

AGENDA

City Council Meeting



Tuesday, January 11, 2022 @ 6:30 PM

**Anna ISD Board Room
201 E. 7th Street
Anna, Texas, 75409**

The City Council of the City of Anna will meet at 6:30 PM, on January 11, 2022, at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas, 75409, 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. **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 City Council regarding an item that is not on this meeting Agenda. Each person will be allowed up to three 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 information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

4. **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. Proclamation recognizing the Anna Marching Band. (Mayor Nate Pike)
- b. Recognition of the 2021 Harvest Festival and 12 Days of Anna event volunteers: Kelli Abohosh, Joe Crowder, Debby Stone, Rick Quinonez, Vince Vaughn, Bill

Wehunt, Kay Wehunt, and the Anna High School Choir, Beta Club and National Junior Honor Society. (Neighborhood Services Jeffery Freeth)

- c. Code Compliance Update for the year 2021. (Code Compliance Manager Kevin Martin)

5. **Work Session.**

- a. Presentation by the Collin County Children's Advocacy Center (CAC) regarding the proposed continuation of the partnership with Anna PD. (Police Chief Dean Habel)
- b. Discussion on Radar Trailer Purchase (Police Chief Dean Habel)
- c. Council Meeting Schedules (City Manager Jim Proce)

6. **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 City Council Meeting Minutes for December 14, 2021. (City Secretary, Carrie Land)
- b. Review Planning & Zoning Commission Meeting Minutes from November 6, 2021. (Director of Development Services Ross Altobelli)
- c. Approve a Resolution regarding the Agreement for FY22 Ambulance Services with AMR through Collin County. (Fire Chief Ray Isom)
- d. Approve a Resolution regarding the De La Torre Estates, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)
- e. Approve a Resolution regarding the Reston Ranch, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)
- f. Approve a Resolution regarding the Miller Addition, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)
- g. Approve a Resolution regarding the NTM Masonry Estates, Block A, Lots 1 & 2, Final Plat. (Director of Development Services Ross Altobelli)
- h. Approve a Resolution regarding the J.A. Greer Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)
- i. Approve a Resolution regarding the Persimmon Drive, Final Plat. (Director of Development Services Ross Altobelli)
- j. Approve an Ordinance regarding the Anna Retail Addition, Block A, Lot 4, Site Plan. (Director of Development Services Ross Altobelli)
- k. Approve a Resolution regarding the Anna Town Square Addition, Block A, Lot 1, Site Plan. (Director of Development Services Ross Altobelli)
- l. Approve a Resolution regarding the Foster Crossing Addition, Block A, Lot 1, Preliminary Plat. (Director of Development Services Ross Altobelli)

7. **Items For Individual Consideration.**

- a. Development Agreement – Avery Pointe Commercial, Block A, Lot 3 (Director of Development Services Ross Altobelli)

Approve a Resolution entering into a development agreement with Anna 455 Commercial, LLC to establish development and design regulations for a self-storage facility development on 4.0± acres located on the east side of S.

Ferguson Parkway, 323± feet north of W. White Street.

- b. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to amend the zoning on 6.0± acres located on the north side of W. White Street, 293± feet east of S. Ferguson Parkway to allow mini-warehouse by Specific Use Permit with modified parking standards on Lot 3 and to reduce the existing 15-foot Residential Buffering standard to 10-feet on Lot 2R. Zoned: Planned Development-General Commercial (PD-C-2) (Ord. Nos. 709-2015, 226-2005, and 179-2005). (Director of Development Services Ross Altobelli)

B) Consider/Discuss/Action on a Resolution regarding the Avery Point Commercial, Block A, Lot 3, Concept Plan.

C) Consider/Discuss/Action on a Resolution regarding the Avery Point Commercial, Block A, Lot 2R, Site Plan.

- c. Discuss and consider approval of a Resolution authorizing the City Manager to submit a letter of support from the City Council of the City of Anna, Texas, for the proposed Hurricane Creek Regional Wastewater Treatment Plant planned for the City of Anna west of US 75, to the Texas Commission on Environmental Quality.
- d. Consider/Discuss/Action on filling a vacancy on the Economic Development and Community Development Corporation Boards. (City Secretary Carrie Land)

8. **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 exception

- 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). Facilities Construction Projects
- 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

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.

- 9. 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.

10. **Adjourn.**

This is to certify that I, Carrie L. Land, City Secretary, posted this Agenda on the City's website (www.annatexas.gov) and 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 January 7, 2022.

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. 1.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact:

AGENDA ITEM:

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

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Final Approval - 1/5/2022



Item No. 3.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact:

AGENDA ITEM:
Neighbor Comments.

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Final Approval - 1/5/2022



Item No. 4.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022

Staff Contact:

AGENDA ITEM:

Reports.

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Final Approval - 1/5/2022



Item No. 4.a.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Carrie Land

AGENDA ITEM:

Proclamation recognizing the Anna Marching Band. (Mayor Nate Pike)

SUMMARY:

The 2021 show, "Heart of Gold" was a tremendous success and the Band earned many awards including Grand Champion of the Aubrey Marching Classic; Class Champion at the McKinney Marching Invitational; Class Champion and 4th place overall at the Don Hanna Memorial Classic in Denton; Area Finalist, placing 4th overall at the UIL Area B Marching Contest; UIL State Finalist, placing 5th at the State Marching Contest (This was the first time in school history to qualify for the Finals of the State Marching Contest.),

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 3: Anna – Great Place to Live

STAFF RECOMMENDATION:

No action

ATTACHMENTS:

1. 2021 Coyotes Marching Band Proclamation

APPROVALS:

Carrie Land, City Secretary
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 12/9/2021
Approved - 12/9/2021
Final Approval - 1/6/2022

City of Anna, Texas
Proclamation

ANNA COYOTE MARCHING BAND

WHEREAS, the 116 members of the Anna Coyote Marching Band have dedicated hundreds of hours of work, starting even before the first day of school, preparing, practicing, performing, and competing, for the 2021-2022 school year, and

WHEREAS, band students focus on teamwork, discipline, leadership, and perfecting musical skills, and

WHEREAS, the 2021 show, “Heart of Gold” was a tremendous success and the Band earned many awards including Grand Champion of the Aubrey Marching Classic; Class Champion at the McKinney Marching Invitational; Class Champion and 4th place overall at the Don Hanna Memorial Classic in Denton; Area Finalist, placing 4th overall at the UIL Area B Marching Contest; UIL State Finalist, placing 5th at the State Marching Contest (This was the first time in school history to qualify for the Finals of the State Marching Contest.), and

WHEREAS, Band Directors for the year are Justin Wallis, Austin Snow, Nancy Davis, Marcus Lutz, Christina Bilyeu, and Alex Roddy, and

WHEREAS, the Anna Coyote Marching Band enjoyed unparalleled support from school administrators, band parents, and the community in performing the vast and seemingly unending list of tasks that must be completed to make the season possible each year, and

NOW THEREFORE, I, Nate Pike, Mayor of the City of Anna, Texas, by the authority vested in me, do hereby commend the

**2021 ANNA COYOTE
MARCHING BAND**

on their outstanding performance and on earning a place in the State Marching Contest. I also encourage all Anna citizens to support the Band and to recognize these hardworking students and band directors as they represent our community.

*In witness, whereof I have hereunto set my hand this
11th day of January 2022 and called this seal to be
affixed.*

Mayor Nate Pike



Item No. 4.b.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Jeff Freeth

AGENDA ITEM:

Recognition of the 2021 Harvest Festival and 12 Days of Anna event volunteers: Kelli Abohosh, Joe Crowder, Debby Stone, Rick Quinonez, Vince Vaughn, Bill Wehunt, Kay Wehunt, and the Anna High School Choir, Beta Club and National Junior Honor Society. (Neighborhood Services Jeffery Freeth)

SUMMARY:

Recognition of the 2021 Harvest Festival and 12 Days of Anna event volunteers: Kelli Abohosh, Joe Crowder, Debby Stone, Rick Quinonez, Vince Vaughn, Bill Wehunt, Kay Wehunt, and the Anna High School Choir, Beta Club and National Junior Honor Society.

FINANCIAL IMPACT:

Not applicable

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 3: Anna – Great Place to Live

STAFF RECOMMENDATION:

No formal action; information only

ATTACHMENTS:

APPROVALS:

Jeff Freeth, Recreation Manager
Jim Proce, City Manager

Created/Initiated - 1/6/2022
Final Approval - 1/6/2022



Item No. 4.c.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Kevin Martin

AGENDA ITEM:

Code Compliance Update for the year 2021. (Code Compliance Manager Kevin Martin)

SUMMARY:

Presenting the "Value to Neighbors" through Code Compliance, Health Services, and Environmental Services.

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Kevin Martin, Code Compliance Manager
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022



Item No. 5.a.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Dean Habel

AGENDA ITEM:

Presentation by the Collin County Children's Advocacy Center (CAC) regarding the proposed continuation of the partnership with Anna PD. (Police Chief Dean Habel)

SUMMARY:

The Collin County Children's Advocacy Center will have representatives present to give a brief presentation and discuss the continuation of the partnership with Anna PD.

FINANCIAL IMPACT:

Funding is to be determined and is dependent upon Council input.

STRATEGIC CONNECTIONS:

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

Goal 3: Anna – Great Place to Live

STAFF RECOMMENDATION:

Staff seeks Council input on the community and financial impacts of CAC and the Police Department.

ATTACHMENTS:

APPROVALS:

Dean Habel, Police Chief
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Final Approval - 1/5/2022



Item No. 5.b.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Dean Habel

AGENDA ITEM:

Discussion on Radar Trailer Purchase (Police Chief Dean Habel)

SUMMARY:

Discussion on the potential purchase of a speed detection trailer.

FINANCIAL IMPACT:

The cost of the speed detection trailer is \$7,500.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 3: Anna – Great Place to Live

STAFF RECOMMENDATION:

ATTACHMENTS:

1. SAM Brochure

APPROVALS:

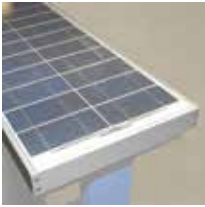
Dean Habel, Police Chief
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022



Stalker SAM | Speed Awareness Monitor

Stalker's SAM trailers are powered by Precision Solar Controls and feature Stalker speed measurement accuracy in a rugged, dependable trailer platform.



■ Optional Solar Panels

■ 18" Amber LED characters - legible at up to 1000 ft.

■ 4D Deep-cycle battery - provides over 18 days of operation and longer time between charges

■ Stalker K-Band Doppler Radar

■ New Optional Programmable LED Violator Alert

■ Optional Integrated Statistics Package

■ Hand-held controller



◀ Programmable LED Violator Alert (Optional)



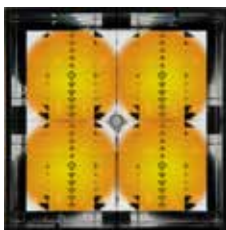
STALKER®

Power to Enforce.

stalkerRadar.com

LED Lamp Matrix and Pulse Modulation

At the heart of the Stalker SAM is Precision Solar Control's LED Lamp Matrix and LED Pulse Width Modulation. The LED Lamp Matrix concentrates and focuses the LEDs' light, allowing the motorist to see the sign at a greater distance and, thus, act on the speed warning quicker.



LED Pulse Width Modulation significantly increases the time between battery charges and powers the LEDs so that they remain at a consistent brightness throughout the battery's discharge cycle.

Stalker K-Band Radar

The speed measurement component is pure Stalker - accurate and durable. Stalker's Stationary Speed Sensor II radar has greater range, sensitivity, and tracking when compared to competitive signs' radar.



4D Deep-cycle 12-volt battery Provides over 18 days of continuous operation yielding longer operational time between battery charges.

Graffiti-resistant paint

The finish keeps the trailer looking clean and neat for a professional department image, while its all steel construction provides a sturdy platform and reduces damage sustained in the field.

Dedicated hand-held controller

Complete programming and diagnostic functions in the palm of your hand.



Four stabilizing/leveling jacks

aid in proper placement and stability while allowing one officer to position the SAM on nearly any type of terrain.

Retractable/Removable tongue

Options:

Top-mounted solar panel

The panels recharge a day's worth of battery use with only 2.5 hours of sunlight allowing for "infinite" field operation.



New Programmable LED Violator Alert

High powered LED Violator Alert flashes to warn motorists when they have exceeded a pre-set speed. Three (3) different user-programmable settings and choice of blue/red or white/white.



Integrated statistical package

gathers valuable traffic data for improved grant writing support and verification of the sign's impact on traffic speeds.

STALKER SAM

Specifications:

TRAILER

Width	64" (1.63m)
Length	116" (2.95m) tongue in travel position 57 1/2" (1.5m) tongue in display position
Height	91" (2.31m)
Weight	700 lbs. (317.5kg)
Main Frame	2" x 4" x .120" Steel Tubing

DISPLAY CABINET

Material Thickness	.156" ABS Plastic
Width	36" (.91m)
Height	25 1/2" (.65m)
Depth	5 1/4" (.13m)
Lexan Window Thickness	.125"
Cabinet Temperature Delta	±20°

ENERGY SOURCE

Battery Bank	4D Deep-Cycle Battery 18 days @ 78°F (25°C)
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RADAR - STALKER STATIONARY SPEED SENSOR II - 24.125 GHz

Detection Distance	Up to 1,200' (365 m)
Beam Width	30° x 32°

Accessories:



Coupler Lock

Wheel Lock

Wheel Jack

STALKER®

Power to Enforce.

applied concepts, inc.
855 East Collins Blvd. ■ Richardson, Texas 75081
972.398.3780 ■ Fax 972.398.3781

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006-0455-00 Rev F

800-STALKER



Item No. 5.c.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022

Staff Contact: Jim Proce

AGENDA ITEM:

Council Meeting Schedules (City Manager Jim Proce)

SUMMARY:

Occasionally, special meetings are required to conduct the business of the Council and the City. Staff seeks input from Council on the setting of a date for a joint meeting with the Parks Board and Council preferences for strategic planning days.

FINANCIAL IMPACT:

Not Applicable

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Staff recommendation for holding the joint meeting with Parks Board is one of the following options:

1. during a regular Council meeting
2. during a regular Parks Board meeting
3. on an off-regular schedule Tuesday evening

Staff seeks input on availability of Council for strategic planning sessions, some days in February are available and can be discussed.

ATTACHMENTS:

APPROVALS:

Jim Proce, City Manager

Jim Proce, City Manager

Created/Initiated - 1/6/2022

Final Approval - 1/6/2022



Item No. 6.a.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Carrie Land

AGENDA ITEM:

Approve City Council Meeting Minutes for December 14, 2021. (City Secretary, Carrie Land)

SUMMARY:

Review and approve City Council Minutes for December 14, 2021 meeting.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

Approve

ATTACHMENTS:

1. DRAFT CCmin2021.12.14 (kla) C03029C20220106CR1

APPROVALS:

Carrie Land, City Secretary
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/6/2022
Approved - 1/6/2022
Final Approval - 1/7/2022



**Regular City Council Meeting
Meeting Minutes**

Tuesday, December 14, 2021 @ 6:30 PM

**Anna ISD Board Room
201 E. 7th Street, Anna, Texas, 75409**

The City Council of the City of Anna met at 6:30 PM on December 14, 2021, at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas, 75409, to consider the following items.

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

Mayor Pike called the meeting to order at 6:32 PM.

2. Invocation and Pledge of Allegiance.

Council Member Carver led the Invocation and Mayor Pike led the Pledge of Allegiance.

4. Reports.

a. Proclamation recognizing the Anna FFA Chapter.

The 2021 Agriculture Advocacy LDE Team, and the Sr. Chapter Conducting Team, had tremendous success and the Anna FFA earned many awards including 1st at the District 4 FFA LDE Contest, 2nd at the Area 5 LDE Contest and, for the Agriculture Advocacy LDE, a 5th place finish at the Texas FFA State LDE Contest. The Sr. Chapter Conducting LDE team finished in the top 24 at the Texas FFA State LDE.

b. We Notice! Campaign recognition of the November and December recipients.

The "We Notice!" initiative serves to recognize a property in the City of Anna that has gone the extra mile to show pride of ownership. Each month Neighborhood Services will select a property to recognize for their effort and role in Keeping Anna Beautiful.

The November recipients are Brooke and Kenny Maiale in the Westfield Subdivision.

The December recipients are Daryl and Emma Handy in the Avery Pointe Subdivision.

c. Introduction of new Economic Development Coordinator.

Director of Economic Development Joey Grisham introduced Economic Development Coordinator Kimberly Garduno. Kimberly began in the newly-created Economic Development Coordinator role on December 13, 2021.

The newly-created position will allow the Economic Development team to continue to bolster the City's economy and address the expected growth and development occurring in Anna.

As the previous Assistant to the City Manager in DeSoto, Kimberly has experience implementing programs and working on complex projects. She represented the City of DeSoto on the STAR Transit Board and Inland Port Transportation Management Association. She previously served as Senior Management Analyst in the City of Mesquite, working in both the City Manager's Office and Economic Development Department.

As Economic Development Coordinator, Kimberly will develop a business retention and expansion program as well as implement the Downtown Master Plan and Economic Development Strategic Plan. In this collaborative role, her commitment to and understanding of economic development will be a great asset to the team.

Kimberly earned a Bachelor of Arts in Sociology from Baylor University and holds a Masters of Public Affairs from the University of Texas at Dallas. She is a current member of the Texas Economic Development Council, Texas City Management Association, and Urban Management Assistants of North Texas.

3. **Neighbor Comments.**

- Lezlie Hansen spoke in favor of improvements to the City skatepark.
- Fabian Alexandro spoke in favor of improvements to the City skatepark and presented a three-minute video and a signed petition to the City Council.

5. **Work Session.**

- a. Report to City Council on Parks Advisory Board recommendation regarding design contract for a community skatepark. (Director of Neighborhood Services Marc Marchand)

On November 9th, 2021, staff presented a design contract to City Council for the proposed community skatepark. City Council decided not to take action on the item at that time. Staff provided an update to the Parks Advisory Board on November 15, 2021, on several parks capital projects, including the skatepark, and the Board made a unanimous recommendation to the City Council to move forward with the proposed design contract.

As part of the background to this item, the skatepark project will be located on the east side of Slayter Creek Park along the channel that runs between the park and the Anna Middle School stadium. The project budget is \$1.5 million funded by the

2021 Bond Program. The consultant selected to design the skatepark is New Line Skateparks. New Line Skateparks is an internationally renowned full-service municipal skatepark design team. Out of Toronto, Ontario, they have over 20 years of concrete skatepark development experience. Though their skateparks have been built all over North America, local projects include the Northeast Community Skatepark in Frisco, Vandergriff Skatepark in Arlington, Roanoke Skatepark, and McKinney Skatepark. They were selected based on the quality and success of their previous projects.

The cost of the Agreement is \$146,000.

Funding for this project was approved in the 2021 Bond Program in the amount of \$1,500,000 (including a restroom building at the north end of the park to serve the splash pad and pavilion).

Park Board Members Erik Hansen and Elden Baker were present and spoke regarding the matter. They stated the consensus of the Park Board is to request City Council to move forward with the skatepark.

6. Consent Items.

Item 6.d. was removed from the Consent Agenda.

MOTION: Council Member Toten moved to approve Consent Items 6. a. - c. and e. - dd. Council Member Miller seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes for November 9, 2021. (City Secretary Carrie Land)
- b. Review Minutes of the August 16, 2021, and October 18, 2021, Parks Advisory Board Meetings. (Director of Neighborhood Services Marc Marchand)
- c. Review Minutes of the October 7, 2021, and November 4, 2021, Joint Community Development Corporation Board and Economic Development Corporation Board Meetings. (Director of Economic Development Joey Grisham)
- e. Approve a Resolution updating the Buzz Center Addition, Block A, Lots 1 & 2, Final Plat. (Director of Development Services Ross Altobelli)
Retail and restaurant on Lot 1 and vacant lot on 4.6± acres located on the east side of Powell Parkway (State Highway 5), 1080 feet south of W. White Street (FM 455).

The Final Plat received initial approval by City Council on April 13, 2021. During final civil review of the project site circulation and associated easements were significantly modified due to TXDOT and City of Anna engineering plan approval.

Planning staff determined these changes were significant enough to require

reapproval of the Final Plat. Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING BUZZ CENTER ADDITION, BLOCK A, LOT 1 AND 2, UPDATED FINAL PLAT.

- f. Approve a Resolution updating the Buzz Center Addition, Block A, Lots 1 & 2, Site Plan. (Director of Development Services Ross Altobelli)

Retail and restaurant on one lot and vacant lot on 4.6± acres located on the east side of Powell Parkway (State Highway 5), 1080 feet south of W. White Street (FM 455).

The Site Plan received initial approval by City Council on April 13, 2021. During final civil review of the project the proposed site circulation and associated easements were significantly modified due to TXDOT and City of Anna engineering plan approval.

Planning staff determined these changes were significant enough to require reapproval of the Site Plan. Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING BUZZ CENTER ADDITION, BLOCK A, LOT 1 AND 2, UPDATED SITE PLAN.

- g. Approve a Resolution regarding the Meadow Vista, Phase 1, Final Plat. (Director of Development Services Ross Altobelli)

267 single-family residential lots and 5 common area lots on 65.3± acres located on the north side of Hackberry Drive, 1,300± feet west of Ferguson Parkway.

The purpose for the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the creation of a single-family residential development.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

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

- h. Approve a Resolution regarding the Senter Estates, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

Single-family residence on one lot on 19.7± acres located at the northwest corner of County Road 505 and Trails End Lane. Located within the Extraterritorial Jurisdiction (ETJ).

Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING SENTER ESTATES, BLOCK A, LOT 1, DEVELOPMENT PLAT

- i. Approve a Resolution regarding the Advantage Self Storage Addition, Block A, Lot 3R, Site Plan. (Director of Development Services Ross Altobelli)

Medical office on one lot on 0.6± acre located on the south side of W. White Street, 934± feet west of Oak Hollow Lane.

The purpose of the site plan is to show the proposed medical office development site improvements.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ADVANTAGE SELF STORAGE ADDITION, BLOCK A, LOT 3R, SITE PLAN.

- j. Approve a Resolution regarding the Clementine Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

Vacant lot on 0.4± acre located on the north side of Eighth Street, 235± feet east of Easton Street.

The purpose of the final plat is to dedicate right-of-way, lot and block boundaries, and easements necessary for future development.

The Planning & Zoning Commission recommended approval.

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

- k. Approve a Resolution regarding the Deer Springs Estates, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

Single-family residence on one lot on 25.2± acres located on the west side of County Road 289, 379± feet south of County Road 1101.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING DEER SPRINGS ESTATES, BLOCK A, LOT 1, DEVELOPMENT PLAT

- I. Approve a Resolution regarding the Parmore - Anna, Block A, Lot 1, Site Plan. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 9.9± acres located at the northeast corner of Finley Boulevard and Florence Way.

The purpose of the site plan is to show the proposed senior living development site improvements.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING PARMORE - ANNA, BLOCK A, LOT 1, SITE PLAN.

- m. Approve a Resolution regarding the Parmore - Anna, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 9.9± acres located at the northeast corner of Finley Boulevard and Florence Way.

The purpose of the final plat is to dedicate easements necessary for the proposed senior living development.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING PARMORE - ANNA, BLOCK A, LOT 1, FINAL PLAT.

- n. Approve a Resolution regarding the Anna Elementary No. 3, Block 1, Lots 1R & 2, Replat. (Director of Development Services Ross Altobelli)

Public school on two lots on 34.9± acres located on the west side of Leonard Avenue, 297± feet south of Sharp Street.

The purpose of the replat is to subdivide Lot 1 into two lots and dedicate easements necessary for the development of a middle school on Lot 2.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works

Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA ELEMENTARY NO. 3, BLOCK 1, LOTS 1R & 2, REPLAT.

- o. Approve a Resolution regarding the Anna Elementary No. 3, Block 1, Lots 1R & 2, Revised Site Plan. (Director of Development Services Ross Altobelli)

Public school on two lots on 34.9± acres located on the west side of Leonard Avenue, 297± feet south of Sharp Street.

The purpose of the revised site plan is to show the proposed middle school development site improvements.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA ELEMENTARY NO. 3, BLOCK 1, LOTS 1R & 2, REVISED SITE PLAN.

- p. Approve a Resolution regarding the Anna Retail Addition, Block A, Lots 3, 4, & 5, Replat. (Director of Development Services Ross Altobelli)

Restaurant on Lot 5, and two vacant lots on 29.7± acres located on the east side of S. Central Expressway, 574± feet south of W. White Street.

The purpose of the preliminary replat is to subdivide two existing vacant lots into three lots and propose easements necessary for the development of a restaurant on Lot 5.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA RETAIL ADDITION, BLOCK A, LOTS 3, 4, & 5, REPLAT.

- q. Approve a Resolution regarding the Anna Storage Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

Self-storage on one lot on 25.0± acres located on the west side of State Highway 121, 1,370± feet south of County Road 526. Zoned: Extraterritorial Jurisdiction (ETJ).

The purpose for the Final Plat is to dedicate right-of-way, lot and block

boundaries, and easements necessary for future development.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

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

- r. Approve a Resolution regarding the Anna ISD Park Addition, Block A, Lot 1R, Replat. (Director of Development Services Ross Altobelli)

Public school on one lot on 50.6± acres located at the southwest corner of N. Powell Parkway and W. Rosamond Parkway.

The purpose of the replat is to dedicate easements necessary for the development of an addition to the middle school gymnasium.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA ISD PARK ADDITION, BLOCK A, LOT 1R, REPLAT.

- s. Approve a Resolution regarding the Anna ISD Park Addition, Block A, Lot 1R, Revised Site Plan. (Director of Development Services Ross Altobelli)

Public school on one lot on 50.6± acres located at the southwest corner of N. Powell Parkway and W. Rosamond Parkway.

The purpose of the revised site plan is to show the proposed middle school gymnasium in addition additional site improvements.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA ISD PARK ADDITION, BLOCK A, LOT 1R, REVISED SITE PLAN.

- t. Development Agreement – Anna Town Center, Block A, Lot 5R (Director of Development Services Ross Altobelli)

Approve a Resolution entering into a development agreement with Q Seminole Anna Town Center, LP to establish development and design regulations for

multiple-family residences development on 14.9± acres located on the east side of Throckmorton Boulevard, 38± feet south of Hackberry Drive.

The intent of the development agreement is to ensure the use of high quality, durable materials for nonresidential and residential development within the city 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.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH Q SEMINOLE ANNA TOWN CENTER, L.P., RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR MULTIPLE-FAMILY RESIDENCE DEVELOPMENT LOCATED ON THE EAST SIDE OF THROCKMORTON BOULEVARD, 38± FEET SOUTH OF HACKBERRY DRIVE.

- u. Approve the Quarterly Investment Report for the period ending September 30, 2021. (Director of Finance Alan Guard)

In accordance with the Public Funds Investment Act (PFIA), the City of Anna is required to submit a quarterly report on the investment of all public funds held by the City. The report includes:

- ☐ Review of the City's holdings.
- ☐ Comparison of book vs. market value.
- ☐ Allocation information.
- ☐ Charts showing historical activity.

The City's portfolio as of the quarter ending September 30, 2021, earned an average yield of 0.3326%. The total fiscal year-to-date interest earned is \$226,496.

- v. Approve a Resolution authorizing the City Manager to execute interlocal agreements by and between the City of Anna and CGMA partner cities for the purchase of treated potable drinking water from the Greater Texoma Utility Authority. (Director of Public Works Greg Peters, P.E.)

The City of Anna is a member of the Collin Grayson Municipal Alliance (CGMA), with the cities of Melissa, Van Alstyne, and Howe. The CGMA contracts with the Greater Texoma Utility Authority (GTUA) to purchase treated drinking water from North Texas Municipal Water District (NTMWD).

NTMWD requires all member and customer cities to agree to a "take-or-pay" system for the purchase of drinking water. The take-or-pay system requires the

customer to purchase a fixed amount of water regardless of whether it is used. This fixed amount is based upon the highest amount of water historically used by the customer.

In order to prevent individual CGMA cities from having to increase their take-or-pay amount, the CGMA has instituted a water share program whereby CGMA cities can purchase unused water volumes from the other CGMA member cities. This program has been going on for several years and has been very successful.

It is more cost efficient for Anna to purchase unused water from Van Alstyne, Howe, and Melissa's take-or-pay than it is to allow Anna's take-or-pay to increase. If Anna's take-or-pay were to increase, we would be permanently locked in to purchasing significantly more water at the full NTMWD rate (currently \$4.029/1,000 gallons). The CGMA water share program allows Anna to purchase the additional water we need at a rate of \$3.539/1,000 gallons, while allowing the other CGMA cities to not have to pay for the full cost of their unused water volume.

The program requires annual approval by the City Council, which is what this agenda item represents. The attached Resolution authorizes the City Manager to execute the necessary interlocal agreements and purchase the additional water needed for the City of Anna from Howe and Van Alstyne.

CGMA's consultant, Don Pascal, has completed all of the analysis and financial documentation required for the water share program.

Staff recommends approval of this item as it is an annually re-recurring program which is highly beneficial to Anna neighbors and the City's ability to manage utility fund expenses.

The program saves Anna \$0.49 per 1,000 gallons of water for water volumes needed in excess of our take-or-pay, when compared to the standard NTMWD rate. The program also protects Anna from being required to increase our take-or-pay amount.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF ANNA AND THE CITIES OF MELISSA, HOWE, AND VAN ALSTYNE FOR THE PURCHASE OF A PORTION OF THE CITIES OF MELISSA'S, HOWE'S, AND VAN ALSTYNE'S CONTRACT MINIMUM WATER SUPPLY THROUGH THE GREATER TEXOMA UTILITY AUTHORITY; AND FURTHER AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT TO THE CITIES OF MELISSA, HOWE, AND VAN ALSTYNE FOR THE PURCHASE OF SAID ADDITIONAL WATER SUPPLY AS SET FORTH IN THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- w. Approve a Resolution authorizing the purchase of utility maintenance equipment as adopted in the City of Anna FY2022 Annual Budget. (Director of Public Works Greg Peters, P.E.)

The FY2022 City of Anna Annual Budget included the purchase of utility maintenance equipment for use in the Public Works Department to maintain water and sanitary sewer infrastructure in the community. The budget included the purchase of the following items:

1. Valve Maintenance Trailer and Equipment - \$81,105 - This trailer and equipment provides the tools necessary for the safe, efficient, and thorough maintenance of all water valves in the City of Anna. - The Valve Maintenance Trailer will be utilized by the Utility Division of Public Works to maintain and exercise all water system valves in the City on an annual basis. - Properly maintained and functioning valves are essential to a well-run public water system. They allow for the city to isolate sections of water main during main breaks and new connections, minimizing the number of homes and businesses who go without water while repairs are being made. - This equipment will extend the life of water valves, resulting in long-term cost savings as fewer valves will need to be replaced each year.

2. Sewer Jet Trailer - \$57,270 - A sewer jet trailer is used to clear blockages and backups in sewer mains and laterals. The jet trailer provides a high pressure stream of water which can clear debris, grease, and solids which cause backups to sewer systems. - The City has an existing jet trailer which is past its service life and is in poor condition. It no longer provides the necessary jet pressure and reliability required for the maintenance and operation of the City sewer system. - A well-functioning sewer jet trailer is extremely useful when maintaining the many sewer mains which are located away from roads and in easements on private property. - A jet trailer pulled by a work truck minimizes property damage and provides better all weather access versus larger vac/jet trucks, which are significantly heavier, less maneuverable, and limited in off-road capability.

3. Insert-A-Valve Trailer - \$93,300 - The City has multiple sections of the City which are served by old water mains, which were often installed without the proper number of valves needed to isolate segments of the system. When a main break occurs in these locations, the City must shut water off to larger areas, putting more homes and businesses out of water. The other option is to work on the main break "hot," while the main is still pushing water - which can be dangerous. This also results in significant volumes of wasted water, which the city purchases from North Texas Municipal Water District. A final option is to install an insert-a-valve, a unique project which allows a new water valve to be inserted into an active water main. Historically, the City has utilized a 3rd-party contractor to provide and install an insert-a-valve in these situations where a valve is needed in a critical location but does not exist. This can typically cost between \$8,000 - \$15,000, depending upon the size of the water main. Purchasing this trailer will allow staff to install insert-a-valves as needed, resulting in a faster response, less wasted water, and less time for neighbors and businesses to go without water. It

will also allow the City to be more proactive and install valves in locations where we know valves are needed prior to an emergency occurring, at a much lower cost. This equipment will pay for itself through the installation of just 10-12 valves, resulting in an ROI of less than three years.

All three items were included in the adopted budget for the Utility Fund as a part of the City's annual budget process. Since each of these items exceed \$50,000 in cost, staff is required to bring the final costs to the Council for specific approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE PURCHASE OF UTILITY MAINTENANCE EQUIPMENT IN THE AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY-ONE THOUSAND SIX HUNDRED SEVENTY-FIVE DOLLARS AND FIFTY TWO CENTS (\$231,675.52); AND PROVIDING FOR AN EFFECTIVE DATE.

- x. Approve a Resolution rejecting all bids received on the Sherley Heritage Park Historic Train Display Improvements construction project at the bid opening on November 4, 2021, and authorizing the City Manager to re-bid the project in 2022. (Director of Public Works Greg Peters, P.E.)

The City of Anna Community Investment Program (CIP) includes the construction of a display area and hardscape improvements at Sherley Heritage Park for the locomotive which will be placed on the park property. The project was designed in 2021 and the project was bid this fall.

The project includes some unique elements, including a section of rail for the locomotive to rest on. Unfortunately, only one bid was received for the project.

Typically, the City desires to receive a minimum of three bids for a project to ensure that the Anna taxpayers are receiving the lowest cost from a qualified contractor. Since only one bid was received, it is difficult for the City to determine if the bid represents a financially responsible cost for the project. Staff is concerned that supply chain issues and availability of building materials may have had a negative impact on the ability of qualified contractors to provide the City with a bid on the project.

Staff recommended that City Council reject all bids from the November 4, 2021, bid opening, and allow staff to re-bid the project in 2022.

A RESOLUTION OF THE CITY OF ANNA, TEXAS REJECTING ALL BIDS RECEIVED FOR THE SHERLEY HERITAGE PARK HISTORIC TRAIN DISPLAY IMPROVEMENTS AT THE BID OPENING ON NOVEMBER 4, 2021; AND PROVIDING FOR AN EFFECTIVE DATE.

- y. Approve a Resolution authorizing the City Manager to negotiate for the purchase of real property for the Right of Way for Rosamond Parkway and public drainage easement east of State Highway 5. (Director of Public Works Greg Peters, P.E.)

The City of Anna entered into a Subdivision Improvement Agreement with Anna ISD at the November 9, 2021, City Council Meeting for the construction of the public water and sanitary sewer system associated with the extension of Rosamond Parkway from SH 5 east to FM 2862. In addition, the City entered into a Pre-Annexation and Development Agreement with Ashton Woods for the Coyote Meadows Subdivision at the October 26, 2021, City Council Meeting which included Ashton Woods dedicating right-of-way and constructing the southern two lanes of Rosamond Parkway from White Rock to FM 2862.

There is a tract of land owned by the David Johnson and Nely Johnson Revocable Trust on County Road 425, just west of FM 2862, which is essential to the roadway/drainage and water/sewer project. 2.420 Acres of land are needed for the public right-of-way to extend Rosamond Parkway. 0.213 acres of easement is required for public drainage.

Anna ISD's contractor is moving forward with the utility construction, requiring the City to acquire the remaining right-of-way needed for the project. Anna Public Works completed the engineering design for the public water and sewer system expansion. The plan set is attached as an exhibit. Ashton Woods has agreed to prepare the final engineering design for the road based upon the City chosen alignment for Rosamond Parkway as shown in the City's utility plans.

The City has been in touch with the trustees for the David Johnson and Nely Johnson Revocable Trust and has ordered an appraisal for the property. Negotiations to date have been cordial and positive. We are now at a point where we are prepared to move forward with working with the Trust to negotiate and purchase the property.

All purchase of real property requires approval by the City Council. Staff feels strongly that we will be able to reach a reasonable negotiated settlement with the trustees and acquire the property in the very near future once City Council approval is provided. If approved, this item will authorize the City to negotiate with the trust for the purchase of the necessary right-of-way and drainage easement based on the appraised value of the property, and in accordance with State law.

Funding for the purchase will come from Roadway Impact Fees as a part of the Rosamond Parkway CIP project. The purchase price will be negotiated based on an appraisal performed on behalf of the City.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, FINDING THAT A PUBLIC NECESSITY EXISTS FOR ACQUISITION OF A PERMANENT RIGHT OF WAY ON AND UNDER 2.420 ACRES OF REAL PROPERTY AND A PERMANENT DRAINAGE EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.213 ACRES OF REAL PROPERTY, MORE OR LESS; AUTHORIZING THE CITY MANAGER, STAFF, CONTRACTORS, AND THE CITY'S ATTORNEYS TO ACQUIRE SAID EASEMENTS BY ANY LAWFUL MEANS, INCLUDING BUT NOT LIMITED TO NEGOTIATIONS, AND, IF NECESSARY, PROCEEDINGS IN EMINENT DOMAIN; PROVIDING AN EFFECTIVE DATE.

- z. Approve a Resolution approving a Roadway Impact Fee Reimbursement Agreement by and between the City of Anna, Texas and Risland-Mantua, LLC,

subject to approval as to form by the City's legal counsel. (Director of Public Works Greg Peters, P.E.)

D.R. Horton is preparing to construct Rosamond Parkway from US 75 to Anna High School as a part of their single-family home development known as The Woods at Lindsey Place. Per the development agreement between the City and D.R. Horton, the City is responsible for acquiring all of the necessary public right-of-way required for the project.

The property most impacted by the project is the commercial tract owned by Risland Mantua at the northeast corner of US 75 and County Road 370. Due to the location of the overpass at US 75 and the location of the existing high pressure gas main, the road right-of-way cannot be split at the property line in this area. Instead, nearly all of the right-of-way must come from the Risland property. In addition, the Risland tract has direct access from the US 75 frontage road, so the new construction of Rosamond Parkway is not required for access to the property.

As such, staff has negotiated an agreement with Risland Mantua to allow for a future impact fee discount to be applied to the roadway impact fees due to the City when the property develops in the future. The proposed total amount to be discounted is equal to the present value of the property being donated as right-of-way, which totals \$479,740.00. This equates to 2.203 acres at \$5/square foot, which is a reasonable value for property fronting onto US 75 in the current market conditions. The value has been confirmed through an appraisal which was completed on the property this month.

This allows the City to acquire the necessary right-of-way with no payment from the City. Instead, the landowner will receive compensation when the property develops through a reduction in Impact Fees due upon future development. Staff finds that this agreement provides Anna with the best method by which to acquire the property needed for the construction of Rosamond Parkway in a fast and efficient manner, and at a reasonable value.

There is no cost to the City at this time. Per the agreement, the City will reduce roadway impact fees charged for the future development of the subject tract by an amount equal to the present value of the right-of-way donated, which is estimated to be \$479,740.00. Roadway Impact Fees are development costs, so no taxpayer funds are affected.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT FEE REIMBURSEMENT AGREEMENT WITH RISLAND MANTUA, LLC, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

- aa. Acting as the Anna Housing Finance Corporation ("AHFC") Board of Directors, approve: (a) resolutions approving the formation of entities to serve in the following capacities in connection with the Parmore Anna financing: (i) ground

lessor, (ii) co-developer and (iii) general contractor; (b) resolutions approving substantially final partnership documents for the Parmore Anna financing; and (c) a resolution delegating signature authority to the developer partner in connection with the Parmore Anna financing. (Director of Economic Development Joey Grisham)

Parmore Senior Living is a 185-unit Senior Living Project being developed by JPI. The following partnership resolutions are related to the following: Ground Lessor, Co-developer, and general contractor. All documents have been reviewed and approved by legal counsel.

RESOLUTION AUTHORIZING THE FORMATION OF PARMORE ANNA HOLDINGS, LLC (THE "GROUND LESSOR") IN CONNECTION WITH THE COLLIN COUNTY HOUSING FINANCE CORPORATION (THE "GOVERNMENTAL LENDER") MULTIFAMILY HOUSING REVENUE NOTES (PARMORE ANNA APARTMENTS), SERIES 2022A AND SERIES 2022B; AUTHORIZING THE DESIGNATION OF THE ANNA HOUSING FINANCE CORPORATION (THE "CORPORATION") AS THE SOLE MEMBER OF THE GROUND LESSOR; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE GROUND LESSOR; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

RESOLUTION AUTHORIZING THE FORMATION OF PARMORE ANNA DEVELOPMENT, LLC (THE "CO-DEVELOPER") IN CONNECTION WITH THE COLLIN COUNTY HOUSING FINANCE CORPORATION (THE "GOVERNMENTAL LENDER") MULTIFAMILY HOUSING REVENUE NOTES (PARMORE ANNA APARTMENTS), SERIES 2022A AND SERIES 2022B; AUTHORIZING THE DESIGNATION OF THE ANNA HOUSING FINANCE CORPORATION (THE "CORPORATION") AS THE SOLE MEMBER OF THE CO-DEVELOPER; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE CO-DEVELOPER; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

RESOLUTION AUTHORIZING THE FORMATION OF PARMORE ANNA CONTRACTOR, LLC (THE "GENERAL CONTRACTOR") IN CONNECTION WITH THE COLLIN COUNTY HOUSING FINANCE CORPORATION (THE "GOVERNMENTAL LENDER") MULTIFAMILY HOUSING REVENUE NOTES (PARMORE ANNA APARTMENTS), SERIES 2022A AND SERIES 2022B; AUTHORIZING THE DESIGNATION OF THE ANNA HOUSING FINANCE CORPORATION (THE "CORPORATION") AS THE SOLE MEMBER OF THE GENERAL CONTRACTOR; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION

THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE GENERAL CONTRACTOR; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

- bb. Acting as the Anna Housing Finance Corporation (“AHFC”) Board of Directors, approve and ratify the execution by the AHFC President of that certain letter agreement between AHFC and Hilltop Securities Inc., dated November 8, 2021. (Director of Economic Development Joey Grisham)

This item is to ratify the execution of a letter dated November 8, 2021, by Board President Nate Pike with Hilltop Securities.

- cc. Approve a Resolution amending the City of Anna Personnel Policy Manual. (City Manager Jim Proce)

As a part of the adopted Strategic Plan, staff was directed to identify areas of the City Personnel Policy that required revision. As City staff has worked under this personnel policy manual, a few technical conflicts and operations realities have been found. Sections of the proposed policy are changed to provide clarification, cleanup, adoption of policy relating to quarantine leave for firefighters, peace officers, and emergency medical technicians employed by, appointed by, or elected by a political subdivision (Texas House Bill 2073), adoption of a mental health leave policy for peace officers (Texas Senate Bill 1359), background check policy, and to establish a Catastrophic Leave bank policy for City employees. The proposed revisions are listed below. Overall, these changes will provide support to staff's day-to-day City operations.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, COLLIN COUNTY, TEXAS, APPROVING AMENDMENTS TO THE CITY OF ANNA PERSONNEL POLICY MANUAL 12.14.2021.

- dd. Approve votes for the 2022-2023 Texas Coalition for Affordable Power (TCAP) Board of Directors. (City Manager Jim Proce)

The City is a member of the Texas Coalition for Affordable Power (TCAP). Authorized when the Texas Legislature took action to deregulate the state's electricity market in 2001, the TCAP is a unique alliance of cities and other political subdivisions that have joined together to purchase electricity for their own governmental use.

TCAP is conducting an election for the Board of Directors. Anna is entitled to cast seven votes.

City Manager Proce recommends the following: Gary Broz, Edna – LC (I) Darron

Leiker, Wichita Falls – HC (I) Miles Risley, Corpus Christi – HC (I) Courtney Alvarez, Kingsville – MC (I) David Esquivel, Tomball – MC (I) Karen Manila, North Richland Hills, HC (I) Roy Rodriguez, McAllen – HC (I)

- d. Approve a Resolution regarding the Avery Point Commercial, Block A, Lots 1R, 2R, & 3, Replat. (Director of Development Services Ross Altobelli)

Two vacant lots on Lot 1R & Lot 3 and a restaurant and grocery store on Lot 2R on 7.4± acres located at the northeast corner of W. White Street and S. Ferguson Parkway.

The purpose of the replat is to subdivide Lot 1R into two lots, dedicate lot and block boundaries, and dedicate easements necessary for the development of a Braum's restaurant and grocery store on Lot 2R.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE COMMERCIAL, BLOCK A, LOTS 1R, 2R, & 3, REPLAT

MOTION: Council Member Toten moved to approve. Council Member Carver seconded. Motion carried 7-0.

7. Items For Individual Consideration.

- b. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to amend the zoning on 6.0± acres located on the north side of W. White Street, 293± feet east of S. Ferguson Parkway to allow mini-warehouse by Specific Use Permit with modified parking standards on Lot 3 and to reduce the existing 15-foot Residential Buffering standard to 10-feet on Lot 2R. Zoned: Planned Development-General Commercial (PD-C-2) (Ord. Nos. 709-2015, 226-2005, and 179-2005). (Director of Development Services Ross Altobelli)

At the request of the applicant, the Planning & Zoning Commission's Public Hearing was tabled at their December 6, 2021, meeting and continued and held open until the January 3, 2022, Planning & Zoning Commission's regularly scheduled meeting.

Staff recommends the City Council table and hold open the public meeting until City Council's regularly scheduled meeting on Tuesday, January 11, 2022, at 6:30 PM to be held at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas.

Mayor Pike opened the Public Hearing at 7:15 PM.

The following individuals spoke in opposition to the zoning request:

- Jessica Hurley
- Lee *
- Julia Norvell
- Dashawn *
- James *

*Last names were inaudible.

MOTION: Mayor Pike moved to table Item 7.b.A and continue the Public Hearing to January 11, 2022, at 6:30 PM to be held at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas. Council Member Miller seconded. Motion carried 7-0.

- a. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to amend Planned Development-Restricted Commercial (Ord. No. 821-2019) in order to reduce the front yard setback from 50 feet to 20 feet. Located at the southwest corner of W. White Street and Ferguson Parkway. (Director of Development Services Ross Altobelli)

B) Consider/Discuss/Action on a Resolution regarding the Ferguson-White Addition, Block A, Lots 1, 2, & 3, Final Plat.

C) Consider/Discuss/Action on a Resolution regarding the Ferguson-White Addition, Block A, Lot 1, Site Plan.

The applicant is requesting to re-establish zoning that allowed for a reduced front yard setback along W. White Street from 50 feet to 20 feet.

The proposed use for the property has not changed and the applicant is not requesting any additional amendments to the zoning. Additionally, as part of the zoning request, the applicant has submitted a Site Plan and Final Plat development application associated with construction of the bank site. For these reasons, staff is in support of the zoning request.

Mayor Pike opened the Public Hearing at 7:38 PM.

No public comments.

Mayor Pike closed the Public Hearing at 7:38 PM.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A SITE PLAN OF FERGUSON-WHITE ADDITION, BLOCK A, LOT 1.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF FERGUSON-WHITE ADDITION, BLOCK A, LOTS 1, 2, & 3.

MOTION: Council Member Toten moved to approve items A), B), and C). Council Member Carver seconded. Motion carried 7-0.

- c. Crystal Park Development Agreement. (Director of Development Services Ross Altobelli)

Consider/Discussion/Action on a Resolution approving a Development Agreement with Bloomfield Homes, L.P. regarding the development of Crystal Park, a single-family residential, mixed-use, and commercial development, subject to approval as to legal form of said development agreement by the City's legal counsel.

