

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL; PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 4TH DAY OF OCTOBER 2021, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

[Click here](#) for meeting video link (subject to change)

The Town Council met in a regular meeting with the following members present:

Derek France	Mayor
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Debra Wallace	Interim Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
Jimmy Hoefert	Environmental Review Analysis
Matt Hotelling	Traffic Engineer

A. CALL REGULAR MEETING TO ORDER

Mayor France called the regular meeting to order at 6:00 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Russ McNamer gave the invocation and Mayor France led the pledges.

D. PUBLIC COMMENT

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker names and address	Subject (as written on the form)
1.	Paul Stone, 4100 Broadway	Agenda setting
2.	Tracy Scott Miller, 2810 Spring Hollow Ct, Highland Village with donated time from: Shawn Sheehan, 2433 Northwind Dr, Little Elm	LISD

E. PRESENTATIONS

1. Proclamations and presentation of Hometown Hero banners to brothers Ryan Dane and Taylor Behrens.

Mayor France recited the proclamations and presented them to Mr. Dane, who accepted for himself and Mr. Behrens, who is on base and could not attend the meeting.

F. ANNOUNCEMENTS

Councilmember Martin announced the Friends of the Library book sale is scheduled for October 15th.

Councilmember Engel announced the Fire Department Open House is scheduled for October 9th at Fire Station #5 on Spinks.

Mayor France announced that a presentation by DCTA representatives about GoZone on-demand rideshare services will be provided at the November 15th meeting instead of a special meeting.

G. TOWN MANAGER'S REPORT

Ms. Wallace provided an update on the following items:

1. Capital improvement projects
 - Morriss Rd water line project (traffic pattern changes)
 - Gibson Grant log cabin restoration
2. Economic Development projects
 - New or coming soon businesses

H. FUTURE AGENDA ITEMS

No future agenda item request.

I. COORDINATION OF CALENDARS

Mayor France announced the following meeting dates and confirmed that all members of Council will be in attendance:

- A regular meeting is scheduled for Monday, October 18.
- The special meeting (closed session) originally scheduled for October 22, has been rescheduled to Friday, October 15, 9:00 a.m.
- A work session is scheduled for Thursday, October 21.

J. CONSENT ITEMS

1. Consider approval of the minutes from a special meeting of the Town Council held on September 16, 2021.

Councilmember Martin stated that on September 16th All Together Flower Mound Commission members were appointed with the same term, as opposed to the intended

staggered terms; the minutes show this intent. By approval of the minutes the staggered terms are accepted as written.

2. Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on September 20, 2021.
3. Consider approval of the minutes from a special meeting of the Town Council held on September 27, 2021.
4. Consider approval of the award of RFP No. 2021-75-A for Administrative Services Only (ASO) for Medical, Dental & Vision to Blue Cross Blue Shield of Texas and authorize the Mayor to execute same on behalf of the Town.
5. Consider approval of an Interlocal Agreement with the TML Health Benefits Pool for continued access to the Deer Oaks Employee Assistance Program at a discounted rate for Town of Flower Mound employees and authorize the Mayor to execute same on behalf of the Town.
6. Consider approval of proposal for roof replacements at Fire Station 4 and 5.

Mayor Pro Tem Bumgarner moved to approve by consent Items 1 – 6, as presented in the agenda caption. Deputy Mayor Pro Tem Sharma seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Deputy Mayor Pro Tem Sharma suggested changing the agenda order if there were a lot of speakers for the last public hearing items.

Mayor France indicated there are several public hearing items and the order would remain as is.

K. REGULAR ITEMS

Mayor France opened items 7 – 9 at the same time.

