

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

OCTOBER 17, 2016

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

6:00 P.M.

An agenda information packet is available online at www.flower-mound.com/AgendaCenter

Please silence or turn off all electronic devices in the Council Chambers.

A. CALL MEETING TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

D. PRESENTATIONS

1. Proclamation for "Hand to Paw Month" to be presented to Girl Scout Troop 4778
2. 2016 Arbor Day proclamation
3. Proclamation declaring November 2016 as Arts Month in Flower Mound
4. Presentation of donation by Friends of the Flower Mound Public Library
5. Veterans' Liaison report by Doug Brown
6. LISD Liaison report by Joanna Crowell Dreiling
7. Economic Development special recognition

E. PUBLIC PARTICIPATION

Please fill out a speaker form, available in the Town Hall on the night of the meeting, in order to address the Council and turn it in to the Town Secretary prior to Public Participation. Speakers are normally limited to three minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers. For additional instructions or to complete your speaker form in advance [click here](#).

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not the subject of a public hearing. Any item requiring a public hearing will allow the public to speak at the time that item appears on this agenda as indicated as a "Public Hearing." Items that are the subject matter jurisdiction of the Town Council include Town policy and legislative issues. Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling Town Hall at 972-874-6000 during business hours.

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

Town Council Meeting Agenda

October 17, 2016

Page 2

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.
3. Update and discussion on new town hall and library expansion.

H. FUTURE AGENDA ITEMS

The purpose of this item is to allow the Mayor and members of Council an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of Council 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).

I. COORDINATION OF CALENDARS

1. The next Town Council meeting is a joint work session with the Planning & Zoning Commission on October 20th.
2. The next Town Council regular meeting is a scheduled for November 7th.

J. CONSENT AGENDA - Consent Items

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

1. **Minutes 10/3** - Consider approval of the minutes from a regular meeting of the Town Council held on October 3, 2016.
2. **New traffic signal equipment** - Consider approval of the purchase of new traffic signal detection equipment for the Traffic Detection Rehabilitation project, from Twincrest Technologies, through the TxSmartBuy program, in the amount of \$124,988.00.
3. **Forest Vista Drive Reconstruction** - Consider approval of Change Order No. 2 for the Forest Vista Drive Reconstruction project, amending the contract with Tiseo Paving Company, for an increase to the contract amount of \$69,595.70; and authorization for the Mayor to execute same on behalf of the Town.
4. **WWTP project** - Consider approval of the purchase of materials and services identified in RFP No. TCPN-SWIII-10-5314 by Brown & Root Industrial Services, LLC., associated with rehabilitating Final Clarifier No. 2, of the Wastewater Treatment Plant Final Clarification Rehabilitation project, in the amount of \$308,498.00.
5. **Computer purchases** - Consider approval of the purchase of desktop and laptop computers, ruggedized laptop computers, CAD workstations computers and peripherals from Blueline Services, in the amount of \$162,735.79.
6. **Telecommunications system** - Consider approval to purchase a Telecommunications System, for the Town Hall project, in the amount of \$273,014.80.

Town Council Meeting Agenda

October 17, 2016

Page 3

K. REGULAR ITEMS**7. Smith Tract (MPA16-0005)****Public Hearing**

Public Hearing to consider a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trail Head, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Parks, Arts, and Library Services Board recommended denial by a vote of 4 to 0 at its September 1, 2016, meeting.) (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.) (The request related to the Paved Multi-Use Trail and Complete Streets-Bike Lanes has been withdrawn and is not under consideration by the Town Council.)*

8. Smith Tract (MPA16-0006)**Public Hearing**

Public Hearing to consider a request for a Master Plan Amendment (MPA16-0006 – Smith Tract) to amend Section 7.0, Thoroughfare Plan, by amending the Rural Collector cross-section for Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road adjacent to the Smith Tract to remove the bike lane designation, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Transportation Commission recommended denial by a vote of 5 to 1 at its September 13, 2016, meeting.) (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.) (This application has been withdrawn and is not under consideration by the Town Council.)*

9. Smith Tract (MPA16-0007)**Public Hearing**

Public Hearing to consider a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.)*

10. Urban Design Façade Materials (MPA16-0010)**Public Hearing**

Public Hearing to consider a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its October 10, 2016, meeting.)*

Town Council Meeting Agenda

October 17, 2016

Page 4

11. **Urban Design Architectural Standards (MPA16-0011)** **Public Hearing**

Public Hearing to consider a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its October 10, 2016, meeting.)*

12. **Prohibited Signs Amendment (LDR16-0003)** **Public Hearing**

Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by deleting subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to remove the prohibition on the use of exposed neon, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 10, 2016, meeting.)*

L. BOARDS/COMMISSIONS *(Bold text represents boards with vacancies)*

1. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, **Parks, Arts and Library Services Board**, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and the Transportation Commission.
2. Discuss and consider a procedure change to allow applications for the Outstanding Citizenship Award to be considered for one year following submittal.

M. CLOSED MEETING

The Town Council to convene into closed meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney, as follows:

- a. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

Town Council Meeting Agenda

October 17, 2016

Page 5

- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights of way, public safety site, and/or other municipal purposes and all matters incident and related thereto.

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

N. RECONVENE TO REGULAR MEETING

The Town Council to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

O. ADJOURN MEETING

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the 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 posted on the following date and time: October 14, 2016, at 10:25 a.m., at least 72 hours prior to the scheduled time of said meeting.



Theresa Scott, Town Secretary

The Flower Mound Town Hall and Council Chambers are wheelchair accessible. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting by contacting Theresa Scott, Town Secretary, at (972) 874-6076.



TOWN COUNCIL AGENDA ITEM NO. 1

CONSENT ITEM

DATE: October 17, 2016

FROM: Theresa Scott, Town Secretary

ITEM: Consider approval of the minutes from a regular meeting of the Town Council held on October 3, 2016.

BACKGROUND INFORMATION: The Town Council held a regular meeting on October 3, 2016.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

Proposed Expenditure:

Account Number(s):

Finance Review by: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on October 3, 2016.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 1

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 3RD DAY OF OCTOBER 2016, 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.

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

Tom Hayden	Mayor
Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
Eric Greaser	Fire Chief
Dean Harden	Fire Marshal

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden 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 Hayden led the pledges.

D. PRESENTATIONS

1. 2015 Life Safety Achievement Award to Flower Mound Fire Department Prevention Division

Fire Marshal Dean Harden and Fire Chief Eric Greaser accepted the Life Safety Achievement Award.

2. Proclamation declaring October 9 - 16, 2016, as Fire Prevention week

The following fire department personnel accepted the proclamation:

Chief Eric Greaser
Fire Marshal Dean Harden
Fire Prevention Officer Jesse Wenger

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 2

Fire Prevention Officer Jason Bolejack
Fire Prevention Officer Laramie Vest
Fire Inspector Jared Harwell
Accelerant Detection K-9 Ziva

3. Special Recognition for German exchange students (Marcus High School)

Principal, Gary Shafferman and German Teacher, Anja Jarboe accepted the special recognition with both the German students and Flower Mound host families in attendance.

4. Announcement regarding Town acceptance of nominations for the Outstanding Citizenship Award

Barbara Bailey, Outstanding Citizen Committee Chair, provided nomination information about the program and encouraged Flower Mound citizens to submit applications.

E. PUBLIC PARTICIPATION

There were no speakers for public participation.

F. ANNOUNCEMENTS

Councilmember Jason Webb announced that National Night Out is taking place on Tuesday, October 4th and encouraged Flower Mound residents to participate.

Councilmember McDaniel had the following announcements:

1. announced it's the Jewish new year and extended well wishes
2. the Flower Mound High School Booster Club fund raiser golf tournament event on October 15th

Mayor Pro Tem Bryant had the following announcements:

1. the significance of National Night Out
2. recognized Fire Chief Eric Greaser for recently being named the recipient of the 2016 Fire News Outstanding Leadership Award

Deputy Mayor Pro Tem Webb reported on some of the discussion points from a recent Legislative Strategy session held with some neighboring communities.

Mayor Hayden reported that the Town has not received an update from the Texas Rangers regarding the investigation that has been pending for approximately one year.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 3**G. TOWN MANAGER'S REPORT****Update and discussion on:**

Mr. Stathatos provided an update on various awards the Town recently received.

1. Update and status report related to capital improvement projects.

Mr. Stathatos gave an update on the following CIP projects:

- Forest Vista road construction

Mr. Parr responded with a statement of fact from Mayor Hayden regarding:

- The FM 2499 extension near the fly over

2. Update and discussion on Economic Development projects.

Mr. Stathatos gave an update on the following ED projects:

- The Town will be represented at the Texas Conference of Shopping Centers event
- The business of Animation update
- River Walk update

3. Update and discussion on new town hall and library expansion.

There was no discussion on this item.

4. Follow-up on platting issue within the Timber Creek Community Development Area 1 residential subdivision, which was raised during Public Participation at the September 19, 2016, Town Council regular meeting

Mr. Dalton gave a presentation identifying or noting:

- Survey of property including improvements they want to make
- Circumstances
- Town requirements
- Other questions raised by the property owner
- Open space map
- Final record plat
- History related to the open space
- Deed vs. plat language clarification
- DCAD plat
- Example of a recent record plat and replat
- Recommendation of replat the property or redesign the structure

Mr. Dalton or Mr. Powell responded to questions from Council as follows:

- Clarification as to how the Town came to own the land
- Did the Town do any replats for parks
- Is there a legislative process to create a waiver option
- Are there other property owners in the vicinity that did go through a replat
- Clarification regarding the ability to put in a concrete slab versus a structure

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 4

Mario Pavia offered comments relative to their situation and hardship experienced.

There was general consensus to not proceed with introducing legislation that would address this particular matter.

H. FUTURE AGENDA ITEMS

1. Mayor Pro Tem Bryant requested a future agenda item as it relates to utility companies and their right to acquire land, along with the possibility of showing support for The Colony, primarily because in the event the utility companies are successful precedence could be set relative to how they (or other utility companies) proceed in other communities.

There was Council consensus to bring forward a resolution in support of The Colony; however, in more generic terms as it relates to overreaching and based on the principal of the matter rather than The Colony's specific instance.

Mayor Hayden requested that for the joint Council and Transportation Commission meeting, interest in getting regional representatives to talk about long term strategies to address transportation concerns.

I. COORDINATION OF CALENDARS

Mayor Hayden announced that the next Town Council meeting is scheduled for October 17th. *(with MPA items)*

J. CONSENT ITEMS

1. Consider approval of the minutes from a work session of the Town Council held on September 15, 2016.

RECOMMENDATION: Move to approve the minutes from a work session of the Town Council held on September 15, 2016.

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 held on September 19, 2016.

RECOMMENDATION: Move to approve 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 held on September 19, 2016.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 5

3. Consider approval of a resolution declaring expectation to reimburse expenditures with proceeds of future debt and authorizing the preparation of the documents associated with the issuance, sale, and delivery of the debt obligations; and providing an effective date.

RECOMMENDATION: Move to approve a resolution declaring expectation to reimburse expenditures with proceeds of future debt and authorizing the preparation of the documents associated with the issuance, sale, and delivery of the debt obligations; and providing an effective date.

RESOLUTION NO. 22-16

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT, AND AUTHORIZING THE PREPARATION OF THE DOCUMENTS ASSOCIATED WITH THE ISSUANCE, SALE AND DELIVERY OF THE DEBT OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.

4. Consider approval of the purchase of one 2017 Velocity PUC Pumper truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$588,841.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the purchase of one 2017 Velocity PUC Pumper truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$588,841.00; and authorization for the Mayor to execute same on behalf of the Town.

5. Consider approval of an agreement with Denton County Emergency Services District No. 1 to provide fire suppression and emergency medical services to citizens located in designated areas of the Town of Northlake and other designated areas of Denton County, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve an agreement with Denton County Emergency Services District No. 1 to provide fire suppression and emergency medical services to citizens located in designated areas of the Town of Northlake and other designated areas of Denton County, and authorization for the Mayor to execute same on behalf of the Town.

6. Consider approval of a revised Interlocal Agreement for Use of Facilities and Services with the Argyle Independent School District for the temporary use of certain rooms by the Flower Mound Fire Department, and authorization for the Mayor to execute same on behalf of the Town.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 6

RECOMMENDATION: Move to approve a revised Interlocal Agreement for Use of Facilities and Services with the Argyle Independent School District for the temporary use of certain rooms by the Flower Mound Fire Department, and authorization for the Mayor to execute same on behalf of the Town.

7. Consider approval of the award of Request for Proposal Number 2016-50 to Platinum Cottages, LLC, for the purchase, delivery, and set-up of park models for Twin Coves Park in a not-to-exceed amount of \$920,000; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Request for Proposal Number 2016-50 to Platinum Cottages, LLC, for the purchase, delivery, and set-up of park models for Twin Coves Park in a not-to-exceed amount of \$920,000; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of an Interlocal Agreement with Lewisville Independent School District for Construction and Maintenance of Hike and Bike Trail on School Property associated with the Aberdeen Drive extension project.

RECOMMENDATION: Move to approve an Interlocal Agreement with Lewisville Independent School District for Construction and Maintenance of Hike and Bike Trail on School Property associated with the Aberdeen Drive extension project.

9. Consider approval of Amendment No. 1 to the Fiscal Year 2016-2017 Capital Improvement Program.

RECOMMENDATION: Move to approve an Interlocal Agreement with Lewisville Independent School District for Construction and Maintenance of Hike and Bike Trail on School Property associated with the Aberdeen Drive extension project.

10. Consider approval of a Professional Services Agreement with Alan Plummer Associates, Inc., to provide contract construction management and resident project representation services, associated with the Wastewater Treatment Plant Rehabilitation Phase IV project, in the amount of \$331,125.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement with Alan Plummer Associates, Inc., to provide contract construction management and resident project representation services, associated with the Wastewater Treatment Plant Rehabilitation Phase IV project, in the amount of \$331,125.00; and authorization for the Mayor to execute same on behalf of the Town.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 7

11. Consider approval of a Permit to Operate and Maintain Facilities within Trinity River Authority of Texas (TRA) Easement, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Permit to Operate and Maintain Facilities within Trinity River Authority of Texas (TRA) Easement, and authorization for the Mayor to execute same on behalf of the Town.

12. Consider approval of the Design Amendment No. 1 to the Professional Services Agreement with Criado and Associates, Inc., to provide additional design services, for the Yucca Drive and Woodbine Street Reconstruction project for an increase of \$25,036.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the Design Amendment No. 1 to the Professional Services Agreement with Criado and Associates, Inc., to provide additional design services, for the Yucca Drive and Woodbine Street Reconstruction project for an increase of \$25,036.00; and authorization for the Mayor to execute same on behalf of the Town.

13. Consider approval of the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 1171 at FM 2499 West Bound Right Turn Lane project, in the amount of \$55,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 1171 at FM 2499 West Bound Right Turn Lane project, in the amount of \$55,000.00; and authorization for the Mayor to execute same on behalf of the Town.

14. Consider approval of the award of Bid No: 2016-52, to Wall Enterprises, for the construction of the Glenwick Park Bridge as a part if the Individual Park Improvements project, in the amount of \$89,495.50; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No: 2016-52, to Wall Enterprises, for the construction of the Glenwick Park Bridge as a part if the Individual Park Improvements project, in the amount of \$89,495.50; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Bryan Webb moved to approve by consent Items 1 – 14. Mayor Pro Tem Bryant seconded the motion. Each item, as approved by consent, is restated above along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 8**VOTE ON MOTION:***Motion passed***AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB****NAYS: NONE****ABSTAIN: GELBMAN****K. REGULAR ITEMS**

15. Public Hearing to consider a request for a Comprehensive Sign Package (CSP16-0005 – Prairie Commons) for the Prairie Commons development. The property is generally located north of Sagebrush Drive and west of Yucca Drive. *(Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 26, 2016, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Site location
- Land use and zoning
- Photographs of the site
- Landscape plan
- Exception process for signs
- Examples of past sign packages
- Proposed signs
- Proposed murals
- Proposed entry sign

Mr. Powell responded to questions from Council as follows:

- Where will the signage be for the condo owners
- How could the Town address maintenance issues as it relates to the quality of the murals
- Clarification as to what the comprehensive sign package includes and how it doesn't allow anything beyond what is before Council at this time
-

Applicant Presentation

Mark Glover, iMark Realty Advisors; and Bill Peck, project Architect

Mr. Glover or Mr. Peck gave a presentation identifying, noting, or including:

- Background information about the Town's history and vision
- 1849 geological map of Texas
- Map of eastern and western Cross Timbers (south Texas to Kansas)
- Blackland prairies and natural regions of Texas
- The Flower Mound prairie and preserved as a blackland prairie
- Past photographs of The Flower Mound
- Earliest settlers – Peters Colonist
- Map of Holford Prairie and Long Prairie
- Blackmark Farm 1961
- Photographs from the Flower Mound's past to demonstrate the history

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 9

- A video demonstrating what is planned for Prairie Commons
- Sustainable development features
- Architectural renderings
- Locations for existing signs
- Mural details for building 3, 6
- How the murals will be maintained over the long term to keep their vibrancy and to manage graffiti
- Cistern design

Mr. Glover or Mr. Peck responded to questions from Council as follows:

- Will the graphics on the mural be as presented
- Is there a template and framework for the long term as it relates to tenant signs
- What assurances can the Town have that the murals will look as good as they do present day to 20+ years out
- Regarding the layout of the property, has there been any sight line analysis as to the murals being seen from FM 2499

Council Discussion

There was Council discussion as follows:

- Appreciation for the developer in bringing forward a unique product
- How everything about the project merits a meritorious exemption

Mayor Hayden opened the Public Hearing at 7:56 p.m. No one spoke in support or opposition. Mayor Hayden closed the public hearing at 7:56 p.m.

Mayor Pro Tem Bryant moved to approve a request for a Comprehensive Sign Package (CSP16-0005 – Prairie Commons) for the Prairie Commons development. Councilmember Gelbman seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB

NAYS: NONE

16. Consider approval of the purchase of one 2017 Pierce 95' Midmount Platform Aerial truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$1,273,734.00; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Chief Greaser gave a presentation identifying or noting:

- Current apparatus is a 105' straight ladder without platform rescue capabilities

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 10

- 2nd aerial truck at station 5
- Current operations fleet
- 95' mid mounted aerial rescue platform
- Photos of equipment used in other cities
- Positioning aerial platform for rescue
- Multi floor buildings currently in place, under construction, or planned for Flower Mound
- Effective uses associated with a platform device that is included on the truck

Chief Greaser responded to question from Council as follows:

- Where would the truck be located
- Would the truck be used in a residential setting
- What is the angle of declination
- What is planned for the older one
- What happens to a truck that reaches the end of its life cycle

Mayor Pro Tem Bryant moved to approve the purchase of one 2017 Pierce 95' Midmount Platform Aerial truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$1,273,734.00; and authorization for the Mayor to execute same. Councilmember Jason Webb seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB****NAYS: NONE**

17. Discuss a request from Councilmember Itamar Gelbman to release documents created by Deputy Mayor Pro Tem Bryan Webb and Mayor Pro Tem Kevin Bryant that are believed to coincide with the September 6th Town Council meeting.

There was Council discussion as follows:

- Background information as it relates to the request
- The purpose and use of working notes that coincide with a Council meeting
- Interest by members of Council in gaining an understanding as to how obtaining the personal working papers of another elected official coincides with the duties of the office
- Whether or not Councilmember Gelbman took a photo of the documents for the purpose of evidencing the notes were computer generated. (Councilmember Gelbman later indicated he had no problem in providing any photos that he might have taken of the documents in the event he has any).
- Concerns that interest in obtaining the documents might be for the purpose of initiating a case of predetermination against other members of Council
- Historically Councilmembers have not asked for the notes of other members of Council

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 11

- Concerns regarding the greater ramifications of the request and the impact on the current and future Councils
- Whether or not any notes from the Sept. 6th meeting were retained

Councilmember Gelbman indicated he holds the belief that the records requested are subject to the public information act and believes he has a legal right to them; however, he offered no explanation relative to why and for what purpose they would serve.

Mr. Meredith responded to questions from Council as follows:

- If Council is allowed to have notes relative to thoughts prepared in advance of the meeting and if those notes are subject to the public information act; and in addition, if the rules are different if the request(s) is made by a member of Council.
- Clarification relative to the basis as it relates to the special right of access (noting that the product should enable that member to better perform their duties as a member of Council)

L. BOARDS/COMMISSIONS (Executive Conference Room)

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

Ms. Scott reported that there are two vacancies on the PALS Board based on the two members that declined the recent appointments.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:35 p.m. on October 3, 2016, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney,, and reconvened into an open meeting at 9:04 p.m. on October 3, 2016, to take action on the items as follows:

- a. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

Discuss and consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the municipal court judge.

No action taken.

FLOWER MOUND TOWN COUNCIL MEETING OF OCTOBER 3, 2016 BOOK 44 PAGE 12

- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

No action taken.

- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights of way, public safety site, Song & In Addition property acquisition associated with the McKamy Creek Road Turn Lane project, and/or other municipal purposes and all matters incident and related thereto.

Deputy Mayor Pro Tem Webb moved to authorize staff to purchase the right of way property, in association with the McKamy Creek Road Turn Lane at Flower Mound Road project, and to negotiate for the purchase of the right of way property up to the settlements amounts listed. Authorize the Town Manager, or his designee, to close on the right of way property should a settlement be reached, to pay all costs associated with said closing in addition to the purchase price of the right of way property, and to execute all necessary documents at closing on behalf of the Town. Councilmember Jason Webb seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB

NAYS: NONE

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 9:05 p.m. on Monday, October 3, 2016, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 2

CONSENT ITEM

DATE: October 17, 2016

FROM: Matthew J. Hotelling, P.E., PTOE, Traffic Engineer

ITEM: Consider approval of the purchase of new traffic signal detection equipment for the Traffic Detection Rehabilitation project, from Twincrest Technologies, through the TxSmartBuy program, in the amount of \$124,988.00.

BACKGROUND INFORMATION: This item includes the purchase of the detection hardware, mounting equipment and wiring for 4 traffic signal locations.

These items are a TxSmartBuy purchase from Twincrest Technologies. This equipment will be used to replace obsolete detection systems in the field that are no longer available for purchase or repair.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$124,988.00

Proposed Expenditure:	Account Number(s):
\$124,988.00	531-220-78027-6200

Finance Review by: Tammy Wilson, Executive Director of Financial Services *tw*

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Quote from Twincrest Technologies

RECOMMENDATION: Move to approve the purchase of new Traffic Signal Detection Equipment, for the Traffic Detection Rehabilitation project, from Twincrest Technologies, through the TxSmartBuy program, in the amount of \$124,988.00.



PO Box 34716
Fort Worth, TX 76162
Phone (817) 539-2200 Fax (817) 539-2201

To: Town of Flower Mound
David Stallings
(972)-874-6415
david.stallings@flower-mound.com

Quotation

DATE: 09/15/16
Re: David
Delivery: 30 days ARO
Terms: Net 30
Shipping: FOB Destination
Quote #: 3499-ks

Item	Qty	Description	Unit	TOTAL
PART NUMBERS AND PRICING REFLECT TEXAS SMART BUY CONTRACT				
550-A2 TRAFFIC CONTROL DEVICES, MARKERS, DELINEATORS				
INTERSECTION #1				
55091555843	8	Wavetronix SmartSensor Matrix Pigtail, 20'	135	1,080
55091555850	4	Wavetronix Sensor Mounting Bracket	175	700
55091785837	4	Wavetronix Smartsensor Advance Detector	3,640	14,560
55091787005	4	Wavetronix in-Line Terminal Strip J-Box	150	600
55091787015	2000	Wavetronix Matrix/Advance Homerun Cable (Price per LF)	1.65	3,300
55091789233	1	Wavetronix 4-Sensor SDLC Interface Module (Click 650)	2,540	2,540
55091789243	1	Wavetronix 4-Sensor Matrix Package w/Click 650	16,180	16,180
INTERSECTION #2				
55091555843	8	Wavetronix SmartSensor Matrix Pigtail, 20'	135	1,080
55091555850	4	Wavetronix Sensor Mounting Bracket	175	700
55091785837	4	Wavetronix Smartsensor Advance Detector	3,640	14,560
55091787005	4	Wavetronix in-Line Terminal Strip J-Box	150	600
55091787015	1750	Wavetronix Matrix/Advance Homerun Cable (Price per LF)	1.65	2,888
55091789233	1	Wavetronix 4-Sensor SDLC Interface Module (Click 650)	2,540	2,540
55091789242	1	Wavetronix 3-Sensor Matrix Package w/Click 650	16,180	16,180

Item	Qty	Description	Unit	TOTAL
55091555843	6	INTERSECTION #3 Wavetronix SmartSensor Matrix Pigtail, 20'	135	810
55091555850	2	Wavetronix Sensor Mounting Bracket	175	350
55091785837	2	Wavetronix Smartsensor Advance Detector	3,640	7,280
55091787005	2	Wavetronix in-Line Terminal Strip J-Box	150	300
55091787015	1250	Wavetronix Matrix/Advance Homerun Cable (Price per LF)	1.65	2,063
55091789233	1	Wavetronix 4-Sensor SDLC Interface Module (Click 650)	2,540	2,540
55091789243	1	Wavetronix 4-Sensor Matrix Package w/Click 650	16,180	16,180
55091555843	4	INTERSECTION #4 Wavetronix SmartSensor Matrix Pigtail, 20'	135	540
55091787015	750	Wavetronix Matrix/Advance Homerun Cable (Price per LF)	1.65	1,238
55091789243	1	Wavetronix 4-Sensor Matrix Package w/Click 650	16,180	16,180
TOTAL				\$ 124,988

This quotation is good for 60 days. If you have any questions, please call 817-539-2200.

THANK YOU FOR YOUR BUSINESS!



TOWN COUNCIL AGENDA ITEM NO. 3

CONSENT ITEM

DATE: October 17, 2016

FROM: Brian Waltenburg, P.E., Senior Project Engineer

ITEM: Consider approval of Change Order No. 2 for the Forest Vista Drive Reconstruction project, amending the contract with Tiseo Paving Company, for an increase to the contract in the amount of \$69,595.70; and authorization for the Mayor to execute same on behalf of the Town.

BACKGROUND INFORMATION: On May 2, 2016 Tiseo Paving Company was awarded the construction contract for the Forest Vista Drive Reconstruction project. The original construction award amount was \$3,012,867.70. Change Order No. 1 provided a cost savings of \$150,000.00 to the project. After approval of Change Order No. 2, the revised contract amount will increase in the amount of \$69,595.70 to a total contract amount of \$2,932,463.40.

Change Order 2 provides for additional storm manholes, additional lime stabilization, and freeze protection for irrigation backflow systems, all items not anticipated in the original design. Also included with the proposed change order is additional work and the addition of temporary signal conduit, all related to existing signal conduit found to be extremely shallow during construction.

FISCAL IMPACT: \$69,595.70

Proposed Expenditure:	Account Number(s):
\$69,595.70	316-560-78022

Finance Review by: Tammy Wilson, Executive Director of Financial Services *tw*

ATTACHMENTS:

1. Change Order No.2

RECOMMENDATION: Move to approve Change Order No. 2 for the Forest Vista Drive Reconstruction project, amending the contract with Tiseo Paving Company, for an increase to the contract in the amount of \$69,595.70; and authorize the Mayor to execute same on behalf of the Town.

CHANGE ORDER No. 2

Effective Date: Upon execution by the Mayor

Owner: Town of Flower Mound

Contractor: Tiseo Paving Company

Project: **Forest Vista Drive Reconstruction****CHANGE ORDER NO. 2**

The compensation agreed upon in this Change Order is a full, complete, and final payment for all costs the Contractor incurs as a result of or relating to the change, whether said costs are known, unknown, foreseen, or unforeseen at this time, including without limitation, any costs for delay, extended overhead, ripple or impact costs, or any other effect on changed or unchanged work as a result of this change.

You are directed to make the following changes in the Contract Documents:

Item No.	Description	Unit	Add/ Deduct	Qty.	Unit Price	Extended Amount
D-6	Standard Storm Drain Manhole	EA	Add	3	\$4,000.00	\$ 12,000.00
P-13	Lime Material for Treated Subgrade	TON	Add	98	\$213.00	\$ 20,874.00
CO2-A	Temporary Traffic Signal	LS	Add	1	\$30,575.20	\$ 30,575.20
CO2-B	Irrigation System - Freeze Bag and Cover for Backflow Device	EA	Add	3	\$1,420.00	\$ 4,260.00
CO2-C	Saw Cut	LF	Add	49.5	\$5.00	\$ 247.50
CO2-D	Pavement Removal	SY	Add	74.5	\$22.00	\$ 1,639.00
CO2-E	Standard Storm Drain Manhole Adjustment	LS	Add	1	\$685.00	\$ 685.00
SUBTOTAL						\$ 69,595.70

JUSTIFICATION

Change Order No. 2 provides for the following.

Item D-6 resolves a quantity discrepancy in the construction plans and contract book. It allows for payment of three additional storm water manholes that were installed per plan, but not included in the contracted pay item quantities.

Item P-13 provides for additional lime material for subgrade stabilization. Alliance Geotechnical Group, Inc. recommended additional hydrated lime material after performing lime series tests on on-site soils.

CO2-A allows additional payment to be made for the installation and removal of temporary signal wiring at the intersection of Amhearst and Forest Vista. The existing underground signal conduit was too shallow and had to be removed to facilitate the installation of the new Forest Vista Dr paving. In order to keep the intersection and crosswalk open and signaled during the project, the temporary installation was required.

CO2-B allows additional payment to be made for a freeze bag and cover for irrigation backflow devices. These items were added at the request of the Parks Department to meet updated Town of Flower Mound irrigation requirements.