Staff is supportive of the request. The proposed pre-annexation agreement and development standards meet the vision of the recently adopted Comprehensive Plan. The applicant has included stipulations to create diverse, walkable, single-family neighborhoods that will include a significant amount of private open space that will be open to the public that will connect neighborhoods. This will be the first development that will include one of the new single-family zoning districts intended to diversify the city's housing stock. Additionally, the applicant is preserving nonresidential zoning that is envisioned in the Anna2050 Comprehensive Master Plan.

The applicant made an informal presentation to the Planning & Zoning Commission at their regularly scheduled December 6, 2021, meeting.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE CRYSTAL PARK DEVELOPMENT AGREEMENT WITH BLOOMFIELD HOMES, L.P. AND PROPERTY OWNERS RELATING TO DEVELOPMENT OF PROPERTY FOR MIXED USE MASTER PLANNED DEVELOPMENT

MOTION: Mayor Pike moved to approve. Council Member Miller seconded. Motion carried 7-0.

- d. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to rezone 0.4± acre located on the west side of N. Riggins Street, 671± feet north of Anthony Street from Single-Family Residence-1 (SF-1) to Planned Development-Single-Family Residence – Townhome (PD-SF-TH) to allow for the use of Townhomes. (Director of Development Services Ross Altobelli)

B) Consider/Discuss/Action on a Resolution regarding the Salida Del Sol, Block A, Lot 1, Concept Plan.

Mayor Pike recused himself from this item due to possible conflict of interest.

The applicant is requesting to rezone the subject property in order to make several amendments to the SF-TH Townhome District (SF-TH) zoning district. The SF-TH district is intended to provide for a medium density residential environment of attached townhome units.

The Planning and Zoning Commission unanimously recommended denial of the zoning request.

Applicant Jeff Ground, PE, CFM, of J. S. Ground Engineering, LLC, provided a project presentation to the City Council.

Mayor Pro Tem Miller opened the Public Hearing at 7:58 PM.

No public comments.

Mayor Pro Tem Miller closed the Public Hearing at 7:58 PM.

MOTION: Council Member Carver moved to approve. Council Member Atchley seconded. Motion failed 4-2. Council Members Toten and Miller opposed.

- e. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to amend the zoning on 14.9± acres located on the east side of Throckmorton Boulevard, 38± feet south of Hackberry Drive, in order to amend existing multifamily residence development standards . Zoned: Planned Development-General Commercial/Multiple Family - High Density (PD-C-2/MF-2) (Ord. No. 648-2014). (Director of Development Services Ross Altobelli)

(Property zoned under this ordinance is generally located on the east side of Throckmorton Boulevard, 38± feet south of Hackberry Drive) 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.

B) Consider/Discuss/Action on a Resolution regarding the Anna Town Center, Block A, Lot 5R, Concept Plan.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA TOWN CENTER, BLOCK A, LOT 5R, CONCEPT PLAN.

C) Consider/Discuss/Action on a Resolution regarding the Anna Town Center, Block A, Lot 5R, Preliminary Replat.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA TOWN CENTER, BLOCK A, LOT 5R, PRELIMINARY REPLAT.

The proposed zoning and concept plan are in conformance with elements of the City of Anna Strategic Plan and Comprehensive Plan. The multiple-family residence land use is currently allowed by-right on the property. The proposed development stipulations/ restrictions allows for a superior development than what would be allowed under existing zoning allowances.

The Planning & Zoning Commission unanimously recommended approval of the multi-project.

Mayor Pike opened the Public Hearing at 8:14 PM.

No public comments.

Mayor Pike closed the Public Hearing at 8:23 PM.

Applicant Jack Roe with Taylor Morrison provided a project presentation to the City Council.

MOTION: Council Member Toten moved to approve. Council Member Atchley seconded. Motion failed 5-2. Council Members Carver, Miller, Vollmer, Ussery, and Mayor Pike opposed.

- f. A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to rezone 28.0± acre located at the southwest corner of W. White Street and Slater Creek Road from SF-E Single-Family Residential - Large Lot (SF-E) to SF-Z Single-Family Residence District - Zero lot line homes (SF-Z) and C-1 Restricted Commercial District (C-1). (Director of Development Services Ross Altobelli)

B) Consider/Discuss/Action on a Resolution regarding the LuxNova Residential & Commercial Concept Plan.

Request to rezone 28.0± acres located at the southwest corner of W. White Street and Slater Creek Road from SF-E to SF-Z and C-1 which will allow for a single family detached residential subdivision and preserve the northwest portion of the W. White Street frontage for commercial development. The applicant is not proposing to modify any of the City of Anna's adopted development standards.

The proposed zoning and concept plan are in conformance with the City of Anna Future Land Use Plan and elements of the City of Anna Strategic Plan.

The Planning & Zoning Commission recommended approval.

Mayor Pike opened the Public Hearing at 8:48 PM.

No public comments.

Mayor Pike closed the Public Hearing at 8:48 PM.

(Property rezoned under this ordinance is generally located at the southwest corner of W. White Street and Slater Creek Road) 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.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING LUXNOVA RESIDENTIAL & COMMERCIAL, CONCEPT PLAN.

MOTION: Mayor Pike moved to take no action. Council Member Carver seconded. Motion carried 7-0.

- g. Conduct a Public Hearing and Consider/Discuss/Action on approving an Ordinance designating a geographic area within the City as a Tax Increment Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Four, City of Anna, Texas; describing the boundaries of the Zone; creating a Board of Directors for the Zone; and appointing members to the Board. (Director of Economic Development Joey Grisham)

As a part of the Development Agreement with Megatel, the City of Anna agreed to create TIRZ Districts for the Anacabri Project. TIRZ #4 covers the single-family portion of the project that accounts for approximately 319.01 acres. The term of the TIRZ is 36 years unless otherwise terminated in accordance with the creation ordinance, with the city of Anna contributing 50% of its incremental property tax revenue to the TIRZ fund. P3 Works created a Preliminary Project and Financing Plan (attached) that is required under Chapter 311 of the Texas Tax Code. The buildout value is estimated around \$400 million although staff believes it will be higher.

The estimated city contribution to the TIRZ fund over the life of the TIRZ is \$47.8 million.

Mayor Pike opened the Public Hearing at 9:09 PM.

No public comments.

Mayor Pike closed the Public Hearing at 9:11 PM.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE

TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER FOUR, CITY OF ANNA, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Council Member moved to approve. Council Member seconded. Motion carried 7-0.

- h. Conduct a Public Hearing and Consider/Discuss/Action on approving an Ordinance designating a geographic area within the City as a Tax Increment Reinvestment Zone (TIRZ) pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Five, City of Anna, Texas; describing the boundaries of the Zone; creating a Board of Directors for the Zone; and appointing members to the Board. (Director of Economic Development Joey Grisham)

As a part of the Development Agreement with Megatel, the City of Anna agreed to create TIRZ Districts for the Anacapri Project. TIRZ number five covers the commercial and multifamily portion of the project that accounts for approximately 52.17 acres. The term of the TIRZ is 30 years unless otherwise terminated in accordance with the creation ordinance, with the city of Anna contributing 70% of its incremental property tax revenue to the TIRZ fund. P3 Works created a Preliminary Project and Financing Plan (attached) that is required under Chapter 311 of the Texas Tax Code. The buildout value is estimated around \$90.3 million although staff believes it will be higher.

The estimated amount of the city's contribution to the TIRZ fund over the 30-year period is \$12.9 million.

Mayor Pike opened the Public Hearing at 9:13 PM.

No public comments.

Mayor Pike closed the Public Hearing at 9:13 PM.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER FIVE, CITY OF ANNA, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE

TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Council Member Toten moved to approve. Council Member Ussery seconded. Motion carried 7-0.

- i. Conduct a Public Hearing and Consider/Discuss/Action on approving an Ordinance designating a geographic area within the City as a Tax Increment Reinvestment Zone (TIRZ) pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Six, City of Anna, Texas; describing the boundaries of the Zone; creating a Board of Directors for the Zone; and appointing members to the Board. (Director of Economic Development Joey Grisham)

With the goal of developing a vibrant Downtown Anna, the Anna Strategic Plan identified the creation of a Downtown TIRZ to make that goal a reality. With the adoption of the Downtown Master Plan earlier this year, staff believes now is the time to create a TIRZ. Petty and Associates created a comprehensive feasibility and Project and Financing Plan that identifies potential projects and costs. TIRZ Number Six includes approximately 1,346 acres, with the City contributing 50% of incremental property tax revenue to the TIRZ fund for 30 years. We also anticipate Collin County participating in the TIRZ. Staff believes creating the district will help revitalize Downtown Anna and achieve the Council's goal of a vibrant Downtown Anna. TIRZ funds will be used for streets/parking, utility/drainage, parks/trails, signage/lighting, and economic development grants.

The estimated City contribution to the TIRZ fund over 30 years is \$27.5 million with the Collin County portion being \$8.1 million should they participate at 50%.

Mayor Pike asked for comments. There were no public comments.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER SIX, CITY OF ANNA, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Council Member Miller moved to approve. Council Member Carver seconded. Motion carried 7-0.

- j. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a professional services agreement with 720 Design, Incorporated for library consulting services, subject to approval as to legal form of said agreement by the City's legal counsel. (Director of Public Works Greg Peters, P.E.)

The City of Anna is in the pre-design phase of the Anna Public Library project, which was approved by Anna Neighbors in the May 2021 election with approval of \$22M in funds for the design and construction of a new library. As the City begins the process of developing a project charter, it is of vital importance to ensure that the public input processes, space allocations, and facility program are fully developed. These components are key to delivering a functional facility which meets the needs of Anna neighbors, both now and in the future.

720 Design, Incorporated, is a specialty design firm which specializes in libraries. The number 720 represents Architecture in the Dewey decimal system. 720 Design has been involved in the feasibility, planning, and design development of successful and award winning libraries across the United States, including:

- ☐ Frisco Public Library, Frisco, TX
- ☐ Seguin Public Library, Seguin, TX
- ☐ Hewitt Public Library, Hewitt, TX
- ☐ Milton Branch Library, Atlanta, Fulton County, GA

720 Design provided a presentation to the Anna Public Library Engagement Task Force on Wednesday, December 8, 2021. The presentation was well received and the Task Force concurs with staff's recommendation to move forward with the following scope of services for 720 Design:

- ☐ Interviews with stakeholders and community leaders
- ☐ Development and execution of a robust public input process
- ☐ 9 public community input meetings (including in-person and virtual options for each day/time)
- ☐ Host online public surveys for additional community input
- ☐ Host the team and members of the upcoming Anna Public Library Engagement (APLE) Task Force on tours of multiple libraries in our region
- ☐ Presentations and meetings with the APLE Task Force to help define the project charter
- ☐ Space programming to determine and define physical/digital library collection, types of programs the library will offer, technology services, and room/area data
- ☐ General Library planning best practices for incorporation into the project charter

Libraries are special and different from most city facilities. While most city buildings are designed for use by staff and elected officials to conduct city business, libraries are buildings which should be designed expressly for the use of the public. Modern libraries offer services far beyond books, including community meetings, community activities, recreation classes, digital media, job and skill training, age-specific programs for youth, and so much more. As such, it is important to include professionals in the early project process who are experts at developing modern libraries.

The anticipated scope of services totals \$76,500. There is an additional contingency of \$20,000 included in the not-to-exceed amount. The contingency funding will only be used if the City requests and approves additional scope from the consultant during the process. Funding for a Community Library was approved in the 2021 Bond Election. The Community Investment Program budget for the library is \$22.0 million.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN THE CITY OF ANNA, TEXAS AND 720 DESIGN INCORPORATED FOR PRE-DESIGN SERVICES ON THE ANNA PUBLIC LIBRARY, WITH A SCPE OF SERVICES AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, IN A FORM APPROVED BY THE CITY ATTORNEY, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Ussery moved to approve. Council Member Toten seconded. Motion carried 7-0.

- k. Discuss/Consider/Act on a Resolution authorizing the City Manager to execute Change Order #3 for the Municipal Complex Construction Project. (Director of Public Works Greg Peters, P.E.)

During the project, the general contractor (Lee Lewis) encountered a number of delays pertaining to materials and subcontracted staff due to the pandemic and associated manufacturing delays. The project includes two buildings, the Anna Central Fire Station and the Anna Municipal Building. This has resulted in a revised substantial completion date for the Municipal Building of February 28, 2022.

In an effort to work with the City and address the delays, Lee Lewis has agreed to install pavers on all four verandas in the Municipal Building at no cost to the City. The pavers were originally value-engineered out of the project scope due to cost. The new pavers are a much desired element of the project and will allow the City to utilize exterior space on the 2nd floor for a range of functions. The total value of this offer is approximately \$180,000.

Staff finds that Lee Lewis has made a good faith effort to complete the project in a timely manner and also finds the offer to install the pavers at no-cost to the City to be just compensation for the delays. Staff recommends approval of Change Order #3 for the project.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF IN EXECUTING AND APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT WITH LEE LEWIS CONSTRUCTION FOR THE CITY HALL CONSTRUCTION PROJECT

MOTION: Council Member Miller moved to approve. Council Member Vollmer seconded. Motion carried 6-1. Mayor Pike opposed.

- I. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a purchase order for the rehabilitation and repainting of the Sherley Heritage Park Water Tower. (Director of Public Works Greg Peters, P.E.)

At the October 26, 2021, City Council Meeting, it was determined that the City should complete a public survey to determine what color to paint the historic water tower. There were two options, which included:

1. Silver with Black Block Letters "ANNA"
2. White with Purple Lettering "ANNA COYOTES"

The survey was opened in late October and ran through the end of November. The survey rules were:

- ☐ Voting was limited to one vote per household.
- ☐ Voters were required to be a utility customer.

628 votes were received. After applying the rules, this number went down to 551. The final results are:

(53.4%) 294 votes for silver paint and black lettering "ANNA"
(46.6%) 257 votes for white paint and purple lettering "ANNA COYOTES"

It is important to note that applying the rules only changed the winning percentage from 54.0% to 53.4% - meaning the votes received from duplicate voters and non-residents remained very consistent with the final tallies and the corrections did not affect the outcome.

In the FY2022 Budget the City budgeted \$195,000 for the project, with the fund source being the Utility Fund.

City staff have been working with a tank rehabilitation company, Maguire Iron, to develop a scope and cost for the project. Maguire Iron has TIPS (The Interlocal Purchasing System) contracts for many of their services, which allow the City to complete the procurement process and receive the best price without having to complete a separate bid process.

Staff worked with Maguire Iron to develop a scope which provides the best value and longest lasting product available for this application. Maguire Iron did extensive paint sampling and research on the existing tank condition. After completion of this work, Maguire Iron agreed to include a full lead abatement and containment, along with a full sandblast of the structure within our original project budget, which will extend the lifespan of the paint to approximately 20 years. The final price is \$170,000, plus the \$4,000 TIPS contract fee. Staff was concerned that the cost of full lead abatement would exceed the project budget. However, Maguire Iron is very interested in the project due to its historical nature and offered us a very competitive price.

Staff is recommending a budget matching the FY2022 budgeted amount of \$195,000 to allow for a small contingency which may be used if needed to address any unforeseen issues during the project.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE REHABILITATION OF THE SHERLEY HISTORIC WATER TOWER TO MAGUIRE IRON, INCORPORATED IN THE AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$195,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Miller moved to approve rehabilitation of the Old Sherley Water Tower to silver with black lettering. Council Member Vollmer seconded. Motion carried 5-2. Council Member Toten and Mayor Pike opposed.

8. **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). *Miller Mendel, Inc. v. City of Anna, Texas, et al., U.S. District Court, Eastern District of Texas, Marshall Division; Case No. 2:21-cv-00445-JRG. Potential incentive and event funding agreements. Facility Security.*
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072). *Right of way agreement; potential purchase and sale of land.*
- 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). *Potential incentive and event funding agreements.*
- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074). *Municipal Judge*

MOTION: Council Member Miller moved to enter Closed Session. Council Member Toten seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 9:46 PM.

Mayor Pike reconvened the meeting at 11:29 PM.

9. 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.

No action taken.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 11:29 PM.

Approved on January 11, 2022.

Mayor Nate Pike

ATTEST:

City Secretary Carrie L. Land



Item No. 6.b.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022

Staff Contact:

AGENDA ITEM:

Review Planning & Zoning Commission Meeting Minutes from November 6, 2021.
(Director of Development Services Ross Altobelli)

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 11-1-2021 PZ Minutes signed

APPROVALS:

Lauren Mecke, Planning Manager
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

MINUTES
PLANNING AND ZONING COMMISSION
November 1, 2021

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on November 1, 2021, at the City Hall located at 111 N Powell Parkway, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 7:03 pm.

Commissioners present were Latoya Grady, Nick Rubits, Dennis Ogan, Donald Henke, Brent Thomas, Paul Wenzel, and Kelly Patterson-Herndon. Staff present was Lauren Mecke and Salena Tittle. Councilman Toten and Councilman Carver were also in attendance for the meeting.

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.

4. Location Map

Planning & Zoning Annual Organizational Review

5. Planning & Zoning Commission and Board of Adjustment Training (City Attorney, Clark McCoy)

Mr. McCoy gave the training presentation to the Commission and answered any questions the Commission had.

6. Annual Planning & Zoning Commission Review

A) Elect a Planning & Zoning Commission Chairman.

A motion was made by Commissioner Grady, seconded by Commissioner Thomas to nominate Commissioner Henke as Chairman. The vote was unanimous.

B) Elect a Planning & Zoning Commission Vice-Chairman.

A motion was made by Commissioner Grady to nominate Commissioner Thomas for Vice-Chairman. Commissioner Rubits nominated himself. Commissioner Thomas was voted Vice-Chairman with a 4-3 vote.

C) Elect a Planning & Zoning Commission Secretary.

The Commission voted unanimously to have staff remain as acting Secretary.

D) Review/Discuss/Action on additional items as necessary

Ms. Mecke provided the Commission with an update that the 2022 meeting calendar is still under review as it pertains to Council meeting dates.

Consent Items

Commissioner Patterson-Herndon wanted to open the discussion of Item 10 on the consent agenda. The decision was made to move Item 10 to an Individual Consideration item. A motion was made by Commissioner Rubits, seconded by Commissioner Grady to recommend approval of consent items 7-9 and 11-15. The vote was unanimous.

7. Consider/Discuss/Action to approve minutes of the October 4, 2021 Planning & Zoning Commission Meeting.
8. Consider/Discuss/Action on a recommendation regarding the Lazy S Acres, Block A, Lot 1, Development Plat. Applicant: Carol Skrabanek Barrows Trust
9. Consider/Discuss/Action on a recommendation regarding the Turner Addition, Block A, Lots 1, 2, & 3, Final Plat. Applicant: Joseph & Beverly Turner
10. Consider/Discuss/Action on a recommendation regarding The Villages of Hurricane Creek, Phase 2, Final Plat. Applicant: CADG Hurricane Creek, LLC
11. Consider/Discuss/Action on a recommendation regarding Anna Storage Addition, Block A, Lot 1, Final Plat. Applicant: Cody Neef
12. Consider/Discuss/Action on a recommendation regarding the Vaquero DG Westminster Addition, Block A, Lot 1, Final Plat. Applicant: Westminster 121 Associates
13. Consider/Discuss/Action on a recommendation regarding the Vaquero DG Westminster Addition, Block A, Lot 1, Site Plan. Applicant: Westminster 121 Associates
14. Consider/Discuss/Action on a recommendation regarding the Anna/121 Land Holdings Addition, Block A, Lot 1, Final Plat. Applicant: Anna / 121 Land Holdings, LLC
15. Consider/Discuss/Action on a recommendation regarding the Anna/121 Land Holdings Addition, Block B, Lot 1, Final Plat. Applicant: Anna / 121 Land Holdings, LLC

Items for Individual Consideration

The Commission chose to discuss Consent Agenda Item 10.

Commissioner Patterson-Herndon asked staff if the lots that were labeled HOA Lots would be just flat land/green space or if there will be amenities on them.

Ms. Mecke advised that this is a Final Plat and that staff does not have any information at this time whether or not something will be constructed on them.

Ms. Mecke also pulled up a map on the projector, showing which HOA lots are in the flood plain and would not potentially be buildable.

A motion was made by Commissioner Patterson-Herndon, seconded by Commissioner Rubits to recommend approval of The Villages of Hurricane Creek, Phase 2, Final Plat. The vote was unanimous.

16. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding a request to rezone 0.4± acre located on the west side of N. Riggins Street, 671± feet north of Anthony Street from Single-Family Residence-1 (SF-1) to Planned Development-Single-Family Residence – Townhome (PD-SF-TH) to allow for the use of Townhomes. Applicant: DSH Construction LLC

B) Consider/Discuss/Action on a recommendation regarding the Salida Del Sol, Block A, Lot 1, Concept Plan.

Ms. Mecke gave a brief presentation.

Commissioner Henke asked staff to clarify where the side yard setback begins and ends.

Ms. Mecke advised that it begins at the property line and ends at the building.

The Public Hearing was opened at 8:45 pm.

The applicant's civil engineer, Jeff Brown, made a brief presentation.

Commissioner Grady asked staff to verify whether the Comprehensive Plan wording states that townhomes is allowed or desired versus the actual pictures that are shown in the Comprehensive Plan.

Ms. Mecke advised that the pictures show duplex and townhome products, however, the wording itself does not allow for it.

Commissioner Grady asked the applicant's civil engineer to verify how many units they are trying to place on site.

Mr. Brown advised that there will be 8 units, 3-story brick.

The Public Hearing was closed at 8:55 pm.

Commissioner Grady and Chairman Henke advised that they agree with staff's recommendation to deny because the applicant is proposing too many units in one space and that this area is not designed for this space.

Chairman Henke asked staff to re-specify the three issues that staff has with the development.

Ms. Mecke advised the Commission of the three items.

Commissioner Rubits advised that he is not in support of the density that is being proposed by the applicant.

A motion was made by Commissioner Grady, seconded by Commissioner Rubits to recommend denial of the zoning request. The vote was unanimous.

Mr. Brown left the meeting and Councilman Carver followed.

B) Consider/Discuss/Action on a recommendation regarding the Salida Del Sol, Block A, Lot 1, Concept Plan.

Ms. Mecke gave a brief presentation.

Councilman Toten left the meeting.

A motion was made by Commissioner Rubits, seconded by Commissioner Patterson-Herndon to recommend denial of the Concept Plan. The vote was unanimous.

17. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding a request to amend Planned Development-Restricted Commercial (Ord. No. 821-2019) in order to reduce the front yard setback from 50 feet to 20 feet. Located at the southwest corner of W. White Street and Ferguson Parkway. Applicant: Lamar National Bank / Greg Wilson, President & CEO

Ms. Mecke gave a brief presentation.

The Public Hearing was opened at 9:13 pm.

The Public Hearing was closed at 9:14 pm.

A motion was made by Commissioner Ogan, seconded by Commissioner Wenzel to recommend approval of the zoning amendment request. The vote passed 6-1 with Commissioner Rubits voted against the zoning amendment request.

B) Consider/Discuss/Action on a recommendation regarding the Ferguson-White Addition, Block A, Lots 1, 2, & 3, Final Plat.

Ms. Mecke gave a brief presentation.

A motion was made by Commissioner Thomas, seconded by Commissioner Grady to recommend approval of the Final Plat. The vote was unanimous.

C) Consider/Discuss/Action on a recommendation regarding the Ferguson-White Addition, Block A, Lot 1, Site Plan.

Ms. Mecke gave a brief presentation.

A motion was made by Commissioner Grady, seconded by Commissioner Patterson-Herndon to recommend approval of the Site Plan. The vote was unanimous.

Councilman Carver returned to the meeting.

18. Consider/Discuss/Action on a recommendation regarding the Jurado Estates, Block A, Lots 1 & 2, Final Plat.
Applicant: Margarita Rodriguez Jurado

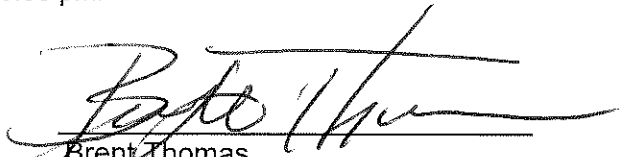
Councilman Carver left the meeting.

Ms. Mecke gave a brief presentation.

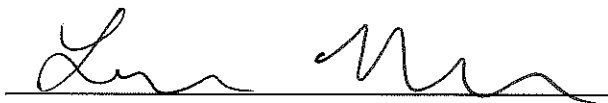
A motion was made by Commissioner Rubits, seconded by Commissioner Wenzel to recommend approval of the Final Plat. The vote was unanimous.

Adjourn

A motion was made by Commissioner Rubits, seconded by Commissioner Grady to adjourn the meeting. The vote was unanimous. The meeting adjourned at 9:30 pm.


Brent Thomas
Planning and Zoning Commission Chairman

ATTEST:





Item No. 6.d.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022

Staff Contact: Ray Isom

AGENDA ITEM:

Approve a Resolution approving the annual AMR ambulance transport Interlocal Agreement with Collin County (Chief Ray Isom)

SUMMARY:

This item is the annual renewal related to the Interlocal Agreement for ambulance transport services through Collin County. This agreement utilizes American Medical Response (AMR) as the service provider and is vital to the basic functionality of the fire department.

Collin County offers ambulance transport services to communities in the county that have not yet developed fire-based transport services. This is a cost-share agreement providing ambulances and EMS personnel that has existed for a significant period of time. These services will continue into portions of Quarter 3, after which Anna Fire Department will commence fire-based EMS. The Fire Department must continue obtaining these services from the County until the Fire Department establishes fire-based transport services. This agreement remains in effect until midnight on May 31, 2022.

FINANCIAL IMPACT:

The annual cost of the ILA is \$77,205.82

Quarter 1 \$33,088.21, Quarter 2 \$33,088.21, Quarter 3 \$11,029.40, Quarter 4 \$0.00

STRATEGIC CONNECTIONS:

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

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Ambulance Billing EMS Contract – Exhibit A
2. FY22 Contract Amendment No. 3 - Ambulance Renewal Anna
3. AMR ILA Resolution 2022

APPROVALS:

Ray Isom, Fire Chief

Created/Initiated - 1/05/2022

CITY OF ANNA, TEXAS

RESOLUTION NO. _____
(ILA Collin County Ambulance Service)

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AMENDMENT THREE (3) TO AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR THE PROVISION OF AMBULANCE SERVICE

WHEREAS, on May 13, 2014 the City Council of the City of Anna, Texas ("City Council") approved Resolution 2014-05-12, an Interlocal Agreement with Collin County, for the provision of ambulance service (the "Agreement"); and

WHEREAS, the Agreement may be renewed or extended for four additional one-year periods; and

WHEREAS, the City of Anna, Texas (the "City") has renewed or extended the Agreement in 2014, 2015, 2016, 2017, 2018, 2019, and 2020; and

WHEREAS, in order to preserve and protect the public health and safety of the residents of the City, the City of Anna Fire Chief has recommended that the City Council approve Amendment Three (3) to the Agreement, attached hereto as Exhibit 1, which will extend the Agreement until midnight on May 31, 2022;

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. Approval of Amendment to Interlocal Agreement

The City Council hereby approves Amendment Three (3) to the Agreement (the "Contract Amendment"), attached hereto as Exhibit 1, and authorizes, ratifies and approves the City Manager's execution of same.

PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 11th day of January 2022.

ATTEST:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor



Contract Modification Document

Office of the Purchasing Agent
Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
972-548-4165

Vendor: City of Anna
Attn: City Secretary
111 N Powell Pkwy, P.O. Box 776
Anna, TX 75409

Contract No. 2019-086
Contract: Ambulance Services Agreement,
Anna

YOU ARE DIRECTED TO MAKE THE FOLLOWING MODIFICATION TO THIS CONTRACT

- Item #1 Renew contract for a twelve (12) month period at the same terms and conditions of the contract from November 1, 2021, through October 31, 2022.
- Item #2 Payment for contract year November 1, 2021, through October 31, 2022, is \$77,205.82. Payments will be made quarterly. Payment for quarters 1 and 2 will be \$33,088.21 each; payment for quarter 3 will be \$11,029.40; and payment for quarter 4 will be \$0.00.

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

Amendment No. 3 has been accepted and authorized by authority of Collin County Commissioners Court by Court Order No. _____ effective on 11/1/2021.

ACCEPTED BY:

SIGNATURE

(Print Name)

TITLE: _____

DATE: _____

SIGNATURE

Michelle Charnoski, NIGP-CPP, CPPB
(Print Name)

TITLE: Purchasing Agent

DATE: _____

HISTORICAL INFORMATION

Awarded by Court Order No. 2019-061-01-28

Renewal No.	<u>1</u>	Court Order No.	<u>2020-177-03-02</u>
Renewal No.	<u>2</u>	Court Order No.	<u>2021-375-04-26</u>
Renewal No.	<u>3</u>	Court Order No.	<u></u>

Amendment	<u>No. 1</u>	Court Order No.	<u>2020-177-03-02</u>	Summary	<u>Renewal 1</u>
Amendment	<u>No. 2</u>	Court Order No.	<u>2021-375-04-26</u>	Summary	<u>Renewal 2, force majeure added</u>
Amendment	<u>No. 3</u>	Court Order No.	<u></u>	Summary	<u>Renewal 3</u>

Fire District /City	Unincorporated	Incorporated	% of Pop	Post-Sep	TOTAL	AREA (ML)	Coalition	EMS Provider	City Pre-Sep Annual Cost	City Post-Sep Annual Cost	City Pre-Sep Monthly Cost	City Post-Sep Monthly Cost	Q1/Q2 to 2 decimal points	Q3 to 2 decimal points	Q4 to 2 decimal points	Entity total	County Cost	Contract #	Agenda Item #
ANFD Anna	2,006	15,669	18.75%	0.00%	17,675	54.00	Northern	AMR	\$132,352.83	\$0.00	\$11,029.40	\$0.00	\$33,088.21	\$11,029.40	\$0.00	\$77,205.82	\$18,573.19	2019-086	
BLFD Blue Ridge	3,009	1,023	1.22%	1.51%	4,032	69.75	Eastern	AMR	\$8,641.07	\$10,634.75	\$720.09	\$886.23	\$2,160.27	\$2,492.55	\$2,658.69	\$9,471.78	\$27,859.79	2019-087	
BRFD Branch ¹	2,653	-	0.00%	0.00%	2,653	8.32	Eastern	AMR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,563.65	NA	NA
FVFD Farmersville	4,717	3,320	3.97%	4.89%	8,037	80.00	Eastern	AMR	\$28,043.36	\$34,513.57	\$2,336.95	\$2,876.13	\$7,010.84	\$8,089.21	\$8,628.39	\$30,739.28	\$43,673.85	2019-088	
JOFD Josephine	2,453	1,952	2.34%	2.87%	4,405	32.38	Eastern	AMR	\$16,488.14	\$20,292.32	\$1,374.01	\$1,691.03	\$4,122.03	\$4,756.06	\$5,073.08	\$18,073.20	\$22,711.88	2019-089	
LCFD Lowry Crossing	1,230	1,748	2.09%	2.57%	2,978	11.58	Eastern	AMR	\$14,765.00	\$18,171.60	\$1,230.42	\$1,514.30	\$3,691.25	\$4,259.02	\$4,542.90	\$16,184.42	\$11,388.35	2019-090	
MSFD Melissa	2,663	12,270	14.68%	18.07%	14,933	27.54	Northern	AMR	\$103,642.17	\$127,554.67	\$8,636.85	\$10,629.56	\$25,910.54	\$29,895.96	\$31,888.67	\$113,605.71	\$24,656.23	2019-091	
NVFD Nevada	3,082	1,283	1.54%	1.89%	4,365	19.88	Eastern	AMR	\$10,837.24	\$13,337.62	\$903.10	\$1,111.47	\$2,709.31	\$3,126.04	\$3,334.41	\$11,879.07	\$28,535.68	2019-092	
PNFD Princeton	4,565	15,255	18.25%	22.46%	19,820	54.31	Eastern	AMR	\$128,855.85	\$158,585.69	\$10,737.99	\$13,215.47	\$32,213.96	\$37,168.94	\$39,646.42	\$141,243.28	\$42,266.51	2019-093	
RSFD Royse City ²	712	2,196	0.00%	0.00%	712	13.71	Eastern	AMR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,592.28	NA	NA
WMFD Westminster ^{1,3}	1,864	-	0.00%	0.00%	1,864	28.21	Northern	AMR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,258.44	NA	NA
WEFD Weston	1,765	343	0.41%	0.51%	2,108	50.25	Northern	AMR	\$2,897.25	\$3,565.71	\$241.44	\$297.14	\$724.31	\$835.72	\$891.43	\$3,175.77	\$16,341.82	2019-094	
Total	30,719	52,863	63.25%	54.77%	83,582	449.93							\$111,630.72	\$101,652.90	\$96,663.99	\$421,578.33	\$284,421.67		

Post-Sep 37,194 67,913

TOTAL COST FOR SERVICES FOR THE YEAR - \$706,000.00

	Pre-Separation	Post-Separation	City total costs	
			\$421,578.33	\$706,000.00
Total Population	83,582	67,913		
Contract Rate	\$ 706,000.00			
Rate per person	\$ 8.45	\$ 10.40		

Q1 Nov Dec Jan
Q2 Feb Mar Apr
Q3 May Jun Jul
Q4 Aug Sep Oct

1 Collin County is responsible for unincorporated Branch and Westminster
2 The incorporated portion of Royse City is covered by Rockwall EMS
3 Westminster Fire District contains Anna annexations



Item No. 6.d.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the De La Torre Estates, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

SUMMARY:

Six single-family residences and one accessory building on one lot on 7.3± acres located at the northeast corner of Church Street, 1,668± feet east of Farm-to-Market Road 2862.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for Approval.

ATTACHMENTS:

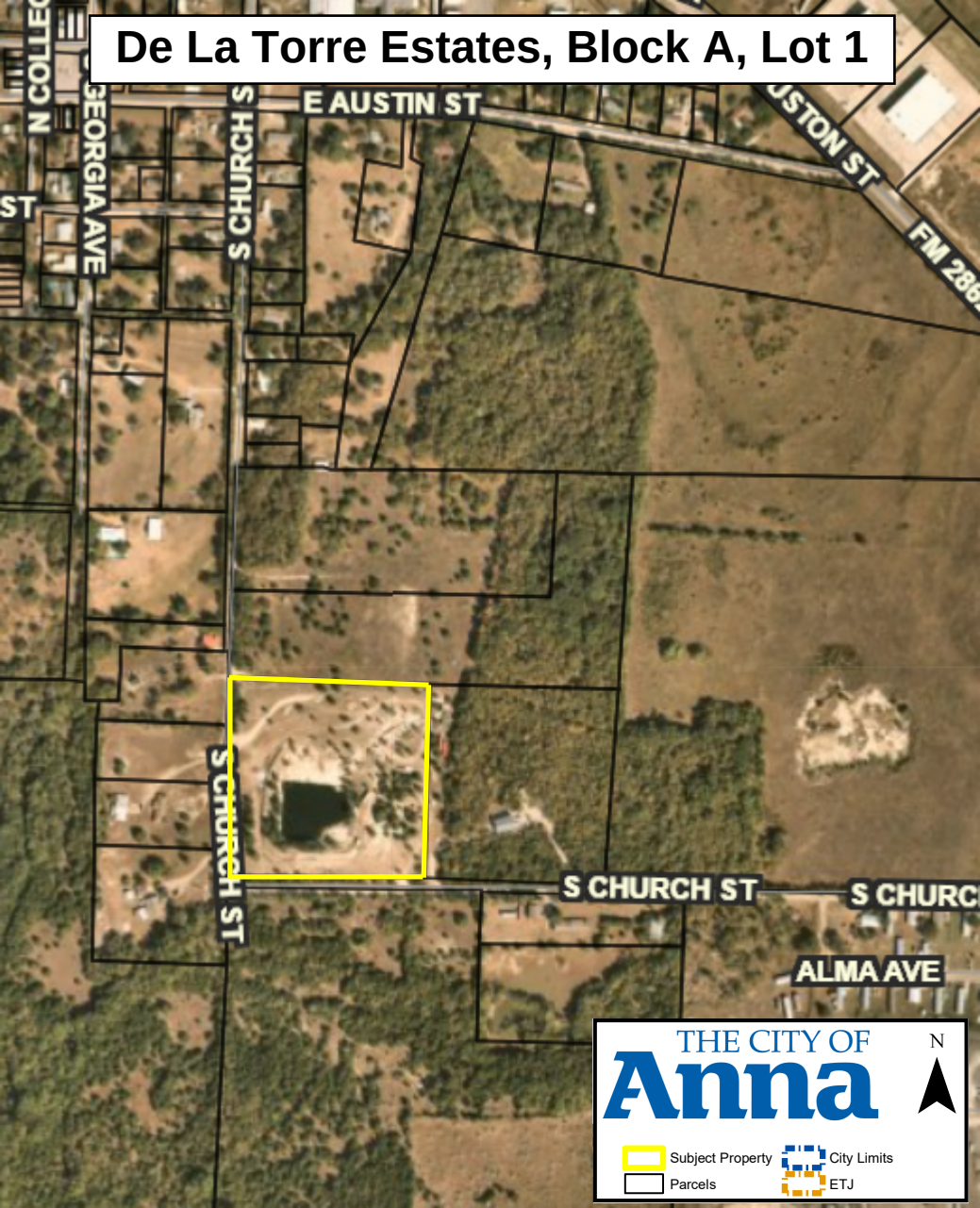
1. Location Map
2. RESOLUTION - (DP) DE LA TORRE ESTATES DP BL A Lt 1
3. Exhibit A (STAMPED)- De La Torre Estates Development Plat

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

De La Torre Estates, Block A, Lot 1



THE CITY OF
Anna

N
▲

Subject Property
City Limits
Parcels
ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING DE LA TORRE ESTATES, BLOCK A, LOT 1, DEVELOPMENT PLAT

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and

WHEREAS, Ruben and Rosa De La Torre have submitted an application for the approval of the De La Torre Estates, Block A, Lot 1, Development Plat; and

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 Development Plat.

The City Council hereby approves the De La Torre Estates, Block A, Lot 1, Development Plat attached hereto as Exhibit A.

PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 11th day of January, 2022.

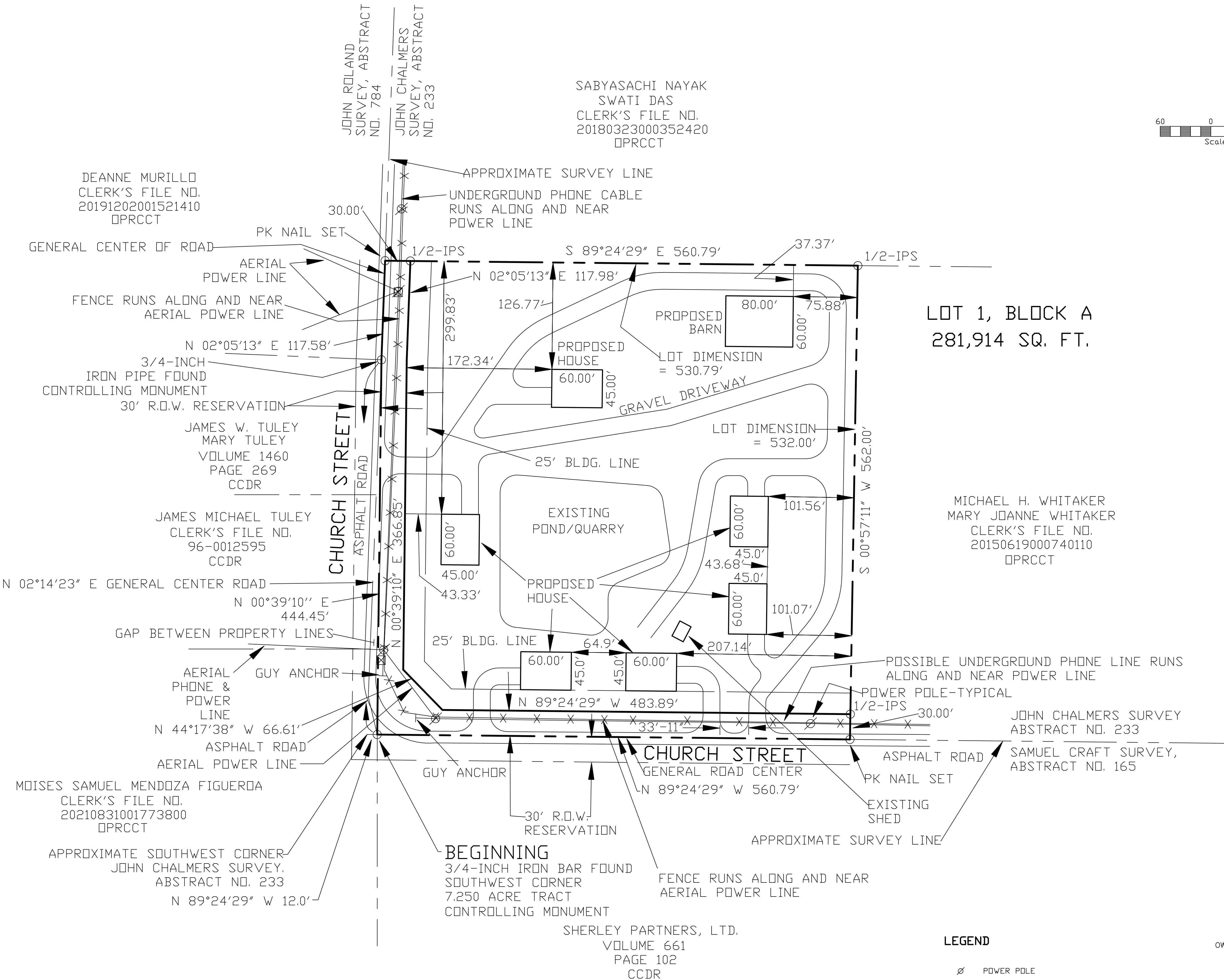
ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike

EXHIBIT A



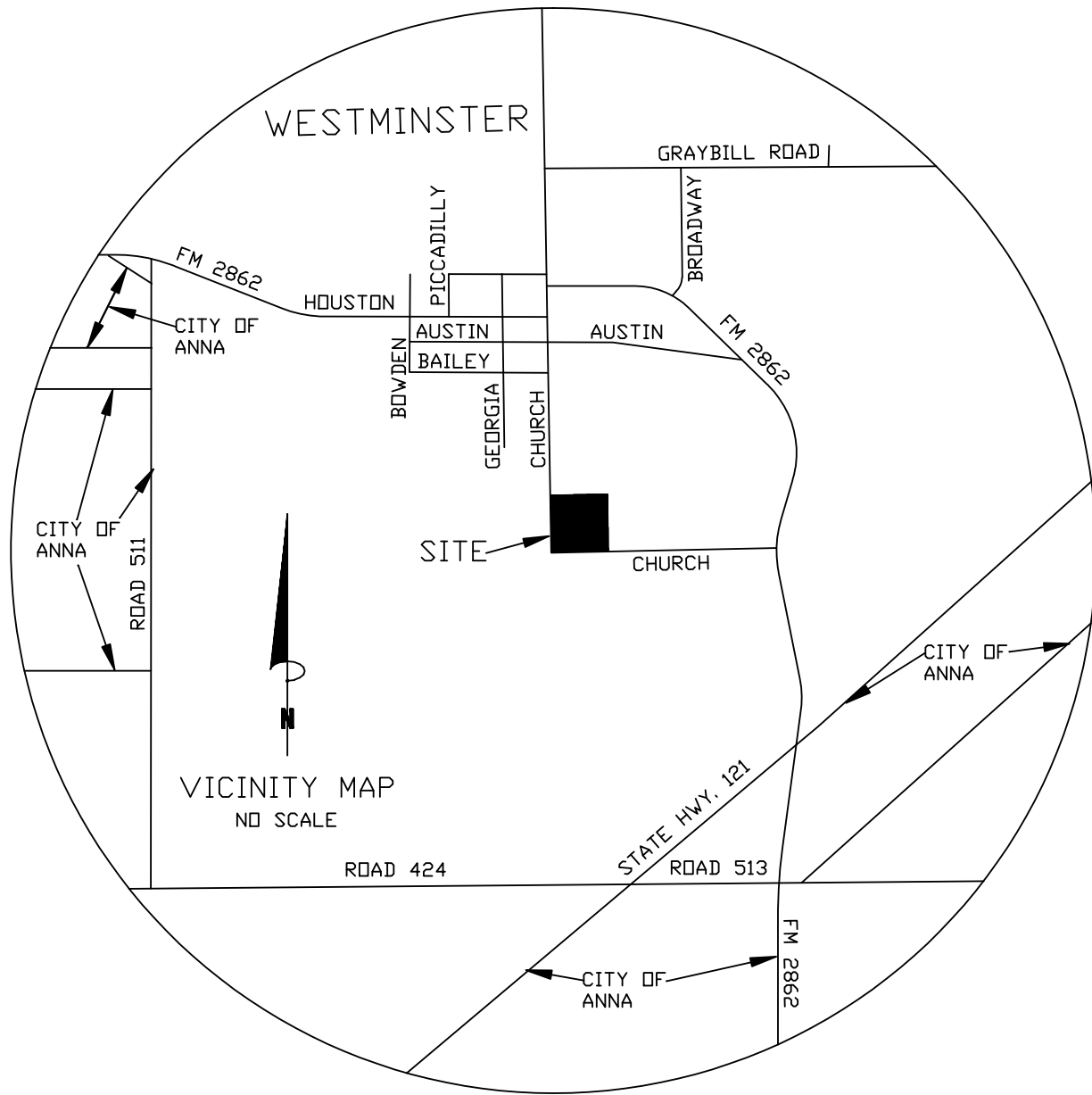
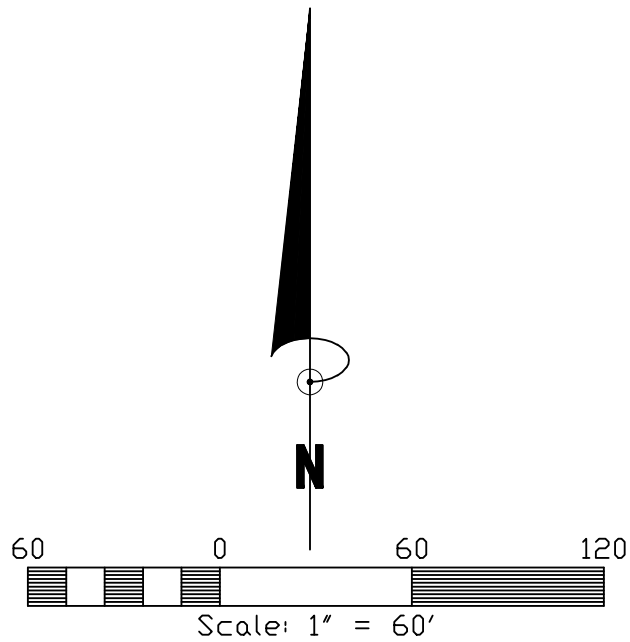
According to FEMA map no. 48085C0180J, dated 6-2-2009 the above described tract of land is not in the 100 year flood plain.

Bearing basis: Southern west line of the 28.879 acre tract recorded in volume 6083, page 2397;
Controlling monuments: 3/4-inch iron pipe found at north end and 3/4-inch iron bar found at the south end of said bearing basis line;

NOTE: IRON PINS, P.K. NAILS AND OTHER CORNER MARKERS WERE EITHER SET OR FOUND DURING A SURVEY DONE IN THE YEAR 2011.

LEGEND

- Ø POWER POLE
- X—X— FENCE
- ☒ PHONE CABLE BOX
- 1/2-IPS 1/2-INCH IRON PIN SET
- CCDR COLLIN COUNTY DEED RECORDS
- OPRCCT OFFICIAL PUBLIC RECORDS COLLIN COUNTY TEXAS



DESCRIPTION 7.250 ACRES

SITUATED in Collin County, Texas, in the John Chalmers Survey, abstract No. 233, being a survey of the 7.250 acre tract described in a deed from David B. Gnader and wife, Gracie Gnader to Ruben G. De La Torre and wife, Rosa L. De La Torre, dated December 11, 2020, recorded as clerk's file no. 20201211002237890 of the Official Public Records of Collin County, Texas, being described by metes and bounds as follows:

BEGINNING at a 3/4-inch iron bar found at the southwest corner of said 7.250 acre tract at the extension of Church Street(asphalt road) from the east;
THENCE North 00°39'10" East, with the west line of said 7.250 acre tract and generally with said Church Street, 444.45 feet to a 3/4-inch pipe found in the center of said Church Street for an angle point in the west line of said 7.250 acre tract;
THENCE North 02°05'13" East, with the west line of said 7.250 acre tract and with said Church Street, 117.58 feet to a PK nail set at the northwest corner of said 7.250 acre tract and the southwest corner of the 7.928 acre tract recorded as clerk's file no. 20180323000352420;
THENCE South 89°24'29" East, with the north line of said 7.250 acre tract and with the south line of said 7.928 acre tract, passing a 1/2-inch iron pin set at 30.00 feet and continuing in all, 560.79 feet to a 1/2-inch iron pin set at the northeast corner of said 7.250 acre tract and the northwest corner of the 6.700 acre tract recorded as clerk's file no. 20150619000740110;
THENCE South 00°57'11" West, with the east line of said 7.250 acre tract and with the west line of said 6.700 acre tract, passing a 1/2-inch iron pin set at 532.00 feet and continuing in all, 562.00 feet to a PK nail set in said Church Street at the southeast corner of said 7.250 acre tract and the southwest corner of said 6.700 acre tract;
THENCE North 89°24'29" West, with the south line of said 7.250 acre tract and with said Church Street, 560.79 feet to the PLACE OF BEGINNING and containing 7.250 acres or 315,811 square feet(as calculated).

SURVEYOR'S CERTIFICATE

I, Bruce Geer do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.
Office work completed on November 20, 2021
Office work revised on December 16, 2021

PRELIMINARY—THIS DOCUMENT SHALL NOT TO BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Bruce Geer, Registered Professional Land Surveyor, No. 4117

Approved this _____ day of _____, 20____, by the City Council of the City of Anna, Texas.

Mayor

City Secretary

APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

DEVELOPMENT PLAT
DE LA TORRE
ESTATES

LOT 1, BLOCK A
CITY OF ANNA

7.250 ACRES OF LAND LOCATED IN THE
JOHN CHALMERS SURVEY, ABSTRACT NO. 233
COLLIN COUNTY, TEXAS
DECEMBER 16, 2021



Item No. 6.e.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the Reston Ranch, Block A, Lot 1, Development Plat.
(Director of Development Services Ross Altobelli)

SUMMARY:

Farm on one lot on 45.0± acres located on the east side of County Road 289, 985± feet south of County Road 1101.

The Planning & Zoning commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

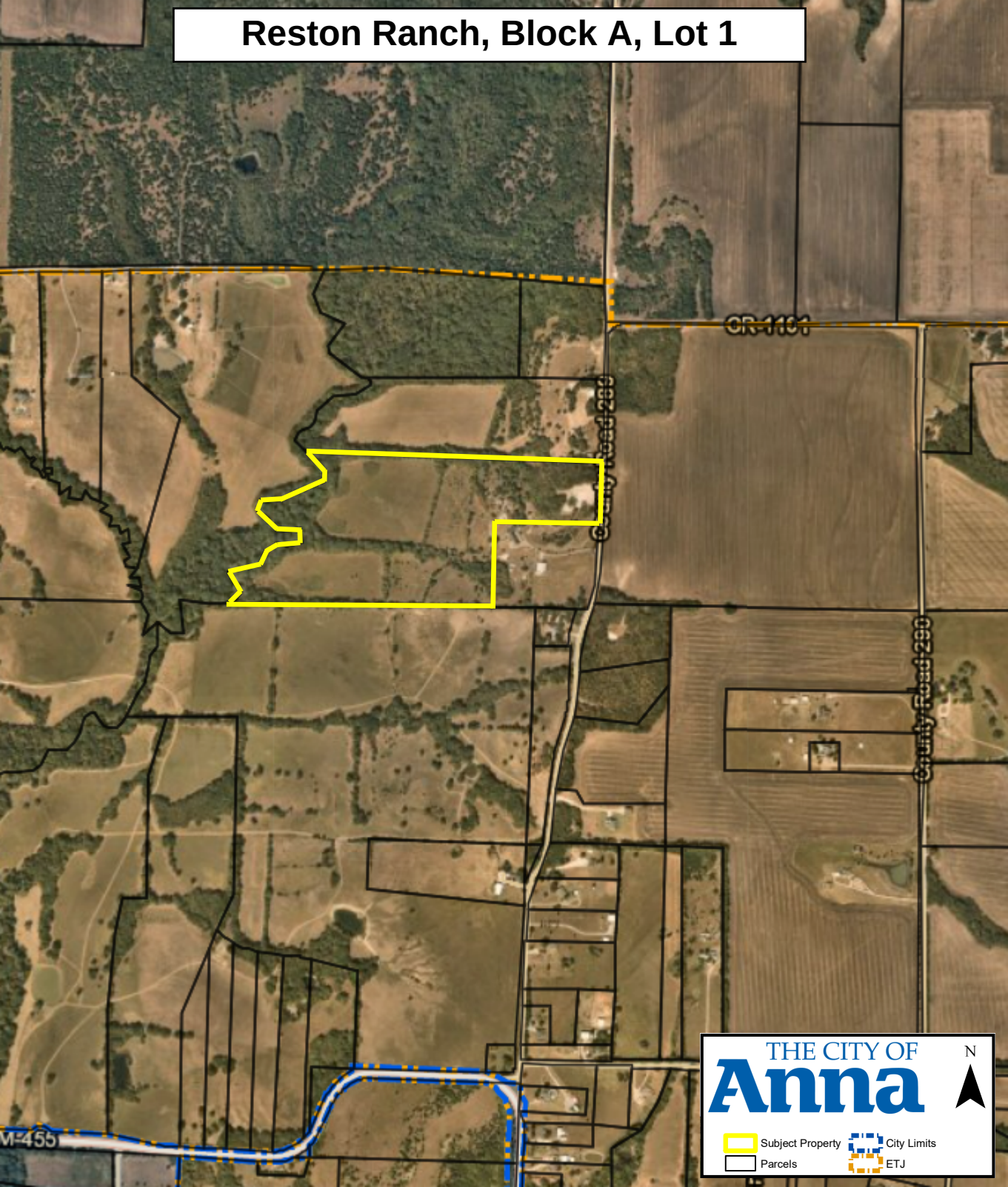
1. Location Map
2. RESOLUTION - (DP) RESTON RANCH DP BL A Lt 1
3. Exhibit A (STAMPED)- Reston Ranch Development Plat

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Reston Ranch, Block A, Lot 1



THE CITY OF
Anna

N

Subject Property
City Limits
Parcels
ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING RESTON RANCH,
BLOCK A, LOT 1, DEVELOPMENT PLAT**

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and

WHEREAS, Angela Reston has submitted an application for the approval of the Reston Ranch, Block A, Lot 1, Development Plat; and

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 Development Plat.

The City Council hereby approves the Reston Ranch, Block A, Lot 1, Development Plat attached hereto as Exhibit A.

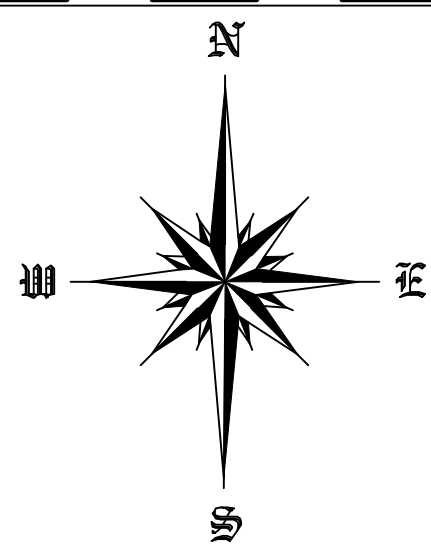
PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 11th day of January, 2022.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike



NORTH
SCALE 1" = 100'

LEGEND

C.M. = CONTROLLING MONUMENT
CIRS = CAPPED 1/2" IRON ROD SET STAMPED (4613)
FND. = FOUND

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 02°17'12" W	51.82'
L2	N 89°28'25" W	275.63'
L3	N 73°27'05" E	88.57'
L4	N 36°47'09" E	65.61'
L5	N 33°43'25" W	168.58'
L6	N 76°17'19" E	235.65'
L7	N 22°33'59" E	92.82'
L8	N 59°26'12" E	93.05'
L9	S 80°38'56" E	75.58'
L10	N 73°41'59" E	97.75'
L11	N 06°22'06" W	90.55'
L12	S 89°33'31" W	149.19'
L13	N 45°45'45" W	198.98'
L14	N 14°34'22" E	75.85'
L15	N 86°11'13" E	124.06'
L16	N 13°34'20" E	71.19'
L17	N 47°31'14" W	202.46'

CALLLED 60.00 ACRES
CHARLES MILLER & COLLEEN WELLS
C.C. NO. 20130816001163610
L.R.C.C.T.

ZONE A
Panel Map No. 48085C0155
J. dated June 2,
2009, Federal Emergency
Management Agency (FEMA)
for Collin County, Texas

ZONE X
Panel Map No. 48085C0155
J. dated June 2,
2009, Federal Emergency
Management Agency (FEMA)
for Collin County, Texas

FLOODPLAIN NOTE: According to the Flood Insurance Rate
Map (FIRM) Map No. 48085C0155 J. dated June 2, 2009,
prepared by Federal Emergency Management Agency
(FEMA) for Collin County, Texas, portions of this tract lie
with in Zone A (Shaded Without Base Flood Elevation) and
Zone X (Unshaded). Graphically shown on the survey.

ZONE X
Panel Map No. 48085C0065
J. dated June 2,
2009, Federal Emergency
Management Agency (FEMA)
for Collin County, Texas

CALLLED 25.217 ACRES
HARRISON & JANET SMITH
C.C. NO. 20210112000065970
O.P.R.C.C.T.

FLOODPLAIN NOTE: According to the Flood Insurance Rate
Map (FIRM) Map No. 48085C0065 J. dated June 2, 2009,
prepared by Federal Emergency Management Agency
(FEMA) for Collin County, Texas, portions of this tract lie
with in Zone A (Shaded Without Base Flood Elevation) and
Zone X (Unshaded). Graphically shown on the survey.

LOT 1, BLOCK A
45.002 ACRES

CALLLED 45.002 ACRES
ANGELA RESTON
C.C. NO. 20130816001163610
O.P.R.C.C.T.

CALLLED 10.000 ACRES
ANGELA RESTON
C.C. NO. 20130816001163630
L.R.C.C.T.

CALLLED 103 ACRES
JAMES R. THORNTON & LAURIEL L. THORNTON
TRUSTEE OF THE THORNTON FAMILY TRUST
UD DATED JANUARY 19, 2021
C.C. NO. 20210430000877560
L.R.C.C.T.

POINT OF
BEGINNING

COUNTY ROAD NO. 289
(CURRENTLY NO ROW DEDICATED)

MAG. NAIL
SHINER "4613"
SET

120' FUTURE ROW
60' ROW RESERVATION

PASSING AT 23.93'
1/2" SQUARE TUBE
FOUND BY THE CORNER POST

25' BUILDING SETBACK LINE

FUTURE
METAL
BARN

60' ROW RESERVATION

PASSING AT 85.0'
CIRS FOR REFERENCE

WILLIAM PRICE SURVEY, ABSTRACT NO. 692
JOSEPH BRITTON SURVEY, ABSTRACT NO. 72

SOUTHEAST CORNER
WILLIAM PRICE SURVEY,
ABSTRACT NO. 692

EXHIBIT A

GENERAL NOTES:

- The surveyor has not abstracted subject property.
- This survey is subject to all easements of record.
- Copyright 2021, Surdukan Surveying, Inc.
- The survey is being provided solely for the use of the current parties and that no licenses has been created, express or implied, to copy the survey except as is necessary in conjunction with the original transaction which shall take place within months of the date of this survey.
- The original copy will have original signatures, stamp seal and an impression seal.
- The basis of bearings, are derived from ALLTERRA CENTRAL RTK Network, Texas State Plane Coordinates System, NAD83, North Central Zone, Nad 83 (CORS96) Epoch 2002.0.
- Water service to this site is provided by the City of Anna.
- Sanitary Sewer will be provided by an approved onsite OSSF - permits through Collin County.
- Gas will be Liquid propane.
- Electric is provided by Grayson-Collin Electric Company.
- Solid waste will be provided through a private trash company.

LEGAL DESCRIPTION

BEING a tract of land situated in the William Price Survey, Abstract No. 692, City of Anna ETJ, Collin County, Texas, and being all of a 42.005 acre tract of land conveyed to Angela Reston as recorded in Instrument No. 20130816001163610 of the Official Public Records of Collin County, Texas and being more particularly described by metes and bounds as follows:
BEGINNING in County Road No. 289 at a nail with a 1" disk stamped "4577" found for corner at the northeast corner of said of 42.005 acre tract of land and disk being the southeast corner of a called 25.217 acres tract of land conveyed to Shawn C. & Latricia G. Smith as recorded in Instrument No. 20210112000065970 of the Official Public Records of Collin County, Texas
THENCE S 01°22'56" W a distance of 389.78' to a Mag Nail with shiner stamped "4613" set for corner in County Road 289;
THENCE S 02°17'12" W a distance of 51.82' to a Mag Nail with shiner stamped "4613" set for corner in County Road 289;
THENCE N 89°28'25" W passing a 1/2" iron rod with plastic cap stamped "4613" set for reference at a distance of 85.00' and continuing for a total distance of 736.88' to a 1/2" iron rod with plastic cap stamped "4613" set for an ell corner;
THENCE S 00°27'28" W a distance of 600.00' to a 1/2" iron rod with plastic cap stamped "4613" set for the southern most southeast corner of the said 45.002 acre tract;
THENCE N 89°28'25" W a distance of 275.63' to a 1/2" iron rod with plastic cap stamped "4613" set for corner;
THENCE N 89°49'20" W passing a 1/2" iron rod with plastic cap stamped "4613" set for reference at a distance of 1529.52' and continuing for a total distance of 1629.52' to a point in the centerline of White Creek;
THENCE with the center line of White Creek the following sixteen (16) calls:

THENCE N 73°27'05" E a distance of 88.57' to a point for corner;
THENCE N 36°47'09" E a distance of 65.61' to a point for corner;
THENCE N 33°43'25" W a distance of 168.58' to a point for corner;
THENCE N 76°17'19" E a distance of 235.65' to a point for corner;
THENCE N 22°33'59" E a distance of 92.82' to a point for corner;
THENCE N 59°26'12" E a distance of 93.05' to a point for corner;
THENCE S 80°38'56" E a distance of 75.58' to a point for corner;
THENCE N 73°41'59" E a distance of 97.75' to a point for corner;
THENCE N 06°22'06" W a distance of 90.55' to a point for corner;

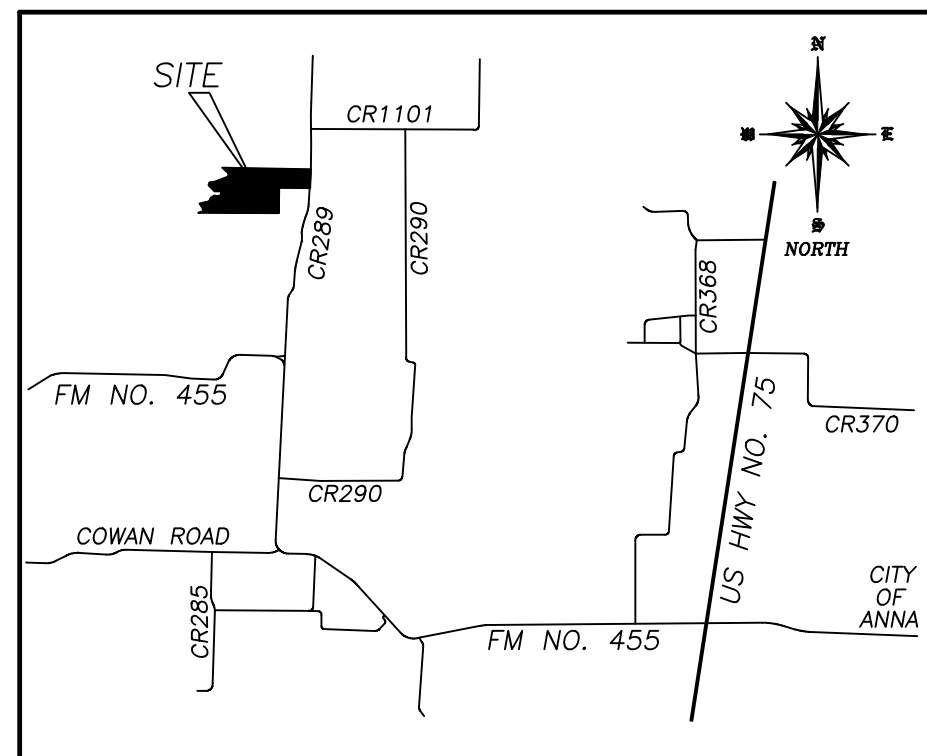
LEGAL DESCRIPTION (continued)

THENCE S 89°33'31" W a distance of 149.19' to a point for corner;
THENCE N 45°45'45" W a distance of 198.98' to a point for corner;
THENCE N 14°34'22" E a distance of 75.85' to a point for corner;
THENCE N 86°11'13" E a distance of 124.06' to a point for corner;
THENCE N 67°59'05" E a distance of 341.13' to a point for corner;
THENCE N 13°34'20" E a distance of 71.19' to a point for corner;
THENCE N 47°31'14" W a distance of 202.46' to a point for corner;
THENCE S 88°57'23" E departing the center line of White Creek and passing a 1/2" square tube found for reference at a distance of 25.80' and continuing for a total distance of 2090.20' to the POINT OF BEGINNING, containing 1,960,304 Square Feet or 45.002 acres of land.

SURVEYOR'S CERTIFICATE

The survey shown hereon is a true representation of the property as determined by a survey made on the ground and under my personal supervision. All visible improvements are as shown. There are no visible encroachments, conflicts, or protrusions, except as shown. This survey conforms to the Texas Board of Professional Land Surveyors' Minimum Standards of Practice, as adopted by the Board effective September 1, 2017. The property is subject to all easements of record.

David J. Surdukan R.P.L.S. No. 4613





Item No. 6.f.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the Miller Addition, Block A, Lot 1, Development Plat.
(Director of Development Services Ross Altobelli)

SUMMARY:

Single-family residence on one lot on 15.0± acres located at the southeast corner of
County Road 475 and County Road 503.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

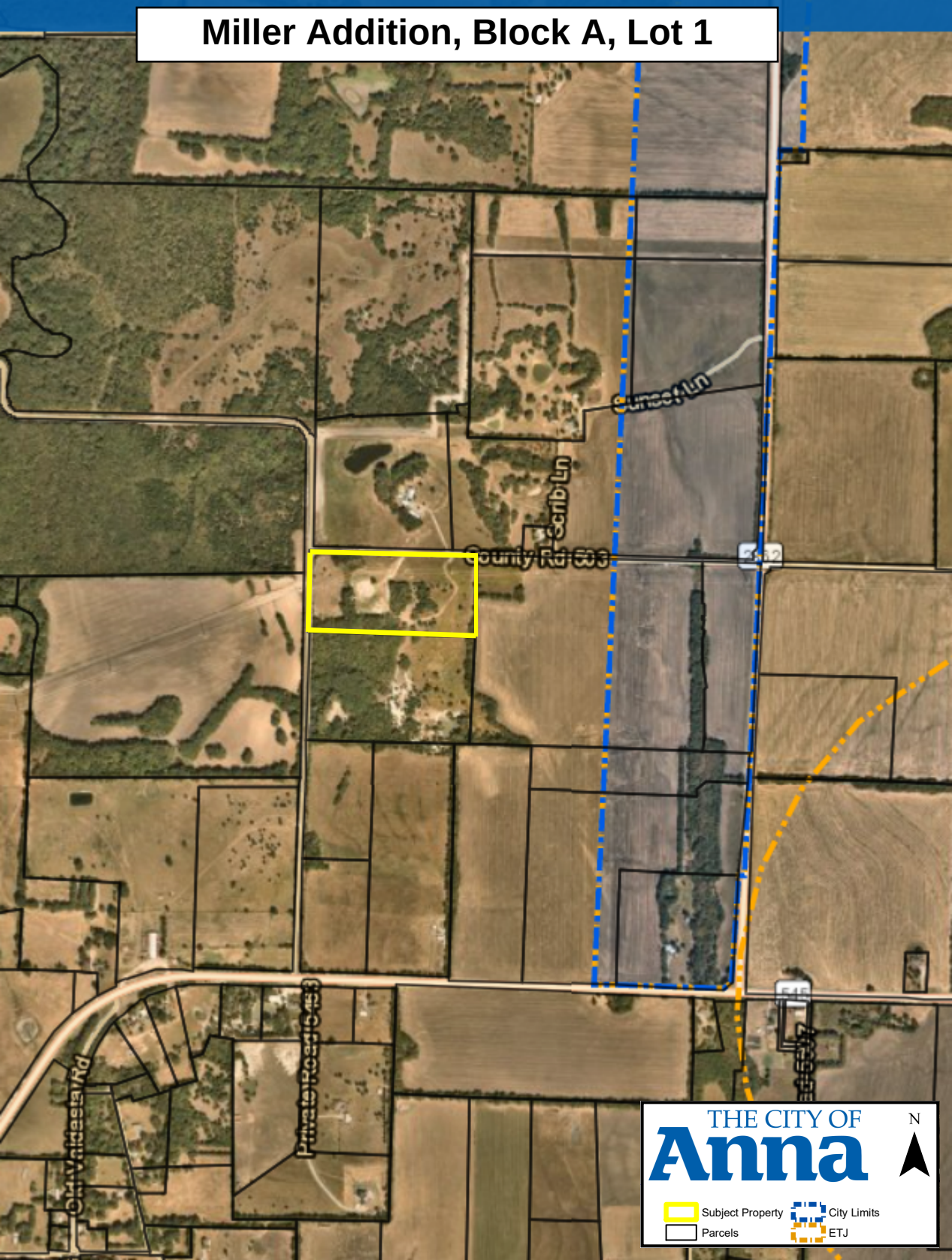
1. Locator
2. RESOLUTION - (DP) MILLER ADDITION DP BL A Lt 1
3. Exhibit A (STAMPED) - Miller Addition Development Plat

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Miller Addition, Block A, Lot 1



THE CITY OF
Anna

N
▲

Subject Property
Parcels
City Limits
ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

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

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and

WHEREAS, Glen Hobart Miller has submitted an application for the approval of the Miller Addition, Block A, Lot 1, Development Plat.

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 Development Plat.

The City Council hereby approves the Miller Addition, Block A, Lot 1, Development Plat attached hereto as Exhibit A.

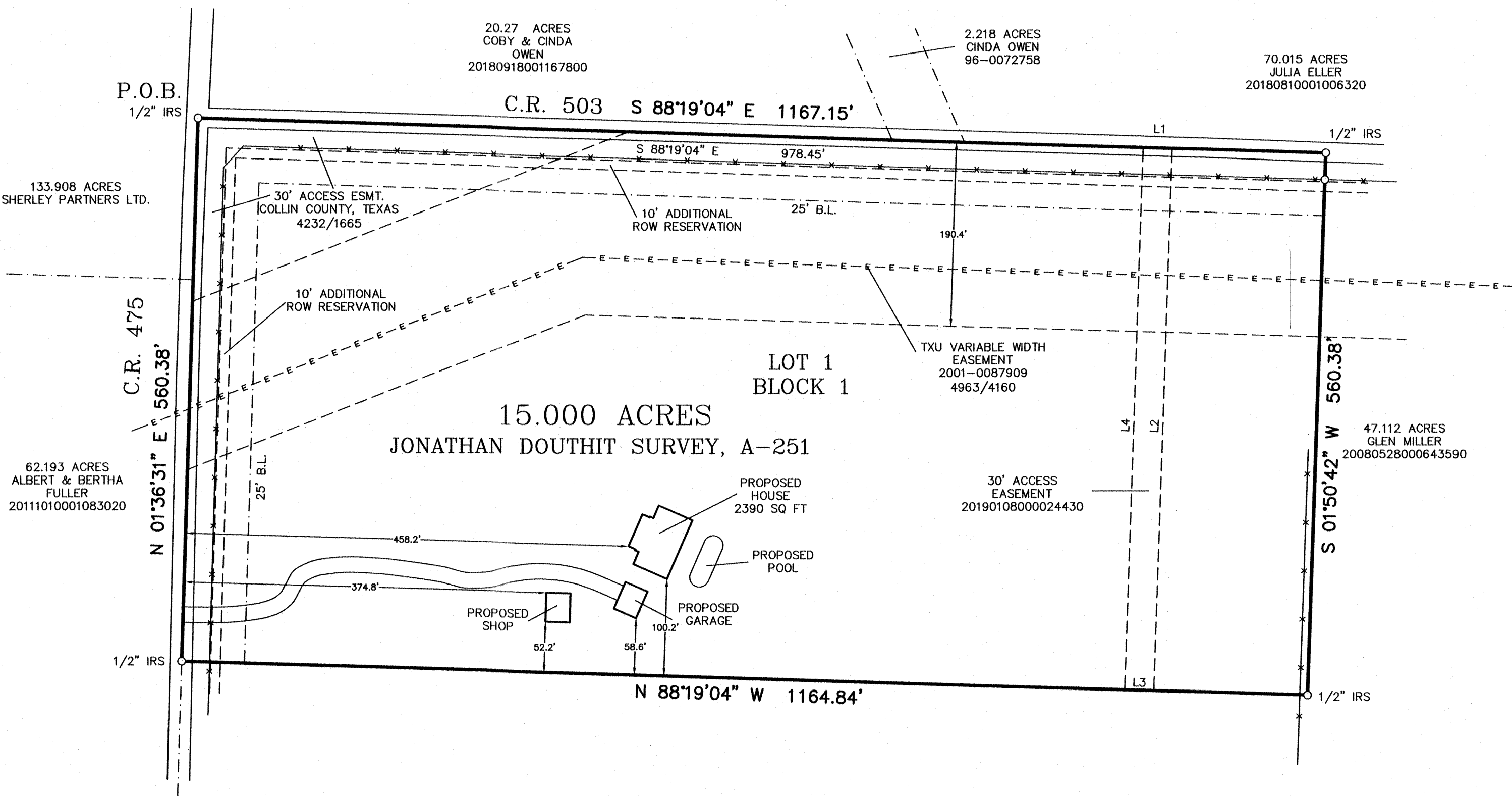
PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 11th day of January, 2022.

ATTEST:

APPROVED:

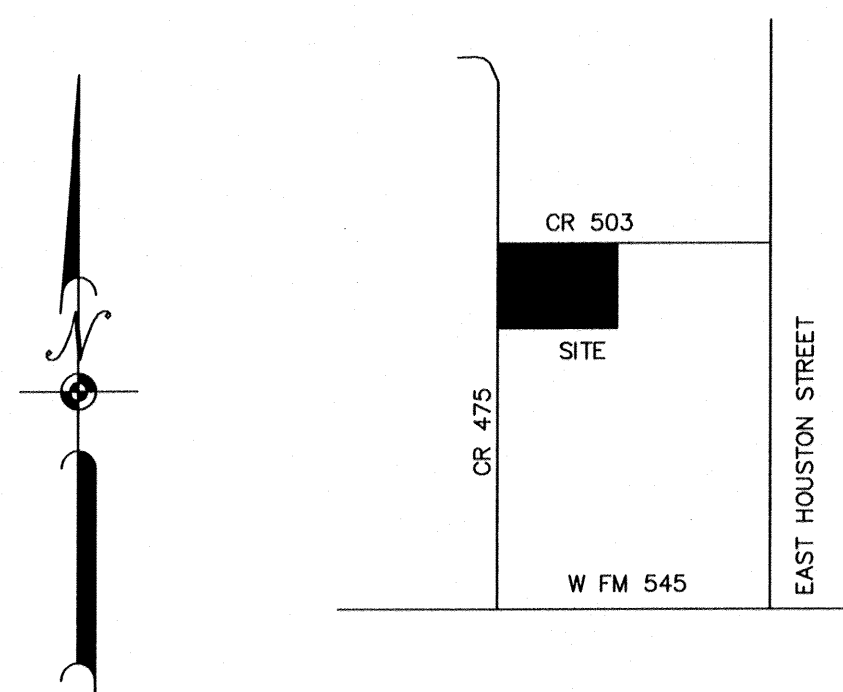
City Secretary, Carrie L. Land

Mayor, Nate Pike



LINE	BEARING	DISTANCE
L1	S 88°19'04" E	30.00'
L2	S 01°50'42" W	560.38'
L3	N 88°19'04" W	30.00'
L4	N 01°50'42" E	560.38'

VICINITY MAP



SCALE: 1" = 100'

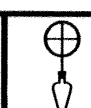
LEGEND

POWER POLE WATER VALVE MAILBOX UNDERGROUND CABLE MARKER WOOD FENCE
WATER METER FIRE HYDRANT CLEAN OUT BARBED WIRE FENCE
GAS METER ELECTRIC METER TELEPHONE PEDESTAL CHAINLINK FENCE



Owens Land Surveying
www.owenslandsurveying.com (903) 450-9837 / (903) 450-9875

FIRM REG. CERT. #10022400
P.O. BOX 1115
GREENVILLE, TX 75403



DATE: DEC. 15, 2021
DRAWN BY: S. HOLDER

SCALE: 1" = 100'
JOB NO.: 2021-778

LEGAL DESCRIPTION

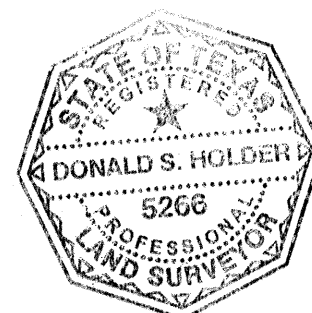
BEING a tract or parcel of land situated Collin County, Texas, being part of the Jonathan Douthit Survey, Abstract No. 251, being all of a 15.000 acre tract of land as described in a General Warranty Deed from Jon Jeffrey Nyberg to Glen Hobart Miller as recorded in Document No. 20190108000024430 of the Official Records of Collin County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod set for a corner at the northwest corner of said 15.000 acre tract, said Point of Beginning being at the intersection of the center of Collin County Road No. 475 and the center of Collin County Road No. 503; THENCE S 88°19'04" E along the north line of said 15.000 acre tract and the center of Collin County Road No. 503, a distance of 1167.15 feet to a 1/2 inch iron rod set for a corner at the northeast corner of said 15.000 acre tract; THENCE S 01°50'42" W along the east line of said 15.000 acre tract, a distance of 560.38 feet to a 1/2 inch iron rod set for a corner at the southeast corner of said 15.000 acre tract; THENCE N 88°19'04" W along the south line of said 15.000 acre tract, a distance of 1164.84 feet to a 1/2 inch iron rod set for a corner at the southwest corner of said 15.000 acre tract in the center of Collin County Road No. 475; THENCE N 01°36'31" E along the west line of said 15.000 acre tract and the center of Collin County Road No. 475, a distance of 560.38 feet returning to the Point of Beginning and containing 15.000 acres of land.

SURVEYOR'S CERTIFICATE

I, Donald S. Holder, Registered Professional Land Surveyor, State of Texas, hereby certify that the plat hereon is a true and correct representation of the property as determined by survey upon the ground, the lines and dimensions of said property being indicated by the plat, the visible improvements are within the boundaries of the property set back from the property lines the distances indicated and there are NO VISIBLE ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, except as shown on the plat.

Donald S. Holder
Donald S. Holder
R.P.L.S. No. 5266



Date: December 15, 2021
Scale: 1" = 100'

NOTES:

- Bearings are based on WGS84.
- Survey was performed without benefit of title commitment.
- According to the Flood Insurance Rate Map No. 48085C0190J dated June 2, 2009, published by the Federal Emergency Management Agency, the subject property lies within Flood Zone "X" and is not shown to be within a special flood hazard area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- 30' access easement as recorded in Document No. 20190108000024430 of the Official Records of Collin County, Texas does affect the above described tract of land as shown on drawing.
- 30' Access Easement to Collin County, Texas as recorded in Volume 4232 at Page 1665 of the Official Records of Collin County, Texas *does affect* the above described tract of land as shown on drawing.
- TXU Variable Width Easement as recorded in Volume 4963 at Page 4160 (cc# 2001-0087909) of the Official Records of Collin County, Texas *does affect* the above described tract of land as shown on drawing.
- Selling a portion of this addition by metes and bounds is a violation of the city Subdivision Ordinance and State platting statutes and is subject to fines and withholding of utilities and building certificates.

CERTIFICATE OF APPROVAL

Approved on this the _____ day of _____, 20____ by the City Council, City of Anna, Texas.

Mayor

City Secretary

APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

DEVELOPMENT PLAT
MILLER ADDITION
BLOCK A, LOT 1
15.000 ACRES
JONATHAN DOUTHIT SURVEY,
ABSTRACT NO. 251
CITY OF ANNA
COLLIN COUNTY, TEXAS
DECEMBER, 2021

Owner:
Glen Miller
8349 FM 545
Blue Ridge, TX. 75424

Surveyor:
Owens Land Surveying
P.O. Box 1025
2616 Stonewall Street
Greenville, Tx. 75403
(903) 450-9837

EXHIBIT A



Item No. 6.g.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the NTM Masonry Estates, Block A, Lots 1 & 2, Final Plat. (Director of Development Services Ross Altobelli)

SUMMARY:

Two single family residential lots on 3.0± acres located on the south side of Farm-to-Market Road 455, 847± feet east of Sheffield Drive.

The purpose of the final plat is to create two lots by dedicating lot and block boundaries and easements necessary for future development.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

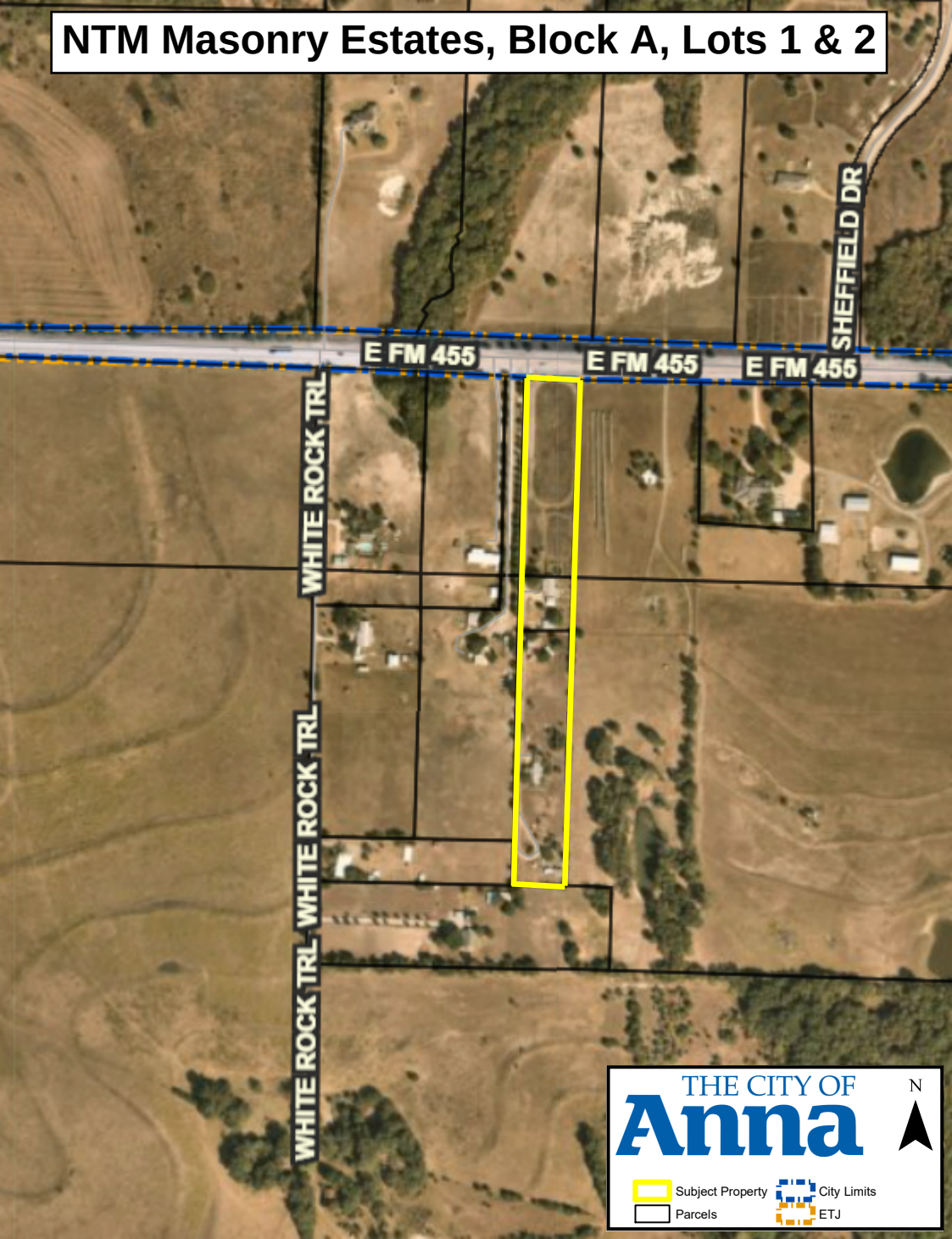
1. Location Map
2. RESOLUTION - (FP) NTM MASONRY ESTATES FP BL A Lt 1
3. Exhibit A (STAMPED) - NTM Masonary Estates

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

NTM Masonry Estates, Block A, Lots 1 & 2



WHITE ROCK TRL

WHITE ROCK TRL

SHEFFIELD DR

E FM 455

E FM 455

E FM 455

THE CITY OF
Anna

N
▲

Subject Property
Parcels

City Limits
ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING NTM MASONRY ESTATES, BLOCK A, LOTS 1 & 2, FINAL PLAT

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and

WHEREAS, NTM Masonry Company, LLC has submitted an application for the approval of the NTM Masonry Estates, Block A, Lots 1 & 2, Final Plat; and

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 Final Plat.

The City Council hereby approves the NTM Masonry Estates, Block A, Lots 1 & 2, Final Plat attached hereto as Exhibit A.

PASSED AND APPROVED by the City Council of the City of Anna, Texas on this 11th day of January, 2022.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike

FLOOD NOTE

Portions of this property fall within Zone X (unshaded) and Zone A (shaded without base elevation) according to the Flood Insurance Rate Maps, Panel No. 48085C0045J, Map Revision June 2, 2009, as published by the Federal Emergency Management Agency and shown graphically on the survey.

NOTES:

1. The original copy will have original signatures, stamp seal and an impression seal.
2. Copyright 2021, Surdukan Surveying, Inc.
3. This survey is being provided solely for the use of the current parties.
4. This survey is subject to all easements of record.
5. The basis of bearings, are derived from ALLTERRA CENTRAL RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone, Nad 83 (CORS96) Epoch 2002.0.

PURPOSE STATEMENT:

The purpose of this plat is to subdivide Tract 16 into 2 lots.

NOTICE:

Selling a portion of this addition by metes and bounds is a violation of the city Subdivision Ordinance and State platting statutes and is subject to fines and withholding of utilities and building certificates.

The undersigned does hereby covenant and agree that the access easement may be unitized by any person or the general public for ingress and egress to Lots 1 and 2 of this addition and to the property directly south of Lot 2, and for the purpose of general public vehicular and pedestrian use and access, and for Fire Department and Emergency use, in, along, and access said premises, with the right and privilege in along, upon, and across said premises.

COUNTY OF COLLIN
STATE OF TEXAS

WHEREAS NTM MASONRY COMPANY, LLC, are the owners a tract of land situated in the E. W. Lucas Survey, Abstract No. 547, and the James Sorrell Survey, Abstract No. 858, Collin County, Texas, and being all of a 2.998 acre tract of land conveyed to NTM Masonry Company, LLC as recorded in Instrument No. 20190514000535470 of the Official Public Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for corner at the northwest corner of said 2.998 acres, and said iron rod being the northeast corner of a called 5.956 acre tract of land as conveyed to Matthew Fortner as recorded in Instrument No. 20140417000368770 of the Official Public Records of Collin County, Texas, and said corner also being in the south Right Of Way line F.M. 455;

THENCE S 89°03'59" E a distance of 166.70' to a 1/2" iron rod found for corner;
THENCE S 00°18'42" W a distance of 782.96' to a 1/2" iron rod found for corner;
THENCE N 89°46'43" W a distance of 166.85' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner in the east line of said 2.998 acre tract;
THENCE N 00°19'23" E a distance of 785.03' to the POINT OF BEGINNING and containing 130,746 Square Feet or 3.002 Acres of land.

COUNTY OF COLLIN
STATE OF TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, NTM MASONRY COMPANY, LLC, do hereby adopt this plat designating the herein above described property as NTM MASONRY ESTATES, BLOCK A, LOTS 1, AND 2 on addition to Collin County, Texas and do hereby dedicate to the public use forever, their streets, alleys and public use areas shown hereon, the easements, as shown, for mutual use and accommodation of the City of Anna and all public utilities desiring to use or using same. All and any and any public utility and the City of Anna shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees or other improvements or growths, which in anyway, endanger or interfere with the construction, maintenance or efficiency of it's respective systems on said Easements, and the City of Anna and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of it's respective systems, without the necessity, at anytime, of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Anna, Texas.

WITNESS MY HAND at Anna, Texas, this ____ day of _____, 2022.

Armando Olvera, Managing Member

COUNTY OF COLLIN
STATE OF TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared Armando Olvera, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, DAVID J. SURDUKAN, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Anna, Collin County, Texas.

DAVID J. SURDUKAN R.P.L.S. NO. 4613

COUNTY OF COLLIN
STATE OF TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared DAVID J. SURDUKAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Health Department Notes:

Health Department Certification:

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable OSSF laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

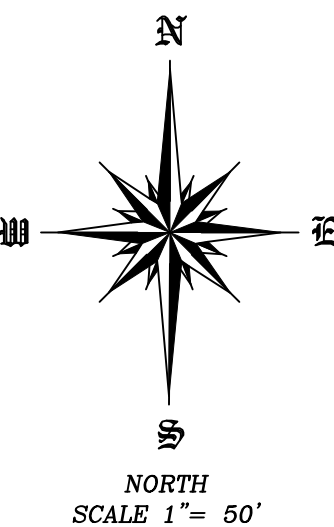
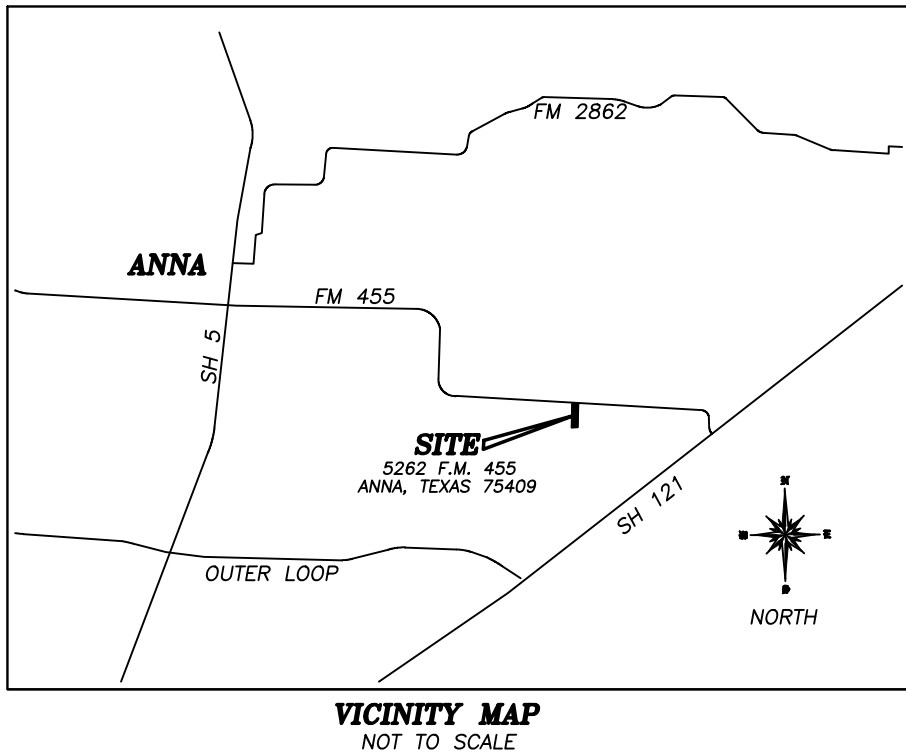
Registered Sanitarian or Designated Representative
Collin County Development Services

CERTIFICATE OF APPROVAL

Accepted this ____ day of _____, 2022, by the City Council of the City of Anna, Texas.

(Mayor)

City Secretary



APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

FINAL PLAT
NTM MASONRY ESTATES
BLOCK A, LOTS 1 & 2
BEING 3.002 ACRES OUT OF THE
E. W. LUCAS SURVEY
ABSTRACT NO. 547
JAMES SORRELL SURVEY
ABSTRACT NO. 858
CITY OF ANNA ETJ
COLLIN COUNTY, TEXAS

OWNER
NTM MASONRY COMPANY, LLC
5282 F.M. 455
ANNA, TEXAS 75409
(469) 601-5151

SURVEYOR
SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
FIRM NO. 10069500

EXHIBIT A

SCALE 1" = 50'

DATE: JANUARY 31, 2021

JOB No. 2021-04



Item No. 6.h.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the J.A. Greer Addition, Block A, Lot 1, Final Plat.
(Director of Development Services Ross Altobelli)

SUMMARY:

Vacant lot on 0.4± acre located at the northeast corner of Hackberry Drive and Interurban Street.