Staff Presentation

Ms. Murphy gave a presentation for items 7, 8, and 9 identifying or noting:

- General and detailed location
- Land use and zoning
- Exceptions
- Site photos
- Master plan exhibit
- Circulation
- Conceptual site plan and landscape plan
- Screen/sound wall
- Compatibility buffer

- Topographic slope
- Slope and walls (impact)
- Trees (removal)

and she responded to questions from Council regarding:

- Neighborhood access

Applicant Presentation

Jeff Thornton, Duke Realty

Mr. Thornton gave a presentation for items 7 - 9 identifying or noting (some comments or topics were during the deliberations for these items):

- Current relationship with the Town
- Outline of what they want to accomplish with the property
- Duke Realty owned properties in Flower Mound (Lakeside Ranch)
- Duke Realty team
- Phase I: Summary of key comments from the Town
- Silveron and The Preserve at Silveron site plan
- Enhanced open space
- Landscaping and buffering
- Tree overview
- 352 new canopy trees
- 251 new evergreen/ornamental trees
- Traffic – ingress/egress
- Traffic volume
- Renderings and images (including sightline views, 3-D flyover)
- Phase II: Summary of clarification questions from P & Z
- Updated landscape plan
- New renderings
- Slope exception
- Phase III: Summary of clarification questions post P & Z
- Elevations
- Conceptual regional master plan
- Property reserved for future office development (35 acres) – frontage along 2499
- The uniqueness of The Preserve green space
- Acceptable to tabling the item and have discussions in the coming weeks
- How campus commercial allows for more than just office and possibility of mixed use if that is of interest
- SUP option (25% or more office)

and he responded to questions from Council regarding (some responses were during deliberations on the items):

- Neighborhood access

Council Discussion

There was Council discussion regarding:

- How the project is well done (aesthetics, traffic, public amenity)
- How the Town gave away too much of the commercial component in the past and exhausted the industrial component
- Interest in maintaining the professional office component as a key feature and the industrial component is not as significant
- How the property is a transition piece and the application fits
- How the applicant has gone above and beyond to make it a quality project and without impact to the neighborhood
- View from 2499 allows for the appearance of an office setting
- Impact is minimal to the neighborhood
- Duke Realty is a good corporate citizen
- Benefits of commercial office and what's presented doesn't match the previous vision

Mayor France opened the public hearing for items 7 - 9 at 7:01 p.m. No one spoke. Mayor France closed the Public Hearing at 7:01 p.m.

7. Public Hearing to consider an ordinance for a Master Plan Amendment (MPA21-0005 - Silveron Flower Mound Duke) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the Planning and Zoning (P & Z) Commission tabled this item to July 26, 2021 - vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021, - vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021, - vote of 5 to 0. On August 30, 2021, P & Z recommended approval by a vote of 5 to 1.)

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

Motion failed

VOTE ON MOTION:

AYES: BUMGARNER, ENGEL, MARTIN

NAYS: SCHIESTEL, SHARMA

Administrative note: Master Plan Amendments requires a supermajority vote.

Council Deliberation

There was Council deliberation regarding:

- Possibility of reconsidering
- Professional office component needs to be included to support
- Good opportunity to put 66 acres to good use in town instead of residential as previously proposed
- Market needs for office and existing properties that are entitled and available for office use
- Interest in not wanting the applicant to wait a year before coming back
- Possible outcomes if item doesn't get approved (what could go on the property)
- Office users will want to be on 2499 (not Silveron)

Mr. Meredith responded to questions from Council regarding:

- Timing for the applicant (coming back to Council)
8. Public Hearing to consider an ordinance amending the zoning (ZPD21-0003 - Silveron Flower Mound Duke) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.181 (PD-181) with Campus Industrial District (CI) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, "Topographical Slope Protection", and an exception to Section 82-302, Compatibility buffer. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the Planning & Zoning (P&Z) Commission tabled this item to July 26, 2021-vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021-vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021-vote of 5 to 0. On August 30, 2021, P & Z recommended approval by a vote of 5 to 1).

Councilmember Engel moved to approve item 8 as presented. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

AYES: MARTIN, ENGEL, BUMGARNER

NAYS: SHARMA, SCHIESTEL

Motion passed

Mr. Meredith noted that item 8 cannot be approved because it's not consistent with the Master Plan.

Councilmember Engel moved to reconsider item 8. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Motion passed

Councilmember Schiestel moved to deny item 8. Deputy Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

AYES: SCHIESTEL, SHARMA

NAYS: BUMGARNER, ENGEL, MARTIN

Motion failed

Mr. Meredith pointed out we now have an approved zoning change that is legally inconsistent with the Master Plan, and the slope exception has not been approved so those areas cannot be disturbed.

The Town Council convened into closed session at 7:29 p.m. pursuant to 551.071 for consultation with the Town Attorney, and reconvened into open session at 7:37 p.m.

Councilmember Engel moved to reconsider item 8. Deputy Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:
AYES: MARTIN, ENGEL, SHARMA, SCHIESTEL
NAYS: BUMGARNER

Motion passed

Councilmember Engel moved to deny item 8 on the basis of inconsistency with the Master Plan.
Councilmember Schiestel seconded the motion.

VOTE ON MOTION:
AYES: SCHIESTEL, SHARMA, ENGEL, MARTIN
NAYS: BUMGARNER

Motion passed

9. Public Hearing to consider an application for a tree removal permit (TRP21-0012) for forty-eight (48) specimen trees on property proposed for development as Silveron Flower Mound Duke. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. (The Environmental Conservation Commission recommended approval by a vote of 7 to 0 at its July 6, 2021, meeting).

No action taken.

Mayor France opened items 10 and 11 at the same time.

Staff Presentation

Ms. Murphy gave a presentation for items 10 and 11 identifying or noting:

- General and detailed location
- Land use and zoning
- Conceptual site plan
- Master Plan exhibit
- Modifications request
- Exceptions request: Underground utilities and lot depth-to-width
- Overhead power line
- Lot depth-to-width exception
- Site photos
- Conceptual landscape plan

and she responded to questions or comments from Council regarding:

- Lot coverage modification
- Clarification regarding land use

Applicant Presentation

Mike Boswell, Toll Brothers

Mr. Boswell gave a presentation for items 10 and 11 identifying or noting:

- Introductions
- Project status overview
- Communication plan

- The Master Plan amendment
- Concept Plan – Options A, B, & C
- Requested PD modifications, exceptions
- Parks board recommendation
- Interconnected parks system
- Challenges
- Proposed product
- Summary of recommendations

and he responded to questions from Council regarding:

- Park location
- Possibility of gate access for foot traffic near cul-de-sac lots

Mayor France opened the public hearing for items 10 and 11 at 8:16 p.m.

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker names and address	Support	Opposition	Other
1.	Dr. Kevin Rogers, Lewisville ISD, 1565 W. Main, Lewisville, TX with donated time from: Dr. Buddy Bonner, Lewisville ISD, 1565 W. Main, Lewisville Angie Cox, 3209 Seaton Ct Jenny Proznik, 4578 Mira Vista	X		
2.	Brit Stock, 4005 Rothschild	X		
3.	Paul Stone, 4100 Broadway	X		
4.	Bryan Webb, 4112 High Rd	X		
5.	Brooke Dooley, 2007 Reserve Ct*		X	
6.	Shaleah Rose, 2012 Tophill Dr*	X		
7.	Tracy Scott Miller, 2810 Spring Hollow Ct, Highland Village with donated time from: Kristi Hassett, 3500 Beringer Ct; Katherine Sells, 2206 Landoine Ln, Lewisville; Allison Lassahn, 800 Camelot Ct, Highland Village	X		

**submitted a comment card – indicated do not wish to speak*

Mayor France closed the public hearing for items 10 and 11 at 8:40 p.m.

