

**Regular City Council Meeting
Meeting Minutes**



Tuesday, August 22, 2023 @ 6:00 PM

**Anna Municipal Complex - Council Chambers
120 W. 7th Street, Anna, Texas 75409**

The City Council of the City of Anna met on August 22, 2023 at 6:00 PM in the Anna Municipal Complex-Council Chambers, located at 120 W. 7th Street, to consider the following items.

1. Call to Order, Roll Call, and Establishment of Quorum.

Mayor Pike called the meeting to order at 6:03 PM.

Members Present:

Mayor Nate Pike

Mayor Pro Tem Lee Miller

Deputy Mayor Pro Tem Randy Atchley

Council Member Kevin Toten

Council Member Stan Carver

Council Member Elden Baker

Council Member Pete Cain

Members Absent:

None

2. Invocation and Pledge of Allegiance.

Council Member Carver led the Invocation and Mayor Pike Pledge of Allegiance.

3. Neighbor Comments.

No comments.

4. Reports.

- a. Recognize May, June, and July "We Notice!" Designees. (Code Compliance Officer Mike Wherland)

Staff recognized May, June, and July's "We Notice!" Property of the Month Designees.

May's winner is Alfredo Iturrino.

June's winner is Kevin Brock.

July's winner is Eliana Munoz.

5. Consent Items.

MOTION: Council Member Toten moved to approve items 5.a.-bb. Council Member Cain seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes for August 8, 2023. (City Secretary Carrie Land)
- b. Review Monthly Financial Report for the Month Ending July 31, 2023. (Budget Manager Terri Doby)
- c. Review Minutes of the July 20, 2023, Joint Community Development Corporation and Economic Development Corporation Board Meetings. (Director of Economic Development Joey Grisham)
- d. Review Minutes of the July 6, 2023 Planning & Zoning Commission Meeting. (Director of Development Services Ross Altobelli)
- e. Approve a Resolution regarding the Anna Crossing, Phase 9, Final Plat. (Director of Development Services Ross Altobelli)

191 Single-family dwelling, detached lots and 7 common area lots on 65.6± acres located on the north side Finley Boulevard, 205± east of Leonard Avenue. Zoned: Planned Development (Ord. No. 236-2005).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the single-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF ANNA CROSSING, PHASE 9.

- f. Approve a Resolution regarding the Anna High School #1 Addition, Block 1, Lot 1R, Revised Site Plan. (Director of Development Services Ross Altobelli)

Public school on 54.1± acres located at the southwest corner of Rosamond Parkway and West Crossing Boulevard. Zoned SF-E Single-Family Residential - Large Lot.

The purpose of the Revised Site Plan is to show the existing and proposed site improvements for the proposed public school building addition.

The Revised Site Plan is in conformance with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A REVISED SITE PLAN OF ANNA HIGH SCHOOL #1 ADDITION, BLOCK 1, LOT 1.

- g. Approve a Resolution regarding the Arden Park Phase 1, Final Plat. (Director of Development Services Ross Altobelli)

60 Single-family dwelling, detached lots, 27 single-family dwelling, attached lots, five common area lots, and two commercial lots on 20.5± acres located at the southwest corner of W. White Street and Slater Creek Road. Zoned: C-1 Restricted Commercial (C-1), SF-Z Single-Family Residence District – Zero Lot Line Homes (SF-Z), and Planned Development-SF-TH Townhome District (PD-SF-TH) (Ord. No. 961-2022 & Ord. No. 1009-2022).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the single-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ARDEN PARK PHASE 1, FINAL PLAT.

- h. Approve a Resolution regarding the Arden Park Phase 1, Site Plan. (Director of Development Services Ross Altobelli)

60 Single-family dwelling, detached lots, 27 single-family dwelling, attached lots, and five common area lots on 15.9± acres located at the southwest corner of W. White Street and Slater Creek Road. Zoned: SF-Z Single-Family Residence District – Zero Lot Line Homes (SF-Z), and Planned Development-SF-TH Townhome District (PD-SF-TH) (Ord. No. 961-2022 & Ord. No. 1009-2022).

The purpose of the Site Plan is to show the proposed single-family residential development site improvements.

The Site Plan is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ARDEN PARK PHASE 1, SITE PLAN.

- i. Approve a Resolution regarding the Arden Park Phase 1, Block C, Lot 1X, Site Plan. (Director of Development Services Ross Altobelli)

Amenity center on one lot on 0.5± acre located at the southeast and southwest corner of Hudson Way and West Crossing Boulevard, 445± feet south of W. White Street. Zoned: Planned Development (Ord. No. 961-2022 & Ord. No. 1009-2022).

The purpose of the Site Plan is to show the proposed amenity center site improvements.

The Site Plan is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ARDEN PARK PHASE 1, BLOCK C, LOT 1X, SITE PLAN.

- j. Approve a Resolution regarding the Avery Pointe Commercial, Block A, Lot 4, Revised Site Plan. (Director of Development Services Ross Altobelli)

Restaurant on one lot on 0.6± acre located on the north side of W. White Street, 300± feet east of S. Ferguson Parkway. Zoned: Planned Development (Ord. No. 955-2022, Ord. No. 709-2015, & Ord. No. 179-2005).

The purpose of the Revised Site Plan is to show the existing and proposed site improvements for the proposed restaurant development.

The Revised Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE COMMERCIAL, BLOCK A, LOT 4, REVISED SITE PLAN.

- k. Approve a Resolution regarding the Boston Addition, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

One lot on 5.1± acres located at the northwest corner of County Road 479 and Brynlee James Lane. Located in the Extraterritorial Jurisdiction (ETJ).

The Development Plat is in conformance with the city's Subdivision Regulations.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT PLAT OF BOSTON ADDITION, BLOCK A, LOT 1.

- I. Approve a Resolution regarding the Holt Subdivision, Block A, Lots 1-4, Final Plat. (Director of Development Services Ross Altobelli)**

Office – showroom/warehouse with equipment service and repair / leasing and retail sales on Lots 1 & 2, drainage and detention on Lot 3, and vacant lot on 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway. Zoned: Planned Development (Ord. No. 743-2017 & Ord. No. 1029-2023-01).

The purpose of the Final Plat is to dedicate right-of-way, lot and block boundaries, and easements necessary for the Office – showroom/warehouse with equipment service and repair / leasing and retail sales development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING HOLT SUBDIVISION, BLOCK A, LOTS 1-4, FINAL PLAT.

- m. Approve a Resolution regarding the Holt Subdivision, Block A, Lots 1-4, Site Plan. (Director of Development Services Ross Altobelli)**

Office – showroom/warehouse with equipment service and repair / leasing and retail sales on Lots 1 & 2, drainage and detention on Lot 3, and vacant lot on 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway. Zoned: Planned Development (Ord. No. 743-2017 & Ord. No. 1029-2023-01).

The purpose of the Site Plan is to show the proposed Office – showroom/warehouse with equipment service and repair / leasing and retail sales and drainage and detention site improvements.

The Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING HOLT SUBDIVISION, BLOCK A, LOTS 1-4, SITE PLAN.

- n. Approve a Resolution regarding the Jefferson at Anna Finley, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)**

Multiple-family residences on one lot on 11.0± acres located at the northeast corner of Finley Boulevard and Sharp Street. Zoned: Planned Development (Ord. No. 980-2022, Ord. No. 691-2015, & Ord. No. 129-2004).

The purpose for the Final Plat is to dedicate right-of-way, lot and block boundaries, and easements necessary for the multiple-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF JEFFERSON AT ANNA FINLEY, BLOCK A, LOT 1.

- o. Approve a Resolution regarding the Jefferson at Anna Finley, Block A, Lot 1, Site Plan. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 11.0± acres located at the northeast corner of Finley Boulevard and Sharp Street. Zoned: Planned Development (Ord. No. 980-2022, Ord. No. 691-2015, & Ord. No. 129-2004).

The purpose of the Site Plan is to show the site improvements for the proposed multifamily residence development.

The Site Plan is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A SITE PLAN OF JEFFERSON AT ANNA FINLEY, BLOCK A, LOT 1.

- p. Approve a Resolution regarding the Leonard Trails, Phase 1, Final Plat. (Director of Development Services Ross Altobelli)

161 Single-family dwelling, detached lots and 15 common area lots on 42.7± acres located on the east and west sides of Leonard Avenue, 350± feet south of E. White Street. Zoned: Planned Development (Ord. No. 1027-2023-01).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the single-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING LEONARD TRAILS, PHASE 1, FINAL PLAT.

- q. Approve a Resolution regarding the One Anna Two Addition, Block B, Lot 1R, Replat. (Director of Development Services Ross Altobelli)

Vacant lot on 5.0± acres located at the southwest corner of U.S. Highway 75 and Suzie Lane. Zoned: Planned Development (Ord. No. 846-2020 & Ord. No. 911-2021).

The purpose for the Replat is to dedicate lot and block boundaries and easements necessary for future commercial development.

The Replat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ONE ANNA TWO ADDITION, BLOCK B, LOT 1R, REPLAT.

- r. Approve a Resolution regarding the One Anna Two Addition, Block B, Lot 1R, Site Plan. (Director of Development Services Ross Altobelli)

Vacant lot on 5.0± acres located at the southwest corner of U.S. Highway 75 and Suzie Lane. Zoned: Planned Development (Ord. No. 846-2020 & Ord. No. 911-2021).

The purpose of the Site Plan is to show proposed site improvements for future commercial development.

The Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ONE ANNA TWO ADDITION, BLOCK B, LOT 1R, SITE PLAN.

- s. Approve a Resolution regarding the Quail Creek Run Place, Block A, Lots 4R, 5 & 6, Preliminary Replat. (Director of Development Services Ross Altobelli)

Three lots on 3.3± acres located on the west side of Quail Creek Run, 380± feet south of Taylor Boulevard. Located in the Extraterritorial Jurisdiction (ETJ).

The purpose of the Replat is to dedicate lot and block boundaries and easements necessary for the subdivision of one lot.

The Replat is in conformance with the city's Subdivision Regulations.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A REPLAT OF QUAIL CREEK RUN PLACE, BLOCK A, LOTS 4R, 5 & 6.

- t. Approve a Resolution regarding the Riata 455, Block A, Lots 1 & 2, Preliminary Plat. (Director of Development Services Ross Altobelli)

One lot on 43.9± acres located on the north side of F.M. 455, 250± feet west of County Road 287. Located in the Extraterritorial Jurisdiction (ETJ).

The purpose of the Preliminary Plat is to propose right-of-way, lot and block boundaries and easements necessary for the future construction of the residential development.

The Preliminary Plat is in conformance with the city's Subdivision Regulations.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING RIATA 455 ADDITION, BLOCK A, LOTS 1 & 2, PRELIMINARY PLAT

- u. Approve a Resolution regarding the Skorburg Anna Ranch, Concept Plan. (Director of Development Services Ross Altobelli)

515 Single-family dwelling, detached lots, eight common area lots, and multiple-family residence lot on 170.4± acres located on the north and south side of E. Foster Crossing Road, 1,645± feet east of future Leonard Avenue. Zoned: Planned Development (Ord. No. 1054-2023-06). This concept plan is associated with the zoning case that was approved by City Council on May 23, 2023.

The purpose of the Concept Plan is to show the related site improvements for the future single-family and multiple-family residence development.

The Concept Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONCEPT PLAN FOR SKORBURG ANNA RANCH.

- v. Approve a Resolution regarding the Skorburg Anna Ranch Addition, Preliminary Plat. (Director of Development Services Ross Altobelli)

515 Single-family dwelling, detached lots, 12 common area lots, and vacant lot on 170.4± acres located on the north and south side of E. Foster Crossing Road,

1,645± feet east of future Leonard Avenue. Zoned: Planned Development (Ord. No. 1054-2023- 06).

The purpose of the Preliminary Plat is to propose right-of-way, lot and block boundaries and easements necessary for the future construction of the single-family dwelling, detached development.

The Preliminary Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING SKORBURG ANNA RANCH ADDITION, PRELIMINARY PLAT

- w. Approve a Resolution regarding The Woods at Lindsey Place, Phase 2A, Final Plat. (Director of Development Services Ross Altobelli)

75 Single-family dwelling, detached lots, 7 common area lots, and one vacant commercial lot on 29.2± acres located at the southeast corner of Rosamond Parkway and future Buddy Hayes Boulevard. Zoned: Planned Development (Ord. No. 881-2020).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the single-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF THE WOODS AT LINDSEY PLACE, PHASE 2A.

- x. Approve a Resolution regarding The Woods at Lindsey Place, Phase 2B, Final Plat. (Director of Development Services Ross Altobelli)

123 Single-family dwelling, detached lots and 4 common area lots on 27.5± acres located on the east side of future Buddy Hayes Boulevard, 2,755± feet north of W. Rosamond Parkway. Zoned: Planned Development (Ord. No. 881-2020).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the single-family residential development.

The Final Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF THE WOODS AT LINDSEY PLACE, PHASE 2B.

- y. Approve a Resolution regarding the Wal-Mart Anna Addition, Block A, Lot 4, Revised Site Plan. (Director of Development Services Ross Altobelli)

Restaurant on one lot on 1.5± acres located on the east side of U.S. Highway 75, 285± feet north of W. White Street. Zoned Planned Development (Ord. No. 648-2019 & Ord. No. 826-2019).

The purpose of the Revised Site Plan is to show the existing and proposed site improvements for the drive-through alterations.

The Revised Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A REVISED SITE PLAN OF WAL-MART ANNA ADDITION, BLOCK A, LOT 4.

- z. Approve a Resolution making revisions to the Investment Policy. (Finance Director Alan Guard)

The City of Anna, per the Investment Policy, is required to revisit, revise, and adopt the Investment Policy each year. The City Council recently approved a contract with Valley View Consulting for investment advising services, including assistance updating the policy each year. Revisions recommended to the policy primarily reflect clean-up items and reorganizing the information to be more concise and easier to read. The Texas Legislature did not make any substantive changes to the Public Funds Investment Act (PFIA) during the course of the last legislative session.

Staff recommends that the City Council approve a resolution making revisions to the City's Investment Policy.

A RESOLUTION REVIEWING AND AMENDING THE INVESTMENT POLICY OF THE CITY OF ANNA.

- aa. Approve a Resolution accepting a petition and setting a public hearing under Section 372.009 of the Texas Local Government Code on the advisability of the creation of a public improvement district and improvements within the City of Anna, Texas for the Meadow Vista development and authorizing issuance of notice by the City Secretary of Anna, Texas regarding the public hearing. (Director of Economic Development Joey Grisham)

The City Council approved a Development Agreement with Bloomfield Homes on June 27, 2023, which stated that the city would use reasonable efforts to create a PID. Meadow Vista is a 763 SF lot development located along the future Hackberry Drive extension.

The City will receive approximately \$595,000 in PID fees, with the remaining amount being used as a credit to the developer for constructing the off-site Hackberry Drive extension.

Per the Development Agreement, the City will move forward with the creation of the Meadow Vista Public Improvement District, having received the PID petition. The public hearing will be held on September 26, 2023.

A RESOLUTION ACCEPTING A PETITION TO CREATE THE MEADOW VISTA PUBLIC IMPROVEMENT DISTRICT; SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE ON THE ADVISABILITY OF THE CREATION OF THE MEADOW VISTA PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF ANNA, TEXAS; AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF ANNA, TEXAS REGARDING THE PUBLIC HEARING.

- bb. Approve a Resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Anna, Texas Special Assessment Revenue Bonds Series, 2023 (The Woods at Lindsey Place Public Improvement District Improvement Area #1). (Director of Economic Development Joey Grisham)

The City Council created The Woods at Lindsey Place Public Improvement District on February 14, 2023 for improvements not to exceed \$55,000,000.

The City will receive over \$2,900,00 in PID fees--approximately \$741,200 of that amount will be paid upon issuance of Area #1 bonds.

The Preliminary Limited Offering Memorandum (PLOM) for the City of Anna, Texas, Special Assessment Revenue Bonds, Series 2023 (The Woods at Lindsey Place Public Improvement District Improvement Area #1 Project) is submitted in preparation for the sale of the bonds as contemplated in the development agreement and PID creation documents.

RESOLUTION APPROVING A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE SALE OF "CITY OF ANNA, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2023 (THE WOODS AT LINDSEY PLACE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1 PROJECT)"

6. Items For Individual Consideration.

- a. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to amend an existing planned development (Ord. No. 648-2014) on 12.2± acres located on the south side of Hackberry Drive, 160± feet east of U.S. Highway 75 to allow for

Building Materials, Hardware (Indoors) with modified development standards.
(Planning Manager Lauren Mecke)

The property's current zoning, established in 2014 (Ord. No. 648-2014), is a Planned Development with the base zoning of C-2 General Commercial (C-2). The request is to amend standards established as part of the 2014 zoning and current C-2 development standards to accommodate the construction of the building materials, hardware (indoors) site improvements and allow additional accessory uses of auto leasing and rental, truck and bus leasing, and trailer rental.

A Planned Development (PD) district is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this article is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the community. A PD district may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

A concept plan, Anna Town Center Addition, Block A, Lots 6R, 13-17 accompanies this request.

The applicant's justification letter associated with each of the requests accompanies this request.

Proposed Planned Development Stipulations

The language in the proposed PD district will modify existing PD standards and current development standards by:

- Amending an existing PD stipulations pertaining to outdoor display areas (Garden Centers).
 - Increase the maximum size of an outdoor display area (garden centers) from 25% to 27%.
 - Amending the fencing requirements around the outdoor display area to remove the 4' masonry wall requirement and establish masonry column standards.
 - Removing the landscaping around the outdoor display area. The original and existing tenant when the zoning district was written is not meeting this regulation and the potential Building Materials, hardware (indoors) tenant has requested to remove it.
- Adding accessory uses to be permitted by right for a Building Materials, hardware (indoor) use.

- Ord. No. 648-2014 provided additional accessory uses of tool rental shop and commercial greenhouse. However, the proposed tenant has additional services that they offer but those uses are not allowed by the zoning.
- Staff recommends allowing the following accessory uses when associated with a Building Materials, hardware (indoor) use:
 - Auto Leasing and Rental,
 - Truck and Bus Leasing, and
 - Trailer Rental
- Amend the parking space requirements for a building materials, hardware (indoor) use.
 - §9.04.037 (Parking space Regulations) and the Planned Development defines the parking space requirements for retailers/retail uses as 4 spaces per 1,000 square feet of gross floor area.
 - The request is to reduce the required parking to 3 spaces per 1,000 square feet of gross floor area and include the garden center but exclude the other display areas.
 - Parking spaces intended for auto leasing and rental, truck and bus leasing, tool rental, trailer rental, and seasonal sales area will not count towards the overall provided parking to meet the minimum required parking.
- Increase the maximum wall sign sizes for a building materials, hardware (indoor) use as shown in the sign exhibit (Exhibit C).
 - §9.05.85 limits an individual major attached sign ("wall sign") to a maximum of 200 square feet and total wall signs to 400 square feet.
 - In Exhibit C, the applicant illustrates the signage they are requesting.

Mayor Pike opened the public hearing at 6:12 PM.

No comments.

Mayor Pike closed the public hearing at 6:12 PM.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND CHANGING THE ZONING OF CERTAIN PROPERTY AS DESCRIBED HEREIN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY

AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF. (Property zoned under this ordinance is generally located on the south side of Hackberry Drive, 160± feet east of U.S. Highway 75)

MOTION: Mayor Pike moved to approve. Council Member Toten seconded. Motion carried 7-0.

- b. Consider/Discuss/Action on a Resolution regarding Anna Town Center Addition, Block A, Lot 15, Concept Plan. (Planning Manager Lauren Mecke)

Building Materials, Hardware (Indoors) on one lot and five vacant commercial lots on 35.8± acres located on the south side of Hackberry Drive, 160± feet east of U.S. Highway 75. Zoned Planned Development (Ord. No. 648-2014).

The purpose of the Concept Plan is to propose right-of-way, lot and block boundaries and easements necessary for the future construction of the commercial development.

The Planning & Zoning Commission recommended approval at the August 7, 2023 Planning & Zoning Commission meeting subject to City Council approval of the zoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONCEPT PLAN OF ANNA TOWN CENTER ADDITION, BLOCK A, LOTS 6R, 13 - 17.

MOTION: Council Member Toten moved to approve. Mayor Pro Tem Miller seconded. Motion carried 7-0.

- c. Consider/Discuss/Action on a Resolution regarding Anna Town Center Addition, Block A, Lot 15, Preliminary Replat. (Planning Manager Lauren Mecke)

Building Materials, Hardware (Indoors) on one lot and five vacant commercial lots on 35.8± acres located at the southeast corner of Hackberry Drive and S Central Expressway (U.S. Highway 75). Zoned Planned Development (Ord. No. 648-2014).

The purpose of the Preliminary Replat is to propose right-of-way, lot and block boundaries and easements necessary for the future construction of the building materials, hardware (indoors) development.

The Planning & Zoning Commission recommended approval at the August 7, 2023 Planning & Zoning Commission meeting subject to City Council approval of the zoning request and additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A PRELIMINARY REPLAT OF ANNA TOWN CENTER ADDITION, BLOCK A, LOTS 6R, 13 – 17.

MOTION: Council Member Toten moved to approve. Council Member Cain seconded. Motion carried 7-0.

- d. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone 18.8± acres located at the northwest corner of N. Powell Parkway and Rosamond Parkway from Planned Development (Ord. No. 797-2018) to Planned Development to allow for a nonresidential and multiple-family residence development with modified development standards.(Director of Development Services Ross Altobelli)

The applicant requested to withdraw the Zoning and Concept Plan applications from City Council agenda after the items were recommended for denial at the August 7, 2023 Planning & Zoning Commission meeting.

Staff recommended that City Council approve the applicant's request to withdraw.

MOTION: Mayor Pike moved to take no action. Council Member Totten seconded. Motion carried 7-0.

- e. Conduct a Public Hearing/Consider/Discuss/Action on amending Chapter 9 of the Anna Code of Ordinances by Repealing and Replacing Article 9.04 Zoning Ordinance and Repealing Article 9.06 Landscaping Regulations. (Director of Development Services Ross Altobelli)

HISTORY:

In March of 2022, the City Council approved a professional services agreement with Freese and Nichols, Inc. (F&N) to review and update the City of Anna Planning and Development Regulations. City staff has been working with F&N to implement the City's comprehensive planning objectives and needs as identified by staff, Commissioners, Council members, developers, and neighbors.

REMARKS:

Reviewing the Anna 2050 Comprehensive Plan the following action items were addressed as part of the zoning ordinance rewrite.

Future Lane Use

Action 3.5. Code Overhaul. Rewrite the City's development-related ordinances to align them with the vision expressed in this comprehensive plan and to accommodate the Future Land Use Plan.

Economic Development

Action 4.9. Standards and Regulations for Downtown. Adopt standards and regulations to ensure high-quality Downtown development.

Housing

Action 5.3. Development Flexibility. Revise the zoning ordinance and other related regulations to accommodate innovative and flexible land development techniques that permit a variety of lot sizes and housing types and promote context-sensitive development. Parks, Trails and Open Space Action 8.3. Open Space Standards. Incorporate standards, where appropriate, to evaluate new

private development proposals on their efforts to provide outdoor open space with amenities and community gathering places.

As mentioned during the June 27, 2023, Joint Work Session between the Planning and Zoning Commission and City Council, the F&N project team worked closely with city staff in reviewing and modernizing the zoning ordinance. Staff recommends special attention be given to the following improved areas:

a. Division 2: NEW Zoning Districts

- i. Mixed-Density Residential District
- ii. Mixed-Use District
- iii. Downtown District

b. Division 3: Uses

- i. Use Tables that include Parking Standards and hyperlinks to Use-Specific Standards.
- ii. Accessory Uses and Structures - Outdoor Display/Outdoor Storage regulations.
- iii. Use-Specific Standards for various land uses.

c. Division 4: Development Standards

- i. Dimensional Regulations - Step back Regulations
- ii. Site Design Requirements - Multi-family Residential & Townhome Unit and Single or Duplex Unit Park Standards (Amenities)

d. Division 5: Procedures

- i. Table 37 Authority Table
- ii. Flowchart Figures: Details approval process

Following the Joint Work Session, F&N and Staff examined ways to address the concerns discussed. An updated draft Zoning Ordinance was given to the Planning & Zoning Commission in which they recommended approval. Following the publishing of the August 7, 2023 P&Z Agenda Packet, Staff identified four additional amendments to be considered.

The Zoning Ordinance rewrite specifically addressed one of the highest priority Anna 2050 action items "Code Overhaul". Additionally, the proposed amendments will improve staff efficiency, clarify the City's development regulations, and simplify the development approval process.

Option 1 considers the adoption of the zoning ordinance as the Planning & Zoning Commission recommended at their August 7, 2023 meeting .

Option 2 considers four additional amendments that City Staff recommends for inclusion.

Mayor Pike opened the public hearing at 6:17 PM.

No comments.

Mayor Pike closed the public hearing at 6:27 PM.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
AMENDING CHAPTER 9 OF THE ANNA CITY CODE OF ORDINANCES BY
REPEALING AND REPLACING ARTICLE 9.04 ZONING ORDINANCE AND
REPEALING ARTICLE 9.06 LANDSCAPE REGULATIONS**

MOTION: Council Member Baker moved to approve with Option 2. Council Member Carver seconded. Motion carried 7-0.

- f. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone two vacant lots 0.5± acre located at the southwest corner of W. Second Street and N. Riggins Street from SF-1 Single-Family Residential to Downtown (DT) District to allow for future development of a Health Club. (Planner II Salena Tittle)

The applicant is requesting to rezone the property to the Downtown (DT) zoning district to allow for commercial development within the Core (CE) zone.

The intent of the DT zoning district is to enhance the significance of the City's authentic core to residents, tourists, and visitors and serve as a support and stimulus to business and industry and to create an attractive and functional downtown as envisioned in the Anna 2050 Downtown Master Plan.

Surrounding Land Use and Zoning

North Vacant lot, zone SF-1 Single-Family Residential

East Dallas Area Rapid Transit ROW and railroad, zoned SF-1 Single-Family Residential

South Single-family, detached dwelling, zoned SF-1 Single-Family Residential

West Religious facility, zoned SF-1 Single-Family Residential

Future Land Use Plan – The subject property is located within the Downtown Core zone as defined by the Anna 2050 Downtown Master Plan and identified as Adaptive Reuse/Infill.

The Anna 2050 Downtown Master Plan suggests that future land use decisions for Adaptive Reuse/Infill development should accommodate the existing neighborhood fabric, while encouraging a transition to a more active environment and a more diverse building stock.

The proposed zoning conforms with the Anna 2050 Future Land Use Plan.

Mayor Pike opened the public hearing at 6:29 PM.

No comments.

Mayor Pike closed the public hearing at 6:29 PM.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND CHANGING THE ZONING OF CERTAIN PROPERTY AS DESCRIBED HEREIN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF. (Property rezoned under this ordinance is generally located at the southwest corner of W. Second Street and N. Riggins Street)

MOTION: Mayor Pro Tem Miller moved to approve. Council Member Cain seconded. Motion carried 7-0.

- g. First Reading of a Resolution authorizing the Anna Community Development Corporation to enter into a loan agreement with Government Capital Corporation to finance land acquisition. (Director of Economic Development Joey Grisham)

Two readings of the Resolution are required. The presiding officer read the following as the first reading:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS RATIFYING AND AUTHORIZING THE ANNA COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A LOAN AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION TO FINANCE LAND ACQUISITION.

- h. Second Reading of a Resolution authorizing the Anna Community Development Corporation to enter into a loan agreement with Government Capital Corporation to finance land acquisition. (Director of Economic Development Joey Grisham)

Two readings of the Resolution are required. The presiding officer read the following as the second reading:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS RATIFYING AND AUTHORIZING THE ANNA COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A LOAN AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION TO FINANCE LAND ACQUISITION.

- i. Consider/Discuss/Action on a Resolution ratifying and authorizing the Anna Community Development Corporation to enter into a loan agreement with Government Capital Corporation to finance land acquisition. (Director of Economic Development Joey Grisham)

In 2022, the City Council and CDC-EDC Board held a joint workshop, and identified property acquisition in downtown as a priority. To carry out that goal,

the CDC has identified nine parcels (totaling approximately 2.8 acres) at the southeast corner of Powell Pkwy. and 7th Street to purchase. CDC staff began working with Government Capital, who has been involved with projects in Anna over the years as well as 500 + Texas communities.

The Anna CDC Board held a Public Hearing on August 3, 2023 and approved a resolution authorizing a loan with Government Capital Corp. not to exceed \$1,800,000. The item was also published in the newspaper on July 27, 2023.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS ("CITY"), APPROVING (I) THE RESOLUTION OF THE BOARD OF DIRECTORS OF ANNA COMMUNITY DEVELOPMENT CORPORATION ("CORPORATION") REGARDING A LOAN IN THE AMOUNT NOT TO EXCEED \$1,800,000; (II) A SALES TAX REMITTANCE AGREEMENT BETWEEN THE CITY AND THE CORPORATION (III) RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE LOAN; AND (IV) THE AUTHORITY OF THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A GENERAL CERTIFICATE OF THE CITY AND THE SALES TAX REMITTANCE AGREEMENT.

MOTION: Mayor Pro Tem Miller moved to approve. Council Member Toten seconded. Motion carried 7-0.

- j. Consider/Discuss/Action on a Resolution approving a minimum value to lien ratio with respect to First Amendment to The Woods at Lindsey Place Subdivision Improvement Agreement. (Director of Economic Development Joey Grisham)

The City Council approved the First Amendment to The Woods at Lindsey Place Development on January 24, 2023 and created the PID on February 14, 2023.

To facilitate the selling of the bonds, the minimum value to lien ratio needs to be adjusted per our financial advisors.

MOTION: Mayor Pro Tem Miller moved to approve the Development Agreement, as amended, with a minimum value to lien ratio of 1.8. Council Member Cain seconded. Motion carried 7-0.

- k. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a Park Fee Development Agreement by and between the City of Anna, Texas and Skorburg Lot Development, LLC; in a form approved by the City Attorney; and providing for an effective date. (Interim Assistant City Manager Greg Peters, P.E.)

Skorburg Lot Development, LLC is seeking to build a residential development known as Skorburg Anna Ranch, northeast of the intersection of East Foster Crossing and Leonard Avenue. The zoning for the project was approved at the June 27, 2023 City Council Meeting.

The Concept Plan shows a 28-acre (+/-) common area which the developer has agreed to dedicate to the City for a public park. The developer is seeking to utilize the Park Development Fees collected from the development to construct

improvements on the park property for the benefit of both the Skorburg Anna Ranch neighborhood and all neighbors in Anna.

The developer has presented the overall park concept to the Park Board, who received the concept positively at the May Park Board Meeting. If this agreement is approved, the developer is prepared to return to the Park Board at their September, 2023 meeting to finalize the list of proposed amenities with input and feedback from the board, and begin the design process.

MOTION: Council Member Toten moved to take no action. Mayor Pike seconded. Motion carried 4-3. Mayor Pro Tem Miller, Council Member Atchley, and Council Member Baker opposed.

7. 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. 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).
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).
- c. 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).
- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074). City Secretary Annual Performance Review

MOTION: Mayor Pike moved to enter closed session. Council Member Toten seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 6:42 PM.

Mayor Pike reconvened the meeting at 7:30 PM.

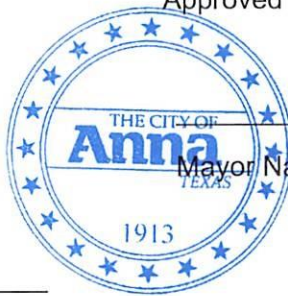
8. Consider/Discuss/Action on any items listed on any agenda - work session, regular meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

No action taken.

9. **Adjourn.**

Mayor Pike adjourned the meeting at 7:30 PM.

Approved on the 12th day of September 2023



Mayor Nate Pike

ATTEST:

City Secretary Carrie L. Land