

**MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2022**

The Planning and Zoning Commission of the City of Anna held a meeting at 7:00 p.m. on February 7, 2022, at the Anna 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 Donald Henke, Brent Thomas, Kelly Patterson-Herndon, and Paul Wenzel. Commissioner Latoya Grady, Commissioner Nick Rubits, and Commissioner Dennis Ogan were absent. Staff present was Ross Altobelli, Lauren Mecke, and Salena Tittle. Councilman Toten was also in attendance.

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

Consent Items

A motion was made by Commissioner Patterson-Herndon, seconded by Commissioner Wenzel to recommend approval of consent items 5-12. The vote was unanimous.

5. Consider/Discuss/Action to approve minutes of the December 6, 2021 and the January 3, 2022 Planning & Zoning Commission Meetings.
6. Consider/Discuss/Action on a recommendation regarding the Hynes Addition, Block A, Lot 1, Development Plat. Applicant: James & Janet Hynes.
7. Consider/Discuss/Action on a recommendation regarding the Lands of Lauria, Block A, Lot 1, Development Plat. Applicant: Mansi & Saurabh Lauria.
8. Consider/Discuss/Action on a recommendation regarding the Nelson Ranch, Block A, Lots 1-6, Final Plat. Applicant: Steven Nelson.
9. Consider/Discuss/Action on a recommendation regarding the Anna Town Center Addition, Block A, Lots 10R & 11R, Replat. Applicant: Seminole Anna Town Center LP.
10. Consider/Discuss/Action on a recommendation regarding the Anna Town Center Addition, Block A, Lot 11R, Site Plan. Applicant: Seminole Anna Town Center LP.
11. Consider/Discuss/Action on a recommendation regarding the Anna Ranch, Phases 2 & 3, Preliminary Plat. Applicant: Harlan Properties, Inc.

12. Consider/Discuss/Action on a recommendation regarding the Anna Town Square Addition, Block A, Lots 1 & 2, Preliminary Plat. Applicant: John Arnold / Anna Town Center Mixed Use LLC.

Items for Individual Consideration

13. Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding the Anna Crossing, Phase 5, Block 5, Lot 10R, Replat. Applicant: Anna Town Square Homeowners Association, Inc. & Michael Comeaux.

Ms. Mecke gave a brief presentation.

Chairman Henke asked staff if this request was just to abandon the HOA lot.

Ms. Mecke advised yes.

Chairman Henke asked staff if they knew any information about the opposition responses that staff received.

Ms. Mecke read the opposition responses.

The Public Hearing was opened at 7:11 p.m.

Mr. Bruce Norwood, residing at 1133 Elizabeth Street, spoke in favor and advised his reason was because there was no need for the green space and there was no reason to deny this request.

The Public Hearing was closed at 7:12 p.m.

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

14. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding a request to rezone 28.0± acres located at the southwest corner of W. White Street and Slater Creek Road from SF-E Single-Family Residential – Large Lot (SF-E) to Restricted Commercial District (C-1), SF-Z Single-Family Residence District – Zero Lot Line Homes (SF-Z), and Planned Development-SF-TH Townhome District (PD-SF-TH). Applicant: Harlow Sheryl Family Trust, Colby Harlow Trustee – Harlow Capital Management, LLC.

Mr. Altobelli gave a brief presentation.

The Public Hearing was opened at 7:17 p.m.

Ms. Judith Waldrop, residing at 929 Bens Drive, spoke in opposition and advised her concerns were due to increased traffic, decrease in home values, and advised the Commission that there were no more homes needed in the area. Ms. Waldrop also advised that she did not get a public hearing notice and that the only reason she knew about the request was that Commissioner Patterson-Herndon had notified her.

Mr. Altobelli made a correction to the Commission and advised that the commercial portion will only have one point of access through W. Crossing Boulevard. Mr. Altobelli also advised the Commission that all residents with the 200' buffer (along Bens Drive) were sent public hearing notices regarding the zoning request.

The applicant provided the Commission with a brief presentation.

The Public Hearing was closed at 7:39 p.m.

Mr. Altobelli advised the Commission that the applicant has agreed to enter into a Developer's Agreement with the city.

Commissioner Patterson-Herndon asked what the square footage was going to be for the townhomes.

The applicant advised that they would range between 1,500 square feet to 1,800 square feet.

Commissioner Patterson-Herndon expressed concerns about how many additional homes were going in.

The applicant addressed the concerns.

Commissioner Patterson-Herndon asked the applicant if the zero-lot line residents would be given access to the amenities.

The applicant advised that the amenities were going to be for all residents in that subdivision.

Commissioner Patterson-Herndon expressed that she still had concerns regarding the amount of traffic that would be added.

Chairman Henke asked if a traffic study would come from the state or staff.

Mr. Altobelli advised the Commission that TXDOT would still need to review and approve the design and the plans. Mr. Altobelli also advised the Commission that TXDOT, upon review, could also require turn lanes.

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

B) Consider/Discuss/Action on a recommendation regarding the Bridge Tower GP Residential & Commercial, Concept Plan.

Mr. Altobelli gave a brief presentation.

Chairman Henke asked if there were any renderings for the dog park and the detention pond.

Mr. Altobelli advised that the applicant has provided very preliminary engineering plans.

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

15. A) Conduct a Public Hearing/Consider/Discuss/Action on a recommendation regarding a request to zone 43.9± acres located on the north side of Farm-to-Market Road 455, 250± feet west of County Road 287. Currently zoned: Extraterritorial Jurisdiction (ETJ). Applicant: YN, LLC.

Ms. Mecke gave a brief presentation.

The Public Hearing was opened at 7:57 p.m.

Mr. Atilla Temesvary, residing at 9830 County Road 288, spoke in opposition and advised his concerns were due to the higher density of the product. He also advised that there is a lot of wildlife and traffic would be an issue around the bend of the road.

Applicant provided the Commission with a brief presentation.

Commissioner Patterson-Herndon asked what the smallest square footage would be.

The applicant advised 640 square feet.

Commissioner Patterson-Herndon asked what the largest square footage would be.

The applicant advised roughly 1,400 square feet.

Commissioner Patterson-Herndon asked if the residents would have to pay extra for the garage spaces.

The applicant advised no.

Commissioner Patterson-Herndon asked how many days a week trash was going to be picked up.

The applicant advised that it would be picked up every day.

Commissioner Patterson-Herndon asked if the applicant would be willing to do an 8-foot decorative metal fence instead of a 6-foot. Commissioner Patterson-Herndon advised that the project is out in nature and some residents might not do well with the presence of deer.

The applicant advised that they do not see that a difference would be made with an 8-foot fence instead of a 6-foot fence as pertains to nature and deer.

The Public Hearing was closed at 8:16 p.m.

Chairman Henke asked what the area is designated as on the Future Land Use Map.

Ms. Mecke advised Ranching and Agricultural but that it also indicates that Cluster Residential may be an appropriate use.

Chairman Henke asked for clarification on the parking.

Ms. Mecke and the applicant verified the information presented on the plan.

Commissioner Patterson-Herndon asked the applicant if this was a gated community.

The applicant advised that it was.

Chairman Henke asked staff what the items were that was causing this project into a Planned Development.

Mr. Altobelli advised it was due to the covered parking, setbacks, covered parking, and screening. Mr. Altobelli also advised that the applicant is entering into a Developer's Agreement with the city.

A motion was made by Commissioner Thomas, seconded by Commissioner Wenzel to recommend approval of the zoning request. Commissioner Patterson-Herndon and Chairman Henke voted against the motion causing a tie vote of 2-2. This it is considered as "no action" taken.

B) Consider/Discuss/Action on a recommendation regarding the Anna West, Block A, Lot 1, Concept Plan.

A motion was made by Commissioner Wenzel but was not seconded. A motion was then made by Commissioner Patterson-Herndon, seconded by Chairman Henke to recommend denial of the Concept Plan. The vote was a tie vote of 2-2 with Commissioner Thomas and Commissioner Wenzel voting to approve the Concept Plan. This is considered as "no action" taken.

16. Conduct a Public Hearing/Consider/Discuss/Action on recommended amendments to Appendix 2. Schedule of Uses within Article 9.04 Zoning Ordinance of Chapter 9 Planning & Development Regulations of the City of Anna Code of Ordinances.

Mr. Altobelli gave a brief presentation.

Chairman Henke asked for clarification of why staff was asking to remove a use as "allowable by right".

Mr. Altobelli advised the Commission of concerns by staff, Council, and residents as it pertains to a previous request where there was mention of a Motel 6 being allowed by right near the subdivision.

The Public Hearing was opened at 8:36 p.m.

The Public Hearing was closed at 8:37 p.m.

Commissioner Patterson-Herndon asked how long this request had been in the works.

Mr. Altobelli advised that it had not been long at all.

Commissioner Patterson-Herndon expressed how she felt it looks like a knee jerk reaction to the recent Avery Pointe Commercial issue and it looks bad.

Mr. Altobelli addressed the Commission and advised that the city's ordinances are outdated and this gives staff and the Commission flexibility when it comes to these types of uses when they are steps away from residential subdivisions. Council listened to the concerns of the neighbors.

Mr. Thomas asked why staff didn't take a more "Comprehensive Plan" approach to this request.

Mr. Altobelli advised that staff looked at it as a zoning ordinance change since the city is in the middle of zoning ordinance updates and the updates should meet that of the Comprehensive Plan.

Mr. Thomas asked if staff felt that there was a real urgency to get this changed now versus waiting.

Mr. Altobelli advised that this was coming from the direction of Council and staff sees the need for the change.

A motion was made by Commissioner Patterson-Herndon, seconded by Commissioner Thomas to recommend approval of the Zoning Ordinance Amendment request. The vote was unanimous.

17. Discuss potential public hearing and meeting procedures associated with a future zoning case being considered.

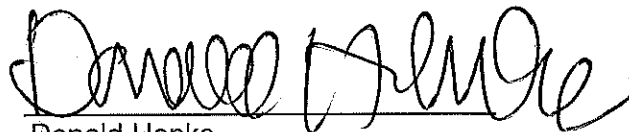
Mr. Altobelli gave a brief presentation.

Chairman Henke asked if this was going to be just a one-time joint meeting.

Mr. Altobelli advised yes.

Adjourn

A motion was made by Commissioner Patterson-Herndon, seconded by Commissioner Thomas to adjourn the meeting. The vote was unanimous. The meeting adjourned at 8:45 p.m.



Donald Henke
Planning and Zoning Commission Chairman

ATTEST:

