

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING

10/4/2021

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 Jody Smith Hall

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. PUBLIC COMMENT

To speak to Council during public comment, please fill out a [comment form](#).

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972.874.6000 during business hours.

E. PRESENTATIONS

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

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Capital Improvement projects
2. Economic Development projects

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).

Town Council Meeting Agenda
October 4, 2021
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I. COORDINATION OF CALENDARS

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

J. CONSENT ITEMS

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

1. Minutes 9/16- Consider approval of the minutes from a special meeting of the Town Council held on September 16, 2021.
2. Minutes 9/20- Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on September 20, 2021.
3. Minutes 9/27- Consider approval of the minutes from a special meeting of the Town Council held on September 27, 2021.
4. ASO for Medical, Dental, Vision- Consider approval of the award of RFP No. 2021-75-A for Administrative Services Only (ASO) for Medical, Dental & Vision to Blue Cross Blue Shield of Texas and authorize the Mayor to execute same on behalf of the Town.
5. TML Health Interlocal Agreement- Consider approval of an Interlocal Agreement with the TML Health Benefits Pool for continued access to the Deer Oaks Employee Assistance Program at a discounted rate for Town of Flower Mound employees and authorize the Mayor to execute same on behalf of the Town.
6. FS4 & FS5 Roof Repair- Consider approval of proposal for roof replacements at Fire Station 4 and 5.

K. REGULAR ITEMS

7. MPA21-0005 Silveron- Public Hearing to consider an ordinance for a Master Plan Amendment (MPA21-0005 - Silveron Flower Mound Duke) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the Planning and Zoning (P & Z) Commission tabled this item to July 26, 2021 - vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021 - vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021 - vote of 5 to 0. On August 30, 2021 P & Z recommended approval by a vote of 5 to 1.)
8. ZPD21-0003 Silveron PD-181- Public Hearing to consider an ordinance amending the zoning (ZPD21-0003 - Silveron Flower Mound Duke) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.181 (PD-181) with Campus Industrial District (CI) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, "Topographical Slope Protection", and an exception to Section 82-302, Compatibility buffer. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the

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Planning & Zoning (P&Z) Commission tabled this item to July 26, 2021-vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021-vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021-vote of 5 to 0. On August 30, 2021, P & Z recommended approval by a vote of 5 to 1).

9. TRP21-0012 Silveron Duke- Public Hearing to consider an application for a tree removal permit (TRP21-0012) for forty-eight (48) specimen trees on property proposed for development as Silveron Flower Mound Duke. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. (The Environmental Conservation Commission recommended approval by a vote of 7 to 0 at its July 6, 2021, meeting).
10. MPA21-0006 Spinks Road- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0006 – Spinks Road Tract) to amend Section 1.0, Land Use Plan, of the Master Plan, and Section 2.0 Area Plans, of the Master Plan, to change the current land use designation from Estate Residential and Lakeside Business District with Campus Commercial uses to Low Density Residential uses. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)
11. ZPD21-0004 Spinks Road- Public Hearing to consider an ordinance for rezoning (ZPD21-0004 – Spinks Road Tract) from Agricultural District uses to Planned Development District No. 182 (PD-182) with Single Family District-15 uses and with certain exceptions and modifications to the Code of Ordinances, including but not limited to an exception to 'Underground Utilities' pursuant to Section 82-377, Exceptions, and an exception to 'Depth' pursuant to Section 90-272, Lot depth, lines, and frontage. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval of alternate Option C {not included in the packet} by a vote of 6 to 0 at its September 27, 2021, meeting.)
12. MPA21-0007 Emerald Place- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0007 – Emerald Place) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Estate Residential to Medium Density Residential uses. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021 meeting by a vote of 6 to 0.) (P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.)
13. ZPD21-0005 Emerald Place PD-183- Public Hearing to consider an ordinance amending the zoning (ZPD21-0005 – Emerald Place) from Agricultural District uses to Planned Development District No. 183 (PD-183) with Single Family District-10 (SF-10) uses and with certain modifications to the Code of Ordinances. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021, meeting by a vote of 6 to 0.) P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.)
14. TRP21-0014 Emerald Place- Public Hearing to consider an application for a tree removal permit (TRP21-0014) for four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive. (The Environmental Conservation Commission recommended denial by a vote of 6 to 0 at its August 3, 2021, meeting).

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15. LDR21-0001 Parking & Accessory Structures- Public Hearing to consider an ordinance amending the Land Development Regulations (LDR21-0001 – Parking and Accessory Structures) by amending Chapter 74 entitled “General Provisions,” Chapter 82 entitled “Development Standards,” and Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances to amend and propose new standards for accessory buildings, and off-street parking and stacking standards for the purpose of clarifying and updating certain sections. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)
16. LDR21-0002 Legislative Update- Public Hearing to consider an ordinance amending the Land Development Regulations (LDR21-0002 – Legislative Updates) by amending Chapter 78 entitled “Administration,” and Chapter 90 entitled “Subdivisions,” of the Town’s Code of Ordinances to amend and propose new regulations for variances considered by the Board of Adjustment, construction signs, and traffic signs for the purpose of meeting new state law requirements and creating sign requirements for future stub-outs. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.)

L. BOARDS/COMMISSIONS

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

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

M. CLOSED MEETING

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

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

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- e. Discuss and consider the recruitment process for the Town Manager, and all matters incident and related thereto.

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the above referenced items.

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 also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: October 1, 2021, at 2:20 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

The Flower Mound Town Hall and Jody Smith Hall 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 4, 2021

FROM: Theresa Scott, Town Secretary

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

BACKGROUND INFORMATION: The Town Council held a special meeting on September 16, 2021.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes 9.16

DRAFT MOTION: Move to approve as presented in the agenda caption.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 16, 2021**PAGE 1****THE FLOWER MOUND TOWN COUNCIL SPECIAL MEETING HELD ON THE 16TH DAY OF SEPTEMBER, 2021, IN THE FLOWER MOUND HALL, LOCATED AT 2121 CROSS TIMBERS RD, IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.**

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

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

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

Theresa Scott	Town Secretary
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A. CALL SPECIAL MEETING TO ORDER

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

B. PUBLIC COMMENT

No speakers.

C. BOARDS/COMMISSIONS (Jody Smith Hall)

1. The Town Council conducted interviews for the following boards, commissions, or committees:
 - a. All Together Flower Mound Commission (ATFMC)
 - b. Animal Services Board
 - c. Board of Adjustment/Oil and Gas Board of Appeals (Places 1, 2, 3, 4, 5, 6, 7, 8)
 - d. Community Development Corporation
 - e. Cultural Arts Commission (CAC)
 - f. DCTA Board of Directors (Town appointed representative)
 - g. Denton County Greenbelt Plan Coordinating Committee
 - h. Environmental Conservation Commission (ECC)
 - i. Parks Board
 - j. Planning & Zoning Commission (Places 1, 2, 3, 4, 5, 6, 7, 8, 9)
 - k. School Liaison Committee
 - l. SMARTGrowth Commission
 - m. Tax Increment Reinvestment Zone Number One (TIRZ #1)
 - n. Transportation Commission
 - o. Veterans Liaison Board

with the following individuals participating (listed in speaking order):

- | | |
|--------------------|---------------------|
| 1. Kristin Wise | 24. Gregory Jones |
| 2. Bittany Bowden | 25. Susan Borella |
| 3. Russell McNamer | 26. Robert Sheets |
| 4. Sheila Coombes | 27. Swaphnil Sharma |
| 5. Bob Hayden | 28. TK Kumaran |

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 16, 2021**PAGE 2**

- | | |
|--------------------|---------------------|
| 6. Scott Jostes | 29. Bill Koenig |
| 7. Teresa Thomason | 30. Alton Bowman |
| 8. Matthew Amidon | 31. Marcos DelOrbe |
| 9. Robin Perozzi | 32. Veronika Silva |
| 10. Jason Hobbs | 33. Greg Crouse |
| 11. Kenneth Walsh | 34. Janvier Werner |
| 12. Ashish Sharma | 35. Collin Fortier |
| 13. Jackie Shaw | 36. Angie Cox |
| 14. Cheryl Moore | 37. Robert Rawson |
| 15. Patrick Gahan | 38. David Inderlied |
| 16. Colleen Russ | 39. Justin Kestner |
| 17. James Heygster | 40. Ervin West |
| 18. Ashish Puri | 41. Len Chavez |
| 19. Ron Hogue | 42. Justin Thomason |
| 20. Mike Martinez | 43. Craig Goodhart |
| 21. Charles Landry | 44. Chris Adams |
| 22. Douglas Graves | 45. Avery Jerina |
| 23. Marie Jackson | 46. Brady Kilpper |
| | 47. Yvette Elliott |

Administrative Note: All applicants, existing members with a current year term expiration date, or existing members that expressed interest in being considered for a different board, were invited to attend one of two interview sessions.

2. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, dismissals, duties and responsibilities, structure, or procedures regarding the above referenced boards or commissions.

No action taken.

Town Council recessed at 8:32 p.m. and reconvened at 8:39 p.m.

D. BOARDS/COMMISSIONS (Pre-Council Room)

1. The Town Council convened to the Pre-Council Room at 8:40 p.m. to deliberate appointments or reappointments for the following boards, commissions, or committees:
 - a. All Together Flower Mound Commission (ATFMC)
 - b. Animal Services Board
 - c. Cultural Arts Commission (CAC)
 - d. DCTA Board of Directors (Town appointed representative)
 - e. Environmental Conservation Commission (ECC)
 - f. Parks Board
 - g. School Liaison Committee
 - h. SMARTGrowth Commission
 - i. Tax Increment Reinvestment Zone Number One (TIRZ #1)
 - j. Transportation Commission
 - k. Veterans Liaison Board

including consider resignations, appointments, evaluations, reassignments, discipline, dismissals, duties and responsibilities, structure, or procedures.

E. BOARDS/COMMISSIONS (Jody Smith Hall)

The Town Council reconvened to Jody Smith Hall at 9:41 p.m. and action from those deliberations was tabled for when the Town Council reconvened into open session after the closed meeting as follows:

For the All Together Flower Mound Commission Councilmember Martin moved to:

Appoint

Yvette Elliott, Place 1
Doug Graves, Place 2
Mary Kay Walker, Place 3
Sheila Coombes, Place 4
Ashish Puri, Place 5
Debbie Simon, Place 6
Jackie Stanfield, Place 7

Term

Places 1, 3, 5, 7:
October 1, 2021 – September 30, 2023

Places 2, 4, 6:
October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

Administrative Note: Inaugural All Together Flower Mound Commission.

VOTE ON MOTION:

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

Motion passed

For the Animal Services Board Mayor Pro Tem Bumgarner moved to:

Reappoint* or Appoint**

Robin Read, Place 1*
David Boehner, Place 3*
Barry Willett, Place 5*
Ben Bumgarner, Place 7*
Susan Borella, Place 8, Alternate**
Robin Perozzi, Place 9, Alternate**

Term

Places 1, 3, 5, 7, 9:
October 1, 2021 – September 30, 2023

Place 8:
October 1, 2021 – September 30, 2022

and Deputy Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Motion passed

For the Cultural Arts Commission Councilmember Martin moved to:

Reappoint* or Appoint**

Ron Miller, Place 1*
Beth Dilley, Place 3*
Thomas Bailey, Place 5**
Colleen Russ, Place 7, Alternate**

Term

Places 1, 3, 5, 7:
October 1, 2021 – September 30, 2023

and Mayor Pro Tem Bumgarner seconded the motion.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 16, 2021

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VOTE ON MOTION:*Motion passed***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL**

For the Denton County Transportation Authority Board of Directors Councilmember Engel moved to:

Reappoint*Mark Miller***Term**Effective immediately – November 12, 2023

and Mayor Pro Tem Bumgarner seconded the motion.

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

For the Environmental Conservation Commission Councilmember Schiestel moved to:

Reappoint* or Appoint**Sandy Fambrough, Place 1*Karyn Walsh, Place 3**Alton Bowman, Place 5*Deanna Soper, Place 7*Annaprabha Athappan, Place 9, Alternate*Ashish Sharma, Place 10, Alternate****Term**Places 1, 3, 5, 7, 9:October 1, 2021 – September 30, 2023Place 10:October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

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

For the Parks Board Deputy Mayor Pro Tem Sharma moved to:

Reappoint* or Appoint**Scott Langley, Place 1*Teresa Thomason, Place 3*Holly Royer, Place 5*Jennifer Romaszewski, Place 7*Brittany Bowden, Place 9, Alternate**Robert Sheets, Place 10, Alternate****Term**Places 1, 3, 5, 7, 9:October 1, 2021 – September 30, 2023Place 10:October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

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

For the School Liaison Committee Councilmember Engel moved to:

Reappoint* or Appoint****Term**

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 16, 2021

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Jonathan Hecmann, Place 1**
Laverne Amsterdam, Place 2**
Manu Shahi, Place 3**

Places 1, 3:
October 1, 2021 – September 30, 2023
Place 2:
October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

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

For the SMARTGrowth Commission Mayor Pro Tem Bumgarner moved to:

Reappoint* or Appoint****Term**Kris Wise, Real Estate RepresentativeOctober 1, 2021 – September 30, 2024

and Deputy Mayor Pro Tem Sharma seconded the motion.

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

For the Transportation Commission Councilmember Schiestel moved to:

Reappoint* or Appoint****Term**Bjorn Vandug, Place 1**Places 1, 3, 5, 7, 9:Brian Taylor, Place 2*October 1, 2021 – September 30, 2023Ron Hogue, Place 3*Scott Jostes, Place 4**Cheryl Moore, Place 5**Places 2, 4, 8:Charles Landry, Place 7**October 1, 2021 – September 30, 2022Michelle Jackson, Place 8, Alternate**Louis Viscusi, Place 9, Alternate**

and Mayor Pro Tem Bumgarner seconded the motion.

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

For the Veterans Liaison Board Deputy Mayor Pro Tem Sharma moved to:

Reappoint* or Appoint****Term**Matthew Amidon, Place 1**Places 1, 3:Christopher Baca, Place 3**October 1, 2021 – September 30, 2023Brian Glasser, Place 4**Benjamin Norris, Place 5*Place 4:October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 16, 2021**PAGE 6****VOTE ON MOTION:***Motion passed***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL****NAYS: NONE****F. CLOSED MEETING**

The Town Council convened into closed meeting pursuant to Texas Government Code Chapter 551.071 for consultation with the Town Attorney, and 551.074, to discuss matters relating to personnel, and the following boards or commissions at 9:41 p.m.:

- a. Board of Adjustment/Oil and Gas Board of Appeals (Places 1, 2, 3, 4, 5, 6, 7, 8)
- b. Community Development Corporation
- c. Planning & Zoning Commission (Places 1, 2, 3, 4, 5, 6, 7, 8, 9)

including consider resignations, appointments, evaluations, reassignments, discipline, dismissals, duties and responsibilities, structure, or procedures regarding the above referenced boards or commissions.

G. RECONVENE TO SPECIAL MEETING

The Town Council reconvened into an open meeting at 11:04 to take action as a result of the closed meeting as follows.

For the Board of Adjustment/Oil and Gas Board of Appeals Councilmember Engel moved to:

Reappoint* or Appoint**Gregory Schultz, Place 1*Gregory Jones, Place 3**Craig Goodhart, Place 5**Leonard Chavez, Place 7, Alternate****Term**Places 1, 3, 5, 7:October 1, 2021 – September 30, 2023

and Deputy Mayor Pro Tem Sharma seconded the motion.

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

For the Community Development Corporation Mayor Pro Tem Bumgarner moved to:

Reappoint* or Appoint**Collin Fortier, Director 1**TK Kumaran, Director 3**Kenneth Walsh, Director 4**Greg Crouse, Director 5*Justin Kestner, Director 7****Term**Directors 1, 3, 5, 7:Effective Immediately – December 30, 2023Director 4:Effective Immediately – December 30, 2022

and Deputy Mayor Pro Tem Sharma seconded the motion.

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

For the Planning and Zoning Commission Deputy Pro Tem Sharma moved to:

Reappoint* or Appoint**

Brad Ruthrauff, Place 1*

Robert Cox, Place 2*

Janvier Werner, Place 3*

Greg Wilson, Place 5*

Kathryn Wells, Place 7*

Jason Hobbs, Place 8, Alternate**

Brady Kilpper, Place 9, Alternate**

Term

Places 1, 3, 5, 7, 9:

October 1, 2021 – September 30, 2023

Places 2, 8:

October 1, 2021 – September 30, 2022

and Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

AYES: SCHIESTEL, SHARMA, BUMGARNER, MARTIN

NAYS: ENGEL

Motion passed

H. ADJOURN MEETING

Mayor France adjourned the meeting at 11:15 p.m. on Thursday, September 16, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 2

CONSENT ITEM

DATE: October 4, 2021

FROM: Theresa Scott, Town Secretary

ITEM: Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on September 20, 2021.

BACKGROUND INFORMATION: The Town Council regular meeting and Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting was held on September 20, 2021.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes 9.20

DRAFT MOTION: Move to approve as presented in the agenda caption.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021**PAGE 1**

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL; PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 20TH DAY OF SEPTEMBER 2021, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

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

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

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

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Debra Wallace	Interim Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
Kay Wilkinson	Budget Officer

A. CALL REGULAR MEETING TO ORDER

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

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

Chaplain Ralph Holland gave the invocation and Mayor France led the pledges.

D. PUBLIC COMMENT

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

	Speaker names and address	Subject (as written on the form)
1.	Chris Haverstock, FM Chamber of Commerce	Invitation to State of Education Luncheon
2.	Patsy Mizeur, 1821 Castle Ct	Many
3.	Scott Tarwater, 4613 Windmill Ln	Lack of Transparency
4.	Beth Soderberg, 3100 Wager Rd	Emerald Place
5.	Randy Soderberg, 3100 Wager Rd	Emerald Place
6.	Cindy Waters, 3030 Wager	Emerald Place

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021**PAGE 2****E. PRESENTATIONS**

1. Proclamation and presentation of Hometown Hero banner to Austin Emmons.

Mayor France recited the Proclamation and presented it to Michael Waite, grandfather of Austin Emmons.

2. Food Safety Awards and Septic Smart Proclamation.

Mayor France recited the Proclamation and presented it to Tom Vyles, Environmental Health Manager. Mr. Vyles announced the food safety award winners.

F. ANNOUNCEMENTS

Councilmember Schiestel announced November 2nd is Election Day, and noted items that will be on the ballot, and encouraged everyone to vote.

Councilmember Engel reported on the Rotary's Duck Derby fund raising event. He also announced that the Keep Flower Mound Beautiful Fall Trash event is next Saturday.

Several Councilmembers expressed appreciation for those that applied and interviewed for boards and commissions.

Mayor France announced The Mound Showdown football game information.

G. TOWN MANAGER'S REPORT

Ms. Wallace provided an update on the following projects:

1. Capital improvement projects
 - Morriss Road water line project (1171 to Eaton)
2. Economic Development projects
 - New and coming soon businesses
3. Town Manager search
 - Application and timing update

H. FUTURE AGENDA ITEMS

1. Councilmember Martin requested a future agenda item to have a discussion regarding the process to name people to boards and commissions. There was Council consensus to do so.
2. Mayor France requested a special meeting during the 1st week of October at the Library to discuss the Denton County Transportation Authority Go Zone services during the 1st week in October.

I. COORDINATION OF CALENDARS

Mayor France announced the following meeting dates and confirmed that all members of Council would be present.

1. A special meeting is scheduled for Monday, September 27, 11:00 a.m. for Town Manager search.
2. A regular meeting is scheduled for Monday, October 4.

J. CONSENT ITEMS

1. Consider approval of the minutes from a work session of the Town Council held on August 19, 2021.
2. Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on August 23, 2021.
3. Consider approval of the minutes from special meeting of the Town Council held on September 2 and September 14, 2021.
4. Consider approval of a resolution adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.

RESOLUTION NO. 20-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

5. Consider acceptance of grant funds from the Texas State Library and Archives Commission (TSLAC) for the FY 2022 Texas Reads Grant Program and execution of an agreement with TSLAC; and authorization for the Mayor to execute said agreement on behalf of the Town.
6. Consider approval of a resolution authorizing the acceptance of grant funds from the Texas Book Festival, which will be used to purchase additional materials for the Library's Hindi language collection and establish an Urdu language collection.

RESOLUTION NO. 21-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS

FROM THE TEXAS BOOK FESTIVAL FOR THE PURCHASE OF ADDITIONAL MATERIALS FOR THE TOWN LIBRARY'S HINDI LANGUAGE COLLECTION AND TO ESTABLISH AN URDU LANGUAGE COLLECTION; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE COLLECTIONS ENHANCEMENT GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

7. Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.

RESOLUTION NO. 22-21

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS ("TOWN"), ADOPTING AN INVESTMENT POLICY FOR FUNDS FOR THE TOWN AS REQUIRED ANNUALLY BY THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.

8. Consider approval of an Interlocal Cooperation Contract and Memorandum of Agreement with North Central Texas Trauma Regional Advisory Council (NCTTRAC) for the utilization of an ambulance bus (AMBUS) for state, regional and local deployments, and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of the purchase of traffic signal detection systems and parts in the estimated annual amount of \$250,000.00, from Twincrest Technologies Inc., through the Houston-Galveston Area Council (H-GAC) contract.
10. Consider approval of a Development Agreement with Toll Southwest, LLC, in the amount of \$102,930.00 for park improvements associated with the Heritage West Development and authorization for the Mayor to execute same on behalf of the Town.
11. Consider approval of a Development Agreement with Nash Canyon Falls, LLC., in the amount of \$77,114.70, for the Denton Creek Boulevard 12-Inch Water Line project, to reimburse the developer for installing a 12-inch water line per the Town's Water Master Plan; and authorization for the Mayor to execute same on behalf of the Town.
12. Consider approval of Non-Destructive Pipe Analysis & Internal Leak Surveying services from Pure Technologies US, Inc., through a City of Dallas Contract (BMZ1702) for the not to exceed amount of \$200,000.00.
13. Consider approval of the purchase of pavement markings services in the estimated annual amount of \$400,000, from Stripe-A-Zone, Inc., through a City of Grand Prairie contract.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1 – 13, as presented in the agenda caption. Councilmember Schiestel seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

K. REGULAR ITEMS

Mayor France opened items 14 – 16 at the same time.

14. Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022, and making appropriations for each fund and department.

Staff Presentation

Ms. Wilkinson gave a presentation for items 14, 16, and 17 identifying or noting:

- Financial goals overview
- 2021 debt service and tax rate
- Average tax bill over past 10 years
- Changes since proposed budget
- Compensation benefits
- General and utility fund (revenues/expenditures)
- Water/Wastewater rates
- Stormwater utility fund
- Stormwater rates
- Special revenue funds
- Crime Control and Prevention District Budget overview
- Fire Control Prevention and Emergency Medical Services District budget overview
- Capital Improvement Projects overview

There was Council discussion regarding:

- PediPlace community support funding application follow up. There was Council consensus to proceed with the \$40,000 allocation originally requested instead of \$25,000 previously discussed.

Deputy Mayor Pro Tem Sharma moved to approve an ordinance adopting the budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022, and making appropriations for each fund and department as presented and discussed. Councilmember Schiestel seconded the motion.

ORDINANCE NO. 38-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, AND MAKING APPROPRIATIONS FOR EACH FUND AND DEPARTMENT; PROVIDING FOR THE LEVYING AND COLLECTION OF A SUFFICIENT TAX TO PAY THE INTEREST ON SINKING FUND AND OTHER OBLIGATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

VOTE ON MOTION:

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

Motion passed

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021**PAGE 6**

15. Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022.

Councilmember Schiestel moved that the Town Council, acting as the Board of Directors for the Fire Control, Prevention, and Emergency Medical Services District, approve a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022. Councilmember Engel seconded the motion.

RESOLUTION NO. 23-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

16. Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider approval of a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022.

Deputy Mayor Pro Tem Sharma moved that The Town Council, acting as the Board of Directors for the Crime Control and Prevention District, approve a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022. Mayor Pro Tem Bumgarner seconded the motion.

RESOLUTION NO. 24-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021**PAGE 7**

17. Public Hearing to consider approval of an ordinance adopting the 2021 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.405000 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2021.

Mayor France opened the Public Hearing at 6:58 p.m. No one spoke. Mayor France closed the Public Hearing at 6:58 p.m.

Council Discussion

There was Council discussion regarding:

- Appreciation for a great budget and the reduced tax rate

Councilmember Schiestel moved that the property tax rate be decreased by the adoption of a tax rate of \$0.405000 per \$100 of assessed value, which is effectively a 7.22 percent decrease in the tax rate; and move to approve an ordinance adopting the 2021 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2021, and ending on September 30, 2022, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.405000 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2021." Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 39-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021, AND ENDING ON SEPTEMBER 30, 2022, AND FOR EACH FISCAL YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT A RATE OF \$0.4050 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN AS OF JANUARY 1, 2021; DIRECTING THE ASSESSMENT THEREOF TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE TOWN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR APPROVAL OF THE 2021 TAX ROLLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

Mayor France opened items 18 and 19 at the same time.

18. Public Hearing to consider an ordinance amending the Master Plan (MPA21-0003 – 1600 Arrowhead) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Office uses to Retail uses. The property is generally located south of Cross Timbers Road and west of Fireside Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 13, 2021, meeting.)

Administrative Note: Mayor Pro Tem Bumgarner stated he is recusing himself from participation on this item given the proximity to his residence.

Staff Presentation

Ms. Murphy gave a presentation for items 18 and 19 identifying or noting:

- General and detailed location
- Land use and zoning
- Site photographs
- Master Plan exhibit
- Exceptions (driveway spacing)
- Conceptual site plan

and she, Mr. Dalton, Ms. Bruce, or Mr. Meredith responded to questions or comments from Council regarding:

- Clarification on:
 - o Grace Park exception
 - o Traffic analysis, patterns, signals in vicinity
- Allowed uses
- Roadway impact fee eligibility
- Legalities associated with acting on items in a specific order

Mr. Meredith provided legal input regarding voting on a master plan amendment in the absence of a councilmember.

Applicant Presentation

Joe Northern gave a presentation identifying or noting:

- Transit Center Investment, LLC Denton County development projects
- Common entrance proposal not accepted by neighboring business
- Medical and neighborhood retail and services targeted
- Proposed PD Equivalent to R2

and he responded to questions from Council regarding:

- Clarification that what is being proposed could happen without the retail change
- Openness to excluding certain high-volume retail uses

There was Council discussion regarding:

- It's a good place for retail but access is not good
- Possibility of postponing the item to clarify Mayor Pro Tem Bumgarner's residency
- Striking certain high-volume retail uses, including a fast-food drive-thru
- Traffic concerns

Mayor France opened the Public Hearing for items 18 and 19 at 7:43 p.m.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021

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The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Carlos Cabre, 5117 Heather Ct	Wes Burkett, 2909 Acorn Trail	
	Chuck Young, 909 Oak	

Mayor France closed the Public Hearing at 7:50 p.m.

1st Motion on this item:

Councilmember Schiestel moved to approve item 18 as presented. Councilmember Engel seconded the motion.

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

*Motion failed**

**A supermajority is required for Master Plan Amendments.*

Mr. Meredith outlined legalities associated with a failed motion and potential next steps.

2nd Motion on this item (to reconsider and in accordance with the Town Council Rules of Procedure).

Deputy Mayor Pro Tem Sharma moved to reconsider item 18. Councilmember Martin seconded the motion.

VOTE ON MOTION:
AYES: SCHIESTEL, SHARMA, ENGEL, MARTIN
NAYS: NONE
ABSENT: BUMGARNER

Motion passed

3rd Motion on this item:

Councilmember Schiestel moved to approve item 18 as presented. Councilmember Engel seconded the motion.

ORDINANCE NO. 40-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, "LAND USE PLAN," OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE REFLECTED ON THE LAND USE PLAN MAP FROM OFFICE USES TO RETAIL USES ON APPROXIMATELY 2.19 ACRES OF LAND SITUATED IN THE JESSE EADS SURVEY, ABSTRACT NUMBER 391; 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.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021

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VOTE ON MOTION:*Motion passed***AYES: MARTIN, ENGEL, SHARMA, SCHIESTEL****NAYS: NONE****ABSENT: BUMGARNER**

19. Public Hearing to consider an ordinance amending the zoning (ZPD21-0007 – 1600 Arrowhead) from Office (O) District uses to Planned Development District No.185 (PD-185) with Retail (R) District uses, with certain waivers, exceptions and modifications to the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Fireside Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 13, 2021, meeting.)

Councilmember Schiestel moved to approve item 19 as presented; however, with the following excluded uses:

- Restaurant – fast food
- Secondhand store
- Drug store or pharmacy
- Convenience store
- Alcoholic beverage establishment
- Funeral home

Councilmember Engel seconded the motion.

ORDINANCE NO. 41-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 2.19 ACRES OF LAND SITUATED IN THE JESSE EADS SURVEY, ABSTRACT NO. 391, FROM OFFICE (O) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT-185 (PD-185) WITH RETAIL DISTRICT-2 (R-2) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: SCHIESTEL, SHARMA, ENGEL, MARTIN****NAYS: NONE****ABSENT: BUMGARNER**

L. BOARDS/COMMISSIONS

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

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:20 p.m. on September 20, 2021, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 9:33 p.m. on September 20, 2021, and no action was taken on the following items:

a. Consultation with Attorney.

2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications

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

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

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

e. Discuss and consider the recruitment process for the Town Manager, and all matters incident and related thereto.

f. Annual performance review of the Interim Town Manager

g. Annual performance review of the Town Secretary

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 20, 2021**PAGE 12****O. ADJOURN REGULAR MEETING**

Mayor France adjourned the meeting at 9:33 p.m. on Monday, September 20, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR**ATTEST:**

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 3

CONSENT ITEM

DATE: October 4, 2021

FROM: Theresa Scott, Town Secretary

ITEM: Consider approval of the minutes from a special meeting of the Town Council held on September 27, 2021.

BACKGROUND INFORMATION: The Town Council held a special meeting on September 27, 2021.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes 9.27

DRAFT MOTION: Move to approve as presented in the agenda caption.

FLOWER MOUND TOWN COUNCIL MEETING OF SEPTEMBER 27, 2021**PAGE 1**

THE FLOWER MOUND TOWN COUNCIL SPECIAL MEETING HELD ON THE 27TH DAY OF SEPTEMBER, 2021, IN THE FLOWER MOUND LIBRARY PROGRAM ROOM, LOCATED AT 3030 BROADMOOR LN, IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 11:00 A.M.

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

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

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

Theresa Scott	Town Secretary
Larry Gilley	Strategic Government Resources (SGR), Consultant
Debra Wallace	Interim Town Manager/CFO

A. CALL SPECIAL MEETING TO ORDER

Mayor France called the special meeting to order at 11:00 a.m.

B. PUBLIC COMMENT

No one spoke.

C./D. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 11:00 a.m. on Monday, September 27, 2021, pursuant to Texas Government Code Chapter 551, Section 551.074, to discuss matters relating to personnel, and reconvened into an open meeting at 11:55 a.m. on Monday, September 27, 2021, and no action was taken on the following item:

- a. Discuss and consider hiring of Town Manager, conduct interviews and/or review Town Manager applicants and all matters incident and related thereto.

E. ADJOURN MEETING

Mayor France adjourned the meeting at 11:55 a.m. on Monday, September 27, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 4

CONSENT ITEM

DATE: October 4, 2021

FROM: Lynda Bolitho, Director of Human Resources

ITEM: Consider approval of the award of RFP No. 2021-75-A for Administrative Services Only (ASO) for Medical, Dental, & Vision to Blue Cross Blue Shield of Texas and authorize the Mayor to execute same on behalf of the Town.

BACKGROUND INFORMATION: A request for proposal was released in June 2021. Six proposals were received for Plan Year 2022. An evaluation committee consisting of representatives from the Human Resources Division, Financial Services Division and McGriff, Seibels & Williams of Texas, Inc. the Town's Employee Benefits Consultant interviewed Blue Cross and Blue Shield and Aetna and recommends award of the request for proposal to Blue Cross and Blue Shield of Texas for Plan Year 2022 based on the following criteria:

1. Scope of services & coverage
2. Cost of services and network discounts
3. Provider disruption report
4. Reporting
5. References and experience
6. Multi-year rate guarantee

This negotiated renewal includes a three-year rate guarantee, \$10,000 wellness credit and the adoption of a balanced prescription drug formulary which results in a \$35,000 implementation credit. The adoption of the balanced prescription drug formulary features evidence-based drug list development and management that results in equally effective or superior alternative medications available at a lower cost. Additionally, the balanced prescription drug formulary consistently evaluates and removes medications that lack safety and efficacy data & those that are considered high cost with a low effect value.

By continuing to partner with Blue Cross and Blue Shield of Texas, Town employees can continue to utilize the Blue Cross and Blue Shield provider network. Blue Cross and Blue Shield of Texas will provide a Benefit Program Application (BPA) which will require the Mayor's signature at a future date.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$0 due to \$35,000 implementation credit. No administrative fees for FY 21-22.

Proposed Expenditure/(Revenue):

\$0

Account Number(s):

N/A

Finance Review by: Debra Wallace, Interim Town Manager /CFO *DW*

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Marketing Analysis

DRAFT MOTION: Move to approve as presented in the agenda caption.

ATTACHMENT 1

Town of Flower Mound

January 1, 2022

Marketing Analysis

	Current	Renewal	Renewal	Proposed
Third Party Administrator	BCBS	BCBS	BCBS	Aetna
Network			Balanced Formulary	Aetna Choice POS II
Implementation Credit			\$35,000.00	\$10,000.00
Medical Administration-561	\$70.19	\$68.99	\$68.99	\$49.21
Prescription Rebate	(\$56.95)	(\$59.07)	(\$74.49)	(\$44.21)
Rx Administration	Included	(\$2.13)	(\$2.13)	Included
Network Access Fee	Included	Included	Included	Included
Dental Administration	\$3.84	\$3.84	\$3.84	\$3.26
Pre-Certification	Included	Included	Included	Included
Disease Management	Included	Included	Included	-
SL Interface (3rd party)	\$0.37	\$0.50	\$0.50	\$4,600 (annual fee)
Telemedicine	Included	Included	Included	Included
Additional Fee	-	-	-	-
Total Admin Fees	\$17.45	\$12.13	-\$3.29	\$8.26
Wellness Credit	\$10,000.00	\$10,000.00	\$10,000.00	\$20,000.00
Rate Guarantee	--	3 Years	3 Years	5 Years (first three years at a flat \$7 PEPm)
Total Monthly Admin Fee	\$9,789.45	\$6,804.93	-\$1,845.69	\$4,633.86
Annual Admin Fee	\$117,473.40	\$81,659.16	-\$22,148.28	\$60,206.32
\$ Difference over current	--	-\$35,814.24	-\$139,621.68	-\$57,267.08
% over/under current	--	-30.49%	-118.85%	-48.75%
Total Cost - Credits	\$8,884,716.52	\$8,638,647.28	\$8,186,259.84	\$8,284,386.94
Total % Difference/current	--	-2.77%	-7.86%	-6.76%

Includes the following:
 Enable WBM
 MD Behavioral Health
 Member rewards with BVA

Quote includes Advanced Payment Review under a shared savings model, where HCSC retains 25% of claims savings as payment for claims review services rendered.

Includes the following:
 Enable WBM
 MD Behavioral Health
 Member rewards with BVA

Quote includes Advanced Payment Review under a shared savings model, where HCSC retains 25% of claims savings as payment for claims review services rendered.

Includes \$35,000 credit if moved to the Balanced Drug List.

Includes 24 Hour Nurseline and Teledoc



TOWN COUNCIL AGENDA ITEM NO. 5

CONSENT ITEM

DATE: October 4, 2021

FROM: Lynda Bolitho, Director of Human Resources

ITEM: Consider approval of an Interlocal Agreement with the TML Benefits Pool for continued access to the Deer Oaks Employee Assistance Program at a discounted rate for Town of Flower Mound employees and authorize the Mayor to execute same on behalf of the Town.

BACKGROUND INFORMATION: The Town of Flower Mound partnered with Deer Oaks through the Public Employer's Benefits Alliance (PEBA) in 2011 to provide traditional employee assistance program services to Town employees and dependents. The Town has been notified that PEBA is dissolving its operations effective December 31, 2021, with assignment of services to TML Health Benefits Pool.

Deer Oaks has agreed to the assignment of the PEBA group program to TML Health. TML health has requested that the Town sign an Interlocal Agreement that will permit continued access to products negotiated by the Pool. Deer Oaks has agreed to maintain current benefits and rates in place through October 1, 2023, with the signed interlocal agreement.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$0 due to current agreement in place with Deer Oaks and included in the Town budget.

Proposed Expenditure/(Revenue):	Account Number(s):
\$0	N/A

Finance Review by: Debra Wallace, Interim Town Manager /CFO *DW*

LEGAL REVIEW: Ben Gibbs of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the Interlocal Agreement as to form and legality.

ATTACHMENTS:

1. TML Health Benefits Pool Interlocal Agreement

DRAFT MOTION: Move to approve as presented in the agenda caption.

Interlocal Agreement



Non-Risk Qualified Employer

Approved January 2021



TML MultiState Intergovernmental Employee Benefits Pool
Austin, Texas

INTERLOCAL AGREEMENT
(NON-RISK PARTICIPATING QUALIFIED EMPLOYER)

WHEREAS, the TML MultiState Intergovernmental Employee Benefits Pool d.b.a. TML Health Benefits Pool, hereinafter referred to as TML Health, is a legal governmental entity created by Political Subdivisions of the State of Texas and governed by a Board of Trustees; and

WHEREAS, the undersigned Qualified Employer represents (1) that it is (a) a Political Subdivision of the State of Texas or of its state of domicile, (b) an Affiliated Service Contractor (as defined by Section 172.003, Texas Local Government Code) of a Political Subdivision of this state or of its state of domicile (each of which is referred herein to as "Political Subdivision"), or (c) an Economic Development Corporation organized under Subtitle C1, Title 12, Texas Local Government Code; (2) that it is qualified under the interlocal cooperation law of the Employer's domiciliary state to enter into this Interlocal Agreement; and (3) that its governing body has acted by majority vote, at a duly called and posted public meeting, to authorize the Employer to participate in this Interlocal Agreement; and

WHEREAS, the undersigned Qualified Employer has examined all the facts and issues it deems relevant and determined that it is in the best interest of the Employer, its Employees, officials, and retirees and their dependents to enter into this Interlocal Agreement and obtain the services provided by TML Health in connection with one or more life, sick, accident and other health benefits provided to its employees, officials, and retirees and their dependents; and

WHEREAS, the undersigned Qualified Employer acknowledges that it is not an Employer Member participating in TML Health risk pool, and therefore, is not entitled to rights and privileges of an Employer Member under the First Amended and Restated Trust Agreement for the TML Multistate Intergovernmental Employee Benefits Pool (TML Health), as amended; and

WHEREAS, the undersigned Qualified Employer acknowledges that the purpose of this Interlocal Agreement is to permit Qualified Employer to access benefits contracts and services through TML Health as authorized under Chapter 791 of the Texas Government Code; and

WHEREAS, TML Health represents that it is a Local Government qualified to enter into this Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code;

NOW, THEREFORE, in consideration of the covenants and agreements herein set forth, the undersigned Qualified Employer, enters into this Interlocal Agreement for the purpose of obtaining services for the administration of one or more life, sick, accident and other health benefits provided by the Qualified Employer. The services will be provided under the authority of the laws of the State of Texas including the Interlocal Cooperation Act (Chapter 791, Texas Government Code). The Employer hereby designates the TML Health as its instrumentality to administer the business and supervise the performance of the Interlocal Agreement. The conditions are agreed upon by and between the parties as set forth hereinafter.

1. When used in this Interlocal Agreement, the capitalized terms shall have the meanings specified in this paragraph unless the context clearly requires otherwise:

"Board of Trustees" or "Board" or "Trustees" means the trustees selected pursuant to the Trust Agreement Establishing the TML MultiState Intergovernmental Employee Benefits Pool to supervise the operation of the TML MultiState IEBP.

"Qualified Employer" means a non-risk Political Subdivision, Affiliated Service Contractor, or Economic Development Corporation as these terms are defined herein that is qualified to enter into this Interlocal Agreement under Chapter 791 of the Texas Government Code.

"Employer Member" means a risk participating Political Subdivision, Affiliated Service Contractor, or Economic Development Corporation.

"Plan" or "Plans" mean the health benefit plan(s) and other benefit plans as contracted by the Qualified Employer through TML Health.

"Political Subdivision" means any legal entity included within the definition of political subdivision in Chapter 791, Texas Government Code.

"TML Health" means the TML MultiState Intergovernmental Employee Benefits Pool.

"Interlocal Agreement" or "this Agreement" means the TML MultiState Intergovernmental Employee Benefits Pool Non-Risk Qualified Employer Interlocal Agreement.

"Local Government" means any legal entity included within the definition of "local government" in Chapter 791, Texas Government Code.

"Affiliated Service Contractor" means an entity described by Section 172.003(1) of the Texas Local Government Code.

"Economic Development Corporation" means a corporation organized under Subtitle C1, Title 12, Texas Local Government Code.

2. The Qualified Employer agrees to be bound by this Interlocal Agreement and the policies and procedures established by TML Health which collectively establish the conditions for non-risk Qualified Employers services.
3. TML Health and the Qualified Employer will comply in all respects with their respective obligations under the applicable benefits contracts accessed through this Interlocal Agreement.
4. This Interlocal Agreement may be terminated by either the Qualified Employer or the TML Health with 30 days written notice.

5. The Qualified Employer shall furnish all the information TML Health deems necessary and useful for the purposes of this Agreement and shall abide by the policies and procedures adopted for the benefits contracts services. TML Health may amend its policies and procedures at the time of annual renewal of this Agreement and its Trust Agreement. TML Health may contract with a third party administrator to perform some or all of TML Health's duties under this Interlocal Agreement.
6. Qualified Employer will designate and appoint a contact of department head rank or above and agrees that TML Health shall not be required to contact or provide notices to any other person. Further, any notice to, or agreement by a Qualified Employer's contact, with respect to services or claims hereunder, shall be binding on the Qualified Employer. Qualified Employer reserves the right to change the contact from time to time by giving written notice to the TML Health.
7. The Qualified Employer hereby acknowledges that TML Health will be responsible for any and all request for proposal processes pertaining to the benefits contracts and/or services Qualified Employer seeks to access and TML Health will not be responsible nor have any administrator responsibilities in relation to the benefit contracts and/or services Qualified Employer accesses through this Interlocal Agreement, unless by mutual written agreement of the Parties.
8. Any benefit contract coverages or services accessed by Qualified Employer will be subject to applicable carrier's payment provisions for the accessed coverages or services. In the event, Qualified Employer fails to comply with applicable carrier's payment provisions, TML Health may terminate this Interlocal Agreement for cause and any rates and/or coverage quoted as a result of Qualified Employers access to benefit contracts or service through TML Health will no longer be valid upon the effective date of termination of this Interlocal Agreement.
9. Each Qualified Employer, as the employer, acknowledges it has responsibility for compliance with the state and federal laws applicable to employee benefits.
10. To the extent authorized by law, the Qualified Employer agrees to indemnify and hold harmless TML Health for all claims, damages and expenses, including but not limited to attorney's fees and costs of court, arising out of acts or omissions of officers or employees of the Qualified Employer in connection with accessing benefits contracts through TML Health. Qualified Employer agrees to pay all such claims, damages, and expenses out of current revenues at the time the obligation is determined. In the event current revenues are inadequate to fund the obligation at the time it is determined, the Qualified Employer agrees to take the appropriate budgetary action sufficient to pay the obligation.
11. The Qualified Employer and the TML Health may contract for additional administrative services relating to the Qualified Employer benefits contracts.
12. No bond is required of the Board of Trustees of TML Health.
13. If any part of this Interlocal Agreement, save and except paragraph 3, is declared invalid, void or unenforceable, the remaining parts and provisions shall continue in full force and effect. It is further agreed that venue for any dispute arising under the terms of this Interlocal Agreement shall be in Austin, Travis County, Texas.
14. This Agreement with attachment represents the complete understanding of TML Health and the Qualified Employer and may not be amended, modified or altered without the written agreement of both parties.

15. The term of this Interlocal Agreement shall be concurrent with that of the applicable benefits contracts accessed by Qualified Employer. Absent notice of termination, the Qualified Employer may annually renew and extend this Agreement.
16. This Interlocal Agreement is entered into in the State of Texas, and it is understood and agreed that this Interlocal Agreement shall be governed by, construed, and enforced in accordance with and subject to the laws of the State of Texas.
17. Qualified Employer represents and warrants that (a) this Agreement fully complies with the laws of the State of Texas and (b) Qualified Employer has full legal authority to enter into this Agreement. By entering into this Agreement, a Qualified Employer who is an Affiliated Service Contractor further warrants that it is an organization qualified for exemption under Section 501(c), Internal Revenue Code (26 U.S.C. Section 501(c)), as amended, that provides governmental or quasi-governmental services on behalf of a political subdivision and derives more than 25 percent of its gross revenues from grants or funding from the political subdivision.

This Interlocal Agreement is entered into for the Employer Member under authorization of

Town of Flower Mound

(Employer Member)

at duly called meeting held on _____

(Date of Meeting)

By _____

(Signature)

(Typed or Printed Name)

Authorized Official Title _____

Date _____

This Interlocal Agreement entered into and Appointment Accepted By:

The TML MultiState Intergovernmental Employee Benefits Pool at Austin, Texas

By: _____

Approved as to Form:

Date _____

By: _____

Leah Simon, General Counsel

Public Employee Benefits Alliance

VENDOR ELECTION FORM

INSTRUCTIONS: To continue accessing *Deer Oaks EAP* at the discounted rate, *Town of Flower Mound* will need to select the applicable Vendor below and identify who is authorized to sign the Non-Risk Interlocal Agreement:

☒ **Deer Oaks Employee Assistance Program (EAP).** Deer Oaks has agreed to keep the current benefits and rates in place through October 1, 2023 for those employers who sign TML Health's Non-Risk Interlocal Agreement.

☐ **American Fidelity, Voluntary Benefits.** American Fidelity has agreed to keep the current benefits and rates in place indefinitely for those employers who sign TML Health's Non-Risk Interlocal Agreement.

☐ **The Standard, Life Insurance and AD&D.** The Standard has agreed to honor your existing benefits and rates and your policy agreement will now be directly between you and The Standard.

Electronic Signature Authorization:

Name of Person Authorized to Execute Non-Risk Interlocal: Steve Dixon

Title of Authorized Person: Mayor

Email Address for Authorized Person: HR@flower-mound.com

IMPORTANT INFORMATION: *The Non-Risk Interlocal Agreement must be approved by your governmental entity's governing body at an open meeting prior to electronic signature.*



TOWN COUNCIL AGENDA ITEM NO. 6

CONSENT ITEM

DATE: October 4, 2021

FROM: Jeff Garner, Director of Facilities Management

ITEM: Consider approval of proposal for roof replacements at Fire Station 4 and 5.

BACKGROUND INFORMATION: Fire Station 4 (4601 Bridlewood Blvd) and Fire Station 5 (800 Spinks Road) roofs sustained substantial damage from the recent hailstorms and require replacement. Paragon Roofing submitted a proposal for the replacement and improvement (impact resistant shingles) of both roofs through Paragon's TIPS contract number 200201-5169. This proposal includes both labor and materials for the scope of work as described in the proposal. The proposal amount is \$136,683. Both roofs are covered under the Town's insurance. TML will cover the full amount less a \$5,000 deductible.

BOARD REVIEW/CITIZEN FEEDBACK: NA

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$5,000.00 (net)

Proposed Expenditure/(Revenue):	Account Number(s):
\$5,000.00	100-655-59200-5110

Finance Review by: Debra Wallace, Interim Town Manager /CFO *DW*

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Paragon Roofing Quote

DRAFT MOTION: Move to approve as presented in the agenda caption.



"Pattern of Excellence" since 1989



September 2nd, 2021

Town of Flower Mound
 Fire Station #4 & #5
 4601 Bridlewood Blvd. & 800 Spinks
 Flower Mound, Texas 75028



ROOFING PROPOSAL

We are pleased to submit this proposal for replacing the roof at Fire Station #4 & #5 for Town of Flower Mound through TIPS with Paragon's TIPS contract number 200201-5169. This proposal includes both labor and materials for the scope of work as described below.

WORK INCLUDES

1. See attached specifications labeled *"Exhibit A" – 4T Specifications for roof replacement.*
2. See attached TIPS vetting sheet for specific quantities, building locations and pricing
3. Includes performance payment bond

TERMS AND CONDITIONS

1. Contractor shall carry Worker's Compensation and General Liability Insurance.
2. Contractor shall coordinate all schedules and work hours with the Owner or the designated representative. Standard work hours shall apply to this project. Only one mobilizations is included to complete the entire scope of work
3. Once work commences, Contractor shall proceed diligently to final completion.
4. Payment Schedule shall be as follows with all invoices due upon receipt:
 - A. Total due upon completion
 - B. This proposal, if accepted, shall become the agreement between the parties. There are no agreements either express or implied that extend beyond the face of this proposal.

COMMERCIAL MULTI-FAMILY RESIDENTIAL

1601 N. Walton Walker Blvd.
 Dallas, TX 75211
 o. 214.630.6363 | f. 214.630.6677

paragonroofinginc.com



"Pattern of Excellence" since 1989



Town of Flower Mound
September 2nd, 2021
Page Two

5. Price is good for delivery of materials for 45 days from the date of this proposal.

TOTAL VALUE OF ROOFING WORK AS OUTLINED ABOVE:

Fire Station # 4	\$ 59,460.50
Fire Station # 5	\$ 63,222.50
Tax 8.25%	
Total:	\$ 122,683.00

***NOTE:**

1. Deteriorated/damaged decking shall be replaced at the cost of \$3.00 per square foot
2. Metal fascia shall be replaced at the cost of \$9.00 per linear foot
3. Price to upgrade Fire Station #4 to Class IV impact resistant shingles ADD \$6,600.00 _____ initial if accepted
4. Price to upgrade Fire Station #5 to Class IV impact resistant shingles ADD \$7,400.00 _____ initial if accepted

ACCEPTANCE

If accepted the city will need to simply issue a Purchase Order to Paragon Roofing, Inc. by email Quentan@paragonroofinginc.com using the city's normal procedure. Be sure to include "TIPS PURCHASE" somewhere on the purchase order AND e-mail a copy to TIPSPO@TIPS-USA.com.

Should you have any questions or concerns please contact our office at the number listed above or the TIPS Hotline at 866-839-8477.

ACCEPTED:

Mr. Quentan Tobolka

*VP of Steep Slope & Multi Family Sales
m. 214.336.0316*

Company: _____

Printed Name: _____

Authorized Signature: _____

Title: _____

Date: _____

**COMMERCIAL
MULTI-FAMILY
RESIDENTIAL**

1601 N. Walton Walker Blvd.
Dallas, TX 75211
o. 214.630.6363 | f. 214.630.6677

paragonroofinginc.com

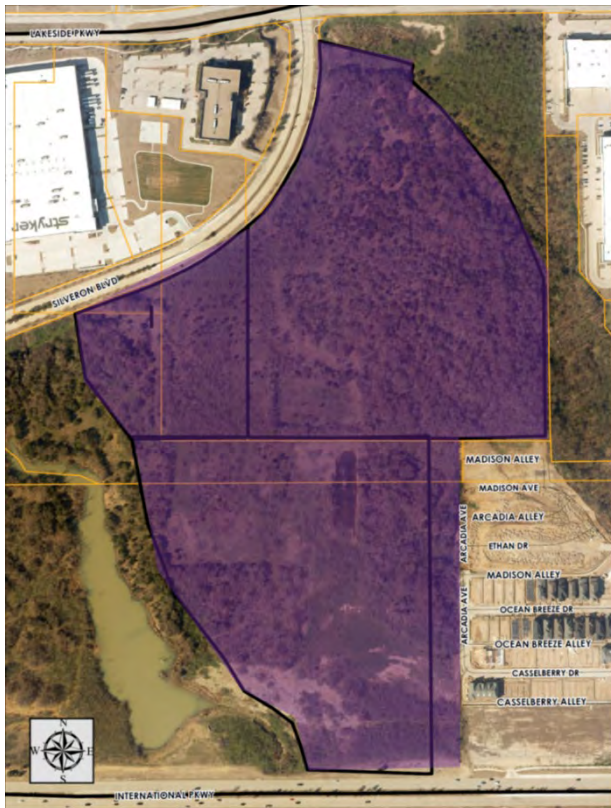


TOWN COUNCIL AGENDA ITEM NO. 7 REGULAR ITEM

DATE: October 4, 2021

FROM: Chuck Russell, Principal Planner

ITEM: Public Hearing to consider an ordinance for a Master Plan Amendment (MPA21-0005 - Silveron Flower Mound Duke) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located north of International Parkway and east of Silveron Boulevard. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its August 30, 2021 meeting.)*



SUMMARY DATA:

- Lot Size – 66.90 acres
- MPA Request – Change land use from Campus Commercial uses to Campus Industrial uses
- SMARTGrowth – Passed
- Traffic Analysis – Passed

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, "LAND USE PLAN" AND SECTION 2.0, "AREA PLANS" OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE DESIGNATION WITHIN THE LAKESIDE BUSINESS DISTRICT AREA PLAN AND REFLECTED ON THE LAND USE PLAN MAP FROM CAMPUS COMMERCIAL USES TO CAMPUS INDUSTRIAL USES ON APPROXIMATELY 66.90 ACRES OF LAND SITUATED IN THE JOSEPH KNIGHT SURVEY, ABSTRACT NO. 692; 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 municipality 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 Land Use Plan Map contained in the Land Use Plan of the Town Master Plan depicts, by distinct colors, the various land uses in the Town; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations of the Code of Ordinances of the Town of Flower Mound, the owner of the property described as approximately 66.90 acres of land situated in the Joseph Knight Survey, Abstract No. 692, Denton and Tarrant County, Texas, has filed an application for a Master Plan Amendment to change the current land use designation from Campus Commercial Uses to Campus Industrial Uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on August 30, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, 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 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.

