

AGENDA

City Council Meeting



Tuesday, June 23, 2020 @ 6:30 PM

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

The City Council of the City of Anna will meet at 6:30 PM, on June 23, 2020, at the Anna City Hall, Located at 111 North Powell Parkway (Hwy 5), to consider the following items.

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

1. **Call to Order, Roll Call and Establishment of Quorum.**
2. **Invocation and Pledge of Allegiance.**
3. **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). Social Media; Elections; Open Records; Taxes
- 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). Boards and Commissions; City Attorney annual review

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

4. 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.

5. **Neighbor Comments.**

At this time, any person may address the City Council regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Council 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.

- a. The public will be permitted to offer public comments electronically, as provided by the agenda and as permitted by the presiding officer during the meeting. We are encouraging neighbors, who wish to speak, to complete a Speaker Registration Form and submit to City Secretary Carrie Land (cland@annatexas.gov) by 5:00 PM so it may be read into the record. The form is found on the website at the following link:
<https://www.annatexas.gov/DocumentCenter/View/2233/Council-Speaker-Sign-In-Sheet?bidId=>

6. **Reports.**

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

- a. Introduction of New Employee - Marc Marchand, Director of Neighborhood Services
 - b. Mayor to present Certificates of Recognition to the organizers of the June 7 protest in Anna.

Terry Mitchell
Diamone Wil
Saniya Myers
Nadikah Sims

7. **Consent Items.**

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

- a. Approve Council Meeting Minutes for June 9, 2020. (City Secretary Carrie Land)
- b. Review Council and Board Attendance. (City Secretary Carrie Land)
- c. Review CDC/EDC Joint Meeting Minutes from the May 3, 2020 (Economic Development Director Joey Grisham)
- d. Development Agreement - The Villages of Waters Creek
Approve a Resolution entering into a development agreement with Anna 51 Joint Venture and D&J Investment Properties, LLC to establish development and design regulations for further development on 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane. (Director of Development Services Ross Altobelli).
- e. Approve a Resolution approving a Special Event Permit for a Community Clean-Up Day to be held at Slayter Creek Park on Saturday, August 29, 2020 (Neighborhood Services Manager Ashley Stathatos).
- f. Approve a Resolution authorizing staff to make an application to Collin County to participate in their Project Funding Assistance Program for Parks and Open Space bond funds for trails connecting Slayter Creek Park to 4th Street, Slayter Creek Park to Natural Springs Park, Pecan Grove Park to Taylor and public open space west of Oak Hollow to Taylor. (Neighborhood Services Manager Ashley Stathatos)

8. Items For Individual Consideration.

- a. Consider/Discuss/Action on Appointment of EDC/CDC Boards Members. (Interview Committee)
- b. Consider/Discuss/Action on Appointment of Parks Advisory Board Members. (Interview Committee)
- c. Consider/Discuss/Action on Appointments to the Planning and Zoning Commission. (Interview Committee)
- d. Consider/Discuss/Action on appointment of Board of Adjustments Members. (Interview Committee)
- e. Zoning Case - The Villages of Waters Creek (Director of Development Services Ross Altobelli)

1) Conduct a public hearing to consider public comments to rezone 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development and to amend existing planned development standards.

2) Consider/Discuss/Action on an Ordinance approving the request to rezone 65.0± acres from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development amending existing planned development standards.

3) Consider/Discuss/Action on a Resolution approving the Concept Plan, The Villages at Waters Creek, associated with the rezoning request.

- f. Text Amendments - Chapter 4 Building Regulations and Chapter 9 Planning & Development Regulations (Director of Development Services Ross Altobelli)
 - 1) Conduct a public hearing to consider public comment on text amendments to Article 4.07 Address Numbers, Article 9.02 Subdivision Regulations, Article 9.03 Design Standards, Article 9.04 Zoning Ordinance, Article 9.06 Landscape Regulations and related sections of Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.
 - 2) Consider/Discuss/Action on an Ordinance approving text amendments to various Articles within Chapter 4 Building Regulations and Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.
- g. Consider/Discuss/Action on a Resolution authorizing Council Members to attend the TML Annual Conference and Exhibition. (City Council)
- h. Consider/Discuss/Action on a Resolution adopting a Public Improvement District (PID) Policy. (Economic Development Director Joey Grisham)
- i. Consider/Discuss/Action on a Resolution Approving a Contract and Authorizing Execution of Purchase of an EMS Rescue Vehicle. (Fire Chief Ray Isom)
- j. Consider/Discuss/Action on a Resolution to Approve a Special Event Permit for the Christmas event to be held at Sherley Heritage Park on Saturday, November 21, 2020 (Neighborhood Services Manager Ashley Stathatos).

9. **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). Social Media; Elections; Open Records; Taxes
- 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). Boards and Commissions; City Attorney annual review

10. 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. (If there is no need to address any other such agenda item, the Mayor shall adjourn this meeting).
11. **Adjourn.**

This is to certify that I, Carrie L. Land, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m. on June 19, 2020

Carrie L. Land, City Secretary

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



Item No. 4.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

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.

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary

Created/Initiated - 6/8/2020



Item No. 6.a.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

Introduction of New Employee - Marc Marchand, Director of Neighborhood Services

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Jim Proce, City Manager
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020



Item No. 7.a.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Approve Council Meeting Minutes for June 9, 2020. (City Secretary Carrie Land)

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

ATTACHMENTS:

1. Minutes_2020_6_9_Meeting WS
2. Minutes_2020_6_9_Meeting Reg

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/17/2020
Final Approval - 6/19/2020

ANNA CITY COUNCIL

MINUTES WORK SESSION

June 9, 2020

The City Council of the City of Anna met in Work Session on the above date at Anna City Hall, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

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

Mayor Pike called the meeting to order at 6:30 PM.

All Council Members were present.

2. Citizen Comments.

None.

3. 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). architect contract; legal aspects of disaster relief funding; lease agreement
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); city facilities; acquisition of easements
- 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); possible incentive agreements with property developers; pending negotiations on development agreements.

- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074); Boards and Commission Members

MOTION: Council Member Bryan moved to enter closed session. Council Member Miller seconded. Motion carried 6-0.

Mayor Pike recessed the meeting at 6:33 PM.

Mayor Pike reconvened the meeting at 7:25 PM.

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

4. 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.

None.

5. Adjourn. There being no further business before the Council, we will consider this meeting adjourned at _____ p.m.

Mayor Pike adjourned the meeting at 7:25 PM.

Approved on the June 23, 2020.

Mayor Nate Pike

ATTEST:

City Secretary Carrie L. Land

ANNA CITY COUNCIL

MINUTES
REGULAR SESSION

June 9, 2020

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

Mayor Pike called the meeting to order at 7:30 PM.

All Council Members were present.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the invocation and pledge.

3. Citizen Comments.

At this time, any person may address the City Council regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Council 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.

None.

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

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

- a. Recap of the events of June 7 with regard to the planned peaceful protest.

Mayor Pike gave staff direction to prepare and bring back at the next Council meeting a Resolution creating the Diversity Council for the City of Anna.

Mayor Pike would also like to present, all involved with planning the event, a Certificate of Recognition at the next Council Meeting.

- b. Staff will provide an update on the design of Rosamond Parkway, including the project from US 75 to State Highway 5, and the segment of Rosamond Parkway from State Highway 5 to FM 2862 (Houston Street) (Director of Public Works, Greg Peters, P.E.)

Rosamond Parkway is a critical thoroughfare in the City of Anna, and is planned to go from US 75 to SH 5 (Rosamond West) and from SH 5 to FM 2862 (Rosamond East).

Staff has been working on both projects. Rosamond West is under design and staff expects construction plans to be complete by the end of the year.

The Anna ISD elementary school project on FM 2862 has made the Rosamond East project more time sensitive.

Staff is presenting this update to the City Council to provide information and seek feedback on the proposed next steps on both projects.

- c. Staff will provide an update on the Water & Wastewater Rate Study. (Director of Public Works Greg Peters, P.E.)

Staff has been working with NewGen Strategies to revise the recommendations for rate implementation based on the feedback received from the City Council in April.

The City of Anna has not raised water and sewer rates in 5+ years. During this time, the City has seen major annual rate increases from North Texas Municipal Water District, along with increasing costs for transportation of wastewater through Melissa's sewer system, and increasing costs for being part of the Collin Grayson Municipal Alliance, which is run by the Greater Texoma Utility Authority.

Since these rising costs have not been passed on to ratepayers, the Utility Fund has gone into the red, and is losing money. Rate increases will be required in order to keep the Utility Fund from becoming insolvent.

In an effort to lessen the impact of rate increases on neighbors, staff has developed a list of proposed changes to the City's Capital Improvement Plan and Public Works Department structure. The proposed changes that will defer project costs to the future and impact the Public Works Department's ability to provide certain services. However, the proposed changes reduce the required rate increase for Fiscal Year 2020 and 2021.

Staff will present a brief overview of the proposed changes and an outline for the final rate adoption which will be an action item before the City Council on June 23rd.

5. Consent Items.

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

- a. Approve Council Meeting Minutes for May 26, 2020.
- b. Review minutes of the March 2, 2020 Planning and Zoning Commission meeting. (Director of Development Services Ross Altobelli)
- c. Review minutes of the May 4, 2020 Planning & Zoning Commission meeting. (Director of Development Services Ross Altobelli)
- d. Consider/ Discuss/ Action on a Resolution approving the Walker Estate, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

Single-Family Dwelling, Detached on one lot on 6± acres located on the west side of CR 479, 2,187± feet south of CR 429. Located within the extraterritorial jurisdiction (ETJ).

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

- e. Consider/Discuss/Action on a Resolution approving the Anna Ranch, Phase 1, Final Plat. (Director of Development Services Ross Altobelli)

257 SF-60 Single Family Residence and 15 HOA lots on 68.0± acres located at the southeast corner of Leonard Avenue (C.R. 422) and Sharp Street. Zoned Planned Development-323-2007.

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

- f. Consider/Discuss/Action on a Resolution approving the EF Trinity River Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

Consolidating portions of three tracts into one tract on 75± acres, located on the east side of Bourland Bend (CR 209) and 2,643± feet south of Cowan Rd. Located within the extraterritorial jurisdiction (ETJ).

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A
FINAL PLAT OF EF TRINITY RIVER ADDITION, BLOCK A, LOT 1.

MOTION: Council Member Miller moved to approve the Consent Agenda.
Council Member Vollmer seconded. Motion carried 6-0.

6. Consider/Discuss/Action on a Resolution establishing a Chapter 380 small business assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Anna. (Economic Development Director Joey Grisham)

The Coronavirus Aid, Relief, and Economic Security Act was passed by Congress and signed into law by President Trump and the US Treasury established the Coronavirus Relief Fund added by section 5001 of the CARES Act. On May 11, 2020, the Collin County Commissioners court took the first steps to distribute the CARES Act funds and adopted the 'Collin Cares' recovery plan which provides funding for cities' COVID-19 costs and business recovery efforts. The City Council and Anna EDC/CDC recognizes the economic strain the COVID-19 pandemic is causing its local businesses, and desires to establish a stimulus program from the CARES Act funding from the Interlocal Cooperation Agreement with Collin County in order to provide limited financial assistance to small businesses located within the city limits. Based on the guidelines and requirements that were set out, 25% of the city's \$764,646.10 allocation can be utilized for small business grants, which amounts to \$191,162. While the CDC Board approved \$100,000 previously for small businesses, we are recommending that the City Council utilize the COVID-19 funds as the CDC's \$100,000 would not likely be reimbursed. The Anna Community Development Corporation will administer the program and make recommendations to the City Council.

Phase I of the program includes businesses that pay city sales tax. 28 applications were received--18 fit the criteria, 8 did not meet the criteria, and 2 businesses withdrew. Staff will be seeking input from the City Council on which businesses to include in Phase II. The CDC recommends the 18 businesses that qualified receive grants of \$5,000--they are required to sign a Chapter 380 Economic Development Agreement as a part of the process.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, ESTABLISHING A CHAPTER 380 SMALL BUSINESS ASSISTANCE PROGRAM TO PROVIDE IMMEDIATE, SHORT-TERM FINANCIAL AID TO QUALIFIED SMALL BUSINESSES IN THE CITY OF ANNA; APPROPRIATING UP TO \$191,162 TO ESTABLISH THE FUND; PROVIDING PROGRAM AND APPLICATION ELIGIBILITY CRITERIA AND OTHER REQUIREMENTS; DELEGATING AUTHORITY TO THE ANNA COMMUNITY DEVELOPMENT CORPORATION TO ADMINISTER THE PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Beazley moved to approve subject to the City Attorney's approval of form. Council Member Miller seconded. Motion carried 6-0.

7. Discuss/Consider/Act on a Resolution authorizing the City Manager to execute a task order agreement for right-of-way acquisition services with Cobb Fendley & Associates, Incorporated. (Director of Public Works Greg Peters, P.E.)

Rosamond Parkway is a major thoroughfare and key Capital Improvement Project shown in the City of Anna's Master Thoroughfare Plan and the City Council's Strategic Plan.

Cobb Fendley is currently working on the 90% plans for Rosamond Parkway from US 75 to SH 5. At this point in the project it is time to begin the right-of-way acquisition process to obtain the needed property to construct the road.

Staff has reviewed the task order from Cobb Fendley for ROW acquisition services and finds the scope and cost to be correct for the project.

The total cost of these services shall not exceed \$47,500, and will be paid through Roadway Impact Fees.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A TASK ORDER BY AND BETWEEN THE CITY OF ANNA, TEXAS AND COBB FENDLEY & ASSOCIATES, INCORPORATED, IN AN AMOUNT NOT TO EXCEED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$47,500.00) AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mayor Pike moved to approve. Council Member Bryan seconded. Motion carried 6-0.

8. Discuss/Consider/Act on developing designated truck routes in the City of Anna. (Director of Public Works Greg Peters, P.E.)

Staff discussed the development of a truck route plan.

There are several considerations with regard to establishing enforceable truck route plans that include but are not limited to

- restrictions and prohibitions on County and State roadways
- joint jurisdictional roadways
- legal restrictions of truck routes
- weight ratings on bridges
- enforcement of restrictions - comprehensive approach versus selective approach

No action taken. Staff was directed to proceed.

9. Consider/Discuss/Action regarding a Resolution establishing a Comprehensive Plan Advisory Task Force. (Director of Development Services Ross Altobelli)

The City is in the initial stages of identifying individuals to serve on the Comprehensive Plan Advisory Task Force. The advisory task force should be reflective of the range of interests and perspectives found in the Anna community.

Task force members are expected to share their perspectives as they relate to the issues shaping the Anna 2050 plans. They are expected to be 'ambassadors' for the planning process. They will communicate with their friends, colleagues and others who share their interests, to inform them about the planning process, to encourage them to participate and to build support for the draft plan's recommendations.

The Advisory Task Force also plays an important role in building consensus among interests about the recommendations and direction of Anna 2050. In this role, the task force members are expected to share their own perspectives, listen to the perspectives of other members, and seek to reach agreement on recommendations that best serve the future of the Anna community as a whole.

The Advisory Task Force is expected to meet periodically during the development of the Anna 2050 plans, either in person or virtually. At each meeting, the Kimley-Horn Team and City of Anna staff will present information, analysis and recommendations that enable committee members to provide input on the plan's vision, priorities and recommendations as these are developed.

Below are the meeting commitments associated with being appointed to the Comprehensive Plan Advisory Task Force;

- Week of June 22nd - Comprehensive Plan Advisory Task Force
- Tuesday, August 11th (Joint Task Force, P&Z, EDC, Parks, & Council)
- Week of October 26th - Comprehensive Plan Advisory Task Force
- Tuesday, December 8th (Joint Task Force, P&Z, EDC, Parks, & Council)
- Week of January 18th - Comprehensive Plan Advisory Task Force

* Additional meetings may occur if needed with appropriate notice. Subcommittees for subject matter discussions, specific area planning, or sub-committees may occur as needed as determined by the committee in efforts to seek public input.

A RESOLUTION OF THE CITY OF ANNA, TEXAS CREATING A COMPREHENSIVE PLAN ADVISORY TASK FORCE.

MOTION: Mayor Pike moved to approve subject to adding clergy. Council Member Miller seconded. Motion carried 5-0.

Council Member Toten had left the meeting.

10. Consider/Discuss/Action regarding a Resolution approving a Subdivision Improvement Agreement for the Sherley Tract. (Economic Development Director Joey Grisham)

The Sherely Tract is a multi-use master planned development on approximately 325 acres located partially within the extraterritorial jurisdiction of the City and

located partially within the city limits of the City. As part of the development the developer desires and intends to construct and/or make financial contributions to certain on-site and/or off-site public improvements to serve the development. For additional information please refer to the attached Subdivision Improvement Agreement.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING SHERLEY TRACT SUBDIVISION IMPROVEMENT AGREEMENT

MOTION: Mayor Pike moved to approve subject to the date on the signature page being corrected to 2020. Council Member Bryan seconded. Motion carried 5-1 Vollmer opposed.

- 11. A) Conduct a public hearing to consider public comments to rezone 34.3± acres located on the west side of U.S. 75 and 691± feet south of Future Rosamond Parkway (W CR 370) from Single-Family Residential – Large Lot (SF-E) to Planned Development-General Business District (PD-C-2) with modified development standards. (Director of Development Services Ross Altobelli)**

B) Consider/Discuss/Action on an Ordinance approving the request to rezone 34.3± acres from Single-Family Residential - Large Lot (SF-E) to Planned Development-General Business District. (PD-C-2) with modified development standards.

C) Consider/Discuss/Action on a Resolution regarding the Concept Plan, Sherley Commercial, Block A, Lots 1-3, Block B, Lots 1-2, and Block C, Lot 1, associated with the rezoning request.

The applicant is requesting to rezone the subject property to allow for commercial and residential uses.

A) Mayor Pike opened the public hearing at 8:20 PM.

No comments.

Mayor Pike closed the public hearing at 8:20 PM.

B) (Property rezoned under this ordinance is generally located on the west side of U.S. Highway 75, 691 feet south of future Rosamond Parkway [W CR 370])

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.

MOTION: Council Member Miller moved to approve. Council Member Bryan seconded. Motion carried 6-0.

C) A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE SHERLEY COMMERCIAL, BLOCK A, LOTS 1-3; BLOCK B, LOTS 1-2; BLOCK C, LOT 1, CONCEPT PLAN

MOTION: Council Member Toten moved to approve. Council Member Miller seconded. Motion carried 6-0.

12. 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). legal aspects of disaster relief funding
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); city facilities; acquisition of easements
- 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); possible incentive agreements with property developers; pending negotiations on development agreements.
- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074); Boards and Commission Members

MOTION: Council Member Bryan moved to enter closed session. Council Member Miller seconded. Motion carried 5-0.

Mayor Pike recessed the meeting at 9:50 PM.

Mayor Pike reconvened the meeting at 10:14 PM.

13. Consider/Discuss/Action on any items listed on the posted agenda or any

closed session occurring during this meeting, as necessary

None.

14. Adjourn.

Mayor Pike adjourned the meeting at 10:14 PM.

Approved on the June 23, 2020.

Mayor Nate Pike

ATTEST:

City Secretary Carrie L. Land



Item No. 7.b.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Review Council and Board Attendance. (City Secretary Carrie Land)

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

STAFF RECOMMENDATION:

ATTACHMENTS:

1. Council and Boards Attendance

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/18/2020
Final Approval - 6/19/2020

CITY COUNCIL ATTENDANCE

p = present

a = absent

DATE	Nate Pike	Kevin Toten	Josh Vollmer	John Beazley	Chris Reeves	Nathan Bryan	Lee Miller
2/12/2019	p	p		p	p	p	p
2/26/2019	p	a		p	a	p	p
3/12/2019	p	p		p	a	a	p
3/16/2019	p	p		a	a	p	p
3/14/2019	p	p		a	a	p	p
3/19/2019	p	p		p	p	p	p
3/26/2019	p	p		p	p	p	p
4/9/2019	p	p		a	a	p	p
4/23/2019	p	p		p	p	a	p
5/14/2019	p	p		p	p	p	a
5/28/2019	p	p		p	p	p	p
6/11/2019	p	p		p	p	p	a
6/25/2019	p	p	p	p	a	p	p
7/9/2019	p	a	p	p	a	p	p
7/23/2019	p	p	p	p	a	p	p
7/25/2019	p	a	p	p	a	p	a
8/13/2019	p	p	p	p	p	p	p
8/27/2019	p	p	p	p	a	p	p
9/10/2019	p	p	a	p	p	p	p
9/17/2019	p	p	p	p	p	p	p
9/24/2019	p	a	p	p	a	p	p
10/15/2019	p	p	p	p	p	p	p
11/12/2019	p	p	p	p	a	p	p
12/12/2019	p	p	p	p	a	p	p
1/14/2020	p	p	p	p	p	p	p
1/28/2020	p	p	p	a	p	p	p
2/11/2020	p	p	p	p	vacant	p	p
2/25/2020	p	a	p	a	vacant	p	p
3/10/2020	a	p	p	p	vacant	p	p
3/24/2020	p	p	p	p	vacant	p	p
3/26/2020	p	p	p	p	vacant	p	p
4/1/2020	p	a	p	p	vacant	p	p

[illegible]

EDC/CDC CORPORATIONS ATTENDANCE					p = present	a = absent					
Date	Anthony Ric	Stan Carver	Rocio Gonza	Bruce Norw	Michelle Ha	Doris Pierce	Terry Farrell	Raul Hernan	Josh Vollme	Jim Gerski	Shelby Mil
19-Jan	p	p	a	p					p	a	a
19-Feb	p	p	p	p					p	p	p
19-Mar	p	p	p	p					p	p	p
19-Apr	p	p	a	p					a	p	a
19-May	p	p	p	p					p	p	
19-Jun	p	p	p	p					p	p	
19-Jul	p	p	p	p	p	p		p			
19-Aug	p	p	p	p	p	p		p			
19-Sep	p	p	p	p	p	p		p			
19-Oct	p	p	p	p	p	p		p			
19-Nov	p	a	p	p	p	p		p			
19-Dec	p	p	a	a	p	p		p			
20-Jan	p	p	p	p	p	p					
20-Feb	p	p	p	p	a	p	a				
20-Mar	p	p	a	p	p	p	a				
20-Mar	p	p	a	a	p	p	a				
20-Apr	p	a	p	p	p	p	a				
20-May	p	p	p	p	p	a	p				
20-Jun	p	p	p	a	p	p	a				
20-Jul											
20-Aug											
20-Sep											
20-Oct											
20-Nov											
20-Dec											

PARKS ADVISORY BOARD ATTENDANCE

p = present

a = absent

Date	Danna Ward	Aubrey Johnson	Judith Waldrop	Kirby Barrett	Ginny Finan	Eirik Hansen	Andrew Michrina
19-Jan	a	p	p	a	p	p	p
19-Feb	a	p	p	p	p	p	p
19-Mar	a	p	p	p	p	p	p
19-Apr	p	a	p	p	a	p	p
19-May	p	p	p	p	a	p	p
19-Jun	p	p	p	a	a	p	p
19-Jul	p	p	p	a	a	p	p
Date	Danna Ward	Aubrey Johnson	Eldon Baker	Joe Crowder	Jon Hendricks	Eirik Hansen	Andrew Michrina
19-Jul	p	a	p	p	p	p	p
19-Aug	p	p	p	p	p	p	p
19-Sep	a	a	p	a	p	p	p
19-Oct	p	a	p	p	a	p	p
19-Nov	p	p	p	p	p	p	p
19-Dec	p	p	p	p	p	p	p
20-Jan	a	p	p	p	p	p	p
20-Feb	a	p	p	p	p	p	p
20-Mar	Cancelled						
20-Apr	Cancelled						
20-May	Cancelled						
20-Jun							
20-Jul							
20-Aug							
20-Sep							
20-Oct							
20-Nov							
20-Dec							

2019 PLANNING AND ZONING ATTENDANCE p = present a = absent

DATE	Wayne Barton	Donald Henke	Leslie Voss	Danny Ussery	Don Callaham	Daniel Moody	Alonzo Tutson
01.07.19	p	p	p	p	a		
02.04.19`	p	a	p	p	a		
03.04.19	p	p	p	p	p		
04.08.19	p	a	p	p	a		
05.06.19	p	a	a	p	p		
06.03.19	p	p	p	p	a		
07.01.19	p	a	p	p	a	p	p
08.05.19	p	a	p	p	p	p	p
09.09.19	p	a	p	a	p	a	p
10.07.19	p	p	p	a	p	p	p
11.04.19	p	p	p	p	p	a	p
12.02.19	p	p	a	p	p	p	p
01.06.20	p	p	p	p	p	p	p
02.03.20	p	p	p	p	p	a	p
03.02.20	p	p	p	p	p	p	a
04.06.20	Cancelled						
05.04.20	p	p	p	p	a	p	p

BOARD OF ADJUSTMENTS ATTENDANCE					p = present	a = absent	
Date	Jon Hendricks	Kelly Herndon	Nick Rubits	Brent Thomas	Tony Bellefond	Sandy Setliff	David Briggs
19-Jan							
19-Feb							
19-Mar							
19-Apr							
19-May							
19-Jun							
19-Jul							
19-Aug							
19-Sep							
19-Oct							
19-Nov	p	p	a	p	p	a	a
19-Dec							
20-Jan							
20-Feb							
20-Mar							
20-Apr							
20-May							
20-Jun							
20-Jul							
20-Aug							
20-Sep							
20-Oct							
20-Nov							
20-Dec							



Item No. 7.c.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

Review CDC/EDC Joint Meeting Minutes from the May 3, 2020 (Economic Development Director Joey Grisham)

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

STAFF RECOMMENDATION:

ATTACHMENTS:

1. May 7 2020 CDC EDC Joint Meeting Minutes - RG + AR SIGNED

APPROVALS:

Taylor Lough, Economic Development Administrator
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

Officers:
Anthony Richardson, President
Stan Carver, Vice-President
Rocio Gonzalez, Secretary

Staff:
Joey Grisham, Economic Development Director
Taylor Lough, Economic Development Manager



Anna Community Development Corporation and Anna Economic Development Corporation Special Called Meeting Minutes

Thursday, May 7, 2020 at 6:00 pm

The Anna Community Development Corporation and the Anna Economic Development Corporation conducted a special-called online meeting at 6:00 p.m. on Thursday, May 7, 2020. The Anna Community Development Corporation and the Economic Development Corporation participated in this meeting remotely in compliance with the Texas Open Meetings Act as suspended or modified under the pending Declaration of Disaster and associated executive orders and proclamations of the Governor of Texas.

The public observed the open session portions of the meeting online at the City of Anna's Facebook page: <https://www.facebook.com/City-of-Anna-281332118639373/>

CDC and EDC Board Members Present: Anthony Richardson, Rocio Gonzalez, Michelle Hawkins, Bruce Norwood, Stan Carver and Terry Farrell. **Board Members Absent:** Doris Pierce **Others present:** Mayor Nate Pike, Councilmember Lee Miller, Joey Grisham (Economic Development Director), Taylor Lough (Economic Development Manager), Clark McCoy (CDC/EDC Legal Counsel), and Kevin Johnson (IT Manager).

1. **Call to Order. Roll Call and Establishment of Quorum.**
The meeting was called to order by Anthony Richardson, Board President, at 6:05 p.m.
2. **Invocation and Pledge.**
Invocation was given by Anthony Richardson. Pledge of Allegiance was led by Anthony Richardson.
3. **Citizen Comments.**
There were no citizen comments.
4. **Consider/Discuss/Act on approving minutes from the April 9, 2020 CDC Special Called Meeting. (CDC)**
5. **Consider/Discuss/Act on approving minutes from the April 9, 2020 EDC Special Called Meeting. (EDC)**

Officers:

Anthony Richardson, President
Stan Carver, Vice-President
Rocio Gonzalez, Secretary

Staff:

Joey Grisham, Economic Development Director
Taylor Lough, Economic Development Manager

Rocio Gonzalez made a motion to approve the minutes on behalf of the CDC and EDC for both the April Joint Special Called Meeting. Michelle Hawkins seconded the motion. All were in favor. Motion passed.

6. **Consider/Discuss/Act on approving a resolution expending an amount not to exceed \$77,803 for the Downtown Master Plan.**

Joey Grisham explained the cost for the Downtown Master Plan exceeded the \$60,000 budgeted by the Board. Kimley Horn was selected by a committee to lead the Comprehensive Plan, Downtown Master Plan, and Parks, Trails, and Open Space Master Plan. The additional \$17,803 may be budgeted for the 2021 Fiscal Year if the Board chose not to approve the resolution. The project kicks off next week and there will be additional opportunities to provide input and be involved moving forward. Citizen participation will be critical.

No action was taken.

7. **Director's Report**

A. Report on current corporate financial status—Discussion Only

Joey Grisham explained that with new business openings over the past few months, sales tax has increased over last year.

B. ED Strategic Plan Update

Joey Grisham thanked the Board for their input. The City Council has been working to update the city plan, which is well aligned with the Economic Development Strategic Plan. Staff is finalizing metrics for the Economic Development Strategic Plan. The City Council will review the Economic Development Strategic Plan at their May 12th meeting.

**C. International Economic Development Council 2020 National #EconDevWeek
Official Celebration Dates: May 4-9, 2020**

8. **Consider/Discuss/Act on approving a Resolution amending a contract with Carey Cox Real Estate for real estate representation. (EDC)**

Bruce Norwood made a motion on behalf of the EDC to approve the resolution. Rocio Gonzalez seconded the motion. All were in favor. Motion passed.

9. **CLOSED SESSION (exceptions):**

A. Deliberate regarding the purchase, exchange, lease or value of real property. (**Tex. Gov't Code §551.072**) possible property acquisition; possible land sale/purchase;

B. **Consult with legal counsel** 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**); Discuss contract concerning Revolving Loan Fund; promotional contract.

C. **Discuss or deliberate Economic Development Negotiations:**

(1) To discuss or deliberate regarding commercial or financial information that the Board of Directors has received from a business prospect that the Board of Directors seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the Board is conducting economic development negotiations; or,

Officers:

Anthony Richardson, President
Stan Carver, Vice-President
Rocio Gonzalez, Secretary

Staff:

Joey Grisham, Economic Development Director
Taylor Lough, Economic Development Manager

(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)** Anna Business Park Property; potential retail and medical projects.

Bruce Norwood made a motion to enter closed session. Stan Carver seconded the motion. All were in favor. Motion passed. The CDC moved into closed session at 6:08 p.m.

10. Reconvene into open session and take any action on closed session items.

Rocio Gonzalez made a motion to reconvene into open session. Terry Farrell seconded the motion. All were in favor. Motion passed. The CDC reconvened into open session at 8:23 p.m.

Anthony Richardson made a motion to approve a phase 2 grant project in the amount of \$21,100 for grants to support certain Anna area small businesses and set a public hearing on the project for May 14, 2020 at 6:00 p.m. Stan Carver seconded the motion. All were in favor. Motion passed.

11. Receive reports from staff or Board Members about items of community interest.

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

Anthony Richardson thanked Kevin Johnson, IT Manager for his work to support the virtual meetings.

Stan Carver commended the City Council, businesses, and churches for their response to current uncertainty. Neighbors have been treating each other with respect. Today is the National Day of Prayer. People around the world are praying for the City of Anna.

12. Adjourn.

Rocio Gonzalez made a motion to adjourn the meeting at 8:47 pm. Anthony Richardson seconded the motion. All were in favor. Motion passed.

APPROVED:



Anthony Richardson
President of CDC/EDC

ATTESTED:



Rocio Gonzalez
Secretary of CDC/EDC



Item No. 7.d.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

Development Agreement - The Villages of Waters Creek

Approve a Resolution entering into a development agreement with Anna 51 Joint Venture and D&J Investment Properties, LLC to establish development and design regulations for further development on 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane. (Director of Development Services Ross Altobelli).

SUMMARY:

The intent of the development agreement is to ensure the use of high quality, durable materials for commercial and residential development within the city and along the W. White Street (CR 455) corridor to create well designed and attractive architecture.

Approving the development agreement in no way puts an obligation on the City Council to approve the rezoning request. It only puts in place development and design regulations should the decision be made to approve the rezoning request.

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

This items supports the City of Anna Strategic Plan, specifically advancing:

Goal 2: Sustainable Anna Community Through Planned, Managed Growth

Goal 3: Anna - A Great Place to Live

STAFF RECOMMENDATION:

Staff recommends approving a Resolution entering into a Development Agreement with Anna 51 Joint Venture and D&J Investment Properties, LLC.

ATTACHMENTS:

1. Development Agreement (Villages of Waters Creek) - FINAL 6-19-20

2. EXHIBIT A - DA (Metes & Bounds - Villages of Waters Creek))
3. EXHIBIT B - DA (Concept Plan, The Villages at Waters Creek)
4. EXHIBIT C - DA (Hike & Bike Trail location and limits)
5. DA - Resolution (Villages of Waters Creek) - 6-19-20

APPROVALS:

Ross Altobelli, Director of Development Services
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

EXHIBIT "1"

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is entered effective as of June 23, 2020 ("Effective Date") between and among the City of Anna, Texas ("City") and Anna 51 Joint Venture, a Texas Limited Partnership and D&J Investment Properties LLC (collectively, "Property Owners") as follows:

RECITALS

WHEREAS, the Property Owners are the sole owner of 65.0± acres of real property described and described in Exhibit A and depicted in Exhibit B (the "Property"); and,

WHEREAS, the Property Owners have applied to rezone the Property in order to amend existing planned development standards; and,

WHEREAS, the City's Planning & Zoning Commission and City Council have given the requisite notices by publication and otherwise and have scheduled public hearings with respect to the rezoning of the Property as required by law; and,

WHEREAS, in the case of the Property potentially being rezoned, the City and Property Owners desire to enter into a development agreement to establish development and design regulations to ensure the use of high quality, durable materials along the West White Street (FM 455) corridor to create well designed and attractive architecture and is complementary to adjacent residential properties; and,

WHEREAS, it is the Parties' mutual intent that this Agreement shall govern only the subject matter specifically set forth herein and shall supersede City Regulations only to the extent that any such City Regulations directly conflict with the terms of this Agreement; and,

NOW, THEREFORE, in consideration of the above recitals and the mutual consideration as reflected in the covenants, duties and obligations contained herein, the sufficiency of which is hereby acknowledged, the Parties hereto agree as follows, effective as of the Effective Date:

SECTION 1. RECITALS INCORPORATED.

The recitals set forth above are incorporated herein as if set forth in full to further describe the Parties' intent under this Agreement and said recitals constitute representations by Property Owners and the City.

SECTION 2. DEVELOPMENT STANDARDS / BUILDING MATERIALS.

With respect to all structures/development within the Planned Development-Restricted Business District/Multiple-family – High Density/Single-Family Residential District (PD-C-1/MF-2/SF-60) Zoning District, Property Owners agree to comply or to cause the builders to comply and any other successors or assigns to comply with this Agreement and all City Regulations and with the masonry material requirements and all other requirements of the Anna City Code of Ordinances, Article 9.04 Zoning Ordinance, Section 9.04.034 Supplementary District Regulations, Subsection (e) Architectural Design Standards and with the following standards (in the event of any conflict, the following listed standards shall govern).

Nonresidential Buildings

- A. The exterior walls (excluding doors, door frames, windows, and window frames) shall use only stone, brick, and/or split face concrete masonry units in the construction of the exterior facade that are visible to the public. The use of other high-quality materials for building trim, architectural decoration, and other design elements shall not be precluded; however, they are subject to approval by the zoning administrator and should contribute to the overall design concept.
- B. At least 60% of exterior façades not visible to the public (excluding doors, door frames, windows, and window frames) are required to be brick or rock veneer.
- C. Where the function of an individual business, or the recognized identity of a brand dictates a specific style, image, or building material associated with that company, the masonry provision may be modified; however, the development shall maintain harmony in terms of overall project design and appearance, and such design shall be subject to approval by the City Council after recommendation from the Planning & Zoning Commission.

Multiple-Family Residence Buildings

- A. All multi-family buildings and structures shall have at least eighty percent (80%), for the first three stories of the total exterior walls above grade level, excluding doors and windows, and recessed balcony areas (should be allowed as plane break), constructed

of masonry (brick/rock veneer) materials with no more than (20%) consisting of cementitious siding (Hardie products) or stucco materials. For any fourth story, seventy percent (70%) shall be constructed of masonry (brick/rock veneer) with no more than (20%) consisting of cementitious siding (Hardie products) or stucco materials.

- B. Roofing materials of a structure may only consist of architectural asphalt shingles (including laminated dimensional shingles), clay and concrete tile, metal shingles, mineral-surfaced row roofing or standing seam metal, slate and slate-type shingles, or an equivalent or better product as compared with said materials. Should architectural shingles be used as roofing material, said shingles shall be accompanied with a minimum 25-year warranty. Under no circumstance shall three-tab shingles be used as roofing material.
- C. Accessory buildings shall use similar building and roofing materials as those used on the primary buildings.
- D. With the exception of patios, fencing is not permitted in front of any building facing a public street. Patio fencing is restricted to wrought iron, tubular steel, or tubular aluminum with a maximum height of 4 feet (48 inches).
- E. Two or more distinct building models shall be designed for projects with more than four primary buildings.
- F. A covered entry area shall be designed at the main entry to each building.
- G. A minimum of 75% of all units must have one of the following design features: a true balcony, stoop, or patio to create outdoor living space.
- H. No building façade may exceed a length of 75 feet without a break in the façade of a minimum depth of two (2) feet for a minimum length of ten (10) feet.
- I. Four architectural design features are required on facades facing public streets, parking and common areas. Acceptable architectural design features may include but are not limited to:
 - 1) Articulation of building façade
 - 2) Extensions to the building through bay or box windows, and other similar features projecting out from the façade
 - 3) A horizontal change in building materials between stories of a building
 - 4) Variation in building materials between vertical intervals

- 5) Variations in window placement
- 6) Architectural features such as shutters, awnings, dormers, chimneys, decorative moldings or ornamental details
- 7) Roof height, pitch, ridgelines and materials shall be varied to create visual interest and avoid repetition.

Single-Family Residence Buildings

- A. Except as noted below, the exterior walls (excluding windows and doors) on the first-floor front elevation of any structure shall be 90 percent masonry and on the second-floor front elevation shall be 80 percent masonry. The total cumulative surface area of the remaining exterior walls (excluding windows and doors) shall be 80% masonry.
- B. Second floor Dutch gable roof elements are not required to be masonry if set back at least 3 feet from the first-floor front elevation vertical plane.
- C. The masonry standards that apply to the front elevation of a structure as described in subsection (A) above shall also apply to any exterior walls on a structure that are: (i) adjacent to and face a public street or right-of-way; or (ii) visible from and located immediately adjacent to a public park, reserved open space or neighborhood common area, or an undeveloped flood hazard or drainage area that is also adjacent to a public street.
- D. Roofing materials of a structure may only consist of architectural asphalt shingles (including laminated dimensional shingles), clay and concrete tile, metal shingles, mineral-surfaced row roofing, standing seam metal, slate and slate-type shingles, or an equivalent or better product as compared with said materials. Should architectural shingles be used as roofing material, said shingles shall be accompanied with a minimum 25-year warranty. Under no circumstance shall three-tab shingles be used as roofing material.

Hike and Bike Trail Easement

- A. Within or within proximity to the 100-year Drainage and Floodway Easement a 10-foot wide hike and bike trail and easement shall be constructed and dedicated to the City. The hike and bike trail shall connect from West White Street (FM 455) to the City of Anna property, Oak Hollow Estates, Phase 6A, Block F, Lot 1X as depicted in Exhibit C. Developer shall receive Park Development Fee credit towards all costs associated with the actual construction of the 10' hike and bike trail.

SECTION 3. NOTICES.

Any and all notices required to be given by either of the parties hereto must be in writing and will be deemed delivered upon personal service, if hand-delivered, or when mailed in the United States mail, certified, return receipt requested, addressed as follows:

To City:	City Manager City of Anna 111 North Powell Parkway PO Box 776 Anna, Texas 75409
To Property Owner:	Anna 51 Joint Venture 2705 Clublake Trail McKinney, Texas 75072 Attn: Don W. Collins, Manager
To Property Owner:	D&J Investment Properties, LLC 180708 Mapletree Lane Dallas, Texas 75252 Attn: Dochul Park

SECTION 4. MODIFICATIONS OR TERMINATION.

This Agreement may only be modified and/or terminated as follows: (a) by mutual agreement of the Property Owners and City; and/or (b) unilaterally by City upon default of the Property Owners. Notwithstanding the foregoing or any other provision of this Agreement, this Agreement shall terminate and be null and void if the City does not approve on or before the 23rd day of June, 2020 the rezoning of the Property to be zoned as Planned Development-Restricted Business District/Multiple-family – High Density/Single-Family Residential District (PD-C-1/MF-2/SF-60) Zoning District, as set forth in Section 9.04.029 of the Anna City Code of Ordinances. The parties acknowledge and agree that the rezoning of the Property is a legislative act and that this Agreement does not bind: (1) the Planning & Zoning Commission to take any particular action on a request for zoning or rezoning; or (2) the City Council to approve any proposed zoning or rezoning of the Property.

SECTION 5. DEFAULT.

If Property Owners, its heirs, successors, or assigns, subsequent owners of the Property or any other person acquiring an interest in the Property, fails to fully comply with all the terms and conditions included in this Agreement, City will have the following non-exclusive and cumulative remedies.

A. Withholding of utilities and/or withholding or revocation of permits and other approvals required for development and use of the Property including without limitation building permits and certificates of occupancy.

B. The defaulting Property Owners, or their respective heirs, successors or assigns, subsequent owners of the Property or any other person acquiring an interest in the Property (collectively, the "Defaulting Developer Parties") shall be jointly and severally liable to pay to the City the sum of \$2,000 for each failure to fully comply with the development standards set forth in Section 2 of this Agreement. The Defaulting Developer Parties shall be liable to pay the City said \$2,000 sum per day for each day that such failure to comply occurs. The sums of money to be paid for such failure(s) is not to be considered as a penalty, but shall be deemed, taken and treated as reasonable liquidated damages that accrue per day that such a failure shall exist or occur. The said amounts are fixed and agreed upon by the parties because of the impracticability and extreme difficulty of fixing and ascertaining the actual damages the City in such event would sustain; and said amounts are agreed to be the amounts of damages which the City would sustain. Notwithstanding the foregoing, none of the Defaulting Developer Parties shall be liable to pay the liquidated damages that accrue under this paragraph unless there is a breach of any material term or condition of this Agreement and such breach remains uncured after thirty (30) calendar days following receipt of written notice from the City provided in accordance with this Agreement describing said breach in reasonable detail (or, if the cure of the breach has diligently and continuously been undertaken but reasonably requires more than thirty (30) calendar days to cure, then such additional amount of time as is reasonably necessary to effect the cure, as determined by both Parties mutually and in good faith but in no event shall such additional period exceed 120 days in total unless agreed to in writing by the parties to this Agreement). In the event of a breach that is not timely cured in accordance with this paragraph, the sum of liquidated damages shall be calculated to include each and every day of the occurrence of the breach beginning on the date that the City first provided written notice of such breach under this paragraph and the City shall not be required to provide any subsequent written notice as to subsequent dates or times during which such breach is repeated or continues to occur.

C. In the event of a default, the City will additionally have any and all remedies available to it at equity or in law.

SECTION 6. BINDING ON SUCCESSORS, AGREEMENT RUNS WITH THE LAND.

This Agreement will be binding upon and inure to the benefit of the parties' respective successors, assigns and personal representatives. This Agreement will run with the land and be binding on all subsequent Developers and owners of the Property.

SECTION 7. INDEMNIFICATION AND HOLD HARMLESS.

THE DEVELOPER AND ALL OWNERS OF THE PROPERTY, INCLUDING THEIR RESPECTIVE SUCCESSORS AND ASSIGNS (THE "INDEMNIFYING PARTIES"), HEREBY COVENANT AND AGREE TO RELEASE, DEFEND, HOLD HARMLESS, AND INDEMNIFY THE CITY AND ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES, FROM AND AGAINST ALL THIRD-PARTY CLAIMS, SUITS, JUDGMENTS, DAMAGES, AND DEMANDS (TOGETHER, "CLAIMS") AGAINST THE CITY, WHETHER REAL OR ASSERTED INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEY'S FEES, RELATED EXPENSES, EXPERT WITNESS FEES, CONSULTANT FEES, AND OTHER COSTS, ARISING OUT OF THE NEGLIGENCE OR OTHER WRONGFUL CONDUCT OF THE INDEMNIFYING PARTIES, INCLUDING THE NEGLIGENCE OR OTHER WRONGFUL CONDUCT OF ANY OF THEIR RESPECTIVE EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, MATERIAL MEN, AND AGENTS, IN CONNECTION WITH THE DESIGN OR CONSTRUCTION OF ANY PUBLIC INFRASTRUCTURE, STRUCTURES, OR OTHER FACILITIES OR IMPROVEMENTS THAT ARE REQUIRED OR PERMITTED UNDER THIS AGREEMENT AND/OR CITY REGULATIONS AND/OR ANY APPLICABLE DEVELOPMENT STANDARDS AND/OR ANY OTHER GOVERNING REGULATIONS; AND IT IS EXPRESSLY UNDERSTOOD THAT SUCH CLAIMS SHALL, EXCEPT AS MODIFIED BELOW, INCLUDE CLAIMS EVEN IF CAUSED BY THE CITY'S OWN CONCURRENT NEGLIGENCE SUBJECT TO THE TERMS OF THIS SECTION. THE INDEMNIFYING PARTIES SHALL NOT, HOWEVER, BE REQUIRED TO INDEMNIFY THE CITY AGAINST CLAIMS CAUSED BY THE CITY'S SOLE NEGLIGENCE. IF THE CITY INCURS CLAIMS THAT ARE CAUSED BY THE CONCURRENT NEGLIGENCE OF ANY OF THE INDEMNIFYING PARTIES AND THE CITY, THE INDEMNIFYING PARTIES' INDEMNITY OBLIGATION WILL BE LIMITED TO A FRACTION OF THE TOTAL CLAIMS EQUIVALENT TO THE INDEMNIFYING PARTIES' OWN PERCENTAGE OF RESPONSIBILITY. THE INDEMNIFYING PARTIES FURTHER COVENANT AND AGREE TO RELEASE, DEFEND, HOLD HARMLESS, AND INDEMNIFY, THE CITY AGAINST ANY AND ALL CLAIMS BY ANY PERSON CLAIMING AN OWNERSHIP INTEREST IN THE PROPERTY WHO HAS NOT

SIGNED THIS AGREEMENT IF SUCH CLAIMS RELATE IN ANY MANNER OR ARISE IN CONNECTION WITH: (1) THE CITY'S RELIANCE UPON ANY OF THE INDEMNIFYING PARTIES' REPRESENTATIONS IN THIS AGREEMENT; (2) THIS AGREEMENT OR OWNERSHIP OF THE PROPERTY; OR (3) THE CITY'S APPROVAL OF ANY TYPE OF DEVELOPMENT APPLICATION OR SUBMISSION WITH RESPECT TO THE PROPERTY. At no time shall the City have any control over or charge of the design, construction or installation of any of the improvements to the Property or related work or undertakings, nor the means, methods, techniques, sequences or procedures utilized for the design, construction or installation related to same. This Agreement does not create a joint enterprise or venture between the City and any of the Indemnified Parties. This section will survive the termination of this Agreement.

SECTION 8. REQUIREMENT FOR RECORDATION.

Property Owners will record this Agreement, including all of its exhibits, promptly after its formal adoption by the City Council, and immediately provide a recorded copy to the City.

SECTION 9. ENTIRE AGREEMENT.

This Agreement is the entire agreement of the parties regarding the subject matter hereto.

SECTION 10. RECITALS AND EXHIBITS.

The recitals herein and exhibits attached hereto are hereby incorporated by reference.

SECTION 11. AUTHORITY.

Property Owners represents and warrants to the City that the Property Owners are the sole owners of the Property and that this Agreement is binding and enforceable as relates to the Developer and the Property. Property Owners represents and warrants to City that the persons signing this Agreement have the authority to sign the Agreement on behalf of Property Owners.

SECTION 12. INVALID PROVISIONS.

If any provision of this Agreement is held not valid, such provision will be deemed to be excised therefrom and the invalidity thereof will not affect any of the other provisions contained herein.

SECTION 13. EFFECTIVE DATE.

This Agreement will be effective upon the Effective Date first stated herein.

CITY OF ANNA

By: _____
Jim Proce, City Manager

IN WITNESS WHEREOF:

STATE OF TEXAS

COUNTY OF COLLIN

Before me, the undersigned notary public, on the _____ day of _____, 2020, appeared Jim Proce, known to me (or proved to me) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in his capacity as City Manager of the City of Anna, Texas.

Notary Public, State of Texas

Anna 51 Joint Venture, a Texas Limited Partnership

By: Collins Commercial Realty Inc

By: _____
Don Collins, its President

IN WITNESS WHEREOF:

STATE OF TEXAS

COUNTY OF COLLIN

Before me, the undersigned notary public, on the _____ day of _____, 2020, appeared Don Collins known to me (or proved to me) to be the person whose name is subscribed

DEVELOPMENT AGREEMENT

to the foregoing instrument, and acknowledged to me that he/she executed the same in his/her capacity as President of Collins Commercial Realty Inc in its capacity as general partner of Anna 51 Joint Venture, a Texas Limited Partnership.

Notary Public, State of Texas

D&J Investment Properties LLC, a Texas limited liability company

By: _____
Dochul Park, its Manager

IN WITNESS WHEREOF:

STATE OF TEXAS

COUNTY OF COLLIN

Before me, the undersigned notary public, on the _____ day of _____, 2020, appeared Dochul Park, known to me (or proved to me) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in his capacity as Manager of D&J Investment Properties LLC a Texas limited liability company.

Notary Public, State of Texas

EXHIBIT A

BEING a tract of land situated in the Thomas Rattan Survey, Abstract Number 782 in the City of Anna, Collin County, Texas and being all of that tract of land recorded by deed to Anna 51 Joint Venture recorded in Instrument Number 20150120000064460, County Records of Collin County, Texas, and being particularly described by metes and bounds as follows:

BEGINNING at an inner el corner of Lot 50, Block F of Oak Hollow Estates Phase 6, an addition to the City of Anna, recorded in Instrument Number 20140423010001240, County Records, Collin County, Texas;

THENCE S 89° 34' 50" W, 268.29 feet with the common line of said Anna 51 tract and the north line of said Phase 6;

THENCE S 89° 37' 50" W, 886.77 feet continuing along said common line and with the north line of Oak Hollow Estates Phase 6A, an addition to the City of Anna, recorded in Instrument Number 20150406010001070, County Records, Collin County, Texas to the northwest corner of Phase 6A and in the east line of that tract of land described by deed to Caalms Group LLC recorded in Instrument Number 20180906001124710, County Records, Collin County, Texas;

THENCE N 01° 24' 49" W, 1507.33 feet, along the west line of said Anna 51 tract to the northwest corner being in the south right-of-way line of F.M. No. 455;

THENCE with said south right-of-way line the following bearings and distances:

N 01° 43' 05" W, 1023.96 feet;

With said curve to the left, having an arc distance of 212.81 feet, through a central angle of 30° 37' 44", having a radius of 398.10 feet, the long chord which bears S 62° 26' 08" E, 210.29 feet;

S 77° 45' 00" E, 171.20 feet to the beginning of a curve to the left;

With said curve to the left, having an arc distance of 282.66 feet, through a central angle of 21° 25' 00", having a radius of 756.20 feet, the long chord which bears S 88° 27' 30" E, 281.02 feet;

N 80° 50' 00" E, 321.50 feet;

N 00° 00' 00" E, 24.57 feet;

N 80° 37' 59" E, 91.40 feet;

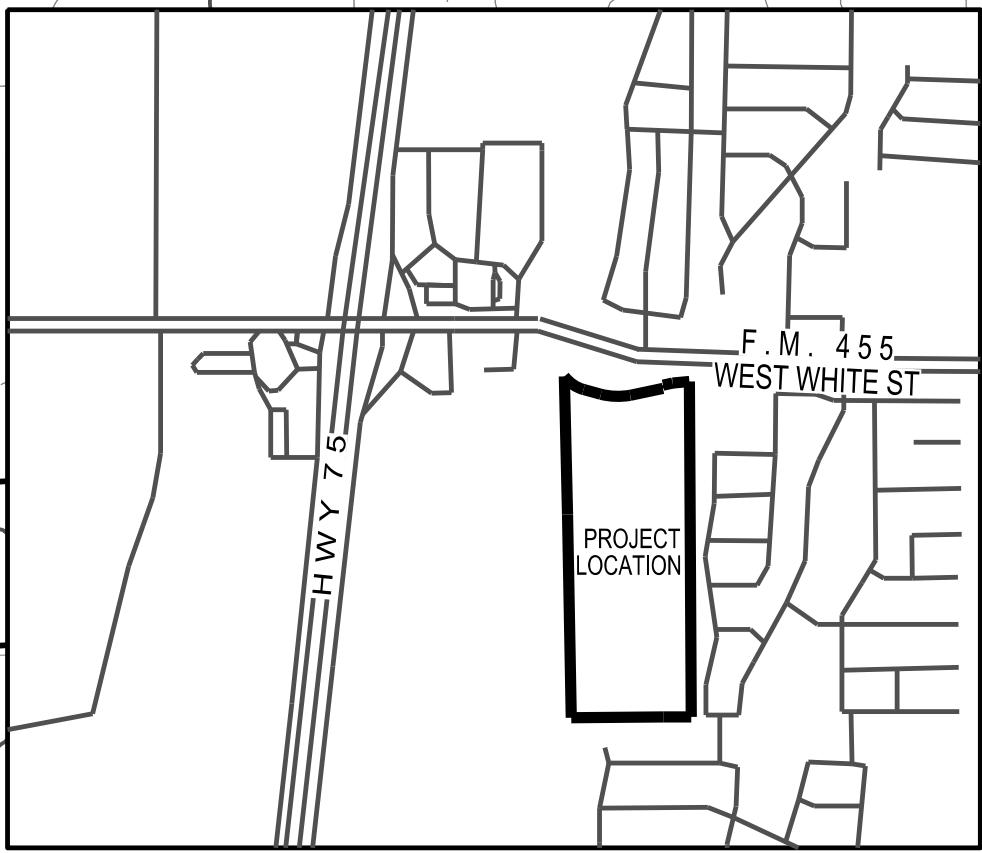
N 85° 48' 20" E, 162.79 feet to the northeast corner of said Anna 51 tract and being the northwest corner of the Lot 2, Block A, Advantage Self Storage Addition, an addition to

EXHIBIT A

the City of Anna, recorded in Instrument Number 20091123010002930, County Records, Collin County, Texas;

THENCE S 00° 25' 25" E, 2,484.13 feet departing said south right-of-way line and with the east line of said Anna 51 tract to the point of beginning and containing 2,856,025 square feet or 65.565 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



VICINITY MAP
N.T.S.



SITE INFORMATION	
ZONING:	PD-SF-60/MF-2/C-1/THOR OVERLAY
LAND USE:	SINGLE FAMILY, MULTI-FAMILY, & COMMERCIAL
LOT AREA:	2,848,736.88 SQ. FT. / 65.398 ACRES
SINGLE-FAMILY TRACT	
LOT INFORMATION	
MIN. LOT WIDTH:	50'
MIN. LOT DEPTH:	120'
TOTAL NUMBER OF LOTS:	90
MULTI-FAMILY TRACT	
TOTAL # OF UNITS:	325
BUILDING HEIGHT:	4 STORIES MAX.
BUILDING HEIGHT:	65' MAX.
MULTIFAMILY UNITS	325
PARKING:	
REQUIRED:	650 SPACES
PROVIDED:	713 SPACES*
	* 128 GARAGES
	* 128 TANDEM SPACES
	* 360 COVERED
	* 80 UNCOVERED
	* 17 MOTORCYCLE
OFFICE	
BUILDING INFORMATION	
BUILDING 1	6000 SF
BUILDING 2	7200 SF
BUILDING 3	7200 SF
BUILDING 4	6000 SF
COMMERCIAL	
BUILDING INFORMATION	
BUILDING 1	8100 SF
BUILDING 2	13000 SF
RESTAURANT	
BUILDING INFORMATION	
BUILDING 1	7800 SF
BUILDING 2	6650 SF

BLOCK B, LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK B, LOT 3
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK B, LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK B, LOT 3
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 1
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 2
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 3
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 5
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 6
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 7
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 8
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 9
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 10
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 11
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 12
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 13
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 14
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 15
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 16
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 17
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 18
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 19
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 20
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 21
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 22
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 23
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 24
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 25
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 26
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 27
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 28
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 29
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 30
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 31
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 32
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 33
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 34
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 35
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 36
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 37
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 38
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 39
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 40
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 41
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 42
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 43
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 44
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 45
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 46
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 47
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 48
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 49
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 50
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 51
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 52
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 53
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 54
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 55
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 56
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 57
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 58
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 59
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 60
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 61
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 62
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 63
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 64
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 65
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 66
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 67
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 68
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 69
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 70
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 71
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 72
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 73
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 74
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 75
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 76
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 77
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 78
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 79
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 80
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 81
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 82
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 83
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 84
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 85
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 86
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 87
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 88
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

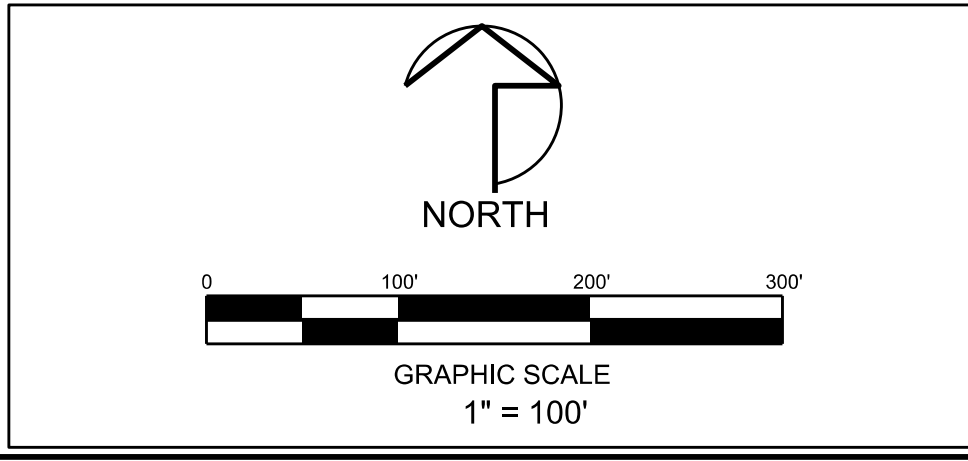
BLOCK A, LOT 89
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK A, LOT 90
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

SINGLE FAMILY LOT SUMMARY			
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK C, LOT 1	6,000 SF	BLOCK D, LOT 18	6,000 SF
BLOCK C, LOT 2	6,000 SF	BLOCK D, LOT 19	6,000 SF
BLOCK C, LOT 3	6,000 SF	BLOCK D, LOT 20	6,000 SF
BLOCK C, LOT 4	6,000 SF	BLOCK D, LOT 21	6,000 SF
BLOCK C, LOT 5	6,000 SF	BLOCK D, LOT 22	7,750 SF
BLOCK C, LOT 6	7,200 SF	BLOCK D, LOT 23	7,850 SF
BLOCK D, LOT 1	6,450 SF	BLOCK D, LOT 24	6,000 SF
BLOCK D, LOT 2	7,400 SF	BLOCK D, LOT 25	6,000 SF
BLOCK D, LOT 3	14,000 SF	BLOCK D, LOT 26	6,000 SF
BLOCK D, LOT 4	6,150 SF	BLOCK D, LOT 27	6,000 SF
BLOCK D, LOT 5	6,000 SF	BLOCK D, LOT 28	6,000 SF
BLOCK D, LOT 6	6,000 SF	BLOCK D, LOT 29	6,000 SF
BLOCK D, LOT 7	6,000 SF	BLOCK D, LOT 30	6,000 SF
BLOCK D, LOT 8	6,000 SF	BLOCK D, LOT 31	6,000 SF
BLOCK D, LOT 9	6,000 SF	BLOCK D, LOT 32	6,000 SF
BLOCK D, LOT 10	6,000 SF	BLOCK D, LOT 33	6,000 SF
BLOCK D, LOT 11	6,000 SF	BLOCK D, LOT 34	6,000 SF
BLOCK D, LOT 12	6,000 SF	BLOCK D, LOT 35	6,000 SF
BLOCK D, LOT 13	6,000 SF	BLOCK D, LOT 36	6,000 SF
BLOCK D, LOT 14	6,000 SF	BLOCK D, LOT 37	6,000 SF
BLOCK D, LOT 15	6,000 SF	BLOCK D, LOT 38	6,000 SF
BLOCK D, LOT 16	6,000 SF	BLOCK D, LOT 39	6,000 SF
BLOCK D, LOT 17	6,000 SF	BLOCK D, LOT 40	7,200 SF
SINGLE FAMILY LOT SUMMARY			
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK E, LOT 1	6,000 SF	BLOCK F, LOT 19	6,900 SF
BLOCK E, LOT 2	6,000 SF	BLOCK F, LOT 20	7,800 SF
BLOCK E, LOT 3	6,000 SF	BLOCK G, LOT 1	8,900 SF
BLOCK E, LOT 4	6,000 SF	BLOCK G, LOT 2	6,000 SF
BLOCK F, LOT 1	9,800 SF	BLOCK G, LOT 3	6,000 SF
BLOCK F, LOT 2	8,000 SF	BLOCK G, LOT 4	6,000 SF
BLOCK F, LOT 3	8,500 SF	BLOCK G, LOT 5	6,000 SF
BLOCK F, LOT 4	6,500 SF	BLOCK G, LOT 6	6,000 SF
BLOCK F, LOT 5	6,000 SF	BLOCK G, LOT 7	6,000 SF
BLOCK F, LOT 6	6,000 SF	BLOCK G, LOT 8	6,000 SF
BLOCK F, LOT 7	6,000 SF	BLOCK G, LOT 9	6,000 SF
BLOCK F, LOT 8	6,000 SF	BLOCK G, LOT 10	7,200 SF
BLOCK F, LOT 9	6,000 SF	BLOCK G, LOT 11	7,200 SF
BLOCK F, LOT 10	7,200 SF	BLOCK G, LOT 12	6,000 SF
BLOCK F, LOT 11	7,200 SF	BLOCK G, LOT 13	6,000 SF
BLOCK F, LOT 12	6,000 SF	BLOCK G, LOT 14	6,000 SF
BLOCK F, LOT 13	6,000 SF	BLOCK G, LOT 15	6,000 SF
BLOCK F, LOT 14	6,000 SF	BLOCK G, LOT 16	6,000 SF
BLOCK F, LOT 15	6,000 SF	BLOCK G, LOT 17	6,000 SF
BLOCK F, LOT 16	6,000 SF	BLOCK G, LOT 18	6,000 SF
BLOCK F, LOT 17	6,000 SF	BLOCK G, LOT 19	6,000 SF
BLOCK F, LOT 18	6,000 SF	BLOCK G, LOT 20	7,600 SF

LEGEND		
BOUNDARY LINE	EXISTING PARCEL LINE	PROPOSED LOT LINE
MAJOR TOPOGRAPHY	MINOR TOPOGRAPHY	FEMA 100-YEAR FLOODPLAIN
EXISTING EASEMENT	PROPOSED SETBACK	PROPOSED STREET CENTERLINE
PROPOSED EDGE OF PAVEMENT	PROPOSED R.O.W.	APPROX. CENTERLINE OF CREEK
PROPOSED FIRE LANE	PROPOSED BUILDING LOCATION	PROPOSED DUMPSTER LOCATION
ZONING BOUNDARY	APPROX. GARAGE LIMITS	EXISTING PARCEL BOUNDARY
PROPOSED FENCE	BUILDING HEIGHT SETBACK	MATCH LINE
BLOCK DESIGNATOR		

PROJECT NO.	CCR20001
FILE PATH	J:\USERS\DK\DC\ANNA 65\ZONING
DRAWN BY	MRB
REVIEWED BY	DAK
DATE	MARCH 4, 2020
DATE	
APRIL 13, 2020	REVISIONS TO CONCEPT PLAN PER CITY COMMENTS
APRIL 24, 2020	ADDRESSING ADDITIONAL CITY COMMENTS
JUNE 8, 2020	ADDING 20' LANDSCAPE SETBACK ADJACENT TO EXISTING SF.

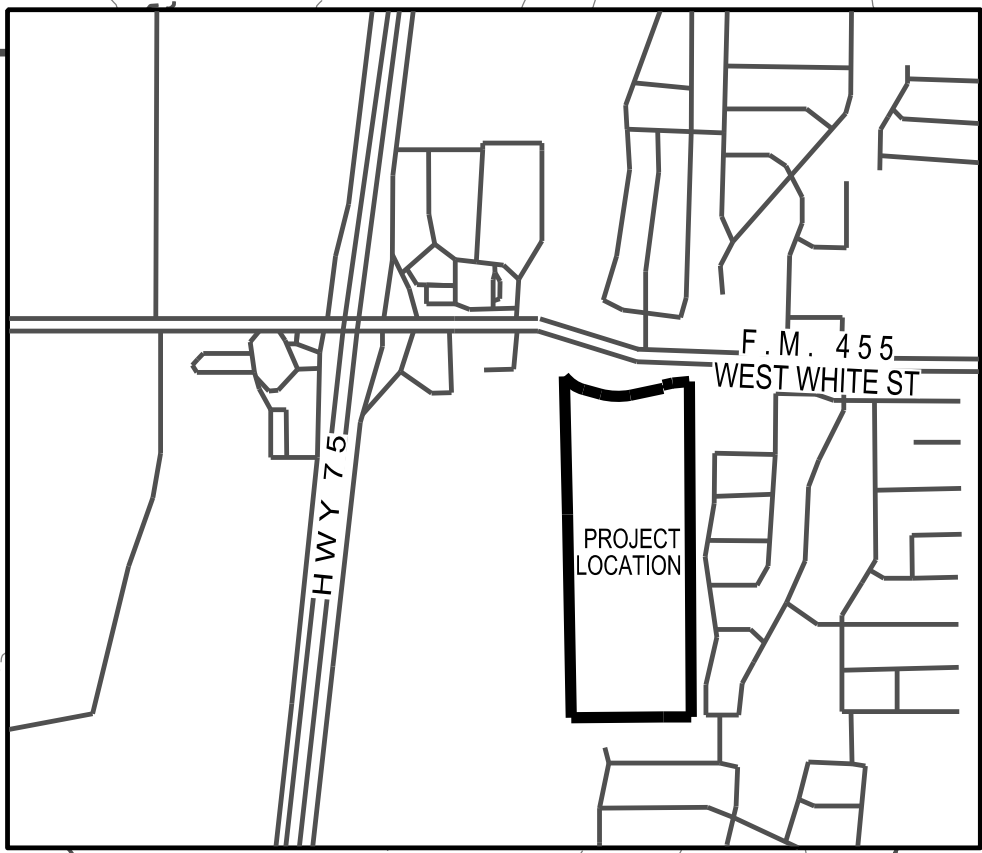


OWNER
ANNA 51 JOINT VENTURE LP
2705 CLUBLAKE TRAIL
MCKINNEY, TX 75072
CONTACT: DON COLLINS

EXHIBIT B
SHEET 1 OF 2

PLANNER / ENGINEER
PELTON LAND SOLUTIONS, INC
11000 FRISCO STREET
SUITE 400
FRISCO, TEXAS 75034
PHONE: 469-213-1800
CONTACT: DAVID KALHOEFER

THE VILLAGES AT WATER CREEK
BLOCK A, LOTS 1-2; BLOCK B, LOTS 1-4; BLOCK C, LOTS 1-6, 1X; BLOCK D, LOTS 1-40; BLOCK E, LOTS 1-4, 1X; BLOCK F, LOTS 1-20, 1X; BLOCK G, LOTS 1-20.
CONCEPT PLAN
BEING A 65.398 ACRE TRACT IN THE IN THE THOMAS RATTON SURVEY, A0782, SITUATED IN CITY OF ANNA, COLLIN COUNTY, TEXAS
PAGE 1 OF 2
JUNE 8, 2020



VICINITY MAP
N.T.S.

SITE INFORMATION	
ZONING:	PD-SF-60/MF-2/C-1/THOR OVERLAY
LAND USE:	SINGLE FAMILY, MULTI-FAMILY, & COMMERCIAL
LOT AREA:	2,848,736.88 SQ. FT. / 65.398 ACRES
SINGLE-FAMILY TRACT	
LOT INFORMATION	
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MIN. LOT DEPTH:	120'
TOTAL NUMBER OF LOTS:	90
MULTI-FAMILY TRACT	
TOTAL # OF UNITS: 325	
BUILDING HEIGHT:	4 STORIES MAX.
BUILDING HEIGHT:	65' MAX.
MULTIFAMILY UNITS	325
PARKING:	
REQUIRED:	650 SPACES
PROVIDED:	713 SPACES*
	* 128 GARAGES
	* 128 TANDEN SPACES
	* 360 COVERED
	* 80 UNCOVERED
	* 17 MOTORCYCLE
OFFICE	
BUILDING INFORMATION	
BUILDING 1	6000 SF
BUILDING 2	7200 SF
BUILDING 3	7200 SF
BUILDING 4	6000 SF
COMMERCIAL	
BUILDING INFORMATION	
BUILDING 1	8100 SF
BUILDING 2	13000 SF
RESTAURANT	
BUILDING INFORMATION	
BUILDING 1	7800 SF
BUILDING 2	6650 SF

MATCH LINE - PAGE 1
MATCH LINE - PAGE 2

MATCH LINE - PAGE 1
MATCH LINE - PAGE 2

BLOCK B
LOT 4
FUTURE
COMMERCIAL
(C-1)
±10.9 AC
±473,500 SF

ANNA 51 JOINT VENTURE LP
2705 CLUBLAKE TRAIL
MCKINNEY, TX 75072
CONTACT: DON COLLINS

EXHIBIT B SHEET 2 OF 2

PLANNER / ENGINEER
PELTON LAND
SOLUTIONS, INC
11000 FRISCO STREET
SUITE 400
FRISCO, TEXAS 75034
PHONE: 469-213-1800
CONTACT: DAVID KALHOEFER

THE VILLAGES AT WATER CREEK
BLOCK A, LOTS 1-2; BLOCK B, LOTS 1-4; BLOCK C, LOTS
1-6, 1X; BLOCK D, LOTS 1-40; BLOCK E, LOTS 1-4, 1X;
BLOCK F, LOTS 1-20, 1X; BLOCK G, LOTS 1-20.

CONCEPT PLAN

BEING A 65.398 ACRE TRACT IN THE IN
THE THOMAS RATTON SURVEY, A0782,
SITUATED IN CITY OF ANNA, COLLIN
COUNTY, TEXAS
PAGE 2 OF 2
JUNE 8, 2020

SINGLE FAMILY LOT SUMMARY			
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK C, LOT 1	6,000 SF	BLOCK D, LOT 18	6,000 SF
BLOCK C, LOT 2	6,000 SF	BLOCK D, LOT 19	6,000 SF
BLOCK C, LOT 3	6,000 SF	BLOCK D, LOT 20	6,000 SF
BLOCK C, LOT 4	6,000 SF	BLOCK D, LOT 21	6,000 SF
BLOCK C, LOT 5	6,000 SF	BLOCK D, LOT 22	7,750 SF
BLOCK C, LOT 6	7,200 SF	BLOCK D, LOT 23	7,850 SF
BLOCK D, LOT 1	6,450 SF	BLOCK D, LOT 24	6,000 SF
BLOCK D, LOT 2	7,400 SF	BLOCK D, LOT 25	6,000 SF
BLOCK D, LOT 3	14,000 SF	BLOCK D, LOT 26	6,000 SF
BLOCK D, LOT 4	6,150 SF	BLOCK D, LOT 27	6,000 SF
BLOCK D, LOT 5	6,000 SF	BLOCK D, LOT 28	6,000 SF
BLOCK D, LOT 6	6,000 SF	BLOCK D, LOT 29	6,000 SF
BLOCK D, LOT 7	6,000 SF	BLOCK D, LOT 30	6,000 SF
BLOCK D, LOT 8	6,000 SF	BLOCK D, LOT 31	6,000 SF
BLOCK D, LOT 9	6,000 SF	BLOCK D, LOT 32	6,000 SF
BLOCK D, LOT 10	6,000 SF	BLOCK D, LOT 33	6,000 SF
BLOCK D, LOT 11	6,000 SF	BLOCK D, LOT 34	6,000 SF
BLOCK D, LOT 12	6,000 SF	BLOCK D, LOT 35	6,000 SF
BLOCK D, LOT 13	6,000 SF	BLOCK D, LOT 36	6,000 SF
BLOCK D, LOT 14	6,000 SF	BLOCK D, LOT 37	6,000 SF
BLOCK D, LOT 15	6,000 SF	BLOCK D, LOT 38	6,000 SF
BLOCK D, LOT 16	6,000 SF	BLOCK D, LOT 39	6,000 SF
BLOCK D, LOT 17	6,000 SF	BLOCK D, LOT 40	7,200 SF
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK E, LOT 1	6,000 SF	BLOCK F, LOT 19	6,900 SF
BLOCK E, LOT 2	6,000 SF	BLOCK F, LOT 20	7,800 SF
BLOCK E, LOT 3	6,000 SF	BLOCK G, LOT 1	8,900 SF
BLOCK E, LOT 4	6,000 SF	BLOCK G, LOT 2	6,000 SF
BLOCK F, LOT 1	9,800 SF	BLOCK G, LOT 3	6,000 SF
BLOCK F, LOT 2	6,000 SF	BLOCK G, LOT 4	6,000 SF
BLOCK F, LOT 3	8,500 SF	BLOCK G, LOT 5	6,000 SF
BLOCK F, LOT 4	6,500 SF	BLOCK G, LOT 6	6,000 SF
BLOCK F, LOT 5	6,000 SF	BLOCK G, LOT 7	6,000 SF
BLOCK F, LOT 6	6,000 SF	BLOCK G, LOT 8	6,000 SF
BLOCK F, LOT 7	6,000 SF	BLOCK G, LOT 9	6,000 SF
BLOCK F, LOT 8	6,000 SF	BLOCK G, LOT 10	7,200 SF
BLOCK F, LOT 9	6,000 SF	BLOCK G, LOT 11	7,200 SF
BLOCK F, LOT 10	7,200 SF	BLOCK G, LOT 12	6,000 SF
BLOCK F, LOT 11	7,200 SF	BLOCK G, LOT 13	6,000 SF
BLOCK F, LOT 12	6,000 SF	BLOCK G, LOT 14	6,000 SF
BLOCK F, LOT 13	6,000 SF	BLOCK G, LOT 15	6,000 SF
BLOCK F, LOT 14	6,000 SF	BLOCK G, LOT 16	6,000 SF
BLOCK F, LOT 15	6,000 SF	BLOCK G, LOT 17	6,000 SF
BLOCK F, LOT 16	6,000 SF	BLOCK G, LOT 18	6,000 SF
BLOCK F, LOT 17	6,000 SF	BLOCK G, LOT 19	6,000 SF
BLOCK F, LOT 18	6,000 SF	BLOCK G, LOT 20	7,600 SF

LEGEND			
BOUNDARY LINE	EXISTING PARCEL LINE	PROPOSED LOT LINE	
MAJOR TOPOGRAPHY	MINOR TOPOGRAPHY	FEMA 100-YEAR FLOODPLAIN	
EXISTING EASEMENT	PROPOSED SETBACK	PROPOSED STREET CENTERLINE	
PROPOSED EDGE OF PAVEMENT	PROPOSED R.O.W.	APPROX. CENTERLINE OF CREEK	
PROPOSED FIRE LANE	PROPOSED BUILDING LOCATION	PROPOSED DUMPSTER LOCATION	
ZONING BOUNDARY	APPROX. GARAGE LIMITS	EXISTING PARCEL BOUNDARY	
PROPOSED FENCE	BUILDING HEIGHT SETBACK	MATCH LINE	
BLOCK DESIGNATOR			

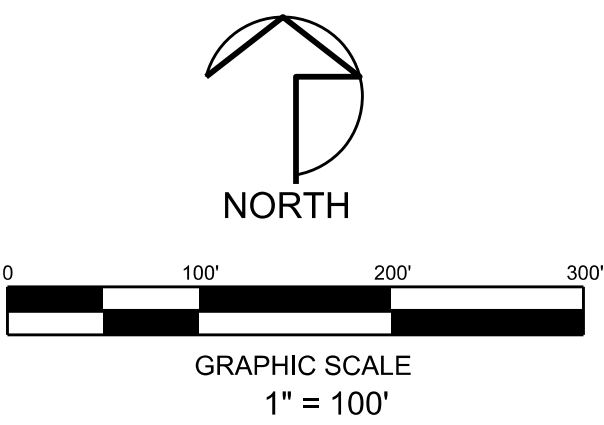


EXHIBIT C

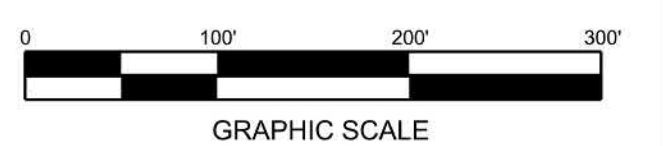


THE LOCATION OF THE TRAIL IS GENERAL IN NATURE AND MAY NOT NECESSARILY DEPICT THE TRAIL AS IT WILL BE CONSTRUCTED. PLEASE REFER TO THE FINAL CONSTRUCTION PLANS FOR THE ULTIMATE LOCATION.



VILLAGES OF WATERS CREEK

JUNE 17, 2020



J:\Villages of Waters Creek\Area 65\AcMaster Dev\Entitlements\Zoning\CONCEPT PLANS\06-0304_Concept Plan for rendering.dgn

CITY OF ANNA, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH ANNA 51 JOINT VENTURE, A TEXAS LIMITED PARTNERSHIP AND D&J INVESTMENT PROPERTIES LLC RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR MUTI-USE DEVELOPMENT LOCATED ON THE SOUTH SIDE OF WEST WHITE STREET, 1,293± FEET WEST OF OAK HOLLOW LANE.

WHEREAS, Anna 51 Joint Venture, a Texas Limited Partnership and D&J Investment Properties LLC are the Property Owners of real estate located on the south side of West White Street (Farm to Market Road 455), 1,293± feet west of Oak Hollow Lane; and

WHEREAS, Property Owners desire to rezone the subject property to amend the existing planned development standards associated with commercial and residential uses; and

WHEREAS, Property Owners have agreed to development and design regulations should the City approve to amend the existing zoning to the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated.

The recitals above are incorporated herein as if set forth in full for all purposes.

Section 2. Approval

The City Council hereby approves the Development Agreement with Anna 51 Joint Venture, a Texas Limited Partnership and D&J Investment Properties LLC, attached hereto as Exhibit 1, and ratifies and approves the City Manager's execution of the same. The City Manager is hereby authorized to execute all documents and take all other actions necessary to finalize, act under and enforce the Agreement.

PASSED by the City Council of the City of Anna, Texas, on this 23rd day of June 2020.

ATTESTED:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor



Item No. 7.e.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Ashley Stathatos

AGENDA ITEM:

Approve a Resolution approving a Special Event Permit for a Community Clean-Up Day to be held at Slayter Creek Park on Saturday, August 29, 2020 (Neighborhood Services Manager Ashley Stathatos).

SUMMARY:

Kevin Martin, Code Compliance Manager, submitted an application to hold a Community Clean-Up Day at Slayter Creek Park on Saturday, August 29, 2020. Dumpsters will be provided for large, bulky drop-off items. We would like to have household hazardous waste collection, electronic recycling and paper shredding. Other activities include a community trash bash where Anna Neighbors pick up litter in "hot spots" throughout the city.

The Parks Advisory Board met on June 15, 2020. They reviewed the special event permit request and are recommending approval.

FINANCIAL IMPACT:

The Community Clean-Up Day will cost approximately \$8,000 to \$16,000. The bulk of this cost is for the Household Hazardous Waste disposal. Since we have never held this event in Anna, it is difficult to determine how much Household Hazardous Waste the City will receive to determine an exact price. The cost for Household Hazardous Waste disposal in similar size cities is running \$8,000 up to \$20,000. However, we can bring this cost down if we limit the number of items each household can bring. There are, also, costs associated with trash bags, trash grabbers, vests and gloves for the community trash bash. Likewise, staff would like to host a free breakfast or lunch for Neighbors that participate in the trash bash. Staff is soliciting sponsors to offset costs.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Anna – Great Place to Live

STAFF RECOMMENDATION:

Approve the Resolution for the Special Event Permit for Community Clean-Up Day at

Slayter Creek Park on Saturday, August 29, 2020.

ATTACHMENTS:

1. Resolution Community Clean-Up Day
2. Special Event Permit Application Clean-Up Day
3. Clean-Up Day Map

APPROVALS:

Ashley Stathatos, Neighborhood Services Manager
Jim Proce, City Manager

Created/Initiated - 6/18/2020
Final Approval - 6/19/2020

CITY OF ANNA
RESOLUTION NO. _____

RESOLUTION REGARDING THE APPROVAL OF A SPECIAL EVENT PERMIT FOR A COMMUNITY CLEAN-UP DAY.

WHEREAS, Kevin Martin, Code Compliance Manager for the City of Anna has submitted a Special Event Permit application to hold a Community Clean-Up Day at Slayter Creek Park on Saturday, August 29, 2020; and

WHEREAS, according to Anna City Code of Ordinances, the City Council shall approve all Special Event Applications; and

WHEREAS, staff has reviewed the Special Event Application and finds that Kevin Martin, Code Compliance Manager has planned a safe, fun-filled event for the community;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated

The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. The City Council hereby approves the Special Event Permit for Community Clean-Up Day.

PASSED by the City Council of the City of Anna, Texas, on this 23rd, day of June 2020.

APPROVED:

Mayor Nate Pike

ATTEST:

City Secretary Carrie Land

SPECIAL EVENT PERMIT APPLICATION



Neighborhood Services Department
312 N. Powell Pkwy
Anna, TX 75409
469-734-6767

APPLICANT INFORMATION

Type of Event:	☒ Carnival	☐ Circus	☐ Festival	☐ Parade	☐ Tent	☐ Other
Applicant Name: Kevin Martin, Code Compliance Manager						
Address: 312 N. Powell Parkway						
City: Anna		State: TX		Zip Code: 75409		
Phone#: 469-734-6767						
Email: kmartin@annatexas.gov						
Date: 6/12/2020						

APPLICATION FEE AND DEPOSIT REFUND INFORMATION

Application Fee \$50 (non-refundable)	Deposit \$300 (refundable)		
X Same Information As Above (if not the same, complete the next two lines)			
Issue Deposit Refund To: NA			
Address: NA	City: NA	State: NA	Zip Code: NA

ACTIVITY INFORMATION

Date(s) of Activity: August 29, 2020
Reservation Time Block: Entire Day
Type of Activity (explain purpose of activity): Community Clean-Up Day
Estimated Number of People Attending Activity: 500 to 1,000
Reservation Location: Slayter Creek Park
Will Food and/or Beverages be on-site for the activity? X Yes ☐ No
Will Alcohol be served or sold? ☐ Yes X No (if yes, include request letter)
If yes, please indicate who the vendors are (food and drinks): Pancake Kick-Off Breakfast
Please identify all other activities & structures (bounce house, tents, music, sports, games, etc.): Dumpsters, Bulky Waste, Household Hazardous Waste, Electronics, Paper Shredding, Medication Disposal
*If City Resources (Personnel, equipment and supplies) are used, the cost of <u>Resources</u> will be covered by the event sponsor.

SPECIAL EVENT RULES

Safety and Insurance Information:

Booths, Tents, or Canopies:

If your event will include any tents or canopies, please provide a copy of the "Certificate of Fire Retardant" for each such device when submitting the permit application. All booths that will be cooking on-site, must meet all applicable fire codes for the City of Anna. Fire extinguishers must be supplied and are required for entry.

Food and Beverages:

All vendors must be in compliance with all state and local laws. A copy of appropriate licenses should be on site during the event. The Applicant shall provide with this application a list of all food and beverage vendors participating in the event so that the vendors can be pre-approved through the County Health Department.

Alcoholic Beverages:

Alcohol consumption or sales is prohibited on City property including parks, a public street, sidewalk or parking area adjacent to a public park, unless expressly authorized by the written permission of the City Council authorizing consumption of alcohol in a City Park in connection with an approved Special Event.

Security, Crowd Control, and Traffic Control:

The applicant may be required to provide police officers for security, crowd control, and traffic control at the Special Event. Expenses for the Officers will be paid by the event organizers. The total number of police officers working the Special Event is determined by the City of Anna Police Chief. Planning variables include: the estimated number of people, the availability of alcoholic beverages, topography and size of the event, weather conditions, the time of day during which the Special Event is held, the need for street closures or re-routing of vehicular or pedestrian traffic, and the history of the Special Event.

Insurance:

Insurance is required for all special events at which the attendance is estimated at over 250 people. It may be required for events with fewer people if food or alcohol is sold or given away or activities are of a physical nature that would warrant insurance. The City reserves the right to review and determine amount of coverage required based on level of activity at the Special Event.

Each policy will name the City of Anna as an additional insured and a copy of the Certificate of Insurance will be submitted to City Hall one week before the event start date.

Indemnity Agreement:

As a condition of the Special Event Permit being issued, the Applicant acknowledges that he/she has voluntarily applied for a Special Event Permit that in consideration of the privileges associated therewith, Applicant agrees to PROTECT, DEFEND, INDEMNIFY, and HOLD HARMLESS, the City of Anna, its officers, agents, and employees, from and against any claim, proceeding, cause of action, judgment, penalty, or any other cost or expense arising or growing out of, associated or in connection to the Special Event. The indemnification includes, but is not limited to, losses, damage, or liability on account of injury, death or otherwise, to any person or damage to any property, arising from any negligent act, error or omission of the undersigned, its officers, employees or agents, arising out of, resulting from, or caused by any act occurring as a result of the exercise of the privileges granted by this permit.

Applicant agrees that this indemnity agreement is intended to be as broad and inclusive as is permitted by the laws of the state of Texas, and that if any portion is held invalid, then it is agreed that the balance shall; notwithstanding, continue in full legal force and effect.

Signatures:

I do solemnly swear (or affirm) that all the answers given and statements made on this application and supporting documents are full, true, and correct to the best of my knowledge and beliefs. I have been given a copy of the Anna City Code ordinance Part II, Article 47 and have read the provisions contained therein and agree to abide by them.

Applicant Name: _____

Signature: _____

Date: _____

Submittal

Submittal Requirements:

1. Completed application with signatures and contact information.
2. Submit application fee (\$50) and deposit (\$300). (*Ord. No. 410-2008; Checks payable to the City of Anna*)
3. Map of Event area.
4. List of food and beverage vendors and/or copy of current license from vendor.
5. Statement of Intent to obtain Insurance and/or Proof of Insurance. (A copy of the Certificate of Insurance is due a *minimum of one week before event start date*)
6. Letter of request if alcohol is desired.

For Office Use Only:

Date Application & Deposit Received (\$300):	Date Application Fee Received (\$50):
Received By: _____	Received By: _____
Cash or Check # _____	Cash or Check # _____
Receipt #: _____	Receipt #: _____
Required Documents Rec'd: ● Completed Application ● Insurance ● Food Vendor List ● Sound System ● Map ● Alcohol Request (optional) ● Other: _____ ● Other: _____ ● Approved by: _____ ● Permit Issued Date: _____	

Assign Date of Parks Board Review of Application: _____
(put date in blank) and notify Applicant.





Item No. 7.f.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Ashley Stathatos

AGENDA ITEM:

Approve a Resolution authorizing staff to make an application to Collin County to participate in their Project Funding Assistance Program for Parks and Open Space bond funds for trails connecting Slayter Creek Park to 4th Street, Slayter Creek Park to Natural Springs Park, Pecan Grove Park to Taylor and public open space west of Oak Hollow to Taylor. (Neighborhood Services Manager Ashley Stathatos)

SUMMARY:

In 2018, the citizens of Collin County approved a \$10 million bond proposition for Parks and Open Space. Collin County is making these funds accessible to cities within the County through 2023. The Project Funding Assistance program allows cities to apply for these funds. As part of the application process, cities must agree to match at a minimum one dollar for every one dollar of County funds requested.

The projects proposed below are being brought before you prior to the commencement of the Parks Master Plan being completed to take advantage of the opportunity to participate in the Project Funding Assistance Program for Collin County Parks and Open Space Bond Funds. The total amount of projects under consideration is \$715,000 of which the City's cost share would be \$357,500 if they are all awarded. Staff thoroughly vetted the projects and believes they will all be on the future Parks and Trail System Master Plan. A large portion of the land is already platted and/or city owned. The remaining land provides the most efficient means of connection between parks.

Staff has identified four projects consisting of 8 foot concrete trails for City Council consideration:

1. Slayter Creek Park Trail to 4th Street

This trail would extend from the Slayter Creek Park Trail to 4th Street. Neighbors would cross SH 5 at the light. The distance of the trail is approximately .30 miles. An easement from one property owner is required. The benefit of the trail is that it feeds people into downtown Anna and, eventually, to Sherley Heritage Park. The estimated cost of the trail is \$78,000 not counting the cost of acquiring the easement. If this project is approved by Collin County, the City's estimated matching share is \$39,000.

2. Slayter Creek Park Trail to FM 455

The trail would extend from the Slayter Creek Park Trail to FM 455. The distance of the trail is approximately .40 miles. An easement from one property owner is required. The benefit of the trail is that it is part of the extension between Slayter Creek Park and

Natural Springs Park. The estimated cost of the trail is \$104,000 not counting the cost of acquiring the easement. If this project is approved by Collin County, the City's estimated matching share is \$52,000.

Crossing FM 455 is difficult. Neighbors will have to use the sidewalks along FM 455 to get to a light to cross the roadway until a pedestrian bridge or tunnel can be built. This will eventually be necessary since crossing FM 455 is not ideal even at a light.

3. Slayter Creek Park Trail from FM 455 to Natural Springs Park Trail

The trail would extend from FM 455 to Natural Springs Park. The distance of the trail is approximately .70 Miles. An easement from two property owners is required. The benefit of the trail is that it is part of the extension between Slayter Creek Park and Natural Springs Park. The estimated cost of this portion of the trail is \$182,000 not counting the cost of acquiring the easements. If this project is approved by Collin County, the City's estimated matching share is \$91,000.

4. Pecan Grove Park to Taylor Boulevard and the open space west of Oak Hollow to Taylor Boulevard

The trail would extend from Pecan Grove Park to Taylor Boulevard and from the open space west of Oak Hollow to Taylor Boulevard. North of Oak Hollow staff is working with a developer on the trail extension to FM 455. The distance of this trail is approximately 1.10 miles from Pecan Grove Park to Taylor Boulevard and .25 miles from the open space west of Oak Hollow to Taylor Boulevard. No easements are needed for this project. The benefit of the trail is that when Taylor Boulevard is expanded, then, a hike and bike trail may be added that will make a connection to Lakeview Park and, eventually, to Natural Springs Park. The estimated cost of the portion of these trails is \$351,000. If this project is approved by Collin County, the City's estimated matching share is \$175,500.

The Parks Advisory Board met on June 15, 2020 and recommends approval of the City submitting the projects listed above to Collin County for participation in their Project Funding Assistance Program.

FINANCIAL IMPACT:

If the projects are awarded by Collin County, then, staff estimates that \$357,500 plus the cost of easements would be needed from the Parks Development Fund. Approval of the resolution provides a guarantee to Collin County that the funds are available to see the projects through.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Anna – Great Place to Live

STAFF RECOMMENDATION:

Approve the resolution authorizing staff to make an application to Collin County to participate in their Project Funding Assistance Program for Parks and Open Space Bond Funds for trails connecting Slayter Creek Park to 4th Street, Slayter Creek Park to Natural Springs Park, Pecan Gove Park to Taylor and open space west of Oak Hollow to Taylor.

ATTACHMENTS:

1. Resolution Approving Collin County Project Funding Assistance Program Application 2

APPROVALS:

Ashley Stathatos, Neighborhood Services Manager
Jim Proce, City Manager

Created/Initiated - 6/18/2020
Final Approval - 6/19/2020

CITY OF ANNA
RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR ACTING FOR AND ON BEHALF OF THE “APPLICANT” IN DEALING WITH COLLIN COUNTY, HEREINAFTER REFERRED TO AS “COUNTY”, FOR THE PURPOSE OF PARTICIPATING IN THE “COUNTY’S” PROJECT FUNDING AND ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE “APPLICANT” IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE “APPLICANT” MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITES FOR PUBLIC RECREATIONAL USES.

WHEREAS, the “Applicant” is a municipality located in Collin County, Texas, and is fully eligible to receive assistance under the “Program”; and

WHEREAS, the “Applicant” has a very serious need for park facilities and open space areas to serve the residents of Anna and surrounding areas; and

WHEREAS, the “Applicant” desires to participate in the “Program”; and

WHEREAS, the “Applicant” desires to authorize an official to represent and act for the “Applicant” dealing with the “County” concerning the “Program”, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. That the recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. That the “Applicant” hereby certifies that it is a municipality located in Collin County, Texas, and is thereby eligible to receive assistance under the “Program”.

Section 3. That the “Applicant” hereby certifies that the matching share for this application is readily available at this time.

Section 4. That the “Applicant” hereby authorizes the City Manager to act for the “Applicant” in dealing with the “County” and is hereby officially designated as the representative in this regard.

Section 5. That the “Applicant” hereby specifically authorizes the official to make application to the “County” for the sites listed in Exhibit “A”, Exhibit “B”, Exhibit “C” and Exhibit “D”. The sites will be dedicated for public park and recreation purposes in perpetuity.

PASSED by the City Council of the City of Anna, Texas, on this 23rd, day of June 2020.

APPROVED:

Mayor Nate Pike

ATTEST:

City Secretary Carrie Land

EXHIBIT "A"

Slayter Creek Park Trail to 4th Street

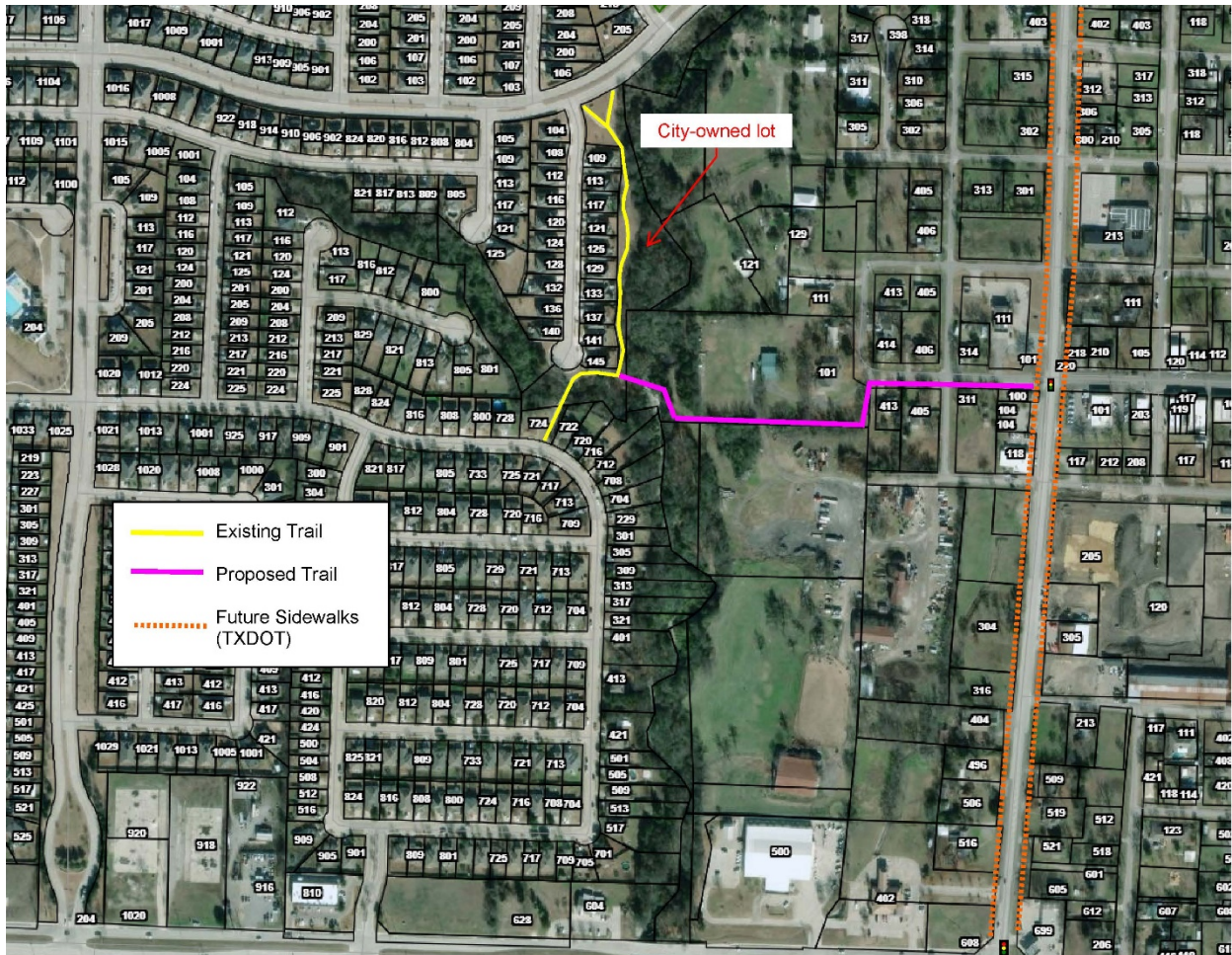


EXHIBIT "B"

Slayter Creek Park Trail to FM 455

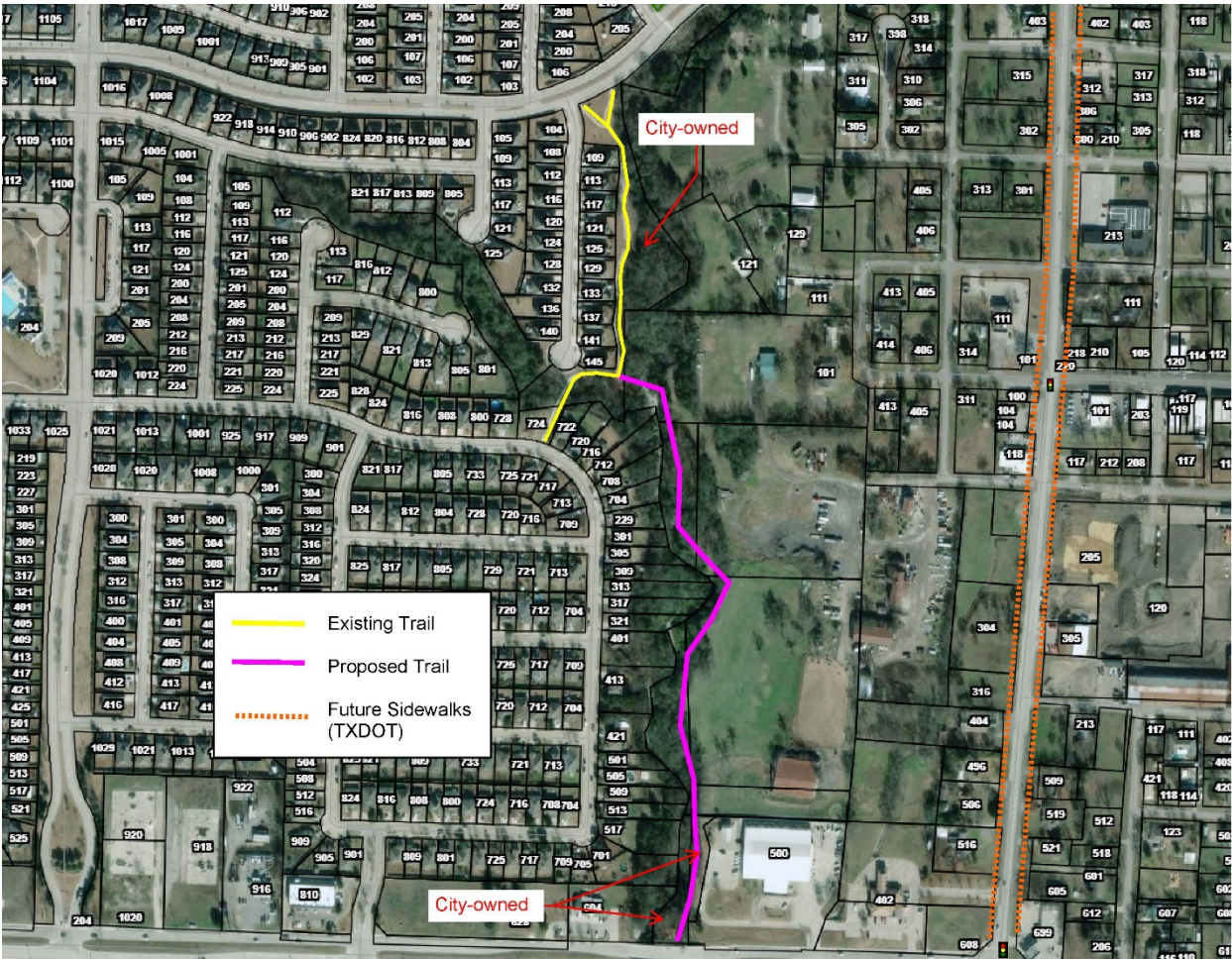
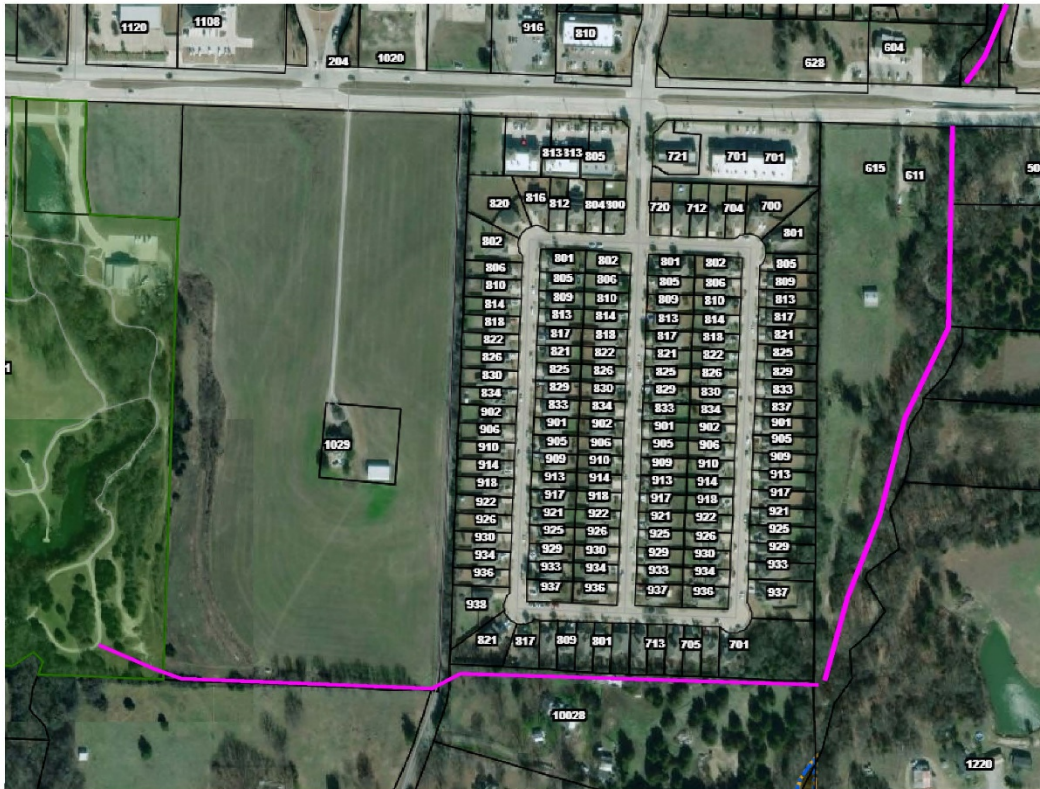


EXHIBIT "C"

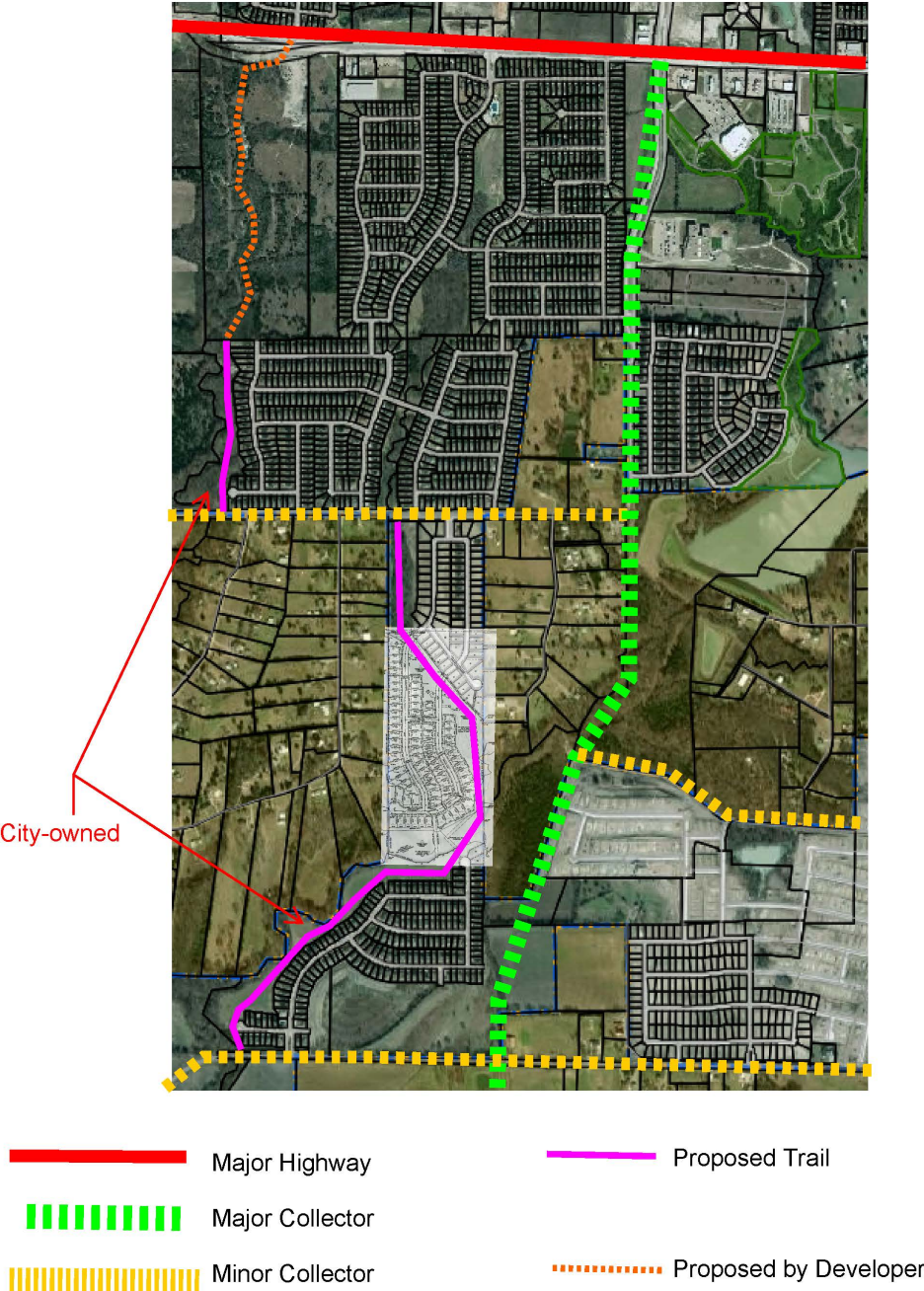
Slayter Creek Park Trail from FM 455 to Natural Springs Park Trail



Proposed Trail

EXHIBIT "D"

Pecan Grove Park Trail to Taylor Boulevard
Open Space West of Oak Hollow to Taylor Boulevard





Item No. 8.a.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Consider/Discuss/Action on Appointment of EDC/CDC Boards Members. (Interview Committee)

SUMMARY:

ECONOMIC DEVELOPMENT CORPORATION (EDC) RESPONSIBILITIES

The Economic Development Corporation is a seven member Board whose responsibilities include: identifying and funding opportunities to expand the city's business tax base and promote job growth within the community.

COMMUNITY DEVELOPMENT CORPORATION (CDC) RESPONSIBILITIES

The Community Development Corporation is a seven member Board whose responsibilities include: identifying and funding community facilities and related projects to maintain and enhance the quality of life in Anna; and working with the Economic Development Corporation on efforts to expand the city's business tax base and promote job growth within the community.

MEETINGS

Unless otherwise posted, the Commission meets at 6:30 p.m. on the first Thursday of each month at the City Hall Administration Building, 111 North Powell Pkwy, Anna, Texas.

BOARD MEMBERS

The Board consists of seven members appointed by the City Council to serve for two-year staggered terms.

CURRENT MEMBERS OF THE BOARD ARE:

Place 1 - Anthony Richardson (President)

Place 2 - Rocio Gonzalez (Secretary)

Place 3 - Doris Pierce

Place 4 - Bruce Norwood

Place 5 - Stan Carver (Vice President)

Place 6 - Terry Farrell

Place 7 - Michelle Hawkins

The terms for Places 2, 4 and 6 on the Anna Economic Development Corporation Board of Directors are expiring. The members of the Interview Committee are nominating the following:

Place 2 - Rocio Gonzalez

Place 4 - Bruce Norwood

Place 6 - Shane Williams

FINANCIAL IMPACT:

None

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Approve nominations.

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary

Jim Proce, City Manager

Created/Initiated - 6/17/2020

Final Approval - 6/19/2020



Item No. 8.b.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Consider/Discuss/Action on Appointment of Parks Advisory Board Members. (Interview Committee)

SUMMARY:

PARKS ADVISORY BOARD

RESPONSIBILITIES

The Parks Advisory Board is a seven member Board that advises the City Council on park related matters.

MEETINGS

Unless otherwise posted, the Board meets at 7 p.m. on the third Monday of each month at the City Hall Administration Building, 111 North Powell Pkwy, Anna, Texas.

BOARD MEMBERS

The Board consists of five members appointed by the City Council to serve for two-year staggered terms.

CURRENT MEMBERS OF THE BOARD ARE:

Place 1 - Danna Ward
Place 2 - Aubrey Johnson
Place 3 - Eldon Baker
Place 4 - Joe Crowder
Place 5 - Jon Hendricks
Place 6 - Eirik Hansen
Place 7 - Andrew Michrina

The terms for Places 2, 4, and 6 on the Parks Advisory Board are expiring. The members of the Interview Committee are nominating the following:

Place 1 - Cheryl Merritt (1-year term)
Place 2 - Michelle Clemens
Place 4 - Joe Crowder

Place 6 - Eirik Hansen
Place 7 - LeQuey Douglas (1-year term)

FINANCIAL IMPACT:

None.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Approve nominations by the Interview Committee.

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/17/2020
Final Approval - 6/19/2020



Item No. 8.c.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Consider/Discuss/Action on Appointments to the Planning and Zoning Commission.
(Interview Committee)

SUMMARY:

PLANNING AND ZONING COMMISSION

RESPONSIBILITIES

The Planning and Zoning Commission is a seven member Board that reviews and considers submitted site plans and plats, makes recommendations to the City Council on Zoning Ordinance amendments, Comprehensive Plan amendments, Specific Use permits and re-zoning requests.

MEETINGS

Unless otherwise posted, the Board meets at 7 p.m. on the first Monday of each month at the City Hall Administration Building, 111 North Powell Pkwy, Anna, Texas.

COMMISSION MEMBERS

The Board consists of seven members appointed by the City Council to serve for two-year staggered terms.

CURRENT MEMBERS OF THE COMMISSION ARE:

Place 1 - Daniel Moody
Place 2 - Don Callahan
Place 3 - Wayne Barton
Place 4 - Donald Henke
Place 5 - Alonzo Tutson
Place 6 - Leslie Voss
Place 7 - Danny Ussery

The terms for Places 2, 4, and 6 on the Planning and Zoning Commission are expiring.
The members of the Interview Committee are nominating the following:

Place 2 -Brent Thomas
Place 4 - Donald Henke
Place 6 - Nick Rubits

FINANCIAL IMPACT:

None.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Approve nominations by the Interview Committee.

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/17/2020
Final Approval - 6/19/2020



Item No. 8.d.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

Consider/Discuss/Action on appointment of Board of Adjustments Members. (Interview Committee)

SUMMARY:

**BOARD OF ADJUSTMENT
RESPONSIBILITIES**

The Board of Adjustment hears and determines appeals of administrative decisions, petitions for variances in the case of peculiar and unusual circumstances which would prevent the reasonable use of land and such other matters as may be required by the City Council or law.

MEETINGS

The BOA meets as needed to hear an appeal request. The meetings of the BOA are generally held at the City Hall Administration Building, 111 North Powell Pkwy, Anna, Texas.

BOARD MEMBERS

The Board consists of five members appointed by the City Council to serve for two-year staggered terms.

CURRENT MEMBERS OF THE COMMISSION ARE:

Place 1 – Jon Hendricks

Place 2 – Kelly Herndon-Patterson

Place 3 – Nick Rubits

Place 4 – Brent Thomas

Place 5 – Tony Bellefond

Alt 1 – Sandy Setliff

Alt 2 - David Briggs

The terms for Places 2, 4, and Alt 2 on the Board of Adjustments are expiring. The members of the Interview Committee are nominating the following:

Place 2 -Kelly Herndon-Patterson

Place 3 - Sandy Setliff (1-year term)
Place 4 – Elinor Williams
Alt 1 - Greg Williams (1-year term)
Alt 2 – Brian Ward

FINANCIAL IMPACT:

None

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Approve Nominations

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/17/2020
Final Approval - 6/19/2020



Item No. 8.e.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Ross Altobelli

AGENDA ITEM:

Zoning Case - The Villages of Waters Creek (Director of Development Services Ross Altobelli)

- 1) Conduct a public hearing to consider public comments to rezone 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development and to amend existing planned development standards.
- 2) Consider/Discuss/Action on an Ordinance approving the request to rezone 65.0± acres from Planned Development-129A-2004 and Planned Development-667-2014 to one Planned Development amending existing planned development standards.
- 3) Consider/Discuss/Action on a Resolution approving the Concept Plan, The Villages at Waters Creek, associated with the rezoning request.

SUMMARY:

The applicant is requesting to rezone the subject property to amend existing standards for commercial and residential uses. For additional information please refer to the attached staff report.

A Concept Plan, The Villages at Waters Creek, Block A, Lots 1-2, Block B, Lots 1-4, Block C, Lots 1-6, 1X, Block D, Lots 1-40, Block E, Lots 1-4, 1X, Block F, Lots 1-20, 1X, Block G, Lots 1-20, accompanies this request as Agenda Item 5C.

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 1: Growing Anna Economy

Goal 2: Anna – Great Place to Live

Goal 3: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

The Planning & Zoning Commission recommended approval.

ATTACHMENTS:

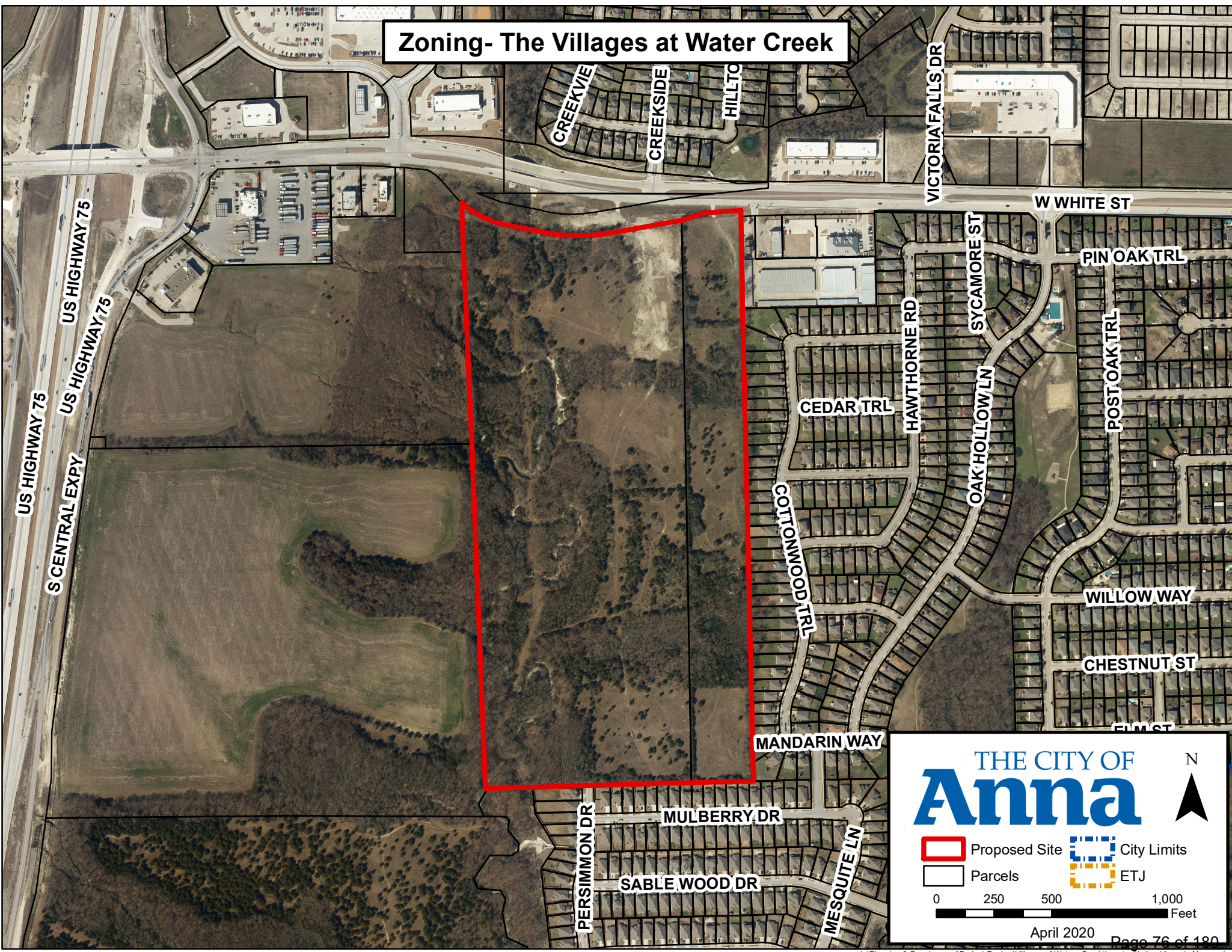
1. Locator
2. Staff Report
3. EXHIBIT A (METES & BOUNDS) VILLAGES OF WATERS CREEK
4. EXHIBIT B (CP) The Villages of Waters Creek UPDATED
5. EXHIBIT C (ZONING TRACTS) VILLAGES OF WATERS CREEK
6. Ordinance - The Villages of Waters Creek Zoning
7. Resolution-The Villages of Waters Creek Concept Plan

APPROVALS:

Ross Altobelli, Director of Development Services
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

Zoning- The Villages at Water Creek



THE CITY OF
Anna

Legend:
[Red Outline] Proposed Site
[Blue Dashed Outline] City Limits
[Black Outline] Parcels
[Orange Dashed Outline] ETJ

Scale: 0 250 500 1,000 Feet

April 2020

CITY OF ANNA

CITY COUNCIL

June 23, 2019

Applicant: David Kalhoefer, Peloton Land Solutions & Don Collins

DESCRIPTION:

Request to rezone 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane in order to amend existing planned development standards. Zoned: Planned Development-129A-2004 and Planned Development-667-2014. This item was tabled at the May 4, 2020 Planning & Zoning Commission meeting and recommended for approval at the June 1, 2020 Planning & Zoning Commission meeting.

REMARKS:

The applicant is requesting to amend the existing zoning to modify the locations and development standards associated with the allowed land uses granted under the existing zoning.

The subject property is currently undeveloped. A concept plan (Exhibit B) accompanies this request.

History

The zoning request involves two tracts of land. Planned Development-667-2014 is a 51-acre tract that was a portion of the 117 acres Harlow Trust tract annexation and zoned Single-family residential district (SF-60) in May 2003. The concept plan showed a neighborhood park and 139 residential lots to be called Park Place. The tract was rezoned in August 2014 to the current Planned Development called Villages of Park Place. The planned development allowed for a mixture of commercial, multiple-family residences (up to 250 units), single-family dwellings, attached under the Townhome District (SF-TH) requirements, and/or Single-family Residence District – Zero Lot Line Homes (SF-Z).

Planned Development-129A-2004 is a 14-acre tract called the Purser Tract and was annexed into the city in September 2003. The property was zoned in March 2004 to the current Planned Development with General Business District along West White Street. City Council added a stipulation to the request which restricted the commercial section to match the property boundary of the commercial portion within the Oak Hollow planned development (present-day Advantage Storage located at 2211 W White Street) with the remainder to be zoned Agricultural District.

Neither tract has been developed.

Surrounding Land Uses and Zoning

North	Across West White Street (FM 455), single-family detached subdivision zoned Planned Development-2001-10 (PD-2001-10) [Creekside Phase 1]
East	Single-family, detached subdivision zoned Planned Development-2000-07 (PD-2000-07) [Oak Hollow Estates Phase 4] and tire dealer and self-storage/mini-warehouse uses zoned Planned Development-2008-367 (PD-2008-367)
South	Single-family, detached subdivision zoned Planned-Development-2003-50 (PD-2003-50) [Oak Hollow Estates Phase 6A]
West	Vacant land zoned Commercial (C-1) and Planned Development-2003-107 (PD-2003-107)

Proposed Planned Development Stipulations

The requested zoning is PD-C-1/MF-2/SF-60. This Planned Development is proposed as a multi-use development that transitions the uses adjacent to the existing residential subdivisions and commercial businesses. There are two primary parts to this request: land use and design standards.

Land Use - The applicant is proposing to rezone the subject property to allow for a mix of single-family and multiple-family uses and nonresidential uses.

Design Standards - The language in the proposed PD district would allow this site to be developed with a mix of residential and nonresidential uses oriented along a central street with required open space, and modified development standards.

Conformance with the City of Anna Strategic Plan and Comprehensive Plan

Anna Vision 2034

- a. Principle 3: Beautiful Community
 - i. Preserve natural areas/open space
- b. Principle 5: Great Housing Opportunities
 - i. Diverse housing choices for all family generations: small lots, townhomes, estate homes, “ranchette”, apartments, mixed-use development.
 - ii. Safe, well-design, well-maintained multi-family rental housing.
- a. Principle 6: Dynamic Business Community

- i. Attractive commercial centers with well-designed and well-maintained landscaping.
- ii. Ability of neighbors to work in Anna.

City of Anna Goals for 2024

a. Growing Anna Economy

- i. Expand the commercial tax base
- ii. More jobs for neighbors
- iii. Expand retail businesses

b. Sustainable Anna Community Through Planned, Managed Growth

- i. Having new buildings and homes that are attractive and using the appropriate building materials and meeting City's architectural standards.
- ii. Having a range of housing choice available in Anna.

c. Anna – A Great Place to Live

- i. Increase the number of “family-oriented” restaurants
- ii. Increase the number of retail businesses

Future Land Use Plan – The Future Land Use Plan designates this property as Commercial (red), Single-Family (yellow) and Parks (green).

Commercial is land or buildings where merchandise or services are offered for sale. The primary purpose of the land is to provide a location for displaying merchandise or communicating services in a manner that enhances the convenient retail sale of goods and services. The role of commercial activity in the city is to provide convenient and available retail, service, and office opportunities to residents of the Anna market area.

Commercial activity provides return on investment for business and property owners, employment opportunities for local residents (neighbors), and an economic base for local taxing entities. Commercial activity



generally supports community residential activity, but certain aspects of the retail, service, and office uses such as big-box retail, and service and office headquarters may be more regionally oriented and act as basic elements of the economy.

Parks are land devoted to active or passive recreation, or preservation of open space, natural beauty, or environmentally sensitive lands. Locally significant park and pedestrian/open space opportunities exist in Anna. Additional recreational development with a better distribution into all areas of the City is needed.

Residential: Land on which there exists one or more dwelling units, including accessory buildings; the primary use being for sheltering individuals, families, or groups of persons. Single-family includes those permanent structures, which were originally designed to provide housing for one family unit.

ISSUES:

Multiple-Family residence height:

As part of the zoning modification the applicant is proposing a four (4) story multi-family residence product, not to exceed sixty-five (65 feet). The existing zoning allows for three (3) stories, not to exceed forty-five (45) feet allowing projections not used for human occupancy to extend five (5) feet above the 45-foot limitation. To address massing concerns associated with a four (4) story project the applicant is proposing to restrict the location of these buildings a distance of 250 feet of any single-family, detached property. This distance increases to over 525 feet from any existing single-family residence located within the Oak Hollow subdivisions. Existing zoning for this property would allow three-story multiple-family residences to be closer to the adjacent residential subdivisions. The concept plan depicts building 11 as being separated by 394 feet from Oak Hollow Phase 4 properties and building 12 is shown as being over 900 feet away from Oak Hollow Phase 6A properties. The current zoning of this property allows multiple-family residences over one story to be a minimum of 60 feet from single-family, detached properties. Additionally, the natural topography of the site lowers in elevation moving west and will further reduce the impact of the increased height request. The topography and setback distance between the proposed single-family, detached properties and proposed multiple-family residences will significantly reduce the impact of the increased height.

Multiple-family residence unit count:

The existing zoning allows for a density of 18 units per acre with a maximum of 250 units. The applicant is requesting to increase the maximum allowance to 325 units. 325 units for the 18.4± acre tract would be 18 units per acre. Additionally, the applicant has replaced the currently permitted Single-family Residence District – Zero Lot Line Homes (SF-Z) and Townhome District (SF-TH) with the lower density Single-family Residence District (SF-60). SF-60 is the base zoning for the Oak Hollow subdivisions.

Preservation of green space.

Concerns about preserving green space should not overstep the vested rights or regulations in place. Any development of the two tracts will require a tree survey, tree

replacements, and additional tree requirements as part of the Landscape Regulations and Tree Preservation Ordinance. The current agricultural zoning of the 14-acre tract along Oak Hollow Phase 4 currently permits the development of up to 12 single-family dwelling, detached residences on one-acre lots. Most of the property west of the creek is not developable as the property boundaries currently exists and will require coordination with the adjacent property owners. If these areas do develop, they will go through the development review process. Furthermore, Persimmon Drive in Oak Hollow Phase 6A was constructed so that it would one day connect to this property.

Due to the slope of the property and location of Throckmorton Creek, the site is very suitable for preservation and passive open space. The areas identified as open space east of the creek exceeds the area of the park designation of the Future Land Use Map. The applicant is proposing a linear greenbelt through Hike & Bike Trail easements along Throckmorton Creek connecting the future restaurants along West White Street to the residential lots and create the possibility of future connection to the city-owned, Oak Hollow Estates Phase 6, Block F, Lot 1X, open space lot.

Commercial zoning and land use - Block A, Lot 2

At the May 4, 2020 Planning & Zoning Commission meeting, Commission members expressed concerns with the proposed limits of the non-residential zoning for Block A, Lot 2 in addition to the land uses that would be allowed. The Commission identified a City Council's stipulation from the 2004 zoning case that restricted the limits of the existing commercial zoning to match the adjacent zoning of the self-storage, mini-warehouse facility.

The proposed zoning request is considered as a less intense zoning classification due to the intensity of commercial uses allowed and the limitation on maximum building height to one story / 25 feet. With input from the Commission, the applicant has modified the request for Block A, Lot 2 to limit the permitted uses:

Block A, Lot 2	
Prohibited Uses	Permitted Uses
Auto parts sales	Accessory building to main use [Accessory]
Auto repair, minor	Amusement, commercial (indoor) w/SUP
Automobile service station	Antique shop
Bakery and confectionery, Commercial	Arcade w/SUP
Bed and Breakfast Facility	Arts, crafts store (inside sales)
Boarding or rooming house	Bakery and confectionery, retail sales
Bowling Alley	Bank, savings and loan, credit union
Building materials hardware	Barber Shop
Car wash w/SUP	Beauty culture school; cosmetology spec. shop
Civic Center	Beauty shop
Cleaning and dyeing, small shop w/SUP	Child-care center
Community Center, private	Church, rectory, place of worship

Block A, Lot 2	
Prohibited Uses	Permitted Uses
Community Center, public	Clinic, medical or dental
Construction yard	Construction yard (temporary) [Accessory]
Convenience store	Continuing care facility
Discount, variety or department store	Custom personal service shop
Electrical substation	Drapery, needlework, or weaving shop
Feed and farm supply	Dwelling units, restricted to a total gross floor area of 5,000 square feet above the group floor of a commercial buildings w/SUP
Food and beverage store	Field or sales office, temporary [Accessory]
Food store, grocery store	Florist
Fraternal Organization	Garage, private [Accessory]
Furniture and appliance store	Garden center (retail sales)
Gas Metering station	General merchandise store
Hotel	Gymnastic or dance studio
Motor, motor hotel, motor lodge	Handcraft shop
Motorcycle sales and service	Health club; gymnasium
Park, playground or rec. center (public)	Household appliance service and repair w/SUP
Parking Lot or parking garage	Laboratory, medical or dental w/SUP
Pet Shop	Laundry and cleaning, self-service
Private clubs	Library
Quick oil change facility	Massage therapy facility
Quick tune-up facility	Medical supplies, sales and service w/SUP
Registered family home w/SUP	Metal dealer, crafter precious
Residence hotel	Museum or art gallery
Rest home or nursing home w/SUP	Nursery school, kindergarten
Restaurant or cafeteria	Office center
Retail Ice and Dispensed Water sales	Office, prof. or general administration
School, private (primary and/or secondary)	Park, playground or rec. center (private) w/SUP
School, public (primary and/or secondary)	Personal service shop
School, trade or commercial	Pharmacy
Servant's, caretaker's, or guard's residence w/SUP	Post office, government and private
Service yard of government agency	Print shop w/SUP
Shopping center	Racquetball facilities w/SUP
Stadium or playfield	Retail shops and stores other than listed

Block A, Lot 2	
Prohibited Uses	Permitted Uses
Swimming pool	Retirement housing w/SUP
Taxidermist	Secondhand store, furniture/clothing w/SUP
Telephone exchange	Service, retail w/SUP
Theater (indoor)	Studio (photographer, musician, artist)
Tire Dealer	Studio for radio and television
	Tanning salon
	Veterinarian clinic (no outside pens) w/SUP
	Washeteria w/SUP
	Wind energy system w/SUP [Accessory]

SUMMARY:

Request to rezone 65.0± acres located on the south side of West White Street 1,293± feet west of Oak Hollow Lane in order to amend existing planned development standards. Zoned: Planned Development-129A-2004 and Planned Development-667-2014. The request is similar to the existing zoning with additional allowance to the number of multiple-family residence units permitted and building height and is in conformance with the recommendations of the Comprehensive Plan. The applicant has included stipulations to create a multi-use development which will allow for appropriate transitions to the existing and proposed residential subdivisions. For these reasons, staff is in support of the rezoning request.

RECOMMENDATION:

The Planning & Zoning Commission, at their June 1, 2020 meeting, recommended approval as follows:

Restrictions:

Standards and Area Regulations: Development must comply with the development standards for use, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, and lighting, set forth in the C-1 Restricted Commercial, MF-2 Multiple-Family Residential - High Density, and SF-60 Single-Family Residence zoning districts except as otherwise specified herein.

a. C-1 Restricted Commercial

1. Permitted Uses by-right

- A. Child-care center
- B. Nursery school, kindergarten

2. Prohibited Uses for Block A, Lot 2;

- A. Auto parts sales
- B. Auto repair, minor
- C. Automobile service station
- D. Bakery and confectionery, Commercial
- E. Bed and Breakfast Facility
- F. Boarding or rooming house
- G. Bowling Alley
- H. Building materials hardware
- I. Car wash
- J. Civic Center
- K. Cleaning and dyeing, small shop
- L. Community Center, private
- M. Community Center, public
- N. Construction yard
- O. Convenience store
- P. Discount, variety or department store
- Q. Electrical substation
- R. Feed and farm supply
- S. Food and beverage store
- T. Food store, grocery store
- U. Fraternal Organization
- V. Furniture and appliance store
- W. Furniture, appliance store (outside storage)
- X. Gas Metering station
- Y. Hotel
- Z. Motor, motor hotel, motor lodge
- AA. Motorcycle sales and service
- BB. Park, playground or rec. center (public)
- CC. Parking Lot or parking garage
- DD. Pet Shop
- EE. Private clubs

- FF. Quick oil change facility
- GG. Quick tune-up facility
- HH. Registered family home
- II. Residence hotel
- JJ. Rest home or nursing home
- KK. Restaurant or cafeteria
- LL. Retail Ice and Dispensed Water sales
- MM. School, private (primary and/or secondary)
- NN. School, public (primary and/or secondary)
- OO. School, trade or commercial
- PP. Servant's, caretaker's, or guard's residence
- QQ. Service yard of government agency
- RR. Shopping center
- SS. Stadium or playfield
- TT. Swimming pool
- UU. Taxidermist
- VV. Telephone exchange
- WW. Theater (indoor)
- XX. Tire Dealer

3. Front yard setback: 20 feet
4. Maximum height: 35 feet (1 story)
5. Maximum lot coverage: 45%
6. Point of access: Two points of vehicular access for Lot 2, Block B shall be allowed through Lot 1, Block B as shown on the approved concept plan.

b. MF-2 Multiple-Family Residential - High Density

1. Maximum Height: 4 story / 65 feet
 - A. 4 story buildings shall be located no closer than 300 feet from any single-family residence zoning not included within this planned development district.
2. Maximum Number of Units: 325

3. Minimum usable open space: 20% of the MF-2 development area
 - A. The 100 year flood plain shall not count towards open space.
 - B. One open space area shall be at least twenty thousand (20,000) square feet in size with a minimum dimension of fifty (50) feet and must have no slope greater than ten (10) percent.
 - C. One amenity center and pool.
 - D. A hike & bike trail along the creek outside of the proposed fence.
 - E. Remaining areas to count towards open space shall be at least 8,000 square feet in size with a minimum dimension of 15 feet.
 - F. Three square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within 10 feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings.
4. Parking:
 - A. 1 space / Studio & 1 bedroom units
 - B. 2 spaces / 2 & 3 bedroom units
5. Screening: Boarder fencing of masonry construction of not less than eight feet in height shall be installed along the property line on any perimeter not abutting a creek, public street, right-of-way or other various forms of open space.
6. Design Standards (Multiple-Family Residence):
 - A. Masonry (Brick/Rock veneer): Eighty (80) percent for the first three stories, and Seventy (70) percent for the fourth story.
 - B. Screening Requirements: Various forms of border fencing shall be permitted and approved upon submittal of site plan and/or construction plans. Any masonry wall or metal fence may be a minimum of six (6') feet but no higher than eight (8') feet and shall be installed at the time of construction, along the property line of any perimeter not abutting a creek, public street or right-of-way and other various forms of open space. The fence shall be maintained throughout the existence of the multi-family complex by the owner of the complex. The options for such fences are outlined below:
 - i. A solid masonry screen wall with columns every fifty (50') feet.

- ii. A screen wall consisting of masonry and ornamental metal fencing. A minimum of 50% of the wall shall be masonry.
- iii. A screen wall consisting of ornamental metal fence and an evergreen living screen. Plant material shall be a minimum of three (3') feet at the time of planting.

C. Refuse Facilities: Trash compactors shall be permitted as an alternative to individual refuse facility locations. Trash compactor facilities shall be internal to buildings or screened from view on three sides by a masonry wall not less than seven feet nor more than eight feet in height. Solid metal gates of an equal height to the enclosure height must be provided on the truck collection side of the enclosure.

c. SF-60 Single-Family Residence

- 1. Minimum side yard, interior setback: 5 feet
- 2. Minimum rear yard setback: 20 feet
- 3. Minimum lot width: 50 feet; or 45 feet at cul-de-sac or elbow
- 4. Maximum lot coverage: 50%
- 5. Lots backing to open space: Fences along the rear lot line shall be ornamental metal and not less than fifty-four (54") inches tall.

EXHIBIT A

BEING a tract of land situated in the Thomas Rattan Survey, Abstract Number 782 in the City of Anna, Collin County, Texas and being all of that tract of land recorded by deed to Anna 51 Joint Venture recorded in Instrument Number 20150120000064460, County Records of Collin County, Texas, and being particularly described by metes and bounds as follows:

BEGINNING at an inner el corner of Lot 50, Block F of Oak Hollow Estates Phase 6, an addition to the City of Anna, recorded in Instrument Number 20140423010001240, County Records, Collin County, Texas;

THENCE S 89° 34' 50" W, 268.29 feet with the common line of said Anna 51 tract and the north line of said Phase 6;

THENCE S 89° 37' 50" W, 886.77 feet continuing along said common line and with the north line of Oak Hollow Estates Phase 6A, an addition to the City of Anna, recorded in Instrument Number 20150406010001070, County Records, Collin County, Texas to the northwest corner of Phase 6A and in the east line of that tract of land described by deed to Caalms Group LLC recorded in Instrument Number 20180906001124710, County Records, Collin County, Texas;

THENCE N 01° 24' 49" W, 1507.33 feet, along the west line of said Anna 51 tract to the northwest corner being in the south right-of-way line of F.M. No. 455;

THENCE with said south right-of-way line the following bearings and distances:

N 01° 43' 05" W, 1023.96 feet;

With said curve to the left, having an arc distance of 212.81 feet, through a central angle of 30° 37' 44", having a radius of 398.10 feet, the long chord which bears S 62° 26' 08" E, 210.29 feet;

S 77° 45' 00" E, 171.20 feet to the beginning of a curve to the left;

With said curve to the left, having an arc distance of 282.66 feet, through a central angle of 21° 25' 00", having a radius of 756.20 feet, the long chord which bears S 88° 27' 30" E, 281.02 feet;

N 80° 50' 00" E, 321.50 feet;

N 00° 00' 00" E, 24.57 feet;

N 80° 37' 59" E, 91.40 feet;

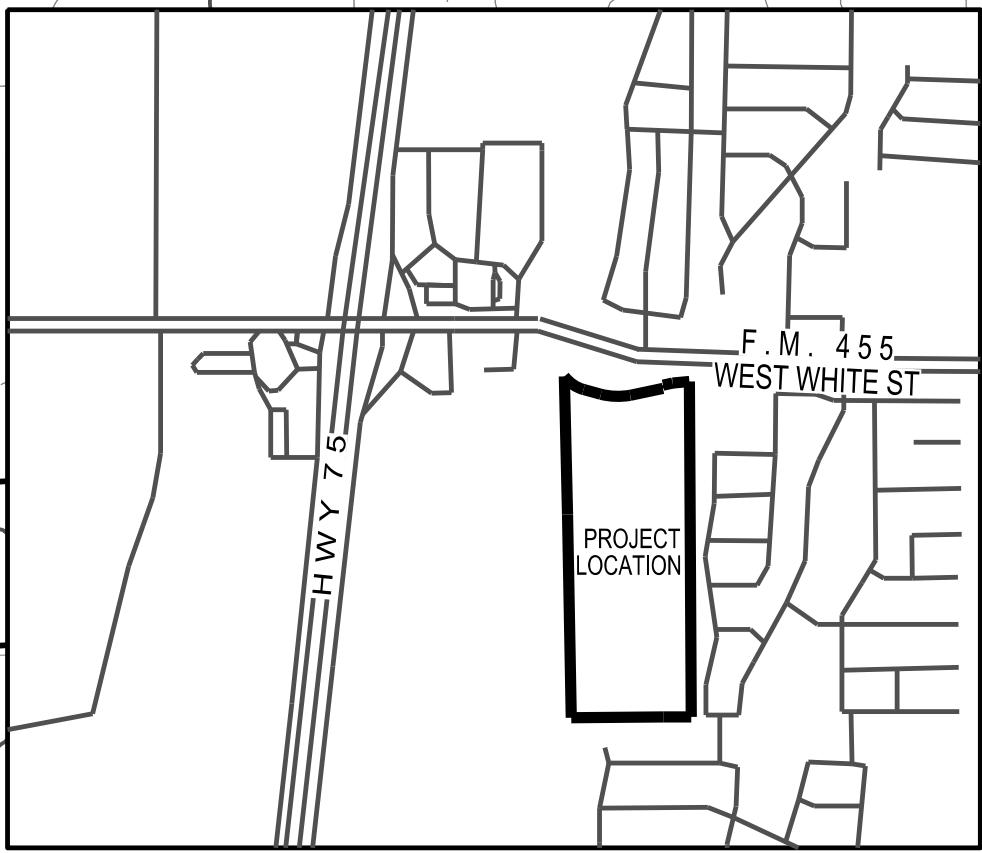
N 85° 48' 20" E, 162.79 feet to the northeast corner of said Anna 51 tract and being the northwest corner of the Lot 2, Block A, Advantage Self Storage Addition, an addition to

EXHIBIT A

the City of Anna, recorded in Instrument Number 20091123010002930, County Records,
Collin County, Texas;

THENCE S 00° 25' 25" E, 2,484.13 feet departing said south right-of-way line and with the east
line of said Anna 51 tract to the point of beginning and containing 2,856,025 square feet or
65.565 acres of land more or less.

"This document was prepared under 22 TAC 663.21,
does not reflect the results of an on the ground survey,
and is not to be used to convey or establish interests in
real property except those rights and interests implied
or established by the creation or reconfiguration of the
boundary of the political subdivision for which it was
prepared."



VICINITY MAP
N.T.S.



SITE INFORMATION	
ZONING:	PD-SF-60/MF-2/C-1/THOR OVERLAY
LAND USE:	SINGLE FAMILY, MULTI-FAMILY, & COMMERCIAL
LOT AREA:	2,848,736.88 SQ. FT. / 65.398 ACRES
SINGLE-FAMILY TRACT	
LOT INFORMATION	
MIN. LOT WIDTH:	50'
MIN. LOT DEPTH:	120'
TOTAL NUMBER OF LOTS:	90
MULTI-FAMILY TRACT	
TOTAL # OF UNITS:	325
BUILDING HEIGHT:	4 STORIES MAX.
BUILDING HEIGHT:	65' MAX.
MULTIFAMILY UNITS	325
PARKING:	
REQUIRED:	650 SPACES
PROVIDED:	713 SPACES* * 128 GARAGES * 128 TANDEM SPACES * 360 COVERED * 80 UNCOVERED * 17 MOTORCYCLE
OFFICE	
BUILDING INFORMATION	
BUILDING 1	6000 SF
BUILDING 2	7200 SF
BUILDING 3	7200 SF
BUILDING 4	6000 SF
COMMERCIAL	
BUILDING INFORMATION	
BUILDING 1	8100 SF
BUILDING 2	13000 SF
RESTAURANT	
BUILDING INFORMATION	
BUILDING 1	7800 SF
BUILDING 2	6650 SF

BLOCK B, LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

BLOCK B, LOT 3
FUTURE COMMERCIAL (C-1)
±12.90 AC.
±108,600 SF

BLOCK A, LOT 1
FUTURE COMMERCIAL (C-1)
±3.07 AC.
±133,600 SF

BLOCK B, LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC.
±473,500 SF

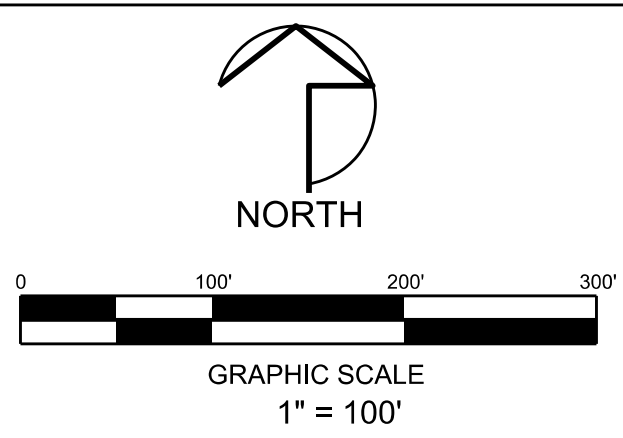
BLOCK B, LOT 3
FUTURE COMMERCIAL (C-1)
±12.90 AC.
±108,600 SF

BLOCK A, LOT 1
FUTURE COMMERCIAL (C-1)
±3.07 AC.
±133,600 SF

SINGLE FAMILY LOT SUMMARY			
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK C, LOT 1	6,000 SF	BLOCK D, LOT 18	6,000 SF
BLOCK C, LOT 2	6,000 SF	BLOCK D, LOT 19	6,000 SF
BLOCK C, LOT 3	6,000 SF	BLOCK D, LOT 20	6,000 SF
BLOCK C, LOT 4	6,000 SF	BLOCK D, LOT 21	6,000 SF
BLOCK C, LOT 5	6,000 SF	BLOCK D, LOT 22	7,750 SF
BLOCK C, LOT 6	7,200 SF	BLOCK D, LOT 23	7,850 SF
BLOCK D, LOT 1	6,450 SF	BLOCK D, LOT 24	6,000 SF
BLOCK D, LOT 2	7,400 SF	BLOCK D, LOT 25	6,000 SF
BLOCK D, LOT 3	14,000 SF	BLOCK D, LOT 26	6,000 SF
BLOCK D, LOT 4	6,150 SF	BLOCK D, LOT 27	6,000 SF
BLOCK D, LOT 5	6,000 SF	BLOCK D, LOT 28	6,000 SF
BLOCK D, LOT 6	6,000 SF	BLOCK D, LOT 29	6,000 SF
BLOCK D, LOT 7	6,000 SF	BLOCK D, LOT 30	6,000 SF
BLOCK D, LOT 8	6,000 SF	BLOCK D, LOT 31	6,000 SF
BLOCK D, LOT 9	6,000 SF	BLOCK D, LOT 32	6,000 SF
BLOCK D, LOT 10	6,000 SF	BLOCK D, LOT 33	6,000 SF
BLOCK D, LOT 11	6,000 SF	BLOCK D, LOT 34	6,000 SF
BLOCK D, LOT 12	6,000 SF	BLOCK D, LOT 35	6,000 SF
BLOCK D, LOT 13	6,000 SF	BLOCK D, LOT 36	6,000 SF
BLOCK D, LOT 14	6,000 SF	BLOCK D, LOT 37	6,000 SF
BLOCK D, LOT 15	6,000 SF	BLOCK D, LOT 38	6,000 SF
BLOCK D, LOT 16	6,000 SF	BLOCK D, LOT 39	6,000 SF
BLOCK D, LOT 17	6,000 SF	BLOCK D, LOT 40	7,200 SF
SINGLE FAMILY LOT SUMMARY			
BLOCK & LOT NUMBER	SQUARE FOOTAGE	BLOCK & LOT NUMBER	SQUARE FOOTAGE
BLOCK E, LOT 1	6,000 SF	BLOCK F, LOT 19	6,900 SF
BLOCK E, LOT 2	6,000 SF	BLOCK F, LOT 20	7,800 SF
BLOCK E, LOT 3	6,000 SF	BLOCK G, LOT 1	8,900 SF
BLOCK E, LOT 4	6,000 SF	BLOCK G, LOT 2	6,000 SF
BLOCK F, LOT 1	9,800 SF	BLOCK G, LOT 3	6,000 SF
BLOCK F, LOT 2	8,000 SF	BLOCK G, LOT 4	6,000 SF
BLOCK F, LOT 3	8,500 SF	BLOCK G, LOT 5	6,000 SF
BLOCK F, LOT 4	6,500 SF	BLOCK G, LOT 6	6,000 SF
BLOCK F, LOT 5	6,000 SF	BLOCK G, LOT 7	6,000 SF
BLOCK F, LOT 6	6,000 SF	BLOCK G, LOT 8	6,000 SF
BLOCK F, LOT 7	6,000 SF	BLOCK G, LOT 9	6,000 SF
BLOCK F, LOT 8	6,000 SF	BLOCK G, LOT 10	7,200 SF
BLOCK F, LOT 9	6,000 SF	BLOCK G, LOT 11	7,200 SF
BLOCK F, LOT 10	7,200 SF	BLOCK G, LOT 12	6,000 SF
BLOCK F, LOT 11	7,200 SF	BLOCK G, LOT 13	6,000 SF
BLOCK F, LOT 12	6,000 SF	BLOCK G, LOT 14	6,000 SF
BLOCK F, LOT 13	6,000 SF	BLOCK G, LOT 15	6,000 SF
BLOCK F, LOT 14	6,000 SF	BLOCK G, LOT 16	6,000 SF
BLOCK F, LOT 15	6,000 SF	BLOCK G, LOT 17	6,000 SF
BLOCK F, LOT 16	6,000 SF	BLOCK G, LOT 18	6,000 SF
BLOCK F, LOT 17	6,000 SF	BLOCK G, LOT 19	6,000 SF
BLOCK F, LOT 18	6,000 SF	BLOCK G, LOT 20	7,600 SF

LEGEND			
BOUNDARY LINE	EXISTING PARCEL LINE	PROPOSED LOT LINE	
MAJOR TOPOGRAPHY	MINOR TOPOGRAPHY	FEMA 100-YEAR FLOODPLAIN	
EXISTING EASEMENT	PROPOSED SETBACK	PROPOSED STREET CENTERLINE	
PROPOSED EDGE OF PAVEMENT	PROPOSED R.O.W.	APPROX. CENTERLINE OF CREEK	
PROPOSED FIRE LANE	PROPOSED BUILDING LOCATION	PROPOSED DUMPSTER LOCATION	
ZONING BOUNDARY	APPROX. GARAGE LIMITS	EXISTING PARCEL BOUNDARY	
PROPOSED FENCE	BUILDING HEIGHT SETBACK	MATCH LINE	
BLOCK DESIGNATOR			

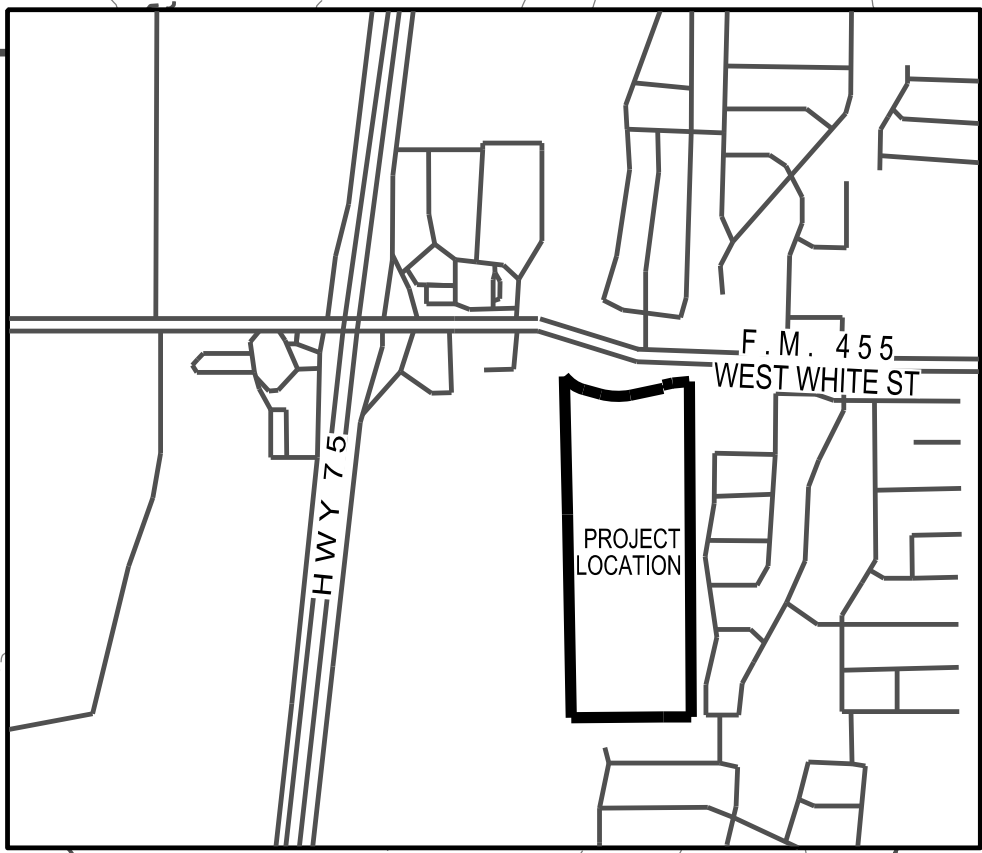
PROJECT NO.	CCR20001
FILE PATH	J:\USERS\DK\DC\ANNA 65\ZONING
DRAWN BY	MRB
REVIEWED BY	DAK
DATE	MARCH 4, 2020
DATE	
APRIL 13, 2020	REVISIONS TO CONCEPT PLAN PER CITY COMMENTS
APRIL 24, 2020	ADDRESSING ADDITIONAL CITY COMMENTS
JUNE 8, 2020	ADDING 20' LANDSCAPE SETBACK ADJACENT TO EXISTING SF.



OWNER
ANNA 51 JOINT VENTURE LP
2705 CLUBLAKE TRAIL
MCKINNEY, TX 75072
CONTACT: DON COLLINS

PLANNER / ENGINEER
PELTON LAND SOLUTIONS, INC
11000 FRISCO STREET
SUITE 400
FRISCO, TEXAS 75034
PHONE: 469-213-1800
CONTACT: DAVID KALHOEFER

THE VILLAGES AT WATER CREEK
BLOCK A, LOTS 1-2; BLOCK B, LOTS 1-4; BLOCK C, LOTS 1-6, 1X; BLOCK D, LOTS 1-40; BLOCK E, LOTS 1-4, 1X; BLOCK F, LOTS 1-20, 1X; BLOCK G, LOTS 1-20.
CONCEPT PLAN
BEING A 65.398 ACRE TRACT IN THE IN THE THOMAS RATTON SURVEY, A0782, SITUATED IN CITY OF ANNA, COLLIN COUNTY, TEXAS
PAGE 1 OF 2
JUNE 8, 2020



VICINITY MAP
N.T.S.



SITE INFORMATION

ZONING: PD-SF-60/MF-2/C-1/THOR OVERLAY
LAND USE: SINGLE FAMILY, MULTI-FAMILY, & COMMERCIAL
LOT AREA: 2,848,736.88 SQ. FT. / 65.398 ACRES

SINGLE-FAMILY TRACT

LOT INFORMATION

MIN. LOT WIDTH: 50'
MIN. LOT DEPTH: 120'
TOTAL NUMBER OF LOTS: 90

MULTI-FAMILY TRACT

TOTAL # OF UNITS: 325

BUILDING HEIGHT: 4 STORIES MAX.
BUILDING HEIGHT: 65' MAX.
MULTIFAMILY UNITS: 325

PARKING:

REQUIRED: 650 SPACES
PROVIDED: 713 SPACES*
* 128 GARAGES
* 128 TANDEN SPACES
* 360 COVERED
* 80 UNCOVERED
* 17 MOTORCYCLE

OFFICE

BUILDING INFORMATION

BUILDING 1: 6000 SF
BUILDING 2: 7200 SF
BUILDING 3: 7200 SF
BUILDING 4: 6000 SF

COMMERCIAL

BUILDING INFORMATION

BUILDING 1: 8100 SF
BUILDING 2: 13000 SF

RESTAURANT

BUILDING INFORMATION

BUILDING 1: 7800 SF
BUILDING 2: 6650 SF

BLOCK B LOT 4
FUTURE COMMERCIAL (C-1)
±10.9 AC
±473,500 SF

ANNA 51 JOINT VENTURE LP
2705 CLUBLAKE TRAIL
MCKINNEY, TX 75072
CONTACT: DON COLLINS

PLANNER / ENGINEER
PELTON LAND SOLUTIONS, INC
11000 FRISCO STREET
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CONCEPT PLAN

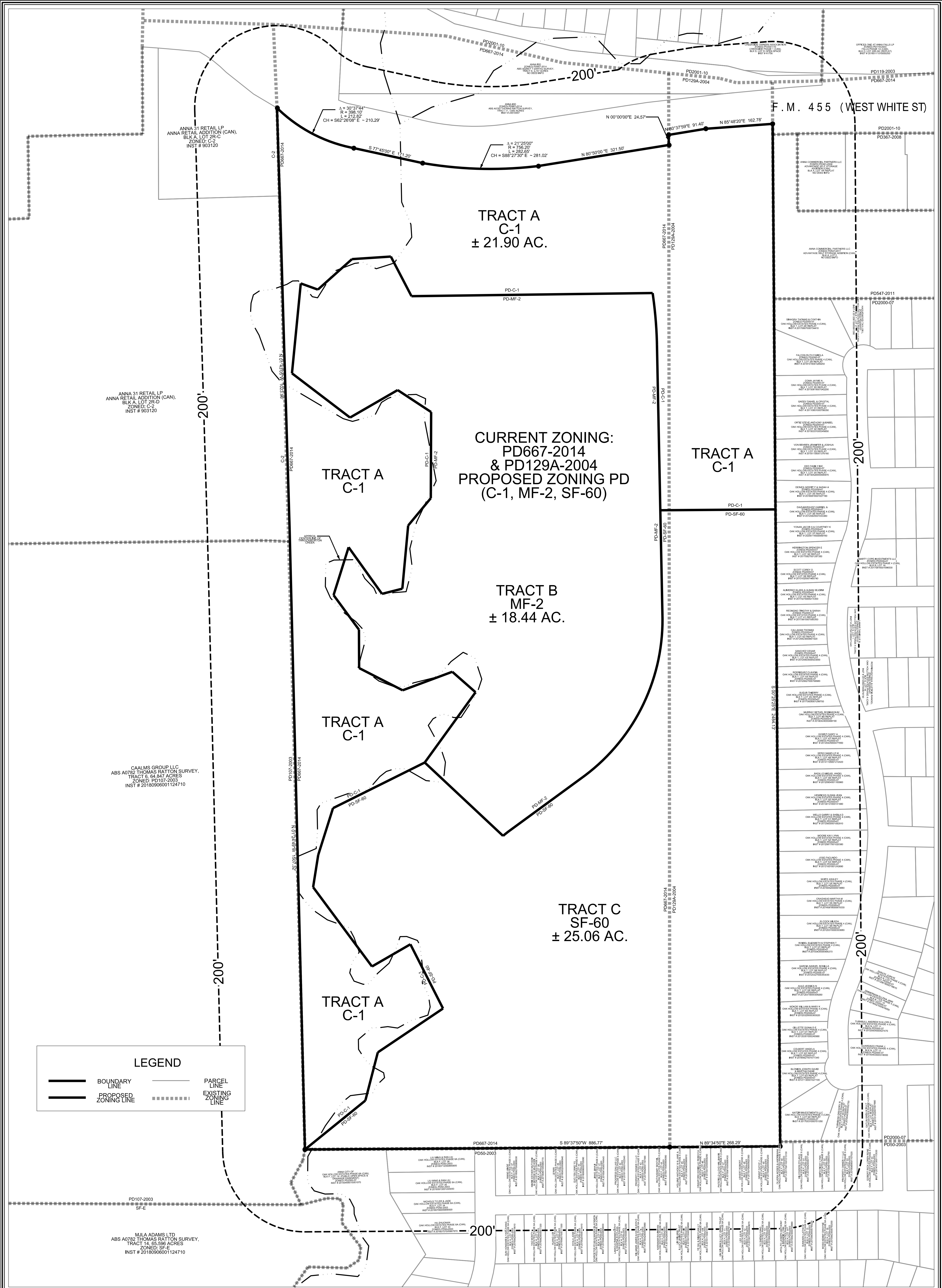
BEING A 65.398 ACRE TRACT IN THE IN THE THOMAS RATTON SURVEY, A0782, SITUATED IN CITY OF ANNA, COLLIN COUNTY, TEXAS
PAGE 2 OF 2
JUNE 8, 2020



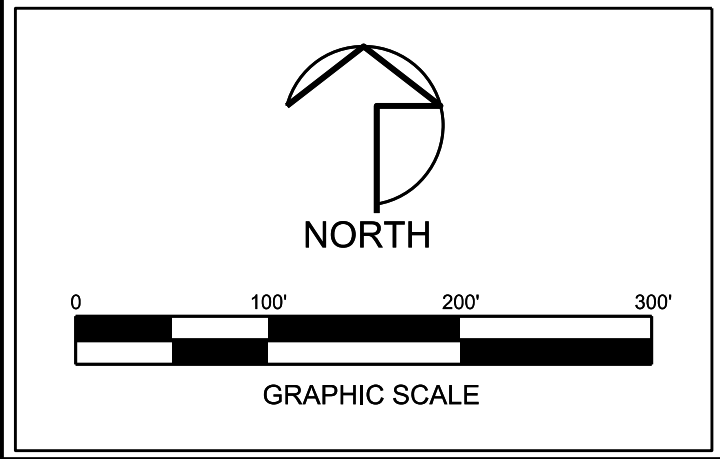
GRAPHIC SCALE
1" = 100'

LEGEND

- BOUNDARY LINE
- MAJOR TOPOGRAPHY
- EXISTING EASEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED FIRE LANE
- ZONING BOUNDARY
- PROPOSED FENCE
- BLOCK DESIGNATOR
- EXISTING PARCEL LINE
- MINOR TOPOGRAPHY
- PROPOSED SETBACK
- PROPOSED R.O.W.
- PROPOSED BUILDING LOCATION
- APPROX. GARAGE LIMITS
- EXISTING PARCEL BOUNDARY
- PROPOSED LOT LINE
- FEMA 100-YEAR FLOODPLAIN
- PROPOSED STREET CENTERLINE
- APPROX. CENTERLINE OF CREEK
- PROPOSED DUMPSTER LOCATION
- MATCH LINE



PROJECT NO. CCR20001	
FILE PATH J:\USERS\DK\DC\ANNA 65\CONCEPT PLAN	
DRAWN BY MRB	
REVIEWED BY DAK	
DATE MARCH 4, 2020	
DATE	REVISIONS



OWNER

ANNA 51 JOINT VENTURE LP
2705 CLUBLAKE TRAIL
MCKINNEY, TX 75072
CONTACT: DON COLLINS

PLANNER / ENGINEER

PELTON LAND SOLUTIONS, INC
11000 FRISCO STREET
SUITE 400
FRISCO, TEXAS 75034
PHONE: 469-213-1800
CONTACT: DAVID KALHOEFER

THE VILLAGES AT WATERS CREEK

ZONING EXHIBIT

BEING A 65,398 ACRE TRACT IN THE IN THE THOMAS RATTON SURVEY, A0782, SITUATED IN CITY OF ANNA, COLLIN COUNTY, TEXAS

CITY OF ANNA, TEXAS

(Property rezoned under this ordinance is generally located on the south side of West White Street [F.M. 455], 1,293± feet west of Oak Hollow Lane)

ORDINANCE NO. _____

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.

WHEREAS, the City of Anna, Texas ("City") has previously adopted ordinances, rules and regulations governing the zoning in the City; and

WHEREAS, the City has received a requested rezoning on Property described in Exhibit A ("Property") attached hereto and incorporated herein for all purposes as if set forth in full; and

WHEREAS, said zoning for Property generally located on the south side of West White Street [F.M. 455], 1,293± feet west of Oak Hollow Lane is being rezoned from Planned Development-129A-2004 and Planned Development-667-2014 to Planned Development-Restricted Business District/Multiple-family – High Density/Single-Family Residential District (PD-C-1/MF-2/SF-60) on 65.0± acres; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council of the City of Anna ("City Council") have given the requisite notices by publication and otherwise and have held the public hearings as required by law and afforded a full and fair hearing to all property owners and generally to all persons interested in and situated in the affected area and in the vicinity thereof, the City Council has concluded that the Zoning Ordinance of the City should be amended as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated

The above recitals are incorporated herein by reference for all purposes.

Section 2. Zoning Change

The Anna City Code of Ordinances are hereby amended by changing the zoning of the Planned Development-129A-2004 and Planned Development-667-2014 to create a new concept plan, as depicted in the Concept Plan on the attached Exhibit B and the zoning tract map on the attached Exhibit C.

1. Purpose.

The purpose of this Planned Development District is to facilitate the development of high-quality development along West White Street. Within this District are permitted certain retail, service, office, and residential uses.

2. Definitions.

Except as otherwise provided herein, the definitions in Appendix 3 of the City's Zoning Ordinance shall apply. For purposes of this Planned Development District, the following terms shall be defined as follows:

- a. "Masonry" means brick, tile, manmade or natural stone, cast stone, rock, marble, granite, curtain glass, glass block, exposed aggregate concrete panels, decorative concrete panels, split face concrete block or any construction consisting of concrete panels including, but not limited to "tilt-wall" construction, or any other materials similar to these materials approved by the Director of Development Services.
- b. Exterior insulation finish system ("EIFS") can only be used as accent and must be at least twelve feet (12') above the finished floor elevation.

3. Development Standards.

Standards and Area Regulations: Development must comply with the development standards for use, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, and lighting, set forth in the C-1 Restricted Commercial, MF-2 Multiple-Family Residential - High Density, and SF-60 Single-Family Residence zoning districts except as otherwise specified herein.

a. C-1 Restricted Commercial

1. Permitted Uses by-right

- A. Child-care center
- B. Nursery school, kindergarten

2. Prohibited Uses in Block A, Lot 2;

- A. Auto parts sales
- B. Auto repair, minor
- C. Automobile service station
- D. Bakery and confectionery, Commercial
- E. Bed and Breakfast Facility

- F. Boarding or rooming house
- G. Bowling Alley
- H. Building materials hardware
- I. Car wash
- J. Civic Center
- K. Cleaning and dyeing, small shop
- L. Community Center, private
- M. Community Center, public
- N. Construction yard
- O. Convenience store
- P. Discount, variety or department store
- Q. Electrical substation
- R. Feed and farm supply
- S. Food and beverage store
- T. Food and beverage store
- U. Food store, grocery store
- V. Fraternal Organization
- W. Furniture and appliance store
- X. Furniture, appliance store (outside storage)
- Y. Gas Metering station
- Z. Hotel
- AA. Motor,motor hotel,motor lodge
- BB. Motorcylcle sales and service
- CC. Park, playground or rec. center (public)
- DD. Parking Lot or parking garage
- EE. Pet Shop
- FF. Private clubs
- GG. Quick oil change facility
- HH. Quick tune-up facility
- II. Registered family home
- JJ. Residence hotel
- KK. Rest home or nursing home

- LL. Restaurant or cafeteria
- MM. Retail Ice and Dispensed Water sales
- NN. School, private (primary and/or secondary)
- OO. School, public (primary and/or secondary)
- PP. School, trade or commercial
- QQ. Servant's, caretaker's, or guard's residence
- RR. Service yard of government agency
- SS. Shopping center
- TT. Stadium or playfield
- UU. Swimming pool
- VV. Taxidermist
- WW. Telephone exchange
- XX. Theater (indoor)
- YY. Tire Dealer

- 3. Front yard setback: 20 feet
- 4. Maximum height: 35 feet (1 story)
- 5. Maximum lot coverage: 45%
- 6. Point of access: Two points of vehicular access for Lot 2, Block B shall be allowed through Lot 1, Block B as shown on the approved concept plan.
- 7. Block A, Lot 2 shall provide a minimum 20-foot landscape buffer along the eastern property boundary shared with the Oak Hollow Estates residential subdivision.

b. MF-2 Multiple-Family Residential - High Density

- 1. Maximum Height: 4 story / 65 feet
 - A. 4 story buildings shall be located no closer than 300 feet from any single-family residence zoning not included within this planned development district.
- 2. Maximum Number of Units: 325
- 3. Minimum usable open space: 20% of the MF-2 development area
 - A. The 100-year flood plain shall not count towards open space.

- B. One open space area shall be at least twenty thousand (20,000) square feet in size with a minimum dimension of fifty (50) feet and must have no slope greater than ten (10) percent.
 - C. One amenity center and pool.
 - D. A hike & bike trail along the creek outside of the proposed fence.
 - E. Remaining areas to count towards open space shall be at least 8,000 square feet in size with a minimum dimension of 15 feet.
 - F. Three square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within 10 feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings.
4. Parking:
- A. 1 space / Studio & 1 bedroom units
 - B. 2 spaces / 2 & 3 bedroom units
5. Screening: Boarder fencing of masonry construction of not less than eight feet in height shall be installed along the property line on any perimeter not abutting a creek, public street, right-of-way or other various forms of open space.
6. Design Standards (Multiple-Family Residence):
- A. Masonry (Brick/Rock veneer): Eighty (80) percent for the first three stories, and Seventy (70) percent for the fourth story.
 - B. Screening Requirements: Various forms of border fencing shall be permitted and approved upon submittal of site plan and/or construction plans. Any masonry wall or metal fence may be a minimum of six (6') feet but no higher than eight (8') feet and shall be installed at the time of construction, along the property line of any perimeter not abutting a creek, public street or right-of-way and other various forms of open space. The fence shall be maintained throughout the existence of the multi-family complex by the owner of the complex. The options for such fences are outlined below:
 - i. A solid masonry screen wall with columns every fifty (50') feet.
 - ii. A screen wall consisting of masonry and ornamental metal fencing. A minimum of 50% of the wall shall be masonry.

- iii. A screen wall consisting of ornamental metal fence and an evergreen living screen. Plant material shall be a minimum of three (3') feet at the time of planting.

C. Refuse Facilities: Trash compactors shall be permitted as an alternative to individual refuse facility locations. Trash compactor facilities shall be internal to buildings or screened from view on three sides by a masonry wall not less than seven feet nor more than eight feet in height. Solid metal gates of an equal height to the enclosure height must be provided on the truck collection side of the enclosure.

c. SF-60 Single-Family Residence

1. Minimum side yard, interior setback: 5 feet
2. Minimum rear yard setback: 20 feet
3. Minimum lot width: 50 feet; or 45 feet at cul-de-sac or elbow
4. Maximum lot coverage: 50%
5. Lots backing to open space: Fences along the rear lot line shall be ornamental metal and not less than fifty-four (54") inches tall.

Section 3. Official Zoning Map

The official Zoning Map of the City shall be corrected to reflect the change in zoning described herein.

Section 4. Savings, Repealing and Severability Clauses

It is hereby declared to be the intention of the City Council that the words, sentences, paragraphs, subdivisions, clauses, phrases, and provisions of this ordinance are severable and, if any phrase, sentence, paragraph, subdivision, clause, or provision of this ordinance shall be declared unconstitutional or otherwise invalid or inapplicable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality, invalidity or inapplicability shall not affect any of the remaining words, sentences, paragraphs, subdivisions, clauses, phrases, or provisions of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional, invalid or inapplicable words, sentences, paragraphs, subdivisions, clauses, phrases, or provisions. Further, all ordinances or parts of ordinances in force when the provisions of this ordinance become effective that are consistent and do not conflict with the terms and provisions of this ordinance are hereby ratified to the extent of such consistency and lack of conflict, and all ordinances or parts of ordinances in force when the provisions of this ordinance become effective that are inconsistent or in conflict with the terms and provisions contained in this ordinance are hereby repealed only to the extent of any such conflict.

Section 5. **Penalty**

Any violation of any of the terms of this ordinance, whether denominated in this ordinance as unlawful or not, shall be deemed a misdemeanor. Any person convicted of any such violation shall be fined in an amount not to exceed \$2,000 for each incidence of violation. Each day a violation exists is considered a separate offense and will be punished separately.

Section 6. **Publication of the Caption and Effective Date**

This ordinance shall be effective upon its passage by the City Council, approval by the Mayor, and posting and/or publication, if required by law, of its caption. The City Secretary is hereby authorized and directed to implement such posting and/or publication.

PASSED by the City Council of the City of Anna, Texas this 23rd day of June, 2020.

ATTESTED:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE VILLAGES AT WATERS CREEK, BLOCK A, LOTS 1 – 2, BLOCK B, LOTS 1 – 4, BLOCK C, LOTS 1-6, BLOCK D, LOTS 1 – 4, BLOCK E, LOTS 1 – 4, BLOCK F, LOTS 1 – 20, 1X, BLOCK G, LOTS 1 – 20, CONCEPT PLAN

WHEREAS, in order to provide for the orderly development of land within the Anna city limits and extraterritorial jurisdiction, the City Council of the City of Anna, Texas (the “City Council”) has adopted Article 9.04 of the Anna City Code of Ordinances (“Zoning Ordinance”); and

WHEREAS, Marc Paquette has submitted an application for approval of The Villages At Waters Creek, Block A, Lots 1 – 2, Block B, Lots 1 – 4, Block C, Lots 1-6, Block D, Lots 1 – 4, Block E, Lots 1 – 4, Block F, Lots 1 – 20, 1x, Block G, Lots 1 – 20, concept plan;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated

The recitals above are incorporated herein as if set forth in full for all purposes.

Section 2. Approval of Concept Plan.

The City Council hereby approves The Villages At Waters Creek, Block A, Lots 1 – 2, Block B, Lots 1 – 4, Block C, Lots 1-6, Block D, Lots 1 – 4, Block E, Lots 1 – 4, Block F, Lots 1 – 20, 1x, Block G, Lots 1 – 20, concept plan attached hereto as Exhibit 1.

PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 23rd day of June, 2020.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike



Item No. 8.f.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Ross Altobelli

AGENDA ITEM:

Text Amendments - Chapter 4 Building Regulations and Chapter 9 Planning & Development Regulations (Director of Development Services Ross Altobelli)

1) Conduct a public hearing to consider public comment on text amendments to Article 4.07 Address Numbers, Article 9.02 Subdivision Regulations, Article 9.03 Design Standards, Article 9.04 Zoning Ordinance, Article 9.06 Landscape Regulations and related sections of Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.

2) Consider/Discuss/Action on an Ordinance approving text amendments to various Articles within Chapter 4 Building Regulations and Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.

SUMMARY:

Amend various section of Article 4.07 Address Numbers, Article 9.02 Subdivision Regulations, Article 9.03 Design Standards, Article 9.04 Zoning Ordinance, and Article 9.06 Landscape Regulations of Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances in order to improve staff efficiency, modernize language, and provide general clean-up of regulations.

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

The Planning & Zoning Commission recommended approval (4-0) at their June 1st

meeting.

ATTACHMENTS:

1. Staff Report (06-01-2020)
2. Ordinance - Text Amendment

APPROVALS:

Ross Altobelli, Director of Development Services
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

CITY OF ANNA
PLANNING & ZONING COMMISSION

June 1, 2020

Agenda Item No. 8

DESCRIPTION:

Request a recommendation to amend Article 9.02 Subdivision Regulations, Article 9.03 Design Standards, Article 9.04 Zoning Ordinance, and Article 9.06 Landscape Regulations of Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances in order to amend various sections in order to improve staff efficiency, modernize language, and provide general clean-up of regulations.

REMARKS:

One of the Planning & Zoning Commission's duties is to hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations. Changes to the zoning regulations may only be amended by ordinance which requires a public hearing before the Planning & Zoning Commission and City Council.

On March 2, 2020, the Planning & Zoning Commission called a public hearing to consider amendment to Article 9.04 Zoning Ordinance in Chapter 9 Planning and Development Regulations of the Code of Ordinance in addition to discuss amendments to regulations and standards in Chapter 9 Planning and Development Regulations of the Code of Ordinance.

ISSUES:

The City of Anna first adopted the zoning and subdivision ordinances in 1986. Over the past six months newly hired professional staff have discovered various discrepancies and conflicts with the existing ordinances making it difficult to interpret and enforce rules and regulations to the neighbors and development community. Many of the regulations in these two sections have not changed since adoption. Additionally, since the year 2000, nearly all new residential development and zoning has been through the use of planned development zoning rather than the adopted residential standards.

This request is an effort to modernize development regulations and increase staff's ability to provide clear direction which ultimately will reduce costs associated with private development.

SUMMARY:

The requested amendments to the subdivision regulations, design standards, zoning ordinance, and landscape regulations will improve staff efficiency, clarify the City's development regulations and standards, and reduce costs to neighbors, developers, and property owners.

RECOMMENDATION:

Recommended for approval as follows: (additions are indicated in underlined text; deletions are indicated in strikethrough text; text in bold following each is an explanation for the change and is not part of the ordinance language).

1. Remove Mylar requirements (below are sections that will require edits):

- Sec. 9.02.044 Procedures and submission requirements for final plat approval
- Sec. 9.02.208 Inspection and acceptance of public improvements
- Sec. 9.04.048 Site Plans
- Sec. 9.06.003 Issuance of permits and certificate of occupancy

Research suggests that mylars can easily be damaged overtime, therefore making it less reliable than paper or digital copies. They are also an unnecessary cost to applicants. Additionally, staff is preparing to store all documents digitally prior to department's relocation to the new Municipal Center.

2. Change the responsibility of addressing to the Director of Development Services or designee.

Sec. 4.07.001

(d) ~~The city secretary~~ Director of Development Services or designee will assign building numbers. All numbering will be under ~~his~~ their supervision and will be recognized as the official number of the building.

Addressing is no longer a duty of the City Secretary.

3. Remove responsibility of city staff for recording plats:

Sec. 9.02.044 Procedures and submission requirements for final plat approval

(g) Effect of approval and acceptance of improvements. As soon as is practical after the final plat has been approved by the city for recordation ~~by the city~~ in accordance with subsection (f)(4) of this section, or, alternatively,

approved for recordation because the subdivider has provided sufficient security in accordance with division 6 of this article, the Director of Development Services or designee ~~planning director~~ shall direct the applicant to file the final plat to be recorded with the Collin County clerk. No conveyance or sale of any portion or lot of the property may occur until after the final plat is approved by the planning and zoning commission and city council and duly recorded by the applicant. It is the applicant's responsibility to confirm that the final plat has been duly recorded, and an applicant's failure to confirm same is at the applicant's sole risk.

4. Remove Recordation fees in Sec. 9.02.241 Schedule of fees and re-submission requirements.

~~(f) — Recordation fees. Recording fees for final plats filed with the Collin County clerk are in addition to any application and inspection fees charged by the city. Such fees shall be paid following approval of the final plat, prior to the plat being filed for record at the county by the city.~~

(f) Recordation of plats with the Collin County clerk shall be the responsibility of the applicant.

Staff no longer takes plats to be filed at the County Clerk's Office. The responsibility has been transferred to the applicants.

5. Remove the Subdivision Regulations' appendices and references to them.

Sec. 9.02.043

(e) Information required upon or with preliminary plat. The Director of Development Services may establish forms and standards with regards to the content, format, and graphics. The proposed preliminary plat shall show information as specified on a ~~an~~ application form or packet provided by the planning department ~~(see requirements set forth in appendix A at the end of this article, incorporated in full as if set forth herein for all purposes).~~

Sec. 9.02.044

(c) Information required upon or with final plat. The Director of Development Services may establish forms and standards with regards to the content, format, and graphics. The proposed final plat shall show information as specified on a ~~an~~ application form or packet provided by the planning department ~~(see requirements set forth in appendix B at the end of this article, incorporated in full as if set forth herein for all purposes).~~

Delete *Appendix A Preliminary Plat Checklist, Appendix B Final Plat Checklist, and Appendix C Owner's Certificates* in their entirety.

Remove Subdivision Regulations' Appendix A Preliminary Plat Checklist, Appendix B Final Plat Checklist, and Appendix C Owner's Certificates and references to provide clearer direction. This Appendix A is not to be confused with Appendix A Fee Schedule.

6. Correct spelling:

Section 9.03.281 General Construction Notes

General ~~construction~~ construction notes

7. Amend wording to remove conflict between Sec. 9.02.084(e) - (Easement) of the Subdivision Regulations and Sec. 9.04.005(m) - (Visibility at intersections) of the Zoning Ordinance

Section 9.02.084 Easements

(e) Visibility easements.

(1) Type of intersection. Whenever an intersection of two or more public rights-of-way occurs, a triangular visibility area shall be created. The visibility easement for each type of intersection shall be as follows:

(A) Intersection of two arterial streets: 40 feet from the intersection right-of-way;

(B) Intersection of a collector or local street onto an arterial street: 25 feet from the intersection right-of-way;

(C) Intersection of two collector or local streets (or one of each): 25 feet from the intersection right-of-way; and

(D) Intersection of two alleys: 20 feet from the intersection right-of-way.

(2) Fixed items. The maximum height of fences, walls, signs, and other similar fixed items shall be 30 inches (2-1/2 feet) within the visibility easement.

(3) Landscaping. All landscaping (and any other fixed feature) within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between 30 inches (2-1/2 feet) and ten (10') ~~eight feet~~. ~~A limited number of single-trunked trees may be permitted in this area provided they are~~ Trees adjacent to this visibility area shall be trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. Landscaping, except grass and low ground cover, shall not be located closer than three feet from the edge of any street pavement.

Section 9.04.005 General provisions

- (m) Visibility at intersections. On a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to interfere with traffic visibility across the corner. This visibility area shall be a triangle in accordance with Sec. 9.02.084(e) of the Subdivision Regulations. ~~measured 20 feet from the point of right-of-way line intersection~~. All objects on the ground in said triangle should not exceed 30 inches (2-1/2 feet) in height and objects hanging over this area ~~vegetation~~ should not droop to less than ten (10') feet above the ground.

A challenging aspect of utilizing several articles for development regulation is ensuring that there are no conflicts. Both sections discuss visibility to prevent a blocked line-of-sight at intersections. However, the Subdivision Regulations establishes the size of the visibility easement based on the right-of-way width, while the Zoning Ordinance currently requires a smaller area, depending on the right-of-way. Additionally, there is a discrepancy of the vertical clearance within this easement. After discussion amongst the Planning & Development and Public Works Departments, staff is in agreement that the Subdivision Regulations should be the adopted standards.

8. Remove appendix requirement from Section 9.04.029(f) of the Planned Developments and clarify access through the City's website.

Sec. 9.04.029(f)

- (f) Planned developments to be recorded. All planned development districts approved in accordance with the provisions of this article in its original form, or by subsequent amendment thereto, shall be referenced on the zoning district map, and a list of such planned development districts, together with the category of uses permitted therein, shall be maintained on the city's website ~~in an appendix of this article~~.

Staff proposes to create and maintain the Planned Development list and publish on the city's website. First, there currently is not an appendix for planned developments. Secondly, Franklin Publishing only updates the Code of Ordinance once a year. Additionally, ordinances for all planned developments and specific use permits have already been linked into the public interactive zoning map available on the city website.

9. References to Revised Civil Statutes need to be updated. *Edits below provided by the City Attorney.*

Sec. 9.04.004 Authority

This article is prepared under the authority of ~~section 1, art. 1011a, Vernon's Civil Statutes of the State of Texas~~ Chapter 211, 212, and 213, Texas Local Government Code, as amended, to promote health, safety, morals, and for the protection and preservation of places and areas of historical and cultural importance and significance, or the general welfare of the community, and the legislative body is empowered to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purpose; and, in the case of designated places and areas of historic and cultural importance, to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures.

Sec. 9.04.041(c)(4)

(4) Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in ~~articles 1011a-1011k, Revised Civil Statutes of Texas Chapters 211 and 213, Texas Local Government Code~~, as amended, authorizing ~~cities and incorporated villages~~ municipalities to pass zoning regulations; all powers granted under said ~~act~~ statutes are specifically adopted and made a part hereof.

Sec. 9.04.041(c)(5)

(5) Exercise all the powers of a commission as to recommendations to the city council relating to approval or disapproval of plans, plats, amending plats, or replats set out in ~~articles 974a and 970a, Revised Civil Statutes of Texas Chapter 212, Texas Local Government Code, as amended~~.

The City Attorney suggested that the Zoning Ordinance be updated to reflect the correct references to the Local Government Code.

10. Remove conflicts between the Zoning Ordinance and the City Charter.

Sec. 9.04.041 Planning and zoning commission

(a) Creation of planning and zoning commission. There is hereby created a planning and zoning commission which shall be organized, appointed and function as follows:

(1) The planning and zoning commission shall consist of seven ~~five~~ members who are residents of the city ~~or its extraterritorial jurisdiction~~, each to be appointed by the city council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing. The city council shall designate one member as chairman. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made. Provided, however, that the city council may appoint two alternate members of the planning and zoning commission who shall serve in the absence of one or more of the regular members when requested to do so by the chairman or city manager, as the case may be; and

(2) The terms of four ~~three~~ members shall expire in May of each odd-numbered year and the terms of three ~~two~~ of the members shall expire in May of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first regular commission meeting after their appointment.

(b) Organization. The commission shall hold an organizational meeting in July ~~May~~ of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this article and the requirements of law.

(c) Duties and powers. The planning and zoning commission is hereby charged with the duty and invested with the authority to:

(1) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the city.

(2) Recommend to the city council approval or disapproval of proposed changes in the zoning plan.

(3) Formulate and recommend to the city council for its adoption a city plan for the orderly growth and development of the city and its environs and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city.

(4) Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Chapters 211 and 213, Texas Local Government Code, as amended, authorizing municipalities to pass zoning regulations; all powers granted under said statutes are specifically adopted and made a part hereof.

(5) Exercise all the powers of a commission as to recommendations to the city council relating to approval or disapproval of plans, plats, amending plats, or replats set out in Chapter 212, Texas Local Government Code, as amended.

(6) Study and recommend on the location, extension and planning of public rights-of-way, parks or other public places, and on the vacating or closing of same.

(7) Study and recommend on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of at which are, or may become, the property of the city.

(8) Initiate, in the name of the city, for consideration at public hearing all proposals:

(A) For the opening, vacating or closing of public rights-of-way, parks or other public places; or closing of public rights-of-way, parks or other public places; or

(B) For the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the city.

(9) Formulate and recommend to the city council for its adoption policies and regulations consistent with the adopted city plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the city.

(10) Submit each May a progress report to the city council summarizing its activities, major accomplishments for the past year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of commission officers.

(d) Meeting and quorum. A quorum for the conduct of business shall consist of four ~~three~~ members of the commission. The members of the commission shall regularly attend meetings and public hearings of the commission and shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

The City Charter governs over the City Ordinance therefore amendments to the zoning ordinance are needed to be consistent with the Charter.

11. Create definition and requirements for substantially conforming site plans.

Sec. 9.04.004 Definitions

Substantially Conforming Site Plan means a minor amendment to existing site plans.

Sec. 9.04.048(f) Revision of site plan.

- (1) In the event that changes to the approved site plan are proposed, the ~~city manager~~ Director of Development Services or designee shall have the authority to require that a substantially conforming site plan or revised site plan be submitted to the city for review and approval.
- (2) ~~(A)~~ It is recognized that final architectural and engineering design may necessitate some judgment in the determination of conformance to an approved site plan. The ~~city manager~~ Director of Development Services or designee shall have the authority to interpret conformance to an approved site plan, provided that such interpretations do not materially affect access, circulation, general building location on the site, or any conditions specifically attached as part of a city council approval. The ~~city manager~~ Director of Development Services or designee shall only approve minor changes that substantially conform to the approved site plan and with all applicable city regulations.

(~~AB~~) Examples of revisions which may be approved by the ~~city manager~~ Director of Development Services or designee on a substantially conforming site plan, elevations, or landscape plan include:

- (i) Minor ~~dimension and location adjustments~~ building revisions/expansions that do not increase the height of a building and are less than an aggregate total of 1,000 square feet;
- (ii) Minor changes in the number of parking spaces (adding, removing, or relocating 20 parking spaces of less), provided that minimum parking requirements are met;
- (iii) Adjustments to ~~sanitation~~ solid waste container location;
- (iv) Minor revisions to approved elevations; and
- (v) Substitution of similar materials on an approved landscape plan.

(~~C~~) ~~Examples of revisions that may not be approved by the city manager include:~~

- (i) ~~Major changes to type of screening materials;~~
- (ii) ~~Significant alterations to the building footprint;~~
- (iii) ~~Specific conditions of approval; and~~
- (iv) ~~Any changes that may negatively impact adjacent properties.~~

(~~BD~~) If, ~~in the judgment of the city manager,~~ the proposed revisions exceed staff's approval authority, ~~the a revised site plan, revised landscape plan or revised elevations shall be submitted and processed for approval accordingly forwarded to the planning and zoning commission for consideration according to the procedures for site plan approval. If proposed revisions to the site plan have not been approved by the city manager within 30 days of their final submission, they shall be scheduled for consideration by the planning and zoning commission upon request by the applicant.~~

Create thresholds associated with minor amendments to site plans in Sec. 9.04.048(f) and identify establishing qualifiers and create a definition for substantially conforming site plans.

12. Require all service bays be oriented away from street frontages. Current language would only place requirement on wrecking yards, junkyards, or salvage yards. Spilt into two bullets:

Sec. 9.04.039 Screening device requirements

(b) Applicability.

(4) All wrecking yards, junkyards, or salvage yards shall be fenced on all sides and shall be screened from view from the public right-of-way and from adjacent residential property. ~~Bays in any business/commercial PD - Planned Development shall be oriented away from the street frontage.~~

(9) Service bays in any business/commercial PD - Planned Development shall be oriented away from the street frontage.

Staff believes that Sec. 9.04.039 (b)(4) contained a typing error since service bays are not only in wrecking yards, junkyards, or salvage yards.

13. Remove unnecessary copies:

Section 9.04.048 Site Plans

(a) Site Plan Approval

(4) Prior to the issuance of any building permit, a site plan drawn to scale shall be submitted for initiation of the review and approval process along with ~~25 copies of the plan or~~ the number of copies deemed necessary by the city to complete the required reviews or memorandums.

The City is moving more towards paperless submittals. Required copies are based on complexity of the proposed development. At most, 3 copies would be required.

14. Address dumpster enclosure requirements. The following is an example of proposed language **which is not** currently within the Development Regulations.

Sec. 9.04.034

(f) Requirements for Solid Waste Collection

(a) Applicability - This section shall apply to property utilized for nonresidential or multifamily uses and shall not apply to the following:

- (1) Community recycling locations as permitted by the City.
- (2) Containers for onsite construction debris with a valid permit issued by the City of Anna Building Department.
- (3) Multifamily and nonresidential developments that comply with both of the following stipulations:
 - (A) The development is authorized for solid waste collection utilizing 96-gallon residential-type carts.
 - (B) The development is located within the CBRD zoning district or the development is within a planned development district that permits, by stipulation, the use of 96-gallon residential-type carts for solid waste collection.
- (4) Donation containers.
- (5) Declared disasters in the City of Anna that create solid waste disposal issues until the disaster status is rescinded.
- (6) Containers authorized through a Special Event permit.
- (b) Provision of Locations for Solid Waste Containers Space for solid waste containers, including compactors, must be provided as follows:
 - (1) Quantity - A minimum of two containers per lot to accommodate both refuse and recycling.
 - (2) Location - One or more required container locations may be offsite in a permanent easement within 150 feet of the building as determined sufficient through the site plan approval process.
- (c) Screening and Site Design Standards
 - (1) Screening and Placement - Screening and placement for solid waste containers must be consistent with Sec. 9.04.039 and Sec. 9.06.006.
 - (2) Use - Enclosures for containers must only be used for purposes related to solid waste.

- (3) Maintenance - All screening devices must be continually maintained in a state of good repair. Living screens must be maintained in compliance with Article 9.06.
- (4) Parking Reduction - The number of required parking spaces in Sec. 9.04.037 may be reduced to accommodate commercial recycling and community recycling containers for sites developed prior to July 1, 2020. Required parking shall not be reduced without submittal and approval of an amended site plan.
- (d) Site Plan Review - Solid waste container locations built to design standards shall be identified on concept plans and site plans. Solid waste containers shall not be added to existing sites and/or to new site plans approved for future development without submittal and approval of an amended site plan.

These requirements are intended to promote the health and sustainable practices of the city through encouragement of commercial recycling and appropriate placement and screening of solid waste containers.

15. Review Chapter 9 Planning & Development to allow the Code Official to enforce screening and lighting regulations:

Section 9.04.039 Screening device requirements

(b) Screening elements and fences...

(10) All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. ~~The chief building official~~ Director of Development Services, Building Official, or Code Official may order the repair or removal of a fence if it is more than 5% damaged or leaning 10 degrees from vertical. Fences shall be repaired in compliance with the provisions of this section.

Section 9.04.040 Outdoor Lighting Code

(f) Definitions. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this section, have the meanings shown below:

Code Official as defined in Sec. 4.04.005

Director means the ~~building permits and inspections director~~ Director of Development Services, Building Official or designee.

(n) Prohibitions.

(5) Existing lighting causing light trespass onto residential property.

(A) If after complaint and investigation, the Code Official ~~director~~ finds that an existing light fixture directs light toward residential buildings, the Code Official ~~director~~ shall give written notice of such violation to the owner and/or to the occupant of such premises demanding that the violation be abated within ninety days of the date of written notice.

Allow Code Officer to enforce fences and the Outdoor Lighting Code.

16. Allow Director of Development Services to create checklists, similar to plat checklists for plans associated with development:

Section 9.04.048 Site Plans

(a) Site plan approval.

(1) Conceptual site plans.

(C) The conceptual site plan shall include sufficient information to adequately assess the functionality of the proposed subdivision and its impact on surrounding properties and circulation systems. The Director of Development Services may establish forms and standards with regards to the content, format, and graphics including but not limited to:

(b) Content of site plan. The Director of Development Services may establish forms and standards with regards to the content, format, and graphics. The proposed site plan shall show information as specified on a form or packet provided by the planning department, including: When required, a site plan shall include the following:

Allow the Planning Department the ability to create and maintain checklists for concept plans, site plans, landscape plans, tree preservation plans, and open space & amenity plans. This requirement will ensure plan graphics and plan information is uniformed for any project seeking plan approval.

17. Reduce side yard setbacks for single family and two-family zoning districts (SF-84, SF-72, SF-1, SF-60, SF-2, TF) and edit endnote (c) in Appendix 1. Zoning District Area Regulations in Article 9.04 Zoning Ordinance:

	AG	SF-E	SF-84	SF-72	SF-1	SF-60	SF-2	SF-Z	SF-TH	TF	MH-1	MH-2	MF-1	MF-2
Side yard, interior (feet)	15	15	10	10	10	10	10	(a)	(b)	10	10	10	10	10
Side yard, corner lot, street side (feet) (c)	25	25	15	15	15	15	15	15	15	15	15	15	25	25

(a) Zero one side with 10 feet separation between buildings.

(b) 14 feet between ends of buildings.

~~(c) 45 feet where adjacent to single family or duplex residential district.~~

The City of Anna has an unproportionally high number of planned developments, especially for residential zoning. One of the most reoccurring deviations from the regulations is a side yard setback reduction to 5 feet. Through the approval of planned developments for almost all single-family, the city has not enforced this 10 feet side yard requirement. Additionally, endnote (c), requiring a 45 foot setback for the corner lot side yard seems excessive since this is for residential properties. Direction on this topic is needed.

Suggestions:

- Leave as is,
- Modify just the smaller lots,
- 10% of lot width; minimum 5' side yard requirement
- Establish a minimum building separation,

18. Correct typing error in table:

Sec. 9.06.006 Minimum Landscaping Requirements

(q) Requirements for single-family residential and duplex lots. Three-inch caliper trees selected from the large tree list in this article shall be planted

on all single-family residential, duplex, and town home lots. At least one of the trees must be placed in the front yard of the lot. The following minimum standards apply:

Single-Family Residential - 64 (SF-64) <u>84 (SF-84)</u>	3 trees
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There is not a SF-64 district and the SF-84 district is missing from this table.

19. Correct instances throughout the regulations where Franklin Publishing annotated corrections when changing Ordinance numbering such as:

Sec. 9.04.028(d) Parking regulations. Required off-street parking shall be provided in accordance with the specific uses set forth in section ~~9.04.025~~ {9.04.037}.

Sec. 9.06.007(c) Variances. If unique circumstances exist which prevent strict adherence with the requirements of ~~subsection 9.06.006(g)(1) and subsection 9.06.006(g)(2) above~~ {subsections (a) and (b) of this section}, the city council may consider a granting a variance during the site plan approval process to reduce the minimum 20-foot landscape buffer to a minimum of 10 feet, provided that site design considerations have been incorporated to mitigate the impact of the variance....

Franklin Publishing provided corrections to references in brackets. Any previous ordinance amendments did not permit staff to change the text. This would allow us to correct throughout Chapter 9.

20. Rearrange and add information from presently numbered (a) through (o) to provide clearer understanding of the section. The text from presently numbered (p) through (r) has not been amended except in the numbering and the previous typing correction. Four items have also been incorporated from Article 9.07 Tree Preservation to help provide clarity.

As it exists presently:

~~Sec. 9.06.006 — Minimum landscaping requirements~~

- ~~(a) — For all nonresidential and multiple-family parcels at least 15% of the street yard shall be permanent landscape area. The street yard shall be defined as the area between the front property line and the minimum front setback line.~~
- ~~(b) — For all nonresidential and multiple-family parcels located at the intersection of two dedicated public streets (rights-of-way), a 600 square foot landscape area shall be provided at the intersection corner, which can be counted toward the 15% requirement.~~

- ~~(c) For all nonresidential and multiple-family parcels, a minimum of 10% of the entire site shall be devoted to living landscape which shall include grass, ground cover, plants, shrubs, or trees.~~
- ~~(d) For all nonresidential and multiple-family parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at time of planting) per 40 linear feet, or portion thereof, of street frontage. Trees may be grouped or clustered to facilitate site design.~~
- ~~(e) Landscape areas within parking lots should generally be at least one parking space in size (180 square feet).~~
- ~~(f) No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.~~
- ~~(g) For all nonresidential and multiple-family parcels, internal landscape areas shall:~~
 - ~~(1) Equal a total of at least eight square feet per parking space;~~
 - ~~(2) Have a landscaped area with at least one tree within 65 feet of every parking space;~~
 - ~~(3) Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces.~~
- ~~(h) Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of each parking row, and should contain at least one tree. All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.~~
- ~~(i) All existing trees which are to be considered for credit shall be provided with a permeable surface (a surface which does not impede the absorption of water) within a minimum five-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface under the dripline a minimum two and one-half foot radius from the trunk of the tree.~~
- ~~(j) At least 75% of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet. A wall used for parking lot screening should be accompanied with landscape planting in the form of low shrubs and ground cover to soften the appearance of the wall.~~
- ~~(k) A minimum of 50% of the total trees required for the property shall be large (minimum three-inch caliper, seven feet in height at time of planting) canopy trees as specified on the approved plant list (see approved plant list).~~
- ~~(l) Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance with city regulations. Shared drives shall be allowed through perimeter landscape areas.~~
- ~~(m) For all nonresidential and multi-family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.~~
- ~~(n) Whenever a nonresidential use, mobile home use, or multiple-family use is adjacent to a property used or zoned for single-family or duplex residential use,~~

~~the more intensive land use shall provide a landscaped area of at least 10 feet in width along the common property line planted with one large tree (minimum three inches in caliper and seven feet in height at time of planting) for each 40 linear feet or portion thereof of adjacent exposure.~~

- ~~(o) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.~~
- ~~(p) For all single-family and duplex parcels, builders shall be required to plant two large trees (minimum of three-inch caliper and seven feet high at time of planting) per lot prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. Existing quality trees of at least three-inch caliper size located on the lot shall count to meet this standard if appropriate tree protection measures have been followed.~~
- ~~(q) Requirements for single-family residential and duplex lots. Three-inch caliper trees selected from the large tree list in this article shall be planted on all single-family residential, duplex, and town home lots. At least one of the trees must be placed in the front yard of the lot. The following minimum standards apply:~~

Single-Family Residential - Large Lot (SF-E)	4 trees
Single-Family Residential - 64 (SF-64)	3 trees
Single-Family Residential - 72 (SF-72)	3 trees
Single-Family Residential - 1 (SF-1)	2 trees
Single-Family Residential - 60 (SF-60)	2 trees
Single-Family Residential - Zero Lot Line (SF-Z)	2 trees
Single-Family Residential - Town Home (SF-TH)	1 tree
Two-Family (TF)	2 trees

~~All large trees required above will be planted prior to issuance of the certificate of occupancy on the dwelling.~~

- ~~(r) For all residential parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at the time of planting) per 40 linear feet, or portion thereof, of street frontage for major thoroughfares. Trees may be grouped or clustered to facilitate site design.~~

To be replaced with: (underline is new text)

(a) General

- (1) All existing trees which are to be considered for credit shall be provided with a permeable surface (a surface which does not impede the absorption of water) within a minimum five-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface under

the dripline a minimum two and one-half foot radius from the trunk of the tree.

- (2) A minimum of 50% of the total trees required for the property shall be large (minimum three-inch caliper, seven feet in height at time of planting) canopy trees as specified on the approved plant list (see approved plant list).
- (3) Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance with city regulations. Shared drives shall be allowed through perimeter landscape areas.
- (4) All trees planted to satisfy the tree standards must be a minimum of three inches in diameter at breast height (DBH).
- (5) No trees with a maximum mature height of 25 feet or greater may be planted within 25 feet (measured horizontally) from the nearest overhead utility line (see Appendix 1 and Appendix 2 of Article 9.07 Tree Preservation for height references).
- (6) Definitions:
 - i. Street yard is defined as the area between the front property line and the minimum front setback line.
 - ii. Internal landscape area/landscaping is defined as the remaining property exclusive of the street yard and required landscape buffers.

(b) Parking Lots in addition to subsections (c) and (d) of this section.

- (1) Landscape areas within parking lots should generally be at least one parking space in size (180 square feet).
- (2) Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of each parking row, and should contain at least one tree. All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.
- (3) At least 75% of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet. A wall used for parking lot screening should

be accompanied with landscape planting in the form of low shrubs and ground cover to soften the appearance of the wall.

(c) Nonresidential and multiple-family lots:

- (1) For all nonresidential and multiple-family parcels at least 15% of the street yard shall be permanent landscape area.
- (2) For all nonresidential and multiple-family parcels located at the intersection of two dedicated public streets (rights-of-way), a 600 square foot landscape area shall be provided at the intersection corner, which can be counted toward the 15% street yard requirement.
- (3) For all nonresidential and multiple-family parcels, a minimum of 10% of the entire site shall be devoted to living landscape which shall include grass, ground cover, plants, shrubs, or trees.
 - i. No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.
- (4) For all nonresidential and multiple-family parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at time of planting) per 40 linear feet, or portion thereof, of street frontage.
 - i. Trees may be grouped or clustered to facilitate site design.
 - ii. These trees must be within the street yard except when the property is restricted by easements.
 - iii. When the street yard is restricted by easements any combination of the following may be permitted:
 1. The required large trees may be substituted with two small trees for every one large tree required within the street yard;
 2. Up to 50% of the required large trees may be placed in the internal landscape.
- (5) For all nonresidential and multiple-family parcels, internal landscape areas shall:
 - i. Equal a total of at least eight square feet per parking space;

- ii. Have a landscaped area with at least one tree within 65 feet of every parking space;
 - iii. Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces. These required trees shall be provided within the internal landscape area.
- (6) For all nonresidential and multi-family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.
- (7) Whenever a nonresidential use, mobile home use, or multiple-family use is adjacent to a property used or zoned for single-family or duplex residential use, the more intensive land use shall provide a landscaped area of at least 10 feet in width along the common property line planted with one large tree (minimum three inches in caliper and seven feet in height at time of planting) for each 40 linear feet or portion thereof of adjacent exposure.
- (8) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.
- (9) All commercial properties shall provide trees at a ratio of 10 trees per acre (43,560 sq. ft.) or one tree per 4,356 sq. ft. of the gross lot area.
 - i. At the discretion of the city, and at the request of the property owner, the ten trees per acre may be satisfied by planting trees elsewhere in the city at the direction of the ~~landscape administrator~~ Director of Development Services or designee.

(d) Single-family and duplex lots and subdivisions:

- (1) For all single-family and duplex parcels, builders shall be required to plant two large trees (minimum of three-inch caliper and seven feet high at time of planting) per lot prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. Existing quality trees of at least three-inch caliper size located on the lot shall count to meet this standard if appropriate tree protection measures have been followed.
- (2) Requirements for single-family residential and duplex lots. Three-inch caliper trees selected from the large tree list in this article shall be planted on all single-family residential, duplex, and town home lots. At least one

of the trees must be placed in the front yard of the lot. The following minimum standards apply:

Single-Family Residential - Large Lot (SF-E)	4 trees
Single-Family Residential - 84 (SF-84)	3 trees
Single-Family Residential - 72 (SF-72)	3 trees
Single-Family Residential - 1 (SF-1)	2 trees
Single-Family Residential - 60 (SF-60)	2 trees
Single-Family Residential - Zero Lot Line (SF-Z)	2 trees
Single-Family Residential- Town Home (SF-TH)	1 tree
Two-Family (TF)	2 trees

All large trees required above will be planted prior to issuance of the certificate of occupancy on the dwelling.

- (3) For all residential parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at the time of planting) per 40 linear feet, or portion thereof, of street frontage for major thoroughfares. Trees may be grouped or clustered to facilitate site design.

The current organization of Section 9.06.006 is unclear for determining the total required number of trees on commercial properties.

21. Move regulations of the Tree Preservation tree requirements for commercial properties to the Landscape Regulations and refer to the Landscape Regulations.

Sec. 9.07.012 Tree requirements for commercial properties.

(a) See Article 9.06 Landscape Regulations for tree requirements.

~~(a) All commercial properties shall provide trees at a ratio of 10 trees per acre (43,560 sq. ft.) or one tree per 4,356 sq. ft. of the gross lot area.~~

~~(b) All trees planted to satisfy the tree standards must be a minimum of three inches in diameter at breast height (DBH).~~

~~(c) At the discretion of the city, and at the request of the property owner, the ten trees per acre may be satisfied by planting trees elsewhere in the city at the direction of the landscape administrator.~~

(d)(b) See appendix 1 at the end of this article for a suggested species list that may be used to meet the requirements of this article. ~~No trees with a maximum mature height of 25 feet or greater may be planted within 25 feet (measured horizontally) from the nearest overhead utility line.~~

Providing separate tree requirements in two locations of the ordinances provides an opportunity to miss part of the regulations.

CITY OF ANNA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY’S CODE OF ORDINANCES BY AMENDING CHAPTER 4 (BUILDING REGULATIONS) AND CHAPTER 9 (PLANNING AND DEVELOPMENT REGULATIONS); 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.

WHEREAS, the City of Anna, Texas (“City”) has previously adopted ordinances, rules and regulations governing the subdivision of land, zoning, landscape regulations, and tree preservation in the City; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council of the City of Anna (“City Council”) have given the requisite notices and have held the public hearings as required by law and afforded a full and fair hearing to all persons interested in and situated in the affected area and in the vicinity thereof, the City Council has concluded that the Article 4.07 Address Numbers, Article 9.02 Subdivision Regulations, Article 9.04 Zoning Ordinance, Article 9.06 Landscape Regulations, and Article 9.07 Tree Preservation of the City should be amended as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated

The above recitals are incorporated herein by reference for all purposes.

Section 2. Amendment

In accordance with Article 1.01 of the Anna City Code of Ordinances (“Anna Code”), the amendments made to Chapter 4 (Building Regulations) and Chapter 9 (Planning and Development Regulations) are hereby amended as follows.¹

¹ Additionally, throughout Chapter 9 (Planning and Development Regulations), this Ordinance shall permit Franklin Publishing to update references as necessary, such as:

Sec. 9.04.028

- (d) Parking regulations. Required off-street parking shall be provided in accordance with the specific uses set forth in section ~~9.04.025-9.04.037~~.

Sec. 9.06.007

- (c) Variances. If unique circumstances exist which prevent strict adherence with the requirements of ~~subsection 9.06.006(g)(1) and subsection 9.06.006(g)(2) above~~ subsections (a) and (b) of this section, the city council may consider a granting a variance during the site plan approval process to reduce the minimum 20-foot landscape buffer to a minimum of 10 feet, provided that site design considerations have been incorporated to mitigate the impact of the variance....

ARTICLE 4.07 ADDRESS NUMBERS

Sec. 4.07.001 Building numbering system

[...]

- (d) ~~The city secretary~~ director of development services or designee will supervise the assignment of all building numbers. ~~All~~ Such numbering will ~~be under his~~ their supervision and will be recognized as the official number of the building.

[...]

ARTICLE 9.02 SUBDIVISION REGULATIONS

[...]

Sec. 9.02.043 Procedures and submission requirements for preliminary plat approval

[...]

- (e) Information required upon or with preliminary plat. The director of development services may establish—not inconsistent with this article—forms and mandatory standards with regard to the content, format, and graphics for preliminary plats. The proposed preliminary plat shall show information as specified on a ~~an~~ application form or packet provided by the planning department ~~(see requirements set forth in appendix A at the end of this article, incorporated in full as if set forth herein for all purposes).~~

[...]

Sec. 9.02.044 Procedures and submission requirements for final plat approval

[...]

- (c) Information required upon or with final plat. The director of development services may establish—not inconsistent with this article—forms and standards with regard to the content, format, and graphics for final plats. The proposed final plat shall show information as specified on a ~~an~~ application form or packet provided by the planning department ~~(see requirements set forth in appendix B at the end of this article, incorporated in full as if set forth herein for all purposes).~~

[...]

- (f) Timing of public improvements.

[...]

- (4) When all of the public improvements have been constructed and a request is made for acceptance of same by the city, the planning director shall confirm that the public improvements have been completed in accordance with the approved plans and specifications and with all applicable city standards and regulations, and shall confirm receipt by the city of the required maintenance bond. In determining compliance, the planning director shall obtain from the applicant: one sealed set of "as-built" or "record drawing" ~~mylar-sepia~~ and a digital copy of all plans (in a format as determined by the city engineer); a signed letter bearing sealed certification by the design engineer confirming the contractors' compliance with these subdivision regulations, and with all city construction standards set forth in the design standards and other applicable city design documents; and certification signed by the property owner before a notary that all dedications required for the public improvements have been fully conveyed. After said materials are received, and the planning director confirms compliance as set forth above, the planning director shall inform the city manager of same and the city manager shall receive and accept for the city the title, use, and maintenance of the public improvements, and shall provide written notice to the applicant that its request for approval to record the final plat has been granted. No such approval shall be granted until compliance has been verified as set forth in this subsection.
- (g) Effect of approval and acceptance of improvements. As soon as is practical after the final plat has been approved by the city for recordation ~~by the city~~ in accordance with subsection (f)(4) of this section, or, alternatively, approved for recordation because the subdivider has provided sufficient security in accordance with division 6 of this article, the director of development services or designee ~~planning director~~ shall direct the applicant to file the final plat to be recorded with the Collin County clerk. No conveyance or sale of any portion or lot of the property may occur until after the final plat is approved by the planning and zoning commission and city council and duly recorded by the applicant. It is the applicant's responsibility to confirm that the final plat has been duly recorded, and an applicant's failure to confirm same is at the applicant's sole risk.
- (h) Revisions to approved final plat prior to filing at the county.

(1)

[...]

- (B) Subsequent to final plat approval by the planning and zoning commission and city council, the applicant shall return signed and notarized ~~mylar-sepia~~ copies of the final plat, as approved, along with any other required documents and fees necessary for filing the plat with the county clerk, to the planning department within 45 calendar days following approval, in accordance with requirements established by the city; or if construction of any public improvement is required prior to the filing of a final plat, the owner or developer shall return signed and notarized ~~mylar-sepia~~ copies of the final plat, as approved, along with any other required documents and fees necessary for filing the plat with the county clerk (including current documents required to show proof of ownership as outlined in section 9.02.041(f)) to the planning department before said public improvements will be accepted by the city and before said final plat will be recorded with the county clerk.

[...]

Sec. 9.02.084 Easements

[...]

- (e) Visibility easements.

[...]

- (2) Fixed items. The maximum height of fences, walls, signs, and other similar fixed items shall be 30 inches (2-1/2 feet) within the visibility easement.
- (3) Landscaping. All landscaping (and any other fixed feature) within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between 30 inches (2-1/2 feet) and ten (10') eight feet. ~~A limited number of single-trunked trees may be permitted in this area provided they are~~ Trees adjacent to this visibility area shall be trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. Landscaping, except grass and low ground cover, shall not be located closer than three feet from the edge of any street pavement.

[...]

Sec. 9.02.208 Inspection and acceptance of public improvements

[...]

(b) Letter of satisfactory completion.

- (1) The city will only deem required public improvements satisfactorily completed when the applicant's engineer or RPLS has certified to the city engineer (through submission of detailed sealed "as-built," or record, drawings of the property) drawings that indicate all public improvements and their locations, dimensions, materials and other information required by the city engineer, and when all required public improvements have been completed.

(A) The ~~mylar~~ "as-builts" shall also include a complete set of sealed record drawings of the paving, drainage, water, sanitary sewer and other public improvements, showing that the layout of the lines and grades of all public improvements are in accordance with engineering plans for the plat, and showing all changes made in the plans during construction, and containing on each sheet an "as-built" stamp bearing the signature and seal of the licensed professional engineer and the date.

[...]

Sec. 9.02.241 Schedule of fees and re-submission requirements

[...]

- (f) ~~Recordation fees. Recording fees for final plats filed with the Collin County clerk are in addition to any application and inspection fees charged by the city. Such fees shall be paid following approval of the final plat, prior to the plat being filed for record at the county by the city.~~ Recordation of plats with the Collin County clerk shall be the responsibility of the applicant.

The following additional amendments are hereby made to Article 9,02: Delete *Appendix A Preliminary Plat Checklist*, *Appendix B Final Plat Checklist*, and *Appendix C Owner's Certificates* in their entirety.

ARTICLE 9.04 ZONING ORDINANCE

Sec. 9.04.001 Authority

This article is prepared under the authority of ~~section 1, art. 1011a, Vernon's Civil Statutes of the State of Texas Chapter 211, 212, and 213, Texas Local~~

Government Code, and other applicable law, as amended, to promote health, safety, morals, and for the protection and preservation of places and areas of historical and cultural importance and significance, or the general welfare of the community, and the legislative body is empowered to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purpose; and, in the case of designated places and areas of historic and cultural importance, to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures.

[...]

Sec. 9.04.004 Definitions

[...]

Substantially Conforming Site Plan means a minor amendment to existing site plans.

[...]

Sec. 9.04.005 General provisions

[...]

- (m) Visibility at intersections. On a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to interfere with traffic visibility across the corner. This visibility area shall be a triangle in accordance with Sec. 9.02.084(e), ~~measured 20 feet from the point of right-of-way line intersection.~~ All objects on the ground in said triangle should not exceed 30 inches (2-1/2 feet) in height and objects hanging over this area ~~vegetation~~ should not droop to less than ten (10') feet above the ground.

[...]

Sec. 9.04.029 PD Planned Development District

[...]

- (f) Planned developments to be recorded. All planned development districts approved in accordance with the provisions of this article in its original form, or by subsequent amendment thereto, shall be referenced on the zoning district map, and a list of such planned development districts, together with the category of uses permitted therein, shall be maintained on the city's website ~~in an appendix of this article.~~

[...]

Sec. 9.04.034 Supplementary district regulations

[...]

(f) Requirements for solid waste collection.

(a) Applicability - this section shall apply to property utilized for nonresidential or multifamily uses and shall not apply to the following:

- (1) community recycling locations as permitted by the city.
- (2) containers for onsite construction debris with a valid permit issued by the City of Anna Building Department.
- (3) multifamily and nonresidential developments that comply with both of the following stipulations:

(A) the development is authorized for solid waste collection utilizing 90-96-gallon residential-type carts.

(B) the development is located within the CBRD (Central Business Redevelopment District) zoning district or the development is within a planned development district that permits, by stipulation, the use of 96-gallon residential-type carts for solid waste collection.

(4) Donation containers.

(5) Declared disasters in the City of Anna that create solid waste disposal issues until the disaster status is rescinded.

(6) Containers authorized through a Special Event permit.

(b) Provision of Locations for Solid Waste Containers Space for solid waste containers, including compactors, must be provided as follows:

(1) Quantity - A minimum of two containers per lot to accommodate both refuse and recycling.

(2) Location - One or more required container locations may be offsite in a permanent easement within 150 feet of the

building as determined sufficient through the site plan approval process.

(c) Screening and Site Design Standards

(1) Screening and Placement - Screening and placement for solid waste containers must be consistent with sec. 9.04.039 and sec. 9.06.006.

(2) Use - Enclosures for containers must only be used for purposes related to solid waste.

(3) Maintenance - All screening devices must be continually maintained in a state of good repair. Living screens must be maintained in compliance with article 9.06.

(4) Parking Reduction - The number of required parking spaces in sec. 9.04.037 may be reduced to accommodate commercial recycling and community recycling containers for sites developed prior to July 1, 2020. Required parking shall not be reduced without submittal and approval of an amended site plan.

(d) Site Plan Review - Solid waste container locations built to design standards shall be identified on concept plans and site plans. Solid waste containers shall not be added to existing sites and/or to new site plans approved for future development without submittal and approval of an amended site plan.

[...]

Sec. 9.04.039 Screening device requirements

[...]

(b) Applicability.

[...]

(4) All wrecking yards, junkyards, or salvage yards shall be fenced on all sides and shall be screened from view from the public right-of-way and from adjacent residential property. ~~Bays in any business/commercial PD Planned Development shall be oriented away from the street frontage.~~

[...]

(9) Service bays in any business/commercial PD (Planned Development) shall be oriented away from the street frontage.

(c) Screening elements and fences.

[...]

- (10) All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. The ~~chief building official~~ director of development services, building official, or code official may order the repair or removal of a fence if it is more than 5% damaged or leaning 10 degrees from vertical. Fences shall be repaired in compliance with the provisions of this section.

[...]

Sec. 9.04.040 Outdoor Lighting Code

[...]

- (f) Definitions. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this section, have the meanings shown below:

[...]

Director means the ~~building permits and inspections director~~ director of development services, building official or designee.

[...]

- (n) Prohibitions.

[...]

- (5) Existing lighting causing light trespass onto residential property.

- (A) If after complaint and investigation, the ~~code official~~ director finds that an existing light fixture directs light toward residential buildings, the ~~code official~~ director shall give written notice of such violation to the owner and/or to the occupant of such premises demanding that the violation be abated within ninety days of the date of written notice.

[...]

Sec. 9.04.041 Planning and zoning commission

- (a) Creation of planning and zoning commission. There is hereby created a planning and zoning commission which shall be organized, appointed and function as follows:
- (1) The planning and zoning commission shall consist of seven ~~five~~ members who are residents of the city ~~or its extraterritorial jurisdiction~~, each to be appointed by the city council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing. The city council shall designate one member as chairman. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made. Provided, however, that the city council may appoint two alternate members of the planning and zoning commission who shall serve in the absence of one or more of the regular members when requested to do so by the chairman or city manager, as the case may be; and
 - (2) The terms of four ~~three~~ members shall expire in May of each odd-numbered year and the terms of three ~~two~~ of the members shall expire in May of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first regular commission meeting after their appointment.
- (b) Organization. The commission shall hold an organizational meeting in July ~~May~~ of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this article and the requirements of law.
- (c) Duties and powers. The planning and zoning commission is hereby charged with the duty and invested with the authority to:
- (4) Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in ~~articles 1011a-1011k, Revised Civil Statutes of Texas Chapters 211 and 213, Texas Local Government Code~~, as amended, authorizing ~~cities and incorporated villages~~ municipalities to pass zoning regulations; all powers granted under said ~~act~~ statutes are specifically adopted and made a part hereof.

(5) Exercise all the powers of a commission as to recommendations to the city council relating to approval or disapproval of plans, plats, amending plats, or replats set out in ~~articles 974a and 970a, Revised Civil Statutes of Texas Chapter 212, Texas Local Government Code, as amended.~~

(d) Meeting and quorum. A quorum for the conduct of business shall consist of four~~three~~ members of the commission. The members of the commission shall regularly attend meetings and public hearings of the commission and shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

[...]

Sec. 9.04.048 Site Plans

(a) Site Plan Approval.

(1) Conceptual site plans.

[...]

(C) The conceptual site plan shall include sufficient information to adequately assess the functionality of the proposed subdivision and its impact on surrounding properties and circulation systems~~;~~. The director of development services may establish—not inconsistent with this article—forms and standards with regards to the content, format, and graphics for conceptual site plans including but not limited to:

[...]

(4) Prior to the issuance of any building permit, a site plan drawn to scale shall be submitted for initiation of the review and approval process along with ~~25 copies of the plan or~~ the number of copies deemed necessary by the city to complete the required reviews or memorandums.

(b) Content of site plan. The director of development services may establish—not inconsistent with this article—forms and standards with regards to the content, format, and graphics for site plans. The proposed site plan shall show information as specified on a form or packet provided by the planning department, including: When required, a site plan shall include the following:

[...]

(f) Revision of site plan.

(1) In the event that changes to the approved site plan are proposed, ~~the city manager~~ director of development services or designee shall have the authority to require that a substantially conforming site plan or revised site plan be submitted to the city for review and approval.

(2) (A) It is recognized that final architectural and engineering design may necessitate some judgment in the determination of conformance to an approved site plan. ~~the city manager~~ director of development services or designee shall have the authority to interpret conformance to an approved site plan, provided that such interpretations do not materially affect access, circulation, general building location on the site, or any conditions specifically attached as part of a city council approval. ~~The city manager~~ director of development services or designee shall only approve minor changes that substantially conform to the approved site plan and with all applicable city regulations.

(B) Examples of revisions which may be approved by ~~the city manager~~ director of development services or designee on a substantially conforming site plan, elevations, or landscape plan include:

(i) ~~Minor dimension and location adjustments~~ building revisions/expansions that do not increase the height of a building and are less than an aggregate total of 1,000 square feet;

(ii) Minor changes in the number of parking spaces (adding, removing, or relocating 20 parking spaces of less), provided that minimum parking requirements are met;

(iii) Adjustments to ~~sanitation~~ solid waste container location;

(iv) Minor revisions to approved elevations; and

(v) Substitution of similar materials on an approved landscape plan.

~~(C) Examples of revisions that may not be approved by the city manager include:~~

~~(i) Major changes to type of screening materials;~~

~~(ii) Significant alterations to the building footprint;~~

~~(iii) Specific conditions of approval; and~~

~~(iv) Any changes that may negatively impact adjacent properties.~~

~~(CD) If, in the judgment of the city manager, the proposed revisions exceed staff's approval authority, the a revised site plan, revised landscape plan or revised elevations shall be submitted and processed for approval accordingly. forwarded to the planning and zoning commission for consideration according to the procedures for site plan approval. If proposed revisions to the site plan have not been approved by the city manager within 30 days of their final submission, they shall be scheduled for consideration by the planning and zoning commission upon request by the applicant.~~

(g) Certificate of occupancy

~~(3) Mylar original. The final site plan shall be accompanied by a mylar original for permanent record.~~

~~(4)(3) Preliminary site plan. [...]~~

[...]

APPENDIX 1. ZONING DISTRICT AREA REGULATIONS

	AG	SF-E	SF-84	SF-72	SF-1	SF-60	SF-2	SF-Z	SF-TH	TF	MH-1	MH-2	MF-1	MF-2
Side yard, interior (feet)	15	15	10	10 (c)	10 (c)	10 (c)	10 (c)	(a)	(b)	10 (c)	10	10	10	10
Side yard, corner lot, street side (feet) (c)	25	25	15	15	15	15	15	15	15	15	15	15	25	25

(a) Zero one side with 10 feet separation between buildings.

(b) 14 feet between ends of buildings.

~~(c) 45 feet where adjacent to single family or duplex residential district.~~

(c) 5 feet or 10% of the lot width, whichever is greater.

[...]

ARTICLE 9.06 LANDSCAPE REGULATIONS

[...]

Sec. 9.06.003 Issuance of permits and certificate of occupancy

- (a) No permits shall be issued for building, paving, grading, or construction until a detailed landscape plan is submitted and approved by the city manager or designee. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan ~~and a reproducible mylar copy of the landscaping as installed shall be provided to the city for permanent filing.~~

[...]

Sec. 9.06.006 Minimum landscaping requirements

- ~~(a) For all nonresidential and multiple-family parcels at least 15% of the street yard shall be permanent landscape area. The street yard shall be defined as the area between the front property line and the minimum front setback line.~~
- ~~(b) For all nonresidential and multiple-family parcels located at the intersection of two dedicated public streets (rights-of-way), a 600 square foot landscape area shall be provided at the intersection corner, which can be counted toward the 15% requirement.~~
- ~~(c) For all nonresidential and multiple-family parcels, a minimum of 10% of the entire site shall be devoted to living landscape which shall include grass, ground cover, plants, shrubs, or trees.~~
- ~~(d) For all nonresidential and multiple-family parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at time of planting) per 40 linear feet, or portion thereof, of street frontage. Trees may be grouped or clustered to facilitate site design.~~
- ~~(e) Landscape areas within parking lots should generally be at least one parking space in size (180 square feet).~~
- ~~(f) No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.~~
- ~~(g) For all nonresidential and multiple-family parcels, internal landscape areas shall:
 - ~~(1) Equal a total of at least eight square feet per parking space;~~
 - ~~(2) Have a landscaped area with at least one tree within 65 feet of every parking space;~~~~

- ~~(3) Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces.~~
- ~~(h) Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of each parking row, and should contain at least one tree. All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.~~
- ~~(i) All existing trees which are to be considered for credit shall be provided with a permeable surface (a surface which does not impede the absorption of water) within a minimum five-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface under the dripline a minimum two and one-half foot radius from the trunk of the tree.~~
- ~~(j) At least 75% of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet. A wall used for parking lot screening should be accompanied with landscape planting in the form of low shrubs and ground cover to soften the appearance of the wall.~~
- ~~(k) A minimum of 50% of the total trees required for the property shall be large (minimum three-inch caliper, seven feet in height at time of planting) canopy trees as specified on the approved plant list (see approved plant list).~~
- ~~(l) Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance with city regulations. Shared drives shall be allowed through perimeter landscape areas.~~
- ~~(m) For all nonresidential and multi-family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.~~
- ~~(n) Whenever a nonresidential use, mobile home use, or multiple-family use is adjacent to a property used or zoned for single-family or duplex residential use, the more intensive land use shall provide a landscaped area of at least 10 feet in width along the common property line planted with one large tree (minimum three inches in caliper and seven feet in height at time of planting) for each 40 linear feet or portion thereof of adjacent exposure.~~
- ~~(o) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.~~
- ~~(p) For all single-family and duplex parcels, builders shall be required to plant two large trees (minimum of three-inch caliper and seven feet high at time of planting) per lot prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. Existing quality~~

~~trees of at least three-inch caliper size located on the lot shall count to meet this standard if appropriate tree protection measures have been followed.~~

- ~~(q) Requirements for single-family residential and duplex lots. Three-inch caliper trees selected from the large tree list in this article shall be planted on all single-family residential, duplex, and town home lots. At least one of the trees must be placed in the front yard of the lot. The following minimum standards apply:~~

Single-Family Residential – Large Lot (SF-E)	4 trees
Single-Family Residential – 64 (SF-64)	3 trees
Single-Family Residential – 72 (SF-72)	3 trees
Single-Family Residential – 1 (SF-1)	2 trees
Single-Family Residential – 60 (SF-60)	2 trees
Single-Family Residential – Zero Lot Line (SF-Z)	2 trees
Single-Family Residential– Town Home (SF-TH)	1 tree
Two-Family (TF)	2 trees

~~All large trees required above will be planted prior to issuance of the certificate of occupancy on the dwelling.~~

- ~~(r) For all residential parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at the time of planting) per 40 linear feet, or portion thereof, of street frontage for major thoroughfares. Trees may be grouped or clustered to facilitate site design.~~

(a) General

- (1) All existing trees which are to be considered for credit shall be provided with a permeable surface (a surface which does not impede the absorption of water) within a minimum five-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface under the dripline a minimum two and one-half foot radius from the trunk of the tree.
- (2) A minimum of 50% of the total trees required for the property shall be large (minimum three-inch caliper, seven feet in height at time of planting) canopy trees as specified on the approved plant list (see approved plant list).
- (3) Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance

with city regulations. Shared drives shall be allowed through perimeter landscape areas.

(4) All trees planted to satisfy the tree standards must be a minimum of three inches in diameter at breast height (DBH).

(5) No trees with a maximum mature height of 25 feet or greater may be planted within 25 feet (measured horizontally) from the nearest overhead utility line (see Appendix 1 and Appendix 2 of Article 9.07 Tree Preservation for height references).

(6) Definitions:

i. Street yard is defined as the area between the front property line and the minimum front setback line.

ii. Internal landscape area/landscaping is defined as the remaining property exclusive of the street yard and required landscape buffers.

(b) Parking Lots in addition to subsections (c) and (d) of this section.

(1) Landscape areas within parking lots should generally be at least one parking space in size (180 square feet).

(2) Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of each parking row, and should contain at least one tree. All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.

(3) At least 75% of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet. A wall used for parking lot screening should be accompanied with landscape planting in the form of low shrubs and ground cover to soften the appearance of the wall.

(c) Nonresidential and multiple-family lots:

(1) For all nonresidential and multiple-family parcels at least 15% of the street yard shall be permanent landscape area.

- (2) For all nonresidential and multiple-family parcels located at the intersection of two dedicated public streets (rights-of-way), a 600 square foot landscape area shall be provided at the intersection corner, which can be counted toward the 15% street yard requirement.
- (3) For all nonresidential and multiple-family parcels, a minimum of 10% of the entire site shall be devoted to living landscape which shall include grass, ground cover, plants, shrubs, or trees.
- i. No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.
- (4) For all nonresidential and multiple-family parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at time of planting) per 40 linear feet, or portion thereof, of street frontage.
- i. Trees may be grouped or clustered to facilitate site design.
- ii. These trees must be within the street yard except when the property is restricted by easements.
- iii. When the street yard is restricted by easements any combination of the following may be permitted:
1. The required large trees may be substituted with two small trees for every one large tree required within the street yard;
2. Up to 50% of the required large trees may be placed in the internal landscape.
- (5) For all nonresidential and multiple-family parcels, internal landscape areas shall:
- i. Equal a total of at least eight square feet per parking space;
- ii. Have a landscaped area with at least one tree within 65 feet of every parking space;
- iii. Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces. These required trees shall be provided within the internal landscape area.

- (6) For all nonresidential and multi-family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.
 - (7) Whenever a nonresidential use, mobile home use, or multiple-family use is adjacent to a property used or zoned for single-family or duplex residential use, the more intensive land use shall provide a landscaped area of at least 10 feet in width along the common property line planted with one large tree (minimum three inches in caliper and seven feet in height at time of planting) for each 40 linear feet or portion thereof of adjacent exposure.
 - (8) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.
 - (9) All commercial properties shall provide trees at a ratio of 10 trees per acre (43,560 sq. ft.) or one tree per 4,356 sq. ft. of the gross lot area.
 - i. At the discretion of the city, and at the request of the property owner, the ten trees per acre may be satisfied by planting trees elsewhere in the city at the direction of the ~~landscape administrator~~ Director of Development Services or designee.
- (d) Single-family and duplex lots and subdivisions:
- (1) For all single-family and duplex parcels, builders shall be required to plant two large trees (minimum of three-inch caliper and seven feet high at time of planting) per lot prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. Existing quality trees of at least three-inch caliper size located on the lot shall count to meet this standard if appropriate tree protection measures have been followed.
 - (2) Requirements for single-family residential and duplex lots. Three-inch caliper trees selected from the large tree list in this article shall be planted on all single-family residential, duplex, and town home lots. At least one of the trees must be placed in the front yard of the lot. The following minimum standards apply:

<u>Single-Family Residential - Large Lot (SF-E)</u>	<u>4 trees</u>
<u>Single-Family Residential - 84 (SF-84)</u>	<u>3 trees</u>
<u>Single-Family Residential - 72 (SF-72)</u>	<u>3 trees</u>
<u>Single-Family Residential - 1 (SF-1)</u>	<u>2 trees</u>
<u>Single-Family Residential - 60 (SF-60)</u>	<u>2 trees</u>
<u>Single-Family Residential - Zero Lot Line (SF-Z)</u>	<u>2 trees</u>
<u>Single-Family Residential- Town Home (SF-TH)</u>	<u>1 tree</u>
<u>Two-Family (TF)</u>	<u>2 trees</u>

All large trees required above will be planted prior to issuance of the certificate of occupancy on the dwelling.

- (3) For all residential parcels, developers shall be required to plant one large tree (minimum of three-inch caliper and seven feet high at the time of planting) per 40 linear feet, or portion thereof, of street frontage for major thoroughfares. Trees may be grouped or clustered to facilitate site design.

ARTICLE 9.07 TREE PRESERVATION

Sec. 9.07.012 Tree requirements for commercial properties.

- (a) See Article 9.06 Landscape Regulations for tree requirements.
- ~~(a) All commercial properties shall provide trees at a ratio of 10 trees per acre (43,560 sq. ft.) or one tree per 4,356 sq. ft. of the gross lot area.~~
- ~~(b) All trees planted to satisfy the tree standards must be a minimum of three inches in diameter at breast height (DBH).~~
- ~~(c) At the discretion of the city, and at the request of the property owner, the ten trees per acre may be satisfied by planting trees elsewhere in the city at the direction of the landscape administrator.~~
- (db) See appendix 1 at the end of this article for a suggested species list that may be used to meet the requirements of this article. ~~No trees with a maximum mature height of 25 feet or greater may be planted within 25 feet (measured horizontally) from the nearest overhead utility line.~~

Section 3. Savings, Repealing and Severability Clauses

It is hereby declared to be the intention of the City Council that the words, sentences, paragraphs, subdivisions, clauses, phrases, and provisions of this ordinance are severable and, if any phrase, sentence, paragraph, subdivision, clause, or provision of this ordinance shall be declared unconstitutional or otherwise invalid or inapplicable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality, invalidity or inapplicability shall not affect any of the remaining words, sentences, paragraphs, subdivisions, clauses, phrases, or provisions of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional, invalid or inapplicable words, sentences, paragraphs, subdivisions, clauses, phrases, or provisions. Further, all ordinances or parts of ordinances in force when the provisions of this ordinance become effective that are consistent and do not conflict with the terms and provisions of this ordinance are hereby ratified to the extent of such consistency and lack of conflict, and all ordinances or parts of ordinances in force when the provisions of this ordinance become effective that are inconsistent or in conflict with the terms and provisions contained in this ordinance are hereby repealed only to the extent of any such conflict.

Section 4. Penalty

Any violation of any of the terms of this ordinance, whether denominated in this ordinance as unlawful or not, shall be deemed a misdemeanor. Any person convicted of any such violation shall be fined in an amount not to exceed the lesser of \$2,000 or the highest amount allowed by applicable law for each incidence of violation. Each day a violation exists is considered a separate offense and will be punished separately.

Section 5. Publication of the Caption and Effective Date

This ordinance shall be effective upon its passage by the City Council and posting and/or publication, if required by law, of its caption. The City Secretary is hereby authorized and directed to implement such posting and/or publication.

PASSED by the City Council of the City of Anna, Texas this 23rd day of June 2020.

ATTESTED:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor



Item No. 8.g.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Carrie Land

AGENDA ITEM:

Consider/Discuss/Action on a Resolution authorizing Council Members to attend the TML Annual Conference and Exhibition. (City Council)

SUMMARY:

The City Council has previously approved Resolution 2009-10-05 that adopted Travel and Training Policies for Anna City Council Members. Consistent with the City Charter and the Council Travel Policies, members of the City Council may receive reimbursement for actual expenses incurred in the performance of their official duties with the approval of the City Council at a public meeting.

The Resolution authorizes council members to attend the TML Annual Conference and Exhibition October 14-16 in Grapevine. The TML Annual Conference includes workshops on current municipal issues and provides participants opportunities to discuss challenges, solve problems, and share successes with their peers.

Registration and housing open in July, staff is requesting a list of Council Members that wish to attend this year's event.

FINANCIAL IMPACT:

Travel and Training Budget \$20,000.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Approve Resolution and state who is approved to attend.

ATTACHMENTS:

1. City_Council_TML_Resolution
2. Res. 2009-10-05 Travel and Training Policy for City Council Members and Form

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING COUNCIL MEMBERS TO ATTEND THE 2020TML ANNUAL CONFERENCE AND EXHIBITION.

WHEREAS, the Texas Municipal League (TML) is conducting the TML Annual Conference in Grapevine on October 14-16, 2020; and,

WHEREAS, the TML Annual Conference includes workshops on current municipal issues and provides participants opportunities to discuss challenges, solve problems, and share successes with their peers; and,

WHEREAS, the City Council of the City of Anna, Texas approved Resolution 2009-10-05 that adopted Travel and Training Policies for Anna City Council Members (the "Council Travel Policies"); and,

WHEREAS, consistent with the Anna Home-Rule Charter and the Council Travel Policies, members of the City Council may receive reimbursement for actual expenses incurred in the performance of their official duties with the approval of the City Council at a public meeting; and,

WHEREAS, the City Council of the City of Anna, Texas (the "City Council") finds that participation by members of the City Council in the TML Annual Conference and Exhibition is consistent with the Anna Home-Rule Charter and the Council Travel Policies;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, THAT:

Section 1. Recitals Incorporated.

The recitals above are incorporated herein as if set forth in full for all purposes.

Section 2. Authorization to Pay or Reimburse Expenses.

The City Council hereby authorizes Council Members to attend the TML Annual Conference and Exhibition in Grapevine on October 14-16, 2020; and to be paid or reimbursed for expenses incurred in connection with their attendance, consistent with the Council Travel Policies.

PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 23rd day of June 2020.

ATTEST:

APPROVED:

Carrie L. Smith, City Secretary

Nate Pike, Mayor

CITY OF ANNA, TEXAS

RESOLUTION NO. 2009-10-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS,
APPROVING A TRAVEL AND TRAINING POLICY FOR ANNA CITY COUNCIL
MEMBERS**

WHEREAS, Members of the City of Anna City Council ("City Council") occasionally incur expenses in the performance of their official duties as a result of travel and training opportunities that promote the interests of the City ; and,

WHEREAS, the City of Anna, Texas Home-Rule Charter authorizes City Council members to be reimbursed for actual expenses incurred in the performance of their official duties; and,

WHEREAS, the City Council desires to establish standard regulations governing the payment and reimbursement of such expenses;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

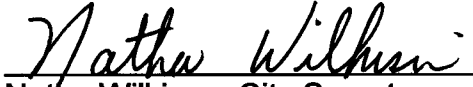
Section 1. Recitals Incorporated

The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. The City Council hereby adopts the attached Travel and Training Policy, Exhibit "A", for Anna City Council Members.

PASSED by the City Council of the City of Anna, Texas, on this 13th day of October, 2009.

ATTEST:


Natha Wilkison, City Secretary

APPROVED:


Mayor, Darren R. Driskell

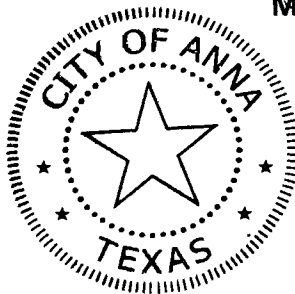


EXHIBIT “A”

Travel and Training Policy For Anna City Council Members

Scope

City Council members occasionally incur expenses in the performance of their official duties as a result of travel and training opportunities that promote the interests of the City. Therefore the City desires to establish standard regulations governing the payment for and reimbursement of such expenses. This policy provides for uniformity in submitting and handling of expenditure requests and establishes proper accounting for approved expenditures made for travel. This policy is implemented for the purpose of reducing the expenses of the City Council while still providing the City and the Council with the benefits to be gained from attendance at business and professional functions that are related to City business and that promote the current interests of the City. Examples of such functions include but are not limited to conferences and meetings that: are sponsored by organizations of which the City is a member; promote the economic development, legislative, or other current interests of the City; or provide professional development opportunities for Council members in their official capacities.

Authorization

The City of Anna at the discretion of the City Council may pay reasonable expenses which are incurred in the course of authorized City business meetings and City trips. Except as noted, Council authorization at a duly noticed public meeting is required in order for travel and training expenses to be paid or reimbursed by the City. Every reasonable effort should be made to receive prior authorization from the City Council before committing to attend an event. If it is not reasonably possible to receive Council authorization at a regularly scheduled Council meeting prior to committing funds to attend an event, the Mayor (or the Mayor Pro-tem or Deputy Mayor Pro-tem in a case where the Mayor is attending) may authorize the payment of funds up to \$100 per Council attendee provided money is available in the City Council's department budget and the City Manager and City Secretary concur that the request is consistent with the intent of this policy and in compliance with policy limits. The Mayor Pro-tem or Deputy Mayor Pro-tem may act in the absence of the Mayor. Such authorization by the Mayor and concurrence by the City Manager and City Secretary shall be in writing. Notification of the previously authorized expenses shall be placed on the next Council agenda. In the event that travel is conducted without prior authorization as outlined in this policy, the attendee may be responsible for all expenses incurred.

General

The City will not pay any portion of a non City representative's expenses including the additional room cost. Among the objectives of City travel is to effectively carry out City business at a minimum total cost to the City. An example would be arriving at a destination on a Saturday in order to take advantage of lower airfare even though a

conference might start late on the following day. This discounted airfare plus lodging and meal costs for the extra day should be less than the total cost of the airfare that did not require a Saturday night stay. Actions and behaviors of City Council members while traveling on City business at City expense reflect on the City of Anna. Professionalism is expected of members and representatives at all times during this type of travel. Any action that is inappropriate or would give the appearance of being inappropriate should be avoided.

Responsibilities

A Council person requesting approval for City paid travel or training expenses must submit a request through the City Secretary at least 7 days prior to Council meeting at which the request will be considered. Registration forms, agendas, and an itemized cost estimate must accompany travel request. Attendees shall turn in travel receipts as soon as possible and within 15 days of return from the trip. Attendees are expected to attend each day any and all portions of any conference seminar or training session paid for by the City. The attendee's signature on the Travel Report indicates that the expenditures are reasonable, prudent, true, and correct and have been made in accordance with this travel policy.

Council members are responsible for coordinating travel requests through the City Secretary's Office in order to facilitate the necessary documentation for financial tracking registration reservations and other steps needed to complete City related travel. If documentation receipts and expense forms fail to comply with the policies stated herein then the matter will be brought to the attention of the City Council by the City Secretary. Payment will not be authorized unless and until all requirements are met. The City Secretary must make sure that travel requests are consistent with the intent of this policy and in compliance with policy limits (i.e. meal requests should not exceed maximum limits established in this policy). All travel records, documentation, receipts, and expense reports may be considered public information and potentially available for public inspection.

Authorized Expenses

All modes of travel (air, rental, personal vehicle, taxi, bus, train, or subway) should be chosen with consideration towards minimizing the loss of time effectiveness and productivity of the attendee, and the total cost to the City.

Air Travel. City Council members should purchase round trip coach class tickets. When practical all airline reservations should be made sufficiently in advance to take advantage of airline discount fares if available. The City Secretary may use Internet travel sites to confirm that air travel prices quoted from other sources are reasonable. Electronic or E-tickets should be utilized in order to avoid paper ticket surcharges.

Rental Vehicles. City Council members are expected to obtain the lowest possible rental rate for cars when practical and to weigh the total cost and practicality of a rental car including taxes and parking costs versus the use of other forms of transportation such as taxi, shuttle, or mass transportation. A compact size car should be used unless several

City personnel are pooling transportation. The City may reimburse car rental costs for travel that occurs the day before and the day after the conference or training session dates especially if the extra days were necessary in order to take advantage of discount airline fares. Car rental costs for personal use beyond these dates will not be reimbursed. Car rental insurance for liability and collision is not a reimbursable expense.

Mileage Reimbursement. When personal vehicles are used, City Council members shall be reimbursed at the lesser of an advance purchase round trip coach class air fare purchased sufficiently in advance to take advantage of airline discount fares, or an amount based upon the number of miles multiplied by the IRS mileage reimbursement rate. Travel urgency, safety and health concerns, or the economy of using a personal vehicle at the destination site in lieu of a rental vehicle may alter which reimbursement method is used. The payment of mileage will be based on the most direct route from the point of destination.

Parking. The City will pay reasonable expenses for airport parking required while an attendee is out of town on authorized City business. At the destination the City will also pay required parking fees for personal vehicles or rented vehicles.

Lodging. Expenses will be allowed for an adequate lodging room rate plus tax. Lodging should be a reasonable single accommodation. The City will not pay any portion of a non City representative's additional room cost. Receipts for lodging must be provided in order to obtain reimbursement and should show a detailed breakdown of all charges incurred on a daily basis. Personal items should be marked personal and deducted from the total hotel bill.

Regular Meals. The City will pay for actual and reasonable expenses for meals consumed during official travel as long as actual expenses do not exceed the per diem rate per meal. The City shall not pay for meals that are included in the registration for an event. Receipts for authorized meal expenses including a reasonable tip (generally 15%) must be submitted with the travel expense form for reimbursement.

Per Diem Rate. For overnight trips, attendees may elect to request per diem allowance as follows:

Breakfast	\$10.00 if travel commences prior to 6:00 a.m.
Lunch	\$15.00
Dinner	\$20.00 if travel concludes after 7:00 p.m.

The Per Diem rate includes all tips.

Daily Trips. For trips not requiring overnight stays the City will reimburse or pay for actual expenses incurred up to the maximum per meal allowed under the per diem rate including tips.

Incidentals. The cost of alcoholic beverages, laundry, dry cleaning, in room movies, loss of personal property, room service charges for meals that exceed the per diem rate,

haircuts, newspapers, magazines, transportation to and from entertainment events, tours, health club expenses, and other expenses not set forth as eligible under this policy are specifically excluded from reimbursement.

Exceptions

Exceptions to this policy may be approved by the City Council only in exceptional circumstances and only in those cases where the best interests of the City are clearly manifested.



TRAVEL AUTHORIZATION	NAME		DEPT.	

Section A - Business Reasons for Travel

REASON:				ESTIMATED TRIP COST:	
DESTINATION:			DATES - FROM:		TO:
NOTES:					

Section B - Advance and Travel Approval

Advance Amount	\$0.00	BUDGET ACCOUNT NUMBER(S)	
City Manager Approval	Date:		
PRE-PAID EXPENSES	VENDOR/DESCRIPTION		TOTALS
Registration Fee			\$0.00
Lodging			\$0.00
Transportation			\$0.00
Meals			\$0.00
Other			\$0.00
TOTAL PRE-PAID EXPENSES			\$0.00

Section C - Expenditure Report

DATE OF EXPENSE	ALL FINAL EXPENSES						EMPLOYEE EXPENSES	PRE-PAID EXPENSES	TOTAL EXPENSES
REGISTRATION							\$0.00		\$0.00
LODGING							\$0.00		\$0.00
BREAKFAST/\$10 (travel commences prior to LUNCH/\$15							\$0.00		\$0.00
DINNER/\$25 (travel concludes after 7 pm)							\$0.00		\$0.00
AIRLINES							\$0.00		\$0.00
CAR RENTAL							\$0.00		\$0.00
TAXI/SHUTTLE/BUS/TRAIN							\$0.00		\$0.00
AUTO MILEAGE - see gsa.gov for rates							\$0.00		\$0.00
GARAGE/PARKING							\$0.00		\$0.00
OTHER EXPENSES**							\$0.00		\$0.00
TOTAL PER DAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

****OTHER EXPENSES**

SUMMARY

	EMPLOYEE EXPENSES	\$0.00
	CITY PURCHASING CARD EXPENSES	\$0.00
	TOTAL EXPENSES	\$0.00
	PRE-PAID EXPENSES	\$0.00
	AMOUNT DUE CITY	\$0.00
	AMOUNT DUE EMPLOYEE	\$0.00

I am certifying that all information provided is true and correct

EMPLOYEE SIGNATURE	DATE	FINANCE APPROVAL	DATE
DEPARTMENT APPROVAL	DATE		

Do not combine more than one person's expenses on this report. This report MUST include ALL costs for the ENTIRE trip. **Include all receipts for daily travel or if per diem was not approved.** Submit this report within 14 days of return, and include cash or check for amounts due to the City with report. Allow ten to fourteen days for reimbursements.



Item No. 8.h.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Joey Grisham

AGENDA ITEM:

Consider/Discuss/Action on a Resolution adopting a Public Improvement District (PID) Policy. (Economic Development Director Joey Grisham)

SUMMARY:

The City Council identified a Public Improvement District (PID) Policy as a high priority in the city strategic plan. To that end, staff drafted the following policy based on input from a number of people including staff, City Attorney Clark McCoy, and the city's PID consultants. Staff also reviewed similar policies from other cities including Dallas, Fort Worth, Lancaster, Kyle, Marble Falls, Lubbock, Grand Prairie, Corpus Christi, and others. Ultimately, the purpose of this policy is to outline the issues and procedures to be addressed before the City Council can support the creation of a PID. With the number of new PID applications and interest, it is a good time to develop such a policy.

