

MINUTES
PLANNING AND ZONING COMMISSION
June 1, 2020

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on June 1, 2020, at 111 N. Powell Parkway, Anna City Hall, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 7:06 p.m.

Members present were Wayne Barton, Alonzo Tutson, Danny Ussery, and Donald Henke, with Daniel Moody and Don Callaham absent. Staff present were Ross Altobelli, Lauren Mecke, Olivia Demings, Kevin Johnson with Clark McCoy present via speakerphone.

2. Invocation and Pledge of Allegiance

Commissioner Barton gave the invocation and led the Pledge of Allegiance.

3. Citizen Comments: At this time, any person may address the Planning and Zoning Commission regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Commission regarding an item that is not on this meeting agenda. Each person will be allowed up to three (3) minutes to speak. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

There were no citizen comments.

Chairman Tutson thanked Former Commissioner Leslie Voss for her service to the City of Anna.

Chairman Tutson made a brief statement about the murder of George Floyd. Stating that all citizens were currently experiencing fear of the unknown, a fear that men, women, and children who look like himself experience every day. He concluded with an excerpt of the United States Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal".

7. A) Resume the public hearing to consider public comments to rezone 65.0± acres located on the south side of West White Street, 1,293± feet west of Oak Hollow Lane from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development and to amend existing planned development standards. Applicant: David Kalohefer, Peloton Land Solutions & Don Collins

The public hearing opened at 7:14 p.m.

Mr. Altobelli stated that the item was tabled at the previous meeting due to concerns over land uses in the proposed C2 district. The applicant was asked to review land uses and has made restrictions. The facts of the zoning case have not changed, but land uses have after applicant consideration. Staff recommends approval.

David Kalohefer, 1100 Frisco St. Frisco, TX, applicant for the project, added that restrictions were made to the approved uses based on Commissioner Barton's previous concerns, nothing else had changed except for the uses.

Ms. Mecke made note of the one additional opposing comment, read into the record by Chairman Tutson.

Nanelle Serio, 1116 Cottonwood Trail, Anna, TX, urged Commissioners to preserve the tree line behind her home, expressing concerns over privacy, drainage, noise, and lighting. She thanked the Commission for tabling the zoning at the previous meeting in order to discuss the regulations further. She asked for the Commission and Developer to consider that many people are moving to Anna for its hometown feel and that this needed to be uncompromised.

The public hearing closed at 7:15 pm.

B) Consider/Discuss/Action on a recommendation regarding the request to rezone 65.0± acres from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development and amending existing planned development standards.

Mr. Kalohefer clarified that they wanted to remove Indoor Theaters and Feed and Farm Stores from allowed uses and add Veterinarian with Inside Kennels by SUP.

Commissioner Barton added that he appreciated the applicant seriously considering the comments from the previous meeting and was pleased with the proposed list of prohibited uses. The residents of Oak Hollow refer to being promised green space, although unfortunately this was not the zoning in place during this time they bought their houses, around 2003. They thought that what was there when they bought the house we be there forever, but that is not the case. Now we have a well thought out land plan that is a significant improvement. All my concerns have been addressed.

Chairman Tutson thanked Commissioner Barton, the applicant, and staff for working together to make a good plan.

Commissioner Ussery stated that he went out and talked to Oak Hollow residents who said if they could keep some of the trees behind their homes, a 50 – 100 ft buffer, they would be appeased.

Mr. Altobelli responded that the City does not allow for clear cutting. A tree survey will need to be completed and trees that need to be replaced will be. Trees can be cut for grading and drainage.

Mr. Don Collins, applicant, also spoke with two Oak Hollow residents who mention the 50 ft tree line. Keeping these trees, however, would not be feasible with engineering requirements. Two trees would be planted per lot, with one in the front per city requirement. Mr. Collins intends to put trees requirements in the deed restrictions.

Mr. Kalohefer said trees adjacent to the property line are not strong trees. Some could be kept, but engineering will ultimately dictate this decision.

Commissioner Ussery commented that people do not want to see open space without trees.

Mr. Collins replied that they do not have that anyways. That's what we would intend builders to do, provide quality trees. We would be setting the standards for builders.

Chairman Tutson stated that Mayor and Council did address the tree ordinance recently and everyone will be pleased with the quality of trees. He thanked Commissioner Ussery and Mr. Collins for reaching out to residents. Adding, that staff will make sure no trees are cut down prior to proper procedures.

Mr. Altobelli asked if Mr. Collins and Mr. Kalohefer were willing to add a stipulation to the PD of adding three trees per lot.

Mr. Kalohefer asked what if homeowners wanted to take out the trees to build a pool.

Mr. Altobelli replied that yes, homeowners can get a permit to do this.

Mr. Kalohefer added that there was currently a planned 10 ft landscape buffer between commercial and residential development but agreed with staff to increase buffer to 20ft.

A motion was made by Commissioner Barton with the clarification that Feed and Farm Store, Food Grocery Store, and Indoor Theater uses are prohibited, seconded by Commissioner Henke to recommend approval of the rezone. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the Concept Plan, The Villages at Waters Creek, Block A, Lots 1-2, Block B, Lots 1-4, Block C, Lots 1-6, 1X, Block D, Lots 1-40, Block E, Lots 1-4, 1X, Block F, Lots 1-20, 1X, Block G, Lots 1-20, associated with the rezoning request.

Mr. Altobelli stated that the concept plan meets stipulations and shows the land scape buffer.

Mr. Kalohefer clarified that they could approve the concept plan as shown and update the buffer from 10 ft to 20 ft after approval.

Commissioner Barton confirmed they were speaking about the landscape buffer on Tract A.

A motion was made by Commissioner Barton with the exception that the landscape buffer on the east side of Tract A, where C1 zoning will abut Oak Hollow, will be increased to 20 ft, seconded by Commissioner Henke to recommend approval of the concept plan. The vote was unanimous.

4. Consider/Discuss/Action on a recommendation regarding the Walker Estate, Block A, Lot 1, Development Plat. Applicant: Gary & Brenda Walker

Mr. Altobelli gave a brief presentation and answered questions from the Commission. Single Family Dwelling located in the ETJ recommended for approval as submitted.

Commissioner Henke asked for clarification of the meaning of Zone X on the plat.

Commissioner Barton answered that Zone X is overflow of the flood plain, the applicants can build there.

A motion was made by Commissioner Barton, seconded by Commissioner Ussery to recommend approval of the development plat. The vote was unanimous.

5. Consider/Discuss/Action on a recommendation regarding the EF Trinity River Addition, Block A, Lot 1, Final Plat. Applicant: David McCaskill

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The property is located in the ETJ and is proposing to consolidate three lots into one. It is recommended for approval with the conditions of providing OSSF notes from Collin County and proof of access to utilities.

Commissioner Barton asked why the applicant submitted a final plat, as opposed to a development plat.

Mr. Altobelli responded that the purpose of this plat was the purchase of the land as one lot.

A motion was made by Commissioner Henke seconded by Commissioner Ussery to recommend approval of the final plat with the conditions of providing Collin County OSSF notes and proof of access to utilities. The vote was unanimous.

6. Consider/Discuss/Action on a recommendation regarding the Anna Ranch, Phase 1, Final Plat.
Applicant: Jamie Marcoux, LJA Surveying

Mr. Altobelli gave a brief presentation and answered questions from the Commission. 257 SF-60 residential lots. Civils have been reviewed and approved. The next step is to approve the final plat before construction begins on public improvements.

Commissioner Barton confirmed with Mr. Altobelli that the plan matched the preliminary plat.

A motion was made by Commissioner Barton, seconded by Commissioner Tutson to recommend approval of the final plat. The vote was unanimous.

8. A) Conduct a public hearing regarding text amendments to Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.

The public hearing opened at 8:01 p.m.

There were no public comments.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. During the last few months, staff has looked at regulations in order to modernize, simplify, and make cost effective. Staff provided changes to the Commissioners a week in advance in order to have time to provide any comments. Number 17 on the proposed changes list, is asking for commission direction on side yard setbacks.

Commissioner Henke agreed that 10% of the lot made sense.

Commissioner Barton agreed, as well, that this made sense and was consistent with development standards in North Texas. We are allowing 5 ft side yards anyways.

Commissioner Ussery recalled that 15ft side yards were discussed in the Neighborhood Design Standards.

Mr. Altobelli responded that no builders were doing 10 ft or 15 ft side yards. The city would have to keep doing PD's for each subdivision, unless 5 ft side yards were adopted into the code.

Commissioner Barton stated that 10% of the lot with a minimum of 5ft would allow for a building separation of 10 ft and most yards would end up with a little bit bigger.

Mr. Altobelli continued, stating that the department is allowing for sustainably conforming site plans to be able to be approved in house for minor changes and will change designee to the Directors of Development Services in order to give the proper authority to whoever needs it and allow staff to

do their jobs. We intend to simply definitions and uses to consolidate and streamline the code and bring it into the future.

The public hearing closed at 8:04 p.m.

B) Consider/ Discuss/Action on a recommendation regarding text amendments to Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.

A motion was made by Chairman Tutson seconded by Commissioner Ussery to recommend approval of the text amendments. The vote was unanimous.

9. Consider action to approve minutes of the May 4, 2020 Planning and Zoning meeting.

Chairman Tutson thanked staff for detailed minutes.

A motion was made by Commissioner Ussery to approve the minutes, seconded by Commissioner Henke. The vote was unanimous.

10. Adjourn

A motion was made by Commissioner Henke seconded by Chairman Tutson to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:09 p.m.



Alonzo Tutson

Planning and Zoning Commission Chairman

ATTEST:

