

AGENDA

FLOWER MOUND PLANNING AND ZONING COMMISSION REGULAR MEETING

07/11/2022

FLOWER MOUND TOWN HALL, 2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS

6:30 P.M.

.....
AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT www.flower-mound.com/AgendaCenter
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Comments regarding any agenda item can be sent to the Commission by emailing pz@flower-mound.com.
Please silence or turn off all electronic devices in Jody Smith Hall

A. CALL MEETING TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972-874-6000 during business hours. To speak to the Planning & Zoning Commission during public comment, please fill out a green comment form, which is located in the lobby of Town Hall.

In accordance with the Texas Open Meetings Act, the Commission is restricted from discussing or acting on items not listed on the agenda.

- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the Chair depending on the number of speakers.
- Speakers must address their comments to the Commission.
- Please state your name and address when speaking.

E. FUTURE AGENDA ITEMS

The purpose of this item is to allow the Chair and members of the Commission an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of the Commission is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

F. DIRECTOR'S REPORT

1. Flower Mound Ranch Application

G. CONSENT ITEMS

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. Minutes of June 27, 2022: Consider approval of the minutes of the June 27, 2022, Planning and Zoning Commission Regular Session.

H. REGULAR ITEMS

This part of the agenda consists of discretionary items either relating to zoning or a requested variation from the Town's development standards. If a public hearing is required, it will be noted in the item caption on the agenda. Typically, the Planning & Zoning Commission will make a recommendation to Town Council on these types of projects.

2. SP22-0002 – HTeaO Flower Mound: Consider a Site Plan (SP22-0002 – HTeaO) to develop a fast food restaurant with a drive through window, with a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch. The property is generally located south of Cross Timbers Road and west of Morriss Road.
3. SUP22-0001 – 1307 College Parkway Accessory Dwelling: Public Hearing to consider an ordinance granting a Specific Use Permit No. 478 (SUP22-0001– 1307 College Parkway Accessory Dwelling) to permit an accessory dwelling. The property is generally located south of College Parkway and west of Kirkpatrick Lane.

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

I. ADJOURNMENT – REGULAR SESSION

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: July 7, 2022, at 5:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

LauriAnn Cash, Executive Assistant

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodations or interpretive services must be made at least 48 hours prior to this meeting by contacting Planning Services at 972-874-6350. Additional time limits will be provided to members of the public that need to address the Commission through a translator.



PLANNING AND ZONING COMMISSION

AGENDA ITEM NO: 1

CONSENT ITEM

DATE: July 11, 2022

FROM: LauriAnn Cash, Development Services Executive Assistant

ITEM: Consider approval of the minutes of the June 27, 2022, Planning and Zoning Commission Regular Session.

I. BACKGROUND INFORMATION

The Planning and Zoning Commission held a regular meeting on June 27, 2022.

II. ATTACHMENTS

1. Draft Minutes of June 27, 2022

THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 27TH DAY OF JUNE 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:30 PM

The Planning & Zoning Commission met in a regular session with the following members present:

Brad Ruthrauff	Chair; Commissioner, Place 1
Robbie Cox	Vice-Chair; Commissioner, Place 2
Janvier Werner	Commissioner, Place 3
Greg Wilson	Commissioner, Place 5
Donald Gilmore	Commissioner, Place 6
Kathryn Wells	Commissioner, Place 7
Jason Hobbs	Commissioner, Place 8
Brady Kilpper	Commissioner, Place 9

Constituting a quorum with the following members absent:

James Naylor	Commissioner, Place 4
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(Places 8 and 9 of the Commission do not vote on items unless they sit in place of one of the regular members, Places 1-7.)

And the following members of Town staff present:

Bryn Meredith	Town Attorney
Lexin Murphy	Director of Planning Services
Chuck Jennings	Director of Parks and Recreation
Bob Pegg	Assistant Director of Engineering
Mark Long	Assistant Director of Parks and Recreation
Chuck Russell	Principal Planner
Poornima Kashyap	Principal Planner
LauriAnn Cash	Executive Assistant

- A. **CALL REGULAR SESSION TO ORDER: 6:30 P.M.**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **PUBLIC COMMENT**
None
- E. **FUTURE AGENDA ITEMS**
None

F. DIRECTOR'S REPORT

1. 2022 Strategic Planning Session

G. CONSENT ITEMS

1. Minutes of June 13, 2022: Consider approval of the minutes of the June 13, 2022, Planning and Zoning Commission Regular Session.

Commission Deliberation

Commissioner Wells moved to approve Consent Item 1. Vice-Chair Cox seconded the motion.

VOTE ON THE MOTION

AYES: Werner, Wilson, Gilmore, Cox, Wells, Hobbs

NAYS: None

The motion to approve passed by a vote of 6 to 0.

H. NON-DISCRETIONARY ITEMS

2. Consider a request for a Site Plan (SP21-0011 – Lakeside Parkway Office/Warehouse) to develop an office-showroom warehouse facility. The property is generally located northeast of Lakeside Parkway and Gerault Road.

Staff Presentation

Chuck Russell, Principal Planner

Applicant Presentation

Kiew Kam, Triangle Engineering, LLC; present for questions, no presentation

Commission Deliberation

Commissioner Wilson moved to approve SP21-0011 – Lakeside Parkway Office/Warehouse. Commissioner Werner seconded the motion.

VOTE ON THE MOTION

AYES: Hobbs, Wells, Cox, Gilmore, Wilson, Werner

NAYS: None

The motion to approve passed by a vote of 6 to 0.

I. REGULAR ITEMS

- 3. Public Hearing to consider an ordinance amending the Master Plan (MPA21-0010 – Parks and Trails Plan) by removing and replacing Section 5.0, “Parks and Trails Plan,” and adopting the 2022 Trails and Bikeways Master Plan.**

Staff Presentation

Chuck Jennings, Director of Parks and Recreation

Applicant Presentation

Lenny Hughes, Halff Associates, Inc.
Kelsey Saver, Halff Associates, Inc.

Spoke In Favor:

Scott Langley; 800 Carter Court, Flower Mound

Spoke In Opposition:

None

Commission Deliberation

Vice-Chair Cox moved to recommend approval of MPA21-0010 – Parks and Trails Plan. Commissioner Wells seconded the motion.

VOTE ON THE MOTION

AYES: Werner, Wilson, Gilmore, Cox, Wells, Hobbs

NAYS: None

The motion to recommend approval passed by a vote of 6 to 0.

J. ADJOURNMENT – REGULAR SESSION: 7:30 P.M.

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission convened into closed session at 7:31 p.m.

At 8:04 p.m., the Planning and Zoning Commission reconvened into Item i - Work Session.

i. CALL TO ORDER WORK SESSION: 8:04 P.M.

- a. Presentation and discussion on MU21-0002 – Flower Mound Ranch
- Staff Presentation: Lexin Murphy, Director of Planning Services
 - Applicant Presentation: Misty Ventura, Shupe Ventura, PLLC

b. Public Comment

- Submitted Card, Spoke:
 - Lauren Goodman; 7017 Broomsedge Drive, Argyle
 - Alison Flener; 6617 Roughleaf Ridge Road, Flower Mound
 - Heidi Schulta; 6612 Dolan Falls, Flower Mound
 - Ronnie Jones; 6007 Thorn Trail, Flower Mound
- Submitted Card, Did Not Speak
 - Josh Flener; 6617 Roughleaf Ridge Road, Flower Mound
 - Christine Taylor; 6909 Broomsedge Drive, Flower Mound
 - Todd Bayuk; 10845 Pedernales Falls Drive, Flower Mound
 - Kay Davis; 6379 Prairie Brush Trail, Flower Mound
 - Erika Klemetsen; 6925 Basket Flower Road, Flower Mound
 - Jeff Brown; 6709 Canyon Oak Court, Flower Mound
 - Dan Klemetsen; 6925 Basket Flower Road, Flower Mound
 - Maria Brown; 6709 Canyon Oak Court, Flower Mound
 - Deanna Garncarz; (no address given)
 - Nathan Bryan; 6928 Basket Flower Road, Flower Mound
 - Caleb Barfield; 11382 Misty Ridge Drive, Flower Mound
 - Ashley J; (no address given)

The work session was closed at 9:57 P.M.

TOWN OF FLOWER MOUND, TEXAS

Lexin Murphy, Director of Planning Services

ATTEST:

LauriAnn Cash, Executive Assistant



PLANNING AND ZONING COMMISSION

AGENDA ITEM NO: 2

REGULAR ITEM

DATE: July 11, 2022

FROM: Poornima Kashyap, Principal Planner

ITEM: Consider a Site Plan (SP22-0002 – HTeaO) to develop a fast food restaurant with a drive through window, with a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch. The property is generally located south of Cross Timbers Road and west of Morriss Road.

I. ITEM SUMMARY

This application has been reviewed by DRC and determined to be ready for consideration by the Planning and Zoning Commission. There is an exception request to the Town's regulations which necessitate special consideration by the Commission (see Analysis below).

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

The purpose of this request is to obtain site plan approval to develop an approximately 2,370 square-foot fast food restaurant with a drive through window to be located on Lot 1R-B of the Barnett Lane Addition. The property is currently zoned Planned Development District-12 (PD-12) for Retail District-2 (R-2) uses. The existing zoning allows a drive through restaurant use by right.

As part of the request, the applicant is seeking an exception to the Town's Urban Design Plan. In summary (see Section III, below, for detail):

Exception:

- Roofs and Parapets

The primary access to this site will be from Morriss Road with secondary access provided from Cross Timbers Road through mutual access easements located within this subdivision.

The parking for the restaurant use is calculated at the ratio of one space for every 75 square feet of the facility. Based on this requirement, the proposed use would require 32 parking spaces or a minimum of 26 spaces with the Town's allowable 20% parking deviation. The site plan depicts 22 on-site parking spaces and four off-site parking spaces on the adjacent property. The applicant has provided an executed copy of an 'off-site shared parking irrevocable consent form' between them and the adjacent property owner consenting to the use of four parking spaces on the adjacent property by

the applicant to meet the minimum parking requirements for the proposed restaurant use [see Attachment A(3)].

The site plan depicts a single queuing lane that can accommodate seven vehicles plus a single stacking space after the drive thru-window to allow vehicles to pull clear of the transaction area prior to re-entering the normal flow of traffic. The plan also depicts the required by-pass lane. The restaurant use requires a minimum of five stacking spaces, however a recent update to the Town's Parking ordinance requires any establishment with a drive-thru facility to provide a queuing and stacking analysis to determine whether a specific business's expected customer traffic will require additional stacking spaces. Based on the queuing analysis [see Attachment A(4)] performed for this site, the anticipated maximum queue length is seven vehicles. The proposed site plan accommodates the maximum anticipated queue length. Therefore, queuing is not anticipated to be an issue at this location.

The landscape plan depicts the required street buffer, street yard, and parking lot trees that are in conformance with the Town's landscaping requirements.

The proposed elevations utilize a combination of brick and stucco to complement the existing buildings within the subdivision and also the Town Hall building located across the street. The applicant is requesting an exception to the roof pitch requirement within the Town's Urban Design Plan.

III. EXCEPTION:

A. Roofs and Parapets

Roofs of non-residential buildings 15,000 square feet or less are to reflect hip and/or gable styles that replicate residential scale and pitch. In designing a residential scaled roof for non-residential buildings 15,000 square feet or less, the goal shall be a roof that provides for characteristic roof pitches/slopes of residential homes in the Town of Flower Mound (6/12 to 9/12 slope) and high steeply-pitched and/or expansive roof pitches/slopes shall be avoided. The Town Council may approve, upon recommendation from the Planning and Zoning Commission, a waiver request to this request for individual projects. Such request should only be contemplated in the areas that are not adjacent to residences, are part of a large scale developments, and provide architectural detail to soften the appearance of large, tall vertical walls.

The proposed building is 2,370 square feet and requires a pitched roof on all sides of the building. The proposed elevations consist of a flat roof design. The applicant's letter of intent indicates that the proposed building complements the existing buildings within the subdivision, which do not have pitched roof elements, and thus maintains a cohesive design throughout the development.

IV. ATTACHMENTS

A. Background Information

1. Vicinity Map
2. Letter of Intent
3. Off-site Shared Parking Irrevocable Consent Form
4. Queueing and Stacking Analysis

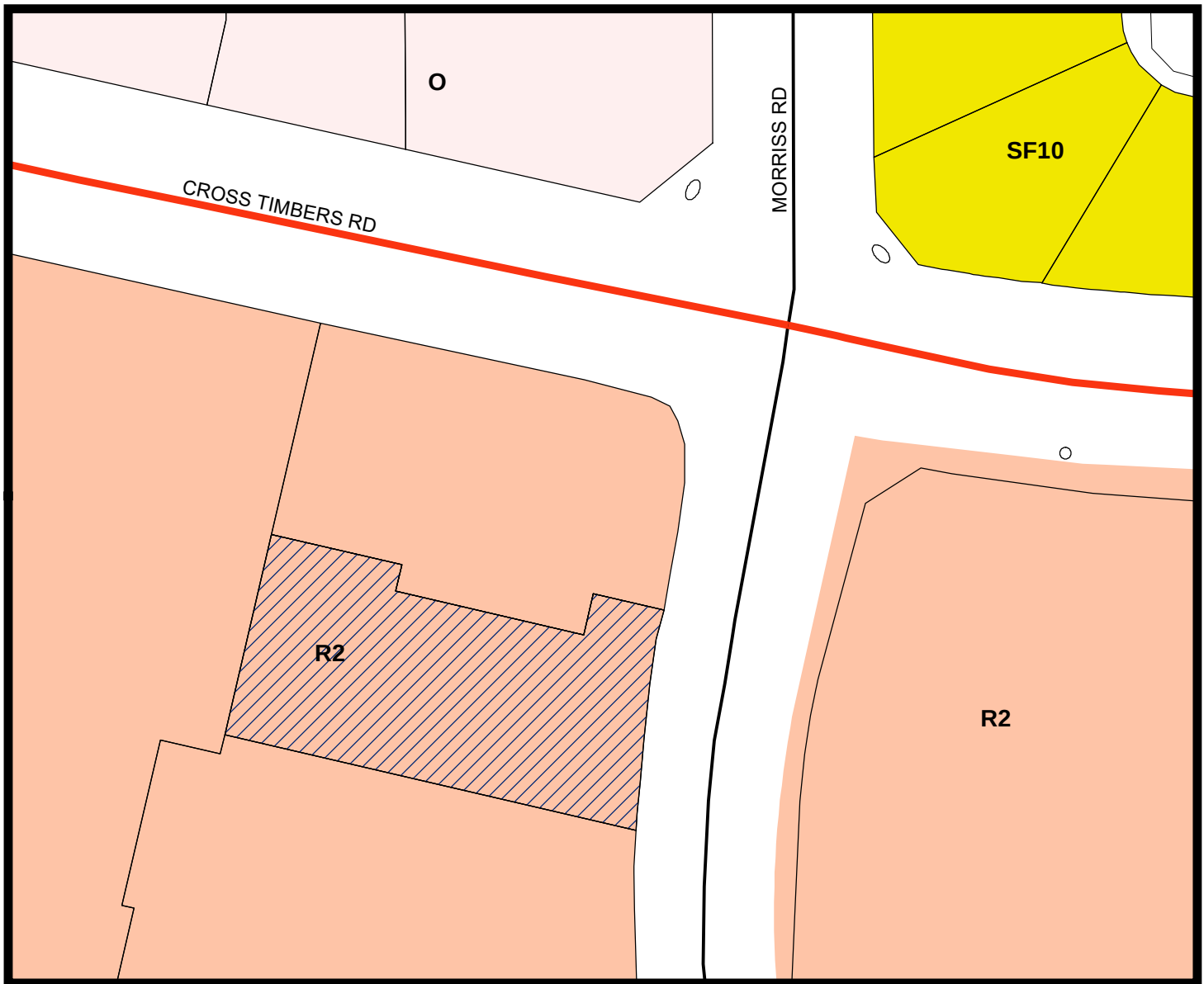
B. Application Details

1. Site Plan Package



Vicinity Map

Reference Project: SP22-0002



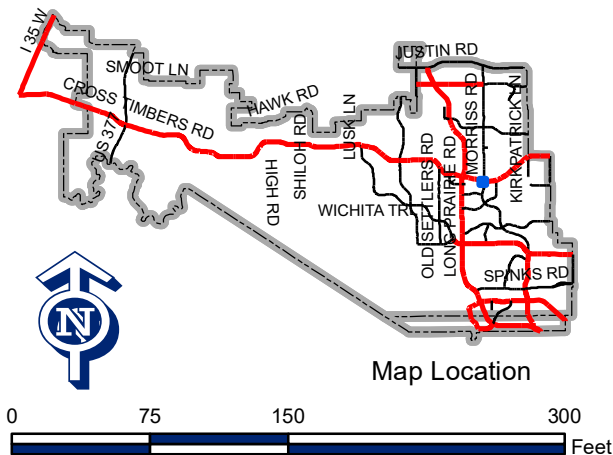
LEGEND

Office Retail 2 Single Family 10

 Subject Property

Visit www.fmdevmap.com to learn more about this project.

Visit <https://www.flower-mound.com/notifyme> to sign up for text message and/or email alerts for future projects.





Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, TX 75028

Letter of Intent

Re: #SP22-0002, HTeaO, 3551 Morriss Road, Flower Mound, TX 75028

Town of Flower Mound Staff,

We could not be more excited to be a part of the wonderful community in Flower Mound! Please accept this Letter of Intent as an explanation of our proposed store, HTeaO.

This project includes the construction of a new 2,364 square foot (s.f.) building with a drive thru. The proposed building will be located on .679 acres (29,567 s.f.) property at 3551 Morriss Road, Flower Mound, TX 75028 (near the corner of Cross Timbers and Morriss Road).

We intend for this project to be developed in 1 phase which will be the development of the proposed site and building to build an HTeaO store.

The current zoning of the property is Commercial. The proposed zoning is unchanged. The proposed operation of this building is with a single owner/ operator of an HTeaO store with the hours of operation being 7:00am-8:05pm (M-F), 8:00am-8:05pm (Sat), and 11:00am-8:05pm (Sun). We will be closed on major holidays.

The use of the building is Restaurant for parking requirement purposes. However, there is no kitchen, no fume hoods, thus no food will be cooked on site. There is an underground hydromechanical unit grease trap on site for coffee service. There is no wait service provided and there will be no seating (no tables or chairs, including benches), inside or outside of the building. There are currently 22 spaces available on our latest site plan. We have received a signed Irrevocable Parking Consent Agreement from the landlord with the property next door that grants us the ability to use 4 spaces in their parking lot. Please see attached document. The dumpster enclosure is also per Town Ordinance and is on site as well.

We are requesting one exception/ variance for this project:

1. An exception to allow for a roof variance from a pitched roof to a flat roof. Please see the included Roof Variance Letter for a more detailed explanation.

Thank you for your continued support and consideration,

Aaron Mattlage Owner/
Operator
aaron.mattlage@hteao.com
(806) 392-2116
HTeaO Flower Mound



Rose-Villacorte Architecture LLC

713-294-7784

timothy@rvaarch.com

www.rvaarch.com

April 07, 2022

VIA: Email

Development Review Committee
City of Flower Mound Texas
1001 Cross Timbers Road, Ste 2330
Flower Mound, Texas 75028

Re: 3551 Morriss Rd., Flower Mound Texas 75028

Dear: Design Committee

Please accept this letter as our formal request for Waiver of the "Roof Pitch" requirements.

The Master Plan section "Roof" of the Planning Services Pre-Application Notes, state that buildings with less than 15,000 s.f. will require a pitch roof with a slope between 6?12 and 9/12 (Sec 12.1 of the Urban Design Plan). The notes further state that there is a provision in the Town's Urban Design Plan to request an exception to not provide a pitch roof. We are seeking review and approval from the Planning and Zoning Commission in order to provide its recommendation to Town Council for approval of our site plan (see attached).

The building footprint is 2,370 s.f. which is below the 15,000 s.f. which requires a pitch roof. We are seeking the waiver on the following:

We have incorporated design elements from the adjacent Chase, Shopping Center Buildings, and the Town Hall buildings.

The lot DCAD # 200461 is separated from residential by two (2) other lots # 200462 and # 194813 to the south. To the North the lot is adjacent to # 20046 Chase Bank. The east adjacency is Morriss Road, then east of Morriss Rd is # 980791 City Hall). Lot 200461 is not adjacent to any residential on any side as is shown in the attached DCAD Aerial.

We have provided a low-profile building with walls that do not exceed 23'-0" in height and surface articulation on the building to break up long unremarkable surfaces. See attached exterior elevations and rendering. Parapet walls are sized at a height to provide proper screening of roof top equipment and screen walls that complement the building have been included to screen dumpsters and walk-in cooler attached to the building.

Please find attached the following documents in support of our request for a waiver.

DCAD Aerial



Rose-Villacorte Architecture LLC

713-294-7784

timothy@rvaarch.com

www.rvaarch.com

Exterior Elevations (This attachment is for focus on the Pitch Issue and not the other features on the elevations which are currently pending)

If you have any questions, please email or call me.

Sincerely

A handwritten signature in black ink that reads "Timothy P. Rose".

Timothy Rose, Registered Architect #26947

timothy@rvaarch.com

713-294-7784

www.rvaarch.com



STATE OF TEXAS §
COUNTY OF DENTON §

OFF-SITE SHARED PARKING IRREVOCABLE CONSENT AGREEMENT FORM

This Off-Site Shared Parking Irrevocable Consent Agreement ("Agreement") dated May 19, 2022 ("Effective Date") is entered into by and between **Gator Flower Mound, LLC**, a Florida limited liability company, having an office at 7850 NW 146th Street, Miami Lakes, FL 33016, referred to herein as "**Owner**" of the property legally described as Lots 2R-5R, in Block 1 of the Barnett Lane Addition, an Addition to the City of Flower Mound, Texas, commonly referred to as the Marketplace at Flower Mound with an address of 2221 Cross Timbers Road, Flower Mound, Texas 75028 (the "**Burdened Property**") and **A&A Tea, LLC**, a Texas limited liability company, d/b/a HTea0 with a mailing address of 9017 Washington Lane, Lantana, TX 76226, as "**Lessee**" under a Ground Lease (hereinafter defined), under which Lessee leased approximately .678 acres of land containing an agreed upon 29,568 square feet, which land is described as Lot 1R-B of Block 1 of the Barnett Lane Addition, an Addition to the City of Flower Mound, Texas, (the "**Benefitted Property**"). Owner together with Lessee are collectively referred to as the "Parties", and each individually a "Party".

RECITALS

WHEREAS, Gator Flower Mound Out Parcel, LLC, a Florida limited liability company ("Lessor") and Lessee entered into a lease dated January 20, 2022 (the "Ground Lease") whereby Lessee leased from Lessor, the Benefitted Property, as more particularly described in Exhibit "A" attached hereto; and

WHEREAS, pursuant to the Ground Lease, Lessee has been granted certain rights to include, but not limited to, Lessee's right to develop the land and to construct/erect a building thereon (the "Building"); and

WHEREAS, Lessee's receipt of the approvals and building permits required for Lessee to commence work and/or operate a HTea0 restaurant with drive-thru on the Benefitted Property, is contingent upon there being a sufficient number of parking spaces in compliance with the Town of Flower Mound's Ordinance Code; and

WHEREAS, pursuant to Section 82-75(2) of the Ordinance Code ("Code"), the Town of Flower Mound ("Town") specifies that where there is insufficient parking, an Agreement may be filed with the Town to provide for off-site parking; and

WHEREAS, Lessee desires additional parking on the Burdened Property to satisfy the Town's off-site parking requirement, and Owner of the Burdened Property hereby grants to Lessee, and Lessee accepts from Owner, a non-exclusive license to use four (4) parking spaces on the Burdened Property.

NOW THEREFORE, in consideration of satisfying the recitals and mutual obligations of the Parties herein expressed, the Parties agree to be bound as follows:

1. Commencing as of the Effective Date of this Agreement, Owner of the Burdened Property, which is more particularly described on Exhibit "A-1" attached hereto, hereby provides Lessee a license to use no less than four (4) parking spaces on the Burdened Property (the "Off-Site Parking Spaces") (in addition to any parking spaces Lessee may be entitled to use under the Ground Lease), for use by Lessee, and its respective employees, contractors, deliverymen,

agent, customers, invitees, licensees, and assigns. The Off-Site Parking Spaces are located in the spaces shown and designated on Exhibit "B" attached to this Agreement, and the Parties acknowledge and agree that the Off-Site Parking Spaces may be used jointly by multiple businesses on both the Burdened and Benefited Properties

2. Owner of the Burdened Property confirms through participation in this Agreement that to the best of Owner's knowledge, there is no requirement or otherwise concerning the Off-Site Parking Spaces being allocated to meet minimum parking requirements for any other property outside of this Agreement.
3. The provisions and conditions of this Agreement shall be effective as of the Effective Date hereof and shall be enforceable against successors in interest and future owners and assigns of the subject properties. The Parties acknowledge and hereby agree that the Agreement shall continue for an indefinite term except in the event that (i) Lessor approves a change in use under the Ground Lease for the operation of a non-restaurant business, or (ii) the Ground Lease expires or is otherwise terminated, and Lessor enters into an agreement with a replacement tenant to lease the Building on the Burdened Property for the operation of a non-restaurant business, then, upon the occurrence of either event listed in subsection (i) or (ii) above, this Agreement shall automatically be terminated and have no further force and effect. Upon termination of this Agreement, Owner shall have no further obligations or restrictions under this Agreement.
4. Owner of the Burdened Property agrees not to impose, by agreement or otherwise, any covenant or restriction on the Burdened Property that would unreasonably interfere with Lessee's use of the Off-Site Parking Spaces as contemplated herein, without prior written consent of the Town, which consent shall not be unreasonably conditioned, delayed, or withheld.
5. This Agreement may be terminated with the written approval of the Town, which approval shall be conditioned upon the Lessee developing sufficient on-site parking on the Benefitted Property to comply with the Code, or replacing this Agreement with another parking agreement acceptable to the Town.
6. Lessee shall provide to Owner a certificate of insurance for a policy of general liability insurance and property damage insurance naming Owner, and its managing agent Gator Development Corp., a Florida corporation as additional insureds, insuring Owner against any liability commonly insured against, occurring on the Off-Site Parking Spaces, resulting from any act or omission caused by Lessee's and its respective employees, contractors, deliverymen, agent, customers, invitees, licensees, and assigns. Such policy is to be written by an insurance company qualified to do business in the State of Florida reasonably satisfactory to Owner.
7. Lessee hereby agrees to indemnify, defend and hold harmless the Owner, and Owner's owners, management, agents, and employees from and against any and all liabilities, suits, claims, damages, injuries, actions, costs, fees, penalties, interest or expenses (including reasonable attorney's fees, as well as such fees and expenses incurred in litigating the right to indemnification and incurred in litigating the amount or reasonableness of such fees and expenses) of any kind or nature, whatsoever, due to or arising from or in any way connected with the Off-Site Parking Spaces being used by Lessee and its respective employees, contractors, deliverymen, agent, customers, invitees, licensees, and assigns.
8. The Parties hereto acknowledge that a violation of any term or condition of this Agreement constitutes a violation of Chapter 82 of the Code, and that the Certificate of Occupancy of the

offending Party may be voided by the Town.

9. The Town shall be a third-party beneficiary to this Agreement and may enforce the terms of this Agreement against the Parties hereto.
10. This Agreement shall be kept on file with the Town and shall also be recorded in the real property records of Denton County, Texas.

OWNER OF THE BURDENED PROPERTY:

Gator Flower Mound, LLC,
a Florida limited liability company

By: Gator Waccamaw Shopping Center, Ltd,
a Florida limited partnership, its Managing Member

By: Gator Conway, Inc., a Florida corporation,
its General Partner

James A. Goldsmith, its President

May 19, 2022
Date

This instrument was acknowledged before me on _____, 2022 by James A. Goldsmith, President of Gator Conway, Inc., a Florida limited corporation, General Partner of Gator Waccamaw Shopping Center Ltd, a Florida limited partnership, as Managing member of Gator Flower Mound, LLC, a Florida limited liability company.



My Commission Expires:

6/13/2024

Leslie Chirino
Notary Public

Leslie Chirino
Type or Print Name

LESSEE OF BENEFITTED PROPERTY:

A&A Tea, LLC, a Texas limited liability company,


 Aaron Matlage, its President

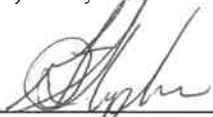
05/16/2022
 Date

STATE OF TEXAS §

§

COUNTY OF DENTON §

This instrument was acknowledged before me on this the 16th day of MAY,
 2022 by Aaron Matlage, as President on behalf of A&A Tea, LLC, a Texas limited liability
 company.


 Notary Public in and for the State of Texas

My Commission Expires:

02/26/2024

MELISSA STEPHEN
 Type or Print Name

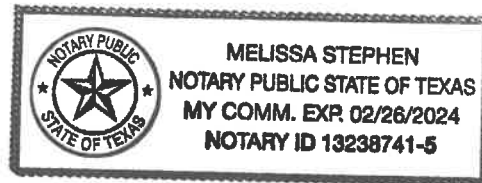


EXHIBIT "A"
LEGAL DESCRIPTION OF BENEFITTED PROPERTY

Tract 1:

Lot 1R-B, Block 1, BARNETT LANE ADDITION, an Addition to the City of Flower Mound, Texas, according to the Map thereof recorded in Cabinet O, Page 218, Plat Records, Denton County, Texas.

Save and Except that portion of subject property executed by BLI Flower Mound, LTD., a Texas limited partnership to the Town of Flower Mound, a Texas Municipal Corporation filed April 27, 2010 recorded under Clerk's File No. 2010-39173, Official Public Records, Denton County, Texas.

Tract 2:

Non-exclusive Easement Estate created in Declaration of Easements and Restrictions dated February 6, 1998, filed February 10, 1998 recorded in Volume 4027, Page 192, Deed Records, Denton County, Texas.

EXHIBIT "A1"
LEGAL DESCRIPTION OF BURDENED PROPERTY

BEING ALL OF LOTS 2R-5R, IN BLOCK 1, OF BARNETT LANE ADDITION, AN ADDITION TO THE TOWN OF FLOWER HOUND, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET "O", PAGE 218, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: -

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF LOT 3R, BLOCK 1, BARNETT LANE ADDITION, ACCORDING TO THE PLAT RECORDED IN CABINET "O", PAGE 218, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF MORRIS ROAD (A 100-FOOT WIDE RIGHT-OF-WAY), SAID POINT ALSO BEING THE NORTHEAST CORNER OF WINDSOR PARK ADDITION, ACCORDING TO THE PLAT RECORDED IN CABINET "I", PAGE 131, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS,

THENCE N 77 degrees 00 minutes 04 seconds W, 124.65 FEET, ALONG THE NORTH LINE OF SAID WINDSOR PARK ADDITION, TO A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID WINDSOR PARK ADDITION;

THENCE S 07 degrees 26 minutes 25 seconds W, 66.76 FEET, ALONG THE WEST LINE OF SAID WINDSOR PARK ADDITION, TO A 1/2-INCH IRON ROD FOUND AT THE MOST EASTERLY, NORTHEAST CORNER OF THORN HILL ADDITION PHASE I, ACCORDING TO THE PLAT RECORDED IN CABINET "O", PAGE 131 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE N 56 degrees 55 minutes 16 seconds W, 147.33 FEET, ALONG THE NORTH LINE OF SAID THORN HILL ADDITION PHASE I, TO A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 4R, BLOCK 1, OF SAID BARNETT LANE ADDITION, SAID POINT ALSO BEING THE MOST NORTHERLY, NORTHEAST CORNER OF SAID THORN HILL ADDITION PHASE I, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF KOHL'S ADDITION, LOT 1, BLOCK A, ACCORDING TO THE PLAT RECORDED IN CABINET "Q", PAGE 163, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE N 80 degrees 46 minutes 16 seconds E, 694.42 FEET, ALONG THE EAST LINE OF SAID KOHL'S ADDITION, TO A 7x00T BRASS DISK FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF F.M. 1171 (A VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID KOHL'S ADDITION; SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 5R, BLOCK 1, OF SAID BARNETT LANE ADDITION;

THENCE S 76 degrees 53 minutes 55 seconds E, 759.12 FEET, ALONG THE SOUTH RIGHT-OF-WAY F.M. 1171, TO AN "X" CUT FOUND AT NORTHWEST CORNER OF LOT 1R-A, BLOCK 1, OF SAID BARNETT LANE ADDITION, SAID POINT ALSO BEING THE MOST NORTHERLY, NORTHEAST CORNER OF LOT 2R, BLOCK 1, OF SAID BARNETT LANE ADDITION;

THENCE S 13 degrees 06 minutes 05 seconds W, 235.77 FEET, ALONG THE COMMON LINE OF SAID LOT 1R-A AND SAID LOT 2R, TO A "X" CUT FOUND AT THE SOUTHWEST CORNER OF SAID LOT 1R-B;

THENCE S 76 degrees 53 minutes 55 seconds E, 13.11 FEET, ALONG THE COMMON LINE OF SAID LOT 1R-B TO A 1/2-INCH IRON ROD FOUND AND THE BEGINNING OF A CURVE TO

