

AGENDA

REGULAR CITY COUNCIL MEETING

**FEBRUARY 5, 2024
6:00 P.M.**

**FATE CITY HALL
1900 CD BOREN PARKWAY**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FATE WILL HOLD A REGULAR CITY COUNCIL MEETING AT 6:00 P.M. ON MONDAY, FEBRUARY 5, 2024 AT FATE CITY HALL, 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:

1. CALL TO ORDER AND CONFIRM A QUORUM

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS

3. 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.

4. CONSENT AGENDA

All Items Under Consent Agenda Are Considered To Be Routine By The City Council And Will Be Enacted By One Motion. City Staff May Answer Questions From The City Council Regarding Consent Agenda Items. However, If Discussion Is Desired, That Item Will Be Removed From The Consent Agenda And Will Be Considered Separately.

- A. Consider Approval Of Minutes Of The Council Meetings Held January 8, 2024-Special Workshop And January 8, 2024-Special Meeting.

[Documents:](#)

[staff summary - minutes.pdf](#)
[2024.1.8_special meeting.pdf](#)
[2024.1.8_workshop.pdf](#)

- B. (This Is An Application For A Preliminary Plat For Future Commercial Development) Consider Approval Of Resolution No. R-2024-007- Conditionally Approving A Preliminary Plat For Fate Central Commercial I-30 Frontage, A 5.92-Acre Tract Of Land To Be Subdivided Into Two Lots. The Applicant, Fate I-30 Commercial LP, Is Proposing Two Commercial Lots. The Preliminary Plat Is Generally Located On The I-30 Frontage Road, West Of Fate Village Drive. The Legal Description For Parcel 10520 Is A0208, D THEDFORD, TRACT 1-5, 5. ACRES, (PT OF 147.319 AC TR). The Legal Description For Parcel 61630 Is ABS A0208, D THEDFORD, TRACT 4-1, 12.702 ACRES. Case #PP-23-004.

[Documents:](#)

[pp-23-004_fate central commercial i30 frontage_staff summary_20240205.pdf](#)

- C. (This Is An Application For A Preliminary Plat For A Multifamily And Commercial Development) Consider Approval Of Resolution No. R-2024-008- Conditionally Approving A Preliminary Plat For Richlands Plaza, A 2.495-Acre Tract Of Land To Be Subdivided Into 11 Lots. The Applicants, Ram Yennam And James Thompson, Are Proposing The 10 Multifamily Lots To Each Contain Buildings With Four To Six Units, And One Mixed Use Lot Proposed To Have Ground Floor Retail And Eight Residential Units. The Preliminary Plat Is Generally Located At The Northeast Corner Of WT Barnes Ave And East Fate Main Place. The Legal Description For Parcel 10558 Is A0061 M CRABTREE, TRACT 10, ACRES 2.39. Case #PP-23-002.

[Documents:](#)

[pp-23-002_richlands plaza_staff summary_20240205.pdf](#)

- D. (This Is An Application For A Replat To Establish A Public Sanitary Sewer Easement On City-Owned Property) Consider Approval Of Resolution No. R-2024-009- Approving A Replat Of A 5.2-Acre Lot To Establish A Public Sanitary Sewer Easement. The Replat Is Generally Located At The Northeast Corner Of SH 66 And Ben Payne Road. The Legal Description For Parcel 330272 Is FATE PUMP STATION NO. 3, BLK 1, LOT 3. Case #RP-24-001.

[Documents:](#)

[fate pump station 3 lot 3 replat_staff summary_20240205.pdf](#)

- E. Consider Approval Of Resolution No. R-2024-010- Approving An Inter-Jurisdictional Mutual Aid Agreement By/Between And Among Rockwall County, Texas And The Cities Of Rockwall, Heath, Royse City, Fate, McLendon Chisholm, And Rowlett, Providing For Shared Response Resources In The Event Of A Disaster Or Emergency. And All Related

Issues.

Documents:

[staff summary 2024 interjurisdictional mutual aid agreement.pdf](#)

F. Consider Approval Of Mayor And Council Travel Expenses Associated With Attending Rockwall County Days 2024.

Documents:

[staff summary - travel expenses- rockwall county days 2024.pdf](#)

G. Consider Acceptance Of The Fate Department Of Public Safety 2023 Racial Profiling Report.

Documents:

[staff summary 2023 racial profiling report.pdf](#)

H. Consider The Adoption Of Resolution No. R-2024-011-Accepting And Approving A Preliminary Amended And Restated Service And Assessment Plan And Preliminary Assessment Roll For The Monterra Public Improvement District, Approving A Preliminary Limited Offering Memorandum, Calling A Public Hearing On The Levy Of Special Assessments Against Property In The District And Approving All Other Matters Related Thereto

Documents:

[pid_monterra_phase_1a2_resolution_approving_sap_and_calling_public_hearing.pdf](#)

5. ACTION ITEMS/PUBLIC HEARINGS

A. (This Is An Application For Approval Of A Zoning Change Request From Agriculture To Residential Estate To Allow For Two Residential Lots) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request From Agriculture (A) To Residential Estate (RE) For Approximately 2 Acres Of A 7.3171-Acre Tract Of Land. The 2 Acres Are On The Northern Portion Of The Property Fronting County Road 979. The Zoning Change Request Has Been Brought Forward By Jerry And Sylvia House. This Is A Straight Zoning Request And Therefore Will Be Subject To The Development Standards Outlined In The Fate Unified Development Ordinance, Code Of Ordinances, And Design Criteria And Construction Standards.

The Applicant States The Reason For The Request Is To Allow For Subdividing The Property Into Two 1-Acre Lots To Be Sold Off And One 5.3 Acre Lot Which Will Remain Agriculture. The Legal Description Is JOHN MILLER SURVEY A-613 7.316 ACS. Case # ZR-23-009.

1. Applicant Presentation
2. Staff Summary
3. Public Hearing
4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-003- AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM**

AGRICULTURE (A) TO RESIDENTIAL ESTATE (RE) ON APPROXIMATELY 2-
ACRES OF A 7.3171-ACRE TRACT OF LAND IDENTIFIED AS ROCKWALL
CAD PROPERTY ID 11956, 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:](#)

[zr-23-009_jdh addition_staff summary for city council_20240205.pdf](#)

- B. (This Is An Application For Approval Of A Zoning Change Request From Neighborhood Transition To Neighborhood Commercial To Construct A Single-Story Medical And Dental Office Use) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request From Neighborhood Transition (NT) To Neighborhood Commercial (NC) For A 0.5-Acre Lot Of Land. The Zoning Change Request Has Been Brought Forward By Kurt Fellows And Jeff Carroll To Allow For A Single-Story Dentist Office. The Legal Description Of Parcel 16496 Is FATE O T (RCISD), BLOCK L, LOT N 1/2 OF 1. Case # ZR-23-010.

1. Applicant Presentation
2. Staff Summary
3. Public Hearing
4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-004- AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM NEIGHBORHOOD TRANSITION (NT) TO NEIGHBORHOOD COMMERCIAL (NC) ON APPROXIMATELY 0.5 ACRES OF LAND IDENTIFIED AS ROCKWALL CAD PROPERTY ID 16496, 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:](#)

[zr-23-010_fellows office project_staff summary for council_20240205.pdf](#)

- C. (This Is An Application For A Special Use Permit To Allow For A 110 Ft Monopole In The Agriculture Zoning District) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Special Use Permit (SUP) For A 110 Ft Monopole On An 80 Ft X 80 Ft Area Of A 5.868-Acre Lot Currently Zoned Agriculture. The Applicant, AT&T Mobility, Is Proposing The Monopole To Be Located On The Southeastern Corner Of The Lot. The Lot Is Generally Described As Being Approximately 770 Feet North Of The Intersection Of North King Rd And East Farm-To-Market Rd 552. The Address Of The Project Site Is 297 North King Rd. The Legal Description Is MACKIE ACRES, BLOCK A, LOT 1, ACRES 5.872. RCAD ID 11952. Case # SUP-23-005.

1. Applicant Presentation
2. Staff Summary

2. Staff Summary

3. Public Hearing

4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-005**- AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY APPROVING A SPECIAL USE PERMIT FOR "TELECOMMUNICATIONS TOWERS" TO AUTHORIZE THE CONSTRUCTION OF A NEW 110-FT MONOPOLE TELECOMMUNICATION TOWER ON A 80-FT BY 80-FT LEASE AREA ON A 5.868-ACRE LOT IDENTIFIED AS ROCKWALL CAD PROPERTY ID 11952, 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-23-005_atandt - 297 n king rd_staff summary for city council_20240205.pdf](#)

- D. (This Is An Application For A Zoning Change Request From Agriculture To A Planned Development For A Mixed-Use Development) Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Request From Agriculture (A) To A Planned Development (PD) For Approximately 266.226 Acres Comprising Two Tracts Of Land. The Zoning Change Request Has Been Brought Forward By Jackson Walke, LLP. This Reason For The Zoning Request Is To Entitle The Land To Support A Multi-Faceted Mixed Use District That Will Be Comprised Of Retail And Restaurant Uses; Commercial Services; Townhomes; Vertical Mixed Use; Single-Family Detached Homes; Multifamily Development; And A Large Area Of Employment, Business, And Technical Development.

The Project Site Is Located On The North Side Of I-30 And Bounded On The North By The Dallas Garland & Northeastern Railroad, On The West By Ben Payne Road, And On The East By WE Crawford Avenue (FM 551). The Legal Description Of Parcel ID 12847 Is A0208 D THEDFORD & A0148 S MURPHY, TRACT 1-01, ACRES 224.423 (PT OF 388.79 AC TR). The Legal Description Of Parcel ID 29040 Is A0184 G W REDLIN, TRACT 3-3, ACRES 41.689, (PT OF 388.79 AC TR). Case # ZR-23-008.

1. Applicant Presentation

2. Staff Summary

3. Public Hearing

4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-006**- AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURE (A) TO PLANNED DEVELOPMENT (PD) ON APPROXIMATELY 266.226 ACRES COMPRISING TWO PARCELS OF LAND IDENTIFIED AS ROCKWALL CAD PROPERTY ID 12847 & 29040, 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:

6. 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

7. ADJOURNMENT

In addition to any executive session already listed above, the City Council 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 1st day of February, 2024, at 5:23 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 _____, 2024, by

_____.