CO2-C and CO2-D allows additional payment to be made for saw cutting and pavement removal required for driveway tie-in adjustment at the Donald Elementary School.

CO2-E provides for additional payment for a storm drain manhole that was designed to connect to an existing 36-inch RCP storm drain. The existing storm drain was approximately 30-inches lower than shown on the existing record drawings and construction plans. The item is for the additional material and labor required to extend the storm drain manhole 30-inches.

Original Contract	\$	3,012,867.70
Change Order #1	\$	(150,000.00)
Change Order #2	\$	69,595.70
Revised Contract Price	\$	2,932,463.40
Original Substantial Completion Days		300
Change Order No. 1 Additional Days		26
Revised Substantial Completion Days		326
Original Final Completion Days		350
Change Order No. 1 Additional Days		26
Revised Final Completion Days		376

Recommended for Approval	Brian Waltenburg, P.E. Sr. Project Engineer	Date	Contractor	Date
			Contractor Title	
Approved	Thomas E. Hayden Mayor	Date		



TOWN COUNCIL AGENDA ITEM NO. 4

CONSENT ITEM

DATE: October 17, 2016

FROM: Randy Williams, Utility Services Manager

ITEM: Consider approval of the purchase of materials and services identified in RFP No. TCPN-SWIII-10-5314 by Brown & Root Industrial Services, LLC., associated with rehabilitating Final Clarifier No. 2, of the Wastewater Treatment Plant Final Clarification Rehabilitation project, in the amount of \$308,498.00.

BACKGROUND INFORMATION: The Wastewater Treatment Plant Final Clarification Rehabilitation project provides funding to rehabilitate all three existing clarification structures located at the wastewater treatment plant (WTP). In 2015, Final Clarifier No. 3 (FC-3) was the first to be rehabilitated at a cost of \$164,767.00. The Final Clarifier No. 1 (FC-1) structure was approved for rehabilitation at the July 18, 2016 Town Council meeting at a cost of \$308,557.00. The proposed Final Clarifier No. 2 (FC-2) rehabilitation will complete the Capital Improvement Program (CIP) project to rehabilitate all three clarification units to like new condition.

The existing WTP includes a conventional activated sludge process using circular clarifiers to separate microorganisms (activated sludge) from treated wastewater. The oldest pair of clarifiers, FC-1 and FC-2, was constructed in 1985 and has been in continuous service for the past 30 years. FC-3 was constructed in 2001, but was the first to be rehabilitated because of a mechanical failure preventing its use. Rehabilitating the older clarifiers have similarities to the newer clarifier rehab, but require replacement of center support columns and scraper arms to correct age related corrosion that wasn't present on FC-3 and thus have greater cost associated with the work.

Brown & Root Industrial Services, LLC., is currently under contract with the Texas Cooperative Purchasing Network (TCPN) to provide the services required for this project. The Town of Flower Mound adopted a resolution on January 22, 2004, providing for the Town's participation in TCPN, administered through the Region IV Service Center, and established under sections 791.001 and 791.029 of the Government Code, V.T.C.A. Participation in the cooperative purchasing program allows our local government to purchase goods and services from TCPN contracts while satisfying all competitive bidding requirements. The rehabilitation of FC No. 2 will proceed as outlined in the Brown & Root Proposal No. TCPN-SWIII-10-5314.

FISCAL IMPACT: \$308,498.00

Proposed Expenditure:	Account Number(s):
\$95,597.00	610-980-98475
\$212,901.00	630-970-98475

Finance Review by: Tammy Wilson, Executive Director of Financial Services *tw*

ATTACHMENTS:

1. Brown & Root – TCPN STATEWIDE RFP No. TCPN-SWIII-10-5293

RECOMMENDATION: Move to approve the purchase of materials and services identified in RFP No. TCPN-SWIII-10-5314 by Brown & Root Industrial Services, LLC., for Final Clarifier No. 2, of the Wastewater Treatment Plant Final Clarification Rehabilitation project, in the amount of \$308,498.00.



Brown & Root

5956 Sherry Lane, Suite 1000
Dallas, TX 75225

Randy Williams
Town of Flower Mound
1101 Duncan Lane
Flower Mound, TX 75028

9/8/16

Subject: Proposal for RFP# TCPN-SW III-10-5314
Location: 1101 Duncan Lane
Flower Mound, TX 75028

Project Title: Clarifier 2 Rehab

Mr. Williams,

Enclosed is our firm fixed price proposal for the above subject RFP. Work to be performed under the terms and conditions of the TCPN Contract No. R5087. The proposal was prepared using the following data: RS Means **2016** Facilities Construction Cost Data

The Fab Tech pricing with overhead & supervision for the attached Base Scope of Work:	\$306,963.00
Performance & Payment Bond:	\$1,535.00
The total price for the attached Base Scope of Work:	\$308,498.00

The proposed project duration is **70** days after notice to proceed (includes contracting and material lead time).

The proposal is valid for **60** days.

Please direct any questions to Brian Mitchell at (817) 925-8866 or Doug Whitmarsh at (713) 980-3250.

Sincerely,

Doug Whitmarsh
Project General Manager

Attachments: scope, estimate, bid, drawings



Proposal # R5087-TX-TBD

Funding Approval _____ Date: _____
Customer PO# _____

Price is accepted as a lump sum fixed firm price and the incorporated scope of work becomes the controlling document taking precedence over line item estimate detail.

This proposal includes data that shall not be disclosed outside of addressee and shall not be duplicated, used, or disclosed – in whole or part – for any purpose other than to evaluate this proposal.



Brown & Root

Brown & Root - TCPN STATEWIDE

RFP No. TCPN-SWIII-10-5314

Town of Flower Mound

1101 Duncan Lane, Flower Mound, TX 75028

Clarifier 2 Rehabilitation

Outline

The intent of this proposal is to provide renovation services as detailed below. All work shall be in accordance with all OSHA standards, applicable federal, state and local codes and regulation and good construction practices.

Brown & Root General Scope of Work

- Provide all safety tape, dowel caps and barricades needed
- Provide protection of all adjacent surfaces
- Provide all trash hauling
- Install a rebuilt Envirex H-30 drive unit. Rebuild components will include: Gear motor reducer, bearing races, ball bearings, seals, gaskets, drive sprockets, drive chain, driven sprocket, shear pin hub and shear pins, drive and drive shaft. Housing will be reused.
- All stainless steel hardware to be replaced with new stainless steel hardware.
- Demo and replace the following items; Center tube, cage, influent well, trusses, a-frames, support beams, tie chords, scum blade, skimming arm, scum trough, flush device, brass squeegees and plow blades.
- See attached drawings for new style of skimming arm and scum trough/flush device.
- Check and adjust level of weirs and baffles to ensure correct water surface elevation
- Bridge to be removed, repaired, sand blasted, primed & painted and reinstalled
- Conduit under bridge that is not damaged will be reused, pending approval by Flower Mound inspector. Replace any conduit under bridge that is damaged or deemed unacceptable.
- Water sprayers and associated piping will be replaced
- All fasteners associated with the project to be stainless steel
- Painting: All steel elements of the structure that remain submerged during operation shall be primed and coated with Sherwin Williams, Macropoxy 646-100. Finish paint for bridge shall be PPG Sil-Shield Silicone Alkyd High Gloss Enamel 95-5000 Series, color safety blue.
- 2 year warranty on all parts
- 5 year warranty on drive unit
- Completion to be approximately 70 days from NTP.

General Notes

- All work shall be in accordance with OSHA Standards, applicable federal, state, and local codes, regulations and good construction practices.
- Include all materials, equipment, and labor in bid to complete the scope of work.
- Daily and final clean-up as well as protection of adjacent surfaces.
- Approval of this proposal designates acceptance of the scope of work statement and line item estimate which has been used only to develop a mutually agreed price. The price is accepted as a lump sum fixed firm price and the incorporated scope of work becomes the controlling document taking precedence over line item estimate detail.

Exclusions/Clarifications



- Handling or removal of any hazardous material.
- Hidden or unforeseen conditions.
- No permits have been anticipated for this work and are not included in this proposal.
- Any permits required by the City shall be at 'No Cost'.
- Any repair or replacement of concrete or exposed rebar.
- Davis-Bacon Wages and/or Certified Payrolls.
- Any electrical work aside from that which is required to remove/reset bridge structure
- Any controls work or control panel
- Any repairs not specifically mentioned above.

End of Scope

Labor Rate Table	2016 RS Means Facil with O&P
Equipment Rate Table	2016 RS Means Equipment with O&P

Client	City of Flower Mound
Project	Clarifier 2 Rehabilitation
JO No.	TCPN SW III - 10 - 5314
Duration	70 Days
District Technical Contact	Randy Williams
Estimator	B Mitchell
Unit Price Book	2016 RS Means
City Cost Index	Dallas
Area	JOC III - TCPN Statewide R5087 - Region 10

TCPN SW III - 10 - 5314

KBR JOC III - TCPN Statewide R5087 - Region 10

City of Flower Mound
Clarifier 2 Rehabilitation

CSI	Line	Item Description	Qty	Unit	Labor Total	Mat Total	Subs Total	Equip Total	Other Total	Grand Total
		RS Means								
01310700	0240	Field personnel, superintendent, average	10.0	week	20,383					20,383
		RS Means Total			20,383					20,383
		Subcontractor								
		Fab Tech LLC	1.0				288,115			288,115
		Subcontractor Total					288,115			288,115
		Grand Total			20,383		288,115			308,498

TCPN SW III - 10 - 5314
KBR JOC III - TCPN Statewide R5087 - Region 10City of Flower Mound
Clarifier 2 Rehabilitation

Percent	Amount	Category
12.43 %	\$34,500	Labor
	\$0	Material
87.57 %	\$242,950	Subcontractor
	\$0	Equipment
	\$0	Other
	\$0	User
	\$277,450	Net Costs
-14.80 %	(\$5,106)	City Cost Index (Dallas)
	\$272,344	Subtotal
-31.00 %	(\$9,112)	Normal Hour Coefficient
	\$263,232	Subtotal
18.00 %	\$43,731	OH&P
	\$306,963	Subtotal
0.55 %	\$1,535	Bond
	\$308,498	Total Estimate



Sales Quote

FAB TECH WASTEWATER SOLUTIONS LLC

865 Midpoint dr
O'Fallon Mo. 63366
(314) 478-3344
roger.roderick@fabtechwws.com

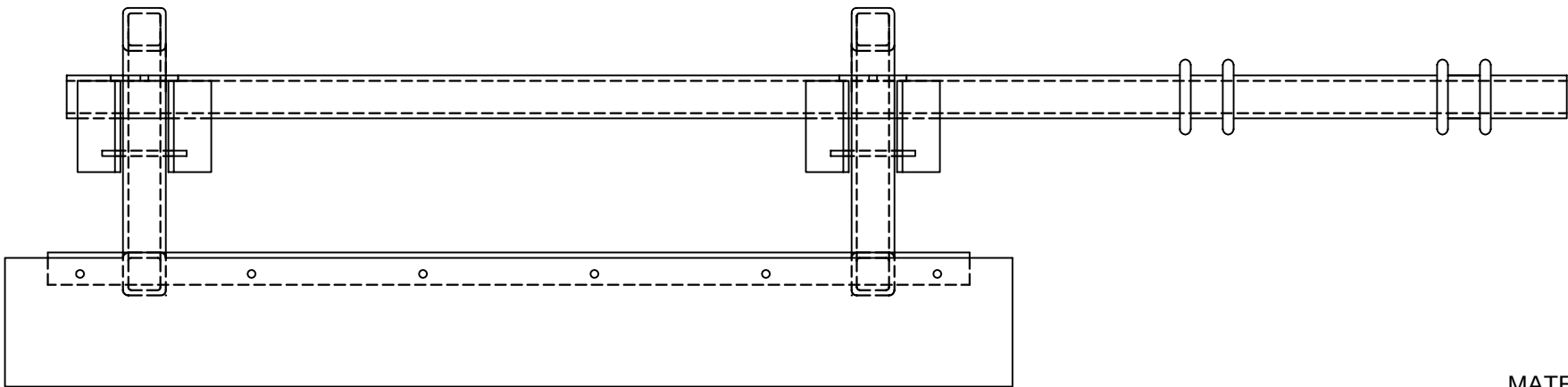
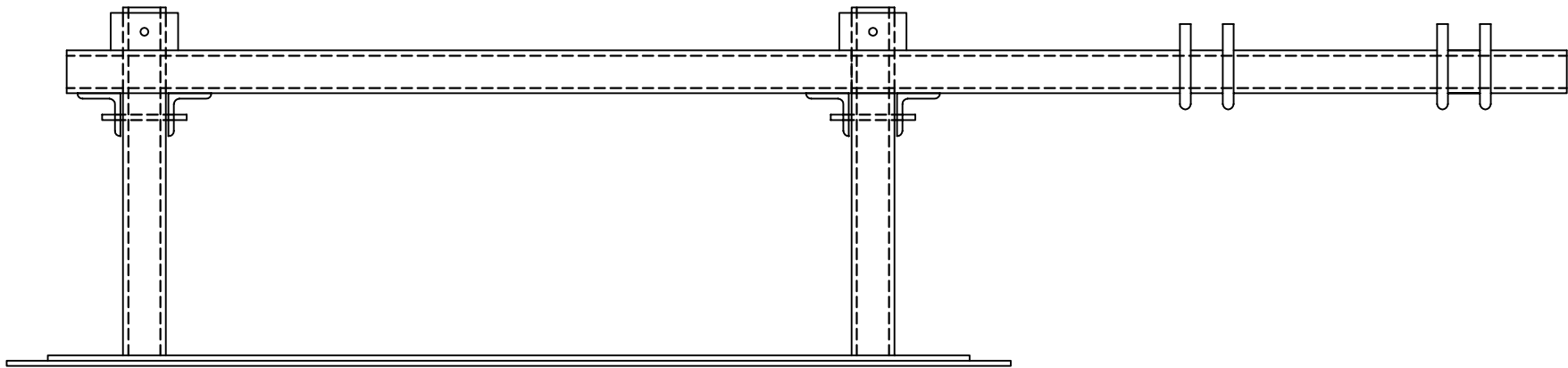
Quotation NO. QFT-30062
DATE 9/7/2016
CUSTOMER ID FTflowermound

TO: Brian Mitchell

Town of Flower Mound
1105 Duncan Lane
Flower Mound Texas 75028
972-874-6407 Office
972-741-0758 Cell

45 day price guarantee

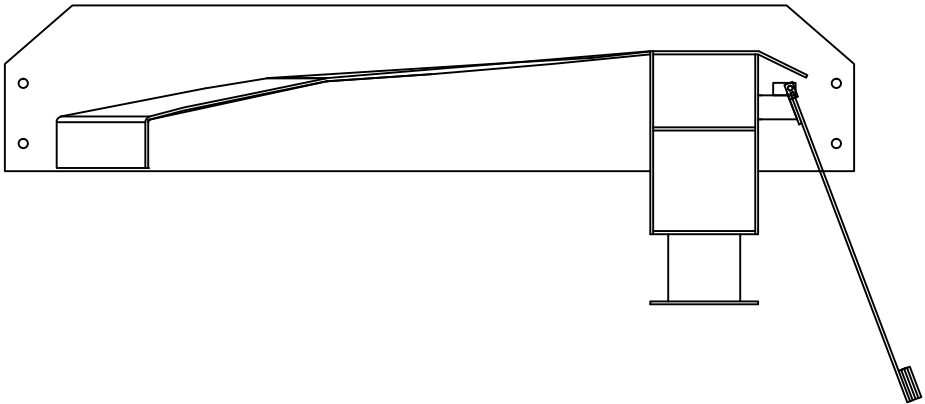
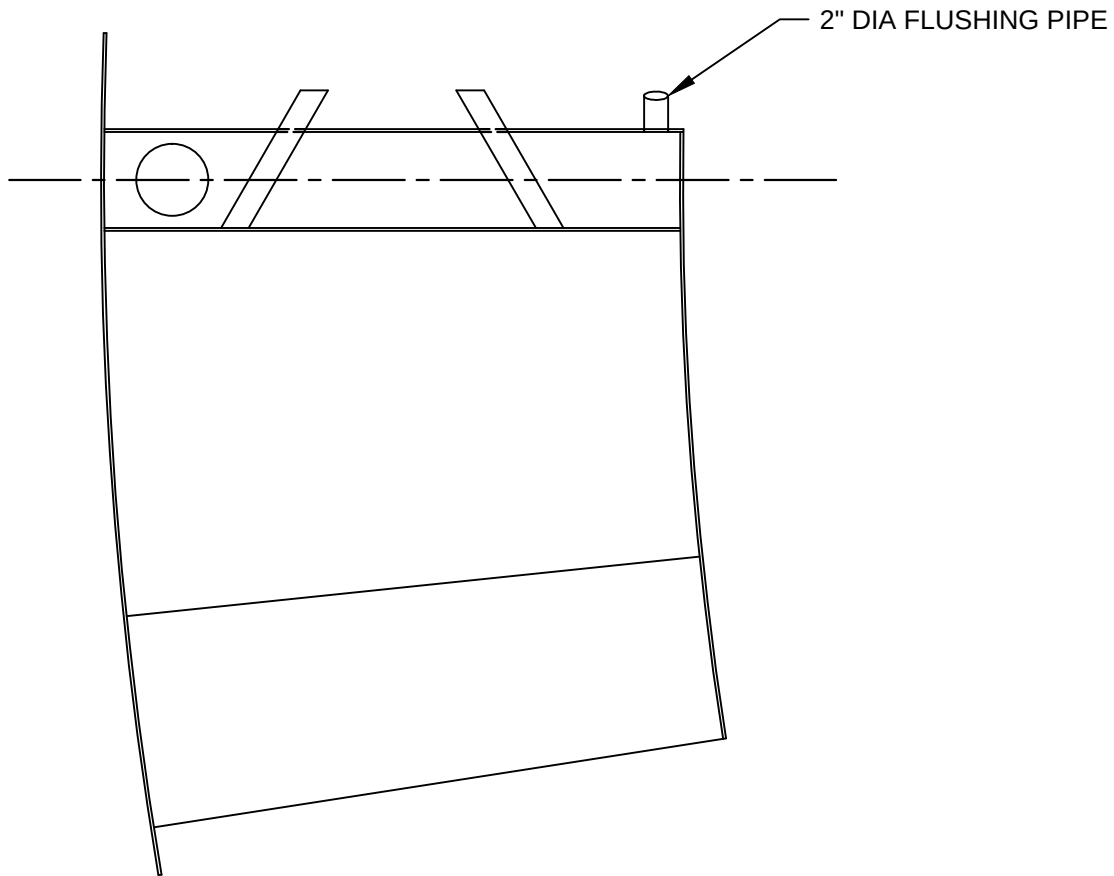
JOB Flowermound		PAYMENT TERMS	
		Net 30	
DESCRIPTION	QUANTITY	AMOUNT	TOTAL
Circular Collector 75'-0 diameter scraper style with skimming # 2	1.00	\$254,950.00	\$254,950.00
			\$0.00
Fab Tech remanufactured Envirex H 30lt Gear Drive Unit (1)			\$0.00
The Rebuild components will consist of the following :			\$0.00
Gear motor reducer, bearing races, ball bearings, seals, gaskets			\$0.00
Drive Sprockets, drive chain, driven sprocket, shear pin hub and shear pins			\$0.00
drive and driven shafts.			\$0.00
The existing housing . IS THE ONLY REUSED PART			\$0.00
STAINLESS STEEL HARDWARE TO REPLACE EXISTING			\$0.00
Includes:			\$0.00
Center tube, cage, influent well, trusses, a-frames, support beams, tie-chords			\$0.00
scum blade and (NEW STYLE) skimming arm. (NEW STYLE) scum trough,			\$0.00
(NEW STYLE) flush device. Brass squeegees, plow blades and SS bolted connections			\$0.00
All structural steel are to be per ASTM-A36 steel. Surfaces will be sspe-sp10 blast clean			\$0.00
And will receive (1) coat primer and (1) finish coat , color BLACK			\$0.00
			\$0.00
Replace water sprayers, and conduit from end of bridge to drive unit.			\$0.00
			\$0.00
Bridge and bridge material to be repaired, blasted clean and repainted, using a UV rated top coat Safety Blue			\$0.00
Handrail to be reused.			\$0.00
			\$0.00
Removal of existing equipment and installation on new clarifier mechanism.			\$0.00
			\$0.00
Controls and Electrical panel by OTHERS			\$0.00
			\$0.00
Drive Core Credit	1.00	-\$12,000.00	-\$12,000.00
			\$0.00
Drive to be used will be H-30			\$0.00
2 year warranty on all parts			\$0.00
5 year warranty on drive unit			\$0.00
All Fasteners associated with work to be stainless steel			\$0.00
Check level of weirs in relation to existing clarifiers elevation and adjust accordingly			\$0.00
TOTAL DUE			\$242,950.00



MATERIAL SPECIFICATIONS

- ANGLE SHAPES - 304 STAINLESS STEEL
- SQUARE STRUCTURAL TUBE - 304 STAINLESS STEEL
- PLATES - 304 STAINLESS STEEL
- NEOPRENE RUBBER - 50 DUROMETER
- HARDWARE AND U-BOLTS TO BE 316 STAINLESS STEEL

FAB TECH LLC WASTEWATER SOLUTIONS									DESIGNED BMK	DATE 4/18/16	PRODUCT SKIMMER ARM												
										DRAWN BMK						DATE 4/18/16							
										CHECKED RR	DATE 4/18/16	CUSTOMER											
			O'FALLON, MO 314-478-3344 · 314-223-6473														THIS DRAWING IS THE PROPERTY OF FAB TECH WASTEWATER SOLUTIONS LLC AND CANNOT BE COPIED OR DISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF FAB TECH WASTEWATER SOLUTIONS LLC						
			A	APPROVED GA			4/18/16	BMK	BMK	RR													
04/18/2016 - 6:11 PM	BAR = 1" AT PLOT SCALE		REV	DESCRIPTION			DATE	DRWN	CHKD	APVD	ECN	PROJECT NO		DRAWING NO 101		SCALE 1-1/2" = 1'		SIZE 11X17B		SHEET 1 OF 1		REV A	



MATERIAL SPECIFICATIONS

- PLATES - A36 PLATE
- PIPE - A36 PIPE
- NEOPRENE RUBBER - 50 DUROMETER
- HARDWARE AND U-BOLTS TO BE 316 STAINLESS STEEL

FAB TECH WASTEWATER SOLUTIONS O'FALLON, MO 314-478-3344 · 314-223-6473									DESIGNED BMK	DATE 4/18/16	PRODUCT SCUM TROUGH					
										DRAWN BMK						DATE 4/18/16
										CHECKED RR	DATE 4/18/16	CUSTOMER				
										THIS DRAWING IS THE PROPERTY OF FAB TECH WASTEWATER SOLUTIONS LLC AND CANNOT BE COPIED OR DISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF FAB TECH WASTEWATER SOLUTIONS LLC						
			A	APPROVED GA		4/18/16	BMK	BMK	RR				PROJECT NO DRAWING NO 102 SCALE 1-1/2" = 1' SIZE 11X17B SHEET 1 OF 1 REV A			
REV	DESCRIPTION		DATE	DRWN	CHKD	APVD	ECN									
04/20/2016 - 2:32 PM	BAR = 1" AT PLOT SCALE															



TOWN COUNCIL AGENDA ITEM NO. 5

CONSENT ITEM

DATE: October 17, 2016

FROM: Gary Bertagnolli, Director of IT

ITEM: Consider approval of the purchase of desktop and laptop computers, ruggedized laptop computers, CAD workstations computers and peripherals from Blueline Services, in the amount of \$162,735.79.

BACKGROUND INFORMATION: Prior to fiscal year 1999-2000, the Town was using various brands and models of desktop computers. Several of these machines were not efficient enough to perform the tasks required of them, and warranties had expired on much of the equipment. Equipment and software were standardized throughout the Town, and all machines were replaced over the following three years in order to address expired warranties. Dell brand computers were established as the Town's standard computer system, based on cost and ability to provide the best value for the price.

In addition to the standardization of equipment and software, a three-year computer replacement program was established in order to maintain the most current and efficient computer systems. This purchase request will allow the Town to continue scheduled replacements of computer systems that are greater than three-years-old.

The Town of Flower Mound entered into an inter-local agreement with the Texas Procurement and Support Services cooperative (formerly, General Services Commission) on December 7, 1992. Participation in the program allows our local government to purchase goods and services through the cooperative contract, DIR contracts included, while satisfying all competitive bidding requirements.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$162,735.79

Proposed Expenditure:

\$162,735.79

Account Number(s):

100-655-59100-2180

Finance Review by: Tammy Wilson, Executive Director of Financial Services *tw*

ATTACHMENTS:

1. Blue Line Services quote

RECOMMENDATION: Move to approve the purchase of desktop and laptop computers, ruggedized laptop computers, CAD workstations computers and peripherals from Blueline Services, in the amount of \$162,735.79.

Phone: (469) 635-2000

Email: abunch@bluelineservices.com

Web: www.bluelineservices.com

We have prepared a quote for you

PC Refresh DIR 256GB SSD

Quote # 000188
Version 2

Prepared for
Town of Flower Mound

Prepared by
Ashley Bunch

Phone: (469) 635-2000

Email: abunch@bluelineservices.com

Web: www.bluelineservices.com

Hardware	Price	Qty	Ext. Price
OptiPlex 7040 MFF OptiPlex 7040 Micro Form Factor XCTO Intel Core i7-6700T Processor (Quad Core, 8MB, 8T, 2.8GHz, 35W) Windows 7 Pro 8GB (2x4G) 2133MHz DDR4 Memory 2.5 inch 256GB SATA Class 20 Solid State Drive Dell USB Laser 6-Button Mouse Dell Limited Hardware Warranty Plus Service 81 - - 997-6872 Onsite/In-Home Service After Remote Diagnosis 3 Years	\$875.11	81	\$70,883.91
Dell 22 Monitor	\$94.05	10	\$940.50
Dell External USB Slim DVD+/-RW Optical Drive	\$35.96	20	\$719.20
OptiPlex 7040 SFF OptiPlex 7040 Small Form Factor BTX Intel Core i7-6700 Processor (Quad Core, 8MB, 8T, 3.4GHz, 65W) Windows 7 Pro 8GB (2x4G) 2133MHz DDR4 Memory M.2 256GB PCIe NVMe Class 40 Solid State Drive Dell USB Laser 6-Button Mouse Dell Limited Hardware Warranty Plus Service 81 - - 997-6872 Onsite/In-Home Service After Remote Diagnosis 3 Years	\$931.79	4	\$3,727.16
Dell Latitude E5570 Dell Latitude E5570, CTO 6th Generation Intel Core i7-6820HQ (Quad Core, 2.7GHz, 8MB cache) Windows 7 Professional English, French, Spanish 64bit 39.6cm (15.6") FHD (1920x1080) Non-Touch Anti- Glare LCD with Camera and Mic (LED not available. No option at this resolution to remove mic or camera.) 8GB (1x8GB) 2133MHz DDR4 Memory M.2 256GB SATA Class 20 Solid State Drive Intel Dual Band Wireless 8260 (802.11ac) W/ Bluetooth Primary 6-cell 84W/HR Battery (No option for 9-cell in this model) Dell Limited Hardware Warranty Plus Service 81 - - 997-6872 Onsite/In-Home Service After Remote Diagnosis 3 Years	\$1,397.91	19	\$26,560.29
Havis DS-DELL-405 Basic Dock with Electronics for Latitude Rugged and Rugged Extreme Notebooks	\$374.00	12	\$4,488.00

Phone: (469) 635-2000

Email: abunch@bluelineservices.com

Web: www.bluelineservices.com

Hardware	Price	Qty	Ext. Price
Latitude 14 Rugged 5414 Latitude 5414, XCTO Intel Core i7-6600U Processor, Security, (Dual Core, 4M Cache, 2.60 GHz) Windows 7 Professional Microsoft Office 30 Day Trial 8GB (2x4GB) 2133MHz DDR4 Memory 256GB Solid State Drive Intel Dual Band Wireless 8260 (802.11ac) W/ Bluetooth No PCMCIA Card or ExpressCard Reader 14.0" FHD(1920 x 1080) Touch, with Microphone only 9-cell (97Wh) 3 Year Limited Hardware Warranty Lithium Ion Battery ProSupport: 7X24 Technical Support, 3 Years	\$2,275.25	21	\$47,780.25
Precisions Workstations T5810 XL Intel Xeon Processor E5-1603 v3 (4C, 2.8GHz, 10M, 140W) Windows 7 Pro English 16GB (4x4GB) 2133MHz DDR4 RDIMM ECC 2.5" 256GB SATA Class 30 Solid State Drive 8x Slimline DVD+/-RW Drive AMD FirePro W5100 4GB (4 DP) (2 DP to SL-DVI adapters) 1Gbit NIC add-in card (PCIe- Intel) Basic Hardware Service : Next Business DayOnsite Service After Remote Diagnosis 15 Months Basic Hardware Service : Next Business DayOnsite Service After Remote Diagnosis 24 Months Extended	\$1,724.20	4	\$6,896.80
Dell Adapter - DisplayPort to DVI (Dual-Link) for Precision 5810 Workstation	\$92.46	8	\$739.68
TX DIR-TSO-2634	\$0.00	1	\$0.00
Subtotal			\$162,735.79

Phone: (469) 635-2000

Email: abunch@bluelineservices.comWeb: www.bluelineservices.com

PC Refresh DIR 256GB SSD



Prepared by:

BlueLine Services
 Ashley Bunch
 (469) 635-4580
abunch@bluelineservices.com

Prepared for:

Town of Flower Mound
 2121 Cross Timbers Road
 Flower Mound, TX 75028
 Gary Bertagnolli
 (972) 874-6054
gary.bertagnolli@flower-mound.com

Quote Information:

Quote #: 000188
 Version: 2
 Delivery Date: 10/06/2016
 Expiration Date: 10/31/2016

Quote Summary		Amount
Hardware		\$162,735.79
Total:		\$162,735.79

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

BlueLine Services
Town of Flower Mound

Signature: _____

Name: Ashley BunchTitle: Senior Client AdvisorDate: 10/06/2016

Signature: _____

Name: Gary Bertagnolli

Title: _____

Date: _____

Phone: (469) 635-2000

Email: abunch@bluelineservices.com

Web: www.bluelineservices.com

Terms & Conditions

- **The following are the terms and conditions specific to the project equipment and services provided by BlueLine Services, LLC.**

Project Installation (Project Price): 1. The quoted installation is a total project cost that includes any associated costs including all necessary hours for completion of project. 2. The installation price does not include any additional work outside of the scope of the SOW that may be required to allow the quoted project to be completed. 3. The time quoted for this project is estimated and may change in the event that unforeseen circumstances exist. 5. Customer approval is necessary in the event additional work is required.

Project Installation (Hourly): 1. Onsite service work is billed by the hour. All time is rounded up to the next hour. 2. The installation price does not include any additional work outside of the scope of the SOW that may be required to allow the quoted project to be completed. 3. The hours quoted are an estimate and is subject to change in the event that unforeseen circumstances exist. Actual time will be billed. 4. Customer approval is necessary in the event that additional hours of service are needed.

Network Discovery Quotes: Exemption of Responsibility: BlueLine Services Network Discovery is a read-only process and does not make changes to customer network. Customer recognizes and understands that operational problems or issues may exist on customer network which pre-date BlueLine Services' Network Discovery. If or when a pre-existing problem or issue surfaces during the Network Discovery, BlueLine Services is under no obligation to provide repair or remedy services. All repairs or remedy services for pre-existing issues or problems will be charged to the customer at regular service rates if no service contract with set pricing is in place. 1. The above quoted Discovery Service will need to run for 30 business days. 2. The report provided from the Network Discovery Service is considered confidential and should be treated as a non-disclosure document. 3. The Network Discovery charge is a per-location charge.

Renewal for Managed Services Quotes: 1. This is a contract renewal. No installation or set-up costs apply unless new services are being added. 2. All specialized software must have current support or available update services. 3. A signed MSA must accompany this quotation for execution.

Manufacturer Support Quotes: 1. This is a manufacturer support contract. Support is provided directly from manufacturer. 2. Delayed renewal of expired support contracts may result in Manufacturer-required return-to-service fees that are not reflected in this quote.

Renewal for Manufacturer Support Quotes: 1. This is a manufacturer support contract. Support is provided directly from manufacturer. 2. Delayed renewal of expired support contracts may result in Manufacturer required return-to-service fees that are not reflected in this quote.

Onsite Managed Services Quotes: 1. Contract deployment can take 2-3 weeks from date of executed contracts. 2. A signed MSA, SOW and Quote must be submitted in their entirety in order for contract to be fully executed. 3. Quoted pricing and equipment listed in this quote are best estimates and may be subject to change upon results of network discovery. 4. All specialized software must have current support or available update services. 5. Non-covered hour rate for regular hours is Onsite/Phone will be billed at our current published rates. 6. Coverage hours are 8-5PM CST, M-F unless otherwise specified in this quote. 7. Any call after 5PM will be returned the following business day. 8. User devices are non-transferrable between users.

Colocation Managed Services Quote: 1. Contract deployment will take 2-3 weeks from date of submission and execution of contracts. 2. A signed MSA, SOW and Quote must be submitted in their entirety in order for contract to be fully executed. 3. All specialized software must have current support or available update services.

Hardware/Software Quote: 1. The above quoted pricing is subject to change based on manufacturer notice. 2. All hardware quoted is available for manufacturer or BLS support. 3. All software quoted is available for manufacturer support. 4. Estimated

Phone: (469) 635-2000

Email: abunch@bluelineservices.comWeb: www.bluelineservices.com

shipping cannot be confirmed until purchase has been made.

MS Office 365: 1. The above quoted pricing is subject to change based on manufacturer notice. 2. All software is hosted and managed by Microsoft Corporation. 3. Support and performance of MS Cloud products is the responsibility of Microsoft Corporation. 4. Estimated shipping cannot be confirmed until purchase has been made.

StorageCraft Terms: 1. This is a cloud-ready and/or local-only backup service and requires a local target for data. 2. Cloud backup performance and speed of initial backup is based upon bandwidth. 3. This quote includes backup and recovery management services.

Datto Terms: 1. This is a cloud-based backup service. 2. Speed of initial backup is based upon the available onsite bandwidth. 3. Current BLS Managed Services (MGS) customers will not incur any service or hour rate charges for recovery and/or restoring services performed if needed. 4. Additional costs incurred by BlueLine Services associated with hardware or software needed for recovery services will be the invoiced to customer. 5. Non-BLS/MGS customers will incur an hourly rate charge at our current published rates for weekday/weekend/nights.

DataCenter Terms: 1. All operational terms and conditions are based upon data center regulations. 2. Customer owned hardware is the responsibility of Customer. 3. Any onsite datacenter assistance not under MSA contract is billable at BLS published rates.

Quote Expiration: All quotes are valid for 30 days from quote date.

Payment Terms for one-time purchases: Credit card purchases accepted up to \$4,999.00. Payment for services are due ½ upfront and amount due upon completion. All hardware and software is ½ due at signing unless purchased through a lease option. Balance due at delivery.

Payment Terms for on-going services: Credit or ACH payment is required. One-month due at signing. All invoices will be sent for payment one month in advance to keep the account up-to-date. Any account that falls more than 25 days behind on payment will be subject to service suspension.

Special Order items: Special order products may be returned for credit or refund minus shipping and 5% restocking fee unless otherwise noted.



TOWN COUNCIL AGENDA ITEM NO. 6

CONSENT ITEM

DATE: October 17, 2016

FROM: Gary Bertagnolli, Director of Information Technology

ITEM: Consider approval to purchase a Telecommunications System, for the Town Hall project, in the amount of \$273,014.80.

BACKGROUND INFORMATION: In preparation for the new Town Hall, this new system would replace the Town's aged digital phone system, with the new Mitel, Voice over Internet Protocol (VoIP) solution. Co-Nexus is the Mitel Vendor under NJPA. No sub-contractors would be used.

To salvage and move the current PBX digital based phone system to the new building, would be cost prohibitive and problematic. To save money and time, it benefits the Town to purchase a VoIP based (network) phone system and have it prepared and ready. It is server based, so it can be easily moved to the new building and re-racked. The new system would also replace the existing handsets throughout the Town and add the functionality of video conferencing and other modern technologies.

The Town's current maintenance contract expires November 2016, and the cost of maintaining the current system is approximately \$33,000.00 annually. The new system's maintenance cost would be less than half, at about \$12,000.00 annually.

FISCAL IMPACT: \$273,014.80

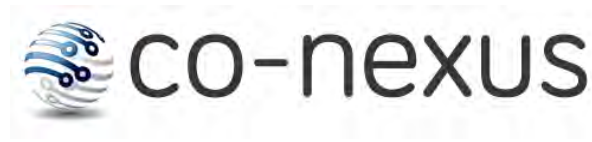
Proposed Expenditure:	Account Number(s):
\$273,014.80	308-103-62017-6080

Finance Review by: Tammy Wilson, Executive Director of Financial Services *tw*

ATTACHMENTS:

1. Co-Nexus Corp., proposal

RECOMMENDATION: Move to approve the purchase of a Telecommunications System, for the Town Hall project, in the amount of \$273,014.80.



Town of Flower Mound

Schedule A Equipment and Services

NJPA Contract #040314-MBS

10/04/2016

Mitel MiVoice Telephone Solution:

- | | |
|-----|--|
| 2 | Mitel MiVoice Business Enterprise Software Solution with Mitel Controllers installed at City Hall and the Police Department for Resiliency |
| 2 | PRI's for Inbound/Outbound Lines |
| 527 | Mitel 5320e IP Telephones |
| 50 | Mitel 5330e IP Telephones |
| 3 | Mitel 5360 Color Display Phones for Executives |
| 3 | Mitel UC360 Conference Room Phones with User Licenses |
| 580 | Mitel UCC Entry User Licenses for Enterprise |
- Including:
- Single Number Reach - enables a user to answer an incoming call at desktop or mobile phone. The call will ring on both devices.
- Call Handoff - handoff between mobile phone and deskphone
- Single Identify Calling - Calls placed from a Mobile phone are routed through the PBX; the user's business identity is presented to the called party. This feature requires either PBX-specific configuration to enable routing of calls from the user's mobile number to be rerouted through the PBX, or use of MiCollab Advanced desktop client.
- Basic MiCollab Desktop and Web Client - desktop client with Instant Messaging and telephony presence and availability.
- Mitel Audio/Web/Video Conference Bridge - 10 Ports Included
- | | |
|-----|--|
| 1 | On-Demand Recording to Individual Voice Mail Boxes from Mitel IP Telephones |
| 1 | Console Software for Operator (Customer Provided PC) |
| 580 | Voice Mail Box Licenses with Voice Mail to Email Capability |
| 1 | MiCollab Base Software for Mitel NuPoint Voice Messaging System (Customer Provided Server) |
| 1 | IP Fax Server (4 Ports) to replace Fax Machines in the City (expands to 24 Ports) |
| 1 | Recording Solution for 20 Stations (installed on Customer's Virtual Server) |
| 1 | Installation Charges to include Programming and Project Management |
| 1 | End-User Training for Operator and End-Users |
| 1 | Software Assurance from Mitel on All Mitel Products |
| 1 | Annual Subscription for Small Business 10-User Lifesize Cloud Account |
- Seamless call escalation for video and voice participants
- Calendar, meeting directory, favorites, unified searchable directory
 - Automatic provisioning
 - Guest calling
 - Mobile calling
 - Video network management
 - Secure firewall traversal, plus NAT
 - Automatic software updates
- | | |
|---|---|
| 1 | Annual Subscription for Cloud Amplify to Record and Store Calls (10 Recorded Hours) |
|---|---|
- Recording and Sharing Conference Calls from any device
 - One-click recording
 - Auto publishing
 - Instant playback

Town of Flower Mound
Schedule A
Page 2 of 2

10/4/2016

- Video access controls at the account and user level
- Personal video library for every user
- Security in-flight and in storage

- 6 **Logitech HD Video Conferencing System Bundles (One for Each Fire House)**
Includes Video conferencing kit
Digital Camera
Microphone
Speaker
Remote Control
Network Adapter

Total Investment for Complete Co-nexus Communication System

\$273,014.80



TOWN COUNCIL AGENDA ITEM NO. 7 REGULAR ITEM

DATE: October 17, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trail Head, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Parks, Arts and Library Services Board recommended denial by a vote of 4 to 0 at its September 1, 2016, meeting.) (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.) (The request related to the Multi-Use Trail and Complete Streets-Bike Lanes has been withdrawn and is not under consideration by the Town Council.)*

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. Correspondence received after the P&Z meeting has been attached to the companion item MPA16-0007 as Attachment 3.

Following the P&Z public hearing, the applicant notified the Town that they were withdrawing the Paved Multi-Use Trail and Complete Streets-Bike Lanes portion of the request. They were only appealing to the Town Council the Equestrian Trail and Equestrian Trail Head requests. Therefore, the draft ordinance and draft motion address only the removal of the equestrian facilities.

ATTACHMENTS:

1. Planning and Zoning Commission Staff Report
2. Draft Ordinance

DRAFT MOTION: Move to approve a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Equestrian Trail and Equestrian Trail Head within and adjacent to the Smith Tract, and adopt an ordinance providing for said amendment.



PLANNING AND ZONING COMMISSION AGENDA ITEM NO: 3

DATE: October 10, 2016

FROM: John Habern, Parks, Trails & Landscape Specialist

ITEM: **Public Hearing to consider a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trail Head, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Parks, Arts and Library Services Board recommended denial by a vote of 4 to 0 at its September 1, 2016, meeting.)***

I. ITEM SUMMARY

There are two companion Master Plan Amendment requests for consideration on the same agenda (MPA16-0006 and MPA16-0007).

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

This application was presented to the Parks, Arts and Library Services (PALS) Board on September 1, 2016. The details of the request and staff report are contained in Attachment A.1. The video of the meeting can be viewed at:

<http://flowermoundtx.swagit.com/play/09012016-806>.

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 Master Plan amendment requests. Correspondence received after the posting of the PALS agenda packet and provided to the Board at their meeting has been included with the agenda item (Attachment A.1). Any correspondence received after this packet is posted will be handed out at the Planning and Zoning Commission meeting.

IV. ATTACHMENTS

A. Background Information

1. PALS Board Agenda Item



**Parks, Arts and Library Services
(PALS) Board
AGENDA ITEM NO. ____**

DATE: September 1, 2016

FROM: John Habern, Parks, Trails and Landscape Specialist

ITEM: **Public Hearing to consider recommending to Planning and Zoning Commission and Town Council a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trailhead, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road.**

Background Information: The applicant has three applications in with the Town: a Master Plan Amendment (MPA16-0005) to amend section 5.0 of the Parks and Trails Plan, a Master Plan Amendment (MPA16-0006) to amend section 7.0 of the Thoroughfare Plan, and a Master Plan Amendment (MPA16-0007) to amend section 9.0 of the Wastewater Plan. Only one application (MPA16-0005) will need consideration from the PALS Board. The applicant is requesting that the Town amend section 5.0 of the Parks and Trails Master Plan to remove multi-use trail, equestrian trail and trailhead, as well as complete street-bike lanes within and adjacent to the Smith Tract. The applicant is indicating that these requirements do not benefit the property and have prevented development.

The vision for the trails network is to connect neighborhoods to parks, schools, churches, municipal buildings, and retail centers. In addition to internal trails, the desire is to foster connectivity with adjacent cities and towns by providing trail connections to other existing and proposed trails wherever possible. If the applicants request is granted, it would leave gaps in the Town's trail network.

Alternatives or Options: The Board may wish to recommend the trails, trailhead, and street-bike lanes within and adjacent to the Smith Tract remain or be removed from the Parks and Trails Master Plan as requested.

Fiscal Impact: N/A

Legal Issues: N/A

Attachments:

1. Applicants Letter of Intent
2. Parks and Trails Master Plan
3. Amended Parks and Trails Master Plan



**Parks, Arts and Library Services
(PALS) Board
AGENDA ITEM NO. ____**

Recommendation:

Move to recommend to Planning and Zoning Commission and Town Council an amendment to the Parks and Trails Master Plan to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trailhead, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road.

- OR -

Move to recommend to Planning and Zoning Commission and Town Council denial of the amendment to the Parks and Trails Master Plan and retain the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trailhead, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road.

Letter of Intent

Master Plan Amendment request for 482.16 acres of property located at the southeast corner of Shiloh Road and F.M. Highway 1171 (“Property”)

a) State why the applicant is proposing to change the land use for the subject property.

The applicant is not proposing a change of land use at this time. The existing land use is agricultural.

b) Specify the existing zoning district(s).

The Property is currently zoned within the Agricultural (A) district. The Property is also located in the Cross Timbers Conservation Development District as designated in the Town’s SMARTGrowth program. This district is currently governed by the Town’s conservation development standards.

c) Define acreage of subject property.

The property that is the subject of this Master Plan Amendment request is approximately 482.16 acres, as more particularly described in Exhibit A attached hereto.

d) Specify any special considerations (i.e. requested waivers from the standard zoning districts, variances, unique characteristics of the property).

Parks and Trails Plan Amendment

The Town’s Parks and Trails plan shows a series of trails, including an equestrian trail to be located through the Property. The equestrian trails provide no benefit to the Property unless an equestrian development is proposed. There are no future plans to develop such an equestrian development; thus, the proposed trail is a significant restriction that has prevented development of the Property. The property owner requests removal of this equestrian trail because it does not provide any benefit to the Property.

Likewise, the bike lane and paved multi-use trail that are shown through the Property and along the Property boundary do not benefit the Property. Further, these trails have made future development of the Property cost-prohibitive. See *Town of Flower Mound v. Stafford Estates, L.P.*, 71 S.W.3d 18 (Tex. App.—Fort Worth 2002) *aff’d*, 135 S.W.3d 620 (Tex. 2009). Moreover, the cost associated with the proposed trails is not proportionate to any development on the Property. Due to the reasons stated herein, the property owner requests an amendment to the Parks and Trails Plan to eliminate all of the proposed trails and bike lanes shown on the Parks and Trails Plan through and along the boundary of the Property, more specifically shown on the Master Plan Amendment Exhibit included with this application.

Sewer Master Plan

The service area boundary shown on the Wastewater Service Area Exhibit of the Town's Wastewater Plan does not encompass the Property. Its boundary only extends to a small portion of the 482.16 acres. Thus, the service area boundary is insufficient to provide the Property with continuous or adequate sewer service.

Without centralized sewer service, the property owner would be required to use an on-site septic system for any development. As far back as 1994, the Town stated that this area has "a severely limited suitability for septic fields." From an environmental perspective, a septic system is typically less desirable than a sewer system. For example, "if a septic system does not function properly, it may discharge a significant amount of untreated wastewater directly to soils underlying groundwater."¹ Contaminants found in the untreated wastewater could include pathogens such as bacteria and viruses as well as household chemicals. Additionally, septic systems are unable to treat some household cleaning products effectively because of their chemical make-up. These untreated chemicals can cause groundwater contamination to surrounding properties and natural ecosystems. A centralized sewer system is preferable because there is less risk to groundwater contamination. This is particularly significant in light of the Property's close proximity to Lake Grapevine.

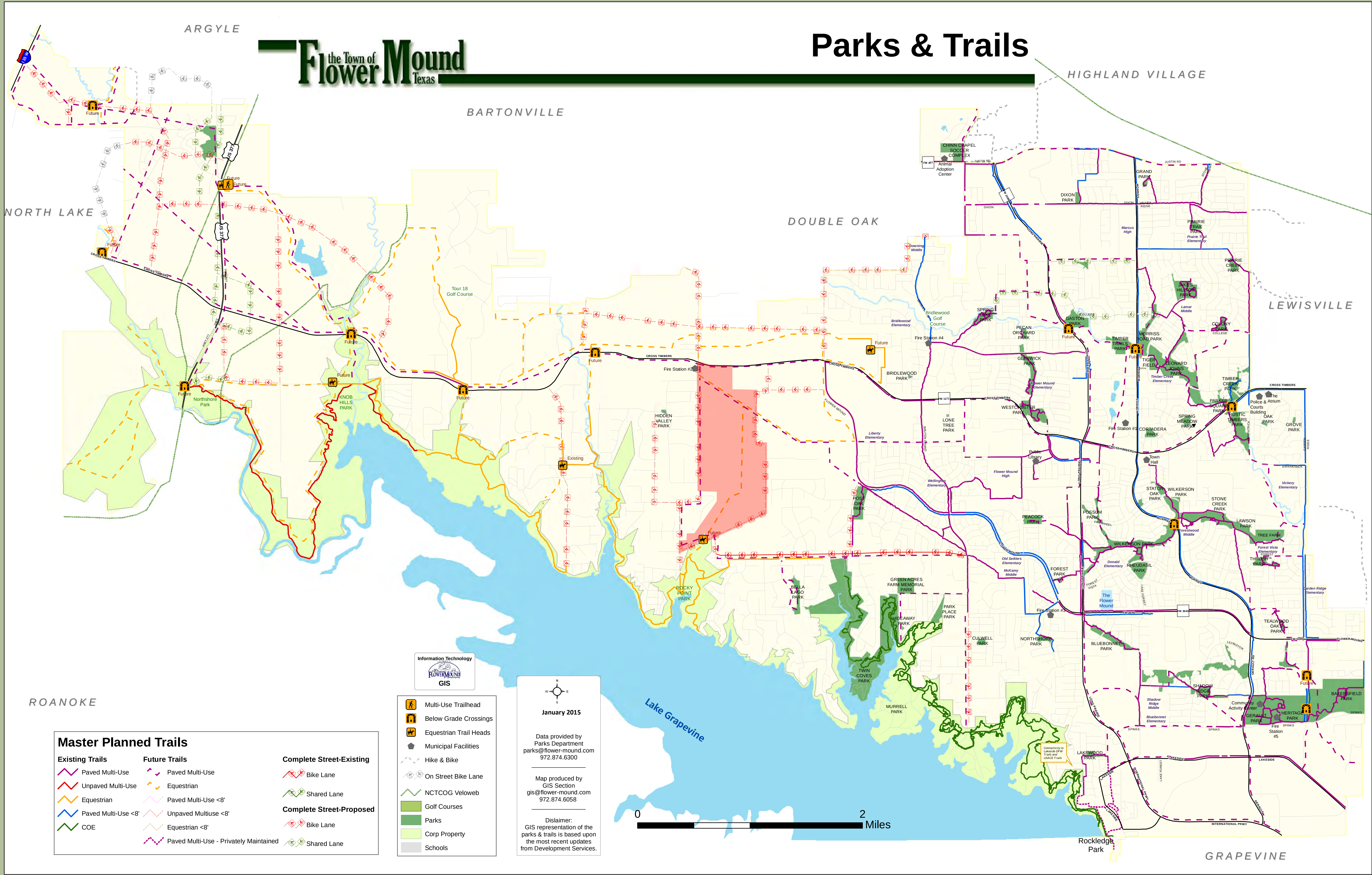
Moreover, sewer systems are more equipped to withstand periods of heavy rainfall or inclement weather. Septic systems are not as well equipped to handle these storms, resulting in overflow of contaminants – another cause of groundwater and surface water pollution. In addition to threatening surrounding ecosystems, this contamination can threaten public health because diseases from pathogens can be spread through surface water or mosquitoes that breed in areas where sewage contaminants are spread. Finally, improperly treated sewage can create increased nitrates in the water supply. The increase in nitrates can cause an escalation in plant growth in nearby lakes and streams that can create dead zones lacking in riparian life. For all of the reasons stated above, centralized sewer service is preferable than a septic system for provision of wastewater treatment on the Property. An amendment to the Town's Wastewater Plan is necessary for the Property to have adequate provision of sewer service.

The boundaries of the Wastewater Service Area are not sacrosanct as the Town has amended these boundaries from time to time. Based upon the Town's Wastewater Service Area Exhibit, it appears that the Town recently amended its sewer service boundary area to add three tracts that were located within the Cross Timbers Conservation Development District. The property owner requests that the Town treat this Property similarly by amending its service area boundary to include all of the Property so that adequate sewer service may be provided.

¹ John J. Schwartz, Ann T. Lemley, Kalpana Pratap, Household Chemicals and Your Septic System: Fact Sheet 16, Cornell Cooperative Extension, College of Human Ecology, December 2004.



Parks & Trails



Master Planned Trails

Existing Trails	Future Trails	Complete Street-Existing
Paved Multi-Use	Paved Multi-Use	Bike Lane
Unpaved Multi-Use	Equestrian	Shared Lane
Equestrian	Paved Multi-Use <8'	Complete Street-Proposed
Paved Multi-Use <8'	Unpaved Multi-Use <8'	Bike Lane
COE	Equestrian <8'	Shared Lane
Privately Maintained		

Information Technology
GIS

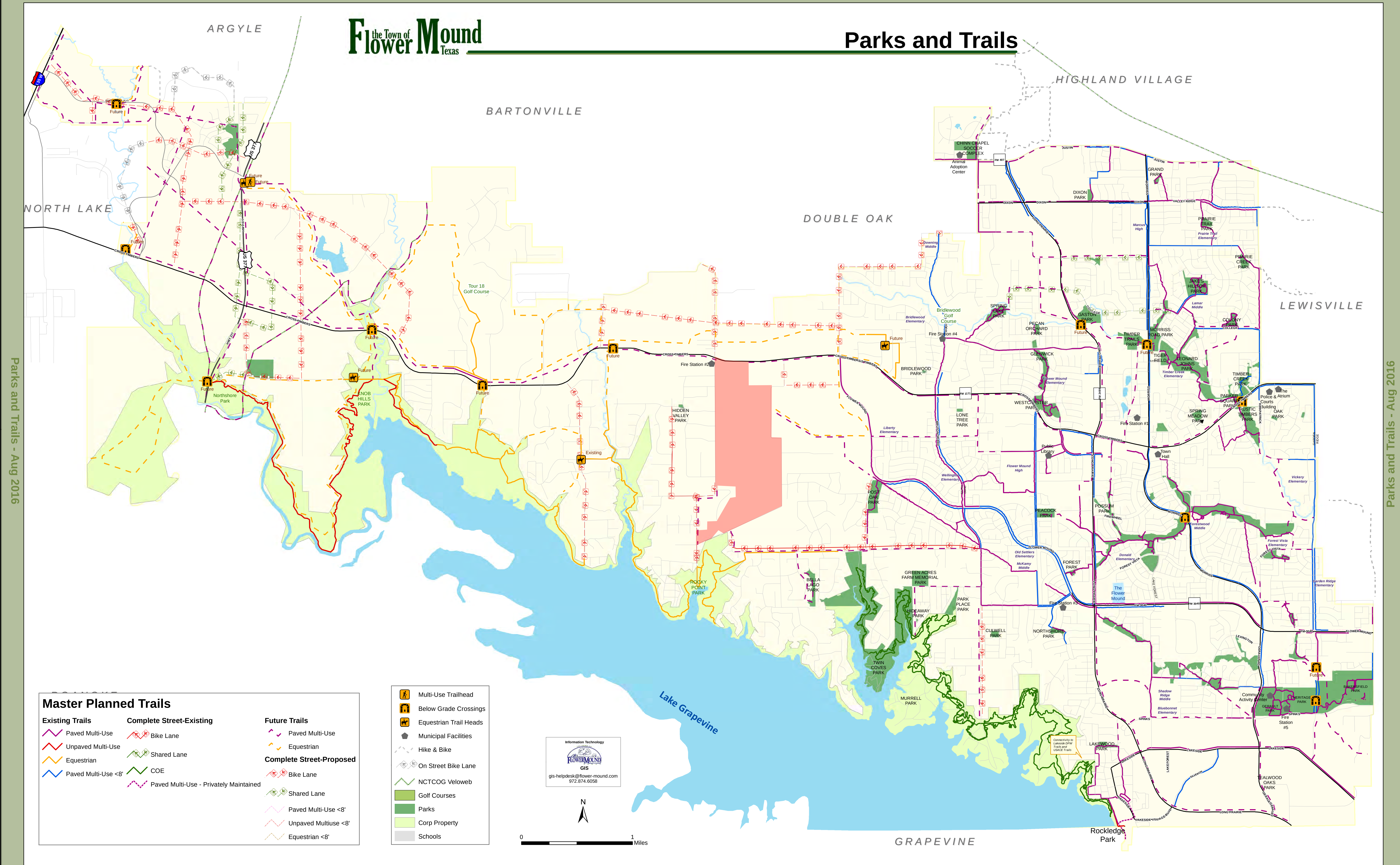
	Multi-Use Trailhead
	Below Grade Crossings
	Equestrian Trail Heads
	Municipal Facilities
	Hike & Bike
	On Street Bike Lane
	NCTCOG Veloweb
	Golf Courses
	Parks
	Corp Property
	Schools

January 2015

Data provided by
Parks Department
parks@flower-mound.com
972.874.6300

Map produced by
GIS Section
gis@flower-mound.com
972.874.6058

Disclaimer:
GIS representation of the
parks & trails is based upon
the most recent updates
from Development Services.





Community SERVICES Memorandum

DATE: September 1, 2016

TO: Parks, Arts and Library Services

FROM: John Habern, Parks, Trails and Landscape Specialist

SUBJECT: Items No. 3 - Smith Tract
(MPA16-0005)

Madam Chair Jones and board members,

Attached is correspondence we received regarding this item after the packets were completed.

Thank you.

From: Andy Hughes
Sent: Wednesday, August 31, 2016 1:15 PM
To: parks@flowermound.com; Cindi Price; Doug Powell
Subject: Master Plan Amendments for Shiloh Rd at 1171

All,

I am writing this letter to you to let you know of my DISAPPROVAL of the Master Plan Amendments for Shiloh Rd at 1171.

PLEASE ensure the our wonderful community is the primary concern.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. This also preserves natural surface areas that absorb storm water.
This area is highly sought after for its natural and almost pristine beauty and incredible wildlife.

It is our understanding that a Development Plan has never been submitted. The landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a development plan.

Flower Mound has maintained its value and reputation of being one of the best cities to live in. Please let's not change! I am begging you to make this proposal like any other and follow the rules.
Its impact on us (the neighbors), wildlife, storm water and values will be devastating.

Andy Hughes
Concerned Neighbor

From: Rubyann Darnell
Sent: Wednesday, August 31, 2016 12:23 PM
To: Cindi Price
Subject: Shiloh Road Land

Please don't let them get around our Master Plan, it was voted on years ago for a reason, like this one.

Thanks,
Gordon J. and Rubyann T. Darnell
6409 Red Bud Drive
Flower Mound, TX 75022

-----Original Message-----

From: Melanie DeLeon

To: doug.powell <doug.powell@flower-mound.com>; cindiprice <cindiprice@flower-mound.com>; parks <parks@flowermound.com>

Sent: Wed, Aug 31, 2016 9:40 am

Subject: Master Plan Amendments for Shiloh Rd at 1171

Dear Mr. Powell, Ms. Price and Flower Mound Parks,

I am writing this letter to you to let you know of my disapproval of the Master Plan Amendments for Shiloh Rd at 1171.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. This also preserves natural surface areas that absorb storm water.

This area is highly sought after for its natural and almost pristine beauty and incredible wildlife.

It is our understanding that a Development Plan has never been submitted. The landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a development plan.

Flower Mound has maintained its value and reputation of being one of the best cities to live in. Please let's not change! I am begging you to make this proposal like any other and follow the rules.