THE LEFT;

SOUTHEASTERLY 36.03 FEET, ALONG SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 52 degrees 45 minutes 01 seconds, A RADIUS OF 40.00 FEET, AND A CHORD BEARING OF S 90 degrees 31 minutes 06 seconds E, 35.54 FEET ALONG THE COMMON LINE OF SAID LOT 1R-B TO A 1/2-INCH IRON ROD FOUND;

THENCE S 76 degrees 53 minutes 55 seconds E, 70.00 FEET, ALONG THE COMMON LINE OF SAID LOT 1R-B TO A 1/2-INCH IRON ROD FOUND;

THENCE N 03 degrees 33 minutes 06 seconds E, 47.18 FEET, ALONG THE COMMON LINE OF SAID LOT 1R-B TO A 1/2 -INCH IRON ROD FOUND;

THENCE S 76 degrees 53 minutes 55 seconds E, 58.35 FEET, ALONG THE COMMON LINE OF SAID LOT 1R-B TO A 1/2-INCH IRON ROD FOUND AT THE BEGINNING OF A TANGENT CURVE TO THE LEFT AND SAID POINT BEING IN THE WEST RIGHT OF LINE OF MORRIS ROAD;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF MORRIS ROAD AS FOLLOWS:

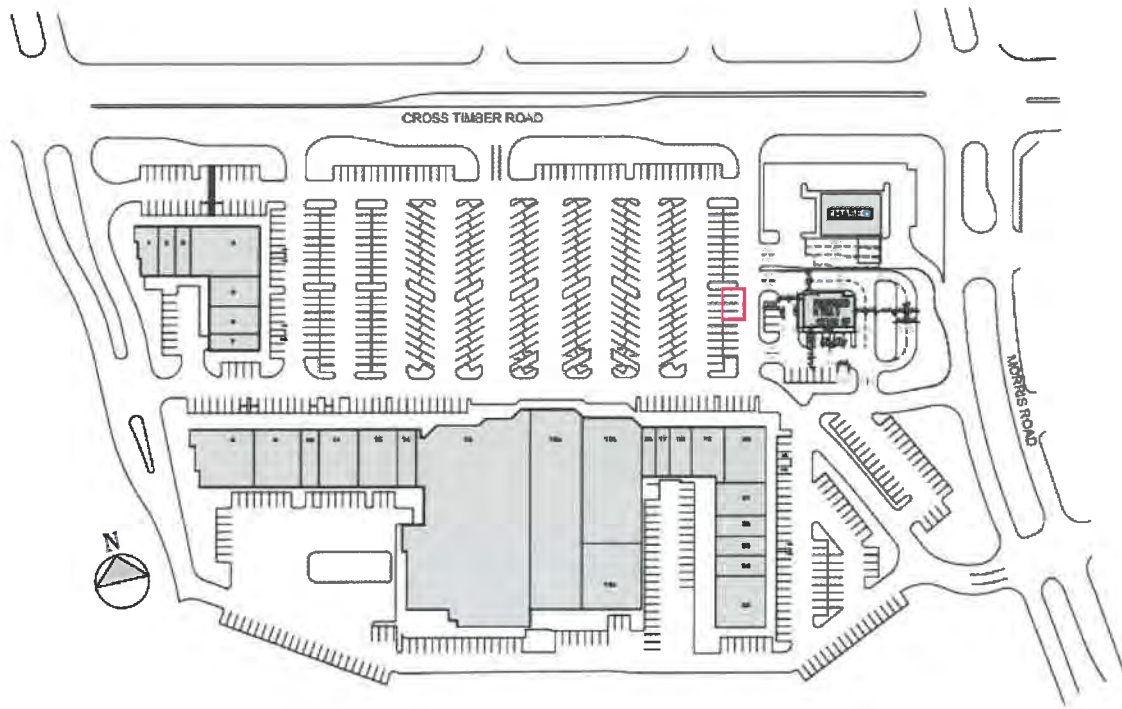
SOUTHWESTERLY 190.04 FEET, ALONG SAID TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 degrees 48 minutes 37 seconds, A RADIUS OF 854.00 FEET, AND A CHORD BEARING OF S 02 degrees 09 minutes 03 seconds E, 189.65 FEET, TO A 1/2-INCH IRON ROD FOUND;

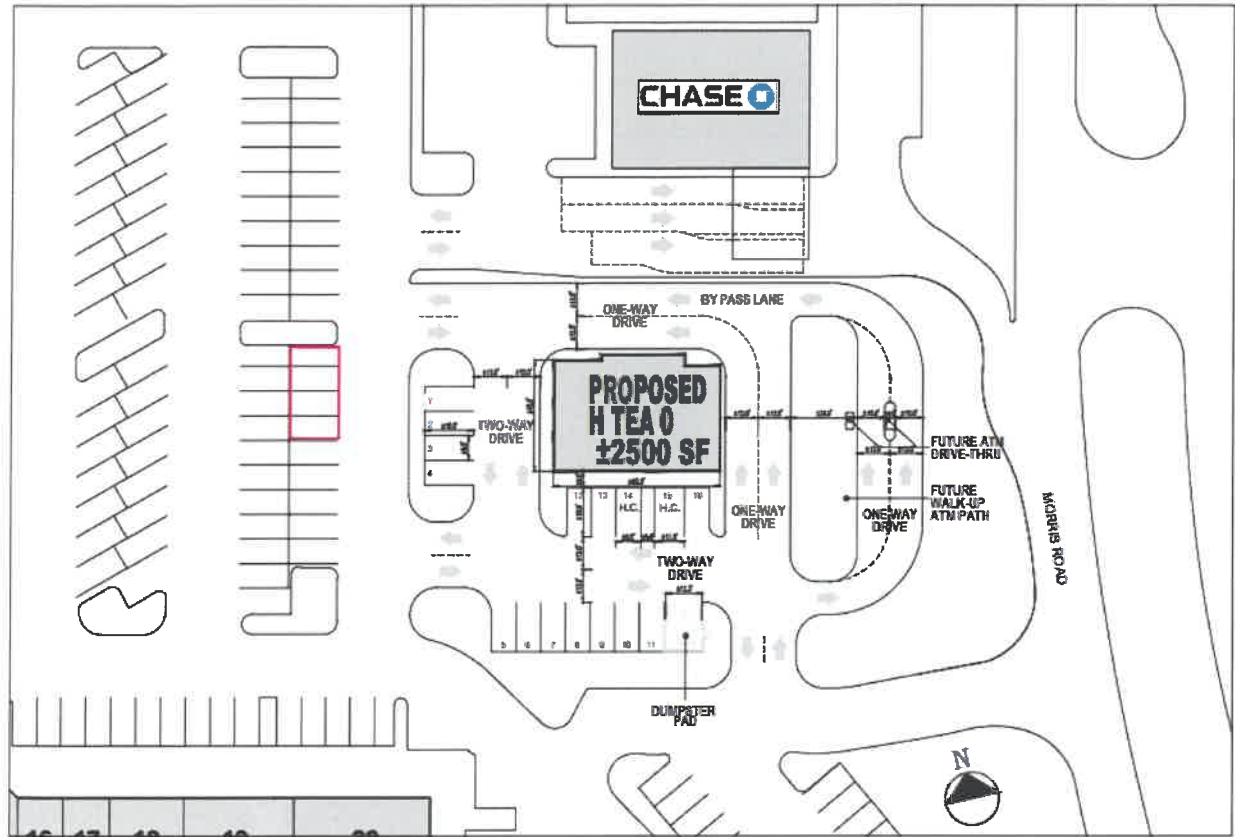
THENCE S 04 degrees 31 minutes 34 seconds E, 209.92 FEET, TO A 1/2-INCH IRON ROD FOUND AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

SOUTHEASTERLY, 11.16 FEET, ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00 degrees 52 minutes 07 seconds, A RADIUS OF 750.00 FEET, AND A CHORD BEARING OF S 08 degrees 41 minutes 02 seconds E, 11.37 FEET, TO THE PLACE OF BEGINNING, CONTAINING 13.433 ACRES (186,031 SQUARE FEET) OF LAND.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

EXHIBIT "B"
ADDITIONAL PARKING SPACES ON BURDENED PROPERTY





This report contains the Preliminary Engineering Assessment of the Stacking & Queueing Analysis requested by the Town of Flower Mound. The results found in this study are based on Preliminary Information provided by the Client and may be subject to change. This document was created to help expedite and facilitate the design process.
Thank you!



Stacking & Queueing Analysis

Traffic Engineering – Town of
Flower Mound

Andrew Altieri, P.E.



Traffic Engineering Study

Town of Flower Mound

Traffic Counts and Queueing Analysis Input provided by Client

- The below information has been provided by the client through observations at previous HTeaO facilities.

WOLFLIN DRIVE THRU TRANSACTION DATA				
	MONDAY		WEDNESDAY	
	6/6/2022	6/13/2022	6/8/2022	6/15/2022
10:00 - 11:00 AM	27	30	16	32
2:00 - 3:00 PM	57	53	54	63

- The average traffic rates during non peak hours were observed to be 26.25 vehicles per hour. With a maximum rate of 32 vehicles per hour. The average traffic rates during peak hours were observed to be 56.75 vehicles per hour, with a maximum rate of 63 vehicles per hour.
- The service rate of each Cashier is between 1 customer every 45 seconds and 1 customer every 1 minute and 15 seconds. There are a maximum of 3 cashiers available to handle orders at any given time. The service time of 1 minute and 15 seconds was used in this analysis.

Summary & Conclusion:

- A queueing analysis was performed based on the provided data and assumptions of steady-state performance of the Queueing Theory. Calculations and Summary Tables have been provided in the following pages for review and reference.
- Both M/M/1 & M/M/S system models were calculated to provide a comparison of how the two models would function. We believe that the M/M/S model would more accurately represent the project criteria as there are several cashiers located inside of the facility and several workers generating orders at the same time. The service rate was increased during the peak hours as more cashiers opened and were available to meet the demands during peak hour. The below data and tables have been provided for the Town of Flower Mound as a reference and review.
- The analysis found that the average number of vehicles during regular hours in the queueing lane is expected to be 2 vehicles with only 1 cashier working. During peak hours the average number of vehicles is expected to be 7 vehicles with 1.5 cashiers working. This can be decreased to 2 vehicles in queue if there are 2 cashiers operating consistently. The probability that there were 6 vehicles in the queueing line during normal operating hours was found to be less than 3%.
- Space has been provided in the site design to handle a maximum queueing line of 8 vehicles along with a pass-by lane for vehicles to by-pass the queueing line in case of emergency.

This report was generated at the request of the Town of Flower Mound and the Client and should not be used at other facility locations. The information contained in this report is preliminary in nature as traffic counts and service rates may differ from site to site. Should the Town of Flower Mound have any questions or comments on this report and analysis please feel free to contact us by Phone at 979-733-2081 or by email at Andrew@AltieriEngineering-civil.com.

Andrew Altieri, P.E. #137341
Altieri Engineering, LLC
TBPE Firm No. F-22704

06 / 23 / 2022
Date



Traffic Engineering Study

M/M/1 Queueing Analysis:

$$\begin{aligned}
 p\{0\} &= 1 - \rho \\
 p\{n\} &= p\{0\}\rho^n \\
 W &= \frac{1}{\mu - \lambda} = W_q + \frac{1}{\mu} = \frac{L}{\lambda} \\
 W_q &= \frac{\rho}{\mu - \lambda} = \frac{L_q}{\lambda} \\
 L &= \frac{\lambda}{\mu - \lambda} = L_q + \rho \\
 L_q &= \frac{\rho\lambda}{\mu - \lambda}
 \end{aligned}$$

Average Hourly Queueing Analysis Summary Table – M/M/1			
$\lambda =$	Arrival Rate	0.53	Vehicles per minute
$\mu_1 =$	Service Rate	0.80	Vehicles per minute
$\rho_1 =$	Utilization Rate	0.67	
$W =$	Average waiting time for each vehicle in queue plus time being served	3.75	Minutes
$W_q =$	Average waiting time for each vehicle in queue	2.5	Minutes
$L =$	Average number of Vehicles in the station	2	Vehicles
$L_q =$	Average number of Vehicles waiting in the queue	1.33	Vehicles
$P_0 =$	Probability of 0 Vehicles in Queueing Lane	33.33	%
$P_n =$	Probability of 6 Vehicles in Queueing Lane	2.93	%

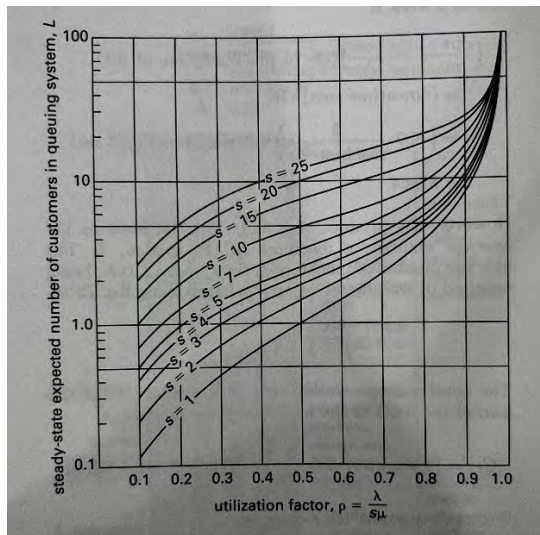
Peak Hourly Queueing Analysis Summary Table – M/M/1			
$\lambda =$	Arrival Rate	1.05	Vehicles per minute
$\mu_{1.5} =$	Service Rate*	1.20	Vehicles per minute
$P_{1.5} =$	Utilization Rate	0.875	
$W =$	Average waiting time for each vehicle in queue plus time being served	6.67	Minutes
$W_q =$	Average waiting time for each vehicle in queue	5.83	Minutes
$L =$	Average number of Vehicles in the station	7	Vehicles
$L_q =$	Average number of Vehicles waiting in the queue	6.125	Vehicles
$P_0 =$	Probability of 0 Vehicles in Queueing Lane	12.50	%
$P_n =$	Probability of 7 Vehicles in Queueing Lane	5.61	%

*Service Rate is based on 1.5 Cashiers open



Traffic Engineering Study

M/M/S Queueing Analysis:



$$W = W_q + \frac{1}{\mu}$$

$$W_q = \frac{L_q}{\lambda}$$

$$L_q = \frac{p\{0\} \rho \left(\frac{\lambda}{\mu}\right)^s}{s!(1-\rho)^2}$$

$$L = L_q + \frac{\lambda}{\mu}$$

$$p\{0\} = \frac{1}{\left(\frac{\lambda}{\mu}\right)^s + \sum_{j=0}^{s-1} \frac{\left(\frac{\lambda}{\mu}\right)^j}{j!}}$$

$$p\{n\} = \frac{p\{0\} \left(\frac{\lambda}{\mu}\right)^n}{n!} \quad [n \leq s]$$

$$p\{n\} = \frac{p\{0\} \left(\frac{\lambda}{\mu}\right)^n}{s! s^{n-s}} \quad [n > s]$$

Average Hourly Queueing Analysis Summary Table – M/M/S

$\lambda =$	Arrival Rate	0.53	Vehicles per minute
$\mu_1 =$	Service Rate 1 Cashier	0.80	Vehicles per minute
$\mu_{1.5} =$	Service Rate 1.5 Cashier	1.60	Vehicles per minute
$\mu_2 =$	Service Rate 2 Cashier	2.40	Vehicles per minute
$\rho_1 =$	Utilization Rate 1 Cashier	0.66	
$\rho_{1.5} =$	Utilization Rate 1.5 Cashier	0.44	
$\rho_2 =$	Utilization Rate 2 Cashier	0.33	
$L_1 =$	# of Expected customers in Queueing System for 1 open Cashier	1.1	Vehicles
$L_{1.5} =$	# of Expected customers in Queueing System for 1.5 open Cashier	1.0	Vehicles
$L_2 =$	# of Expected customers in Queueing System for 2 open Cashier	1.0	Vehicles

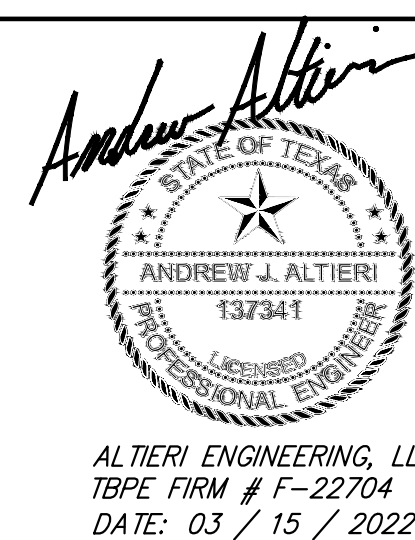
Peak Hourly Queueing Analysis Summary Table – M/M/S

$\lambda =$	Arrival Rate	1.05	Vehicles per minute
$\mu_1 =$	Service Rate 1 Cashier	0.80	Vehicles per minute
$\mu_{1.5} =$	Service Rate 1.5 Cashier	1.60	Vehicles per minute
$\mu_2 =$	Service Rate 2 Cashier	2.40	Vehicles per minute
$\rho_1 =$	Utilization Rate 1 Cashier	1.31	
$\rho_{1.5} =$	Utilization Rate 1.5 Cashier	0.875	
$\rho_2 =$	Utilization Rate 2 Cashier	0.66	
$L_1 =$	# of Expected customers in Queueing System for 1 open Cashier	-	Vehicles
$L_{1.5} =$	# of Expected customers in Queueing System for 1.5 open Cashier	6	Vehicles
$L_2 =$	# of Expected customers in Queueing System for 2 open Cashier	1.1	Vehicles



HTea0 – Flower Mound Tx
3551 Morriss Road
Flower Mound, Texas 75028

BARNETT LANE ADDN BLK 1 LOT 1R-B(PT)



PROJECT NUMBER		21000
REVISIONS		
No.	Description	Date
01	CITY COMMENTS	03/31/2022
01	BOUNDARY LINE CHANGE	05/02/2022
01	CITY COMMENTS	06/06/2022

FOR PERMIT

C-100

SITE PLAN



ROSE-VILLACORTE
ARCHITECTURE LLC
HOUSTON-DALLAS, TEXAS
www.rvaarch.com



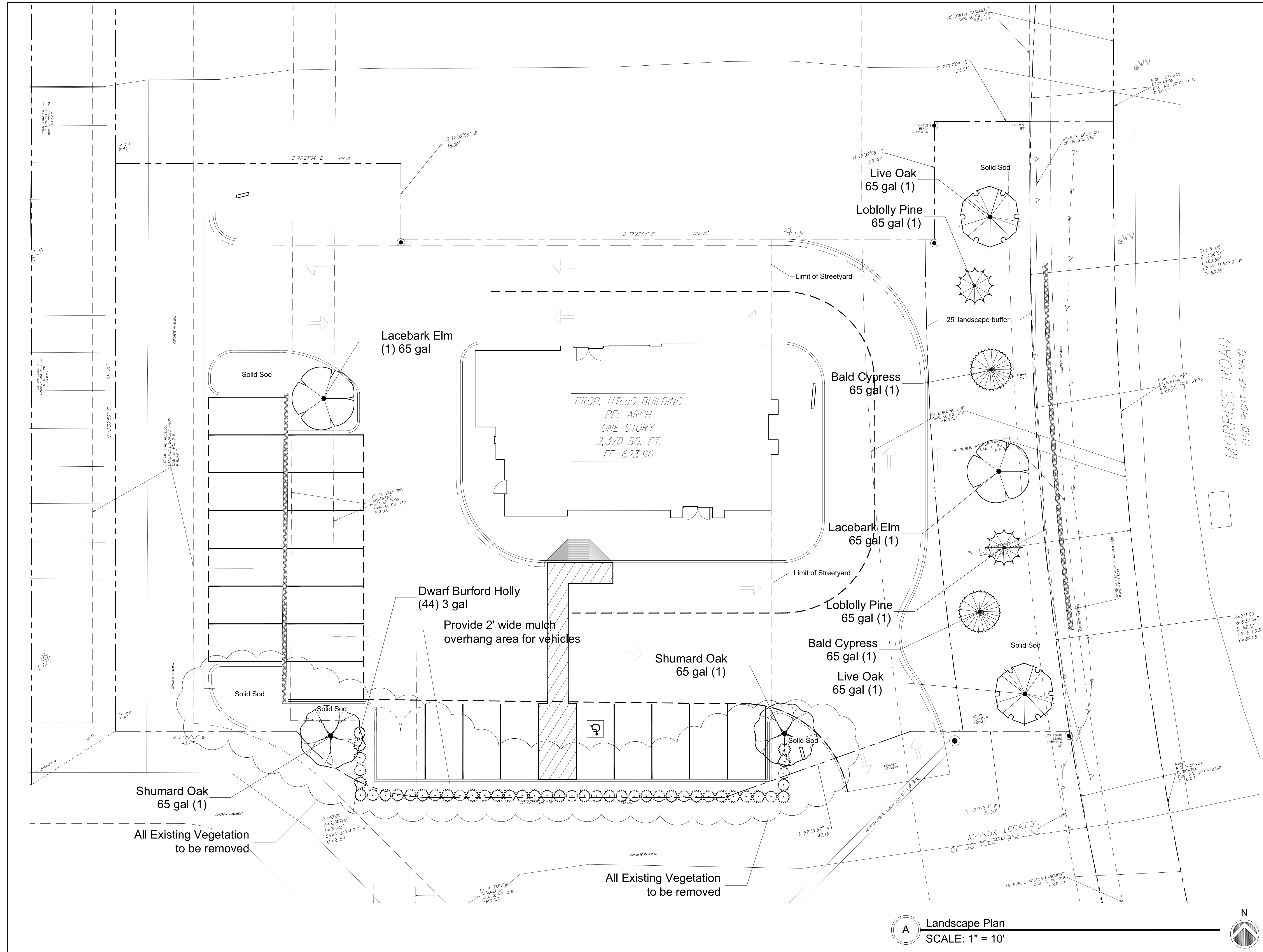
HTea0 - Flower Mound Tx

Cross Timbers Road
Flower Mound, Texas 75028



PROJECT NUMBER		21069
DRAWN BY		
CHECKED BY		
REVISIONS		
No.	Description	Date
1	Parks & Planning comments	4.19.22
2	City Planning comments	5.09.22
3	City comments	6.10.22
Issue for Permit - Site Plan Approval		

L1.01 Landscape Plan



A Landscape Plan
SCALE: 1" = 10'

LANDSCAPE NOTES

GENERAL

- Contractor shall obtain all required permits prior to starting construction.
- Contractor shall comply with all applicable codes, laws, and regulations required by any authorities having jurisdiction over project site.
- All underground utility locations shall be verified by Contractor prior to any site excavation.
- The Contractor shall verify all material measurements and plant quantities.
- Contractor to attend pre-installation meeting and participate in an installation meeting with Owner's Representative.

MATERIALS

- TOPSOIL**
Provide topsoil which is fertile, friable, natural loam, surface soil, free of subsoil, clay lumps, brush, weeds and other litter, and free of roots, stumps, stones larger than 2 inches in any dimension and other extraneous or toxic matter harmful to plant growth.
- PLANTING MIX**
All tree and shrub pit areas shall be backfilled with a prepared planting mix consisting of: 50% topsoil, 25% compost, 25% sand (not bank sand).
- PLANT MATERIAL**
 - Planting shall be of normal growth, free of disease, insects, insect eggs and larva, and have strong root systems. Plant material shall be typical for variety and species and conform to size specified in plant list.
 - All plant material shall meet or exceed the size specified in the plant list.
- MULCH**
All mulch shall be shredded hardwood mulch.
- TREE STAKING**
 - Hose shall be 2 ply reinforced rubber hose.
 - Wire shall be no.10 or 12 gauge twisted taunt with one wire per hose.
 - Stakes shall be metal.

PLANT INSTALLATION

- Excavation for container trees shall be twice the width of the container (with angled sides) and the depth shall be the container depth.
- Set plants at the same relationship to finish grade as they bore to the ground from which they were in their container.
- Utilities, rock, tree roots, or obstructions encountered in site inspection or excavation of tree or shrub pits shall be brought to the attention of the Owner. Proceed with work after alternate planting locations have been designated or approved by the Owner's Representative.
- When plant pits have been backfilled approximately $\frac{2}{3}$ full with soil mixture, water thoroughly before installing remaining soil, allowing soil to settle. After water has been absorbed, fill pit with soil mix.
- Form an earth saucer around the perimeter of plant pits.
- Water all plant material immediately after planting.
- Mulch all plant material 2"-3" deep after planting.
- When staking plants, plants shall stand plumb after staking and all trees shall be staked within 24 hours of planting. Stakes shall be driven into ground outside of excavated hole.

GRASS PLANTING

SURFACE PREPARATION

- Clean all areas of weeds and debris prior to any soil preparation or grading work.
- Remove all core plugs, debris, roots, rocks, clods, and construction debris and dispose off site.

SOLID SOD:

- See plant list for type of sod to be used.
- Add 1" minimum, or as-needed, of final grade material as a setting bed for sod.
- Sod areas to be graded to achieve proper final elevations and allowing smooth drainage.
- Grades to be approved before sodding.
- Lay sod in rows with staggered joints. Butt sections tightly without overlapping or leaving gaps between sections. Joints to be sand filled.
- Roll sodded areas in two directions perpendicular to each other.
- Repair and re-roll areas with lump, depressions, or other irregularities.
- Water sodded areas immediately after planting to provide minimum of four (4) inches of penetration into soil below sod.

CLEANUP

- The site shall be kept as clean as possible at all times.
- As planting operations proceed, all rope, wire, empty containers, rocks, clods and any other debris shall not be allowed to accumulate and should be removed daily.
- After planting operations are complete, all paved surfaces shall be swept and washed if necessary.

MAINTENANCE

- Contractor shall begin maintenance upon starting any portion of work and shall continue 60 days beyond Substantial Completion.
- Maintenance of all new planting shall consist of watering, weeding, mulching, tightening and repairing guys, resetting plants to proper grades or upright position, and keeping plants free of insects and disease.
- New lawn maintenance shall consist of mowing, watering, weeding, repairing all erosion, and reseeding as necessary to establish a uniform stand of the specified grass.

WARRANTY

- Contractor shall warrant that all trees, shrubs, and groundcover planted under this contract will remain healthy and alive for one (1) year after Substantial Completion.

Landscape Tabulations

STREET YARD LANDSCAPING			
Standard	Total Street Yard	Required	Provided
Min. 20% of street yard	6,382 s.f.	1,276 s.f.	2,507 s.f. (39%)

STREET YARD TREES			
Standard	Total Street Yard	Required	Provided
1 tree per 1,000 sf	6,382 s.f.	7 trees	8 trees

STREET BUFFER TREES			
Standard	Street Frontage	Required	Provided
1 per 30 l.f.	146 l.f.	5 trees	7 trees

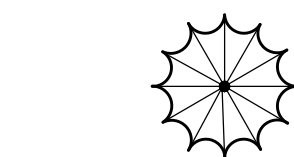
PARKING AREA LANDSCAPING			
Standard	No. of Parking Spaces	Required	Provided
90 s.f. per 12 spaces	22	180 s.f.	948 s.f.

PARKING AREA TREES			
Standard	No. of Parking Spaces	Required	Provided
1 per 10 spaces	22	2	3

All Parking Spaces are located within 50' of a tree

PLANT SCHEDULE

TREES

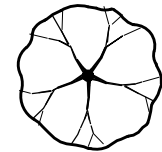


Pinus taeda / Loblolly Pine

65 gal

3"Cal

2

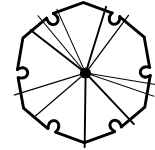


Quercus shumardii / Shumard Oak

65 gal

3"Cal

2

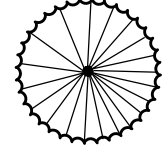


Quercus virginiana / Live Oak

65 gal

3"Cal

2

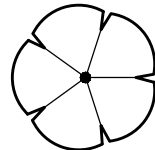


Taxodium distichum / Bald Cypress

65 gal

3"Cal

2



Ulmus parvifolia `Allee` / Lacebark Elm

65 gal

3"Cal

2

SHRUBS

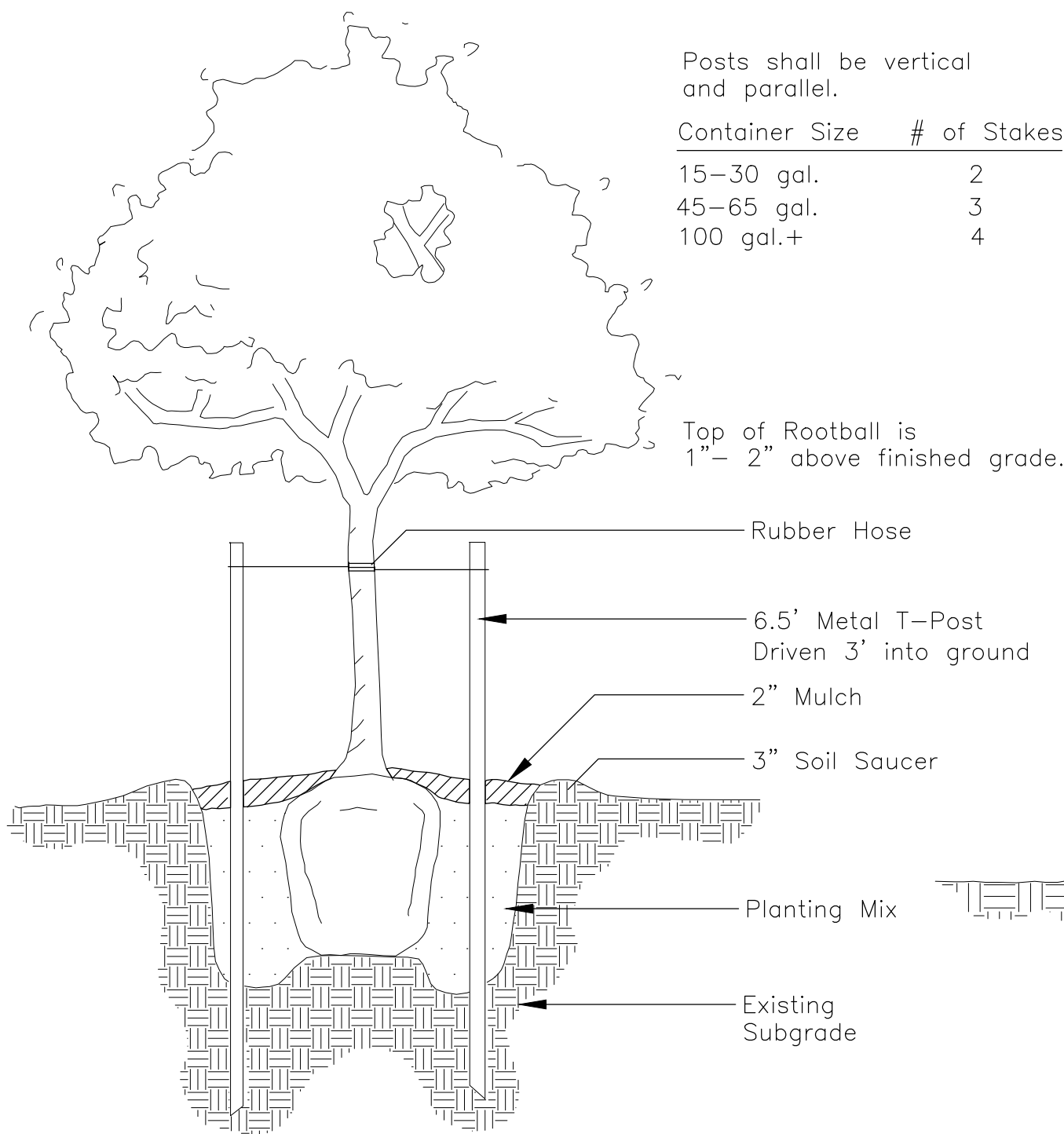


Ilex cornuta 'Burfordii Nana' / Dwarf Burford Holly

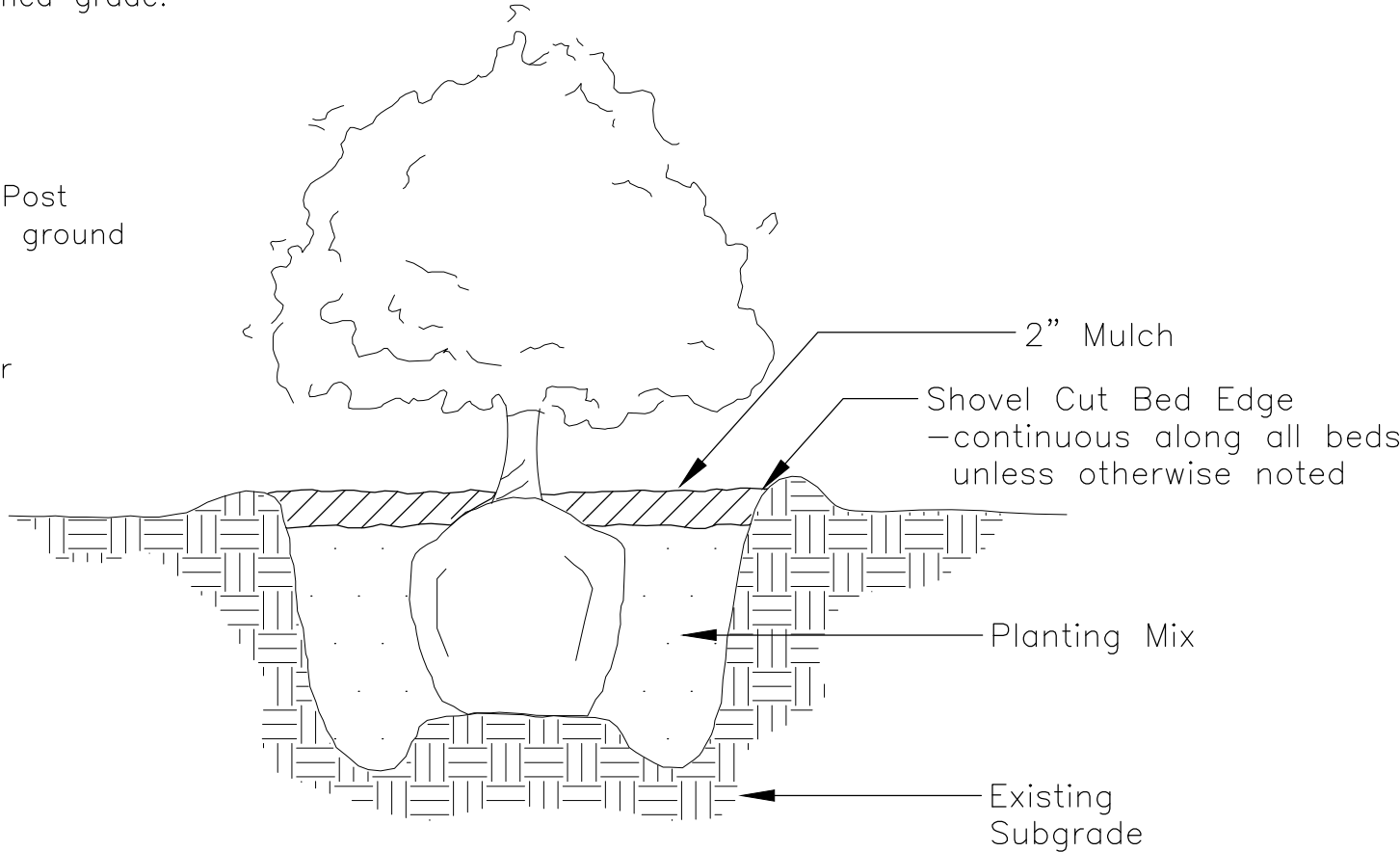
3 gal

44

Common Bermuda Solid Sod



C Tree Planting
NTS



B Shrub Planting
NTS



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HOUSTON-DALLAS, TEXAS
www.rvaarch.com



HTeaO - Flower Mound Tx
Cross Timbers Road
Flower Mound, Texas 75028



PROJECT NUMBER		21069
DRAWN BY		
CHECKED BY		
REVISIONS		
No.	Description	Date
1	Parks & Planning comments	4.19.22
2	City Planning comments	5.09.22
3	City comments	6.10.22
4	City comments	7.06.22
Issue for Permit - Site Plan Approval		

L1.02
Landscape
Details



HTeaO Flower Mound East



MASONRY
WAINSCOT

MATERIAL CALCULATION TABLE				
	NORTH	SOUTH	EAST	WEST
1. TOTAL FAÇADE S.F.	1466 S.F.	1324 S.F.	831 S.F.	819 S.F.
2. FAÇADE S.F. (EXCLUSIVE OF DOORS AND WINDOWS)	1361 S.F.	1219 S.F.	711 S.F.	795 S.F.
3. DOORS AND WINDOWS S.F.	105 S.F.	105 S.F.	120 S.F.	24 S.F.
4. PRIMARY MASONRY TOTALS (MIN. 80%)	1301 S.F. AND 96%	1168 S.F. AND 96%	676 S.F. AND 95%	772 S.F. AND 97%
• STUCCO S.F.	947 S.F. AND 70%	863 S.F. AND 71%	339 S.F. AND 48%	514 S.F. AND 65%
• BRICK S.F.	354 S.F. AND 26%	305 S.F. AND 25%	337 S.F. AND 47%	258 S.F. AND 32%
5. SECONDARY MASONRY TOTALS (MAX. 20%)	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 3%
• METAL TRIMS & CANOPIES	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 3%

FAÇADE MATERIAL LEGEND

- STUCCO
- STUCCO UPPER BAND
- CAST STONE BAND
- MASONRY WAINSCOT
- COMPOSITE SIDING
- METAL CANOPIES / PARAPET TRIMS / LEADER BOXES / DOWNSPOUTS
- METAL DOOR / WINDOW FRAMES

SIGNS REQUIRE A SEPARATE BUILDING PERMIT. ANY SIGNS DEPICTED ON THE SUBJECT SITE PLAN/ELEVATIONS ARE NOT APPROVED AS A PART OF THIS REVIEW AND MUST COMPLY WITH ALL APPLICABLE TOWN REGULATIONS

ANY EXTERNAL ELECTRICAL PANELS WILL BE PAINTED/TEXTURED TO MATCH THE MATERIAL AND COLOR OF THE BUILDING



HTeaO Flower Mound North



MASONRY WAINSCOT

MASONRY WAINSCOT

MATERIAL CALCULATION TABLE				
	NORTH	SOUTH	EAST	WEST
1. TOTAL FAÇADE S.F.	1466 S.F.	1324 S.F.	831 S.F.	819 S.F.
2. FAÇADE S.F. (EXCLUSIVE OF DOORS AND WINDOWS)	1361 S.F.	1219 S.F.	711 S.F.	795 S.F.
3. DOORS AND WINDOWS S.F.	105 S.F.	105 S.F.	120 S.F.	24 S.F.
4. PRIMARY MASONRY TOTALS (MIN. 80%)	1301 S.F. AND 96%	1168 S.F. AND 96%	676 S.F. AND 95%	772 S.F. AND 97%
• STUCCO S.F.	947 S.F. AND 70%	863 S.F. AND 71%	339 S.F. AND 48%	514 S.F. AND 65%
• BRICK S.F.	354 S.F. AND 26%	305 S.F. AND 25%	337 S.F. AND 47%	258 S.F. AND 32%
5. SECONDARY MASONRY TOTALS (MAX. 20%)	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 97%
• METAL TRIMS & CANOPES	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 3%

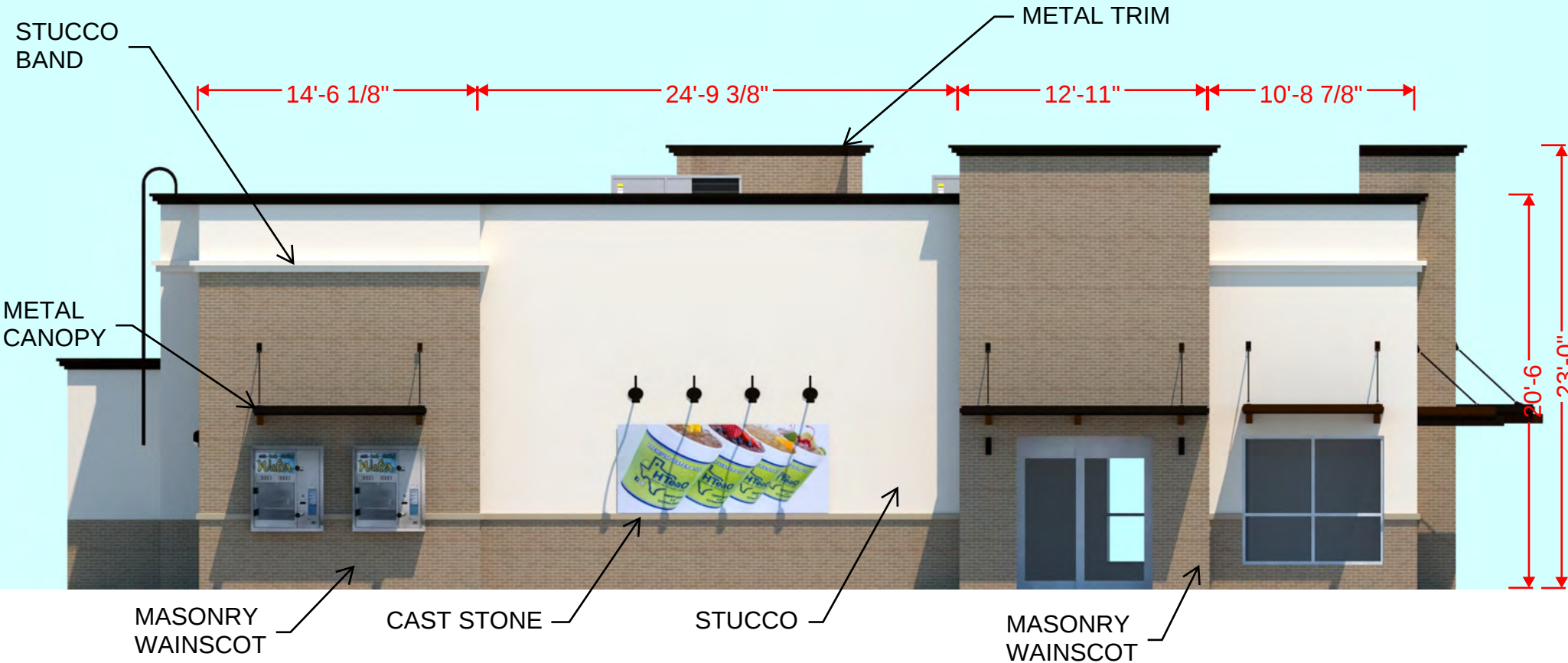
FAÇADE MATERIAL LEGEND	
1	STUCCO
2	STUCCO UPPER BAND
3	CAST STONE BAND
4	MASONRY WAINSCOT
5	COMPOSITE SIDING
6	METAL CANOPIES / PARAPET TRIMS / LEADER BOXES / DOWNSPOUTS
7	METAL DOOR / WINDOW FRAMES

SIGNS REQUIRE A SEPARATE BUILDING PERMIT. ANY SIGNS DEPICTED ON THE SUBJECT SITE PLAN/ELEVATIONS ARE NOT APPROVED AS A PART OF THIS REVIEW AND MUST COMPLY WITH ALL APPLICABLE TOWN REGULATIONS

ANY EXTERNAL ELECTRICAL PANELS WILL BE PAINTED/TEXTURED TO MATCH THE MATERIAL AND COLOR OF THE BUILDING



HTeaO Flower Mound South



MATERIAL CALCULATION TABLE				
	NORTH	SOUTH	EAST	WEST
1. TOTAL FAÇADE S.F.	1468 S.F.	1324 S.F.	831 S.F.	819 S.F.
2. FAÇADE S.F. (EXCLUSIVE OF DOORS AND WINDOWS)	1361 S.F.	1219 S.F.	711 S.F.	795 S.F.
3. DOORS AND WINDOWS S.F.	105 S.F.	105 S.F.	120 S.F.	24 S.F.
4. PRIMARY MASONRY TOTALS (MIN. 80%)	1301 S.F. AND 96%	1168 S.F. AND 96%	676 S.F. AND 95%	772 S.F. AND 97%
• STUCCO S.F.	947 S.F. AND 70%	863 S.F. AND 71%	339 S.F. AND 48%	514 S.F. AND 65%
• BRICK S.F.	354 S.F. AND 26%	305 S.F. AND 25%	337 S.F. AND 47%	258 S.F. AND 32%
5. SECONDARY MASONRY TOTALS (MAX. 20%)	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 3%
• METAL TRIMS & CANOPIES	60 S.F. AND 4%	51 S.F. AND 4%	35 S.F. AND 5%	23 S.F. AND 3%

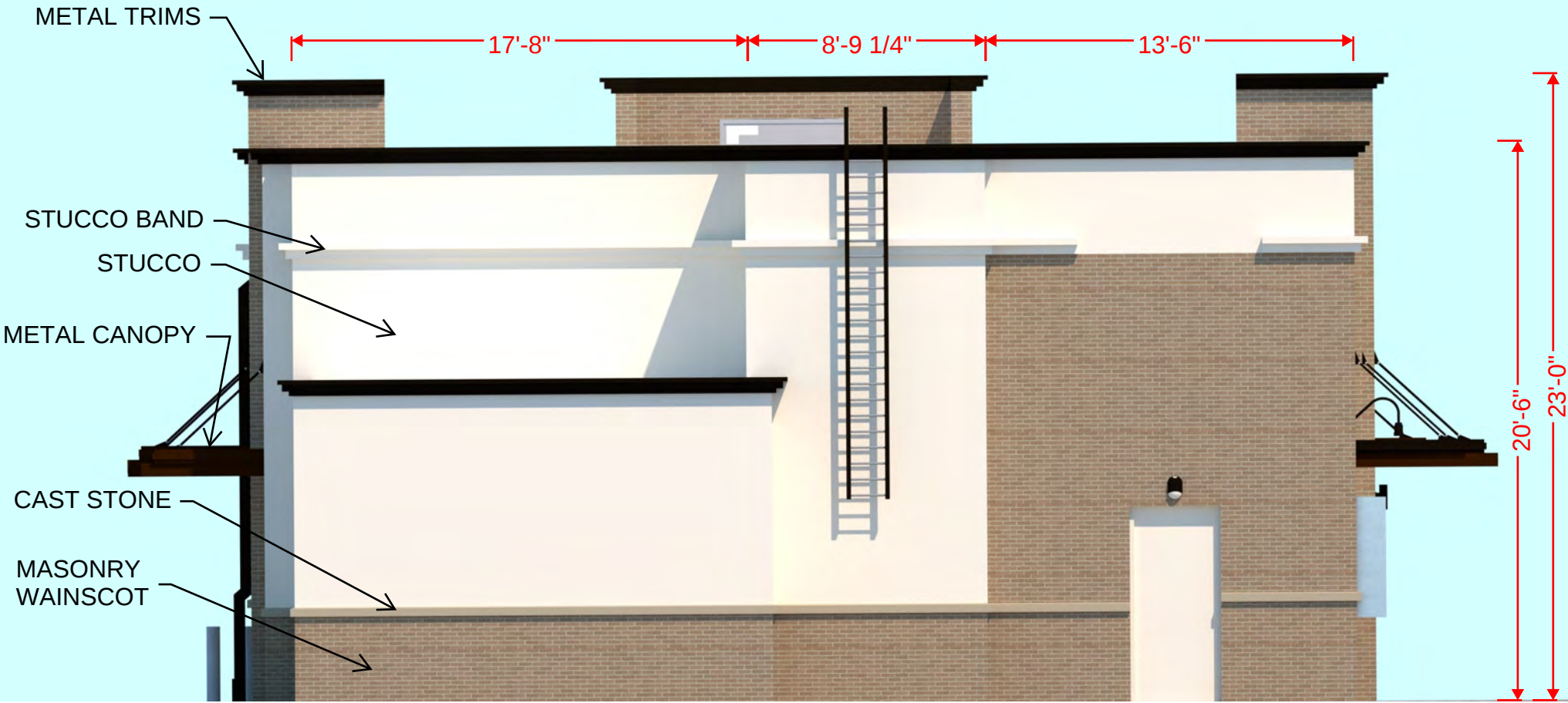
FAÇADE MATERIAL LEGEND	
1	STUCCO
2	STUCCO UPPER BAND
3	CAST STONE BAND
4	MASONRY WAINSCOT
5	COMPOSITE SIDING
6	METAL CANOPIES / PARAPET TRIMS / LEADER BOXES / DOWNSPOUTS
7	METAL DOOR / WINDOW FRAMES

SIGNS REQUIRE A SEPARATE BUILDING PERMIT. ANY SIGNS DEPICTED ON THE SUBJECT SITE PLAN/ELEVATIONS ARE NOT APPROVED AS A PART OF THIS REVIEW AND MUST COMPLY WITH ALL APPLICABLE TOWN REGULATIONS

ANY EXTERNAL ELECTRICAL PANELS WILL BE PAINTED/TEXTURED TO MATCH THE MATERIAL AND COLOR OF THE BUILDING



HTeaO Flower Mound West



MATERIAL CALCULATION TABLE				
	NORTH	SOUTH	EAST	WEST
1. TOTAL FAÇADE S.F.	1466 S.F.	1324 S.F.	831 S.F.	819 S.F.
2. FAÇADE S.F. (EXCLUSIVE OF DOORS AND WINDOWS)	1361 S.F.	1219 S.F.	711 S.F.	795 S.F.
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FAÇADE MATERIAL LEGEND	
1	STUCCO
2	STUCCO UPPER BAND
3	CAST STONE BAND
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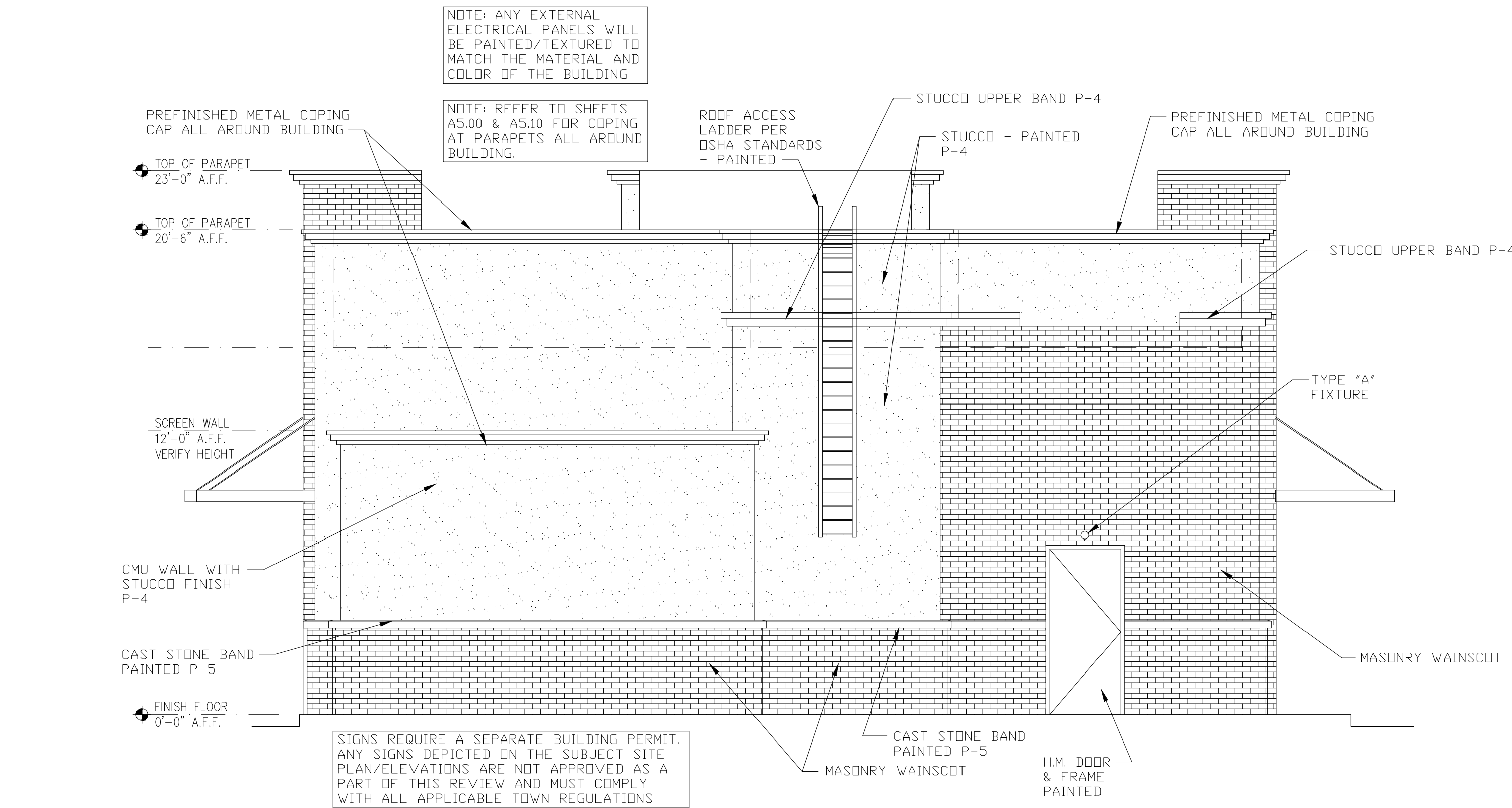
HTea0 - Flower Mound Tx
Cross Timbers Road
Flower Mound, Texas 75028



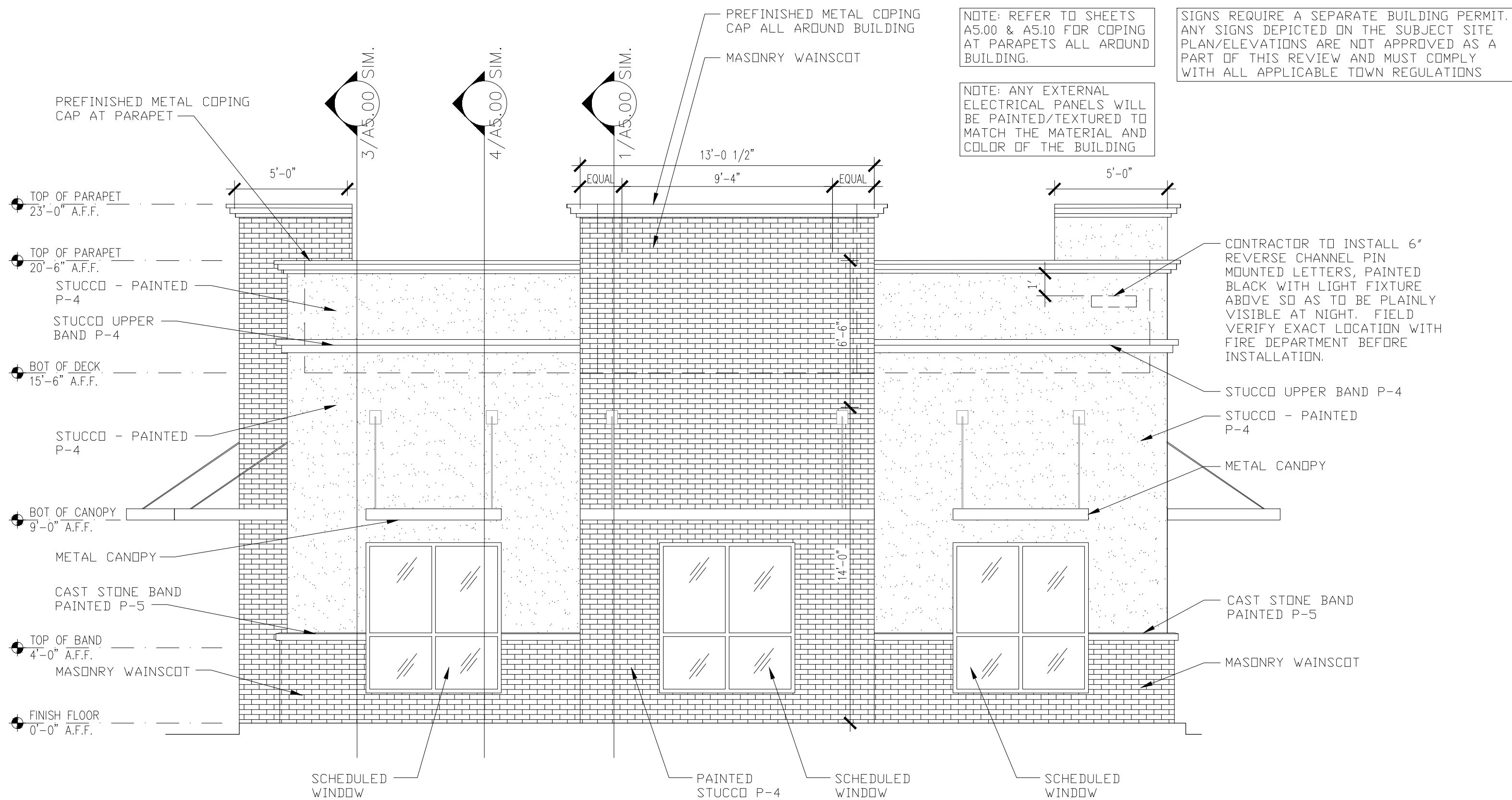
PROJECT NUMBER		21069
DRAWN BY		TPR
CHECKED BY		TPR
REVISIONS		
No.	Description	Date
1	CITY COMMENTS	04.04.22
2	CITY COMMENTS	04.29.22
3	CITY COMMENTS	06.07.22
4	CITY COMMENTS	06.16.22

FOR BID

A3.00
EXTERIOR
ELEVATIONS
11



2 WEST EXTERIOR ELEVATION
1/4" = 1'-0"



1 EAST EXTERIOR ELEVATION
1/4" = 1'-0"

NOTE:

REFER TO SHEET A2.20 FOR FINISHES SCHEDULE

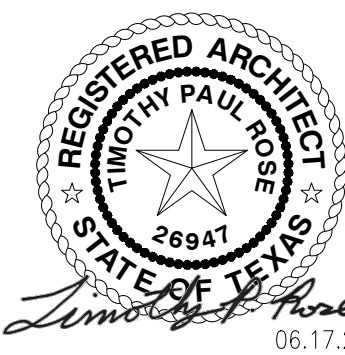
FINISH SCHEDULE			
MARK	DESCRIPTION	COLOR & FINISH	MANUFACTURER
P-3	HOLLOW METAL DOOR & FRAMES	SW 7664 - STEELY GRAY, SEMI-GLOSS FINISH	SHERWIN WILLIAMS
P-4	MAIN WALL COLOR (INCLUDES STUCCO & MASONRY)	SW7002 DOWNY, SMOOTH FINISH	DRYIT
P-5	STUCCO TRIM BAND COLOR	SW7038 TONY TAUPE, SMOOTH FINISH	DRYIT
P-6	METAL CANOPIES, PARAPET TRIM, LEADER BOXES AND DOWNSPOUTS	DARK BRONZE	
CP-1	COMPOSITE SIDING AT ENTRY (POLYMER)	EQUAL PARTS OF FOLLOWING COLORS: 1. BRAZILIAN IPE 2. PERUVIAN TEAK 3. SPANISH WALNUT 4. HAWAIIAN CHARCOAL CORNERS AND TRIM: BRAZILIAN IPE	NEW TECHWOOD
--	MODULAR BRICK	KO-KO BROWN (VELOUR)	ACME BRICK
NOTES: 1) PAINT BRAND: SHERWIN WILLIAMS. 2) STUCCO EXTERIOR FINISH INSULATION SYSTEM (DRYIT) COLORS: FREE STYLE/SMOOTH FINISH			

MATERIAL CALCULATION TABLE					
	NORTH	SOUTH	EAST	WEST	
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3	CAST STONE BAND
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6	METAL CANOPIES / PARAPET TRIMS / LEADER BOXES / DOWNSPOUTS
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HTea0 - Flower Mound Tx
Cross Timbers Road
Flower Mound, Texas 75028



PROJECT NUMBER		21069
DRAWN BY		TPR
CHECKED BY		TPR
REVISIONS		
No.	Description	Date
1	CITY COMMENTS	04.04.22
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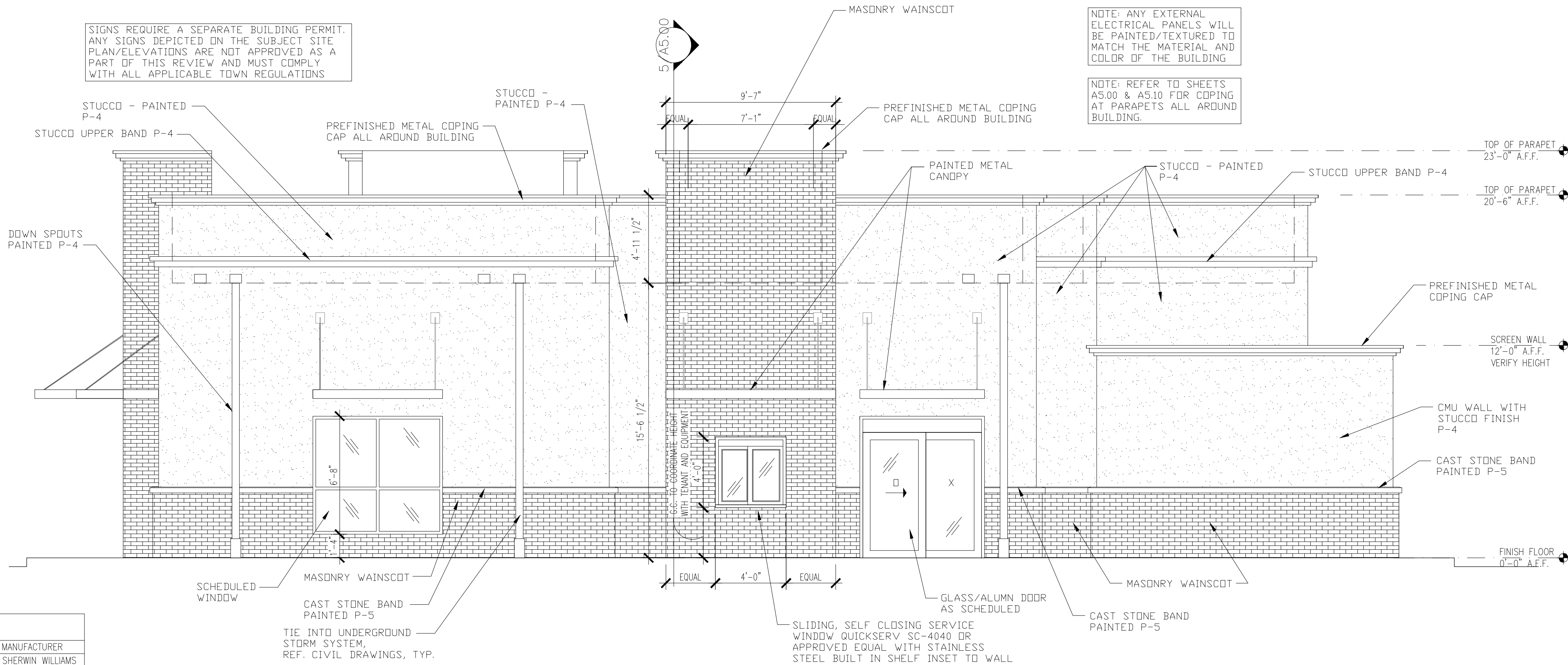
FOR BID

A3.01
EXTERIOR
ELEVATIONS
11

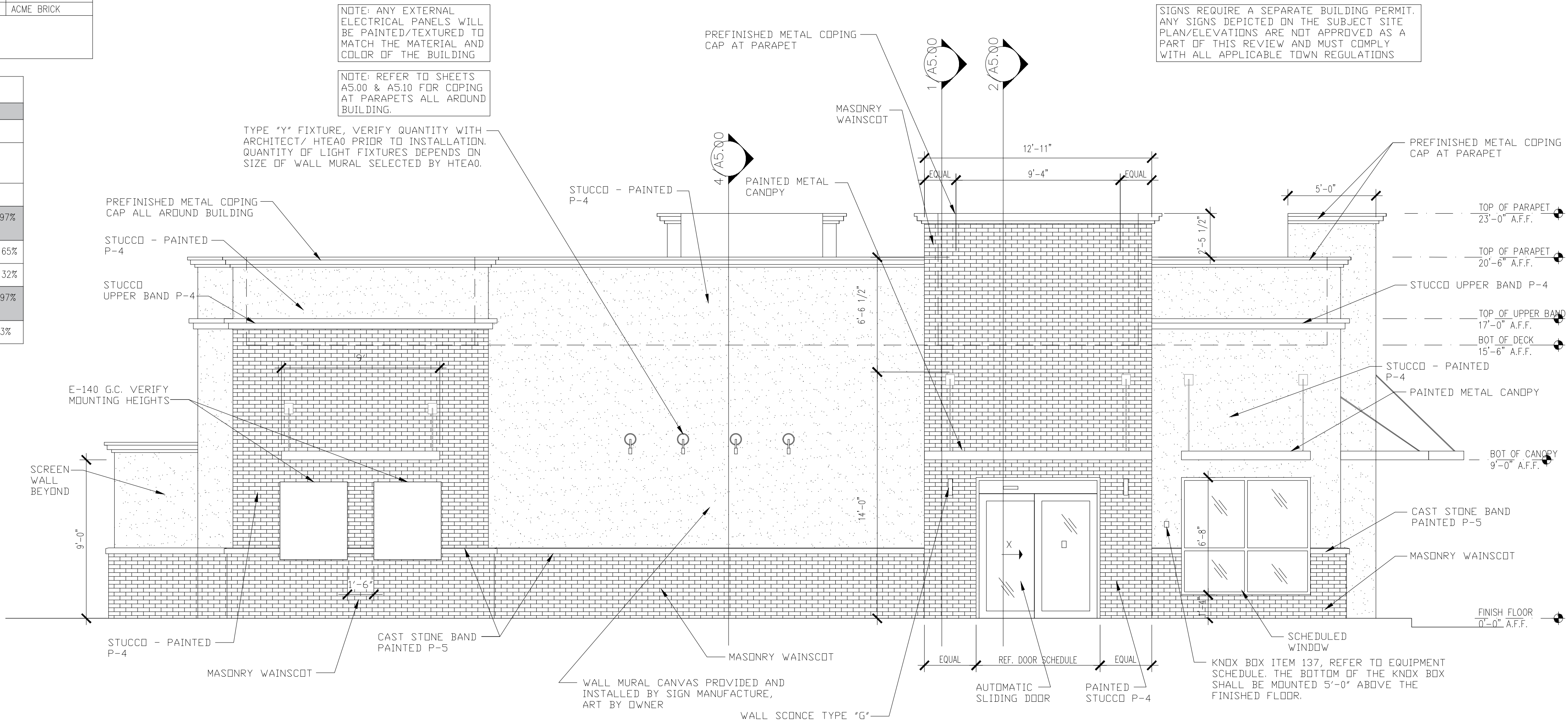
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2 NORTH EXTERIOR ELEVATION
1/4" = 1'-0"



1 SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"

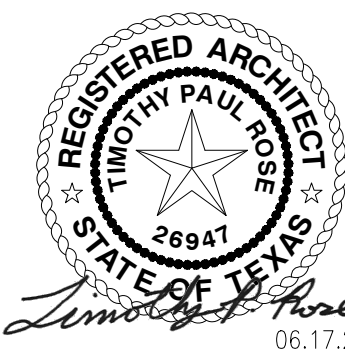
NOTE:

REFER TO SHEET A2.20 FOR FINISHES SCHEDULE



HTeaO – Flower Mound Tx

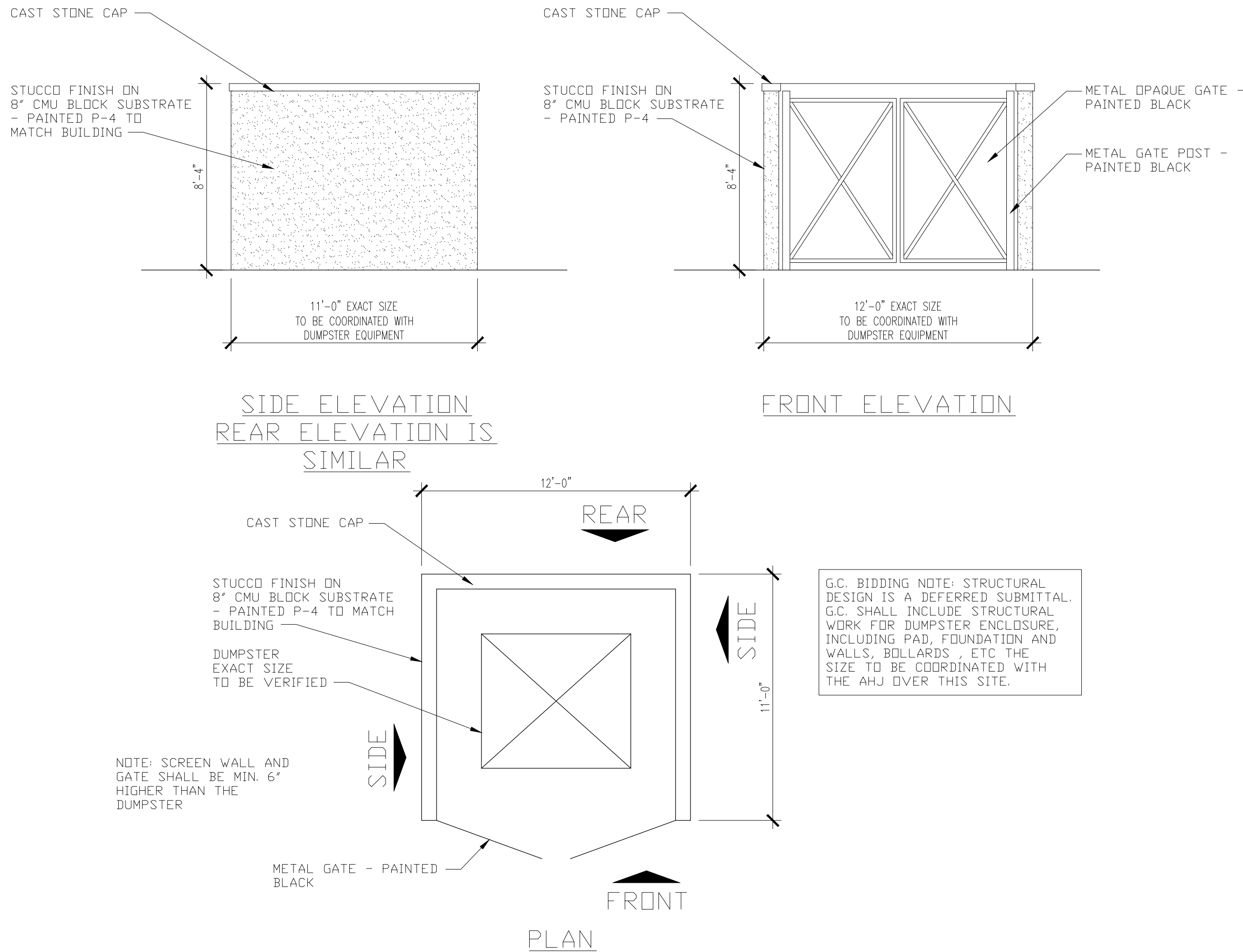
Cross Timbers Road
Flower Mound, Texas 75028



PROJECT NUMBER		21069
DRAWN BY		TPR
CHECKED BY		TPR
REVISIONS		
No.	Description	Date
1	CITY COMMENTS	04.04.22
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4	CITY COMMENTS	06.16.22
FOR BID		

A3.02

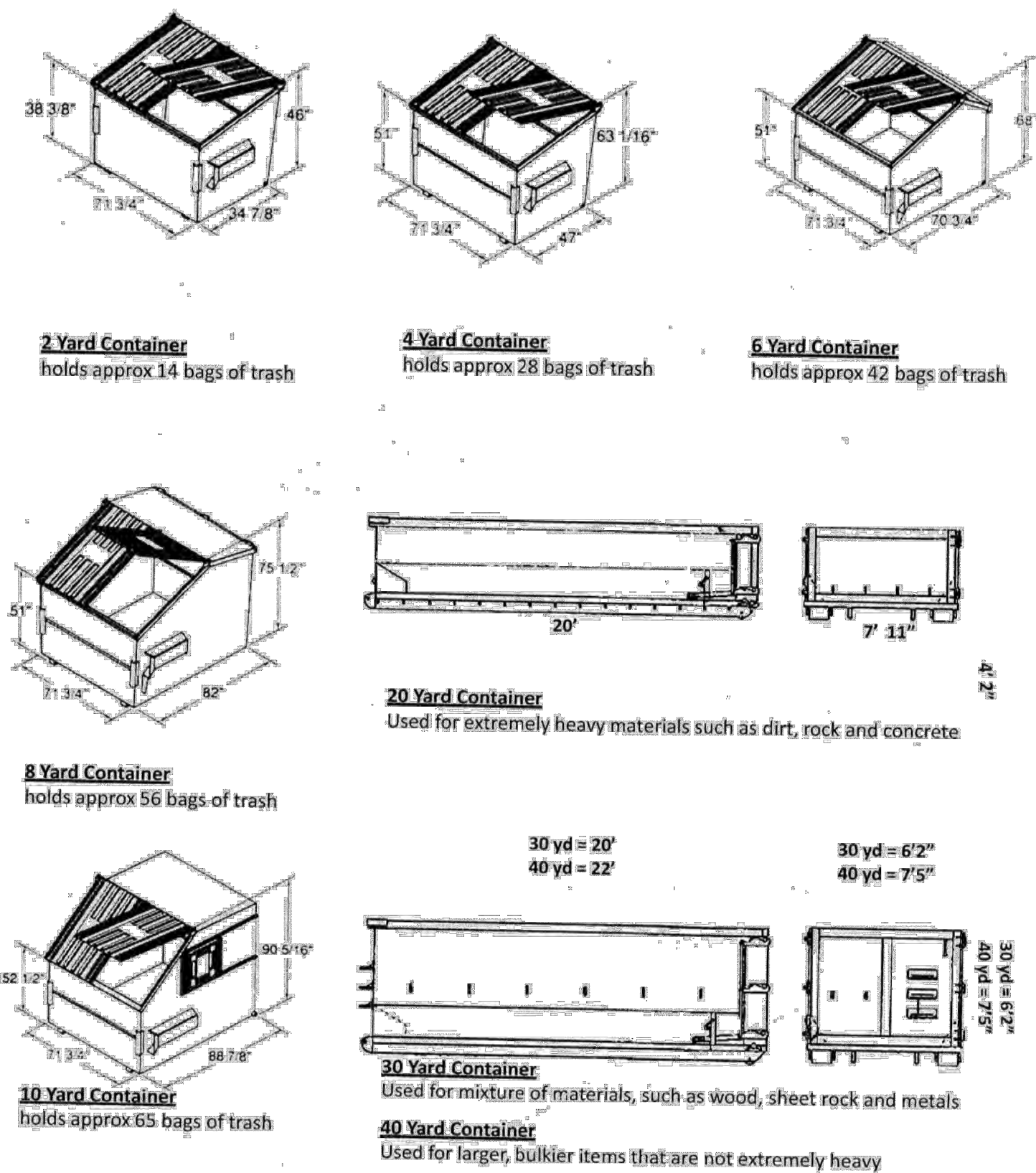
DUMPSTER ENCLOSURE DESIGN



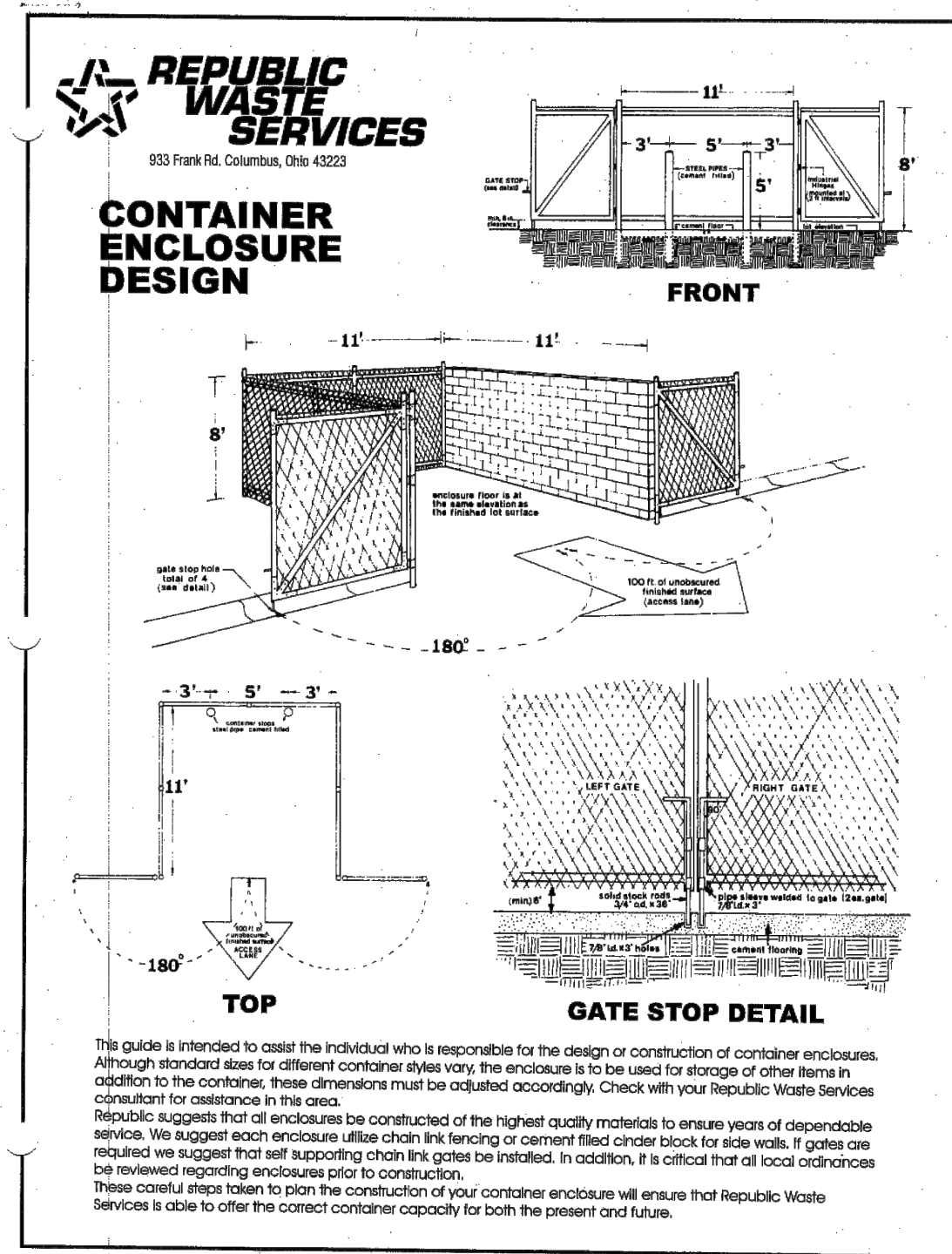
4 DUMPSTER SCREEN ENCLOSURE
1/4" = 1'-0"

FINISH SCHEDULE		
MARK	DESCRIPTION	COLOR & FINISH
P-3	HOLLOW METAL DOOR & FRAMES	SW 7664 – STEELY GRAY, SEMI-GLOSS FINISH
P-4	MAIN WALL COLOR (INCLUDES STUCCO & MASONRY)	SW7002 DOWNY, SMOOTH FINISH
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---	MODULAR BRICK	KO-KO BROWN (VELOUR)
MANUFACTURER		SHERWIN WILLIAMS
		DRYVIT
		DRYVIT
		NEW TECHWOOD
		ACME BRICK

NOTES:
1) PAINT BRAND: SHERWIN WILLIAMS.
2) STUCCO EXTERIOR FINISH INSULATION SYSTEM (DRYVIT) COLORS: FREE STYLE/SMOOTH FINISH



2 CONTAINER GUIDE
NO SCALE



1 DUMPSTER SCREEN ENCLOSURE
NO SCALE

NOTE:

REFER TO SHEET A2.20 FOR FINISHES SCHEDULE



PLANNING AND ZONING COMMISSION

AGENDA ITEM NO: 3

REGULAR ITEM

DATE: July 11, 2022

FROM: Claire Barnes, Planner

ITEM: **Public Hearing to consider an ordinance granting a Specific Use Permit No. 478 (SUP22-0001– 1307 College Parkway Accessory Dwelling) to permit an accessory dwelling. The property is generally located south of College Parkway and west of Kirkpatrick Lane.**

I. ITEM SUMMARY

This application has been reviewed by DRC and determined to be ready for consideration by the Planning and Zoning Commission.

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

The purpose of this application is to request approval of a Specific Use Permit (SUP-478) to allow for a 1,780-square-foot (habitable area) accessory dwelling on a 2.2-acre lot currently zoned Single-Family Estate District (SF-E) and designated for Estate land uses. Section 98-273 of the Land Development Regulations requires Town Council approval of a Specific Use Permit for an accessory dwelling within the SF-E zoning district. The lot is currently developed with a 4,095-square-foot (habitable area) main dwelling on the existing lot. The accessory dwelling will be roughly 1,780 square feet of habitable floor area, which is approximately 43.5 percent of the main structure, and the lot coverage for the property will be approximately 9.6 percent, which is below the allowable maximum lot coverage in SF-E of 25 percent. Colors used will match and/or complement the main dwelling. In addition, the accessory dwelling will be located at least 20 feet from all property lines and at least 10 feet back from the rear wall of the main dwelling, in compliance with setback requirements.

Section 98-983 of the Code of Ordinances contains additional provisions for the construction and occupancy of accessory dwellings (see below). Seven of the nine regulations are addressed with this proposal. The remaining two provisions prohibit the accessory dwelling from being used as a rental property and require the accessory building to be served by the same utility meters as the existing primary dwelling; these will be addressed during the building permit review phase.

Sec. 98-983. - Accessory dwelling.

The issuance of permits for construction and occupancy of an accessory dwelling shall be subject to compliance with the following conditions:

- (1) The accessory dwelling shall be located on the same lot/tract as the existing primary dwelling and located in a separate structure.
- (2) An accessory dwelling shall not be located on any lot/tract of less than two acres.
- (3) No more than one accessory dwelling per tract or lot shall be allowed.
- (4) Accessory dwellings shall not be used as rental units.
- (5) The accessory dwelling shall be serviced by the same utility meter as the primary dwelling, and the building materials and architecture will be similar to or in concert with the primary dwelling.
- (6) The habitable floor area of the accessory dwelling shall not exceed 50 percent of the habitable floor area of the primary dwelling. The maximum habitable floor area shall not exceed 2,000 square feet.
- (7) An accessory dwelling shall conform to the same side and rear yard setbacks as provided for the primary dwelling in the zoning district in which it is located.
- (8) The front building line for an accessory dwelling shall be behind the primary structure at a point not closer than ten feet from the rear wall line of the primary dwelling.
- (9) In no case shall the combined area of the primary dwelling, accessory dwelling and/or other accessory buildings exceed the maximum percentage of lot coverage allowed for the zoning district in which the structures are located.

III. CORRESPONDENCE

The Town Code requires both public notice in a newspaper of general circulation (Denton Record Chronicle) and notification of the property owners within 200 feet of the subject property for all zoning application requests. SUP22-0001 had a total of 11 Property Owner Notifications mailed. At the time this report was written, staff had not received any correspondence regarding this item.

IV. ATTACHMENTS

A. Background Information

1. Vicinity Map
2. Letter of Intent

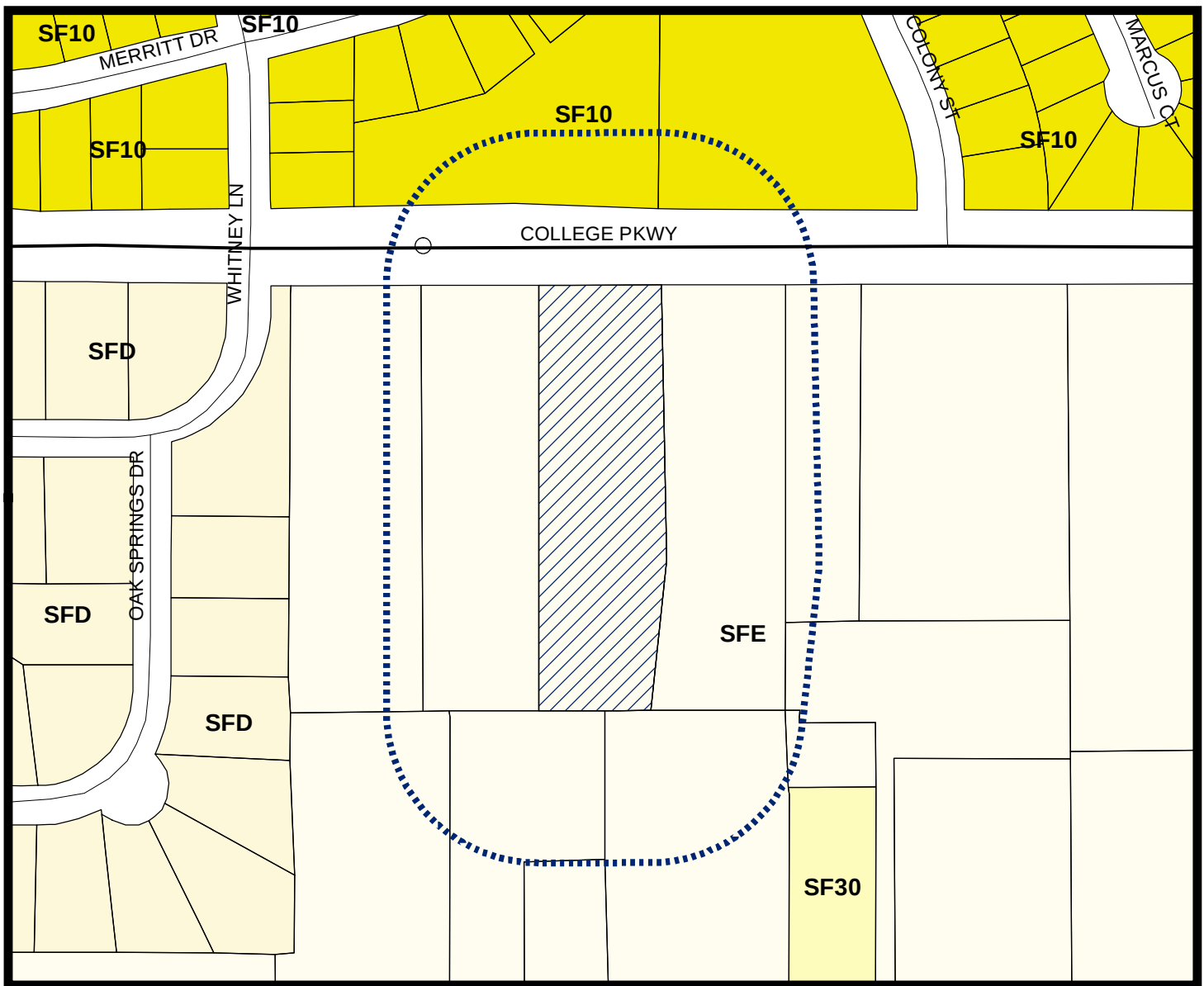
B. Application Details

1. Accessory Dwelling Package

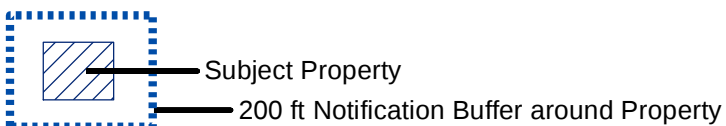


Vicinity Map

Reference Project: SUP22-0001

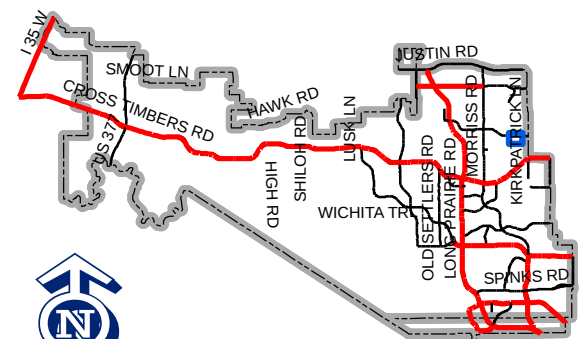


LEGEND

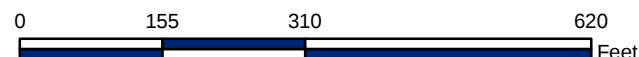


Visit www.fmdevmap.com to learn more about this project.

Visit <https://www.flower-mound.com/notifyme> to sign up for text message and/or email alerts for future projects.



Map Location



Steven & Beverly Owen
Gregory and Megan Owen
1307 College Pkwy
Flower Mound, TX 75028

Steven (214-734-1671) & Beverly (214-924-5710)
Gregory (972-672-2857) & Megan (972-765-4090)

Steven & Beverly: slosr17@verizon.net
Gregory & Megan: gregowen17@gmail.com

June 23, 2022

Town of Flower Mound
Planning Services Division
2121 Cross Timbers Road
Flower Mound, TX 75028

Re: **Second Submittal of** Letter of Intent and Consent Associated with the
Application of Steven, Beverly, Gregory & Megan Owen for a Specific Use
Permit (Accessory Dwelling Unit) to be Added to the Existing Homesite
Located at 1307 College Pkwy, Flower Mound, TX 75028

Legal Description: Fluffy Estates Block A, Lot 1, 2.2 Acres, Old DCAD TR # 24

Dear Sir or Madam:

In October 2021, we, a three-generation family consisting of Steven and Beverly Owen (Gregory's parents), Gregory and Megan Owen (Myla and Grady's parents) and Myla and Grady Owen (children/grandchildren, aged 6 and 2), purchased an approximate 4,000 square foot existing home on a beautiful 2.2-acre lot, **zoned Single Family Estate**, in the heart of Flower Mound. Everything about the home, the lot, the school district, the city, and the neighborhood exceeded our expectations for finding the perfect place for Myla and Grady to be raised in a loving, wholesome,

Town of Flower Mound
Planning Services Division
June 23, 2022
Page 2

supportive environment and for Steven and Beverly to put down their final roots after retirement. When this property became available, we knew it was the answer to our prayers. It was near perfect but would eventually need a smaller detached dwelling to be added for Steven and Beverly, near the existing main dwelling.

Prior to putting a contract on the home, in July 2021, Gregory requested and was almost immediately granted a brief meeting with several representatives of the Flower Mound Planning Services Division. We were so grateful for the way the group set aside time, right away, to answer our many questions. The meeting was not to assure us that our specific future request to construct an Accessory Dwelling Unit ("ADU") would be approved, but instead to inform us of the requirements and restrictions necessary for such a request to be approved. Thankfully, we learned that requests to add ADU's on properties like the one we were about to put a contract on, are routinely approved, provided that all City ordinances are met, and the step-by-step process established by the Town of Flower Mound is followed.

To be clear, our sole reason for building the ADU is to incorporate a separate retreat for Steven (current age 71) and Beverly (current age 65) at the end of each day, while also providing a space for them to comfortably age in place among loving family members. We are and have always been more than just family. We are also the best of friends.

Our ADU will meet all guidelines set forth by the Town of Flower Mound as specified in Section 98-273 of the Land Development Regulations, as well as Section 98-983 of the Code of Ordinances. The main dwelling, built in 1998, is approximately 4,000 square feet, and the ADU, as currently designed, will be 1,780 square feet. The ADU is designed to match the existing home, in every way. We will use the same

Town of Flower Mound
Planning Services Division
June 23, 2022
Page 3

architecture design, window shapes, white brick (patterns and designs included), green shingles, and trim paint. It is our goal to build it so that it seems it has always been there, perfectly blending with the main dwelling, even though the ADU will not be visible from the street or the front of the existing dwelling.

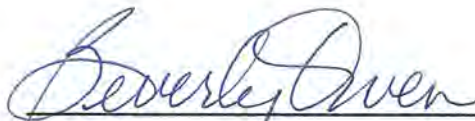
We are very anxious to speak with you further and address any remaining concerns that you may have. We have already submitted a significant portion of the information required, during our Development Review Committee telephone conference that occurred on January 18, 2022. Our assigned Project ID was DRC22-0002. We have made the corrections suggested during the review, as you will see in our modified floor plan, elevation plans, and site plan.

We are available any time to meet with you personally or to communicate with you via telephone email or text message. We will, of course, plan on attending the City Council meeting at which time we hope this request will be approved. If there is anything about our request that needs to be modified or changed further to meet the standards for approval, we are standing by to make such modifications.

Sincerely,



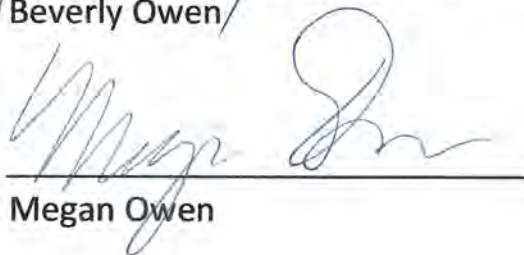
Steven Owen



Beverly Owen



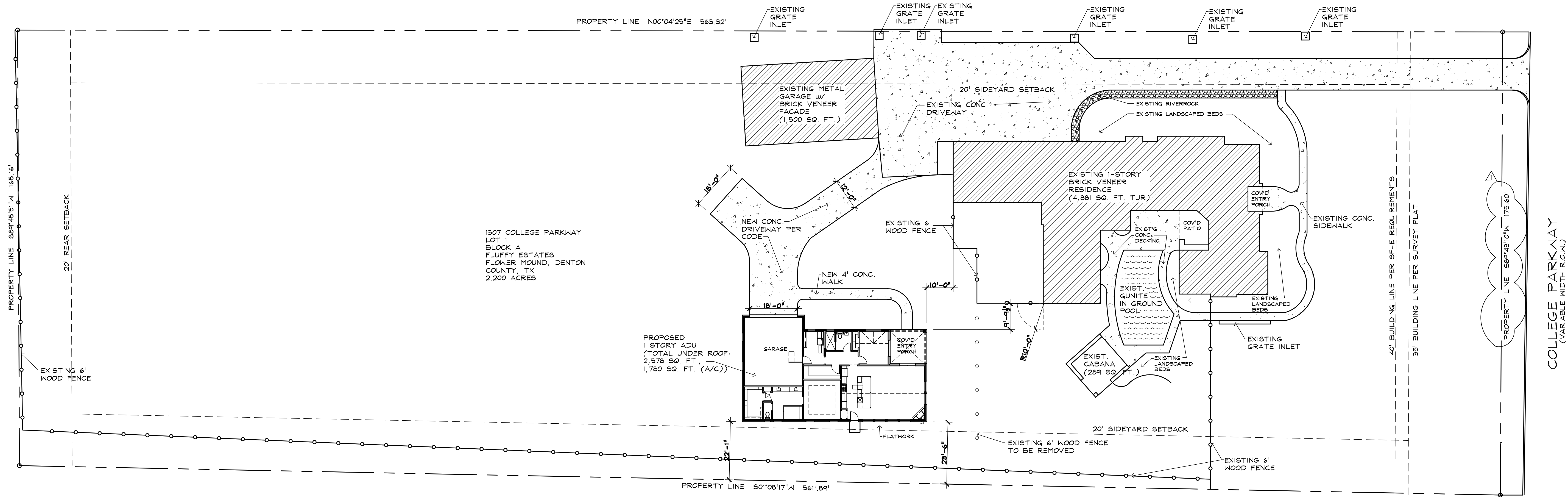
Gregory Owen



Megan Owen

1307 College Parkway Flower Mound, TX

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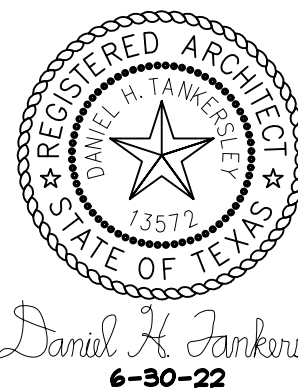
PROPOSED
SITE PLAN
SCALE: 1" = 20'-0"



AREA CALCULATIONS	
RESIDENCE - TOTAL UNDER ROOF -	4,881 SQ. FT.
LIVING AREA A/C	4,095 SQ. FT.
GARAGE	573 SQ. FT.
COVID FRONT PORCH & PATIO	213 SQ. FT.
EXISTING DETACHED GARAGE -	1,500 SQ. FT.
EXISTING CABANA -	289 SQ. FT.
PROPOSED ADU - TOTAL UNDER ROOF	2,577 SQ. FT.
LIVING AREA A/C	1,780 SQ. FT.
GARAGE	617 SQ. FT.
COVID FRONT PORCH	180 SQ. FT.

TOTAL SQUARE FOOTAGE OF STRUCTURES - 9,247 SQ. FT.
TOTAL SQUARE FOOTAGE OF PROPERTY - 95,632 SQ. FT.
9,247/ 95,632 = 9.65% OF COVERAGE

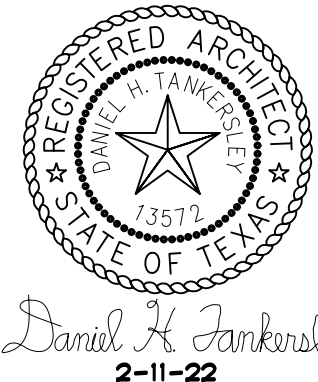
THESE ARE PRELIMINARY DRAWINGS AND
ARE NOT INTENDED FOR CONSTRUCTION.



REVISIONS	
6-22-22	PROP. LINE DIM.
6-30-22	LOT COVERAGE %
dht Architects, Inc.	
101 S. Main Street, Suite B	
Irving, Texas 75060	
972-258-0108	
dht	
Accessory Dwelling Unit for Steve & Kim Owen	
1307 College Parkway	
Flower Mound, TX	
DATE: 2-11-22	
SCALE: As Noted	
DRAWN: DHT	
JOB: 2022-01	
SHEET	
S1	
OF 1 SHEETS	

1307 College Parkway Flower Mound, TX

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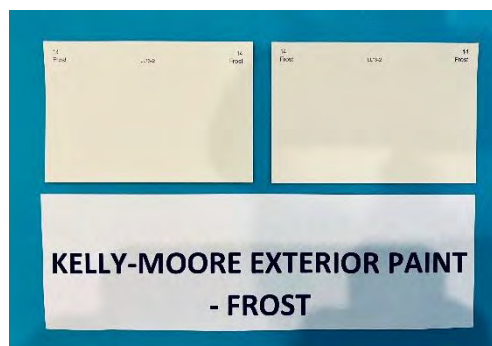
REVISIONS

dht Architects, Inc.
101 S. Main Street, Suite B
Irving, Texas 75060
972-258-6108



Accessory Dwelling Unit for
Steve & Kim Owen
1307 College Parkway
Flower Mound, TX

DATE: 2-11-22
SCALE: As Noted
DRAWN: DHT
JOB: 2022-01
SHEET
A2
OF 2 SHEETS



**Materials for ADU will consist of the same brands and colors used on the existing main dwelling.*

OWEN ADU - 1307 COLLEGE PKWY, FLOWER MOUND, TX 75028