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 to change the land use designation on the hereinafter described property and area as shown below:

Approximately 66.90 acres of land situated in the Joseph Knight Survey, Abstract No. 692, Denton and Tarrant County, Texas, and more fully described in Exhibit "A" hereto.

Section 1.0, "Land Use Plan" of the Master Plan, specifically the Land Use Plan Map, and Section 2.0, "Area Plans" are hereby amended to change the current land use

Ordinance No. _____

Page 2

designation from Campus Commercial Uses to Campus Industrial Uses for the approximately 66.90 acres of the project area depicted on Exhibit "B," attached hereto and incorporated herein 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.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

Exhibit A

LEGAL DESCRIPTION

BEING a tract of land situated in the Joseph Knight Survey, Abstract No. 692, Town of Flower Mound, Denton & Tarrant County, Texas and being part of a 86.557 acre tract of land described in Special Warranty Deed to PS Silveron/RMR, L.P., recorded in Document No. 2018-9044, Official Records, Denton County, Texas, and Instrument No. D218017563, Official Public Records, Tarrant County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod with cap stamped "DAA" found for the north end of a right-of-way corner clip at the intersection of the south right-of-way line of Lakeside Parkway, (a 120' wide right-of-way) and the southeast right-of-way line of Silveron Boulevard, (a variable width right-of-way) and being the most northerly northwest corner of said 86.557 acre tract;

THENCE with said corner clip, South 38°42'25" West a distance of 42.71 feet to a 1/2" iron rod with cap stamped "DAA" found for the south end of said corner clip and the beginning of a non-tangent curve to the right, with a radius of 895.00 feet, central angle of 09°39'55", a chord bearing of South 01°58'10" East, and a chord length of 150.80 feet;

THENCE with said southeast right-of-way line of Silveron Boulevard and said non-tangent curve to the right, an arc distance of 150.98 feet to 5/8" iron rod with red plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

THENCE departing said southeast right-of-way line, South 69°42'23" East, a distance of 245.35 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner in the southwest line of called 2.4154 acre tract of land described as Tract D in Conservation Deed Restriction, recorded in Volume 4852, Page 357, said Deed Records;

THENCE with said southeast line of the 2.4154 acre tract, the following courses and distances:

South 10°51'00" West, a distance of 20.93 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 37°13'57" East, a distance of 141.84 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 50°44'19" East, a distance of 66.65 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 16°56'10" East, a distance of 87.11 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 54°06'45" East, a distance of 153.52 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 39°25'44" East, a distance of 146.80 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 48°20'20" East, a distance of 236.98 to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 30°48'14" East, a distance of 156.86 to a 5/8" iron rod with red plastic cap stamped "KHA" set for the south corner of said 2.4154 acre in the east line of said PS Silveron/RMR, L.P. tract (2018-9044) and the west line of Lot 2-X, Block A, Lakeside Ridge, an addition to the Town of Flower Mound, Denton County, Texas, according to

Exhibit A

the plat thereof recorded in Document No. 2013-361, Official Records, Denton County, Texas;

THENCE with said west line of Lot 2-X, South 0°56'17" East, a distance of 575.62 feet to a 1/2" iron rod with plastic cap stamped "DAA" found for corner;

THENCE departing said west line of Lot 2-X and with the south line of said 86.557 acre tract, North 89°47'00" West, a distance of 341.96 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

THENCE with the east line of said 86.557 acre tract, South 0°32'04" East, a distance of 1,259.33 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southeast corner of said 86.557 acre tract in the north right-of-way line of F.M. 2499 (a 160' wide right-of-way);

THENCE with said north right-of-way line of F.M. 2499, South 89°33'45" West, a distance of 562.98 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southeast corner of a called 10.5390 acre tract of land described as Tract C in said Conservation Deed Restriction;

THENCE departing said north right-of-way line of F.M. 2499 and with the northeast line of said 10.5930 acre tract, the following courses and distances:

North 9°16'44" West, a distance of 18.03 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 5°59'18" West, a distance of 92.52 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 27°38'49" West, a distance of 114.18 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 53°50'54" West, a distance of 100.64 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 62°22'05" West, a distance of 53.61 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 68°43'59" West, a distance of 79.61 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 45°04'36" West, a distance of 223.07 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 37°03'40" West, a distance of 260.89 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 17°16'47" West, a distance of 499.92 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 61°17'22" West, a distance of 301.92 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 2°51'59" East, a distance of 267.65 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 8°59'31" West, a distance of 136.68 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the northeast corner of said 10.5390 acre tract in said southeast right-of-way line of Silveron Boulevard;

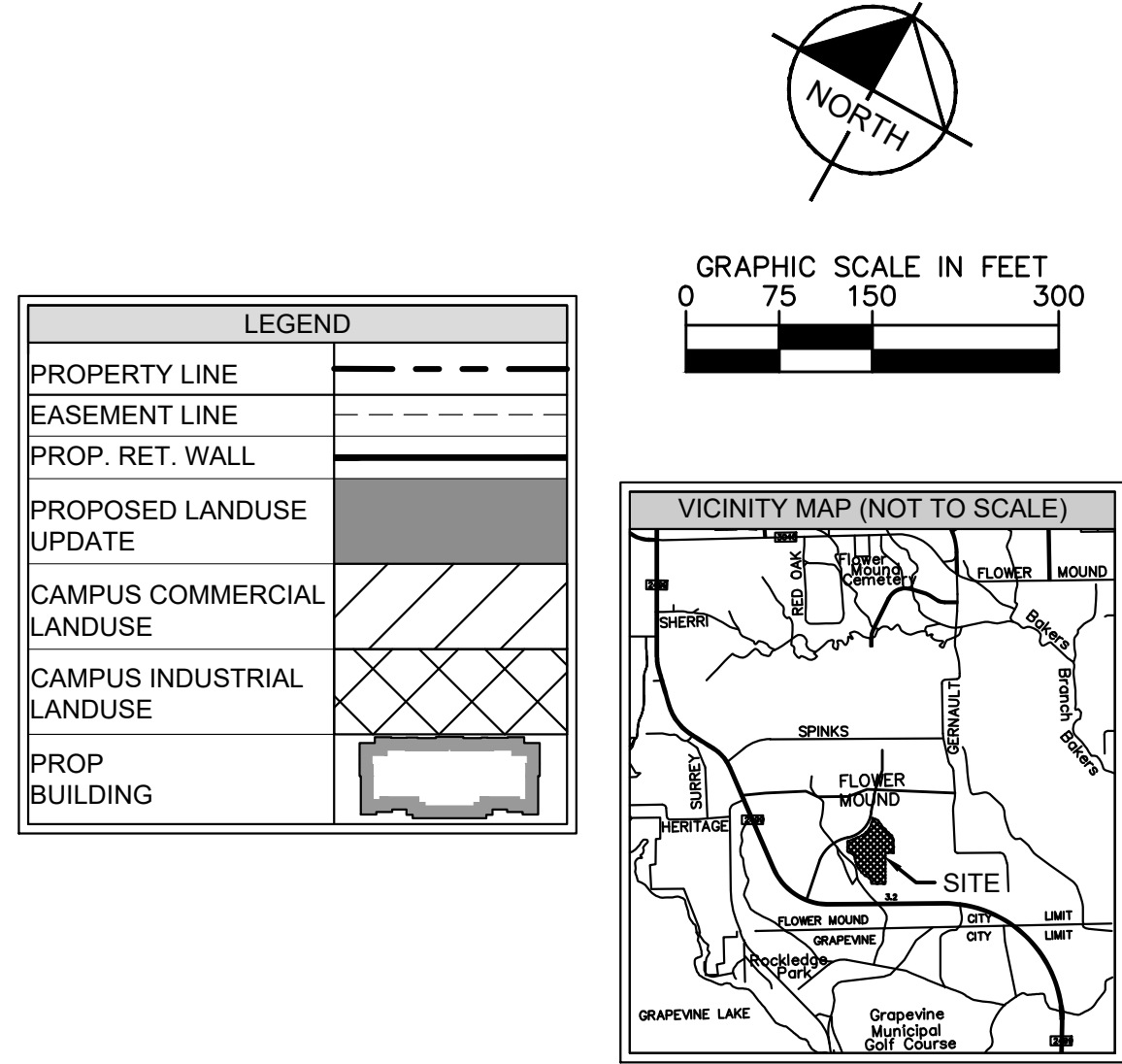
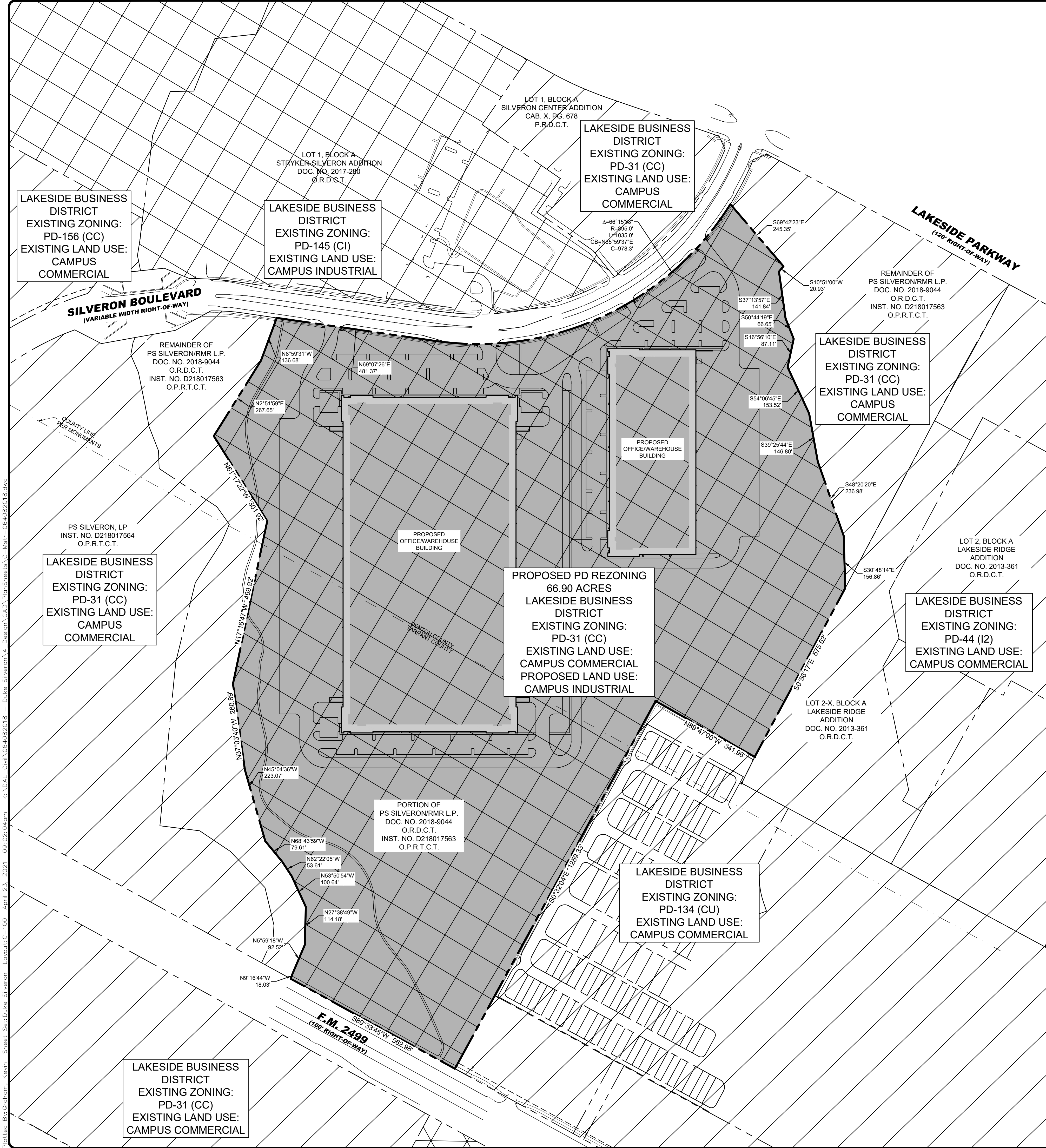
Exhibit A

THENCE with said southeast right-of-way line of Silveron Boulevard, the following courses and distances:

North 69°07'26" East, a distance of 481.37 feet to a 1/2" iron rod with cap stamped "DAA" found at the beginning of a tangent curve to the left having a central angle of 66°15'38", a radius of 895.00 feet, a chord bearing and distance of North 35°59'37" East, 978.32 feet;

In a northeasterly direction with said curve to the left, an arc distance of 1,035.02 feet to the **POINT OF BEGINNING** and containing 66.9000 acres or 2,914,162 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.



COMPREHENSIVE PLAN FEATURES	
LAND USE PLAN	
EXISTING	LAKESIDE BUSINESS DISTRICT - CAMPUS COMMERCIAL
PROPOSED	LAKESIDE BUSINESS DISTRICT - CAMPUS INDUSTRIAL
URBAN DESIGN PLAN	LAKESIDE BUSINESS DISTRICT
PARKS AND TRAILS PLAN	NONE
OPEN SPACE PLAN	SEE LANDSCAPE PLANS
THOROUGHFARE PLAN	FM2499 (MAJOR ARTERIAL) SILVERON BLVD (UBRAN MINOR ARTERIAL)
WATER PLAN	12" WATER ALONG FM2499 12" WATER ALONG SILVERON BLVD
WASTEWATER PLAN	8" GRAVITY MAIN FLOWING SOUTH ALONG SILVERON 12" GRAVITY MAIN FLOWING EAST ALONG LAKESIDE PKWY

OWNER

PS SILVERON / RMR LP
5054 DEVELOPMENT PACIFIC CENTER II
14160 NORTH DALLAS PARKWAY STE 750
DALLAS, TX 75254
PHONE: (214) 354-3931
CONTACT: JIM WILLS

DEVELOPER

DUKE REALTY
14241 DALLAS PARKWAY, SUITE 1000
DALLAS, TX 75254
PHONE: (972) 361-6700
CONTACT: JEFF THORNTON

ENGINEER

Kimley»Horn
13455 NOEL ROAD TWO GALLERIA OFFICE TOWER SUITE 700
DALLAS, TEXAS 75240
PHONE: 469-914-8612
CONTACT: KEVIN GRAHAM, P.E.
TEXAS REGISTERED ENGINEERING FIRM NO. F-928

Duke REALTY
Duke Legal Entity
14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (p) • 972.361.6800 (f)

Civil Engineer
Kimley-Horn
13455 Noel Road Two Galleria Office Tower
Suite 700, Dallas, TX 75240
(469) 914-8612
Kimley»Horn
Landscape Architect
Belle Firma
4245 N Central Expy, Suite 501
Dallas, TX 75205
(214) 865-7192

PRELIMINARY
FOR REVIEW ONLY NOT FOR
CONSTRUCTION OR PERMIT
PURPOSES.
Kimley»Horn
Engineer **KEVIN P. GRAHAM**
P.E. No. 120229
Date 04/21/2021
Professional Seal

Silveron Flower Mound
Duke
MASTER PLAN EXHIBIT

ISSUANCES	
Rev #1:	

DRAWING INFORMATION	
Scale:	AS SHOWN
Date:	04/21/2021
Checked By:	JPG
Drawn By:	MVZ
Duke Realty Job #:	Duke Realty Job #:
A/E Job #:	064082018

DRAWING / SHEET TITLE
MASTER PLAN EXHIBIT
SHEET NUMBER
C-100

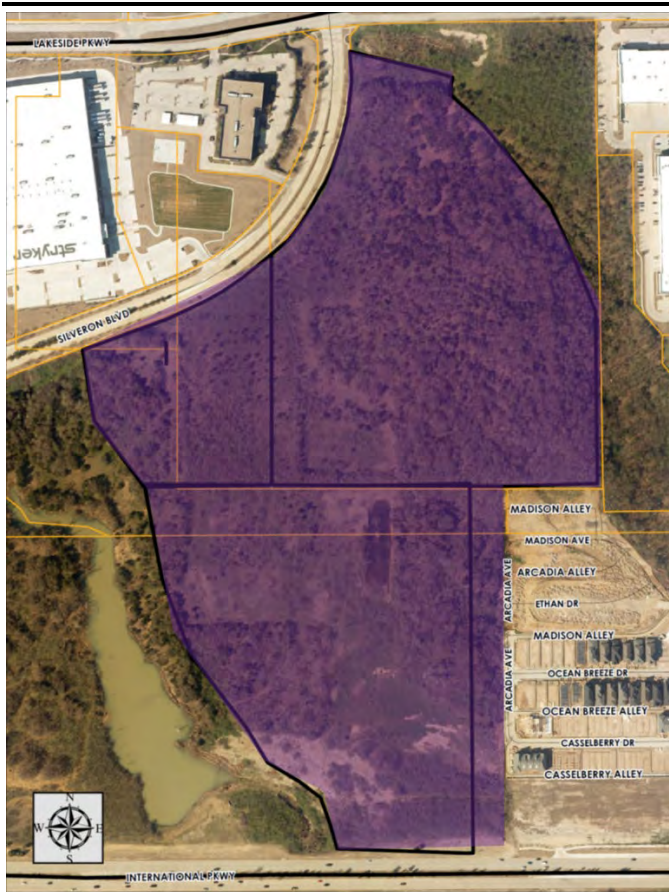


TOWN COUNCIL AGENDA ITEM NO. 8 REGULAR ITEM

DATE: October 4, 2021

FROM: Chuck Russell, Principal Planner

ITEM: Public Hearing to consider an ordinance amending the zoning (ZPD21-0003 - Silveron Flower Mound Duke) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.181 (PD-181) with Campus Industrial District (CI) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, "Topographical Slope Protection," and an exception to Section 82-302, "Compatibility buffer." The property is generally located north of International Parkway and east of Silveron Boulevard. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its August 30, 2021 meeting.)*



SUMMARY DATA:

- Lot Size – 66.90 acres
- Proposed Zoning – PD for Campus Industrial (CI)
- Proposed Buildings – Two, one-story office, warehouse and distribution buildings that will contain 522,080 square feet and 160,160 square feet respectively
- SMARTGrowth – Passed, if slope exception is granted
- Traffic Analysis – Passed, based on the TIA, the traffic generated by the proposed development is not anticipated to drop the LOS of Silveron below a LOS of C. Additional requirements from the TIA are to include both right and left turn lanes at the intersection of middle driveway of the development and Silveron.
- Exceptions – Compatibility Buffer and Topographical Slope Protection
- Incentives – None

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

In order to address concerns brought up during P&Z deliberations, the applicant provided enhanced landscaping and screening for the truck trailer parking area on the west side of the site. The applicant also provided a screening and sound wall on the southeast side of the larger building that is closest to the existing residential neighborhood and reduced the amount of paving on the northeast side of the smaller building to lessen potential environmental impacts on the adjacent drainage area. Finally, the applicant has added benches and seating areas to the conceptual landscape plan at various locations along the trail that loops around the pond on the south side of the site.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO.**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 66.90 ACRES OF LAND SITUATED IN THE JOSEPH KNIGHT SURVEY, ABSTRACT NO. 692, FROM PLANNED DEVELOPMENT DISTRICT-31 (PD-31) WITH CAMPUS COMMERCIAL DISTRICT (CC) USES TO PLANNED DEVELOPMENT DISTRICT-181 (PD-181) WITH CAMPUS INDUSTRIAL DISTRICT (CI) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule municipality 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 heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 66.90 acres of land situated in the Joseph Knight Survey, Abstract No. 692, Denton and Tarrant County, Texas, have filed an application to change the zoning Planned Development District-31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District-181 (PD-181) with Campus Industrial District (CI) uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on August 30, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, with respect to the proposed rezoning as described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication, and procedural requirements for the approval of a rezoning on the property; and,

WHEREAS, the Town Council finds that amendment of the Zoning map 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 Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area to establish a Planned Development District as shown below:

Approximately 66.90 acres of land situated in the Joseph Knight Survey, Abstract No. 692, Denton and Tarrant County, Texas, and more fully described in Exhibit "A" hereto.

Planned Development District-181 (PD-181) with Campus Industrial District (CI) uses.

SECTION 2

The Development Standards, Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Elevations of the proposed Planned Development District No. 181 (PD-181), attached hereto as Exhibits "B," "C," "D," and "E," each incorporated herein for all purposes allowed by law, are hereby approved as the Development Standards, Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Elevations for this Planned Development District No. 181 (PD-181).

SECTION 3

The official map of the Town of Flower Mound is hereby amended and the Director of Planning Services is directed to revise the official zoning map to reflect the approved Planned Development District No. 181 (PD-181), as set forth above.

SECTION 4

The use of the property described above shall be subject to all restrictions, terms, and conditions contained in Exhibits "B," "C," "D," and "E," attached hereto, as well as the applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town of Flower Mound.

SECTION 5

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 6

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 NO.**Page 3**

Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 7

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 8

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that 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 9

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 10

This Ordinance shall take effect and be in full force 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 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

Exhibit A

LEGAL DESCRIPTION

BEING a tract of land situated in the Joseph Knight Survey, Abstract No. 692, Town of Flower Mound, Denton & Tarrant County, Texas and being part of a 86.557 acre tract of land described in Special Warranty Deed to PS Silveron/RMR, L.P., recorded in Document No. 2018-9044, Official Records, Denton County, Texas, and Instrument No. D218017563, Official Public Records, Tarrant County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod with cap stamped "DAA" found for the north end of a right-of-way corner clip at the intersection of the south right-of-way line of Lakeside Parkway, (a 120' wide right-of-way) and the southeast right-of-way line of Silveron Boulevard, (a variable width right-of-way) and being the most northerly northwest corner of said 86.557 acre tract;

THENCE with said corner clip, South 38°42'25" West a distance of 42.71 feet to a 1/2" iron rod with cap stamped "DAA" found for the south end of said corner clip and the beginning of a non-tangent curve to the right, with a radius of 895.00 feet, central angle of 09°39'55", a chord bearing of South 01°58'10" East, and a chord length of 150.80 feet;

THENCE with said southeast right-of-way line of Silveron Boulevard and said non-tangent curve to the right, an arc distance of 150.98 feet to 5/8" iron rod with red plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

THENCE departing said southeast right-of-way line, South 69°42'23" East, a distance of 245.35 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner in the southwest line of called 2.4154 acre tract of land described as Tract D in Conservation Deed Restriction, recorded in Volume 4852, Page 357, said Deed Records;

THENCE with said southeast line of the 2.4154 acre tract, the following courses and distances:

South 10°51'00" West, a distance of 20.93 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 37°13'57" East, a distance of 141.84 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 50°44'19" East, a distance of 66.65 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 16°56'10" East, a distance of 87.11 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 54°06'45" East, a distance of 153.52 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 39°25'44" East, a distance of 146.80 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 48°20'20" East, a distance of 236.98 to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 30°48'14" East, a distance of 156.86 to a 5/8" iron rod with red plastic cap stamped "KHA" set for the south corner of said 2.4154 acre in the east line of said PS Silveron/RMR, L.P. tract (2018-9044) and the west line of Lot 2-X, Block A, Lakeside Ridge, an addition to the Town of Flower Mound, Denton County, Texas, according to

Exhibit A

the plat thereof recorded in Document No. 2013-361, Official Records, Denton County, Texas;

THENCE with said west line of Lot 2-X, South 0°56'17" East, a distance of 575.62 feet to a 1/2" iron rod with plastic cap stamped "DAA" found for corner;

THENCE departing said west line of Lot 2-X and with the south line of said 86.557 acre tract, North 89°47'00" West, a distance of 341.96 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

THENCE with the east line of said 86.557 acre tract, South 0°32'04" East, a distance of 1,259.33 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southeast corner of said 86.557 acre tract in the north right-of-way line of F.M. 2499 (a 160' wide right-of-way);

THENCE with said north right-of-way line of F.M. 2499, South 89°33'45" West, a distance of 562.98 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southeast corner of a called 10.5390 acre tract of land described as Tract C in said Conservation Deed Restriction;

THENCE departing said north right-of-way line of F.M. 2499 and with the northeast line of said 10.5930 acre tract, the following courses and distances:

North 9°16'44" West, a distance of 18.03 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 5°59'18" West, a distance of 92.52 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 27°38'49" West, a distance of 114.18 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 53°50'54" West, a distance of 100.64 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 62°22'05" West, a distance of 53.61 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 68°43'59" West, a distance of 79.61 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 45°04'36" West, a distance of 223.07 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 37°03'40" West, a distance of 260.89 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 17°16'47" West, a distance of 499.92 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 61°17'22" West, a distance of 301.92 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 2°51'59" East, a distance of 267.65 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 8°59'31" West, a distance of 136.68 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the northeast corner of said 10.5390 acre tract in said southeast right-of-way line of Silveron Boulevard;

Exhibit A

THENCE with said southeast right-of-way line of Silveron Boulevard, the following courses and distances:

North 69°07'26" East, a distance of 481.37 feet to a 1/2" iron rod with cap stamped "DAA" found at the beginning of a tangent curve to the left having a central angle of 66°15'38", a radius of 895.00 feet, a chord bearing and distance of North 35°59'37" East, 978.32 feet;

In a northeasterly direction with said curve to the left, an arc distance of 1,035.02 feet to the **POINT OF BEGINNING** and containing 66.9000 acres or 2,914,162 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

Exhibit B

Exhibit B
Development Standards

Planned Development District - 181 (PD-181)
Silveron Flower Mound Duke

The development on the property comprising approximately 66.900 acres of land within the corporate limits of the Town of Flower Mound ("Town") shall be in accordance with the Town of Flower Mound *Master Plan* and the Land Development Regulations of the Town of Flower Mound, Texas, as amended, and shall be subject to the following conditions and requirements:

A. EXHIBITS.

1. The following Exhibits are incorporated into this planned development.

- a. Exhibit "C": Conceptual Site Plan.
- b. Exhibit "D": Conceptual Landscape Plan.
- c. Exhibit "E": Conceptual Elevations.

B. PERMITTED USES. The uses listed as Permitted Uses in the Campus Industrial District (CI) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C".

C. SPECIFIC USES. The uses listed as Specific Uses in the Campus Industrial District (CI) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C" with a Specific Use Permit (SUP) approved by the Town Council.

D. TEMPORARY USES. The uses listed as Temporary Uses in the Campus Industrial District (CI) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C" as only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of the Land Development Code, "Temporary Use Permits."

E. DIMENSIONAL REGULATIONS. The dimensional regulations listed in the Campus Industrial District (CI) in the Town's Zoning Ordinance shall be required for this Planned Development.

F. ENVIRONMENTAL PROTECTION PLAN. This Planned Development is subject to the approved Environmental Protection Plan.

G. EXCEPTIONS. The following exceptions to the Town's Ordinances shall apply to this Planned Development.

1. Compatibility Buffer-Section 82-302.

- a. Except as provided in this section, the compatibility buffer does not apply to this Planned Development.
 - i. Prior to the acceptance of the subdivision for the subject property, native shade trees, a minimum of three-inch caliper and of species included in section 94-66 of this Code shall be provided at a ratio of one tree per 400

Exhibit B

ORDINANCE NO. _____

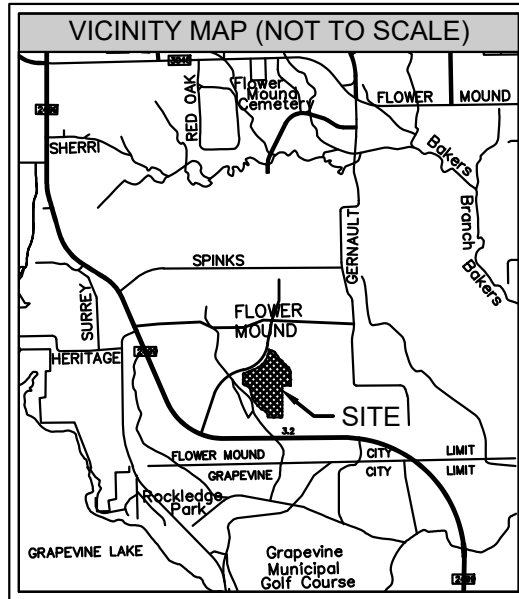
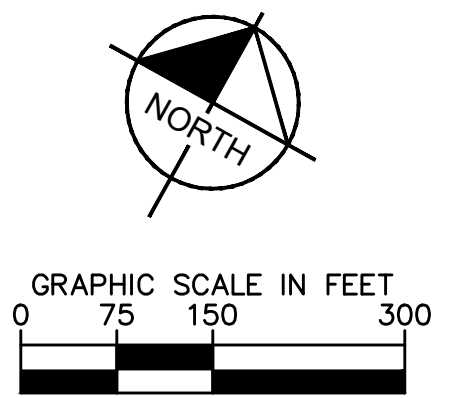
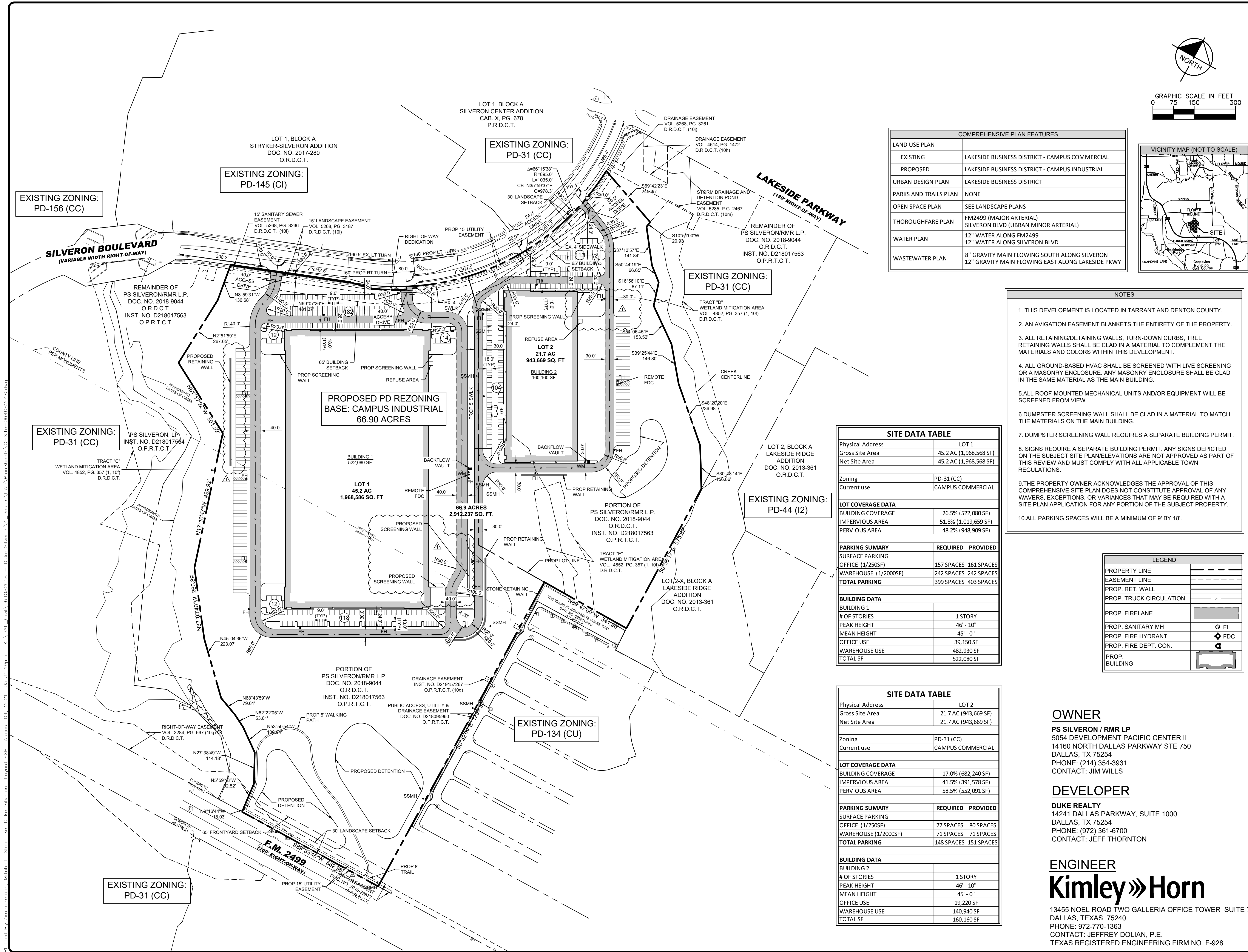
Page 2

square feet of buffer area. For the purposes of this ordinance, the buffer area is defined as the area 25 feet in width adjacent to the entirety of the residentially zoned property east of the subject property (approximately 950 linear feet). Native shade tree requirement shall be satisfied by healthy existing trees, supplemented by three-inch caliper plantings as necessary to meet this standard. The buffer for this Planned Development District includes areas that are not subject to Section 82-302 of the Town Code.

- ii. A solid masonry screening wall shall be constructed prior to the acceptance of a subdivision for the subject property as shown on Exhibit's "C", "D" and "E". The minimum screening wall heights shall be as depicted on Exhibit "E".

2. Topographic Slope- Section 98-147.

- a. An exception to Section 98-147, Topographical Slope Protection is granted for slopes that are greater than 12% as depicted in the approved Environmental Protection Plan.
- b. The developer shall provide detailed drawings that illustrate the impact of the proposed development on the natural topography and the manner by which the development is integrated into, reflects and maintains the overall integrity of the natural topography with subsequent record plat applications. In addition, the developer shall conform with the following requirements with subsequent record plat applications:
 - i. The identification of those specific Best Management Practices ("BMPs") that will be used to maintain and responsibly integrate the development into the natural topography together with an explanation regarding their use within the plans for such development. The BMPs to be used shall include, but are not limited to, those BMPs found within the Town's Engineering Design and Construction Standards.
 - ii. The use of retaining walls taller than four foot (4') in height will be required to support the project. Any retaining wall four foot (4') or greater in height shall be designed by a professional engineer licensed by the State of Texas.



COMPREHENSIVE PLAN FEATURES	
LAND USE PLAN	
EXISTING	LAKESIDE BUSINESS DISTRICT - CAMPUS COMMERCIAL
PROPOSED	LAKESIDE BUSINESS DISTRICT - CAMPUS INDUSTRIAL
URBAN DESIGN PLAN	LAKESIDE BUSINESS DISTRICT
PARKS AND TRAILS PLAN	NONE
OPEN SPACE PLAN	SEE LANDSCAPE PLANS
THOROUGHFARE PLAN	FM2499 (MAJOR ARTERIAL) SILVERON BLVD (UBRAN MINOR ARTERIAL)
WATER PLAN	12" WATER ALONG FM2499 12" WATER ALONG SILVERON BLVD
WASTEWATER PLAN	8" GRAVITY MAIN FLOWING SOUTH ALONG SILVERON 12" GRAVITY MAIN FLOWING EAST ALONG LAKESIDE PKWY

- NOTES
1. THIS DEVELOPMENT IS LOCATED IN TARRANT AND DENTON COUNTY.
 2. AN AVIGATION EASEMENT BLANKETS THE ENTIRETY OF THE PROPERTY.
 3. ALL RETAINING/DETAINING WALLS, TURN-DOWN CURBS, TREE RETAINING WALLS SHALL BE CLAD IN A MATERIAL TO COMPLEMENT THE MATERIALS AND COLORS WITHIN THIS DEVELOPMENT.
 4. ALL GROUND-BASED HVAC SHALL BE SCREENED WITH LIVE SCREENING OR A MASONRY ENCLOSURE. ANY MASONRY ENCLOSURE SHALL BE CLAD IN THE SAME MATERIAL AS THE MAIN BUILDING.
 5. ALL ROOF-MOUNTED MECHANICAL UNITS AND/OR EQUIPMENT WILL BE SCREENED FROM VIEW.
 6. DUMPSTER SCREENING WALL SHALL BE CLAD IN A MATERIAL TO MATCH THE MATERIALS ON THE MAIN BUILDING.
 7. DUMPSTER SCREENING WALL REQUIRES A SEPARATE BUILDING PERMIT.
 8. SIGNS REQUIRE A SEPARATE BUILDING PERMIT. ANY SIGNS DEPICTED ON THE SUBJECT SITE PLAN/ELEVATIONS ARE NOT APPROVED AS PART OF THIS REVIEW AND MUST COMPLY WITH ALL APPLICABLE TOWN REGULATIONS.
 9. THE PROPERTY OWNER ACKNOWLEDGES THE APPROVAL OF THIS COMPREHENSIVE SITE PLAN DOES NOT CONSTITUTE APPROVAL OF ANY WAVERS, EXCEPTIONS, OR VARIANCES THAT MAY BE REQUIRED WITH A SITE PLAN APPLICATION FOR ANY PORTION OF THE SUBJECT PROPERTY.
 10. ALL PARKING SPACES WILL BE A MINIMUM OF 9' BY 18'.

SITE DATA TABLE	
Physical Address	LOT 1
Gross Site Area	45.2 AC (1,968,568 SF)
Net Site Area	45.2 AC (1,968,568 SF)
Zoning	PD-31 (CC)
Current use	CAMPUS COMMERCIAL
LOT COVERAGE DATA	
BUILDING COVERAGE	26.5% (522,080 SF)
IMPERVIOUS AREA	51.8% (1,019,659 SF)
PERVIOUS AREA	48.2% (948,909 SF)
PARKING SUMMARY	
SURFACE PARKING	
OFFICE (1/250SF)	157 SPACES 161 SPACES
WAREHOUSE (1/2000SF)	242 SPACES 242 SPACES
TOTAL PARKING	399 SPACES 403 SPACES
BUILDING DATA	
BUILDING 1	
# OF STORIES	1 STORY
PEAK HEIGHT	46' - 10"
MEAN HEIGHT	45' - 0"
OFFICE USE	39,150 SF
WAREHOUSE USE	482,930 SF
TOTAL SF	522,080 SF

SITE DATA TABLE	
Physical Address	LOT 2
Gross Site Area	21.7 AC (943,669 SF)
Net Site Area	21.7 AC (943,669 SF)
Zoning	PD-31 (CC)
Current use	CAMPUS COMMERCIAL
LOT COVERAGE DATA	
BUILDING COVERAGE	17.0% (682,240 SF)
IMPERVIOUS AREA	41.5% (391,578 SF)
PERVIOUS AREA	58.5% (552,091 SF)
PARKING SUMMARY	
SURFACE PARKING	
OFFICE (1/250SF)	77 SPACES 80 SPACES
WAREHOUSE (1/2000SF)	71 SPACES 71 SPACES
TOTAL PARKING	148 SPACES 151 SPACES
BUILDING DATA	
BUILDING 2	
# OF STORIES	1 STORY
PEAK HEIGHT	46' - 10"
MEAN HEIGHT	45' - 0"
OFFICE USE	19,220 SF
WAREHOUSE USE	140,940 SF
TOTAL SF	160,160 SF

OWNER

PS SILVERON / RMR LP
5054 DEVELOPMENT PACIFIC CENTER II
14160 NORTH DALLAS PARKWAY STE 750
DALLAS, TX 75254
PHONE: (214) 354-3931
CONTACT: JIM WILLS

DEVELOPER

DUKE REALTY
14241 DALLAS PARKWAY, SUITE 1000
DALLAS, TX 75254
PHONE: (972) 361-6700
CONTACT: JEFF THORNTON

ENGINEER

Kimley»Horn
13455 NOEL ROAD TWO GALLERIA OFFICE TOWER SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1363
CONTACT: JEFFREY DOLAN, P.E.
TEXAS REGISTERED ENGINEERING FIRM NO. F-928

LEGEND	
PROPERTY LINE	---
EASEMENT LINE	---
PROP. RET. WALL	---
PROP. TRUCK CIRCULATION	---
PROP. FIRELANE	---
PROP. SANITARY MH	⊙ FH
PROP. FIRE HYDRANT	⊙ FDC
PROP. FIRE DEPT. CON.	⊙
PROP. BUILDING	---



Duke Legal Entity
14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (p) • 972.361.6800 (f)

Civil Engineer

Kimley-Horn
13455 Noel Road Two Galleria Office Tower
Suite 700, Dallas, TX 75240
(469) 914-8612

Kimley»Horn

Landscape Architect

Belle Firma
4245 N Central Expy, Suite 501
Dallas, TX 75205
(214) 865-7192

PRELIMINARY

FOR REVIEW ONLY NOT FOR
CONSTRUCTION OR PERMIT
PURPOSES.

Kimley»Horn

Engineer: JEFFREY W. DOLAN

P.E. No. 114926

Date 08/04/2021

Professional Seal

Silveron Flower Mound
Duke

CONCEPTUAL SITE PLAN

ISSUANCES

Rev #1: SCREEN WALL/TRUCK COURTS 8/4/2021

DRAWING INFORMATION

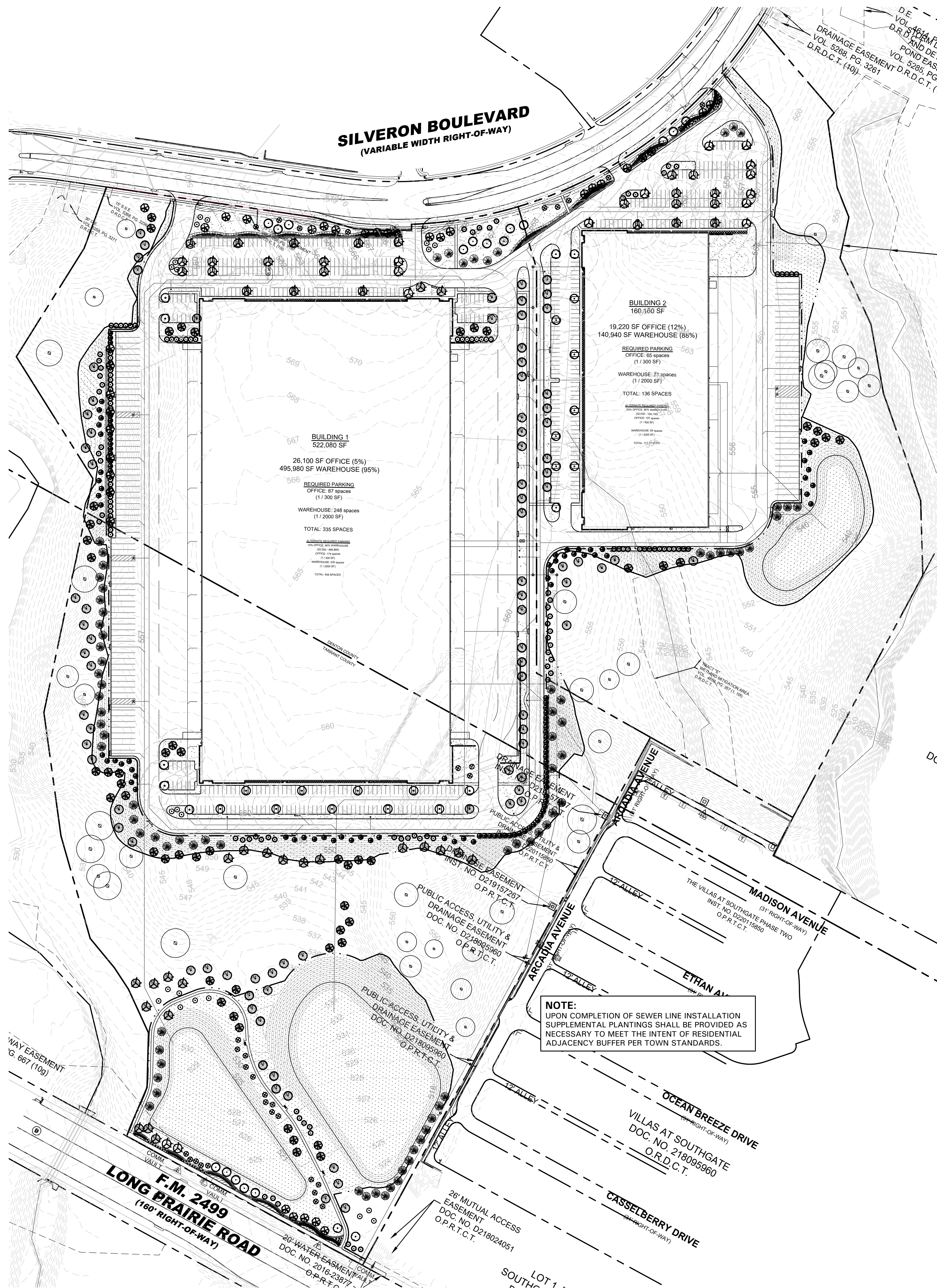
Scale: AS SHOWN
Date: 08/04/2021
Checked By: JWD
Drawn By: MVZ
Duke Realty Job #: Duke Realty Job #:
A/E Job #: 064082018

DRAWING / SHEET TITLE

CONCEPTUAL
SITE PLAN

SHEET NUMBER

C-101



THE TOWN OF FLOWER MOUND - LAKESIDE BUSINESS DISTRICT (Campus Industrial)			
STREET YARD LANDSCAPING			
STANDARD	TOTAL STREET YARD	REQUIRED	PROVIDED
Min. 20% of street yard	268,152 s.f. of Street Yard	53,630 s.f. of Street Yard	58,651 s.f. of Street Yard
STREET YARD TREES			
STANDARD	TOTAL STREET YARD (SQUARE FEET)	REQUIRED	PROVIDED
Above 110,000 s.f. = 50 Trees + 1 Tree for every 5,000 s.f. over 110,000 s.f.	268,152 s.f. of Street Yard	82 Trees (3" cal.)	88 Trees (3" cal.)
STREET BUFFER LANDSCAPING			
STANDARD		REQUIRED BUFFER WIDTH	PROVIDED
Silveron Blvd.		25 ft.	25 ft.
FM 2499		25 ft.	25 ft.
STREET BUFFER TREES			
STANDARD	STREET FRONTAGE (LINEAR FEET)	REQUIRED	PROVIDED
1 per 40 l.f.	Silveron Blvd. = 1,516 l.f.	38 Trees (3" cal.)	46 Trees (3" cal.)
	FM 2499 = 563 l.f.	14 Trees (3" cal.)	17 Trees (3" cal.)
PARKING AREA LANDSCAPING			
STANDARD	# OF PARK SPACES	REQUIRED	PROVIDED
90 s.f. per 12 spaces	555 Parking Spaces	4,163 s.f.	20,295 s.f.
PARKING AREA TREES			
STANDARD	# OF PARK SPACES	REQUIRED	PROVIDED
1 per 10 parking spaces	555 parking spaces	56 trees (3" cal.)	56 trees (3" cal.)
** All parking spaces to be located within 50 ft. of Parking lot tree.			
*** 30% of the required parking lot trees can be small trees.			
PARKING AREA SCREENING			
STANDARD		Landscape berm or screening shrubs	PROVIDED
All head parking to be screened from street view		3' ht. Screen	Screening shrubs (3' ht.)

MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

PLANT LIST

SYMBOL	BOTANICAL NAME TREES	COMMON NAME	QTY.	SIZE	REMARKS
AP	<i>Pinus eldarica</i>	Afgan Pine	123	6' ht.	B&B or container grown, full to base, 3' spread
CO	<i>Quercus muehlenbergii</i>	Chinkapin Oak	41	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
VT	<i>Vitex agnus-castus</i>	Vitex	22	2" cal.	B&B or container grown, 8' ht., 4' spread, 3 trunk min.
BO	<i>Quercus macrocarpa</i>	Bur Oak	42	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
LO	<i>Quercus virginiana</i>	Live Oak	80	3" cal.	container grown, 15' ht., 5' spread, 5' branching ht., matching
ERC	<i>Juniperus virginiana</i>	Eastern Redcedar	123	6' ht.	B&B or container grown, full to base, 3' spread
LE	<i>Ulmus parvifolia 'Sempervirens'</i>	Lacebark Elm	61	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
CE	<i>Ulmus crassifolia</i>	Cedar Elm	89	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
RB	<i>Cercis canadensis 'Forest Pansy'</i>	Forest Pansy Redbud	33	30 gal.	container grown, 8' ht., 4' spread min.
SO	<i>Quercus shumardii</i>	Shumard Red Oak	49	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching

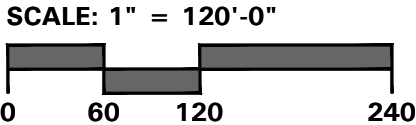
SHRUBS/GROUND COVER

DHG	<i>Pennisetum alopecuroides 'Hameln'</i>	Dwarf Hameln Grass	657	3 gal.	container full, 24" o.c.
DWM	<i>Myrica pusilla</i>	Dwarf Wax Myrtle	428	36" ht.	container full, 24" spread, 36" o.c.
LOR	<i>Loropetalum chinensis 'Plum Delight'</i>	Loropetalum 'Plum Delight'	851	3 gal.	container full, 18" spread, 24" o.c.
MIS	<i>Miscanthus sinensis 'Adagio'</i>	Miscanthus 'Adagio'	141	5 gal.	container full, 36" o.c.
NRS	<i>Ilex spp. 'Nellie R. Stevens'</i>	Nellie R. Stevens Holly	16	7 gal.	container full to base, 36" ht., 36" o.c.
SY	<i>Yucca recurvifolia</i>	Softleaf Yucca	92	5 gal.	container full, 36" o.c.
BS	<i>Carex divulsa</i>	Berkeley Sedge	514	1 gal.	container full, 30" o.c.
MFG	<i>Nassella tenuissima</i>	Mexican Feathergrass	1,434	1 gal.	container full, 24" o.c.
	<i>Cynodon dactylon</i>	Common Bermudagrass			solid sod, refer to Solid Sod Notes
	<i>Cynodon dactylon</i>	Common Bermudagrass			hydromulch, refer to Hydromulch Notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

FURNITURE LEGEND

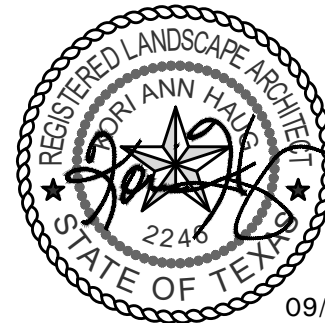
BENCH ON CONCRETE PAD (4) TOTAL



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OVERALL LANDSCAPE PLAN

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DRAWING INFORMATION

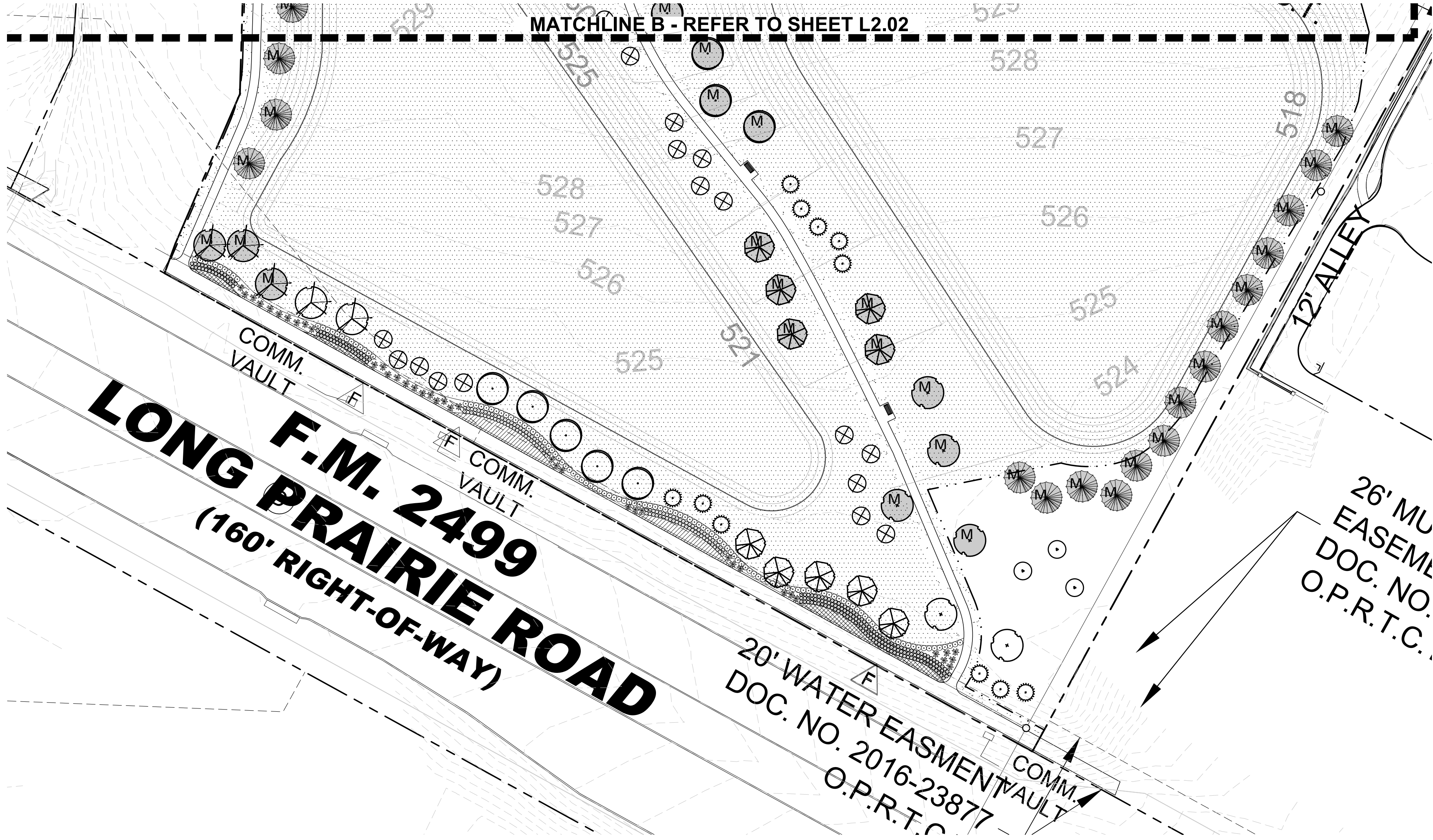
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DRAWING / SHEET TITLE

OVERALL
LANDSCAPE PLAN

SHEET NUMBER

L2.00



- LANDSCAPE NOTES**
1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
 2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
 3. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
 4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
 5. ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
 6. TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
 7. ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
 8. ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
 9. CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

- MAINTENANCE NOTES**
1. THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
 2. ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
 3. ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
 4. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
 5. ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
 6. CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

NOTE:

REMOVE EXISTING BARBED WIRE FENCE AND CLEAN FENCE LINE AT RESIDENTIAL ADJACENCY.