Council Discussion

There was Council discussion on items 10 and 11 regarding:

- Toll Brothers has a great product
- Park component is important
- Park size (walking park for neighborhood use)
- Lack of commercial interest for the property
- Airport noise concerns
- Conflicts with Town vision and this project
- Other properties with commercial zoning that sat for 4 years

- How what is proposed is a great option
 - Master plan amendment versus rezoning
 - Exceptions
 - Traffic concerns (density)
 - Possibility of postponing to address density issues
 - Approve the MPA and make adjustments with the zoning
10. Public Hearing to consider an ordinance amending the Master Plan (MPA21-0006 – Spinks Road Tract) to amend Section 1.0, Land Use Plan, of the Master Plan, and Section 2.0 Area Plans, of the Master Plan, to change the current land use designation from Estate Residential and Lakeside Business District with Campus Commercial uses to Low Density Residential uses. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)

Councilmember Engel moved to approve as presented. Councilmember Schiestel seconded the motion.

Motion withdrawn

Councilmember Schiestel moved to postpone item 10. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

Motion passed (to postpone)

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

11. Public Hearing to consider an ordinance for rezoning (ZPD21-0004 – Spinks Road Tract) from Agricultural District uses to Planned Development District No. 182 (PD-182) with Single Family District-15 uses and with certain exceptions and modifications to the Code of Ordinances, including but not limited to an exception to 'Underground Utilities' pursuant to Section 82-377, Exceptions, and an exception to 'Depth' pursuant to Section 90-272, Lot depth, lines, and frontage. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval of alternate Option C {not included in the packet} by a vote of 6 to 0 at its September 27, 2021, meeting.)

Councilmember Schiestel moved to postpone item 11. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

Motion passed (to postpone)

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Mayor France opened items 12 – 14 at the same time.

Staff Presentation

Ms. Murphy gave a presentation for items 12 – 14 identifying or noting:

- General and detailed location
- Land use and zoning
- Conceptual site plan
- Modifications

- Site photos
- Master Plan exhibit
- Conceptual landscape plan
- Trees

and she, Mr. Meredith, or Mr. Dalton responded to questions or comments from Council regarding (some after the public hearing):

- Approval process for a bus barn site plan
- Process needed to incorporate option two as presented during the meeting by the applicant
- Clarification regarding SF15
- Timing

Applicant Presentation

Reginal Rembert, Rembert Enterprises
Dr. Kevin Rogers, LISD Superintendent of Schools

Mr. Rembert gave a presentation identifying or noting:

- About the developer
- Master Plan amendment
- Master Plan history
- Typical resident's concerns (approach)
- Traffic
- Sanitary sewer and water
- Drainage
- Trees
- Privacy/impact to lifestyle
- Exceptions
- Home values (Emerald Place)
- Cramming Lots (comparison) – Exhibit
- Our plan history
- 1st, 2nd, 3rd submittal plans (after meeting with neighbors)
- Our project (summary)
- Lot area specifics (density)
- Planned development/density
- Aerial density
- Conclusion

and he responded to questions from Council or provided comments regarding (some were after the public hearing):

- Possibility of a low-density option with no exceptions
- Willingness to give up 6 lots, including additional lots by the retention pond, and incorporate rear access if need be

Dr. Rogers spoke on the following topics:

- Land history (bidding process)
- Restrictions associated with the use of funds from the sale
- Possible option (bus yard)

Mayor France opened the public hearing for items 12 - 14 at 9:38 p.m.

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker names and address	Support	Opposition	Other
1.	Beth Soderburg, 3100 Wager Rd		X	
2.	Cindy Waters, 3030 Wager		X	
3.	Becky Dwyer, 3112 Springwood Rd/2901 Acorn Trail		X	
4.	Kerri Horan-Garza, 3922 Willow Run Dr		X	
5.	Bryan Webb, 4112 High Rd	X		
6.	Diane Preston, 1124 Lopo Rd		X	
7.	Angela Vinson, 1224 Oak Creek Cir		X	
8.	Bridget Siharath, 3228 Wager Rd		X	
9.	Charles Young, 909 Oak Dr		X	
10.	Emily Igheghe, 3400 Wager Rd		X	
11.	Nick Nelson, 2801 S Garden Ridge Blvd		X	
12.	Mitch Waters, 3030 Wager Rd		X	
13.	Tracy Scott Miller, 2810 Spring Hollow Ct, Highland Village with donated time from: Katherine Sells, 2206 Landoine, Lewisville; Kristi Hassett, 3500 Beringer Ct; Allison Lassahn, 800 Camelot Ct, Highland Village	X		
14.	Jeff Bevers, 1100 Oak Dr		X	
15.	Scott Langley, 800 Carter Ct**		X	
16.	Bill McFarling, 901 Oak Dr**		X	
17.	Brit Stock, 4005 Rothschild**		X	
18.	Sandy Fambrough, 4105 Spring Meadow Ln*			
19.	Stephen Tarter, 1812 Chatham Dr*		X	
20.	Doug Anderson, 730 Boyd Dr, Grapevine*		X	
21.	Julie Soderburg, 3100 Wager Rd*		X	
22.	Katherine Grote, 165 Double Oaks, Double Oak*		X	

23.	Donna Jolene Harrison, 909 Oak Dr*		X	
24.	Moukda Siharath, 3228 Wager Rd*		X	
25.	KC Walsh, 3525 High Rd*		X	
26.	Toni Moffitt, 516 Newport Dr*		X	
27.	Amy Waters, 2004 Reserve*		X	
28.	Rob Hays, 2420 Sweet Grass Trl*		X	
29.	John Dwyer, 2905 Acorn Trl*		X	
30.	Jason McNutt, 615 Trails End*		X	
31.	Marian Pearn, 2901 Acorn Trl*		X	
32.	David Garza, 3922 Willow Run*		X	
33.	Bill Preston, 1124 Lopo Rd*		X	
34.	Brooke Dooley, 2007 Reserve*		X	
35.	Victoria Brewer, 1208 Oak Creek Cir*		X	
36.	Susan Jewett, 1121 Lopo Rd*		X	
37.	Cindy Bocksell, 1104 Oak Dr*		X	
38.	Wesley Maimone, 1111 Oak Dr*		X	
39.	Megan Maimone, 1111 Oak Dr*		X	
40.	Kathy ODonnell, 910 Oak Dr*		X	

*submitted a comment card – indicated do not wish to speak

**submitted a comment card – not present when called

Mayor France closed the public hearing for items 12 - 14 at 10:29 p.m.

Council Discussion

There was Council discussion regarding:

- Whether to postpone the items or not
- Math calculations (lot sizes/values)
- Re bid possibility (3rd bid)
- Background information on past meetings in the interest of finding a resolution that could work for all parties
- Option two and open space buffering

12. Public Hearing to consider an ordinance amending the Master Plan (MPA21-0007 – Emerald Place) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Estate Residential to Medium Density Residential uses. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021, meeting by a vote of 6 to 0.) (P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.)

Councilmember Engel moved to postpone item 12. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:*Motion passed (to postpone)***AYES: SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: SCHIESTEL**

13. Public Hearing to consider an ordinance amending the zoning (ZPD21-0005 – Emerald Place) from Agricultural District uses to Planned Development District No. 183 (PD-183) with Single Family District-10 (SF-10) uses and with certain modifications to the Code of Ordinances. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021, meeting by a vote of 6 to 0.) P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.)

Mayor Pro Tem Bumgarner moved to postpone item 13. Councilmember Engel seconded the motion.

VOTE ON MOTION:*Motion passed (to postpone)***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL****NAYS: NONE**

14. Public Hearing to consider an application for a tree removal permit (TRP21-0014) for four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive. (The Environmental Conservation Commission recommended denial by a vote of 6 to 0 at its August 3, 2021, meeting).

Mayor Pro Tem Bumgarner moved to postpone item 14 until a time as determined by staff. Councilmember Engel seconded the motion.

VOTE ON MOTION:*Motion passed (to postpone)***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE**

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15. Public Hearing to consider an ordinance amending the Land Development Regulations (LDR21-0001 – Parking and Accessory Structures) by amending Chapter 74 entitled “General Provisions,” Chapter 82 entitled “Development Standards,” and Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances to amend and propose new standards for accessory buildings, and off-street parking and stacking standards for the purpose of clarifying and updating certain sections. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- Objectives
- Current policy for accessory structures
- Defining accessory buildings – Section 74-3 (existing and proposed)
- Accessory dwelling units, Section 98.2 – definitions

- Off-street parking and loading requirements
- Lighting regulations
- Additional modifications

and she responded to questions or comments from Council regarding:

- Clarification regarding what is proposed for the lighting regulations
- Whether existing restaurants are grandfathered for the new stacking regulations

Mayor France opened the Public Hearing for item 15 at 11:19 p.m. No one spoke. Mayor France closed the public hearing at 11:20 p.m.

Councilmember Engel moved to approve item 15 as presented. Deputy Mayor Pro Tem Sharma seconded the motion.

ORDINANCE NO. 42-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 74, "GENERAL PROVISIONS," AND CHAPTER 82, "DEVELOPMENT STANDARDS," OF THE TOWN'S CODE OF ORDINANCES, TO AMEND PARKING AND ACCESSORY BUILDING REGULATIONS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

16. Public Hearing to consider an ordinance amending the Land Development Regulations (LDR21-0002 – Legislative Updates) by amending Chapter 78 entitled "Administration," and Chapter 90 entitled "Subdivisions," of the Town's Code of Ordinances to amend and propose new regulations for variances considered by the Board of Adjustment, construction signs, and traffic signs for the purpose of meeting new state law requirements and creating sign requirements for future stub-outs. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- Objectives
- Section 78-85 (Variances)
- Section 90-210 (Construction signage)
- Section 90-216 (Traffic signs)

And she, Ms. Bruce, or Mr. Hotelling responded to questions from Council regarding:

- Clarification as to who pays for the signage
- Clarification regarding letter height on signs
- Purpose of the future through street sign and whether it would be put in place for existing or just future projects

Mayor France opened the public hearing for item 16 at 11:33 p.m. No one spoke. Mayor France closed the public hearing at 11:33 p.m.

Deputy Mayor Pro Tem Sharma moved to approve item 16 as presented. Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 43-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 78, "ADMINISTRATION," AND CHAPTER 90, "SUBDIVISIONS," OF THE TOWN'S CODE OF ORDINANCES, TO CREATE NEW VARIANCE CONSIDERATIONS FOR STRUCTURES, CONSTRUCTION SIGNAGE REQUIREMENTS, AND FUTURE THROUGH STREET SIGNAGE REQUIREMENTS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

**AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN
NAYS: NONE**

L. BOARDS/COMMISSIONS

- 17. Discuss and consider approval of a resolution to nominate individuals to be voted on by taxing jurisdictions for the Board of Directors for the Denton Central (DCAD) and Tarrant Appraisal Districts (TAD).

Ms. Scott provided background information regarding the item.

There was Council discussion regarding past applicant interest.

Deputy Mayor Pro Tem Sharma moved to nominate Sharon Gentry to the Denton County Central Appraisal District Board of Directors. Councilmember Schiestel seconded the motion.

RESOLUTION NO.25-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING THE TOWN OF FLOWER MOUND'S NOMINATION(S) FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE DENTON CENTRAL APPRAISAL DISTRICT; AND THE TARRANT APPRAISAL DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

**AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL
NAYS: NONE**

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council did not convene into closed meeting. No action was taken on the following items:

- a. Consultation with Attorney.
 1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
 2. Red Bud Point roads
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

O. ADJOURN REGULAR MEETING

Mayor France adjourned the meeting at 11:39 p.m. on October 4, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY