

**MINUTES OF THE CITY OF FATE
PLANNING AND ZONING COMMISSION
MEETING
May 21, 2020**

NOTICE OF ATTENDANCE

NOTICE is hereby given that the City Council may be in attendance at the Planning and Zoning Commission Meeting **May 21, 2020** being held at the Fate City Hall, 1900 CD Boren Parkway, Fate, Texas.

1. Call To Order And Confirm A Quorum

Chairman John Stacy called the Fate Planning and Zoning Commission to order at 6:00 p.m. on the 21st day of May 2020, 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
Josh Burkhart
Scott Kelley
Chelsea Priest
Laura White

Planning and Zoning Commission Members Absent:

Kerry Wiemokly – Vice Chairman

City Staff Present:

Will Rugeley, Director of Planning & Development Services
Brenda McDonald, City Attorney
Jessica Larson, Assistant to the City Manager/Deputy City Secretary

2A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Planning And Zoning Commission Meeting Held February 20, 2020

Commissioner Scott Kelley moved to approve the minutes of the Planning and Zoning Meeting held February 20, 2020.

Commissioner Josh Burkhart seconded the motion.

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

Ayes: Chairman Stacy, and Commissioners Burkhart, Kelley, and White

Nays: None

Chairman Stacy declared the motion carried unanimously

2B. Discuss, Consider, And Take Any Necessary Action Regarding Calling A Special Planning And Zoning Meeting To Occur No Later Than Thursday, 4 June.

Director of Planning and Development Services Will Rugeley made a presentation providing a brief overview of the agenda item. He stated that during the COVID-19 pandemic regular City services were disrupted. Many applications were submitted, however, one item was missed. In order to comply with the State guidelines for submission dates, a meeting needs to be called. The following Thursday, May 28 was proposed at 6 p.m. Due to the developer's meeting with the City falling after the agenda is required to be posted, the Commission would receive the plat information on the day of the proposed meeting, Thursday, May 28.

3A. 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. Case RP-20-001.

(1) Applicant presentation

Applicant Randy Eardley – 2201 East Lamar Blvd, Arlington, Texas 76006 – the developer's representative gave a presentation with regards to the project. He stated that he had submitted changes earlier during the day but did not think that staff had the time to review them prior to the meeting.

(2) Staff report and presentation

Director of Planning and Development Services Will Rugeley made a presentation providing a brief overview of the agenda item.

- The Development Review Committee (DRC) has this at near approval.

(3) Public Hearing

Chairman Stacy opened the public hearing at 6:10 p.m.

No one present wished to speak.

Chairman Stacy closed the public hearing at 6:11 p.m.

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

Discussion ensued amongst the Commission regarding the presentation.

- The applicant resubmitted a plat today and the City Engineer has not had the opportunity to review them yet.
- Staff recommends approval subject to the 13 conditions in the City Engineer, Misty Christian's May 12, 2020 and staff comments memo in exhibited A3.

Commissioner John Stacy moved to approve the plat on the conditions of the May 12, 2020 from Misty Christianson with Staff approval of these items being met.

Commissioner Josh Burkhart seconded the motion.

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

Ayes: Chairman Stacy, and Commissioners Burkhart, Kelley, Priest, and White

Nays: None

Chairman Stacy declared the motion carried unanimously

3B. 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

Peter Southidara gave a historical presentation of the Laos people during the Vietnam War. He gave support for the project to provide services the Laos senior population that supported American forces during this time.

(2) Staff report and presentation

Director of Planning and Development Services Will Rugeley made a presentation providing a brief overview of the agenda item.

Mr. Rugeley's presentation covered the following topics:

- The project does not follow the Future Land Use Plan (FLUP)
- Emergency services are not able to support this structure..
- Staff recommends denying the application

- The application has been submitted previously. The only way they could resubmit is by making significant changes. No changes to the application were made.

(3) Public Hearing

Chairman Stacy opened the public hearing at 6:22 p.m.

No one present wished to speak.

Chairman Stacy closed the public hearing at 6:23 p.m.

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

Discussion ensued amongst the Commission regarding the presentation.

The application that was submitted in December has no significant changes from the one submitted in December.

City Secretary Note: The Chairman allowed the developer and representatives to speak outside of the public hearing due to the discussion amongst staff and the Commission.

David Parmer – a new developer of the project stated that City Staff told him not to do anything with the design. The changes include full Civil plans. He stated that the applicant did not have proper representation previously.

Discussion ensued amongst the Commission regarding the presentation.

- The problem with the application is not the design, character, or merit of the senior center. The hang up is the proper use of the land according the Future Land Use Plan (FLUP).
- The application is requesting to amend the Future Land Use Plan (FLUP) to Neighborhood Commercial District instead of Rural Estate. The Commission stated that a senior center in this location would be OK, but if the land was ever sold it would be within the rights for a commercial district and they were not in agreement with this use.
- The Commission empathized with the historical information presented but they stated this is not the issue. The problem that is facing the Commission is the proper zoning of the property.
- The Commission agreed that from a governing perspective, this better suited as a City Council decision.

- It was stated that the current infrastructure will not support four hundred and fifty seniors in this location

Meda Rattana – The Senior Center representative stated that they have spent a lot of money and that the project is moving slow because they are fund raising as they move along. He stated that at the time that they began, they were not a part of the City of Fate and when annexed they were brought into the City's rules. He stated they just want to set up a Senior Center next to the Temple for the four hundred and fifty seniors who desire and are financially providing for the project. However, since getting professional services involved, he questioned whether they can afford the project.

Commissioner John Stacy moved to deny the application.

Commissioner Laura White seconded the motion.

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

Ayes: Chairman Stacy, and Commissioners Burkhart, Kelley, Priest, and White

Nays: None

Chairman Stacy declared the motion carried unanimously

4. Planning and Zoning Commission Adjournment

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

Commissioner Scott Kelley seconded the motion.

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

Ayes: Chairman Stacy, and Commissioners Burkhart, Kelley, Priest, and White

Nays: None

Chairman Stacy declared the motion carried unanimously.

Chairman Stacy declared the meeting adjourned at 6:46 p.m.

**APPROVED BY THE PLANNING AND ZONING COMMISSION ON THE ____ DAY
OF _____, 2020.**

APPROVED:

John Stacy, Chair

ATTEST:

Victoria Raduechel, TRMC
City Secretary