The purpose of the final plat is to dedicate lot and block boundaries and easements necessary for future development.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

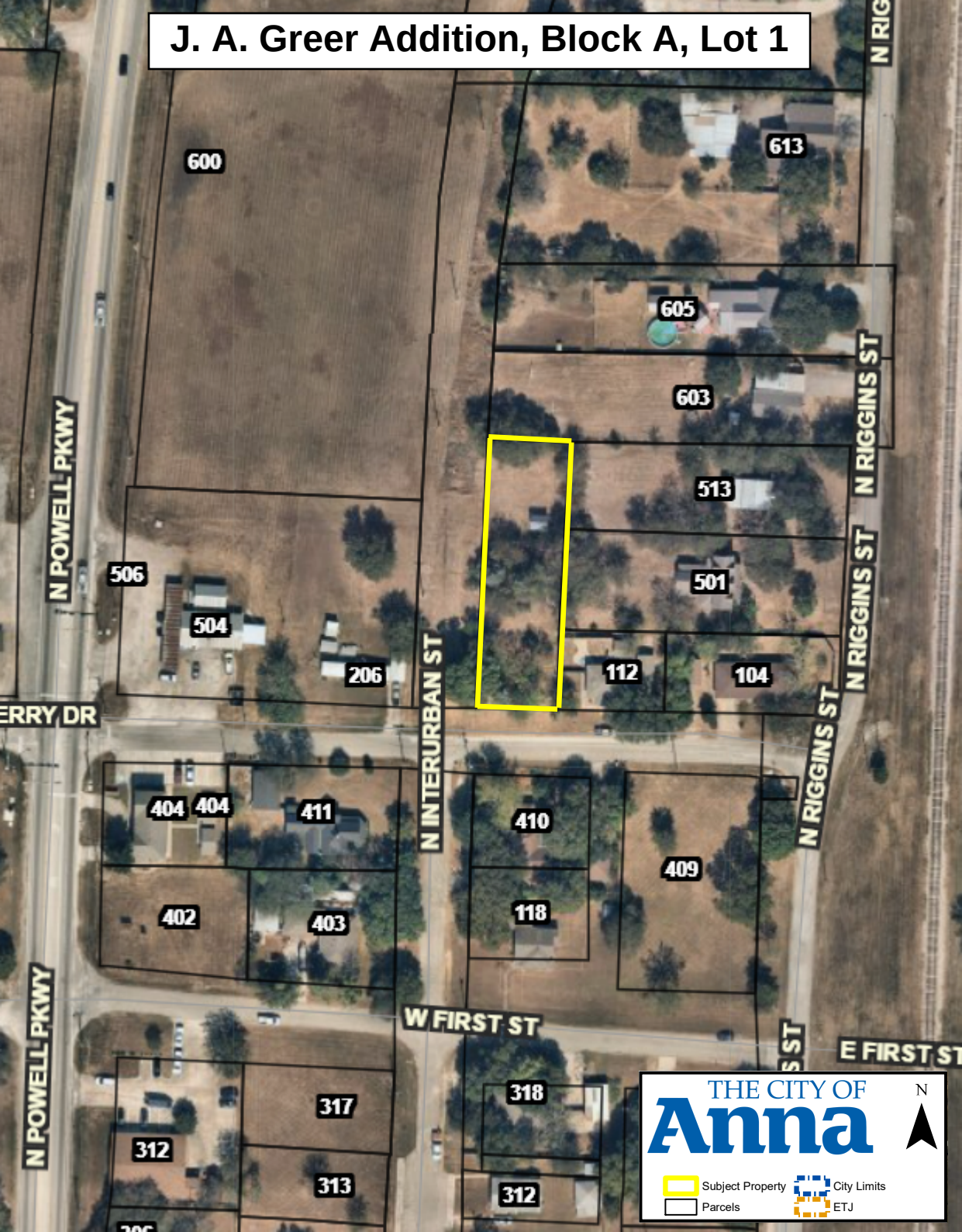
1. Location Map
2. RESOLUTION - (FP) J. A. Greer Addition, Block A, Lot 1
3. Exhibit A (STAMPED) - J. A. Greer Addition Lot 1 Block A

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

J. A. Greer Addition, Block A, Lot 1



THE CITY OF
Anna

Legend:
Subject Property
Parcels
City Limits
ETJ

N

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING J. A. GREER ADDITION, BLOCK A, LOT 1, FINAL PLAT.

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and Article 9.04 ("Zoning Ordinance") of the Anna City Code of Ordinances; and

WHEREAS, Joe and Becky Greer have submitted an application for the approval of the J. A. Greer Addition, Block A, Lot 1, Final Plat; and

WHEREAS, the J. A. Greer Addition, Block A, Lot 1, Final Plat conforms to the existing zoning; and

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 Final Plat

The City Council hereby approves the J. A. Greer Addition, Block A, Lot 1, Final Plat attached hereto as Exhibit A subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

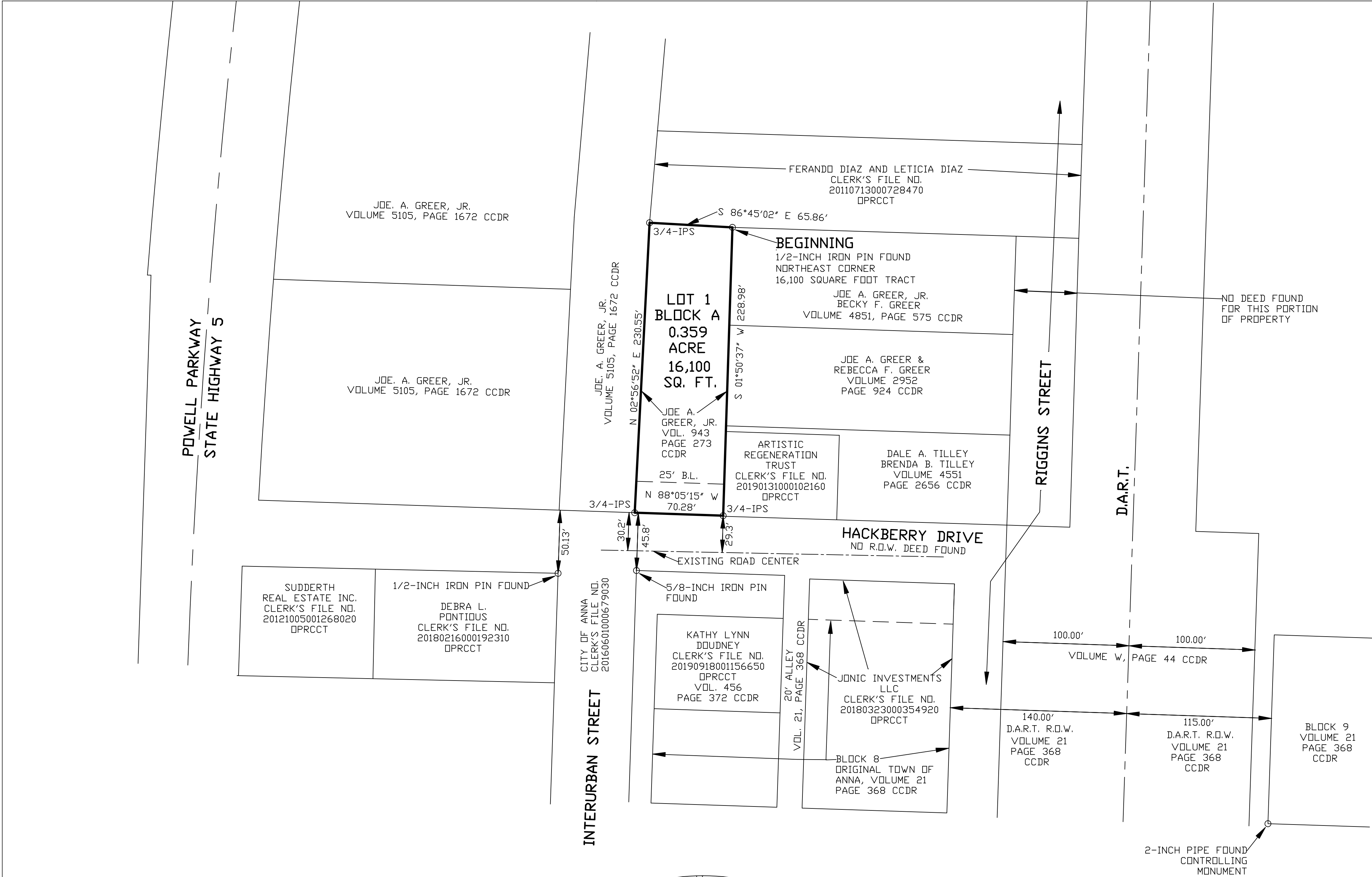
PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January, 2022.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike



NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.

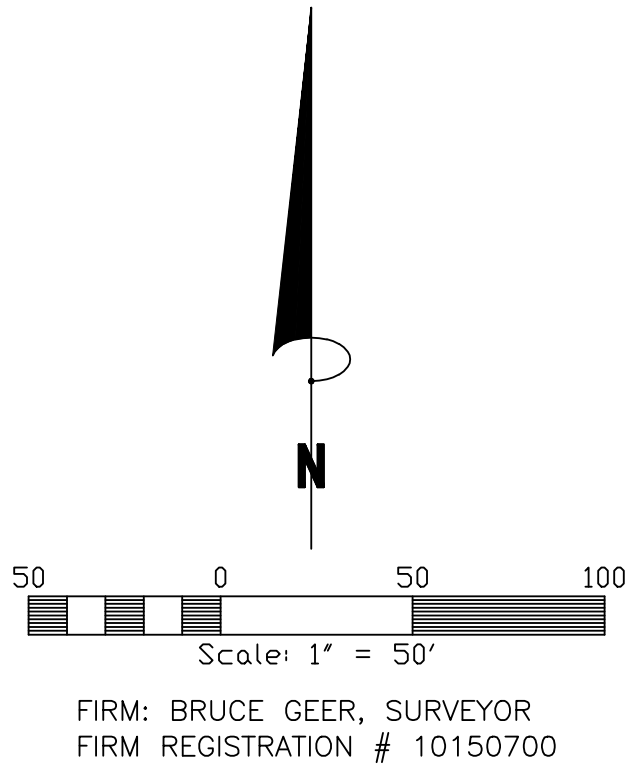
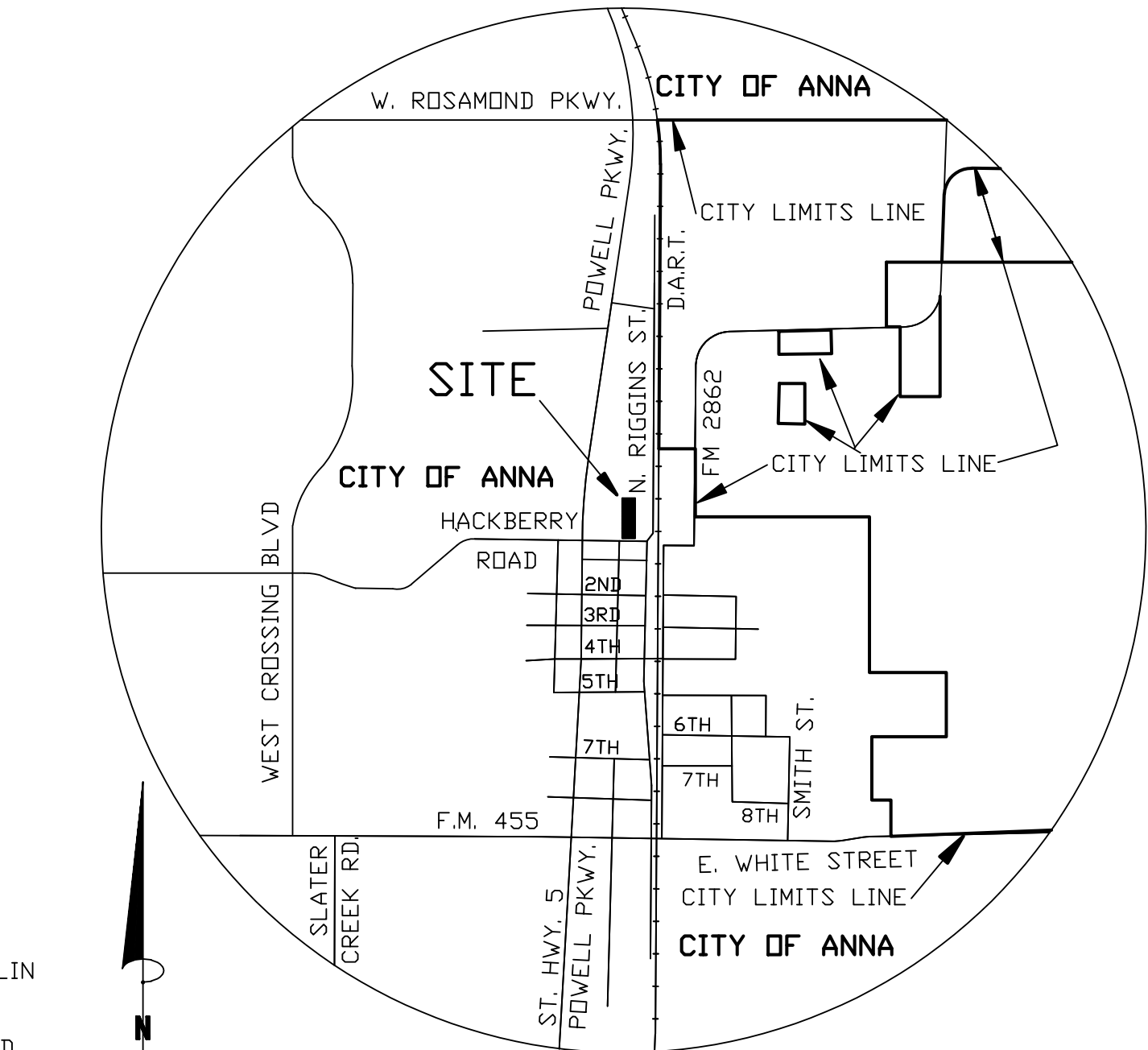
- LEGEND**
- 3/4-IPS 3/4-INCH IRON PIN SET
 - R.O.W. RIGHT-OF-WAY
 - CCDR COLLIN COUNTY DEED RECORDS
 - DPCRCT OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
 - CCPR COLLIN COUNTY PLAT RECORDS
 - B.L. BUILDING LINE

ACCORDING TO FEMA MAP NO. 48085C0160 J, DATED 6-2-2009 THE 0.359 ACRE TRACT SHOWN HEREON IS NOT IN THE 100 YEAR FLOOD PLAIN.

BEARING BASE: NORTH LINE OF ROELL ADDITION IN VOLUME 2011, PAGE 151 COLLIN COUNTY PLAT RECORDS.

CONTROLLING MONUMENTS: 3/8-INCH IRON PIN FOUND AT NORTHWEST CORNER AND 1/2-INCH IRON PIN FOUND AT NORTHEAST CORNER OF SAID ROELL ADDITION.

IT IS S 09°40'09" E 3384.27' FROM THE PLACE OF BEGINNING TO THE APPROXIMATE SOUTHEAST CORNER OF THE HENRY BRANTLEY SURVEY, ABSTRACT NO. 71.



OWNER'S CERTIFICATE

STATE OF TEXAS ☒
COUNTY OF COLLIN ☒

WHEREAS Joe A. Greer, Jr. is the owner of a tract of land in the City of Anna, Collin County, Texas, in the Henry Brantley survey, abstract no. 71, being a survey of the 16,100 square feet of land described in a deed from Theima Coffey to Joe A. Greer and wife, Geraldine Greer, dated December 23, 1974, recorded in volume 943, page 273 of the deed records of Collin County, Texas; being described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron pin found at the northeast corner of said 16,100 square foot tract and the northwest corner of the 0.4029 acre tract recorded in volume 4851, page 575; same being in the south line of the 0.5795 acre tract recorded as clerk's file no. 20110713000728470;

THENCE South 01°50'37" West, with the east line of said 16,100 square foot tract, 228.98 feet to a 3/4-inch iron pin set at the southeast corner of said 16,100 square foot tract and in the north right-of-way line of Hackberry Drive;

THENCE North 88°05'15" West, with the south line of said 16,100 square foot tract and the north right-of-way line of said Hackberry Drive, 70.28 feet to a 3/4-inch iron pin set at the southwest corner of said 16,10 square foot tract;

THENCE North 02°56'52" East, with the west line of said 16,100 square foot tract, 230.55 feet to a 3/4-inch iron pin set at the northwest corner of said 16,100 square foot tract and the southwest corner of said 0.5795 acre tract;

THENCE South 86°45'02" East, with the north line of said 16,10 square foot tract and the south line of said 0.5795 acre tract, 65.86 feet to the PLACE OF BEGINNING and containing 0.359 acre or 15,838 square feet(as calculated).

STATE OF TEXAS ☒
COUNTY OF COLLIN ☒

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Joe A. Greer, Jr. does hereby adopt this plat designating the herein above described property as J. A. GREER ADDITION, LOT 1, BLOCK A, an addition to the City of Anna, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Anna's use thereof. The City of Anna and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Anna and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

WITNESS my hand at _____, Texas, this the _____ day of _____, 20____.

Joe A. Greer, Owner

STATE OF TEXAS: ☒
COUNTY OF COLLIN: ☒

Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Joe A. Greer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office, this the _____ day of _____, 20____.

Notary Public In and for the State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENT:

That I, Bruce Geer do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY-THIS DOCUMENT SHALL NOT TO BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Bruce Geer, Registered Professional Land Surveyor, No. 4117

STATE OF TEXAS: ☒
COUNTY OF COLLIN: ☒

Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Bruce Geer known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office, this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

Approved this _____ day of _____, 20____, by the City Council of the City of Anna, Texas.

Mayor

City Secretary

APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

EXHIBIT A

OWNER: JOE A. GREER, JR.
P.O. BOX 272
ANNA, TEXAS 75409
PHONE 972-924-3260

SURVEYOR: BRUCE GEER, R.P.L.S. NO. 4117
1101 W. UNIVERSITY DRIVE
MCKINNEY, TEXAS 75069
PHONE 972-562-3959

FINAL PLAT
J. A. GREER
ADDITION
LOT 1, BLOCK A
0.359 ACRE IN THE
HENRY BRANTLEY SURVEY, ABSTRACT NO. 71,
CITY OF ANNA, COLLIN COUNTY, TEXAS
NOVEMBER 17, 2021
1 SF-1 RESIDENTIAL LOT



Item No. 6.i.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the Persimmon Drive, Final Plat. (Director of Development Services Ross Altobelli)

SUMMARY:

Right-of-way dedication on 3.4± acres located on the south side of W. White Street, 1,293± feet west of Oak Hollow Lane. Zoned: Planned Development-Restricted Business District/Multiple-family – High Density/Single-Family Residential District (PD-C-1/MF-2/SF-60).

The purpose for the Final Plat is to dedicate right-of-way and easements necessary for the future construction and expansion of Persimmon Drive.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

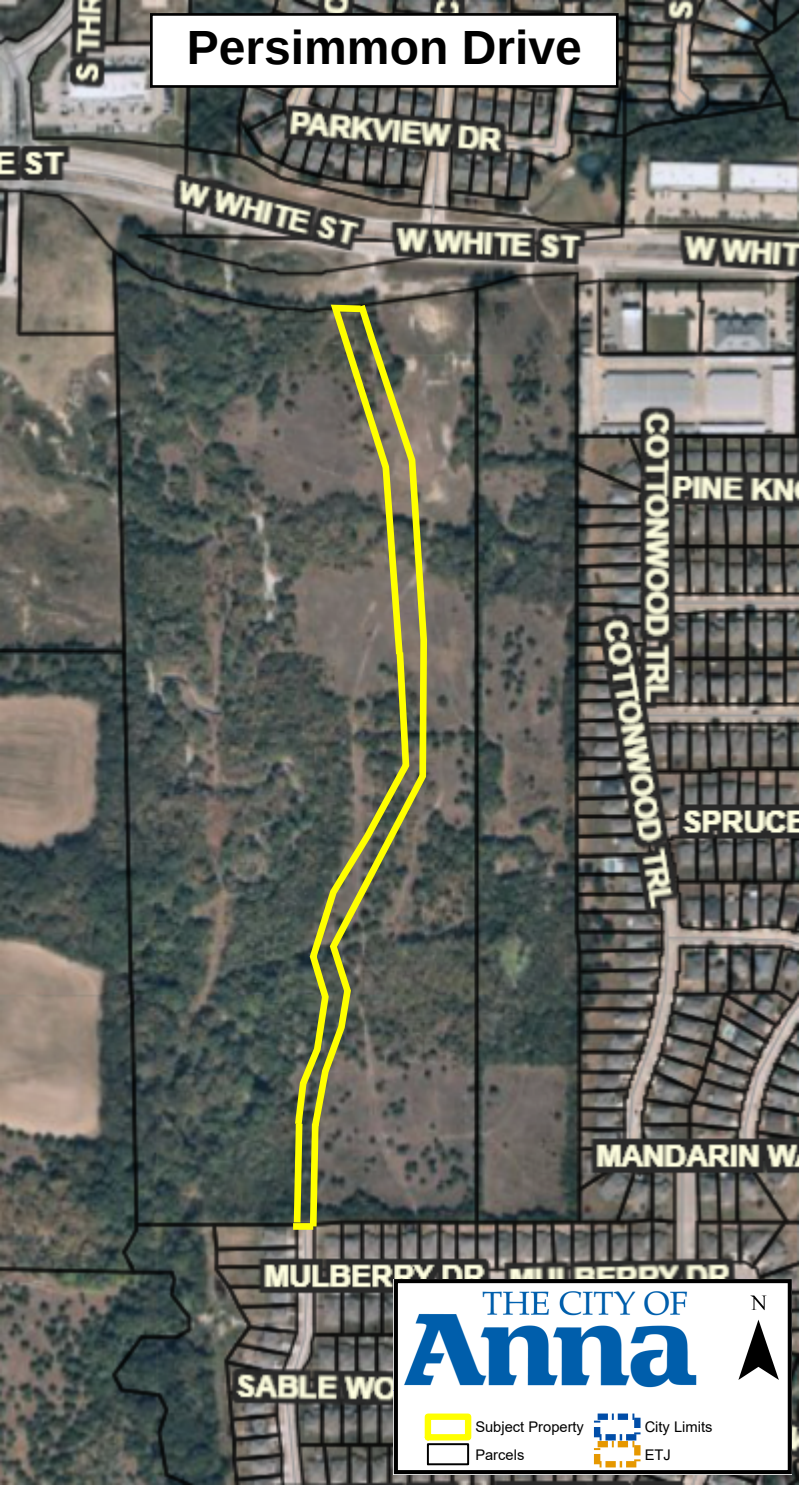
1. Location Map
2. RESOLUTION - (FP) Persimmon Drive
3. Exhibit A (STAMPED) (FP) Persimmon Drive

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Persimmon Drive



THE CITY OF
Anna



-  Subject Property
-  City Limits
-  Parcels
-  ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING PERSIMMON DRIVE, FINAL PLAT.

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 9.02 of the Anna City Code of Ordinances ("Subdivision Regulations"); and Article 9.04 ("Zoning Ordinance") of the Anna City Code of Ordinances; and

WHEREAS, Anna 51 Joint Venture has submitted an application for the approval of the Persimmon Drive, Final Plat; and

WHEREAS, the Persimmon Drive, Final Plat conforms to the existing zoning; and

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 Final Plat

The City Council hereby approves the Persimmon Drive, Final Plat attached hereto as Exhibit A subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

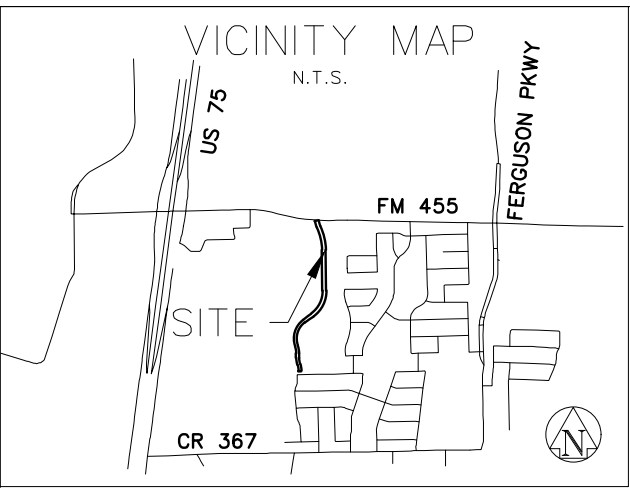
PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January, 2022.

ATTEST:

APPROVED:

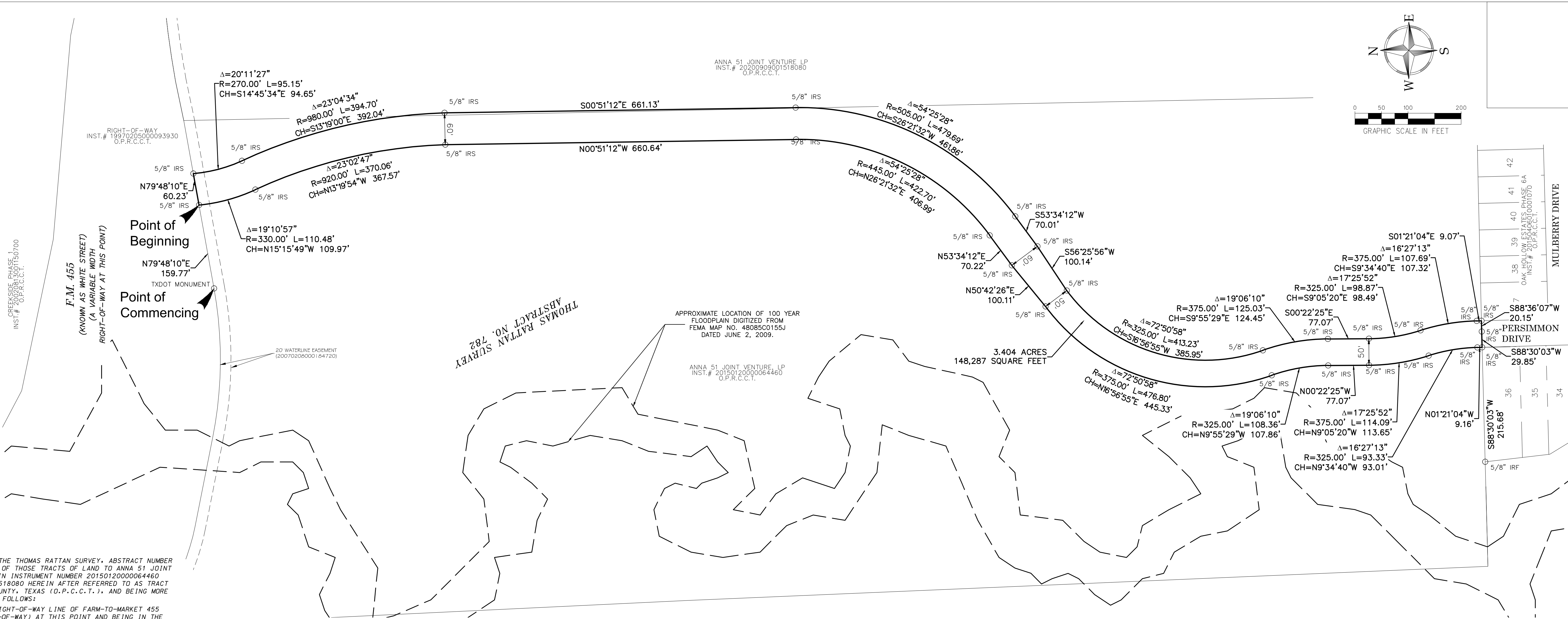
City Secretary, Carrie L. Land

Mayor, Nate Pike



LEGEND

IRF IRON ROD FOUND
IRS IRON ROD SET



LEGAL DESCRIPTION:

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE THOMAS RATTAN SURVEY, ABSTRACT NUMBER 782, COLLIN COUNTY, TEXAS AND BEING A PORTION OF THOSE TRACTS OF LAND TO ANNA 51 JOINT VENTURE, LP (A LIMITED PARTNERSHIP) RECORDED IN INSTRUMENT NUMBER 2015012000064460 HEREIN REFERRED TO AS TRACT 1 AND 20200909001518080 HEREIN AFTER REFERRED TO AS TRACT 2 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS (O.P.C.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A TXDOT MONUMENT IN THE SOUTH RIGHT-OF-WAY LINE OF FARM-TO-MARKET 455 (KNOWN AS WHITE STREET A VARIABLE WIDTH RIGHT-OF-WAY) AT THIS POINT AND BEING IN THE NORTH LINE OF SAID TRACT 1;

THENCE N 79° 48' 10" E, 159.77 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND BEING THE POINT OF BEGINNING;

THENCE N 79° 48' 10" E, 60.23 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE DEPARTING SAID NORTH LINE OVER AND ACROSS SAID TRACT 1 AND SAID TRACT 2 THE FOLLOWING BEARINGS AND DISTANCES:

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 95.15 FEET, THROUGH A CENTRAL ANGLE OF 20° 11' 27", HAVING A RADIUS OF 270.00 FEET, AND A LONG CHORD WHICH BEARS S 14° 45' 34" E, 94.65 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 394.70 FEET, THROUGH A CENTRAL ANGLE OF 23° 04' 34", HAVING A RADIUS OF 980.00 FEET, AND A LONG CHORD WHICH BEARS S 13° 19' 00" E, 392.04 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

S 00° 51' 12" E, 661.13 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET FOR THE BEGINNING OF A CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 479.69 FEET, THROUGH A CENTRAL ANGLE OF 54° 25' 28", HAVING A RADIUS OF 505.00 FEET, AND A LONG CHORD WHICH BEARS S 26° 21' 32" W, 461.86 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

S 53° 34' 12" W, 70.01 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

S 56° 25' 56" W, 100.14 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 413.23 FEET, THROUGH A CENTRAL ANGLE OF 72° 50' 58", HAVING A RADIUS OF 325.00 FEET, AND A LONG CHORD WHICH BEARS S 16° 56' 55" W, 385.95 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 125.03 FEET, THROUGH A CENTRAL ANGLE OF 19° 06' 10", HAVING A RADIUS OF 375.00 FEET, AND A LONG CHORD WHICH BEARS S 09° 55' 29" E, 124.45 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

S 00° 22' 25" E, 77.07 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET FOR THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 98.87 FEET, THROUGH A CENTRAL ANGLE OF 17° 25' 52", HAVING A RADIUS OF 375.00 FEET, AND A LONG CHORD WHICH BEARS N 09° 05' 20" E, 98.87 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 107.69 FEET, THROUGH A CENTRAL ANGLE OF 16° 27' 13", HAVING A RADIUS OF 375.00 FEET, AND A LONG CHORD WHICH BEARS S 09° 34' 40" E, 107.32 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

S 01° 21' 04" E, 9.07 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET TO THE NORTH LINE A TRACT OF LAND TO OAK HOLLOW ESTATES PHASE 6A RECORDED IN INSTRUMENT NUMBER 20150406010001070 OF SAID O.P.C.C.T.;

THENCE S 88° 36' 07" W, 20.15 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

THENCE S 88° 30' 03" W, 29.85 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

CONTINUED

CONTINUING

THENCE DEPARTING THE NORTH LINE OF SAID OAK HOLLOW TRACT OVER AND ACROSS SAID TRACT 1 THE FOLLOWING BEARINGS AND DISTANCES:

N 01° 21' 04" W, 9.16 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET FOR THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 93.33 FEET, THROUGH A CENTRAL ANGLE OF 16° 27' 13", HAVING A RADIUS OF 325.00 FEET, AND A LONG CHORD WHICH BEARS N 09° 34' 40" W, 93.01 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 114.09 FEET, THROUGH A CENTRAL ANGLE OF 17° 25' 52", HAVING A RADIUS OF 375.00 FEET, AND A LONG CHORD WHICH BEARS N 09° 05' 20" W, 113.65 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

N 00° 22' 25" W, 77.07 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET FOR THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 108.36 FEET, THROUGH A CENTRAL ANGLE OF 19° 06' 10", HAVING A RADIUS OF 325.00 FEET, AND A LONG CHORD WHICH BEARS N 09° 55' 29" W, 107.86 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 476.80 FEET, THROUGH A CENTRAL ANGLE OF 72° 50' 58", HAVING A RADIUS OF 375.00 FEET, AND A LONG CHORD WHICH BEARS N 16° 56' 55" E, 445.33 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

N 50° 42' 26" E, 100.11 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 422.70 FEET, THROUGH A CENTRAL ANGLE OF 54° 25' 28", HAVING A RADIUS OF 445.00 FEET, AND A LONG CHORD WHICH BEARS N 26° 21' 32" E, 406.99 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET;

N 00° 51' 12" W, 660.64 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 370.06 FEET, THROUGH A CENTRAL ANGLE OF 23° 02' 47", HAVING A RADIUS OF 920.00 FEET, AND A LONG CHORD WHICH BEARS N 13° 19' 54" W, 367.57 FEET TO A 5/8" INCH IRON ROD WITH CAP STAMPED "PELTON" SET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 110.48 FEET, THROUGH A CENTRAL ANGLE OF 19° 10' 57", HAVING A RADIUS OF 330.00 FEET, AND A LONG CHORD WHICH BEARS N 15° 15' 49" W, 109.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 148.287 SQUARE FEET OR 3.404 ACRES MORE OR LESS.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT DON COLLINS, BEING THE SOLE OWNER DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED REAL PROPERTY AS, WATERS CREEK DRIVE, AN ADDITION TO THE CITY OF ANNA, COLLIN COUNTY, TEXAS AND WE DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS SHOWN THEREON. THE STREETS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANNA'S USE THEREOF. THE CITY OF ANNA AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANNA AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE.

BY: _____

BY: _____

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CHARLES STEPHEN RAMSEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINTED NAME

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

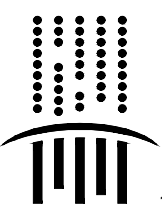
APPROVED THIS _____ DAY OF _____, 2022 BY THE CITY COUNCIL OF ANNA, TEXAS.

MAYOR

CITY SECRETARY

NOTES:

- ALL PROPERTY CORNERS ARE 5/8" IRON RODS WITH YELLOW CAP STAMPED "PELTON" UNLESS OTHERWISE NOTED.
- THE SUBJECT PROPERTY IS DEPICTED WITHIN ZONE "X", ON FEMA FLOOD INSURANCE RATE MAP NUMBER 48085C0155J, REVISED JUNE 02, 2009, "ZONE X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THE SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THAT MAP.



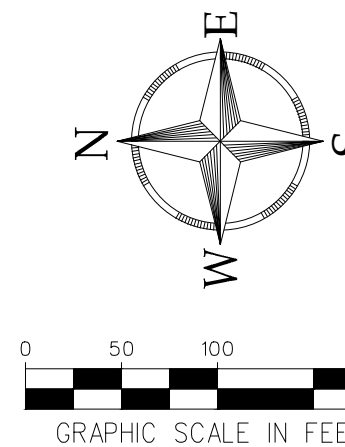
PELTON
LAND SOLUTIONS

11000 FRISCO STREET, SUITE 400 FRISCO, TEXAS 75033

TBPES # 10194468 PH # 469-213-1800

JOB# CCR21001 December 23, 2021 PAGE 1 OF 1

EXHIBIT A



A Final Plat of
Persimmon Drive

3.404 ACRES TOTAL
SITUATED IN THE
THOMAS RATTAN SURVEY, ABSTRACT NO. 782
CITY OF ANNA
COLLIN COUNTY, TEXAS

Date of Preparation: December 2021

Owner/Developer
ANNA 51 JOINT VENTURE LP
CLUB LAKE TRAIL MCKINNEY,
TX 75072
214-802-8264

APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA



Item No. 6.j.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve an Ordinance regarding the Anna Retail Addition, Block A, Lot 4, Site Plan.
(Director of Development Services Ross Altobelli)

SUMMARY:

SUMMARY:

Retail store and general office on one lot on 2.1± acres located at the southeast corner of W. White Street and Throckmorton Boulevard. Zoned: C-2 General Commercial.

The purpose of the site plan is to show the proposed retail store and general office development site improvements.

ISSUES:

Design Standard Variation - Minimum Driveway Separation

The applicant is requesting a vary the minimum driveway separation requirement from adjacent intersections. The city's adopted Engineering Design Standards require any driveway proposed on Throckmorton Boulevard (Collector roadway) to be a minimum of 150 feet from W. White Street (Arterial roadway). The applicant is requesting to modify/reduce that distance to 86 feet.

Based on existing conditions the Director of Public Works is in support of allowing a reduction in the minimum driveway separation requirement while reserving the right to reevaluate the driveway location in the future – *See MEMO No: 21-PWD-038 dated December 30, 2021.*

Landscape Buffer Reduction

The applicant is requesting to reduce the minimum 20-foot landscape buffer requirement adjacent to the right-of-way. Sec. 9.06.007 (Setbacks) of Article 9.06 (Landscape Regulations) states that nonresidential and multiple-family parcels shall provide for a minimum 20-foot landscape buffer when adjacent to the right-of-way of any major thoroughfare. For the purpose of this article, a major thoroughfare is any proposed or existing thoroughfare with an ultimate right-of-way width of 60 feet or greater.

However, if unique circumstances existing which prevent strict adherence with the

requirement the city council has the authority to consider granting a variance during the site plan approval process by reducing the buffer requirement to a minimum of 10 feet. Unusual circumstances include but are not limited to: insufficient lot depth or size of the existing lot, existing structures and drives, and floodplain and existing trees to be preserved. A variance may be granted if:

- (1) Unique circumstances exist on the property that make application of these requirements unduly burdensome on the applicant;
- (2) The variance will have no adverse impact on current or future development;
- (3) The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any on the surrounding land uses; and
- (4) The variance will have no adverse impact on the public health, safety and general welfare.

Due to current right-of-way being less than 50 feet for this section of Throckmorton Boulevard the narrowness of the commercial property to support a 20-foot landscape buffer along Throckmorton Boulevard, and to maintain similar development form with the property to the west the applicant is requesting to reduce the required landscape buffer to 11-feet.

RECOMMENDATION:

The Planning & Zoning Commission recommended approval subject to:

1. Changes to the staff report.
2. City Council granting a Design Standard variation to the minimum driveway spacing separation per Director of Public Works recommendation.
3. City Council granting a reduced landscape buffer of 11 feet.
4. Additions and/or alterations to the engineering plans as required by the Public Works Department.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 1: Growing Anna Economy

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval as presented

ATTACHMENTS:

1. Locator
2. ORDINANCE - (SP) Anna Retail Addition Block A Lot 4
3. Exhibit B (STAMPED) (SP) Anna Retail BL A Lt 4
4. Public Works - Anna Retail Addition Driveway Waiver
5. Applicant - Driveway Waiver Request Response (Anna Retail Addn, BI A, Lt 4)

APPROVALS:

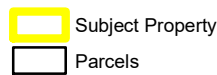
Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Anna Retail Addition, Block A, Lot 4



THE CITY OF
Anna



CITY OF ANNA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ANNA, TEXAS APPROVING ANNA RETAIL ADDITION, BLOCK A, LOT 4, SITE 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 9.02 ("Subdivision Regulations") of the Anna City Code of Ordinances ("Anna Code"); and

WHEREAS, Anna 31 Retail, LP (the "Applicant") requests a waiver from the regulations for the minimum driveway separation requirement from adjacent intersections as relates to the development of Anna Retail Addition, Block A, Lot 4 (the "Property"); and

WHEREAS, the Applicant further requests a reduced landscape buffer as applies to the Property; and

WHEREAS, the Applicant has submitted an application for the approval of the Anna Retail Addition, Block A, Lot 4, Site Plan;

NOW THEREFORE, BE IT ORDAINED 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. Conditional waiver of minimum driveway separation requirement

- (a) The City Council hereby waives the minimum driveway separation requirement and reduces the separation requirement from 150' to 86' from the intersection of W. White Street (FM 455) and Throckmorton Blvd as depicted in Exhibit A; provided, however, that said waiver is conditional and the City Manager or the City Manager's designee shall at all times have authority to conduct or have conducted one or more traffic engineering studies of Throckmorton Boulevard in the vicinity of the Property and if any such study demonstrates that the traffic volumes on Throckmorton Blvd in said vicinity have risen to a level whereby certain turn movements into the driveway presents a traffic safety concern the City, at its sole discretion, shall have the right to reconfigure and reconstruct the driveway in a manner that prohibits certain turn movements. The owner(s) of the Property shall cooperate in all reasonable ways with the City's efforts regarding its rights under this Section 2.
- (b) In granting the waiver as described in subsection (a), above, the City Council has examined the relevant evidence and finds that:

1. Granting the waiver will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity;
2. The conditions upon which the request for a waiver/suspension is based are unique to the Property and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape and/or topographical conditions of the Property, a particular undue hardship to the property owner would result, as distinguished from a mere inconvenience or increased expense, if the strict letter of the driveway separation requirement is carried out;
4. The waiver will not in any manner vary the provisions of the zoning ordinance, comprehensive plan (as amended), or any other adopted plan(s) or ordinance(s) of the City; and
5. The alternate proposed design will generally achieve the same result or intent as the standards and regulations prescribed herein.

Section 3. Grant a reduced landscape buffer.

The City Council hereby grants a reduced landscape buffer of 11 feet due to:

- a. The existing development to the immediate east, narrowness of the lot, and increased building setbacks are unique circumstances.
- b. The reduction does not have an adverse impact on current or future development.
- c. The variance is in keeping with the spirit of the zoning regulation and will not have an impact on surrounding land uses.
- d. The variance will not have an adverse impact on public health, safety and general welfare.

Section 4. Approval of Site Plan

The City Council hereby approves the Anna Retail Addition, Block A, Lot 4, Site Plan attached hereto as Exhibit B subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

Section 5. Savings, Severability, and Repealing Clauses.

All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

Section 6. 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 accordance with Section 1.01.009 of the Anna Code. Each violation is considered a separate offense and will be punished separately.

Section 7. Publication of the Caption Hereof and Effective Date.

This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January 2022.

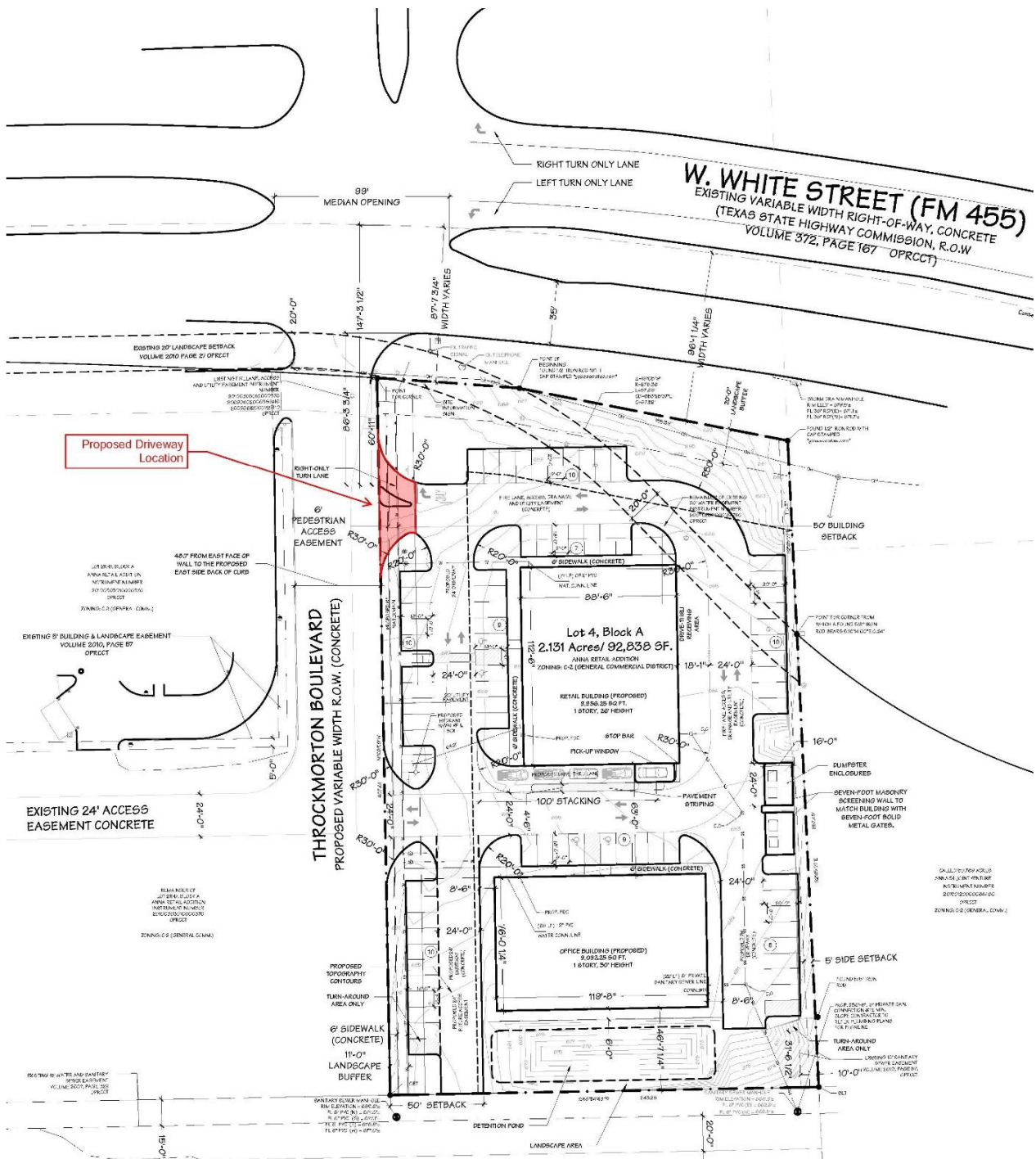
ATTEST:

APPROVED:

City Secretary, Carrie L. Land

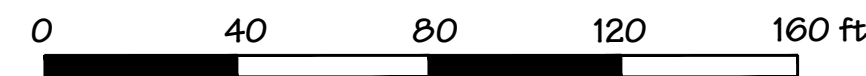
Mayor, Nate Pike

EXHIBIT A





Item	Lot
General Site Data	
Zoning (from zoning map)	Lot 4, Block A. Anna Retail Addition
Land Use (from Zoning Ordinance)	C-2 (General Commercial District)
Lot Area (square feet & acres)	92,838 SF/ 2.131 Acre
Building Footprint Area (square feet)	Retail Building: 9,956.25 sf Office Building: 9,092.25 sf
Total Building Area (square feet)	19,048.5 sf
Building Height (# stories)	Retail Building: 1 story Office Building: 1 story
Building Height (feet – distance to tallest building element)	Retail Building: 26' Office Building: 30'
Lot Coverage (percent – x.xx%)	20.52%
Parking	
Parking Ratio (from Zoning Ordinance)	Retailer: 4 per 1000 sf GFA Offices: 3 per 1000 sf GFA
Required Parking (# spaces)	Retail Building: 40 Office Building: 27
Provided Parking (# spaces)	Retail Building: 46 Office Building: 27
Accessible Parking Required (# spaces)	Retail Building: 2 Office Building: 2
Accessible Parking Provided (# spaces)	Retail Building: 2 Office Building: 2
Landscape Area (including turf areas)	
Required internal landscape area (square feet - 8 square feet per parking space)	Retail Building: 320 sf Office Building: 216 sf
Additional interior landscape area provided (square feet)	20,939.00 sf
Total Landscape Area (square feet)	21,475.00 sf



APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

PROJECT / SURVEY	Plan Type:	Site Plan	DRAWN BY	Company:	Bluestone Partners, LLC	PROPERTY	Current Property Owner:	Anna 31 Retail, LP
	Project Name:	Lot 4, Block A, Anna Retail Addition		Address:	4708 N. FM. 1417 Sherman, Texas 75092		Address:	8400 Westchester Dr STE 300, Dallas TX 75225
	Gross Acreage:	2.131 Acres		Preparer:	Drake R. Hitchcock		Contact:	David Claassen
	Location:	City of Anna, Collin County, Texas 75409		Phone:	903.813.1415		Phone:	214-361-8300
	Survey & Abstract:	Thomas Rattan Survey, Abstract NO.782		Date of Preparation:	December 30, 2021		Email:	david@claasseninvestments.com





Subdivision Ordinance – Driveway Waiver Request

MEMO No: 21-PWD-038

Date: December 30, 2021

To: Ross Altobelli, Director of Development Services

From: Greg Peters, P.E., Director of Public Works

CC: Wes Lawson, P.E., City Engineer

Re: Anna Retail Addition, Block A, Lot 4– Driveway Spacing Waiver Request

Bluestone Partners, LLC, has submitted a preliminary plat for Anna Retail Addition, Block A, Lot 4, a new commercial subdivision located east of Throckmorton Boulevard and south of FM 455 White Street in the City of Anna, Texas.

Section 2.6 and Figure 2.3 of the City of Anna Design Standards sets the minimum driveway spacing for non-residential driveways. Per the Design Standards, the minimum distance from an Arterial/Collector intersection with for placement of a driveway on a Collector Road is 150-feet.

Per the Preliminary Plat and Site Plan for the proposed development, the length from the proposed commercial driveway to the intersection of Throckmorton Boulevard and FM 455 White Street is 86 linear feet. The developer has requested a waiver of the 150-foot requirement for the minimum distance between commercial driveways and the street intersection.

