

**MINUTES
PLANNING AND ZONING COMMISSION
APRIL 5, 2021**

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on April 5, 2021, at the Anna ISD Board Room located at 201 E. 7th Street, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 7:07 pm.

Commissioners present were Chairman Alonzo Tutson, Latoya Grady, Brent Thomas, and Duane Hayes. Commissioners Donald Henke and Nick Rubits was absent. Staff present was Ross Altobelli, Kevin Johnson, and Lauren Mecke. Councilmen present were Lee Miller, Kevin Toten, and Stan Carver.

2. Invocation and Pledge of Allegiance

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

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

There were no citizen comments.

4. Location Map

Consent Items

A motion was made by Commissioner Thomas, seconded by Commissioner Grady to recommend approval of consent items 5 through 8 and 10. The vote was unanimous.

5. Consider/Discuss/Action to approve minutes of the March 1, 2021 Planning & Zoning Commission Meeting.
6. Consider/Discuss/Action to approve minutes of the March 15, 2021 Planning & Zoning Commission Meeting.
7. Consider/Discuss/Action on a recommendation regarding the Anacapri, Phase 1A, Final Plat. Applicant: Oakwood Village Apartments, Inc.
8. Consider/Discuss/Action on a recommendation regarding the Shadowbend, Phase 2, Final Plat. Applicant: LGI Homes - Texas, LLC
9. Consider/Discuss/Action on a recommendation regarding the Pecan Grove, Phase 2, Block M, Lot 1, Site Plan. Applicant: Pecan Grove Phase II Ltd

The item was pulled by Councilman Toten. As a resident of Pecan Grove, he expressed his dismay for the developer not providing a pool at this site. Asked for Commissioners to consider when new developments come during zoning, that the developers will provide proper amenities to do better for the Neighbors of Anna.

Chairman Tutson stated he felt the same frustrations in Oak Hollow. He wanted to point out that the issues with Pecan Grove predate current staff. He asked if the site plan could be voted on contingent of adding a pool or if it must be accepted as is.

Mr. Altobelli responded that the zoning does not contain language dictating the amenities. Due to the state law, the city must act on the site plan within 30 days of it being submitted. The site plan meets all zoning requirements.

Commissioner Thomas asked if the Commission could recommend denial. Mr. Altobelli clarified that the site plan meets the zoning regulations and cannot arbitrarily deny without reason. Councilman Carver added that City Council is bound by the same rules as the Planning & Zoning Commission.

Commissioner Hayes brought up his past experience on Council and the Planning & Zoning Commission as a learning experience. He stated that both the Planning & Zoning Commission and City Council need to continue to seek the help of professionals [such as Kimley-Horn who had presented in the Joint Work Session earlier in the evening] to make sure developers are not taking advantage of the city as they have in the past.

Commissioner Grady stated she empathized with Councilman Toten's feelings on the existing Pecan Grove pool as the only pool in the neighborhood. She stated that as the Planning & Zoning Commission and Council needs to hold the developers accountable for providing amenities. She added that she wishes to see more people, not just a councilmember, advocating for their neighborhoods.

Chairman Tutson asked for clarification from staff if there was the ability to amend the regulations once a subdivision reaches a certain size that they must provide certain amenities. Mr. Altobelli responded that with a planned development zoning, something like that would be possible. But if a developer comes in with "straight" zoning there is nothing outside of parkland dedication requirements saying they have to improve

A motion was reluctantly made by Commissioner Thomas, seconded by Commissioner Grady to recommend approval of the Pecan Grove, Phase 2, Block M, Lot 1, Site Plan. Commissioners Grady, Thomas, and Hayes voted in favor. Chairman Tutson voted in opposition and stated that the motion failed for a lack of majority.

*Clarification from City Attorney: The City Charter states that a quorum is four members of the Planning & Zoning Commission and that only a simple majority is needed to approve items before the Commission. This item did reach a majority, therefore is a recommendation for approval.

10. Consider/Discuss/Action on a recommendation regarding the Rosamond Sherley Elementary Addition, Block A, Lot 1, Site Plan. Applicant: Anna Independent School District.

Items for Individual Consideration

11. Conduct a Public Hearing/Consider/Discuss/Action on a recommendation for the East Fork Estates, Lot 24, Replat. Applicants: Rigoberto Sanchez & Marissa Marino.

Ms. Mecke gave a brief presentation. The purpose of this replat is to plat property that was illegally subdivided.

Chairman Tutson opened the public hearing at 8:38 p.m.

The project representative, David Surdukan, answered that this property was part of the original plat and over time because the properties are so large, property owners have been selling off portions and it is only caught by the city when someone comes to get a building permit.

Ms. Mecke followed up Mr. Surdukan's statement that the County Clerk's Office does not confirm if a property is following the subdivision regulations or properly platted when filing a deed by metes and bounds and is especially a problem in the Extraterritorial Jurisdiction. Staff counterparts at the Collin County Development Services Department has the same issue. Once the issue is caught, the property owners must go through the process to correct it.

Chairman Tutson closed the public hearing at 8:35 p.m.

A motion was made by Commissioner Hayes, seconded by Commissioner Grady to recommend approval of the replat. The vote was unanimous.

12. A) Conduct a public hearing/Consider/Discuss/Action on a recommendation for rezoning 3.0 acres from Agricultural District (AG) and Single-Family Residential - Large Lot (SF-E) to Single-Family Residential (SF-84). Applicant: Julio Medina

Ms. Mecke gave a brief presentation. The purpose of this zoning case is to allow the property owner to divide his provide into two lots with one being less than an acre, as required by the existing zoning.

Chairman Tutson opened the public hearing at 8:37 p.m.

Councilman Carver asked what the adjacent zoning to the west is. Ms. Mecke responded that the Sweetwater Crossing subdivision is a planned development with a base zoning of SF-72. Councilman Carver asked how many lots would come from this three-acre tract. Ms. Mecke responded that at this time they are only proposing to divide into two lots as shown on the final plat which is the B item.

Commissioner Hayes asked if they were going to be on city sewer. Ms. Mecke responded affirmatively.

Commissioner Grady stated that it sounds like a family giving their adult children land.

Chairman Tutson opened the public hearing at 8:39 p.m.

A motion was made by Commissioner Thomas, seconded by Hayes to recommend approval of the zoning. The vote was unanimous.

B) Consider/Discuss/Action on a recommendation for the Medina's Addition, Block A, Lots 1 & 2, Final Plat.

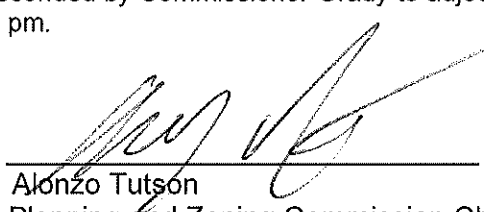
Ms. Mecke gave a brief presentation.

Chairman Tutson clarified that this item does not require a public hearing.

A motion was made by Commissioner Grady, seconded by Commissioner Thomas to recommend approval of the final plat.

Adjourn

A motion was made by Commissioner Hayes, seconded by Commissioner Grady to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:41 pm.



Alonzo Tutson
Planning and Zoning Commission Chairman

ATTEST: _