

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**May 4, 2020**

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on May 4, 2020, via ZOOM video conference, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 7:03 p.m.

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

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

4. A) Conduct a public hearing to consider public comments to rezone 34.3± acres located on the west side of U.S. 75 and 691± feet south of Future Rosamond Parkway from Single-Family Residential – Large Lot (SF-E) to Planned Development-General Business District (PD-C-2) with modified development standards.

The public hearing opened at 7:26 p.m.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. He noted for the commission that after discussion with the City Attorney the signage request cannot be a part of the zoning request, as it has its own ordinance section (9.05). The applicant is proposing multiple-family residences and commercial/entertainment sites. Surrounding the lot to the north and across U.S. 75 is vacant single-family lots. To the south, is a medical product and a vacant ETJ lot. The proposed zoning meets several of the City's strategic plan principles such as life cycle family housing for all generation, diverse housing choices, safe, well-designed, well-maintained multi-family, and attractive commercial centers. The area is currently designated on the Future Land Use map as commercial land.

The base zoning for the Planned Development is C-2 with the added restriction of automobile uses and the allowance of multiple-family and single-family dwelling, attached. The applicants have agreed to stipulations that would protect multi-family residents from U.S. 75 such as a 650 feet

setback and locating the commercial product along the frontage. Variations in design standard include 4 story products with a maximum density of 450 units. Nonresidential products will include entertainment, restaurants, and a hotel. PD stipulation are used to ensure product shown on concept plat is what will be built. The pedestrian friendly form and water feature will serve as an amenity for residents as well as commercial visitors. Staff was in support of recommendation.

Commissioner Henke verified with staff that 4 story multi-family buildings were allowed.

Commissioner Voss questioned if water features and open space in the parking on the site were to be included in the 20% open space calculation.

Staff confirmed that they were. The land in the parking area is nearly half an acre, therefore it is usable open space. In addition, the water features will be developed amenities.

Commissioner Ussery asked about the number of rooms in the proposed hotel.

Mr. Altobelli responded that is would most likely be based on parking requirements verses land available.

Sean Terry, 1800 Valleyview Lane Farmers Branch, TX was in attendance to present as the applicant and vice president of Centurion American. Centurion American is in the process of remodeling the Collin Creek Mall and is the owner of the Statler Hotel in Dallas.

Mr. Terry presented the project as a mixed-use development with amenities throughout where a resident can live, work, and play. He verified that the hotel size would be based on land availability. The project would also take its neighbors into consideration by creating a cohesive design, matching adjacent trees and topography. Centurion American also owns restaurants and entertainment brands that it would intend to bring to the development. The full development would include 904 lots and approximately 400 multifamily units, amenity center, hike & bike trail, and HOA. He stated that multifamily units would be high end and a place to start for individuals who might eventually transition into a single-family product.

Commissioner Barton asked a few questions pertaining to the water features on the property. He inquired if the applicant had already completed similar water features, if the fountain would be floating, what type of vegetation would be surrounding the features, and would run off from parking lots end up in the pond.

Marc Paquette, the engineer for the project, was available to respond to these inquiries. He confirmed that engineers will design and maintain water features and look at fluctuation to make sure citizens see a nice pond consistently. In addition, water features will provide storm water drainage and will utilize floating fountains.

Commissioner Henke asked if there was a possibility the development would end up with townhomes instead of apartments.

Mr. Altobelli answered no, the townhome portion was in the ETJ portion of the property. It would have the same standards as adjacent property and the applicant stated the intention to annex the property.

Commissioner Ussery and Commissioner Barton clarified with the applicant that the parking garage would be interior, a useful safety feature, and would be open.

There was one citizen comment from Facebook Live; the comment was read by Chairman Tutson. Kelly Herndon-Patterson asked if the project would be similar to the Shops at Legacy.

Mr. Terry responded that it would not but will nevertheless be a good quality product.

Commissioner Moody asked if the commercial product would be built before the residence portion.

Mr. Terry responded that commercial would not be in the initial phase but would be in the first phase of the multifamily construction.

Mr. Altobelli elaborated that in order to build greater than 275 multifamily units the developers must pull a building permit for a commercial site of at least 5,000 sq. feet

Mr. Terry mentioned that Centurion American also owns a restaurant that they would intend to build on the property when the time came.

Commissioner Ussery asked when the project would begin construction.

Mr. Terry responded that the market will drive development, but Centurion American does not intend to sit on land.

Commissioner Ussery noted that he hoped to see commercial and residential be built together.

The public hearing closed at 7:47 p.m.

B) Consider/Discuss/Action on a recommendation regarding the request to rezone 34.3± acres from Single-Family Residential - Large Lot (SF-E) to Planned Development-General Business District. (PD-C-2) with modified development standards.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The rezone meets city standards and a concept plan was provided showing open space and water features. The rezone was recommended for approval by staff.

Commissioner Henke confirmed that the digital signage was not being voted on.

Commissioner Voss, Commissioner Henke, and Commissioner Ussery agreed that they were glad to not be voting on the signage and to have additional avenues to discuss it more.

A motion was made by Commissioner Henke, seconded by Commissioner Ussery to recommend approval of the zoning change with the understanding that the sign request was not in consideration. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the Concept Plan, Sherley Commercial, Block A, Lots 1-3, Block B, Lots 1-2, and Block C, Lot 1, associated with the rezoning request.

This item was unintentionally skipped but was then voted on following item 5B.

The concept plan was recommended for approval by staff.

A motion was made by Chairman Tutson, seconded by Commissioner Ussery to recommend approval of the concept plan. The vote was unanimous.

5. A) Conduct a 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.

The public hearing opened at 8:00 p.m.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The applicant is proposing multiple-family residences, single-family residences, and restricted commercial. The land already has an existing zoning of commercial, agriculture, multiple-family, single-family, and townhomes. The proposed zoning meets several of the City's strategic plan principles such as diverse housing choices, safe, well-designed, well-maintained multi-family, attractive commercial centers, and providing places to work. The area is currently designated on the Future Land Use map as commercial, parks, and single family. The new zoning is very similar to the existing keeping the same density of 18 units per acre. The new stipulations include allowance of four-story multi-family buildings with a maximum height of 65 ft, and a distancing of 250 feet from proposed single-family and approximately 520 feet the existing adjacent Oak Hollow subdivision is away. Commercial product will be one story and residential will be the same as product to the south.

A comparison map was provided of the existing and proposed zoning.

David Kalhoefer, 1100 Frisco Street, Frisco, TX applicant for the rezone request, was available to present. He described the land as two tracts totaling 65 acres, purchased and zoned in 2014. He had been working with staff to create a superior design, zoning and better spacing with the intent of keeping multifamily distanced from single-family and to be sensitive to neighbors.

Due to the slope and the way the buildings have been set up, four-stories would equate to a three-story product. A 15ft strip for hike and bike trail will be included. The previous planned development did not have this. The commercial element has been down zoned from C-2 to C-1 and omits a few uses. The commercial area will be one-story office buildings and restaurant pads will have a prominent view of the creek to enjoy from patio seating. Flexibility has been given with screening to allow for pedestrian walkways and open space. Single-family lots will be comparable to surrounding development. Connectivity will be provided to White St. and the restaurant and retail components.

Mr. Kalhoefer spoke with a concerned resident in person and was able to inform them that multi-family was already allowed, but the rezoning would allow for revision and down zoning of the C-2 district.

Commissioner Barton commented that concept plans can be altered from the shown office spaces and there are a lot of commercial uses he wouldn't want to be in the proposed area. The residents purchased their homes with the expectation that there would be residences next to their home. Commissioner Barton further stated that he thought O-1 zoning would be more appropriate with the added allowance of a daycare. He further stressed concern over the allowed uses of C-1 zoning.

Mr. Collins, the property owner, responded that there was to be a 30-35 feet landscape buffer between any commercial and residential product.

Commissioner Barton responded that he understood, but zoning would remain for years and future developments may have different ideas for the site that would not best for the surrounding neighbors.

Don Collins asked Mr. Altobelli if he could provide examples of what could be restricted from C-1 to address the commissioner's concern. The proposed zoning is adding daycare, prohibiting quick oil change, hotel, boarding house, and it is restricted to one story or 35 feet Trash will be screened. He mentioned that what was presented was a conceptual plan and concerns could be taken into consideration during the next step.

Mr. Altobelli confirmed that screening wall is required with a minimum of 6ft.

Commissioner Ussery stated that Oak Hollow residences would like to keep the tree line and that might help to appease some opposition.

Mr. Collins responded that to give up the treed area in question wouldn't allow for the needed area for the single-family backyards.

Mr. Kalhoefer added that they were going to use their best judgement, but engineering may necessitate the removal of trees. However, they may end up requiring the builder to put trees in front and back of the lots.

Mr. Altobelli commented that the city has tree requirements and with the existing zoning lots could have no trees and no masonry walls. We don't want a dual fence, so we'd create a unified fence and existing regulations protect from clear cutting. They can take them down but need to replace them. He noted his understanding of the concerns, but added that its private property than can be developed.

Commissioner Barton inquired about a strip of land to the north of the development.

Mr. Collins responded that it was old TX right-of-way from the widening of FM 455.

Mr. Collins added it was willing to look at zoning uses and additional restrictions with the commission.

Commissioner Voss voiced her concerns as well, on the possible uses of the commercial district and the lighting that would be a result of that.

Mr. Collins responded he did not want anyone's yards to be affected by lighting and intended to follow the City's light regulations.

Mr. Altobelli elaborated that the City has regulations to ensure safety and security. Lighting will be looked at during site plan and light plan process.

Commissioner Ussery asked how long it would be to develop the property. He didn't want the property to just sit.

Mr. Collins responded that he doesn't like to market a property until it is ready. He wanted to get zoning in place first.

Commissioner Ussery added that citizens are concerned about low income housing and asked if Mr. Collins could describe the house product.

Mr. Collins responded that homes would be starting in the high 200,000s.

Commissioner Henke said that the zoning change looked like a big improvement and voiced his support.

Chairman Tutson stated that there is a big difference between public housing and affordable housing. Multifamily units will support medical staff and recent college graduates. Anna is starting to be a place where people can grow up and raise a family and we need affordable housing for this. \$84,000 a year or less is considered low income and this includes city staff, medical staff, first responders, and educators. People should be able to afford where they live.

There were nine citizen responses in the packet and one additional response read into record.

Melanie Merriman, 2014 Hickory Trail, submitted a comment in opposition of the rezoning for apartments.

Norma Wong & Thierry Sueur, 1102 Cottonwood Trail, submitted a letter and photo in opposition of the rezoning with preference for land conservation.

Nanelle Serio, 1116 Cottonwood Trail, submitted a letter in opposition of the rezoning for residential uses.

Bret Wilkinson, address not provided, submitted a comment in opposition of the rezoning for multi-family.

Jayne Douglas, 906 Cottonwood Trail, submitted a letter in opposition of the rezoning for low-income housing apartments with preference of protection of the tree-line behind the Cottonwood Trail residences.

Garry Wells, 1210 Cottonwood Trail, submitted a letter in opposition of the rezoning for apartments.

Nickolas Colvin, address not provided, submitted a comment in opposition of the rezoning for apartments or townhomes.

Steve and Isabel Ortiz, 914 Cottonwood Trail, submitted a letter in opposition of the rezoning.

Katie Moore, 1214 Cottonwood Trail, submitted a letter in opposition of the rezoning out of concern for increased crime and conservation of trees.

Nanelle Serio submitted an addendum to her previous response; the addendum was read into record by Ms. Mecke. Mrs. Serio wanted to clarify her concern of privacy for the existing residences along Cottonwood Trail with preference of the tree-line.

The public hearing closed at 9:12 p.m.

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 amending existing planned development standards.

The rezone was recommend for approval by staff.

A motion was made by Commissioner Henke seconded by Commissioner Moody to recommend approval of the rezoning request. The vote failed 3 to 3 with Commissioner Barton, Commissioner Voss, and Commissioner Ussery voting no.

Mr. Kalhoefer asked the commission if the rezone request could instead be tabled.

Mr. McCoy responded that the commission would need to rescind the previous motion.

A motion was by Commissioner Henke to resend his previous motion. The vote was unanimous.

Chairman Tutson asked that all concerns and comments regarding the zoning change be sent to Mr. Altobelli within three days.

Commissioner Barton confirmed with Mr. Collins that June 1<sup>st</sup> would be a good time to revisit the zoning change.

A motion was made by Commissioner Henke seconded by Commissioner Ussery to continue the public hearing and hold it open until the June 1<sup>st</sup>, 2020 Planning and Zoning Commission Meeting at 7 p.m. to be held at Anna City Hall or virtually on video conference. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the Concept Plan, The Villages at Waters Creek, associated with the rezoning request.

This item was not voted on due to the tabling of the public hearing and zoning request until June 1<sup>st</sup>, 2020 Planning and Zoning Commission Meeting.