The City of Anna Public Works Department has reviewed the waiver request, City of Anna Design Standards, City Ordinances, and considered any potential impacts this waiver may have on traffic movement on Throckmorton Boulevard and in the intersection of Throckmorton Boulevard and FM 455 White Street. Staff has also reviewed the potential negative impacts to the development if the waiver is not granted. The decreased distance requested in the waiver

is 86 feet, which is a 42.7% decrease in the minimum allowable distance between a commercial driveway and a street intersection.

Staff Findings:

- The requested waiver is for a distance reduction of 42.7% below the required minimum spacing.
- There are existing driveways on Throckmorton Boulevard north of FM 455 and South of FM 455 which were constructed in the past, and do not meet the 150-foot requirement.
- Per the developer, not granting the extension would likely result in the loss of the proposed tenant.
- In the future, Throckmorton is intended to be constructed as a commercial collector road, connecting from FM 455 to Taylor Boulevard. This is shown in the Master Thoroughfare Plan.
- Currently Throckmorton Boulevard south of FM 455 is a dead-end paved surface which functions solely as access to adjacent commercial properties. Traffic volumes on this section of Throckmorton are very low, and the road is not currently functioning as a Collector Road.
- Staff finds that the proposed driveway will not have a negative impact on traffic safety for Throckmorton Boulevard in the current conditions. However, when Throckmorton Boulevard is extended and functions as a commercial collector, left turning movements into this driveway will likely cause negative impacts to the intersection of Throckmorton and FM 455.
- See attachments A thru D included with this memo for more information.

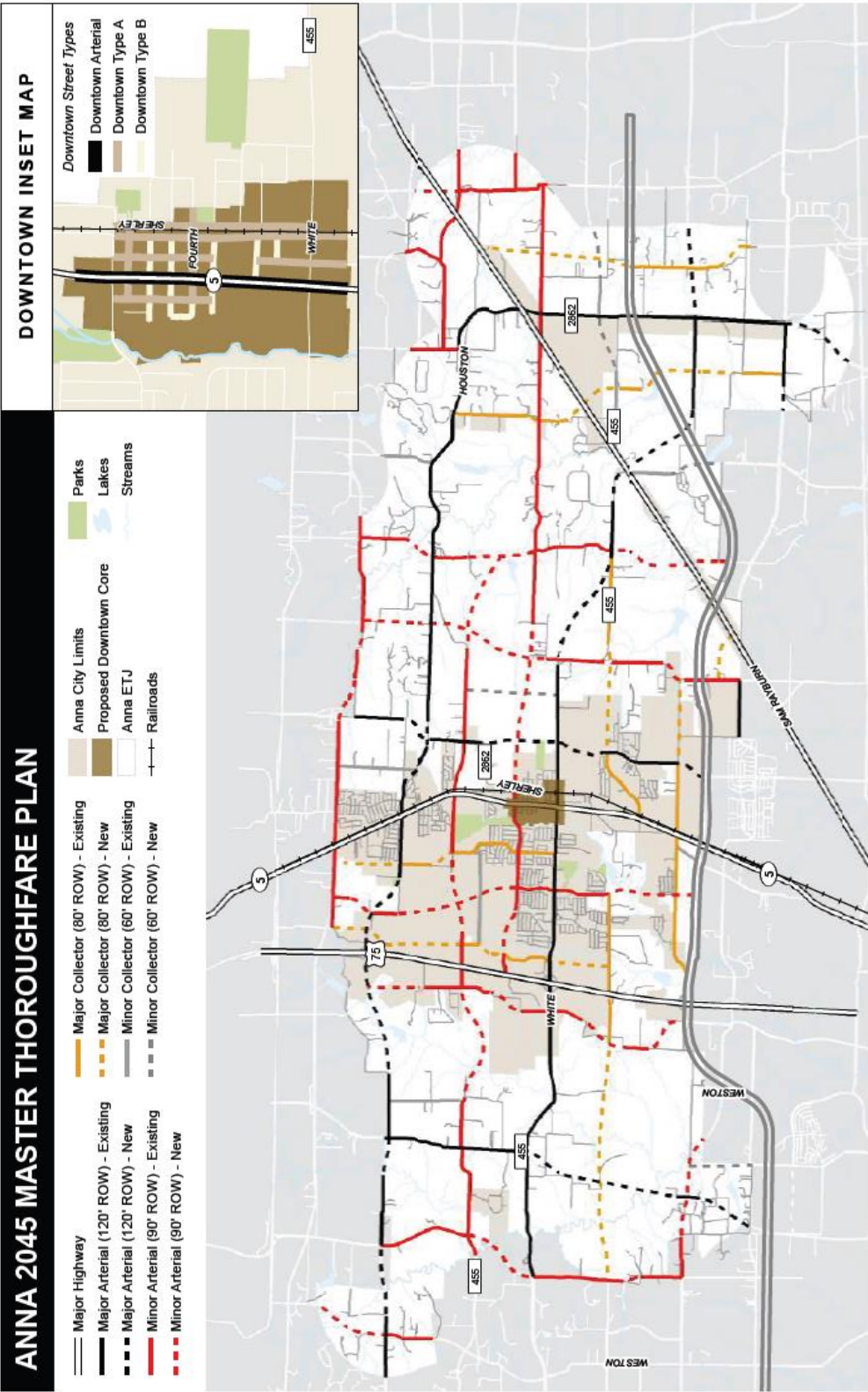
Staff finds that the proposed layout and location of the proposed driveway is acceptable for the current roadway conditions, but recommends adding a stipulation to the approval as follows:

The proposed driveway is approved as shown and shall be allowed to remain in place until such time that a traffic engineering study of Throckmorton Boulevard demonstrates that the traffic volumes on Throckmorton have risen to a level whereby the left turn movement into the driveway presents a traffic safety concern. At such a time, the City reserves the right to reconfigure this driveway to be right in/right out only, prohibiting left turns into the driveway.



Greg Peters, P.E.
Director of Public Works
City of Anna, Texas

Attachment A – Master Thoroughfare Plan



Attachment B – Aerial Image



W. WHITE STREET (FM 455)
EXISTING VARIABLE WIDTH RIGHT-OF-WAY, CONCRETE
(TEXAS STATE HIGHWAY COMMISSION, R.O.W. VOLUME 372, PAGE 167 -OPRCT)

THROCKMORTON BOULEVARD
PROPOSED VARIABLE WIDTH R.O.W. (CONCRETE)

Lot 4, Block A
2.131 Acres / 92,838 SF.
ZONING: C-2 (GENERAL COMMERCIAL DISTRICT)

RETAIL BUILDING (PROPOSED)
5,230 SQ FT
3 STORY, 30' HEIGHT

OFFICE BUILDING (PROPOSED)
3,082 SQ FT
3 STORY, 30' HEIGHT

Proposed Driveway Location

6' PEDESTRIAN ACCESS EASEMENT

50' BUILDING SETBACK

5' SIDE SETBACK

11'-0" LANDSCAPE BUFFER

50' SETBACK

DETERMINATION POND

LANDSCAPE AREA

EXISTING 24' ACCESS EASEMENT CONCRETE

EXISTING 10' LANDSCAPE BETRACK VOLUME 200 PAGE 21 OPRCT

EXISTING 9' BUILDING & LANDSCAPE EASEMENT VOLUME 200, PAGE 87 OPRCT

EXISTING 89' MEDIAN OPENING

RIGHT TURN ONLY LANE

LEFT TURN ONLY LANE

87'-7 3/4" WIDTH VARIES

88'-1 1/4" WIDTH VARIES

50' SIDE SETBACK

TURN-AROUND AREA ONLY

6' SIDEWALK (CONCRETE)

11'-0" LANDSCAPE BUFFER

50' SETBACK

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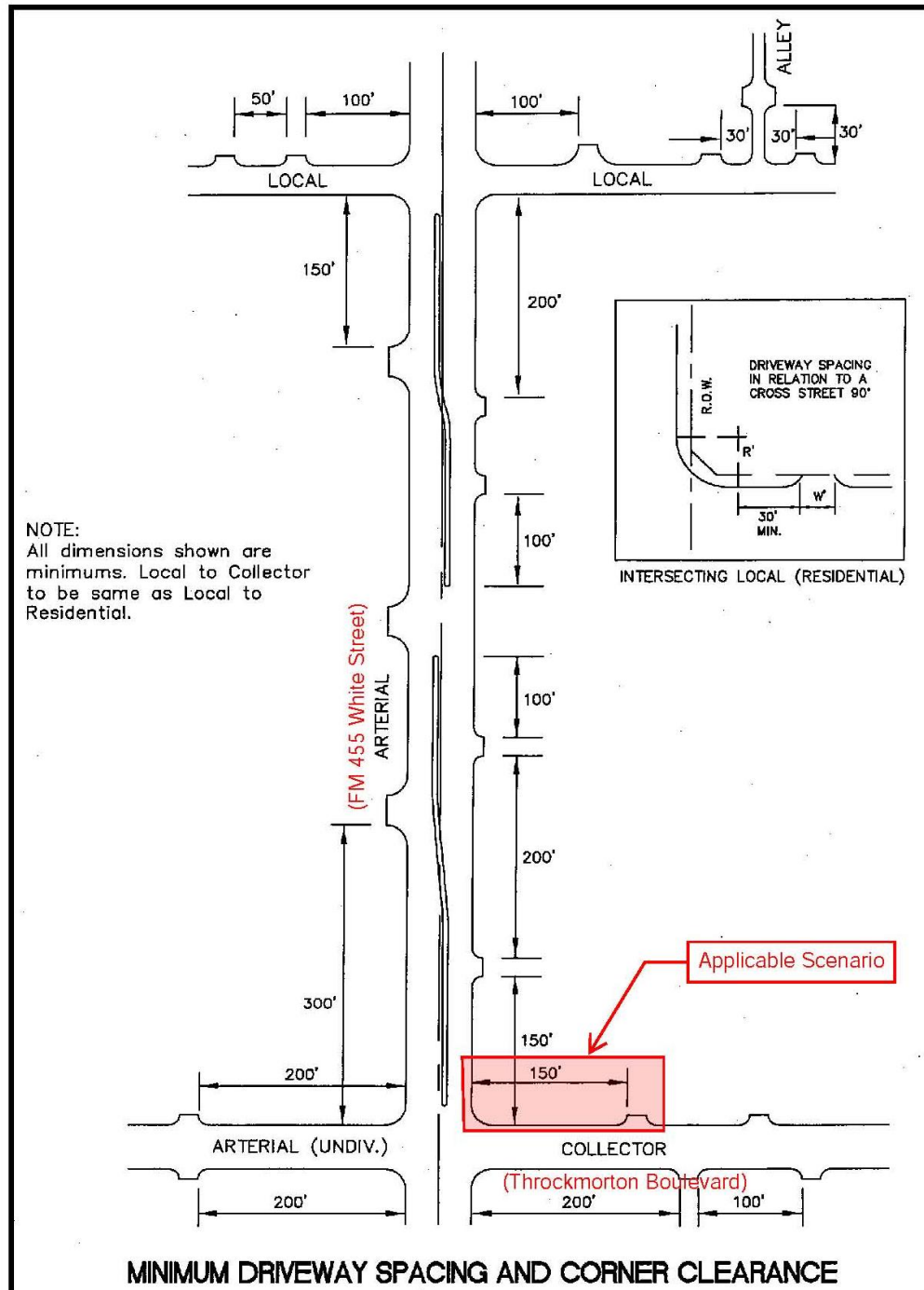
50' SIDE SETBACK

TURN-AROUND AREA ONLY

6' SIDEWALK (CON

Attachment D – Applicable Design Standard

Figure 2.3



2.5 Median Openings, Width, Location and Spacing

Arterial thoroughfares in Anna are to have raised medians. Arterials having single lane two-way left turn lanes are discouraged and may be allowed only in special circumstances with the approval of the City Council.

Median openings at intersections shall be from right-of-way to right-of-way of the intersecting street, unless otherwise approved by the City's Engineer.

The width of mid-block median openings shall not be less than 60 feet, or greater than 70 feet.

Using the above requirements, examples of the minimum distance between median openings on a divided street where left-turn storage is provided in both directions are:

- A. 310 feet from nose to nose of the median from the intersection of two major thoroughfares to a street or drive (see Figure 2.2);
- B. 260 feet from nose to nose of the median from the intersection of two secondary thoroughfares or a secondary thoroughfare and a major thoroughfare to a residential street or a drive, and;
- C. 220 feet from nose to nose of the median for intersection combinations of drives and/or residential streets.

2.6 Driveway Locations

Minimum standards for driveway separation accessing the same site are shown in Figure 2.3. This standard applies to all non-residential uses.

There is a minimum distance upstream and downstream from adjacent intersections within which driveways should not be located. This separation distance varies with the classification of street and is shown in Figure 2.3. This standard applies to all non-residential users.

At mid-block access points, there is a minimum distance from a median nose, within which driveways should not be located. This is shown in Figure 2.3 and is equally applicable along both major and minor arterials for non-residential uses.

2.7 Block Lengths

In general, streets shall be provided at such intervals as to serve cross traffic adequately and to intersect with existing streets. Where no existing plats control, the blocks shall be not more than 1,200 feet in length. Block arrangements must provide access to all lots, and in no case, shall a block interfere with traffic circulation.

2.8 Street Intersections

More than two streets intersecting at one point shall not be allowed. All streets and thoroughfares should intersect other streets and thoroughfares at an angle of ninety (90) degrees unless otherwise approved by the City's Engineer.

Arterial and collector street intersections shall have property line corner clips with a minimum tangent distance of thirty (30) feet. Residential streets shall not normally be



Date:

January 5, 2021

To:

City of Anna
111 N. Powell Parkway
P.O. Box 776
Anna, TX 75409-0776
972-924-3325

Re: Waiver Request - Anna Retail Lot 4 – SE Corner of West White Street and Throckmorton Blvd.

Council Members,

We at Bluestone Partners have submitted a Site Plan for approval. We respectfully request that this Site Plan be approved with a waiver to Section 2.5, and Figure 2.3 of the City of Anna Design Standards sets the minimum driveway spacing for non-residential driveways. Per the Design Standards, the minimum distance from an Arterial/Collector intersection with a driveway on a Collector Road is 150-feet. The decreased distance requested in the waiver is 86-feet. We have also responded to the items below with the waiver request.

(A) Granting the waiver/suspension will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver/suspension will not prevent the orderly subdivision of other property in the vicinity;

Bluestone Response: To address any potential safety concerns with granting the waiver, we have included a right-hand turn-only lane and used a small triangular island to help enforce. We believe that under the current and future roadway conditions, this will eliminate any left (South) turning traffic from this entrance and address the possible safety concerns. We also do not believe that this will be injurious to other property or to the owners of other property, and the waiver/suspension will not prevent the orderly subdivision of other property in the vicinity.

(B) The conditions upon which the request for a waiver/suspension is based are unique to the property for which the waiver/suspension is sought, and are not applicable generally to other property;

Bluestone Response: The condition upon the waiver request is unique to the property for which it is sought. Due to the parcel's current roadway conditions and uniqueness to accommodate the proposed site plan.

(C) Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular undue hardship to the property owner would result, as distinguished from a mere inconvenience or increased expense, if the strict letter of these regulations is carried out;

Bluestone Response: The waiver request is being submitted without consideration of convenience or increased expense. The basis of the request is for site plan acceptance of a

nationally recognized pharmacy tenant and to allow drivers maneuverability within the development.

(D) The waiver/suspension will not in any manner vary the provisions of the zoning ordinance, comprehensive plan (as amended), or any other adopted plan(s) or ordinance(s) of the City; and

Bluestone Response: The waiver will not in any manner vary the provisions of the zoning ordinance, comprehensive plan, or any other adopted plan or ordinance of the City.

(E) An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein.

Bluestone Response: An alternate design will not generally achieve the same result.

In addition, we are requesting that when determining the future conversion of the driveway to an exit only (right turn only), the traffic counts be based on 15,000 VPD.

Should you have any questions, please do not hesitate to contact our office. We appreciate your consideration of this waiver and are excited about the approval of this Site Plan.

Regards,

Casey Hibbs
Director of Development
Bluestone Partners, LLC.
casey@bluestoneres.com
903.813.1415



Item No. 6.k.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the Anna Town Square Addition, Block A, Lot 1, Site Plan. (Director of Development Services Ross Altobelli)

SUMMARY:

Multiple-family residences on one lot on 13.4± acres located at the northwest corner of Finley Boulevard and Florence Way. Zoned: Planned Development-Multiple-Family – High Density (PD-MF-2).

The purpose of the site plan is to show the proposed multiple-family residential development site improvements.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

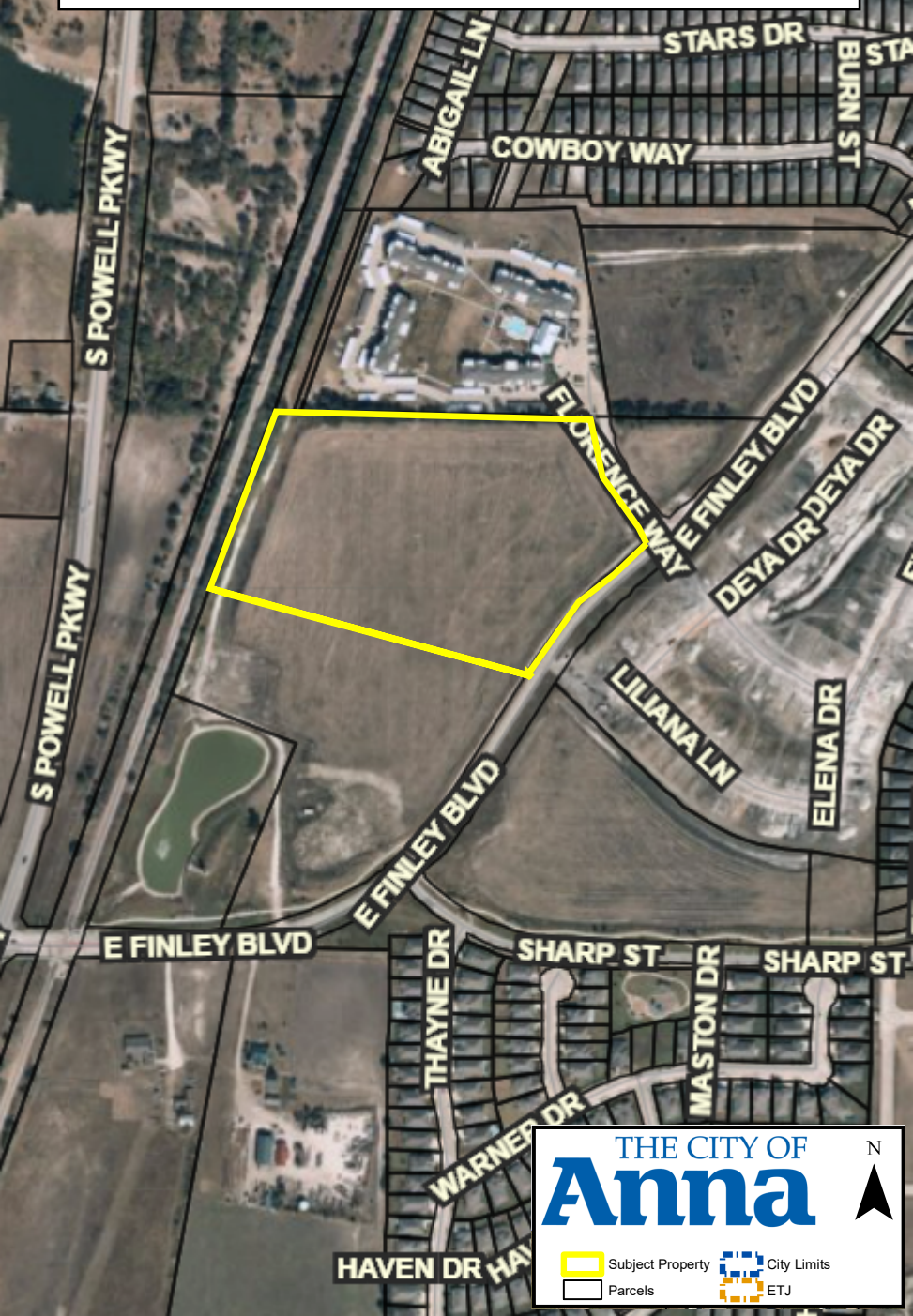
1. Location Map
2. RESOLUTION - (SP) Anna Town Square Addition, Block A, Lot 1
3. Exhibit A (STAMPED) (SP) Anna Town Square Addn BL A Lt 1

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Anna Town Square Addition, Block A, Lot 1



THE CITY OF
Anna

N

Subject Property

City Limits

Parcels

ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA TOWN SQUARE ADDITION, BLOCK A, LOT 1, SITE 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 9.02 ("Subdivision Regulation") and Article 9.04 ("Zoning Ordinance") of the Anna City Code of Ordinances; and

WHEREAS, John Arnold / Anna Town Center Mixed Use LLC has submitted an application for the approval of the Anna Town Square Addition, Block A, Lot 1, Site Plan; and

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 Site Plan

The City Council hereby approves the Anna Town Square Addition, Block A, Lot 1, Site Plan attached hereto as Exhibit A subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January, 2022.

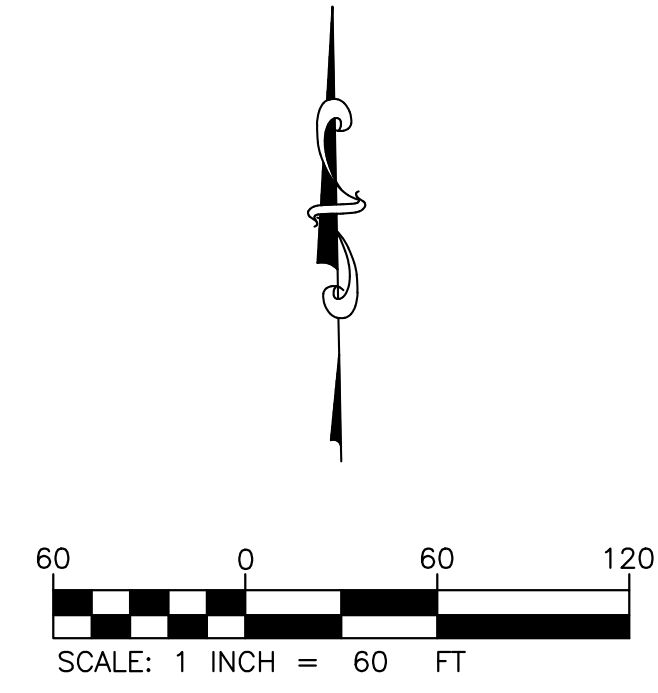
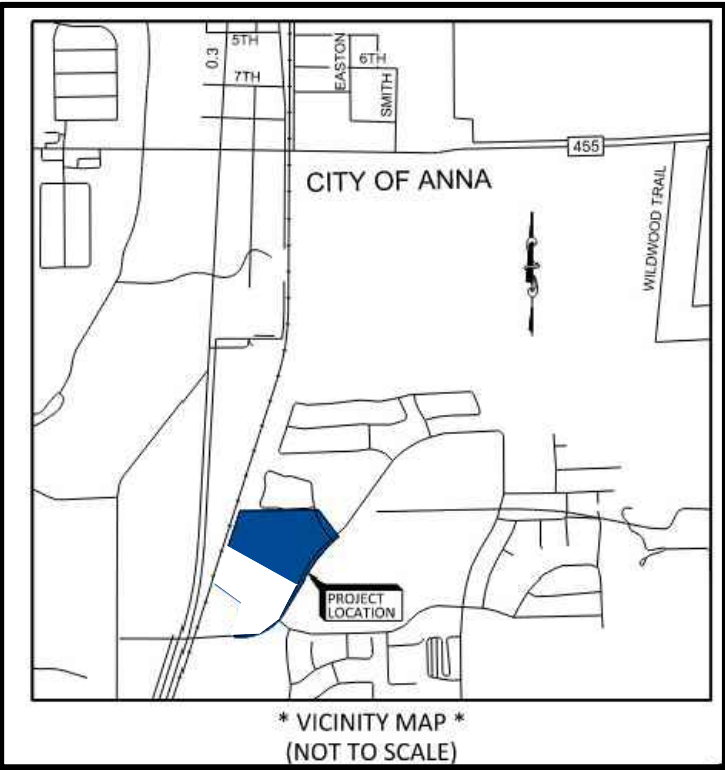
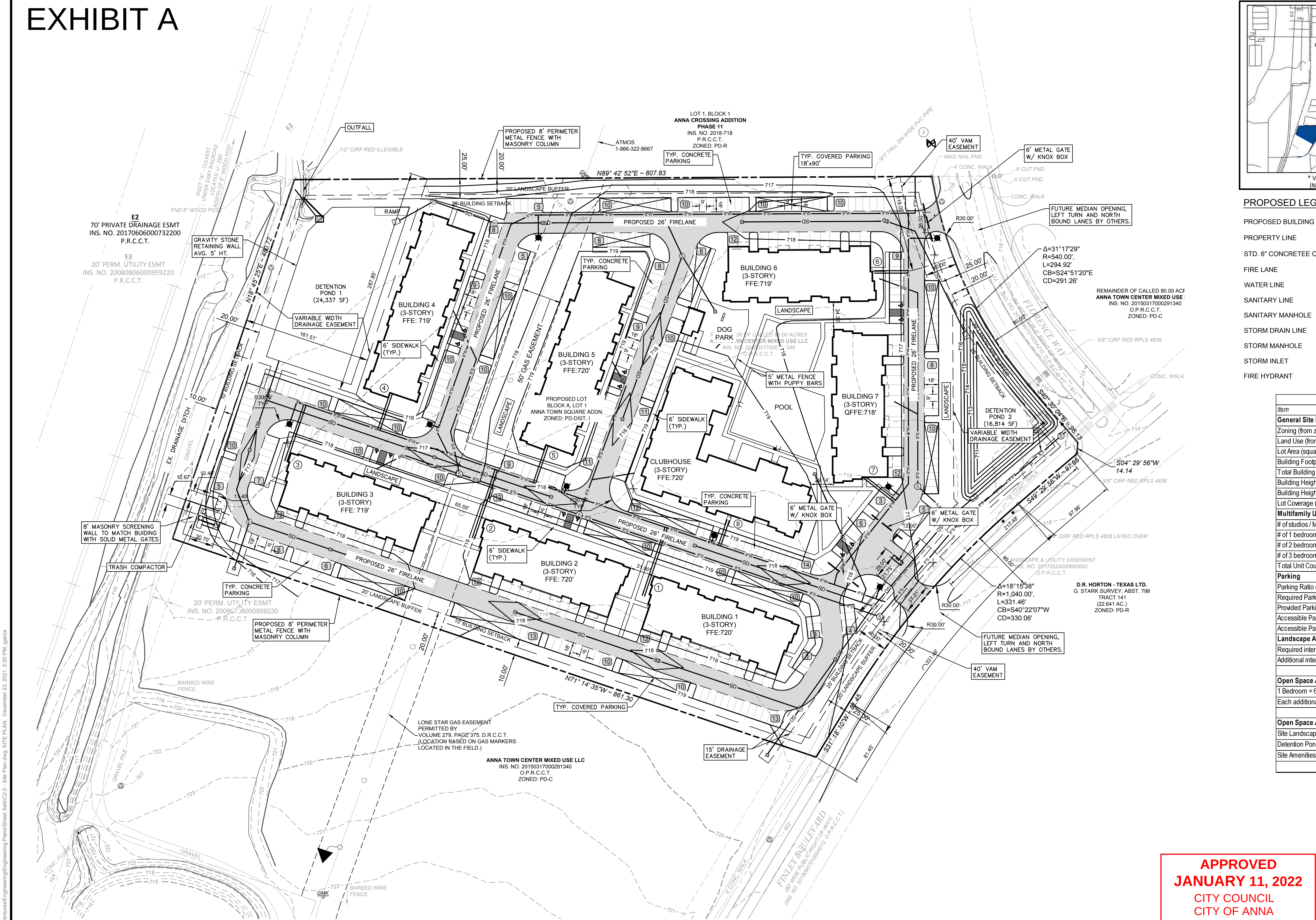
ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike

EXHIBIT A



PROPOSED LEGEND

PROPOSED BUILDING	
PROPERTY LINE	
STD. 6" CONCRETEE CURB	
FIRE LANE	
WATER LINE	
SANITARY LINE	
SANITARY MANHOLE	
STORM DRAIN LINE	
STORM MANHOLE	
STORM INLET	
FIRE HYDRANT	

WATER METER SCHEDULE		
NO.	METER	BUILDING NO.
1	2"	1
2	2"	2
3	2"	3
4	3"	4
5	3"	5
6	2"	6
7	2"	7
8	3"	CLUBHOUSE

Anna Site Data Summary Table	
Item	Lot 1*
General Site Data	
Zoning (from zoning map)	PD - MF - 2
Land Use (from Zoning Ordinance)	MF-2
Lot Area (square feet & acres)	13.37 Ac (582,494 SF)
Building Footprint Area (square feet)	115,947 SF
Total Building Area (square feet)	346,323 SF
Building Height (# stories)	3 story
Building Height (feet - distance to tallest building element)	43'-0" to top of roofridge
Lot Coverage (percent - x.xx%)	19.90%
Multifamily Units	
# of studios / Minimum square feet	575 SF
# of 1 bedrooms / Minimum unit size	648 SF
# of 2 bedrooms / Minimum unit size	987 SF
# of 3 bedrooms / Minimum unit size	1,320 SF
Total Unit Count	280 units
Parking	
Parking Ratio (from Zoning Ordinance)	2 Spaces per Dwelling Unit
Required Parking (# spaces)	560
Provided Parking (# spaces)	545
Accessible Parking Required (# spaces)	12
Accessible Parking Provided (# spaces)	12
Landscape Area (including turf areas)	
Required internal landscape area (square feet - 8 square feet per parking)	3,480 SF
Additional interior landscape area provided (square feet)	5,000 +
Total Landscape Area (square feet)	8480 SF
Open Space Area Required	
1 Bedroom = 600 SF Open Space	93,000 SF
Each additional bedroom over 1 Bedroom = 300 SF Open Space	37,800 SF
Total Open Space Required	130,800 SF
Open Space Area Provided	
Site Landscape	93,384 SF
Detention Pond Area	41,151 SF
Site Amenities	47,622 SF
Total Open Space Provided	141,006 SF

APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

REVISION	DESCRIPTION	DATE

SITE PLAN

ANNA TOWN SQUARE ADDITION
LOT 1, BLOCK A
13.37 ACRES
GRANDERSON STARK SURVEY, ABST. 798
CITY OF ANNA, COLLIN COUNTY, TX 75409

Bowman

© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

5601 Democracy Drive,
Suite 205
Plano, Texas 75024
Phone: (972) 497-2990
Fax: (512) 327-4062
www.bowman.com

DESIGN	DRAWN	CHKD	DATE:	JOB No.	SHEET
RS	JG	RS	12/21/2021	070416-01-001	C1

811

Know what's below.
Call before you dig. PRELIMINARY NOT FOR CONSTRUCTION

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

- ENGINEER**

BOWMAN CONSULTING GROUP, LTD
8201 Preston Road, Suite 700B
Dallas, Texas 75225
[Phone] 972.497.2993
Contact: Ryan Safford, P.E.
- DEVELOPER**

CLX VENTURES
300 Crescent Court
Dallas, TX 75201
[Phone] 972.690.7474
Contact: Todd Finley
- LANDSCAPE ARCHITECT**

MECKS DESIGN GROUP, INC
1755 N. Collins Blvd., Suite 300
Richardson, Texas 75001
[Phone] 972.690.7474
Contact: Herb Meeks
- ARCHITECT**

GSR ANDRADE
4121 Commerce St., Suite #1
Dallas, Texas 75226
[Phone] 214.824.7040
Contact: Welly Supangat
- OWNER**

ANNA TOWN CENTER MIXED USE, LLC
8214 Westchester Dr., Suite 710
Dallas, Texas 75225
[Phone] 214.522.4945
Contact: John Arnold

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW, MARK-UP, AND/OR DRAFTING UNDER THE AUTHORITY OF RYAN C. SAFFORD, P.E. ON DECEMBER 23, 2021. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.



Item No. 6.I.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Approve a Resolution regarding the Foster Crossing Addition, Block A, Lot 1, Preliminary Plat. (Director of Development Services Ross Altobelli)

SUMMARY:

Multiple-family residences on one lot on 8.3± acres located at the northeast corner of Vail Lane and E. Foster Crossing Road. Zoned: Planned Development-Multiple-Family – High Density (PD-MF-2).

The purpose for the preliminary plat is to propose lot and block boundaries and easements necessary for the creation of the multiple-family residential development.

The Planning & Zoning Commission recommended approval.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Recommended for approval.

ATTACHMENTS:

1. Location Map
2. RESOLUTION (PP) Foster Crossing Addition, Block A, Lot 1
3. Exhibit A (STAMPED) (PP) Foster Crossing Addn BL A Lt 1

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/5/2022

Foster Crossing Addition, Block A, Lot 1



CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING FOSTER CROSSING ADDITION, BLOCK A, LOT 1, PRELIMINARY PLAT

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 9.02 ("Subdivision Regulations") and Article 9.04 ("Zoning Ordinance") of the Anna City Code of Ordinances; and

WHEREAS, Sam Franklin, Manager, East Foster LLC has submitted an application for approval of the Foster Crossing Addition, Block A, Lot 1, Preliminary Plat; and

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 Preliminary Plat

The City Council hereby approves the Foster Crossing Addition, Block A, Lot 1, Preliminary Plat attached hereto as Exhibit A subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

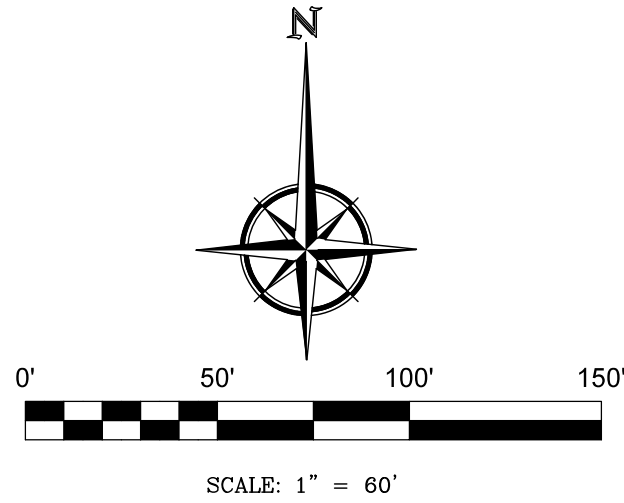
PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January, 2022.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike



AREA NOTE:

The area (acres) shown hereon is based on the mathematical closure of the courses and distances reflected on this Survey. It does not include the tolerances that may be present due to positional accuracy of the boundary monuments in place.

REFERENCE BEARING NOTE:

The bearings shown hereon are geodetic derived from GPS observations and measurements utilizing the Topcon TopNET RTK Network, NAD83, Texas State Plane Coordinates, North Central Zone (4202).

FLOOD ZONE NOTE:

This Surveyor has reviewed Flood Insurance Rate Map No. 4806C0160J (effective date June 2, 2009) published by the Federal Emergency Management Administration for Collin County, Texas and based upon said scaled map and graphic plotting, such review revealed that the subject parcel lies within "ZONE X" (Un-Shaded) and is outside of the 100 Year Flood Plain and is determined to be outside the 0.2% annual chance floodplain.

MONUMENT NOTE:

All lot corner monuments are 1/2 inch diameter rebar, two feet long topped with a red plastic cap, stamped "RPLS 4701", unless otherwise noted.

PLAT NOTE:

Selling a portion of this addition by metes and bounds is a violation of City Subdivision Ordinance and State platting statutes and is subject to fines and withholding of utilities and building certificate.

VAM EASEMENT NOTE:

The area or areas shown on the plat as "VAM" (Visibility, Access, and Maintenance) easement(s) are hereby given and granted to the city, its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM easement. The city shall have the right, but not the obligation, to maintain any and all landscaping within the VAM easement. Should the city exercise this maintenance right, it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, and fixtures. The city may withdraw maintenance of the VAM easement at any time. The ultimate maintenance responsibility for the VAM easement shall rest with the owners. No building, fence, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM easement. The city shall also have the right, but not the obligation, to add any landscape improvements to the VAM easement, to erect any traffic control devices or signs on the VAM easement, and to remove any obstruction thereon. The city, its successors, assigns, or agents, shall have the right and privilege at all times to enter upon the VAM easement or any part thereof for the purposes and with all rights and privileges set forth herein.

ACCESS EASEMENT NOTE:

The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Anna, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRELANE EASEMENT:

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for Fire Department and emergency use.

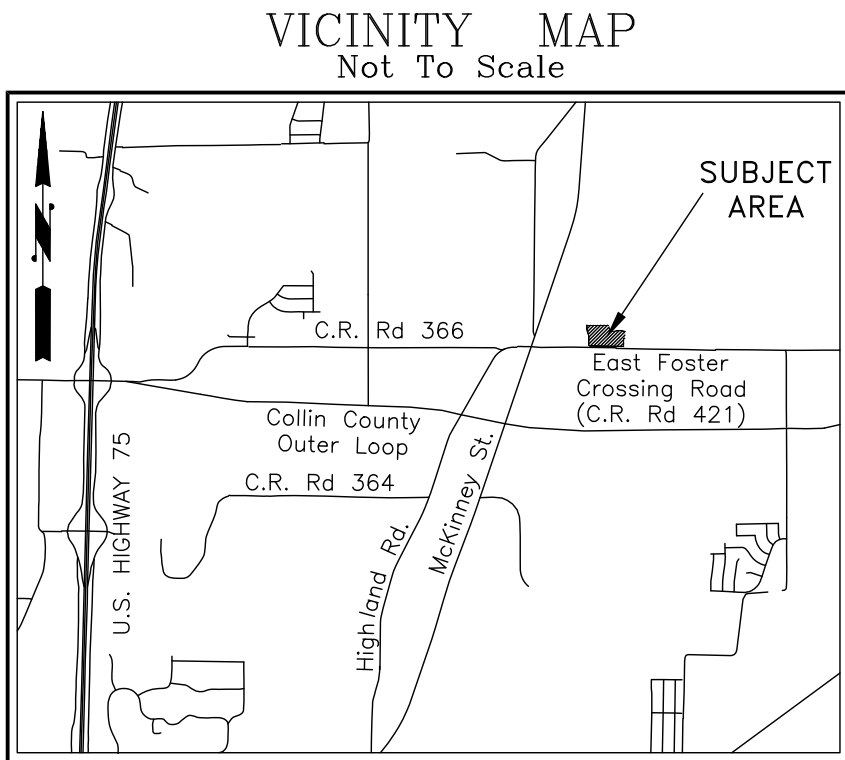
ABBREVIATIONS

Vol. = Volume
Pg. = Page
Doc. No. = Document Number
D.R.C.C.T. = Deed Records, Collin County, Texas
P.R.C.C.T. = Plat Records, Collin County, Texas
CMP = Corrugated Metal Pipe
CM = Controlling Monument
IRP = Iron Rod Found
CIRF = 5/8" Iron Rod Found with plastic cap Stamped "RPLS 4838"
ROW = Right-of-Way
(B.T.P.) = By this Plat
VAM = Visibility, Access and Maintenance Easement

DRAINAGE AND DETENTION EASEMENT

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF ANNA

This plat is hereby adopted by the Owners and approved by the City of Anna (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors: The portion of Block 1, as shown on the plat is called "Drainage and Detention Easement." The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement as hereinabove defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.



LEGEND

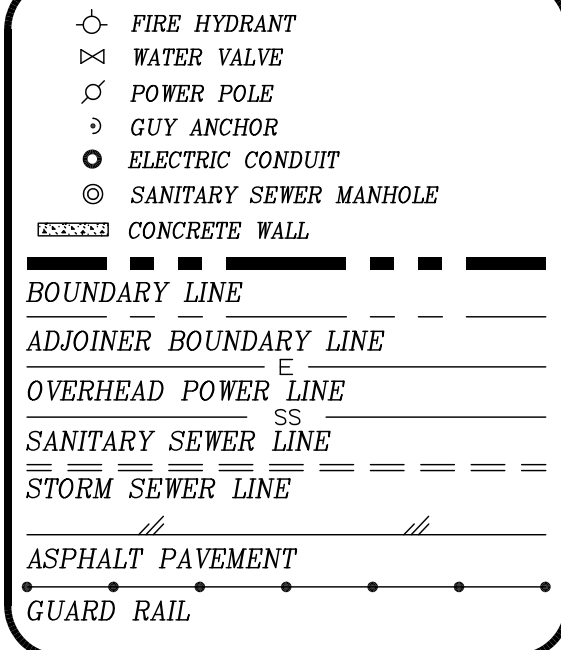
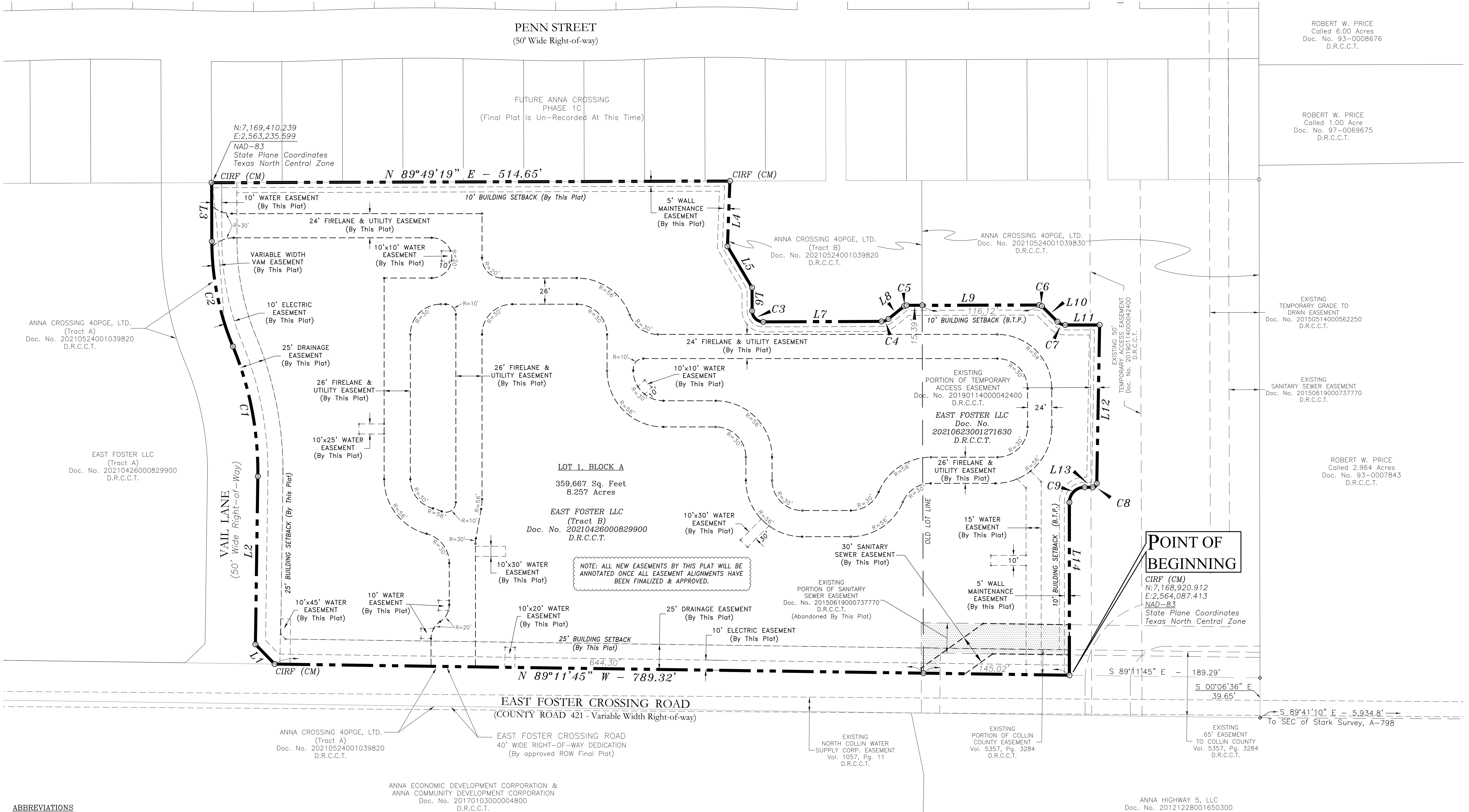


EXHIBIT A
1 OF 2

OWNER
EAST FOSTER LLC
Contact: Sam Franklin
1650 W. Virginia Street, Suite 212
McKinney, TX 75069
469-450-6269

SURVEYOR
RINGLEY & ASSOCIATES, INC.
701 S. Tennessee Street
McKinney, Texas 75069
LHR@Ringley.com
972-542-1266

RINGLEY & ASSOCIATES, INC.					
SURVEYING • MAPPING • PLANNING					
Texas Firm Registration No. 10061300 701 S. Tennessee • McKinney, Texas 75069 (972) 542-1266					
Drawn by	Date	Scale	Job	Title	Sheet
Mark Shook	12/06/21	1" = 50'	2021-045	2021-045-PP.DWG	1 of 2



APPROVED
JANUARY 11, 2022
CITY COUNCIL
CITY OF ANNA

APPROVED
JANUARY 3, 2022
P&Z COMMISSION
CITY OF ANNA

PRELIMINARY PLAT

FOSTER CROSSING ADDITION
LOT 1, BLOCK A
8.257 ACRES

situated in the
Granderson Stark Survey, Abstract No. 798
City of Anna, Collin County, Texas

Date of Preparation: 12/06/2021

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLN §

WHEREAS, EAST FOSTER LLC is the owner of that certain tract of land situated in the City of Anna, in the Granderson Stark Survey, Abstract No. 798 of Collin County, Texas and being all of that certain called 1.324 acre tract of land described in a Correction Special Warranty Deed to East Foster LLC., dated June 23, 2021 and recorded in Document No. 20210623001271630, Deed Records, Collin County, Texas (D.R.C.C.T.) and also being all of that certain called 6.932 acre tract of land described as "Tract B" in a Special Warranty Deed to East Foster LLC, dated April 13, 2021 and recorded in Document No. 20210426000829900, D.R.C.C.T. and the consolidation of the two said tracts being more particularly described by metes & bounds as follows:

BEGINNING at a 5/8 inch iron rod, topped with a plastic cap, stamped "RPLS 4838" (hereinafter referred to as "with cap"), found at the southeast corner of the above described 1.324 acre East Foster LLC tract and an inside ell corner for that certain called 2.762 acre tract of land described in a Special Warranty Deed to Anna Crossing 40PGE, Ltd., recorded in Document No. 20210524001039830, D.R.C.C.T. and said point being on the future north right-of-way line of E. Foster Crossing Road (formerly known as County Road 421 - variable width public right-of-way);

THENCE: North 89 deg. 11 min. 45 sec. West, along the future north right-of-way line of said E. Foster Crossing Road, at a distance of 145.03 feet, passing the southwest corner of said 1.324 acre tract and same being the southeast corner of the above described 6.932 acre East Foster LLC tract and continuing along the future north right-of-way line of E. Foster Crossing Road and the south line of said 6.932 acre tract for a total distance of 789.33 feet to a 5/8 inch iron rod with cap, found for the southwest corner of said 6.932 acre tract, at the intersection of the future north right-of-way line of E. Foster Crossing Road and the future east right-of-way line of Vail Lane (proposed 50' wide public right-of-way);

THENCE: Departing from the future north right-of-way of E. Foster Crossing Road, along the west line of said 6.932 acre tract and the future east right-of-way line of Vale Lane as follows:

North 44 deg. 11 min. 45 sec. West, a distance of 27.38 feet to a point for corner;

North 00 deg. 48 min. 56 sec. East, a distance of 166.85 feet to a point for corner at the beginning of a curve to the left, having a radius of 325.00 feet, a central angle of 23 deg. 19 min. 32 sec. and a chord that bears North 10 deg. 50 min. 50 sec. West - 131.40 feet;

Northwesterly, along said curve to the left, an arc distance of 132.31 feet to a point for corner at the end of said curve and the beginning of a reverse curve to the right, having a radius of 275.00 feet, a central angle of 22 deg. 19 min. 55 sec. and a chord that bears North 11 deg. 20 min. 38 sec. West - 106.51 feet;

Northwesterly, along said curve to the right, an arc distance of 107.19 feet to a point for corner at the end of said curve;

North 00 deg. 10 min. 41 sec. West, a distance of 58.30 feet to a 5/8 inch iron rod with cap, found for the northwest corner of said 6.932 acre tract, on the south line of that certain called 19.882 acre tract of land described in a Special Warranty Deed With Vendor's Lien to Anna Crossing 40PGE, Ltd, recorded in Document No. 20190114000044870, D.R.C.C.T.;

THENCE: North 89 deg. 49 min. 19 sec. East, departing from the future east right-of-way line of Vail Lane, along the common line of said 6.932 acre tract and said 19.882 acre Anna Crossing 40PGE tract, a distance of 514.65 feet to a 5/8 inch iron rod with cap, found for the most northerly northeast corner of said 6.932 acre tract and same being the northwest corner of that certain called 0.578 acre tract of land described as "Tract B" in a Special Warranty Deed to Anna Crossing 40PGE, Ltd, recorded in Document No. 20210524001039820, D.R.C.C.T.;

THENCE: Departing from the south line of said 19.882 acre Anna Crossing 40PGE tract, along the common line of said 6.932 acre tract and said 0.578 acre Anna Crossing 40 PGE tract as follows:

South 02 deg. 07 min. 59 sec. West, a distance of 64.76 feet to a point for an angle corner;

South 30 deg. 39 min. 41 sec. East, a distance of 47.85 feet to a point for an angle corner;

South 00 deg. 14 min. 58 sec. East, a distance of 23.04 feet to a point for corner at the beginning of a curve to the left, having a radius of 11.00 feet, a central angle of 89 deg. 57 min. 12 sec. and a chord that bears South 45 deg. 13 min. 48 sec. East - 15.55 feet;

Southeasterly, along said curve to the left, an arc distance of 17.27 feet to a point for corner at the end of said curve;

North 89 deg. 47 min. 21 sec. East, a distance of 117.40 feet to a point for corner at the beginning of a curve to the left, having a radius of 11.00 feet, a central angle of 38 deg. 48 min. 49 sec. and a chord that bears North 70 deg. 22 min. 50 sec. East - 7.31 feet;

Northeasterly, along said curve to the left, an arc distance of 7.45 feet to a point for corner at the end of said curve;

North 50 deg. 58 min. 19 sec. East, a distance of 20.10 feet to a point for corner at the beginning of a curve to the right, having a radius of 4.00 feet, a central angle of 38 deg. 50 min. 28 sec. and a chord that bears North 70 deg. 25 min. 33 sec. East - 2.66 feet;

Northeasterly, along said curve to the right, an arc distance of 2.71 feet to a point for corner:

THENCE: North 89 deg. 52 min. 47 sec. East, at a distance of 15.39 feet, passing the southeast corner of said 0.578 acre tract and same being the northerly southwest corner of the above described 2.762 acre Anna Crossing 40PGE, Ltd. tract and the northwest corner of the above described 1.324 acre East Foster LLC tract and continuing along the common line of said 1.324 acre tract and said 2.762 acre tract for a total distance of 131.51 feet to a point for corner at the beginning of a curve to the right, having a radius of 4.00 feet, a central angle of 44 deg. 58 min. 38 sec. and a chord that bears South 67 deg. 37 min. 54 sec. East - 3.06 feet;

THENCE: Continuing along the common line of said 1.324 acre East Foster LLC tract and said 2.762 acre Anna Crossing 40PGE Ltd. tract as follows:

Southeasterly, along said curve to the right, an arc distance of 3.14 feet to a point for corner at the end of said curve;

South 45 deg. 04 min. 23 sec. East, a distance of 21.74 feet to a point for corner at the beginning of a curve to the left, having a radius of 11.00 feet, a central angle of 44 deg. 56 min. 57 sec. and a chord that bears South 67 deg. 32 min. 18 sec. East - 8.41 feet;

Southeasterly, along said curve to the left, an arc distance of 8.63 feet to a point for corner at the end of said curve;

North 89 deg. 59 min. 46 sec. East, a distance of 34.13 feet to a point for the northeast corner of this tract;

South 01 deg. 02 min. 28 sec. West, a distance of 157.49 feet to a point for corner at the beginning of a curve to the right, having a radius of 4.00 feet, a central angle of 89 deg. 51 min. 40 sec. and a chord that bears South 45 deg. 56 min. 07 sec. West - 5.65 feet;

Southwesterly, along said curve to the right, an arc distance of 6.27 feet to a point for corner at the end of said curve;

North 89 deg. 10 min. 14 sec. West, a distance of 7.92 feet to a point for corner at the beginning of a curve to the left, having a radius of 15.00 feet, a central angle of 90 deg. 51 min. 01 sec. and a chord that bears South 45 deg. 24 min. 20 sec. West - 21.37 feet;

Southwesterly, along said curve to the left, an arc distance of 23.78 feet to a point for corner at the end of said curve;

South 00 deg. 01 min. 06 sec. East, a distance of 171.75 feet to the POINT OF BEGINNING and containing 359,667 square feet or 8.257 acres of land.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF COLLN §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, **EAST FOSTER LLC**, acting herein by and through it's duly authorized officers, does hereby adopt this plat designating the hereinabove described property as **FOSTER CROSSING ADDITION, LOT 1, BLOCK A**, an addition to the City of Anna, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Anna. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Anna's use thereof. The City of Anna and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Anna and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

WITNESS MY HAND in COLLIN COUNTY, TEXAS, this the _____ day of _____, 2021.

SAM FRANKLIN, Manager
East Foster LLC

STATE OF TEXAS §
COUNTY OF COLLN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared **SAM FRANKLIN**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public, State of Texas

SURVEYORS' CERTIFICATE

That I, **Lawrence H. Ringley**, do hereby certify that I have prepared this plat and the field notes shown hereon from an on the ground survey of the land, and this plat is a true, correct and accurate representation of the physical evidence found at the time of the survey; that the corner monuments shown hereon were found and/or placed under my personal supervision. This plat was prepared in accordance with the platting rules and regulations of the City of Anna, Texas.

DATED this the _____ day of _____, 2021.

PRELIMINARY PLAT

RELEASED 12/22/21 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Lawrence H. Ringley, R.P.L.S.
State of Texas, No. 4701

STATE OF TEXAS §
COUNTY OF COLLN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared **LAWRENCE H. RINGLEY**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public, State of Texas

Approved on this the _____ day of _____, 2021, by the City Council,
City of Anna, Texas.

Mayor, City of Anna, Texas

City Secretary, City of Anna, Texas

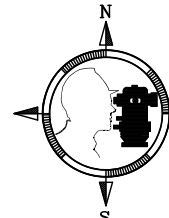
AREA FOR CITY STAMP

APPROVED JANUARY 11, 2022 CITY COUNCIL CITY OF ANNA	APPROVED JANUARY 3, 2022 P&Z COMMISSION CITY OF ANNA
--	---

PRELIMINARY PLAT

FOSTER CROSSING ADDITION
LOT 1, BLOCK A
8.257 ACRES
situated in the
Granderson Stark Survey, Abstract No. 798
City of Anna, Collin County, Texas

Date of Preparation: 12/06/2021



RINGLEY & ASSOCIATES, INC.

SURVEYING • MAPPING • PLANNING
Texas Firm Registration No. 10061300
701 S. Tennessee - McKinney, Texas 75069
(972) 542-1266

Drawn by	Date	Scale	Job	Title	Sheet
Mark Shook	12/06/21	N.T.S.	2021-045	2021-045-PP.DWG	1 of 2

EXHIBIT A
2 OF 2

OWNER

EAST FOSTER LLC
Contact: Sam Franklin
1650 W. Virginia Street, Suite 212
McKinney, TX 75069
469-450-6269

SURVEYOR

RINGLEY & ASSOCIATES, INC.
701 S. Tennessee Street
McKinney, Texas 75069
LHR@Ringley.com
972-542-1266

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The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Anna, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRELANE EASEMENT:

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for Fire Department and emergency use.

DRAINAGE AND DETENTION EASEMENT

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF ANNA

This plat is hereby adopted by the Owners and approved by the City of Anna (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors:
The portion of Block 1, as shown on the plat is called "Drainage and Detention Easement." The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement as hereinabove defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.



Item No. 7.a.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

Development Agreement – Avery Pointe Commercial, Block A, Lot 3 (Director of Development Services Ross Altobelli)

Approve a Resolution entering into a development agreement with Anna 455 Commercial, LLC to establish development and design regulations for a self-storage facility development on 4.0± acres located on the east side of S. Ferguson Parkway, 323± feet north of W. White Street.

SUMMARY:

The intent of the development agreement is to ensure the use of high quality, durable materials for nonresidential and residential development within the city 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:

N/A

STRATEGIC CONNECTIONS:

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

Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Staff recommends approving a Resolution entering into a Development Agreement subject to approval of the Specific Use Permit (SUP) request to allow self-storage, mini-warehouse on Avery Pointe Commercial, Block A, Lot 3. If the SUP is not approved, the Development Agreement is null and void.

ATTACHMENTS:

1. Resolution - DA (Avery Pointe Commercial, Bl A, Lt 3, self-storage, mini-warehouse)
2. Development Agreement (Avery Pointe Lot 3, Block A) (self storage, mini-warehouse bldg materials)

APPROVALS:

Ross Altobelli, Director of Development Services
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Approved - 1/5/2022
Final Approval - 1/7/2022

CITY OF ANNA, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH Q SEMINOLE ANNA TOWN CENTER, L.P., RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR SELF STORAGE, MINI-WAREHOUSE DEVELOPMENT LOCATED ON THE EAST SIDE OF THROCKMORTON BOULEVARD, 38± FEET SOUTH OF HACKBERRY DRIVE.

WHEREAS, Anna 455 Commercial, LP, is the Property Owners of real estate generally located on the east side of Ferguson Parkway, 315± feet north of W. White Street; and

WHEREAS, Property Owners desire to rezone the subject property to allow self-storage, mini-warehouse; and

WHEREAS, Property Owner has agreed to development and design regulations should the City approve granting a Specific Use Permit for 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 455 Commercial, LP, attached hereto as Exhibit A, 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 11th day of January 2022.

ATTESTED:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor

DEVELOPMENT AGREEMENT

This Development Agreement (this "**Agreement**") is entered effective as of January 11, 2022 ("**Effective Date**") between and among the City of Anna, Texas, a Texas home-rule municipality ("**City**") and Anna 455 Commercial, LP, a Texas limited partnership ("**Property Owner**") as follows:

RECITALS

WHEREAS, the Property Owner is the sole owner of 3.961 acres of real property described on Exhibit 1 and identified as Lot 3 and depicted on Exhibit 2 (the "**Property**"); and,

WHEREAS, the Property is presently under contract (the "**Contract**") to be sold by the Property Owner and purchased by The Davis Group or it's permitted assigns (the "**Developer**"); and,

WHEREAS, Property Owner has, at the request of Developer, applied to rezone the Property to allow for a self-storage, mini-warehouse by Specific Use Permit and to modify existing 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 being rezoned, the City and Property Owner desire to enter into a development agreement to establish development and design regulations to ensure that future self-storage, mini-warehouse development is appropriate for the area and fits in well with adjacent 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 development 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 development agreement and said recitals constitute representations by Property Owner, Developer, and the City.

SECTION 2. DEVELOPMENT STANDARDS / BUILDING MATERIALS.

Development and use of the Property, including, without limitation, the construction, installation, maintenance, repair, and replacement of all buildings and all other improvements and facilities of any kind whatsoever on and within the Property, shall be in compliance with City Regulations unless expressly stated to the contrary in this Agreement. City Regulations shall apply to the development and use of the Property unless expressly set forth to the contrary in this Agreement. It is expressly understood and the Parties agree that City Regulations applicable to the Property and its use and development include but are not limited to City Code provisions, ordinances, design standards, uniform codes, zoning regulations not affected by this Agreement, and other policies duly adopted by the City including without limitation any such regulations or requirements that were affected by the passage of Texas H.B. 2439, 86(R), codified as Chapter 3000 of the Texas Government Code ("Materials and Methods Regulations"), which are collectively incorporated herein as if set forth in full for all purposes; provided, however, to the extent of any conflict between the requirements of Materials and Methods Regulations and the requirements of this Agreement, this Agreement shall control. For purposes of this Agreement, "City Regulations" mean the City's applicable development regulations in effect on the Effective Date, including without limitation City Code provisions, ordinances (including, without limitation, all development fees), design standards, and other policies duly adopted by the City; provided, however, that as it relates to public infrastructure for any given phase of the Project, the applicable construction standards (including, without limitation, uniform building codes) shall be those that the City has duly adopted at the time of the filing of an application for a preliminary plat for that phase unless construction has not commenced within two years of approval of such preliminary plat in which case the construction standards shall be those that the City has duly adopted at the time that construction commences.

With respect to all structures/development on Avery Pointe Commercial, Block A, Lot 3 within the Planned Development Zoning District, Property Owner agrees any construction on the Property shall be required to comply with 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, which are incorporated herein as if set forth in full for all purposes, and with the following standards (in the event of any conflict, the following listed standards shall govern).

Self-Storage, Mini-Warehouse Buildings

- A. Each building façade facing the right of way may not exceed a length of 100 feet without a break in the façade of a minimum depth of 2 feet for a minimum length of 10 feet.

Property Owner. 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 the rezoning of the Property to allow for a Specific Use Permit for self-storage, mini-warehouse, as set forth in the existing zoning (Ordinance No. 179-2005 as modified by Ord. No. 226-2005 and 709-2015). The parties acknowledge and agree that the rezoning of the Property is a legislative act and that this Agreement does not bind the City Council to approve any proposed rezoning of the Property.

SECTION 5. CLOSING.

The Contract currently provides that the closing and funding of the sale of the Property shall occur on March 17, 2022, unless otherwise extended or amended by the parties to the Contract (the “**Closing**”). Notwithstanding anything to the contrary herein, upon Closing and funding of the sale of the Property, Developer or its successors or assigns (each, a “**Subsequent Property Owner**”) shall fully assume all of Property Owner’s rights and obligations under this Agreement, and Property Owner, its successors and assigns, shall be fully and completely released from this Agreement for all purposes, including, but not limited to, the provisions of Section 2, Section 6.B, and Section 8, without the necessity of additional notice from or action by any Party. Nothing in this Section 5 shall serve to release any subsequent owners of the Property from the terms, conditions and obligations in this Agreement.

If Closing does not occur and the Contract is terminated, the City agrees to reasonably cooperate with Property Owner to modify the terms and conditions of this Agreement to accommodate any subsequent purchaser(s) and/or alternative use(s) of the Property.

SECTION 6. DEFAULT.

If Property Owner, its heirs, successors or assigns or subsequent owners of the Property, including but not limited to a Subsequent Property Owner (each, a “**Defaulting Owner**”), fail 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 or withholding or revocation of permits and other approvals required for development and use of the portion of the Property that is the subject of the default (but no other portions of the Property) including without limitation building permits and certificates of occupancy.
- B. Any Defaulting Owner, or its heirs, successors or assigns, or subsequent owners of the Property (collectively, the “**Defaulting Developer Parties**”) shall be 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 3 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. In the event of a breach that is not timely cured as set forth below, 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 notices as to subsequent dates or times during which such breach is repeated or continues to occur

- C. The non-defaulting party will additionally have any and all remedies available to it at equity or in law.

Notwithstanding the foregoing, a Defaulting Owner shall not be liable for the remedies under this Section 5 unless there is a breach of any material term or condition of this Agreement and such breach remains uncured after forty-five (45) 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 forty-five (45) 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 unless agreed to in writing by the parties to this Agreement).

SECTION 7. BINDING ON SUCCESSORS, AGREEMENT RUNS WITH THE LAND.

Except as otherwise provided for herein, 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 Property Owners.

SECTION 8. INDEMNIFICATION AND HOLD HARMLESS.

THE PROPERTY OWNER, INCLUDING ITS SUCCESSORS AND ASSIGNS (THE "INDEMNIFYING PARTY"), HEREBY COVENANTS AND AGREES TO RELEASE, DEFEND, HOLD HARMLESS, AND INDEMNIFY THE CITY AND ITS OFFICIALS, OFFICERS, AGENTS, SERVANTS AND EMPLOYEES, FROM AND AGAINST ALL THIRD-PARTY CLAIMS, SUITS, JUDGMENTS, DAMAGES, AND DEMANDS AGAINST THE CITY, WHETHER REAL OR ASSERTED INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEY'S FEES, RELATED EXPENSES, EXPERT WITNESS FEES, CONSULTANT FEES, AND OTHER COSTS (TOGETHER, "CLAIMS"), ARISING OUT OF THE

NEGLIGENCE OR OTHER WRONGFUL CONDUCT OF THE INDEMNIFYING PARTY, INCLUDING THE NEGLIGENCE OR OTHER WRONGFUL CONDUCT OF ANY OF ITS 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 PARTY 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 THE INDEMNIFYING PARTY AND THE CITY, THE INDEMNIFYING PARTY'S INDEMNITY OBLIGATION WILL BE LIMITED TO A FRACTION OF THE TOTAL CLAIMS EQUIVALENT TO THE INDEMNIFYING PARTY'S OWN PERCENTAGE OF RESPONSIBILITY. THE INDEMNIFYING PARTY FURTHER COVENANTS AND AGREES TO RELEASE, DEFEND, HOLD HARMLESS, AND INDEMNIFY, THE CITY AGAINST ANY AND ALL CLAIMS BY ANY PERSON CLAIMING AN OWNERSHIP INTEREST IN THE PROPERTY AS OF THE DATE HEREOF 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 7 will survive the termination of this Agreement.

SECTION 9. RECORDATION.

Property Owner at its sole cost will record this document, including all the Exhibits, on or after one (1) business day after Closing and funding of the Contract, and immediately provide a recorded copy to the City.

SECTION 10. ENTIRE AGREEMENT.

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

hereto.

SECTION 11. RECITALS AND EXHIBITS.

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

SECTION 12. AUTHORITY.

Property Owner represents and warrants to the City that the Property Owner owns the Property that this Agreement is binding and enforceable on the Property.

SECTION 13. INVALID PROVISIONS.

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

SECTION 14. ESTOPPEL.

On or before 15 days after receipt of a written request from an owner of the Property that desires to transfer its interest in the Property or borrow money secured by a mortgage or deed of trust against the Property or a prospective transferee of an owner's interest or an existing or prospective mortgagee, the City will execute and deliver an estoppel certificate stating if, to the actual knowledge of the City executing the certificate, (i) the transferring or borrowing owner is in default under this Agreement after notice from the City executing the certificate and expiration of any applicable grace period; and (ii) this Agreement is in full force and effect and whether there are any amendments thereto.

SECTION 14. EFFECTIVE DATE.

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

[signature page follows]

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 January, 2022, 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 455 COMMERCIAL, LP,
a Texas limited partnership

By: Anna 455 Commercial GP, LLC,
a Texas limited liability company,
General Partner

By: _____
Craig Curry, Manager

IN WITNESS WHEREOF:
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned notary public, on the ____ day of January, 2022, appeared Craig Curry, known to me (or proved to me) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me and verified under oath that he/she executed the same in his/her capacity as Manager of Anna 455 Commercial GP, LLC, a Texas limited liability company, General Partner of Anna 455 Commercial, LP, a Texas limited partnership.

Notary Public, State of Texas

EXHIBIT "1"
PROPERTY DESCRIPTION

WHEREAS Anna 455 Commercial, LP is the owner of a tract of land situated in the F. Duffau Survey, Abstract No. 288, City of Anna, Collin County, Texas, being a portion of Lot 1R, Block A, Avery Pointe Commercial Addition, an addition recorded in Cabinet 2021, Page 321 of the Plat Records, Collin County, Texas (PRCCT), with the subject tract being more particularly described as follows:

BEGINNING at the southwest corner of the subject tract, and also being in the east line of Ferguson Parkway, a 120 foot right-of-way;

THENCE along the east line of Ferguson Parkway, the following:

N 06°12'36" E, 261.51 feet;

THENCE around a tangent curve to the left having a central angle of 04°14'59", a radius of 1660.00 feet, a chord of N 04°05'07" E - 123.09 feet, an arc length of 123.12 feet;

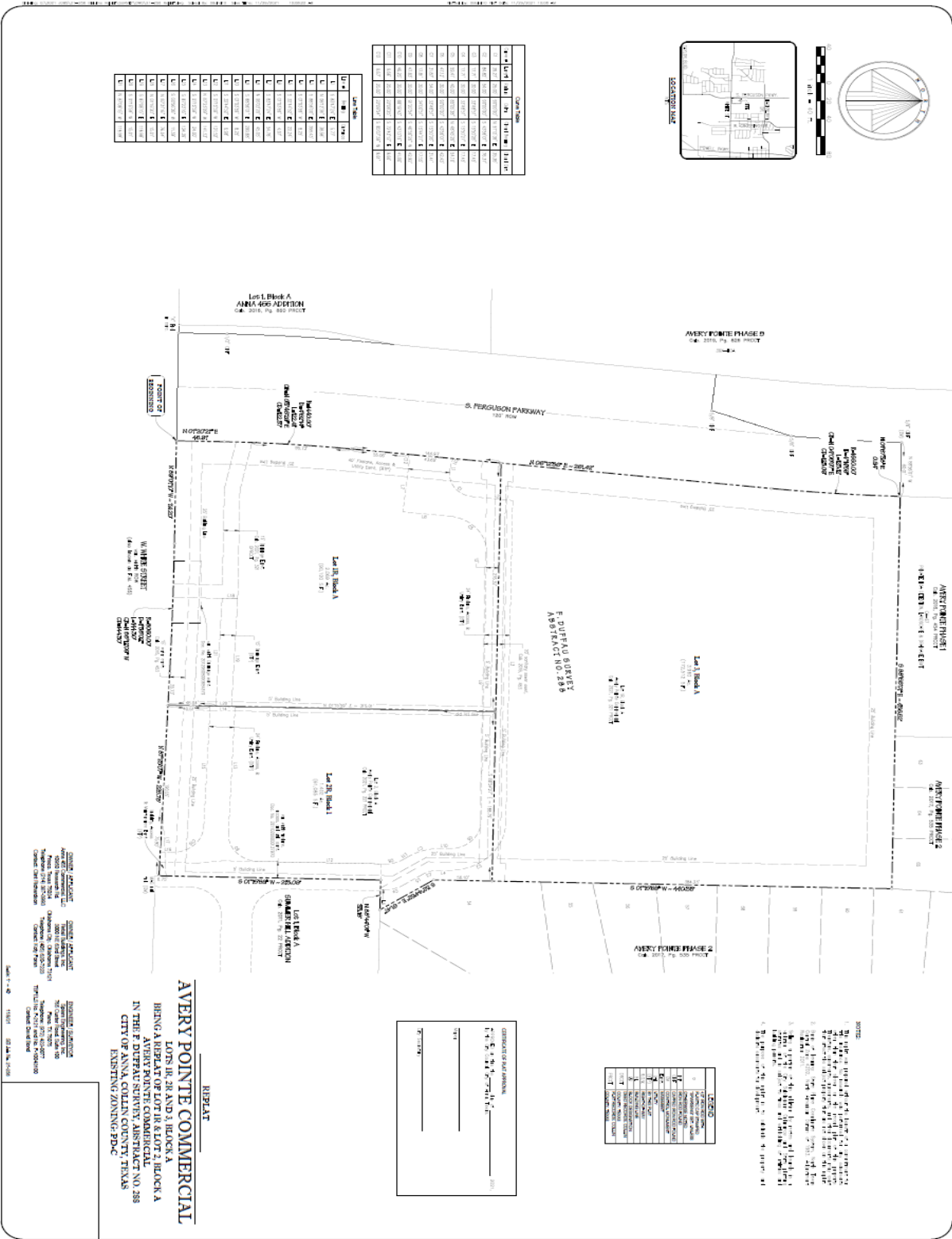
N 01°57'38" E, 0.94 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the southwest corner of Lot CA-67, Avery Pointe Phase 1, an addition recorded in Cabinet 2016, Page 454 PRCCT, and from which a 5/8" iron rod with plastic cap found for the northwest corner of the right-of-way dedication created by said Ferguson Parkway plat bears N 88°56'01" W, 60.01 feet;

THENCE S 88°56'01" E, along the south line of Lot CA-67, passing the southeast corner thereof and the upper southwest corner of Avery Pointe Phase 2, an addition recorded in Cabinet 2017, Page 535 PRCCT, and continuing along a south line thereof a total distance of 436.52 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 01°15'59" W, 384.32 feet along the lower west line of Avery Pointe Phase 2 to the southeast corner of the parent tract;

THENCE N 88°56'01" W, 276.58 feet to the POINT OF BEGINNING with the subject tract containing 172,555 square feet or 3.961 acres of land.

EXHIBIT "2"
DEPICTION OF THE PROPERTY





Item No. 7.b.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Ross Altobelli

AGENDA ITEM:

A) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a request to amend the zoning on 6.0± acres located on the north side of W. White Street, 293± feet east of S. Ferguson Parkway to allow mini-warehouse by Specific Use Permit with modified parking standards on Lot 3 and to reduce the existing 15-foot Residential Buffering standard to 10-feet on Lot 2R. Zoned: Planned Development-General Commercial (PD-C-2) (Ord. Nos. 709-2015, 226-2005, and 179-2005). (Director of Development Services Ross Altobelli)

B) Consider/Discuss/Action on a Resolution regarding the Avery Point Commercial, Block A, Lot 3, Concept Plan.

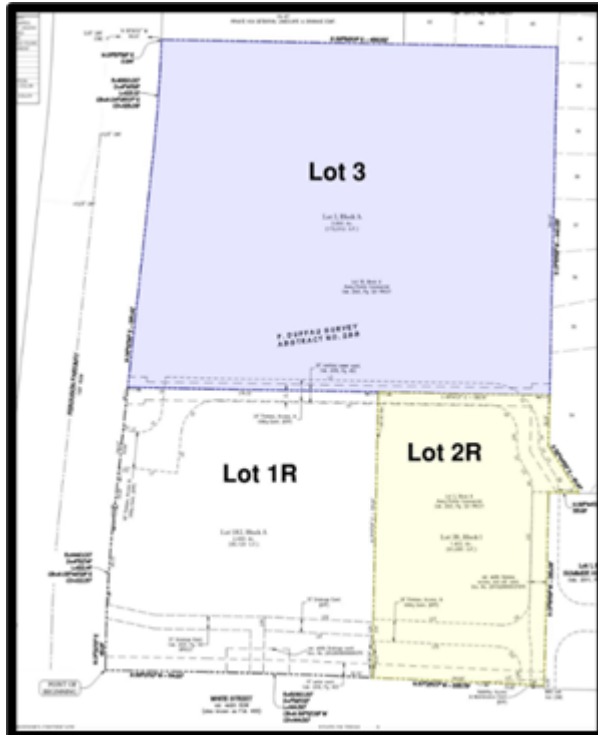
C) Consider/Discuss/Action on a Resolution regarding the Avery Point Commercial, Block A, Lot 2R, Site Plan.

SUMMARY:

The zoning associated with Ordinance No. 179-2005 established the commercial zoning along the north side of W. White Street as well as the residential zoning for the Avery Pointe Subdivision. The commercial zoning regulations were amended in 2015 to modify setbacks, lot width, and lot coverage.

The request before the Council is specific to Lots 2R & 3 and is specific to 3 items;

1. Reduce the residential landscape buffering requirement on Lot 2R from 15 feet to 10 feet along the residential property line;
2. Granting a specific use permit for self-storage, mini-warehouse facility on Lot 3; and
3. Modifying development standards for self-storage, mini-warehouse land use to include;
 - o Reduced building height adjacent to residential homes
 - o Reduced parking for self-storage, mini-warehouse.
 - o Hours of operation
 - o Requirements for solid waste collection
 - o Prohibit outside storage



ISSUES:

Item # 1: Reduce the residential landscape buffering on Lot 2R

The Planned Development zoning (Ordinance No. 179-2005) established a 15-foot landscape buffer between commercial uses and the single-family residential lots. Section 9.06.006 Minimum landscaping requirements states:

Whenever a nonresidential 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.

The applicant is requesting to reduce the landscape buffer only on Lot 2R to 10 feet. The applicant is requesting this modification due to the construction of an existing fire lane shared between Lot 2R and Kwik Kar (Summerhill Addition, Block A, Lot 1). Aligning with the existing fire lane would cut into the 15-foot landscape buffer.

Item #2 & 3: Self-storage, mini-warehouse with modified development standards on Lot 1R

Specific Use Permit

When the initial zoning was approved by City Council for the commercial tract, the

ordinance listed that the permitted uses would be the same as those permitted in the “C-2 General Commercial” zoning district. The ordinance went further and listed all permitted uses permitted in all commercial/retail areas. Self-storage, mini-warehouse was listed as a “Conditional Use”:

“Miniwarehouses – If approved by the Anna City Council as a Conditional Use per Section 6, Conditional Uses of the City of Anna Zoning Ordinance.”

Conditionals Uses, also known as specific use permits (SUP), is defined as:

“...any building, structure, and use which complies with the applicable regulations and standards governing conditional uses of the zoning district in which such building, structure, and use is located and for which a permit is granted.”

Subsection 9.04.036 Specific Use Permit (previously known as conditional uses) of the Zoning Ordinance establishes the procedures of a specific use permit and specifically states;

The designation of a specific use permit as possible in a given district does not constitute an authorization or an assurance that such use will be permitted. Rather, each specific use permit application shall be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate with regard to the health, safety and welfare of the general public.

Safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangement, location or construction of buildings, and uses and operation are items that can be conditioned when considering this type of permit.

Please review the staff report dated January 3, 2022 for additional information on

- Lighting
- Trash
- Open Storage
- Crime
- Traffic Impacts
- Parking

SUMMARY:

Request to amend zoning of 6.0± acres located on the north side of W. White Street, 293± feet east of S. Ferguson Parkway. Zoned Planned Development-General Commercial (PD-C-2) (Ord. No. 179-2005 as modified by Ord. No. 226-2005 & Ord. No. 709-2015)

As part of the zoning request the applicant has submitted a Concept Plan for the self-

storage and a Site Plan for the restaurant/grocery,

Lot 2R - Landscape buffer reduction request:

The applicant is requesting to reduce the required residential landscape buffering from 15 feet to 10 feet in order to align the proposed fire lane extension with the existing fire lane. If the property were not within a planned development, the restaurant/grocery store would be permitted with a 10-foot residential landscape buffer.

Lot 3 - SUP self-storage, mini-warehouse with modified development standards.

As part of the original Planned Development zoning the City Council approved self-storage, mini-warehouse as a conditional use. The specific use permit process gives City Council the ability to evaluate land use proposals on a case-by-case basis to ensure that safeguards are in place prior to construction. Specific use permit application shall be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate with regard to the health, safety and welfare of the general public. The applicant is proposing certain safeguards and conditions to address residential adjacency concerns to include

- a. Hours of operation: 6:00 a.m. to 10:00 p.m.
- b. Prohibiting outside storage.
- c. Two-story buildings must be setback 160 feet from the eastern property boundary.
- d. Trash receptacles shall be interior to a building.

RECOMMENDATION:

A) Zoning - The Planning & Zoning Commission recommended (4-2)

- o APPROVAL of a reduction to the 15-foot residential landscape buffer requirement on Lot 2R to 10 feet, and;
- o DENIAL of granting a Specific Use Permit for self-storage, mini-warehouse and associated development standards.

B) Concept Plan (Lot 3) - The Planning & Zoning Commission recommended (4-2)
DENIAL of the Avery Point Commercial, Block A, Lot 3, Concept Plan.

C) Site Plan (Lot 2R) - The Planning & Zoning Commission recommended (6-0)
APPROVAL of the Avery Point Commercial, Block A, Lot 2R, Site Plan.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 1: Growing Anna Economy**Goal 2: Sustainable Anna Community Through Planned Managed Growth****STAFF RECOMMENDATION:**

A. Recommend approval of the reduced landscape buffer requirement on Lot 2R.

B. Neutral to the Specific Use Permit request to allow self-storage, mini-warehouse.

ATTACHMENTS:

1. Locator
2. Ordinance - Avery Pointe Commercial
3. Exhibit 1- Avery Point Commercial Replat
4. CC Responses
5. Locator - Concept Plan
6. Exhibit A - (CP) Avery Pointe Commercial, BL A, Lt 3
7. Locator - Site Plan
8. RESOLUTION - (SP) Avery Pointe Commercial, Block A, Lot 2R
9. Exhibit A (STAMPED)- (SP) Avery Pointe Commercial, BL A, Lt 2R

APPROVALS:

Ross Altobelli, Director of Development Services

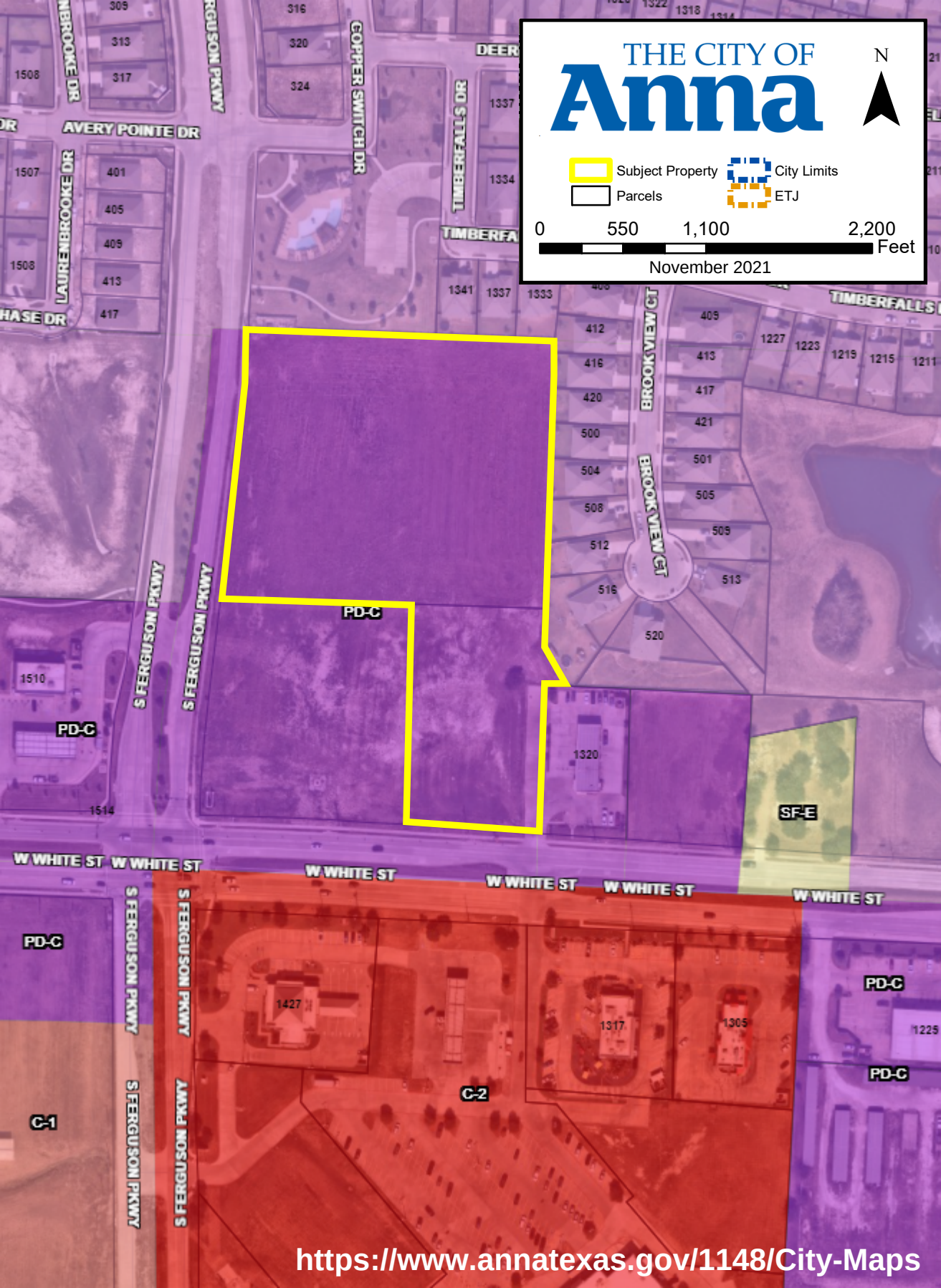
Terri Doby, Budget Manager

Jim Proce, City Manager

Created/Initiated - 1/5/2022

Approved - 1/5/2022

Final Approval - 1/7/2022



THE CITY OF
Anna



-  Subject Property
-  City Limits
-  Parcels
-  ETJ

0 550 1,100 2,200
Feet

November 2021

CITY OF ANNA, TEXAS
**(Avery Pointe Commercial, Block A, Lot 2R; located on the north side of W. White Street,
293± feet east of S. Ferguson Parkway.)**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY’S 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 request to amend the zoning and development regulations in Ordinance No. 179-2005 as modified by Ord. No. 226-2005 and 709-2015 from Retail Buildings Inc. on Avery Pointe Commercial, Block A, Lot 2R as shown in Exhibit 1 (the “Property”) attached hereto and incorporated herein for all purposes as if set forth in full; 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 Ordinance Amended

Exhibit C of Ordinance No. 179-2005 is hereby amended by changing as follows:

4.0 General Conditions:

4.5 Residential Buffering: In addition to the six (6) foot masonry screening wall, as noted above in Section 4.4, steps shall be taken to buffer and/or screen commercial users within Tract C from residential users. A landscape buffer area, a minimum of fifteen (15) feet in width, shall be provided on the

commercial property adjacent to existing or proposed residential uses. The width of the landscape buffer area shall be reduced to ten (10) feet in width within the limits of Avery Pointe Commercial, Block A, Lot 2R to accommodate the extension of existing paving areas. This landscape buffer area will be located within the limits of Tract C and will contain trees (minimum 3" caliper) planted a maximum of fifty (50) feet apart. In areas where there is an overlap of the landscape buffer area with an easement, alternative plantings may be provided subject to approval by the City of Anna Public Works Department.

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. Notwithstanding any provision of this ordinance or the Anna Code, it is intended that this ordinance fully comply with Chapter 3000 of the Texas Government Code ("Chapter 3000") and this ordinance shall and the City Code shall be interpreted in a manner to comply with Chapter 3000. For the purposes of this ordinance, any provision of the City Code that does not comply with Chapter 3000 shall be deemed to have been excluded and not a part of this ordinance.

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.

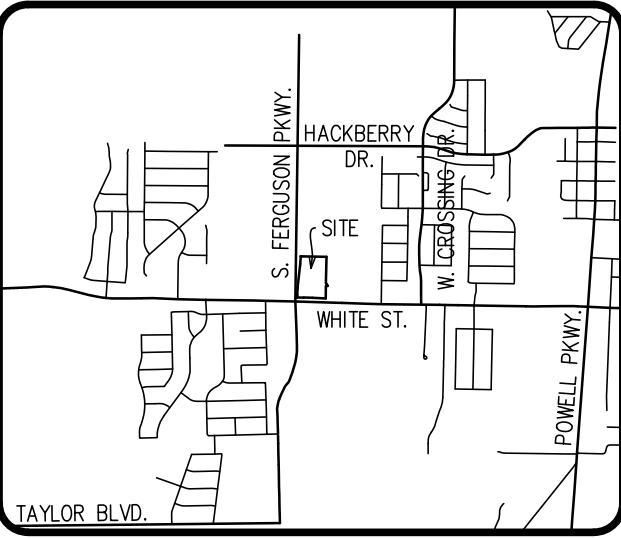
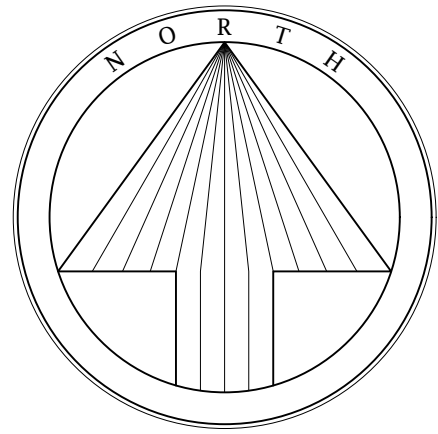
PASSED by the City Council of the City of Anna, Texas this 11th day of January 2022.

ATTESTED:

APPROVED:

Carrie L. Land, City Secretary

Nate Pike, Mayor



LOCATION MAP
NTS

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C1	39.27'	25.00'	90°00'00"	N 51°12'36" E	35.36'
C2	84.82'	54.00'	90°00'00"	S 43°56'01" E	76.37'
C3	17.71'	30.00'	33°48'51"	S 15°50'26" E	17.45'
C4	17.71'	30.00'	33°48'51"	S 15°50'27" E	17.45'
C5	59.41'	40.00'	85°05'38"	N 48°45'26" E	54.10'
C6	47.12'	30.00'	90°00'00"	S 43°56'01" E	42.43'
C7	31.87'	54.00'	33°48'51"	S 15°50'26" E	31.41'
C8	17.81'	30.00'	34°00'51"	S 15°44'27" E	17.55'
C9	47.83'	30.00'	91°20'54"	S 46°56'26" W	42.92'
C10	46.25'	30.00'	88°19'43"	S 43°13'16" E	41.80'
C11	9.66'	25.00'	22°08'25"	S 72°43'12" E	9.60'
C12	9.67'	25.00'	22°09'54"	S 85°07'39" W	9.61'

Line Table		
Line #	Bearing	Distance
L1	S 83°47'24" E	5.77'
L2	N 06°12'36" E	38.56'
L3	S 88°56'00" E	358.43'
L4	S 01°03'59" W	8.25'
L5	S 32°44'52" E	22.24'
L6	S 01°03'59" W	4.97'
L7	S 83°47'24" E	54.76'
L8	N 06°03'20" E	45.05'
L9	S 88°56'01" E	299.88'
L10	S 01°03'59" W	8.25'
L11	S 32°44'52" E	6.98'
L12	S 01°15'59" W	121.52'
L13	N 87°23'09" W	141.33'
L14	S 01°15'59" W	24.00'
L15	S 87°23'16" E	134.39'
L16	S 00°56'36" W	11.39'
L17	N 87°31'16" E	76.04'
L18	N 01°16'30" E	15.01'
L19	S 87°08'15" E	119.98'
L20	S 01°15'59" W	15.01'
L21	N 87°08'15" W	119.99'



- NOTES:
1. This replat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.
 2. Basis of bearing: State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
 3. Selling a portion of this addition by metes and bounds is a violation of the City Subdivision Ordinance and State plotting statutes and is subject to fines and withholding of utilities and building permits.
 4. The purpose of this replat is to subdivide the property and dedicate easements for development.

LEGEND	
o	1/2" IRON ROD WITH PLASTIC CAP STAMPED 'SPARSENG' SET, UNLESS OTHERWISE NOTED
IR	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
Esmt.	EASEMENT
UTIL.	UTILITY
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
BL	BUILDING LINE
Ⓐ	BLOCK DESIGNATION
DRCT	DEED RECORDS, COLLIN COUNTY, TEXAS
PRCT	PLAT RECORDS, COLLIN COUNTY, TEXAS

CERTIFICATE OF PLAT APPROVAL

APPROVED on this the _____ day of _____, 2021,
by the City Council, City of Anna, Texas.

Mayor _____

City Secretary _____

APPROVED
DECEMBER 14, 2021
CITY COUNCIL
CITY OF ANNA

APPROVED
DECEMBER 6, 2021
P&Z COMMISSION
CITY OF ANNA

REPLAT

AVERY POINTE COMMERCIAL

LOTS 1R, 2R AND 3, BLOCK A
BEING A REPLAT OF LOT 1R & LOT 2, BLOCK A
AVERY POINTE COMMERCIAL
IN THE F. DUFFAU SURVEY, ABSTRACT NO. 288
CITY OF ANNA, COLLIN COUNTY, TEXAS
EXISTING ZONING: PD-C

EXHIBIT 1

OWNER / APPLICANT
Anna 455 Commercial, LLC
10950 Research Rd.
Frisco, Texas 75034
Telephone (214) 387-3993
Contact: Clint Richardson

OWNER / APPLICANT
Retail Buildings, Inc.
3000 NE 63rd Street
Oklahoma City, Oklahoma 73121
Telephone (405) 620-7223
Contact: Koty Foran

ENGINEER / SURVEYOR
Spars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: David Bord

Drawing: C:\2021_JOBS\21-256 Browns Replat\3\DWG\DWG\21-256 Replat.dwg Saved By: D:\Bent10_Save Time: 11/29/2021 10:08:22 AM Plotted By: D:\Bent10_Plot Date: 11/29/2021 10:08 AM

STATE OF TEXAS §
COUNTY OF COLLIN §

OWNER'S CERTIFICATE

WHEREAS Anna 455 Commercial, LP and Retail Buildings, Inc. are the owners of a tract of land situated in the F. Duffau Survey, Abstract No. 288, City of Anna, Collin County, Texas, being all of Lot 1R and Lot 2, Block A of Avery Pointe Commercial, an addition recorded in Cabinet 2021, Page 321 of the Plat Records, Collin County, Texas (PRCCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the intersection of the north line of White Street, a variable width public right-of-way (also known as Farm to Market Road 455) with the east line of Ferguson Parkway, a 120 foot right-of-way;

THENCE along the east line of Ferguson Parkway, the following:

N 01°20'21" E, 45.91 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

A tangent curve to the right having a central angle of 04°52'14", a radius of 1440.00 feet, a chord of N 03°46'29" E - 122.37 feet, an arc length of 122.41 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

N 06°12'36" E, 406.23 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

A tangent curve to the left having a central angle of 04°14'59", a radius of 1660.00 feet, a chord of N 04°05'07" E - 123.09 feet, an arc length of 123.12 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

And N 01°57'38" E, 0.94 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the southwest corner of Lot CA-67, Avery Pointe Phase 1, an addition recorded in Cabinet 2016, Page 454 PRCCT, and from which a 5/8" iron rod with plastic cap found for the northwest corner of the right-of-way dedication created by said Ferguson Parkway plat bears N 88°56'01" W, 60.01 feet;

THENCE S 88°56'01" E, along the south line of Lot CA-67, passing the southeast corner thereof and the upper southwest corner of Avery Pointe Phase 2, an addition recorded in Cabinet 2017, Page 535 PRCCT, and continuing along a south line thereof a total distance of 436.52 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 01°15'59" W, 440.33 feet along the lower west line of Avery Pointe Phase 2 to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 32°44'52" E, 61.47 feet continuing along the lower west line of Avery Pointe Phase 2 to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the north line of Lot 1, Block A, Summer Hill Addition, an addition recorded in Cabinet 2011, Page 22 PRCCT;

THENCE N 88°44'01" W, 33.18 feet along the north line of Lot 1 to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner thereof;

THENCE S 01°15'59" W, 213.09 feet along the west line of Lot 1 to a MAG nail found on the north line of White Street;

THENCE along the north line of said right-of-way, the following:

N 87°23'07" W, 225.78 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

a tangent curve to the left having a central angle of 01°38'02", a radius of 5060.00 feet, a chord of N 88°12'09" W - 144.30 feet, an arc length of 144.30 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

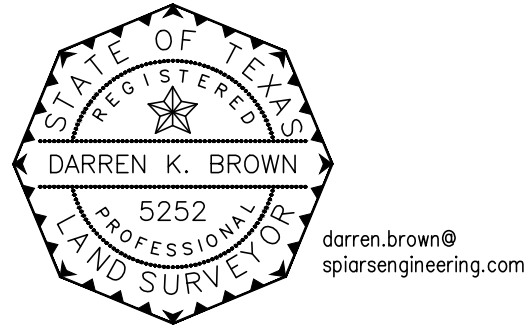
And N 89°01'10" W, 114.20 feet to the POINT OF BEGINNING with the subject tract containing 323,717 square feet or 7.432 acres of land.

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Anna, Texas.

Dated this the ____ day of _____, 2021.

DARREN K. BROWN, R.P.L.S. NO. 5252



STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2021.

Notary Public, State of Texas

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, ANNA 455 COMMERCIAL, LP, and Retail Buildings, Inc., do hereby adopt this plat designating the hereinabove described property as AVERY POINTE COMMERCIAL, LOTS 1R, 2R AND 3, BLOCK A, an Addition to the City of Anna, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Anna, Texas.

The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Anna, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

That the undersigned does hereby covenant and agree that they shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he they shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for Fire Department and emergency use.

The area or areas shown on the plat as "VAM" (Visibility, Access, and Maintenance) easement(s) are hereby given and granted to the city, its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM easement. The city shall have the right, but not the obligation, to maintain any and all landscaping within the VAM easement. Should the city exercise this maintenance right, it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, and fixtures. The city may withdraw maintenance of the VAM easement at any time. The ultimate maintenance responsibility for the VAM easement shall rest with the owners. No building, fence, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM easement. The city shall also have the right, but not the obligation, to add any landscape improvements to the VAM easement, to erect any traffic control devices or signs on the VAM easement, and to remove any obstruction thereon. The city, its successors, assigns, or agents, shall have the right and privilege at all times to enter upon the VAM easement or any part thereof for the purposes and with all rights and privileges set forth herein.

Witness our hands at Collin County, Texas, this ____ day of _____, 2021.

ANNA 455 COMMERCIAL, LP

Craig Curry, Managing Partner

RETAIL BUILDINGS, INC.

Elaine M. Braum, President

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2021.

Notary Public, State of Texas

STATE OF OKLAHOMA §
COUNTY OF OKLAHOMA §

BEFORE ME, the undersigned, a Notary Public in and for The State of Oklahoma, on this day personally appeared ELAINE M. BRAUM, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2021.

Notary Public, State of Oklahoma

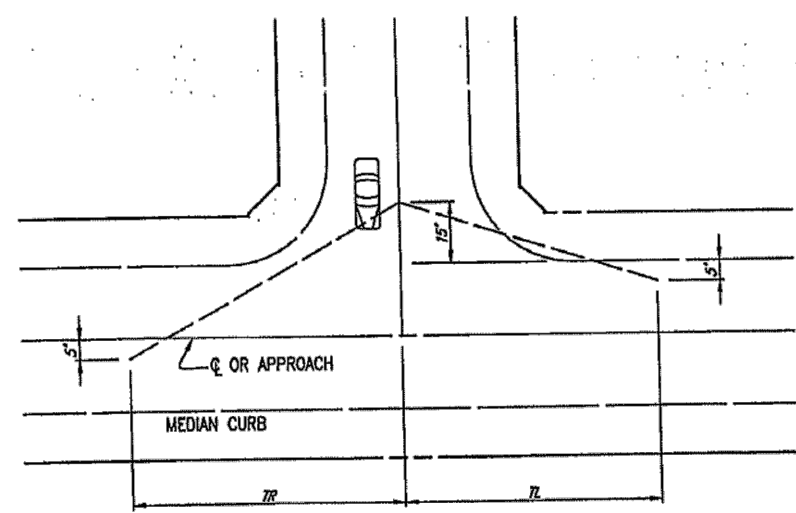


TABLE 9		
MINIMUM SIGHT DISTANCE FOR A CAR AT AN INTERSECTION		
MPH	I	
30	110 + 200=	310
35	130 + 250=	380
40	130 + 325=	475
45	165 + 400=	565
50	190 + 475=	665

(ASHUTO P138, BRAKE REACTION DISTANCE + STOPPING SITE DISTANCE)

EXHIBIT A

APPROVED
DECEMBER 14, 2021
CITY COUNCIL
CITY OF ANNA

APPROVED
DECEMBER 6, 2021
P&Z COMMISSION
CITY OF ANNA

REPLAT

AVERY POINTE COMMERCIAL

LOTS 1R, 2R AND 3, BLOCK A
BEING A REPLAT OF LOT 1R & LOT 2, BLOCK A
AVERY POINTE COMMERCIAL

IN THE F. DUFFAU SURVEY, ABSTRACT NO. 288
CITY OF ANNA, COLLIN COUNTY, TEXAS
EXISTING ZONING: PD-C

OWNER / APPLICANT
Anna 455 Commercial, LLC
10950 Research Rd.
Frisco, Texas 75034
Telephone (214) 387-3993
Contact: Clint Richardson

OWNER / APPLICANT
Retail Buildings, Inc.
3000 NE 63rd Street
Oklahoma City, Oklahoma 73121
Telephone (405) 620-7223
Contact: Koty Foran

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: David Bond

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Please see the attached email statement on my opposition of the
storage facility

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Jessica Hurley

Name (Please Print)

Signature

1701 Avery Pointe Dr. Anna 75409

Address

November 22, 2021

Date

Attachment is the same as the email received
11/15/2021
Planning & Development

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Lauren Mecke

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:12 AM
To: Lauren Mecke
Subject: FW: PROPOSED mini self storage in front of Avery Pointe Community

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



Visit: AnnaTexas.gov. Like us on [Facebook](https://www.facebook.com/annatexas).

From: Jessica Hurley
Sent: Saturday, November 13, 2021 12:24 AM
To: Nate Pike <npike@annatexas.gov>; Jim Proce <jproce@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>; Council <Council@annatexas.gov>; Kevin Toten <ktoten@annatexas.gov>; Josh Vollmer <jvollmer@annatexas.gov>; Stan Carver <scarver@annatexas.gov>; Randy Atchley <ratchley@annatexas.gov>; Danny Ussery <dussery@annatexas.gov>; Lee Miller <lmiller@annatexas.gov>
Subject: PROPOSED mini self storage in front of Avery Pointe Community

Good evening all. I am writing to express that I am STRONGLY opposed to having a storage facility erected in front of the Avery Pointe Community.

There are various reasons as to why I am opposed to them and I will list and explain them below.

Thank you for taking a few mins out of your day to read and consider my facts, feelings, and opinions.

- #1 HOT SPOT FOR CRIME AND ILLICIT ACTIVITY
- #2 INCREASE IN TRASH, DEBRIS, TRAFFIC, RODENTS and UNWANTED PESTS
- #3 EYESORE AND WILL LOWER PROPERTY VALUES
- #4 WE ALREADY HAVE A STORAGE UNIT LESS THAN A MILE AWAY

HOT SPOT FOR CRIME, Storage units are NOTORIOUS for being a hotbed for various types of crime. Drugs, Drug manufacturing, distribution. Assault, murder, sexual assault. Human trafficking, child molestation. Theft, B&E's of houses and cars in the near areas. We are already seeing an uptick in criminal activity as we are growing, another storage unit in a RESIDENTIAL area would only add to that. High-crime areas deter people from wanting to move here and invite criminals and illegal activity.

INCREASE IN TRASH, DEBRIS, RODENTS, and UNWANTED PESTS- I feel this is pretty self-explanatory.

TRAFFIC is already becoming an issue with the new car wash add in the Dollar Tree and the upcoming expansion of the community at the end of Ferguson. This facility will only lead to more accidents and casualties, Vehicle V Vehicle, and Vehicle V pedestrian.

EYESORE, DECREASE PROPERTY VALUES. When you google storage units in any area in the USA they are typically in

rundown, high crime areas. That is NOT what YOU or I moved here for.

With increased crime and unappealing buildings and venues come decreased property values. We came here to raise our family and grow with Anna, we were sold on all the visions that Anna had shared with the community for its future. We purchased our very first house here and now we are risking our investment with this proposed storage facility.

WE ALREADY HAVE A STORAGE UNIT LESS THAN A MILE AWAY and AT LEAST 5 others in Anna, Do we *REALLY* need another storage facility, let alone one right in the middle of a residential community?

What doesn't make sense to me is, we are adding in an 800 MILLION dollar community just down the road from the proposed area, a storage facility is pretty undesirable and unappealing. I just don't see how the facility would complement the current and future landscape.

We should leave that area alone, for now, more businesses are coming in all the time. Anna would be better suited for a sit-down restaurant or retail spaces for more tax revenue and options for the city and its residents.

How are we selling a vision of Anna and it's beauty, warm welcomes, and sustainability?

Y'all said it best "**Keep Anna Beautiful**", PLEASE DON'T GO "**spoiling our views and decreasing our property values**" *<https://www.annatexas.gov/1219/Keep-Anna-Beautiful> *

PLEASE VOT

E NO TO THIS- When you are casting your vote, ask yourself-

Would you want this storage unit in front of your house, decreasing your property value and quality of life?

Are you okay with all of the crime, drugs, and illegal weapons traffic this would welcome?

Do you feel safe with your children playing outside of this facility with their friends without supervision?

If you answered or even thought NO- Then PLEASE VOTE NO for your children/grandchildren and mine!

--

Sláinte Mhath
Jessica Hurley



Virus-free. www.avg.com

From: Ross Altobelli
Sent: Tuesday, January 4, 2022 7:58 AM
To: Lauren Mecke
Subject: FW: Anna Self Storage.

From: Jessica Hurley
Date: January 3, 2022 at 9:43:43 PM CST
To: Danny Ussery <dussery@annatexas.gov>, Randy Atchley <ratchley@annatexas.gov>, Stan Carver <scarver@annatexas.gov>, Josh Vollmer <jvollmer@annatexas.gov>, Council <Council@annatexas.gov>, Kevin Toten <ktoten@annatexas.gov>, Ryan Henderson <rhenderson@annatexas.gov>, Nate Pike <npike@annatexas.gov>, Jim Proce <jproce@annatexas.gov>
Subject: Anna Self Storage.

Good evening, my name is Jessica Hurley and I'm a resident of Anna, living in Avery Pointe Estates. I'm addressing you all regarding the special use permit for the storage facility that would like to be built at White and Ferguson.

I first want to bring to your attention to the Anna 2050 Comprehensive Plan which lays out the future plans for Anna. The current zoning for the lot in question is community commercial, as defined by the place type descriptions.

Within that place type description, it lays out a description of the vision for that specific zoning area.

Community commercial development is typically characterized by small, freestanding buildings containing one or more businesses. Unlike larger shopping centers that may attract regional customers, community commercial developments primarily provide services for residents of surrounding neighborhoods. Business types may include restaurants, local retail, medical offices, banks, and other retail services.

I want to reread a few key points in that description- **SMALL, freestanding buildings containing one or more businesses. Business types may include restaurants, local retail, banks, and services.**

The supporting photos show two banks and a doctor's office.

The description nor the photos mention or show a storage facility as being part of the vision they had the in Community Commercial zoning area.

When looking at the guiding principles of the Anna 2050 plan, it states Today's leaders in Anna want the community to grow but they want the kind of growth that will benefit Anna's current and future residents.

There are 12 guidelines they set for the desirable growth

I will be speaking on

Guideline #7

Includes businesses that serve and provide high-quality jobs to Anna's residents, that expand the tax base, and that establish Anna as an important long-term employment center for the DFW region.

This will not bring more than MAYBE 4 jobs to Anna; the developer has already stated that this facility will not be manned 24hrs a day so there will not be night shift needs.

This will not expand our tax base as much as other businesses WITHIN the COMMUNITY COMMERCIAL (CC) zoning plan would.

This will not be an important and long-term employment center within Anna or the DFW region.

Guideline # 8

Makes Anna an education and training hub for people in Anna and the surrounding region.

Again, this facility will only bring roughly 4 jobs to Anna and the surrounding areas, not nearly significant enough to be a training hub.

Guideline #9

Promotes the health and vitality of existing Anna neighbors, neighborhoods, businesses and infrastructure.

This facility will harm the health and vitality of Anna and its residents, businesses and infrastructure.

Harming neighbors- by erecting this 2-story facility right against the yards of some of the neighbors of Avery Pointe Estates, harming their property value and affecting their quality of life and safety.

Harming our Neighborhoods- decreasing the overall property value of the area and the desirability of the current and future housing communities. Taking away our safety and enjoyment of our amenities center and pool with our families.

Harming our existing and future businesses- I have spoken to many storage facilities in our immediate area and they have said that the approval of this permit and the building of this storage facility will directly and quickly affect their businesses and livelihoods. Remove jobs already in place here in Anna and possibly even force them to close their doors and move their families out of Anna.

Harming Infrastructure- You remove all viable possibilities for future expansion and bringing in new businesses and EXPANDING the tax base the way it was intended within the 2050 plan. This storage unit will not generate as much tax revenue as other and or multiple businesses that fit the intended zoning plan for the community commercial space. This facility will become stagnant, storage is the first thing people cut from their budgets. We need to be smart with how we hold to the plans and vision of the 2050 plan and opt for more recession-proof, tax generating businesses such as restaurants, retail, and services, vets, doctors/specialists, pharmacies, etc.

We are in desperate need of options, we should be adding variety without taking from the current and existing businesses.

We can only build so much before we're out of space and in such a booming city like Anna we need to be wise and stick closely to the guidelines and vision set forth by the 2050 Comprehensive Plan for the good of Anna and it's past, present and future residents.

**BEFORE you vote, I hope my facts ring in your ears, and
BEFORE you say you don't have a choice, recognize that you
do this time, because this permit, building, and business does
not adhere to the vision set forth by the Anna 2050
Comprehensive Plan.**

**I and my fellow neighbors look forward to meeting with you
all on the 11th**

Thank you for your time!

COMMUNITY COMMERCIAL (CC)

Character & Intent

Community Commercial development is typically characterized by small, freestanding buildings containing one or more businesses. Unlike larger shopping centers that may attract regional customers, Community Commercial developments primarily provide services for residents of surrounding neighborhoods. Business types may include restaurants, local retail, medical offices, banks and other retail and services.

Land Use Considerations

Primary Land Use

Retail and Commercial

Secondary Land Use

- + Civic and institutional uses
- + Indicators & Assumptions
- + Lot Size (Range) N/A
- + Typically 5 acres or less; 1 or 2 stories



ANNA 2050 GUIDING PRINCIPLES

Today's leaders in Anna want the community to grow. But they want growth that benefits Anna's current and future neighbors. This desirable growth:

- + Occurs where and when it can be supported by the public facilities and services provided by the City of Anna and by other public entities (including Collin County and Anna ISD) that Anna's neighbors need.
- + Maintains a healthy balance between old and new, and between residential and non-residential uses.
- + Builds on Anna's heritage and history as the foundation of a unique 21st century identity.
- + Offers many diverse, vibrant and distinctive destinations for work and play.
- + Attracts and keeps neighbors who are multi-cultural and multi-generational and provides housing choices for people from a variety of backgrounds, income levels and stages of life.
- + Creates a community with strong communication, shared core values and connection between neighbors, as well as effective communication between neighbors and the City government.
- + Includes businesses that serve and provide high-quality jobs to Anna's residents, that expand the tax base and that establish Anna as an important long-term employment center for the DFW region.
- + Makes Anna an education and training hub for people in Anna and the surrounding region.
- + Promotes the health and vitality of existing Anna neighbors, neighborhoods, businesses and infrastructure.
- + Provides neighbors with a range of flexible, practical and appropriate mobility choices to their destinations using all modes of travel (car, bike, walk, transit, and others).
- + Is resilient and adaptable in response to change and innovation, and responsive in times of emergency or disaster.
- + Is efficient and effective in its use of resources and infrastructure – fiscal, energy, water and natural assets.

PLACETYPE DESCRIPTIONS

PlaceTypes are the “color palette” used to represent the different sorts of places that could exist in the Anna community of the future. They communicate what's important. Instead of referencing a single land use, they describe the character of the place and the quality of the place to be created—the mix of land uses, scale, how a pedestrian would experience the area and other aspects. This approach also gives the community more flexibility in addressing development proposals for specific properties and in responding to changing market conditions.

The fifteen PlaceTypes below were used in the Alternatives Analysis phase of this process. They are used here to depict the general Preferred Scenario for future growth. In addition, they will be used at a smaller scale in the Future Land Use element and other Anna 2050 Plan components to show a more specific level of detail about appropriate future development. Each of these potential PlaceTypes is summarized in the chart below. The details of each PlaceType are provided in the Future Land Use Strategy, found in Chapter 3. Each PlaceType is represented by a set of characteristics, including the name, tile color and abbreviation, a brief description, a discussion of primary and secondary land uses and development densities and supporting images.



Lauren Mecke

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:12 AM
To: Lauren Mecke
Subject: FW: Concerns over Storage Facility Proposal near Avery Pointe

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



Visit: AnnaTexas.gov. Like us on [Facebook](https://www.facebook.com/annatexas).

From: Anne Norment
Sent: Saturday, November 13, 2021 9:35 AM
To: Council <Council@annatexas.gov>; Lee Norment <lee.t.norment@gmail.com>; Jim Proce <jproce@annatexas.gov>; Nate Pike <npike@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>
Subject: Concerns over Storage Facility Proposal near Avery Pointe

Good morning.

Thank you all for your time reading my email of concerns over the proposed storage facility outside of Avery Pointe Estates.

My concerns over this proposal are as follows:

- 1) property value- as one of the homes bordering the land, I foresee a drastic drop in my home's value with the addition of a storage facility as a "backyard neighbor". It will cost my family, and many others, tens of thousands of dollars upon sale of their home, while making their homes less enjoyable in the meantime. Which leads me to my next point:
- 2) Disturbances - as a self-storage facility, there will likely be lights and noise throughout the night. Directly bordering a neighborhood is a poor location choice for any 24 hour facility.
- 3) Safety - as the sister of a police officer, I know that self-storage facilities are very common attractors of crime. Anna is a safe and beautiful city. That is why we chose this location in which to grow and raise our family, which currently consists of me, my husband, our 3 year old and 1 year old. The addition of more storage facilities will change the level of safety over time and the fact that it would be right behind our home means it would change for us the quickest.

I implore you to keep Anna beautiful, peaceful, and safe by rejecting the proposal of a storage facility at the corner of White St and Ferguson.

Thank you for your time and consideration.

Anne and Lee Norment and children

From: [Anne Norment](#)
To: [Lauren Mecke](#)
Subject: Zoning Response
Date: Sunday, November 21, 2021 11:00:21 AM

Good morning.

Please find attached our response regarding the zoning proposition for the lot at the corner of White Street and Ferguson. For your convenience and increased legibility, I will type out our comments below:

We, as owners of lot 63, 1341 Timberfalls Drive, are opposed to the intended use of lots 1R and 3 on the grounds of health, safety, and welfare. A self-storage/mini-warehouse will impact our property values, costing us tens of thousands of dollars upon sale of our home. The 24/7 lights, noise, and debris will create an uncomfortable environment in the meantime. A storage facility will also attract crime, making our home unsafe for us and our young children. We approve of the proposed changes to lot 2R and would like to propose those changes to all 3 zones.

Thank you,
Anne and Lee Norment
1341 Timberfalls Drive

THE CITY OF
Anna

Please circle one:
In favor of request Neutral to request Opposed to request

Comments:
We, as owners of lot 63, 1341 Timberfalls Drive, are opposed to the intended use of lots 1R and 3 on the grounds of health, safety, and welfare. A self-storage/mini-warehouse will impact our property values, costing us tens of thousands of dollars upon sale of our home. The 24/7 lights, noise, and debris will create an uncomfortable environment in the meantime. A storage facility will also attract crime, making our home unsafe for us and our young children. We approve of the proposed changes to lot 2R and would like to propose those changes to all 3 zones. By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Name (Please Print) Anne Norment
Signature Lee Norment
Lee Norment
Address 1341 Timberfalls Drive
Date 11/21/2021

Please return this form to:
USPS Mail:
City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409
Or by e-mail to
LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:
Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Annex Police Commercial, Block A, Units 28 & 3 12/16/2021

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:12 AM
To: Lauren Mecke
Subject: FW: Mini Storage

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



Visit: AnnaTexas.gov. Like us on [Facebook](https://www.facebook.com/annatexas).

From: Amanda Leal
Sent: Saturday, November 13, 2021 10:07 AM
To: Nate Pike <npike@annatexas.gov>; Jim Proce <jproce@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>; Council <Council@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>
Subject: Mini Storage

Hello,

I am writing you regarding the proposed Mini Self Store project, to be built immediately adjacent to Avery Pointe East. I am greatly concerned about property value and the safety concerns that a self-storage facility brings. Other immediate concerns include general appearance, noise, the traffic load on Ferguson, hours of operation, night lighting, criminal activity, and illicit drug sales. As a mother of 2 young children safety at and around our home is my #1 priority and the reason we chose to move to Anna and buy a home in this community. I would be very disappointed if I would have to consider not enjoying an evening walk, dinner or days at the pool due to a self-storage being so close us. Please reconsider approving this self-storage project next to a community causing families to worry for theirs and their family's safety because of it.

Thank you,
Amanda Leal
Avery Pointe Estates Homeowner

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I am greatly concerned about property value and the safety concerns that a self-storage facility brings. Other immediate concerns include general appearance, noise, the traffic load on Ferguson, hours of operation, night lighting, criminal activity, and illicit drug sales. As a mother of 2 young children safety at and around our home is my #1 priority and the reason we chose to move to Anna and buy a home in this community. I would be very disappointed if I would have to consider not enjoying an evening walk, dinner or days at the pool due to a self-storage being so close us. Please reconsider approving this self-storage project next to a community causing families to worry for theirs and their family's safety because of it.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Amanda Leal

Name (Please Print)

Amanda Leal

Signature

112 Hayes Dr

Address

12/14/2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Lauren Mecke

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:13 AM
To: Lauren Mecke
Subject: FW: Proposed Mini Self Storage in front of Avery Pointe

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



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From: Tara Ebbinghaus
Sent: Saturday, November 13, 2021 11:27 AM
To: Nate Pike <npike@annatexas.gov>; Jim Proce <jproce@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>; Council <Council@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>
Subject: Proposed Mini Self Storage in front of Avery Pointe

Good Morning,

I am writing you today in regards to the proposed storage facility in front of the Avery Pointe Community. As an Avery Pointe resident, I am **strongly against** having this facility in front of the neighborhood I live in. There are various reasons as to why I am opposed to this proposed development:

1. Hot Spot for Crime - Storage units are known for being a hotbed for various types of crime due to security being limited to cameras. Theft, drugs, assault and murder are just a few of the types of crime we would be inviting so close to our neighborhood.
2. Traffic - As Anna continues to grow, traveling in and out of Anna, especially during peak times, is already challenging. And with the announcement of the new development and shops directly behind Avery Pointe, the new Dollar Tree, car wash and various mini malls being built on 455, traffic is already going to increase significantly.
3. Decrease in Property Value - Storage facilities aren't typically very eye appealing and this facility would be at the entrance of our development. I'm concerned that the home we bought here, the investment we made in our future and in Anna is in jeopardy.
4. Need - When I google storage units in Anna, there are 6 within 5 miles of my home. Is this really what Anna residents need? And right in front a family friendly, quiet neighborhood?

My husband and I have lived in Anna for 8 years, we built our first home here, because we were excited to see Anna grow. We bought in on the vision of Anna becoming the "next Frisco" and while there have been many exciting developments in this town, this proposed storage facility isn't one of them. There has to be a better option for this land.

When this proposal comes up for a vote, I implore you to vote **No**, not only for the residents of Avery Pointe, but for all of Anna. I understand development is part of this town growing but shouldn't it be something Anna residents are excited about? Please don't develop just for development sake.

Thank you for taking the time to read my email and for all you do to make Anna better.

Tara Ebbinghaus
Avery Pointe Resident

Sent from my iPhone

Lauren Mecke

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:14 AM
To: Lauren Mecke
Subject: FW: The proposed Mini Self Store project

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



Visit: AnnaTexas.gov. Like us on [Facebook](https://www.facebook.com/annatexas).

From: Rachel H
Sent: Sunday, November 14, 2021 5:29 PM
To: Nate Pike <npike@annatexas.gov>; Jim Proce <jproce@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>
Cc: Council <Council@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>
Subject: The proposed Mini Self Store project

Good evening!

I am writing to express that I am STRONGLY opposed to having a storage facility erected in front of the Avery Pointe Community.

I have numerous reasons as to why I am opposed to them and I will list and explain them below.

1. HOTSPOT FOR CRIME AND ILLICIT ACTIVITY
2. EYESORE AND WILL LOWER PROPERTY VALUES
3. **Storage units are NOTORIOUS for being a hotbed for various types of crime.** Drugs, Drug manufacturing, distribution. Assault, murder, sexual assault. Human trafficking, child molestation. Theft, B&E's of houses and cars in the near areas. We are already seeing an uptick in criminal activity as we are growing, another storage unit in a RESIDENTIAL area would only add to that. High-crime areas deter people from wanting to move here and invite criminals and illegal activity.
4. INCREASE IN TRASH, DEBRIS, RODENTS, and UNWANTED PESTS- I feel this is pretty self-explanatory.
5. LACK OF PRIVACY FOR THOSE WHO ARE THE NEAREST TO THE STORAGE PROPERTY. This property will literally be in their backyard and well as in the direct view of residence utilizing the neighborhood pool.

6. WE ALREADY HAVE AN EXISTING STORAGE UNIT THAT IS IN A REASONABLE DISTANCE AND AREA. The drive to the current storage location is within reasonable distance for most Anna residents. If anything there needs to be another storage unit it needs to exist along the highway next to Walmart.
7. INCREASED TRAFFIC AND ACCESS ISSUES ALONG WHITE STREET. We already are having issues with traffic flow around the city, this would add to the compounding issue and stress we already deal with. Traffic is already becoming an issue with the new car wash add in the Dollar Tree and the upcoming expansion of the community at the end of Ferguson. This facility will only lead to more accidents and casualties, Vehicle V Vehicle, and Vehicle V pedestrian.
8. PROPERTY VALUES. When you google storage units in any area in the USA they are typically in rundown, high crime areas. That is NOT what YOU or I moved here for. With increased crime and unappealing buildings and venues come decreased property values. We came here to raise our family and grow with Anna, we were sold on all the visions that Anna had shared with the community for its future.
9. NOT A GOOD REVENUE CALL. I can't imagine this bringing that much more revenue to the city at all. It can only hold so many units anyway, therefore causing the city to have yet another space that is not of much utilization. Anna already has quite a bit of under utilized real estate that has yet to be repurposed.
10. THERE ARE SO MANY OTHER THINGS THE CITY OF ANNA NEEDS. We so desperately need another grocer, pharmacy and urgent care. With so many people moving to Anna and the surrounding areas, we need a better and sustainable supply of the bare necessities even in the nation's current climate.

I hope that you hear me and my fellow residents in our outcry of concern for this project. We all want what's best for our city and want to continue to live in a safe and beautiful city.

I appreciate the time you have taken to read this email and I hope that you all will take these issues into consideration.

Thank you,
Rachel Hamilton



Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I oppose the storage unit to be built for the following reasons:

The attraction of crime and other nefarious activities.

The creation and source of pollution to nearby areas especially our neighborhood.

The fact that it will cause more congestion in traffic in the area.

The fact that the store unit is not a needed due to the fact there is one down the street.

Also, the there many other locations that would be better suitable that this area.

Lastly, Anna could use many other retail or restaurants in the area rather than a storage unit.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Rachel Hamilton

Name (Please Print)

Rachel Hamilton

Signature

308 Copperswitch Drive

Address

12/2/2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Lauren Mecke

From: Ross Altobelli
Sent: Monday, November 15, 2021 8:17 AM
To: Lauren Mecke
Subject: FW: Development of vacant land at White Street and Ferguson Parkway

Ross Altobelli
Director of Development Services
City of Anna, Texas
Office: 972-924-2616



Visit: AnnaTexas.gov. Like us on [Facebook](https://www.facebook.com/annatexas).

From: William Brush
Sent: Sunday, November 14, 2021 10:40 PM
To: Nate Pike <npike@annatexas.gov>; Jim Proce <jproce@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>; Ross Altobelli <raltobelli@annatexas.gov>; Kevin Toten <ktoten@annatexas.gov>; Stan Carver <scarver@annatexas.gov>; Randy Atchley <ratchley@annatexas.gov>; Danny Ussery <dussery@annatexas.gov>
Subject: Development of vacant land at White Street and Ferguson Parkway

Gentlemen,

The good people of Anna have elected or employed you to guide the City through this very turbulent development phase of the City's history. It would be great if you could simply jump into the DeLorean and skip forward 10, 15 or 20 years to see if your decisions worked out as intended. Unfortunately, that isn't possible so, you will have to rely on your instincts that have served the City so well to this juncture.

I am writing regarding a developer's proposal to build a two-story, Mini Self Store complex at the subject location. The intersection of White and Ferguson represents the Western approach to Downtown Anna, the entrance to Avery Pointe Estates and the soon to be started Annacapri Megatel Improvement District to the North, Sue Evelyn Rattan Elementary School, Oak Hollow and Lakeview Estates to the South. Given the extension of Ferguson Parkway North to Rosamond Parkway and, ultimately, South to Outer Loop Road, it could be argued that this intersection will become a major crossroad within the City.

The question is how should the vacant land at this crossroad be used? What do commuters want to see on their transit through the City? What type of commercial enterprises would the local residents want to visit and support? How is the City best served by the development of this land?

In my mind, a two-story Mini Self Store facility is not the answer. The negatives of this type of establishment far outweigh the positives. Major concerns would be general appearance, garbage and debris management, vermin, hours of operation, noise, night lighting and acting as a magnet for criminal activity such as the sales

of illicit drugs, stolen property, etc. There have to be other location options within Anna City limits for this type of business.

A far better use of this area would be retail shops, coffee shops, cafes and restaurants. These types of businesses improve the community way of life and increase area property values.

Please fulfill your commitment to enhance the livability of our great and growing City for the benefit of all residents.

Respectfully submitted,

William Brush
1330 Crossvine Drive

From: Kimberly Winarski
Sent: Tuesday, November 16, 2021 3:29 PM
To: Ross Altobelli; Lauren Mecke
Subject: FW: Online Form Submittal: Contact Us

Hi Ross and Lauren,

Please see below.

Sincerely,
Kimberly Winarski

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, November 16, 2021 3:28 PM
To: Kimberly Winarski <kwinarski@annatexas.gov>; Ryan Henderson <rhenderson@annatexas.gov>
Subject: Online Form Submittal: Contact Us

If you are having problems viewing this HTML email, click to view a [Text version](#).

Contact Us

Contact Information

Please complete the online form below to submit your questions / comments. This form is monitored during business hours. If you would like to contact us by phone, you may call (972) 924-3325. If this is an After Hours Utility/Water Emergency please call 214-585-7725. If this is a Life emergency dial 911.

Name:*	Julia Gilsdorf Ramirez		
Address:*	1905 RUSTIC DRIVE		
City:*	PLANO		
State:*	TX	Zip Code:*	75075
Phone Number:*	9729853887		
Email Address:*			

Questions or Comments

Please select the department(s) you wish to contact:*

- | | |
|--|--|
| ☒ City Manager | ☐ Municipal Court |
| ☐ City Secretary | ☐ Neighborhood Services |
| ☐ Code Compliance | ☐ Parks and Recreation |
| ☐ Communications | ☒ Planning and Development |
| ☐ Economic Development | ☐ Police Department |
| ☐ Finance Department | ☐ Public Works |
| ☐ Fire Department | ☐ Trash and Recycling |
| ☐ Human Resources | ☐ Utility Billing |

Please provide details to your questions / comment below:*

My husband and I are in the final stages of purchasing a new house in Anna. We have lived in Plano for many years, and are looking forward to our new home and community. But, we are very disappointed to find out that a 2-story self storage facility has been proposed for the corner of Furguson and White streets. This would be a terrible eyesore for the city, and extremely detrimental to the nearby neighborhoods. In fact, it would certainly deter us from continuing our plans to leave well-planned Plano for "haphazard" Anna. In order to make Anna the prosperous city it has all the potential to be, the government must consider long term consequences and the wishes of the people. Thank you

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.annatexas.gov/Admin/FormHistory.aspx?SID=4843>

The following form was submitted via your website: Contact Us

Name:: Julia Gilsdorf Ramirez

Address:: 1905 RUSTIC DRIVE

City:: PLANO

State:: TX

Zip Code:: 75075

Phone Number:: 9729853887

Email Address::

Please select the department(s) you wish to contact:: City Manager,Planning and Development

Please provide details to your questions / comment below:: My husband and I are in the final stages of purchasing a new house in Anna. We have lived in Plano for many years, and are looking forward to our new home and community. But, we are very disappointed to find out that a 2-story self storage facility has been proposed for the corner of Furguson and White streets. This would be a terrible eyesore for the city, and extremely detrimental to the nearby neighborhoods. In fact, it would certainly deter us from continuing our plans to leave well-planned Plano for "haphazard" Anna. In order to make Anna the prosperous city it has all the potential to be, the government must consider long term consequences and the wishes of the people. Thank you

Additional Information:

Form submitted on: 11/16/2021 3:27:53 PM

Submitted from IP Address: 47.186.4.63

Referrer Page: <https://www.annatexas.gov/891/Planning-and-Zoning-Commission>

Form Address: <http://www.annatexas.gov/Forms.aspx?FID=41>

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

- Criminal activity will increase bc of lack of staff, poor lighting and security, ie drugs, theft, and assault.
- Noise levels will exceed because of people moving things at all times day/night
- Home values will lower

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Sen Simmone

Name (Please Print)

[Signature]

Signature

516 Westpark Dr

Address

11-29-21

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Avery Pointe Commercial, Block A, Lots 20 & 21 11/30/2021

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I agree with the sentiments of
the included letter to oppose.

By signing this letter, I declare I am the owner or authorized agent of the property at the address
written below.

James Simmons
Name (Please Print)

Signature

516 Westpark Dr
Address

11-29-21
Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Avery Polite Commercial, Block A, Lots 20 & 3 11/06/2021

Hello,

We hope this email finds you well.

We are writing this in regards to the recent proposal of the mini storage facility.

It has been discussed that the storage facility is proposed to be placed in area by the front of our housing addition, Avery Pointe Estates. We would like to provide the reasoning behind why we do not want this facility placed by our community and how it would negatively impact the city/area.

Coming from someone who currently works in the security industry, we do not want a mini storage unit in the proposed area due to the following reasons associated with self-storage facilities,

Criminal activity will greatly increase due to the nature of the facility, lack of staff, poor lighting, lack of maintenance, and security. i.e. drugs, theft, burglary, and assault.
Rodents and insects will be more prominent. This is associated with ALL storage facilities.
Not everyone is as clean as we would prefer.
Noise levels will exceed the present levels due to the hours of the storage facilities operation.
People often move things all hours of the day/night.
Garbage and other waste or debris will be left by dumpsters and trash bins.
Home values will lower due to the above listed items.

What are the statistics or information that backs up the above statements? Please see below.

Per ABC News: Denver, CO storage units experience as many as 1 crime such as burglary or assault every 2 months. This was reported for the year of 2020.

Per Wichita Falls, TX PD: Self-storage units or businesses provide a unique target for criminals due to the items that are often stored there. Additionally, criminal conduct can go unnoticed due to low traffic within the storage area.

Per Houston, TX PD: Self-storage units are often a haven for criminals and are reported to be the #1 cause of burglaries. Just from 2010-2013 there were 34 break-ins reported.

Per Arlington, TX PD: Two people burglarized a storage facility during the hours

Per Arlington, TX PD: Two people burglarized a storage facility during the hours of 12:30 PM-1:30 PM In April of 2021.

Per Dallas, TX PD: In December of 2014 three individuals burglarized 155 storage units around midnight.

Per Houston, TX PD: In March of 2021 a female teenager was kidnapped and held captive in a storage unit for 5 days. She was also sexually assaulted during the incident. This case is possibly associated with the human trafficking ring in Houston.

The above are just a few reports or incidents that have occurred among thousands. It's not just nighttime that storage facilities bring in criminals. It's all hours of the night and day that these incidents occur. This is an issue in every state and every city. Who is to say these criminals won't move on to the nearby homes or vehicles parked in our community? This is a major safety concern not only for our family, but for all people in the community and city.

There are far better options for the land and far better areas for a storage facility to be placed. i.e. away from families, schools, and homes!

Examples of things that would benefit the community and city are listed as follows,

- YMCA or Gym
- Community Library
- Retail Shops
- Restaurants
- Coffee Shops
- Community Garden
- Community Park
- Community Dog Park
- Community Food Truck Yard
- Grocery Store
- Hardware Store
- Movie Theater
- Health Clinic

In closing, we urge you to please review the hardships and issues that the storage facility could cause in the future. We implore you to reconsider the proposed and commit to enhance our city.

From: [Skylar Maple](#)
To: [Lauren Mecke](#)
Subject: Zoning Response - Avery Pointe Homeowner
Date: Monday, November 22, 2021 11:47:00 PM

I hope this email finds you well,

I would like to let the City of Anna know that my household is NOT in favor of the purposed Storage Unit. This is to be built on S. Ferguson and White St.. It will not add to our life here in Anna; there is another storage unit down the street. This land should be used for a retail business in order to bring value to the land and property around it. I would also imagine that a Storage Unit means bright security lights in my front windows at night.

Please think about the people around this land and the value that it could provide the city and add property value for the residents.

If there is a form I need to fill out, please let me know.

Thank you,

Skylar Maple



THE CITY OF Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request ☒

Comments:

I am against the addition of the storage unit. As a resident of the Avery pointe community, I would hate to see such a dangerous business put in the front of our neighborhood. Not to mention one of the more busy intersections, which includes traffic from 7-11 and brookshires, which both would contribute to trash dumping, increase in crime and even more light pollution as well as noise throughout all hours of the night. There are many more beneficial options for this land, but a storage unit that will be ran by a third party company is not one of them. The thought of increase in crime, our neighborhood becoming less suitable to walk in the evening, and fear our something happening to our homes throughout the day as well. This also will greatly decrease the value of anyone home in the neighborhood and more than likely cause several to leave the city of Anna.

This letter, I declare I am the owner or authorized agent of the property at the address written below.

Aaron Kovach

Name (Please Print)

Aaron Kovach

Signature

1412 forest Haven drive

Address

11-22-2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409



THE CITY OF Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request ☒

Comments:

I am against the addition of the storage unit. As a resident of the Avery pointe community, I would hate to see such a dangerous business put in the front of our neighborhood. Not to mention one of the more busy intersections, which includes traffic from 7-11 and brookshires, which both would contribute to trash dumping, increase in crime and even more light pollution as well as noise throughout all hours of the night. There are many more beneficial options for this land, but a storage unit that will be ran by a third party company is not one of them. The thought of increase in crime, our neighborhood becoming less suitable to walk in the evening, and fear our something happening to our homes throughout the day as well. This also will greatly decrease the value of anyone home in the neighborhood and more than likely cause several to leave the city of Anna. In this letter, I declare I am the owner or authorized agent of the property at the address written below:

Leecia Kovach

Name (Please Print)

Leecia Kovach

Signature

1412 forest Haven drive

Address

11-22-2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 778
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

*This is a response to the Storage Unit plans
for Ferguson + White. This building will be unsightly,
impact property values, & cause issues in my community
by increasing traffic, crime, light pollution. To add,
this type of building does not fit into this community*

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Matthew R. Burns

Name (Please Print)

[Signature]

Signature

1301 Chapel Hill Drive

Address

11.23.2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Received 12/02/2021
Planning & Development

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I believe this storage facility will be the best option for the neighbors living next to the lot. This is a quiet option that will not be a nuisance.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

CHARLEY EIDENIER

Name (Please Print)

[Signature]

Signature

500 Brook View Ct Anna, Tx 75409

Address

11/27/21

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Concerned to potential security
issues and negative impact to
property value (resale value).

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Birgitte Blackwell
Name (Please Print)

Birgitte Blackwell
Signature

416 Brook View Ct. Anna, TX 75409
Address

11/29/2021
Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

From: [Josh Cave](#)
To: [Lauren Mecke](#)
Subject: Zoning Response - Proposed Zoning Change public hearing Dec 6th
Date: Friday, December 3, 2021 1:13:30 PM

Good day,

I am submitting an electronic response to the proposed zoning change. My name is Joshua Cave and I live at 509 Brook View Ct, Anna, TX 75409.

I support Proposal 1 to reduce the landscape requirements buffer for Lot 2R to align with the existing fire lane.

I am opposed to Proposal 2 & 3 of granting a SUP for self-storage. It does not seem to be in the strategic interests of the citizens of Anna to solicit businesses that are not locally owned and also will not employ a large number of Anna citizens relative to the square feet allocated for this business. As the proposed self-storage fails both of these criteria, I request that we deny the SUP for self-storage and grant this to another business that is either locally owned or can employ a large number of Anna citizens.

Thank you for including my feedback in the upcoming discussion.

Best Regards,
Josh

From: [Kevin Wasp](#)
To: [Lauren Mecke](#)
Cc: [Nate Pike](#); [Jim Proce](#); [Ryan Henderson](#); [Council](#); [Ross Altobelli](#)
Subject: Zoning Response
Date: Friday, December 3, 2021 4:32:01 PM

Hello Lauren,

I am contacting you to officially provide notice that I am “opposed to request” regarding the proposed zoning change.

This location is a poor choice to allow a 35ft two story structure to be built. Storage units have notoriously been associated with criminal activity. They also are breeding grounds for illicit activities at night. <https://www.sparefoot.com/self-storage/blog/4626-self-storage-crime/>

There is also the consideration that this structure will be an unsightly addition to the neighborhood. Especially to the taxpaying homeowners who will live in the shadow of this two story structure.

The City of Anna has ample commercial zoned real-estate locations adjacent to the Walmart shopping center that would be far better suited for the traffic, noise pollution and access for traffic associated with storage units.

I expect the City of Anna will take into advisement my concerns. As a resident and taxpaying homeowner, I find it concerning the lack of foresight in considering this zoning change and location.

Please reconsider the proposed zoning changes and keep Anna a family friendly homeowner based city as Mayor Nate Pike has stated many times. I believe we can sustain the fast growing City of Anna while maintaining the same safety and appeal that makes Anna such a great place to live in.

Please feel free to reach out to me if you have any questions or concerns.

Best Regards,

Kevin Wasp

1408 Crescent View Dr
Anna, TX 75409
972-552-4000

Received 12/06/2021
Planning & Development
1 of 4

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Would love to see more
restaurants and/or shops in the area.
Strongly opposed to the proposed
storage facility. See email we sent with
statistics and benefits of putting something
other than the storage unit!

By signing this letter, I declare I am the owner or authorized agent of the property at the address
written below.

Lauren Story

Name (Please Print)

Lauren Story

Signature

512 Westpark Drive

Address

November 30, 2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Amery Pointe Commercial, Block A, Lots 28 & 3 11/16/2021

Received 12/06/2021
Planning & Development
2 of 4

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

WOULD LOVE TO SEE MORE RESTAURANTS AND/OR
SHOPS IN THE AREA. STRONGLY OPPOSED TO
THE PROPOSED STORAGE FACILITY.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

DEB (DEBIL) STORY

Name (Please Print)

[Signature]

Signature

512 WESTPARK DR.

Address

30 NOV 2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Amey Pointe Commercial, Block A, Lots 24 & 3 12/06/2021

We are writing this in regards to the recent proposal of the mini storage facility.

It has been discussed that the storage facility is proposed to be placed in area by the front of our housing addition, Avery Pointe Estates. We would like to provide the reasoning behind why we do not want this facility placed by our community and how it would negatively impact the city/area.

Coming from someone who currently works in the security industry, we do not want a mini storage unit in the proposed area due to the following reasons associated with self-storage facilities,

Criminal activity will greatly increase due to the nature of the facility, lack of staff, poor lighting, lack of maintenance, and security. i.e. drugs, theft, burglary, and assault.

Rodents and insects will be more prominent. This is associated with ALL storage facilities. Not everyone is as clean as we would prefer.

Noise levels will exceed the present levels due to the hours of the storage facilities operation. People often move things all hours of the day/night.

Garbage and other waste or debris will be left by dumpsters and trash bins.

Home values will lower due to the above listed items.

What are the statistics or information that backs up the above statements? Please see below.

Per ABC News: Denver, CO storage units experience as many as 1 crime such as burglary or assault every 2 months. This was reported for the year of 2020.

Per Wichita Falls, TX PD: Self-storage units or businesses provide a unique target for criminals due to the items that are often stored there. Additionally, criminal conduct can go unnoticed due to low traffic within the storage area.

Per Houston, TX PD: Self-storage units are often a haven for criminals and are reported to be the #1 cause of burglaries. Just from 2010-2013 there were 34 break-ins reported.

Per Arlington, TX PD: Two people burglarized a storage facility during the hours of 12:30 PM-1:30 PM In April of 2021.

Per Dallas, TX PD: In December of 2014 three individuals burglarized 155 storage units around midnight.

Per Houston, TX PD: In March of 2021 a female teenager was kidnapped and held captive in a storage unit for 5 days. She was also sexually assaulted during the incident. This case is possibly associated with the human trafficking ring in Houston.

The above are just a few reports or incidents that have occurred among thousands. It's not just nighttime that storage facilities bring in criminals. It's all hours of the night and day that these incidents occur. This is an issue in every state and every city. Who is to say these criminals won't move on to the nearby homes or vehicles parked in our community? This is a major safety concern not only for our family, but for all people in the community and city.

There are far better options for the land and far better areas for a storage facility to be placed. i.e. away from families, schools, and homes!

Examples of things that would benefit the community and city are listed as follows,

YMCA or Gym
Community Library
Retail Shops
Restaurants
Coffee Shops
Community Garden
Community Park
Community Dog Park
Community Food Truck Yard
Grocery Store
Hardware Store
Movie Theater
Health Clinic

In closing, we urge you to please review the hardships and issues that the storage facility could cause in the future. We implore you to reconsider the proposed and commit to enhance our city.

Kind Regards,

Deb & Lauren Story

512 Westpark Dr Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I am opposed to the storage facility on the corner of 455 and Ferguson. I believe that this facility will lead to higher crime that could spill over into the Avery Point area. I think that this proposed development is bad for the area.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Michael J. Pratt
Name (Please Print)

Michael J. Pratt
Signature

1219 Chapel Hill Drive
Address

12-6-21
Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409



Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I feel that a storage facility at the main entrance of our neighborhood would cause traffic issues as well as increase the potential for crime. I am opposed to the development of the storage facility.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Peter Butcher

Name (Please Print)

A handwritten signature in red ink, enclosed in a red rectangular box. The signature appears to be "Peter Butcher".

Signature

1801 Avery Pointe Dr
Anna TX 75409

Address

12/6/2021

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

From: [john pennell](#)
To: [Lauren Mecke](#)
Subject: For the Public Record Agenda Items #20, #24(A), #24(B)
Date: Monday, December 6, 2021 1:01:01 PM

Monday
06, Dec., 2021

Ms. Mecke,

Please disseminate and include this communication where appropriate.
Thank you,

John Pennell
1515 Westfall Drive
Anna TX, 75409
816 830 1975

To:
Interested Parties.

RE: Planning and Zoning Commission Meeting
Monday, December 06, 2021

Citizen Comments:
Proposal for Mini self-storage (White and Ferguson)

- 1). Consent Item #20.
John Pennell is in favor of and supports the re-plat.
- 2). Items for Individual Consideration Item #24 (A).
John Pennell is in favor of and supports the amendment to zoning by specific use permit.
- 3). Items for Individual Consideration Item #24 (B).
John Pennell is in favor of and supports the Concept Plan.*
*(My opinion is: the drawing "Concept Plan Notes" notation is insufficient by itself.
The regulation of the handling of waste should be further defined in the specific use permit/agreement...
at the discretion of the City Manager, Mayor and Council.)
- 4). Recommendation:
John Pennell is in favor of and supports the staff recommendations.

From: john pennell
Sent: Friday, December 10, 2021 1:11 PM
To: Ross Altobelli
Cc: Lauren Mecke; Salena Tittle; Heather Standerfer
Subject: mini-storage proposal / White and Ferguson
Attachments: [Tabular Summary of Comments.pdf](#); [Rebuttal to Comments Opposing Proposal.pdf](#); [ITEMS TO CONSIDER FOR ADDITIONS TO THE SPECIFIC USE PERMIT.PDF](#)

Director Altobelli,

I am writing to support the work of you and your colleagues.
You have my respect.

I am asking that this communication be widely distributed.

Please forward it City wide to all that have e-mails.

Let me be clear...

Jim's "Team" needs to know that the Director of Development Services and his staff are straight shooters and are doing a great job.
As do the people of ANNA.

I also need this communication to go to the Mayor and City Council and the Planning and Zoning Commissioners.

I authorize them to use all or parts in any fashion they choose, read it into the record, print it, post it, etc.

I do not plan to speak at the public hearings.

Bottom Line:

I place my trust and confidence in my City Manager and his team.
Anna is well on its way to becoming a shining star and the #1 City in North Texas.
Y'all are going to lead the way.

Highest Regards,

John Pennell
1515 Westfall Drive
Anna TX, 75409

816 830 1975

On the day of the Planning and Zoning public hearing, (Monday, December 6, 2021) there were 17 submissions of public commentary posted.

!6 submissions were in opposition to the proposal and were proffered by:

Jessica Hurley and Slante' Mhath, Anne and Lee Norment, Amanda Leal, Tara Ebbinghaus, Rachael Hamilton, William Brush, Kimberly Winarski
Julia Gilsdorf Ramirez, Jen Simmons, James Simmons, Skylar Maple, Aaron Kovach, Leecia Kovach, Matthew Burns, Birgitte Blackwell, and Josh Cave.

Opposition beliefs fell into these categories:

14 Criminal Activity
14 Property Values
11 Disturbances/Noise/Lights... 24/7
7 Traffic
6 Trash
5 Rats and Vermin
5 Eye Sore / A Monstrosity
5 Anna has plenty of storage facilities
2 Anna has higher needs
1 Pollution
1 Lack of Privacy
1 Not enough revenue for the City
1 Business should be locally owned
1 Business should employ City residents

A submission was in favor of the proposal and was proffered by: Charly Eidenier.

Supporting beliefs fell into these categories:

1 Quiet
1 Not a nuisance
1 Best option

On the evening of Monday, December 6, 2021, a public hearing took place.

5 speakers were in opposition to the proposal.

The names of the speakers are Lee Norment, Stephen Fletcher, Julia Norvell, William Rush, and John Oglesby.

Opposition beliefs fell into these categories:

- 4 criminal activity
- 3 property values
- 3 eyesore / monstrosity
- 2 operation vendor not named
- 2 lights at night
- 1 traffic
- 1 height of building
- 1 how many do we need
- 1 homeless will get in
- 1 better use of the land
- 1 zoning is to preserve the character of the community

A Commissioner asked for the project tax numbers to be made available to The Commission.

Send:
Friday,
December 10, 2021

The citizen comments are
well intentioned and emotionally compelling.

However, as I reviewed them,
I found City staff reports and recommendation
showed a greater knowledge of the facts in every circumstance.

The City Development Services has done a noteworthy and
exemplary job of collecting pertinent facts and presenting them.

Here are my opinions... in rebuttable... to the commentary of other citizens
who proffered them in opposition to the proposal.

CRIMINAL ACTIVITY

The Specific Use Permit* enables the City to stipulate the terms and the conditions and
the standards for the security of the mini-warehouse facility.
(see below).

The lucrative nature of self-storage facilities** provides sufficient funding
for eliminating most all likelihood of crime.
(See below)

The Specific Use Permit should require, and set out and specify
what are the acceptable security measures...

Security methods may include many possibilities, such as...
over-night security dogs, security dogs with cameras, abundance of cameras, or
a requirement that an off-duty Anna law enforcement officer must be employed...
and, on site... 24/7.

Any of these should deter criminal activity and
some will nearly guarantee zero criminal activity.

My father used to say... "First, you've got to want to"...

PROPERTY VALUES

The City Council, the City Manager, and the City Staff, all want what is best for this City.
It is silly to say otherwise.

All of these individuals are professionals and are educated in
municipal development and those things which are beneficial and necessary
to create a thriving community.

Our City leaders are not idiots. On the contrary, they are experienced professionals.
It is nonsense to imply that our City leaders would move forward with a land use proposal that
undermines the development of the City or reduces the property values of homes.

Further,
a City Manager cares for his community... more than any of us... combined.
It's his baby... and, it's all he lives for... and,

He wants to make the best decisions and to get it right.

He has hand-picked his team to do just that... get it right.

And when citizens are asked for our input at public hearings... provide it, then
trust that he'll do his best to get it right.

I trust my City Manager and his team... so should you.

And know this... any mistake hurts the City manager...
way more than it effects your property value.

We are all citizens of Anna... so love each other... and be kind.

DISTURBANCES from NOISE, LIGHTS, and 24/7 HOURS of OPERATION

The packet presented by the City staff addresses the issues, quite thoroughly.

This fact is clear:

The developer/operator is in agreement to let the City set out the terms and conditions
for operating this business in the Specific Use Permit.. Period.

At this point in time...

The developer/operator agrees to follow the City of Anna lighting requirements.

The developer operator agrees to limit the hours of operation to be from 6:00 AM to 10:00 PM.

The developer/operator agrees that outside storage will be prohibited.

The sketch drawing indicates all buildings will be
a full 35 foot set-back from the existing masonry walls.

TRAFFIC

The packet presented by the City staff addresses the issues, quite thoroughly.
and provides comparative analyses for various land uses and various business types.

Here are the staff findings.

The estimated vehicular traffic for
the peak (2) hours from 4 pm to 6 pm in the afternoon/evening...

For the proposed mini-storage units.....(76,973 sq.ft.).....	13 vehicle trips.
For a General Office/ Medical Office/ Shopping Center.....(14,000 sq.ft.).....	86 vehicle trips.
For a Shopping Center.....(28,000 sq.ft.).....	107 vehicle trips.
For a Shopping Center with 2 Restaurant Drive thru's.....(10,000 sq.ft.) plus (2 x 3,500 sq.ft.).....	267 vehicle trips.

Please Note: The proposed self-storage, mini warehouse development would
generate significantly less traffic than any other of the retail, office, and service type uses.

TRASH

The staff has recommended that trash receptacles shall be only allowed inside a building.
The Specific Use Permit should address the number of receptacle with flexibility.
From time to time, 2 receptacles will be insufficient and inadequate a firm number of
receptacles is too limiting.

RATS and VERMIN

The Specific Use Permit should require the developer/operator
to secure a contact with a pest control provider.

AN EYE SORE/MONSTROSITY

The Specific Use Permit should set out the requirements for a beautiful streetscape.

ANNA HAS PLENTY OF STORAGE FACILITIES.

A visit to Advantage Storage, the nearest storage facility to the proposal (a couple of blocks away) revealed that this facility has 505 units, 504 are fully leased and 1 is used by the facility, and that there are in excess of 50 customers on a waiting list.

To verify these statements,...
call the Facility Manager, Josh 469-905-0700 or the Assistant Manager Jonathan 972 924 8588.

NOT ENOUGH REVENUE FOR THE CITY

Mini-Storage Warehouse Units can be incredibly lucrative.
The Specific Use Permit* enables the City to utilize and direct money.

(Below is a web-link to an industry trade blog which tells the following statements.)
There exist more self-storage facilities in the U.S. than
all of the McDonalds, Starbucks and Subway restaurants...combined.

2019 income numbers for the industry were
estimated to be 37, 000,000,000... that's BILLION !!!

Source document:
EVERYTHING YOU NEED TO KNOW ABOUT HOW TO START A SELF-STORAGE BUSINESS
John Egan
Jul. 26, 2021
Blogs

If you have time to read it,
many other interesting tidbits are scattered through-out this promotional blog.
The Ultimate Guide to Starting a Storage Business - Storable Blog
(See below, **The Lucrative Nature of Storage Facilities).

FOOTNOTES:

***ENABLING ORDINANCE.**

Click on this Web-Link

[Franklin Legal Publishing, powered by CTS z2](#)

or, for your convenience...

CITY OF ANNA

CODE OF ORDINANCES

ARTICLE 9.04 ZONING ORDINANCE

Sec. 9.04.036 Specific Use Permit

(b) Conditions for approval of specific use permit.

(3) The city council may

in the interest of the public welfare and to assure compliance with the intent of this article,
require such development standards and operational conditions and safeguards,
as are indicated to be important to the welfare and protection of
adjacent property and the community as a whole.

****LUCRATIVE NATURE OF SELF STORAGE FACILITIES**

Click on this Web-Link

[The Ultimate Guide to Starting a Storage Business - Storable Blog](#)

ITEMS TO CONSIDER FOR ADDITIONS TO THE SPECIFIC USE PERMIT.

1) PEST CONTROL CONTRACT REQUIREMENT

2) STREETScape BEAUTIFICATION REQUIREMENT

3) BACKGROUND CHECK REQUIREMENT

Know your customer laws are growing in popularity.
They exist in diverse business segments.
From banking and finance... think 911 and Dodd–Frank.
to the automotive salvage business... etc... etc... etc...
It is possible for the City to require a fee collection
from prospective customers to fund the Anna police
to run a background check... for bad actors.
And, you know what I'm talking about.
In some jurisdictions, convicted sexual deviants
are not allowed to reside within 1000 feet of a school.
Liquor stores are not allowed within 300 feet of a church.
The City needs to know, who is renting storage units.
And Officers need to know, who is renting storage units.
Legitimate customers will fund their background checks,
while bad actors will flee and locate elsewhere.

4) ANNA ISD PARTNERSHIP REQUIREMENT

In as much as Art has been proven to be instrumental
to a young person's development...
I am asking for consideration of a dedicated area adjacent
and including the west facing wall for use by and
in PARTNERSHIP with... the Anna ISD to utilize that area
and set it aside as a display area for the Senior Class
Art Community to showcase, beginning with
the class of 2023.
The area should include a mural board
(which may be incorporated with the wall itself) and
several display pads for sculptures.
Display lighting should be included.

5) SHARED WALL BUFFER WALL ESCROW FUND REQUIREMENT

Developers of this commercial parcel are required by Ordinance to build a buffer wall... and since... one already exists... any business developer will save the cost of that wall... The reality is that the HOA has paid the entire bill for the **shared** masonry wall... So in fairness... the developer should escrow the funds for the replacement wall. (25 years in the future). It would be in the interest of the City to place the developer contributions in a segregated escrow account.

6) RECREATIONAL USAGE PROHIBITION REQUIREMENT

A trending activity in mini-storage units is to use them as party facilities. As an example... Folks are out-fitting storage units with a big video screen, a pool table and a bar. And then their friends are invited to come and watch the game... these units are climate controlled. The City needs to get a handle on this... now. Generally, storage unit infrastructure is not constructed to support this volume of activity, in terms of parking, and safety, and medical, and bathroom s...etc.

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Please see attached yellow sheet

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Kelly J. Oglesby
Name (Please Print)

Signature

Address

1333 Crescent View Dr.

Date

12-6-21

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

I stand in opposition to this request for a proposed zoning change. I live in Avery Point Subdivision, those of us living here own homes. Our homes have yards and at least two ~~story~~ car garages. We can have storage buildings in our backyards or we can store things in our garages. We don't need a two story storage facility. Storage facilities are needed by multi family facilities (apartments). They need to build this storage facility next to multi family facilities (apartments) or ~~Building this next to our housing subdivisions~~ ^{in subdivisions} will ~~also~~ ^{only} hurt our home values. I urge you to not recommend this request.

Kelly (DGS) by Johanna

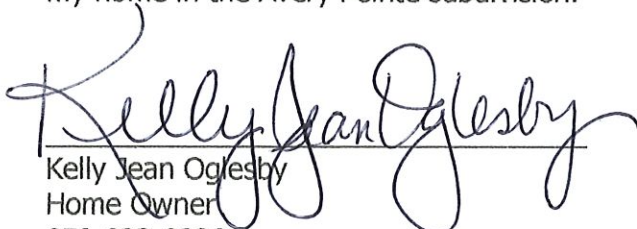
12-6-2021

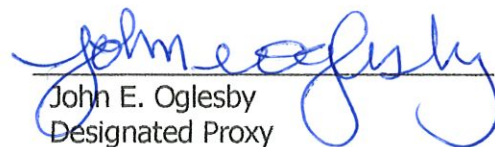
' PROXY LETTER FOR ATTENDANCE '

Date: December 6, 2021

To whom it may concern,

I, Kelly Jean Oglesby (1333 Crescent View Drive, Anna, TX 75409), designate John E. Oglesby (who also resides in the home) to act on my behalf and to attend the meeting on my behalf at the Anna ISD Board Room (201 E. 7th Street) to be held on the on Monday, December 6, 2021 at 7 p.m. He will express my concerns and opposition to the proposed zoning change that will impact my home in the Avery Pointe subdivision.


Kelly Jean Oglesby
Home Owner
850-933-9328


John E. Oglesby
Designated Proxy

THE CITY OF
Anna

Received 12/07/2021
Planning & Development

Please circle one.

In favor of request

Neutral to request

Opposed to request

Comments:

I am opposed to the request for the 2 story storage facility at White and Ferguson. There are much better options ~~for~~ this type of facility besides at the entrance and backing up to the Avery Point Residences and pool area. Not only will this decrease property values, it will increase crime activity, traffic ~~as~~ hazards, and garbage being dumped onto the HOA Community. Please try to promote

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Sherry Foelke

Name (Please Print)

Sherry Foelke

Signature

204 Copper Switch Dr. Anna, TX 75409

Address

11/23/21

Date

Something similar to the ~~office~~ doctors office plaza at the entrance to The Falls!!

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Too close to housing development & neighborhood
Eye sore - tallest building in Anna is a storage facility?
Already at least 9 storage facilities in Anna
Property adjacent becomes less desirable
Drugs, thefts increase in storage facilities - fact!

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

JULIA NORVELL
Name (Please Print)

Julia Norvell
Signature

1524 WESTFALL Dr
Address

12/6/21
Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Not against storage units, but the location of this is questionable, right on the main street and so close to housing development.

Such an **eye sore** when Anna residents really would prefer beautifying attractions for their families. Do you really want the tallest building on White street to be a storage facility?

How many storage facilities are needed in Anna? I can find at least 9. All seem to be located off the main streets of Anna, which seems logical.

How will **traffic flow** be addressed?

Traffic is already congested on Ferguson at White Street, speeding cars on Ferguson. I almost got hit crossing the street between east and west at Avery Point Dr. The person speeding in the car could have moved over to the other lane, but did not preferring to honk at me. This gives the mindset of people already in a hurry on a Sunday morning.

EIR done?

Decease in property values, Some may argue that it would not be impacted, but all the same, the area still becomes less appealing.

What are city regulations regarding storage facilities?

From the City of Anna Planning & Zoning guidelines:

What is the purpose of zoning? - Jan 18, 2011

<https://www.annatexas.gov/faq.aspx?qid=183>

Zoning is the practice of dividing an area into districts within which **regulations** and requirements uniformly govern the use, placement, spacing and size of land and buildings. **Zoning** is most often utilized to protect properties from incompatible adjacent land uses and to preserve the "character" of a community.

ISN'T ANNA ABOUT NEIGHBORS AND COMMUNITY?

There is an elementary school just up the street on Ferguson, the Montessori school just up the street on White and daycare facilities in this same area...and the Avery Pointe Pool is just on the other side of the brick wall. A huge storage facility does not seem conducive in the proposed location.

While contemplating making Anna my forever home, I browsed the City Agendas. I recall reading that one reason a hotel at 455 and US 75 was withdrawn because of fear of drugs. The walls of storage units will hide them better than a hotel.

Drugs, firearms, labs are concealed within the walls of storage units. Thefts...the list is endless.

Following are links to articles of interest on this subject.

<https://www.bluesheepdog.com/self-storage-units-and-drug-interdiction/>

Through the years, police officers have found all sorts of criminal activity lurking inside of an unassuming self-storage facility. Recently, police training classes have talked about the

use of a self-storage facility to establish a meth lab. While the threat of methamphetamine production is real, don't forget about other crimes that can happen in these units:

- storage of drugs
- storage of counterfeit goods
- stolen property
- money that is waiting to be laundered
- the making of bombs for a terrorist attack
- storage of illegal weapons

<https://www.kbtx.com/content/news/Madison-County-deputies-investigating-storage-unit-thefts-569015741.html>

Jun 03, 2011. Police are investigating several break-ins at multiple self-storage facilities in Madison, Texas. At least three self-storage units and two storage sheds in residential neighborhoods have been burglarized in the past month. State Street Storage, Wilson Management Company and D&J Storage all reported a break-in.

Thieves Steal Motorhome Worth \$150K From Fort Worth ...

<https://dfw.cbslocal.com> › 2021 › 07 › 22 › thieves-steal-motorhome-worth-150k-from-fort-worth-storage-facility Parker County Sheriff Russ Authier said the theft occurred Saturday, July 10, at 6 p.m., in the 15000-Block of State Highway 377, in Fort Worth at the Wabash RV & Boat Storage facility.

Self-Storage Crime: Are Facilities a 'Haven for Thieves'?

<https://www.sparefoot.com> › self-storage › blog › 4626-self-storage-crime On the whole, self-storage facilities in Houston and across the country are safe; according to the 2013 Self-Storage Almanac, just 8.9 percent of facilities surveyed had reported break-ins or thefts in 2012. But the folks at KHOU and "Good Morning America" make it sound like self-storage crime is running rampant.

Seguin police recover thousands in merchandise stolen from

<https://www.ksat.com> › news › local › 2021 › 03 › 23 › seguin-police-recover-thousands-in-merchandise-stolen-from-storage-units Suarez said Seguin police are investigating several thefts that have taken place at storage facilities along 123 Bypass and Highway 46. "Criminals are looking for easy access in and out ...

Retired NASA astronaut has space memorabilia stolen from ...

[https://www.click2houston.com › news › local › 2020 › 03 › 06 › retired-nasa-astronaut-has-space-memorabilia-stolen-from-storage-facility-near-galleria-area](https://www.click2houston.com/news/local/2020/03/06/retired-nasa-astronaut-has-space-memorabilia-stolen-from-storage-facility-near-galleria-area)

Retired NASA astronaut has space memorabilia stolen from storage facility near Galleria area.

HOUSTON - More than two dozen storage units were broken into in at the Public Storage near the ...

Are the Public Storage companies responsible for theft and ...

[https://www.avvo.com › legal-answers › are-the-public-storage-companies-responsible-for-t-1367111.html](https://www.avvo.com/legal-answers/are-the-public-storage-companies-responsible-for-t-1367111.html)

Are the Public Storage companies responsible for theft and vandalism to your units? We have had a storage unit at Public Storage since July 2010. This week we decided we were going to down size our unit and take some of our personal belongings home.

Parker County SO Makes Arrests Following String of Thefts ...

[https://www.nbcdfw.com › news › local › parker-county-deputies-arrest-4-following-string-of-thefts-targeting-rvs-motorcycles › 2666422](https://www.nbcdfw.com/news/local/parker-county-deputies-arrest-4-following-string-of-thefts-targeting-rvs-motorcycles/2666422)

"Several suspects have been arrested on theft of property and narcotics charges after the investigation led to the search warrants of two storage units at a facility in the 2000-Block of East ...

Local country artist cancels shows after musical equipment ...

[https://www.click2houston.com › news › local › 2020 › 10 › 15 › local-country-artist-cancels-shows-after-musical-equipment-stolen-from-cypress-area-storage-facility](https://www.click2houston.com/news/local/2020/10/15/local-country-artist-cancels-shows-after-musical-equipment-stolen-from-cypress-area-storage-facility)

11-year-old recovering in hospital after being hit by Ford F-150 in north Houston hit-and-run ... was stolen from Cypress-area storage facility ... been this sort of theft at the same facility ...

More Results

<https://www.insideselfstorage.com/crime/self-storage-employee-theft-signs-its-happening-and-what-do-about-it>

Employee theft can happen at any self-storage business, big or small. There are a number of reasons for it, but there also methods to uncover and prevent it. Learn the red flags that signal a crime might be happening at your facility and what to do about it.

Kerry Akins | Oct 28, 2021

1. Affordable Self Storage

3119 N Powell Pkwy
Anna, TX 75409

2. Advantage Storage

2211 W White St
Anna, TX 75409
Open · Closes 6PM



3. Kinsman Self Storage

2511 County Road 376
Anna, TX 75409

4. Recreational Realty

2380 FM-455
Anna, TX 75409

5. Blue Sky Self Storage

3119 N Powell Pkwy
Anna, TX 75409



6. Self Storage of Anna

114 Bowden St
Anna, TX 75409



7. Windmill Storage

1229 FM-455 E
Anna, TX 75409

8. Akmr Anna Storage

1229 FM-455 E
Anna, TX 75409

9. U-Haul Neighborhood Dealer

Car Rental
2511 County Road 376
Anna, TX 75409



BLUE SHEEPDOG

YOU ARE HERE: [HOME](#) / SELF STORAGE UNITS AND DRUG INTERDICTION

Self Storage Units and Drug Interdiction

Police officers engaged in drug interdiction quickly learn that experienced dealers and traffickers never drive a car they own when moving their product. Criminals have learned to bypass the asset forfeiture laws by renting a car, and moving the drugs with the leased vehicle. If stopped, the dealer may lose the product, but won't have lost additional money tied up in a multi-thousand dollar vehicle. Use a third party to lease the rental car, and the dealer has added an additional layer of insulation between him and the dope seized in the stop.

This tactic of using leased property extends beyond the motor vehicle, and observant officers can make an impact on criminal enterprise by watching self-storage facilities.



Self-storage facilities generally offer criminals with a near-ideal location from which they can work or store their products. The facilities often take cash, don't do background checks, ask few questions, are open 24-hours a day, and, based on how the property is laid out, offer the ability to work out of the view of the casual passerby.

Through the years, police officers have found all sorts of criminal activity lurking inside of an unassuming self-storage facility. Recently, police training classes have talked about the use of a self-storage facility to establish a meth lab. While the threat of methamphetamine production is real, don't forget about other crimes that can happen in these units:

- storage of drugs
- storage of counterfeit goods
- stolen property
- money that is waiting to be laundered
- the making of bombs for a terrorist attack
- storage of illegal weapons

By way of example, law enforcement officers seized 100,000 Ecstasy tablets in a self storage unit in the Los Angeles area on October 29, 2007.

Make contact with the managers of the facilities in your beat. Ask them if they have noticed anything, or anyone, strange on the property. If they are willing to work with you to prevent crime, suggest they pay attention to their renters. If anyone displaying certain common criminal characteristics rents from them, ask them to call you. Some of these common characteristics include:

- paying cash only
- paying for the rental months in advance
- abnormal concerns about privacy
- nervous behavior
- the use of fake or altered ID
- late night trips to the storage unit
- people other than the leasee visiting the unit

None of these characteristics establishes probable cause for criminal activity, but if someone pops up displaying several of these characteristics, they may be worth checking out.

Another thing to request of management is their permission to walk a department K-9 through the common areas of the facility. K-9's trained to detect drugs and/or bombs may hit on a scent in a common area that will lead you to a specific unit.

Keep your mind and eyes open when patrol around a self storage facility. You never know what you may find.

Stay safe!

THE CITY OF Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I oppose the city of allowing a 2 story self storage facility to be built in front of the entrance of Avery Point development. The construction of such facility will only obstruct the view that the development is there and hinder the ability of resale in that neighborhood. In addition, there is self storage already located on White St approximately 1500 yards west of White St and N. Ferguson Pkwy; there should be a limitation. Further, as the city grows and White St becomes one of the main thoroughfares, we need to be aware of the look it gives to our growing community. We want to attract new residents, not detour them away for certain developments

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Timra Vaalentyne

Name (Please Print)

Timra Vaalentyne

Signature

102 Kelvington Dr

Address

12/14/2021

Date

*** See attached page ***

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

Timra Valentyne

To: LMECKE@annatexas.gov
Cc: Timra Valentyne
Subject: Zoning Response

To whom it may concern,

Please see the attached form as an "Opposed to Request" of the building of another storage facility at the intersection of White St and N Ferguson Pkwy. Such facility will only obstruct the development and hinder the resale of the neighborhood. As a newer member of the community, I feel that there needs to be a limitation to certain types of buildings that will be built within approximately of each other. There is ample space in the city limits of Anna and with a storage facility already within 1/10 of a mile away, there is no need for another to be built so close to each other.

Furthermore, the city is growing very fast. With that speed, we need to be cognate of the type of businesses going in on White St as it is one of the main thoroughfares of the community. Each available lot should have careful consideration to the impact of the community and represent Anna to the best of its ability for new residents, but more importantly or local commerce. The local commerce is the life line of each community as it provides stability in the job sector for local residence as well represents the foundation of our growth. A self storage will provide minimal jobs and the pros don't out weight the cons given there are other areas a building of this nature could be placed.

Finally, leave prime locations along White St to businesses that will attract locals as well as patrons from outside communities, but most importantly have businesses that will give back to the community by way of jobs to our locals. These are prime locations that need to be treated as such as they are the face of Anna's community and what we stand to offer the outside world.

Have a*)
 3 3 **)
 (3 (3 * Wonderful day

Timra Valentyne

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I am opposed to the request of a special permit to erect a large storage facility in the proposed location at White St and Ferguson. As an Avery Pointe homeowner I would stare at this location everyday and I think a different business, park, recreational space, etc would be a better fit. The appeal of the neighbourhood will suffer.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Name (Please Print) Shelby Marmon

Signature Shelby N. Marmon

Address 1330 Timberfalls Drive

Date 01.04.2022

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Consent Item No.17 (mini-warehouse)

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Sawichaya Wester Walley

Name (Please Print)

Signature

S. Wester Walley

Address

433 Kaie Teur Dr.

Date

Anna, TX 75409

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

THE CITY OF
Anna

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

Please do not approve the storage unit to be built near Avery Pointe. It adds no value to our community.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Marisa Giddens

Name (Please Print)

Marisa Giddens

Signature

100 copper switch Dr.

Address

01/04/2022

Date

Please return this form to:

USPS Mail:

City of Anna
Planning and Development Department
P.O. Box 776
Anna, TX 75409

Or by e-mail to

LMECKE@annatexas.gov
Subject: Zoning Response

Hand Delivery:

Planning and Development Department
Public Works Building
3223 N. Powell Parkway
Anna, TX 75409

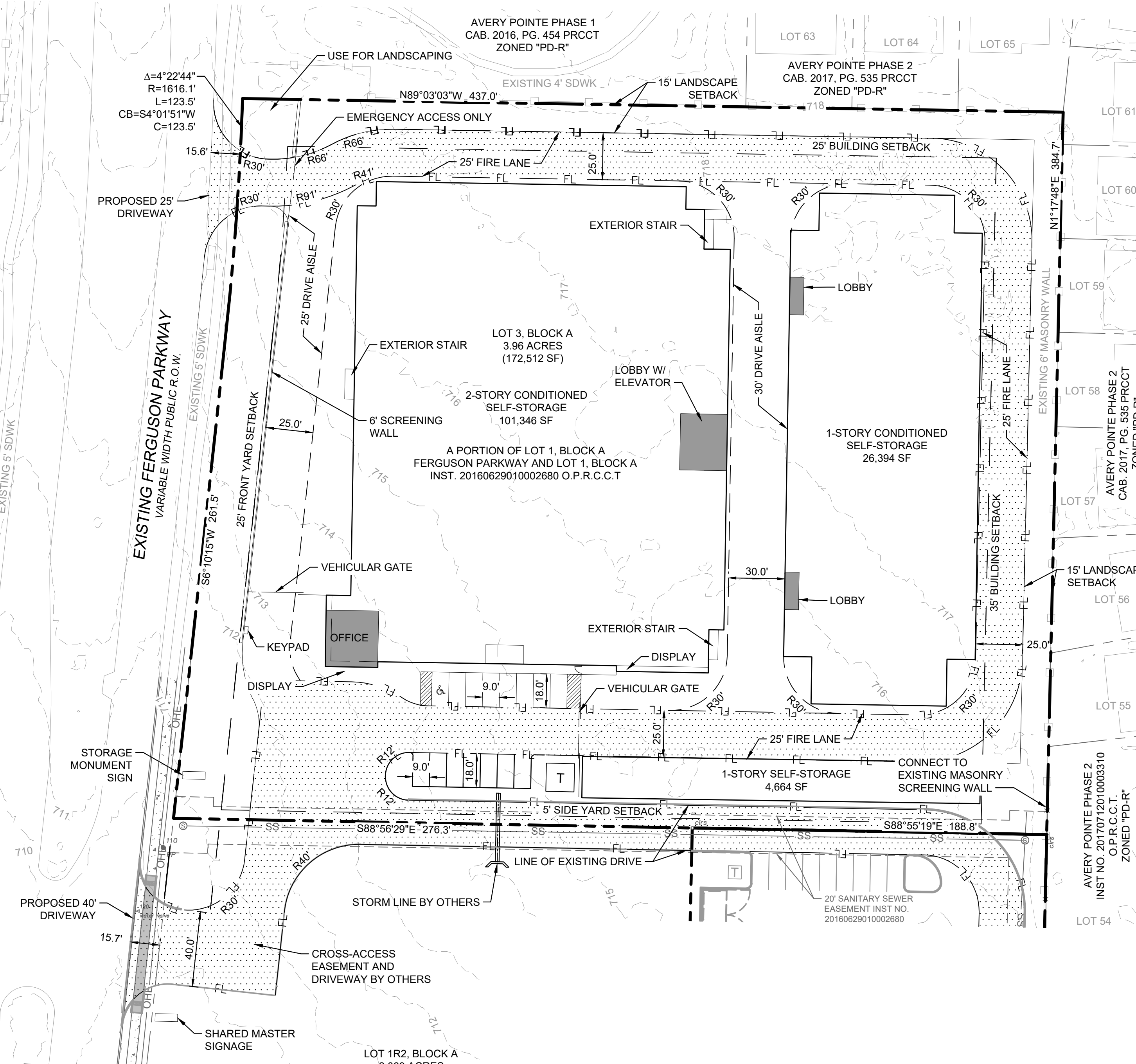


THE CITY OF
Anna



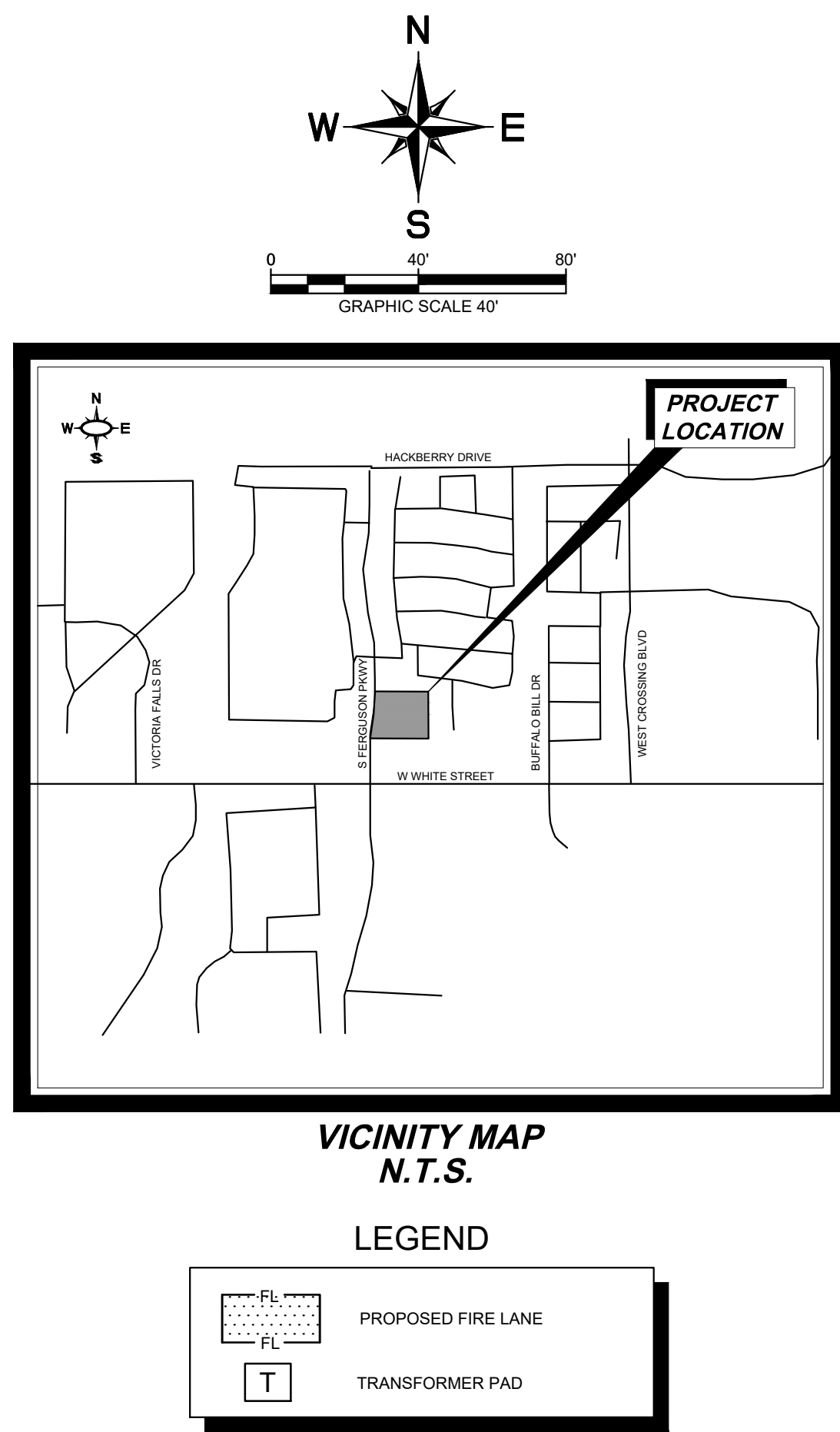
-  Subject Property
-  City Limits
-  Parcels
-  ETJ

This document, together with the concepts and designs presented herein, as an instrument of servit



CONCEPT PLAN NOTES

1. TWO (2) ROLL-OUT DUMPSTERS WILL BE PROVIDED AND STORED IN AN ON-SITE UNIT.



SITE DATA SUMMARY TABLE	
GENERAL SITE DATA	
LOT NUMBER	LOT 3
ZONING	PD
LAND USE	SELF-STORAGE
LOT AREA / SQ. FT. AND AC.	172,512 SF, 3.96 ACRES
BUILDING FOOTPRINT AREA (TOTAL)	81,731 SF
BUILDING HEIGHT (number of stories)	2 STORIES, 1 STORY
BUILDING HEIGHT (FEET)	35' Max
LOT COVERAGE	47.3%
PARKING	
PARKING REQUIRED (RATIO)	1 SPACE PER 100 UNITS PLUS 1 SPACE PER 1 OFFICE
NUMBER OF STORAGE UNITS	900
NUMBER OF OFFICES	1
PARKING REQUIRED	10
PARKING PROVIDED	15
A CCESSIBLE PARKING REQUIRED	1
A CCESSIBLE PARKING PROVIDED	1
LANDSCAPE AREA	
REQUIRED INTERIOR LANDSCAPE AREA	120 SF
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED	300 SF
TOTAL LANDSCAPE AREA	300 SF

CONCEPT PLAN
AVERY POINTE COMMERCIAL
BLOCK A, LOT 3
Being ± 3.96 Acres Out Of The
F. DUFFAU SURVEY, Abstract No. 288
Abstract No.288
Zoned: PD
City of Anna, Collin County, Texas
November 29, 2021

Owner/Applicant: Anna 455 Commercial LP 10950 Research Road Frisco, Texas 75034 Contact: Clint Richardson Phone: (214) 387-3993 Email: richardson@blandresources.com	Engineer: Kimley-Horn and Associates, Inc. 13455 Noel Rd, Two Galleria Office Tower, Ste. 200 Dallas, Texas 75240 Contact: Jonathan Kerby, P.E. Phone: (972) 770-1300 Email: jonathan.kerby@kimley-korn.com
--	--

CONCEPT PLAN

SELF STORAGE
CITY OF ANNA, TX, 75068
DENTON COUNTY

KHA PROJECT N/A
DATE NOVEMBER 2021
SCALE AS SHOWN
DESIGNED BY RAC
DRAWN BY JCK
CHECKED BY RCL

Kimley»»Horn

© 2021 KIMLEY-HORN
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300 FAX: 972-239-3820
TEXAS REGISTERED ENGINEERING FIRM F-928

[illegible]



THE CITY OF
Anna



Subject Property



City Limits

1

Parcels



ETJ

CITY OF ANNA, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE COMMERCIAL, BLOCK A, LOT 2R, SITE 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 9.02 ("Subdivision Regulation") and Article 9.04 ("Zoning Ordinance") of the Anna City Code of Ordinances; and

WHEREAS, Retail Buildings, Inc. has submitted an application for the approval of the Avery Pointe Commercial, Block A, Lot 2R, Site 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 Site Plan

The City Council hereby approves the Avery Pointe Commercial, Block A, Lot 2R, Site Plan attached hereto as Exhibit A subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this 11th day of January, 2022.

ATTEST:

APPROVED:

City Secretary, Carrie L. Land

Mayor, Nate Pike



Item No. 7.c.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Gregory Peters

AGENDA ITEM:

Discuss and consider approval of a Resolution authorizing the City Manager to submit a letter of support from the City Council of the City of Anna, Texas, for the proposed Hurricane Creek Regional Wastewater Treatment Plant planned for the City of Anna west of US 75, to the Texas Commission on Environmental Quality.

SUMMARY:

The City of Anna submitted a request for a discharge permit from the Texas Commission on Environmental Quality (TCEQ) for a new wastewater treatment plant in the southwest portion of the City last year. TCEQ has deemed the submittal administratively complete and is beginning their technical review.

As the process moves forward, there will be an open period for public comment. As such, all interested parties are allowed to submit letters in support or in opposition to the proposed wastewater treatment facility.

The proposed Hurricane Creek Regional Wastewater Treatment Plant is essential to the near term and long term growth and prosperity of the Anna community. The plant will allow for significant commercial and residential development to move forward on the west side of US 75. It will also provide sewer treatment needed for the existing Hurricane Creek development. Existing sewer flows from Phase 1 of the Hurricane Creek development is currently being pumped and hauled by City staff to an alternate downstream sewer connection.

The proposed plant is intended to be a regional solution. The plant is being designed to allow Weston and Van Alstyne to sewer significant portions of their respective sewer districts to the plant in Anna, providing cost-sharing opportunities for the project and lessening the cost burden on the City of Anna.

Staff is recommending the City Council to submit a letter of support for the project to TCEQ. A draft of the letter is attached to the resolution for consideration.

FINANCIAL IMPACT:

None at this time.

STRATEGIC CONNECTIONS:

This item supports the City of Anna Strategic Plan, specifically advancing:
Goal 2: Sustainable Anna Community Through Planned Managed Growth

STAFF RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENTS:

1. Res - Hurricane Creek WWTP Letter
2. Letter RE Hurricane Creek WWTP to TCEQ

APPROVALS:

Gregory Peters, Director of Public Works
Terri Doby, Budget Manager
Jim Proce, City Manager

Created/Initiated - 1/6/2022
Approved - 1/6/2022
Final Approval - 1/6/2022

**CITY OF ANNA, TEXAS
RESOLUTION NO. 2022-__-__**

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO SEND A LETTER OF SUPPORT FROM THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR THE HURRICANE CREEK REGIONAL WASTEWATER TREATMENT PLAN, TPDES PROPOSED PERMIT NO. WQ0016043001, AS SHOWN IN EXHIBIT “A” ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Anna intends to construct a new regional wastewater treatment facility in the southwest portion of the City of Anna, and;

WHEREAS, the proposed Hurricane Creek Regional Wastewater Treatment Plant will provide sanitary sewer treatment for the City of Anna, City of Van Alstyne, and City of Weston, including their respective areas shown in their Certificate of Convenience and Necessity for retail sewer utility service as designated by the Public Utility Commission of Texas, and;

WHEREAS, the City of Anna submitted a request for a discharge permit to TCEQ for the proposed facility in 2021, and;

WHEREAS, the City Council finds that the Hurricane Creek Regional Wastewater Treatment Plant is essential to the future growth and prosperity of the City of Anna, Texas, and;

WHEREAS, the City Council finds that the Hurricane Creek Regional Wastewater Treatment Plant is in the best interest of the health, safety, and welfare of all Anna Neighbors, and;

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.

The City Council hereby agrees to sign and authorizes the City Manager to issue the letter as shown in Exhibit “A” attached hereto.

PASSED AND APPROVED by the City Council of the City of Anna, Texas, on this ____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary, Carrie L. Smith

Mayor, Nate Pike

EXHIBIT "A"



January 11, 2022

Firoj Vahora
Municipal Permits Team (MF148)
Wastewater Permitting Section
Texas Commission on Environmental Quality
Building F, Room 2101
12100 Park 35 Circle
Austin, Texas 76753

Dear Mr. Vahora,

The City of Anna

As you are aware, the City of Anna submitted a request to TCEQ for a TPES Discharge Permit in the Fall of 2021. This requested permit (TPDES Proposed Permit No. WQ0016043001) is for the Hurricane Creek Regional Wastewater Treatment Plant which the City of Anna seeks to construct in the near future.

The City of Anna is partnering with the City of Van Alstyne and the City of Weston to develop a regional wastewater solution for our area. We have seen many new developments in and around our communities, including many potential Municipal Utility Districts, which require small individual wastewater treatment facilities. Collectively, we feel that it makes far more sense to provide a regional solution instead of having many small treatment facilities which will be more difficult to monitor, maintain, and ensure TCEQ compliance. Our goal is to provide a regional solution which can be utilized by development inside and outside of our community, including MUD's which develop in our region. We are seeking to ensure that we provide a solution which is safe, effective, and meets the highest standards of TCEQ.

The Hurricane Creek Regional Wastewater Plant is essential to the future growth and prosperity of our region, as there is not an existing downstream facility within a reasonable distance which can convey the anticipated sewer flows which are predicted by Anna, Van Alstyne, and Weston to an existing sewer treatment facility. Without a regional solution, all three communities will be forced to stop growth and development west of US 75. All three communities have active development projects, including more than 5,000 residential lots and multiple commercial

projects which require this facility to be in place. In addition, there exists thousands of acres of raw land which is likely to be master planned and developed in the next 5-7 years, doubling the population of the Anna, Van Alstyne, and Weston communities.

We respectfully request for you and your staff to take all of the regional needs into account as you review and consider our permit application. Our staff stand ready to assist and provide additional information or address any concerns which may arise during the technical review.

Respectfully submitted,

Nate Pike, Mayor

Lee Miller, Mayor Pro Tem

Josh Vollmer, Deputy Mayor Pro Temp

Kevin Toten, Place 1

Stan Carver, II, Place 3

Randy Atchley, Place 4

Dany Ussery, Place 5



111 North Powell Parkway Anna, TX 75409
Phone: 972-924-3325 www.annatexas.gov

THE CITY OF Anna

January 11, 2022

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Kevin Toten, Place 1

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Randy Atchley, Place 4

Dany Ussery, Place 5



Item No. 7.d.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact: Carrie Land

AGENDA ITEM:

Consider/Discuss/Action on filling a vacancy on the Economic Development and Community Development Corporation Boards. (City Secretary Carrie Land)

SUMMARY:

Mr. Matt Seagos has given his resignation to the staff, effective immediately. His term is not set to expire until May of 2023.

Staff seeks direction from Council and the Council Appointed Selection Sub-Committee to see if the Council wants to explore the following options:

1. Assign an interim appointment until the regular appointment cycle is enacted in May/June of 2022 and recruit a replacement during the normal cycle
2. Actively pursue an appointment now to serve the remainder of the term until May/June 2023
3. Do nothing at this time and recruit for replacement during the normal appointment cycle.

FINANCIAL IMPACT:

N/A

STRATEGIC CONNECTIONS:

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

Goal 4: High Performing, Professional City

STAFF RECOMMENDATION:

Nominate and Appoint new member to the EDC/CDC Boards

ATTACHMENTS:

1. Matt Seagos Resignation_Redacted

APPROVALS:

Carrie Land, City Secretary

Created/Initiated - 1/7/2022

Jim Proce, City Manager

Final Approval - 1/7/2022

From: [Joey Grisham](#)
To: [Jim Proce](#); [Carrie Land](#); [Lee Miller](#); [Kimberly Garduno](#)
Subject: FW: Board Meeting Thursday
Date: Thursday, January 6, 2022 9:46:05 AM
Attachments: [image001.png](#)

See Matt Seago's resignation email below from the CDC/EDC Board.

Thanks,
Joey

From: Matt Seago
Sent: Thursday, January 6, 2022 9:43 AM
To: Taylor Lough
Cc: Joey Grisham ; Kimberly Garduno >
Subject: Re: Board Meeting Thursday

Howdy,

Sorry for the delay.

I was planning to come to the meeting tonight but my fiancé and I have contracted Omicron and I imagine everyone would rather I stay away.

For anyone unaware, due to marital obligations, I am moving to Fort Worth. This after calling Anna my home for my entire 25 years of life.

I'm sure I'll see you all from time to time. I'm still a property owner in Anna, and I still have family there.

Thank you for giving me the opportunity. I realize I don't talk much, but I've learned a ton. I'm just sorry I can't stay longer.

So, I hereby effective immediately resign my position on the City of Anna EDC/CDC Board.

Thanks for everything,

Matthew Seago

On Mon, Jan 3, 2022 at 09:33 Taylor Lough wrote:

Hi Matt,

Happy New Year! I wanted to reach out as the CDC/EDC Board meeting is scheduled for this Thursday at 6:00 p.m. at City Hall. The agenda will be posted later today.

Will you be attending this month's meeting? You mentioned you were moving in February. The February meeting will likely be 10th. Do you plan to attend that meeting? If you need to resign from the Board due to residency changes, please email a "formal" resignation.

Let me know if you have any questions or need anything at all.

Thank you,

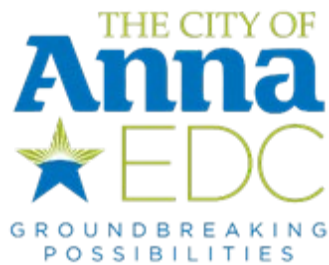
Taylor Lough

Economic Development

City of Anna | 469-861-5080

[312 N. Powell Pkwy](#) | P.O. Box 776

Anna, TX 75409 | www.annatexas.gov



Why locate your business in Anna?

- *Located on U.S 75 and SH 5 (traffic counts exceed 70,000 cars per day on U.S. 75)*
- *Ninth-fastest growing City in North Texas*
- *Excellent schools*
- *Access to an educated workforce*
- *CDC owns an 85-acre business park with infrastructure*
- *Ample available sites for an array of uses: residential; retail/restaurants/entertainment; medical; office; mixed-use; and light industrial*





Item No. 8.

City Council Agenda
Staff Report

Meeting Date: 1/11/2022
Staff Contact:

AGENDA ITEM:
Closed Session (Exceptions).

SUMMARY:

FINANCIAL IMPACT:

STRATEGIC CONNECTIONS:

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

STAFF RECOMMENDATION:

ATTACHMENTS:

APPROVALS:

Carrie Land, City Secretary
Jim Proce, City Manager

Created/Initiated - 1/5/2022
Final Approval - 1/5/2022