As you are aware, public improvement districts are economic development tools that permit the financing of qualified public improvements within the city or ETJ, authorized by Chapter 372 of the Texas Local Government Code. Bonds are typically issued and approved by the City Council, and paid back through assessments on lots (only in the PID defined area). Bonds are not a direct general obligation of the city; they are solely secured by pledged PID assessment revenues. Some of the highlights of the policy include:

- Includes a PID fee of \$3,400 per single-family lot
- Sets required fees
- Establishes the application process and criteria for pursuing a PID
- Outlines PID bond issuance requirements and finance limitations
- Priority is given to those projects that exceed the city's development standards
- Sets development standard expectations
- Requires homeowner disclosure

FINANCIAL IMPACT:**STRATEGIC CONNECTIONS:**

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 1: Growing Anna Economy

Goal 2: Anna – Great Place to Live

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. PID Policy Resolution
2. Exhibit A--PID Policy

APPROVALS:

Joey Grisham, Economic Development Director
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
ADOPTING A PUBLIC IMPROVEMENT DISTRICT POLICY**

WHEREAS, the City Council of the City of Anna offers various incentives to encourage developments within the corporate limits of the City and in the extraterritorial jurisdiction; and

WHEREAS, public improvement districts are an economic and community enhancement tool that finances the costs of qualified public improvements which would not be otherwise be provided; and

WHEREAS, Chapter 372 of the Texas Local Government Code allows for the creation of public improvement districts; and

WHEREAS, the City Council wishes to develop guidelines and requirements for consideration in the establishment of a PID; and

WHEREAS, the City of Anna Public Improvement District (PID) policy is provided herein as "Exhibit A":

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, THAT:

Section 1. The City Council hereby adopts the Public Improvement District policy, which is attached hereto and incorporated herein as Exhibit "A"

Section 2. This resolution shall take effect immediately.

PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 23rd day of June 2020.

ATTEST:

APPROVED:

Carrie L. Land, City Secretary

Mayor, Nate Pike

Exhibit A



Public Improvement District Policy

A Public Improvement District (“PID”) in accordance with Texas Local Government Code Chapter 372 (“Act”), provides the City of Anna (“City”) an economic development and community enhancement tool that finances the costs of qualified public improvements that confer a special benefit for a definable part of the City and/or its extraterritorial jurisdiction. Proceeds from assessments and/or PID bonds can be used to finance capital costs of public improvements or enhancements of public improvements which would not otherwise be constructed or provided. PIDs allow the costs of public improvements to be borne by those who receive special benefits from the improvements or services. Proceeds of PID bonds may only be used to pay for public improvements that will ultimately be owned and controlled by the City or another political subdivision. Proceeds from assessments may also be used for special supplemental services for improvement and promotion of the PID, including maintenance of PID projects.

A PID is comprised of a defined area of properties whose owners have petitioned the City to form a PID. The City Council creates a PID by adoption of a resolution after a public hearing. Notice of the public hearing must be published and mailed to all property owners in the proposed PID, as required by the Act. In the petition, the property owners request the City to levy assessments on property within the PID in order to fund enhanced services and/or improvements within the PID. The PID must demonstrate that it confers a special benefit to the property within the PID and promotes the interests of the City.

The purpose of this policy is to outline the policies and procedures the City will use to consider whether creation of a PID, the levy of PID assessments, issuance of PID bonds, information disclosure to property owners, and determination of annual plans, budgets, and assessments are in the best interests of the City. This policy outlines the items needed to be addressed by the property owners seeking the creation of a PID (“Petitioner”) before the City Council can support the authorization of the PID. Any requests for adjustments, exceptions, or waivers to this policy must be reviewed and approved by the City Council of the City of Anna.

General

1. A PID may be created and utilized to construct qualified public improvements and/or reimburse a developer's actual and documented costs of standard infrastructure with a strong preference for promoting enhanced infrastructure and improvements to serve the development.
2. Proceeds of PID bonds cannot be used to reimburse costs incurred prior to the twentieth (20th) day after such resolution is published.
3. PIDs must be self-sufficient and fund any costs incurred by the City associated with the formation of the PID, bond issuance costs, PID administration, the construction of PID improvements and other PID related costs.
4. Priority will be given to PID developments which:
 - a. Generate economic and superior development benefits to the City beyond what normal development would generate
 - b. PIDs created with the support of 100% of the landowners within a PID
 - c. Provide for improvements in the public right of way (e.g., entryways, landscaping, fountains, specialty lighting, art, decorative and landscaped streets and sidewalks, bike lanes, multi-use trails, signage)

Exhibit A

- d. Meet community needs (e.g., enhanced drainage improvements, parks and off- street public parking facilities, pedestrian connectivity, wastewater and/or water on or off-site improvements) including without limitation development's pro-rata share of the of regional public facilities and services
 - e. Increase or enhance City's multimodal transportation and roadway plans
 - f. Exceed development requirements of the City; in particular, enhanced architectural standards, enhanced landscaping, enhanced amenities, and provide for superior design of lots or buildings
 - g. Protect and preserve natural amenities and environmental assets such as lakes, trees, creeks, ponds, floodplains, slopes, hills, and wildlife habitats
 - h. Protect and preserve existing historical buildings, features or places and preserve the community amenities or features that would otherwise be a special benefit to the community
 - i. Does not overlap the boundaries of another PID
5. A PID's budget shall include sufficient funds to pay for all costs including but not limited to all administrative and/or operational costs associated with the administration, management, audit, disclosure and reporting of the PID.
 6. Any requested adjustments and or deviations from the terms and conditions of the City's PID Policy shall be clearly requested and explained in, or submitted prior to or with, the PID petition for that PID. Any adjustments or deviations to be granted shall be at the sole discretion of the City Council.
 7. The developer shall be responsible to prepay all assessments on property owned by the City of Anna, Anna ISD, and/or Collin County that are located in the boundaries of the PID
 8. Developers may be required to pay the assessments for land located in a PID owned by a religious institution.
 9. The City reserves the right and shall select and retain the services of any professionals and/or consultants in association with the creation and administering of the PID including but not limited to financial advisor, bond counsel, underwriter, trustee, PID administrator, and appraiser.
 10. The City Council will not take any action to commence the creation of a PID or other related development district prior to the approval of a final development agreement governing the development in question.

Petition Requirements

Petitions requesting creation of a PID must satisfy all statutory requirements under Chapter 372 of the Texas Local Government Code.

The City may require:

1. Evidence that signatures of property owners were gathered not more than six months preceding the submittal of the petition
2. Evidence that the petitioner's signatures meet the state law requirements, or the petition will be accompanied by a reasonable fee to cover the City's costs of signature verification

In addition, the City may require that the petition set forth the following:

1. The maximum term of a PID assessment
2. Minimum appraised value to lien ratio
3. Maximum maturity of PID bonds
4. Maximum equivalent tax rate

Development Agreement

The City Council will not take any action to commence the creation of a PID or other related development district prior to the approval of a final development agreement governing the development in question.

The following shall be provided to the City prior to the preparation of a development agreement:

Exhibit A

1. The basic terms and conditions for creation of the PID, including the provision of special conferred benefit
2. Indication of the estimated costs of proposed improvements, maximum assessment, maximum bond issuance, and maximum tax equivalent rate (in dollars, \$)
3. A section that clearly identifies the benefit of the PID to the affected property owners and to the City as a whole
4. The petitioner's qualifications and previous experience with real estate development, financing of the development, prior PIDs, etc.
5. A legal description of the boundaries of the proposed PID, a map of the proposed PID boundaries that is suitable for publication for the legal notices, and a "commonly known" description of the area to be included in the PID
6. Description of all City-owned land within the PID as well as its proposed share of project costs
7. A current tax roll of owners in the PID
8. Any plan for phasing of both real estate development supported by the PID and construction of public improvements in the PID including a breakdown between major improvements serving large areas of or the entire PID vs. phase-specific improvements
9. A sunset clause, and a pre-executed petition to dissolve the PID by the landowner in case the project has not obtained a grading permit within three (3) years
10. Agreement by all property owners that upon approval of a PID located in whole or in part outside the City's corporate limits, the boundaries of the PID will be immediately annexed into the City of Anna, or under terms of a development agreement.

Fees and Professional Services Reimbursement Agreement

If the City determines it is in its best interest to establish a PID, a Professional Services Agreement will be entered into with the developer. The Professional Services Agreement will require the developer to initially deposit funds in the amount of \$50,000 to pay for city staff time and third-party consultants including, but not limited to, Legal and Bond Counsel, Financial Advisor, PID Consultant/Administrator, Trustee, Underwriter, Appraiser, and Market Study Analysts. An additional \$25,000 deposit will be required to be deposited by the developer when the deposit balance reaches \$10,000. Certain unused balances will be returned to the developer. The developer will be eligible to be reimbursed these costs through bond proceeds or PID Assessments as applicable. The amounts required to be paid in this paragraph are in addition to administrative costs associated with the PID, cost of bond issuance, and the PID fee referenced below.

In addition to the amounts set forth above, a PID fee of \$3,400 per single family home is required to be paid to the City at bond closing.

Development Standards

The City will consider petitions for PID projects that support real estate developments which confer benefits to the City to a degree that is superior to benefits typically generated by projects that do not involve PID financing.

1. The project must include improvements that enhance or implement the City's master plan, including the City's thoroughfare plan and water and wastewater plans and advance the City's trail and park plans.
2. In addition to other public improvements, any improvements that are offsite or are part of the City's master plans must obtain approval from the City Engineer prior to being included in the PID.
3. Preference will be given to high quality projects that exceed the City's subdivision requirements for overall design, building standards and amenities with enhanced landscaping and appealing architecture throughout.
4. Preference will be given to mixed use projects that include a mix of residential, retail and commercial uses.
5. Preference will be given to projects where an average home price is expected to substantially exceed other surrounding new home community pricing. If actual home pricing is lower than anticipated or certain other

Exhibit A

conditions occur, developers or property owners may be required to make a mandatory assessment prepayment (buydown) to account for lower taxable assessed values.

City Consultants

The City will independently select Bond Counsel, Financial Advisor, PID Administrator, Trustee, Market Study Analyst, Underwriter and Appraiser. The City's PID Administrator will draft the Service and Assessment Plan ("SAP") and prepare all annual updates.

Collection of Assessments

Prior to the levy of assessments, the City will enter into an agreement with Collin County to include the annual PID assessment payments on the Collin County Tax Bill.

Maximum Assessment

The annual PID installment shall not exceed an amount that increases the expected total tax equivalent rate (TRE) upon buildout that will place the development within a competitive TRE. A true-up calculation is included in the City's SAP and upon filing of a final plat will ensure that the maximum assessment per Lot Type, as defined in the SAP, is not exceeded, and which may result in a mandatory prepayment from the developer.

PID Bond Issuance Requirements

In addition to other conditions set forth in a development agreement, the following performance standards and limitations shall apply to PID debt issues approved by the City:

1. The maximum term of a PID assessment is not to exceed 30 years and the assessment term must equal the bond term
2. Minimum appraised value to lien ratio of 3:1
3. No annual assessment increases once assessments are levied. Assessments for future phases will remain competitive to the original Phase and Lot Type(s) as defined in the SAP
4. Maximum of 2 years of capitalized interest for each bond issue
5. All PID bonds must mature or expire no later than 30 years after being issued by the City
6. All improvements to be funded with PID bonds must be reviewed by the City Engineer or designee, and inspected by the City Inspector, or third-party qualified designee, and built to the City's standards for public improvements prior to dedication and reimbursement
7. Developer is required to demonstrate committed capital in the form of cash deposit, proof of bank financing and/or equity capital, or letter of credit to the City with an amount confirmed by an engineer's opinion of probable cost, which represents the difference between budgeted cost to complete the public improvements assumed to be completed, including private costs to reach final lot values as established in the appraisal and the net proceeds of the PID bonds. The form of committed capital (cash deposit, letter of credit or bank/equity commitment) will be determined by the City on a case-by-case basis on advice from its Financial Advisor.
8. The aggregate principal amount of bonds required to be issued shall not exceed an amount sufficient to fund:
 - (i) the actual costs of the qualified public improvements,
 - (ii) required reserves and capitalized interest during the period of construction and not more than 12 months after the completion of construction and in no event for a period greater than 2 years from the date of the initial delivery of the bonds, and
 - (iii) any costs of issuance. Provided, however that to the extent the law(s) which limit the period of capitalized interest to 12 months after completion of construction change, the foregoing limitation may be adjusted to reflect the law(s) in effect at the time of future bond issuances.
9. No bond issuance may occur after the expiration of five years after a PID is created if during said five-year period no assessments have been levied for such PID or no development has occurred within the PID; provided, however, this provision shall not apply if the City Council makes written findings that the passage

Exhibit A

of time without active development should not result in reevaluation of marketability, compatibility with surrounding land uses, and/or other relevant factors.

Finance Limitations

1. A developer or landowner may request the issuance of PID bonds in advance of construction of an individual phase of a development subject to compliance with these standards. All such PID bond issues will be subject to approval of the City Council.
2. No General Obligation Bonds or Certificates of Obligation bonds will be utilized by the City to directly or indirectly pay, or guarantee payment of, PID bonds.
3. If in any calendar year the City issues bonds that would constitute a bank qualified debt issuance but for the issuance of the PID bonds, then the developer shall pay to the City a fee to compensate the City for the interest savings the City would have achieved had the debt issued by the City been bank qualified provided that all other developers or owners benefitting from the City issuing debt are similarly burdened with an obligation to compensate the City.
4. All PID bond issues, if any, will be subject to approval by the City Council.
5. If the City Council authorizes the issuance of PID bonds, the City shall issue all such PID bonds in accordance with the protocols and procedures adhered to by the City's Director of Finance for issuing long-term debt instruments including tax notes and bonds.
6. Special assessments on any given portion of the property may be adjusted in connection with subsequent bond issues as long as an agreed-upon maximum annual assessment rate is not exceeded, and the special assessments are determined in accordance with the SAP and the PID Act. Special assessments on any portion of the property will bear a direct proportionate relationship to the special benefit of the public improvements to that improvement area. In no case will the maximum assessment be increased for any parcel unless the property owner of the parcel consents to the increased assessment.
7. The City shall not be obligated to provide any funds for any improvement except from the proceeds of the PID bonds and PID assessments.
8. The City's cost of reviewing a developer payment request from PID bond proceeds, including City staff time and third-party consultant costs, shall be netted out of the amount paid to the developer.
9. Each PID bond indenture will clearly state that all debt service payments for the PID bonds shall be payable solely from and secured by the pledged assessments levied against properties within the PID or funds held under a bond indenture for such purposes, and that the City will have no obligation to make debt service payments for the PID bonds from any other sources..
10. A PID will be responsible for payment of all the City's reasonable and customary costs and expenses including the cost of any appraisal.
11. Improvements funded with PID proceeds will be exempt from any public bidding or other purchasing and procurement policies per Texas Local Government Code Section 252.022(a)(9) which states that a project is exempt from such requirements if "paving drainage, street widening, and other public improvements, or related matters, if at least one-third of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements."
12. Any new money PID bonds issued will include a Reserve Fund in an amount equal to the lesser of:
 - (i) the maximum annual debt service on the bonds,
 - (ii) 10 percent of the principal amount of the PID bonds, or
 - (iii) 125 percent of the average annual debt service and that such Reserve Fund will be funded from bond proceeds at the time bonds are issued.
13. Pursuant to the PID Act, the interest rate for assessments may exceed the interest rate of the bonds by no more than one half of one percent (0.50%). The City may allocate up to 0.50% of the interest rate component to fund a delinquency reserve, prepayment reserve, or for any other purpose authorized by the PID Act.
14. All developers and significant landowners will provide any required continuing disclosure obligations associated with the issuance of PID bonds as required under the respective bond indenture or any other

Exhibit A

regulatory agreement or regulatory agency. Failure to abide by continuing disclosure requirements may limit access to proceeds and/or future bond issues.

15. Developer is required to demonstrate committed capital (e.g., cash deposit, proof of bank financing, or letter of credit) to the City on or prior to the sale date of the PID bonds in an amount confirmed by an engineer's estimate of probable cost, which represents the difference between the budgeted cost to complete the public improvements assumed to be complete in the appraisal and the net proceeds of the PID bonds.
16. During a material event of default by the developer under the terms of any agreement between the developer and the City relating to the PID or the property within the PID, the City shall, after providing notice and opportunity to cure, have the right to recapture reimbursements and/or terminate its obligations to the developer.
17. All construction of improvements is subject to City review and approval and if applicable, provisions shall be made for dedication to City or to another appropriate entity.
18. Improvements to be funded by the PID are limited to those defined as Authorized Improvements under Texas Local Government Code Section 372.003(b)
19. Any trails, parks, streets or other public amenities that are located within a gated community or otherwise inaccessible location to the general public may not be funded or reimbursed by the PID.
20. All public parks and trails must be dedicated to the City.
21. All roads must be within dedicated rights-of-ways that are conveyed to either the City or to the County government, as appropriate.
22. In any calendar year in which PID bonds are issued, a developer must pay the City its actual additional costs, if any, the City incurs in the issuance of its own public securities or obligations on its own taxing power of municipal revenues if the City Obligations are deemed not to qualify for the designation of qualified tax-exempt obligations as defined in section 265(b)(3) of the Internal Revenue Code as amended, as a result of the issuance of PID bonds by the City in any given year.

Disclosure to Homeowners

To provide disclosure to homeowners, the City will require the petitioner to comply with the following:

1. Execute a Landowner's Agreement or similar agreement to be recorded in the official public records of Collin County.
2. Signage at major entryways and exits.
3. Signage and information flyers in any sales centers within the PID that include:
 - a. Frequently Asked Questions
 - b. Total Assessment
 - c. Average Annual Installment
 - d. Equivalent Tax Rate
4. Homebuyer disclosure documents, as approved by the City Council, in accordance with Section 5.014 of the Texas Property Code to be signed both at contract signing and at closing with such agreements maintained on file by each homebuilder and available for inspection by the City
5. Developer contracts with homebuilders must require the homebuilder to disclose the PID on any MLS listing.

Project Criteria

In agreeing to create a PID for which debt will be issued to fund the costs of constructing eligible public improvements, the City will require the following:

1. The property owner must demonstrate to the City that it has the expertise to complete the new development that the PID will support.
2. The property owner must provide the City with its sources of funding the Public Improvements not being funded by the PID.

Exhibit A

3. The proposed development must be consistent with the entitlements on the property. All required zoning, easements for off-site infrastructure, other required land use approvals or other required permits must be in place for the development prior to the issuance of any PID bonds.
4. The property owner must provide evidence to the City that the utility service provider has sufficient capacity to provide all necessary utility services.
5. All reasonable estimated costs must be identified before a decision is reached on a request to issue bonds for a PID. Costs to be identified include costs related to creating the PID; costs for construction and/or the acquisition of improvements, the maintenance and operation of improvements (if any) and PID administrative costs. A developer is solely responsible for cost overruns that exceed available PID bond proceeds.
6. If the City elects to hire a qualified third party PID administrator to administer the PID, the costs for such administration shall be paid for with PID funds. The PID administrator will be required to prepare the SAP, review and comment on all information provided by the developer, at the direction of the City attend any public hearing regarding the levy of assessments, as well as provide the Annual SAP update and present to Council for approval.
7. The PID Financing Agreement (or other applicable PID documentation) shall contain a section which clearly identifies the benefit of the PID to the affected property owners and to the City as a whole (i.e., public purpose) and evidence of insurance policies with coverages and amounts acceptable to the City..
8. The SAP shall describe, if applicable, all City-owned land within the PID as well as its proposed share of project costs.
11. Specified assurances that the construction of improvements in the public right-of-way will be dedicated to and maintained by the City after PID assessments have expired. For the life of the PID, public infrastructure will be maintained by the PID to the extent permitted under the Act, unless otherwise stated in the PID Financing Agreement (or other applicable PID documentation).

The PID may not finance improvements or services within a gated community or that are not accessible to the general public.

PID Administration

The City may contract with a qualified third-party company to manage and administer the PID, subject to appropriate oversight by City staff and in compliance with the Act, as amended.

Developer Reimbursement

The developer will submit expenses for reimbursements, subject to the SAP and the approved Disbursement Certification Form attached to the Construction Funding Agreement or other Financing or Reimbursement Agreement and submit to the City or PID Administrator as directed.

Miscellaneous

1. This PID policy does not bind the City Council to approve, authorize or create a PID or take any related action. PID creation, PID bond issuance and all related matters are legislative acts solely with the discretion of the City Council.
2. Any requests for adjustments, exceptions, or waivers to this policy must be reviewed and approved by the City Council of the City of Anna.
3. No public official or employee shall be personally responsible for any liability arising under or growing out of any approved PID. Any obligation or liability of the developer whatsoever that may arise at any time under the approved PID or any obligation or liability which may be incurred by the developer pursuant to any other instrument, transaction or undertaking as a result of the PID shall be satisfied out of the assets of the developer only and the City shall have no liability.



Item No. 8.i.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact: Ray Isom

AGENDA ITEM:

Consider/Discuss/Action on a Resolution Approving a Contract and Authorizing Execution of Purchase of an EMS Rescue Vehicle. (Fire Chief Ray Isom)

SUMMARY:

The Covid-19 pandemic response revealed vulnerabilities to provide continuous emergency medical response and transport services to our neighbors in the event of a partial or total failure of the private EMS industry. After determination that the CARES Act Funding allows for the purchases of medical transport vehicles related to Covid-19, the Anna Fire Department believes that the purchase of an ambulance is an appropriate expenditure of CARES Act Funding. Furthermore, the purchase of the ambulance would allow the City to transition to a position of less reliability upon AMR for ambulatory services.

The City has received a written quote attached as Exhibit A (to the resolution) from Frazer Bilt/Mac Haik Dodge to purchase the Class 1 ambulance for the purchase price of \$261,694. The item before the Council allows the City Manager to negotiate and enter into a contract for the purchase of the ambulance, upon legal review, and for the City to proceed forward in acquiring the EMS rescue vehicle.

Outfitting the apparatus will be addressed through separate action under the same funding source.

Time is of the essence in the execution of this as many agencies are considering similar strategies and delivery must occur this calendar year prior to the end of the grant period (12/30/20).

FINANCIAL IMPACT:

There is a fiscal impact of \$261,694 that will be paid for from CARES Act Funding received by the City.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

Goal 2: Anna – Great Place to Live

STAFF RECOMMENDATION:

Staff recommends authorizing the City Manager to execute a contract, upon legal review, for the purchase of an EMS rescue vehicle.

ATTACHMENTS:

1. Resolution Approving a Contract and Authorizing Execution of Purchase of an EMS Rescue Vehicle

APPROVALS:

Ryan Henderson, Assistant City Manager
Jim Proce, City Manager

Created/Initiated - 6/19/2020
Final Approval - 6/19/2020

CITY OF ANNA, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONTRACT AND AUTHORIZING EXECUTION OF SAME FOR THE PURCHASE OF AN EMS RESCUE VEHICLE (AMBULANCE) FROM FRAZER BILT/MAC HAIK DODGE

WHEREAS, the Covid-19 pandemic response revealed vulnerabilities to provide continuous emergency medical response and transport services to our neighbors in the event of a partial or total failure of the private EMS industry, and

WHEREAS, the CARES Act funding allows for the purchases of medical transport vehicles related to Covid-19, and

WHEREAS, the City Council of the City of Anna, Texas ("City Council") finds that the City of Anna Fire Chief - in furtherance of the Fire Department's purpose of preserving and protecting the public health and safety of the City's neighbors - has, after extensive consideration, secured the option to purchase an ambulance to keep in reserve as a means to supplement or intervene in the event AMR was unable or unwilling to commit their Covid-19 depleted resources to our community, and

WHEREAS, this vehicle provides for an emergency medical transport "Plan-B" for Anna neighbors where there was none before, and

WHEREAS, the City of Anna, Texas (the "City") has received a written quote attached as Exhibit A from Frazer Bilt/Mac Haik Dodge to purchase the Class 1 ambulance for the purchase price of \$261,695 and,

WHEREAS, the City's Financial Policy adopted on September 28, 2010 by Ordinance No. 511-2010 requires that all purchases exceeding \$50,000 must be purchased under formal competitive sealed bidding rules or as otherwise permitted by the Texas Local Government Code under Chapters 252 and 271; and,

WHEREAS, Section 252.022(a)(2) of the Texas Local Government Code exempts from competitive bidding a procurement necessary to preserve or protect the public health or safety of the municipality's residents; and,

WHEREAS, the City's Fire Chief has advised the City Manager and the Manager has found and determined that the purchase of the ambulance is necessary and essential to preserve the public health or safety of the City's residents; and,

WHEREAS, the City Attorney has advised that based on these findings competitive bidding is not required for the purchase of the ambulance as it falls under the exemption in Section 252.022(a)(2) of the Texas Local Government Code; and,

WHEREAS, the purchase price is contained in the written quote attached as Exhibit A offered by Frazer Bilt

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, THAT:

Section 1. Recitals Incorporated.

The recitals above are incorporated herein as if set forth in full for all purposes.

Section 2. Authorization of Contract Award.

The City Council hereby authorizes the City Manager to execute on its behalf, subject to legal review and approval by the City Attorney, a contract with Frazer Bilt/Mac Haik Dodge for the purchase of the 2020 Frazer ambulance as shown on the written quotation attached hereto as Exhibit A.



Exhibit A

Customer Quote

Order No.: Q1970-0001
 Quote Date: 5/21/2020
 Expiration Date: 8/19/2020
 Salesperson: Adam Fischer
 afischer@frazerbilt.com

Invoice To:

Anna Fire Rescue
 305 South Powell Parkway
 Anna TX 75409

Attention:

Assistant Chief
 Daniel Wood
 dwood@annatexas.gov

No.	Item	Quantity	U/M		Unit Price		Net Amount
1	MODULE Type I 14' Module	1.000	EA	\$	217,075.00	\$	217,075.00
2	CHASSIS 2019 RAM 4500 Diesel	1.000	EA	\$	50,000.00	\$	50,000.00
3	DELIVERY CUSTOMER PICK UP	1.000	M	\$	0.00	\$	0.00
4	21223 Holder-Dual D Cylinder, Bengal Silver	1.000	EA	\$	94.02	\$	94.02
5	MISC-LABOR Priority Scheduling Fee	1.000	EA	\$	5,000.00	\$	5,000.00
6	HGAC-NEW HGAC Fee Contract #AM 10-18	1.000	EA	\$	1,000.00	\$	1,000.00

Frazer, Ltd., 7219 Rampart Street, Houston, TX, 77081,
 P: 713-772-5511 www.frazerbilt.com
 Frazer Proprietary and Confidential

Customer Quote

Order No.: Q1970-0001
 Quote Date: 5/21/2020
 Expiration Date: 8/19/2020

Remit To:

Per TMVCC, we are quoting this through our
 licensed franchise dealer, Mac Haik Dodge Chrysler
 Jeep

Mac Haik Dodge Chrysler Jeep
 11000 I - 45 North Freeway
 Houston TX 77037

Sale Amount:	273,169.02
Order Disc(4.2007%):	-11,475.00
Sales Tax:	0.00
Total Amount:	261,694.02

Payment Terms: Due on Delivery

Special Instructions:

Email this quote along with your PO to sales@frazerbilt.com.
 Graphics pricing includes two hours' design time in the base price.
 More extensive graphics or multiple changes will be billed at \$100/hr.



Item No. 8.j.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020
Staff Contact: Ashley Stathatos

AGENDA ITEM:

Consider/Discuss/Action on a Resolution to Approve a Special Event Permit for the Christmas event to be held at Sherley Heritage Park on Saturday, November 21, 2020 (Neighborhood Services Manager Ashley Stathatos).

SUMMARY:

Jennifer Watson, Neighborhood Services Coordinator, has submitted a special event permit application for the City's Christmas event to be held on November 21, 2020 at Sherley Heritage Park. The activities proposed for this event include the celebratory Christmas tree lighting ceremony, visit by Santa Claus, community carolers, Christmas band, Christmas market, arts & crafts, blow-up slides, smore's, hot chocolate, food trucks and a beer & wine garden. If enough sponsorship money is received, staff would like to get a trackless train and either an ice skating rink or snow hill. Staff proposes to extend the event along 4th street this year.

FINANCIAL IMPACT:

The total expense for the event is estimated at \$30,000. Staff will be soliciting sponsorship money to offset costs as well as vending fees. Expenses include, Christmas tree lights, lights for the train, lights on the trees by the fence, tree decor, decor for 4th street, banners, signage, advertising, electricity and lights, large tents, portable toilets, Santa, band, arts & crafts supplies, blow-up slides, smore's, cocoa, and more activities depending on funding availability.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Anna – Great Place to Live

STAFF RECOMMENDATION:

Approve the Resolution for the Special Event Permit for the Christmas Event to be held on November 21, 2020 at Sherley Heritage Park.

ATTACHMENTS:

1. Resolution Christmas Event

2. Special Event Permit Application Christmas
3. Christmas Map

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 6/17/2020
Final Approval - 6/19/2020

CITY OF ANNA
RESOLUTION NO. _____

RESOLUTION REGARDING THE APPROVAL OF A SPECIAL EVENT PERMIT FOR ANNA'S CHRISTMAS EVENT.

WHEREAS, Jennifer Watson, Neighborhood Services Coordinator for the City of Anna has submitted a Special Event Permit application to hold the City's Christmas event at Sherley Heritage Park on Saturday, November 21, 2020; and

WHEREAS, according to Anna City Code of Ordinances, the City Council shall approve all Special Event Applications; and

WHEREAS, staff has reviewed the Special Event Application and finds that Jennifer Watson, Neighborhood Services Coordinator has planned a safe, fun-filled event for the community; and

WHEREAS, the Parks Advisory Board reviewed the Special Event Application and recommends approval of a Special Event Permit for the City's Christmas event.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:

Section 1. Recitals Incorporated

The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. The City Council hereby approves the Special Event Permit for the City's Christmas event.

PASSED by the City Council of the City of Anna, Texas, on this 23rd, day of June 2020.

APPROVED:

Mayor Nate Pike

ATTEST:

City Secretary Carrie Land

SPECIAL EVENT PERMIT APPLICATION



Neighborhood Services Department
312 N. Powell Pkwy
Anna, TX 75409
469-734-6767

APPLICANT INFORMATION

Type of Event:	☒ Carnival	☒ Circus	☒ X Festival	☒ Parade	☒ Tent	☒ Other
Applicant Name: Jennifer Watson, Community Services Coordinator						
Address: 312 N. Powell Parkway						
City: Anna		State: TX		Zip Code: 75409		
Phone#: 469-734-6767						
Email: jwatson@annatexas.gov						
Date: 6/12/2020						

APPLICATION FEE AND DEPOSIT REFUND INFORMATION

Application Fee \$50 (non-refundable)	Deposit \$300 (refundable)		
X Same Information As Above (if not the same, complete the next two lines)			
Issue Deposit Refund To: NA			
Address: NA	City: NA	State: NA	Zip Code: NA

ACTIVITY INFORMATION

Date(s) of Activity: November 21, 2020
Reservation Time Block: Evening
Type of Activity (explain purpose of activity): Festival & Christmas Tree Lighting
Estimated Number of People Attending Activity: 2,000 to 3,000 People
Reservation Location: Sherley Heritage Park/Downtown
Will Food and/or Beverages be on-site for the activity? X Yes ☒ No
Will Alcohol be served or sold? X Yes ☒ No (if yes, include request letter)
If yes, please indicate who the vendors are (food and drinks): Food Trucks
Please identify all other activities & structures (bounce house, tents, music, sports, games, etc.): Santa Clause, Christmas Tree Lighting, Arts & Crafts, Smore's, Hot Chocolate, Bounce Houses, Christmas Market, Band, Snow Hill or Ice Skating
*If City Resources (Personnel, equipment and supplies) are used, the cost of <u>Resources</u> will be covered by the event sponsor.

SPECIAL EVENT RULES

Safety and Insurance Information:

Booths, Tents, or Canopies:

If your event will include any tents or canopies, please provide a copy of the "Certificate of Fire Retardant" for each such device when submitting the permit application. All booths that will be cooking on-site, must meet all applicable fire codes for the City of Anna. Fire extinguishers must be supplied and are required for entry.

Food and Beverages:

All vendors must be in compliance with all state and local laws. A copy of appropriate licenses should be on site during the event. The Applicant shall provide with this application a list of all food and beverage vendors participating in the event so that the vendors can be pre-approved through the County Health Department.

Alcoholic Beverages:

Alcohol consumption or sales is prohibited on City property including parks, a public street, sidewalk or parking area adjacent to a public park, unless expressly authorized by the written permission of the City Council authorizing consumption of alcohol in a City Park in connection with an approved Special Event.

Security, Crowd Control, and Traffic Control:

The applicant may be required to provide police officers for security, crowd control, and traffic control at the Special Event. Expenses for the Officers will be paid by the event organizers. The total number of police officers working the Special Event is determined by the City of Anna Police Chief. Planning variables include: the estimated number of people, the availability of alcoholic beverages, topography and size of the event, weather conditions, the time of day during which the Special Event is held, the need for street closures or re-routing of vehicular or pedestrian traffic, and the history of the Special Event.

Insurance:

Insurance is required for all special events at which the attendance is estimated at over 250 people. It may be required for events with fewer people if food or alcohol is sold or given away or activities are of a physical nature that would warrant insurance. The City reserves the right to review and determine amount of coverage required based on level of activity at the Special Event.

Each policy will name the City of Anna as an additional insured and a copy of the Certificate of Insurance will be submitted to City Hall one week before the event start date.

Indemnity Agreement:

As a condition of the Special Event Permit being issued, the Applicant acknowledges that he/she has voluntarily applied for a Special Event Permit that in consideration of the privileges associated therewith, Applicant agrees to PROTECT, DEFEND, INDEMNIFY, and HOLD HARMLESS, the City of Anna, its officers, agents, and employees, from and against any claim, proceeding, cause of action, judgment, penalty, or any other cost or expense arising or growing out of, associated or in connection to the Special Event. The indemnification includes, but is not limited to, losses, damage, or liability on account of injury, death or otherwise, to any person or damage to any property, arising from any negligent act, error or omission of the undersigned, its officers, employees or agents, arising out of, resulting from, or caused by any act occurring as a result of the exercise of the privileges granted by this permit.

Applicant agrees that this indemnity agreement is intended to be as broad and inclusive as is permitted by the laws of the state of Texas, and that if any portion is held invalid, then it is agreed that the balance shall; notwithstanding, continue in full legal force and effect.

Signatures:

I do solemnly swear (or affirm) that all the answers given and statements made on this application and supporting documents are full, true, and correct to the best of my knowledge and beliefs. I have been given a copy of the Anna City Code ordinance Part II, Article 47 and have read the provisions contained therein and agree to abide by them.

Applicant Name: _____

Signature: _____

Date: _____

Submittal

Submittal Requirements:

1. Completed application with signatures and contact information.
2. Submit application fee (\$50) and deposit (\$300). (*Ord. No. 410-2008; Checks payable to the City of Anna*)
3. Map of Event area.
4. List of food and beverage vendors and/or copy of current license from vendor.
5. Statement of Intent to obtain Insurance and/or Proof of Insurance. (A copy of the Certificate of Insurance is due a *minimum of one week before event start date*)
6. Letter of request if alcohol is desired.

For Office Use Only:

Date Application & Deposit Received (\$300):	Date Application Fee Received (\$50):
Received By: _____	Received By: _____
Cash or Check # _____	Cash or Check # _____
Receipt #: _____	Receipt #: _____
Required Documents Rec'd: ● Completed Application ● Insurance ● Food Vendor List ● Sound System ● Map ● Alcohol Request (optional) ● Other: _____ ● Other: _____ ● Approved by: _____ ● Permit Issued Date: _____	

Assign Date of Parks Board Review of Application: _____
(put date in blank) and notify Applicant.





Item No. 10.

City Council Agenda
Staff Report

Meeting Date: 6/23/2020

Staff Contact:

AGENDA ITEM:

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. (If there is no need to address any other such agenda item, the Mayor shall adjourn this meeting).

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

System Admin,

Created/Initiated - 6/16/2020