

**MINUTES OF THE CITY OF FATE
PLANNING AND ZONING COMMISSION
AND
CAPITAL IMPACT ADVISORY COMMITTEE
JOINT MEETING
December 20, 2018**

NOTICE OF ATTENDANCE

NOTICE is hereby given that the City Council may be in attendance at the joint Planning and Zoning Commission and Capital Impact Advisory Committee Meeting **December 20, 2018** 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

Chairman Stacy called the Fate Planning and Zoning Commission to order at 6:01 p.m. on the 20th day of December, 2018, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Jessica Larson confirmed the presence of a quorum.

Planning and Zoning Commission Members Present:

John Stacy – Chairman
Kerry Wiemokly – Vice Chairman
Jason Wilhite
Josh Burkhart – arrived at 6:10 p.m.

Planning and Zoning Commission Members Absent:

Allen Robbins

Deputy City Secretary Note: The Planning and Zoning Commission Moved to Items 4 and 5 and then returned to the Capital Impact Advisory Committee (CIAC) portion of the meeting.

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

Chairman Stacy called the Capital Impact Advisory Committee (CIAC) to order at 6:23 p.m. on the 20th day of December, 2018, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Jessica Larson confirmed the presence of a quorum.

Capital Impact Advisory Committee Members Present:

John Stacy - Vice Chairman
Kerry Wiemokly
Jason Wilhite

Josh Burkhart
Logan Wallis – arrived at 6:20 p.m.

Capital Impact Advisory Committee Members Absent:

Allen Robbins
Lynn Stoddart

City Staff Present:

Justin Weiss, Assistant City Manager
Will Rugeley, Director of Planning & Development Services
Jessica Larson, Assistant to the City Manager/Deputy City Secretary

3. Capital Impact Advisory Committee Action Items

3A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Capital Impact Advisory Committee Meeting Held May 17, 2018

Vice Chairman John Stacy moved to approve the Minutes of the Capital Impact Advisory Committee meetings held May 17, 2018.

Committee Member Wilhite seconded the motion.

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

Ayes: Chairman Stacy and Committee Members Burkhart, Wallis, Wiemokly, and Wilhite

Nays: None

Chairman Stacy declared the motion carried unanimously.

3B. Update on Impact Fees and Park Development Fees Projects and Funds

Assistant City Manager Justin Weiss gave an update on the agenda item. The purpose of this meeting is to comply with the state law concerning the reporting of impact fee funds and projects to the committee, and to solicit input to the City's management as they continue to work on business oriented development and plan for continued strong growth in entitled homebuilding activity.

Focus Areas

1. **Downtown:** The City's focus continues to be the downtown and kicking off redevelopment in old town.
2. **Roadway Impact Fees:** Roadway impact fee funds are being paid out to developers as projects are constructed on the eligible projects list.

3. **Water and Sewer Impact Fees:** The focus is on critical infrastructure and mitigating rate increases as much as possible on eligible projects. Mr. Weiss acknowledged that the rates are a sensitive topic for the citizens. He encouraged the committee to take a look at the Water Rate Study that is available online done by a third party partner to learn more. The projects that are being paid for with this impact fee include the new water tower debt and the debt payments on the Sabine Creek wastewater treatment plant expansion with Royse City, plant is managed and owned by North Texas Municipal Water District (NTMWD) and additional expansion is already being discussed due to the increased growth.
4. **Impact Fee Reserves:** The reserves are good, this is based on development (includes commercial and residential). The only exception is Water, Fate is likely to have property acquisition that is needed in the short term to get land for the future Water Pump Station 3. The committee discussed the different water projects on both the north and the south side of town and the funds needed to purchase property to place additional improvement to pump stations.

Mr. Weiss showed the committee fund balances and discussed projects and forecast forward for what that money may reimburse.

Overall Capacity

1. **Roads:** The City has been collecting this fee. Enhancements to the TxDOT signals that have recently been installed was discussed as being paid for out of this fee. Including advanced equipment for DPS signal syncing. The next light will be at CD Boren and SH 66. It has been warranted, the City is waiting on TxDOT to install them. A signal will also go in at 3549 at the same time as the bridge completion.

FM 552 according to TxDOT was going to be 6 lane divided highway, City Management has talking them down to four lanes to keep the rural feeling.

Interstate 30 expansion to six lanes is designed and funded and bidding will start fall of 2021. Part of the funding will include an Interstate 30 bridge interchange at Rochelle Road and Ben Payne and at Blackland Road.

Parks, officially does not fall under CIAC, but would be good to have feedback. The Fitness Court, shade structure and new South Side Community Park was discussed. The veloweb was discussed for Rockwall County.

2. **Sewer:** Expansion to the 3 MGD plant is complete and operating. We are already gearing up for the studies with NTMWD and Royse City to go to the 5 MGD plant. The expansion was discussed as a 10 yr. plan, but is now being discussed in year four to keep up with the growth.

3. **Water:** As previously discussed, Land for Pump Station 3 is in acquisition mode.
4. **Parks:** Lots of small projects getting done on the list, fitness court, shade cover, etc. Next is baseball field rehab, new south side community park (phase 1 of 5), and various trails and improvements in the north and south. Land for a trailhead in downtown was acquired from the railroad. A non-profit planning group from Dallas is donating time to do a trail design between downtown Fate and downtown Royse City along the electrical line easements (surface easements still needed). Conversations to acquire key open space parcels are taking place with landowners.

Projects Recently Completed or In-Process

1. **Master Plans & Impact Fee Studies:** The Council just approved contracts with Kimley-Horn to update the thoroughfare plan, water & wastewater master plans, and the related roadway, water, and sewer impact fee studies. The County has updated their thoroughfare plan and we wanted to keep in line with them as the area grows, being proactive instead of reactive. Study costs are \$150,000 (\$50,000 from each impact fee fund) and approximately \$22,000 from the Signals fund.
2. **Downtown:** Wastewater line capacity improvements and water line capacity improvements are included as a portion of the downtown project at a cost of just under \$1 M, representing almost 25% of the \$4.3 M budget for road replacements, streetscapes, parking, underground dry utilities, water, and sewer work.
3. **Wastewater:** Previously discussed.
4. **Parks Zones:** The City is divided into three zones.

North (zone A) – A shade structure for a playground at Robert Smith Family Park was recently completed at a cost of nearly \$40,000.

Downtown (zone C) – No spending to date.

- A trailhead property was purchased from the railroad in downtown. The block is northeast of the current downtown park. The cost was \$185,000. Closing is within 30 days.

Future Potential Impact Fee & Park Fee Eligible Projects

1. **Roads:**

- *Gettysburg, West of Williamsburg Parkway* – Horton is constructing Gettysburg and it is a reimbursable road on the roadway impact fee projects list. The estimated cost of the segment that would be a short term reimbursement would be in the \$1.1 M range. Funds are available.
 - *C.D. Boren* – The MUD 9 developer will construct the section of Roadway in front of Miss May Vernon and it is reimbursable from the Roadway Impact Fee Fund. Estimates for that reimbursement are in the \$500,000 range. The MUD 6 developer is able to submit reimbursements for their construction of CD Boren east through to the end of the MUD 6 development. The estimated project cost for construction and engineering was \$1.9 M in 2015. Additionally, the City entered into a development agreement with the MUD 8 developer to contribute \$825,000 toward the extension of C.D. Boren. C.D. Boren is also planned to be extended beyond MUD 8 to the west. Discussion ensued amongst the Commission about the fees and MUD districts.
 - *Prince Lane* – A deal was struck at the direction of the Council with the MUD 9 developer to forgo \$125,000 in roadway impact fee revenues to entice them to construct Prince Lane with a typical Woodcreek street cross-section. Although that road is not on the roadway fee projects list, a new state law allows cities and developers to enter into arrangements for roads off the lists for credits. The Council felt that the cohesive road was important.
2. **Water:** *Pump Station 3 Site* – The 2015 Water master plan contained a “South Pump Station” project, which we have called Pump Station 3. The phase 1 project cost is nearly \$7.5 M. The project was included in the impact fee projects list. We have an opportunity to acquire the land. Mr. Weiss then went on to explain the financing of the project. Discussion ensued amongst the Commission.
3. **Wastewater:** *Williamsburg Lift Station & Sewer Line Upsizing* – A massive lift station is being built to handle the western portion of the Williamsburg development as well as 80% of the 388 acre tract. Mr. Weiss stated this is a large undertaking.

Charter School Sewer Line – Mr. Weiss explained the direction of the lines and explained this line is part of the development agreement. He went to explain another developer potentially accelerating the building of this line to provide for a gas station with two integrated fast food restaurants at the northeast corner of IH-30 and FM 551, while providing sewer to the northwest corner of the interchange as well. Whoever builds the line is eligible for the \$759,000 reimbursement. Funds are available. Engineering plan updates could begin shortly.

Sabine Creek Regional Wastewater Treatment Plant Expansion – Mr. Weiss Previously explained the project. Project engineering fee cash requirements in the fund for the fall of 2020 are estimated at \$585,000, and the total project cost is estimated at over \$14 M. Mr. Weiss explained this is a significant undertaking. Discussion ensued amongst the commission about accelerated growth of the City and the amount of significant projects that are being done without a large budget. The Commission expressed concern against using debt to build infrastructure. Mr. Weiss explained, Fortunately, Fate shares this plant with Royse City and we can split the project costs to around half for our share (\$7 M). Discussion ensued about the requirements for this line and staff’s concern over paying for this project if growth or the economy slows down and how the studies done to assist in making these decisions. Funds are available to begin the engineering.

4. Parks, Open Space, & Hike/Bike Trail System: Previously discussed.

This concluded Mr. Wiess’ update.

The Capital Impact Advisory Committee asked Mr. Weiss questions regarding a lift station that was put in Mobil Station, \$300,000 that was paid for by Fate. Is this on the radar and what is the status of our relationship with Mobile City? Mr. Weiss explained this will be addressed during the sewer study that Fate is about to undergo.

The Committee asked about funding questions related to the underlined text in the report: “Funds are available to make the reimbursement payments, but this leaves only \$500,000 in the fund” and what happens next. Mr. Weiss went on to explain the process.

Vice Chairman John Stacy asked for an impact fee study workshop with smaller chunks of information in an informal setting instead of a large presentation.

3C. Capital Impact Advisory Committee Adjournment

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

Committee Member Burkhart seconded the motion.

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

Ayes: Chairman Stacy and Committee Members Burkhart, Robbins, Stoddart, Wallis, Wiemokly, and Wilhite

Nays: None

Chairman Stacy declared the motion carried unanimously.

Chairman Stacy declared the meeting adjourned at 7:13 p.m.

4. Planning And Zoning Commission Action Items

4A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Planning And Zoning Commission Meeting Held October 18, 2018

Commissioner Wiemokly moved to approve minutes of the Planning and Zoning Commission meeting held October 18, 2018.

Commissioner Wilhite seconded the motion.

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

Ayes: Chairman Stacy and Commissioners Wiemokly and Wilhite

Nays: None

Chairman Stacy declared the motion carried unanimously

5. Planning and Zoning Commission Action Items / Public Hearings

5A. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Michael Brizendine And Wagner Da Silva To Zone 1.5-Acres From Agricultural District To Neighborhood Commercial District For A Swimming School And Other Associated Aquatic Related Programs. The Location Of This Zoning Application Is The Southernmost Lot Located On The East Side Of Industrial Dr. And Is Described As Block A, Lot 6, Rockwall CAD Property ID 30997. Case ZR-18-023. (1) Staff report and presentation; (2) Applicant presentation; (3) Public Hearing; (4) Discuss, consider, and take any necessary action.

(1) Staff report and presentation

Director of Planning and Development Services Will Rugeley made a presentation providing a brief overview of the agenda item. The property is located off Industrial Drive, the zoning application is requesting the Neighborhood Commercial Zoning District. The original application submitted for Highway Commercial. After investigation, Mr. Rugeley advised the applicant to revise the application from Highway Commercial to Neighborhood Commercial because of the residential development that is planned to abut the property within a year. The Future Land Use Map shows this area as Mixed Use. However the land has already been platted and has existing industrial businesses in existence surrounding this property that does not support Mixed Use.

Notice Publications were done, no written responses were received. One person did come in person to City Hall in opposition to the application. Staff recommends approval.

Discussion ensued among the Planning and Zoning Commission, and City Staff regarding what the person in opposition was concerned about. Mr. Rugeley recalled it was in regards traffic.

(2) Applicant presentation

Applicant Wagner Da Silva made a presentation to the Planning and Zoning Board regarding his business providing water safety and swim lessons to community.

(3) Public Hearing

Chairman Stacy opened the public hearing at 6:08 p.m.

Dianne Weissert, 105 Industrial Drive – Owner of Texco Resin Distribution, her business is adjacent to the property being discussed. She was the person who called about the traffic. She was concerned about the hours of operation, car and foot traffic, trash and adding a fence to her property. Ms. Weissert expect more industrial companies to move on the surrounding property.

Deputy City Secretary Note: Josh Burkhart arrived at 6:10 p.m.

Chairman Stacy closed the public hearing at 6:12 p.m.

(4) Discuss, consider, and take any necessary action

Further discussion ensued among the Planning and Zoning Commission, and City Staff regarding screening, fencing, trash containment and traffic for the property. The parking lot will need to address the flow of parking. The Interstate 30 service road was discussed for the flow of traffic. The applicant expressed that he does not have plans for a large pool, there will be small groups at the site at a time. The hour of operations was discussed to end at approximately 7:30 p.m. and was seen as positive as they will close in the early evening for the residential community behind the property. The zoning of the surrounding the development was discussed.

Assistant City Manager Justin Weiss introduced Capital Improvement Advisory Committee (CIAC) member Logan Wallis upon his arrival at 6:20 p.m. and explained the reversed order of the agenda

Commissioner Wilhite moved to approve Case ZR-18-023.

Commissioner Burkhart on seconded the motion.

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

*Ayes: Chairman Stacy and Commissioners Burkhart, Robbins, Wiemokly and Wilhite
Nays: None
Chairman Stacy declared the motion carried unanimously.*

6. Adjournment

There was no further business before the Planning and Zoning Commission and Chairman Stacey moved to adjourn.

Commissioner Wilhite seconded the motion.

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

*Ayes: Chairman Stacy and Commissioners Burkhart, Robbins, Wiemokly and Wilhite
Nays: None*

Chairman Stacy declared the motion carried unanimously.

Chairman Stacy declared the meeting adjourned at 7:13 p.m.

**APPROVED BY THE PLANNING AND ZONING COMMISSION ON THE _____ DAY
OF _____, 2019.**

APPROVED:

John Stacy, Chair

ATTEST:

Victoria Raduechel, TRMC
City Secretary

**APPROVED BY THE CAPITAL IMPACT ADVISORY COMMITTEE ON THE _____ DAY
OF _____, 2019.**

APPROVED:

John Stacy, Chair

ATTEST:

Victoria Raduechel, TRMC
City Secretary