

**MINUTES
PLANNING AND ZONING COMMISSION
October 2, 2023**

The Planning and Zoning Commission of the City of Anna held a meeting at 6:00 p.m. on October 2, 2023, 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 6:00 pm.

Commissioners present were Kelly Patterson-Herndon, Jessica Walden, Douglas Hermann, Michelle Clemens, David Nylec, Matt Blanscet, and Staci Martin. Staff present were Ross Altobelli, Lauren Mecke, Salena Tittle, and Interim Assistant City Manager, Greg Peters. Also in attendance was Mayor Pro-Tem, Lee Miller.

2. Invocation and Pledge of Allegiance

Commissioner Blanscet 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.

Ms. Jeanne Kaetzel, residing at 616 Liliana Lane, voiced her concerns regarding the overabundant amount of approved multi-family projects within the City of Anna. Ms. Kaetzel suggested there are better ways and use of land within the city rather than constantly building apartments.

4. Location Map

Consent Items

A motion was made by Commissioner Walden, seconded by Commissioner Blanscet to recommend approval of consent items 5-12. The vote was unanimous.

5. Consider/Discuss/Action to approve the minutes of the September 6, 2023, Planning & Zoning Commission Meeting.
6. Approve a Resolution regarding the Shops at Avery Pointe, Block A, Lots 1 & 2, Preliminary Plat. Applicant: NOVUS NDT REALTY LLC.
7. Approve a Resolution regarding the One Anna Two Addition, Block A, Lot 4R, Site Plan. Applicant: North Texas HOCO LLC.
8. Approve a Resolution regarding the Villages of Hurricane Creek- North Phase 1, Blocks A, B, C, & D (Townhomes), Site Plan. Applicant: MM Anna 325, LLC.
9. Approve a Resolution regarding the Blacklock Storage, Block A, Lot 1, Final Plat. Applicant: 926 Powell Anna TX, LLC.

10. Approve a Resolution regarding the Blacklock Storage, Block A, Lot 1, Site Plan. Applicant: 926 Powell Anna TX, LLC.
11. Approve a Resolution regarding the Anna Retail Addition, Block A, Lot 9R, Preliminary Replat. Applicant: Anna 31 Retail LP.
12. Approve a Resolution regarding the Rasmussen Place, Block A, Lots 1, 2, & 3, Final Plat. Applicant: Ronald & Linda Rasmussen.

Items for Individual Consideration

13. Conduct a Public Hearing Consider/Discuss/Action on a request to establish zoning on 11.0± acres located at the southeast corner of Farm to Market Road 2862 and County Road 526 to Multi-Family Residential (MF) District. Currently located on the Extraterritorial Jurisdiction (ETJ).

The Public Hearing opened at 6:04 pm.

Ms. Mecke Introduced the item. The applicant is requesting to establish zoning for a multi-family residential development for seniors on 11.0± acres currently located within the city's extraterritorial jurisdiction (ETJ). Ms. Mecke explained that the city's comprehensive plan identifies this property as ranching and agriculture and the applicant's request does not conform with the Future Land Use Plan nor does it align with the preferred scenario diagrams for the future key center area.

Commissioner Blanscet asked for clarification regarding the definition of a future key center.

Ms. Mecke explained that within the Anna 2050 Comprehensive Plan and the preferred scenario diagram, there are four key centers. The purpose of these key centers is to identify locations within the city that are identified for more development and the types of development that are the primary focus.

Commissioner Hermann asked if they will they be using city sewer and water if the property is annexed into the city?

Ms. Mecke deferred the question to Interim Assistant City Manager, Greg Peters.

Mr. Peters explained that this property is currently located within the Westminster Special Utility District and that the water would come from Westminster. If they were unable to provide water to the development, there would be a process by which the developer could ask to be added to the City of Anna's CCN. He further explained that currently, there are no facilities within roughly a 5-mile radius of the location so that would all need to be sorted out.

Commissioner Nylec asked who would respond if there was a fire emergency?

Mr. Altobelli said that this area is currently in the City of Anna's fire service area and that it would be our fire department that would respond.

Commissioner Martin asked what would happen if the property owner and the city entered into an agreement and the property owner decided to sell?

Mr. Peters stated the service agreement would carry with the property rather than the person who owns the property. Should the owner choose to sell, the agreement would transfer with the property to the new owner.

Mr. Gary Knight, the applicant's representative, gave a brief presentation further explaining the applicant's zoning request and details regarding the development. He stated that his client is aware of the utility issues and is proposing a package plant for the sanitary sewer that would open the area for development. He further explained that his client is aware of the noise that would come from the adjacent racetrack and will be designing accordingly.

Commissioner Blanscet asked for clarification on whether the development was just for senior living.

Mr. Knight replied yes.

Commissioner Walden asked how they anticipate working with the racetrack right behind it?

