

MINUTES
PLANNING AND ZONING COMMISSION
June 1, 2021

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on June 1, 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 7:04 pm.

Commissioners present were Chairman Alonzo Tutson, Latoya Grady, Brent Thomas, Dennis Ogan, Donald Henke, Nick Rubits, and Paul Wenzel. Commissioners was absent Brent Thomas and Duane Hayes. Staff present was Olivia Demings, Kevin Johnson, and Lauren Mecke. Councilmen present were Stan Carver.

2. Invocation and Pledge of Allegiance

Councilman Carver gave the invocation and led the Pledge of Allegiance.

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

There were no citizen comments.

Chairman Tutson welcomed everyone to the meeting and reminded speakers to state their name and address for the record.

4. Location Map

Consent Items

A motion was made by Commissioner Thomas, seconded by Commissioner Ogan to recommend approval of consent items 5 through 10. Commissioner Henke abstained for a conflict of interest. The vote was in favor 6-0-1.

5. Consider/Discuss/Action to approve minutes of the May 3, 2021 Planning & Zoning Commission Meeting.
6. Consider/Discuss/Action on a recommendation regarding the Riley Estate Development Plat, Block A, Lot 1, Development Plat. Applicant: Jakob & Skyler Riley
7. Consider/Discuss/Action on a recommendation regarding the 2380 W FM 455 Addition, Block A, Lot 1, Development Plat. Applicant: TBS Property Co. 4 LLC
8. Consider/Discuss/Action on a recommendation regarding the West Crossing, Phase 10, Final Plat. Applicant: Bloomfield Homes LP.
9. Consider/Discuss/Action on a recommendation regarding the Waterview, Block A, Lot 1, Final Plat. Applicant: Anna 21, LLC.
10. Consider/Discuss/Action on a recommendation regarding the Waterview, Block A, Lot 1, Site Plan. Applicant: Anna 21, LLC.

Items for Individual Consideration

11. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation for the Anna High School #1 Addition, Block 1, Lot 1, Replat. Applicant: Anna Independent School District.

Ms. Mecke gave a brief presentation.

The public hearing was opened at 7:09 p.m.

Dr. Brad Duncan from Anna ISD spoke about the project and thanked the Planning & Zoning Commission.

Chairman Tutson & Commissioner Grady expressed their excitement for the project.

Commissioner Thomas stated that great cities have great schools and the success of the community thrives on the work done by the school district and city.

The Public Hearing was closed at 7:20 p.m.

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

B) Consider/Discuss/Action on a recommendation for the Anna High School #1 Addition, Block 1, Lot 1, Site Plan.

Commissioner Henke asked if there was any concern about the turn radius of the fire lane adjacent to the corner of the building. Ms. Mecke stated that the Fire Department did not comment on it and staff did not have a concern.

A motion was made by Commissioner Thomas, seconded by Commissioner Rubits to recommend approval of the site plan. The vote was unanimous.

12. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding the request to rezone 61.7± acres consisting of multiple tracts of land generally located on the south side of East White Street, 1,320± east of the Dallas Area Rapid Transit Railway from AG Agricultural District, SF-E Single-Family Residential – Large Lot, and SF-1 Single-Family Residential to Planned Development-Restricted Commercial (PD-C-1). Applicant: Jonic Investments LLC.

Ms. Mecke stated that the applicant had changed their land area from what was provided in the public hearing notices, therefore making the notices invalid and requiring a re-notice. Staff's recommendation is to table without discussion to the July 6th Planning & Zoning Commission Meeting.

A motion was made by Commissioner Rubits, seconded by Commissioner Wenzel to table the item to the July 6th meeting. The vote was unanimous.

13. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation to amend Ordinance No. 846-2020 in order to amend Development Standards associated with the multiple-family residence. Applicant: Anna Village Residential, LTD and Anna Village Commercial, LTD.

Ms. Mecke presented the applicant's four requests and staff's recommendations.

Nathan McCarthy, applicant, gave a lengthy presentation.

The Public Hearing was opened at 7:41 p.m.

Commissioner Rubits asked if the applicant was only including the carports as the 40% covered parking or if they were including garages and tuck-under parking as covered parking. The applicant stated all three.

Commissioner Rubits asked if the city had an ordinance about balconies facing the highway. Ms. Mecke stated when the zoning was adopted in 2020, the Director of Development Services and Ms. Mecke made the recommendation to not have balconies facing the highway due to their professional experience in order to mitigate noise and air pollution for the future residents.

Commissioner Grady asked why the applicant is focused only with balconies for aesthetic purposes when there are many ways to articulate a building. The applicant's response was that there is no environmental reason to prohibit balconies and did not answer Commissioner Grady's question.

Commissioner Rubits asked about the distance from the highway and number of units affected by the balconies. The applicant stated 534 feet and 101 units. Commissioner Rubits asked if there were going to be openings along the retail buffering the multifamily. The applicant stated yes and also stated that the wind typically moves from west to east in this area.

Commissioner Henke asked if there was a distinction between a window opening and a balcony. Ms. Mecke agreed with Commissioner Henke that there are building material features that would help but it was not discussed when adopted in the planned development ordinance.

Mr. McCarthy stated that even in Plano there is a 1,200-foot rule that is not being followed if an applicant comes in with a Planned Development Zoning Request. Ms. Mecke stated the history of the 1,200-foot distance that was an agreement amongst several cities along State Highway 121.

Commissioner Wenzel asked if the 534 feet was from the frontage road or highway. Ms. Mecke and Mr. McCarthy answered that it is from the centerline of the highway.

Commissioner Grady asked about the applicant's statements on air pollution. Mr. McCarthy stated that air pollution is not a concern due to the low traffic counts and air pollution reducing as cars become more efficient and people working from home.

Chairman Tutson asked how many of the communities the applicant mentioned in the presentation are adjacent to the freeways. The applicant stated all of them.

Commissioner Grady asked the applicant, "what is the difference between the 40% and 50% covered parking?" The applicant stated that covered parking is an amenity and that people do not want to maneuver around carport poles. The applicant then stated that the concept plan never showed carports suggesting that the site was approved for no carports. Ms. Mecke stated that a concept plan is a requirement of a Planned Development to support the text of the ordinance and the Planned Development does not discuss covered parking. Mr. Rubits asked if the city left that out or if the applicant left that out. Ms. Mecke stated that it is the applicant's responsibility to propose amendments. Mr. McCarthy stated that the applicants were never aware of the covered parking requirement. Ms. Mecke stated it is an applicant's responsibility to read the ordinance.

Commissioner Thomas asked for staff's rationale for the two recommendations that differed from the applicant's request. Ms. Mecke gave a brief history of this multifamily project's zoning in relation to the current staff being employed with the city as well as the discussions the Planning and Zoning Commission has had regarding covered parking. Ms. Mecke stated in regards to the highways she personally would never live within 1,000 feet of the centerline of a highway after being on the Plano staff that researched affects of highways on human health. The staff recommendation is to mitigate hazards to health as much as possible. She continued that having the retail in front helps which is why staff is recommending the patios on the ground floor, it helps having the building setback which is why staff recommends the corner balconies that are not predominantly facing the highway, and the staff recommendation is based on staff's experience in Plano.

Commissioner Ogan asked about light rail on the west side of the highway. The applicant stated no.

The applicant chastised studies as being in developed cities. Commissioner Rubits asked Ms. Mecke if those were the studies being referenced. Ms. Mecke stated that she was not part of the research team.

Mr. McCarty stated that the applicants were intending to spend a significant amount of money on the project.

Commissioner Thomas asked if the state presentation could be brought up and clarified what was different between the applicant's request and staff's recommendation.

Mr. McCarty stated that their studies show that the covered parking should be 40% and that staff didn't have a reason for 50%. Ms. Mecke stated again that the recommendation of 50% of covered parking came from the conversations that the Planning & Zoning Commission and City Council regarding covered parking. Commissioner Henke spoke about how previous zoning cases have discussed the issue.

Mr. McCarty stated that aesthetically carports would not look good from Standridge Boulevard and Suzie Lane and balconies would look better from the highway.

Chairman Tutson stated he was concerned about balconies on the upper floors for safety reasons and the applicant's opinion about balconies only on the first and second floor. Mr. McCarty stated that balconies are to code and that is not the reason staff is recommending to not have balconies facing the highway.

Commissioner Grady rephrased her earlier question about building articulation. Mr. McCarty talked about building materials and that it would look better with balconies.

Mr. McCarty interrupted Chairman Tutson to state that the reason staff was restricting the balconies was for noise and air pollution and the applicants believed that they had the approval two years prior for the balconies. Ms. Mecke reminded the Commission that this is the first and closest multifamily in Anna to U.S. Highway 75, State Highway 121, and Collin County Outer Loop with maybe an exception to the Mantua project.

John Hendricks, 219 E White Street, stated that eye pollution has not been discussed. His concern is that many apartment complexes allow people to use their balconies as storage that becomes unsightly.

The public hearing was closed at 8:13 p.m.

Commissioner Rubits asked if they could vote for each of the recommendations separately. Ms. Mecke stated yes and would be presented to City Council.

A motion was made by Commissioner Henke, seconded by Commissioner Thomas to recommend the following stipulations:

- a. Remove the restriction prohibiting balconies, stoops, or patios on an exposed façade of a multifamily building directly facing U.S. Highway 75.
- b. Reduce the amount of required covered parking to 50%.
- c. Allow minimum parking space dimension of 9' x 18' where a 2' overhang is provided (minimum 20'). Dual head in parking spaces are required to be a minimum of 20 feet in length.
- d. Allowing car bumper overhangs within the 10-foot landscape buffer.

The vote was in favor of the motion 5-2, with Chairman Tutson and Commissioner Grady in opposition.

B) Consider/Discuss/Action on a recommendation regarding the One Anna Two Addition, Block B, Lots 1 & 2, Final Plat.

Ms. Mecke gave a brief presentation.

A motion was made by Commissioner Thomas, seconded by Commissioner Wenzel. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the One Anna Two Addition, Block B, Lots 1 & 2, Site Plan.

Ms. Mecke gave a brief presentation.

A motion was made by Commissioner Rubits, seconded by Commissioner Henke. The vote was unanimous.

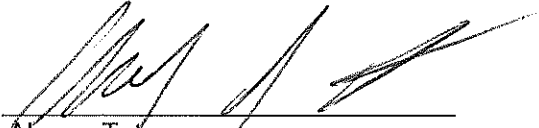
14. Consider/Discuss on a recommendation to amend Article 9.04 Zoning Ordinance and related sections of the Development Regulations pertaining to accessory building regulations.

Ms. Mecke gave a brief presentation.

Commissioner Henke, Commissioner Rubits, and Commissioner Ogan asked if staff could clarify between a building addition versus an attached accessory structure. Ms. Mecke and the Commission discussed various scenarios.

Adjourn

A motion was made by Commissioner Thomas, seconded by Commissioner Grady to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:27 pm.



Alonzo Tutson
Planning and Zoning Commission Chairman

ATTEST: _