6. A) Conduct a public hearing to consider public comments on a residential replat for Turbyfill Addition, Block 1, Lot 1. The purpose for the replat is to modify the property boundaries in order to create two lots. Single-Family dwelling detached on one lot located within the extraterritorial jurisdiction.

Mr. McCoy, City Attorney, left the meeting at 9:29 p.m.

The public hearing opened at 9:31 p.m.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The purpose of this replat is to divide one lot into two lots. Notification for the replat and public hearing was sent to one individual. The plat was recommended for approval by staff.

Commissioner Barton stated that this was to create three lots. One lot would remain and the other would be split.

There were no citizen comments.

The public hearing closed at 9:32 pm.

B) Consider/Discuss/Action on a recommendation regarding the Turbyfill Addition, Block 1, Lots 1R & 3, Replat.

The replat was recommended for approval by staff.

A motion was made by Commissioner Barton seconded by Commissioner Voss to recommend approval of the replat. The vote was unanimous.

7. Consider/Discuss/Action on a recommendation regarding the Guillermo & Wendy Lopez Development Plat.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The applicant is in the ETJ and is proposing to build a home. The plat was recommended for approval by staff.

Commissioner Barton questioned the frontage width of a southern lot and its ability to meet city standards.

Mr. Altobelli clarified that these lots were sold via metes and bounds so they do not meet the 40 ft frontage requirement. However, as they are located in the ETJ they are meeting the intent of the rule to allow for emergency access. A 30 feet drive can allow for sufficient access.

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

8. Consider/Discuss/Action on a recommendation regarding the Huth Addition, Block A, Lot 1, Minor Plat.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. This is a plat for a single-family dwelling in the ETJ. It was recommended for approval by staff.

Ms. Mecke clarified for the Commission that this was not a development plat so there is not a house shown. It was not subdivided in accordance with the Subdivision Regulations therefore the current owner must do a minor plat to pull a building permit with the County.

A motion was made by Commissioner Barton seconded by Commissioner Henke to recommend approval of the minor plat. The vote was unanimous.

9. Consider/Discuss/Action on a recommendation regarding the Park Place at Anna Phase 2, Final Plat.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. This is a SF-72 Single-Family subdivision. It was recommended for approval by staff. In addition, the civils for the project had already been approved.

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



10. Consider/Discuss/Action on a recommendation regarding The Villages of Hurricane Creek, Phase 1, Final Plat.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The construction has already begun on this project, however the Final Plat never came before the Planning and Zoning Commission, this item is for the purpose of tying up loose ends.

Commissioner Ussery thanked staff for its diligence.

Commissioner Barton commented that the location of the future fire station looked good.

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

11. Consider/Discuss/Action on a recommendation regarding the NBR Anna Addition, Block A, Lot 1, Final Plat.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. This is a concrete batch plat which meets the City's Subdivision Regulations.

Commissioner Henke asked if it was located in the ETJ.

Mr. Altobelli clarified that the plant was located within the city limits.

Commissioner Barton asked if the plant was expanding.

Mr. Altobelli responded that yes, they were expanding, and this necessitated zoning , a site plan, and a final plat.

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

12. Consider/Discuss/Action on a recommendation regarding the NBR Anna Addition, Block A, Lot 1, Site Plan.

Mr. Altobelli gave a brief presentation and answered questions from the Commission. The plan showed improvements including concrete paving, fire land, and parking striping. It was recommended for approval by staff.

Commissioner Ussery recalled that they were to concrete areas where trucks drive to lessen dust. This was a complaint from surrounding property owners at the previous zoning case.

A motion was made by Chairman Tutson seconded by Commissioner Barton recommend approval of the site plan. The vote was unanimous.

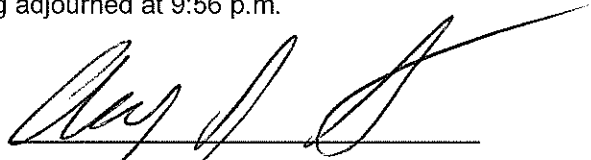
13. Consider action to approve minutes of the March 2, 2020 Planning and Zoning meeting.

Commissioners thanked staff for detailed minutes.

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

14. Adjourn

A motion was made by Commissioner Moody seconded by Commissioner Ussery adjourn the meeting. The vote was unanimous. The meeting adjourned at 9:56 p.m.



Alonzo Tutson

Planning and Zoning Commission Chairman

ATTEST:

