

AGENDA

REGULAR CITY COUNCIL MEETING

**JUNE 1, 2020
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, JUNE 1, 2020 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. PRESENTATIONS**

A. Royse City ISD Class Of 2020 Senior Day Proclamation

[Documents:](#)

[rcisd class of 2020 senior day.pdf](#)

B. Rockwall ISD Class Of 2020 Senior Day Proclamation

[Documents:](#)

[risd class of 2020 senior day.pdf](#)

4. 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.

5. CONSENT AGENDA

- A. Approval Of Resolution No. R-2020-030 - Approving An Interlocal Cooperation Contract For The Failure To Appear Program Between The City Of Fate, Texas And The Texas Department Of Public Safety, Authorizing The City Manager To Execute The Contract, And Providing An Effective Date.

[Documents:](#)

[inter_local_agreement_with_txdps.pdf](#)

6. ACTION ITEMS/PUBLIC HEARINGS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Preliminary Plat For 609 Residential Lots In The Williamsburg East Subdivision, Phases 1-4, Containing 163.57 Acres Located In The J.B. Merchant Survey, Abstract No. 159 And The J. Thompson Survey, Abstract No. 210, City Of Fate, Rockwall County, Texas. Applicants: Fate 551 LP, PMB Capital, & JTG Holdings. Case #PP-20-005.

[Documents:](#)

[0 - wb east ph 1-4 pp - staff summary.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By Ryan Combs, Alan Bain And Randy Eardley To Replat Lots 1-3, Block A And Lots 1-3, Block J, Of The Old Town Fate Plat And Adding A 3.5 Acre Portion Of An Un-Platted Tract To Create 1 Lot Totaling Approximately 6.5 Acres. The Area That Is The Subject Of This Replat Is Described As The Property Generally Located North Of I-30 And Southeast Of Brown Ave., Rockwall CAD Property ID's 16422, 16423, 16431, And 12848. Senior Living Center. Case RP-20-001.

- (1) Applicant Presentation;
- (2) Staff Report And Presentation;
- (3) Public Hearing;
- (4) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-025: Approving A Replat Of Lots 1-3, Block A And Lots 1-3, Block J, Of The Old Town Of Fate Plat And Adding A 3.5 Acre Portion Of An Un-Platted Tract To Create 1 Lot Totaling Approximately 6.5 Acres For A Multi-Family Development.

[Documents:](#)

[1 - gala at fate replat - staff summary.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Tan Minh Doan And David Parmer Construction To Zone 2.98-Acres From Agricultural District To Neighborhood Commercial District For A Senior Center. The Location Of This Zoning Application Is 2622 Blackland Rd., Which Is Due East Of The Rayburn Electric Substation, Rockwall CAD Property ID 88212. Case ZR-19-003.

- (1) Applicant Presentation;
- (2) Staff Report And Presentation;
- (3) Public Hearing;

(4) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-014:

Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agricultural District (A) To Neighborhood Commercial District (NC) On Approximately 2.98 Acres Located Due East Of The Rayburn Electric Substation Off Blackland Rd., Rockwall CAD Property ID 88212; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

[Documents:](#)

[2 - lao senior center - staff summary.pdf](#)

D. Discuss, Consider, And Take Any Necessary Action Regarding Montarra Related Items:

1. FLUP AMENDMENT: Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By The Fate 231 Investment Land, LLC To Amend The Future Land Use Plan Designation Of Certain Areas Proposed By The Applicant For A Planned Development Zoning District FROM Rural Density (5+ Acres) TO Low Density (15k Sqft-1acre) To Authorize Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. FLUP-19-002.

(A) Applicant Presentation;

(B) Staff Report And Presentation;

(C) Public Hearing;

(D) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-015:

Amending The City Of Fate Comprehensive Plan To Amend The Future Land Use Plan Designation Of A Certain Area From "Rural Density (5+ Acres) To Low Density (15KSQFT – 1 Acre) To Authorize Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle School Uses On 231-Acres Of Land Generally Located Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDS 10490, 10491, 10492, AND 12106; Amending The Official Future Land Use Plan Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

[Documents:](#)

[montarra residential - staff summary.pdf](#)

2. ZONING REQUEST: Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By The Fate 231 Investment Land, LLC To Establish A Planned Development Zoning District On Approximately 231-Acres Of Land For Single-Family

Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses, And To Amend The Development Standards Of The City Of Fate Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. ZR-19-010.

(A) Applicant Presentation;

(B) Public Hearing;

(C) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-016:

Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agricultural ("AG") To Planned Development Zoning District ("PD") On 231-Acres Of Land For Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle School Uses, And To Amend Certain Development Standards Of The Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8b, Rockwall CAD Property IDS 10490, 10491, 10492, AND 12106; 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:](#)

[montarra residential - staff summary.pdf](#)

3. CONCEPT PLAN: Discuss, Consider, And Take Any Necessary Action Regarding A 231-Acre Concept Plan Application Submitted By The Fate 231 Investment Land, LLC For Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. CP-19-006.

(A) Applicant Presentation;

(B) Public Hearing;

(C) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-026:

Approving A Concept Plan For Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle School Uses On 231-Acres Of Land Generally Located Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDS 10490, 10491, 10492, AND 12106; City Of Fate, Rockwall County, Texas.

[Documents:](#)

4. PRELIMINARY PLAT: Discuss, Consider, And Take Any Necessary Action Regarding Of A Preliminary Plat Application For 235 Residential Lots In The Development Named Montarra Residential, Containing 231.24 Acres Generally Located Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106 And Found Within The William A. Coose Survey, Abstract No. 55 And The William L. Norwall Survey, Abstract No. 170, City Of Fate, Rockwall County, Texas. Applicant: The Fate 231 Investment Land, LLC. Case #PP-19-002.

(A) Applicant Presentation;

(B) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-027-

Approving A Preliminary Plat For 235 Residential Lots In The Development Named Montarra Residential, Containing 231.24 Acres Generally Located Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDS 10490, 10491, 10492, AND 12106 And Found Within The William A. Coose Survey, Abstract NO. 55 And The William L. Norwall Survey, Abstract NO. 170, City Of Fate, Rockwall County, Texas.

[Documents:](#)

5. FLUP AMENDMENT: Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By The Fate 54 Investment Land, LLC To Amend The Future Land Use Plan Designation Of Certain Areas Proposed By The Applicant For A Planned Development Zoning District FROM Rural Density (5+ Acres) TO Regional Retail/Office/Commercial To Authorize Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses. The General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd.,

Rockwall CAD Property IDs 10493 And 10496. FLUP-19-003.

(A) Applicant Presentation;

(B) Staff Report And Presentation;

(C) Public Hearing;

(D) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-017:

Amending The City Of Fate Comprehensive Plan To Amend The Future Land Use Plan Designation Of A Certain Area From "Rural Density (5+ ACRES) To Regional Retail/Office/Commercial To Authorize Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses On 54-Acres Generally Located On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius RD.

And Just South Of Clem RD., Rockwall CAD Property ID'S 10493 AND 10496; Amending The Official Future Land Use Plan Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

[Documents:](#)

[montarra industrial - staff summary.pdf](#)

6. ZONING REQUEST: Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By The Fate 54 Investment Land, LLC To Establish A Planned Development Zoning District On Approximately 54-Acres Of Land For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses And To Amend The Development Standards Of The City Of Fate Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is On The East Side FM 3549

Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496. ZR-19-011.

(A) Applicant Presentation;

(B) Public Hearing;

(C) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-018:

Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agricultural ("AG") To Planned Development Zoning District ("PD") On 54-Acres Of Land For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses, And To Amend Certain Development Standards Of The Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius RD. And Just South Of Clem RD., Rockwall CAD Property ID'S 10493 AND 10496; 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:](#)

[montarra industrial - staff summary.pdf](#)

7. CONCEPT PLAN: Discuss, Consider, And Take Any Necessary Action Regarding A 54-Acre Concept Plan Application Submitted By The Fate 54 Investment Land, LLC For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses. The

General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496. CP-19-007.

(A) Applicant Presentation;

(B) Public Hearing;

(C) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-028:

Approving A Concept Plan For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses On 54-Acres Of Land Generally Located On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius RD. And Just South Of Clem RD., Rockwall CAD Property ID'S 10493 AND 10496; City Of Fate, Rockwall County, Texas.

[Documents:](#)

[montarra industrial - staff summary.pdf](#)

8. PRELIMINARY PLAT: Discuss, Consider, And Take Any Necessary Action Regarding Of A Preliminary Plat Application For 12 Industrial Lots In The Development Named Montarra Industrial, Containing 54.040 Acres Generally Located On The East Side Of FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496 And Found Within The William A. Coose Survey, Abstract No. 55, City Of Fate, Rockwall County, Texas. Applicant: The Fate 54 Investment Land, LLC. Case #PP-19-003.

(A) Applicant Presentation;

(B) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-029:

Approving A Preliminary Plat For 12 Industrial Lots In The Development Named Montarra Industrial, Containing 54.040 Acres Generally Located On The East Side Of FM 3549 Approximately 1,200 Feet North Of Cornelius RD. And Just South Of Clem RD., Rockwall CAD Property IDS 10493 AND 10496 And Found Within The William A. Coose Survey, Abstract NO. 55, City Of Fate, Rockwall County, Texas.

[Documents:](#)

[montarra industrial - staff summary.pdf](#)

9. Discuss, Consider, And Take Any Necessary Action Regarding Holding Public Hearing On The Creation Of Montarra Public Improvement District No. 1 And Approval Of Resolution No. R-2020-031 Creating The PID District, Consistent With The Already Council Approved Lawsuit Settlement Agreement, Within The City Of Fate, Texas. The Proposed Montarra Public Improvement District No. 1 Is Approximately 231 Acres, All Of Which Is Located In The Fate City Limits North And West Of The Intersection Of Ben Payne And Robert Road.

(A) Applicant Presentation;

(B) Staff Report And Presentation;

(C) Public Hearing;

(D) Discuss, Consider, And Take Any Necessary Action Regarding

Resolution No. R-2020-031- Approving The Creation Of The Montarra Public Improvement District No. 1 And Other Matters Related Thereto.

[Documents:](#)

[staff summary montarra pids ph res setup may 2020.pdf](#)

10. Discuss, Consider, And Take Any Necessary Action Regarding Holding A Public Hearing On The Creation Of The Montarra Public Improvement District No. 2 And Approval Of Resolution No. R-2020-032 Creating The PID District, Consistent With The Already Council Approved Lawsuit Settlement Agreement, Within The City Of Fate, Texas. The Proposed Montarra Public Improvement District No. 2 Is Approximately 54 Acres, All Of Which Is Located In The Fate City Limits North And West Of The Intersection Of Ben Payne And Robert Road.
 - (A) Applicant Presentation;
 - (B) Staff Report And Presentation;
 - (C) Public Hearing;
 - (D) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-032- Approving The Creation Of The Montarra Public Improvement District No. 2 And Other Matters Related Thereto.

[Documents:](#)

[staff summary montarra pids ph res setup may 2020.pdf](#)

11. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-033 - Approving A Development And Facilities Agreement Between The City Of Fate And Fate 54 Investment Land, LLC; Authorizing The Mayor To Execute The Agreement And Providing An Effective Date.

[Documents:](#)

[staff summary montarra fate 54 da may 2020.pdf](#)

12. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-034 - Approving A Development And Facilities Agreement Between The City Of Fate And Fate 231 Investment Land, LLC; Authorizing The Mayor To Execute The Agreement And Providing An Effective Date.

[Documents:](#)

[staff summary montarra fate 231 da may 2020.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Grant Applications For COVID – 19 Expenses:
 1. Resolution No. R-2020-035 - Approving Grant Application For Federal Funds By The City Of Fate For Fate DPS To The State Of Texas Office Of The Governor, Criminal Justice Division Under The Coronavirus Emergency Supplemental Funding Program; Authorizing The City Manager To Execute The Grant Application; Accepting Grant Funds From The Criminal Justice Division; Expending Towards Covid-19 Related Expenses; And Providing An

Effective Date.

2. Resolution No. R-2020-036 - Approving Grant Application By The City Of Fate To The State Of Texas Division Of Emergency Management Under The Coronavirus Relief Fund; Authorizing The City Manager To Execute The Grant Application; Accepting Grant Funds From The Coronavirus Relief Fund; Expending Towards COVID-19 Related Expenses; And Providing An Effective Date.

Documents:

[covid19_grant_funding_applications.pdf](#)

7. 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

8. 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 29th day of May, 2020, at 1:05 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.cityoffate.com.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2020, by

_____.

