

AMENDED AGENDA

CITY COUNCIL AND PLANNING & ZONING COMMISSION JOINT MEETING

OCTOBER 17, 2022

5:00 P.M.

FATE CITY HALL

1900 CD BOREN PARKWAY

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL AND THE PLANNING & ZONING COMMISSION OF THE CITY OF FATE WILL HOLD A JOINT MEETING AT 5:00 P.M. ON MONDAY, OCTOBER 17, 2022 AT FATE CITY HALL, 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:

- 1. CITY COUNCIL CALL TO ORDER AND CONFIRM A QUORUM**
- 2. PLANNING AND ZONING COMMISSION CALL TO ORDER AND CONFIRM A QUORUM**
- 3. CITY COUNCIL AND PLANNING & ZONING COMMISSION JOINT WORK SESSION TO DISCUSS FUTURE LAND USE PLANNING FOR THE MIXED-USE AREA LOCATED AT THE NORTHWEST CORNER OF I-30 AND FM 551, RCAD PROPERTY IDS: 12847, 29040, COMMONLY REFERRED TO AS THE YU TRACT**
- 4. PLANNING AND ZONING COMMISSION ADJOURNMENT**
- 5. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**
- 6. PRESENTATIONS**
 - A. Presentation By Disabled American Veterans (DAV) Chapter 137, Rowlett, Texas
 - B. Chamber Of Commerce Week Proclamation
[Documents:](#)

[proclamation - chamber of commerce week 2022 - rockwall and royse city 2022.pdf](#)
 - C. Presentation Of The Texas Coalition For Affordable Power (TCAP) 2022 Energy Conservation Award
- 7. PUBLIC COMMENT**

This Is An Opportunity For The Public To Address The Council On Any Matter,

Except Public Hearings That Are Included On The Agenda. Comments Related To Public Hearings Will Be Heard When The Specific Hearing Begins. Public Comments Are Limited To Three (3) Minutes Per Speaker, Unless Otherwise Required By Law. To Address The Governing Body, Each Speaker Must Complete A Public Comment Form And Present The Completed Form To The City Secretary Prior To The Start Of The Meeting. Each Speaker Shall Approach The Podium And State His/Her Name And Address Before Speaking. Speakers Shall Address The Governing Body With Civility That Is Conducive To Appropriate Public Discussion. Speakers Can Address Only The Governing Body And Not Individual City Officials Or Employees. The Public Cannot Speak From The Gallery But Only From The Podium. Per The Texas Open Meetings Act, The Governing Body Is Not Permitted To Take Action On Or Discuss Any Item Not Listed On The Agenda. The Council May: (1) Make A Statement Of Fact Regarding The Item; (2) Make A Recitation Of Existing Policy Regarding The Item; Or (3) Propose The Item Be Placed On A Future Agenda.

8. CONSENT AGENDA

All Items Under Consent Agenda Are Considered To Be Routine By The City Council And Will Be Enacted By One Motion. There Will Not Be Separate Discussion Of These Items. If Discussion Is Desired, That Item Will Be Removed From The Consent Agenda And Will Be Considered Separately.

- A. Approval Of Minutes Of The Council Meeting Held September 19, 2022.

[Documents:](#)

[2022.9.19_joint with pfc.pdf](#)

- B. Approval Of Council Travel Expenses Associated With Attending The Texas Municipal League (TML) Annual Conference.

[Documents:](#)

[staff summary - travel expenses tml conference 2022.pdf](#)

9. CITY COUNCIL ACTION ITEMS/PUBLIC HEARINGS

- A. Conduct A Public Hearing On The Proposed Annexation Of Approximately 188.891 Acres Of Undeveloped Land Situated In The Robert Simmons Survey, Abstract No. 192, The J. Sherwood Survey, Abstract No. 193, And The Israel Fuller Survey, Abstract No. 84, Near The Intersection Of FM 3549 And Country Lane, Rockwall County, Texas, Owned By Unison Investment And Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2022-040- Approving The Annexation.

[Documents:](#)

[ordinance on annexation 188.891 acres with staff report.pdf](#)

- B. (This Is An Application For A Special Use Permit To Allow For A Car Wash On A Highway Commercial-Zoned Property) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Special Use Permit For A Car Wash On A Highway Commercial-Zoned Property. The Applicant, Mohammad Alaqrabawy, Is Proposing A Drive-Thru Car Wash And A Quick Lube-Style Auto Service Facility On Approximately 1.709 Acres. The Existing Zoning For The Property Is Highway Commercial. The Property Is Generally Located On The North Side Of I-30, Immediately East Of The

Stagg's Travel Plaza. RCAD ID 12848. Case # SUP-22-004.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **O-2022-041**- Amending The Comprehensive Zoning Ordinance By Approving A Special Use Permit For "Car And Truck Wash" To Authorize The Installation Of A Car Wash Facility On Approximately 1.709 Acres Of Land Located Within A Larger Tract Identified As Rockwall CAD Property ID 12848, City Of Fate, Rockwall County, Texas; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

Documents:

[sup-22-004_fate oil lube and wash_staff summary_20221017.pdf](#)

- C. (This Is An Application For Approval Of A Zoning Change Request For Four Existing Commercial Businesses And One Vacant Parcel At The Northwest Corner Of Hwy 66 And FM 1138) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request For Five Parcels; Four Of Which Are Existing Businesses And One Which Is Vacant But Owned By The Same Owners Of The Business In Front Of It. The Zoning Change Request Has Been Brought Forward By Dennis Morrow On Behalf Of Andy Siliphoxay Davong (Parcel ID 86651), Cathy Strother (Parcel IDs 86652 And 86653), Johnnie And Brian Medlin (Parcel ID 49797), And Mohammad Frotan (Parcel ID 18588) From Agriculture (A) To Neighborhood Commercial (NC). The Total Area Of The Proposed Zoning Change Is Approximately 9.99 Acres.

The Intent Of The Rezone Is To Comply With The Current Future Land Use Plan (FLUP) Place Type Designation, That Being Supportive Commercial, As Well As Allow The Four Businesses To Come Into Compliance With An Appropriate Zoning District For Their Current Existing Uses; All Are Currently Operating As Legal Nonconforming Uses. Case # ZR-22-008.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **O-2022-042**- Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Neighborhood Commercial (NC) On Approximately 9.99 Acres Of Land Identified As Rockwall CAD Property IDS 86651, 86652, 86653, 49797, AND 18588, City Of Fate, Rockwall County, Texas; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And An Effective Date.

Documents:

- D. (This Is An Approval Of A Contract Between The City Of Fate And The City's Contracted Engineering Firm, Kimley-Horn, To Update The Water, Wastewater, And Roadway Impact Fee Studies). Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2022-082 - Approving A Contract With Kimley-Horn To Update The Water, Wastewater, And Roadway Impact Fee Studies.

[Documents:](#)

[council - water wastewater roadway impact fee update - jw 6oct2022.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2022-043- Adopting An Updated Master Parks And Trails Plan.

[Documents:](#)

[staff summary 2022 parks master plan update.pdf](#)

10. MAYOR, COUNCIL, AND CITY MANAGER REPORTS

Regarding Items Of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information About Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information About Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

- A. Mayor's Report
- B. Council Reports
- C. City Manager's Report

11. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:

- A. In Accordance With Texas Government Code, Section 551.071, Consultation With Attorney On A Matter 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 The Texas Open Meetings Act:
 - 1. To Receive Legal Advice Regarding A Request For An Extension To The Compromise Settlement Agreement With Glen C. Eskew, Jr. For The Property Located At 120 Prince Road

12. RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION

13. CITY COUNCIL ADJOURNMENT

In addition to any executive session already listed above, the City Council and Planning and Zoning Commission of the City of Fate reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code for the following purposes:

§551.071 Consultations with Attorney

§551.072 Deliberations regarding Real Property

§551.074 Personnel Matters

§551.076 Deliberations regarding Security Devices

§551.087 Deliberations regarding Economic Development Negotiations

This building is wheelchair accessible. Any request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-4601 Ext. 103 for further information.

I certify that the above **NOTICE OF MEETING** was filed and posted on the Bulletin Board at City Hall, 1900 CD Boren Parkway, City of Fate, Texas on the 14th day of October, 2022, at 9:36 A.M. and remained so posted until removed as indicated below, pursuant to the Texas Open Meetings Act. This notice was likewise posted on the city website at www.fatetx.gov.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2022, by
_____.