

AGENDA

CITY OF FATE PLANNING AND ZONING COMMISSION AND CAPITAL IMPACT ADVISORY COMMITTEE JOINT MEETING

**FEBRUARY 16, 2023
6:00 P.M.**

**FATE CITY HALL
1900 CD BOREN PARKWAY**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION AND CAPITAL IMPACT ADVISORY COMMITTEE OF THE CITY OF FATE WILL HOLD A JOINT MEETING AT 6:00 P.M. ON THURSDAY, FEBRUARY 16, 2023, AT THE FATE CITY HALL, LOCATED AT 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:

NOTICE OF ATTENDANCE

NOTICE is hereby given that the City Council may be in attendance at the Planning and Zoning Commission and the Capital Impact Advisory Committee Joint Meeting **February 16, 2023** being held at the Fate City Hall, 1900 CD Boren Parkway, Fate, Texas.

- 1. Planning And Zoning Commission Call To Order And Confirm A Quorum**
- 2. Capital Impact Advisory Committee Call To Order And Roll Call**
- 3. Public Comment**

This Is An Opportunity For The Public To Address The Planning And Zoning Commission 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 Planning And Zoning Commission 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.

4. Capital Impact Advisory Committee Action Items

- A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Joint Planning And Zoning Commission And Capital Impact Advisory Committee Meeting Held August 18, 2022

[documents:](#)

[2022.8.18.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding Impact Fees Report On Projects And Funds

[documents:](#)

[ciac february 2023 report combined.pdf](#)

5. Capital Impact Advisory Committee Adjournment

6. Planning And Zoning Commission Consent Agenda

All Items Under Consent Agenda Are Considered To Be Routine By The Planning And Zoning Commission 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. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes From The Meeting Held January 19, 2023

[documents:](#)

[2023.1.19.pdf](#)

7. Planning And Zoning Commission Action Items/Public Hearings

- A. The Director Of Planning And Development Services Will Provide An Update On Projects Underway Throughout The City, Including A Discussion About Implementation Of The Forward Fate Comprehensive Plan Through Private Development

8. Director Of Planning And Development Services Report/Announcements Pertaining To City Activities, Upcoming Events, Future Legislative Activities, And Other Matters Related Thereto

9. Planning And Zoning Commission Adjournment

In addition to any executive session already listed above, the Planning and Zoning Commission and the Capital Impact Advisory Committee 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 9th day of February, 2023, at 2:45 P.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 _____, 2023, by

_____.

**MINUTES OF THE CITY OF FATE
PLANNING AND ZONING COMMISSION
AND
CAPITAL IMPACT ADVISORY COMMITTEE
JOINT MEETING**

AUGUST 18, 2022

1. Planning And Zoning Commission Call To Order And Confirm A Quorum

Commissioner Steve Dann called the meeting of the Fate Planning and Zoning Commission and Capital Impact Advisory Committee to order at 6:00 p.m. on the 18th day of August, 2022, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Samantha Harris confirmed the presence of a quorum.

Planning and Zoning Commission Members Present:

Steve Dann
Kerry Wiemokly
Chelsea Priest
Aaron Jackson
Karen Kiser
Clinton Sykes – Arrived at 6:04pm

Planning and Zoning Commission Members Absent:

None

City Staff Present:

Ryan Wells, Director of Planning & Development Services
Jon Thatcher, City Attorney
Isaiah Tackett, Information Technology Systems Administrator
Samantha Harris, Deputy City Secretary
Michael Kovacs, City Manager
Robbie Highfield, City Planner
Josue Flores, Project Engineer
Spencer Foster, Assistant to City Manager

2. Discuss, Consider, And Take Any Necessary Action Regarding Election Of Officers

Chairman

Karen Kiser nominated Steve Dann
Steve Dann nominated Kerry Wiemokly

2 votes were cast for Kerry Wiemokly
3 votes were cast for Steve Dann

Commissioner Jackson moved to elect Steve Dann as the Chairman of the Planning and Zoning Commission.

Commissioner Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Commissioners Dann, Wiemokly, Priest, Jackson, and Kiser

August 18, 2022 Planning and Zoning Commission / Capital Impact Advisory Committee Joint Meeting Minutes

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Nays: None

Motion carried unanimously and Steve Dann was named Chairman of the Planning and Zoning Commission.

City Secretary's Note: Clinton Sykes arrived at 6:04 p.m.

Vice-Chairman

Steve Dann nominated Kerry Wiemokly

Kerry Wiemokly nominated Chelsea Priest

3 votes were cast for Kerry Wiemokly

3 votes were cast for Chelsea Priest

Kerry Wiemokly conceded his nomination for Vice-Chairman.

Commissioner Kiser moved to elect Chelsea Priest as the Vice-Chairman of the Planning and Zoning Commission.

Commissioner Jackson seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann, and Commissioners, Wiemokly, Priest, Jackson, Kiser, and Sykes

Nays: None

Motion carried unanimously and Chelsea Priest was named Vice-Chairman of the Planning and Zoning Commission.

Secretary

Aaron Jackson nominated Karen Kiser

Commissioner Jackson moved to elect Karen Kiser as the Secretary of the Planning and Zoning Commission.

Commissioner Clinton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann, and Commissioners, Wiemokly, Priest, Jackson, Kiser, and Sykes

Nays: None

Motion carried unanimously and Karen Kiser was named Secretary of the Planning and Zoning Commission.

3. Capital Impact Advisory Committee Call To Order And Roll Call

Committee member Dann called the meeting of the Capital Impact Advisory Committee to order at 6:10 p.m. on the 18th day of August, 2022, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Samantha Harris confirmed the presence of a quorum.

Capital Impact Advisory Committee Members Present:

Steve Dann

Kerry Wiemokly

Chelsea Priest
Aaron Jackson
Karen Kiser
Clinton Sykes
Trey Clanton

Capital Impact Advisory Committee Members Absent:

None

4. Public Comment

This Is An Opportunity For The Public To Address The Planning And Zoning Commission 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 Planning And Zoning Commission 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.

5. Capital Impact Advisory Committee Action Items

- A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Joint Planning And Zoning Commission And Capital Impact Advisory Committee Meeting Held February 17, 2022

Committee Member Dann moved to approve the consent agenda as presented.

Committee Member Clanton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Committee members Dann, Wiemokly, Priest, Jackson, Kiser, Sykes, and Clanton.

Nays: None

Committee Member Dann declared the motion carried unanimously.

- B. Discuss, Consider, And Take Any Necessary Action Regarding Impact Fees Report on Projects And Funds

Project Engineer Josue Flores provided a brief overview of the agenda item including the following topics:

The reserve totals are in good shape and have increased from the last meeting to a total of \$15.9 million as of 7/31/2022. Both sewer and roadway impact fees account for most of this number. Reimbursements for most of the roadway projects under construction right now, are expected to be completed during the second quarter next year and continue into the second quarter of FY24. The current fund balances are

provided in the balance sheet reports, and spending reports are included for FY22 year-to-date as of July 31st. A new Impact Fee Study will be conducted in fiscal year 2022-23. The new rates in this study will probably not go into effect until the following fiscal year. The previous rate changes to the impact fees (up for water and roads, down for sewer) became effective early in FY 21. Depending on when the development plats and starts permitting, the fees may still be applicable under the old rates for a time or controlled via a development agreement or settlement. The Impact Fees & Coming Expenses spreadsheet has been updated to show completion dates for the projects, which can potentially be the date for reimbursements as well. There will still be a request needed from the developer for the reimbursement to be issued. A new development agreement recently executed between the City of Fate and the Hunts provides credits for the infrastructure projects that have developed in lieu of cash reimbursements. Some of these projects are soon to be completed, such as Greenbrier Road and the intersection at FM551. These projects are listed in the cash flow spreadsheet. With this new development agreement, the funds look healthy, and some of the potential cash issues we have carried in the previous years have been eliminated.

- It was difficult with Woodcreek to have a credit agreement, as they were already building when the fees were imposed. Then, rates were raised as the City maximized development cost captures and put a downward pressure on utility rates and taxes.
- Williamsburg had an elaborate development agreement that used some credits, reimbursements, and special redirections to specific projects (the south water tower); but had no special provision on roadway impact fees, as those were not in effect at the time of the 2012 City rescue of the failed 2007 development. It is expected that all improvements will be done by the end of the first quarter next year.
- Chamberlain had a credit agreement and is building their last phase.
- The latest subdivisions, Edgewater, Monterra, and Avondale, have credit agreements.

Report on Funds:

The following documents are included:

- Impact Fee Cash & Coming Expenses spreadsheet. Updated as of 7/31/2022.
- Balance Sheet for the Impact Fee funds as of 7/31/2022.
- Budget Report for the Impact Fee funds, FY 22 year-to-date as of 7/31/2022.
- Impact Fees Projects-Map

Projects Recently Completed and Developers Paid:

Roads –

- CD Boren from Ben Payne to the end of Woodcreek Phase 8 has been completed as part the MUD 8 Development agreement. Per the agreement, they would be reimbursed on request and reimbursed quarterly. The reimbursement amount totals \$875,000.00, of which we have reimbursed \$522,000.00 to date with the next reimbursement being processed right now in the amount of \$181,221.89. The reimbursements for this agreement are quarterly. The next period, July-September, will have a payment due in October from the impact fees collected solely from Woodcreek 8.

Water –

- Debt payments or transfers for debt payments made per budget for eligible costs.
- Pump Station 3 design. Payments made are \$553,562 this fiscal year, with another ~\$76,000 last fiscal year. The total contract is for \$790,000 plus other costs, and we estimate it will be about \$900,000 by the time the last invoices are paid as we conclude the project. We have entered \$820,000 in the coming expenses spreadsheet as an estimate.

Sewer –

- No reimbursements.
- Debt payments or transfers for debt payments made per budget for eligible costs to include the increase in costs for the next Sabine Creek Expansion, which is estimated to be \$3,975,460.00 together with Royse City. Our part for the 67% is \$2,670,555.00.

6. Capital Impact Advisory Committee Adjournment

There was no further business before the Capital Impact Advisory Committee and Committee Member Clanton moved to adjourn.

Committee Member Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Committee members Dann, Wiemokly, Priest, Jackson, Kiser, Sykes, and Clanton.

Nays: None

Committee Member Dann declared the motion carried unanimously.

Committee member Dann declared the meeting adjourned at 6:19 p.m.

7. Planning And Zoning Commission Consent Agenda

All Items Under Consent Agenda Are Considered To Be Routine By The Planning And Zoning Commission 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. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Planning And Zoning Commission Meeting Held July 21, 2022

Commissioner Kiser moved to approve the consent agenda as presented.

Commissioner Wiemokly seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann, and Commissioners Wiemokly, Priest, Jackson, Kiser, and Sykes

Nays: None

Chairman Dann declared the motion carried unanimously.

8. Planning And Zoning Commission Action Items/Public Hearings

- A. (This Is A Planned Development And Concept Plan For A Proposed Mixed-Use Duplex Rental, Townhome, And Commercial Development) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Planned Development And Concept Plan For Cottages At Greenbriar, A Proposed 426-Unit Duplex Rental And Townhome Development, And A Future Commercial Development Consisting Of Approximately 170,000 Sf Of Commercial Space. The Existing Zoning For The Property Is Agriculture, And The Proposed Base Zoning For The Property Within The Planned Development Is A Mix Of Highway Mixed Use (40.3% Of Total Area) And Mixed-Use Transition (59.7%). The total project area is comprised of approximately 73.27 acres across two tracts generally located at the southeast corner of the intersection of I-30 and Memorial Parkway. Case # ZR-22-005 and CP-22-002.

1. Staff Summary

Ryan Wells, Director of Planning and Development provided a brief overview of the agenda item which included the following items:

Planned Development

- Resubmittal from March 2022

- Base RMU-C for street-frontage commercial
- Typical standards for RMU-C with the addition of “gas station/convenience store” as allowed use along I-30
- Base RMU-T for duplex rental/townhouse project
- Minor adjustments to standards to accommodate project goals

Concept Plan

- Resubmittal from March 2022
- ~170,000 sf new commercial
- Subject to access management plan for Memorial
- 320 duplex rental units and 106 townhome ownership units (down from 474) across 43.75 acres (9.7 units/acre - down from 10.8)
- Bisected by Greenbriar Road
- Parker Creek tributary – FEMA floodplain

Property Description

- Two lots and one multi-part tract, undeveloped
- 73.27 ac.
- Currently zoned Agriculture
- Abuts I-30, Memorial (Fate Village), Reserve at Chamberlain, & Chamberlain Crossing.

ZR-22-005

- Base use and design standards for RMU-C for commercial uses on 29.52 ac fronting Memorial and I-30 (40.3% of total area), except addition of gas station/convenience store along I-30
- Site and building design, setbacks, parking, and landscaping all follow RMU-C standards
- Base use and design standards for RMU-T for duplex rental and townhouse uses on 43.75 ac (59.7% of total area), with the following PD adjustments:
- Added uses: duplex rental, townhomes, leasing center, private park, and dog park (among other amenities).
- Adjusted parking & setback standards
- Landscaping and open space
- Public streets – non-gated option***
- Building materials
- Accessory buildings
- Screening

CP-22-002

- Highlights include:
- 320 duplex rental units (1- and 2-story) and 106 townhome ownership units
- One dog park, two playgrounds, pool
- Private backyards and internal trail system
- Trail connections to commercial
- Addition to public trail linking Reserve at Chamberlain Crossing to Memorial Pkwy
- ~170,000 sf commercial

Approval Criteria – ZR-22-005

- a) The Comprehensive Plan and other adopted plans
 - I. Supportive Commercial (47%)
 - II. Dynamic Neighborhood (52%)
 Reflective zoning
 - I. RMU-C (40.3%)
 - II. RMU-T (59.7%)
 - III. MTP – Memorial/Greenbriar
 - IV. Future road widening
 - b) The character of the surrounding neighborhood
- Approval

- c) The character of the surrounding neighborhood,
- d) Any other factors required or allowed by Texas law and case law, and
- e) Any other relevant facts or circumstances.

Approval Criteria – CP-22-002

- a) The Concept Plan addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design ...
- b) The development shall have appropriate transitions to the surrounding area, with adequate standards to mitigate any potentially negative impacts.
- c) Streets within the development shall provide adequate internal circulation for a variety of modes of transportation as well as connect to the city's overall system to provide a seamless, multi-modal network.
- d) Streets shall be designed to create a pleasant walking and biking environment with on-street parking where appropriate and streetscape enhancements.
- e) Cul-de-sacs shall be prohibited unless features such as railroads, major roadways, topography, or stream corridors prevent a connection as determined by the Administrator.
- f) Stub streets may be required where a street is likely to be extended into adjoining undeveloped property.
- g) The Concept Plan shall provide common open space per the requirements of the zoning district standards

Public Notice

- 53 sent
- 18 responses
- Against (18)
- Too much traffic/congestion
- Too much housing/wrong housing type
- Existing neighborhoods affected
- Crime concerns
- Overloaded schools
- Open space
- Poor commercial options
- Does not match Comp Plan
- Unwanted people

Recommended Conditions

- ZR-22-005

1. Prior to submittal of the application for City Council consideration, Exhibit B shall include the recording information for the eastern extension of Greenbriar Road.
2. Exhibit C Section 3: Only one gas station/convenience store shall be permitted along the I-30 corridor.
3. Exhibit C Section 10: Perimeter fencing for both zones (excluding townhomes section) may not include board-on-board or any wooden product and shall conform with Fate UDO Section 5.3.1. Internal privacy fences shall comply with Fate UDO Section 5.3.3. Screening separating the commercial zone from the residential zone shall be masonry.
4. Exhibit C Section 11.b: At least 10% of the open space shall be comprised of publicly accessible, useable open space (incl. playgrounds, dog parks, pool, trail, common open space areas).
5. Exhibit C Section 13: A minimum of 3% of the units shall have ADA-compliant access.
6. Exhibit C Section 16: Determination of minor vs major variations shall generally conform to the standards found in Fate UDO Table 2.5-1, with the final determination to be made by the Administrator.
7. Exhibit C – Table 4.1: AC units shall only be permitted to be in the rear yard.
8. Exhibit C – Section 11.b.2: Private back yards are permitted, however may not be counted towards the final open space calculation. UDO 5.4.1 states “all projects must contribute to the open space system as established in the City's comprehensive plan, parks plan and thoroughfare plan”. Private backyards or side yards would not meet the intents of the comprehensive or parks plans and therefore

not qualify to be counted as open space.

Recommended Conditions

- CP-22-002

1. Based on the fiscal analysis of the public vs. private road scenarios, staff recommends that the internal roads within the residential component of the project be private. At the applicant's request, this would result in the development being gated. However, it is staff's position that this condition is outweighed by the long-term maintenance cost savings for the roadway.
2. Prior to issuance of any building permits the property subject to the zoning request shall be platted so as to be separated from the portion of the property north of I-30 and to establish separate ownership lots.
3. Prior to approval of the plat for the property (see condition #2), the fully developed floodplain (as shown in Exhibit N) and a 10-foot buffer shall be encompassed within a floodplain easement, in accordance with the adopted City of Fate Design Criteria and Construction Standards.
4. Exhibit G: Re: Note 13 (General) – No two facades shall be identical within three buildings on the same side, or within 4 buildings on the opposite side, of a street. "Within X" means the number of units between the subject unit and the target unit.
5. Exhibit G: Re: Note 8 (Cottage) – Accessory buildings shall be included in future site plans and be subject to review against the PD and Fate UDO.
6. Exhibit I: Perimeter fencing for both zones (excluding townhomes section) may not include board-on-board or any wooden product and shall conform with Fate UDO Section 5.3.1.
7. Exhibit L: All perimeter canopy trees shall be 4" caliper DBH minimum, in accordance with Fate UDO section 9.2.2(4).
8. Townhouses shall be a minimum of two stories.
9. Each townhouse "block" (3 to 5 attached units) shall avoid similar facade conditions from adjacent "blocks" by demonstrating at least three of the following distinguishing characteristics of the front building elevation....
10. Each pedestrian access way between the commercial and residential areas shall include one or more of the following decorative features...
11. The commercial buildings at the intersection of Memorial Parkway and Greenbriar Road shall "wrap" around the corner as shown in the figure below to provide a sense of gateway and more intentional transition from the commercial realm to the residential realm. This character shall be included in the future Type I Development Plan for the commercial development.
12. A Type 1 Development Plan shall be submitted to the Fate Planning Department for review and approval prior to submittal of any pad-specific site plans within the commercial section of the PD.
13. Site access shall conform to the Memorial Parkway access management standards adopted under Ordinance O-2022-001.
14. Exhibit G Note 6: UDO 5.4.1 states "all projects must contribute to the open space system as established in the City's comprehensive plan, parks plan and thoroughfare plan". Private backyards or side yards would not meet the intentions of the comprehensive or parks plans and therefore not qualify to be counted as open space.
15. Exhibit G Note 15: Screening separating the commercial zone from residential zone shall be masonry.
16. Exhibit G: Identify mailbox cluster location as indicated in Exhibit C – Section 15 regarding mailbox standards.
17. Development Plan or site plan submittals shall generally comply with the approved Concept Plan. However, any elements of the site design in the approved Concept Plan that conflict with adopted Design Standards in the Fate Unified Development Ordinance, unless explicitly amended in a Planned Development, shall not be considered authorized or waived through this Concept Plan approval. Future Development Plan or site plan submittals shall therefore conform to the applicable codes and regulations as defined in the UDO and the adopted Planned Development.

Discussion ensued amongst the commission. The discussion included the following items:

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- Rental slide
- Clarification on the rental percentage
- Fiscal analysis
- Are the numbers for both residential and commercial
- Clarification on how a projected value was determined
- Property owner will handle the commercial project

2. Applicant Presentation

Zack Thompson with ONM gave a presentation and it included the following items

- Family of businesses focused on high quality housing at an attainable price.
- History Maker Homes is a top 10 for-sale homebuilder in DFW.
- History Maker Homes is a family-owned company & the oldest, current operating homebuilder in DFW, founded in Fort Worth in 1949.
- ONM Living is a top 10 for-rent homebuilder in DFW.
- ONM Living, a fully integrated for-rent homebuilder, was created out of History Maker Homes in 2019.
- The 2 companies with 1 mission allow for creative solutions to address the unique & specific needs to each site.

Previous submittal

- 474 total Cottage units.
- 100% Rental Community
- Community is gated with private entries.
- Private, fenced backyards included with over 90% of homes.
- Amenities include pool, dog park, playground, & enhanced trail system.
- Cottage product consisted of blue, black, white, and grey siding with bright color doors.

What we heard

- Cottage product alone does not fit within the definition of "Dynamic Neighborhood."
- There is no connectivity between retail frontage and the new residential development which doesn't fit within City's desire for horizontal mix use
- There are too many units.
- There is not enough of a product transition between proposed plan and current single family.
- Traffic is currently a problem.

Here's how we responded

- Community will now include a mix of for sale Townhomes (96) and for rent Cottages (320).
- Provided convenient connectivity between residential & commercial use with integrated sidewalk access.
- Residential amenity program will include integrated hike/bike trails along green space, pool with cabana, dog parks, & passive courtyards.
- Enhanced amenity package.
- Develop community as gated to reduce maintenance burden on the City.

Townhome product

- Integrates cottage-style architecture to maintain compatibility between products.
- Aim is to create eclectic & diverse product that maximizes value for residents & municipality.
- A mixture of 3, 4, & 5 unit buildings to maximize variability in streetscape.

Cottage Product

- Integrates single family design & lifestyle into multifamily site plan.
- Aim is to create eclectic & diverse product that maximizes value for residents & municipality.

- A mixture of 1-story & 2-story buildings.
- Private, fenced backyards included with over 90% of homes.
- Building elevations can be 'muted' and consist of only black, white and grey siding in response to concerns by Fate residence.

Traffic

Traffic detail to follow, but big changes since last presentation are:

- City agreed to adopt our proposed re-striping plan for Memorial Pkwy (at I30 intersection), and complete work as city project. Work out to bid.
- Master Developer has agreed to extend Greenbriar to I-30. Project is under construction. This is a major concession as it will provide an alternative way to I-30.

Traffic study overview

- Followed standard City and TxDot practices and procedures
- Counts collected November 2021 when schools were in session
- Study area focused along Memorial Parkway
- Analysis Scenarios: Existing (2021), Build-Out (2025), Horizon (2030)
- Development Assumptions
- Trip generation – number of units reduced from last concept resulting in 10% decrease in traffic projections.
- Distribution and assignment

Discussion ensued amongst the commission. The discussion included the following items:

- Is there a price point for townhomes – start at high 200's and go to 300's
- Occupancy rate – fully occupied
- Studios are around 400 square foot and only about 5% of the properties
- Distribution on the cottage size
- Concern with people not wanting to own a townhouse with rental properties
- Relieve traffic at this intersection
- Was there consideration that this property be for owning townhomes instead of a mixture
- Residential communities are located in the fenced property
- Concerns that this does not conform to the comp plan

Matt Johnson, owner of the current property spoke briefly on the Commercial portion of the agenda item.

Discussion ensued amongst the commission. The discussion included the following items:

- Are the commercial buildings fluid – yes
- Could be offices and could convert
- Buildout time frame is demand driven
- 29-30 acres between 10-15 years to complete
- Trees listed as 3' trees which is not the standard of the city
- Trees are going to be 4' trees as it is in the recommended conditions
- This is just a zoning request at this time – Plat will go back through P&Z once that is received
- Would prefer it be used for more commercial
- There are commercial users that are interested however they are waiting to see how the zoning goes first
- Concern with the flood plan in that area

City Secretary's Note: Ryan Wells stepped out at 8:02 p.m.

City Secretary's Note: Meeting recessed at 8:03 p.m. and the meeting reconvened at 8:13 p.m.

3. Public Hearing

Chairman Dann opened the public hearing at 8:13 p.m.

Mark Harper, 401 Atlee Dr. spoke in opposition to the agenda item and spoke on behalf of the following citizens:

Samantha Brannon, 442 George Drive
Darcy Gildon, 239 Thatcher Drive
Dan Williamson, 437 Attlee Drive
Doyle John Cook III, 143 Cameron Drive
Michael Daugherty, 151 Baldwin Drive
Amber Dockins, 175 Chamberlain Drive
Scott M. Livingston, 405 Stuart Lane
Johnny Dockins, 175 Chamberlain Drive
Brenda Searfoss, 421 Baltimore Ave.
Mark Searfoss, 421 Baltimore Ave.
Mike Manning, 168 Baldwin Drive
Carol Diane Manning, 168 Baldwin Dr.
Laura Hay, 627 Devonshire Lane
Steven Robert Hay, 627 Devonshire Lane
Lisa Hykes, 279 Callaghan Drive
Ernesto Bottger, 279 Callaghan Drive

Patty Matlidge-Hatley, 267 Callaghan Dr., spoke in opposition of agenda item
Mark Hatley, 267 Callaghan Dr., spoke in opposition of the agenda item
Amanda Archer-Damle, 118 Cameron Dr., spoke in opposition of agenda item
Tanya Gentry, 173 Griffin Ave., spoke in opposition of agenda item
Amanda Williams, 676 Bassett Hall Rd., spoke in opposition of agenda item
Sasson Ovadia, 213 Baldwin Dr., spoke in opposition of agenda item
Brandi Edwards, 173 Griffin Ave., spoke in opposition of agenda item
Chris Edwards, 173 Griffin Ave., spoke in opposition of agenda item

Chairman Dann closed the public hearing at 8:33 p.m.

4. Discuss, Consider, and Take Any Necessary Action

Discussion ensued amongst the commission. The discussion included the following items:

- Compared to proposal in March did the fiscal analysis improve or go the other way
- Need to increase the sales tax and this project does not seem to help with that

Commissioner Wiemokly moved to approve Case # ZR-22-005 and CP-22-002 with the staff recommendations.

Commissioner Jackson seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Commissioner Jackson

Nays: Commissioners Dann, Wiemokly, Priest, Kiser and Sykes

Commissioner Wiemokly declared the motion failed.

B. (This Is An Application For A Type II Site Plan For The Blackland Water Fate Pump

August 18, 2022 Planning and Zoning Commission / Capital Impact Advisory Committee Joint Meeting Minutes

Station Site) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Type II Site Plan To Facilitate The Construction Of The Blackland Water Fate Pump Station. The Project Area Is Comprised Of Approximately 3.651 Acres With An Additional 0.478 Acres Of Right Of Way To Be Dedicated. The Subject Property Is Part Of The Woodcreek Planned Development And Was Assigned A "Commercial District" Land Use. The Project Is Located On Parcel 59874, Approximately 303ft North Of The Northeast Corner Of The Intersection Of SH 66 And Ben Payne Road. The Legal Description Is ABS A0103, J HODGES, TRACT 2-1, (SEE 62169 FORMU1 DISTRICT ACCT), 4.1290 ACRES. Case SP-22-009.

1. Staff Summary

Robbie Highfield, Associate Planner provided a brief overview of the agenda item which included the following items:

Project description

- Site plan for possible Blackland Fate Pump Station
- RCAD 59874
- Part of Woodcreek PD, therefore SP requires P&Z and CC approval (Woodcreek PD Section IV.E)

Location

- Property has yet to be platted
- approved Prelim and Final Plat, not recorded
- Located NE corner of SH 66 and Ben Payne
- SW corner of the property is approximately 406ft from the intersection of Hwy 66 and Ben Payne
- 3.651 ac.
- Zoned Woodcreek PD "Commercial District"
- Currently Undeveloped

Neighboring properties

- Woodcreek Ph 1 to the north and east
- Woodcreek Ph 8 and Commercial to the west
- Avondale to the south (470 res units)
- No public notice required

Site plan

- The pump station design was developed by Blackland Water Supply (BWS)
- Site layout developed in coordination with City Staff
- Conforms with all Woodcreek PD, UDO, and Design Criteria and Construction Standards requirements
- Stormwater runoff will be detained within the existing Woodcreek regional detention pond.
- The property is located within the MUD 1 district boundary
- No policies or regulations within the MUD 1 agreements that affect or limit the ability of the facility to be constructed as proposed.
- Site plan and proposed BWS Pump Station is consistent with the design of approved Fate Pump Station No. 3
- Result in one cohesive development across both properties.

Site plan-screening

- 8-foot solid masonry wall with limestone columns along north, east, and south sides of pump station lot (similar to existing)
- 8-foot chain link security fencing on the interior only
- Standard per NTMWD standards
- Preferred alternative to razor wire security fencing

Site plan-lighting

- Lighting to remain on-site

Site plan – landscaping plan

- 20 ft landscape buffer
- Chinquapin Oak and Magnolia trees
- 4" caliper at planting
- 50ft max height
- In coordination with the city's approved pump station site plan
- 12 internal trees
- Chinquapin Oak, Magnolia, Willow Oak, Sugar Maple
- 4" caliper at planting
- 50ft max height

Approval criteria

- a) Comply with all applicable standards in this Ordinance and other adopted City ordinances and conform to design requirements and construction standards
- b) Provision and configuration of public improvements shall be adequate to serve the development and conform to adopted master plans
- c) Comply with any applicable federal or State relevant jurisdictions' regulations
- d) Comply with any adopted or approved interlocal agreements with Rockwall County or other affected public entities and Municipal Utility District (MUD) agreements
- e) May impose conditions reasonably calculated to achieve or maintain compliance with all applicable criteria.
- f) May incorporate or require, as part of a condition of approval, a written agreement between the applicant and the City that enforces the conditions.
- g) Generally consistent with the Comprehensive Plan and any adopted policy document.

Discussion ensued amongst the commission. The discussion included the following items:

- Lighting concerns

2. Applicant Presentation

Scott Muckensturm, General Manager at Blackland Water Supply spoke briefly regarding the agenda item.

Discussion ensued amongst the commission. The discussion included the following items:

- There will be two water tanks, each holding 3 million gallons of water

3. Discuss, Consider, and Take Any Necessary Action

Commissioner Kiser moved to approve SP-22-009 with staff recommendations.

Commissioner Sykes seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Priest, Wiemokly, Kiser, Jackson, and Sykes

Nays: None

Chairman Dann declared the motion carried unanimously

- C. (This Is An Application For Approval Of A Planned Development Request To Allow For UHAUL Truck And Trailer Rentals At An Existing Self-Storage Business Located On The South Side Of I30) Discuss, Consider, And Take Any Necessary Action Regarding Planned Development Request To Allow For UHAUL Truck And Trailer Rentals At Rockwall Fate Self-Storage, Located At 4480 E I-30. The Applicant Is Mohammad Nikpour. The Total Area Of The Proposed Planned Development Is Approximately 1.72 Acres. Case # ZR-22-006.

1. Staff Summary

Ryan Wells, Director of Planning and Development provided a brief overview of the agenda item which included the following items:

Project description

- ZR-22-006 (Planned Development)
- Request to add "Truck and Trailer Rental" as a principally permitted use for the subject property
- Not currently a permitted (principal or SUP) use for the Highway Commercial zoning

Property description

- 1.72 ac.
- Zoned Highway Commercial
- Abuts I-30 (N), Maaco Rockwall (E), Recreational Resort Cabins (W), & Rockwall ISD property (S)

ZR-21-006

- Maintain all HC zoning standards, with the addition of "Truck and trailer rental" as a principally permitted use.

Approval criteria – ZR-21-005

- The Comprehensive Plan and other adopted plans
- The character of the surrounding neighborhood
- Any other relevant facts or circumstances
- American Storage of Rockwall-Fate (4100 E I-30): CUP (O-1621) to allow moving truck, trailer, and equipment rentals (2017)
- Compass Self-Storage (2413 Riding Club Rd): CUP (O-1395) to allow for ministorage warehouse facility with truck and trailer rental accessory to the ministorage warehouse use (2015)

Public notice

5 sent

0 responses

Recommended Conditions

1. In accordance with Fate UDO Section 5.3, the front (north) side of the property shall be screened from the public right of way with one of the following treatments:
 - a. 8-foot masonry wall with columns spaced no more than 30 feet.
 - b. Combination of wrought iron fencing with irrigated living screen wall interior to the fence. This living screen shall reach eight feet in height within two years of planting and shall provide a continuous screen along the north property line. All plant materials used for living screens shall be insect- and disease-resistant and shall be plant species that are freeze-hardy, low maintenance, well-adapted to the north central Texas area, and drought-tolerant such that they are self-sustaining with minimal irrigation and care.
2. The City will initiate the removal of the SUP if the applicant no longer operates the business as presented.

Discussion ensued amongst the commission. The discussion included the following items:

- Clarification on the resending and revoking statement. Ryan Wells confirmed that he is maintaining recommended condition #1 and revoking #2 because it's SUP was not being considered at this time.
- Location of the screening
- Concerns of the gate being locked and the trucks having to be parked on the road

2. Applicant Presentation

Mohammad Nikpour, Owner of Rockwall Fate Storage gave a brief presentation that included the following items:

- In order to remain competitive and profitable (requires 95% occupancy) we required more foot traffic due to increased storage facilities within a 15-mile radius driving down storage unit prices as seen below:
- Over 85% of our clients are Rockwall or Royce city residents that find our location extremely beneficial for their truck and trailer needs.
- Over the past 6 months we been able to maintain > 90% profitability due to the following:
- Additional foot traffic from UHAUL customers making online reservations and storing with us as well
- Having the UHAULS visible from the service road and highway

Financial impact of wall on Rockwall Fate Storage plus Maaco

- Aesthetically looks bad and makes U-Haul and storage business essentially hidden from service road + highway
- 3 quotes ranging from 40-62k for material + Labor for the 8 ft masonry wall
- Anticipate a 30% drop in UHAUL rentals + 25% drop in occupancy
- Maaco impact (Shane shall speak to)

Discussion ensued amongst the commission. The discussion included the following items:

- The average length of the UHAUL vehicles
- Suggest a condition that the business is obligated to leave the gate open during business hours
- Adding this rule in the UDO that is currently being worked on

3. Public Hearing

Commissioner Dann opened the public hearing at 9:54 p.m.

Shane Hollas, 4500 I-30 spoke in favor of the zoning but not the barrier wall

Commissioner Dann closed the public hearing at 9:55 p.m.

4. Discuss, Consider, and Take Any Necessary Action

Discussion ensued amongst the commission. The discussion included the following items:

- Would like to not have the barrier but have an exception that the gate must be open during business opens.

Commissioner Jackson moved to approve ZR-22-006 with the condition that the gate remain open during business hours. Not accepting staff recommendations.

Commissioner Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Priest, Wiemokly, Kiser, and Jackson

Nays: Sykes

Chairman Dann declared the motion carried.

City Secretary's Note: Ryan Wells stepped out at 10:07 p.m. and returned at 10:10 p.m.

City Secretary's Note: Commissioner Jackson stepped out at 10:07 p.m. and returned at 10:08 p.m.

- D. (This Is An Application For Approval Of A Zoning Change Request And A Preliminary Plat For An Existing Fireworks Sales Business Across Three Parcels On The South Side Of I-30) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Change Request From Agriculture (A) To Highway Commercial (HC) And The Approval Of An Associated Preliminary Plat. The Total Area Of The Proposed Zoning Change Is Across Three Parcels Which Total Approximately 10.278 Acres. Case # ZR-22-003 & PP-22-003.

1. Staff Summary

Robbie Highfield, Associate Planner provided a brief overview of the agenda item which included the following items:

- The applicant intends to tear down the existing building and replace it with a new building for the same use
- Zoning request to change the zoning on all three lots from A to HC
- Comply with FLUP place type (Supportive Commercial)
- Preliminary Plat (and eventually Final Plat) are required due to public infrastructure extension
- The three parcels were never previously platted

Property Description

- Three Tracts (never platted)
- Located on the south I30 Frontage Rd approximately 1,300 ft southwest of the I-30/Rochelle Rd intersection
- 3.139ac, 3.142ac, and 4.003ac (10.278ac total)
- Zoned Agriculture
- Existing building, parking lot, and vacant land

Neighboring properties

- Compass Self Storage to the east
- Xtreme Toyz Rockwall (In Rockwall ETJ) to the west
- Carrington Farms Neighborhood to the south (62 SF units)
- 9 properties notified

Zoning request – ZR-22-003

- Agriculture to Highway Commercial
- HC supported by the FLUP (Supportive Commercial)

Approval criteria – ZR-22-003

- The Comprehensive Plan and other adopted plans
- The character of the surrounding neighborhood
- Any other factors required or allowed by Texas law and case law.

Preliminary plat – PP-22-003

- Three lots to be created from three existing tracts
- Lot 1 (RCAD 32041): 3.139 ac
- Lot 2 (RCAD 32040): 3.142 ac
- Lot 3 (RCAD 11209): 4.003 ac
- Applicant to tear down existing building and rebuild on Lot 1
- Lot 2 and 3 to remain vacant currently
- Preliminary Plat required per Texas LGC due to waterline extension

Approval criteria – PP-22-003

- Consistent with all zoning requirements.
- Provision and configuration of public improvements are adequate to serve the development.
- Has been duly reviewed by applicable City staff.
- Conforms to design requirements and construction standards.

- Consistent with the Comprehensive Plan.
- Does not endanger public health, safety or welfare.

Recommended conditions – PP-22-003

- Conditions to be addressed on the final plat; a resubmittal of the preliminary plat is not required:
- Add “Point of Beginning” label. If “P.O.B” is used to abbreviate, add it to the Legend. This can be addressed directly on the Final Plat.
- Because the legal description combines the three lots together when describing the northern and southern border rather than describing the three separate segments, two additional bearing and distances need to be added to the plat. Do not remove the existing labels of the three lots. However, along the southern border of the property, add the bearing and total distance label showing “S 89°10'59" W 618.74” and along the northern border of the property, add the bearing and total distance label “N 72°44'46" E 642.22”.
- Prior to or concurrent with the recordation of a final plat, a 15-foot water line easement shall be approved by the Fate City Council and recorded as separate instruments for each of the intervening properties between the existing City of Fate water line terminus at Rochelle Road and the subject property.

Discussion ensued amongst the commission. The discussion included the following items:

- Was this annexed into the city after the building went up.
- Is there a flood zone
- There is a current interim use agreement in place
- Will the concept plan come back through the Planning and Zoning

2. Applicant Presentation

James McKnight, representing Alamo Fireworks gave a brief presentation regarding the agenda item, which included the following:

- Location
- Supportive commercial
- Fate retail operation development
- Existing building
 - 8325 square foot building
 - Metal style “pole building
 - Build using past building code
 - No landscaping
 - Dated interior/exterior design
 - No city service (water for fire suppression)
 - Sits across 3 lots which prohibits development
 - Poor space utilization from building footprint
- Proposed new building
 - 7200 square foot build
 - Full suppression (sprinkler) system
 - New signage (meeting local regulations)
 - Building sits on one lot, making the extra area available for development
 - Built to City of Fate standards including brick façade
 - Professional site setup
 - Improved customer shopping experience inside the store (improved flow)
 - Modern parking and lighting
- New building

- Building that meets or exceeds all standards for appearance and/or safety including brick facade, fire suppression system, improved outside/inside appearance and more.
- Layout
- Building moved to far front corner of one lot with improved layout. This will create an opportunity to partner with City of Fate to sell remaining land for development
- Open to allowing an easement on NW corner for Fate to use for "Welcome to Fate" signage.

Discussion ensued amongst the commission. The discussion included the following items:

- Made available in partnership with the City of Fate was on the presentation, need clarification
- That was in reference to something that is not related to the zoning change.

3. Public Hearing

Commissioner Dann opened the public hearing at 10:26

There was no one present wishing to speak.

Commissioner Dann closed the public hearing at 10:26

4. Discuss, Consider, and Take Any Necessary Action

Commissioner Jackson moved to approve Case # ZR-22-003 and PP-22-003 with staff recommended conditions

Commissioner Sykes seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Priest, Wiemokly, Kiser, Jackson, and Sykes

Nays: None

Commissioner Wiemokly declared the motion carried unanimously

- E. (This Is An Application For A Zoning Request And Special Use Permit For A New And Used Car Sales And Service Business) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request And Special Use Permit For A New And Used Car Sales And Service Business. The Applicant, ZTEX, LLC, Is Proposing A 34,060 Square Foot Sales And Service Facility On A 5.32-Acre Property. The Existing Zoning For The Property Is Agriculture, And The Proposed Zoning For The Property Is Highway Commercial. The Property Is Generally Located On The North Side Of I-30, Immediately East Of Encounter Church And Approximately 0.45 Miles East Of Ben Payne Road. Case # ZR-22-007 & SUP-22-003.

1. Staff Summary

Ryan Wells, Director of Planning and Development provided a brief overview of the agenda item which included the following items:

Project description

- ZR-22-007 (Zoning Request)
- Change property zoning from Agriculture (A) to Highway Commercial (HC)
- Applicant wishes to install a 34,060 sf Volkswagen automobile sales and service center
- Per table 4.1-1, new car sales is principally permitted in HC zone

Project description

- SUP-22-003 (Special Use Permit)
- In addition to new cars, applicant wishes to sell used cars as part of the business operations
- Table 4.1-1 requires SUP for used car sales in the HC zone

Property description

- Single undeveloped lot
- 5.315 ac.
- Currently zoned Agriculture
- Abuts I-30 (S), Encounter Church (W), Yu Tract (N)
- Contains Zone A floodplain

Approval criteria – ZR-22-007

- The Comprehensive Plan and other adopted plans
 - Business and Innovation Center
 - Mixed Use Center
 - Representative Zoning Districts
 - Highway Commercial
 - Highway Mixed Use
 - Goal EO-2: Encourage growth of commercial, retail, office, and light industrial uses to support the residential base.
- The character of the surrounding neighborhood
- Any other factors required or allowed by Texas law and case law, and
- Any other relevant facts or circumstances.

Approval criteria – SUP-22-003

- Meets the purpose of the zone district in which it will be located and all of the criteria and regulations specified for such use in that zone district, including but not limited to height, setbacks and lot coverage;
- Complements or is compatible with the surrounding uses, character and community facilities;
- Adequately mitigates traffic impacts;
- Contributes to, enhances, and promotes the quality of life for residents of the development and adjacent properties;
- Is in scale with the existing neighborhood or will be considered to be in the scale with the neighborhood as it develops in the immediate future; and
- Mitigates any adverse impacts due to access, parking, service areas, and traffic on adjoining properties and the street network in an adequate manner.
- An ordinance approving an SUP may impose development standards and safeguards over and above those contained in the corresponding zoning district regulations.

Public notice

2 sent

0 responses

Fiscal analysis

- Total taxable value: \$13.236 million
- Est. annual tax contribution (at build out): \$91,767
- Estimated annual service cost: \$4,854
- Net value per acre: \$2.488 million
- Revenue to cost ratio: 18.91:1
- Private to public ratio: N/A
- Vehicle Inventory Tax based on sales price/100 times property tax rate
- ~\$14,400 for \$6M annual sales

Recommended conditions

SUP-22-003

- A flood study shall accompany a site plan submittal.
- 2. Following site and building construction a LOMR shall be filed with FEMA to establish the studies Zone AE floodplain boundary.
- 3. No used vehicles shall be stored or displayed within 50 feet of the southern property boundary.
- 4. At no point shall used vehicles constitute more than 25% of the on-site inventory.
- 5. Only one free-standing pylon sign shall be installed on the site and shall comply with Fate UDO Article VIII.
- 6. No flags, banners, or inflatables shall be allowed on the property except during a 30-day period coinciding with the grand opening of the facility. Any of these items shall conform to the temporary sign permit requirements in Fate UDO Section 8.3.
- 7. Lighting must be contained to the property and shall not glare onto adjacent properties or rights-of-way.
- 8. No up-lighting shall be permitted on the site, with the exception of nighttime illumination of a U.S. or Texas state flag.
- 9. Exterior vehicle displays shall not incorporate flashing or color-changing lights, rotating bases for vehicles, or any other characteristics distracting to motorists.
- 10. For parking spaces adjacent to the highway frontage, no more than five (5) concurrent parking or inventory spaces may exist without being separated by a landscape island that is at minimum 9-foot by 18-foot.
- 11. The queue for the service center may not face or be visible from the frontage road.
- 12. In accordance with TxDOT access management standards, access spacing for the site shall be no less than 425 feet between existing and proposed driveways, unless otherwise directed by TxDOT regional staff.
- 13. Prior to the submittal of a building permit, a site plan and site civil plans shall be approved by the City of Fate. These plans shall conform to the Fate Unified Development Ordinance and the Fate Design Criteria and Construction Standards, respectively.
- 14. The City will initiate the removal of the SUP if the applicant no longer operates the business as presented.

Discussion ensued amongst the commission. The discussion included the following items:

- Cities do not collect sales tax on the purchase of used vehicles
- Why have conditions on mostly the SUP

2. Applicant Presentation

Christopher Zamora, President gave a brief presentation on the following items:

- Nice, clean lighting, and design
- Would like to bring a car dealership to Fate
- Will have electric charging stations
- Bring jobs to Fate
- Community involvement
- \$60,000,000 annual sales revenue
- Parts sales \$2,550,000
- Modern and slick design for indoor and outdoor
- ID Hub – clean display to showcase a vehicle

Discussion ensued amongst the commission. The discussion included the following items:

- 2 staff recommendations that the applicant does not agree to

- 25% used cars
- Volkswagen is required to sell only certified used cars
- No directional signage is required to be approved
- 10 months to complete the build
- Income of the employees
- Limit used cars

3. Public Hearing

Commissioner Dann opened the public hearing at 11:25 p.m.

Matt Johnson, 2101 Cedar Springs spoke in favor of the agenda item

Commissioner Dann closed the public hearing at 11:27 p.m.

4. Discuss, Consider, and Take Any Necessary Action

Discussion ensued amongst the commission. The discussion included the following items:

- The limit on used cars
- Tie the SUP to only a certified seller

Recommended motion given by City Attorney Jon Thatcher would be to move to approval of ZR-22-007 and SUP-22-003 with the zoning case including the conditions as presented number five through ten and the SUP including the conditions one through three and twelve through fourteen, excluding number four and number eleven.

Commissioner Wiemokly moved to approve case # ZR-22-007 and SUP-22-003 based upon the City Attorneys recommendations.

Commissioner Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Priest, Wiemokly, Kiser, Jackson, and Sykes

Nays: None

Chairman Dann declared the motion carried unanimously

9. Director Of Planning And Development Services Report/Announcements Pertaining To City Activities, Upcoming Events, Future Legislative Activities, And Other Matters Related Thereto

Director of Planning and Development Ryan Wells spoke briefly about the agenda item which includes the following topics:

- Special meeting for the UDO update set for September 1, 2022

10. Planning And Zoning Commission Adjournment

There was no further business before the Planning and Zoning Commission and Commissioner Wiemokly moved to adjourn.

Chairman Dann seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann, and Commissioners Wiemokly, Priest, Jackson, Kiser, and Sykes,

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Nays: None

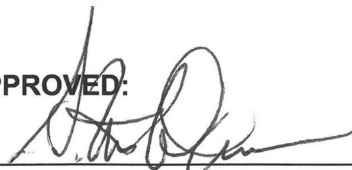
Chairman Dann declared the motion carried unanimously.

Chairman Dann declared the meeting adjourned at 11:39 p.m.

APPROVED BY THE PLANNING AND ZONING COMMISSION ON THE 15 DAY
OF September, 2022.



APPROVED:


Steve Dann, Chairman

ATTEST:


Victoria Raduechel, TRMC
City Secretary

APPROVED BY THE CAPITAL IMPACT ADVISORY COMMITTEE ON THE 16th DAY OF
February, 2023.



APPROVED:

Steve Dann, Chairman

ATTEST:

Victoria Raduechel, TRMC
City Secretary



To: CIAC Members
Cc: City Council
From: Josue Flores, Project Engineer
Leah Garrett, Accountant
Michael Kovacs, City Manager

Date: February 16, 2023

Agenda Items & Captions: Impact fees report on projects & funds

Action Requested: Hear a report on the impact fee funds financial status and discuss as desired.

Prior Action: The CIAC last met in August of 2022, to get an update on funds and projects.

Overview and Background: This report is prepared to update the CIAC in pursuance of compliance with state law, and to continue to provide transparency of the management of impact fee funds. Since the initiation of a new team in February 2022, input from the CIAC has been implemented, by adding potential completion dates for impact fee eligible project, along with a map to give a better understanding of the impact fees and the use of the funds.

Our focus remains on the construction of critical infrastructure to comply with government agencies (TCEQ). Pump Station #3 bid opening was held January 19th, and it came in \$3.25M over our last estimate. It is very likely we will re-bid the project, but we are planning on using our water impact fees fund to cover some of the expenses for this project, of which the design was one of them. The sewer funds remain focused on the Sabine Creek Wastewater Treatment Plant expansion with Royse City, which is operated and managed by NTMWD. The current breakdown, which has been verified, for the expansion expense remains at 67% City of Fate and 33% Royse City.

Financial Condition: The reserve totals are in good shape and have increased from the last meeting to a total of \$19.1 million as of 12/31/2022. These totals included the expected revenue along with projected expenses and debt service transfers. A conservative number was used to forecast the revenue for the current fiscal year. Homebuilding slowed down during the last two months of last year but saw a pickup during January of this year. Commercial activity, however, is finally picking up on the southside of IH30, which balances out our forecast, if not exceeds it.

The roadway impact fees continue to be used for reimbursements as these projects come to completion. The section of CD Boren in MUD 8 has been completed per the development agreement and continues to be reimbursed based on the impact fees collected in this area. Greenbriar collector 1 & 2, the south section of Water Tower Rd., and the Roundabout have been completed and opened to the public. Due to the recent development agreement with the Hunts, the reimbursement for these roads is in the form of credits for future development. The sewer impact fees, which account for most of the impact fees collected, along with the Sabine Wastewater Treatment Plant expansion, will also be used to have a current study of our sewer system and impact fees. The last study was done in 2016, and a new study is imperative for our current growth. The new rates in this study will probably not go into effect until the following fiscal year.



The Impact Fees & Coming Expenses spreadsheet has been updated to show completion dates for the projects. Some of these projects have pushed out their finish dates, such as MUD 8, N Ben Payne to Hwy 66. The previous mentioned roadway projects have moved to completed projects with reimbursements in progress and some shown as zero amounts due to the credits given. The map was also updated to illustrate the projects we have under our current impact fee eligible projects as completed, which leaves only a few remaining, for all three fees: roadway, water, and sewer.

- As we start concluding the cash reimbursement for impact fee eligible projects, we move into a credit system that will be implemented for the new subdivisions: Monterra, Avondale, and Edgewater. This system has been developed and will be operated by the Planning & Development department.
- Williamsburg had an elaborate development agreement that used some credits, reimbursements, and special redirections to specific projects (the south water tower); but had no special provision on roadway impact fees, as those were not in effect at the time of the 2012 City rescue of the failed 2007 development. It is expected that all improvements will be done by the end of the first quarter this year.
- Chamberlain had a credit agreement and is building their last phase.

Report on Funds:

The following documents are included:

- Impact Fee Cash & Coming Expenses spreadsheet. Updated as of 12/31/2022.
- Balance Sheet for the Impact Fee funds as of 12/31/2022.
- Budget Report for the Impact Fee funds, FY 22 year-to-date as of 12/31/2022.
- Impact Fees Projects-Map

Projects Recently Completed and Developers Paid:

Roads –

- CD Boren from Ben Payne to the end of Woodcreek Phase 8 has been completed as part of the MUD 8 Development agreement. Per the agreement, they are reimbursed quarterly upon request. The reimbursement amount totals \$875,000, of which we have reimbursed \$739,069 to date with the next reimbursement being processed right now in the amount of \$16,248. The reimbursements for this agreement are quarterly. The next period, January-March, will have a payment due in April from the impact fees collected solely from Woodcreek 8.

Water –

- Debt payments or transfers for debt payments made per budget for eligible costs.
- Pump Station 3 design. The total contract is for \$790,000 plus other costs, and we estimate it will be about \$900,000 by the time the last invoices are paid as we conclude the project. Out of the \$820,000 that was entered last time \$788,250 has been processed and only \$31,750 remains in the coming expenses spreadsheet as an estimate.

Sewer –



- No reimbursements.
- Debt payments or transfers for debt payments made per budget for eligible costs include the increase in costs for the next Sabine Creek Expansion, which is estimated to be \$3,975,460 together with Royse City. Our part for the 67% is \$2,670,555.

Contract Commitments:

See attached Impact Fees Cash & Coming Expenses worksheet.

Projects Completed but not yet Reimbursed:

See attached Impact Fees Cash & Coming Expenses worksheet.

Projects In-Progress:

See attached Impact Fees Cash & Coming Expenses worksheet.

Development Agreements & Cash Commitments:

See attached Impact Fees Cash & Coming Expenses worksheet.

Questions & Information Requests

Impact fee projects/spending can be complicated, please contact us in advance if you have questions.

Impact Fees Cash & Coming Expenses				Completion	Roads	Water	Sewer
Impact Fee Type				Date	Fund 616	Fund 825	Fund 826
Fund Balances 12/31/22					\$7,147,166	\$1,770,931	\$6,765,302
Remaining FY23 Projected Revenue					\$2,564,563	\$1,686,407	\$1,520,235
Remaining FY23 Projected Expense					\$50,000	\$123,250	\$1,950,001
Remaining FY23 Debt Service Expense Transfers					\$0	\$287,700	\$0
Projected FY23 Fund Balance					\$9,661,729	\$3,046,388	\$6,335,537
Contract Commitments							
Contract Commitments to the Fiscal Year End - Woodcreek 8 & PS3 Engineering					\$16,248	\$31,750	\$0
Completed Projects - City to Pay Soon							
1 Williamsburg, Gettysburg to Williamsburg Pkwy*				2012	\$1,100,000	\$1,631,000	\$2,563,000
2 Williamsburg, Gettysburg @ WB Pkwy West 2,240' (project #9)				2020	\$3,453,320	\$445,500	\$568,100
3 Woodcreek, N. Ben Payne, 1,800' N. of C.D. Boren to Aeronca (Project #17)				2020	\$0	\$0	\$0
4 Dev. Agree. - MUD 9 water mains/Prince Ln. (bldg)				12.1.22	\$0	\$0	\$0
5 Dev. Agree. - MUD 8 C.D. Boren Ext. (bldg)				2021	\$135,931	\$0	\$0
8 Roundabout for Hunt Property (Project #32)				12.1.22	\$0	\$0	\$0
9 Water Tower Rd. - South section, Hunts (Project # 22)				12.1.22	\$0	\$0	\$0
10 Greenbriar Backage Collector 1				12.1.22	\$0	\$0	\$0
11 Greenbriar Backage Collector 2				12.1.22	\$0	\$0	\$0
13 2021 Road Bond Funding for Devel. Agreements				4.30.22	\$0	\$0	\$0
Projects Under Construction							
6 Williamsburg, Gettysburg West to Rochelle (partial to flood) (project #8)				3.1.23	\$2,091,807	\$25,000	\$47,000
7 Dev. Agree - Avondale Woodcreek Blvd. Ext./mains				3.30.23	\$0	\$0	\$0
12 Dev. Agree. - Edgewater (Williamsburg East) (bldg)				7.1.24	\$0	\$0	\$0
16 Rochelle 16-inch Water Line				3.1.23	\$0	\$500,000	\$0
City Dev. Agree. Commitments/Projects Coming up							
14 Woodcreek, MUD 8, N. Ben Payne to Hwy 66 (partial cost) (project #18)				11.1.23	\$302,400	\$170,917	\$0
15 Dev. Agree. - Monterra N. Ben Payne/mains/LS				7.1.24	\$0	\$0	\$0
Total Expenses Coming*					\$5,999,706	\$1,173,167	\$615,100
Ending Future Fund balances					\$3,662,023	\$1,873,221	\$5,720,437

Does not include Gettysburg West remainder

* Payments to be less or not made at all, and therefore not included in total expenses



Fate, TX

Balance Sheet

Account Summary

As Of 12/31/2022

Account	Name	Balance
Fund: 616 - ROADWAY IMPACT FUND		
Assets		
616-00-10001-0000	CLAIM ON CASH-ROADWAY IMPACT	1,072,775.64
616-00-10006-0000	CASH - BOKF	50,280.92
616-00-10100-0000	CASH IN BANK/CONSOLIDATED	0.00
616-00-11152-0000	FHLB BONDS INVESTMENT	2,000,000.00
616-00-11153-0000	US TREASURY BONDS	0.00
616-00-11170-0000	TEXAS CLASS 01-0523-0004	4,067,525.22
616-00-12255-0000	A/R - MISCELLANEOUS	0.00
	Total Assets:	7,190,581.78
		<u>7,190,581.78</u>
Liability		
616-00-20001-0000	AP PENDING-ROADWAY IMPACT	0.00
616-00-21100-0000	ACCOUNTS PAYABLE	0.00
616-00-21200-0000	RETAINAGE ON CONTRACTS	0.00
616-00-28400-0000	INVESTMENT DISCOUNT	43,415.90
	Total Liability:	43,415.90
Equity		
616-00-31000-0000	FUND BALANCE -- NONSPENDABLE	0.00
616-00-32000-0000	FUND BALANCE - RESTRICTED	0.00
616-00-35000-0000	FUND BALANCE - UNASSIGNED	6,912,448.11
	Total Beginning Equity:	6,912,448.11
Total Revenue		253,673.77
Total Expense		18,956.00
Revenues Over/Under Expenses		234,717.77
	Total Equity and Current Surplus (Deficit):	7,147,165.88
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>7,190,581.78</u>

Balance Sheet

As Of 12/31/2022

Account	Name	Balance
Fund: 825 - WATER IMPACT FUND		
Assets		
825-00-10001-0000	CLAIM ON CASH-WATER IMPACT	756,478.86
825-00-10100-0000	CASH IN BANK/CONSOLIDATED	0.00
825-00-11170-0000	TEXAS CLASS 01-0523-0006	1,014,452.04
825-00-12255-0000	A/R - MISCELLANEOUS	0.00
825-00-13500-0000	PREPAID MISC EXPENSES	0.00
	Total Assets:	1,770,930.90
		<u>1,770,930.90</u>
Liability		
825-00-20001-0000	AP PENDING-WATER IMPACT	0.00
825-00-21100-0000	ACCOUNTS PAYABLE	0.00
825-00-21120-0000	MISCELLANEOUS PAYABLES	0.00
825-00-21200-0000	RETAINAGE ON CONTRACTS	0.00
825-00-26110-0000	DUE TO PROVIDENT REALTY ADV	0.00
825-00-26210-0000	DUE TO WOODCREEK PH7A	0.00
825-00-26211-0000	DUE TO WOODCREEK PH7B	0.00
825-00-26215-0000	DUE TO WILLIAMSBURG DEV	0.00
	Total Liability:	0.00
Equity		
825-00-31000-0000	FUND BALANCE -- NONSPENDABLE	0.00
825-00-32000-0000	FUND BALANCE - RESTRICTED	0.00
825-00-33000-0000	FUND BALANCE - COMMITTED	0.00
825-00-34000-0000	FUND BALANCE - ASSIGNED	0.00
825-00-35000-0000	FUND BALANCE - UNASSIGNED	1,785,982.02
	Total Beginning Equity:	1,785,982.02
Total Revenue		124,998.88
Total Expense		140,050.00
Revenues Over/Under Expenses		-15,051.12
	Total Equity and Current Surplus (Deficit):	1,770,930.90
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>1,770,930.90</u>

Balance Sheet

As Of 12/31/2022

Account	Name	Balance	
Fund: 826 - WASTEWATER IMPACT FUND			
Assets			
826-00-10001-0000	CLAIM ON CASH-WW IMPACT FUND	678,112.09	
826-00-10100-0000	CASH IN BANK/CONSOLIDATED	0.00	
826-00-11106-0000	TEXPOOL #7903900008	6,087,190.13	
826-00-11170-0000	TEXAS CLASS 01-0523-0005	0.00	
826-00-12255-0000	A/R - MISCELLANEOUS	0.00	
826-00-12305-0000	INTERGOVERNMENTAL RECEIVABLE	0.00	
	Total Assets:	6,765,302.22	<u>6,765,302.22</u>
Liability			
826-00-20001-0000	AP PENDING-WW IMPACT	0.00	
826-00-21100-0000	ACCOUNTS PAYABLE	0.00	
826-00-21120-0000	MISCELLANEOUS PAYABLES	0.00	
826-00-26110-0000	DUE TO PROVIDENT REALTY ADV	0.00	
826-00-26210-0000	DUE TO WOODCREEK PH7A	0.00	
826-00-26215-0000	DUE TO WILLIAMSBURG DEV	0.00	
	Total Liability:	0.00	
Equity			
826-00-31000-0000	FUND BALANCE -- NONSPENDABLE	0.00	
826-00-32000-0000	FUND BALANCE - RESTRICTED	0.00	
826-00-34000-0000	FUND BALANCE - ASSIGNED	0.00	
826-00-35000-0000	FUND BALANCE - UNASSIGNED	7,092,889.59	
	Total Beginning Equity:	7,092,889.59	
Total Revenue		297,411.63	
Total Expense		624,999.00	
Revenues Over/Under Expenses		-327,587.37	
	Total Equity and Current Surplus (Deficit):	6,765,302.22	
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>6,765,302.22</u>	



Fate, TX

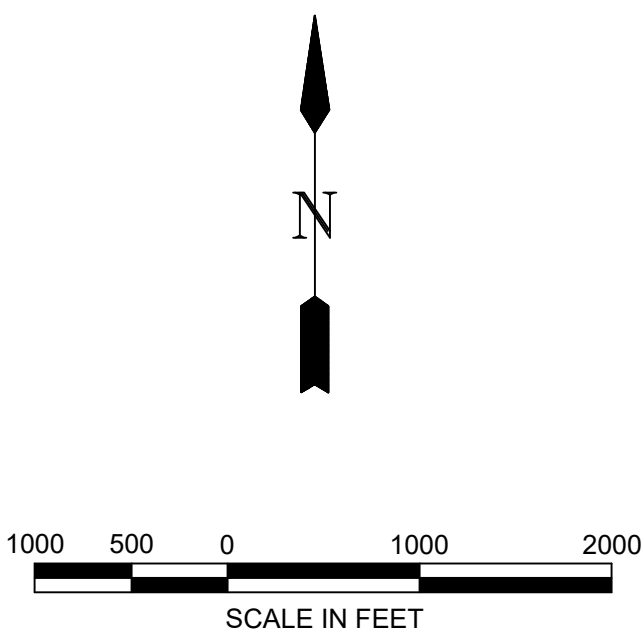
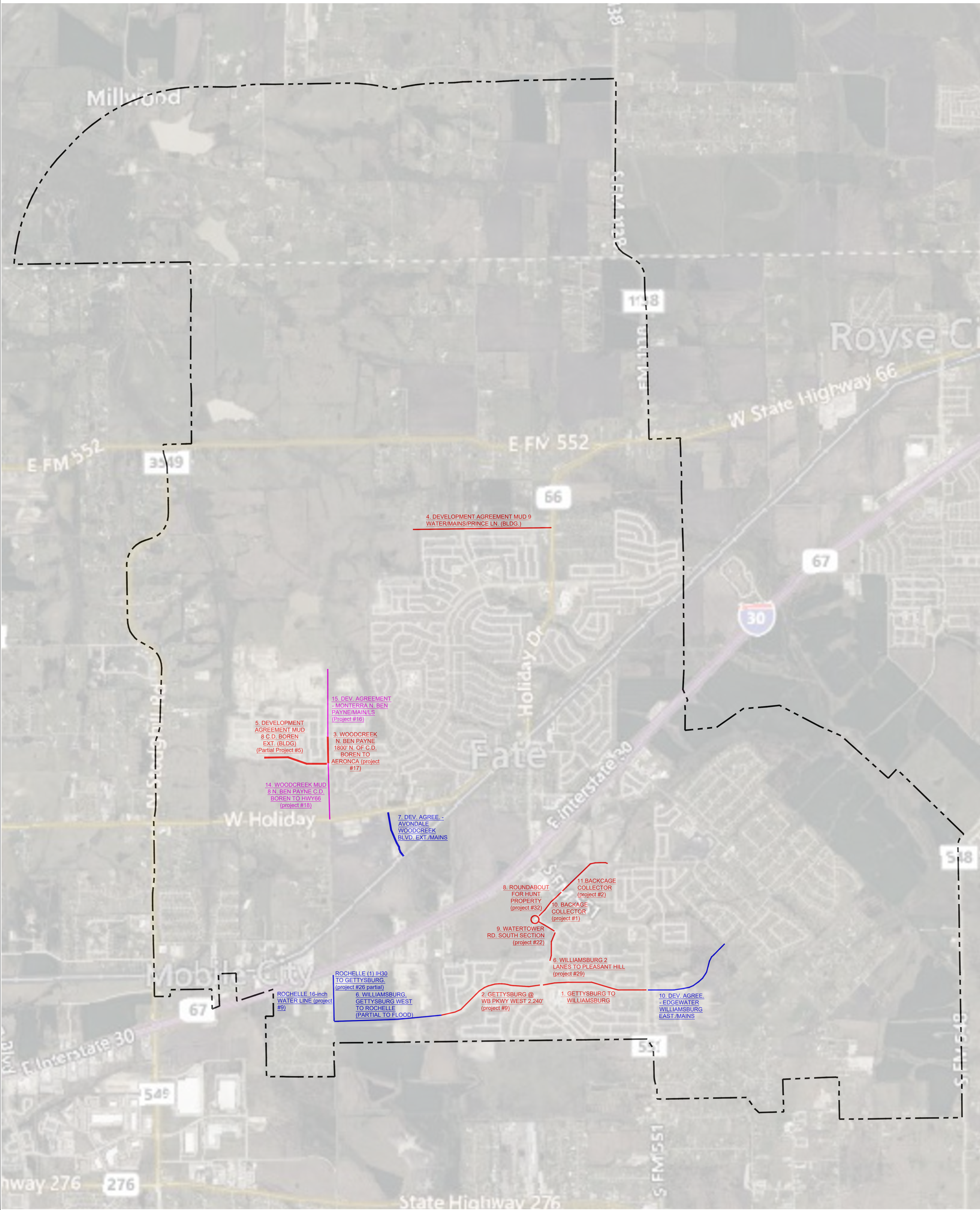
Budget Report Group Summary

For Fiscal: 2022-2023 Period Ending: 12/31/2022

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 616 - ROADWAY IMPACT FUND						
Revenue	3,522,297.00	3,522,297.00	93,701.26	253,673.77	-3,268,623.23	92.80%
Expense	11,327,055.00	11,327,055.00	0.00	18,956.00	11,308,099.00	99.83%
Fund: 616 - ROADWAY IMPACT FUND Surplus (Deficit):	-7,804,758.00	-7,804,758.00	93,701.26	234,717.77	8,039,475.77	103.01%
Fund: 825 - WATER IMPACT FUND						
Revenue	2,263,362.00	2,263,362.00	49,469.31	124,998.88	-2,138,363.12	94.48%
Expense	4,088,344.00	4,088,344.00	41,100.00	140,050.00	3,948,294.00	96.57%
Fund: 825 - WATER IMPACT FUND Surplus (Deficit):	-1,824,982.00	-1,824,982.00	8,369.31	-15,051.12	1,809,930.88	99.18%
Fund: 826 - WASTEWATER IMPACT FUND						
Revenue	2,269,559.00	2,269,559.00	114,037.21	297,411.63	-1,972,147.37	86.90%
Expense	9,382,353.00	9,382,353.00	208,333.00	624,999.00	8,757,354.00	93.34%
Fund: 826 - WASTEWATER IMPACT FUND Surplus (Deficit):	-7,112,794.00	-7,112,794.00	-94,295.79	-327,587.37	6,785,206.63	95.39%
Report Surplus (Deficit):	-16,742,534.00	-16,742,534.00	7,774.78	-107,920.72	16,634,613.28	99.36%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
616 - ROADWAY IMPACT FUND	-7,804,758.00	-7,804,758.00	93,701.26	234,717.77	8,039,475.77
825 - WATER IMPACT FUND	-1,824,982.00	-1,824,982.00	8,369.31	-15,051.12	1,809,930.88
826 - WASTEWATER IMPACT FUND	-7,112,794.00	-7,112,794.00	-94,295.79	-327,587.37	6,785,206.63
Report Surplus (Deficit):	-16,742,534.00	-16,742,534.00	7,774.78	-107,920.72	16,634,613.28



Impact Fees Projects

PROJECTS

PROJECTS COMPLETED

PROJECTS UNDER CONST.

PROJECTS SOON TO START

FATE CITY LIMITS
(PER LAST IMPACT FEE STUDY)



CITY OF FATE
ROCKWALL COUNTY, TEXAS

THIS MAP IS THE PROPERTY OF THE CITY OF FATE, TEXAS AND IS NOT TO BE REPRODUCED BY ANY MEANS, MECHANICAL OR DIGITAL, WITHOUT WRITTEN CONSENT FROM THE CITY.

**MINUTES OF THE CITY OF FATE
PLANNING AND ZONING
COMMISSION MEETING**

JANUARY 19, 2023

1. Planning And Zoning Commission Call To Order And Confirm A Quorum

Chairman Dann called the meeting of the Fate Planning and Zoning Commission to order at 6:00 p.m. on the 19th day of January, 2023, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Samantha Harris confirmed the presence of a quorum.

Planning and Zoning Commission Members Present:

Steve Dann – Chairman
Kerry Wiemokly
Karen Kiser
Clinton Sykes
Aaron Jackson

Planning and Zoning Commission Members Absent:

Daryell Harmon
Chelsea Priest – Vice-Chairman

City Staff Present:

Ryan Wells, Director of Planning & Development Services
Robbie Highfield, Associate Planner
Jon Thatcher, City Attorney
Isaiah Tackett, IT Systems Administrator
Samantha Harris, Deputy City Secretary

2. Public Comment

This Is An Opportunity For The Public To Address The Planning And Zoning Commission 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 Planning And Zoning Commission 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.

There was no one present wishing to speak.

3. Consent Agenda

All Items Under Consent Agenda Are Considered To Be Routine By The Planning And Zoning Commission 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. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Planning And Zoning Commission Meetings Held December 15, 2022

Commissioner Jackson moved to approve the consent agenda, as presented.

Commissioner Sykes seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Wiemokly, Kiser, Sykes, and Jackson.

Nays: None

Chairman Dann declared the motion carried unanimously.

4. Action Items / Public Hearings

- A. (This Is An Application For Approval Of A Preliminary Plat For A Car Wash And Lube Site, As Well As Four Additional Commercial Pad Sites With Uses Still To Be Determined) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Preliminary Plat For 7.356 Acres Of A 50.031-Acre Tract Of Land. Lot 1 Will Be Used For A Car Wash And Lube Shop Already Approved Through SUP-22-004. The Four Remaining Pad Sites, Lots 2 Through 5, Have Uses That Are Still To Be Determined. The Preliminary Plat Is Generally Located At The Northeast Corner Of I30 And WE Crawford. The Legal Description For Parcel 12848 Is ABS A0208, D THEDFORD, TRACT 2, 50.031 ACRES. Case #PP-22-007.

1. Staff Summary

Robbie Highfield, Associate Planner provided a brief overview of the agenda item which included the following items:

Project Description

- One lot is the future location for Fate Oil Lube and Wash
- Four lots will be temporarily vacant until final users are determined
- Preliminary Plat required vs minor plat
 - Public Infrastructure extension
 - More than 4 lots proposed

- City recommendation to the applicant

Preliminary Plat – PP-22-007

- Five commercial lots
 - All zoned General Commercial
 - Block 1, Lot 1 has a SUP
 - SUP not applicable to the remaining four lots
- Project Area: 7.356 acres
 - 42.675 acres will remain unplatted
- Zone X Floodplain = no floodplain buffer
 - Zone A Floodplain exists on the unplatted tract
- 20-foot Utility and 20ft telecom easements along the frontage road
- 30-foot fire lane, access, drainage, and utility easement
- No Landscape buffer easement
 - To be enforced on individual site plans
- Single undeveloped tract
 - Bisected by I-30
- 50.031-acre tract; 7.356 acres to be platted
- Zoned General Commercial; 1.709 acres is under an SUP
- Internal Drive Aisle being reviewed administratively with three connections:
 - W.E. Crawford north approx. 200ft N of Specs
 - I30 Frontage Rd approx. 740ft NE of existing Stags entrance
 - The existing internal drive stub-out between Specs and Stags

Approval Criteria – PP-22-006

- Consistent with all zoning requirements.
 - Meets setbacks and lot size requirements for GC zone; Lot 1 Block 1 complies with SUP (O-2022-041)
- Provision and configuration of public improvements are adequate to serve the development.
 - Emergency Access Easements, Public Infrastructure Easements meet standards
 - Additional necessary easements to be added as conditions of approval
- Has been duly reviewed by applicable City staff.
 - One review
- Conforms to design requirements and construction standards.
 - Will comply with implementation of recommended conditions
- Consistent with the Comprehensive Plan.
 - Goal EO-2: Encourage growth of commercial, retail, office, and light industrial uses to support the residential base.
- Does not endanger public health, safety, or welfare.
 - Meets driveway spacing requirements from TxDOT
 - Adequate Public Safety Easements provided
 - Civil Plans under staff review

Recommended Conditions – PP-22-004

1. On the Final Plat, the area within Tract 1 described as the “Ultimate 100-year Floodplain Line” and a 10-foot buffer shall be contained within a Floodplain Easement. This Floodplain Easement shall be clearly shown and labeled on the Final Plat.
2. While the Final Plat may be recorded prior to completion of the public water line, no building permit applications shall be accepted by the City until the public water line has been completed and accepted by the City.

3. Following the construction of the access road within the development, a Letter of Map Revision (LOMR) shall be filed with FEMA to designate the Ultimate 100-year Floodplain area as Zone AE floodplain.
4. The acreage for Tract 1 does not appear to be accurate based on the proportion of the tract to the area of the parcels within the plat. This shall be verified and corrected, if needed, on the Final Plat.
5. Add Project ID PP-22-007 to the P-Plat.
6. Add 25' x 25' Sight Visibility Easements/Sight Triangles to where the internal drive aisle meets the I-30 frontage road and WE Crawford Avenue. Alternatively, you may provide calculations showing a different sight triangle design will meet TxDOT/AASHTO standards.
7. Add P.R.R.C.T. acronym to the legend.
8. Add D.R.R.C.T. acronym to the legend.
9. Update all signature block dates to 2023.
10. Legal Description: The Central Angle, Radii, Chord Bearing, and Chord Length describing Curve C1 have been left out. Please include them or explain the reasoning on why it is unneeded information.

Fiscal Analysis

- 5,200 SqFt (car wash/lube) + assumed 2,500 SqFt on remaining lots
- Actual values could change based on final build-out/users
- Total taxable value: \$30,041,270
- Est. 40yr tax contribution (yr. 1 + 5% escalation): \$7,874,884
 - Projected sales tax not included
- Estimated annual service cost: \$2,166
 - City Service Only; No Road Replacement
- Net value per acre: \$4,083,914
- Annual net revenue: \$63,024; assumes full build-out
- Revenue to cost ratio: 30.1 :1

Discussion ensued amongst the commission. The discussion included the following items:

- Zoning of the north portion along I-30
- Zoning possibilities on the south side of I-30
- Ryan Wells, Director of Planning & Development Services clarified that the first condition was recommended so that the flood plain is appropriately treated now
- P.R.R.C.T. means public records of Rockwall County Texas, and D.R.R.C.T. means deed records of Rockwall County Texas
- Revenue to cost ratio and estimated annual service cost – suggestion to have two separate measures, one for government entities, and one for the City of Fate.
- Road that is on the inside of the property is an owner maintained road

2. Applicant Presentation

Applicant Kevin Kessler with LJA Engineering was present and answered questions from the Commission regarding the recommended conditions.

3. Discuss, Consider, and Take Any Necessary Action

Commissioner Wiemokly moved to approve case #PP-22-007.

Commissioner Kiser seconded the motion.

Discussion ensued amongst the commission to amend the motion to include the staff recommended conditions.

Commissioner Jackson moved to approve case #PP-22-007 to include the staff recommended conditions.

Commissioner Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Wiemokly, Kiser, Sykes, and Jackson.

Nays: None

Chairman Dann declared the motion carried unanimously.

5. Director of Planning Any Development Services Report/Announcements Pertaining To City Activities, Upcoming Events, Future Legislative Activities, And Other Matters Related Thereto

Ryan Wells, Director of Planning and Development Services provided a brief overview of the following items:

- Introducing the new Planning Technician, Michelle Alvarado
- February 3rd is the optional training opportunity, currently three individuals are confirmed to attend
- Saturday, February 11th will be the bus tour. Leaving at 9:30 a.m. from City Hall with three stops. Planning to be back by 4 p.m.

Discussion ensued amongst the commission. The discussion included the following items:

- Commissioner Sykes spoke briefly regarding walkability and encouraged the Commissioners to read the book "Walkability City Rules"

6. Adjournment

There was no further business before the Planning and Zoning Commission and Commissioner Wiemokly moved to adjourn.

Commissioner Kiser seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Chairman Dann and Commissioners Wiemokly, Kiser, Sykes, and Jackson.

Nays: None

Chairman Dann declared the motion carried unanimously.

Chairman Dann declared the meeting adjourned at 6:42 p.m.

APPROVED BY THE PLANNING AND ZONING COMMISSION ON THE 16th DAY OF FEBRUARY, 2023.

APPROVED:

Steve Dann, Chairman

ATTEST:

Victoria Raduechel, TRMC City Secretary