MINUTES
PLANNING AND ZONING COMMISSION
December 5, 2022

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on December 5, 2022, at the Municipal Complex located at 120 W. 7th Street, to consider the following items.

1. Call to Order and Establishment of Quorum

   The meeting was called to order at 7:00 p.m.

   Commissioners present were Kelly Patterson-Herndon, David Nylec, Paul Wenzel, Douglas Hermann, and Staci Martin. Commissioners Dennis Ogan and Michelle Clemens were absent. Staff present was Ross Altobelli, Lauren Mecke, Salena Tittle, and Joey Grisham. Councilmen Lee Miller, Pete Cain, and Randy Atchley were also in attendance.

2. Invocation and Pledge of Allegiance

   Commissioner Hermann 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.

4. Location Map

Consent Items

A motion was made by Commissioner Martin seconded by Commissioner Wenzel to recommend approval of consent items 5-14. The vote was unanimous.

5. Consider/Discuss/Action to approve minutes of the November 7, 2022 Planning & Zoning Commission Meeting.

6. Consider/Discuss/Action on the DHI Anna, Block A, Lots 1-3, Final Plat. Applicant: DR Horton-Texas LTD.

7. Consider/Discuss/Action on the DHI Anna, Block A, Lot 1, Site Plan. Applicant: DR Horton-Texas LTD.

8. Consider/Discuss/Action on the Facundo Addition, Block A, Lots 1-4, Minor Plat. Applicant: Jose Facundo.

9. Consider/Discuss/Action on the Strickland Brothers Center Addition, Block A, Lots 1-3, Final Plat. Applicant: Rufus Duncan / Yellow W Land Co.

10. Consider/Discuss/Action on the Strickland Brothers Center Addition, Block A, Lot 1, Site Plan. Applicant: Rufus Duncan / Yellow W Land Co.

11. Consider/Discuss/Action on the Anna Town Square Addition, Block A, Lot 2R, Replat. Applicant: Grand at Anna II Owner, LLC.

12. Consider/Discuss/Action on the Anna Town Square Addition, Block A, Lot 2R, Site Plan. Applicant: Grand at Anna II Owner, LLC.

13. Consider/Discuss/Action on the Oak Briar Addition, Block A, Lots 1R, 2R, & 3, Replat. Applicant: Chris & Annie Chaddick.

14. Consider/Discuss/Action on the Anna Town Center Addition, Block A, Lot 12, Site Plan. Applicant: Brian Bischoff / Chief Partners.

Items for Individual Consideration

15. Consider/Discuss/Action on appointing a Commission member to the Wayfinding Task Force. (Economic Development Director Joey Grisham)

Mr. Grisham introduced the item. The Economic Development Corporation is requesting the Commission to appoint one of its members to the Wayfinding Task Force to appropriately design wayfinding signage throughout the city.

A motion was made by Commissioner Wenzel, seconded by Commissioner Martin to appoint Chairwoman Patterson-Herndon to the Wayfinding Task Force. The vote was unanimous.

16. Conduct a Public Hearing/Consider/Discuss/Action on the Avery Pointe, Phase 1, Block U, Lots CA-67R & 68, Replat. Applicant: Avery Pointe Residential Community Inc C/O Danielle Lascalere Managing Agent & Novus NDT Realty LLC.

Ms. Tittle introduced the item. The applicant is requesting approval of a Residential Replat for the Avery Pointe, Phase 1 HOA Lot CA-67R in order to legally subdivide into two separate lots. The Replat is recommended for approval.

The Public Hearing was opened at 7:10 p.m.

The Public Hearing was closed at 7:10 p.m.

A motion was made by Commissioner Hermann, seconded by Commissioner Nylec to recommend approval of the Replat request. The motion passed unanimously.

17. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone 1.2± acres located at the southeast corner of E. Fourth Street and S. Sherley Avenue. Applicant: City of Anna.

Mr. Altobelli introduced the item. The applicant is requesting approval to rezone 1.2± acres to allow for a park, playground, and service yard of governmental agency with modified development standards. The zoning request is recommended for approval.

The Public Hearing was opened at 7:13 p.m.

The Public Hearing was closed at 7:13 p.m.

A motion was made by Chairwoman Patterson-Herndon, seconded by Commissioner Martin to recommend approval of the zoning request. The motion passed unanimously.

18. Conduct a Public Hearing/Consider/Discuss/Action on the Sherley Park Addition, Block A, Lots 1 & 2, Replat. Applicant: City of Anna.

Mr. Altobelli introduced the item. The applicant is requesting approval of a Residential Replat to subdivide the property into two lots for the future park improvements. The request is recommended for approval.

The Public Hearing was opened at 7:14 p.m.

The Public Hearing was closed at 7:14 p.m.

A motion was made by Commissioner Martin, seconded by Commissioner Wenzel to recommend approval of the Replat request. The vote was unanimous.

19. Consider/Discuss/Action on the Sherley Park Addition, Block A, Lots 1 & 2, Site Plan. Applicant: City of Anna.

Mr. Altobelli introduced the item. The applicant is requesting approval of a Site Plan for the proposed future park improvements. The request is recommended for approval.

A motion was made by Chairwoman Patterson-Herndon, seconded by Commissioner Nylec to approve the Site Plan. The vote was unanimous.

20. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone 98.0± acres located on the south side of E. White Street, 500± feet east of S. Interurban Street from AG Agricultural District, SF-E Single-Family Residential – Large Lot, and Planned Development (Ord. No. 145-2004) to Planned Development. Applicant: Rising Wakulla Investments, L.P.

Mr. Altobelli introduced the item. The applicant is requesting to rezone 98.0± acres to allow for a single-family residential development with modified development standards.

The Public Hearing was opened at 7:21 pm.

The applicant gave a brief presentation to the Commission.

Chairwoman Patterson-Herndon asked if the garages will be detached garages.

The applicant explained that most of them will be detached garages, but they will have some that will be attached.

Commissioner Nylec said that he remembered the applicant's previous zoning case had some concerns about the height of berms and landscaping for the walking trails.

The applicant advised that they will have a minimum of 3' in height and a maximum 5' in height for the berms.

Commissioner Nylec explained that he and one of the absent Commissioners had concerns about the privacy of the residents with the trails.

The applicant explained that they will also be providing a 6' in height board fencing along Leonard Avenue for privacy.

Commissioner Hermann asked what the plan is for the empty civic spaces.

The applicant advised that those will be designated to the HOA for open space to the community.

The Public Hearing was closed at 7:28 pm.

A motion was made by Commissioner Nylec, seconded by Commissioner Hermann to approve the Planned Development zoning request. The vote was unanimous.

21. Consider/Discuss/Action on the Leonard Trails, Concept Plan. Applicant: Rising Wakulla Investments, L.P.

Mr. Altobelli introduced the item. The applicant is requesting approval of the Concept Plan that is associated with the zoning request, Agenda Item No. 20.

A motion was made by Commissioner Martin, seconded by Commissioner Nylec to approve the Concept Plan. The vote was unanimous.

Chairwoman Patterson-Herndon requested a 5-minute recess before moving on to the next item.

The 5-minute recess began at 7:29 p.m.

The 5-minute recess ended at 7:34 p.m.

22. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone 30.1± acres located on the west side of County Road 423, 1,410± feet north of State Highway 5 from SF-E Single-Family Residential – Large Lot to Planned Development-MF-2 Multiple-Family Residential – High Density and SF-20 Single-Family Residence with modified development standards. Applicant: James E. Hager Trust.

Ms. Mecke introduced the item. The applicant is requesting approval of a zoning request for 30.1± acres for a multifamily residential development with modified development standards.

The Public Hearing was opened at 7:38 pm.

Mr. Alvin Johnson, the applicant, gave a brief presentation to the Commission regarding the proposed development.

Mr. Manny Singh, residing at 1001 Holly Street, spoke in opposition to the request and explained that corporate and professional developments would be more valuable and more of an asset to the community as noted in the Comprehensive Plan. He also highlighted that the applicant, since the last couple of attempts to rezone, has removed the commercial component that they were originally proposing and added a roundabout. Mr. Singh also listed the already approved multifamily developments in the area and around the city.

Ms. Gretchen Stewart, residing at 1013 Crepe Myrtle, filled out a speaker card in opposition to the request but requested that Mr. Manny Singh continue speaking on her behalf. It is noted that the Chairperson of the Commission has the authority to give the permission for this type of request. Chairwoman Patterson-Herndon allowed Mr. Singh to continue speaking on behalf of Ms. Stewart for her 3 minutes.

Mr. Manny Singh continued to express concern for the proposed multifamily development and explained that there is a lag time for the Anna ISD infrastructure to accommodate more of these types of developments.

Mr. Tony Bellefond, residing at 2934 Pecan Grove, spoke in opposition to the request and expressed concern for the proposed roundabout and explained that they cause more accidents than they assist with traffic. He also advised that the reason the City of Anna residents moved to Anna was for the small town feel and they lose that feel if the city continues to approve these big developments and tall structures.

The Public Hearing was closed at 7:49 pm.

Commissioner Wenzel asked staff to pull the 2050 Comprehensive Map on to the screen for reference. He explained that his concern is that there really isn't a lot of designated area for Professional Campus zoning and when we start removing it and allowing other types of developments, there really isn't anywhere else designated for what Professional Campus was intended for. Commissioner Wenzel explained that he feels it should be kept at what it was intended for which is Professional Campus.

Chairwoman Patterson-Herndon followed up with explaining that it did not meet the Comprehensive Plan when the applicant came before the Commission a few months back and that it still does not meet the Comprehensive Plan with the applicant's current request.

Commissioner Hermann also expressed his concern for the applicant's request and that it deviates from the Comprehensive Plan for what that area was intended for. He also pointed out that there is already multifamily zoning around the city.

Ms. Lea Fray Adamski, representing the seller of the land, approached the podium and explained that she had filled out a speaker card but was not called during the public hearing.

Chairwoman Patterson-Herndon advised that she would allow Ms. Adamski time to speak.

Ms. Adamski spoke in favor of the request and explained that they do not see a Professional Campus type use coming in for 15 years. Ms. Adamski also pointed out several multifamily projects that she has worked on where they did not have to seek approval because those were located in the ETJ. She also explained that the applicant has offered to put in a road to help the neighboring residents with traffic and easier means to get out onto Hwy 5 and that the applicant has also agreed to pave 423.

Commissioner Martin explained that the property has already been allocated for something else (Professional Campus) and when that is taken away for a different type of use, it never gets allocated somewhere else in place of.

Mr. Altobelli asked to clarify Commissioner Martin's statement and advised the Commission that it is staff's responsibility to come back to the Commission after so many years and ask the Commission how we are doing with the Comprehensive Plan and if ask if changes need to be made.

A motion was made by Commissioner Martin, seconded by Commissioner Nylec to deny the applicant's Planned Development zoning request. The vote was unanimous.

23. Consider/Discuss/Action on the Hager Ranch, Concept Plan. Applicant: James E. Hager Trust.

A motion was made by Commissioner Wenzel, seconded by Commissioner Hermann to deny the Concept Plan. The vote was unanimous.

The owner of the property approached and asked to see documentation from the city that specified what they are referring to because her grandfather was approached back in the 80's and offered money and he denied it. She again requested to see documentation that reflects the designation for the land.

Mr. Altobelli advised that he would be happy to meet with her after the meeting to discuss.

24. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway from Planned Development (Ord. No. 743-2017 & Ord. No. 933-2021) to Planned Development-LI-1 Light Industrial with modified development standards. Applicant: PC5 Properties, LLC C/O Michael Puryear, Secretary.

Ms. Mecke advised that the applicant is requesting to table and hold open the Public Hearing to the January 3rd, 2023 Planning & Zoning Commission Meeting which will be located at 120 W. 7th Street at 7:00 pm.

A motion was made by Chairwoman Patterson-Herndon, seconded by Commissioner Wenzel to table and hold open the item to the January 3rd, 2023 Planning & Zoning Commission Meeting. The vote was unanimous.

Adjourn

A motion was made by Commissioner Martin, seconded by Chairwoman Patterson-Herndon to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:00 p.m.

Chairwoman Kelly Patterson-Herndon

ATTEST:

Salena Tittle

Salena Tittle, Planner II