Mr. Knight stated it would be designed with noise mitigation and appropriate window thickness.

Commissioner Hermann asked what building materials the applicant proposed to use?

Mr. Knight replied that they would be using primarily brick and stone with some hardy board accent.

Commissioner Blanscet asked if this would be one large building or several and if the doors to the different would be on the interior or exterior to the racetrack?

Mr. Knight said that it would be one building and the doors would be interior entry.

Commissioner Blanscet asked if the units were all the same size.

Mr. Knight stated there would be 183 1-bedroom units and 32 2-bedroom units.

Mr. Glen Brown, residing at 2109 Adriana Drive, spoke in opposition of the zoning request explaining that there are already too many approved apartment projects within the city, that the area in question is some of the most beautiful area for wildlife, and that it should remain as such.

Commissioner Clemens asked how many ambulances are currently serving Anna.

Mr. Altobelli replied that there is currently one in use with one backup.

Commissioner Hermann asked the project representative what the build time would be for this project?

Mr. Richard Ashton, Project Engineer, replied stating it would be 14 to 16 months once construction begins.

The Public Hearing was closed at 6:22 pm.

The commissioners discussed amongst themselves how the applicant could proceed forward with their project, by right, and did not need city approval since it's in the ETJ. It was also discussed that by annexing, the city could benefit from development fees, permit fees, taxes, and infrastructure.

Commissioner Nylec mentioned his concerns with the added stress on the fire department and emergency services due to the increase call volume given that this will be senior living, as well as how far out the location.

Commissioner Hermann asked where the sewer would come from if the property was not annexed into the city.

Ms. Mecke replied that all properties located within the ETJ are on septic so they would be responsible for doing a package treatment plant.

Mr. Hermann asked what that would entail.

Mr. Peters explained they would have several options. One being to construct their own water treatment plant, or two, install tanks and pump and haul until sewer was available. Either choice would require council discussion on what would be allowed.

Commissioner Hermann explained that in order to get sewer out to the location, they would have to cut through many properties in order to make it work. Even if the city chose not to annex the property, we would still have the Fire and EMS burden.

Ms. Mecke explained that Westminster has a volunteer fire department so there is an agreement with Anna Fire Department if Westminster is unable to respond to the call.

Mr. Peters explained that with a development of this size, the City of Anna would be responsible for answering the emergency call.

A motion was made by Commissioner Blanscet to approve the zoning request. The motion failed to obtain a second therefore the motion failed.

A motion was then made by Commissioner Walden, seconded by Commissioner Clemens to recommend denial of the zoning request. The motion passed with a 5-2 vote. Chairwoman Patterson-Herndon and Commissioner Blanscet voted against the motion.

14. Consider/Discuss/Action on the Anna/121 Apartments Addition, Block A, Lot 1R, Preliminary Site Plan.

Ms. Mecke advised the Commission that due to the recommendation of denial to the zoning request, the Preliminary Site Plan is recommended for denial.

A motion was made by Commissioner Walden, seconded by Commissioner Nylec to recommend denial of the Preliminary Site Plan request. The motion passed with a 5-2 vote. Chairwoman Patterson-Herndon and Commissioner Blanscet voted against the motion.

15. Approve a Resolution regarding the Anna/121 Apartments Addition, Block A, Lot 1R, Preliminary Replat.

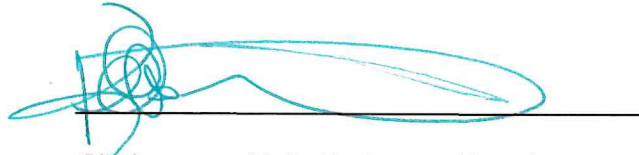
Ms. Mecke introduced the item. The applicant is requesting to divide the property from one large lot into two lots and dedicate easements necessary for development.

Mr. Altobelli explained that there is nothing tying this Preliminary Replat to the zoning case if the zoning is denied by City Council. The applicant could propose an ETJ development but would still need the Preliminary Replat and it would still be recommended for approval subject to TX Dot permit.

A motion was made by Commissioner Walden, seconded by Commissioner Martin to recommend denial of the Preliminary Replat request. The motion passed with a 5-2 vote. Chairwoman Patterson-Herndon and Commissioner Blanscet voted against the motion.

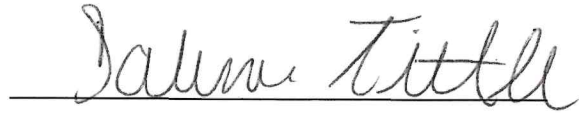
Adjourn

A motion was made by Chairwoman Patterson-Herndon, seconded by Commissioner Martin to adjourn the meeting. The vote was unanimous. The meeting was adjourned at 6:44 p.m.



Chairwoman Kelly Patterson-Herndon

ATTEST:



Salena Tittle, Planner II