

**MINUTES
PLANNING AND ZONING COMMISSION
October 5, 2020**

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on October 5, 2020, at 111 N. Powell Parkway, Anna City Hall, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 7:02 p.m.

Members present were Wayne Barton, Alonzo Tutson, Danny Ussery, Donald Henke, Nick Rubits, and Latoya Grady. Staff present were Ross Altobelli, Lauren Mecke, Olivia Demings, Kevin Johnson.

2. Invocation and Pledge of Allegiance

Commissioner Barton gave the invocation and led the Pledge of Allegiance.

3. Citizen Comments: At this time, any person may address the Planning and Zoning Commission regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Commission regarding an item that is not on this meeting agenda. Each person will be allowed up to three (3) minutes to speak. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

There were no citizen comments.

Chairman Tutson acknowledged Councilman Bryan and thanked him for being present.

4. Location Map

Consent Items

Commissioner Barton requested that items 5 and 9 be removed from the consent agenda.

6. Consider/Discuss/Action on a recommendation regarding the Hendricks Addition, Block A, Lot 1, Development Plat. Applicant: David Surdukan

7. Consider/Discuss/Action on a recommendation regarding the Irick Estate, Block A, Lot 1 Development Plat. Applicant: Sean Irick

8. Consider/Discuss/Action on a recommendation regarding the Victoria Falls Center Addition, Block A, Lot 3R Replat. Applicant: RLG Consulting Engineers.

A motion was made by Chairman Tutson seconded by Commissioner Rubits to recommend approval of consent items 6, 7, and 8. The vote was unanimous.

5. Consider/Discuss/Action to approve minutes of the September 1, 2020 Planning and Zoning Commission meeting.

Commissioner Barton proposed two changes to the September 1, 2020 minutes. Item 5, 5th paragraph (last paragraph), page 1: As I recall, my motion to approve Item 5 included the following: “subject to on-site sewage facility review by Collin County Development Services”. Item 9, 4th paragraph from the end, page 4: As I recall, my statement was that I liked the “revisions” as staff has presented it, not the “reviews” as staff has presented it.

A motion was made by Commissioner Ussery seconded by Commissioner Henke to recommend approval of the September 1, 2020 Planning and Zoning Commission meeting minutes with corrections. The vote was unanimous.

9. Consider/Discuss/Action on a recommendation regarding the Victoria Falls Center Addition, Block A, Lot 3R Site Plan. Applicant: RLG Consulting Engineers.

Commissioner Barton proposed two changes to the site plan. Currently the plan indicates that the right handicap space is van accessible. Under the TDLR recommendation 502.3.4 handicap van spaces are preferred to be on the left. Additionally, new TDLR 68.104 regulation, effective August 1st, 2020, states that “NO PARKING” lettering must be in the access isle. The site plan should be revised to show the lettering on the pavement.

A motion was made by Commissioner Barton seconded by Commissioner Rubits to recommend approval of the site plan with corrections. The vote was unanimous.

10. A) Conduct a public hearing to consider public comments to rezone 275± acres located at the northwest corner and southwest corner of future Rosamond Parkway & future Ferguson Parkway from AG Agricultural District to Planned Development-Restricted Commercial, General Commercial, Multiple-Family Residential - High Density, Single Family Residence-60, Single-Family Residence - Zero lot line homes, and Two-Family Residence District (PD-C-1/C-2/MF-2/SF-60/SF-Z/TF). Applicant: DR Horton

Mr. Altobelli gave a brief presentation and answered questions from the commission. A planned development to rezone current AG Zoning on the future Rosemond and future Ferguson Pkwy. Some of the proposed zoning districts will include modification to their base zoning, including 5' reduced rear yard setback in SF-60, 5' reduced side yard (corner lot) in SF-Z, 5% increase in lot coverage for SF-60 and TF, 2-story height limitation within 100 feet of single and two family zoning for MF-2, and prohibiting automobile and related service use and the majority of transportation, utility and communication uses in C-1. The applicant has agreed to some stipulations to enhance the quality of product, including an 8' hike and bike trail, preservation of existing tree line, wider side walks connecting SF-Z to neighborhood parks, berms with tree planting between multifamily and residential zoning, private amenity center to include a pool and splash pad, and proposed neighborhood parks. The Future Land Use Plan identifies this area as Commercial, Employment Center, and Medium Density Residential. The presented PD is not in conformance with our Future Land Use Plan; however, the future land use plan does not consider the Mantua zoning which includes significant office, retail, and mixed-use zoning. Staffs sees that there is a need for future housing near the Mantua zoning and are currently neutral as it relates to the non-conformance of the Future Land Use Plan. Based upon proposed stipulations and the amenities the applicant is proposing staff is in support of the overall zoning request. Applicant is not proposing to change the density of the lots, they will meet if not exceed the minimums of the base. They are requesting to reduce the setbacks to allow for a larger house product on the lot.

Commissioner Henke asked for an explanation of the Mantua zoning.

Mr. Altobelli responded the zoning includes commercial along US Highway 75, the residential is further to the west and north. The property being discussed tonight was part of the original concept but was not rezoned. The area opposite the proposed zoning is identified as mixed-use zoning including retail, office and multiuse. It will be a dense urban product.

Commissioner Henke also asked for clarification of the purple area on the Future Land Use Map.

Mr. Altobelli responded that this is intended to be employment center, meaning offices. Several of the areas previously identified are now zoned residential. The comprehensive plan did not include a definition.

Mr. Barton added his speculation, based on observation, that there has been a concern of Anna being strictly residential and creating these employment centers was towards the intent of making sure there were places for people to work.

Commissioner Rubits questioned if this is approved what would the City have left of employment centers as a whole.

Mr. Altobelli responded that most of it has been rezoned and the City is the process of updating our future comprehensive plan.

Jeff Miles, 802 North Kealy, Lewisville, TX 75057, applicant for the project and representative of DR Horton was present and provide a brief presentation. DR Horton met with planning and EDC and were encouraged to bring forward a resolution for zoning change. We believe they support residential in this area. The Mantua zoning, a little further to the west, has quite a bit of office on it. We believe that one of the reasons we were encouraged to bring forth residential is to help kick-start the Mantua development. One of the things we've discussed and will work out is to connect Rosemond to US75 to the high school. We think this a good project to connect our development to the school and to create another connection to 75. We have tried to incorporate plenty of trails because it is one of the most requested amenities. We have a great opportunity on this property to preserve a dense forest area and make it a city park. We will do some improvements on the park area and dedicate it to the City.

Commissioner Grady asked the applicant what the price points were on the proposed homes.

David Booth, 7306 Miller Rd, Rowlett, TX, 75086, representative of the applicant DR Horton, responded that the exact pricing hasn't been determined but they see it being like Anna Crossing, in the 250,000 to 260,000 average sales price range. It could change due to cost increases over time.

Commissioner Rubits stated that he could recall that Zero Lot Line homes have been a big source of discussion in the past for being something the City did not want to see.

Mr. Altobelli added that the Zero Lot Line home does allow for a center load product. It still needs to be 10ft separations between the home it just allows for a smaller lot. If there is any concern it should be because of the size of the lots not the setbacks, because it is still maintaining the standard of 10ft. If there is less than 5ft on any lot we would make sure there was an access easement for the property owner to do repairs or access parts of their house as needed.

Mr. Miles responded that their intent is for a 5ft and 5ft lot configuration. We have done product like this in McKinney. We are adding diversity of product and opportunity.

Mr. Rubits clarified with staff that they are they are reducing corner lots setbacks to 10' from 15' for SF-60, Two Family, Patio Home lots. As well as, reducing the rear yard setback by 5' for all lots from 25' to 20'. However, they are not modifying the lot depth and are maintaining the minimum which would allow for a larger house footprint.

Mr. Booth added that there are varying lengths of house plans, this is to accommodate the longest house plan.

Commissioner Ussery asked how many Zero Lot Line homes would be in the development and what would the typical square footage be.

Commissioner Barton responded that there would be 345 Zero Lot Line homes, 22.9% of the lots.

Mr. Miles added that the square footage could vary anywhere between 1,500 to 2,400 sq.ft.

Mr. Altobelli added that there will be an additional stipulation for the height of the multifamily when adjacent to the Single Family or Two-Family zoning district, that it will not exceed two stories. Any three-story product will be set back 100 ft.

Chairman Tutson confirmed with the applicant that they are planning on 600 multifamily units.

Commissioner Barton added that he believed at total build out there would be 3,000 to 3,600 people.

Kimberly Christensen, 5720 CR 424 Anna, TX 72409. As a realtor, I would like you to consider the density of this product how it will affect the schools and the City services. I have been selling homes in the community since 1975. We have welcomed DR Horton and been grateful for some of the things they have done, but some of the things have affected our market in a negative way. I ask that we don't set back pricing by 15 years. If the house is a \$250,000-\$260,000 home does that mean our duplexes are \$125,000 to \$130,000? The pecan grove product's low prices and how quickly they sold hurt our preexisting stock and its value. This will affect us for years to come.

Commissioner Barton followed up with Mrs. Christensen, that her concern was price point of the homes.

She responded that her concern was price point, value, and that we need better quality. We have not allowed the Zero Lot or 40ft products before, so why now. DR Horton has great product that we need to see.

Commissioner Grady asked the applicant why the homes are so cheap.

Mr. Miles responded that we don't dictate the market. The market dictates what we can charge. It's a little more density then what you are used to but at the same time, the Mantua development is very dense. We were encouraged to gradually reduce the density. We are probably a year and half away from building homes, prices could change. It's the market that dictates pricing. We like the variety of product. We are providing a product for those who might wish to downsize. We have similar product in McKinney that sold for \$280,000. We came in at the 2008 recession about bought 1300 lots in Pecan Grove and sold houses for \$175,000. The fact that we are selling homes for \$230,000 and \$240,000, I think, mean the people in Phase 1 and Phase 2 have seen appreciation in their homes.

Commissioner Ussery confirmed with the applicant the property is currently under contract.

Commissioner Rubits asked if there are impact fees for the site.

Mr. Altobelli responded that we have not looked at fees, but it is based on homes. Some will be reimbursable because of the infrastructure required.

Ms. Mecke added that Anna ISD was present at the pre application meeting and they did not have any significant comments.

Mr. Altobelli state that the developer will be increasing the sidewalks for students and families to walk to school.

Councilman Bryan asked Mr. Altobelli how this fit into our new Comprehensive Plan and would there be any adverse effects.

Mr. Altobelli has not seen the new plan yet. The consultant is looking at compact centers and areas where we can consolidate residential and commercial for a denser environment to support commercial product. We understood the Mantua had a significant amount of commercial component and felt as if this land use with the multifamily as a buffer and the variety of product contained the ability for individuals to transition to different housing types.

The public hearing closed at 7:56 p.m.

B) Consider/Discuss/Action on a recommendation regarding the request to rezone 275± acres from AG Agricultural District to Planned Development-Restricted Commercial, General Commercial, Multiple-Family Residential - High Density, Single Family Residence-60, Single-Family Residence - Zero lot line homes, and Two-Family Residence District (PD-C-1/C-2/MF-2/SF-60/SF-Z/TF).

Commissioner Barton stated that he wanted to focus on the C-1 Commercial between the flood plain and the SF-60 for his first comment. In December of 2019, a concept plan was approved for Meadow Vista. This concept plan has abutting the proposed commercial area, single-family lots. During the discussion of June 1st relating to the Villages of Waters Creek, the idea of commercial backing up to single family was considered abhorrent. For that reason, I do not want to see commercial there. If the fellow commissioners want to see commercial there, I would propose a Plan B of putting the same restrictions on it as we did for Water's Creek. From the developer's standpoint, I know the limitations of a narrow piece of land and it is often easy to put commercial there and figure it out later, but I do not think this is the right use to put up against Meadow Vista. Additionally, we have a grade school just off the concept map. CR 371 is not recognized in the plan. The entrance close to the intersection does not make since.

Mr. Altobelli said that the thoroughfare plan has this road being relocated up in this general area.

Commissioner Barton stated that this solved his concern with the entrance.

Commissioner Barton continued that in the plan there are 40 ft lots and zero lot line. At one point the developer said this is great for people who want to downsize, but at the same time were saying those same lots were saying these homes will provide housing for employees of the commercial center. I'm confused as to the real intent. We as a city have said we aren't interested in zero lot line homes. I understand buffering single family from heavy commercial. I don't have a problem with multifamily and the multifamily providing worker housing. I don't think two family and zero lot line are an appropriate use for this land.

Commissioner Ussery added that he agreed with this point. The City Council has had a big discussion about patio homes. This is a thorn right now. The mayor and council don't like this product. Also, we agreed as a commission before that we don't put commercial against single family homes.

Chairman Tutson commented that Commissioner Ussery and himself had served on the Neighborhood Design Committee and he was having a difficult time being able to agree with this project and the reduction of 15' to 10' side yard setback for corner lots. We worked hard on this. I spoke to representative from the ISD. I am disappointed they are not here, but I know they were at the preliminary meeting. As a former educator, this is a lot of kids and I don't see any support for the ISD from this community. The applicant is going to have to persuade me to give this the green light. There are several major roads and a lot of potential kids and we aren't giving it consideration. I do remember the conversation about the commercial about losing commercial property to residential. Right now, we are 75% residential to 25% commercial.