Its impact on us (the neighbors), wildlife, storm water and values will be devastating.

V/R

Melanie DeLeon

Realtor

Citiwide Properties

3214 Lakewood Lane

Flower Mound, TX 75022

From: Sam Morehouse
Sent: Wednesday, August 31, 2016 7:29 AM
To: Cindi Price
Subject: Master Plan Change

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan.

I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Sam Morehouse
3415 Mesa Dr.

From: jena toich
Sent: Tuesday, August 30, 2016 9:32 PM
To: Jade Olson; Cindi Price; doug.powel@flower-mound.com
Subject: Sept. 1 meeting

Hi,

My name is Jena Toich. I reside at 7408 Bolo Lane in Flower Mound. I am so fortunate to live in the Cross Timbers area.

I am unable to attend, but I have comments about the Master Plan Amendments.

Please note that my comments are in regards to a meeting this Thursday Sept 1 at 6:30 p.m. at town hall with the Parks/Arts/Library Board on whether to waive the requirement for trails, even though the Town is working to expand its parks and trails.

THREE Master Plan Amendments are requested:

1) Bring in municipal sewer

Although sewer is a highly contentious topic, I have no opinion here.

2) remove the trails requirement

I am opposed to removing the trails requirement.

3) remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter)

I oppose removing the bike lane requirement.

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan. I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Peggie Kimberlin
3400 Mesa Dr.
Flower Mound, TX 75022

I am opposed to the proposed changes to the Master Plan relative to the Smith property. As such plans mature, it is always difficult to preserve their integrity. Please add my objection to those of my neighbors in this last green area of our town.

Madeline Haynie

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan.

I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Joel Loeb
3404 Raintree Dr.
Flower Mound, TX. 75022

PALS Board Members:

Please accept this correspondence as **opposition** to the proposed MPA16-0005 requesting an amendment to the Town's Master Plan relating to trails on and adjacent to the Smith tract. Our Town has a proud history of encouraging the construction and maintenance of these kinds of trails, and that's exactly why they were placed in the master plan. Additionally, allowing for the removal of bike lanes on these streets will increase the risk faced by cyclists who use these streets to access more rural roads in Denton County.

Thank you for your consideration.

Mike Hassett
3500 Beringer Court
Flower Mound, Texas 75022

From: John Barr
Sent: Wednesday, August 31, 2016 3:15 PM
To: Jade Olson; Cindi Price; Doug Powell
Subject: MPA16-0005

31 Aug 2016

Re: Master Plan Amendment, MPA16-0005

Parks, Arts and Library Board:

The existing paved multi-use trails, equestrian trail and trailheads and street bike lanes are barely adequate now. There has long been a desire within the town to have more equestrian trails and trailheads and the development has been nonexistent or slow at best. Additionally, bike traffic has been on the increase for several years. All but a few of the towns existing roads do NOT include bike lanes making the roads more of a hazard for bikers and motorists alike. More bike trails, lanes, and street-bike lanes are absolutely needed.

There are few, if any, walking trails at the area on the west end of town (Shiloh Road). The trails in the Cross Timbers Conservation Development District would be a wonderful addition to link with the Wellington and River Oaks Estates areas and business areas. I believe that the trails would be an aesthetic improvement to the development that would actually enhance it's value.

I recommend denial of Master Plan Amendment, MPA16-0005, to amend section 5.0 of the Parks and Trails Plan and instead retain the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trailhead, and Complete Streets-bike Lanes within and adjacent to the Smith Tract as previously outlined.

John Barr

3405 Ridgecrest Dr.

From: Emil Soleyman

Sent: Wednesday, August 31, 2016 3:28 PM

To: Doug Powell; Cindi Price; Jade Olson

Subject: Smith Property Master Plan Amendment Requests (Shiloh Rd at FM1171)

My wife and I noticed the signs around the Smith property regarding the Master Plan Amendment request. We have noticed that the landowner(s) want to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. It will open the door to other landowners to take a similar approach and thus compromising the integrity of the Cross Timbers District.

Notably, the landowner wants to:

- 1) Bring in municipal sewer (currently prohibited)
- 2) Remove the trails requirement
- 3) Remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter)

This landowner joined with 2 other large landowners in 2001 in a failed attempt to sue the Town in order to bring sewer and high density/commercial to this area. (Smith/Wilson/Bunn vs. the Town of Flower Mound). He is now attempting to do so by using loopholes in the 2013 Master Plan Amendment.

My wife and I are against this action as are our neighbors. We wholeheartedly disagree with this amendment request and advise the town to decline it.

Thanks,

Emil Soleyman-Zomalan

Paulin Soleyman

6601 Stonehill Ct

Flower Mound, TX 75022

From: Debbie Chester
Sent: Wednesday, August 31, 2016 3:46 PM
To: Cindi Price
Subject: Cross Timbers Conservation District

Dear Ms. Price.

We chose to build our home near Shiloh Road over 20 years ago because the community shared our respect for the land and the natural environment it provided. Over the years the Master Plan for Flower Mound has continued to be amended and threatens to forever alter the rural-like community we love.

We implore you to **reject** the altering of the requirements for development of the Shiloh/Cardinal/Scenic area. Trails, safe bike lanes, larger home lots and open land spaces are essential to preserving the Flower Mound community we call home. Please, consider the long term ramifications of further alterations.

Respectfully,
Chuck and Debbie Chester

From: Ruland, Patrick
Sent: Wednesday, August 31, 2016 4:08 PM
To: Doug Powell; Jade Olson; Cindi Price
Cc:
Subject: PALS Agenda Item No. 3

PALS Board,

I intend to be in attendance at tomorrow night's hearing. I have not seen the developer's proposed land development plan (if there is one), but I have a few comments I would like to share if there is not enough time to speak.

1. Town growth doesn't always have to mean placing more people in less space.
2. I, and many of our neighbors, are in support of the Parks and Trails Master plan for the following reasons:
 - a. Connectivity of west to east communities
 - b. Safe outdoor and recreational "avenues" that does not require crossing busy traffic on FM 1171
 - c. Maintaining low density residential use in the area rather than industrial/commercial development
3. Lastly, and may be most important, this tract of land is high ground with its surface run-off eventually depositing into Lake Grapevine. Understanding these are sandy loam soils, overdevelopment with hard surface streets, walks and driveways will only contribute to sand deposits into the Lake. The transmission of soils will also effect already established properties along the southern drainage areas. This is evidenced by all the rain over the past 16 months and the reduction of drainage capacity in neighborhood gullies west of Shiloh Rd.. Although grass as groundcover can be placed, the sandy loam soils still move beneath them in heavy rainfall so if development is allowed, entire lot soil preparation/conservation and run-off methodologies should be required for responsible storm water collection and to preserve our lake's capacity.

Please feel free to share these thoughts with anyone you see necessary, or you may contact me on my personal cell phone at

Best regards,

Patrick W Ruland, AIA
Frontier Drive Resident

From:

Sent: Wednesday, August 31, 2016 4:23 PM

To: planning

Subject: Master Planning Amendments request - Smith Tract

In regards to:

MPA16-0005 SMITH TRACT - TRAILS PZ MEETING 10/10/2016 TC MEETING 10/17/2016

I would like all trails to remain in the plan. These trails are essential to the Master Plan trail systems which includes paved, multi use and equestrian. One omission will greatly affect and devalue the Master Plan.

MPA16-0006 SMITH TRACT - THOROUGHFARE PZ MEETING 10/10/2016 TC MEETING 10/17/2016

I would like the requirement for bike lanes to remain in the plan. This is essential to the safety of bike riders, walkers and motorists. Eliminating this requirement would just be ridiculous.

MPA16-0007 CHUCK RUSSELL SMITH TRACT - WASTEWATER

The move from a septic system to sewer would only be necessary if the land were to be a high density neighborhood, which it is NOT. No need for sewer over septic.

The above amendment requests would allow this land to be over developed, high density with very few safety and recreational amenities. That is not the Town of Flower Mound's Master Plan goal.

Susan Bodenmiller

Charles Bodenmiller

7007 Woodridge drive 75022

From: Ron Huebner
Sent: Thursday, September 01, 2016 9:15 AM
To: Cindi Price
Subject: Upcoming vote comments

I am a resident of Flower Mound and reside at 3908 Sunnyview Lane. Though I will be out of town during the September 1st meeting of the Parks/Arts/Library Board I understand there will be a vote concerning Master Plan Amendments. I believe that the business concerns that are currently attempting to develop Flower Mound are in fact degrading the quality of living for most residents who live in my neighborhood. The original Master Plan is being changed by business interests, not the resident's interest. What good is a Master Plan if it is constantly being changed to suit the needs of Business interests. I would also argue that the current "Growth" model that the city apparently has adopted is essentially unsustainable without destroying the quality of life we now enjoy. Growing to fulfill tax revenue so that we can support more growth is NOT development in the eyes of many, including myself. It is a recipe for making Flower Mound into another Plano or Frisco and THAT will definitely not be "progress".

I see that the following Amendments to the are being considered:

THREE Master Plan Amendments are requested:

- 1) Bring in municipal sewer (currently prohibited)
- 2) remove the trails requirement
- 3) remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter).

Please note that I am definitely opposed to allowing any of the Amendments to be allowed. I am especially opposed to bringing in municipal sewer.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. Sewer limitation is a popular planning tool for limiting density in sensitive and scenic areas. This also preserves natural surface areas that help absorb stormwater.

From:

Sent: Thursday, September 01, 2016 9:44 AM

To: Doug Powell; Cindi Price; Jade Olson

Subject: Master plan amendment concerns

We're strongly OPPOSED to the attempt to bypass the normal Master Plan for any reason. We understand progress, but we believe following the Master Plan is vital to keeping Flower Mound a great place to live now and in the future! Flower Mound is a very active community, and the attempt to eliminate Equestrian, Walking, and Bicycle Trails & Paths is wrong. The Smith property is surrounded by horse property which is our heritage, and the terrain in our area lends itself to great riding, walking & cycling.

We're for limiting density, and prohibiting sewers in our area per the Master Plan so that we keep the country feel which is why we moved from the east side of town 18 years ago.

We've lived in Flower Mound for 20 years, and have been through the growth struggles of the past that effected our School System, Taxes, and TRAFFIC. Traffic has progressively gotten worse again over the past couple of years, and it shouldn't take us 29 minutes to go 10 miles from the West side to 2499 & 121 during rush hour every morning. That doesn't take into account completion of the future developments already approved and not built or the 2499/35E connector project.

Flower Mound needs to stop approving future developments until they can figure out a way to improve traffic flow throughout the town - especially on 2499. No matter how beautiful and great Flower Mound may be, it's not worth living here if it takes forever to get in & out of town!!!

Lloyd & Mary Beth Collins
4005 Ada Dr.

From:

Sent: Thursday, September 1, 2016 12:09 PM

To: Doug Powell

Subject: change to master plan at shiloh and crosstimbers

I vote NO to this idea. We do not want high density homes or apartments in this area (Shiloh at Cross Timbers Road). Please do not change the Flower Mound Master Plan in order to accomodate those (Smith Estate, etc.) trying to change it. Kathy Menninga 6417 Frontier Dr Flower, Mound, TX 75022

From: Janie and Trent Cragin

Sent: Thursday, September 01, 2016 2:18 PM

To: Doug Powell; Cindi Price; Jade Olson

Subject: TRUE CONCERN OVER MASTER PLAN AMENDMENT REQUEST @ SMITH PROPERTY!!

My family and I moved to Flower Mound (from Frisco) in 2002 because we respected the town of Flower Mound for it's "smart growth" and it's adherence to some very important land conservation values. We share these very important values. The Cross Timbers Conservation district is the true essence of the town, and it is worth protecting and fighting for. There is no reason why a landowner cannot work within the limitations of this plan. Why should Flower Mound even listen to a developer/owner who doesn't even submit a Development Plan? This is absolutely unacceptable, and would only set up an opportunity for others to do the same.

In 2001, 1 acre, true-conservation clustered lots were a highly incentivized option to encourage preservation (while still allowing 2 acre non-conservation lots).

In 2013, the town council approved 1/2 acre non-conservation lots (with up to 25% increase in residential density), but fortunately, did not approve sewer expansion.

IN 2016, WE HAVE A REAL OPPORTUNITY TO PROTECT THE CONSERVATION DISTRICT FOR THE FUTURE OF OUR TOWN! THIS IS NOT THE TIME TO MAKE CONCESSIONS FOR OWNERS/DEVELOPERS THAT WE WILL NEVER GET BACK! WE ONLY GET A SHOT AT THIS ONCE. THEN POOF, NO MORE LAND TO TALK ABOUT, ONLY HOW TO HANDLE THE EXTRA HIGH DENSITY WITH ROADS AND INFRASTRUCTURE.

NO MORE LOOP-HOLES FOR DEVELOPERS. DEVELOPERS CAN RESPECT OUR CROSS TIMBERS CONSERVATION DISTRICT JUST LIKE WE DO.

THIS IS ALL WE HAVE LEFT.

In addition, if we truly continue to respect the adherence of the values of the Cross Timbers Conservation district, we all will receive the benefit of the beauty, the integrity of the town ideals, and the future of economic values that will be a successful case study for future areas of growth.

Thank you for taking the time to hear my response to the Master Plan Amendment Request.

Sincerely,
Janie Cragin
3812 Valley View Lane
Flower Mound, TX 75022

From: Mark Van Tilburg
Sent: Thursday, September 01, 2016 1:55 PM
To: Cindi Price; Jade Olson; Doug Powell
Subject: Smith Property Amendments

Doug, Cindi & Parks Board,

I am traveling on business and will not be able to attend this evenings' meeting. My wife and I are residents of Bolo Lane and have been active in objecting to prior attempts to amend the CTCD master plan. We have to admit that this latest effort, especially considering the attempt to bypass the normal development and planning process, is not only frustrating but disrespectful to the residents and our past efforts to maintain the quality of life that we enjoy and have a right to maintain. This attempt should not be given a platform and those making it should be told in no uncertain terms that neither it, or future attempts will be entertained or tolerated by The Town.

Thanks,
Mark
Sent from my iPhone

Ordinance No. _____

Page 1

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 5.0, PARKS AND TRAILS PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, THROUGH THE AMENDMENT OF FIGURE 5.4, TRAILS MASTER PLAN, BY REMOVING THE EQUESTRIAN TRAIL AND EQUESTRIAN TRAIL HEAD WITHIN AND ADJACENT TO APPROXIMATELY 456.95 ACRES OF LAND SITUATED IN THE N. A. THOMPSON SURVEY, ABSTRACT NUMBER 1307, THE L. K. HEATH SURVEY, ABSTRACT NUMBER 1597, AND THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NUMBER 935, DENTON COUNTY, TEXAS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, on March 19, 2001, the Town Council of the Town of Flower Mound adopted all nineteen component plans, specifically including the Parks and Trails Plan, together with all amendments thereto, by Ordinance No. 24-01 as a component to the Flower Mound Master Plan; and

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as 456.95 acres of land situated in the N. A. Thompson Survey, Abstract Number 1307, the L. K. Heath Survey, Abstract Number 1597, and the M.E.P. & P.R.R. Company Survey, Abstract Number 935, Denton County, Texas, have filed an application for a Master Plan Amendment to remove the equestrian trail and equestrian trail head within and adjacent to their property; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on October 10, 2016, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 17, 2016, with respect to the Master Plan Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 213 of the Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Master Plan Amendment on the property;

WHEREAS, the Town Council finds that amendment of the Master Plan as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public;

Ordinance No. _____

Page 2

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The Master Plan of the Town of Flower Mound, Texas, as amended, is hereby amended on the hereinafter described property and area as shown below:

456.95 acres of land situated in the N. A. Thompson Survey, Abstract Number 1307, the L. K. Heath Survey, Abstract Number 1597, and the M.E.P. & P.R.R. Company Survey, Abstract Number 935, Denton County, Texas, and more fully described in Exhibit "A" hereto.

Section 5.0, Parks and Trails Plan, of the Master Plan is hereby amended through the amendment of Figure 5.4, Trails Master Plan, to remove the equestrian trail and equestrian trail head within and adjacent to the property described herein and as depicted on Exhibit "B," attached hereto and incorporated for all purposes.

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

Ordinance No. _____

Page 3

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF _____, 2016.

APPROVED:

Thomas E. Hayden, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, **TOWN ATTORNEY**

Ordinance No._____

Page 4

Exhibit "A"

Description of Property

(To be provided at time of approval)

Exhibit "B"

Depiction of Property

(To be provided at time of approval)



DEVELOPMENT SERVICES
PLANNING SERVICES DIVISION
Memorandum

DATE: October 17, 2016
TO: Mayor and Town Council
FROM: Doug Powell, Executive Director
SUBJECT: Agenda Item MPA16-0006 – Smith Tract

This request has been withdrawn by the applicant and is not under consideration by the Town Council this evening.



TOWN COUNCIL AGENDA ITEM NO. 9 REGULAR ITEM

DATE: October 17, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A, and to consider adopting an ordinance for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.)*

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. Correspondence received after the P&Z meeting related to the three Smith Tract requests, MPA16-0005, MPA16-0006 and MPA16-0007, has been attached to this item as Attachment 3.

ATTACHMENTS:

1. Planning and Zoning Commission Staff Report
2. Draft Ordinance
3. Additional Correspondence

DRAFT MOTION: Move to approve a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A, and adopt an ordinance providing for said amendment.



PLANNING AND ZONING COMMISSION AGENDA ITEM NO: 5

DATE: October 10, 2016

FROM: Robert Pegg, Engineering Manager

ITEM: **Public Hearing to consider a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road.**

I. ITEM SUMMARY

There are two companion Master Plan Amendment requests for consideration on the same agenda (MPA16-0005 and MPA16-0006).

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

This application is requesting an amendment to Section 9.0, Wastewater Plan, of the Town's Master Plan to add approximately 457 acres, known as the Smith Tract, to the Long Prairie Wastewater Service Area in order to provide sanitary sewer service to any future development on that tract.

Since the applicant did not provide any sanitary sewer design or flow information with their application, nor did they provide any information on the future development proposed for the tract, the Town's engineering department has been unable to evaluate the proposed wastewater area change using the Town's wastewater model. Without the wastewater model evaluation, the Town's engineering department cannot determine what impact the applicant's proposed boundary change will have on the Town's wastewater system. We do not know if the Town's current wastewater system has capacity or if infrastructure improvements will be required. We are also unable to determine the estimated impacts to the Town's CIP and O&M budgets caused by this proposal.

The Town's current Wastewater Service Area Map and the applicant's proposed amendment are depicted in Attachments B.1 and B.2.

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 Master Plan amendment requests. Correspondence

received prior to this agenda packet being posted is contained in Attachment C.1. Some of the correspondence includes comments related to the two companion requests. Correspondence received after the packet posting will be handed out at the Planning and Zoning Commission meeting.

IV. ATTACHMENTS

A. Background Information

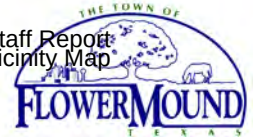
1. Vicinity Map
2. Letter of Intent

B. Application Details

1. Current Wastewater Service Area
2. Proposed Wastewater Service Area

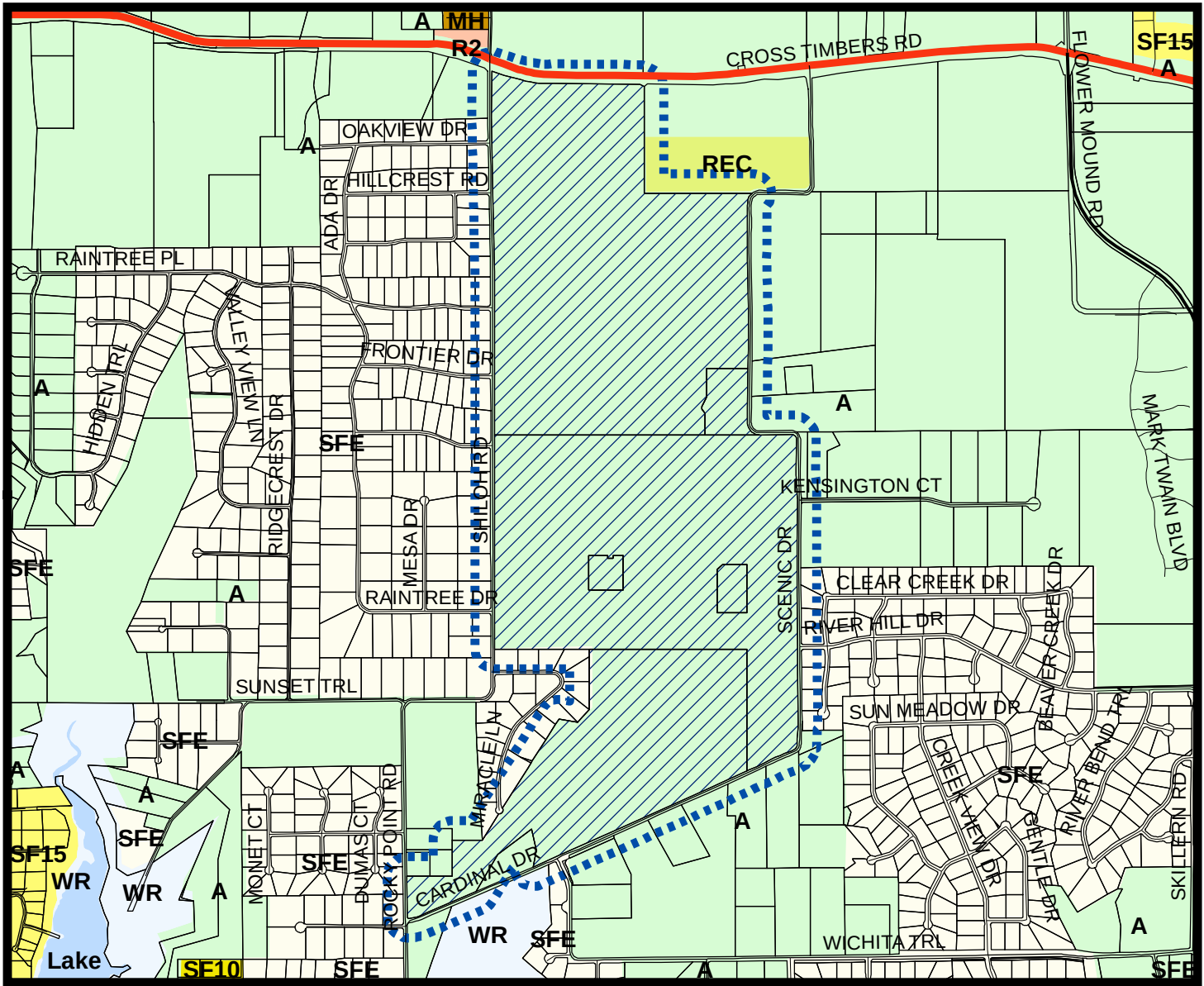
C. Correspondence

1. Correspondence

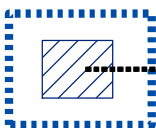


Vicinity Map

Reference Project: MPA16-0005, MPA16-0006, MPA16-0007

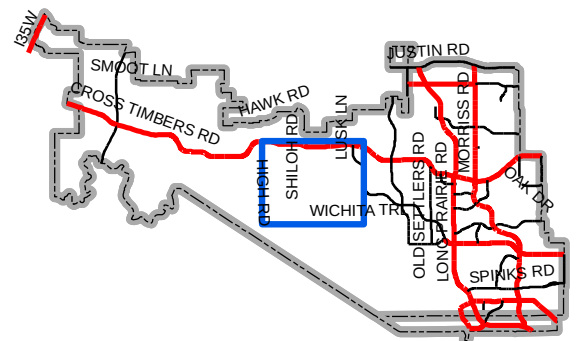
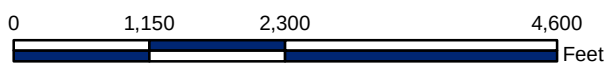


LEGEND



Subject Property

200 ft Notification Buffer around Property



Map Location

Letter of Intent

Master Plan Amendment request for 482.16 acres of property located at the southeast corner of Shiloh Road and F.M. Highway 1171 (“Property”)

a) State why the applicant is proposing to change the land use for the subject property.

The applicant is not proposing a change of land use at this time. The existing land use is agricultural.

b) Specify the existing zoning district(s).

The Property is currently zoned within the Agricultural (A) district. The Property is also located in the Cross Timbers Conservation Development District as designated in the Town’s SMARTGrowth program. This district is currently governed by the Town’s conservation development standards.

c) Define acreage of subject property.

The property that is the subject of this Master Plan Amendment request is approximately 482.16 acres, as more particularly described in Exhibit A attached hereto.

d) Specify any special considerations (i.e. requested waivers from the standard zoning districts, variances, unique characteristics of the property).

Parks and Trails Plan Amendment

The Town’s Parks and Trails plan shows a series of trails, including an equestrian trail to be located through the Property. The equestrian trails provide no benefit to the Property unless an equestrian development is proposed. There are no future plans to develop such an equestrian development; thus, the proposed trail is a significant restriction that has prevented development of the Property. The property owner requests removal of this equestrian trail because it does not provide any benefit to the Property.

Likewise, the bike lane and paved multi-use trail that are shown through the Property and along the Property boundary do not benefit the Property. Further, these trails have made future development of the Property cost-prohibitive. See *Town of Flower Mound v. Stafford Estates, L.P.*, 71 S.W.3d 18 (Tex. App.—Fort Worth 2002) *aff’d*, 135 S.W.3d 620 (Tex. 2009). Moreover, the cost associated with the proposed trails is not proportionate to any development on the Property. Due to the reasons stated herein, the property owner requests an amendment to the Parks and Trails Plan to eliminate all of the proposed trails and bike lanes shown on the Parks and Trails Plan through and along the boundary of the Property, more specifically shown on the Master Plan Amendment Exhibit included with this application.

Sewer Master Plan

The service area boundary shown on the Wastewater Service Area Exhibit of the Town's Wastewater Plan does not encompass the Property. Its boundary only extends to a small portion of the 482.16 acres. Thus, the service area boundary is insufficient to provide the Property with continuous or adequate sewer service.

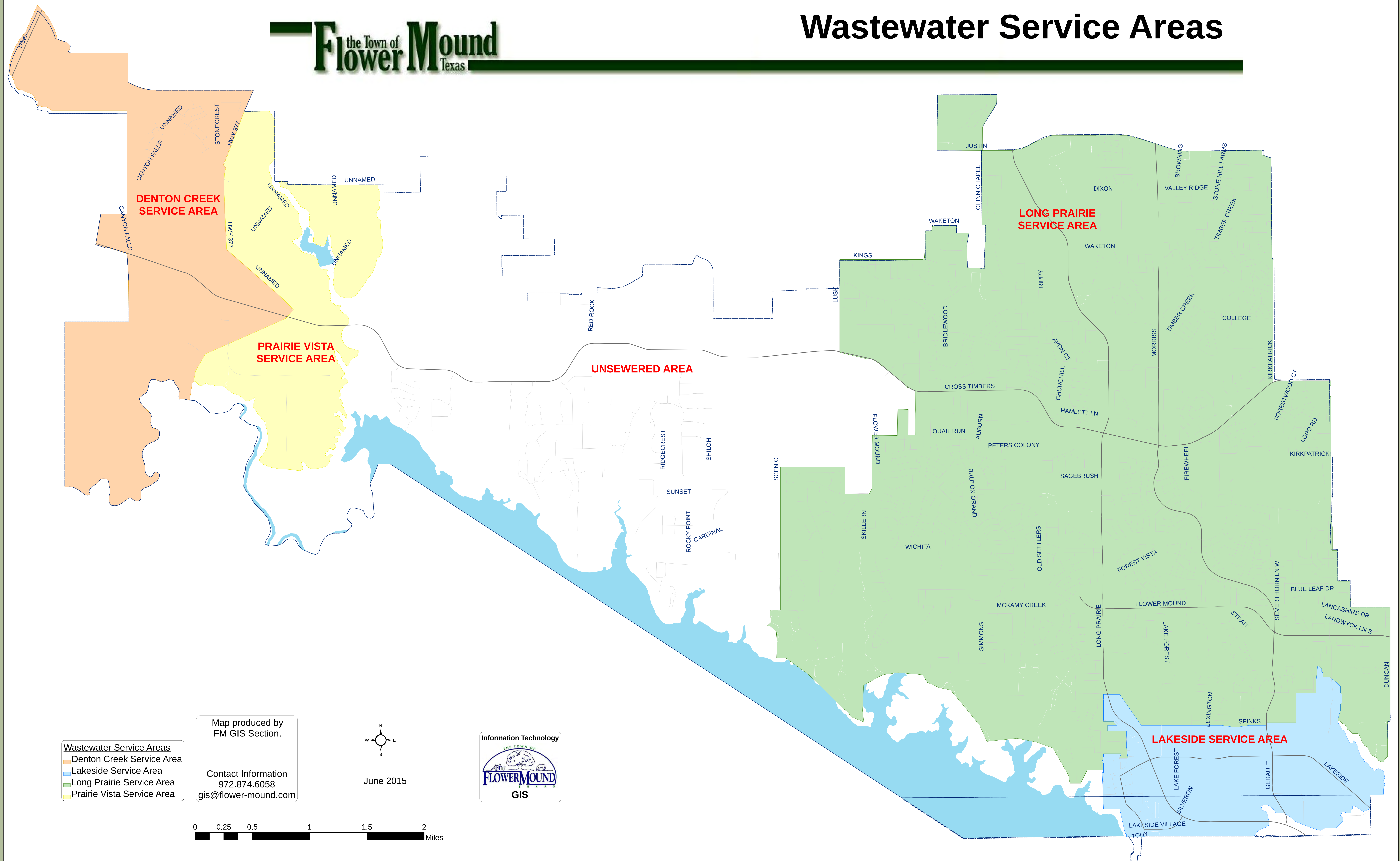
Without centralized sewer service, the property owner would be required to use an on-site septic system for any development. As far back as 1994, the Town stated that this area has "a severely limited suitability for septic fields." From an environmental perspective, a septic system is typically less desirable than a sewer system. For example, "if a septic system does not function properly, it may discharge a significant amount of untreated wastewater directly to soils underlying groundwater."¹ Contaminants found in the untreated wastewater could include pathogens such as bacteria and viruses as well as household chemicals. Additionally, septic systems are unable to treat some household cleaning products effectively because of their chemical make-up. These untreated chemicals can cause groundwater contamination to surrounding properties and natural ecosystems. A centralized sewer system is preferable because there is less risk to groundwater contamination. This is particularly significant in light of the Property's close proximity to Lake Grapevine.

Moreover, sewer systems are more equipped to withstand periods of heavy rainfall or inclement weather. Septic systems are not as well equipped to handle these storms, resulting in overflow of contaminants – another cause of groundwater and surface water pollution. In addition to threatening surrounding ecosystems, this contamination can threaten public health because diseases from pathogens can be spread through surface water or mosquitoes that breed in areas where sewage contaminants are spread. Finally, improperly treated sewage can create increased nitrates in the water supply. The increase in nitrates can cause an escalation in plant growth in nearby lakes and streams that can create dead zones lacking in riparian life. For all of the reasons stated above, centralized sewer service is preferable than a septic system for provision of wastewater treatment on the Property. An amendment to the Town's Wastewater Plan is necessary for the Property to have adequate provision of sewer service.

The boundaries of the Wastewater Service Area are not sacrosanct as the Town has amended these boundaries from time to time. Based upon the Town's Wastewater Service Area Exhibit, it appears that the Town recently amended its sewer service boundary area to add three tracts that were located within the Cross Timbers Conservation Development District. The property owner requests that the Town treat this Property similarly by amending its service area boundary to include all of the Property so that adequate sewer service may be provided.

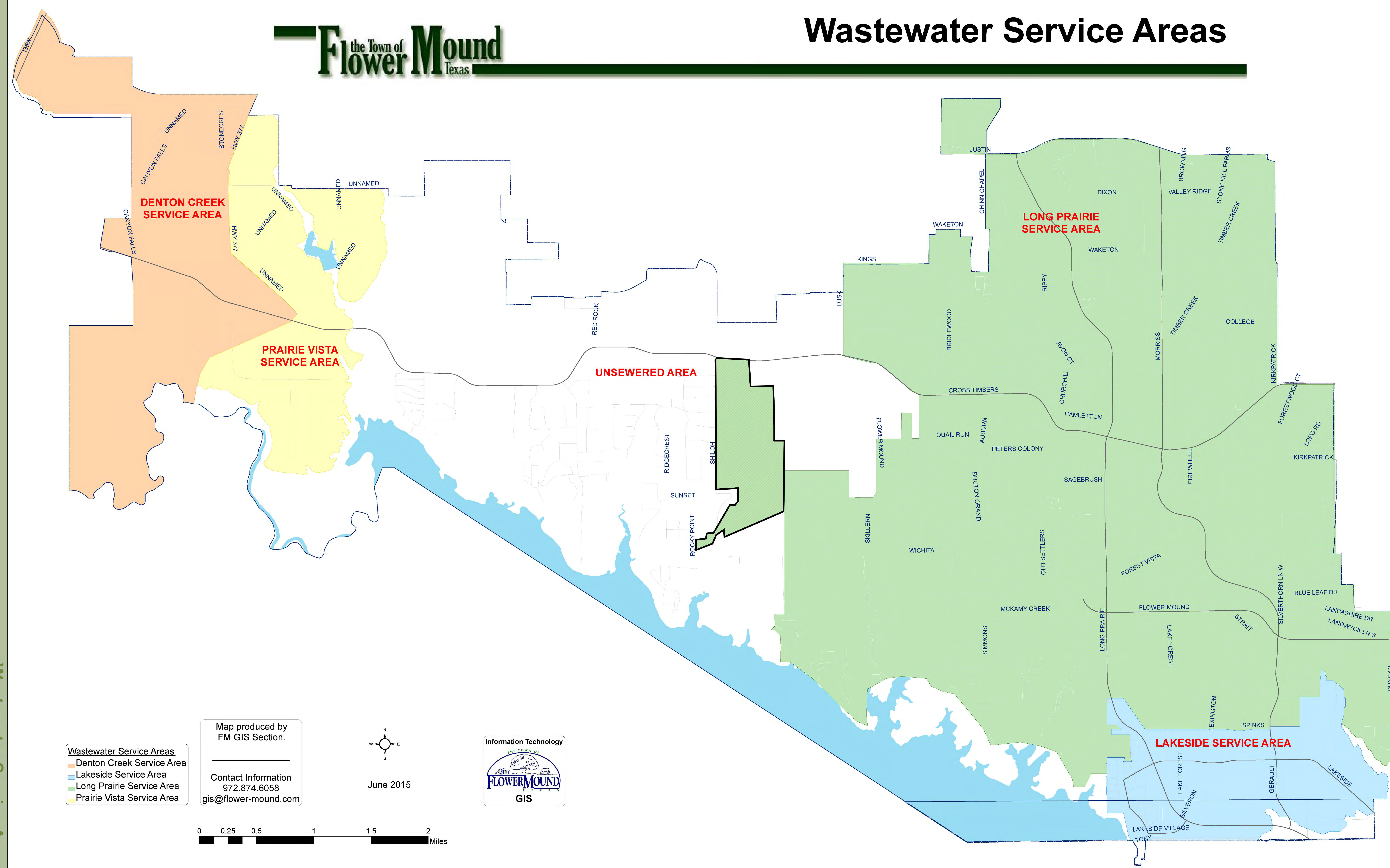
¹ John J. Schwartz, Ann T. Lemley, Kalpana Pratap, Household Chemicals and Your Septic System: Fact Sheet 16, Cornell Cooperative Extension, College of Human Ecology, December 2004.

the Town of Flower Mound Texas





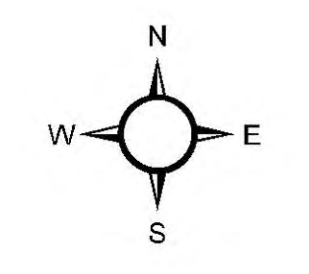
Wastewater Service Areas



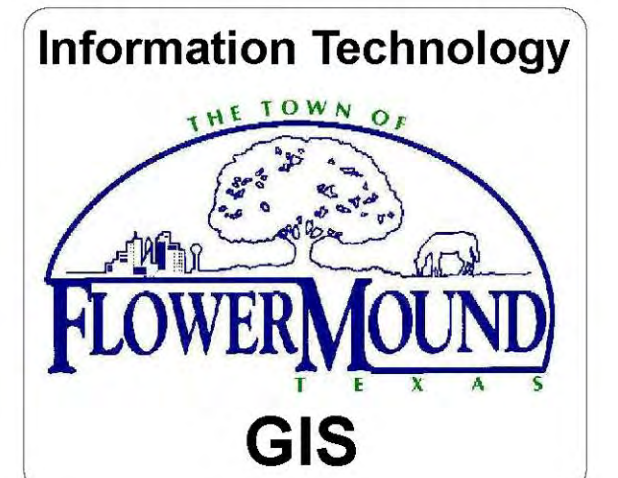
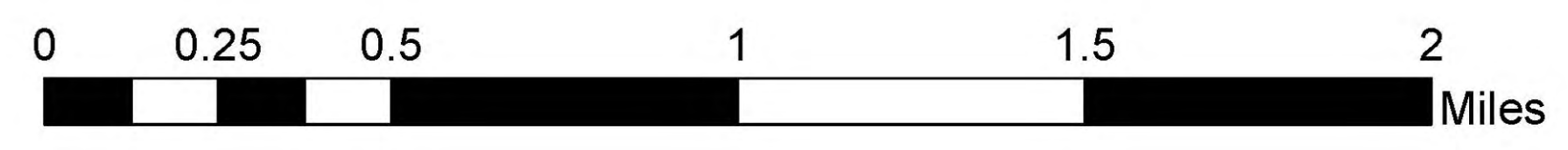
- Wastewater Service Areas**
- Denton Creek Service Area
 - Lakeside Service Area
 - Long Prairie Service Area
 - Prairie Vista Service Area

Map produced by
FM GIS Section.

Contact Information
972.874.6058
gis@flower-mound.com



June 2015



Wastewater Service Areas

Wastewater Service Areas

From: Sonny Baca
Sent: Sunday, September 11, 2016 8:41 PM
To: Matthew Hotelling
Subject: Master Plan and Smith Property

Mr. Hotelling:

My wish is that we stay the Master Plan not the one Smith lawyers are conjuring. I am in opposition do not want city sewers unless the future developers or land owners pay for them since they will be profiting.

This would be spending money that, with the current crisis with the dollar and the future of our economy would be a bad deal at this time.

Sonny Baca
6504 Cardinal Dr. Flower Mound, TX 75022

From: Sonny Baca
Sent: Monday, September 19, 2016 8:53 AM
To: Matthew Hotelling
Subject: Smith Property

Mr. Hotelling,

Again it looks like a constant battle. Please maintain the Master Plan we are opposed combining any and all exemptions made by the Smith property owners have requested, including bringing in municipal sewer unless Smith and Developers fully pay for the sewer system and not out of city county tax funds. We were duped by the river walk and tax issues being referenced to the state and exempted from City County and we got strapped. Times are getting tough in the world wide community, we need to conserve and not be taken advantage of. We need to think about a down turn in the economy that will place unwanted burden on the Flower Mound tax paying citizens.

Sonny Baca
6504 Cardinal Dr. Flower Mound, TX 75022

From: Stephanie Barone
Sent: Monday, September 12, 2016 8:12 AM
To: Matthew Hotelling
Subject: Smith Property - 1171/Shiloh

Hi Matthew,

I'm a homeowner here in Flower Mound and I live off of Shiloh & 1171. The Smith property is at the end of my street and I feel passionately that we need to stick to the Master Plan for this area. The wildlife and original character of the area is rapidly diminishing in the area and this is one of the last bastions of true "country" in FloMo.

The Smith family has every right to do what they want with their property - WITHIN THE RULES. They have gotten exemptions before (gas drilling, etc). And they've already been able to sneak around the Town Council, in spite of P&Z recommendations. Please enforce the rules that already exist. Keep the bike lanes, make Flower Mound better & safer for residents now & in the future.

Please don't let them get away with this again. Thank you.

Stephanie Barone
6513 Hillcrest Road
Flower Mound, TX 75022

From: Mark Bengtson
Sent: Monday, September 12, 2016 4:41 PM
To: Matthew Hotelling; jimmy.stathotos@flower-mound.com
Subject: Smith Property Development

Gentlemen,

I have been a resident of Flower Mound since 1998 and have lived in western Flower Mound since 2005. I am not an opponent of development per se. I support, for example, a mineral owners' right to develop oil and gas and businesses right to rationally develop/expand their locations as Kroger did with its gas station addition. However, I am adamantly against significant revisions to the Town's bike lane and trail master plan as well as revisions to increase housing density in the Cross-Timbers Area. As I understand it, the Smith Property development is seeking exemptions on both of these requirements.

Please note my concerns and provide my feedback to the Transportation Commission and note my opposition in the meeting minutes.

Regards,

Mark Bengtson

From: bodenrider
Sent: Wednesday, August 31, 2016 4:23 PM
To: planning
Subject: Master Planning Amendments request - Smith Tract

In regards to:

MPA16-0005 SMITH TRACT - TRAILS PZ MEETING 10/10/2016 TC
MEETING 10/17/2016

I would like all trails to remain in the plan. These trails are essential to the Master Plan trail systems which includes paved, multi use and equestrian. One omission will greatly affect and devalue the Master Plan.

MPA16-0006 SMITH TRACT - THOROUGHFARE PZ MEETING 10/10/2016
TC MEETING 10/17/2016

I would like the requirement for bike lanes to remain in the plan. This is essential to the safety of bike riders, walkers and motorists. Eliminating this requirement would just be ridiculous.

MPA16-0007 CHUCK RUSSELL SMITH TRACT - WASTEWATER

The move from a septic system to sewer would only be necessary if the land were to be a high density neighborhood, which it is NOT. No need for sewer over septic.

The above amendment requests would allow this land to be over developed, high density with very few safety and recreational amenities. That is not the Town of Flower Mound's Master Plan goal.

Susan Bodenmiller
Charles Bodenmiller
7007 Woodridge drive 75022

----- Forwarded message -----

From: Debbie Chester

Date: Aug 31, 2016 3:43 PM

Subject: Cross Timbers Conservation Development District

To: Doug Powell

Cc:

Dear Mr. Powell,

We chose to build our home near Shiloh Road over 20 years ago because the community shared our respect for the land and the natural environment it provided. Over the years the Master Plan for Flower Mound has continued to be amended and threatens to forever alter the rural-like community we love.

We implore you to **reject** the altering of the requirements for development of the Shiloh/Cardinal/Scenic area. Trails, safe bike lanes. larger home lots and open land spaces are essential to preserving the Flower Mound community we call home. Please, consider the long term ramifications of further alterations.

Respectfully.

Chuck and Debbie Chester
6600 Stonehill Court

From:
To: [Doug Powell](#); [Cindi Price](#); [Jade Olson](#)
Subject: Master plan amendment concerns
Date: Thursday, September 01, 2016 9:44:22 AM

We're strongly OPPOSED to the attempt to bypass the normal Master Plan for any reason. We understand progress, but we believe following the Master Plan is vital to keeping Flower Mound a great place to live now and in the future! Flower Mound is a very active community, and the attempt to eliminate Equestrian, Walking, and Bicycle Trails & Paths is wrong. The Smith property is surrounded by horse property which is our heritage, and the terrain in our area lends itself to great riding, walking & cycling.

We're for limiting density, and prohibiting sewers in our area per the Master Plan so that we keep the country feel which is why we moved from the east side of town 18 years ago.

We've lived in Flower Mound for 20 years, and have been through the growth struggles of the past that effected our School System, Taxes, and TRAFFIC. Traffic has progressively gotten worse again over the past couple of years, and it shouldn't take us 29 minutes to go 10 miles from the West side to 2499 & 121 during rush hour every morning. That doesn't take into account completion of the future developments already approved and not built or the 2499/35E connector project.

Flower Mound needs to stop approving future developments until they can figure out a way to improve traffic flow throughout the town - especially on 2499. No matter how beautiful and great Flower Mound may be, it's not worth living here if it takes forever to get in & out of town!!!

Lloyd & Mary Beth Collins
4005 Ada Dr.

From:
To: [Doug Powell](#); [Cindi Price](#); [Jade Olson](#)
Subject: TRUE CONCERN OVER MASTER PLAN AMENDMENT REQUEST @ SMITH PROPERTY!!
Date: Thursday, September 01, 2016 2:17:59 PM

My family and I moved to Flower Mound (from Frisco) in 2002 because we respected the town of Flower Mound for it's "smart growth" and it's adherence to some very important land conservation values. We share these very important values. The Cross Timbers Conservation district is the true essence of the town, and it is worth protecting and fighting for. There is no reason why a landowner cannot work within the limitations of this plan. Why should Flower Mound even listen to a developer/owner who doesn't even submit a Development Plan? This is absolutely unacceptable, and would only set up an opportunity for others to do the same.

In 2001, 1 acre, true-conservation clustered lots were a highly incentivized option to encourage preservation (while still allowing 2 acre non-conservation lots).

In 2013, the town council approved 1/2 acre non-conservation lots (with up to 25% increase in residential density), but fortunately, did not approve sewer expansion.

IN 2016, WE HAVE A REAL OPPORTUNITY TO PROTECT THE CONSERVATION DISTRICT FOR THE FUTURE OF OUR TOWN! THIS IS NOT THE TIME TO MAKE CONCESSIONS FOR OWNERS/DEVELOPERS THAT WE WILL NEVER GET BACK! WE ONLY GET A SHOT AT THIS ONCE. THEN POOF, NO MORE LAND TO TALK ABOUT, ONLY HOW TO HANDLE THE EXTRA HIGH DENSITY WITH ROADS AND INFRASTRUCTURE.

NO MORE LOOP-HOLES FOR DEVELOPERS. DEVELOPERS CAN RESPECT OUR CROSS TIMBERS CONSERVATION DISTRICT JUST LIKE WE DO.

THIS IS ALL WE HAVE LEFT.

In addition, if we truly continue to respect the adherence of the values of the Cross Timbers Conservation district, we all will receive the benefit of the beauty, the integrity of the town ideals, and the future of economic values that will be a successful case study for future areas of growth.

Thank you for taking the time to hear my response to the Master Plan Amendment Request.

Sincerely,
Janie Cragin
3812 Valley View Lane
Flower Mound, TX 75022

1

-----Original Message-----

From: Laura Cutia

Sent: Monday, September 12, 2016 12:04 PM

To: Matthew Hotelling

Subject: Smith Property

I am opposed to the changes to the master plan on the Smith property off Shiloh Road.

Laura Cutia

6901 Wind Swept Court

Flower Mound, TX

Sent from my iPhone

From: Tony Cutia
Sent: Tuesday, September 13, 2016 9:02 AM
To: Matthew Hotelling
Subject: Fwd: Smith Property

I strongly oppose the changes made to the master plan on the Smith property off Shiloh road.

Tony Cutia, P.E.
Altoro Energy Corporation

From:
To: [Cindi Price](#)
Subject: Shiloh Road Land
Date: Wednesday, August 31, 2016 12:22:58 PM

Please don't let them get around our Master Plan, it was voted on years ago for a reason, like this one.

Thanks,
Gordon J. and Rubyann T. Darnell
6409 Red Bud Drive
Flower Mound, TX 75022

-----Original Message-----

From: Melanie De Leon
To: doug.powell cindi.price parks
Sent: Wed, Aug 31, 2016 9:40 am
Subject: Master Plan Amendments for Shiloh Rd at 1171

Dear Mr. Powell, Ms. Price and Flower Mound Parks,

I am writing this letter to you to let you know of my disapproval of the Master Plan Amendments for Shiloh Rd at 1171.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. This also preserves natural surface areas that absorb storm water.

This area is highly sought after for its natural and almost pristine beauty and incredible wildlife.

It is our understanding that a Development Plan has never been submitted. The landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a development plan.

Flower Mound has maintained its value and reputation of being one of the best cities to live in. Please let's not change! I am begging you to make this proposal like any other and follow the rules.

Its impact on us (the neighbors), wildlife, storm water and values will be devastating.

V/R

Melanie DeLeon
Realtor
Citiwide Properties
3214 Lakewood Lane
Flower Mound, TX 75022

From:
To: [Doug Powell](#); [Jade Olson](#); [Cindi Price](#)
Cc:
Subject: Master Plan Amendment on Smith Tract
Date: Thursday, September 01, 2016 4:58:19 PM

Hi Doug, Cindi and PALS,

My husband Adam and I are unable to attend tonight's city hall meeting to voice our concerns, but we are highly opposed to amending the master plan to remove trail and bike lane requirements on the property.

We recently moved to Flower Mound from Dallas, and I even called the city to inquire about the Smith property before closing on our home (this proposal was not yet in the works). We moved here for the GREEN space and acreage, and because we thought Flower Mound was one of the last cities in the Dallas working to preserve land.

While I understand development is inevitable, keeping with the standards of the master plan only makes sense to preserve this scared aspect of Flower Mound and to keep our developments unique and unlike Frisco or every other Dallas city. It seems a sneaky approach to ask for the removal of these items before bringing forward a plan. I'm not opposed to all development -- but there are ways to do it right.

If we conserve more green space now, Flower Mound will ultimately be a more valuable place to live, as others, like us, move from the city to have some quiet. I hope you'll take my words into consideration -- and hope to meet you soon. I'll be in attendance at upcoming meetings.

Thank you for your time,

Jessica

--

Jessica Elliott

Freelance Writer/Editor
Dallas, TX

-----Original Message-----

From: Mary Anne Farrell
Sent: Monday, September 12, 2016 10:14 PM
To: Matthew Hotelling; Jimmy Stathatos
Subject: Smith Property

Dear Sirs,

I do not usually get involved in Flower Mound issues, but the rezoning of the Smith Property has me very upset. The folks that live on Miracle Lane moved here for many reasons - the proximity to the lake, the quiet street, great neighbors, and the actual area surrounding our homes.

We have deer, raccoons, feral pigs, coyotes, and of course, the cows. Natural trails and bike paths are what make our neighborhood a little gem within the city, and a great place to raise children. We need bike paths on Shiloh. Have you ever driven down that road on a Saturday morning? It is dangerous for the cyclists as well as motor vehicles.

Flower Mound has (or should I say had) a Master Plan that would save the natural beauty of our area. Please do not let our area become another concrete suburb. Stick to the Master Plan which was created to protect our great city!

Respectively submitted,
Mary Anne Farrell
3112 Miracle Lane
Flower Mound. 75022

From: C Finley
Sent: Sunday, October 02, 2016 10:02 PM
To: Chuck Russell
Cc: Marc Finley - Advantage Sales
Subject: Letter to the Planning Commissioners for the Meeting on 10/10/2016 (Smith Tract)

Dear Planning Commissioners,

My husband and I live in the Cross Timbers Conservation Development District (CTCDD) and were saddened to hear about the three requested master plan amendments for the Smith Tract. All of them relate to quality of life issues for our beloved area. It appears the landowner is requesting municipal sewer which will allow for increased density of homes, removal of trails (both multi-use and equestrian), as well as elimination of bike lanes within and adjacent to the property. The Town of Flower Mound established the CTCDD because they recognized that the Cross Timbers is a gem of an area and deserves to be developed differently from the rest of the Metroplex. A lot of work has already been expended to develop a network of trails. Changing this well thought out vision sets a terrible precedent for future developments in the area. We have no parks out here except for the sliver of land around the lake which belongs to the Army Corps of Engineers, so the trail system at least presents an escape from dodging cars and trucks on the streets. The wonderful roll to the terrain and post oak forests are deserving of something better than what appears to be a backdoor way to chip away at the vision as expressed in the CTCDD Master Plan. There is so much stress in many of our lives that I hope you will support making this area a more livable place for its inhabitants and our future Flower Mound residents. Is it our destiny to become just one more bedroom community in the vast Metroplex? We ask you to deny all three requested amendments.

Sincerely,
Caroline & Marc Finley
2600 Bourne Lane
Flower Mound, TX 75022

From: Jay Frappier
Sent: Monday, September 12, 2016 2:43 PM
To: Jimmy Stathatos
Subject: Smith Property change requests

Jimmy, my name is Jay Frappier and we have talked numerous times regarding change requests in the cross timbers area. I hope you are doing well and I am sure the towns business is keeping you very busy. I am writing to you today to let you know my position on the Smith Property Master Plan Amendments/Bike Trails Exemption that is going in front of numerous committees and boards in the near future. I like to see myself as a reasonable person who can see both sides of an issue and I am willing to discuss compromise without digging in on my position and getting angry with anyone who has opposition. I feel the same way as to the proposed change requests on the Smith property. I am totally opposed to the idea of allowing city sewer systems to come into the Cross Timbers area. Granting a waiver to the developer of the Smith property on that issue would open up the door and make it easy to have city sewer in every new development in the cross timbers area. As to the bike and horse trails, I understand that those trails and paths are not yet built. I do not feel as strongly about letting them have that requirement removed from their property. I am trying to balance the rights of the surrounding neighborhoods with that of the property owners and I don't feel as strongly about granting them that exception. Alternatively, I think that if the developer could find a compromise that would enable safe bicycling in and around that neighborhood, that would be a much better approach and I think add value to his development. Thanks for your time in reading this email and I am against any request to provide exceptions on the issue of adding sewer in the cross timbers area. Thanks

Jay Frappier
2600 Long Ln
Flower Mound TX

-----Original Message-----

From: Robert Gladney

Sent: Monday, September 12, 2016 8:55 AM

To: Matthew Hotelling

Subject: Opposition to Smith Property master plan exemption requests

Dear Mr. Hotelling,

Please communicate to the members of the Planning and Transportation Commission for inclusion in their upcoming meeting minutes my opposition to the master plan exemptions requested by the owners of the Smith property. Thank you.

Sincerely,

Bob Gladney

3715 Ridgecrest Drive

Flower Mound TX 75022

Sent from my iPad

From: Diane Walker-Gladney
Sent: Monday, September 12, 2016 11:30 AM
To: Matthew Hotelling
Subject: opposition to Smith property master plan exemptions

Dear Mr. Hotelling,

Please communicate to the members of the Planning and Transportation Commission for inclusion in their upcoming meeting minutes my opposition to the master plan exemptions requested by the owners of the Smith property. Thank you.

Sincerely,

Diane Gladney
3715 Ridgecrest Drive
Flower Mound TX 75022

--

Diane Walker-Gladney
Contemporary Artist

From:
To: [Cindi Price](#)
Subject: Proposed Changes - Smith Property
Date: Tuesday, August 30, 2016 6:11:35 AM

I am opposed to the proposed changes to the Master Plan relative to the Smith property. As such plans mature, it is always difficult to preserve their integrity. Please add my objection to those of my neighbors in this last green area of our town.
Madeline Haynie

-----Original Message-----

From: Madeline Haynie

Sent: Monday, September 12, 2016 6:38 AM

To: Matthew Hotelling

Subject: Smith Property - Opposed

High density has been opposed in so many ways for the Cross Timbers Area. Please preserve this last green area in Flower Mound and do not approve any additional exceptions for the Smith Property. As a 30-plus year resident living on Burning Tree, I am opposed to the current proposed changes to our Master Plan.

Madeline Haynie

-----Original Message-----

From: Madeline Haynie

Sent: Monday, September 12, 2016 6:45 AM

To: Jimmy Stathatos

Subject: Smith Property Changes

I am a 30-plus year resident of the Cross Timbers Area of Flower Mound and am opposed to the changes proposed for the Smith Property. The gas wells added noise, truck traffic and damage to our neighborhood streets. The proposed changes benefit only developers who will not have to live with what they build. Please do not support the proposed plans for no bike lanes and sewer!

Madeline Haynie

From: Fred Howell
Sent: Monday, September 12, 2016 4:10 PM
To: Matthew Hotelling
Subject: Smith Amendment to the Master Plan

Mr. Hotelling,

My wife and I will be celebrating our fortieth (40th) year anniversary as residents of Franklin Hills in Flower Mound. Naturally we have seen a lot of change over those forty (40) years. It has been a battle over the years with land development that pits the rural verse the urban. I thought that when the populace voted several years ago on a Master Plan that the east side of town would be multi homes on small lots and the (2) acre lot requirements on the west side of town would help preserve our natural setting that many of us had built our homes and life around. Now the Master Plan is like a sieve and this Smith Amendment will be just another hole in it.

This attempt to remove the bike path is just another ploy by the developers to increase population density, just as this cluster home and conservation area that the developers are doing is just a way to get around the plan. If the Master Plan is going too be changed, then, home owners should be casting the vote, not the City Council with their own agendas.

Please have my comments provided to the Transportation Commission members and noted as an opposition email in the minutes.

Fred Howell
3823 Sunnyview Lane
Flower Mound TX 75022

From: JON HOWES
Sent: Monday, October 03, 2016 8:37 AM
To: Chuck Russell
Subject: Master Plan amendment requests for Smith tract

I am NOT in favor of granting the three Master Plan amendments under consideration for the Smith tract as requested by the developer/landowners. The Master plan was written for a reason and is itself a compromise. I request that we abide by the current master plan.

Residents of the Cross Timbers Conservation District have organized and we are paying close attention to requests for amendments, the recommendations of the P&Z and voting by the town council.

Jon Howes
7401 Bolo Ln
Flower Mound, Tx
75022

From: [Ron Huebner](#)
To: [Cindi Price](#)
Subject: Upcoming vote comments
Date: Thursday, September 01, 2016 9:15:44 AM

I am a resident of Flower Mound and reside at 3908 Sunnyview Lane. Though I will be out of town during the September 1st meeting of the Parks/Arts/Library Board I understand there will be a vote concerning Master Plan Amendments. I believe that the business concerns that are currently attempting to develop Flower Mound are in fact degrading the quality of living for most residents who live in my neighborhood. The original Master Plan is being changed by business interests, not the resident's interest. What good is a Master Plan if it is constantly being changed to suit the needs of Business interests. I would also argue that the current "Growth" model that the city apparently has adopted is essentially unsustainable without destroying the quality of life we now enjoy. Growing to fulfill tax revenue so that we can support more growth is NOT development in the eyes of many, including myself. It is a recipe for making Flower Mound into another Plano or Frisco and THAT will definitely not be "progress".

I see that the following Amendments to the are being considered:

THREE Master Plan Amendments are requested:

- 1) Bring in municipal sewer (currently prohibited)
- 2) remove the trails requirement
- 3) remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter).

Please note that I am definitely opposed to allowing any of the Amendments to be allowed. I am especially opposed to bringing in municipal sewer.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. Sewer limitation is a popular planning tool for limiting density in sensitive and scenic areas. This also preserves natural surface areas that help absorb stormwater.

From:
To: parks@flowermound.com; [Cindi Price](#); [Doug Powell](#)
Subject: Master Plan Amendments for Shiloh Rd at 1171
Date: Wednesday, August 31, 2016 1:15:24 PM

All,

I am writing this letter to you to let you know of my DISAPPROVAL of the Master Plan Amendments for Shiloh Rd at 1171.

PLEASE ensure the our wonderful community is the primary concern.

The integrity of the Cross Timbers has been maintained by limiting density and prohibiting sewer. This also preserves natural surface areas that absorb storm water.

This area is highly sought after for its natural and almost pristine beauty and incredible wildlife.

It is our understanding that a Development Plan has never been submitted. The landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a development plan.

Flower Mound has maintained its value and reputation of being one of the best cities to live in. Please let's not change! I am begging you to make this proposal like any other and follow the rules.

Its impact on us (the neighbors), wildlife, storm water and values will be devastating.

Andy Hughes
Concerned Neighbor

From:
To: [Cindi Price](#); [Doug Powell](#); [Jade Olson](#)
Subject: Smith Property (Shiloh Road Area/Cross Timbers) Master Plan Amendment Requests
Date: Tuesday, August 30, 2016 1:27:24 PM

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan. I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Peggie Kimberlin
3400 Mesa Dr.
Flower Mound, TX 75022

From:
To: [Doug Powell](#); [Cindi Price](#); [Jade Olson](#)
Cc:
Subject: Smith Property (Shiloh Road Area/Cross Timbers) Master Plan Amendment Requests
Date: Tuesday, August 30, 2016 11:56:30 AM

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan.

I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Joel Loeb
3404 Raintree Dr.
Flower Mound, TX. 75022

Sent from my iPhone. J. Loeb

From: Rick Lust
Sent: Monday, September 12, 2016 9:30 AM
To: Jimmy Stathatos
Cc: Matthew Hotelling; Doug Powell; town council@flower-mound.com; Theresa Scott
Subject: Smith Property

Dear Jimmy,

I must say that I find the Master Plan amendment requests by the Smith applicants disturbing.

I'm writing as one of the original architects of our master plan, a former P and Z chairman, and former Mayor of our Town. As you know the Master Plan is the culmination of the democratic process in which the citizens express and define how they want their town to evolve in the long term. The Plan has served us well and is the primary reason Flower Mound is as desirable a place to live as it is today. If we keep amending it, we will not end up with a balanced and thought out product for the citizens. The Town will end up as just another suburb of Dallas with very little identity. Our Master Plan has also served us well in court cases as we could show we were consistent in its application over the long term and that it was a balanced, fair, and equitable plan.

Dr. Smith bought that tract of land about 40 years ago as agricultural property. He was still alive during the many master plan development meetings and was free to participate in the hearings as was any citizen of the town. It could be argued that bike lanes and recreational trails etc. actually enhance the value and marketability of the property. Running sewer to this property would essentially gut the master plan. Keeping the land sewer free is a fundamental concept of the plan in order to retain some semblance of our rural heritage.

The Cross Timbers Conservation District would be in jeopardy as well. The Cross Timbers area was chosen to preserve as much as possible in a low density manner for several reasons. It is a naturally beautiful area. Being in the interior of the Town, it does not have good ingress or egress particularly north and south, and it does not gravity feed to the Timber Creek drainage basin. It essentially forms part of the signature of our Town.

We should be up front with developers and explain that Flower Mound embraces it's master plan. Look at our town logo. " The City, The Country".
Let's not destroy what helps make Flower Mound a great place to live.

Respectfully,
Rick Lust
3805 Ridgecrest Dr.

From: Kindandlovingk
Sent: Thursday, September 1, 2016 12:09 PM
To: Doug Powell
Subject: change to master plan at shiloh and crosstimbers

I vote NO to this idea. We do not want high density homes or apartments in this area (Shiloh at Cross Timbers Road). Please do not change the Flower Mound Master Plan in order to accomodate those (Smith Estate, etc.) trying to change it . Kathy Menninga 6417 Frontier Dr Flower, Mound, TX 75022

From:
To: [Cindi Price](#)
Subject: Master Plan Change
Date: Wednesday, August 31, 2016 7:36:49 AM

I have noticed the signs around the large 3 parcel Smith property regarding a Master Plan Amendment request. Apparently the landowners have hired attorneys to attempt to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. If successful, many other landowners would then begin to take this back-door method of changing the master plan.

I am concerned with protecting the current Conservation District Development guidelines and I am opposed to ANY development that would impact the current protection.

Please accept this message as a formal registration of this citizen's great concern and opposition as noted above.

Sam Morehouse
3415 Mesa Dr.

From: Chelsea Mueller
Sent: Monday, September 12, 2016 7:44 PM
To: Matthew Hotelling
Cc: Jade Olson
Subject: Fwd: CONCERN OVER MASTER PLAN AMENDMENT REQUEST @ SMITH PROPERTY

Mr. Hotelling and members of the Flower Mound Transportation Commission,

I will be unable to attend the Sept. 13, 2016, meeting to review a proposed amendment to the Master Plan at Smith Property. As such, I am writing to voice my disapproval of the change.

As a 10-year resident of Flower Mound, one of the highlights of living in our community is the abundance of trees, greenbelts, creeks and the paths that allow our community to walk and bike along them. Additionally, any change moving toward high-density housing not only removes the necessary access to bike paths and lanes, but loses the big open spaces and large yards that made many of us choose our "big city suburb" over Dallas proper.

I urge the committee to hold Smith Property to the current Master Plan.

Sincerely,
Mrs. Chelsea Mueller
1800 Kingston Lane
Flower Mound, TX 75028

-----Original Message-----

From: steve noble

Sent: Monday, September 12, 2016 12:45 AM

To: Jimmy Stathatos

Cc:

Subject: Master Plan changes

What is the need to amend the Master Plan to add pressure to an infrastructure that the Town is now not adequately maintaining.

Pressure on roads, schools, sewer, water, it goes on and on.

Why build more, when the Town and schools can't handle what is currently in place?

What good is a Master Plan?

Did those who developed the plan not consider our future Town needs?

In the past even one acre lots were not acceptable. Now we have a need for lot size half that. What hypocrisy?

This is a tax grab for the Town and a developer windfall.

All about the \$\$.

Stephen Noble

6408 Lakeside Drive

Sent from my iPhone

----- Forwarded message -----

From: Kathy Norris

Date: Sep 1, 2016 4:42 PM

Subject: Smith Property Amendmants

To: Doug Powell

Cc:

To voice our extreme opposition to these requests are so very important to all who really love & care for our community! Do not let the passion, commitment, & time of so many who worked to create the CTCDD go to waste as well as waste what little natural land we have left! Please consider the many citizens of Flower Mound not the very rich who just want to get richer!

Kathy Norris

3223 Raintree Drive

Sent from my iPhone

From: bobby Oliver

Sent: Monday, September 12, 2016 12:55 PM

To: Place2 - Bryan Webb; Place5 - Itamar Gelbman; Place4 - Don McDaniel; Place1 - Jason Webb; Mayor - Tom Hayden; Place3 - Kevin Bryant; Matthew Hotelling

Subject: Opposition to a deviance from the Master Plan for the "Smith property" before the Town of Flower Mound...

To the Town Council and Park Board,

I cannot attend the meeting for this issue since I will be in class and my wife working, but both my wife and I would like to register our opposition to deviating from the Master Plan, specifically the elimination of bike lanes and other trails for riding horses or walking and the positioning the property for high density development by approving municipal sewer systems.

As a cyclist, bike lanes increase the safety of our streets for both cyclists and drivers. They also enhance the attractiveness of our city and neighborhoods as a desirable place to live and increase property values. We contend that more, not less, trails and bike lanes should be made available to the residents of Flower Mound.

As a resident of the city since 1991, I hate to see the developers' plans to make maximize their profits triumph over the residents quality of life. A Master Plan has zero value if every time a developer wants an exception the town "rubber stamps" approval for the asking.

Please vote no to deviating from the provisions in the Master Plan and leave the bike lanes, trails, and low-density development standards in place for the "Smith property" located in the Shiloh/Cardinal/Scenic area .

Thank You,

Bobby and Cheryl Oliver
2909 Sun Meadow Drive
Flower Mound, TX 75022

From:
To: [Doug Powell](#); [Cindi Price](#); [Jade Olson](#)
Subject: Smith Tract MPA
Date: Friday, September 02, 2016 4:30:51 PM

Hi All - I just wanted to add myself to the list of folks who disapprove of the Master Plan Amendments that have been requested in reference to the "Smith Tract":

MPA16-0005
MPA16-0006
MPA16-0007

These areas need to remain non-municipal sewer, and I would like to see the trails, both current and future remain as planned.

The landowner has been given several options over the years to keep the lot sizes of any future development to 1-2+ acre residential lots, and that's the only kind of development I'm on board with in this area.

Thank you,
Terry O'Neal

From: rcr
Sent: Wednesday, September 14, 2016 3:50 PM
To: Matthew Hotelling; Jimmy Stathatos
Subject: Subject: Smith property requested exemptions from Master Plan

We have lived in W Flower Mound since 1985. We are against ANY exemptions to the Master Plan that allow higher density than the plan allows. This includes bringing in municipal sewer, as sewer prohibition helps manage residential density as intended in the plan. It also helps preserve the nature, especially the natural treed/wooded areas in the Cross Timbers area.

There is no reason to grant exemptions to landowners, with the sole beneficiary being the landowners. With exemptions, the landowners will realize more money, while residents will have higher density, less trees, more traffic and more.

Thank you.
Dr. Robert C Ramirez
Melodee Martin Ramirez
6109 Seascape Court
Flower Mound, 75022

From: ronh
Sent: Monday, September 12, 2016 6:23 PM
To: Jimmy Stathatos; Matthew Hotelling
Subject: Zoning Change Opposition

I currently reside on Sunnyview Lane in Flower Mound and DEFINATELY oppose all the exemptions that the Smith property owners have requested. Those exemptions will lower our quality of life and serve no entity other than the developers who the Smith property owners are proxies for. Please provide this email to the Transportation Commission members and note it as an opposition email in the minutes. A Master Plan that is continually modified at the request of developers and landowners planning to capitalize on sales is NOT was the original planners wanted and neither do I.

From:
To: [Doug Powell](#); [Cindi Price](#); [Jade Olson](#)
Subject: Smith Property Master Plan Amendment Requests (Shiloh Rd at FM1171)
Date: Wednesday, August 31, 2016 3:28:50 PM

My wife and I noticed the signs around the Smith property regarding the Master Plan Amendment request. We have noticed that the landowner(s) want to change the Master Plan on these properties without ever filing a Development Plan. This is a very unusual approach and if approved could cause irreparable harm to the current Cross Timber Conservation Development District guidelines. It will open the door to other landowners to take a similar approach and thus compromising the integrity of the Cross Timbers District.

Notably, the landowner wants to:

- 1) Bring in municipal sewer (currently prohibited)
- 2) Remove the trails requirement
- 3) Remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter)

This landowner joined with 2 other large landowners in 2001 in a failed attempt to sue the Town in order to bring sewer and high density/commercial to this area. (Smith/Wilson/Bunn vs. the Town of Flower Mound). He is now attempting to do so by using loopholes in the 2013 Master Plan Amendment.

My wife and I are against this action as are our neighbors. We wholeheartedly disagree with this amendment request and advise the town to decline it.

Thanks,
Emil Soleyman-Zomalan
Paulin Soleyman

6601 Stonehill Ct
Flower Mound, TX 75022

From: Emil Soleyman
Sent: Monday, September 12, 2016 11:37 AM
To: Matthew Hotelling; Jimmy Stathatos
Subject: Master Plan Amendments/Smith Property, SE Corner FM 1171/Shiloh

Please provide this email to the Transportation Commission members and note it as **an opposition email** in the minutes.

Dedicated bicycle lanes are a safety factor for both bicyclists and cars. Currently, bicyclists are sharing the same lane with cars around this undeveloped area. The Town has minimum requirements that reflect the needs of CURRENT and FUTURE residents.

As was noted in the Parks, Arts and Library Board Meeting last week, the Smith property owners had chosen to allow gas wells on the property first, rather than to develop within our Master Plan for the Cross Timbers Area. Therefore, remaining surface area for development was reduced. However, the property owners now claim that the encumbrances are our Master Plan, and trail and bike lane requirements.

Furthermore, the gas wells and fracking related activities have most likely cause contamination to the environmental area. This will require environmental studies in the (near) future to determine the extent.

Since 2004, the Town has: 1) changed the Master Plan allow smaller lots with 25% increase in residential density and 2) allowed drilling in Cross Timbers - in an attempt to appease large landowners and developers. The Smith property owners did not acknowledge these prior concessions, much of which had strong public opposition.

The question is why are the Smith property owners using their attorneys to request exemptions to our Master Plan and ordinances before even submitting a plan for the property? Why are they trying to introduce a change in the Cross Timbers Conservation District at this time when they still have gas wells on the property?

Noting their history of opposing the Town's Master Plan, including legal action, we can speculate that they are gearing up for another court battle to get what they want.

My wife and I are against this amendment.

Thanks,
Emil and Paulin Soleyman
6601 Stonehill Ct

-----Original Message-----

From: Glenda Straub

Sent: Tuesday, October 04, 2016 1:13 PM

To: Chuck Russell

Subject: Town Master Plan

Hi Chuck,

I am concerned about losing the rural atmosphere in west Flower Mound. Please enforce the CTCDD/Town Master Plan.

Thank you.

Glenda Straub

From: Shannon
Sent: Monday, September 12, 2016 7:51 AM
To: Jimmy Stathatos
Subject: Smith property

Hello,

The property line that adjoins the Smith property, and one of their gas wells sits approx. 1200 feet from the property line of another home.

We oppose any amendments to the Master Plan for this property, including the removal of trails/bicycle lanes. We feel this scenic property is actually very suitable for the use of trails and bicycle lanes. Currently, runners, walkers and cyclists share the two lane Shiloh Rd, and it creates dangerous situations on this narrow road with the limited visibility over the hills. This is a safety issue.

We ask that this Master Plan Amendment request be denied.

Thank you,

Joel and Shannon Summerlin
3908 Saturn Street
Flower Mound, TX 75028
Sent from my iPhone

-----Original Message-----

From: Carl Thunem

Sent: Monday, September 12, 2016 8:16 AM

To: Matthew Hotelling

Subject: Smith Property Exemptions

Dear Mr. Hotelling,

I am adamantly opposed to any further concessions or exemptions being granted on development of the Smith property, for relief of density, sewer, parks and trails requirements or restrictions.

I request that this objection be provided to the Transportation Commission members and noted as an opposition email in the minutes.

Respectfully,

Carl Thunem

4016 Raintree Drive

Flower Mound, TX 75022

Sent from my iPhone

-----Original Message-----

From: debbiethunem

Sent: Sunday, September 11, 2016 9:06 PM

To: Matthew Hotelling

Subject: Smith Property Exemptions

I oppose any further exemptions on the Smith property.

Debbie Thunem

4916 Raintree Dr

Sent from my iPhone

From:
To: [Jade Olson](#); [Cindi Price](#); doug.powel@flower-mound.com
Subject: Sept. 1 meeting
Date: Tuesday, August 30, 2016 9:32:01 PM

Hi,

My name is Jena Toich. I reside at 7408 Bolo Lane in Flower Mound. I am so fortunate to live in the Cross Timbers area.

I am unable to attend, but I have comments about the Master Plan Amendments.

Please note that my comments are in regards to a meeting this Thursday Sept 1 at 6:30 p.m. at town hall with the Parks/Arts/Library Board on whether to waive the requirement for trails, even though the Town is working to expand its parks and trails.

THREE Master Plan Amendments are requested:

1) Bring in municipal sewer

Although sewer is a highly contentious topic, I have no opinion here.

2) remove the trails requirement

I am opposed to removing the trails requirement.

3) remove the bike lanes requirement for Shiloh/Cardinal/Scenic roads (entire perimeter)

I oppose removing the bike lane requirement.

From: [Mark Van Tilburg](#)
To: [Cindi Price](#); [Jade Olson](#); [Doug Powell](#)
Subject: Smith Property Amendments
Date: Thursday, September 01, 2016 2:02:31 PM

Doug, Cindi & Parks Board,

I am traveling on business and will not be able to attend this evenings' meeting. My wife and I are residents of Bolo Lane and have been active in objecting to prior attempts to amend the CTCD master plan. We have to admit that this latest effort, especially considering the attempt to bypass the normal development and planning process, is not only frustrating but disrespectful to the residents and our past efforts to maintain the quality of life that we enjoy and have a right to maintain. This attempt should not be given a platform and those making it should be told in no uncertain terms that neither it, or future attempts will be entertained or tolerated by The Town.

Thanks,
Mark
Sent from my iPhone

From: Cheri Wiese
Sent: Monday, September 12, 2016 11:02 AM
To: Matthew Hotelling
Cc: Robert Wiese; Doug Powell; cindiprice
Subject: Smith Property (Shiloh Road Area/Cross Timbers) Master Plan Amendment Requests

I am opposed to the proposed changes to the Master Plan relative to the Smith property. Attempting to change the Master Plan without filing a development plan concerns me greatly and I oppose setting this precedence for future requests. I moved here 12 years ago with the impression that the Master Plan really meant something and Flower Mound would preserve its designation as a scenic city. I must admit I am very disappointed with how easy it has been to change the Master Plan over the last 12 years and oppose any development that would impact what little current protection our residents have today.

Please add our objection to those of our neighbors in this last green area of our town.

Sincerely,

Cheri L. and Robert B. Wiese
3315 Raintree Drive
Flower Mound, TX 75022

-----Original Message-----

From: Dave Wilkins

Sent: Wednesday, October 05, 2016 11:19 AM

To: Chuck Russell

Subject: P&Z, Smith Tract

Planning and Zoning Commission:

I am against giving the Smith Tract an exemption to the Master Plan.

The multi-use trail system envisioned for the Town would be divided into two either unconnected or poorly connected parts that prevent the trail system from being useful. Same for the horse trails, this trailhead/parking area is key to more public use other than as it is now, only used by people who live adjoining the trail.

Thank you for voting against giving the Smith Tract an exemption for this development.

Dave Wilkins

3349 Rolling Hills

Flower Mound TX 75022

Ordinance No. _____

Page 1

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 9.0, WASTEWATER PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO ADD APPROXIMATELY 456.95 ACRES OF LAND SITUATED IN THE N. A. THOMPSON SURVEY, ABSTRACT NUMBER 1307, THE L. K. HEATH SURVEY, ABSTRACT NUMBER 1597, AND THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NUMBER 935, DENTON COUNTY, TEXAS, TO THE WASTEWATER SERVICE AREA DEPICTED IN FIGURE 1A; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, on March 19, 2001, the Town Council of the Town of Flower Mound adopted all nineteen component plans, specifically including the Wastewater Plan, together with all amendments thereto, by Ordinance No. 24-01 as a component to the Flower Mound Master Plan; and

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as 456.95 acres of land situated in the N. A. Thompson Survey, Abstract Number 1307, the L. K. Heath Survey, Abstract Number 1597, and the M.E.P. & P.R.R. Company Survey, Abstract Number 935, Denton County, Texas, have filed an application for a Master Plan Amendment to add the property to the Wastewater Service Area depicted in Figure 1A; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on October 10, 2016, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 17, 2016, with respect to the Master Plan Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 213 of the Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Master Plan Amendment on the property;

WHEREAS, the Town Council finds that amendment of the Master Plan as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF

Ordinance No. _____

Page 2**FLOWER MOUND, TEXAS, THAT:****SECTION 1**

The Master Plan of the Town of Flower Mound, Texas, as amended, is hereby amended on the hereinafter described property and area as shown below:

456.95 acres of land situated in the N. A. Thompson Survey, Abstract Number 1307, the L. K. Heath Survey, Abstract Number 1597, and the M.E.P. & P.R.R. Company Survey, Abstract Number 935, Denton County, Texas, and more fully described in Exhibit "A" hereto.

Section 9.0, Wastewater Plan, of the Master Plan is hereby amended to add the property described herein to the Wastewater Service Area depicted in Figure 1A, as depicted on Exhibit "B," attached hereto and incorporated for all purposes.

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

Ordinance No. _____

Page 3

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF
_____, 2016.**

APPROVED:

Thomas E. Hayden, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, **TOWN ATTORNEY**

Ordinance No._____

Page 4

Exhibit "A"

Description of Property

(To be provided at time of approval)

Exhibit "B"

Depiction of Property

(To be provided at time of approval)

-----Original Message-----

From: Lisa Allen

Sent: Monday, October 10, 2016 10:16 AM

To: Jimmy Stathatos; planning

Subject: Planning and Zoning vote

I am requesting the following votes on requests to amend the Flower Mound Master Plan items as I cannot attend the Public Hearing tonight:

MPA16 - 0005- Smith Tract - recommend to deny request to amend.

MPA16-0006-Smith Tract - recommend to deny request to amend.

MPA16-0007-Smith Tract- recommend to deny request to amend.

Lisa Allen

6413 Meadowcrest Lane

Flower Mound, TX 75022

Sent from my iPad

From: Allen, Tim
Sent: Monday, October 10, 2016 11:21 AM
To: Jimmy Stathatos; planning
Cc: Tim Allen
Subject: Planning and Zoning vote

I am requesting the following votes on requests to amend the Flower Mound Master Plan items as I cannot attend the Public Hearing tonight:

MPA16 - 0005- Smith Tract - recommend to deny request to amend.
MPA16-0006-Smith Tract - recommend to deny request to amend.
MPA16-0007-Smith Tract- recommend to deny request to amend.

Tim Allen
6413 Meadowcrest Lane
Flower Mound, TX 75022

From: Sonny Baca
Sent: Friday, October 07, 2016 3:28 PM
To: planning
Subject: Oct 10 meeting

Elue and Janet Baca,

My wife and myself are totally opposed to any change in the master plan regarding the SMITH property scheduled for Oct 10th and 17th. This includes bike paths, horse trails and greatly opposed to sewer additions. Also the SMITHS should say what they plan to do with their property including safety concerns with the GAS WELLS on their property and how they would relate developers deciding to purchase said property.

My family does not want a debacle as "OBAMA care and we find the mistakes after a plan is voted on, that's ridiculous". Besides we are heading into the greatest reset in the US and Towns economy, lets be smart. We need full discloser before we will say yes to change in the Master Plan. Safety, Security, economically savvy and what's best for the residence who have committed to the MASTER PLAN.

Sonny Baca
6504 Cardinal Dr. Flower Mound, TX 75022

-----Original Message-----

From: JOHN

Sent: Friday, October 07, 2016 2:45 PM

To: Chuck Russell

Cc:

Subject: SMITH TRACT BIKE LANES AND MULTI-USE PATHS

Mr Russell

To say that I'm shocked that the city would even consider the GREED of a developer over the health and safety of its citizens is at best appalling!

Who, on the city council will we hold responsible when, GOD forbid, someone is injured, or worse loses their life because the developer or perhaps the council lined their pockets?

John Basse

1501 Lindby

Flower Mound, TX 75028

Sent from my iPhone

From: Lloyd Collins
Sent: Monday, October 10, 2016 11:26 AM
To: Jimmy Stathatos
Cc: planning
Subject: Smith Property Master Plan Amendments

Jimmy & Planning,

We're strongly **OPPOSED** to the attempt to bypass the normal Master Plan for any reason. We understand progress, but we believe following the Master Plan is vital to keeping Flower Mound a great place to live now and in the future! Flower Mound is a very active community, and the attempt to eliminate Equestrian, Walking, and Bicycle Trails & Paths is wrong especially from a safety standpoint. The Smith property is surrounded by horse property which is our heritage, and the terrain in our area lends itself to great riding, walking & cycling.

We're also for limiting density, and prohibiting sewers in our area per the Master Plan so that we keep the country feel which is why we moved from the east side of town 18 years ago.

Sincerely,

Lloyd & Mary Beth Collins
4005 Ada Dr.

From: billy
Sent: Monday, October 10, 2016 11:29 AM
To: planning; Jimmy Stathatos
Subject: Smith Property Bike lanes and Sewer

Hello,

As an active community member I oppose the Smith Property Master Plan amendments.

Bicycle lanes are an asset to the community. People deserve to ride their bikes without fear of motorist traffic. That extra space makes all the psychological difference to someone deciding on whether to ride or not. Have you noticed the difference in noise/ environmental disruption of a single car driving by then a bicycle?

I oppose the builder's request for no bicycle lanes in front of their property.

I oppose the request for sewer expansion along the property.

Please provide this to all planning and zoning commission members.

Thank you,

William Cook

-----Original Message-----

From: Rubyann Darnell

Sent: Monday, October 10, 2016 12:55 PM

To: Jimmy Stathatos

Subject: Shiloh Road hearing

Please don't allow any changes to the existing Town Plan, zoning, etc.

Rubyann and Gordon Darnell

From: Wojtek Felendzer

Sent: Monday, October 10, 2016 2:22 PM

To: Chuck Russell

Subject: Agenda items G.3 and 4 at today's P&Z Commission meeting : removing bike lane designation

Mr. Russell,

I am writing to you with regard to some items on today's agenda pertaining to the bike lane along Scenic Rd and Shiloh Rd - and whether the developer of the Smith Tract will be able to gain an exemption and remove the bike lane from existing plans for these roads. I understand that earlier recommendation was to keep the bike lane designation, by a vote 4-0, but that it's really up to the Planning and Zoning Commission to decide.

I will be unable to participate in the public hearing tonight, but I've been told that you can help bring some of the residents' concerns to commission members.

Specifically, I wanted to ask you share with the Commission members my request to **keep the bike lane designation**, hoping that this message - and many other voices - will influence the Commission's decision.

This part of Flower Mound is a very popular area for bicycle sports. Wide bike lanes along Wichita Road are especially busy - on Saturday and Sunday mornings you will see multiple groups of bikers taking that route on group rides towards Bartonville and Argyle. There's a shoulder on Cardinal, but bike lanes end at Rocky Point and the uphill part of Shiloh - which forces bicyclists to share the roadway with cars and trucks.

While it may not be a problem at the moment, with more development and more residential traffic (or industrial - to the gas wells) it will becoming increasingly unsafe for bicyclists using that popular route. Already at this time the busy section of Shiloh north of 1171, which is a connector for many bicyclists to routes in Bartonville, Argyle and beyond - is quite scary with plenty of traffic, deteriorated surface and no shoulder.

Removing the bike lanes from future plans for those roads will be quite an unfriendly move towards the many residents of Flower Mound who bike along this route. If the planned development on the Smith Tract is more gas wells then adding bike lanes will be an important safety factor with increased traffic of tanker trucks. If there are residential plans - a bike lane will significantly add to the value and friendliness of those roads and the residential neighborhoods built on the tract. And in any case, a bike lane will be important for the entire bicycling community in the area.

Flower Mound is a wonderful community where people value the multitude of parks, trails and bike paths available to them. The Northshore Trail draws hundreds of bikers from the entire Metroplex. This healthy lifestyle supported by our town's infrastructure is a big part of what makes our town special and continues to attract people to move here with their families.

Thank you for your help in sharing these issues with the Planning and Zoning Commission members, so that Flower Mound can keep the requirement of the designated bike lane on Shiloh, Scenic and surrounding roads.

Kind regards,

Wojciech Felendzer
1036 Glen Chester Dr
Flower Mound, TX

Wojtek Felendzer

From:

Sent: Friday, October 07, 2016 3:54 PM

To: planning; Jimmy Stathatos

Subject: Smith Property Master Plan Amendments

Our Neighborhood Matters!

As longtime residents of the Shiloh Rd area, we are opposed to ALL Master Plan Amendments to the Smith property. No plans have been submitted for this property, and there is a lack of transparency by the applicant.

We support the original intention of the Cross Timbers Conservation District as put forth in the Master Plan, to preserve the beauty and integrity of our area.

Please provide a copy of this email to all Planning and Zoning Commissioners for their consideration.

Thank you,

Sherillyn and Tim Flick
3220 Miracle Lane
Flower Mound, TX 75022

From: Freestone, Paul
Sent: Monday, October 10, 2016 1:28 PM
To: planning
Subject: Economic and Safety benefits of bike lanes - MPA16-0006

Hello Chuck,

I am e-mailing input for the Planning and Zoning Meeting on October 10, 2016, as I will be travelling this evening and unable to attend in person.

Regarding the application for a Master Plan Amendment to remove the bike lane designation from MPA16-0006, I would like to encourage keeping the bike lane designation (denying the request for amendment).

I am always encouraged to see how many Flower Mound community members are avid cyclists (and in addition, cyclists from nearby communities use our roads to access areas to the north and west). I believe very strongly that this community can attract new residents by continuing to provide increasing safe access to our roads for cyclists; in fact, we will need to provide this type of infrastructure in order to remain competitive in attracting new residents and talented individuals for local and regional businesses.

Additionally, there is a significant safety impact for providing dedicated cycling lanes. By providing designated cycling lanes, we can help ensure that cyclists and drivers can operate more safely in our residential and commercial areas.

http://www.rita.dot.gov/bts/sites/rita.dot.gov.bts/files/publications/special_reports_and_issue_briefs/issue_briefs/number_11/html/entire.html

<http://www.strongtowns.org/journal/2016/5/10/the-economic-benefits-of-biking-cannot-be-ignored>

Finally, I would be remiss if I failed to note the fact that many cyclists are our children, and I am concerned about taking any potential steps backward in providing safe areas for our children to navigate our neighborhoods on their bicycles.

I reside on the eastern side of the Smith Tract in River Oaks with my family (on Oak Crest Dr).

Thank you!

Paul Freestone
Vice President, Mergers and Acquisitions
Stryker
GQO
1410 Lakeside Parkway #500
Flower Mound, TX 75028, USA

-----Original Message-----

From: Bob Gladney

Sent: Monday, October 10, 2016 3:30 PM

To: planning

Subject: Smith property master plan amendments- opposed

Please communicate to the Planning and Zoning Commission my opposition to proposed amendments to the master plan for the Smith property.

Sincerely,

Robert C. Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

Sent from my iPhone

From: Bob Gladney

Date: October 10, 2016 at 3:33:09 PM CDT

To: Jimmy Stathatos

Subject: **Opposed- Smith Property master plan amendments**

Please communicate to the Planning and Zoning Commission my opposition to the Smith Property master plan amendments.

Sincerely,

Robert C. Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

-----Original Message-----

From: Diane Walker-Gladney [mailto:dwalkergladney@gmail.com]

Sent: Monday, October 10, 2016 3:42 PM

To: planning

Subject: Opposed to Smith property master plan amendment

Please put my name on record as opposing the Smith property master plan amendments.

Sincerely,

Diane Walker- Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

Sent from my iPhone

From: Tom Goss
Sent: Friday, October 07, 2016 10:25 AM
To: Chuck Russell
Subject: P&Z Mtg 10/10/16

P&Z Commissioners,

I strongly oppose MDA 16-007 regarding the Smith Tract. Bike lanes are a key component of our Master Plan and a valuable resource for our citizens. The request for sewer services will be a huge expense for the Town since our current trunk lines are at capacity. Finally, if this unnamed developer wants changes made, he needs to fully disclose his plans and be open to Flower Mound citizens on what is planned for the property.

Tom Goss
6909 Wind Swept Ct.
Flower Mound, TX

From: Haney, Sharon
Sent: Friday, October 07, 2016 12:02 PM
To: Chuck Russell
Subject: MPA16-0006 – Smith Tract

Mr. Russell,

I've lived in Flower Mound for 36 years and have watched it grow. I loved it when they put in the Multiple use paths in my neighborhood over by Cross Timbers, because I jump from one park to another with my kids and grandkids biking or strolling. It made a safe passage for kids to get to school and the same for bike lanes it just makes it safe for cyclists and motorist. I think taking away the bike lanes and MUP's is a backwards step and shows a lack of vision for the future of Flower Mound. Cities are putting in MUP's and bike lanes as a way to tie cities together so people can commute to work etc. I use the bike lanes and MUP's all the time to go from Flower Mound to surrounds cities. Flower Mound doesn't need to get left behind on these issues, because it's safety issue for walkers, motorist and cyclists.

*Sharon Haney
Purchasing Clerk
LISD Bolin Adm. Ctr., Room 220
1565 W. Main Street
Lewisville, TX 75067*

From: Ron Harvot
Sent: Monday, October 10, 2016 1:26 PM
To: Chuck Russell
Subject: Planning and Zoning - Smith Track

I wanted to voice my concern with the owners of Smith Track trying to obtain exemptions from the Master Plan.

I am particularly against their request for exemption from the bike path, multi-use trails and equestrian trails requirements.

A bike path on the main surrounding streets will add to safety and reduce the risk of serious injury to cyclists. The path on Wichita Trail has reduced the risk of auto-bike encounters and has been a success. The bike path requirement should be left in and no exception should be granted.

Quality of life is enhanced by our multi-use recreational trails and the continued commitment in Master Plan for including such trails is one of best things about our town that keeps it unique and desirable. Flower Mound stands out in comparison to most of the surrounding cities that don't have that same level of commitment. With respect to equestrian trails, there are not enough of those, so we need to keep the ones that we have and encourage and support more of them. Again this sets Flower Mound apart from its more congested neighbors.

For the foregoing reasons I urge the P&Z committee to oppose these requested exemptions from the Master Plan.

Ron Harvot
3301 Camden Drive
Flower Mound, TX

From: Randy & Selina Hostettler

Sent: Saturday, October 08, 2016 12:00 PM

To: planning; Jimmy Stathatos; Mayor - Tom Hayden

Subject: Resident Feedback RE: Smith Property Master Plan Amendments (3 total a mendments)

Dear Planning & Zoning committee and Town Council, my name is Randy Hostettler and my family resides at 6605 Oakview Dr., Flower Mound, TX. We have lived in our home for (2.5) years and enjoy the country feel of the scenic Cross Timbers conservation district. In the last year we had a development proposal that significantly impacts our home with adjacent property. I attended city/developer meetings and listened closely. Eventually I felt it was a fair project and communicated my support as it stayed close to what had been previously approved by our town leadership in regards to the conservation area.

In regards to the Smith property, it appears that folks want to re-write the rules because it now favors their own self-interest. I believe property owners have a right to sell their property for development. In this case, the property owner purchased land in a conservation district and made money through gas wells being placed on the property. I have no issues with that; I wish I had the resources to make an investment like that. What is not acceptable is that now that the gas wells produce less, they want to change the zoning rules to increase profit when selling to a developer.

People invested in the Flower Mound Cross Timbers conservation area because they wanted a certain way of life. We want a scenic area, not high density or large tracts of business/retail. Sewer prohibition has always been a key component for the conservation district and should stay in place to limit the growth in the scenic Cross Timbers conservation district. The amendment requests made by the Smith property owner are not fair to all of the other property investors who purchased their property when the master plan was clearly defined with the intentions to provide less density in this particular area of Flower Mound.

I vote **no** to removing park trails and bike lanes. I vote **no** to municipal sewer in the Cross Timbers conservation district. Those changes impact traffic and require road expansions and other infrastructure expenses otherwise not needed. Basically if these amendments were approved, they would benefit the "big guys" and negatively impact the large number of family homeowners currently living in the Cross Timbers Conservation district.

Please make sure this is distributed to all Town Council members.

Regards,

Randy Hostettler

6605 Oakview Dr., Flower Mound TX.

From: Ron Huebner
Sent: Sunday, October 09, 2016 8:36 PM
To: Jimmy Stathatos; planning
Subject: Cross Timbers Conservation District

Dear Sir, please forward my email to the members of our city council, planning and zoning personnel, and all that are making decisions about exemptions to the Master Plan for the Cross Timbers Conservation District and environs.

As a voting Flower Mound resident I would like to express my opposition to any exemptions, variances, or permits to bypass our Master Plan by developers. This includes the elimination of trails, open spaces, environmentally sensitive issues, and city sewage lines. I live in Flower Mound because I believed the Master Plan protected our environment and culture, but find that the current city council repeatedly violates that original charter and it's intent even when it's own Planning and Zoning experts advise against such amendments and exceptions . Please register my view so that it may be on the record.

Those that serve business progress and tax revenue above the concerns of it's citizens do a disservice to the very people they have vowed to serve. This will definitely be noted in the upcoming elections. No one is above the will of the people they are suppose to be serving.

--

Ron Huebner

From: tnalarsen
Sent: Monday, October 10, 2016 1:15 PM
To: planning
Subject: Master plan changes-Smith tract

Dear Mr. Russell,
Please note that my husband and I both oppose the changes to the master plan for the Smith tract (all 3 changes).

Thomas & Ann Marie Larsen
3474 Shiloh Rd.
Flower Mound, TX 75022

Sent from AOL Mobile Mail

From: Litton, Mark
Sent: Friday, October 07, 2016 10:19 AM
To: Chuck Russell
Subject: Town of Flower Mound Planning and Zoning Commission Meeting 10/10

MPA16-0006 – Smith Tract

I would like to voice my strong objection to this proposed change to remove the bike lane designation. This is backwards step and demonstrates a lack vision for the future and for the safety of both cyclists and motorists and the flow of traffic in the city.

Mark Litton



Mark Litton | CDS
General Manager, Director of CDS Operations

an Omnicom Group, Inc. company

Keep Calm Your Email Is Always On! 
Ask me about the CDS tools giving you access to
your email anytime, anywhere!

-----Original Message-----

From: Ken Mason

Sent: Monday, October 10, 2016 8:46 AM

To: Chuck Russell

Subject: Bike lane meeting

I would like to voice my support for the bike lanes on Shiloh. I have been active in the area bike scene for several years and have always advocated and used bike lanes. They are needed more now with all the driver distractions .

Thank you

Ken Mason

Sent from my iPad

From: Peter McKee
Sent: Monday, October 10, 2016 8:45 AM
To: Jimmy Stathatos
Subject: Smith Property

Good morning Mr Strathatos,

We are Peter and Diane McKee of 2929 Miracle Ln. We are aware that there is a P & Z public hearing this evening regarding the request for amendments to the Master Plan related to the Smith Property. We plan to attend this meeting, however wanted to also submit our views to you personally so they can be submitted to all members of the P & Z commission and recorded as concerned citizens' comments in all documentation regarding this matter.

We are apposed to changing the Master Plan regarding these current requests: Parks and Trail Plan, Thoroughfare Plan and Wastewater Plan.

The Master Plan was developed and approved for the benefit of all residents of Flower Mound. Trails and open space are what set Flower Mound apart from other local cities. Many residents enjoy recreation on this side of town because of its rural nature and beauty. Bicycle trails are necessary as many of our main streets in this area are heavily used by bicyclists and outdoor enthusiasts.

We are not in favor of further subdividing land sections in our area with thoroughfares as this increases traffic in established neighborhoods and residential zones. Cross Timbers Road is now expanded and very adequately accommodating east/west flow through the city.

In addition, We are not in favor of bringing wastewater infrastructure into our area. We have lived in our home for nearly 20 years and our septic systems is functioning very well. We would be very concerned about the loss of many trees and land destruction associated with bringing in such significant infrastructure into such an established neighborhood.

We understand the land surrounding our home does not belong to us, however, we ask you would please consider our requests and the benefits of all residents when considering any amendments to our town Master Plan.

Sincerely,
Peter and Diane McKee
2929 Miracle Lane

Sent from my iPad

From: Chris Morgan
Sent: Friday, October 07, 2016 10:11 AM
To: Chuck Russell
Subject: Bike lanes on Shiloh Rd - RE: Smith Tract

Dear sir;

I am a frequent bike rider in Flower Mound. I am writing now to request that Flower Mound keep the requirement for bike lanes on Shiloh Rd and other roads around the Smith Tract. Here is a video that shows how dangerous it is to not have room for both cars and bikes on such roads: <https://youtu.be/TIr5edFe9KQ>

Thank you,
Chris Morgan
1102 Ellard Dr
Hickory Creek

Sent from my iPhone

From: chris payton
Sent: Friday, October 07, 2016 9:14 AM
To: planning; Jimmy Stathatos
Subject: Smith Property Amendments

As a homeowner who lives in Coeur Du Lac Estates, I urge you to deny the master plan amendment requests on the Smith Property.

Wasn't the first amendment enough for this development? What's the point of a master plan if we're just going to amend it whenever a developer wants to do something with/on the property that we as a town protected against?

Would you please share my position, and note it in meeting minutes, with all members of the Planning and Zoning Commission in hopes they will hear me and my neighbors who do not want these amendments approved.

Thank you,

Chris Payton
3025 Monet Ct

From: Pemberton, Cherie
Sent: Friday, October 07, 2016 11:47 AM
To: Chuck Russell
Subject: Removal of Bike Lanes and MUP's on Smith Tract

Mr. Russell,

I would like to protest and strongly oppose the removal of the bike lanes and trails from this area. I have lived in Flower Mound area for over 40 years and use the trails on a daily basis in my area. The trails and lanes help keep pedestrians and cyclists safe. The increased traffic in this area will make it unsafe for walkers, runners, children and cyclists. They also enhance the image of Flower Mound as a place that encourages an outdoor and active lifestyle and not providing these will send a negative image to current and future residents of the town.

Thank you,
Cherie Pemberton
Administrative Assistant to Craig Martin
Executive Director of Purchasing

From: Lockwood Scoggin Jr.
Sent: Saturday, October 8, 2016 11:24 AM
To: Jimmy Stathatos
Subject: Smith Property Master Plan Amendments

To the Town Manger of Flower Mound: Mr. Jimmy Stathatos,

Regarding the Smith Property Master Plan Amendments, I would like to weigh in with my opinion. Being a resident over thirty years in west Flower Mound I have followed the developments and changes to our Master Plan. West Flower Mound is unique for it's ancient forest and rolling hills. It would be a shame to allow higher density housing in this area. I am for maintaining the trial requirements and no sewer line requirements of the Master Plan. Also, I would like to see us roll back to 2001 requirements to have a minimum of one acre lots.

Thank you for serving our town and considering my opinion.

Lockwood Scoggin Jr.
6500 Hillcrest Road
Flower Mound, TX 75022

-----Original Message-----

From: Ctucker
Sent: Friday, October 07, 2016 2:43 PM
To: Chuck Russell
Cc: Andrew Tucker
Subject: Bike lanes

As a recent Flower Mound resident I am very concerned with the current proposal to remove bike lanes and MUPs from Shiloh road.

Both my husband and I are avid cyclists and moved into Flower Mound because of the bike lanes and positive focus on cycling in the community. I am also the sponsor of the Lewisville HS bike club and I'm concerned about creating other clubs in the LISD community if the board fails to provide safe routes not only for adults but for students in grades k-12.

I want it to be known that I am STRONGLY opposed to this measure.

Christine Tucker
4817 Schooner Court
Flower Mound Tx

From: KC Walsh
Sent: Monday, October 10, 2016 9:46 AM
To: planning; Jimmy Stathatos
Subject: Smith Tract MPAs opposition

Please let it noted on record and provided to the Planning & Zoning Committee members that I **oppose** the upcoming Master Plan Amendment request to remove the planned trails (MPA16-0005) and bike lanes (MPA16-0006) from the Smith Tract, as well as the landowner's request for municipal sewer (MPA16-0007). There is no concept plan for a future development on this property, and the landowner's reasoning that it's an encumbrance and is expensive are not valid reasons to approve an MPA.

Best regards,

Karyn Catherine Lottie Walsh
3525 High Rd
Flower Mound, TX 75022

From: shawn wilson
Sent: Monday, October 10, 2016 11:06 AM
To: planning
Subject: Master Plan Admentment

Dear Town Planner Chuck Russell,

I live at 6404 Hillcrest Road right across from the subject property you are addressing tonight at your town council meeting. My wife and I moved from Coppell just a few years ago and the purpose of our move was to get away from the side by side homes and live more in a "country" style atmosphere. I know it isnt exactly living in the country but the surrounding area does provide the feeling of living away from the city hussle and bussle. I DONT AGREE with the redisgning the area south and around the Cirle R Ranch. That atmosphere around the Ranch is exactly the reason we choose this subdivision in Flower Mound. By removing trees and adding roads or more homes will create MUCH MORE traffic in an area that is quiet and reserved right now. PLEASE do not amend the master plan resulting in more construction south and around the Cirlce R Ranch.

I would like my views to be known and deeply considered when making a decision that will effect thousand of Flower Mound residents.

Thank you

Shawn Wilson

-----Original Message-----

From: Edward Woodlock

Sent: Friday, October 07, 2016 12:33 AM

To: planning

Subject: Smith Property Requests

Adrienne & Ed Woodlock of 3305 Miracle Lane Flower Mound Texas. Are not in favor of any of the Smith Property Zoning Requests (Since 1989 owners of this property)

Sent from my iPhone

-----Original Message-----

From: Lisa Allen

Sent: Monday, October 10, 2016 10:16 AM

To: Jimmy Stathatos; planning

Subject: Planning and Zoning vote

I am requesting the following votes on requests to amend the Flower Mound Master Plan items as I cannot attend the Public Hearing tonight:

MPA16 - 0005- Smith Tract - recommend to deny request to amend.

MPA16-0006-Smith Tract - recommend to deny request to amend.

MPA16-0007-Smith Tract- recommend to deny request to amend.

Lisa Allen

6413 Meadowcrest Lane

Flower Mound, TX 75022

Sent from my iPad

From: Allen, Tim
Sent: Monday, October 10, 2016 11:21 AM
To: Jimmy Stathatos; planning
Cc: Tim Allen
Subject: Planning and Zoning vote

I am requesting the following votes on requests to amend the Flower Mound Master Plan items as I cannot attend the Public Hearing tonight:

MPA16 - 0005- Smith Tract - recommend to deny request to amend.
MPA16-0006-Smith Tract - recommend to deny request to amend.
MPA16-0007-Smith Tract- recommend to deny request to amend.

Tim Allen
6413 Meadowcrest Lane
Flower Mound, TX 75022

From: Sonny Baca
Sent: Friday, October 07, 2016 3:28 PM
To: planning
Subject: Oct 10 meeting

Elue and Janet Baca,

My wife and myself are totally opposed to any change in the master plan regarding the SMITH property scheduled for Oct 10th and 17th. This includes bike paths, horse trails and greatly opposed to sewer additions. Also the SMITHS should say what they plan to do with their property including safety concerns with the GAS WELLS on their property and how they would relate developers deciding to purchase said property.

My family does not want a debacle as "OBAMA care and we find the mistakes after a plan is voted on, that's ridiculous". Besides we are heading into the greatest reset in the US and Towns economy, lets be smart. We need full discloser before we will say yes to change in the Master Plan. Safety, Security, economically savvy and what's best for the residence who have committed to the MASTER PLAN.

Sonny Baca
6504 Cardinal Dr. Flower Mound, TX 75022

-----Original Message-----

From: JOHN

Sent: Friday, October 07, 2016 2:45 PM

To: Chuck Russell

Cc:

Subject: SMITH TRACT BIKE LANES AND MULTI-USE PATHS

Mr Russell

To say that I'm shocked that the city would even consider the GREED of a developer over the health and safety of its citizens is at best appalling!

Who, on the city council will we hold responsible when, GOD forbid, someone is injured, or worse loses their life because the developer or perhaps the council lined their pockets?

John Basse

1501 Lindby

Flower Mound, TX 75028

Sent from my iPhone

From: Shain Clark

Sent: Monday, October 10, 2016 5:00 PM

To: Chuck Russell

Cc: Mark Solow; Sharon Haney

Subject: VOTE NO ON SMITH TRACT REQUEST FOR A MASTER PLAN AMENDMENT (MPA16-0005 AND MPA17-0006). to remove Multi-Use Paths and Bike Lanes.

October 10, 2016

Dear Mr. Russell,

As a bicyclist and regular rider in Flower Mound, I'm VERY concerned about the possibility of losing our Multiuse Paths and bike lanes. A huge part of the beauty of Flower Mound is its beautiful MUP's (multiuse paths) and the availability of bike lanes to protect bicycle riders.

I'm sure you're aware of the increasing interest in cycling and the positive impact on house valuations that bike paths and m.u.p.'s can have on a city. More and more, potential home owners are interested in their availability. My husband and I live in Carrollton but drive for 35-40 minutes to Flower Mound to ride with our bike club because of the m.u.p.'s and bike lanes. It is becoming more and more an issue that Carrollton does not have them. If we were just a bit younger and starting our family, I can assure you that we would settle in a neighborhood like Flower Mound simply because of that availability and its emphasis on cycling.

Additionally, a focus on cycling safety adds to the good health and well-being of the city. Flower Mound owes much of its prosperity and success to the forward thinking "fathers" of the city who are in tune with its residents and the increasing emphasis upon health and wellness. One needs only to watch television and television commercials for a few minutes to pick up on that growing phenomenon.

A younger, more active community only adds to the value of Flower Mound.

PLEASE, Mr. Russell, protect (and increase!) the bike lanes and multi-use paths. It's a win-win for our community! VOTE "NO!"

Shain Clark
4205 Wild Cherry
Carrollton, Tx 75010

From: trigirl
Sent: Monday, October 10, 2016 7:31 PM
To: Chuck Russell
Subject: bike path meet

Unable to attend due to work, but I believe the more we're seen riding, the more we're seen. Bike paths can only expand the horizon of our reach.
More info as it's available would be appreciated.
thank you
darcy clarke

From: Lloyd Collins
Sent: Monday, October 10, 2016 11:26 AM
To: Jimmy Stathatos
Cc: planning
Subject: Smith Property Master Plan Amendments

Jimmy & Planning,

We're strongly **OPPOSED** to the attempt to bypass the normal Master Plan for any reason. We understand progress, but we believe following the Master Plan is vital to keeping Flower Mound a great place to live now and in the future! Flower Mound is a very active community, and the attempt to eliminate Equestrian, Walking, and Bicycle Trails & Paths is wrong especially from a safety standpoint. The Smith property is surrounded by horse property which is our heritage, and the terrain in our area lends itself to great riding, walking & cycling.

We're also for limiting density, and prohibiting sewers in our area per the Master Plan so that we keep the country feel which is why we moved from the east side of town 18 years ago.

Sincerely,

Lloyd & Mary Beth Collins
4005 Ada Dr.

From: billy
Sent: Monday, October 10, 2016 11:29 AM
To: planning; Jimmy Stathatos
Subject: Smith Property Bike lanes and Sewer

Hello,

As an active community member I oppose the Smith Property Master Plan amendments.

Bicycle lanes are an asset to the community. People deserve to ride their bikes without fear of motorist traffic. That extra space makes all the psychological difference to someone deciding on whether to ride or not. Have you noticed the difference in noise/ environmental disruption of a single car driving by then a bicycle?

I oppose the builder's request for no bicycle lanes in front of their property.

I oppose the request for sewer expansion along the property.

Please provide this to all planning and zoning commission members.

Thank you,

William Cook

-----Original Message-----

From: Rubyann Darnell

Sent: Monday, October 10, 2016 12:55 PM

To: Jimmy Stathatos

Subject: Shiloh Road hearing

Please don't allow any changes to the existing Town Plan, zoning, etc.

Rubyann and Gordon Darnell

From: Wojtek Felendzer

Sent: Monday, October 10, 2016 2:22 PM

To: Chuck Russell

Subject: Agenda items G.3 and 4 at today's P&Z Commission meeting : removing bike lane designation

Mr. Russell,

I am writing to you with regard to some items on today's agenda pertaining to the bike lane along Scenic Rd and Shiloh Rd - and whether the developer of the Smith Tract will be able to gain an exemption and remove the bike lane from existing plans for these roads. I understand that earlier recommendation was to keep the bike lane designation, by a vote 4-0, but that it's really up to the Planning and Zoning Commission to decide.

I will be unable to participate in the public hearing tonight, but I've been told that you can help bring some of the residents' concerns to commission members.

Specifically, I wanted to ask you share with the Commission members my request to **keep the bike lane designation**, hoping that this message - and many other voices - will influence the Commission's decision.

This part of Flower Mound is a very popular area for bicycle sports. Wide bike lanes along Wichita Road are especially busy - on Saturday and Sunday mornings you will see multiple groups of bikers taking that route on group rides towards Bartonville and Argyle. There's a shoulder on Cardinal, but bike lanes end at Rocky Point and the uphill part of Shiloh - which forces bicyclists to share the roadway with cars and trucks.

While it may not be a problem at the moment, with more development and more residential traffic (or industrial - to the gas wells) it will becoming increasingly unsafe for bicyclists using that popular route. Already at this time the busy section of Shiloh north of 1171, which is a connector for many bicyclists to routes in Bartonville, Argyle and beyond - is quite scary with plenty of traffic, deteriorated surface and no shoulder.

Removing the bike lanes from future plans for those roads will be quite an unfriendly move towards the many residents of Flower Mound who bike along this route. If the planned development on the Smith Tract is more gas wells then adding bike lanes will be an important safety factor with increased traffic of tanker trucks. If there are residential plans - a bike lane will significantly add to the value and friendliness of those roads and the residential neighborhoods built on the tract. And in any case, a bike lane will be important for the entire bicycling community in the area.

Flower Mound is a wonderful community where people value the multitude of parks, trails and bike paths available to them. The Northshore Trail draws hundreds of bikers from the entire Metroplex. This healthy lifestyle supported by our town's infrastructure is a big part of what makes our town special and continues to attract people to move here with their families.

Thank you for your help in sharing these issues with the Planning and Zoning Commission members, so that Flower Mound can keep the requirement of the designated bike lane on Shiloh, Scenic and surrounding roads.

Kind regards,

Wojciech Felendzer
1036 Glen Chester Dr
Flower Mound, TX

Wojtek Felendzer

From:

Sent: Friday, October 07, 2016 3:54 PM

To: planning; Jimmy Stathatos

Subject: Smith Property Master Plan Amendments

Our Neighborhood Matters!

As longtime residents of the Shiloh Rd area, we are opposed to ALL Master Plan Amendments to the Smith property. No plans have been submitted for this property, and there is a lack of transparency by the applicant.

We support the original intention of the Cross Timbers Conservation District as put forth in the Master Plan, to preserve the beauty and integrity of our area.

Please provide a copy of this email to all Planning and Zoning Commissioners for their consideration.

Thank you,

Sherillyn and Tim Flick
3220 Miracle Lane
Flower Mound, TX 75022

From: Freestone, Paul
Sent: Monday, October 10, 2016 1:28 PM
To: planning
Subject: Economic and Safety benefits of bike lanes - MPA16-0006

Hello Chuck,

I am e-mailing input for the Planning and Zoning Meeting on October 10, 2016, as I will be travelling this evening and unable to attend in person.

Regarding the application for a Master Plan Amendment to remove the bike lane designation from MPA16-0006, I would like to encourage keeping the bike lane designation (denying the request for amendment).

I am always encouraged to see how many Flower Mound community members are avid cyclists (and in addition, cyclists from nearby communities use our roads to access areas to the north and west). I believe very strongly that this community can attract new residents by continuing to provide increasing safe access to our roads for cyclists; in fact, we will need to provide this type of infrastructure in order to remain competitive in attracting new residents and talented individuals for local and regional businesses.

Additionally, there is a significant safety impact for providing dedicated cycling lanes. By providing designated cycling lanes, we can help ensure that cyclists and drivers can operate more safely in our residential and commercial areas.

http://www.rita.dot.gov/bts/sites/rita.dot.gov.bts/files/publications/special_reports_and_issue_briefs/issue_briefs/number_11/html/entire.html

<http://www.strongtowns.org/journal/2016/5/10/the-economic-benefits-of-biking-cannot-be-ignored>

Finally, I would be remiss if I failed to note the fact that many cyclists are our children, and I am concerned about taking any potential steps backward in providing safe areas for our children to navigate our neighborhoods on their bicycles.

I reside on the eastern side of the Smith Tract in River Oaks with my family (on Oak Crest Dr).

Thank you!

Paul Freestone
Vice President, Mergers and Acquisitions
Stryker
GQO
1410 Lakeside Parkway #500
Flower Mound, TX 75028, USA

-----Original Message-----

From: Bob Gladney

Sent: Monday, October 10, 2016 3:30 PM

To: planning

Subject: Smith property master plan amendments- opposed

Please communicate to the Planning and Zoning Commission my opposition to proposed amendments to the master plan for the Smith property.

Sincerely,

Robert C. Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

Sent from my iPhone

From: Bob Gladney

Date: October 10, 2016 at 3:33:09 PM CDT

To: Jimmy Stathatos

Subject: **Opposed- Smith Property master plan amendments**

Please communicate to the Planning and Zoning Commission my opposition to the Smith Property master plan amendments.

Sincerely,

Robert C. Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

-----Original Message-----

From: Diane Walker-Gladney [mailto:dwalkergladney@gmail.com]

Sent: Monday, October 10, 2016 3:42 PM

To: planning

Subject: Opposed to Smith property master plan amendment

Please put my name on record as opposing the Smith property master plan amendments.

Sincerely,

Diane Walker- Gladney

3715 Ridgecrest Dr

Flower Mound TX 75022

Sent from my iPhone

From: Tom Goss
Sent: Friday, October 07, 2016 10:25 AM
To: Chuck Russell
Subject: P&Z Mtg 10/10/16

P&Z Commissioners,

I strongly oppose MDA 16-007 regarding the Smith Tract. Bike lanes are a key component of our Master Plan and a valuable resource for our citizens. The request for sewer services will be a huge expense for the Town since our current trunk lines are at capacity. Finally, if this unnamed developer wants changes made, he needs to fully disclose his plans and be open to Flower Mound citizens on what is planned for the property.

Tom Goss
6909 Wind Swept Ct.
Flower Mound, TX

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Sent: Friday, October 07, 2016 12:02 PM
To: Chuck Russell
Subject: MPA16-0006 – Smith Tract

Mr. Russell,

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*Sharon Haney
Purchasing Clerk
LISD Bolin Adm. Ctr., Room 220
1565 W. Main Street
Lewisville, TX 75067*

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To: Chuck Russell
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I am particularly against their request for exemption from the bike path, multi-use trails and equestrian trails requirements.

A bike path on the main surrounding streets will add to safety and reduce the risk of serious injury to cyclists. The path on Wichita Trail has reduced the risk of auto-bike encounters and has been a success. The bike path requirement should be left in and no exception should be granted.

Quality of life is enhanced by our multi-use recreational trails and the continued commitment in Master Plan for including such trails is one of best things about our town that keeps it unique and desirable. Flower Mound stands out in comparison to most of the surrounding cities that don't have that same level of commitment. With respect to equestrian trails, there are not enough of those, so we need to keep the ones that we have and encourage and support more of them. Again this sets Flower Mound apart from its more congested neighbors.

For the foregoing reasons I urge the P&Z committee to oppose these requested exemptions from the Master Plan.

Ron Harvot
3301 Camden Drive
Flower Mound, TX

From: Randy & Selina Hostettler

Sent: Saturday, October 08, 2016 12:00 PM

To: planning; Jimmy Stathatos; Mayor - Tom Hayden

Subject: Resident Feedback RE: Smith Property Master Plan Amendments (3 total a mendments)

Dear Planning & Zoning committee and Town Council, my name is Randy Hostettler and my family resides at 6605 Oakview Dr., Flower Mound, TX. We have lived in our home for (2.5) years and enjoy the country feel of the scenic Cross Timbers conservation district. In the last year we had a development proposal that significantly impacts our home with adjacent property. I attended city/developer meetings and listened closely. Eventually I felt it was a fair project and communicated my support as it stayed close to what had been previously approved by our town leadership in regards to the conservation area.

In regards to the Smith property, it appears that folks want to re-write the rules because it now favors their own self-interest. I believe property owners have a right to sell their property for development. In this case, the property owner purchased land in a conservation district and made money through gas wells being placed on the property. I have no issues with that; I wish I had the resources to make an investment like that. What is not acceptable is that now that the gas wells produce less, they want to change the zoning rules to increase profit when selling to a developer.

People invested in the Flower Mound Cross Timbers conservation area because they wanted a certain way of life. We want a scenic area, not high density or large tracts of business/retail. Sewer prohibition has always been a key component for the conservation district and should stay in place to limit the growth in the scenic Cross Timbers conservation district. The amendment requests made by the Smith property owner are not fair to all of the other property investors who purchased their property when the master plan was clearly defined with the intentions to provide less density in this particular area of Flower Mound.

I vote **no** to removing park trails and bike lanes. I vote **no** to municipal sewer in the Cross Timbers conservation district. Those changes impact traffic and require road expansions and other infrastructure expenses otherwise not needed. Basically if these amendments were approved, they would benefit the "big guys" and negatively impact the large number of family homeowners currently living in the Cross Timbers Conservation district.

Please make sure this is distributed to all Town Council members.

Regards,

Randy Hostettler

6605 Oakview Dr., Flower Mound TX.

From: Ron Huebner
Sent: Sunday, October 09, 2016 8:36 PM
To: Jimmy Stathatos; planning
Subject: Cross Timbers Conservation District

Dear Sir, please forward my email to the members of our city council, planning and zoning personnel, and all that are making decisions about exemptions to the Master Plan for the Cross Timbers Conservation District and environs.

As a voting Flower Mound resident I would like to express my opposition to any exemptions, variances, or permits to bypass our Master Plan by developers. This includes the elimination of trails, open spaces, environmentally sensitive issues, and city sewage lines. I live in Flower Mound because I believed the Master Plan protected our environment and culture, but find that the current city council repeatedly violates that original charter and it's intent even when it's own Planning and Zoning experts advise against such amendments and exceptions . Please register my view so that it may be on the record.

Those that serve business progress and tax revenue above the concerns of it's citizens do a disservice to the very people they have vowed to serve. This will definitely be noted in the upcoming elections. No one is above the will of the people they are suppose to be serving.

--

Ron Huebner

From: tnalarsen
Sent: Monday, October 10, 2016 1:15 PM
To: planning
Subject: Master plan changes-Smith tract

Dear Mr. Russell,
Please note that my husband and I both oppose the changes to the master plan for the Smith tract (all 3 changes).

Thomas & Ann Marie Larsen
3474 Shiloh Rd.
Flower Mound, TX 75022

Sent from AOL Mobile Mail

From: Litton, Mark
Sent: Friday, October 07, 2016 10:19 AM
To: Chuck Russell
Subject: Town of Flower Mound Planning and Zoning Commission Meeting 10/10

MPA16-0006 – Smith Tract

I would like to voice my strong objection to this proposed change to remove the bike lane designation. This is backwards step and demonstrates a lack vision for the future and for the safety of both cyclists and motorists and the flow of traffic in the city.

Mark Litton



Mark Litton | CDS
General Manager, Director of CDS Operations

an Omnicom Group, Inc. company

Keep Calm Your Email Is Always On! 
Ask me about the CDS tools giving you access to
your email anytime, anywhere!

-----Original Message-----

From: Ken Mason

Sent: Monday, October 10, 2016 8:46 AM

To: Chuck Russell

Subject: Bike lane meeting

I would like to voice my support for the bike lanes on Shiloh. I have been active in the area bike scene for several years and have always advocated and used bike lanes. They are needed more now with all the driver distractions .

Thank you

Ken Mason

Sent from my iPad

From: Peter McKee
Sent: Monday, October 10, 2016 8:45 AM
To: Jimmy Stathatos
Subject: Smith Property

Good morning Mr Strathatos,

We are Peter and Diane McKee of 2929 Miracle Ln. We are aware that there is a P & Z public hearing this evening regarding the request for amendments to the Master Plan related to the Smith Property. We plan to attend this meeting, however wanted to also submit our views to you personally so they can be submitted to all members of the P & Z commission and recorded as concerned citizens' comments in all documentation regarding this matter.

We are apposed to changing the Master Plan regarding these current requests: Parks and Trail Plan, Thoroughfare Plan and Wastewater Plan.

The Master Plan was developed and approved for the benefit of all residents of Flower Mound. Trails and open space are what set Flower Mound apart from other local cities. Many residents enjoy recreation on this side of town because of its rural nature and beauty. Bicycle trails are necessary as many of our main streets in this area are heavily used by bicyclists and outdoor enthusiasts.

We are not in favor of further subdividing land sections in our area with thoroughfares as this increases traffic in established neighborhoods and residential zones. Cross Timbers Road is now expanded and very adequately accommodating east/west flow through the city.

In addition, We are not in favor of bringing wastewater infrastructure into our area. We have lived in our home for nearly 20 years and our septic systems is functioning very well. We would be very concerned about the loss of many trees and land destruction associated with bringing in such significant infrastructure into such an established neighborhood.

We understand the land surrounding our home does not belong to us, however, we ask you would please consider our requests and the benefits of all residents when considering any amendments to our town Master Plan.

Sincerely,
Peter and Diane McKee
2929 Miracle Lane

Sent from my iPad

From: Chris Morgan
Sent: Friday, October 07, 2016 10:11 AM
To: Chuck Russell
Subject: Bike lanes on Shiloh Rd - RE: Smith Tract

Dear sir;

I am a frequent bike rider in Flower Mound. I am writing now to request that Flower Mound keep the requirement for bike lanes on Shiloh Rd and other roads around the Smith Tract. Here is a video that shows how dangerous it is to not have room for both cars and bikes on such roads: <https://youtu.be/TIr5edFe9KQ>

Thank you,

Chris Morgan
1102 Ellard Dr
Hickory Creek

Sent from my iPhone

From: chris payton
Sent: Friday, October 07, 2016 9:14 AM
To: planning; Jimmy Stathatos
Subject: Smith Property Amendments

As a homeowner who lives in Coeur Du Lac Estates, I urge you to deny the master plan amendment requests on the Smith Property.

Wasn't the first amendment enough for this development? What's the point of a master plan if we're just going to amend it whenever a developer wants to do something with/on the property that we as a town protected against?

Would you please share my position, and note it in meeting minutes, with all members of the Planning and Zoning Commission in hopes they will hear me and my neighbors who do not want these amendments approved.

Thank you,

Chris Payton
3025 Monet Ct

From: Pemberton, Cherie
Sent: Friday, October 07, 2016 11:47 AM
To: Chuck Russell
Subject: Removal of Bike Lanes and MUP's on Smith Tract

Mr. Russell,

I would like to protest and strongly oppose the removal of the bike lanes and trails from this area. I have lived in Flower Mound area for over 40 years and use the trails on a daily basis in my area. The trails and lanes help keep pedestrians and cyclists safe. The increased traffic in this area will make it unsafe for walkers, runners, children and cyclists. They also enhance the image of Flower Mound as a place that encourages an outdoor and active lifestyle and not providing these will send a negative image to current and future residents of the town.

Thank you,
Cherie Pemberton
Administrative Assistant to Craig Martin
Executive Director of Purchasing



DEVELOPMENT SERVICES
PLANNING SERVICES DIVISION
Memorandum

DATE: October 10, 2016

TO: Planning and Zoning Commission

FROM: Doug Powell, Executive Director

SUBJECT: Item Nos. 3, 4 and 5 – Smith Tract
(MPA16-0005, MPA16-0006 and MPA16-0007)

Chairman Forest and Commissioners:

Attached is additional correspondence received regarding these items after the agenda packet was posted.

Thank you.

From: Lockwood Scoggin Jr.
Sent: Saturday, October 8, 2016 11:24 AM
To: Jimmy Stathatos
Subject: Smith Property Master Plan Amendments

To the Town Manger of Flower Mound: Mr. Jimmy Stathatos,

Regarding the Smith Property Master Plan Amendments, I would like to weigh in with my opinion. Being a resident over thirty years in west Flower Mound I have followed the developments and changes to our Master Plan. West Flower Mound is unique for it's ancient forest and rolling hills. It would be a shame to allow higher density housing in this area. I am for maintaining the trial requirements and no sewer line requirements of the Master Plan. Also, I would like to see us roll back to 2001 requirements to have a minimum of one acre lots.

Thank you for serving our town and considering my opinion.

Lockwood Scoggin Jr.
6500 Hillcrest Road
Flower Mound, TX 75022

From: Jon Spencer

Sent: Monday, October 10, 2016 5:35 PM

To: Chuck Russell

Subject: Master Plan Amendment (MPA16-0006 – Smith Tract) to amend Section 7.0: OPPOSED

Mr. Russell,

I write you this email in **opposition** of amending (MPA16-0005 – Smith Tract - Section 5.0) specifically regarding any potential of removing designated bike lanes from the plan. Other cyclists and I frequently use this section of road, and I am concerned if designated bike lane are exempted from the plan, it will introduce risks to Flower Mound citizens (both drivers and cyclists) as the area develops. As I write this email, I realize that I have already missed the deadline, but I trust you will submit my letter of opposition to the council in hopes that they will prioritize the safety of the Flower Mound citizens over the developer's budgetary concerns.

Thank you,
Jon Spencer

2812 Aberdeen Dr.
Flower Mound, TX

-----Original Message-----

From: Ctucker
Sent: Friday, October 07, 2016 2:43 PM
To: Chuck Russell
Cc: Andrew Tucker
Subject: Bike lanes

As a recent Flower Mound resident I am very concerned with the current proposal to remove bike lanes and MUPs from Shiloh road.

Both my husband and I are avid cyclists and moved into Flower Mound because of the bike lanes and positive focus on cycling in the community. I am also the sponsor of the Lewisville HS bike club and I'm concerned about creating other clubs in the LISD community if the board fails to provide safe routes not only for adults but for students in grades k-12.

I want it to be known that I am STRONGLY opposed to this measure.

Christine Tucker
4817 Schooner Court
Flower Mound Tx

From: KC Walsh
Sent: Monday, October 10, 2016 9:46 AM
To: planning; Jimmy Stathatos
Subject: Smith Tract MPAs opposition

Please let it noted on record and provided to the Planning & Zoning Committee members that I **oppose** the upcoming Master Plan Amendment request to remove the planned trails (MPA16-0005) and bike lanes (MPA16-0006) from the Smith Tract, as well as the landowner's request for municipal sewer (MPA16-0007). There is no concept plan for a future development on this property, and the landowner's reasoning that it's an encumbrance and is expensive are not valid reasons to approve an MPA.

Best regards,

Karyn Catherine Lottie Walsh
3525 High Rd
Flower Mound, TX 75022

From: shawn wilson
Sent: Monday, October 10, 2016 11:06 AM
To: planning
Subject: Master Plan Admentment

Dear Town Planner Chuck Russell,

I live at 6404 Hillcrest Road right across from the subject property you are addressing tonight at your town council meeting. My wife and I moved from Coppell just a few years ago and the purpose of our move was to get away from the side by side homes and live more in a "country" style atmosphere. I know it isnt exactly living in the country but the surrounding area does provide the feeling of living away from the city hussle and bussle. I DONT AGREE with the redisgning the area south and around the Cirle R Ranch. That atmosphere around the Ranch is exactly the reason we choose this subdivision in Flower Mound. By removing trees and adding roads or more homes will create MUCH MORE traffic in an area that is quiet and reserved right now. PLEASE do not amend the master plan resulting in more construction south and around the Cirlce R Ranch.

I would like my views to be known and deeply considered when making a decision that will effect thousand of Flower Mound residents.

Thank you

Shawn Wilson

-----Original Message-----

From: Edward Woodlock

Sent: Friday, October 07, 2016 12:33 AM

To: planning

Subject: Smith Property Requests

Adrienne & Ed Woodlock of 3305 Miracle Lane Flower Mound Texas. Are not in favor of any of the Smith Property Zoning Requests (Since 1989 owners of this property)

Sent from my iPhone



TOWN COUNCIL AGENDA ITEM NO. 10 REGULAR ITEM

DATE: October 17, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its October 10, 2016, meeting.)*

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. No changes or new information has been received since that meeting.

ATTACHMENTS:

1. Planning and Zoning Commission Staff Report
2. Draft Ordinance

DRAFT MOTION: Move to approve a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, and adopt an ordinance providing for said amendment.



PLANNING AND ZONING COMMISSION AGENDA ITEM NO: 6

DATE: October 10, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: **Public Hearing to consider a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials.**

I. ITEM SUMMARY

There are no outstanding issues associated with this request.

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

The purpose of this request is to amend the Architectural Standards of the Town's Master Plan in order to add stucco as a primary masonry option under Façade Materials. The Town Council directed staff to proceed with this amendment following discussion during their Strategic Planning Session on July 22, 2016, and follow-up work session on September 15, 2016.

The work session video can be viewed at:

<http://flowermoundtx.swagit.com/play/09152016-909>

Currently, the Architectural Standards only allow stucco as a secondary material and thus it is limited to no more than twenty percent (20%) of a building façade for non-residential buildings. This amendment would allow stucco to be used up to one-hundred percent (100%) of a building façade. The Town's building code does contain standards for stucco construction which will ensure that a quality product is installed.

The following shows the proposed amendments to the Town's Master Plan in underline and strike-out:

5. Facade Materials

- 5.1. Elevations of low-rise non-residential buildings (one to two stories) should be a minimum of 50% masonry, excluding doors and windows,

consisting of stone, brick, stucco or finished tilt-wall concrete, or a mixture of those materials.

5.2. Elevations of non-residential buildings of three stories or greater should be a minimum of 40% masonry, excluding doors and windows, consisting of stone, brick, stucco or finished tilt-wall concrete, or a mixture of those materials.

5.3. At least 80% of each building elevation, excluding doors and windows, should be primary masonry, consisting of hand-laid brick or stone, of stucco, or of finished tilt-wall concrete. Up to 20% of each building elevation may be secondary masonry, consisting of concrete block or e.i.f.s., or stucco

All other standards relative to Façade Materials in Section 4, Urban Design Plan, are to remain unchanged.

III. CORRESPONDENCE

The Town Code requires public notice in a newspaper of general circulation (Denton Record Chronicle) for all Master Plan amendments. At the time this report was written, staff had received no correspondence regarding the request.

IV. ATTACHMENTS

None

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 4.0, URBAN DESIGN PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO MODIFY THE ARCHITECTURAL STANDARDS BY ADDING STUCCO AS A PRIMARY MASONRY OPTION UNDER 5.0 FAÇADE MATERIALS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on March 19, 2001, the Town Council of the Town of Flower Mound adopted all nineteen component plans, specifically including the Urban Design Plan, together with all amendments thereto, by Ordinance No. 24-01 as a component to the Flower Mound Master Plan; and

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on October 10, 2016, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 17, 2016, with respect to the Master Plan Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 213 of the Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of the Master Plan Amendment described herein;

WHEREAS, the Town Council finds that amendment of the Master Plan as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The Master Plan of the Town of Flower Mound, Texas, as amended, is hereby amended as described below:

5. Façade Materials within the Architectural Standards of Section 4.0, Urban Design Plan, is hereby amended to add stucco as a primary masonry option, as follows:

Ordinance No. _____

Page 2

- "5.1. Elevations of low-rise non-residential buildings (one to two stories) should be a minimum of 50% masonry, excluding doors and windows, consisting of stone, brick, stucco or finished tilt-wall concrete, or a mixture of those materials.
- 5.2. Elevations of non-residential buildings of three stories or greater should be a minimum of 40% masonry, excluding doors and windows, consisting of stone, brick, stucco or finished tilt-wall concrete, or a mixture of those materials.
- 5.3. At least 80% of each building elevation, excluding doors and windows, should be primary masonry, consisting of hand-laid brick or stone, of stucco, or of finished tilt-wall concrete. Up to 20% of each building elevation may be secondary masonry, consisting of concrete block or e.i.f.s., ~~or stucco.~~"

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

Ordinance No. _____

Page 3

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF
_____, 2016.

APPROVED:

Thomas E. Hayden, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, **TOWN ATTORNEY**



TOWN COUNCIL AGENDA ITEM NO. 11 REGULAR ITEM

DATE: October 17, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its October 10, 2016, meeting.)*

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. During the P&Z public hearing, there was discussion about other green building rating systems that were gaining in popularity; whether they were comparable to LEED; and whether they should be addressed. However, P&Z did not include a recommendation as part of their motion.

ATTACHMENTS:

1. Planning and Zoning Commission Staff Report
2. Draft Ordinance

DRAFT MOTION: Move to approve a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards, and adopt an ordinance providing for said amendment.



PLANNING AND ZONING COMMISSION AGENDA ITEM NO: 7

DATE: October 10, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards.

I. ITEM SUMMARY

There are no outstanding issues associated with this request.

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

The purpose of this request is to amend the Architectural Standards of the Town's Master Plan in order to add a waiver process for those buildings certified as LEED Gold or better. The Town Council directed staff to proceed with this amendment following discussion during their Strategic Planning Session on July 22, 2016, and follow-up work session on September 15, 2016.

The work session video can be viewed at:

<http://flowermoundtx.swagit.com/play/09152016-909>.

The Town's current Architectural Standards contain a provision that the Town can approve a building design that does not meet the standards but has "meritorious" qualities (paragraph 1.2 below). In a similar vein, this amendment would add another exemption to the Architectural Standards for any building that meets the Leadership in Energy and Environmental Design (LEED) Gold or better standards.

More information on the LEED certification program can be found at:

<http://www.usgbc.org/leed>

The following shows the proposed amendment to the Town's Master Plan in underline:

1. Design Review

- 1.1. Determination of a proposed building design's compliance with these standards will be made by the Town's staff and/or Planning and Zoning Commission and Town Council.
- 1.2. In considering conformance to these standards, the Town will evaluate the suitability of meritorious design that might not comply exactly with these standards, but that is of exceptional enough design quality that it would be a desirable addition to the Town.
- 1.3. In considering conformance to these standards, the Town will evaluate the suitability of buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better that might not comply exactly with these standards, but that are of exceptional enough design quality that they would be a desirable addition to the Town.

These types of waiver requests will be accompanied by a Development Agreement to ensure the LEED certification is achieved.

III. CORRESPONDENCE

The Town Code requires public notice in a newspaper of general circulation (Denton Record Chronicle) for all Master Plan amendments. At the time this report was written, staff had received no correspondence regarding the request.

IV. ATTACHMENTS

None

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 4.0, URBAN DESIGN PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO MODIFY THE ARCHITECTURAL STANDARDS BY ADDING A NEW SUBPARAGRAPH 1.3 ENABLING THE TOWN TO EVALUATE THE SUITABILITY OF BUILDINGS CERTIFIED AS LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR BETTER THAT MIGHT NOT COMPLY EXACTLY WITH THE ARCHITECTURAL STANDARDS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on March 19, 2001, the Town Council of the Town of Flower Mound adopted all nineteen component plans, specifically including the Urban Design Plan, together with all amendments thereto, by Ordinance No. 24-01 as a component to the Flower Mound Master Plan; and

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on October 10, 2016, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 17, 2016, with respect to the Master Plan Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 213 of the Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of the Master Plan Amendment described herein;

WHEREAS, the Town Council finds that amendment of the Master Plan as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The Master Plan of the Town of Flower Mound, Texas, as amended, is hereby amended as described below:

Ordinance No. _____

Page 2

The Architectural Standards of Section 4.0, Urban Design Plan, are hereby amended to add a new subparagraph 1.3 under "Design Review" to read as follows:

- "1.3. In considering conformance to these standards, the Town will evaluate the suitability of buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better that might not comply exactly with these standards, but that are of exceptional enough design quality that they would be a desirable addition to the Town."

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF _____, 2016.

Ordinance No._____

APPROVED:

Thomas E. Hayden, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, **TOWN ATTORNEY**



TOWN COUNCIL AGENDA ITEM NO. 12 REGULAR ITEM

DATE: October 17, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by deleting subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to remove the prohibition on the use of exposed neon, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 10, 2016, meeting.)*

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. During the P&Z public hearing, concerns were raised regarding the desirability of certain applications of exposed neon for signs within the Town. The following condition was added by the Commission as part of their recommendation:

- Move to recommend approval of LDR16-0003 – Prohibited Signs Amendment with the clarification that it be done in a channelized frame.

Subsequent to the P&Z meeting, staff discussed the recommendation and how best to implement it through specific text in the sign standards. The decision was to substitute a term commonly recognized in the sign industry. Specifically, the change was to use the term ‘shielded’ versus ‘channelized’ to describe the type of sign application. Therefore, the amendment proposal is slightly different from P&Z’s recommendation, but staff believes it fully meets the intent. It limits the prohibition to the use of ‘unshielded’ neon. Exposed neon that is shielded will be permitted.

The attached ordinance and draft motion below both reflect the change recommended by P&Z.

ATTACHMENTS:

1. Planning and Zoning Commission Staff Report
2. Draft Ordinance

DRAFT MOTION: Move to approve a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by amending subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to amend the prohibition to the use of unshielded neon, and adopt an ordinance providing for said amendment.



PLANNING AND ZONING COMMISSION AGENDA ITEM NO: 9

DATE: October 10, 2016

FROM: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by deleting subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to remove the prohibition on the use of exposed neon.

I. ITEM SUMMARY

There are no outstanding issues associated with this request.

This application will require final action by the Town Council.

II. APPLICATION ANALYSIS

The purpose of this request is to amend the Town’s Land Development Regulations in order to remove the prohibition on the use of exposed neon for wall signs. The Town Council directed staff to proceed with this amendment following discussion during their Strategic Planning Session on July 22, 2016, and follow-up work session on September 15, 2016.

The work session video can be viewed at:

<http://flowermoundtx.swagit.com/play/09152016-909>.

The discussion on the use of exposed neon on signs derived from a discussion on the use of LED lights that mimicked exposed neon. LED is a light source that can be used as a substitute for traditional light bulb applications. The use of LED is not prohibited by the Town’s regulations and recently a few signs have been installed that have LED lights that resemble exposed neon. The discussion to create standards for the use of LED lights quickly changed to the idea that exposed neon should not be restricted. This change to the regulations, therefore, would allow the use of exposed neon.

The following shows the proposed deletion from the Code of Ordinances:

Sec. 86-4. - Prohibited signs.

The following types of signs or outdoor advertising display are prohibited within all zoning district classifications in the town:

~~(12) Neon. There shall be no exposed neon except as provided in [section 86-69](#).~~

All other sign regulations are to remain in effect. No change is being proposed to the regulations for neon window signs in Section 86-69.

III. CORRESPONDENCE

The Town Code requires public notice in a newspaper of general circulation (Denton Record Chronicle) for all Land Development Regulation amendments. At the time this report was written, staff had received no correspondence regarding the request.

IV. ATTACHMENTS

None

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 86, SIGNS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 86-4, "PROHIBITED SIGNS," AMENDING SUBPARAGRAPH (12) RELATED TO THE PROHIBITION ON THE USE OF UNSHIELDED NEON; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the Town Council of the Town of Flower Mound previously adopted chapter 86 of Subpart B, Land Development Regulations, of the Town of Flower Mound Code of Ordinances, as amended, which regulates signs throughout the Town; and,

WHEREAS, the Town Council finds and determines that the regulations related to the materials permitted to be used for signs should be amended to allow the use of shielded neon; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on October 10, 2016, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 17, 2016, with respect to the Land Development Regulations Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Texas Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Land Development Regulations Amendment;

WHEREAS, the Town Council finds that the amendment to Chapter 86 as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety, and general welfare of the citizens of the Town of Flower Mound and the general public.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

Subparagraph (12) of Section 86-4, entitled "Prohibited Signs," of Chapter 86 of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to read as follows:

ORDINANCE NO. _____

Page 2

"(12) *Neon*. There shall be no unshielded ~~exposed~~ neon except as provided in section 86-69."

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Code of Ordinances as amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 6

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

ORDINANCE NO. _____

Page 3

SECTION 7

This Ordinance shall be in full force and effect from and after the date of its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF _____, 2016.

APPROVED:

Thomas E. Hayden, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, **TOWN ATTORNEY**

Town Council Future Agenda Items



SCHEDULED	10/20/2016	Work Session	Joint work session with the Planning & Zoning Commission to include a presentation and discussion involving the Town's Master Plan and Land Development Regulations related to the following: 1) the Town's Master Plan (Land Use Plan, Land Use Plan Map, Specific Plan Areas, and Area Plans) including density, infill development, and senior housing; 2) the Town's Land Development Regulations involving the Town's floodplain standards and process for flood studies, and the Town's requirement and process for Traffic Impact Analyses.
	11/7/2016	Presentation	'National Night Out' neighborhood winner award presentation.
		Presentation	Recognition of the Communications Department's recent national and state awards.
		Consent	Consider approval of Change Order No. 1 for the Timber Creek Road Paving Improvements project, amending the contract with XIT Paving and Construction, Inc., for an increase to the contract amount of \$17,952.55; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider acceptance of grant funds from the U.S. Department of Justice Office of Justice Programs for the FY 2016 Bulletproof Vest Partnership.
		Consent	Consider approval of a Professional Services Agreement with Innovative Transportation Solutions, Inc., to provide professional transportation services in the amount of \$75,000.00 annually, with a one year renewal option; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval to purchase materials and installation for the resurfacing of the Community Activity Center's indoor pool and deck area, for the Community Activity Center Improvements project, from DCC, a Buy Board participant; in the amount of \$79,432.69.
		Consent	Consider approval of Amendment No. 2 to the Fiscal Year 2016-2017 Capital Improvement Program.
		Consent	Consider approval of the minutes from a regular meeting of the Town Council held on October 17, 2016.
		Consent	Consider approval of the minutes from a work session of the Town Council held on October 20, 2016.
		Consent	Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limits for specific streets by amending a reduced school speed zone for Argyle Independent School District in Canyon Falls.

SCHEDULED	11/7/2016	Consent	Consider approval of the Professional Services Agreement with Nathan D. Maier Consulting Engineers, Inc., to provide professional engineering services, for the Firewheel Drive project, at an amount not to exceed of \$59,560.00; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of the award of Bid No. 2016-77 to Tiseo Paving Company, for the 2015 Street Reconstruction, McKamy Creek Road Reconstruction and McKamy Creek Right Turn Lane projects, in the amount of \$1,453,874.98; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of a Professional Services Agreement for the design phase services for the Lake Forest Boulevard Bridge and Water Line project, with CP&Y, Inc., for \$123,510.00; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of a Professional Services Agreement for the design phase services of the Lift Station Improvements and Decommissioning Phase I project, with Alan Plummer Associates, Inc., for \$246,000; and authorization for the Mayor to execute same on behalf of the Town.
		Regular	PLACEHOLDER: Tree Removal Permit- The Preserve at FM
	11/17/2016	Work Session	Presentation and discussion involving the Town's Land Development Regulations for undergrounding of overhead utilities
		Work Session	Presentation and discussion regarding public transportation options by the Denton County Transportation Authority and other public transit considerations.
	11/21/2016	Presentation	PLACEHOLDER: Check presentation from Denton County Sheriff Will Travis
		Consent	Waketon Road Drainage Study.
		Consent	Consider approval of the consumption of alcoholic beverages at the Flower Mound Senior Center during the SIM Auxiliary's Elite Chef Competition fundraiser.
		Consent	Forest Vista Elementary Interlocal Agreement.
		Consent	FM 1171 @ Kirkpatrick & FM 1171 @ Timber Creek Traffic Signals Change Order 1 and Final Acceptance.
		Consent	Timber Creek Road Paving Improvements (Kirkpatrick Lane to Glen Hollow) Change Order No.1 and Final Acceptance.
		Consent	Rippy Road Water Line Design Award.
		Consent	Heritage Park Phase II Final Acceptance.

SCHEDULED	11/21/2016	Consent	Inflow/Infiltration Evaluation and Repair (2016 Manhole Rehabilitation) Construction.
		Consent	Pintail Pump Station Capacity Improvements Change Order No. 1.
		Consent	Bakersfield Park Pedestrian Bridge Final Acceptance.
		Consent	Waketon Road Design Award.
		Regular	Consider approval of an ordinance canvassing and declaring the results of a special election held November 8, 2016, for charter amendments.
		Regular	PLACEHOLDER:Public Hearing to consider approval of an ordinance amending Chapter 94.
	12/5/2016	Consent	Bruton Orand Elevated Tank Rehab Construction Award.
		Consent	Inflow/Infiltration Evaluation and Repair (2016 Manhole Rehabilitation) Testing Award.
		Consent	Heritage Park Phase IV Design Award.
	12/15/2016	Work Session	Discuss Community Support funding policy
	12/19/2016	Consent	FM 1171 @ FM 2499 Eastbound Right Turn Lane Construction Award.
		Consent	Western O&M Facility (Temporary Fire Station No.6) Final Acceptance.
		Consent	Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2016 and ending on September 30, 2017, as adopted by Ordinance No. __-16 for adjustments to the _____ Fund, _____ Fund, _____ Fund, _____ Fund, _____ Fund, and _____ Fund.
		Consent	Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2015 and ending on September 30, 2016, as adopted by Ordinance No. 52-15 and amended by Ordinance No. 70-15, No. 04-16, No. 09-16, No. 13-16 and No. 29-16 for an adjustment to the _____ Fund and _____ Fund.
		Consent	High Road Water Line Design Award.
		Consent	Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2017 Independence Fest.
		Consent	FM 2499 / Gerault Drainage and Intersection Construction Award.

SCHEDULED	12/19/2016	Consent	Oak Street Lift Station and Force Main Change Order No. 3 and Final Acceptance.
		Consent	Heritage Park Phase III Construction Award.
	2/16/2017	Work Session	PLACEHOLDER: Joint Work Session with ECC to include a presentation and discussion involving the Town's Sustainability Plan
FUTURE		Presentation	Public Information Act and Open Records Request review and discussion.
		Consent	PLACEHOLDER: Modern Geosciences PSA
		Regular	Public Hearing to consider an application for a tree removal permit for nineteen (19) specimen trees on property proposed for development as The Lakes. The property is generally located west of Shiloh Road and north of Cross Timbers Road. (The Environmental Conservation Commission recommended approval by a vote of 4-2-0 at its June 7, 2016, meeting).
		Regular	PLACEHOLDER Consider approval of Exotic Animal Ordinance