



AGENDA

City Council Work Session

Tuesday, October 11, 2016 @ 6:30 PM

Anna City Hall, Council Chambers
111 N. Powell Parkway, Anna, Texas 75409

1. Call to Order.
2. Roll Call and Establishment of Quorum
3. Briefing/Discussion regarding an Ordinance regulating the discharge of firearms.
(City Manager)
4. CLOSED SESSION (EXCEPTIONS)

Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); discuss development of Q Seminole Anna Town Center property and proposed CDC business park; discuss commercial business prospects.
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (**Tex. Gov't Code §551.072**); acquisition of right-of-way, easements, and land for municipal facilities.
- c. Discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); City Secretary annual review; Community Services Officer.
- d. Consult with legal counsel regarding pending or contemplated litigation and/or on matters 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 of the Government Code (**Tex. Gov't Code §551.071**)

The Council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

5. Consider/Discuss/Action on any items listed on any agenda—work session, regular meeting, or closed session—that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

6. Adjourn.

This is to certify that I, Carrie L. Smith, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall bulletin board. Posted on this on or before 5:00 p.m., October 7, 2016.

Carrie L. Smith, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.



Item No. 3.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Briefing/Discussion regarding an Ordinance regulating the discharge of firearms. (City Manager)

SUMMARY:

In 2005, the City Council passed an ordinance that regulates the discharge of firearms and other weapons. The ordinance was written in an attempt to comply with State law at the time. Subject to certain exemptions, the current ordinance requires a permit to discharge a firearm inside the City limits. Permits can only be issued on tracts of land over a certain size (depending on the type of firearm) subject to certain distance requirements from a residence or occupied building. The discharge of other types of weapons (paintball, pellet gun, air rifles, bow, etc.) is generally permitted on tracts larger than two acres. The discharge of firearms on certain tracts of land larger than ten acres that were annexed after 1981 are exempt from the prohibitions and permitting requirements in the current ordinance, subject to certain distance requirements.

In late August of this year, staff received an inquiry regarding a request for a permit to discharge a firearm at a location that is relatively close to a residential area and one of the school campuses. Although the inquiry did not result in the issuance of a permit, it is possible that a permit could have been issued based on our current Ordinance.

As a result, staff has reviewed the current ordinance. It is our view that the current ordinance is confusing, overly complex, and does not sufficiently provide for the safety of the public to the extent allowed in State law.

Staff has proposed an amended ordinance that generally prohibits the discharge of firearms and other weapons inside the city limits subject to certain exemptions required in State law. The exemptions outlined in State law allow the discharge of firearms and other weapons on certain tracts of land (larger than 10 or 50 acres depending on the type of weapon) that were annexed after 1981, subject to more restrictive distance requirements (ref.LGC § 229.003). These more restrictive distance requirements make it less likely that an accident or other incident that endangers the public will occur.

The proposed amended ordinance also prohibits the discharge of firearms within 5,000 feet of the city limits if the discharge occurs within a certain distance of parks, schools, day care facilities, residential developments, or residential or other occupied structures located inside the city limits.

Under the amended ordinance, where the discharge of firearms is legal, no permits are required.

Staff will brief the City Council on the recommended amendments during the October 11th City Council workshop meeting. Attached is a clean copy of the draft ordinance along with a flow chart that illustrates when and how the ordinance is applicable, and a map that shows properties inside the city limits that are 10 acres or greater.

STAFF RECOMMENDATION:

No City Council action is required at this time.

ATTACHMENTS:

Description	Upload Date	Type
Clean copy of Draft Ordinance	10/6/2016	Ordinance
Enforcement Flow Chart	10/6/2016	Backup Material
City Map showing properties 10 acres or larger	10/7/2016	Backup Material



AGENDA

Regular City Council Meeting

Tuesday, October 11, 2016 @ 7:30 PM

Anna City Hall, Council Chambers
111 N. Powell Parkway, Anna, Texas 75409

Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item, please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.

1. Call to Order, Roll Call and Establishment of Quorum.
2. Invocation and Pledge of Allegiance.
3. Citizen Comments.

Citizens are allowed three minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the 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.

4. Receive reports from Staff or the City Council about items of community interest.

Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutory recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

- a. Recognition of outgoing board members.

5. Consent Items.

These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.

- a. Approve Minutes for the September 27th Council Meeting. (Carrie Smith)

- b. Review Planning and Zoning Commission Minutes
 - c. Review Park Board Minutes
 - d. Review minutes from July 7, 2016 and August 4, 2016 meetings of the Anna Economic Development Corporation.
 - e. Review minutes from July 7, 2016 and August 4, 2016 of the Anna Community Development Corporation.
 - f. Resolution approving a sponsorship agreement between the Anna Economic Development Corporation and the Greater Anna Chamber of Commerce. (Jessica Perkins)
 - g. Resolution approving a sponsorship agreement between the Anna Community Development Corporation and the Greater Anna Chamber of Commerce. (Jessica Perkins)
6. Consider/Discuss/Action on a Resolution approving a line of credit project between the Anna Community Development Corporation Revolving Loan Fund program and Simply Floor It, LLC. (Jessica Perkins)
7. Consider/Discuss/Action regarding an Ordinance adopting the 2015 Edition of the International Building Code, 2015 Edition of the International Residential Code, 2015 Edition of the International Energy Conservation Code, 2015 Edition of the International Fire Code, 2015 Edition of the International Fuel Gas Code, 2015 Edition of the International Mechanical Code, 2015 Edition of the International Plumbing Code, 2014 Edition of the National Electrical Code; and adopting the North Central Texas Council of Governments Recommended Amendments to each adopted code. (Maurice Schwanke)
8. Conduct a public hearing and take action on an Ordinance amending the Anna City Code of Ordinances by amending Part III-A (Subdivision Regulations), Article 3 (Subdivision Design Standards), Section 1.03 (d) (4) (Adequacy of Streets and Thoroughfares) and Section 7.02 (Minimum Frontage on a Public Street). (Maurice Schwanke)
9. Consider/Discuss/Action regarding a Resolution approving a Preliminary Plat of Anna Crossing Phase 7-10. (Maurice Schwanke)
10. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if

necessary proceedings in eminent domain, to acquire an easement on private property owned by Penny Drawert & Martin Ramirez. (Joseph Johnson)

11. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by J. Kevin Kennedy & Lisa L. Kennedy (Tract 1). (Joseph Johnson)
12. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by J. Kevin Kennedy & Lisa L. Kennedy (Tract 2). (Joseph Johnson)

13. CLOSED SESSION (EXCEPTIONS)

Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); discuss development of Q Seminole Anna Town Center property and proposed CDC business park; discuss commercial business prospects.
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (**Tex. Gov't Code §551.072**); acquisition of right-of-way, easements, and land for municipal facilities.
- c. Discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); City Secretary annual review; Community Services Officer.
- d. Consult with legal counsel regarding pending or contemplated litigation and/or on matters 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 of the Government Code (**Tex. Gov't Code §551.071**)

The Council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open

Meetings Act.

14. Consider/Discuss/Action on any items listed on any agenda—work session, regular meeting, or closed session—that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.
15. Adjourn.

This is to certify that I, Carrie L. Smith, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall bulletin board. Posted on this on or before 5:00 p.m., October 7, 2016.

Carrie L. Smith, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
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Item No. 5.a.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Approve Minutes for the September 27th Council Meeting. (Carrie Smith)

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Description	Upload Date	Type
Proposed Minutes	10/7/2016	Exhibit



Item No. 5.b.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Review Planning and Zoning Commission Minutes

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Description	Upload Date	Type
April	10/6/2016	Backup Material
May	10/6/2016	Backup Material
June	10/6/2016	Backup Material
June 22 Special Meeting	10/6/2016	Backup Material
July	10/6/2016	Backup Material
August	10/6/2016	Backup Material
September	10/6/2016	Backup Material



Item No. 5.c.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Review Park Board Minutes

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Description	Upload Date	Type
January	10/6/2016	Backup Material
March	10/6/2016	Backup Material
April	10/6/2016	Backup Material
June	10/6/2016	Backup Material
July	10/6/2016	Backup Material
August	10/6/2016	Backup Material



Item No. 5.d.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Review minutes from July 7, 2016 and August 4, 2016 meetings of the Anna Economic Development Corporation.

SUMMARY:

STAFF RECOMMENDATION:

No formal action needed from council.

ATTACHMENTS:

Description	Upload Date	Type
EDC July 7 Minutes	10/5/2016	Staff Report
EDC Aug. 4 Minutes	10/5/2016	Staff Report



Item No. 5.e.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Review minutes from July 7, 2016 and August 4, 2016 of the Anna Community Development Corporation.

SUMMARY:

STAFF RECOMMENDATION:

No formal action needed from council.