Commissioner Grady responded that Joe K Bryant is right next to the project. Everyone will be driving through West Crossing to take their kids to school. The schools are not supported here. I have a concern with the \$250,000 price point. We need to increase value. I agree it doesn't make since.

Commissioner Henke stated that we have already set a precedent if you have commercial next to residential. We should allow them to do the same thing. Now this logic about the schools, are we just not going to build houses anymore? As far as density goes are we going to mandate estate homes only, that doesn't make since. This being so close to the freeway, this is where you want this kind of density, next to Mantua. Further in it may not be appropriate but next to US Highway 75 it makes since.

Chairman Tutson replied that with such high density and no plans for an additional elementary school, we are creating a danger zone for the children. It is less than 2 miles from the elementary school. There will be a lot of walking and traffic. I heard Mr. Barton say we are looking at 3,300 people. That's a lot of bodies and a lot of kids. We need to figure out the safety of it. I don't see it going along with our comprehensive plan. I would have a difficult time convincing my peers that this is a good idea. I would have a difficult time convincing the Mayor and Council that this is conducive to what we want to see as a City. How can we get the students from the community to the elementary school safely?

Commissioner Henke answered that it would be like any other elementary school, I don't see the problem. Most kids will get dropped off anyways. How do they get to the middle school now? A lot of kids might be homeschooling still because of the pandemic.

Chairman Tutson responded that he has seen kids try to cross the road at Highway 5 and my heart stops. I think households will be empty once these pandemic passes.

Commissioner Ussery added that he think the Future Land Use Map ought to be adhered to. I think we should keep school and office buildings instead of residential. We are updating the comprehensive plan, but the maps are for a purpose and we are changing it and putting 3,300 people here. There could be a better use.

Commissioner Rubits stated that I have a problem with Zero Lot Line homes. We have a long-standing thought of we don't want that here. Its just leading to more of a bedroom community and we need more commercial for tax revenue. I noticed the commercial is butting up directly to SF-60 lots. We need some sort of buffer like duplexes. That's assuming the commercial can even be used. I understand the commercial will be on the west side of the highway, so I like that the multifamily and two family will be buffers. Why wasn't the multifamily used as a continuous buffer. I am appreciative of the fact that they are saving the forest area for the City. I would like to add that the tree line needs to be raised and get rid of the brush. This is an expensive thing, but better for safety. You can't stop building homes because the school system is not keeping up and I understand the

navigational concerns. I not as concerned about the walking but having a small county road as the feeder road is concerning. There is room for improvement. I am on the fence of approving it with stipulations. As is I don't think it would have my approval. We must give them a fair shot of coming up with a plan that we can work with. I don't see Collin College buying land here, so we need to save land for that, but I don't want us to see us lose all our commercial. I would have preferred more commercial on the west side. I think they can improve it to where I would approve it.

Commissioner Barton added that he picks up his grandchildren at Joe K Bryant and Harlow and can testify that there are a lot of cars but all of the houses to the east of Joe K have bikers, scooters, and walkers head home without vehicles and I see the same thing at Harlow, a lot of kids walking because they have safe access. I am concerned about land use.

A motion was made by Commissioner Barton to recommend denial of the rezoning.

Mr. Booth interjected that he would like to make a statement before voting. A lot of this tonight is the first time we have heard these types of issues. Unless you want to deny it, at least give us time to make revisions. If we are going to table it and still be talking about land use and that this needs to be an employment center, then it's just a waste of time. Please let us know if we can work on the plan or if it will still get denied.

Commissioner Henke clarified with applicant that the EDC has been at meetings. It's a pipe dream that this would be an office area, its too far from 75. Does anyone think we need to hold out for that, it would stay vacant for years?

Commissioner Rubits explained that his objection was to the layout.

Commissioner Barton added that he thinks residential use is fine, but not the layout.

Commissioner Henke relayed to the applicant that there are no expectations that this will come back as an industrial park or office center.

Chairman Tutson relayed his concern to staff that the applicant would be able to come up with a plan in time for the next meeting.

Mr. Altobelli responded that if you vote to deny tonight, it is just a recommendation. There would still be a Council vote, that would have to have super majority vote to overturn Commission's recommendation. I feel comfortable that these revisions are accomplishable in time for the next meeting. I do have a concern with what was expressed about walkability and access to schools. They have proposed improvements to help facilitate that, such as 8ft sidewalks.

Commissioner Barton stated that if the applicant is willing to work with us I'm in favor of tabling over denial. If they aren't ready they can request it be held until they are ready. I'd rather wait for a quality project.

Commissioner Barton withdrew his motion to deny.

A motion was made by Commissioner Henke seconded by Chairman Tutson to table the zoning request until November 2, 2020 Planning and Zoning meeting at 7:00p.m. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the Concept Plan, The Woods at Lindsey Place, associated with the rezoning request.

A motion was made by Commissioner Rubits seconded by Commissioner Ussery to table the concept plan until the November 2, 2020 Planning and Zoning meeting at 7:00p.m. The vote was unanimous.

11. A) Conduct a public hearing to consider public comments to rezone 370± acres located on the west side of future Standridge Boulevard, 662± feet north of West White Street (FM 455) Planned Development 689-2015-Single-Family Residence (SF-84) to Planned Development SF-84 Single-Family Residence District, SF-72 Single-Family Residence District, SF-60 Single-Family Residence District, and SF-Z Single-Family Residence District – Zero Lot Line homes (PD-SF-84/SF-72/SF-60/SF-Z). Applicant: Peloton Land Solutions

Ms. Mecke stated that the applicant has requested to table this meeting until the November 2nd planning and zoning meeting at 7:00 p.m.

The public hearing opened at 8:37 p.m.

There were no public comments.

Commissioner Henke questioned if this applicant was asking for a similar mix of residential to the previous applicant.

Chairman Tutson answered yes, but they have an elementary school.

Commissioner Henke responded that you aren't going to get a school in every subdivision.

A motion was made by Commissioner Rubits seconded by Commissioner Grady to continue the public hearing until the November 2, 2020 Planning and Zoning meeting at 7:00p.m.. The vote was unanimous.

B) Consider/Discuss/Action on a recommendation regarding the request to rezone 370± acres Planned Development 689-2015-Single-Family Residence (SF-84) to Planned Development SF-84 Single-Family Residence District, SF-72 Single-Family Residence District, SF-60 Single-Family Residence District, and SF-Z Single-Family Residence District – Zero Lot Line homes (PD-SF-84/SF-72/SF-60/SF-Z).

A motion was made by Commissioner Rubits seconded by Chairman Grady to table the zoning request until November 2, 2020 Planning and Zoning meeting at 7:00p.m. The vote was unanimous.

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

A motion was made by Commissioner Rubits seconded by Commissioner Ussery to table the concept plan until the November 2, 2020 Planning and Zoning meeting at 7:00p.m.. The vote was unanimous.

Mr. Altobelli had a question for the commission before adjourning. This is the first I've heard about the City's and the Commission's displeasure with Zero Lot Line homes. Is this something the Commission would want staff to investigate in order to remove the SF-Z zoning district?

Ms. Mecke asked for clarification if the issue was with the small lot or the placement within the lot?

Councilman Bryan responded that Council did not want to continue the trends of cookie cutter homes. The fast-growing part of our population is young families. We were wanting to start a trend

of higher quality product to keep them in the town as they move to something newer and better. Additionally, right now, we do not have the amenities for people who want to downsize.

Commissioner Grady added that the price point doesn't make sense. I don't want a \$250,000 home next to me.

Commissioner Barton further added that the idea of zoning is to have control of what your community looks like. If you go to Houston where there is no zoning, it is a free for all.

Mr. Altobelli stated that staff will bring back a discussion and direction item and put together a map of existing residential types in order to steer conversation. I don't want to have a zoning on our books that the City will vote in opposition of. If we have it on our books and are proposing an area near US75, this is not where you are going to be large lots, if not this location, then where?

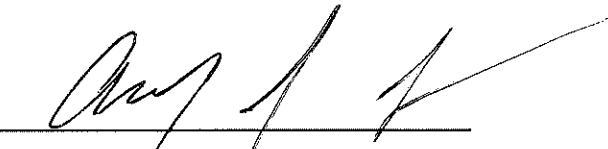
Commissioner Barton replied that I agreed with that concept, but we are in the process of updating our comprehensive plan right now. That might be something that would be appropriate to come out of the comprehensive plan, that maybe Anna doesn't need zero lot line homes rather than us taking it on our own.

Mr. Altobelli stated that our society is moving into a denser development pattern with reduced lot lines, and smaller yards. Every city is facing this. We need to make sure our utilities and facilities support this type of development.

Chairman Tutson made one final statement. I advise my students to not go with the answers of always or never. Its somewhere in the middle. With what the developer presented this evening and with that price range, you would create the legal terminology of a ghetto. The city would be sued if we continued this trend.

12. Adjourn

A motion was made by Chairman Tutson seconded by Commissioner Rubits to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:53p.m.



Alonzo Tutson

Planning and Zoning Commission Chairman

ATTEST:

