4339
LUBBOCK, TEXAS
SURVEYED: XXXXXX XX, 2022

PLAT FOR
3/7/22

AMD CIVIL ENGINEERING
LAND SURVEYING

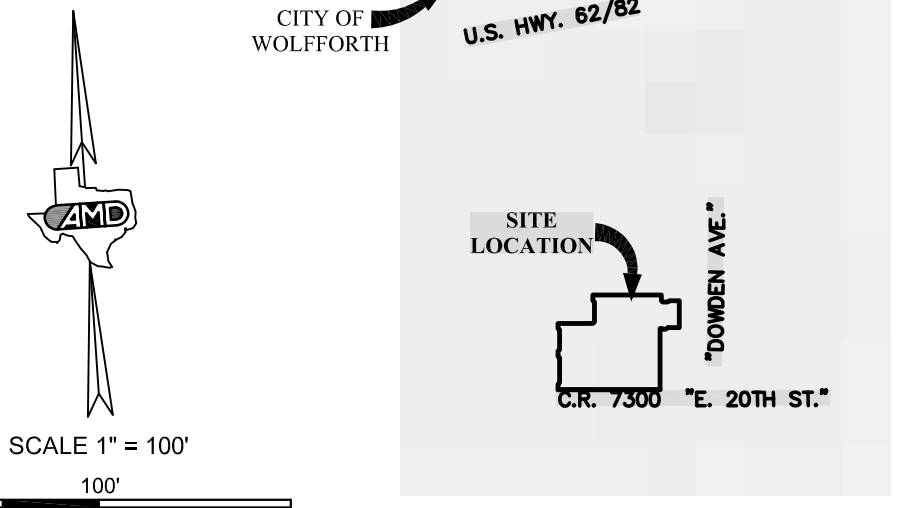
AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424
Phone: 806-771-5876
Fax: 806-771-7925
TBPELS Reg. # 10178500

Accuracy - Efficiency - Integrity

PROPERTY OWNER: OVERLOOK LAND GROUP, LLC
ADDRESS: P.O. BOX 53417, LUBBOCK, TEXAS 79453
PHONE: 806-761-7928
JOB NUMBER: 210960

© 2022 ALL RIGHTS RESERVED

OVERLOOK WEST, LOTS 207 THROUGH 310, AN ADDITION TO THE CITY OF WOLFORTH, 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 AN APPROVED FINAL PLAT UNLESS AN EXCEPTION IS PROVIDED BY THE CITY COUNCIL POLICY OR BY THE CITY OF WOLFORTH CODE OF ORDINANCES.
- ALL UTILITY SERVICE SHALL BE IN ACCORDANCE WITH THE "UNDERGROUND UTILITIES POLICY" STATEMENT BY THE CITY COUNCIL OF THE CITY OF WOLFORTH, TEXAS AND THE PROVISIONS OF SECTION 15.08.095 OF THE CITY OF WOLFORTH 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 "TO BE DEDICATED 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 OF WOLFORTH CODE OF ORDINANCES.
- UNDERGROUND UTILITY EASEMENTS, ALONG RIGHT-OF-WAY LINES, SHALL ALLOW FOR NECESSARY SURFACE APURTENANCES. ALL SURFACE APURTENANCES SHALL BE LOCATED AT THE SIDE LOT LINE SO AS NOT INHIBIT PEDESTRIAN AND/OR VEHICULAR ACCESS.

CCFN = COUNTY CLERK'S FILE NUMBER
 P&D = PLAT AND DEDICATION NUMBER (CCFN)
 DRE = DRAINAGE EASEMENT
 PAE = PEDESTRIAN ACCESS EASEMENT
 R-O-W = RIGHT-OF-WAY
 U/E = UNDERGROUND UTILITY EASEMENT (SEE NOTE 10)
 WLE = WATERLINE EASEMENT

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: 7,242,211.128 AND EASTING: 896,342.744. THE CONVERGENCE ANGLE TO TRUE NORTH IS (-)01° 55' 06.48" AND THE COMBINED SCALE FACTOR IS 0.99974709.
 DISTANCES SHOWN HEREON ARE AT SURFACE, IN U.S. SURVEY FEET.
 THESE PLAT LIMITS CONTAIN 21.415 ACRES.
 DESCRIPTION OF THESE PLAT LIMITS ARE ON A SEPARATE DOCUMENT, OF SAME DATE HEREWITH.

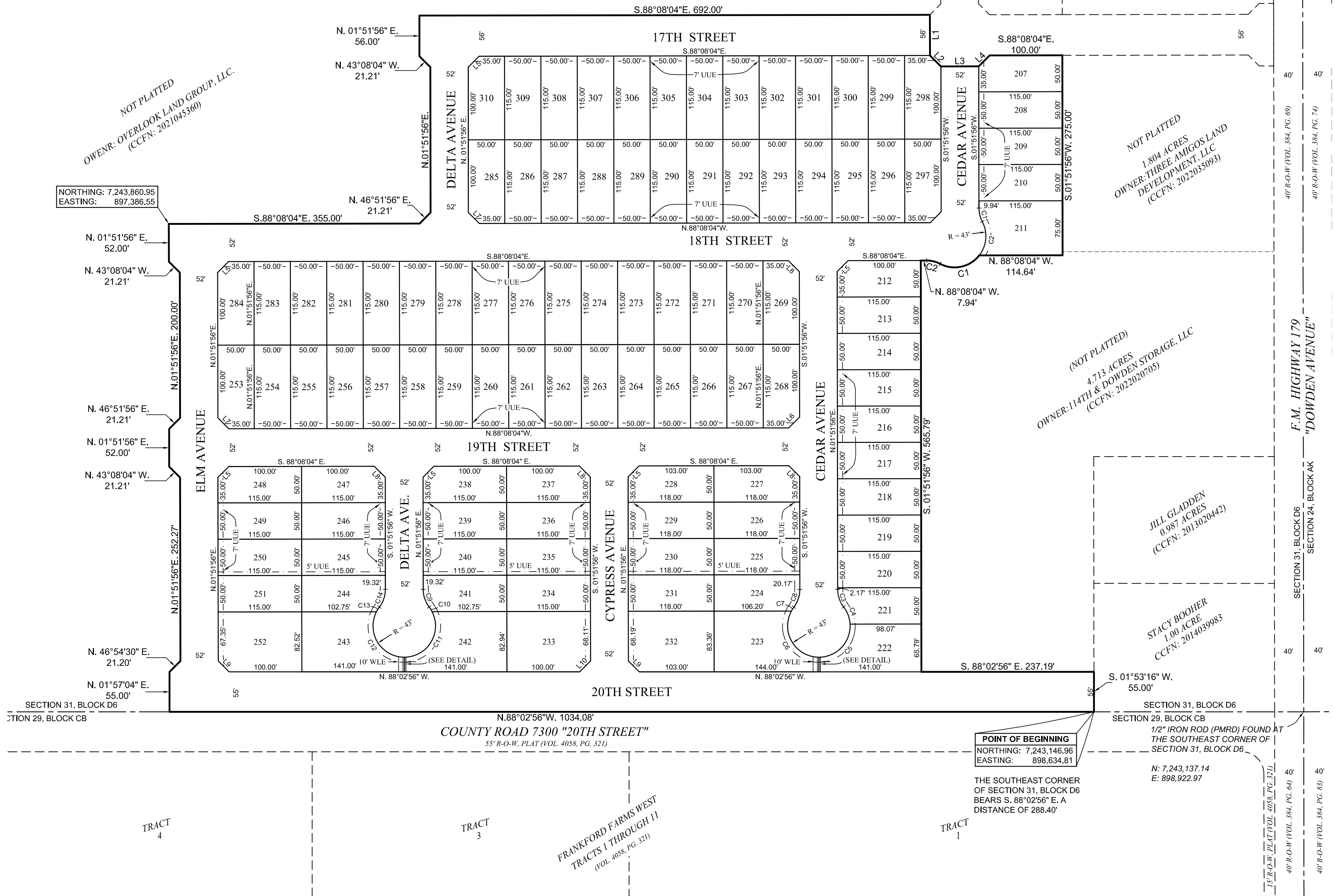
APPROVED THIS _____ DAY OF _____, 20____,
 BY THE CITY COUNCIL OF THE CITY OF WOLFORTH, TEXAS.

MAYOR _____
 ATTEST: _____
 CITY SECRETARY _____

KNOW ALL MEN BY THESE PRESENTS: THAT I, NORRIS STEVENS, 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.

REGISTERED PROFESSIONAL LAND SURVEYOR # 4339
 LUBBOCK, TEXAS
 SURVEYED: XXXXXX XX, 2022

AMD CIVIL ENGINEERING
 LAND SURVEYING
 AMD Engineering, LLC
 6515 68th Street, Suite 300
 Lubbock, TX 79424
 Phone: 806-771-5876
 Fax: 806-771-7825
 TBPELS Reg. # 10178500
 Accuracy - Efficiency - Integrity
 PROPERTY OWNER: OVERLOOK LAND GROUP, LLC
 ADDRESS: P.O. BOX 53417, LUBBOCK, TEXAS 79453
 PHONE: 806-761-7928
 JOB NUMBER: 210960
 B.A.M./J.M.
 © 2024 ALL RIGHTS RESERVED



LINE	BEARING	DISTANCE
L1	S. 01°51'56" W.	56.00'
L2	S. 43°08'04" E.	21.21'
L3	S. 88°08'04" E.	52.00'
L4	N. 46°51'56" E.	21.21'
L5	N. 46°51'56" E.	21.21'
L6	S. 46°51'56" W.	21.21'
L7	N. 43°08'04" W.	21.21'
L8	S. 43°08'04" E.	21.21'
L9	N. 43°05'30" W.	21.23'
L10	S. 46°54'30" W.	21.20'
L11	S. 01°51'56" W.	252.35'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	40.00'	19.33'	27°40'55"	19.14'	N. 11°58'30" W.
C2	43.00'	49.33'	65°43'36"	46.67'	S. 07°02'50" W.

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C3	40.00'	26.06'	37°19'54"	25.60'	N. 16°47'47" W.
C4	43.00'	25.52'	34°00'01"	25.14'	N. 18°27'43" W.
C5	43.00'	70.04'	93°19'38"	62.55'	N. 45°12'07" E.
C6	43.00'	88.91'	118°27'59"	73.90'	S. 28°54'04" E.
C7	43.00'	6.65'	8°51'40"	6.64'	N. 34°45'46" E.
C8	40.00'	26.06'	37°19'40"	25.60'	N. 20°31'46" E.
C9	40.00'	26.06'	37°19'40"	25.60'	N. 16°47'54" W.
C10	43.00'	7.60'	10°07'49"	7.59'	N. 30°23'49" W.
C11	43.00'	87.96'	117°11'51"	73.40'	N. 33°16'01" E.
C12	43.00'	87.96'	117°11'51"	73.40'	S. 29°32'08" E.
C13	43.00'	7.60'	10°07'49"	7.59'	N. 34°07'42" E.
C14	40.00'	26.06'	37°19'40"	25.60'	N. 20°31'46" E.



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	April 1, 2024
ITEM TITLE:	Consider and take appropriate action on proposed construction of Frenship Road for future Circle K.
STAFF INITIATOR:	Tara Tomlison, Director of Development Services

BACKGROUND:

In June of 2023, Circle K approached the City of Wolfforth about building on the corner of Donald Preston and Dowden Rd. Due to the location, driveway access was a concern. Since Dowden Road is a TxDOT road, they have jurisdiction over the location of driveways. TxDOT had already been approached about a proposed future road named Frenship Road. Due to the location of the road and the property that Circle K has purchased; Circle K will not be allowed to have a driveway off of Dowden.

Circle K is wanting to continue with their project, but the access from the proposed road of Frenship Rd. is imperative to their business. They are requesting consideration for two options for the City that would have Circle K constructing a dead-end street, with the expectation for Frenship Road to be completed in the future and dedicated as a public right-of-way.

We informed Circle K that if they needed to utilize the yet-undedicated street to their north, they would have to build the street, full width and the full length of their property. We also informed them that only the City Council has the authority to allow for partial paving, so if they wanted to propose to do less than full length and full width, they would have to make that request. They also asked if the City would participate in the cost of construction of the street, and the City Manager informed them that only the City Council could make that decision as well. As a result of that conversation, we've received the two requests.

Option 1 includes Circle K agreeing to pave full width, between Dowden Rd and the east boundary line of the property, with the City of Wolfforth to reimburse Circle K for one-half of the construction cost.

Option 2 includes Circle K agreeing to pave the entire southern half of Frenship Rd, from Dowden to the property line, and the northern portion, from Dowden to the Circle K's access drive. There would be no reimbursement from the City of Wolfforth to Circle K.

Regardless of the City Council's decision, the City will ensure all dedications, plats, and any other necessary items are in place before approval of any construction.

EXHIBITS:

1. Letter from Circle K
2. Legal Description of property
3. Option 1 Map and Letter
4. Option 2 Map and Letter

COUNCIL ACTION/STAFF RECOMMENDATION:

City Council has multiple options:

1. Require full length and full width paving to the east property line of the Circle K property- no participation from the City.
2. Require ½ width paving (south side) to the east property line of Circle K property- no participation from the City.
3. Approve one of the two options requested by Circle K.

Staff believes Option 2 is the most reasonable and best option under the circumstances.



CIRCLE K™



Item # 10.

Part of the Alimentation Couche-Tard Inc.

March 15, 2024

City of Wolfforth

302 Main Street

Wolfforth, Texas 79382

Attn: Tara Tomlinson, Director of Development Services (via e-mail at tomlinson@wolfforthtx.us)

Re: Proposed construction of Friendship Road, Wolfforth, Lubbock County, Texas

Dear Tara:

Reference is herein made to that certain Real Property Purchase Agreement dated effective as of January 24, 2024 (“**Purchase Agreement**”), by and between Circle K Stores Inc., a Texas corporation, as “**Buyer**” or “**Circle K**”, and CVS Pharmacy, Inc. a Rhode Island corporation, as “**Seller**”.

Pursuant to the terms of the Purchase Agreement, Circle K desires to buy that certain real property located at the corner of FM 179 and Donald Preston Drive, Wolfforth, Lubbock County, Texas, as legally described on Exhibit “A”, and depicted on Exhibit “B”, each attached hereto (the “**Property**”), for the purpose of developing the Property into a retail convenience store and fueling facility.

It is a condition under the Purchase Agreement that Circle K obtain all approvals necessary for the construction of any curb cuts and driveways providing access to the Property. Accordingly, Circle K hereby submits to the City of Wolfforth (the “**City**”) two options (each an “**Option**”) for constructing the proposed Friendship Road, as depicted on the attached **Option 1** and **Option 2**. For the avoidance of doubt, each Option is contingent upon Friendship Road being formally dedicated as a public right of way for ingress and egress use of pedestrian and vehicular traffic.

Regards,

Zach Murphy

Director of Real Estate Rocky Mountain & Texas
Business Units

cc:

Alexa Vidal, Circle K Development Manager, via e-mail at alexa.vidal@circlek.com

James Hollis, Circle K Head of Legal Affairs, USA, via e-mail at james.hollis@circlek.com

Randy Chriswell, City Manager for the City of Wolfforth, via e-mail at rchrisswell@wolfforthtx.us



CIRCLE K



Item # 10.

Part of the Alimentation Couche-Tard Inc.

EXHIBIT "A"

(Legal Description of the Property)

Tract "A", Preston Plaza, an addition to the City of Wolfforth, Lubbock County, Texas, according to the map, plat and/or dedication deed thereof recorded under Instrument #[2008041874](#), of the Official Public Records of Lubbock County, Texas.



CIRCLE K™

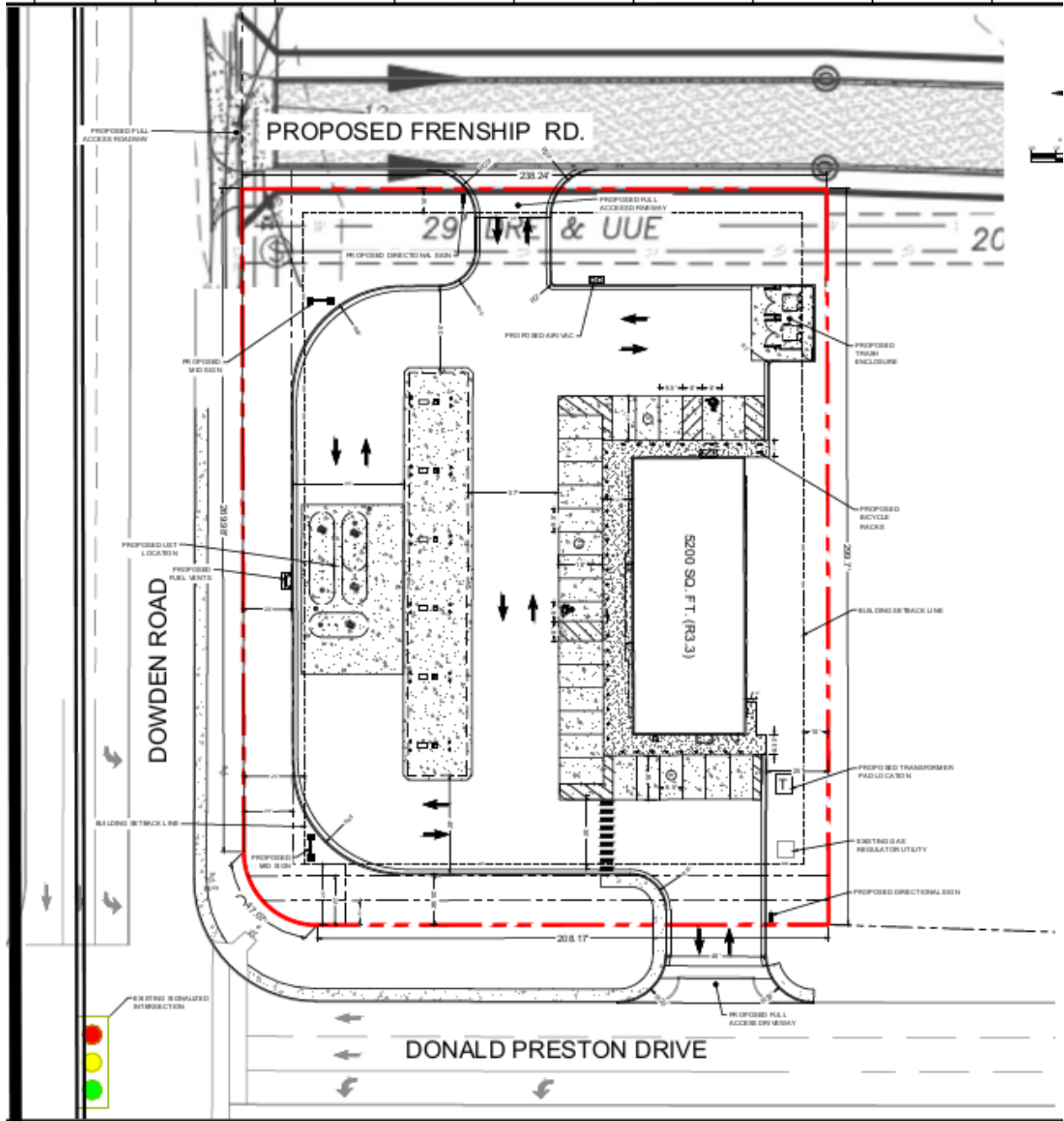


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EXHIBIT "B"

(Depiction of the Property)



Circle K Stores Inc.
 19500 Bulverde Road, Suite 100
 San Antonio, Texas 78259

Téléphone
 (210) 692-2619

Internet
<http://www.circlek.com>



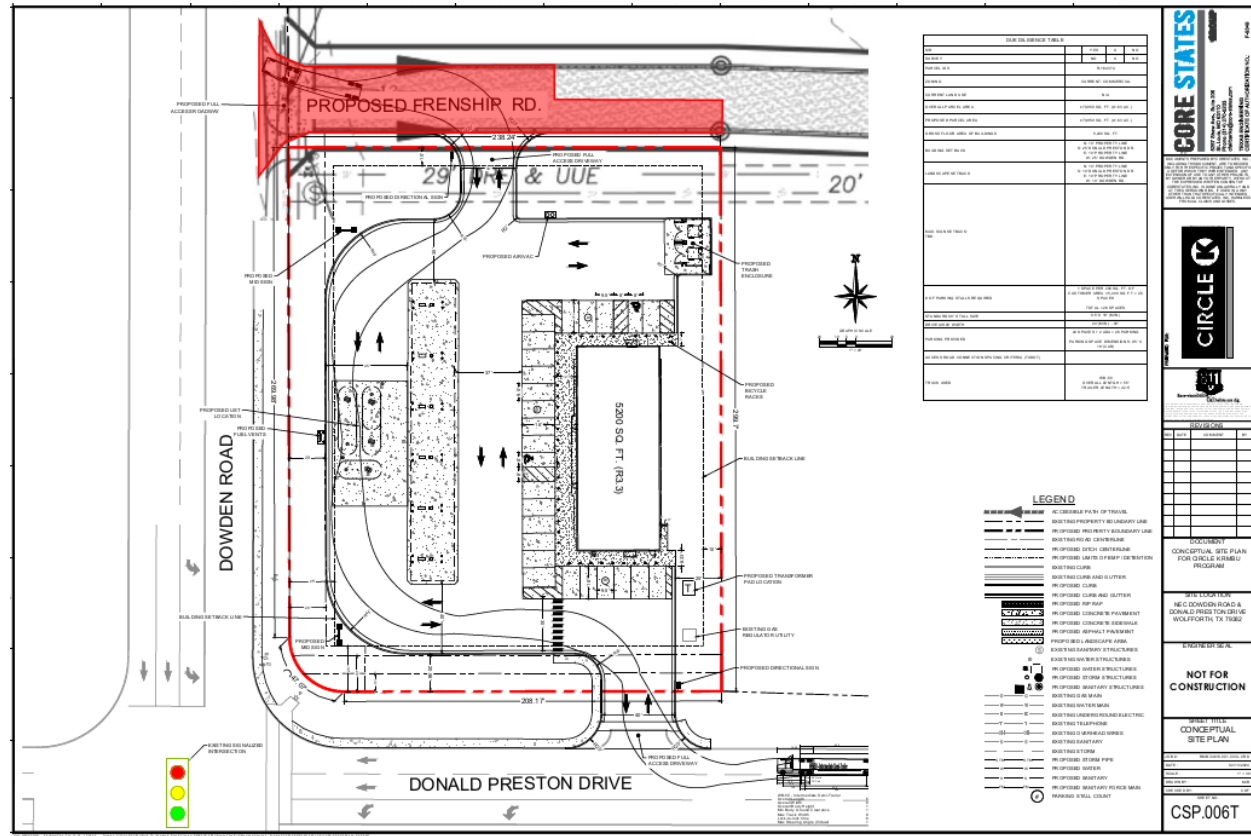
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OPTION 2

FRIENDSHIP ROAD CONSTRUCTION

Circle K agrees to pave only (i) the entire southern half of the portion of Friendship Road, located between Dowden Road and the east boundary line of the Property, and (ii) the northern portion of Friendship Road, located between Dowden Road and Circle K's access drive, as depicted below. No reimbursement to be sought from the City by Circle K.



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AGENDA ITEM COMMENTARY

MEETING NAME:	City Council
MEETING DATE:	April 1, 2024
ITEM TITLE:	Consider and take appropriate action on update from City Manager regarding Water Impact Fee implementation
STAFF INITIATOR:	Randy Criswell, City Manager

BACKGROUND:

The last time we discussed Water Impact Fees was January 8, 2024, when I presented you with a report and discussion of our ongoing conversation with the development community. Since that time, we’ve held a handful of other meetings. The development community has, in my opinion, boiled their concerns down to basically one thing – immediate full implementation versus phased implementation. They understand the need for the fees, and they recognize the importance of the continued efforts to complete the projects on the Capital Improvement Plan. They are simply asking for us to consider a slower implementation timeline.

I’ve visited our consultant, Newgen Strategies, about the possibility of a phased in approach, and was informed this is certainly doable, and not uncommon. As of today, we have provided NewGen with updated data per their request and will be working with them in the coming days to evaluate our options for implementation.

At this time, I am not asking for action by the Council, but I anticipate the item coming up for a decision at a meeting not far from now.

EXHIBITS:

COUNCIL ACTION/STAFF RECOMMENDATION:

No action recommended unless deemed appropriate.