ATTACHMENTS:

Description	Upload Date	Type
CDC July 7 Minutes	10/5/2016	Staff Report
CDC Aug. 4 Minutes	10/5/2016	Staff Report



Item No. 5.f.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Resolution approving a sponsorship agreement between the Anna Economic Development Corporation and the Greater Anna Chamber of Commerce. (Jessica Perkins)

SUMMARY:

The corporations have historically supported the annual events of the GACC. For the past several years the Corporations have entered into a fiscal year agreement for sponsorship. The annual agreement has allowed for better planning and budgeting. This year with the possible change due to the sales tax proposition, staff is recommending doing a sponsorship agreement for the remainder of the calendar year at this time.

The total amount of sponsorship being requested at this time is for Glow Fest = \$8000.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution authorizing the sponsorship agreement.

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/5/2016	Resolution
Exhibit 1, EDC GACC Agreement	10/5/2016	Staff Report



Item No. 5.g.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Resolution approving a sponsorship agreement between the Anna Community Development Corporation and the Greater Anna Chamber of Commerce. (Jessica Perkins)

SUMMARY:

The corporations have historically supported the annual events of the GACC. For the past several years the Corporations have entered into a fiscal year agreement for sponsorship. The annual agreement has allowed for better planning and budgeting. This year with the possible change due to the sales tax proposition, staff is recommending doing a sponsorship agreement for the remainder of the calendar year at this time.

The total amount of sponsorship being requested at this time is for Glow Fest = \$8000 and the Christmas Parade =\$3000.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution authorizing the sponsorship agreement.

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/5/2016	Resolution
Exhibit 1, CDC GACC Agreement	10/5/2016	Exhibit



Item No. 6.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action on a Resolution approving a line of credit project between the Anna Community Development Corporation Revolving Loan Fund program and Simply Floor It, LLC. (Jessica Perkins)

SUMMARY:

In 2009, the CDC was a recipient of a \$99,900 grant from the Department of Agriculture. The purpose of the grant was to establish a RLF (revolving loan fund) program. The program allows for flexible, small loans for businesses to expand.

The CDC has an applicant for the RLF program. The company is Simply Floor It. The owner Andrea Henry, has been in the commercial flooring business for many years and is interested in opening a showroom in Anna. Ms. Henry is working with Luigi Carleo, owner of Santa Anna business park, on finishing out some retail space for her showroom. Ms. Henry is requesting a \$50,000 loan to assist with costs associated with finishing out the showroom, hiring staff, and expanding her flooring business into the residential arena.

The specific terms of the agreement state that the borrower, Simply Floor It, will receive the \$50,000.00 loan in a one-time lump sum payment (anticipated to be December of 2016). The first 2 years (2017 and 2018) of the loan period will be no payments and interest free. After that, the borrower promises to pay, the sum of \$50,000.00 plus 2% interest per annum, in 36 consecutive monthly installment payments, the first monthly installment payment being due on March 1, 2019 and the last monthly installment payment being due on or before the 1st day of the 60th month.

In the event that the borrower can prove to lender (CDC) that as of December 1, 2018 borrower has created three jobs and has generated sales resulting in at least \$10,000 in sales and use tax having been collected by the City of Anna, the obligation of borrower to pay any sums under this Agreement shall be forgiven and this Agreement shall expire. In this circumstance, the CDC would repay the RLF account the \$50,000.00 on behalf of the borrow for fulfilling the terms of job creation and sales tax generation.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution authorizing the RLF project.

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/5/2016	Resolution
CDC RLF Simply Floor It	10/5/2016	Backup Material



Item No. 7.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action regarding an Ordinance adopting the 2015 Edition of the International Building, 2015 Edition of the International Residential Code, 2015 Edition of the International Energy Conservation Code, 2015 Edition of the International Fire Code, 2015 Edition of the International Fuel Gas Code, 2015 Edition of the International Mechanical Code, 2015 Edition of the International Plumbing Code, 2014 Edition of the National Electrical Code; and adopting the North Central Texas Council of Governments Recommended Amendments to each adopted code. (Maurice Schwanke)

SUMMARY:

The building codes that regulate construction in most jurisdictions throughout the United States are developed by the International Code Council (ICC) and are published as the International building codes. The installation of the electrical wiring and equipment is regulated by the National Electric Code published by the National Fire Protection Association (NFPA). These model codes are reviewed and updated every few years to respond to changes in technology and construction standards. The City of Anna is currently operating under the 2009 ICC Codes and the 2006 National Electric Code.

On June 16, 2015, Texas Governor Greg Abbott signed HB 1736 which established the energy conservation chapter of the 2015 International Residential Code, as the state-wide energy code for single-family residential construction. The State has also mandated the 2015 International Energy Code as the energy code for all other residential, commercial, and industrial construction effective November 1, 2016. As a result, most cities in north Texas are adopting the 2015 ICC Codes along with the 2014 National Electrical Code, and certain amendments recommended by the North Central Texas Council Governments (NCTCOG). The amendments are recommended by the NCTCOG in order to create consistency and uniformity for builders that work in the various jurisdictions throughout north Texas.

STAFF RECOMMENDATION:

After consulting with our third-party building inspector, Staff is recommending approval of the attached Ordinance which adopts the 2015 ICC Codes along with the 2014 National Electrical Code, and the amendments recommended by the North Central Texas Council Governments

(NCTCOG).

ATTACHMENTS:

Description	Upload Date	Type
Ordinance Adopting Building Codes	10/6/2016	Ordinance
Exhibit A, NCTCOG Amendments	10/4/2016	Exhibit



Item No. 8.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Conduct a public hearing and take action on an Ordinance amending the Anna City Code of Ordinances by amending Part III-A (Subdivision Regulations), Article 3 (Subdivision Design Standards), Section 1.03 (d) (4) (Adequacy of Streets and Thoroughfares) and Section 7.02 (Minimum Frontage on a Public Street). (Maurice Schwanke)

SUMMARY:

The Zoning Ordinance includes regulations that establish the minimum lot width of residential lots. Minimum lots width is typically 50 feet or greater (depending on the zoning district), and is measured at the building or “set back” line. Lots located on a cul-de-sac become more narrow closer to the street. The City’s Subdivision Regulations include a requirement that all residential lots (regardless of the minimum lot width at the building line) have a minimum width of 40 feet measured at the edge of the pavement.

When reviewing a new or proposed subdivision, it is difficult to measure the width of a cul-de-sac lot at the edge of the pavement before the pavement has been designed or constructed. Regulating minimum width at the pavement edge also creates some design difficulties.

In order to mitigate these problems and to clarify the minimum width requirement for cul-de-sac and similar lots, Staff is recommending that Subdivision Regulations be amended to clarify that the minimum width of residential lots must be 40 feet at the property line as opposed to the edge of pavement. The lot width as measured at the building line would still need to comply with requirements outlined in applicable zoning regulations.

Attached with this report is exhibit that illustrates how the lot width measurements impact lot sizes and shapes on a cul-de-sac. Please note that on the exhibit all lot lines are radial. Lots 3 and 4 are shown measured along the property line while lots 5 and 6 are measured along the curb line (curb line information is not included on normal submittals). Measured at the property line the lots around a cul-de-sac can be 50 percent larger than normal lots while lots measured at the curb can be more than double the normal lot size. Measurements at the property line are more in line with industry standards.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance amending Subdivision Regulations	10/4/2016	Ordinance
Lot Exhibit	9/30/2016	Backup Material



Item No. 9.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action regarding a Resolution approving a Preliminary Plat of Anna Crossing Phase 7-10. (Maurice Schwanke)

SUMMARY:

Anna Town Center No. 7-Lnrd, Ltd has submitted an application for approval of a preliminary plat of Anna Crossing Phases 7-10. This subdivision is approximately 260 acres of land and is located in the Anna Town Square development east of Hwy 5. The subdivision would create 955 residential lots and (32) open space tracts to be maintained by an HOA. The current zoning for the property is a Planned Development (PD) that allows for a mixture of "SF-72 and SF-60" – Single family residential Lots.

The developer has requested the following variances to the Subdivision Regulations:

- Adjusting the centerline radius of Leonard Drive from the required 1200' to 800' is being requested. Normally 6 lane divided thoroughfares exist along the edge of developments. In this instance the facility will traverse the center of the development from north to south. The reduction of the centerline radius will have a calming effect on the traffic patterns and will by nature of the smaller radius slow the traffic down.
- Reducing the minimum allowed block length from 400' to 335' on block 25 is being requested due to a proposed drainage facility to the north.
- Extending the maximum allowed block length from 800' to 1300' on Blocks 2, 4, 5, 6, and 8. These lots are traversed by a 50' wide gas easement. The easement breaks up the block length and will have a pedestrian/bicycle trail on it.

In approving these variances, the City Council will need to make the following findings:

(1) Granting the waiver/suspension will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver/suspension will not prevent the orderly Subdivision of other property in the vicinity;

(2) The conditions upon which the request for a waiver/suspension is based are unique to the property for which the waiver/suspension is sought, and are not applicable generally to other

property;

(3) Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular undue hardship to the Property Owner would result, as distinguished from a mere inconvenience or increased expense, if the strict letter of these regulations is carried out;

(4) The waiver/suspension will not in any manner vary the provisions of the Zoning Ordinance, Comprehensive Plan (as amended), or any other adopted plan(s) or ordinance(s) of the City; and

(5) An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein.

The applicant is also seeking approval for an Alternative means of screening along Finley Blvd. Instead of typical masonry screening wall, the applicant is proposing to provide screening through landscaping and berms along Finley Blvd. This Alternative screening will match the screening that was approved in the PD for the property adjacent to Leonard Drive. Examples of this screening technique are shown on the attached exhibits A - D. The Subdivision Regulations allow for an Alternate form of screening to be approved at the discretion of the City Council.

The Planning and Zoning Commission recommended approval of the preliminary plat, the variances, and the Alternate screen device at their meeting on September 12th, 2016. The vote was unanimous.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution which approves the preliminary plat of Anna Crossing Phases 7-10, the variances requested by the applicant, and alternate screening technique.

ATTACHMENTS:

Description	Upload Date	Type
Resolution Approving Anna Crossing 7-10	10/6/2016	Resolution
Anna Crossing Phase 7-10 Location Map	9/22/2016	Backup Material
Exhibit A -Berm detail	10/6/2016	Exhibit
Exhibit B - Berm photo	10/6/2016	Exhibit
Exhibit C - Berm photo	10/6/2016	Exhibit
Exhibit D - Berm photo	10/6/2016	Exhibit
Exhibit E -Anna Crossing Phase 7-10 Preliminary Plat	9/22/2016	Backup Material



Item No. 10.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Penny Drawert & Martin Ramirez. (Joseph Johnson)

SUMMARY:

The City is working on the design and construction of a new water main line that is necessary to accommodate the current and future growth of our city. The water line will run parallel to Foster Crossing Road between Pecan Grove Dr. and the DART rail road just east of SH 5 (Powell Parkway). In order to construct this water line, the City will need to acquire an easement across property owned by Penny Drawert & Martin Ramirez. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.096 acres of land, more or less, for a permanent water line easement, and 0.100 acres of land, more or less, for a temporary construction easement, said tracts located in the R. C. Ingraham Survey, Abstract No. 464, Collin County, Texas, and being over, under and across a called 1.304 acre tract of land conveyed to Penny Drawert and Martin Ramirez by deed recorded in Document Number 20020531000776760 and Volume 5180, Page 3392 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.096 acres and 0.100 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”

ATTACHMENTS:

Description	Upload Date	Type
Drawert & Ramirez Resolution	10/3/2016	Resolution



Item No. 11.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by J. Kevin Kennedy & Lisa L. Kennedy (Tract 1). (Joseph Johnson)

SUMMARY:

The City is working on the design and construction of a new water main line that is necessary to accommodate the current and future growth of our city. The water line will run parallel to Foster Crossing Road between Pecan Grove Dr. and the DART rail road just east of SH 5 (Powell Parkway). In order to construct this water line, the City will need to acquire an easement across property owned by J. Kevin Kennedy & Lisa L. Kennedy. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.274 acres of land, more or less, for a permanent water line easement, and 0.273 acres of land, more or less, for a temporary construction easement, said tracts located in the R. C. Ingraham Survey, Abstract No. 464, Collin County, Texas, and being over, under and across a remaining 54.256 acre tract of land conveyed to J. Kevin and Lisa L. Kennedy by deed recorded in Document Number 19940318000262320 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.274 acres and 0.273 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”

ATTACHMENTS:

Description	Upload Date	Type
Kennedy Resolution Tract 1	10/3/2016	Resolution



Item No. 12.

City Council Agenda
Staff Report

Meeting Date: 10/11/2016

AGENDA ITEM:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by J. Kevin Kennedy & Lisa L. Kennedy (Tract 2). (Joseph Johnson)

SUMMARY:

The City is working on the design and construction of a new water main line that is necessary to accommodate the current and future growth of our city. The water line will run parallel to Foster Crossing Road between Pecan Grove Dr. and the DART rail road just east of SH 5 (Powell Parkway). In order to construct this water line, the City will need to acquire an easement across property owned by J. Kevin Kennedy & Lisa L. Kennedy. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.307 acres of land, more or less, for a permanent water line easement, and 0.306 acres of land, more or less, for a temporary construction easement, said tracts located in the R. C. Ingraham Survey, Abstract No. 464, Collin County, Texas, and being over, under and across a remaining 54.256 acre tract of land conveyed to J. Kevin and Lisa L. Kennedy by deed recorded in Document Number 19940318000262320 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.307 acres and 0.306 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”

ATTACHMENTS:

Description	Upload Date	Type
Kennedy Resolution Tract 2	10/3/2016	Resolution