UPON COMPLETION OF SEWER LINE INSTALLATION SUPPLEMENTAL PLANTINGS SHALL BE PROVIDED AS NECESSARY TO MEET THE INTENT OF RESIDENTIAL ADJACENCY BUFFER PER TOWN STANDARDS.

SYMBOL	COMMON NAME
AP	Afgan Pine
CO	Chinkapin Oak
VT	Vitex
BO	Bur Oak
LO	Live Oak
ERC	Eastern Redcedar
LE	Lacebark Elm
CE	Cedar Elm
RB	Forest Pansy Redbud
SO	Shumard Red Oak
DHG	Dwarf Hameln Grass
DWM	Dwarf Wax Myrtle
LOR	Loropetalum 'Plum Delight'
MIS	Miscanthus 'Adagio'
NRS	Nellie R. Stevens Holly
SY	Softleaf Yucca
BS	Berkeley Sedge
MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

FURNITURE LEGEND

BENCH ON CONCRETE PAD (4) TOTAL

- GENERAL LAWN NOTES**
1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
 2. CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
 3. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
 4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
 5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
 6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
 7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

- SOLID SOD NOTES**
1. PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
 2. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
 3. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
 4. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

- HYDROMULCH NOTES**
1. CONTRACTOR SHALL SCARIFY, RIP AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
 2. BERMUDAGRASS SEED SHALL BE EXTRA HULLED AND TREATED LAWN TYPE, SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET STATE LAW REQUIREMENTS.
 3. FIBER SHALL BE ONE HUNDRED PERCENT (100%) WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY 'CONWEB' OR EQUAL.
 4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC. OR EQUAL.
 5. HYDROMULCH WITH BERMUDAGRASS SEED AT A RATE OF TWO (2) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.
 6. USE A 4'X8' BATTER BOARD AGAINST ALL BED AREAS.
 7. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MAY 1, ALL HYDROMULCH AREAS TO BE WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDAGRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
 8. ALL LAWN AREAS TO BE HYDROMULCHED SHALL HAVE ONE HUNDRED PERCENT (100%) COVERAGE PRIOR TO FINAL ACCEPTANCE.

REFER TO PLANT LIST L2.00

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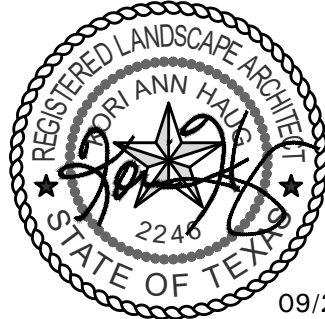
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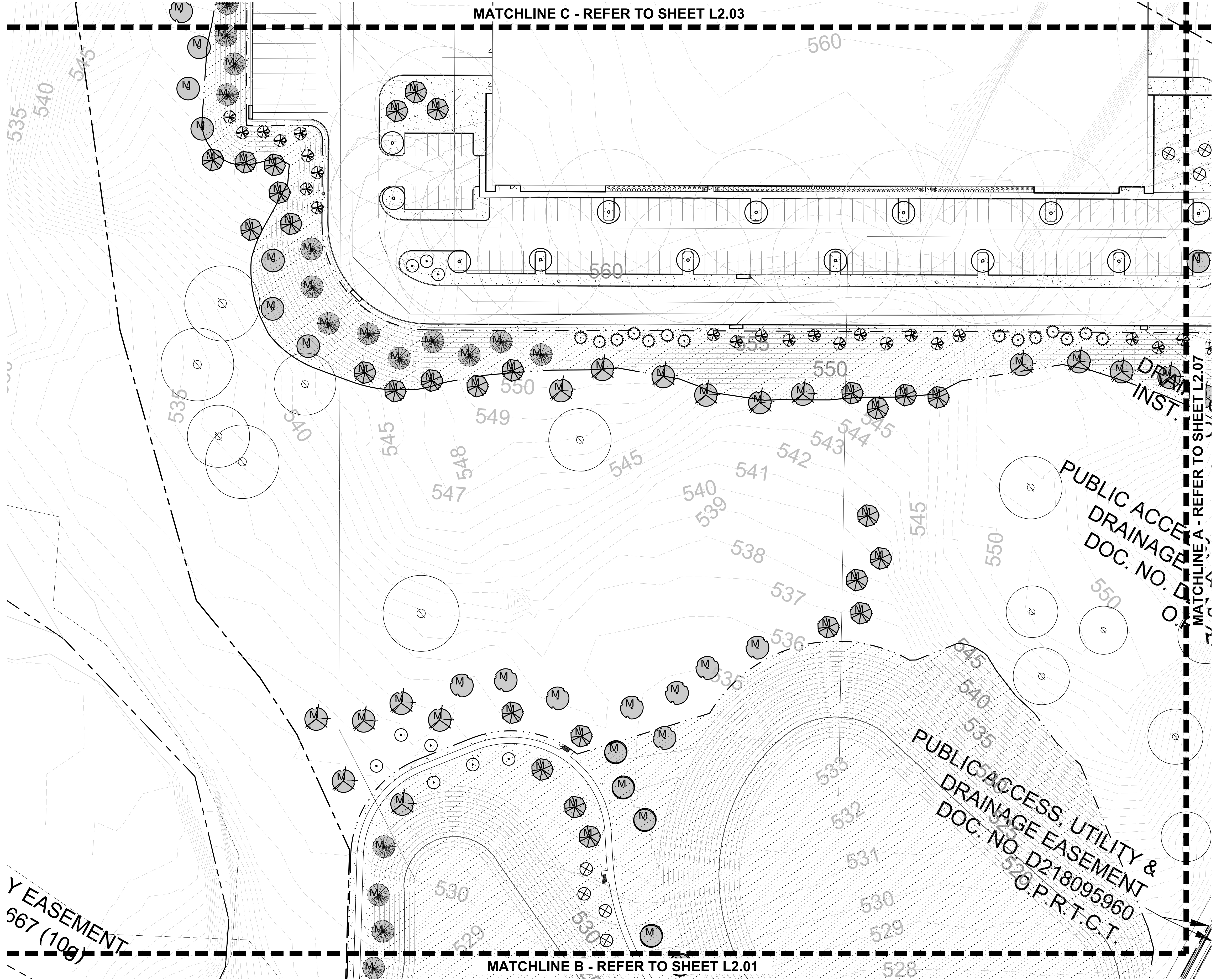
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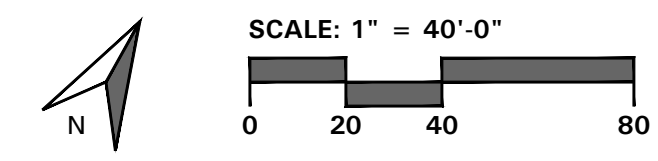
- FURNITURE LEGEND**

 - BENCH ON CONCRETE PAD (4) TOTAL
- MITIGATION TREE LEGEND**

 - MITIGATION TREE (233) TOTAL
- PLANT LEGEND**

SYMBOL	COMMON NAME
AP	Afghan Pine
CO	Chinkapin Oak
VT	Vitex
BO	Bur Oak
LO	Live Oak
ERC	Eastern Redcedar
LE	Lacebark Elm
CE	Cedar Elm
RB	Forest Pansy Redbud
SO	Shumard Red Oak
DHG	Dwarf Hameln Grass
DWM	Dwarf Wax Myrtle
LOR	Loropetalum 'Plum Delight'
MIS	Miscanthus 'Adagio'
NRS	Nellie R. Stevens Holly
SY	Softleaf Yucca
BS	Berkeley Sedge
MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

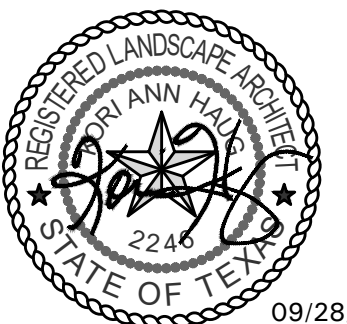
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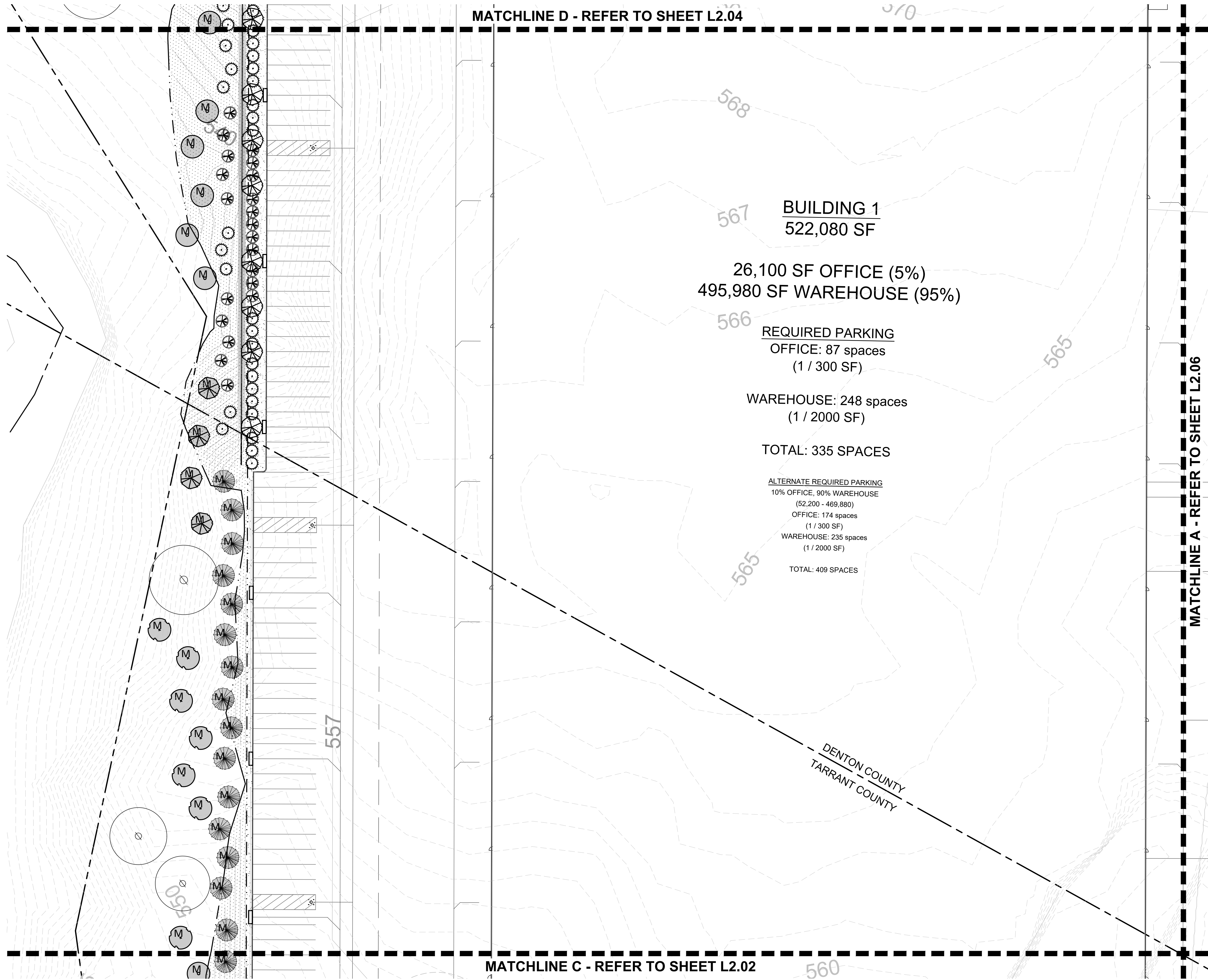
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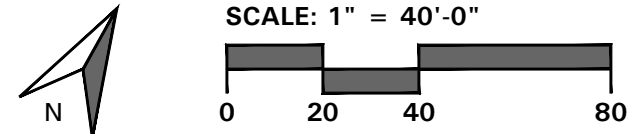
MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afgan Pine
CO	Chinkapin Oak
VT	Vitex
BO	Bur Oak
LO	Live Oak
ERC	Eastern Redcedar
LE	Lacebark Elm
CE	Cedar Elm
RB	Forest Pansy Redbud
SO	Shumard Red Oak
DHG	Dwarf Hameln Grass
DWM	Dwarf Wax Myrtle
LOR	Loropetalum 'Plum Delight'
MIS	Miscanthus 'Adagio'
NRS	Nellie R. Stevens Holly
SY	Softleaf Yucca
BS	Berkeley Sedge
MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

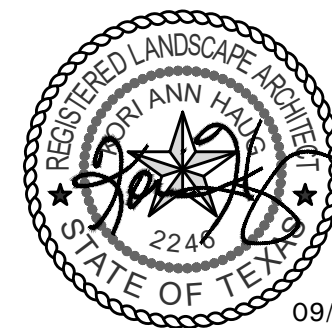
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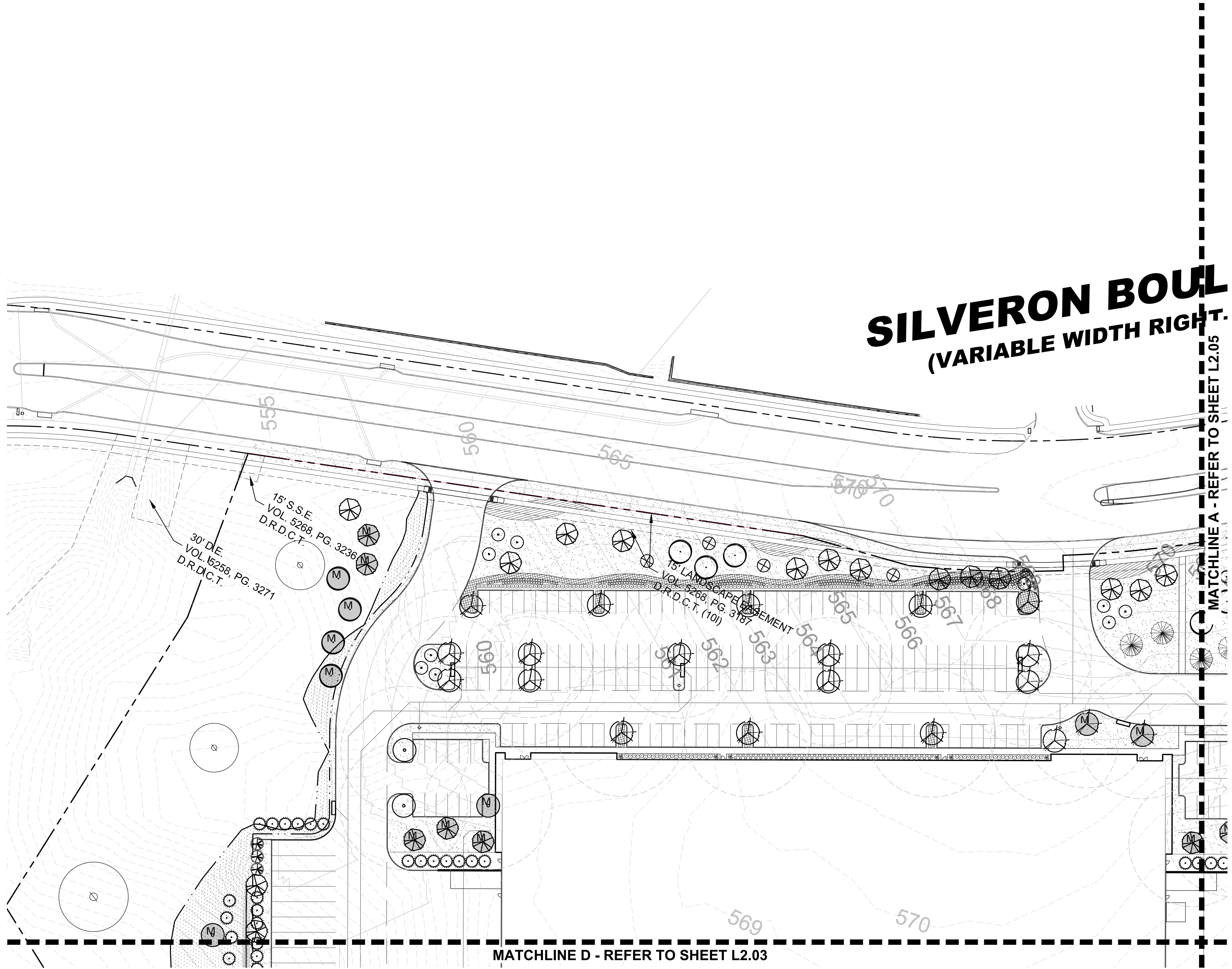
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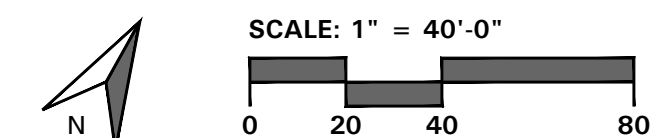
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PLAN

SHEET NUMBER

L2.03



- MITIGATION TREE LEGEND**
- M. MITIGATION TREE (233) TOTAL
- PLANT LEGEND**
- | SYMBOL | COMMON NAME |
|--------|--------------------------------|
| AP | Afghan Pine |
| CO | Chinkapin Oak |
| VT | Vitex |
| BO | Bur Oak |
| LO | Live Oak |
| ERC | Eastern Redcedar |
| LE | Lacebark Elm |
| CE | Cedar Elm |
| RB | Forest Pansy Redbud |
| SO | Shumard Red Oak |
| DHG | Dwarf Hameln Grass |
| DWM | Dwarf Wax Myrtle |
| LOR | Loropetalum 'Plum Delight' |
| MIS | Miscanthus 'Adagio' |
| NRS | Nellie R. Stevens Holly |
| SY | Softleaf Yucca |
| BS | Berkeley Sedge |
| MFG | Mexican Feathergrass |
| | Common Bermudagrass Solid Sod |
| | Common Bermudagrass Hydromulch |
- REFER TO PLANT LIST L2.00



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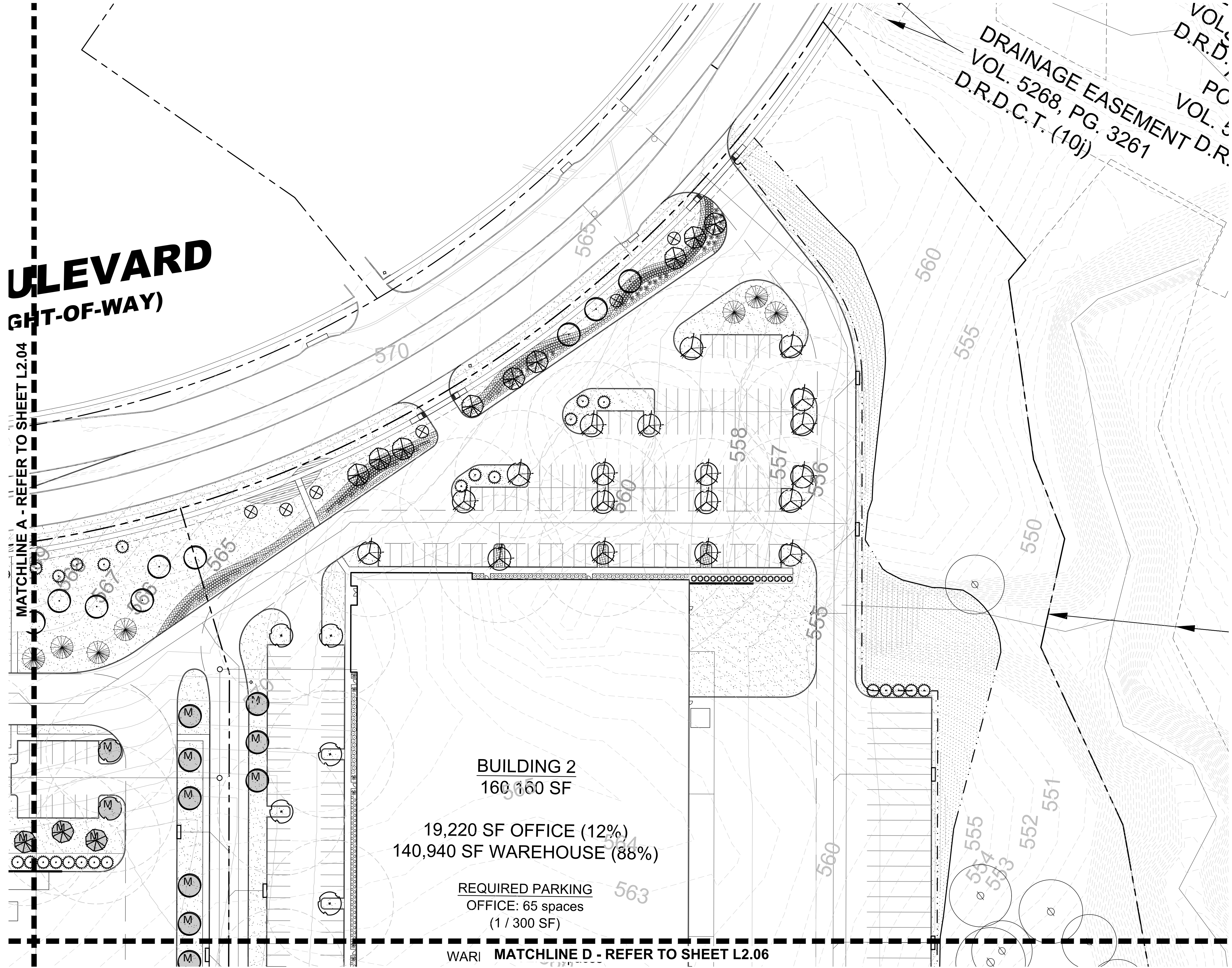
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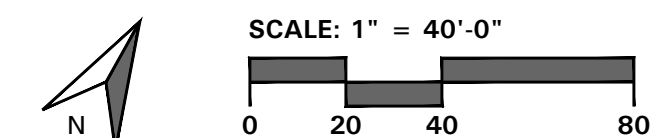
MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afghan Pine
CO	Chinkapin Oak
VT	Vitex
BO	Bur Oak
LO	Live Oak
ERC	Eastern Redcedar
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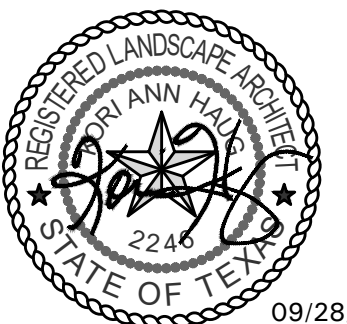
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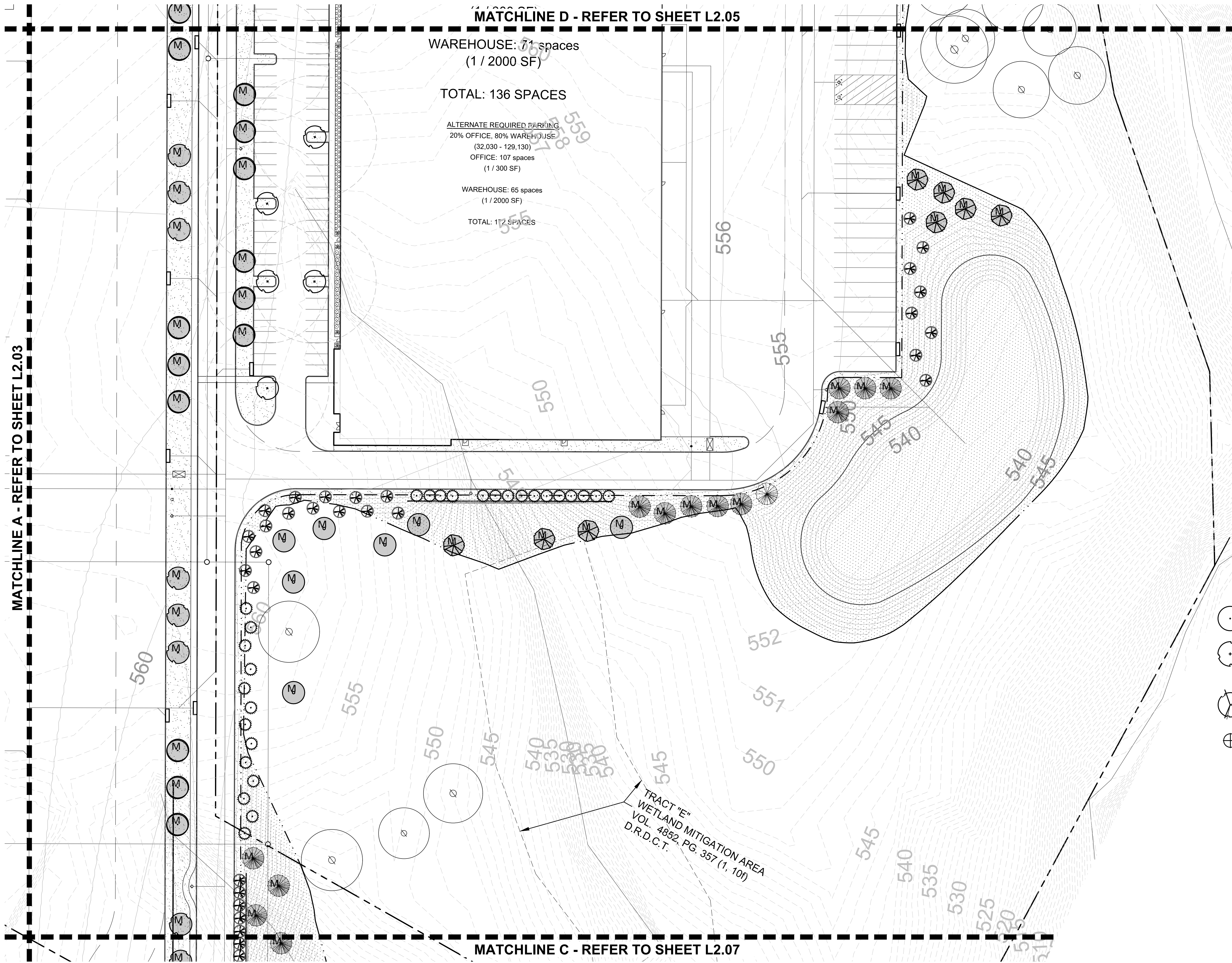
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LANDSCAPE
PLAN

SHEET NUMBER

L2.05



MITIGATION TREE LEGEND

M. MITIGATION TREE
(233) TOTAL

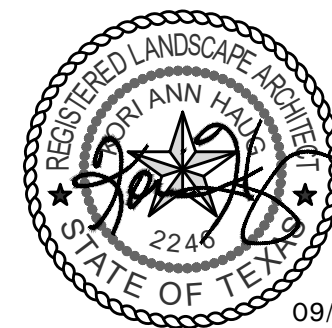
PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afghan Pine
CO	Chinkapin Oak
VT	Vitex
BO	Bur Oak
LO	Live Oak
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BS	Berkeley Sedge
MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

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LANDSCAPE PLAN

ISSUANCES

DRAWING INFORMATION

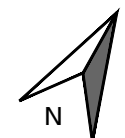
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DRAWING / SHEET TITLE

LANDSCAPE
PLAN

SHEET NUMBER

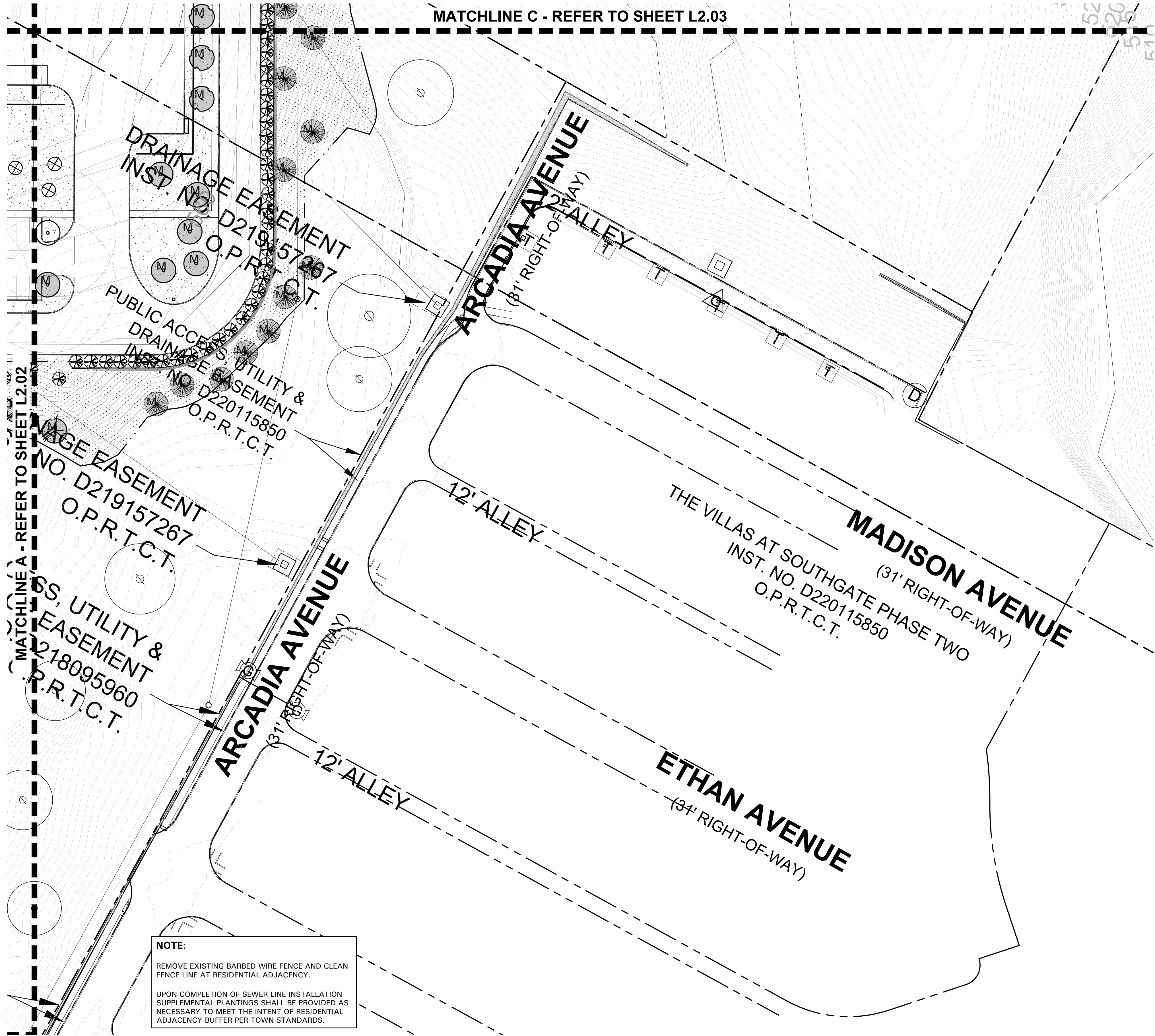
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MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afgan Pine
CO	Chinkapin Oak
VT	Vitex
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MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

REFER TO PLANT LIST L2.00

N

SCALE: 1" = 40'-0"

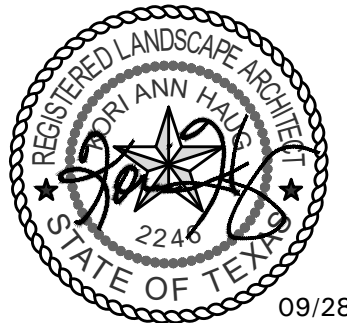
0 20 40 80

BELLE FIRMA

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09/28/21
Professional Seal

SILVERON
FLOWER MOUND, TEXAS

LANDSCAPE PLAN

ISSUANCES

DRAWING INFORMATION

Scale: 1"= 40'-0"
Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

LANDSCAPE
PLAN

SHEET NUMBER

L2.07

SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

- A. Refer to Landscape Plans, notes, details, bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

- A. Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

- Planting (trees, shrubs and grasses)
- Bed preparation and fertilization
- Notification of sources
- Water and maintenance until final acceptance
- Guarantee

1.3 REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen: April 14, 2014 Edition; by American National Standards Institute, Inc. (Z60.1) – plant material
- B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.
- C. Texas Association of Nurserymen, Grades and Standards
- D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

- A. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, crushed stone, steel edging and tree stakes. Samples shall be approved by Owner's Authorized Representative before use on the project.

1.5 JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below final finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the final finish grade of sidewalks, drives and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
- B. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

- A. Maintenance:
- The Landscape Contractor shall be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show healthy growth and satisfactory foliage conditions.
 - Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, moving of grass, cleaning up and all other work necessary of maintenance.
 - A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by the Owner's Authorized Representative will be completed prior to written acceptance.
- B. Guarantee:

- Trees, shrubs and groundcover shall be guaranteed for a twelve (12) month period after final acceptance. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry have been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.

- Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
- At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
- When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and re-inspected for full compliance with the contract requirements. All replacements are to be included under "Work" of this section.

- The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
- The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
- Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a complete, undamaged condition and there is a stand of grass in all lawn areas. At that time, the Owner will assume maintenance on the accepted work.

- C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting. In the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense to the Landscape Contractor.

1.7 QUALITY ASSURANCE

- A. General: Comply with applicable federal, state, county and local regulations governing landscape materials and work.
- B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.
- C. Selection of Plant Material:
- Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will ensure the purchased materials will meet and / or exceed project specifications.
 - Substitutions: Do not make plant material substitutions. If the specified landscape material is not obtainable, submit proof of non-availability to Landscape Architect, together with proposal for use of equivalent material. At the time bids are submitted, the Contractor is assumed to have located the materials necessary to complete the job as specified.
 - Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
 - Measurements: Measure trees with branches and trunks or canes in their normal position. Do not prune to obtain required sizes. Take caliper measurements six inches above ground for trees up to and including 4" caliper size, and twelve inches above ground for larger sizes. Measure main body of all plant material of height and spread dimensions.

do not measure from branch or root tip-to-tip.

- Owner's Authorized Representative shall inspect all plant material with requirements for genus, species, cultivar / variety size and quality.
- Owner's Authorized Representative retains the right to further inspect all plant material upon arrival to the site and during installation for size and condition of root balls and root systems, limbs, branching habit, insects, injuries and latent defects.
- Owner's Authorized Representative may reject unsatisfactory or defective material at any time during the process work. Remove rejected materials immediately from the site and replace with acceptable material at no additional cost to the Owner. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

- Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape and future development.

- Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

B. Delivery:

- Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored on site.
- Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
- Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
- Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
- Notify Owner's Authorized Representative of delivery schedule 72 hours in advance job site.
- Remove rejected plant material immediately from job site.
- To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

- A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Owner's Authorized Representative and his decision as to their acceptability shall be final.
- B. Quantities: The drawings and specifications are complementary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.
- C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae, and are to be of specimen quality.
- D. Approval: All plants which are found unsuitable in growth, or are in any unhealthy, badly shaped or undersized condition will be rejected by the Owner's Authorized Representative either before or after planting and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plant as specified at no additional cost to the Owner.

specified at no additional cost to the Owner.

- Trees shall be healthy, full-branched, well-shaped, and shall meet the minimum trunk and diameter requirements of the plant schedule. Balls shall be firm, neat, slightly tapered and well wrapped in burlap. Any tree loose in the ball or with a broken root ball at time of planting will be rejected. Balls shall be ten (10") inches in diameter for each one (1") inch of trunk diameter, measured six (6") inches above ball. (Nomenclature confirms to the customary nursery usage. For clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.)

- Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect prior to final acceptance, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

- Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
- Physical properties as follows:
 - Clay – between 7-27 percent
 - Silt – between 15-25 percent
 - Sand – less than 52 percent
- Organic matter shall be 3%-10% of total dry weight.

- If requested, Landscape Contractor shall provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of coarse and fine textured material.

- C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.

- D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

- E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.

- F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

- G. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulfur and 4% iron, plus micronutrients.

- H. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

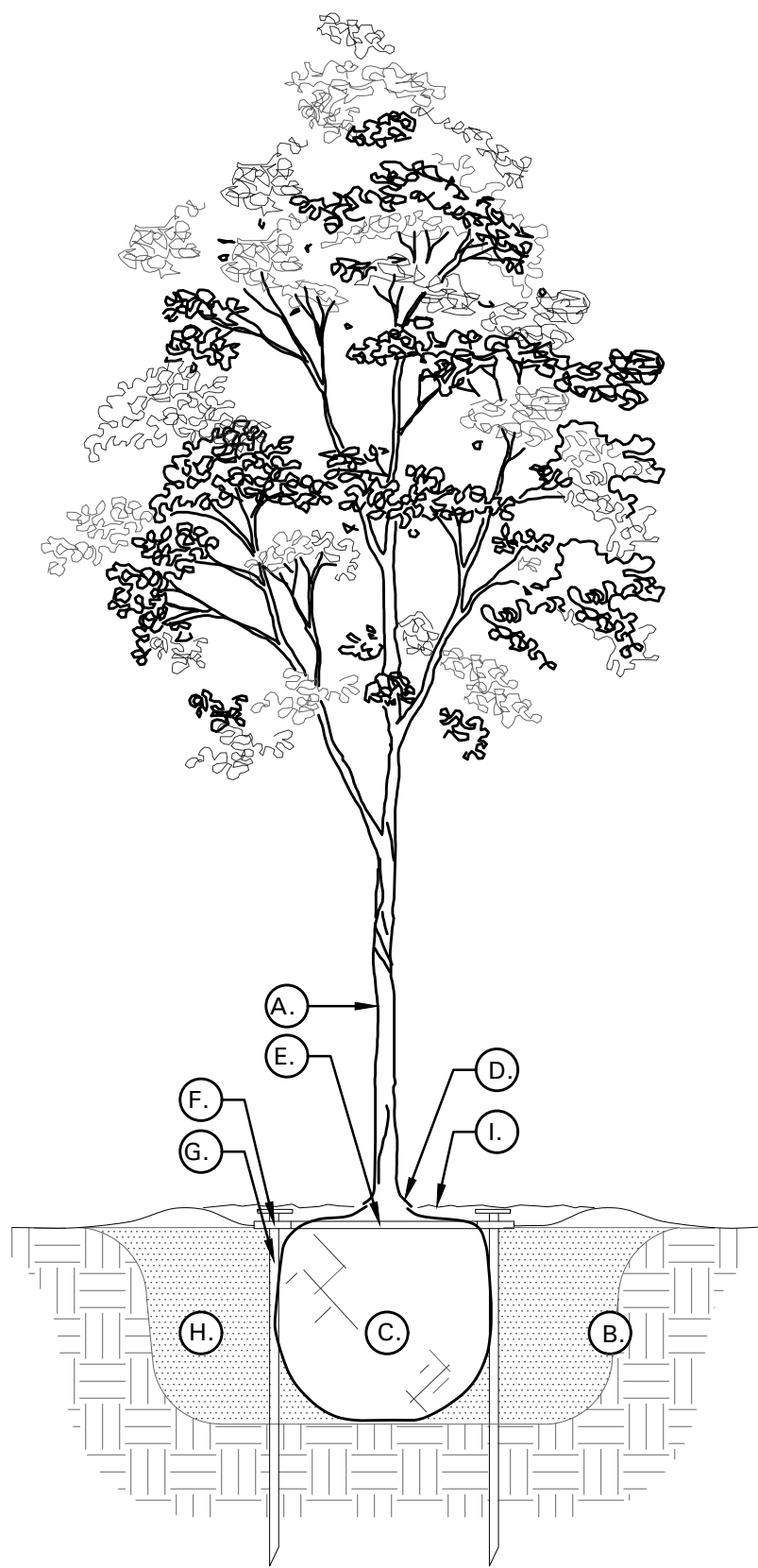
- A. Steel Edging: All steel edging shall be 3/16" thick x 4" deep x 16' long with 6 stakes per section, painted black at the factory as manufactured by The J.D. Russell Company and under its trade name DURAEEDGE Heavy Duty Steel.

- B. Staking Material for Shade Trees: refer to details.

- C. Gravel: Washed native pea gravel, graded 1 inch to 1-1/2 inch.

- D. Filter Fabric: 'Mirafi Mirascape' by Mirafi Construction Products available at Lone Star Products, Inc., (469) 523-0444 or approved equal.

- E. River Rock: 'Colorado' or native river rock, 2" - 4" dia.



TREE PLANTING DETAIL LEGEND AND NOTES

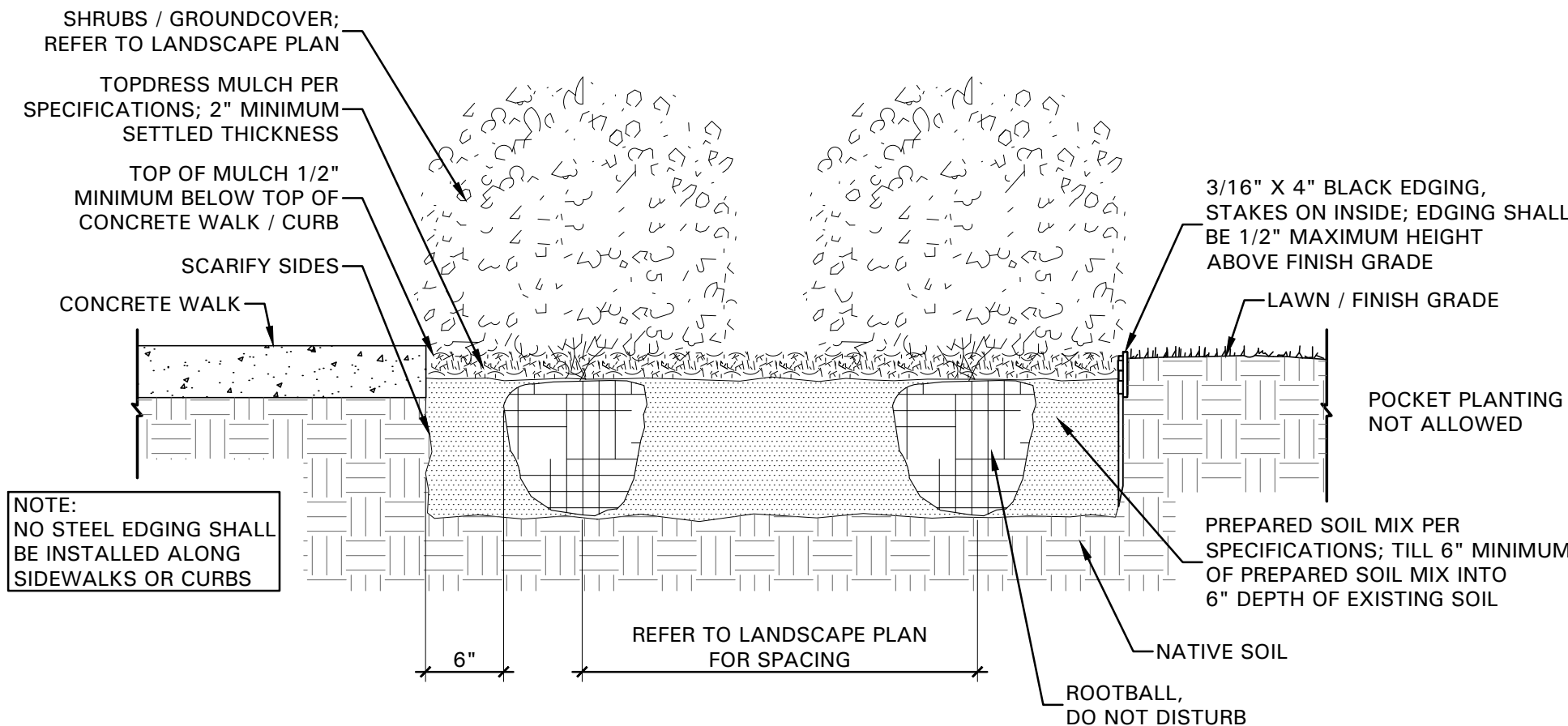
- A. TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK. www.anla.org
- B. TREE PIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.
- C. ROOT BALL: REMOVE TOP 1/2 BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.
- D. ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED, FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE. TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.
- E. ROOTBALL ANCHOR RING: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. PLACE ROOTBALL ANCHOR RING ON BASE OF ROOTBALL. TRUNK SHOULD BE IN THE CENTER OF THE RING.
- F. ROOT ANCHOR BY TREE STAKE SOLUTIONS.
- G. NAIL STAKE: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. INSTALL NAIL STAKES WITH HAMMER OR MALLET FIRMLY INTO UNDISTURBED GROUND. DRIVE NAIL STAKES FLUSH WITH "U" BRACKET ADJACENT TO ROOTBALL (DO NOT DISTURB ROOTBALL).

- H. BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.
- I. MULCH: DOUBLE SHREDDED HARDWOOD MULCH 2 INCH SETTLED THICKNESS. WITH 2" HT. WATERING RING; ENSURE THAT ROOT FLARE IS EXPOSED. BELOW GROUND STAKE SHOULD NOT BE VISIBLE.

- J. TREE STAKES: TREE STAKE SOLUTIONS 'SAFETY STAKE' BELOW GROUND MODEL AVAILABLE FROM: Tree Stake Solutions ATTN: Jeff Tuley (903) 676-6143 jeff@treestakesolutions.com www.treestakesolutions.com

OR APPROVED EQUAL. TREES SHALL BE STAKED BELOW GROUND WHERE NECESSARY; ABOVE GROUND STAKING IS EXPRESSLY PROHIBITED.

- K. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO INSTALLATION OF TREE STAKES. CONTRACTOR SHALL ADHERE TO MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND OTHER REQUIREMENTS FOR TREE STAKE INSTALLATION.



tree planting detail as approved by the Landscape Architect if the percolation test fails.

- Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/2 of the ball, as well as all nylon, plastic string and wire. Container trees will usually be root bound, if so follow standard nursery practice of 'root scoring'.

- Do not wrap trees.

- Do not over prune.

- Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

- All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

- Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

- Trees and large shrubs shall be staked as site conditions require. Position stakes to secure trees against seasonal prevailing winds.

- Pruning and Mulching: Pruning shall be directed by the Landscape Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by the National Arborist Association.

- Dead wood, suckers, broken and badly bruised branches shall be removed. General tipping of the branches is not permitted. Do not cut terminal branches.
- Pruning shall be done with clean, sharp tools.
- Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.

- Steel Curbing Installation:

- Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
- All steel curbing shall be free of kinks and abrupt bends.
- Top of curbing shall be 1/2" maximum height above final finished grade.
- Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
- Do not install steel edging along sidewalks or curbs.
- Cut steel edging at 45 degree angle where edging meets sidewalks or curbs.

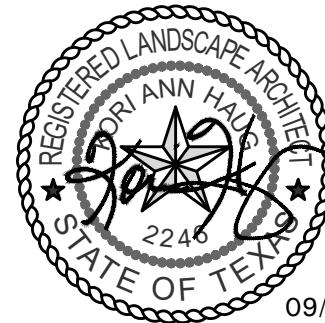
3.3 CLEANUP AND ACCEPTANCE

- Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized so that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing them at end of each work day.

END OF SECTION



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09/28/21

Professional Seal

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FLOWER MOUND, TEXAS

LANDSCAPE SPECIFICATIONS

ISSUANCES

DRAWING INFORMATION

Scale: 1"= 40'-0"
Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

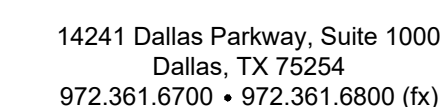
LANDSCAPE
SPECIFICATIONS AND DETAILS

SHEET NUMBER

L2.08

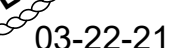


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Client / Consultant 2

MEINHARDT & ASSOCIATES ARCHITECTS P.L.L.C.
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972-980-8980



Professional Seal

SILVERON
FLOWER MOUND, TEXAS
PROPOSED ELEVATION

PROPOSED ELEVATION

ISSUANCES

	NORTH ELEVATION GLASS	08-25-21
	ADD SCREEN WALL	08-09-21
	ZPD SUBMITTAL	03-22-21
#	Description	Date

DRAWING INFORMATION

Scale:
Date: 02-22-2011
Checked By:
Drawn By:
Duke Realty Job #:
A/E Job #:

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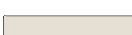
Town Approval

SHEET NUMBER

A6.01



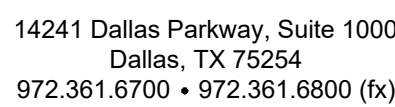
COLOR SELECTION KEY

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	STONE: LONE STAR STONE YOSEMITE LEDGE		SPANDREL GLAZING
	STONE (DARK BASE): LONE STAR STONE YOSEMITE LEDGE		TINTED VISION GLAZING
			 MTL. ACCENT CANOPY

MATERIAL USE TABLE

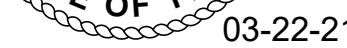
	MATERIAL	NORTH ELEV.	SOUTH ELEV.	EAST ELEV.	WEST ELEV.
1.	TOTAL FACADE S.F.	24,176 S.F.	24,176 S.F.	44,475 S.F.	44,475 S.F.
2.	FACADE (EXCLUSIVE OF DOOR, WINDOWS/LOUVERS)	18,182 S.F.	20,454 S.F.	36,602 S.F.	36,602 S.F.
3.	DOORS AND WINDOWS S.F.	5,994 S.F.	3,722 S.F.	7,873 S.F.	7,873 S.F.
4.	PRIMARY MASONRY TOTALS - (MIN. 80%)	18,182 S.F. / 100%	20,454 S.F. / 100%	36,602 S.F. / 100%	36,602 S.F. / 100%
	*CONC. WALL S.F.	12,462 S.F. / 69%	14,734 S.F. / 72%	30,762 S.F. / 84%	30,762 S.F. / 84%
	*TEXTURED STONE S.F.	1,934 S.F. / 10%	1,934 S.F. / 9%	2,596 S.F. / 7%	2,596 S.F. / 7%
	*RECESSED FORM LINER S.F.	3,786 S.F. / 20%	3,786 S.F. / 18%	3,244 S.F. / 8%	3,244 S.F. / 8%
5.	SECONDARY - METAL ACCENT S.F.	220 SF / 1%	220 S.F. / 1%	120 S.F. / 0.3%	120 S.F. / 0.3%

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



Client / Consultant 2

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FLOWER MOUND, TEXAS
PROPOSED ELEVATION

PROPOSED ELEVATION

ISSUANCES

	NORTH ELEVATION GLASS	08-25-21
	ADD SCREEN WALL	08-09-21
	ZPD SUBMITTAL	03-22-21
#	Description	Date

DRAWING INFORMATION

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Date: 02-22-2021
Checked By:
Drawn By:
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

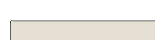
Town Approval

SHEET NUMBER

A6.01-b/w



COLOR SELECTION KEY

	FIELD COLOR PAINT: FOCUS PPG1008-1		FIELD CUT PATTERN ACCENT PAINT 1: PORTABELLA PPG15-32
	STONE: LONE STAR STONE YOSEMITE LEDGE		SPANDREL GLAZING
	STONE (DARK BASE): LONE STAR STONE YOSEMITE LEDGE		TINTED VISION GLAZING
			 MTL. ACCENT CANOPY

MATERIAL USE TABLE

<u>MATERIAL</u>	<u>NORTH ELEV.</u>	<u>SOUTH ELEV.</u>	<u>EAST ELEV.</u>	<u>WEST ELEV.</u>	
1. TOTAL FACADE S.F.	24,176 S.F.	24,176 S.F.	44,475 S.F.	44,475 S.F.	
2. FACADE (EXCLUSIVE OF DOOR, WINDOWS/LOUVERS)	18,182 S.F.	20,454 S.F.	36,602 S.F.	36,602 S.F.	
3. DOORS AND WINDOWS S.F.	5,994 S.F.	3,722 S.F.	7,873 S.F.	7,873 S.F.	
4. PRIMARY MASONRY TOTALS - (MIN. 80%)	18,182 S.F. / 100%	20,454 S.F. / 100%	36,602 S.F. / 100%	36,602 S.F. / 100%	
*CONC. WALL S.F.	12,462 S.F. / 69%	14,734 S.F. / 72%	30,762 S.F. / 84%	30,762 S.F. / 84%	
*TEXTURED STONE S.F.	1,934 S.F. / 10%	1,934 S.F. / 9%	2,596 S.F. / 7%	2,596 S.F. / 7%	
*RECESSED FORM LINER S.F.	3,786 S.F. / 21%	3,786 S.F. / 18%	3,244 S.F. / 8%	3,244 S.F. / 8%	
5. SECONDARY - METAL ACCENT S.F.	220 SF / 1%	220 S.F. / 1%	120 S.F. / 0.3%	120 S.F. / 0.3%	

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



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Client / Consultant 1

Client / Consultant 2

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03-22-21
Professional Seal

SILVERON
FLOWER MOUND, TEXAS

PROPOSED ELEVATION

ISSUANCES

NORTH ELEVATION GLASS 08025-21

#	Description	Date

DRAWING INFORMATION

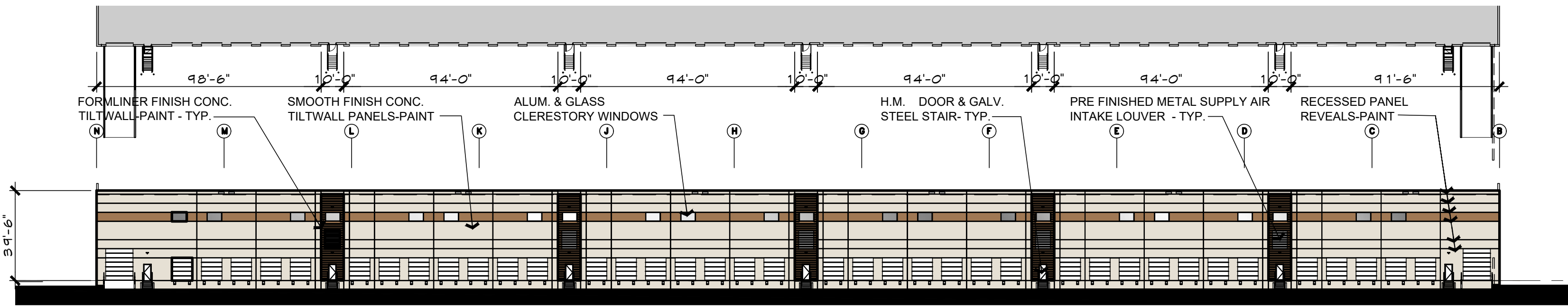
Scale:
Date: 02-22-2021
Checked By:
Drawn By:
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

Town Approval

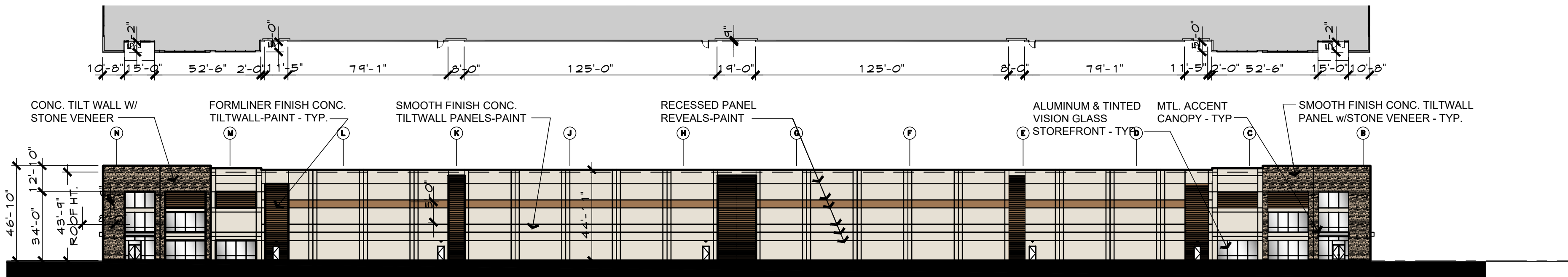
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A6.02



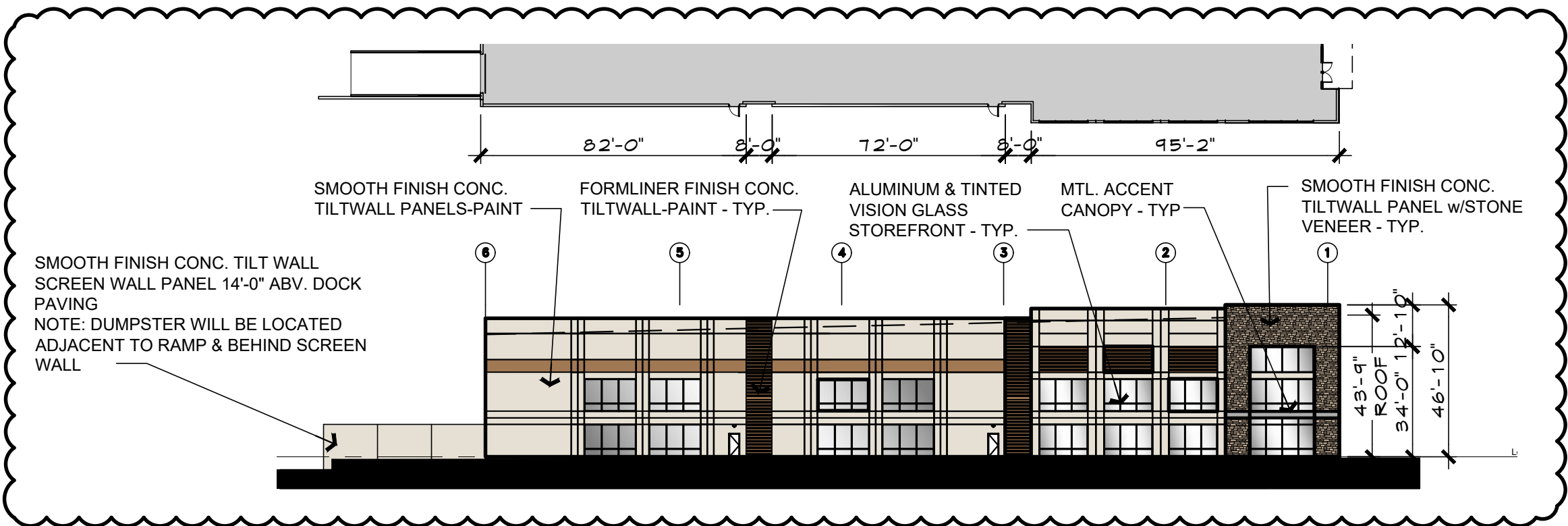
01 EAST ELEVATION-BUILDING 2

0 20' 60' 120'



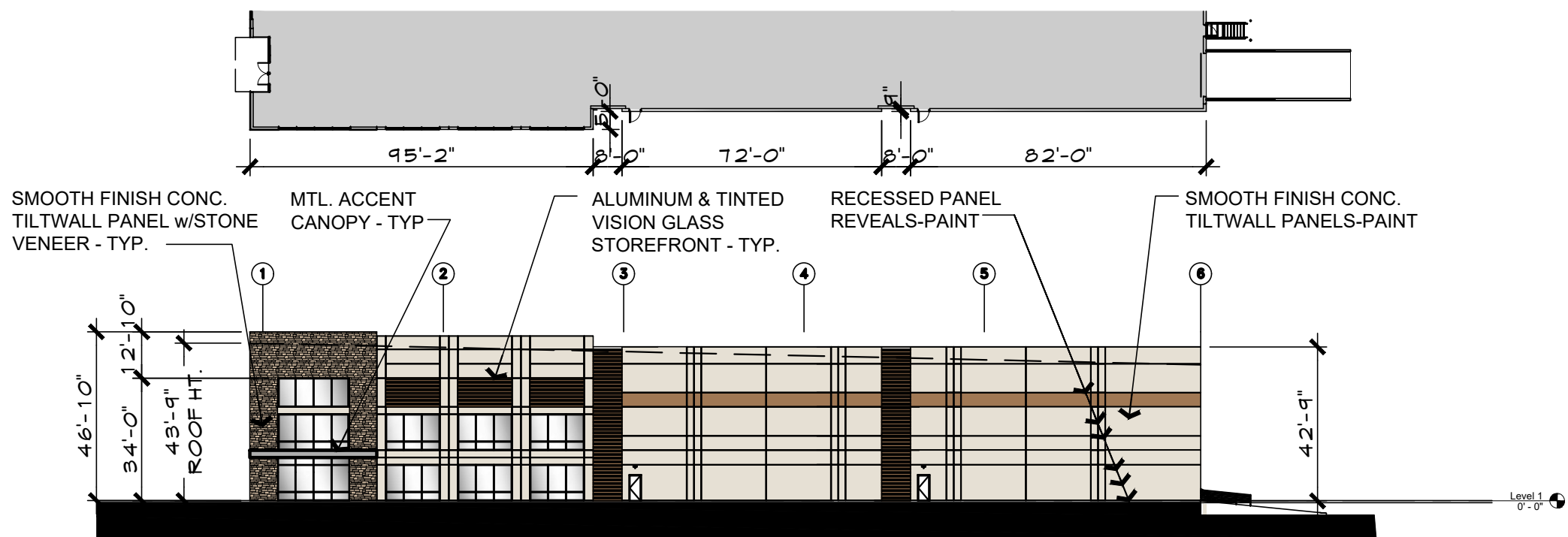
02 WEST ELEVATION-BUILDING 2

0 20' 60' 120'



03 NORTH ELEVATION-BUILDING 2

0 20' 60' 120'



04 SOUTH ELEVATION-BUILDING 2

0 20' 60' 120'

COLOR SELECTION KEY

	FIELD COLOR PAINT: FOCUS PPG1008-1		FIELD CUT PATTERN ACCENT PAINT 1: PORTABELLA PPG15-32
	STONE: LONE STAR STONE YOSEMITE LEDGE		SPANDREL GLAZING
	STONE (DARK BASE): LONE STAR STONE YOSEMITE LEDGE		TINTED VISION GLAZING
			MTL. ACCENT CANOPY

MATERIAL USE TABLE

MATERIAL	NORTH ELEV.	SOUTH ELEV.	EAST ELEV.	WEST ELEV.
1. TOTAL FACADE S.F.	11,580 S.F.	11,580 S.F.	26,802 S.F.	28,355 S.F.
2. FACADE (EXCLUSIVE OF DOOR, WINDOWS/LOUVERS)	8,950 S.F.	10,158 S.F.	22,092 S.F.	26,090 S.F.
3. DOORS AND WINDOWS S.F.	2,630 S.F.	1,422 S.F.	4,710 S.F.	2,265 S.F.
4. PRIMARY MASONRY TOTALS - (MIN. 80%)	8,950 S.F. / 100%	10,158 S.F. / 100%	22,092 S.F. / 100%	26,090 S.F. / 100%
*CONC. WALL S.F.	7,218 S.F. / 78%	8,426 S.F. / 83%	20,212 S.F. / 91%	21,894 S.F. / 84%
*TEXTURED STONE S.F.	967 S.F. / 9%	967 S.F. / 9%	-	2,600 S.F. / 10%
*CONC. FIELD CUT PATTERN S.F.	765 S.F. / 11%	765 S.F. / 11%	1,880 S.F. / 8%	1,596 S.F. / 6%
5. SECONDARY - METAL ACCENT S.F.	100 S.F. / 1%	100 S.F. / 1%	-	120 S.F. / 0.4%

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

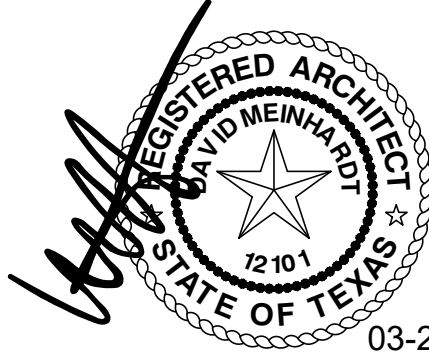


14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 • 972.361.6800 (fx)

Client / Consultant 1

Client / Consultant 2

MEINHARDT & ASSOCIATES ARCHITECTS P.L.L.C.
14643 DALLAS PARKWAY, SUITE 636
DALLAS, TEXAS 75254
972-980-8980



03-22-21
Professional Seal

SILVERON
FLOWER MOUND, TEXAS

PROPOSED ELEVATION

ISSUANCES

NORTH ELEVATION GLASS 08025-21
ZPD SUBMITTAL 03-22-21
Description Date

DRAWING INFORMATION

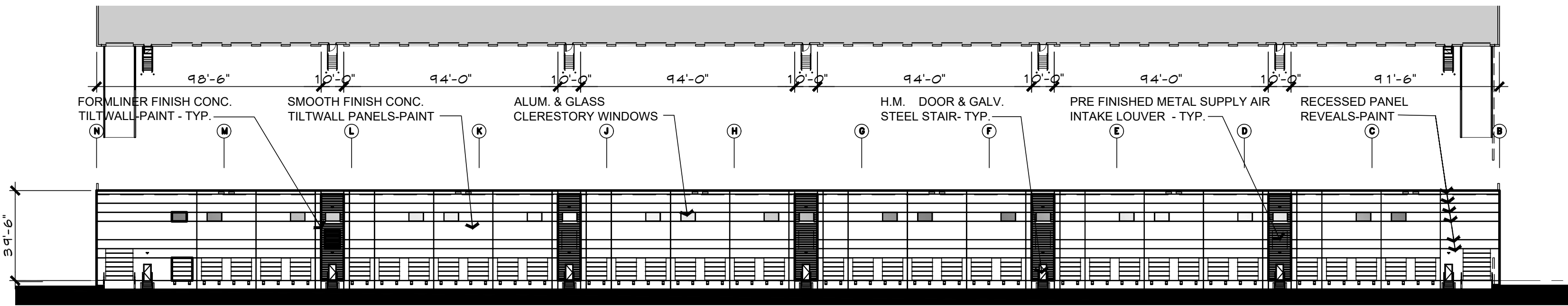
Scale:
Date: 02-22-2021
Checked By:
Drawn By:
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

Town Approval

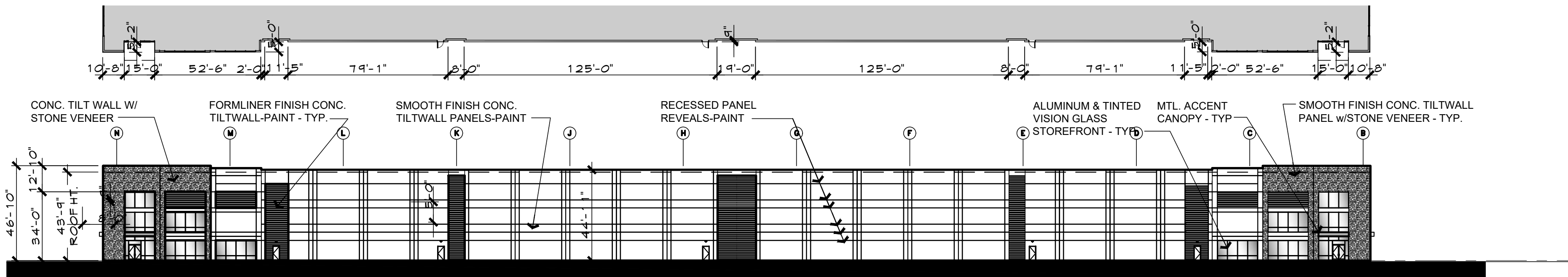
SHEET NUMBER

A6.02-b/w



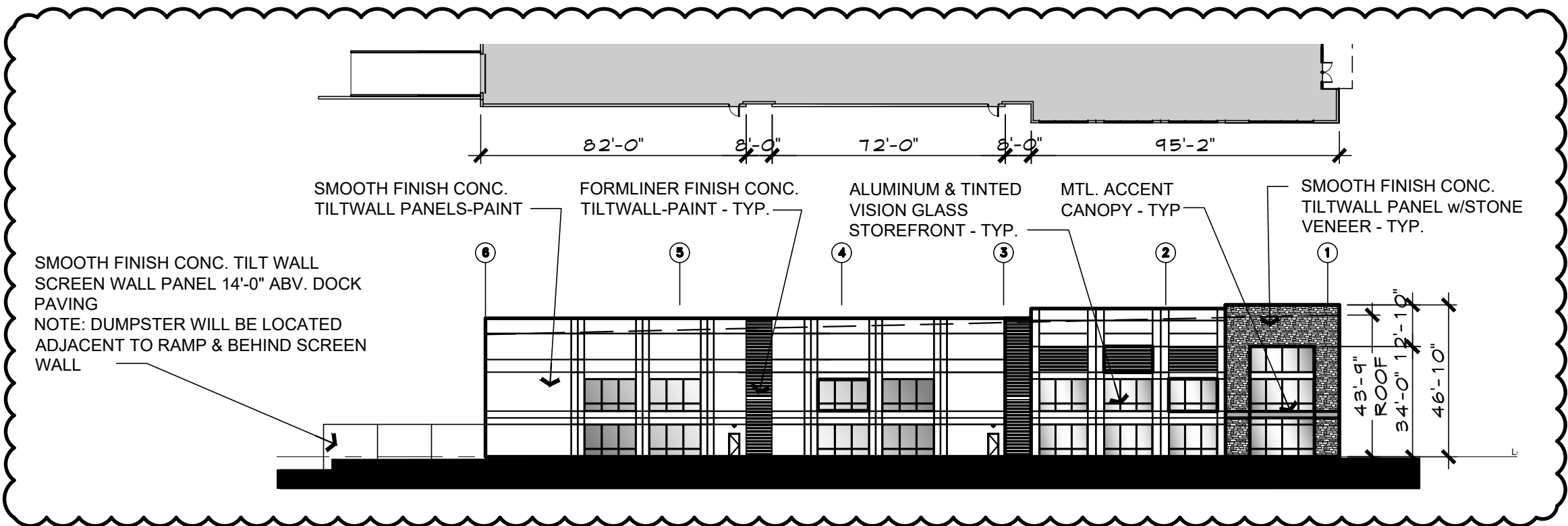
01 EAST ELEVATION-BUILDING 2

0 20' 60' 120'



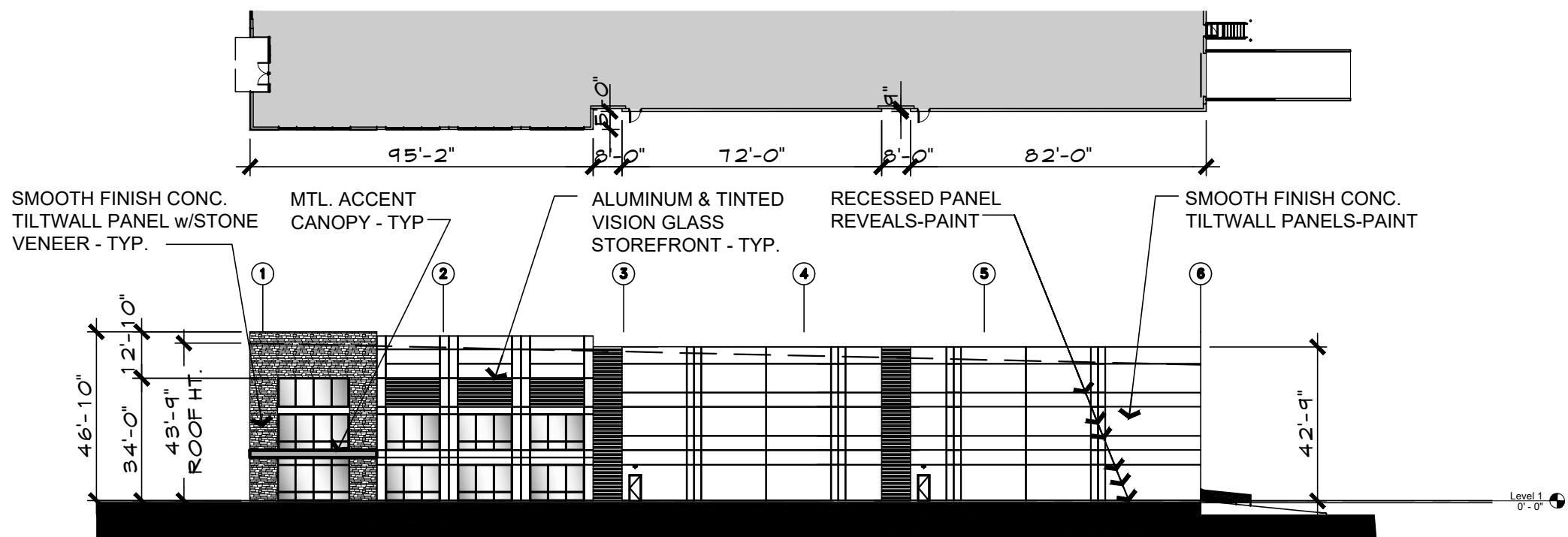
02 WEST ELEVATION-BUILDING 2

0 20' 60' 120'



03 NORTH ELEVATION-BUILDING 2

0 20' 60' 120'



04 SOUTH ELEVATION-BUILDING 2

0 20' 60' 120'

COLOR SELECTION KEY

	FIELD COLOR PAINT: FOCUS PPG1008-1		FIELD CUT PATTERN ACCENT PAINT 1: PORTABELLA PPG15-32
	STONE: LONE STAR STONE YOSEMITE LEDGE		SPANDREL GLAZING
	STONE (DARK BASE): LONE STAR STONE YOSEMITE LEDGE		TINTED VISION GLAZING
			MTL. ACCENT CANOPY

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5. SECONDARY - METAL ACCENT S.F.	100 S.F. / 1%	100 S.F. / 1%	-	120 S.F. / 0.4%

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



TOWN COUNCIL AGENDA ITEM NO. 9

REGULAR ITEM

DATE: October 4, 2021

FROM: James Hoefert, Environmental Review Analyst

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

BACKGROUND INFORMATION: The Silveron Flower Mound Duke development is generally located north of Long Prairie Road and east of Silveron Boulevard. The site is approximately 66.90 acres in size. The site is currently zoned for Campus Commercial District (CC) uses as a portion of Planned Development District No. 31 (PD-31) and master planned for the Lakeside Business District. The applicant is requesting to change the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial District (CI) uses and rezone the property to Planned Development District No. 181 (PD-181) with Campus Industrial uses. According to the tree survey for the project, the site contains eighty-four (84) specimen trees. The applicant is requesting to remove forty-eight (48) specimen trees from the site in order to build two buildings that will consist of warehouse and office uses. The specimen trees proposed for removal are located within the proposed buildable area. There are a few specimen trees listed as declining by the applicant and the condition of those trees will be re-evaluated with the record plat application. The remaining specimen trees are listed as being in good health.

The Town's tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. Based on their size, 1,284" of replacement trees, equaling 428 three-inch caliper trees, will be required for the removal of the twenty-four (24) specimen trees that are located outside of Upland Habitat on this site. The mitigation for the removal of specimen and protected trees located within the defined Upland Habitat is addressed separately through the Upland Habitat mitigation requirements. In addition, protected trees removed from the buildable area, and located outside of Upland Habitat, will also require replacement at a tree-for-tree rate. If approved, any additional protected tree mitigation / replacement will be determined with the record plat application – once final engineering has been completed for the project. As part of the applicant's mitigation plan, they are proposing to plant 233 three-inch caliper mitigation trees onsite and the remaining mitigation will be addressed through payment into the Town's Tree Preservation Fund.

BOARD REVIEW/CITIZEN FEEDBACK: This application was considered by the Environmental Conservation Commission (ECC) at its July 6, 2021, meeting. The ECC recommended approval of the requested permit to remove all forty-eight (48) specimen trees. The ECC meeting can be viewed at: <https://flowermoundtx.swagit.com/play/07062021-1260>

As of September 23, 2021, staff has not received feedback related to this item.

ALTERNATIVES/OPTIONS: The Town Council may approve or deny the requested tree removal permit or may choose to approve the permit with conditions or changes.

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent
2. Specimen tree removal permit application
3. Tree Survey
4. Landscape Plan

DRAFT MOTION: Move to approve as presented in the agenda caption.



July 2, 2021

Mr. James Hoefert

Environmental Review Analyst
Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, TX 75028

Re: **Letter of Intent – Specimen Tree Removal for Duke Silveron**
86.557 acre tract
Silveron Boulevard and Long Prairie Road (FM 2499) Flower Mound, Texas

Dear Mr. Hoefert:

Duke Realty has proposed development for a two-building development with a combined square footage of approximately 690,000 s.f. on 66.9 acres along Silveron Boulevard and Long Prairie Road (FM 2499). This is a challenging site to develop, so we are requesting to remove several specimen and protected trees. We have worked closely with the civil engineer, architect, and developer to save as many trees on site as possible.

The intent of this letter is to summarize the total amount of Specimen Trees located for the above-mentioned property and to individually identify those trees being proposed for removal along with an explanation why removal is necessary and comments on tree health if applicable. All tree information listed below references the Tree Survey Field Data, tree locations, and proposed site development as reflected on sheet L1.00, "Specimen Tree Plan" dated May 26, 2021. Also attached to this letter are labeled photos of the existing specimen trees listed below.

TREES OUTSIDE OF THE ESA

The site contains a total of thirty-three (33) Specimen Trees outside of the Environmentally Sensitive Area (ESA) and twenty-four (24) of these trees are being proposed for removal, four (4) of which are in declining condition. The remainder are identified to be in good health. The trees are individually identified with reason for removal as follows:

5360	27.8	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5361	27.2	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5362	25.3	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5374	27.8	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5375	24.7	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5376	24.1	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5377	38.1	POST OAK	<i>Quercus stellata</i>	Declining	Parking
5379	24.0	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5380	24.2	POST OAK	<i>Quercus stellata</i>	Declining	Drive Aisle
5381	24.0	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5389	25.4	POST OAK	<i>Quercus stellata</i>	Healthy	Parking
5391	26.8	CEDAR ELM	<i>Ulmus crassifolia</i>	Healthy	Drive Aisle

5392	31.2	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5393	31.9	POST OAK	<i>Quercus stellata</i>	Declining	Drive Aisle
5394	22.3	CEDAR ELM	<i>Ulmus crassifolia</i>	Healthy	Drive Aisle
5396	30.9	BLACKJACK OAK	<i>Quercus marilandica</i>	Hazard	Drive Aisle
5397	20.5	CEDAR ELM	<i>Ulmus crassifolia</i>	Healthy	Drive Aisle
5398	40.7	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5400	30.7	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5404	22.3	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5405	27.8	POST OAK	<i>Quercus stellata</i>	Healthy	Parking Lot
5406	24.3	POST OAK	<i>Quercus stellata</i>	Healthy	Parking Lot
5407	26.5	BLACKJACK OAK	<i>Quercus marilandica</i>	Healthy	Parking Lot / Grading
5408	24.9	POST OAK	<i>Quercus stellata</i>	Healthy	Grading

TREES INSIDE OF THE ESA

The site contains a total of fifty (50) Specimen Trees inside the Environmentally Sensitive Area (ESA) and twenty-four (24) of these trees are being proposed for removal, four (4) of which are in declining condition. The remainder are identified to be in good health. The trees are individually identified with reason for removal as follows:

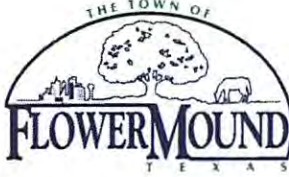
2299	23.1	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5365	23.8	POST OAK	<i>Quercus stellata</i>	Declining	Grading / Utility
5371	23.5	POST OAK	<i>Quercus stellata</i>	Declining	Parking
5409	32.1	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5410	19.4	CEDAR ELM	<i>Ulmus crassifolia</i>	Declining	Building
5411	25.8	POST OAK	<i>Quercus stellata</i>	Healthy	Building
5412	25.9	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5414	32.5	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5415	22.5	POST OAK	<i>Quercus stellata</i>	Healthy	Parking
5416	23.2	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5417	22.9	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5418	22.7	POST OAK	<i>Quercus stellata</i>	Healthy	Grading / Utility
5421	22.9	POST OAK	<i>Quercus stellata</i>	Healthy	Grading / Utility
5426	23.6	POST OAK	<i>Quercus stellata</i>	Healthy	Building
5427	25.3	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5428	22.3	BLACKJACK OAK	<i>Quercus marilandica</i>	Declining	Drive Aisle
5429	27.5	POST OAK	<i>Quercus stellata</i>	Healthy	Parking
5430	23.6	POST OAK	<i>Quercus stellata</i>	Healthy	Parking
5432	28.8	POST OAK	<i>Quercus stellata</i>	Healthy	Building
5439	25.4	POST OAK	<i>Quercus stellata</i>	Healthy	Grading
5441	25.9	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5442	24.0	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
5443	28.6	POST OAK	<i>Quercus stellata</i>	Healthy	Drive Aisle
8659	19.1	CEDAR ELM	<i>Ulmus crassifolia</i>	Healthy	Grading

Thank you for your time and consideration with this matter and please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kori Haug', with a stylized flourish at the end.

Kori Haug, ASLA, CLARB
President
Belle Firma, Inc.



Town of Flower Mound Environmental Services

Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028

Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/08 - present)

Check one: ☐ Protected Tree ☒ Specimen Tree ☐ Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:

Kori Haug, ASLA, CLARB - Belle Firma

Address:

4245 North Central Expy

Suite 501

Dallas, TX 75205

Phone:

214.865.7192

Applicant's Legal Interest in the Property:

Landscape Architect - Texas Registration #2246

2. Property Owner(s)

Name(s): Robert Yu - Pacific Summit Properties, LLC

Address: on behalf of PS Silveron / RMR L.P.

212 S. Palm Ave., Suite 200

Alhambra, CA 91801

3. Location and Legal Description of Property:

part of a 86.557 acre tract of land described in Special Warranty Deed to

PS Silveron / RMR. L.P., recorded in Document No. 2018-9044, Official Records, Denton County, Texas,
and Instrument No. D218017563, Official Public Records, Tarrant County, Texas

Page 2 of 3.

4. Owner's Authorization of Representation

I, Robert Yu, the owner of the above described real property, do hereby authorize Kori Haug to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.

State of California, County of Los Angeles
 Subscribed and sworn to (or affirmed) before me
 on this 25th day of May, 2021,
 by Robert Yu,
 proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.
 Signature: [Signature]

[Signature]
 Signature of Owner

Given Under My Hand and Seal of Office
 This the Day of , 20

 Notary Public
 In and For County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I
Kori Haug, do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.

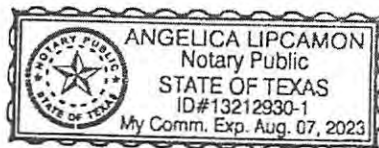
[Signature]
 Signature of Applicant

Landscape Architect License No. 2246

State of Licensure Texas

Or ISA Certified Arborist No.

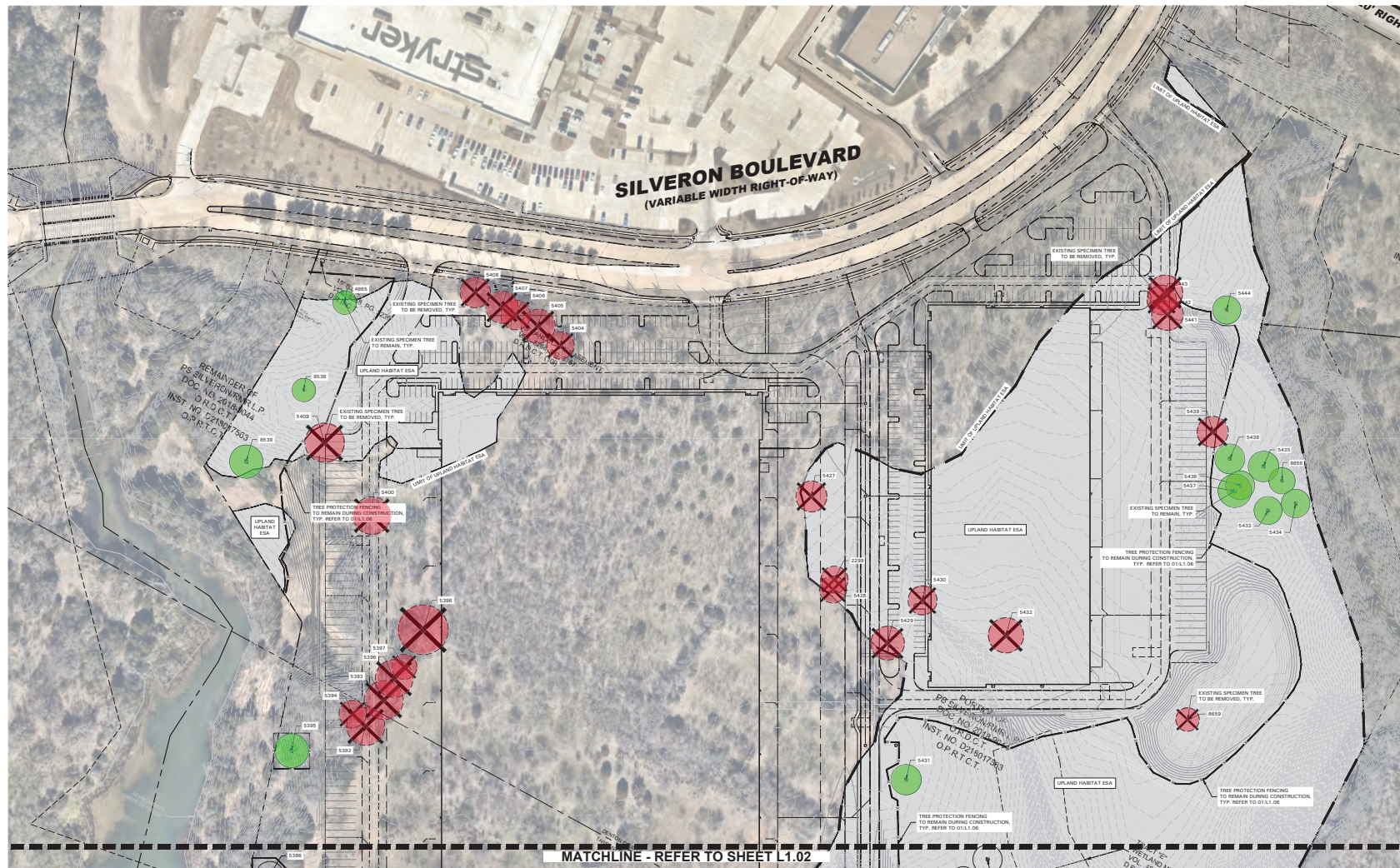
Or Certified Forester No.



Given Under My Hand and Seal of Office
 This the 24th Day of May, 2021

[Signature] Notary Public
 In and For Dallas County, Texas

6. Received by Town of Flower Mound on (Date) 5/27/2021 by
 (initials) JRH.



EXISTING TREE LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION
REFER TO 01/L1.06

UPLAND HABITAT ESA



SCALE: 1" = 80'-0"



4245 North Central Expressway
Suite 201
Dallas, Texas 75205
214.898.7182



14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (P) • 972.361.6800 (F)



06/30/21
Professional Seal

SILVERON
FLOWER MOUND, TEXAS

TREE PRESERVATION PLAN

ISSUANCES

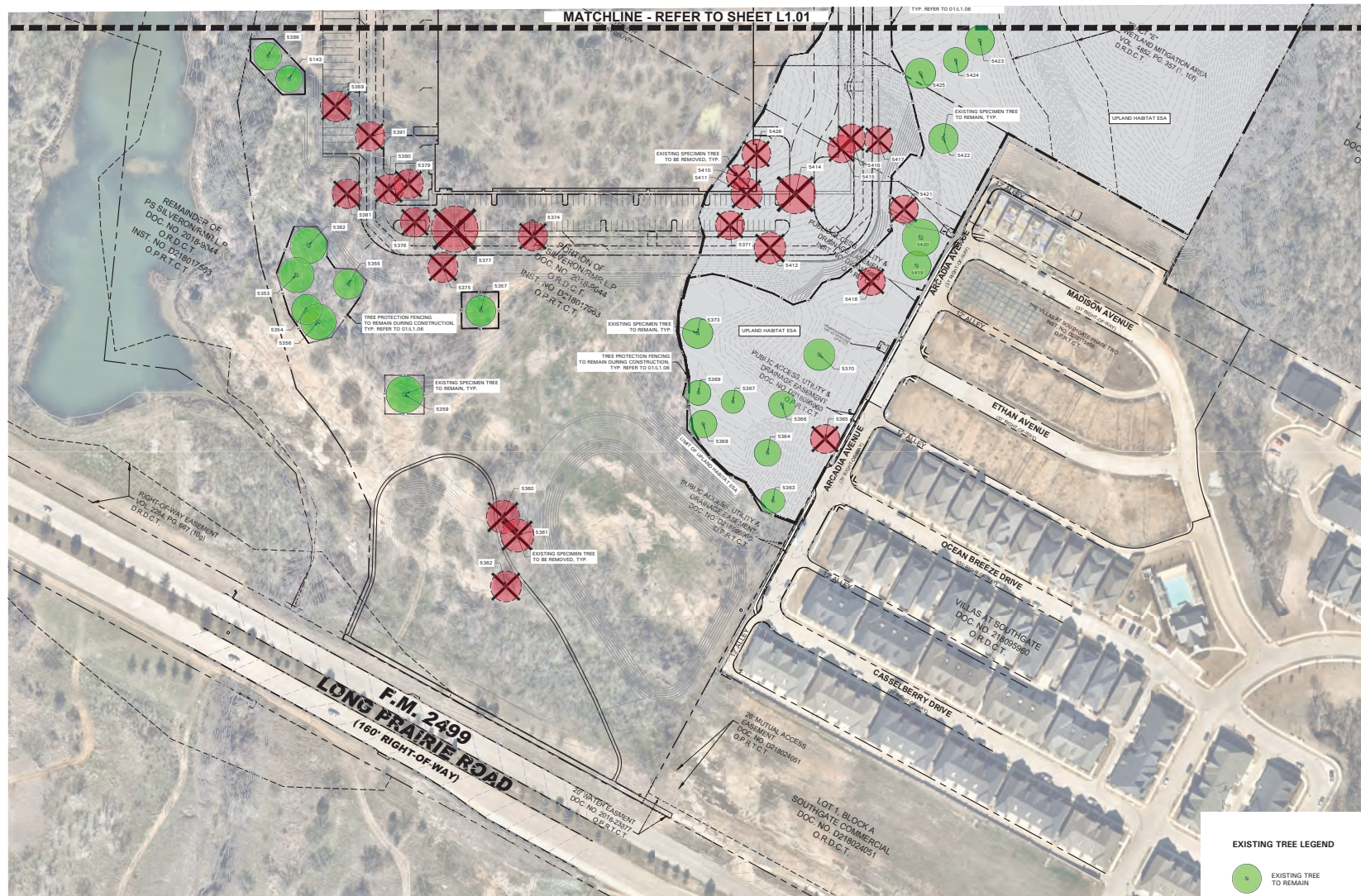
DRAWING INFORMATION

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Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #:
AVE Job #:

DRAWING / SHEET TITLE
TREE PRESERVATION
PLAN

SHEET NUMBER

L1.01



EXISTING TREE LEGEND

-  EXISTING TREE TO REMAIN
-  EXISTING TREE TO BE REMOVED

 TREE PROTECTION FENCING
 TO REMAIN DURING CONSTRUCTION
 REFER TO 01/L1.06

 UPLAND HABITAT ESA

* 4245 North Central Express
 * Suite 501
 * Dallas, Texas 75205
 * 214.888.7192



Duke
REALTY

14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (p) • 972.361.6800 (f)



Professional Seal

SILVERON
FLOWER MOUND, TEXAS

TREE PRESERVATION PLAN

ISSUANCES

[illegible]

DRAWING INFORMATION

Scale: 1"=80'-0"
Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #:
A/E Job #:

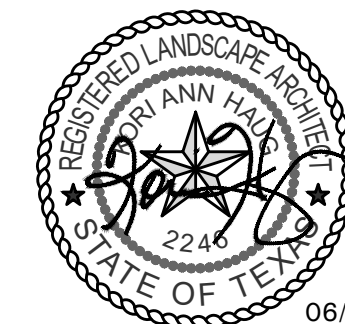
DRAWING / SHEET TITLE
TREE PRESERVATION
PLAN

SHEET NUMBER

L1.02



14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (p) • 972.361.6800 (f)



Professional Seal

SILVERON
FLOWER MOUND, TEXAS

OVERALL LANDSCAPE PLAN

ISSUANCES

DRAWING INFORMATION

Scale: 1"=150'-0"
Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #: A/E Job #:

DRAWING / SHEET TITLE

OVERALL
LANDSCAPE PLAN

SHEET NUMBER

L2.00

THE TOWN OF FLOWER MOUND - LAKESIDE BUSINESS DISTRICT (Campus Industrial)			
STREET YARD LANDSCAPING			
STANDARD	TOTAL STREET YARD	REQUIRED	PROVIDED
Min. 20% of street yard	268,152 s.f. of Street Yard	53,630 s.f. of Street Yard	58,651 s.f. of Street Yard
STREET YARD TREES			
STANDARD	TOTAL STREET YARD (SQUARE FEET)	REQUIRED	PROVIDED
Above 110,000 s.f. = 50 Trees + 1 Tree for every 5,000 s.f. over 110,000 s.f.	268,152 s.f. of Street Yard	82 Trees (3" cal.)	88 Trees (3" cal.)
STREET BUFFER LANDSCAPING			
STANDARD		REQUIRED BUFFER WIDTH	PROVIDED
Silveron Blvd.		25 ft.	25 ft.
FM 2499		25 ft.	25 ft.
STREET BUFFER TREES			
STANDARD	STREET FRONTAGE (LINEAR FEET)	REQUIRED	PROVIDED
1 per 40 l.f.	Silveron Blvd. = 1,516 l.f.	38 Trees (3" cal.)	46 Trees (3" cal.)
	FM 2499 = 563 l.f.	14 Trees (3" cal.)	17 Trees (3" cal.)
PARKING AREA LANDSCAPING			
STANDARD	# OF PARK SPACES	REQUIRED	PROVIDED
90 s.f. per 12 spaces	555 Parking Spaces	4,163 s.f.	?? s.f.
PARKING AREA TREES			
STANDARD	# OF PARK SPACES	REQUIRED	PROVIDED
1 per 10 parking spaes	555 parking spaces	56 trees (3" cal.)	?? trees (3" cal.)
** All parking spaces to be located within 50 ft. of Parking lot tree.			
*** 30% of the required parking lot trees can be small trees.			
PARKING AREA SCREENING			
STANDARD		Landscape berm or screening shrubs	PROVIDED
All head parking to be screened from street view		3' ht. Screen	Screening shrubs (3' ht.)
OPEN SPACE REQUIREMENTS			
STANDARD	TOTAL SITE AREA (SQUARE FEET)	REQUIRED	PROVIDED
5% of the site to be open space	1,322,330 s.f	66,117 s.f.	75,108 s.f.

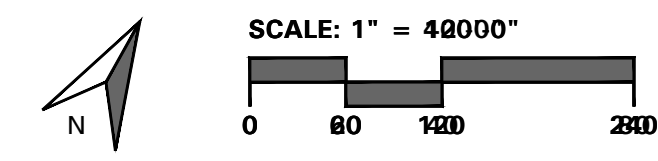
MITIGATION TREE LEGEND

M. MITIGATION TREE
(233) TOTAL

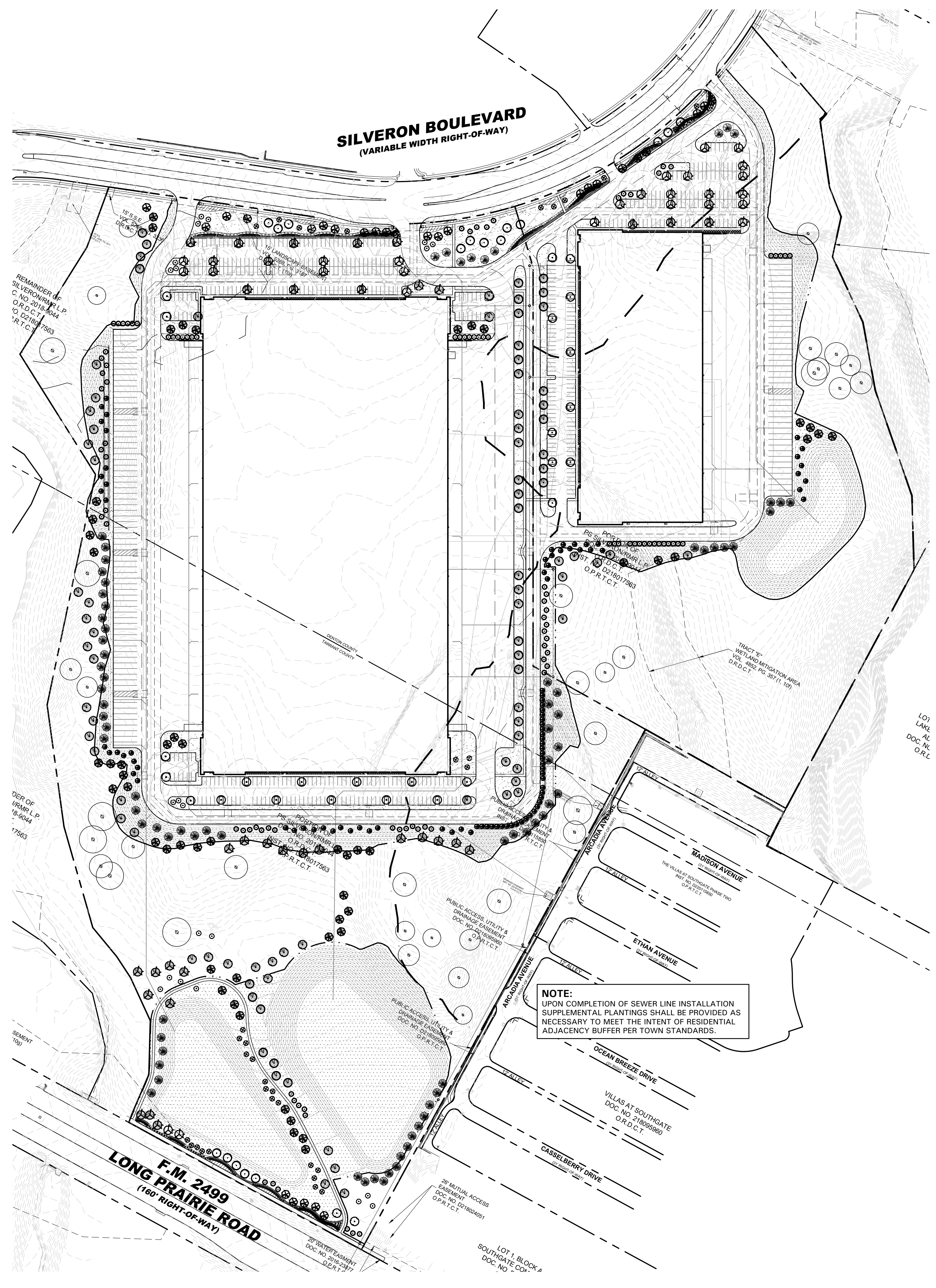
PLANT LIST

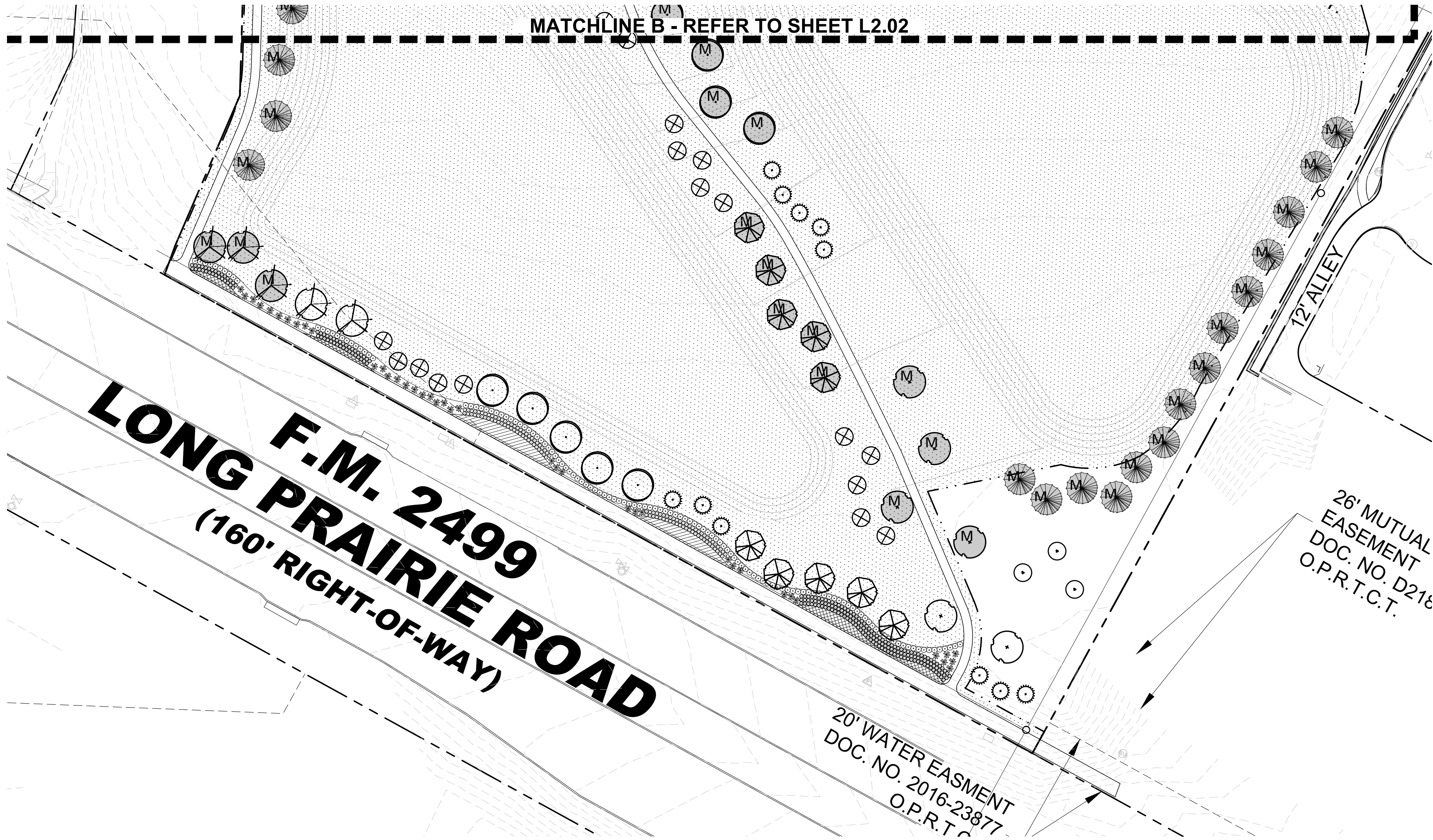
SYMBOL	BOTANICAL NAME TREES	COMMON NAME	QTY.	SIZE	REMARKS
AP	<i>Pinus edulis</i>	Afgan Pine	102	6' ht.	B&B or container grown, full to base, 3' spread
CO	<i>Quercus muehlenbergii</i>	Chinkapin Oak	41	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
CM	<i>Lagerstroemia indica</i> 'Natchez'	Crepe Myrtle 'Natchez'	22	30 gal.	container grown, 3-5 trunk, no cross canes, 8' ht., 4' spread, matching
CP	<i>Pistacia chinensis</i>	Chinese Pistache	43	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
DC	<i>Cedrus deodara</i>	Deodar Cedar	85	4" cal.	container grown, 15' ht., 5' spread, 5' branching ht., matching
ERC	<i>Juniperus virginiana</i>	Eastern Redcedar	95	6' ht.	B&B or container grown, full to base, 3' spread
LE	<i>Ulmus parvifolia</i> 'Sempervirens'	Lacebark Elm	61	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
LO	<i>Quercus virginiana</i>	Live Oak	82	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
RB	<i>Cercis canadensis</i> 'Oklahoma'	Oklahoma Redbud	33	30 gal.	container grown, 8' ht., 4' spread min.
SO	<i>Quercus shumardii</i>	Shumard Red Oak	49	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
SHRUBS/GROUND COVER					
DHG	<i>Pennisetum alopecuroides</i> 'Hameln'	Dwarf Hameln Grass	657	3 gal.	container full, 24" o.c.
DWM	<i>Myrica pusilla</i>	Dwarf Wax Myrtle	428	36" ht.	container full, 24" spread, 36" o.c.
LOR	<i>Loropetalum chinensis</i> 'Plum Delight'	Loropetalum 'Plum Delight'	851	3 gal.	container full, 18" spread, 24" o.c.
MIS	<i>Miscanthus sinensis</i> 'Adagio'	Miscanthus 'Adagio'	141	5 gal.	container full, 36" o.c.
NRS	<i>Ilex spp.</i> 'Nellie R. Stevens'	Nellie R. Stevens Holly	16	7 gal.	container full to base, 36" ht., 36" o.c.
SY	<i>Yucca recurvifolia</i>	Softleaf Yucca	92	5 gal.	container full, 36" o.c.
BS	<i>Carex divulsa</i>	Berkeley Sedge	514	1 gal.	container full, 30" o.c.
MFG	<i>Nassella tenuissima</i>	Mexican Feathergrass	1,434	1 gal.	container full, 24" o.c.
	<i>Cynodon dactylon</i>	Common Bermudagrass			solid sod, refer to Solid Sod Notes
	<i>Cynodon dactylon</i>	Common Bermudagrass			hydromulch, refer to Hydromulch Notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.



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- LANDSCAPE NOTES**
1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
 2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
 3. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
 4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
 5. ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
 6. TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
 7. ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
 8. ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
 9. CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

- MAINTENANCE NOTES**
1. THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
 2. ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
 3. ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
 4. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
 5. ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
 6. CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

NOTE:

REMOVE EXISTING BARBED WIRE FENCE AND CLEAN FENCE LINE AT RESIDENTIAL ADJACENCY.

UPON COMPLETION OF SEWER LINE INSTALLATION SUPPLEMENTAL PLANTINGS SHALL BE PROVIDED AS NECESSARY TO MEET THE INTENT OF RESIDENTIAL ADJACENCY BUFFER PER TOWN STANDARDS.

SYMBOL	COMMON NAME
AP	Afgan Pine
CO	Chinkapin Oak
CM	Crepe Myrtle 'Natchez'
CP	Chinese Pistache
DC	Deodar Cedar
ERC	Eastern Redcedar
LE	Lacebark Elm
LO	Live Oak
RB	Oklahoma Redbud
SO	Shumard Red Oak
DHG	Dwarf Hameln Grass
DWM	Dwarf Wax Myrtle
LOR	Loropetalum 'Plum Delight'
MIS	Miscanthus 'Adagio'
NRS	Nellie R. Stevens Holly
SY	Softleaf Yucca
BS	Berkeley Sedge
MFG	Mexican Feathergrass
	Common Bermudagrass Solid Sod
	Common Bermudagrass Hydromulch

REFER TO PLANT LIST L2.00

SCALE: 1" = 40'-0"

0 20 40 80

- GENERAL LAWN NOTES**
1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
 2. CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
 3. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
 4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
 5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
 6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
 7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

- SOLID SOD NOTES**
1. PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
 2. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
 3. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
 4. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

- HYDROMULCH NOTES**
1. CONTRACTOR SHALL SCARIFY, RIP AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
 2. BERMUDAGRASS SEED SHALL BE EXTRA HULLED AND TREATED LAWN TYPE, SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET STATE LAW REQUIREMENTS.
 3. FIBER SHALL BE ONE HUNDRED PERCENT (100%) WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY 'CONWEB' OR EQUAL.
 4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC. OR EQUAL.
 5. HYDROMULCH WITH BERMUDAGRASS SEED AT A RATE OF TWO (2) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.
 6. USE A 4'X8' BATTER BOARD AGAINST ALL BED AREAS.
 7. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MAY 1, ALL HYDROMULCH AREAS TO BE WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDAGRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
 8. ALL LAWN AREAS TO BE HYDROMULCHED SHALL HAVE ONE HUNDRED PERCENT (100%) COVERAGE PRIOR TO FINAL ACCEPTANCE.

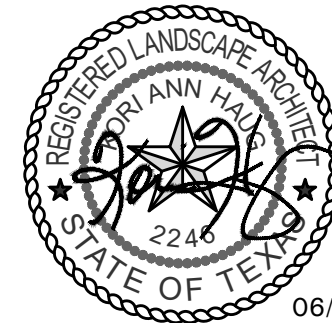
MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

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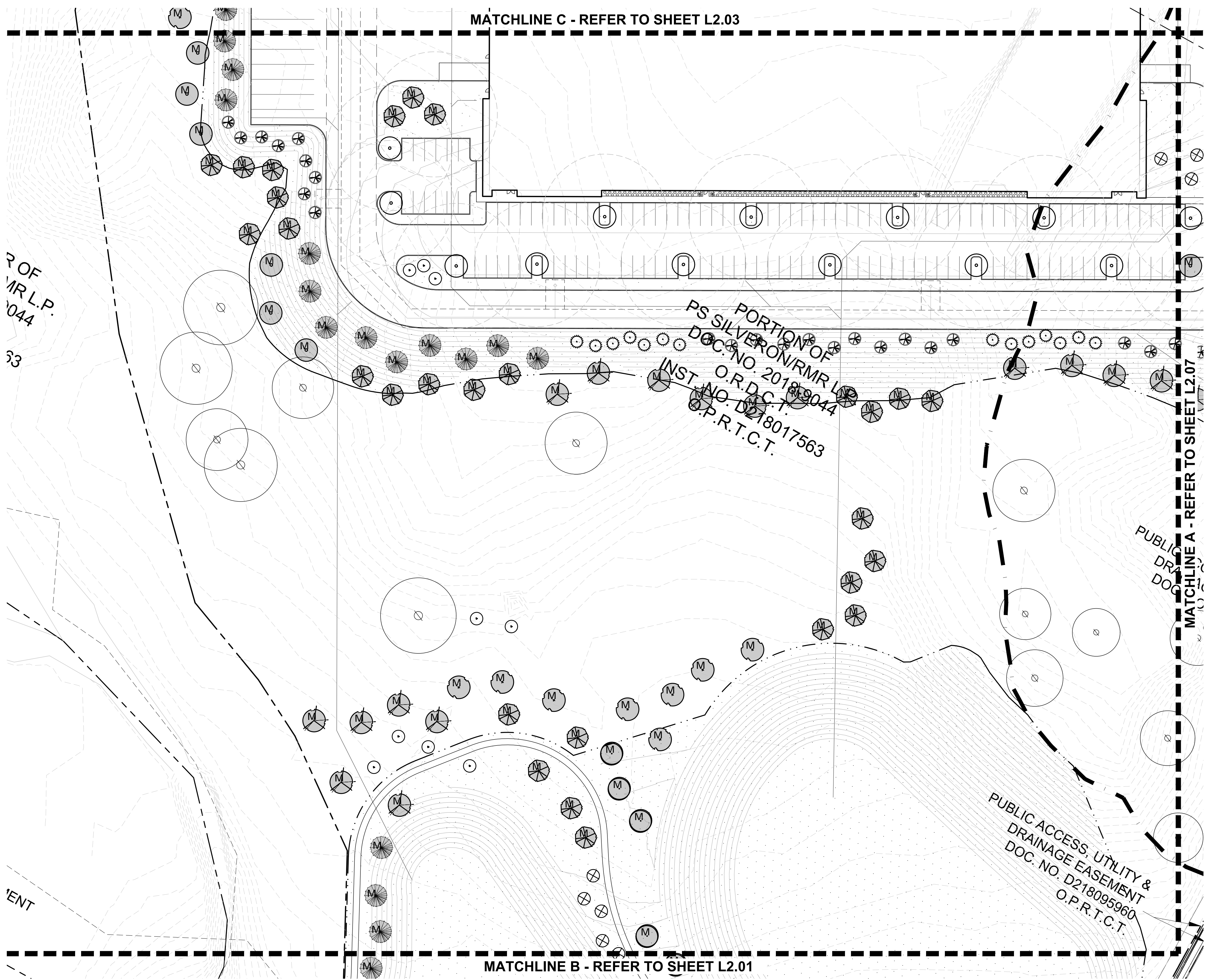
LANDSCAPE PLAN

ISSUANCES

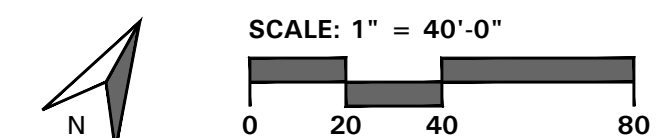
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A/E Job #:

DRAWING / SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L2.01



- MITIGATION TREE LEGEND**
- M. MITIGATION TREE (233) TOTAL
- PLANT LEGEND**
- | SYMBOL | COMMON NAME |
|--------|--------------------------------|
| AP | Afghan Pine |
| CO | Chinkapin Oak |
| CM | Crepe Myrtle 'Natchez' |
| CP | Chinese Pistache |
| DC | Deodar Cedar |
| ERC | Eastern Redcedar |
| LE | Lacebark Elm |
| LO | Live Oak |
| RB | Oklahoma Redbud |
| SO | Shumard Red Oak |
| DHG | Dwarf Hameln Grass |
| DWM | Dwarf Wax Myrtle |
| LOR | Loropetalum 'Plum Delight' |
| MIS | Miscanthus 'Adagio' |
| NRS | Nellie R. Stevens Holly |
| SY | Softleaf Yucca |
| BS | Berkeley Sedge |
| MFG | Mexican Feathergrass |
| | Common Bermudagrass Solid Sod |
| | Common Bermudagrass Hydromulch |
- REFER TO PLANT LIST L2.00



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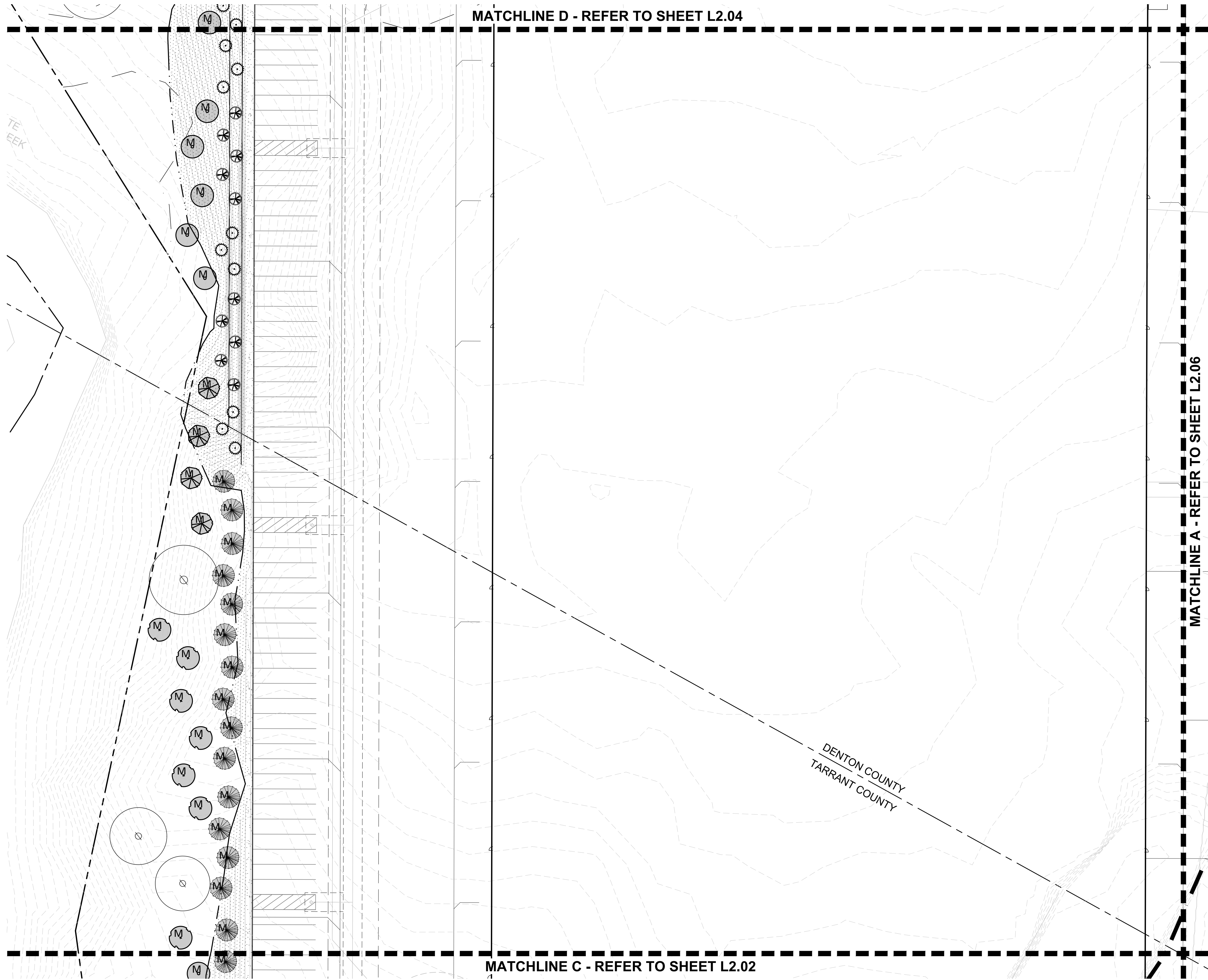
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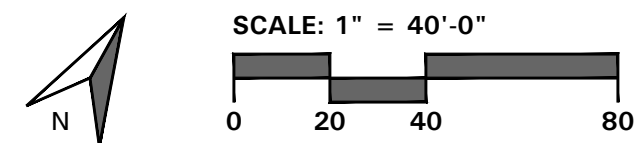
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PLAN

SHEET NUMBER

L2.02



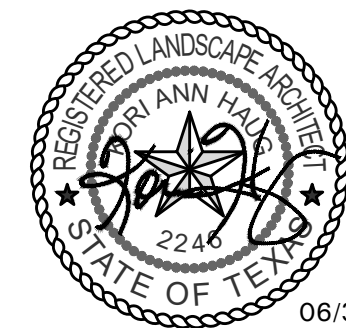
- MITIGATION TREE LEGEND**
- | | |
|--|--------------------------------|
| | MITIGATION TREE
(233) TOTAL |
|--|--------------------------------|
- PLANT LEGEND**
- | SYMBOL | COMMON NAME |
|--------|-----------------------------------|
| AP | Afghan Pine |
| CO | Chinkapin Oak |
| CM | Crape Myrtle 'Natchez' |
| CP | Chinese Pistache |
| DC | Deodar Cedar |
| ERC | Eastern Redcedar |
| LE | Lacebark Elm |
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| SO | Shumard Red Oak |
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| MIS | Miscanthus 'Adagio' |
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| SY | Softleaf Yucca |
| BS | Berkeley Sedge |
| MFG | Mexican Feathergrass |
| | Common Bermudagrass
Solid Sod |
| | Common Bermudagrass
Hydromulch |
- REFER TO PLANT LIST L2.00



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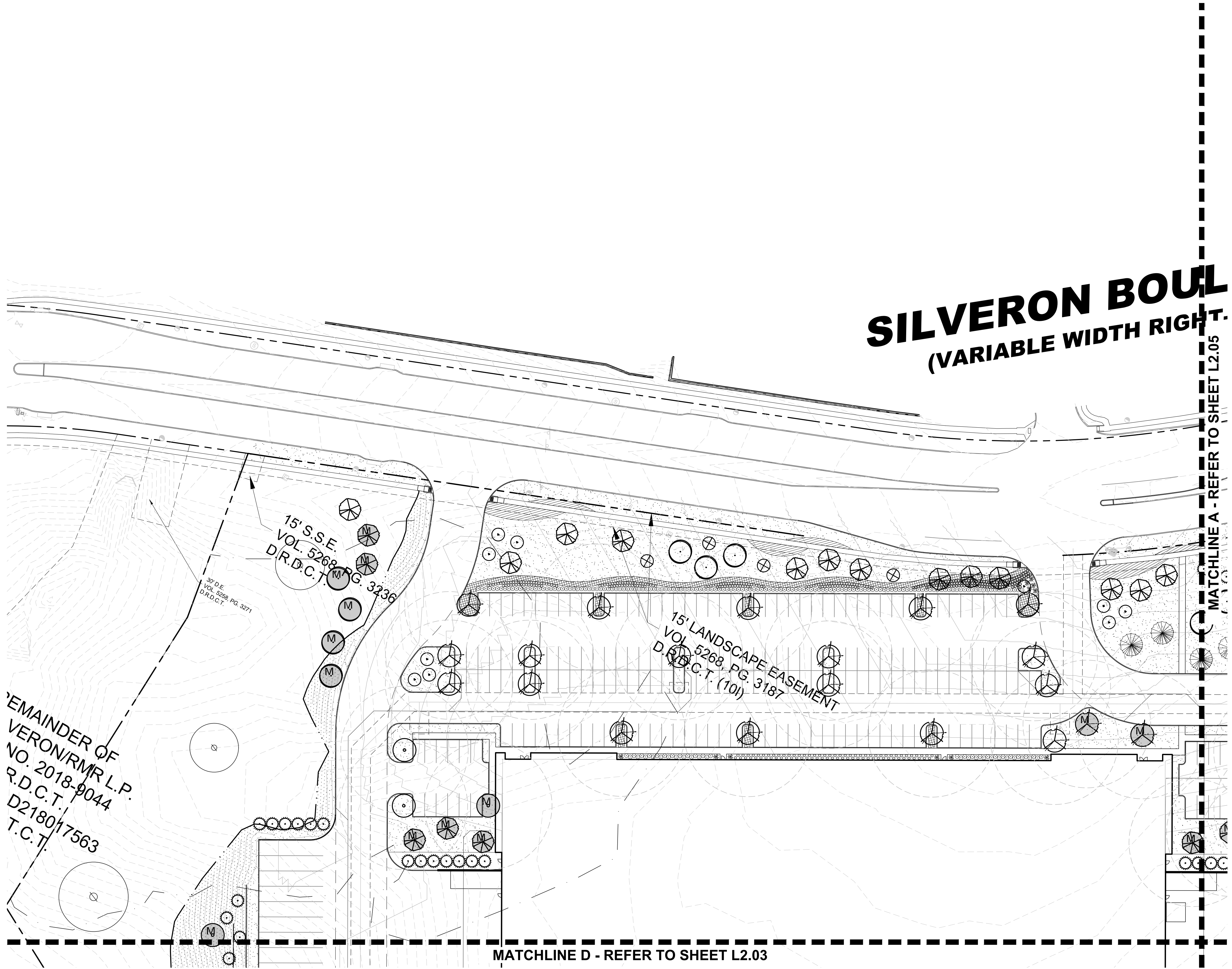
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LANDSCAPE
PLAN

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L2.03



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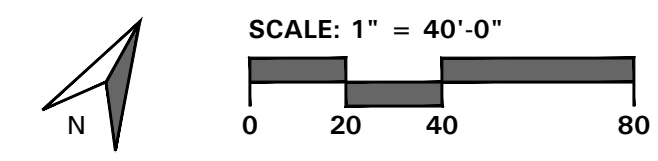
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MATCHLINE A - REFER TO SHEET L2.05

MATCHLINE D - REFER TO SHEET L2.03

REMAINDER OF
VERON/RMR L.P.
NO. 2018-0044
R.D.C.T.
D218017563
T.C.T.

- MITIGATION TREE LEGEND**
- M. MITIGATION TREE (233) TOTAL
- PLANT LEGEND**
- | SYMBOL | COMMON NAME |
|--------|--------------------------------|
| AP | Afghan Pine |
| CO | Chinkapin Oak |
| CM | Crepe Myrtle 'Natchez' |
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| DWM | Dwarf Wax Myrtle |
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| NRS | Nellie R. Stevens Holly |
| SY | Softleaf Yucca |
| BS | Berkeley Sedge |
| MFG | Mexican Feathergrass |
| | Common Bermudagrass Solid Sod |
| | Common Bermudagrass Hydromulch |
- REFER TO PLANT LIST L2.00



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DRAWING INFORMATION

Scale: 1" = 40'-0"
Date: 03/22/21
Checked By: KAH
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A/E Job #:

DRAWING / SHEET TITLE

LANDSCAPE
PLAN

SHEET NUMBER

L2.04

ULEVARD
GHT-OF-WAY)

MATCHLINE A - REFER TO SHEET L2.04

MATCHLINE D - REFER TO SHEET L2.06

4874 PG. 1472
J.R.D.C.T.

DRAINAGE EASEMENT
VOL. 5288 - PG. 3261
D.R.C.T. (10)

MITIGATION TREE LEGEND

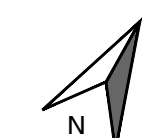
M. MITIGATION TREE
(233) TOTAL

PLANT LEGEND

SYMBOL COMMON NAME

- AP Afgan Pine
- CO Chinkapin Oak
- CM Crepe Myrtle 'Natchez'
- CP Chinese Pistache
- DC Deodar Cedar
- ERC Eastern Redcedar
- LE Lacebark Elm
- LO Live Oak
- RB Oklahoma Redbud
- SO Shumard Red Oak
- DHG Dwarf Hameln Grass
- DWM Dwarf Wax Myrtle
- LOR Loropetalum 'Plum Delight'
- MIS Miscanthus 'Adagio'
- NRS Nellie R. Stevens Holly
- SY Softleaf Yucca
- BS Berkeley Sedge
- MFG Mexican Feathergrass
- Common Bermudagrass Solid Sod
- Common Bermudagrass Hydromulch

REFER TO PLANT LIST L2.00



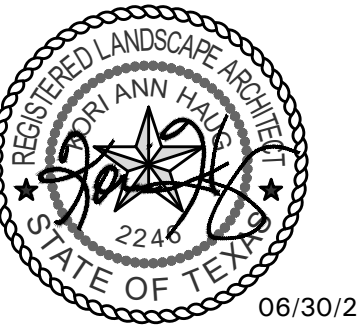
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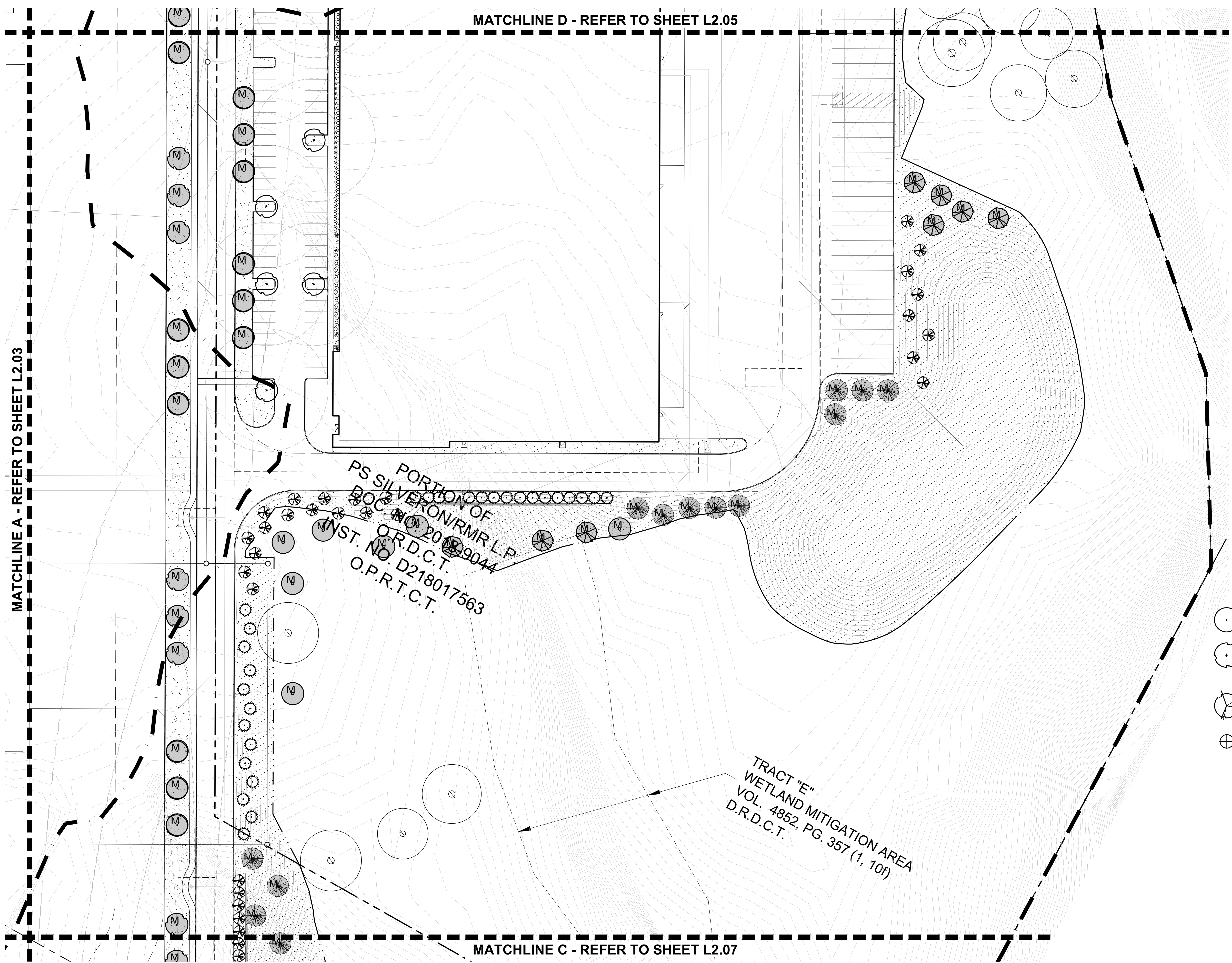
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DRAWING / SHEET TITLE

LANDSCAPE
PLAN

SHEET NUMBER

L2.05



MATCHLINE A - REFER TO SHEET L2.03

MATCHLINE D - REFER TO SHEET L2.05

MATCHLINE C - REFER TO SHEET L2.07

PORTION OF
PS SILVERON/RMR L.P.
DOC. NO. 2012-09044
ST. NO. Q.R.D.C.T.
O.P.R.T.C.T.
O.P.R.T.C.T.
O.P.R.T.C.T.

TRACT "E"
WETLAND MITIGATION AREA
VOL. 4852, PG. 357 (1, 10f)
D.R.D.C.T.

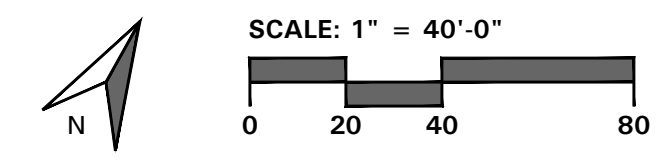
MITIGATION TREE LEGEND

M. MITIGATION TREE
(233) TOTAL

PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afghan Pine
CO	Chinkapin Oak
CM	Crepe Myrtle 'Natchez'
CP	Chinese Pistache
DC	Deodar Cedar
ERC	Eastern Redcedar
LE	Lacebark Elm
LO	Live Oak
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	Common Bermudagrass Hydromulch

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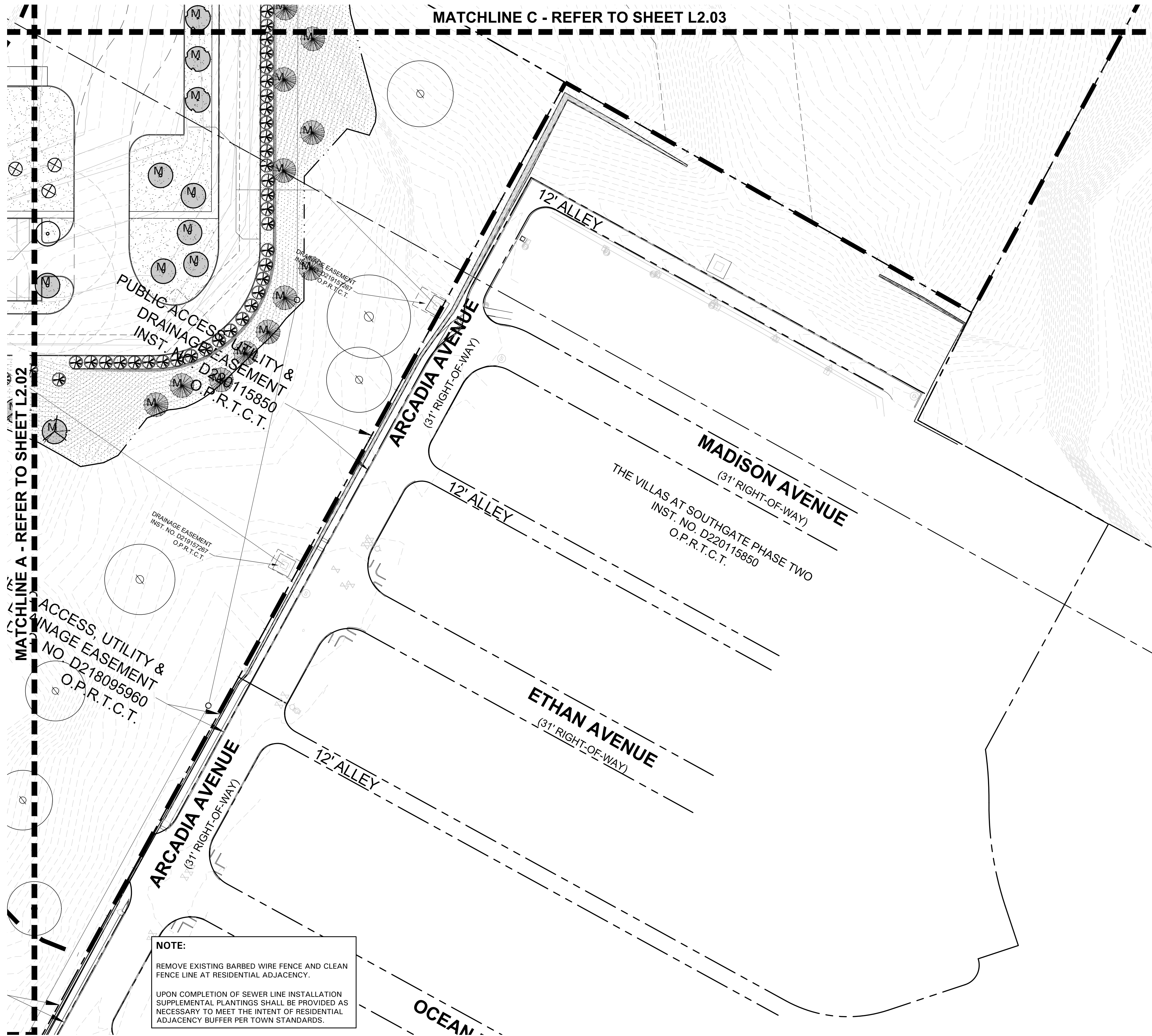
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FLOWER MOUND, TEXAS

LANDSCAPE PLAN

ISSUANCES

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LANDSCAPE PLAN
SHEET NUMBER
L2.06



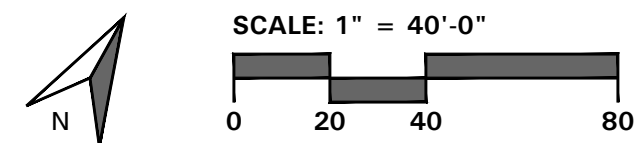
MITIGATION TREE LEGEND

M. MITIGATION TREE (233) TOTAL

PLANT LEGEND

SYMBOL	COMMON NAME
AP	Afghan Pine
CO	Chinkapin Oak
CM	Crepe Myrtle 'Natchez'
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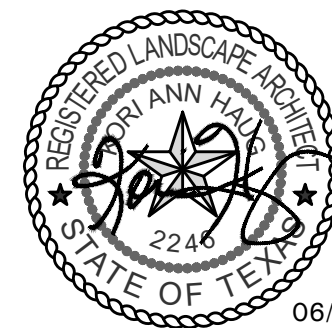
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06/30/21
Professional Seal

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LANDSCAPE PLAN

ISSUANCES

DRAWING INFORMATION

Scale: 1"= 40'-0"
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A/E Job #:

DRAWING / SHEET TITLE

LANDSCAPE
PLAN

SHEET NUMBER

L2.07

SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

- A. Refer to Landscape Plans, notes, details, bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

- A. Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

- Planting (trees, shrubs and grasses)
- Bed preparation and fertilization
- Notification of sources
- Water and maintenance until final acceptance
- Guarantee

1.3 REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen: April 14, 2014 Edition; by American National Standards Institute, Inc. (Z60.1) – plant material
- B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.
- C. Texas Association of Nurserymen, Grades and Standards
- D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

- A. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, crushed stone, steel edging and tree stakes. Samples shall be approved by Owner's Authorized Representative before use on the project.

1.5 JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below final finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the final finish grade of sidewalks, drives and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
- B. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

- A. Maintenance:
- The Landscape Contractor shall be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show healthy growth and satisfactory foliage conditions.
 - Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, moving of grass, cleaning up and all other work necessary of maintenance.
 - A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by the Owner's Authorized Representative will be completed prior to written acceptance.
- B. Guarantee:

- Trees, shrubs and groundcover shall be guaranteed for a twelve (12) month period after final acceptance. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry have been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.

- a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
- b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
- c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and re-inspected for full compliance with the contract requirements. All replacements are to be included under "Work" of this section.

- The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
- The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
- Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a complete, undamaged condition and there is a stand of grass in all lawn areas. At that time, the Owner will assume maintenance on the accepted work.

- C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting. In the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense to the Landscape Contractor.

1.7 QUALITY ASSURANCE

- A. General: Comply with applicable federal, state, county and local regulations governing landscape materials and work.
- B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.
- C. Selection of Plant Material:
- Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will ensure the purchased materials will meet and / or exceed project specifications.
 - Substitutions: Do not make plant material substitutions. If the specified landscape material is not obtainable, submit proof of non-availability to Landscape Architect, together with proposal for use of equivalent material. At the time bids are submitted, the Contractor is assumed to have located the materials necessary to complete the job as specified.
 - Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
 - Measurements: Measure trees with branches and trunks or canes in their normal position. Do not prune to obtain required sizes. Take caliper measurements six inches above ground for trees up to and including 4" caliper size, and twelve inches above ground for larger sizes. Measure main body of all plant material of height and spread dimensions.

do not measure from branch or root tip-to-tip.

- Owner's Authorized Representative shall inspect all plant material with requirements for genus, species, cultivar / variety size and quality.
- Owner's Authorized Representative retains the right to further inspect all plant material upon arrival to the site and during installation for size and condition of root balls and root systems, limbs, branching habit, insects, injuries and latent defects.
- Owner's Authorized Representative may reject unsatisfactory or defective material at any time during the process work. Remove rejected materials immediately from the site and replace with acceptable material at no additional cost to the Owner. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

- Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape and future development.

- Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

B. Delivery:

- Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored on site.
- Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
- Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
- Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
- Notify Owner's Authorized Representative of delivery schedule 72 hours in advance job site.
- Remove rejected plant material immediately from job site.
- To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

- A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Owner's Authorized Representative and his decision as to their acceptability shall be final.
- B. Quantities: The drawings and specifications are complementary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.
- C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae, and are to be of specimen quality.
- D. Approval: All plants which are found unsuitable in growth, or are in any unhealthy, badly shaped or undersized condition will be rejected by the Owner's Authorized Representative either before or after planting and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plant as specified at no additional cost to the Owner.

specified at no additional cost to the Owner.

- Trees shall be healthy, full-branched, well-shaped, and shall meet the minimum trunk and diameter requirements of the plant schedule. Balls shall be firm, neat, slightly tapered and well wrapped in burlap. Any tree loose in the ball or with a broken root ball at time of planting will be rejected. Balls shall be ten (10") inches in diameter for each one (1") inch of trunk diameter, measured six (6") inches above ball. (Nomenclature confirms to the customary nursery usage. For clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.)

- Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect prior to final acceptance, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

- Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
- Physical properties as follows:
 - Clay – between 7-27 percent
 - Silt – between 15-25 percent
 - Sand – less than 52 percent
- Organic matter shall be 3%-10% of total dry weight.

- If requested, Landscape Contractor shall provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of coarse and fine textured material.

- C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.

- D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

- E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.

- F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

- G. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulfur and 4% iron, plus micronutrients.

- H. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

- A. Steel Edging: All steel edging shall be 3/16" thick x 4" deep x 16' long with 6 stakes per section, painted black at the factory as manufactured by The J.D. Russell Company and under its trade name DURAEEDGE Heavy Duty Steel.

- B. Staking Material for Shade Trees: refer to details.

- C. Gravel: Washed native pea gravel, graded 1 inch to 1-1/2 inch.

- D. Filter Fabric: 'Mirafi Mirascape' by Mirafi Construction Products available at Lone Star Products, Inc., (469) 523-0444 or approved equal.

- E. River Rock: 'Colorado' or native river rock, 2" - 4" dia.

TREE PLANTING DETAIL LEGEND AND NOTES

- A. TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK. www.anla.org
- B. TREE PIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.
- C. ROOT BALL: REMOVE TOP 1/2 BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.
- D. ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED, FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE. TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.
- E. ROOTBALL ANCHOR RING: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. PLACE ROOTBALL ANCHOR RING ON BASE OF ROOTBALL. TRUNK SHOULD BE IN THE CENTER OF THE RING.
- F. ROOT ANCHOR BY TREE STAKE SOLUTIONS.
- G. NAIL STAKE: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. INSTALL NAIL STAKES WITH HAMMER OR MALLET FIRMLY INTO UNDISTURBED GROUND. DRIVE NAIL STAKES FLUSH WITH "U" BRACKET ADJACENT TO ROOTBALL (DO NOT DISTURB ROOTBALL).

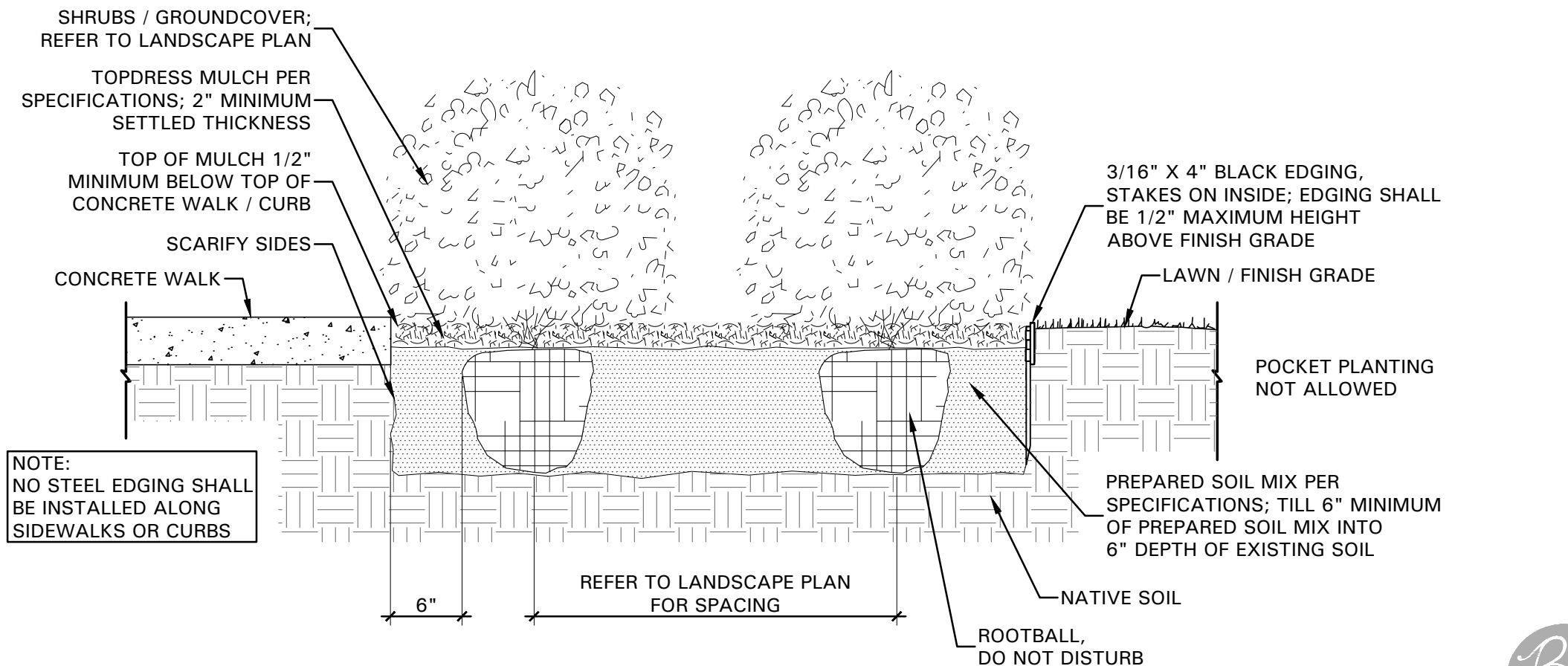
- H. BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.

- I. MULCH: DOUBLE SHREDDED HARDWOOD MULCH 2 INCH SETTLED THICKNESS. WITH 2" HT. WATERING RING; ENSURE THAT ROOT FLARE IS EXPOSED. BELOW GROUND STAKE SHOULD NOT BE VISIBLE.

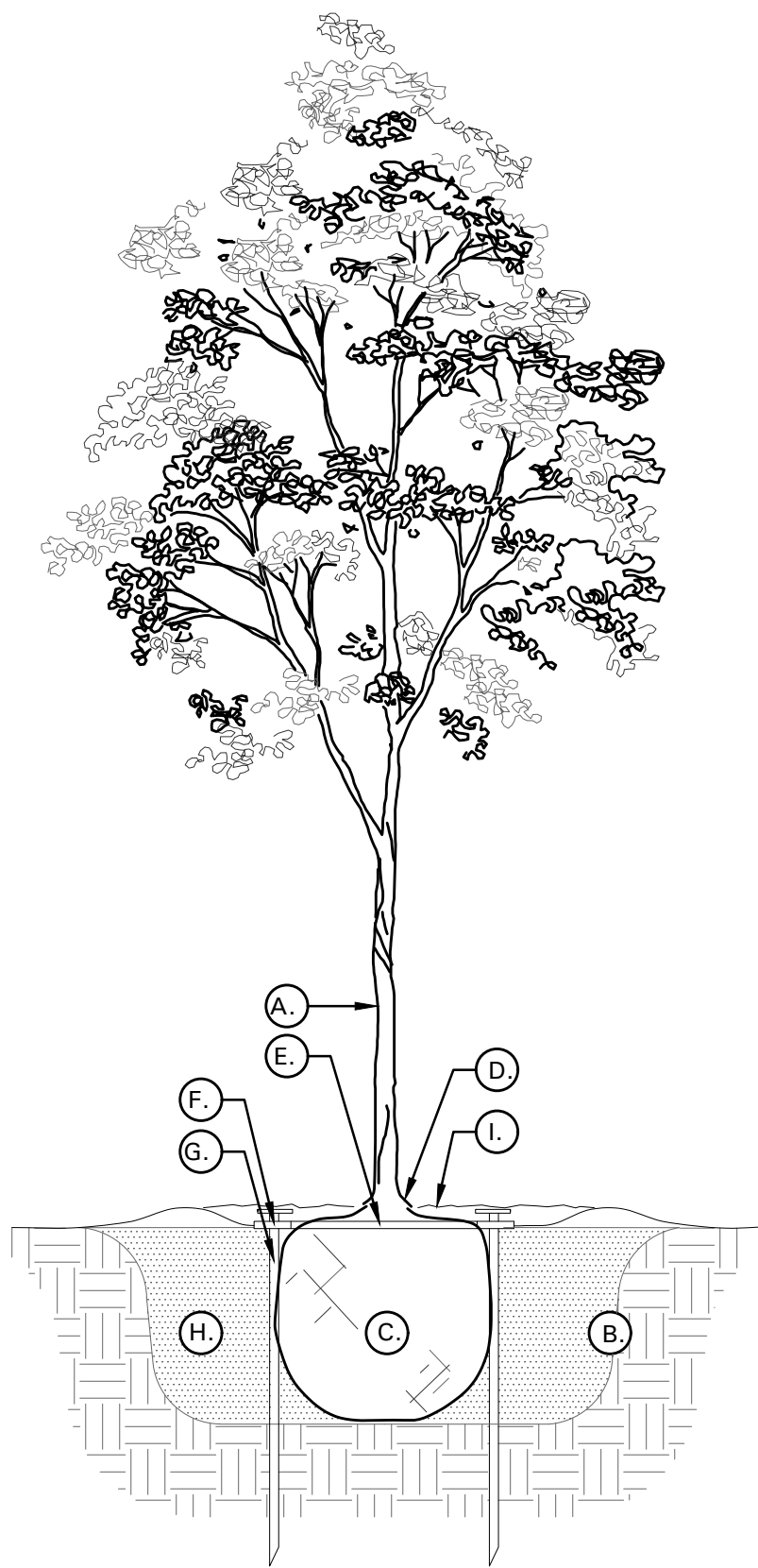
- J. TREE STAKES: TREE STAKE SOLUTIONS 'SAFETY STAKE' BELOW GROUND MODEL AVAILABLE FROM: Tree Stake Solutions ATTN: Jeff Tuley (903) 676-6143 jeff@treestakesolutions.com www.treestakesolutions.com

OR APPROVED EQUAL. TREES SHALL BE STAKED BELOW GROUND WHERE NECESSARY; ABOVE GROUND STAKING IS EXPRESSLY PROHIBITED.

- K. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO INSTALLATION OF TREE STAKES. CONTRACTOR SHALL ADHERE TO MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND OTHER REQUIREMENTS FOR TREE STAKE INSTALLATION.



02 SHRUB / GROUNDCOVER DETAIL
NOT TO SCALE



01 TREE PLANTING DETAIL
NOT TO SCALE

tree planting detail as approved by the Landscape Architect if the percolation test fails.

- Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/2 of the ball, as well as all nylon, plastic string and wire. Container trees will usually be root bound, if so follow standard nursery practice of 'root scoring'.

- Do not wrap trees.

- Do not over prune.

- Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

- All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

- Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

- Trees and large shrubs shall be staked as site conditions require. Position stakes to secure trees against seasonal prevailing winds.

- Pruning and Mulching: Pruning shall be directed by the Landscape Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by the National Arborist Association.

- Dead wood, suckers, broken and badly bruised branches shall be removed. General tipping of the branches is not permitted. Do not cut terminal branches.
- Pruning shall be done with clean, sharp tools.
- Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.

- Steel Curbing Installation:

- Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
- All steel curbing shall be free of kinks and abrupt bends.
- Top of curbing shall be 1/2" maximum height above final finished grade.
- Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
- Do not install steel edging along sidewalks or curbs.
- Cut steel edging at 45 degree angle where edging meets sidewalks or curbs.

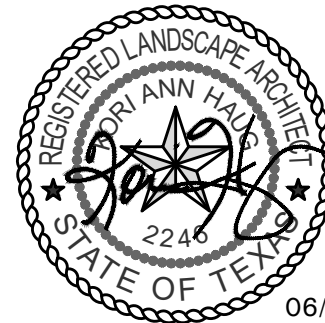
3.3 CLEANUP AND ACCEPTANCE

- Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized so that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing them at end of each work day.

END OF SECTION



14241 Dallas Parkway, Suite 1000
Dallas, TX 75254
972.361.6700 (p) • 972.361.6800 (f)



06/30/21

Professional Seal

SILVERON

FLOWER MOUND, TEXAS

LANDSCAPE SPECIFICATIONS

ISSUANCES

DRAWING INFORMATION

Scale: 1"= 40'-0"
Date: 03/22/21
Checked By: KAH
Drawn By: RMT
Duke Realty Job #:
A/E Job #:

DRAWING / SHEET TITLE

LANDSCAPE
SPECIFICATIONS AND DETAILS

SHEET NUMBER

L2.08



• 4245 North Central Expy
• Suite 501
• Dallas, Texas 75205
• 214.865.7192 office



TOWN COUNCIL AGENDA ITEM NO. 10 REGULAR ITEM

DATE: October 4, 2021

FROM: Claire Barnes, Planner

ITEM: Public Hearing to consider an ordinance amending the Master Plan (MPA21-0006 – Spinks Road Tract) to amend Section 1.0, Land Use Plan, of the Master Plan, and Section 2.0 Area Plans, of the Master Plan, to change the current land use designation from Estate Residential and Lakeside Business District with Campus Commercial uses to Low Density Residential uses. The property is generally located east of Long Prairie Road and north of Spinks Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021 meeting.)*



SUMMARY DATA:

- Lot Size – 76.02 acres
- MPA Request – Change land use from Lakeside Business District with Campus Commercial and Estate Residential uses to Low-Density Residential uses, minimum 15,000 square foot lots
- SMARTGrowth – Passed
- Traffic Analysis - Passed

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, "LAND USE PLAN," AND SECTION 2.0, "AREA PLANS," OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE REFLECTED ON THE LAND USE PLAN MAP FROM LAKESIDE BUSINESS DISTRICT WITH CAMPUS COMMERCIAL USES AND ESTATE RESIDENTIAL USES TO LOW-DENSITY RESIDENTIAL USES ON APPROXIMATELY 76.020 ACRES OF LAND BEING ALL OF LOT 2, BLOCK A, AND LOT 4, BLOCK A, OF THE MIDDLE SCHOOL NO. 14 ADDITION; 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 municipality 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 Land Use Plan Map contained in the Land Use Plan of the Town Master Plan depicts, by distinct colors, the various land uses in the Town; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations of the Code of Ordinances of the Town of Flower Mound, the owner of the property described as approximately 76.020 acres of land being all of Lot 2, Block A, and Lot 4, Block A, of the Middle School No. 14 Addition, Denton County, Texas, has filed an application for a Master Plan Amendment to change the current land use designation from Lakeside Business District with Campus Commercial Uses and Estate Residential Uses to Low-Density Residential Uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on September 27, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, 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 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.

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 to change the land use designation on the hereinafter described property and area as shown below:

Approximately 76.020 acres of land being all of Lot 2, Block A, and Lot 4, Block A, of the Middle School No. 14 Addition, Denton County, Texas, and more fully described in

Ordinance No. _____**Page 2**

Exhibit "A" hereto.

Section 1.0, "Land Use Plan," of the Master Plan, specifically the Land Use Plan Map, is hereby amended to change the current land use designation from Lakeside Business District with Campus Commercial Uses and Estate Residential Uses to Low-Density Residential Uses for the approximately 76.020 acres of the project area depicted on Exhibit "B," attached hereto and incorporated herein for all purposes.

Section 2.0, "Area Plans," of the Master Plan is hereby amended by removing the project area from the Lakeside Business District Area as depicted on Exhibit "B," attached hereto and incorporated for all purposes, and by deleting the following:

"Buffers will also be necessary between the Office/Retail area at the northeast corner of the International Parkway/Spinks Road intersection and the adjacent Estate Density Residential District to its east and north. Since neither of these developments has yet been planned, the buffer between the uses needs to be incorporated into the land development planning for this area."

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 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

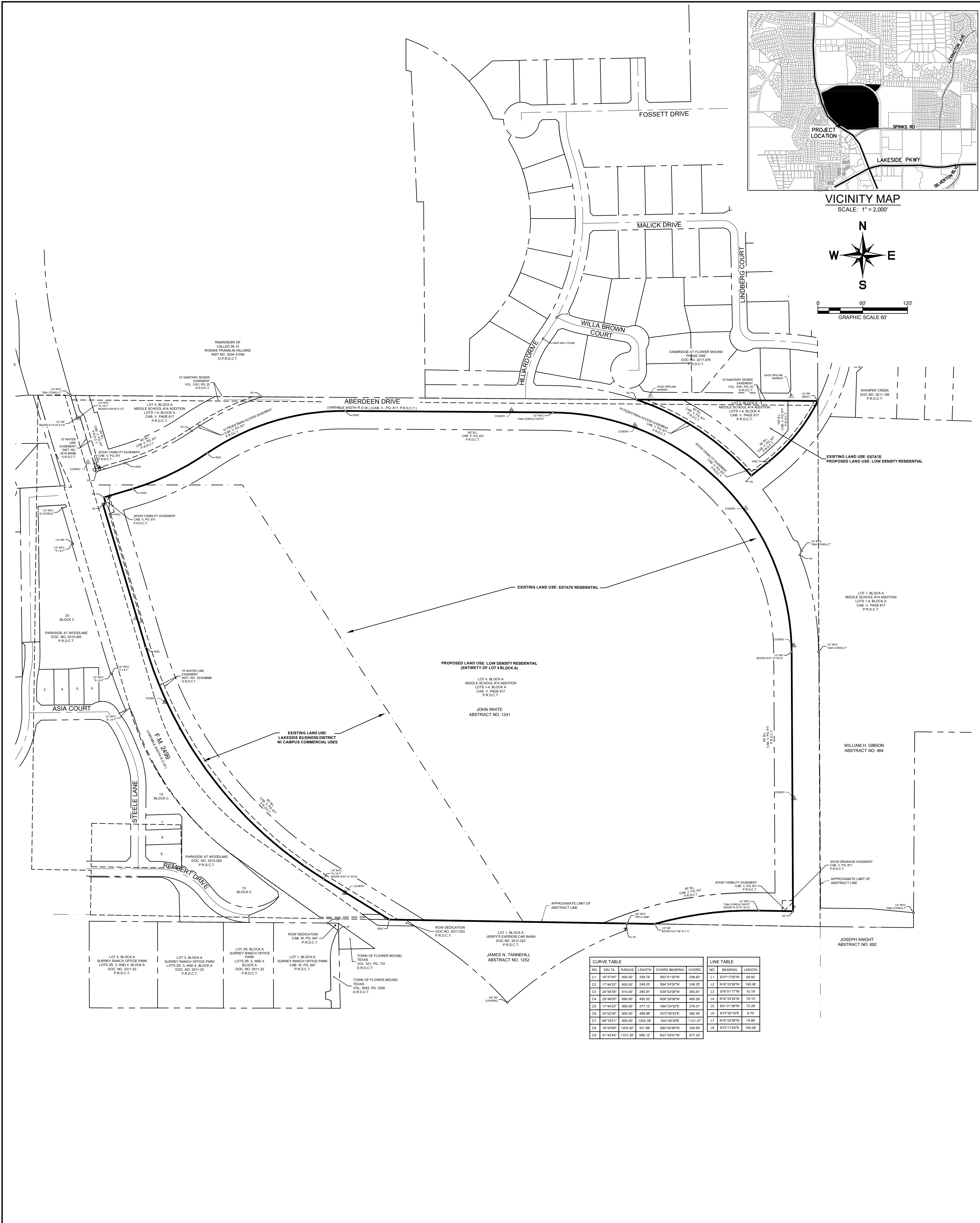
ATTEST:

Theresa Scott, **TOWN SECRETARY**

Exhibit A

EXHIBIT "A" – PROPERTY DESCRIPTION

Being Lots 2 and 4, Block A, of Middle School #14 Addition, an Addition to the Town of Flower Mound, Denton County, Texas, according to the Map or Plat thereof recorded in Cabinet V, Page 817, of the Map and/or Plat Records, Denton County, Texas.



DESCRIPTION OF SURVEYED PROPERTY:

Being Lots 2 and 4, Block A, of Middle School #14 Addition, an Addition to the Town of Flower Mound, Denton County, Texas, according to the Map or Plat thereof recorded in Cabinet V, Page 817, of the Map and/or Plat Records, Denton County, Texas.

SURVEYORS CERTIFICATION:

To: Toll Southwest LLC;
Lewisville Independent School District, a political subdivision of the state of Texas;
First American Title Guaranty Company;
Westminster Title Agency Inc.;

I hereby certify that this survey substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1A Condition II Survey.

Sylviana Gunawan
Registered Professional Land Surveyor No. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
sylviana.gunawan@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

OWNER:
Lewisville Independent School
District
1565 W. Main Street
Lewisville, TX 75067
Tel: (469) 713-5200

DEVELOPER:
Toll Brothers Inc.
2555 SW Grapevine Pkwy
Grapevine, TX 76051
Tel: (817) 329-7973
Contact: Mike Boswell

ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: Casey Ross, P.E., CFM

MASTER PLAN INFO:

LAND USE PLAN: ESTATE RESIDENTIAL AND LAKESIDE BUSINESS DISTRICT

URBAN DESIGN PLAN: LONG PRAIRIE DISTRICT

PARKS AND TRAILS PLAN: MULTI-USE TRAIL REQUIRED ALONG FM 2499

OPEN SPACE PLAN: N/A

THOROUGHFARE PLAN: SPINKS ROAD → URBAN MINOR ARTERIAL
F.M. 2499 → MAJOR ARTERIAL
ABERDEEN ROAD → URBAN MINOR ARTERIAL

WATER PLAN: EX. 12" IN SPINKS ROAD AND ABERDEEN ROAD

WASTEWATER PLAN: EX 12" IN ABERDEEN

ECONOMIC IMPACT: RESIDENTIAL PROPERTY TAXES

MASTER PLAN AMENDMENT EXHIBIT
FOR

LISD SPINKS ROAD

BEING 76.020 ACRES
OUT OF THE
JOHN WHITE SURVEY, ABSTRACT NO. 1341
IN THE
TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS

Kimley»Horn

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	YAZ	TSK	03/21/2021	068625019	1 OF 1

TOWN COUNCIL AGENDA ITEM NO. 11

REGULAR ITEM

DATE: October 4, 2021

FROM: Claire Barnes, Planner

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



SUMMARY DATA:

- Lot Size – 76.02 acres
- Proposed Zoning – PD for SF-15 (Single Family District – 15)
- Proposed Lots – 132 buildable lots for density of 1.74 units per acre
- SMARTGrowth – Passed
- Traffic Analysis – Passed, based on the TIA analysis, the traffic generated by the proposed development is not anticipated to drop the LOS of Silveron below a LOS of C. The TIA was conducted based on the development's commitment to complete the remaining lanes of Aberdeen Drive. Since most of Aberdeen Drive is currently undivided, the TIA made several recommendations for median openings, as well as both right and left turn lanes.
- Exceptions – Underground Utilities & Lot Depth-to-Width
- Incentives – N/A

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

At the P&Z meeting, the applicant provided alternative concept plans that included park dedication. After deliberation, the P&Z Commission recommended approval of concept plan "C". It should be noted, concept plan "C" has not been reviewed by Town Staff for compliance with Town standards and ordinances.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. ____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 76.020 ACRES OF LAND BEING ALL OF LOT 2, BLOCK A, AND LOT 4, BLOCK A, OF THE MIDDLE SCHOOL NO. 14 ADDITION, FROM AN AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT DISTRICT-182 (PD-182) WITH SINGLE-FAMILY DISTRICT-15 (SF-15) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule municipality 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 heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as 76.020 acres of land being all of Lot 2, Block A, and Lot 4, Block A, of the Middle School No. 14 Addition, Denton County, Texas, have filed an application to change the zoning from Agricultural District (A) to Planned Development District No. 182 (PD-182) with Single-Family District-15 (SF-15) uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on September 27, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, with respect to the proposed rezoning as described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication, and procedural requirements for the approval of a rezoning on the property; and,

WHEREAS, the Town Council finds that amendment of the Zoning map 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 Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area to establish a planned development district as shown below:

Approximately 76.020 acres of land being all of Lot 2, Block A, and Lot 4, Block A, of the Middle School No. 14 Addition, Denton County, Texas, and more fully described in Exhibit "A1" and as depicted in the zoning exhibit attached as Exhibit "A2" hereto.

Planned Development District No. 182 (PD-182) with Single-Family District-15 (SF-15) uses.

SECTION 2

The Development Standards, Conceptual Site Plan, and Conceptual Landscape Plan of the proposed Planned Development District No. 182 (PD-182), attached hereto as Exhibits "B," "C," and "D," each incorporated herein for all purposes allowed by law, are hereby approved as the Development Standards, Conceptual Site Plan and Conceptual Landscape Plan for this Planned Development District No. 182 (PD-182).

SECTION 3

The official map of the Town of Flower Mound is hereby amended and the Director of Planning Services is directed to revise the official zoning map to reflect the approved Planned Development District No. 182 (PD-182), as set forth above.

SECTION 4

The use of the property described above shall be subject to all restrictions, terms, and conditions contained in Exhibits "B," "C," and "D," attached hereto, as well as the applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town of Flower Mound.

SECTION 5

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 6

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 NO. ____**Page 3**

Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 7

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 8

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that 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 9

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 10

This Ordinance shall take effect and be in full force 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 4TH DAY OF OCTOBER, 2021.

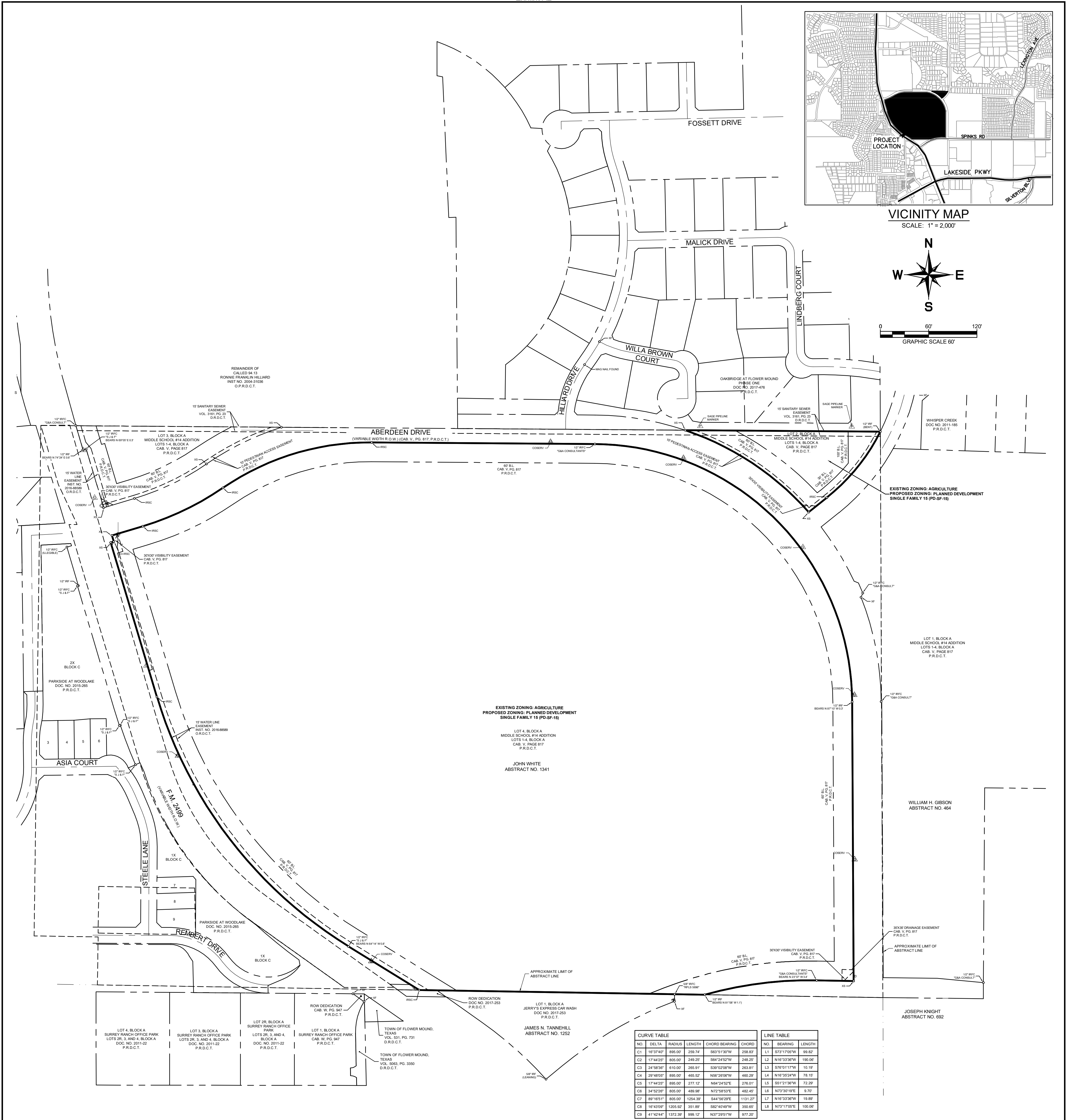
APPROVED:

Derek France, MAYOR**ATTEST:**

Theresa Scott, TOWN SECRETARY

Exhibit A1**EXHIBIT "A" – PROPERTY DESCRIPTION**

Being Lots 2 and 4, Block A, of Middle School #14 Addition, an Addition to the Town of Flower Mound, Denton County, Texas, according to the Map or Plat thereof recorded in Cabinet V, Page 817, of the Map and/or Plat Records, Denton County, Texas.



DESCRIPTION OF SURVEYED PROPERTY:
Being Lots 2 and 4, Block A, of Middle School #14 Addition, an Addition to the Town of Flower Mound, Denton County, Texas, according to the Map or Plat thereof recorded in Cabinet V, Page 817, of the Map and/or Plat Records, Denton County, Texas.

SURVEYORS CERTIFICATION:
To: Toll Southwest LLC;
Lewisville Independent School District, a political subdivision of the state of Texas;
First American Title Guaranty Company;
Westminster Title Agency Inc;

I hereby certify that this survey substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1A Condition II Survey.

Sylviana Gunawan
Registered Professional Land Surveyor No. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
sylviana.gunawan@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER:
Lewisville Independent School District
1565 W. Main Street
Lewisville, TX 75067
Tel: (469) 713-5200

DEVELOPER:
Toll Brothers Inc.
2555 SW Grapevine Pkwy
Grapevine, TX 76051
Tel: (817) 329-7973
Contact: Mike Boswell

ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: Casey Ross, P.E., CFM

ZONING DATA TABLE:

DEVELOPMENT STD.	SF-15	PD-SF-15
MIN. LOT SIZE	15,000 SF	15,000 SF
MIN. LOT WIDTH	80 FT	80 FT
MIN. AREA/UNIT	1,800 SF	1,800 SF
MIN. FRONT YARD	25 FT	25 FT
MIN. SIDE YARD	12 FT	10 FT
MIN. REAR YARD	30 FT	30 FT
MAX. LOT COVERAGE	35%	40%
MAX. HEIGHT (STORIES/FT)	3 STORIES / 35 FT	3 STORIES / 35 FT

MASTER PLAN INFO:

LAND USE PLAN: ESTATE RESIDENTIAL AND LAKESIDE BUSINESS DISTRICT
URBAN DESIGN PLAN: LONG PRAIRIE DISTRICT
PARKS AND TRAILS PLAN: MULTI-USE TRAIL REQUIRED ALONG FM 2499
OPEN SPACE PLAN: N/A
THOROUGHFARE PLAN: SPINKS ROAD → URBAN MINOR ARTERIAL
F.M. 2499 → MAJOR ARTERIAL
ABERDEEN ROAD → URBAN MINOR ARTERIAL
WATER PLAN: EX. 12" IN SPINKS ROAD AND ABERDEEN ROAD
WASTEWATER PLAN: EX 12" IN ABERDEEN
ECONOMIC IMPACT: RESIDENTIAL PROPERTY TAXES

ZONING EXHIBIT
FOR
LISD SPINKS ROAD
BEING 76.020 ACRES
OUT OF THE
JOHN WHITE SURVEY, ABSTRACT NO. 1341
IN THE
TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	YAZ	TSK	03/21/2021	068625019	1 OF 1

Exhibit B

Exhibit “B”**Development Standards****Planned Development District No. 182 (PD-182) Spinks Road Tract**

The development on the property comprising approximately 76.020 acres of land within the corporate limits of the Town of Flower Mound (“Town”) and as described on Exhibit “A” to this Zoning Ordinance adopting PD-182 shall be in accordance with the Town of Flower Mound *Master Plan* and the Land Development Regulations of the Town of Flower Mound, Texas, as amended, and shall be subject to the following conditions and requirements.

A. Exhibits.

The following exhibits are incorporated into this Planned Development District:

1. Exhibit C: Conceptual Site Plan.
2. Exhibit D: Conceptual Landscape Plan.

B. Uses.

Development of Spinks Road Tract, comprising approximately 76.020 acres of land, shall comply with all regulations applicable to the Single-Family Residential District-15 (SF- 15) contained in the Town’s Land Development Regulations, as amended, except as otherwise provided and/or limited herein.

C. Dimensional Regulations. The dimensional regulations listed in the Single-Family District-15 (SF-15) in the Town’s Zoning Ordinance shall be required for this Planned Development except as modified below:

1. Minimum side yard. The minimum side yard shall be 10 feet, subject to Section 98-1027.
2. Maximum lot coverage. The maximum lot coverage shall be 40 percent, subject to Section 98-1029.

D. Landscape Standards.

1. Landscaping shall be in accordance with the Town’s landscape ordinance as amended as shown on Exhibit “D.”
1. Perimeter fences shall substantially conform with the layout and design shown on Exhibit “D.” Fences constructed adjacent and parallel to dedicated park, trail, or open space areas may either be a minimum four-foot (4’) wrought-iron or tubular steel fence or a two-foot six-inch (2’6”) knee wall with three-foot four-inch (3’4”) wrought iron on top and masonry columns as detailed on Exhibit “D.”

E. Phasing.

1. Perimeter landscaping must be installed at the time of each associated phase as indicated on Exhibit “C.”

Exhibit B

2. At each phase, perimeter landscaping must substantially conform with the landscaping shown for that phase on “Exhibit D.”

F. Trail Requirements.

1. There shall be a minimum eight-foot-wide multi- purpose trail along the Long Prairie Road frontage as required by the Parks & Trails Master Plan.

G. Supplemental Standards.

1. Maximum number of buildable lots shall be 132.
2. All x-lots shall be owned and maintained by the HOA. No dwelling units are permitted on any x-lot.
3. Lot 1, Block A of the Middle School No. 14 Addition must remain undeveloped with the exception that wrought iron/tubular fencing for safety purposes, trails, and sidewalks are permitted. The Town must approve any improvements, which must meet Town standards.

H. Exceptions. The following exceptions to the Town’s Ordinances shall apply to this Planned Development.

1. An exception to “Underground Utilities” pursuant to Section 82-377, “Exceptions,” of the Code of Ordinances is granted allowing 2,250 linear feet of overhead power lines along Long Prairie Road.
2. An exception to “Depth” pursuant to Section 90-272, “Lot depth, lines, and frontage,” of the Code of Ordinances is granted for a maximum of two buildable lots.



TBG

Spinks Road Tract

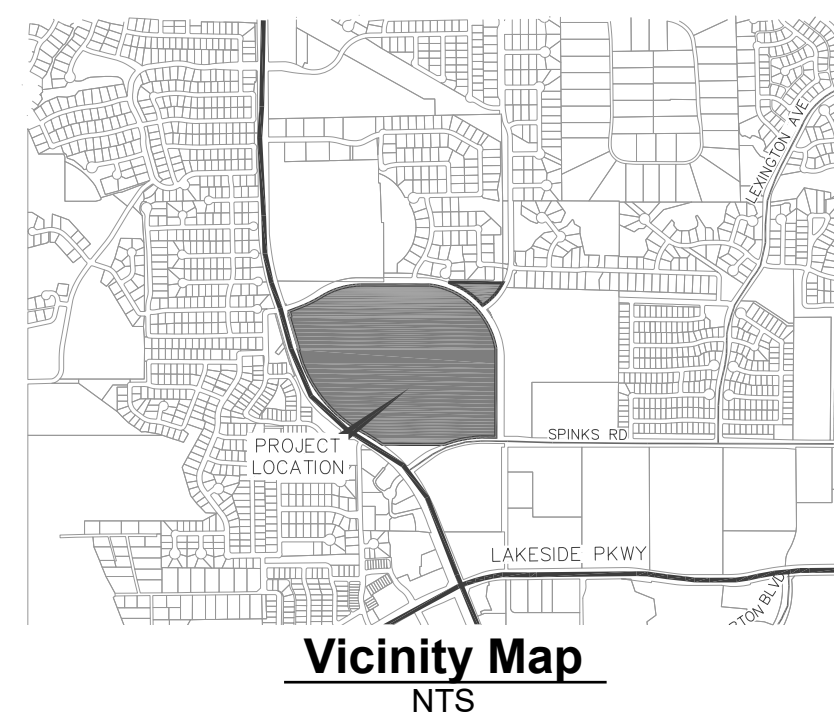
concept plan

Flower Mound, Texas
03/22/21
Revised: 06-11-2021
08-24-2021

OWNER:
Lewisville Independent School
District
1565 W. Main Street
Lewisville, TX 75067
Tel: (469) 713-5200

DEVELOPER:
Toll Brothers Inc.
2555 SW Grapevine Pkwy
Grapevine, TX 76051
Tel: (817) 329-7973
Contact: Mike Boswell

ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: Casey Ross, P.E., CFM



TBG
2001 Bryan St.
Suite 1450
Dallas, Texas 75201
[214] 744 0757
tbgsystems.com

The information shown is based on the best information available and is subject to change without notice.

0 50' 100' 200'



LISD SPINKS TRACT

TOWN OF FLOWER MOUND

C O N C E P T U A L L A N D S C A P E / S C R E E N I N G P L A N

PROJECT TEAM

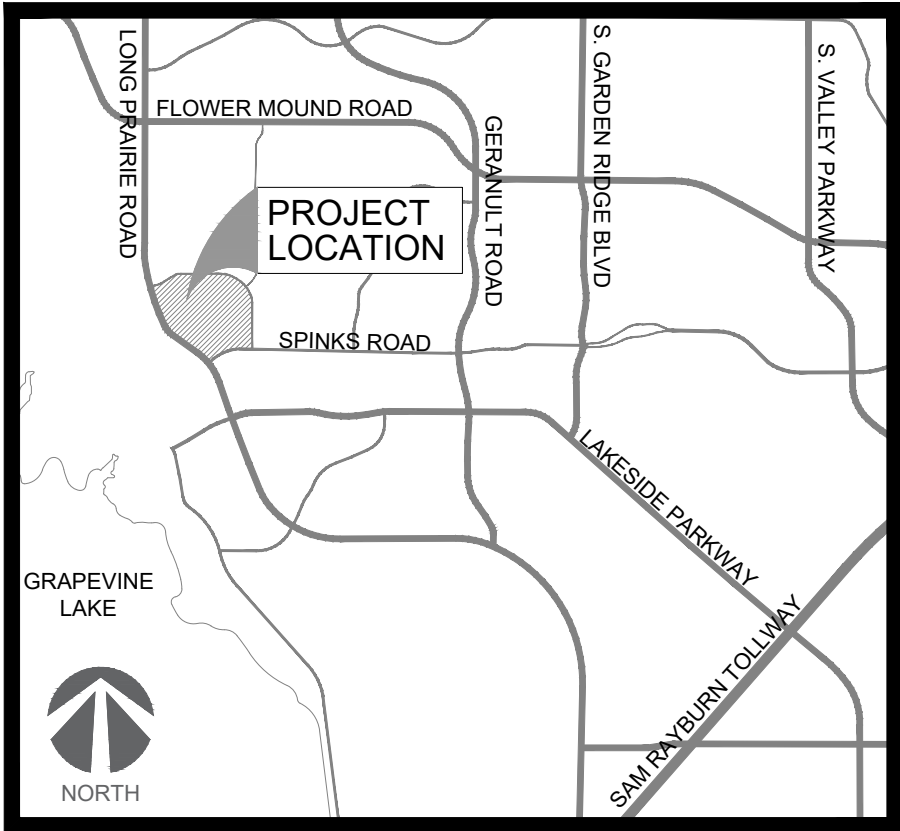
OWNER

Toll Brothers
Contact:
Mike Boswell
Demerius Seals
2555 SW Grapevine Parkway, Suite 100
Grapevine, TX 76051
832.470.2955

LANDSCAPE ARCHITECT

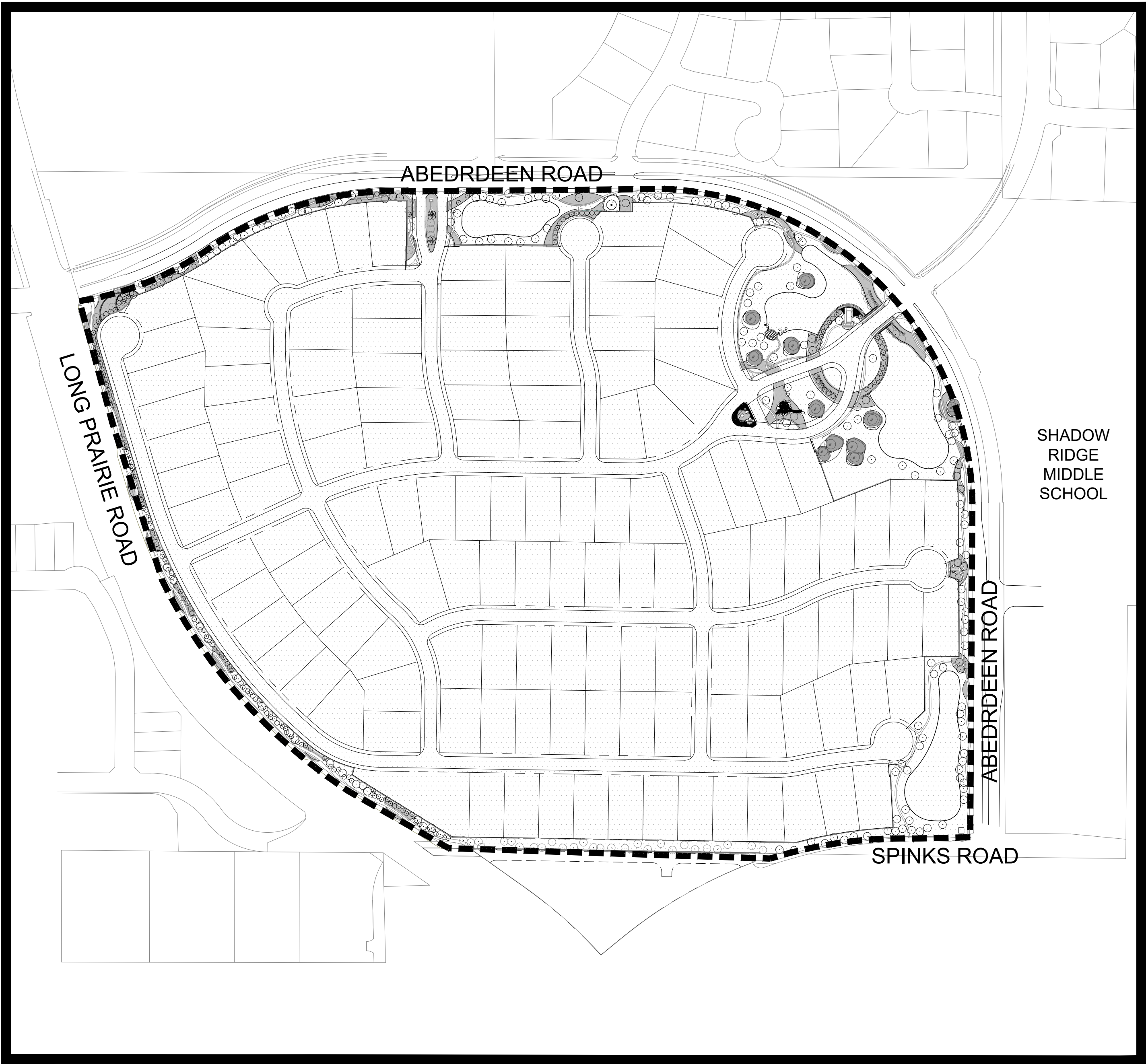


Green Door Studio
Contact:
Paul Cozzolino
PO Box 38415
Dallas, TX 75238
O: 972.855.8705



VICINITY MAP

N.T.S.



SITE MAP

NOT FOR REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

Paul Cozzolino
8/19/2021

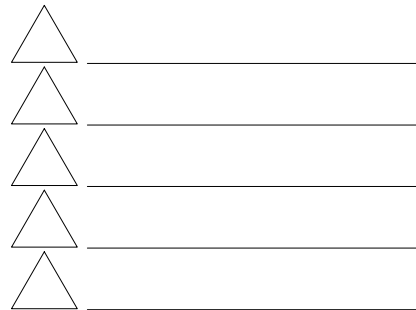
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Sheet Number	Sheet Title
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G-1.01	General Construction Notes
G-1.02	Overall Screening Plan
G-1.03	Overall Key Plan
LC-1.01	Conceptual Landscape and Screening
LC-1.02	Conceptual Landscape and Screening
LC-1.03	Conceptual Landscape and Screening
LC-1.04	Conceptual Landscape and Screening
LC-1.05	Conceptual Landscape and Screening
LC-1.06	Conceptual Landscape and Screening
L-3.01	Hardscape Details
L-3.02	Hardscape Details
L-3.03	Hardscape Details
L-4.01	Planting Details Schedule and Notes
L-4.02	Planting Details Schedule and Notes

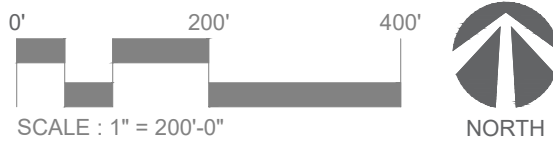
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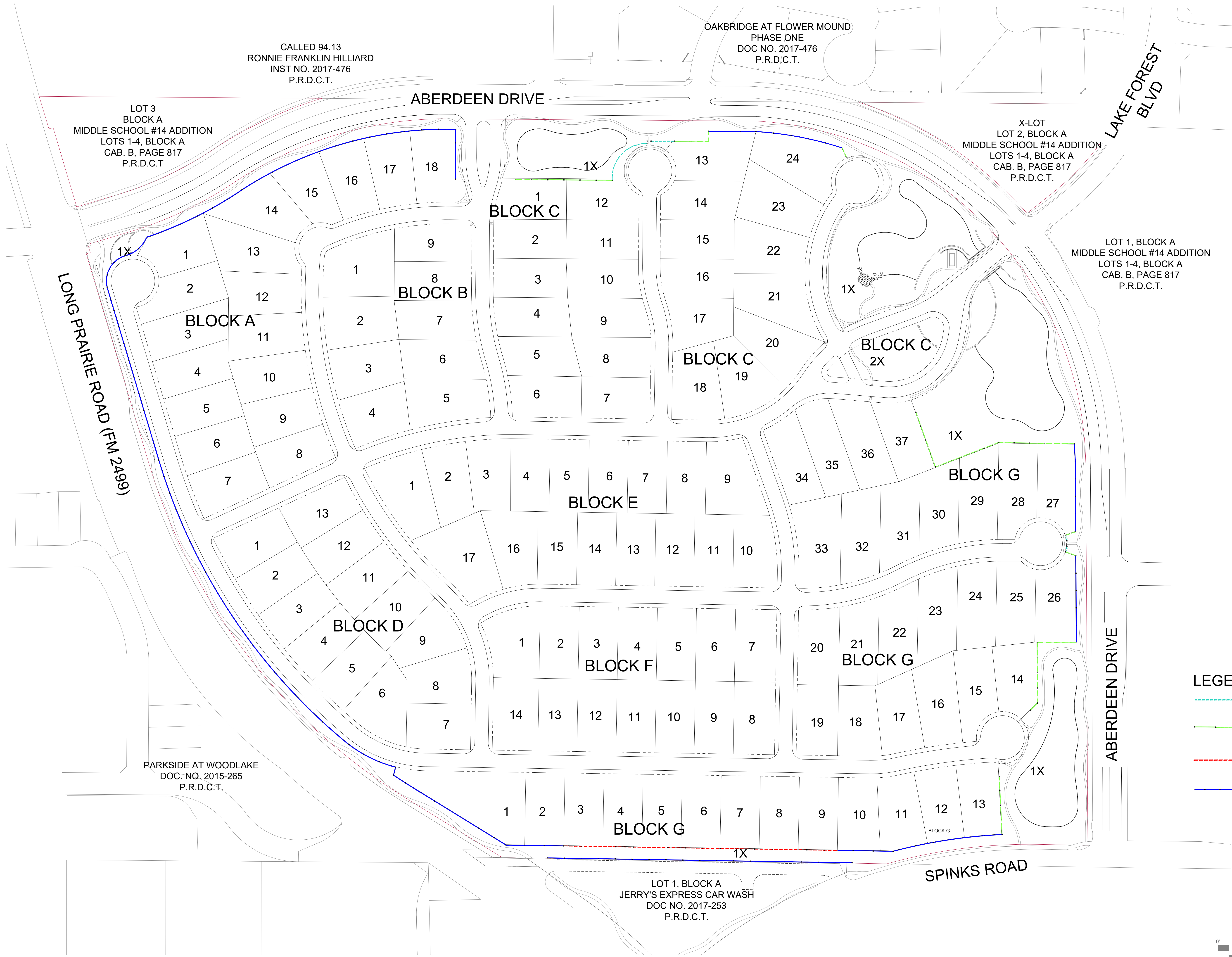
03/22/2021 City Submittal
05/10/2021 City Submittal - Comment Response
06/14/2021 City Submittal - Comment Response
08/19/2021 City Submittal - Comment Response

REVISIONS



PROJECT NO.: 210001
DRW: P.C., F.Y.
RVW: P.C.





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APPROVAL,
PERMITTING, OR
CONSTRUCTION

Paul Cozzolino
8/19/2021

client
Toll Brothers
Demetrius Seals
2555 SW Grapevine
Parkway, Suite 100
Grapevine, TX 76051

LISD SPINKS TRACT
TOWN OF FLOWER MOUND
DENTON COUNTY, TX
CONCEPTUAL LANDSCAPE/SCREENING PLAN

issue	
03/22/2021	City Submittal
05/10/2021	City Submittal - Comment Response
06/14/2021	City Submittal - Comment Response
08/19/2021	City Submittal - Comment Response

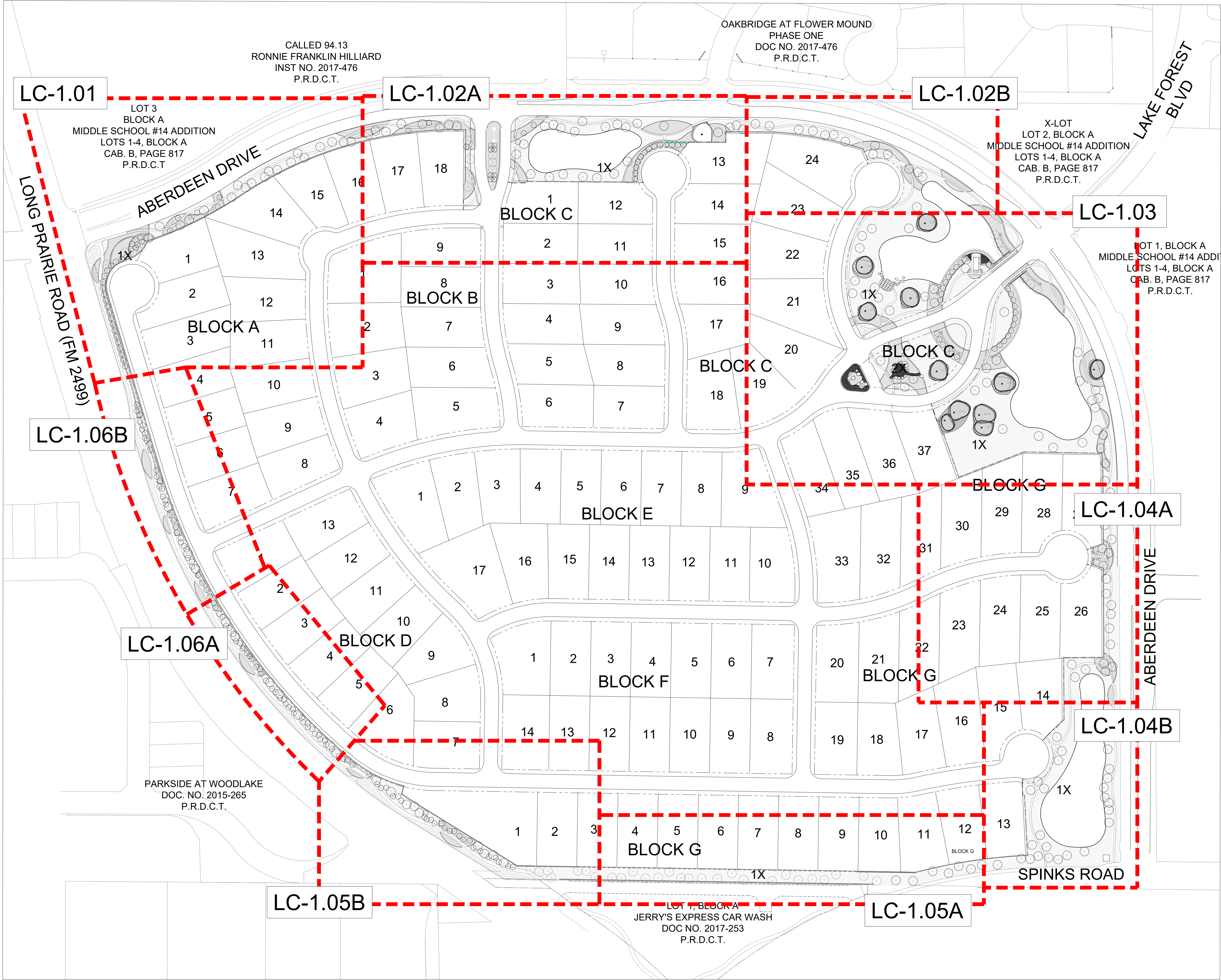
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title
Overall Screening Plan

project number 210001

date 8/19/2021

sheet



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Comment Response
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Comment Response

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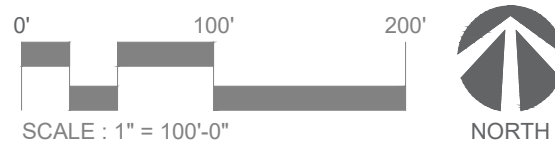
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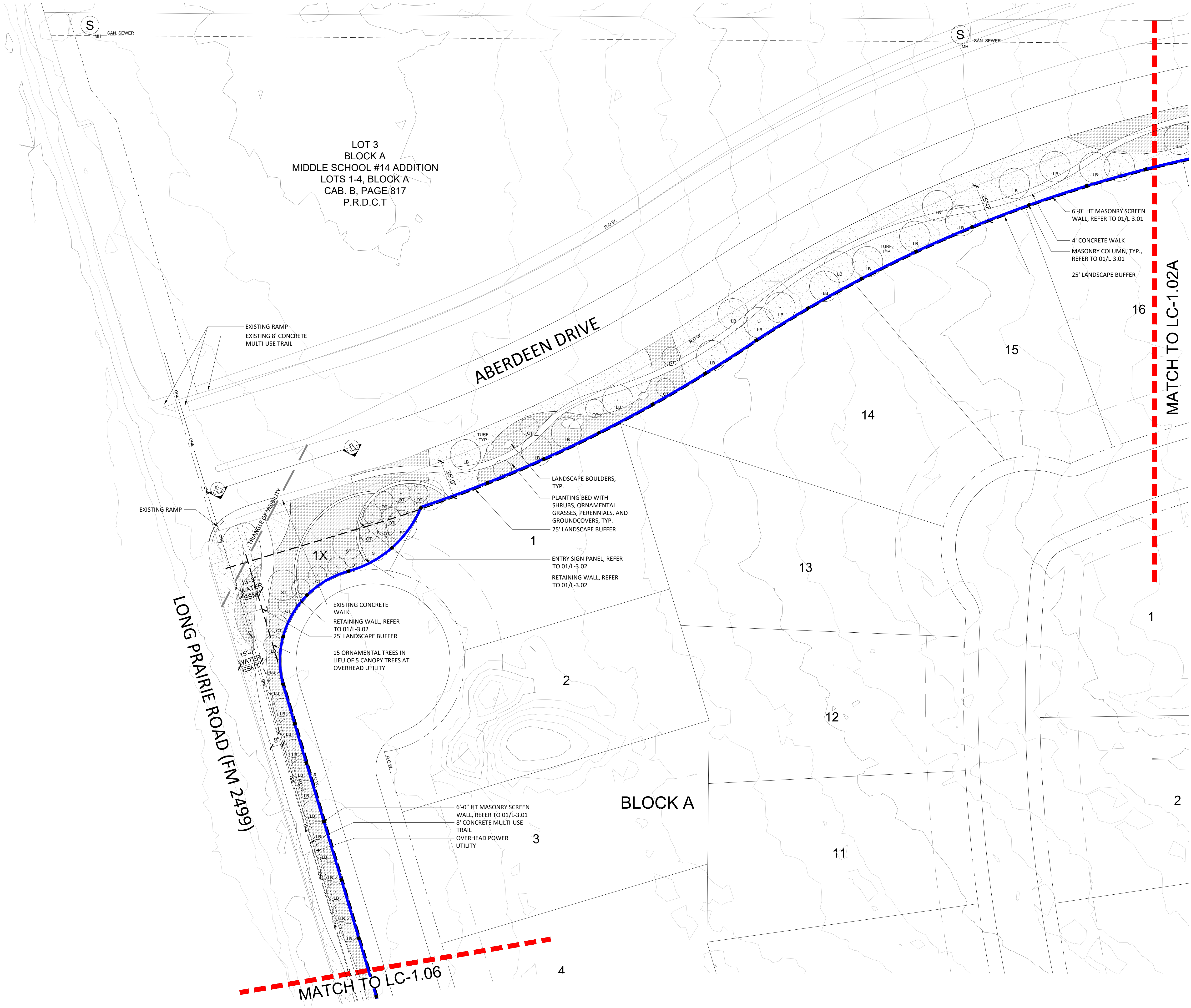
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date 8/19/2021

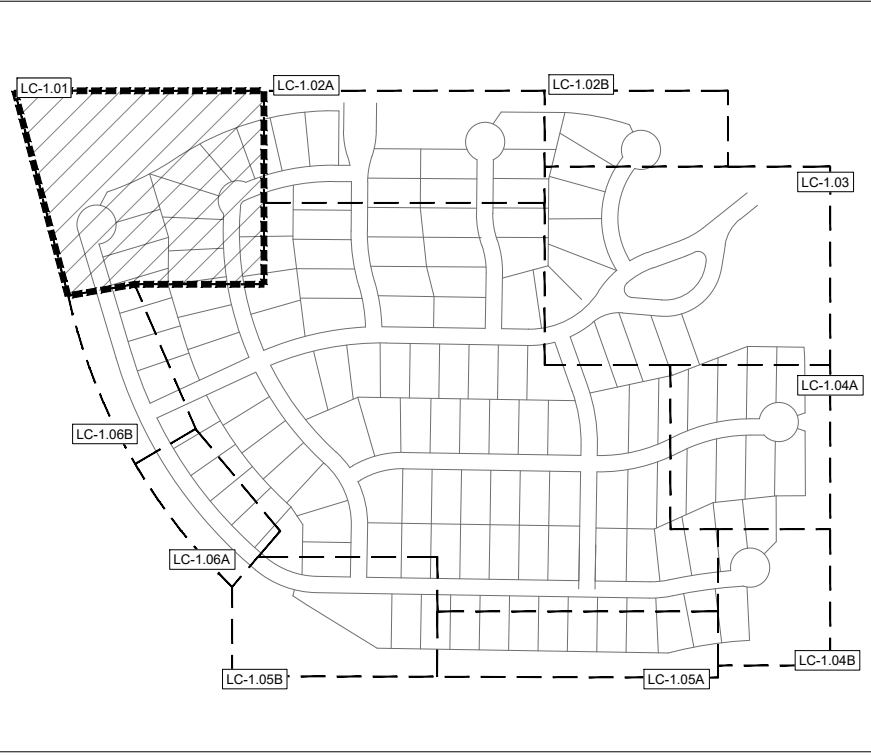
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G-1.03





KEYMAP



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Paul Cozzolino
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Demetrius Seals
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Grapevine, TX 76051

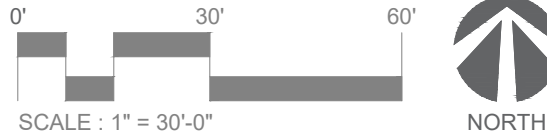
LISD SPINKS TRACT

TOWN OF FLOWER MOUND
DENTON COUNTY, TX

CONCEPTUAL LANDSCAPE/SCREENING PLAN

LEGEND

- EXISTING SPECIMEN TREE
- REQUIRED MITIGATION TREE
- SHADE TREE
- REQUIRED LANDSCAPE BUFFER - SHADE TREE
- REQUIRED LANDSCAPE BUFFER- ORNAMENTAL TREE
- ORNAMENTAL TREE



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06/14/2021 City Submittal - Comment Response	
08/19/2021 City Submittal - Comment Response	

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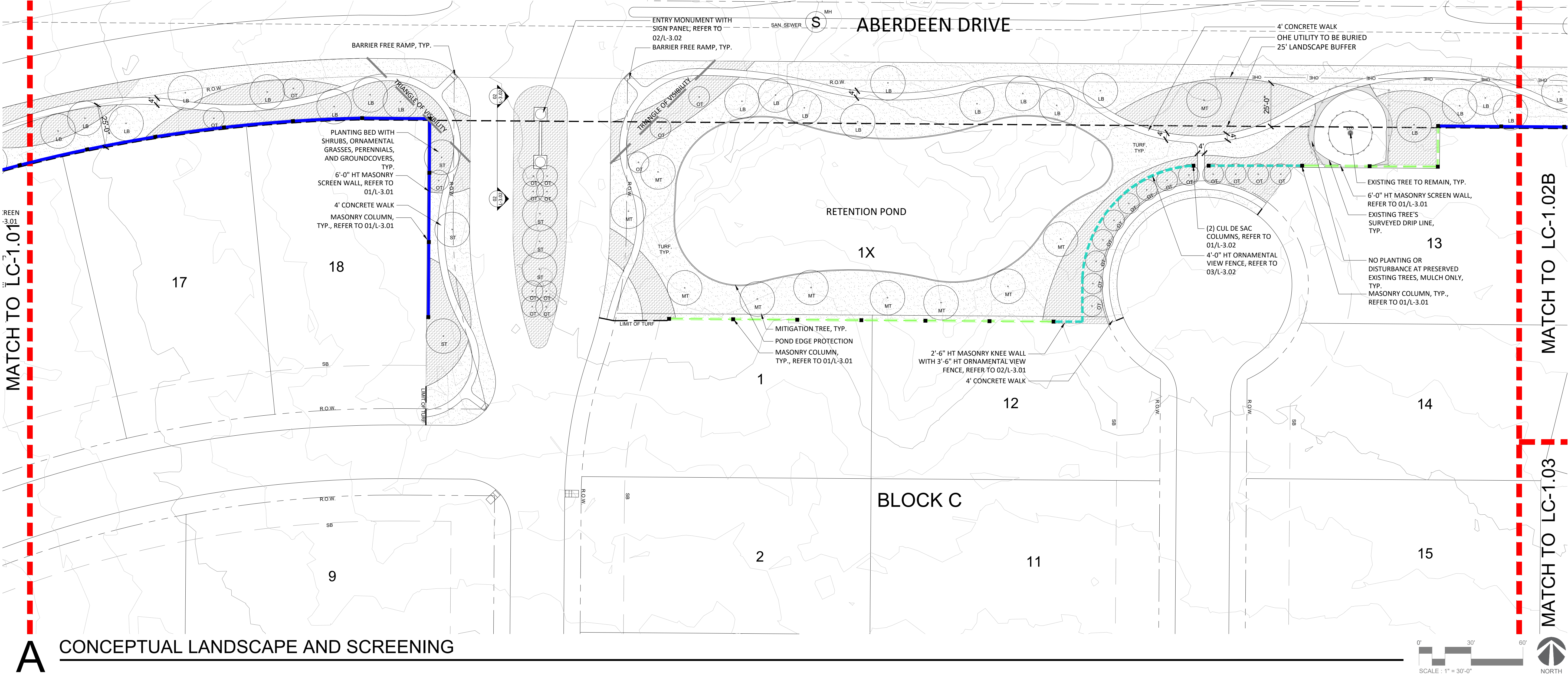
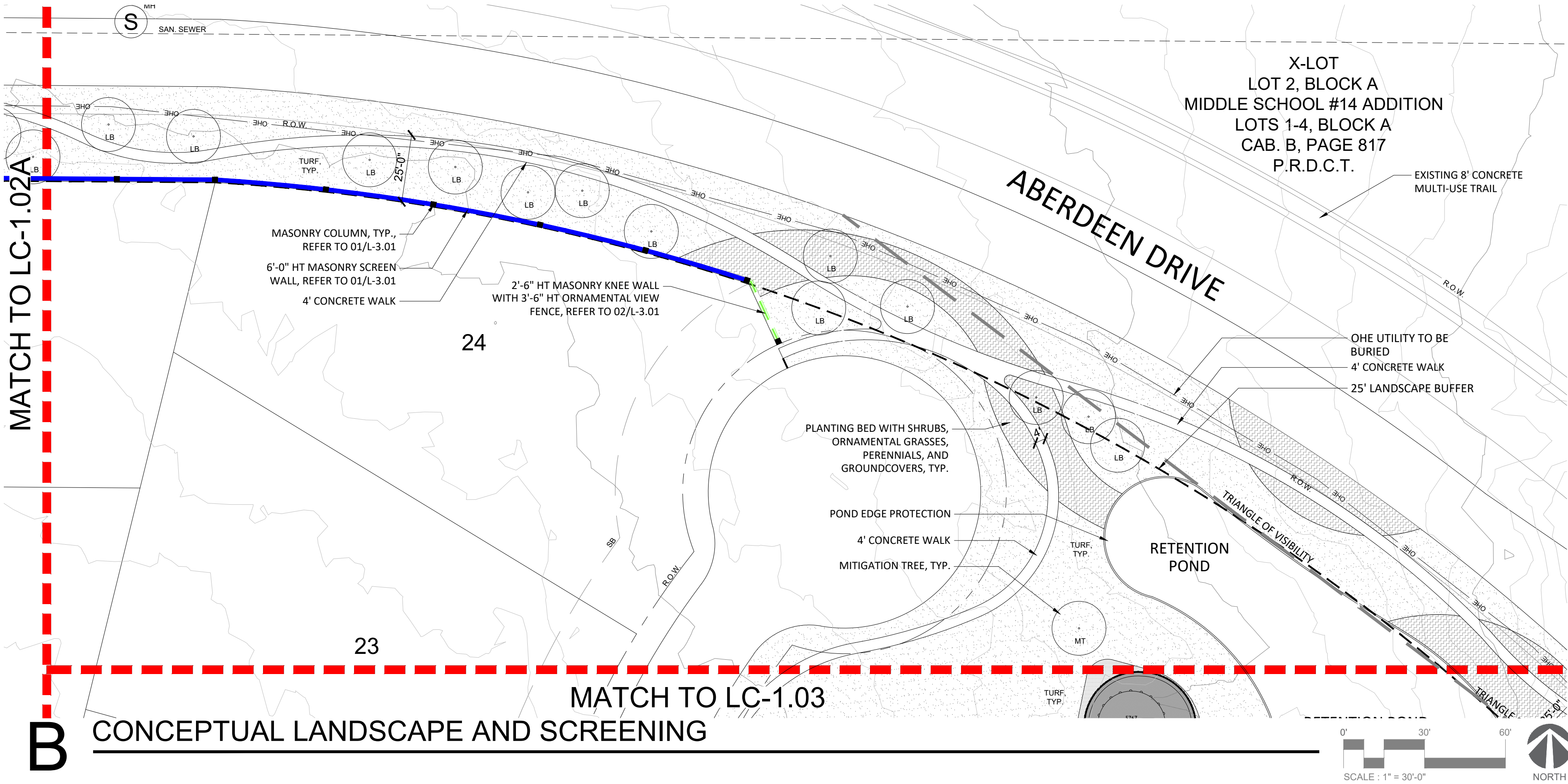
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Landscape and
Screening

project number 210001

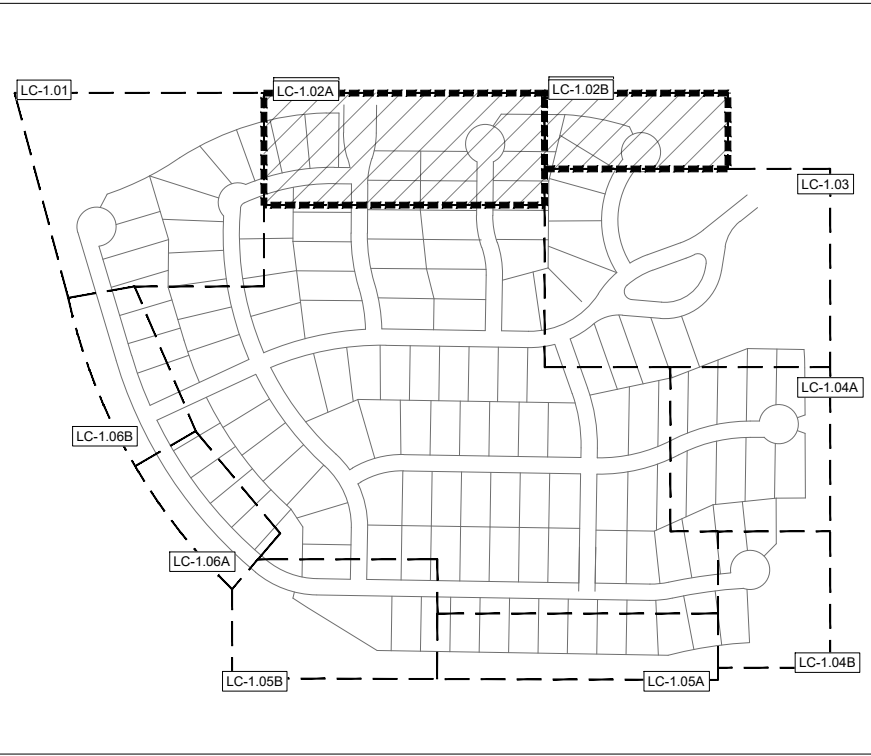
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LC-1.01



KEYMAP



LEGEND

- EXISTING SPECIMEN TREE
- REQUIRED MITIGATION TREE
- SHADE TREE
- REQUIRED LANDSCAPE BUFFER - SHADE TREE
- REQUIRED LANDSCAPE BUFFER- ORNAMENTAL TREE
- ORNAMENTAL TREE



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Paul Cozzolino
8/19/2021

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2555 SW Grapevine
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Grapevine, TX 76051

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Comment Response
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Comment Response
08/19/2021 City Submittal -
Comment Response

revisions

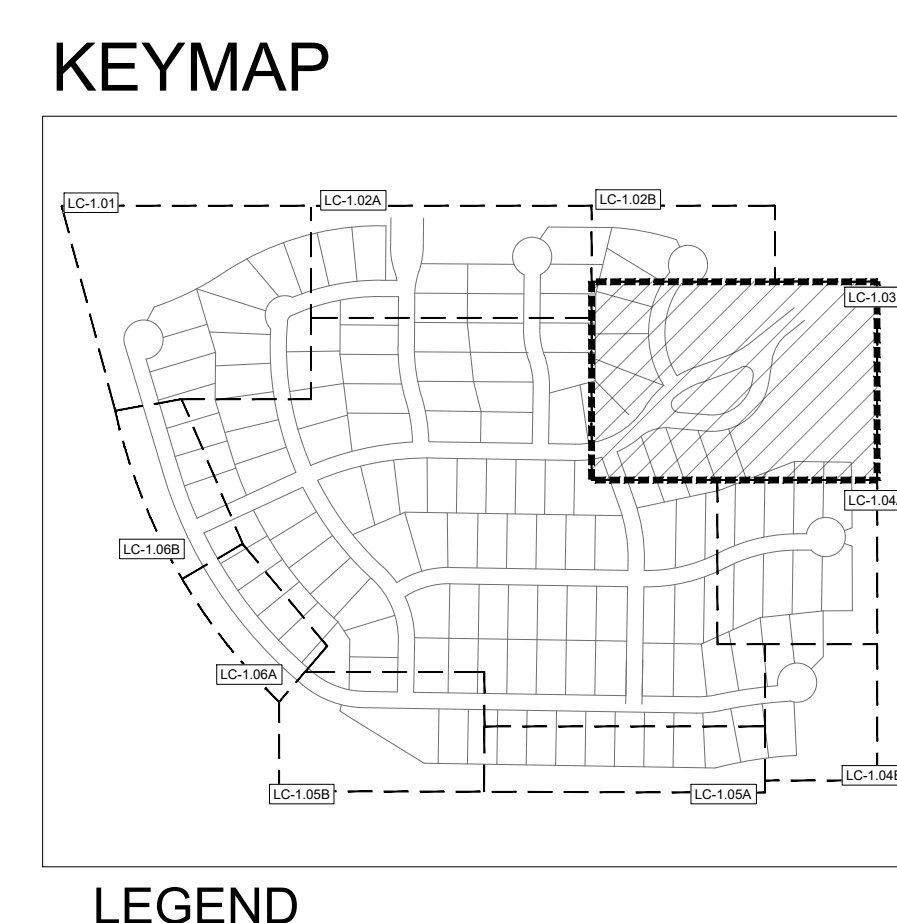
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Landscape and
Screening

project number 210001

date 8/19/2021

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LC-1.02



**green
door**
s t u d i o

landscape architecture

PO Box 38415
Dallas, Texas 75238
972.855.8705

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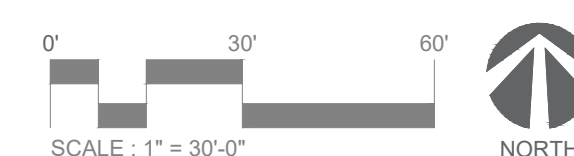
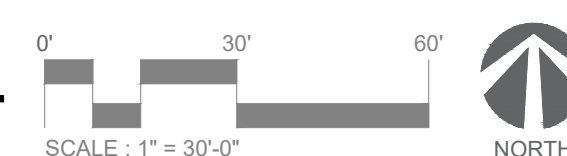
Paul Cozzolino
8/19/2021

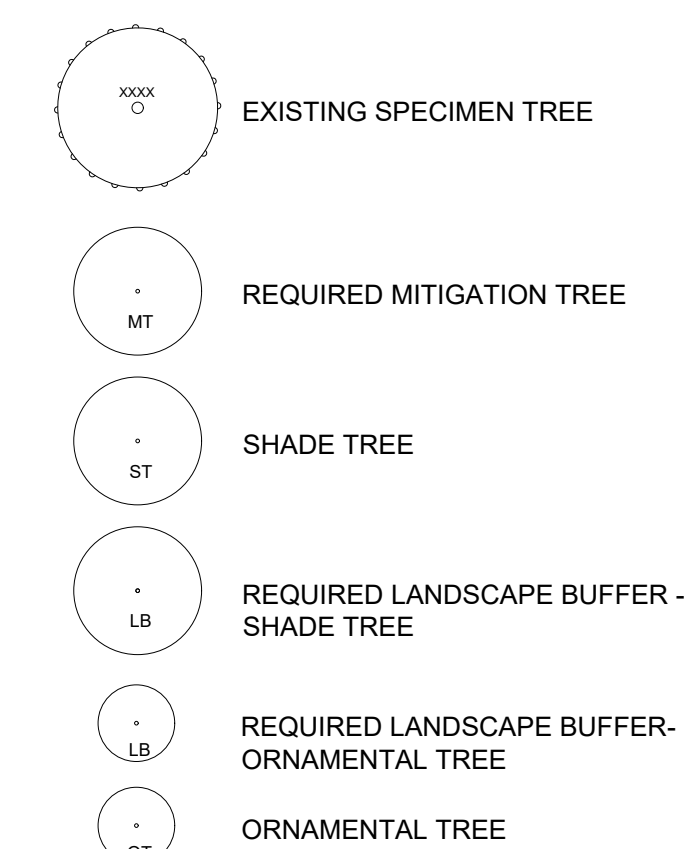
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TOWN OF FLOWER MOUND
DENTON COUNTY, TX

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Landscape and
Screening
project number 210001
date 8/19/2021
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LC-1.03





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Toll Brothers
Demerius Seals
2555 SW Grapevine
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LLISD SPINKS TRACT

TOWN OF FLOWER MOUND
DENTON COUNTY, TX

CONCEPTUAL LANDSCAPE/SCREENING PLAN

sheet

LC-1.05



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Screening

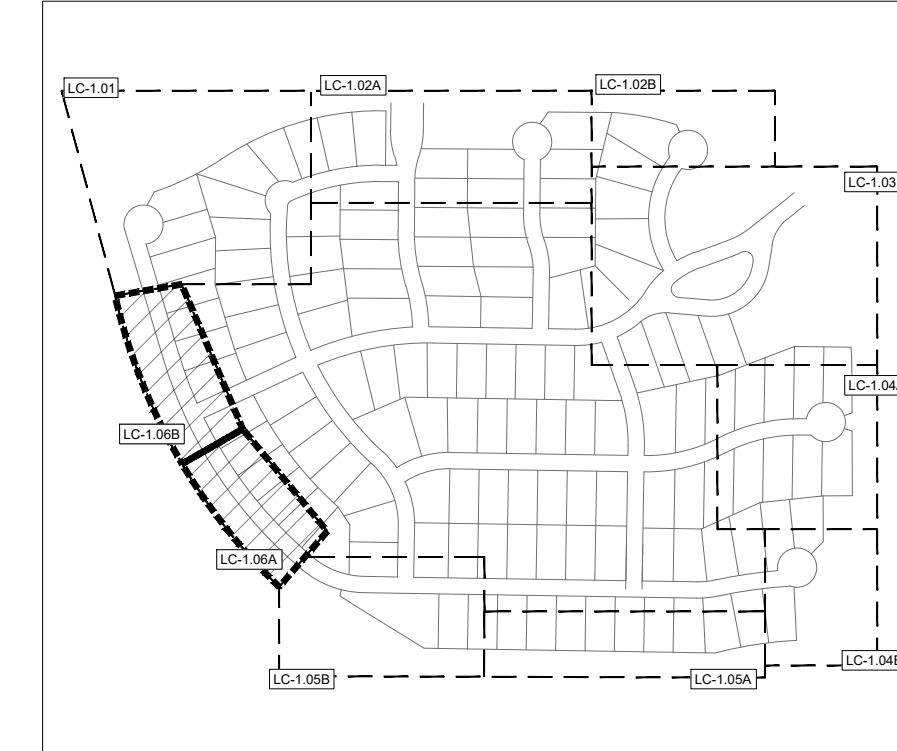
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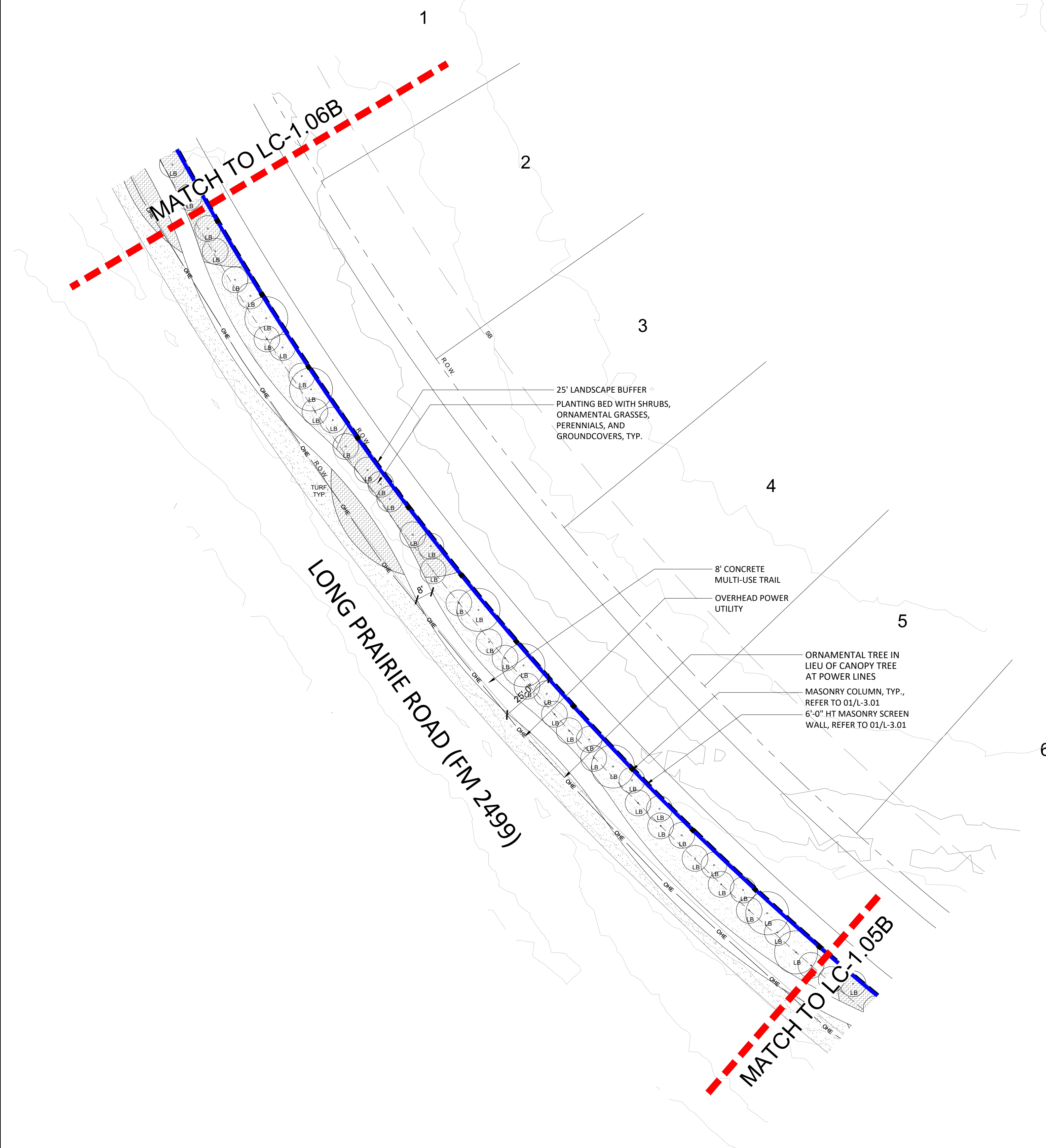
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KEYMAP

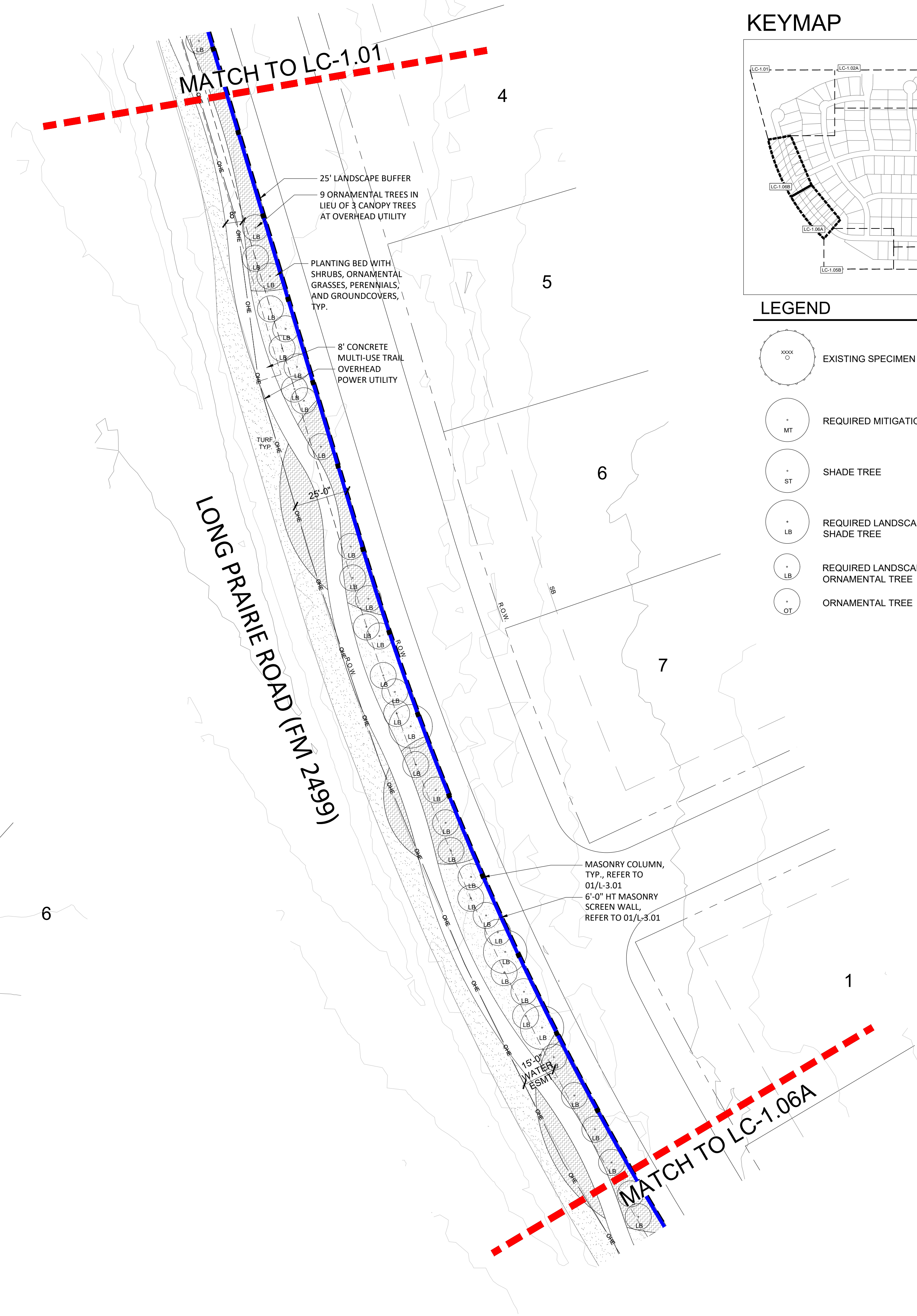
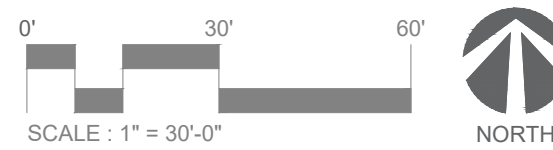


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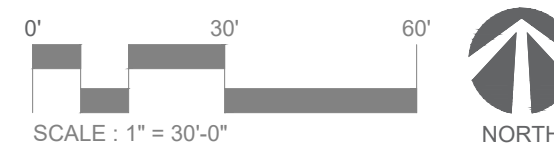
- EXISTING SPECIMEN TREE
- REQUIRED MITIGATION TREE
- SHADE TREE
- REQUIRED LANDSCAPE BUFFER - SHADE TREE
- REQUIRED LANDSCAPE BUFFER- ORNAMENTAL TREE
- ORNAMENTAL TREE

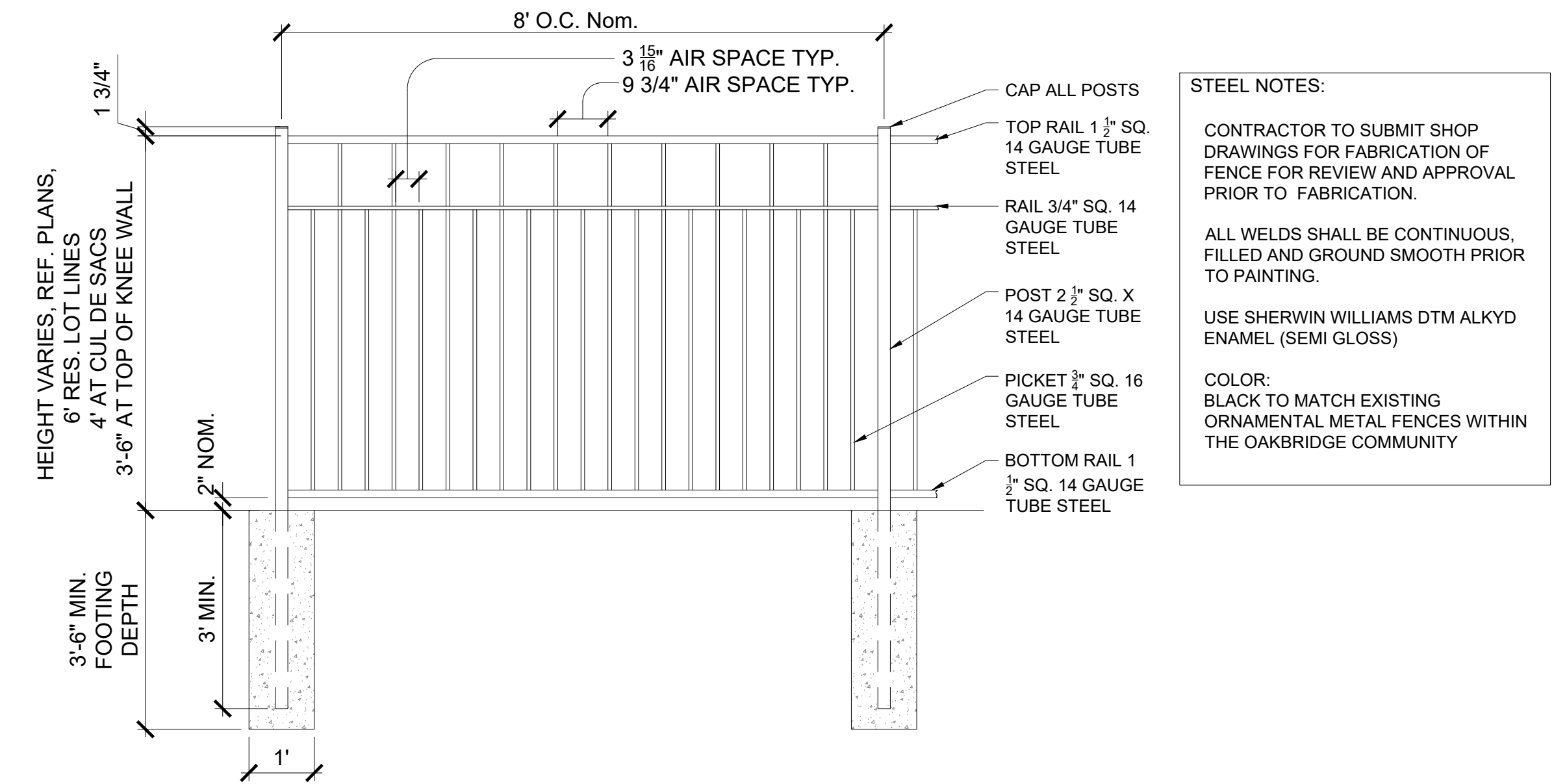


A CONCEPTUAL LANDSCAPE AND SCREENING



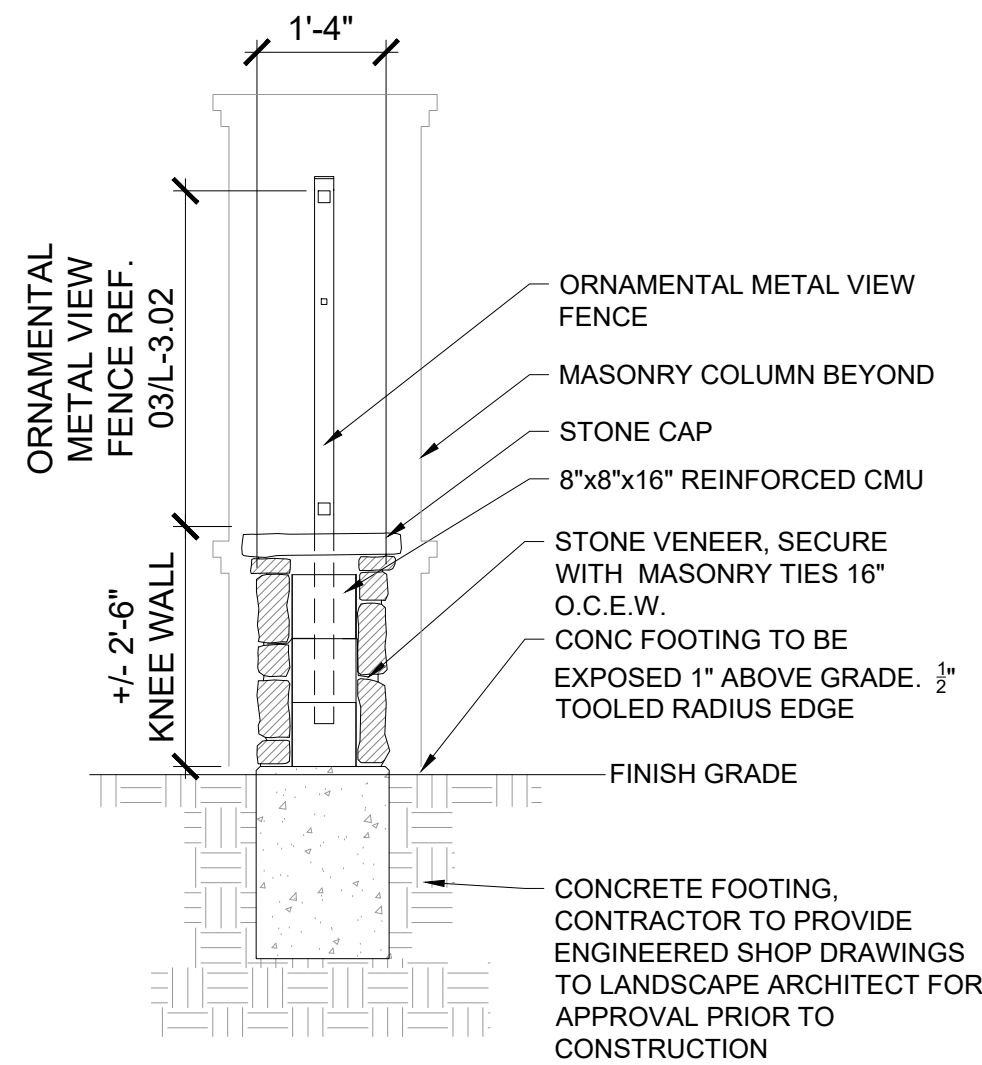
B CONCEPTUAL LANDSCAPE AND SCREENING



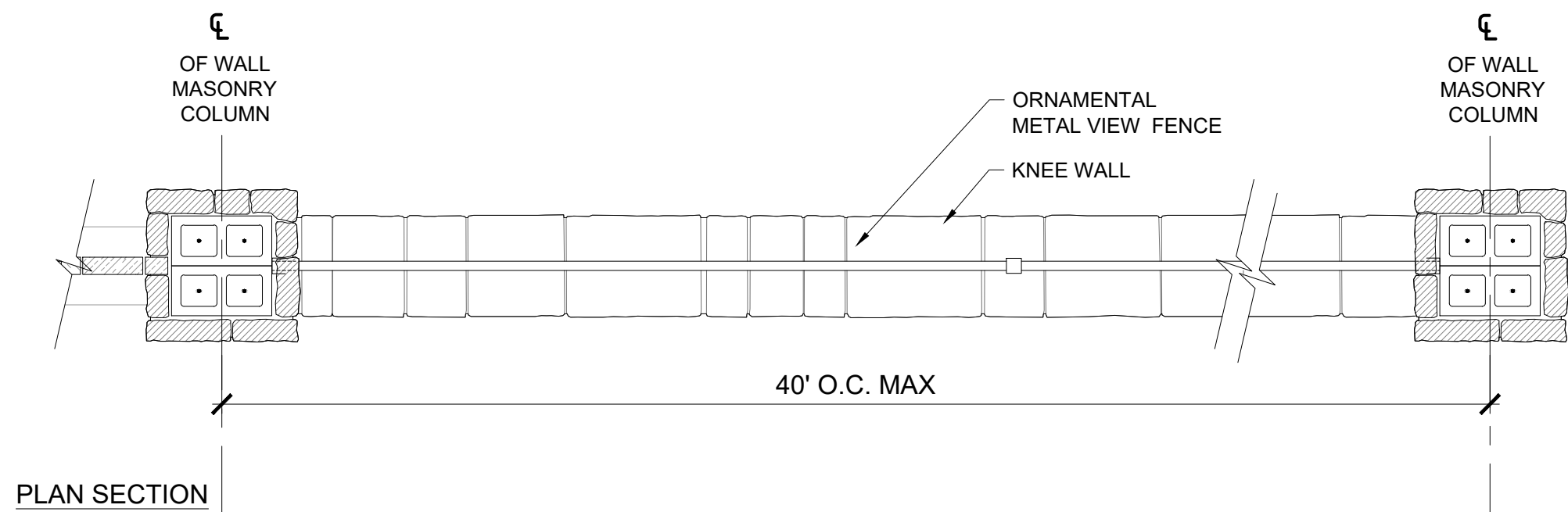


03 ORNAMENTAL METAL VIEW FENCE

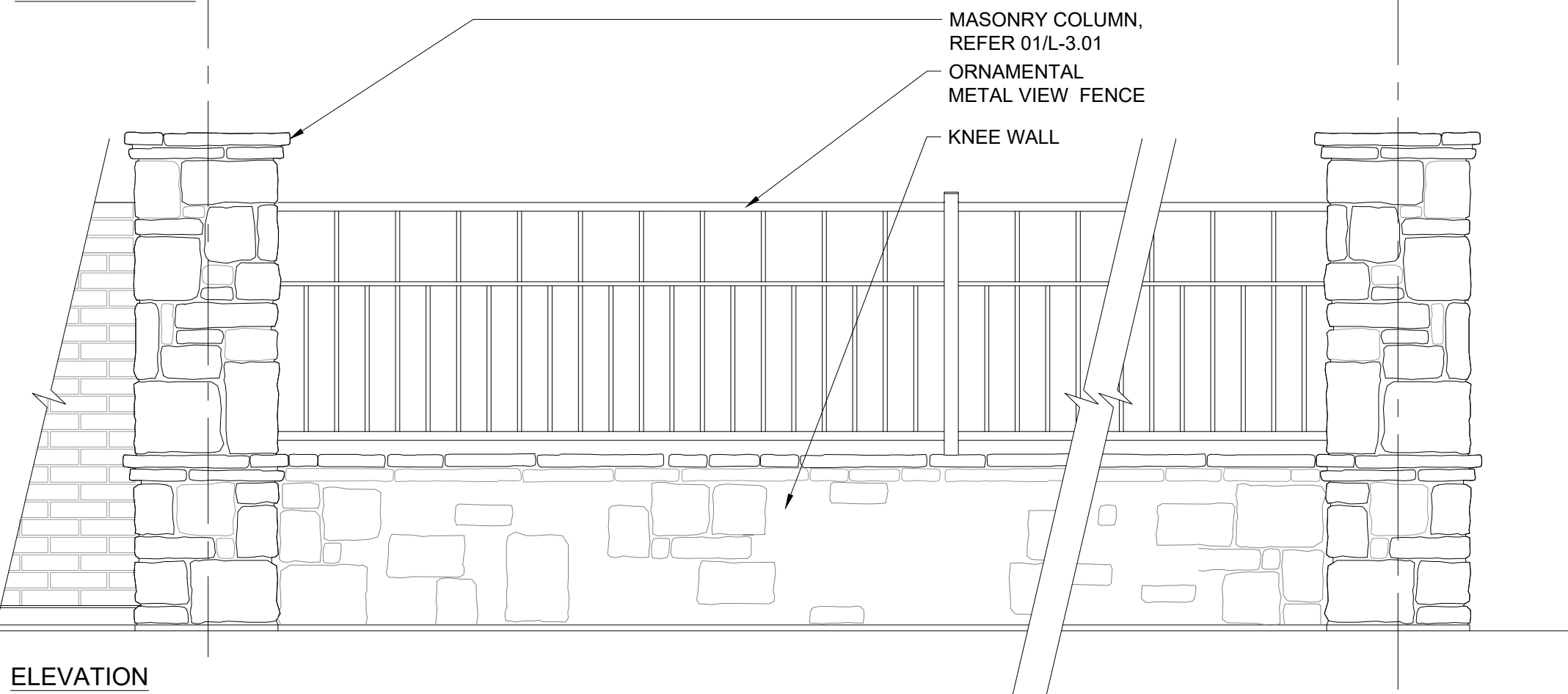
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SECTION



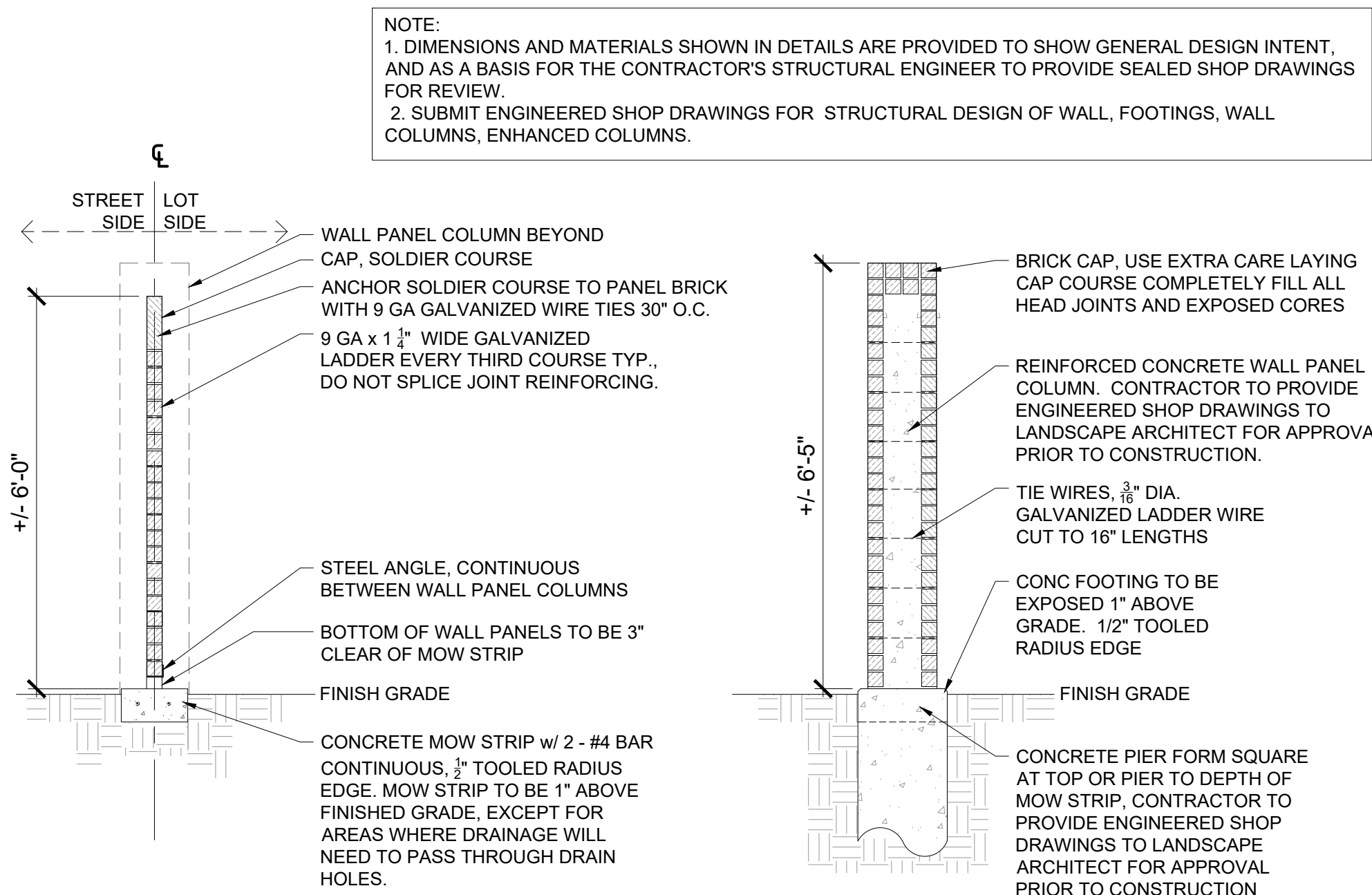
PLAN SECTION



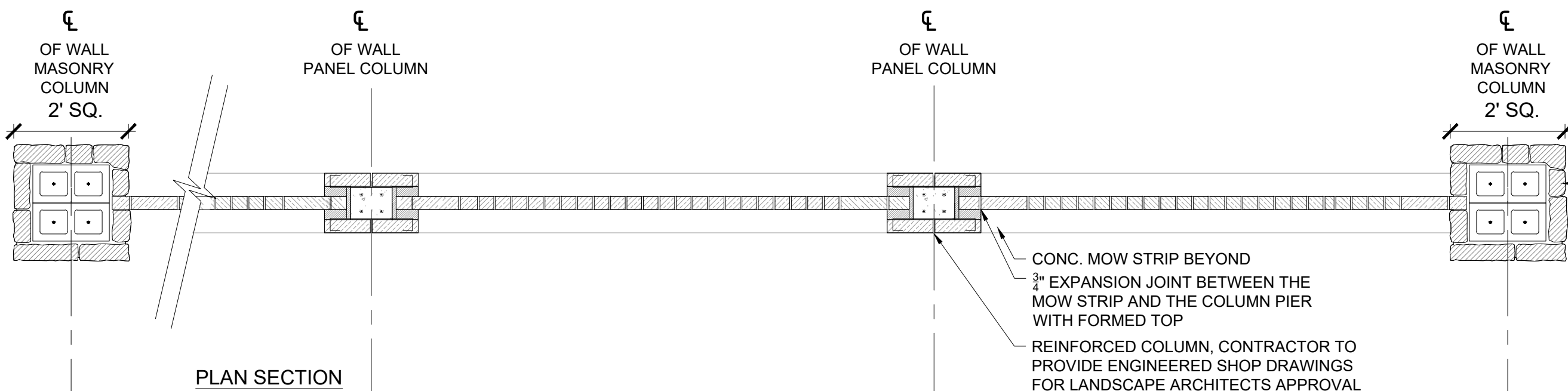
ELEVATION

02 MASONRY KNEE WALL WITH ORNAMENTAL METAL VIEW FENCE

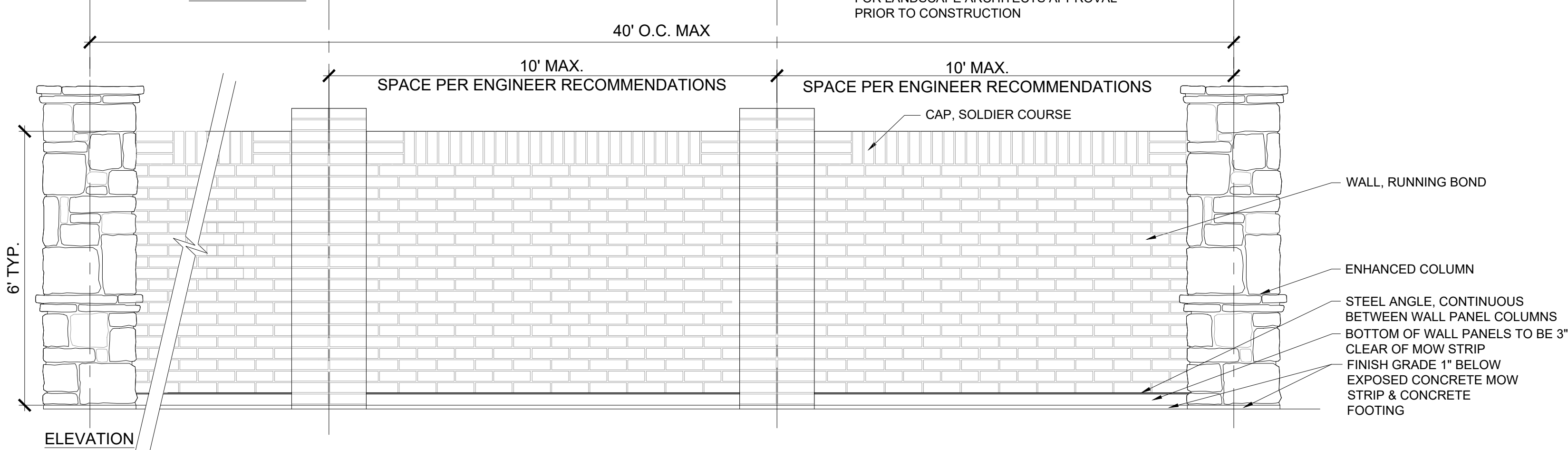
SCALE: 1/2" = 1'-0"



SECTION-WALL PANEL



PLAN SECTION



ELEVATION

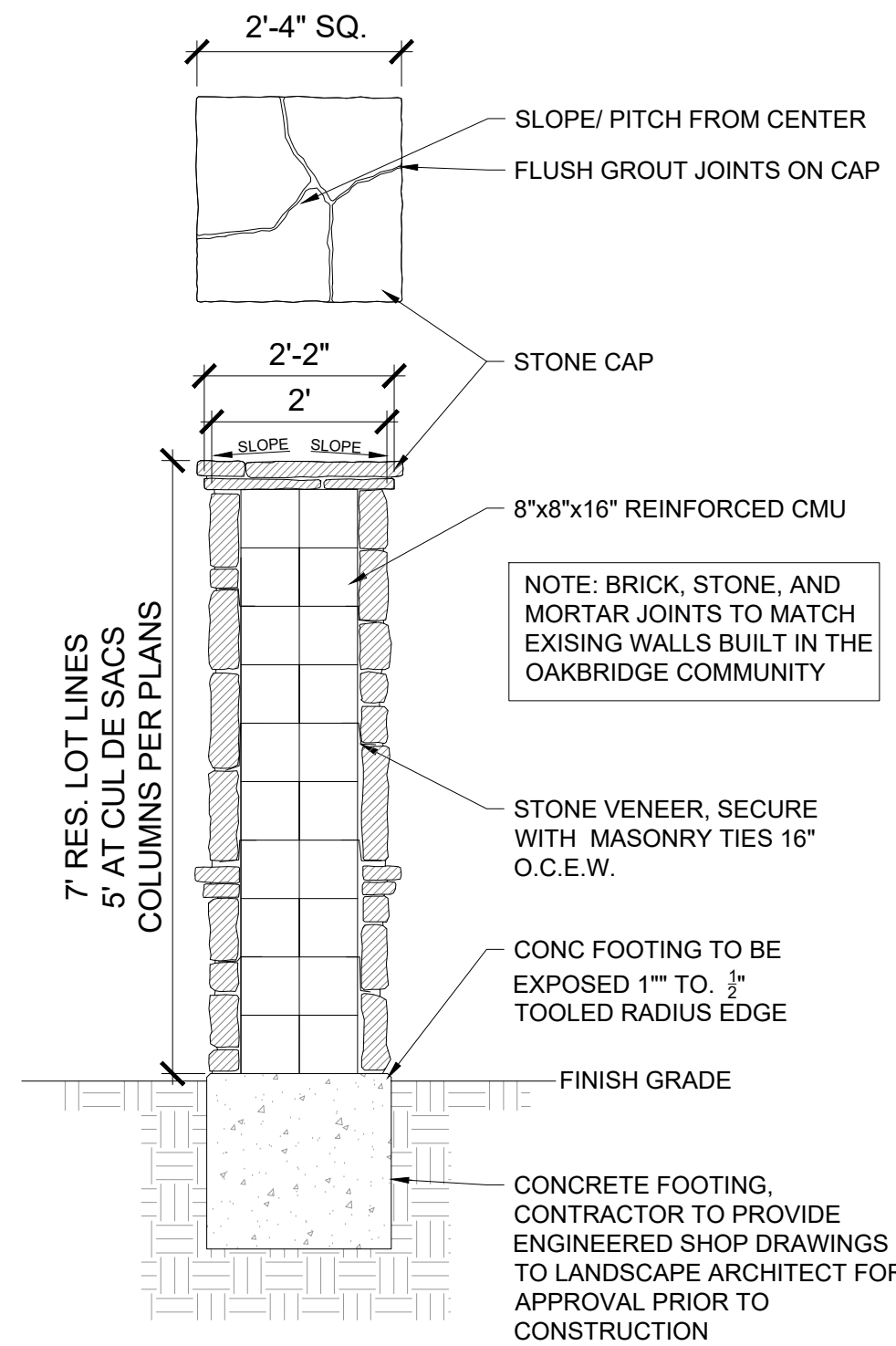
01 MASONRY SCREEN WALL WITH MASONRY COLUMNS

SCALE: 1/2" = 1'-0"

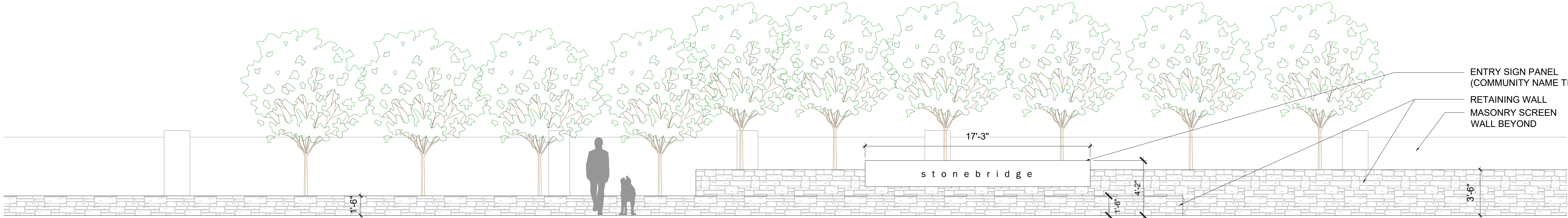
NOTE:

1. DIMENSIONS AND MATERIALS SHOWN IN DETAILS ARE PROVIDED TO SHOW GENERAL DESIGN INTENT, AND AS A BASIS FOR THE CONTRACTOR'S STRUCTURAL ENGINEER TO PROVIDE SEALED SHOP DRAWINGS FOR REVIEW.

2. SUBMIT ENGINEERED SHOP DRAWINGS FOR STRUCTURAL DESIGN OF WALL, FOOTINGS, WALL COLUMNS, ENHANCED COLUMNS.

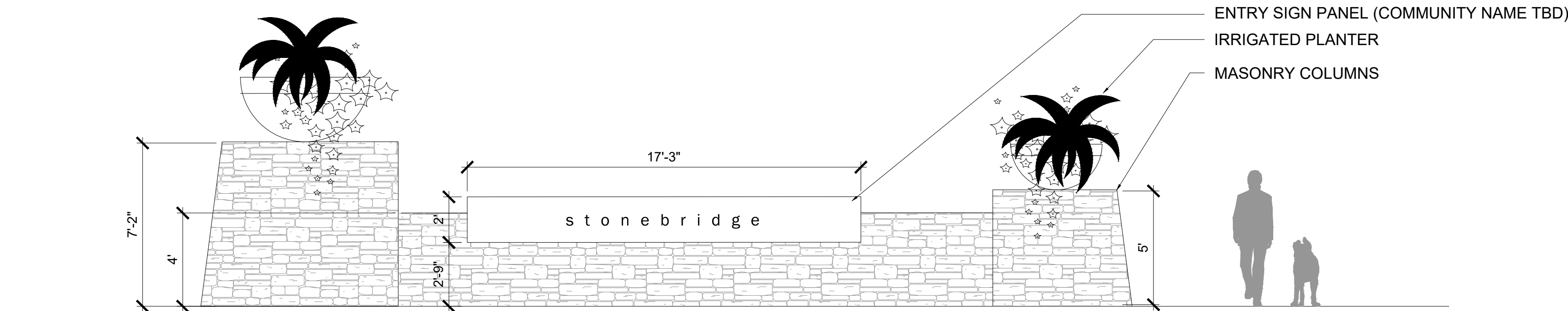


SECTION-MASONRY COLUMN



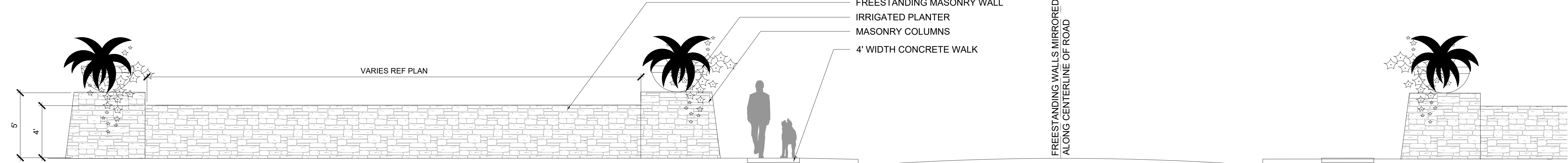
01 ABERDEEN + 2499 RETAINING WALLS AND ENTRY SIGN PANEL

SCALE: 1/4" = 1'-0"



02 ABERDEEN + PROPOSED ROAD ENTRY SIGN WITH SIGN PANEL

SCALE: 1/4" = 1'-0"



03 ABERDEEN + LAKE FOREST FREESTANDING WALLS

SCALE: 1/4" = 1'-0"



04 ABERDEEN + LAKE FOREST ENTRY STRUCTURE

SCALE: NTS

NOTE:
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2. SUBMIT ENGINEERED SHOP DRAWINGS FOR STRUCTURAL DESIGN OF WALL, FOOTINGS, WALL COLUMNS, ENHANCED COLUMNS.



landscape architecture
PO Box 38415
Dallas, Texas 75238
972.855.8705

NOT FOR REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

Paul Cozzolino
8/19/2021

client
Toll Brothers
Demerius Seals
2555 SW Grapevine
Parkway, Suite 100
Grapevine, TX 76051

LISD SPINKS TRACT
FLOWER MOUND
TOWN OF FLOWER MOUND
CONCEPTUAL LANDSCAPE/SCREENING PLAN

issue
03/22/2021 City Submittal
05/10/2021 City Submittal -
Comment Response
06/14/2021 City Submittal -
Comment Response
08/19/2021 City Submittal -
Comment Response

revisions
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title

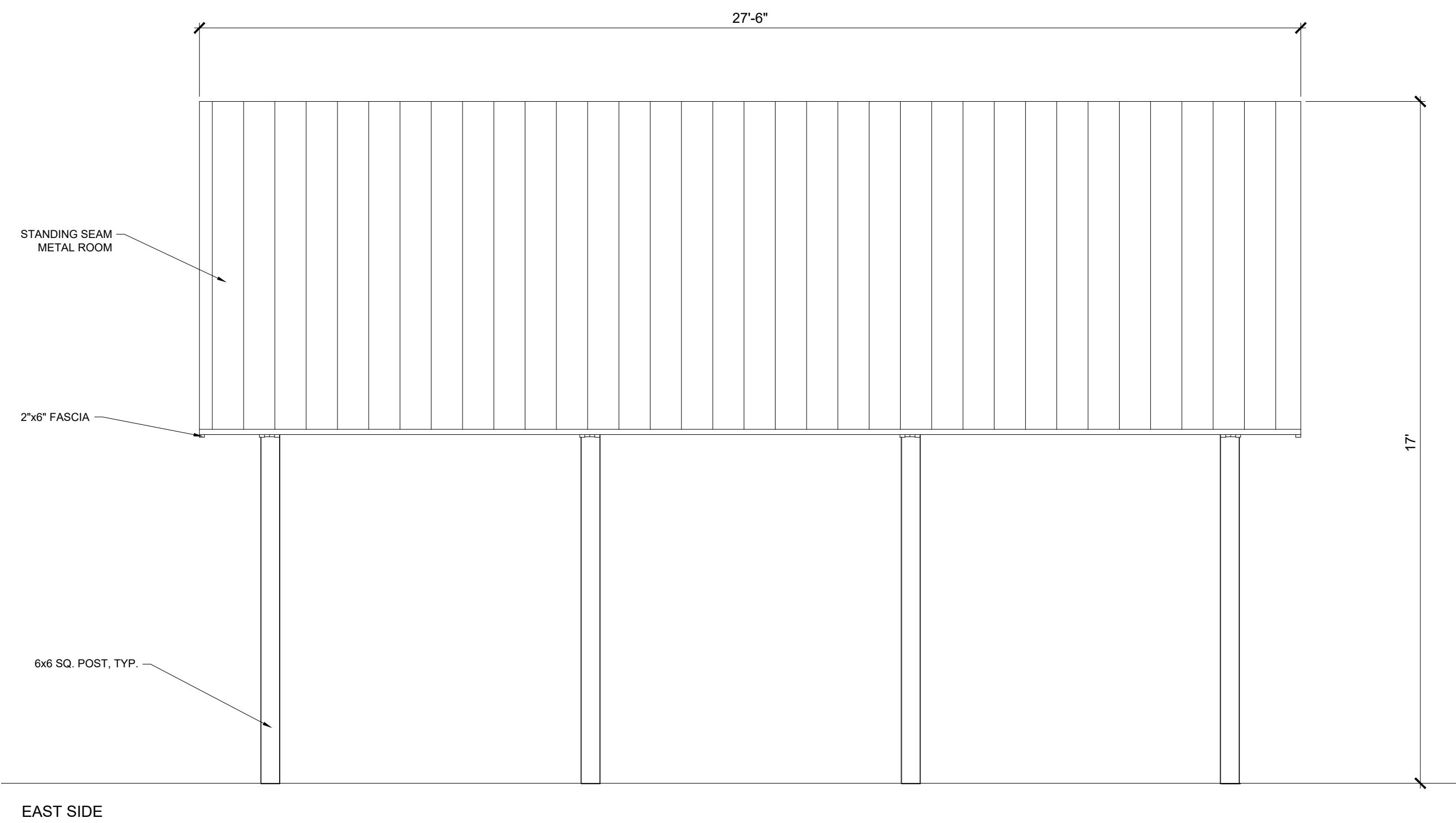
Hardscape Details

project number 210001

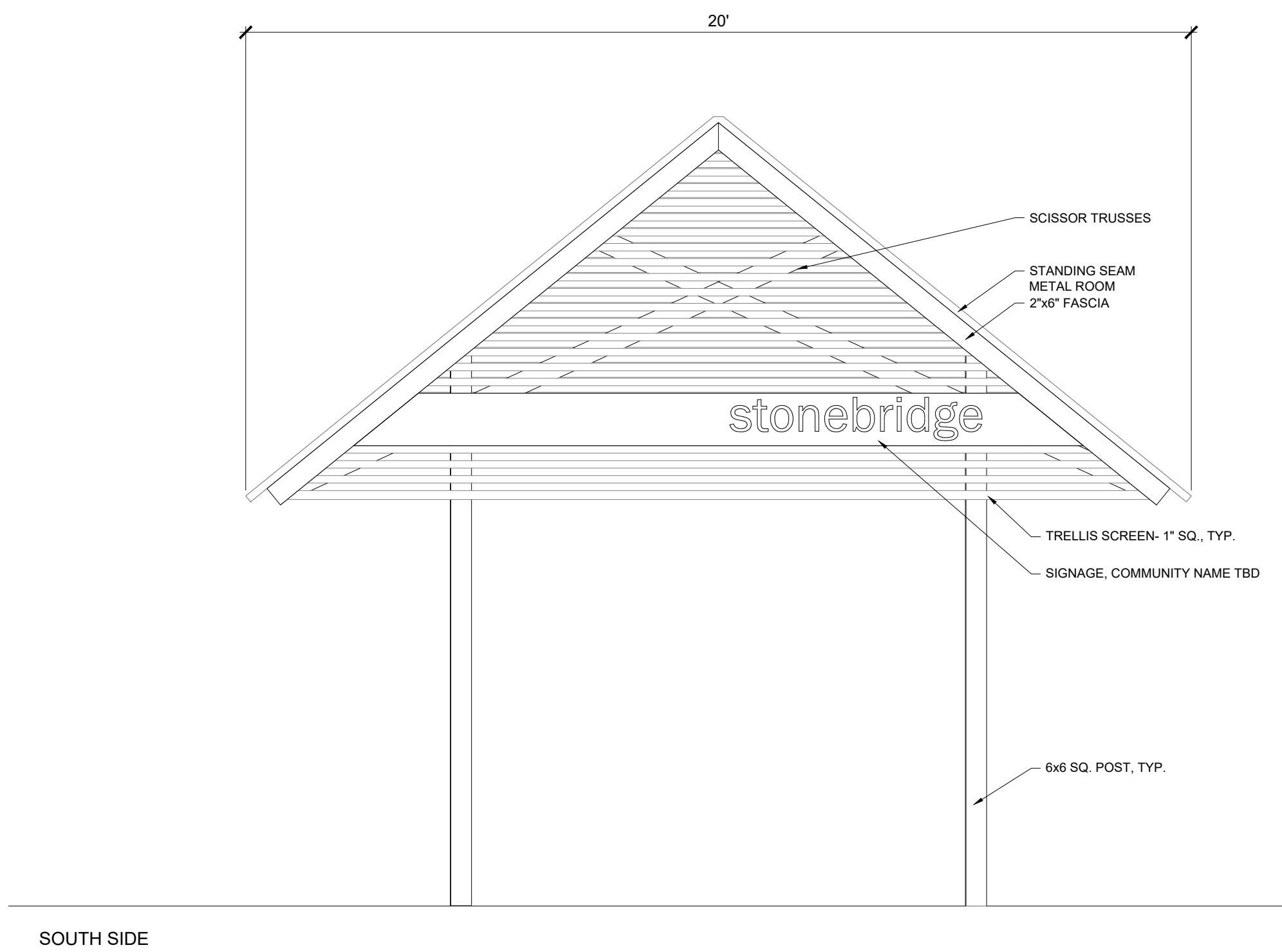
date 8/19/2021

sheet

L-3.02



01 ABERDEEN + LAKE FOREST ENTRY STRUCTURE: EAST SIDE ELEVATION
SCALE: 3/8" = 1'-0"



02 ABERDEEN + LAKE FOREST ENTRY STRUCTURE: SOUTH VIEW ELEVATION
SCALE: 3/8" = 1'-0"



03 ABERDEEN + LAKE FOREST ENTRY STRUCTURE
SCALE: NTS

NOTE:
1. DIMENSIONS AND MATERIALS SHOWN IN DETAILS ARE PROVIDED TO SHOW GENERAL DESIGN INTENT, AND AS A BASIS FOR THE CONTRACTOR'S STRUCTURAL ENGINEER TO PROVIDE SEALED SHOP DRAWINGS FOR REVIEW.
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LISD SPINKS TRACT
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TOWN OF FLOWER MOUND
CONCEPTUAL LANDSCAPE/SCREENING PLAN

issue
03/22/2021 City Submittal
05/10/2021 City Submittal -
Comment Response
06/14/2021 City Submittal -
Comment Response
08/19/2021 City Submittal -
Comment Response

revisions
△

title

Hardscape Details

project number 210001

date 8/19/2021

sheet

L-3.03

Paul Cozzolino
8/19/2021

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Demerius Seals
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Grapevine, TX 76051

ALLIED SPINKS TRACT

TOWN OF FLOWER MOUND
DENTON COUNTY, TX

CONCEPTUAL LANDSCAPE/SCREENING PLAN

issue
03/22/2021 City Submittal
05/10/2021 City Submittal - Comment Response
06/14/2021 City Submittal - Comment Response
08/19/2021 City Submittal - Comment Response

revisions



title
Planting Details
Schedule and Notes

sheet

L-4.01



Paul Cozzolino
8/19/2021

LISD SPINKS TRACT
TOWN OF FLOWER MOUND
DENTON COUNTY, TX
CONCEPTUAL LANDSCAPE/SCREENING PLAN

revisions



Planting Details

Schedule and Notes

shee

L-4.02

QTY	Name	CONT	Caliper (min.)	Height (min.)	Spread (min.)	Spacing	Comments
MITIGATION TREES							
PE	Carya illinoensis/ Native Pecan		3"				Full & Matched, Straight Central Leader
BO	Quercus marcoparpa / Bur Oak		3"				Full & Matched, Straight Central Leader
WO	Quercus nigra / Water Oak		3"				Full & Matched, Straight Central Leader
SO	Quercus shumardi / Shumard Oak		3"				Full & Matched, Straight Central Leader
PO	Quercus stellata / Post Oak		3"				Full & Matched, Straight Central Leader
TRO	Quercus texana / Texas Red Oak		3"				Full & Matched, Straight Central Leader
WE	Ulmus alata / Winged Elm		3"				Full & Matched, Straight Central Leader
CE	Ulmus crassifolia / Cedar Elm		3"				Full & Matched, Straight Central Leader
SE	Ulmus rubra / Slippery Elm		3"				Full & Matched, Straight Central Leader
TOTAL:	56						
LANDSCAPE BUFFER TREES							
PEC	Carya illinoensis/ Native Pecan		3"				Full & Matched, Straight Central Leader
BC	Taxodium distichum / Bald Cypress		3"				Full & Matched, Straight Central Leader
JE	Juniperus virginiana/ Eastern Red Cedar		3"				Full & Matched, Straight Central Leader
EO	Quercus fusiformis / Escarpment Live Oak		3"				Full & Matched, Straight Central Leader
BO	Quercus marcoparpa / Bur Oak		3"				Full & Matched, Straight Central Leader
CO	Quercus muehlenbergii/ Chinquapin Oak		3"				Full & Matched, Straight Central Leader
WO	Quercus nigra / Water Oak		3"				Full & Matched, Straight Central Leader
MO	Quercus polymorpha/ Monterrey Oak		3"				Full & Matched, Straight Central Leader
SO	Quercus shumardi / Shumard Oak		3"				Full & Matched, Straight Central Leader
TRO	Quercus texana / Texas Red Oak		3"				Full & Matched, Straight Central Leader
LO	Quercus Virginiana/ Live Oak		3"				Full & Matched, Straight Central Leader
WI	Ulmus alata / Winged Elm		3"				Full & Matched, Straight Central Leader
AE	Ulmus americana / American Elm		3"				Full & Matched, Straight Central Leader
CE	Ulmus crassifolia / Cedar Elm		3"				Full & Matched, Straight Central Leader
LE	Ulmus paviolia / Lacebark Elm		3"				Full & Matched, Straight Central Leader
RB-TX	Cercis canadensis var. texensis 'Oklahoma'/ Texas Redbud 'Oklahoma'	45 gal		8'	5'-6'		MULTI, 5 CANES MIN. .5" CAL MIN. PER CANE
ID	Ilex decidua / Possum Haw	45 gal					
TH	Ilex vomitoria / Yaupon Holly	45 gal					
CM	Lagerstroemia indica / Crepe Myrtle	45 gal	see comments	10'	6'-7'		Multi-trunk, 3-5 canes min., 1.75"-2" cal. Ea, cane min., Matched
WM	Myrica cerifera / Wax Myrtle	45 gal					
PL	Prunus spp. / Plum	45 gal					
TOTAL:	237						
SHADE TREES							
PEC	Carya illinoensis/ Native Pecan		3"				Full & Matched, Straight Central Leader
BC	Taxodium distichum / Bald Cypress		3"				Full & Matched, Straight Central Leader
JE	Juniperus virginiana/ Eastern Red Cedar		3"				Full & Matched, Straight Central Leader
SVC	Platanus x acerifolia 'Morton Circle'/ Sycamore 'Exclamation Planetree'		3"				Full & Matched, Straight Central Leader
CW	Populus deltoides 'Siouxland'/ Cottonless Cottonwood		3"				Full & Matched, Straight Central Leader
CAN	Quercus canbyi/ Canby Oak		3"				Full & Matched, Straight Central Leader
EO	Quercus fusiformis / Escarpment Live Oak		3"				Full & Matched, Straight Central Leader
LAO	Quercus laceyi/ Lacey Oak		3"				Full & Matched, Straight Central Leader
BO	Quercus marcoparpa / Bur Oak		3"				Full & Matched, Straight Central Leader
CO	Quercus muehlenbergii/ Chinquapin Oak		3"				Full & Matched, Straight Central Leader
WO	Quercus nigra / Water Oak		3"				Full & Matched, Straight Central Leader
MO	Quercus polymorpha/ Monterrey Oak		3"				Full & Matched, Straight Central Leader
SO	Quercus shumardi / Shumard Oak		3"				Full & Matched, Straight Central Leader
TRO	Quercus texana / Texas Red Oak		3"				Full & Matched, Straight Central Leader
LO	Quercus Virginiana/ Live Oak		3"				Full & Matched, Straight Central Leader
MC	Taxodium mucronatum / Montezuma Cypress		3"				Full & Matched, Straight Central Leader
WI	Ulmus alata / Winged Elm		3"				Full & Matched, Straight Central Leader
AE	Ulmus americana / American Elm		3"				Full & Matched, Straight Central Leader
CE	Ulmus crassifolia / Cedar Elm		3"				Full & Matched, Straight Central Leader
LE	Ulmus paviolia / Lacebark Elm		3"				Full & Matched, Straight Central Leader
TOTAL:	45						
ORNAMENTAL TREES							
RB-TX	Cercis canadensis var. texensis 'Oklahoma'/ Texas Redbud 'Oklahoma'	45 gal		8'	5'-6'		MULTI, 5 CANES MIN. .5" CAL MIN. PER CANE
EH	Ilex x attenuata 'Eagleston' / Eagleston Holly	45 gal	3"	9'	5'		full to ground, full, matched
ID	Ilex decidua / Possum Haw	45 gal					
CM-N	Lagerstroemia fauriei 'Natchez' / Natchez Crape Myrtle	45 gal	see comments	10'	6'-7'		Multi-trunk, 3-5 canes min., 1.75"-2" cal. Ea, cane min., Matched

All proposed landscape areas to be fully irrigated



TOWN COUNCIL AGENDA ITEM NO. 12 REGULAR ITEM

DATE: October 4, 2021

FROM: Chuck Russell, Principal Planner

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



SUMMARY DATA:

- Lot Size – 22.15 acres
- MPA Request – Change land use from Estate Residential uses to Medium Density Residential uses, minimum 10,000 square foot lots
- SMARTGrowth – Passed
- Traffic Analysis – Passed

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning & Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, "LAND USE PLAN" OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE DESIGNATION REFLECTED ON THE LAND USE PLAN MAP FROM ESTATE RESIDENTIAL USES TO MEDIUM DENSITY RESIDENTIAL USES ON APPROXIMATELY 22.148 ACRES OF LAND BEING A PORTION OF LOT 2, BLOCK A OF THE WAGER ROAD SCHOOL ADDITION; 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 municipality 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 Land Use Plan Map contained in the Land Use Plan of the Town Master Plan depicts, by distinct colors, the various land uses in the Town; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations of the Code of Ordinances of the Town of Flower Mound, the owner of the property described as approximately 22.148 acres of land being a portion of Lot 2, Block A of the Wager Road School Addition, Denton County, Texas, has filed an application for a Master Plan Amendment to change the current land use designation from Estate Residential Uses to Medium Density Residential Uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on September 13, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, 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 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;

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 to change the land use designation on the hereinafter described property and area as shown below:

Approximately 22.148 acres of land being a portion of Lot 2, Block A of the Wager Road School Addition, Denton County, Texas, and more fully described in Exhibit "A" hereto.

Section 1.0, "Land Use Plan" of the Master Plan, specifically the Land Use Plan Map, is hereby amended to change the current land use designation from Estate Residential

Ordinance No. _____

Page 2

Uses to Medium Density Residential Uses for the approximately 22.148 acres of the project area depicted on Exhibit "B," attached hereto and incorporated herein 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.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

Exhibit A**PROPERTY DESCRIPTION**

BEING a 22.148 acre portion of Lot 2, Block A of Wager Road School Addition, an addition to the Town of Flower Mound, according to the plat thereof recorded in Cabinet U, Page 503, Plat Records, Denton County, Texas (P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner being the southwest corner of said Lot 2, same point being the northwest corner of a tract of land described by deed to Jonathan Aldis and Heather Aldis, recorded under Document Number 2014-30883, Official Public Records, Denton County, Texas (O.P.R.D.C.T.), same point being the northeast corner of a tract of land described by deed to Muriel C. McFarling and spouse, Robert B. McFarling, recorded under Instrument Number 2006-46392, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 00 seconds East, with the west line of said lot 2, a distance of 1097.32 feet to a 1/2 inch iron rod with blue cap stamped "OLD TOWN SURVEYING" (OTS) set for corner;

THENCE South 90 degrees 00 minutes 00 seconds East, over and across said Lot 2, a distance of 133.19 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 46 degrees 44 minutes 46 seconds East, over and across said Lot 2, a distance of 25.00 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a non-tangent curve to the right, having a radius of 60.00 feet;

THENCE over and across said Lot 2, with said curve to the right, through a central angle of 216 degrees 10 minutes 26 seconds, whose chord bears South 28 degrees 39 minutes 33 seconds East at 114.07 feet, an arc length of 226.38 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 15.50 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 71 degrees 26 minutes 01 seconds, whose chord bears South 43 degrees 42 minutes 39 seconds West at 18.10 feet, an arc length of 19.33 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 875.00 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 00 degrees 06 minutes 51 seconds, whose chord bears South 07 degrees 56 minutes 13 seconds West at 1.75 feet, an arc length of 1.75 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE North 88 degrees 47 minutes 21 seconds East, over and across said Lot 2, a distance of 190.17 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 229.48 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 88 degrees 28 minutes 58 seconds East, over and across said Lot 2, a distance of 83.12 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 91.30 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 84 degrees 16 minutes 36 seconds East, over and across said Lot 2, a distance of 61.26 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 14 minutes 55 seconds East, over and across said Lot 2, a distance of 101.84 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner being in the west right-of-way line of Wager Road;

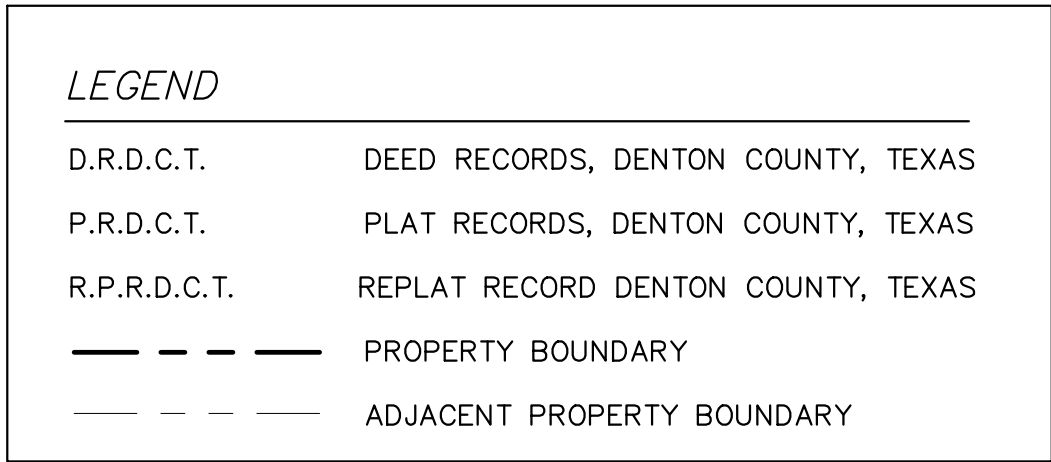
THENCE South 07 degrees 14 minutes 52 seconds East, a distance of 358.00 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the right, having a radius of 233.84 feet;

THENCE with said curve to the right, through a central angle of 33 degrees 38 minutes 31 seconds, whose chord bears South 09 degrees 34 minutes 23 seconds West at 135.34 feet, an arc length of 137.30 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the left, having a radius of 281.13 feet;

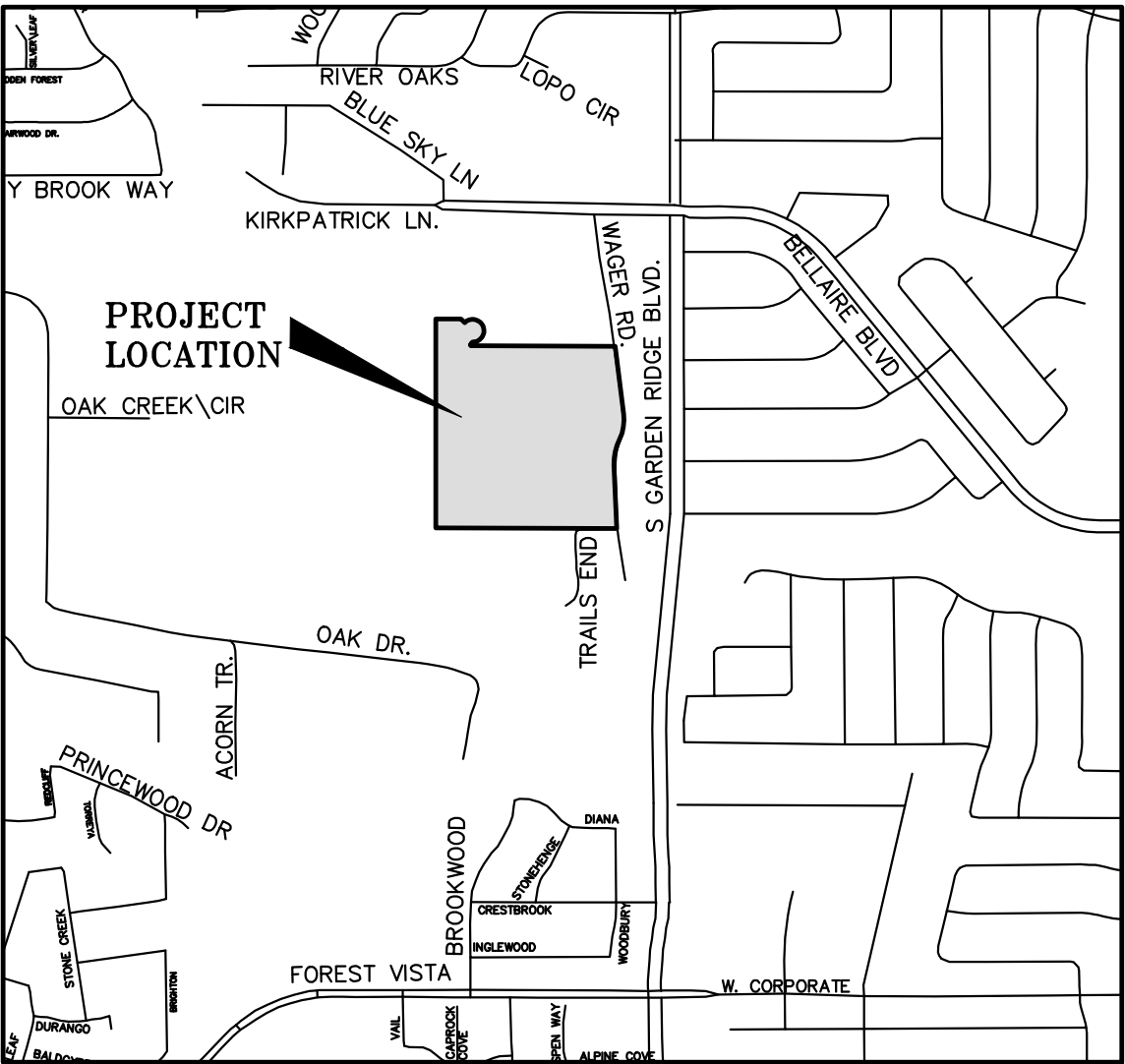
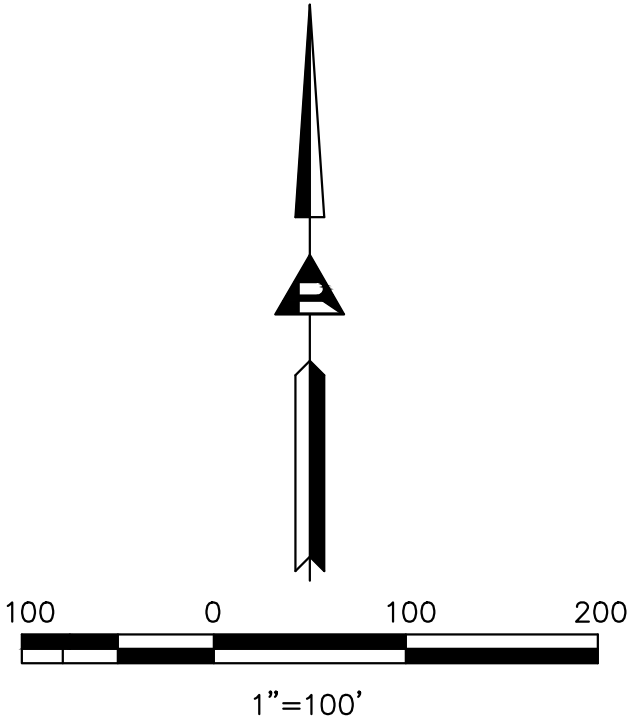
THENCE with said curve to the left, through a central angle of 28 degrees 43 minutes 20 seconds, whose chord bears South 12 degrees 01 minutes 59 seconds West at 139.46 feet, an arc length of 140.93 feet to a 1/2 inch iron rod found for corner;

THENCE South 02 degrees 19 minutes 41 seconds East, with the east line of said Lot 2, a distance of 337.82 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 degrees 44 minutes 28 seconds West, with the south line of said Lot 2, a distance of 957.46 feet to the **POINT OF BEGINNING** and containing 22.148 acres of land, more or less.



MASTER PLAN FEATURES	
Land Use Plan	Existing: Estate Residential, Proposed: PD Single Family
Specific Plans	None
Urban Design Plan	None
Parks and Trails	8' Trail from Wager to West Boundary
Open Space Plan	N/A
Thoroughfare Plan	Wager Road – Collector & Residential
Water Plan	Existing 8" WM, E. Side of Wager Road
Wastewater Plan	Connect to existing SS manhole at SW Property Line.



VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

BEING a 22.148 acre portion of Lot 2, Block A of Wager Road School Addition, an addition to the Town of Flower Mound, according to the plat thereof recorded in Cabinet U, Page 503, Plat Records, Denton County, Texas (P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner being the southwest corner of said Lot 2, same point being the northwest corner of a tract of land described by deed to Jonathan Aldis and Heather Aldis, recorded under Document Number 2014-30883, Official Public Records, Denton County, Texas (O.P.R.D.C.T.); same point being the northeast corner of a tract of land described by deed to Muriel C. McFarling and spouse, Robert B. McFarling, recorded under Instrument Number 2006-46392, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 00 seconds East, with the west line of said lot 2, a distance of 1097.32 feet to a 1/2 inch iron rod with blue cap stamped "OLD TOWN SURVEYING" (OTS) set for corner;

THENCE South 90 degrees 00 minutes 00 seconds East, over and across said Lot 2, a distance of 133.19 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 46 degrees 44 minutes 46 seconds East, over and across said Lot 2, a distance of 25.00 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a non-tangent curve to the right, having a radius of 60.00 feet;

THENCE over and across said Lot 2, with said curve to the right, through a central angle of 216 degrees 10 minutes 26 seconds, whose chord bears South 28 degrees 39 minutes 33 seconds East at 114.07 feet, an arc length of 226.38 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 15.50 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 71 degrees 26 minutes 01 seconds, whose chord bears South 43 degrees 42 minutes 39 seconds West at 18.10 feet, an arc length of 19.33 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 875.00 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 00 degrees 06 minutes 51 seconds, whose chord bears South 07 degrees 56 minutes 13 seconds West at 1.75 feet, an arc length of 1.75 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE North 88 degrees 47 minutes 21 seconds East, over and across said Lot 2, a distance of 190.17 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 229.48 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 88 degrees 28 minutes 58 seconds East, over and across said Lot 2, a distance of 83.12 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 91.30 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 84 degrees 16 minutes 36 seconds East, over and across said Lot 2, a distance of 61.26 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 14 minutes 55 seconds East, over and across said Lot 2, a distance of 101.84 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner being in the west right-of-way line of Wager Road;

THENCE South 07 degrees 14 minutes 52 seconds East, a distance of 358.00 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the right, having a radius of 233.84 feet;

THENCE with said curve to the right, through a central angle of 33 degrees 38 minutes 31 seconds, whose chord bears South 09 degrees 34 minutes 23 seconds West at 135.34 feet, an arc length of 137.30 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the left, having a radius of 281.13 feet;

THENCE with said curve to the left, through a central angle of 28 degrees 43 minutes 20 seconds, whose chord bears South 12 degrees 01 minutes 59 seconds West at 139.46 feet, an arc length of 140.93 feet to a 1/2 inch iron rod found for corner;

THENCE South 02 degrees 19 minutes 41 seconds East, with the east line of said Lot 2, a distance of 337.82 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 degrees 44 minutes 28 seconds West, with the south line of said Lot 2, a distance of 957.46 feet to the **POINT OF BEGINNING** and containing 22.148 acres of land, more or less.

EMERALD PLACE

EMERALD PLACE
RESIDENTIAL SUBDIVISION

22.148 acres Situated in the
M.J. Owens Survey, Abstract No. 981

Ridinger Associates, Inc.
550 S. Edmonds Ln. Suite 101

Lewisville, TX 75067
CONTACT: Dale Ridinger
972-353-8000 Office

972-555-6011 Fax

No.	Date	Revisions	App.

**Ridinger
Associates, Inc.**
Civil Engineers - Planners

Firm No. 1969
550 S. Edmonds Lane, Suite 101
Lewisville, Texas 75067

Tel. No. (972) 353-8000
Fax No. (972) 353-8011

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

**MASTER PLAN AMENDMENT
EXHIBIT**

Scale:	1" = 100'
Designed by:	LDR
Drawn by:	JWH
Checked by:	LDR
Date:	JUNE 7, 2021
Project No.	035-033

SHEET

1

EMERALD PLACE
RESIDENTIAL SUBDIVISION
22.148 acres Situated in the
M.J. Owens Survey, Abstract No.
in the
Town of Flower Mound
Denton County, Texas

OWNER:
Lewisville Independent
School District
1565 W. Main Street
Lewisville, TX 75067

DEVELOPER/APPLICANT:
Rembert Enterprises, Inc.
3625 Bonanza Lane
Flower Mound, TX 75022
CONTACT: Reginald Rembert
214-213-5982

ENGINEER:
Ridinger Associates, Inc.
550 S. Edmonds Ln. Suite 101
Lewisville, TX 75067
CONTACT: Dale Ridinger
972-353-8000 Office
972-353-8011 Fax

SHEET



TOWN COUNCIL AGENDA ITEM NO. 13 REGULAR ITEM

DATE: October 4, 2021

FROM: Chuck Russell, Principal Planner

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



SUMMARY DATA:

- Lot Size – 22.15 acres
- Proposed Zoning – PD for SF-10 (Single Family District – 10)
- Proposed Lots – 54 Buildable Lots for density of 2.44 units per acre
- SMARTGrowth – Passed
- Traffic Analysis – Passed, based on the TA, traffic generated is not anticipated to exceed the 5% threshold.
- Modifications – Increased Lot Width, Increased Dwelling Unit Floor Area and Increased Lot Coverage
- Incentives – N/A

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item.

During P&Z's deliberations, they discussed several concerns about the proposed development, including the density and lot size in relation to nearby development, impact on existing trees, increased traffic, lot coverage and drainage.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning & Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO.**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A," OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 22.148 ACRES OF LAND BEING A PORTION OF LOT 2, BLOCK A OF THE WAGER ROAD SCHOOL ADDITION, FROM AGRICULTURAL DISTRICT (A) USES TO PLANNED DEVELOPMENT DISTRICT-183 (PD-183) WITH SINGLE FAMILY DISTRICT-10 (SF-10) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule municipality 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 heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 22.148 acres of land being a portion of Lot 2, Block A of the Wager Road School Addition, Denton County, Texas, have filed an application to change the zoning from Agricultural District (A) uses to Planned Development District-183 (PD-183) with Single Family District-10 (SF-10) uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on September 13, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, with respect to the proposed rezoning as described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication, and procedural requirements for the approval of a rezoning on the property; and,

WHEREAS, the Town Council finds that amendment of the Zoning map 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 Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area to establish a Planned Development District as shown below:

Approximately 22.148 acres of land being a portion of Lot 2, Block A of the Wager Road School Addition, Denton County, Texas, and more fully described in Exhibit "A" attached hereto.

Planned Development District-183 (PD-183) with Single Family District-10 (SF-10) uses.

SECTION 2

The Development Standards, Conceptual Site Plan, and Conceptual Landscape Plan, of the proposed Planned Development District No. 183 (PD-183), attached hereto as Exhibits "B," "C," and "D," each incorporated herein for all purposes allowed by law, are hereby approved as the Development Standards, Conceptual Site Plan, and Conceptual Landscape Plan for this Planned Development District No. 183 (PD-183).

SECTION 3

The official map of the Town of Flower Mound is hereby amended and the Director of Planning Services is directed to revise the official zoning map to reflect the approved Planned Development District No. 183 (PD-183), as set forth above.

SECTION 4

The use of the property described above shall be subject to all restrictions, terms, and conditions contained in Exhibits "B," "C," and "D," attached hereto, as well as the applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town of Flower Mound.

SECTION 5

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 6

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 7

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 8

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that 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 9

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 10

This Ordinance shall take effect and be in full force 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 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**

Exhibit A

PROPERTY DESCRIPTION

BEING a 22.148 acre portion of Lot 2, Block A of Wager Road School Addition, an addition to the Town of Flower Mound, according to the plat thereof recorded in Cabinet U, Page 503, Plat Records, Denton County, Texas (P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner being the southwest corner of said Lot 2, same point being the northwest corner of a tract of land described by deed to Jonathan Aldis and Heather Aldis, recorded under Document Number 2014-30883, Official Public Records, Denton County, Texas (O.P.R.D.C.T.), same point being the northeast corner of a tract of land described by deed to Muriel C. McFarling and spouse, Robert B. McFarling, recorded under Instrument Number 2006-46392, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 00 seconds East, with the west line of said lot 2, a distance of 1097.32 feet to a 1/2 inch iron rod with blue cap stamped "OLD TOWN SURVEYING" (OTS) set for corner;

THENCE South 90 degrees 00 minutes 00 seconds East, over and across said Lot 2, a distance of 133.19 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 46 degrees 44 minutes 46 seconds East, over and across said Lot 2, a distance of 25.00 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a non-tangent curve to the right, having a radius of 60.00 feet;

THENCE over and across said Lot 2, with said curve to the right, through a central angle of 216 degrees 10 minutes 26 seconds, whose chord bears South 28 degrees 39 minutes 33 seconds East at 114.07 feet, an arc length of 226.38 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 15.50 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 71 degrees 26 minutes 01 seconds, whose chord bears South 43 degrees 42 minutes 39 seconds West at 18.10 feet, an arc length of 19.33 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for the beginning of a curve to the left, having a radius of 875.00 feet;

THENCE over and across said Lot 2, with said curve to the left, through a central angle of 00 degrees 06 minutes 51 seconds, whose chord bears South 07 degrees 56 minutes 13 seconds West at 1.75 feet, an arc length of 1.75 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE North 88 degrees 47 minutes 21 seconds East, over and across said Lot 2, a distance of 190.17 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 229.48 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 88 degrees 28 minutes 58 seconds East, over and across said Lot 2, a distance of 83.12 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 44 minutes 28 seconds East, over and across said Lot 2, a distance of 91.30 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 84 degrees 16 minutes 36 seconds East, over and across said Lot 2, a distance of 61.26 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 14 minutes 55 seconds East, over and across said Lot 2, a distance of 101.84 feet to a 1/2 inch iron rod with blue cap stamped "OTS" set for corner being in the west right-of-way line of Wager Road;

THENCE South 07 degrees 14 minutes 52 seconds East, a distance of 358.00 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the right, having a radius of 233.84 feet;

THENCE with said curve to the right, through a central angle of 33 degrees 38 minutes 31 seconds, whose chord bears South 09 degrees 34 minutes 23 seconds West at 135.34 feet, an arc length of 137.30 feet to a 1/2 inch iron rod found for corner being the beginning of a curve to the left, having a radius of 281.13 feet;

THENCE with said curve to the left, through a central angle of 28 degrees 43 minutes 20 seconds, whose chord bears South 12 degrees 01 minutes 59 seconds West at 139.46 feet, an arc length of 140.93 feet to a 1/2 inch iron rod found for corner;

THENCE South 02 degrees 19 minutes 41 seconds East, with the east line of said Lot 2, a distance of 337.82 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 degrees 44 minutes 28 seconds West, with the south line of said Lot 2, a distance of 957.46 feet to the **POINT OF BEGINNING** and containing 22.148 acres of land, more or less.

Exhibit B

**Exhibit B
Development Standards**

**Planned Development District - 183 (PD-183)
Emerald Place**

The development on the property comprising approximately 22.148 acres of land within the corporate limits of the Town of Flower Mound ("Town") shall be in accordance with the Town of Flower Mound *Master Plan* and the Land Development Regulations of the Town of Flower Mound, Texas, as amended, and shall be subject to the following conditions and requirements:

A. EXHIBITS.

1. The following Exhibits are incorporated into this planned development.

- a. Exhibit "C:" Conceptual Site Plan;
- b. Exhibit "D:" Conceptual Landscape Plan.

B. PERMITTED USES. The uses listed as Permitted Uses in the Single-Family District-10 (SF-10) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C."

C. SPECIFIC USES. The uses listed as Specific Uses in the Single-Family District-10 (SF-10) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C" with a Specific Use Permit (SUP) approved by the Town Council.

D. TEMPORARY USES. The uses listed as Temporary Uses in the Single-Family District-10 (SF-10) in the Town's Zoning Ordinance shall be permitted in the area designated on Exhibit "C" only upon approval of a temporary use permit in accordance with the procedures and standards of Section 78-87 of the Land Development Code, "Temporary Use Permits."

E. DIMENSIONAL REGULATIONS. The dimensional regulations listed in the Single-Family District-10 (SF-10) in the Town's Zoning Ordinance shall be required for this Planned Development except as modified below:

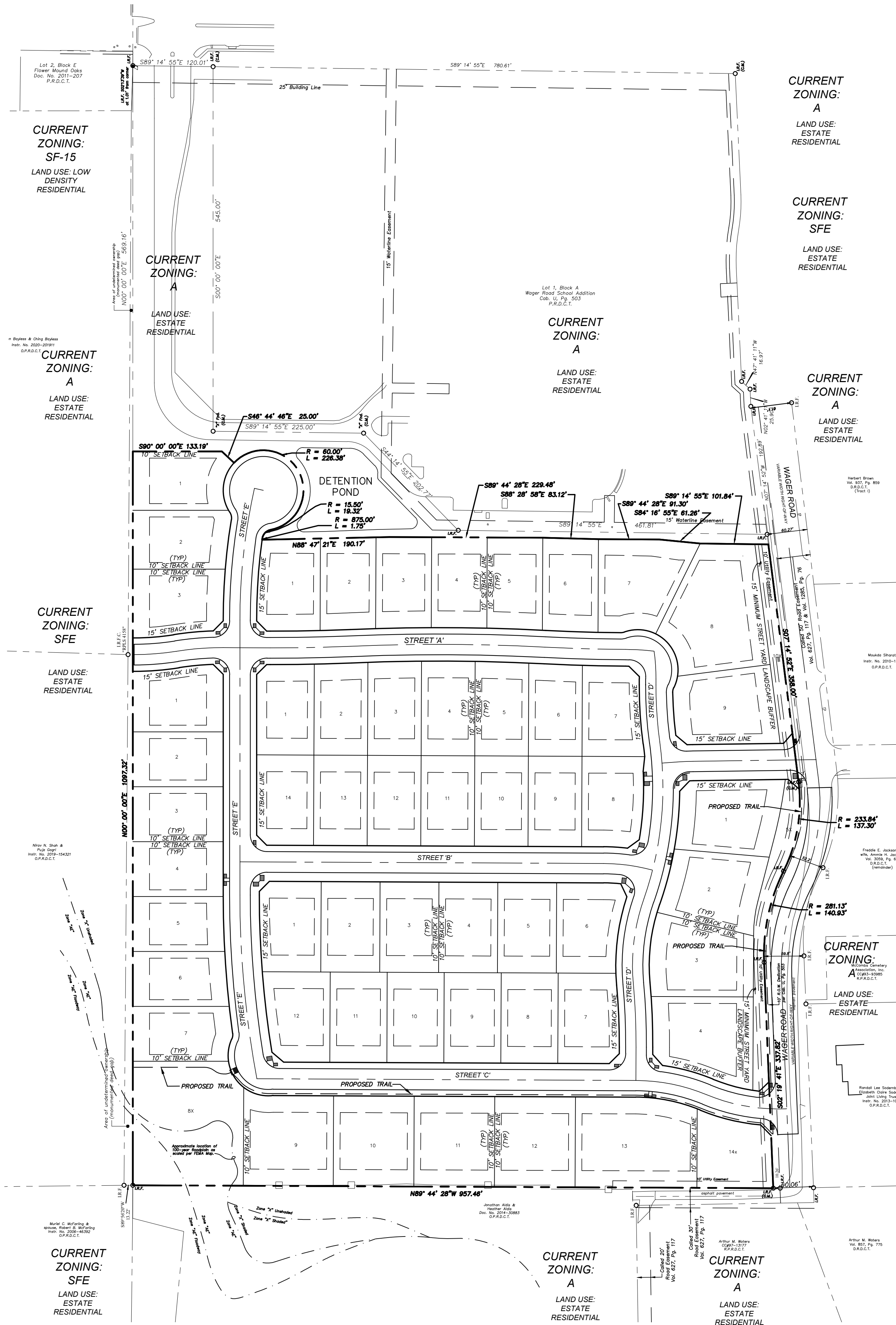
- 1. Minimum lot width shall be 80 feet;
- 2. Minimum floor area of the main building shall not be less than two thousand four hundred square feet (2,400 s.f.) exclusive of accessory buildings; and
- 3. Maximum lot coverage shall be 50 percent.

F. ENVIRONMENTAL PROTECTION PLAN. This Planned Development is subject to the approved Environmental Protection Plan.

G. MISCELLANEOUS.

- 1. Exhibits "C" and "D," attached to this ordinance, do not currently depict on-site stormwater detention. At the time of record plat application, the applicant is required to provide and obtain staff approval of all necessary studies that prove on-site detention is not required. If on-site detention is required, the number of lots shown on Exhibits "C" and "D" shall be reduced to accommodate on-site detention.

2. At the time the application for a Development Plan is submitted to the Town, a four-foot wide pedestrian easement shall be provided outside of the proposed right-of-way along the southern side of Street 'C' as depicted on Exhibit "C" to accommodate the required hike and bike trail.



CURRENT ZONING: A
LAND USE: ESTATE RESIDENTIAL

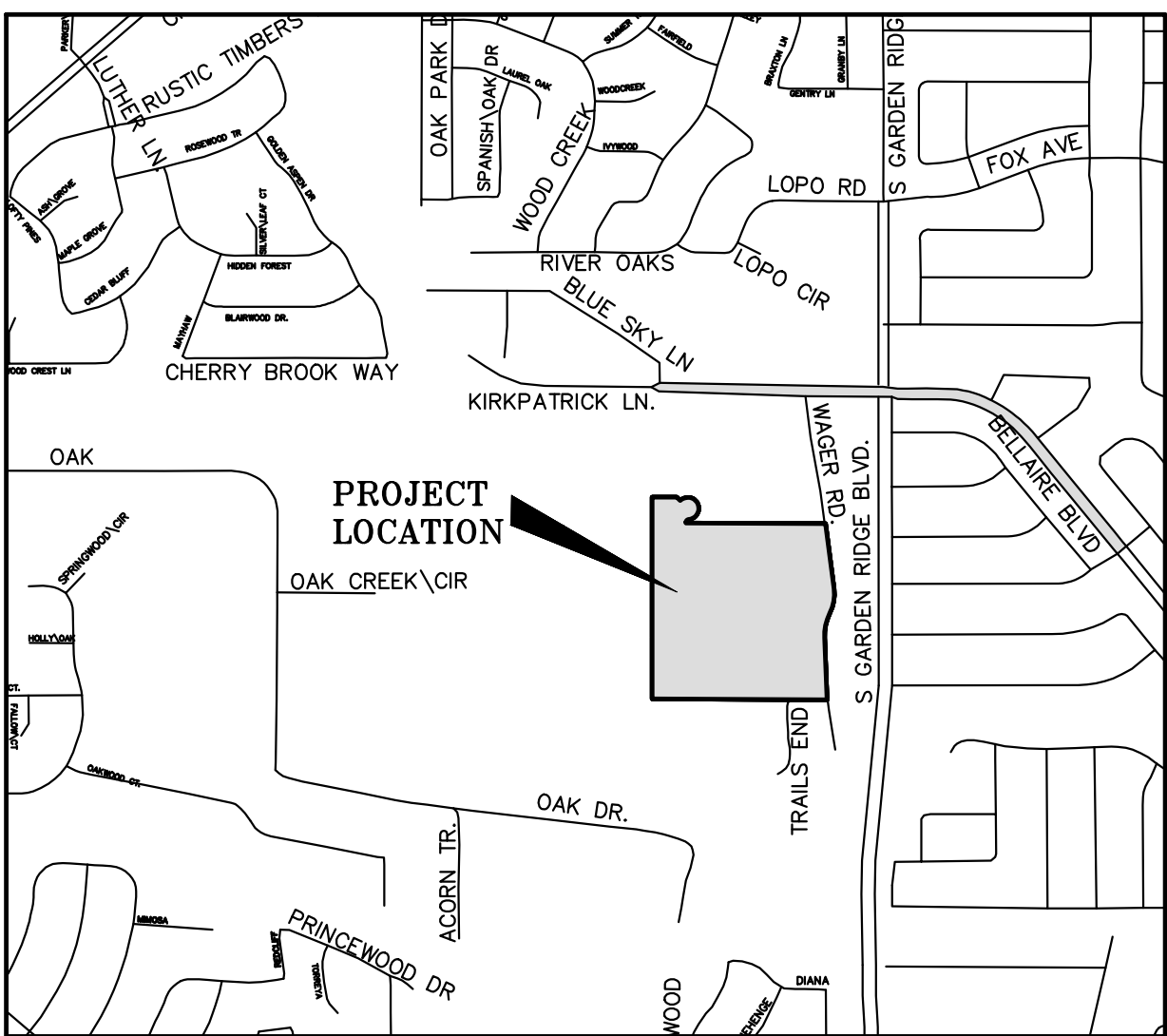
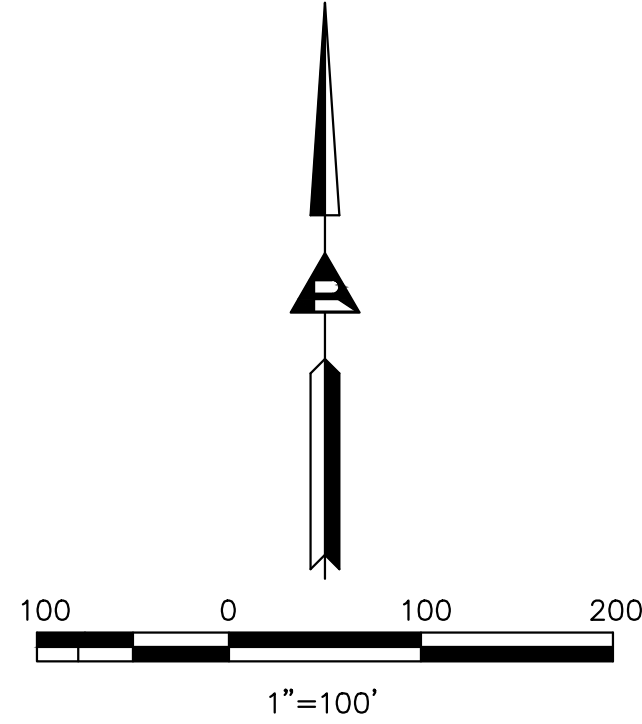
CURRENT ZONING: SFE
LAND USE: ESTATE RESIDENTIAL

CURRENT ZONING: A
LAND USE: ESTATE RESIDENTIAL

CURRENT ZONING: A
LAND USE: ESTATE RESIDENTIAL

CURRENT ZONING: A
LAND USE: ESTATE RESIDENTIAL

CURRENT ZONING: A
LAND USE: ESTATE RESIDENTIAL



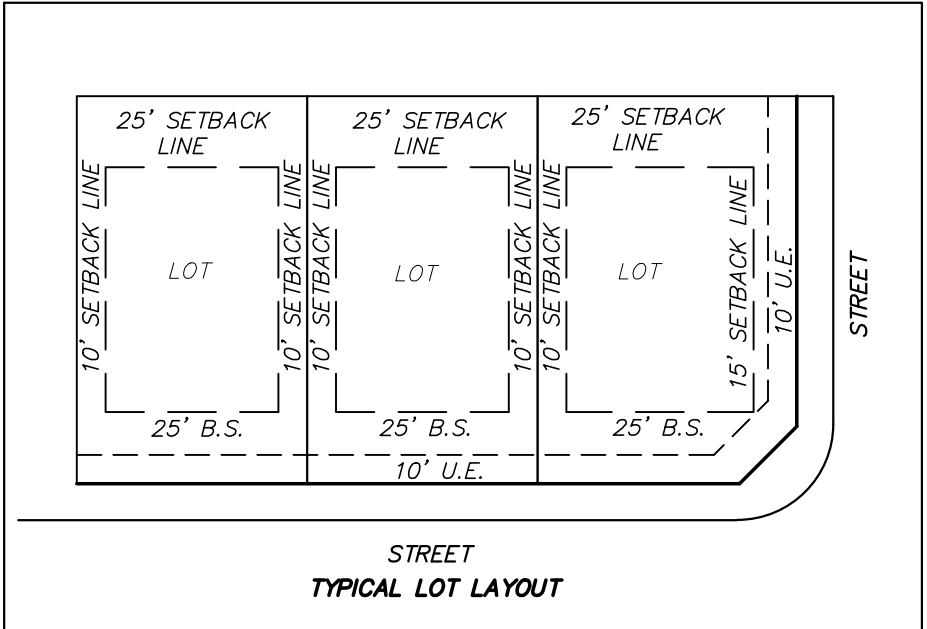
MASTER PLAN FEATURES

Land Use Plan	Existing: Estate Residential Proposed: Medium Density Residential
Specific Plans	None
Urban Design Plan	None
Parks and Trails	8' Trail from Wager to West Boundary
Open Space Plan	N/A
Thoroughfare Plan	Wager Road - Collector & Residential
Water Plan	Existing 8" WM, E. Side of Wager Road
Wastewater Plan	Connect to existing SS manhole at SW Property Line.

LEGEND	
---	LOT LINE
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS
R.P.R.D.C.T.	REPLAT RECORD DENTON COUNTY, TEXAS
---	PROPERTY BOUNDARY
---	ADJACENT PROPERTY BOUNDARY
---	PROPOSED R.O.W.
---	PROPOSED EDGE OF PAVEMENT

PROJECT DATA TABLE	
GROSS SITE AREA	22.148 ACRES
PROPOSED USE	PD FOR SINGLE FAMILY DISTRICT-10 (SF-10) USES
CURRENT ZONING	AGRICULTURAL
OPEN SPACE	
PRIVATE OPEN SPACE LOTS	1.325 ACRES
TOTAL OPEN SPACE	1.325 ACRES
PROPOSED LOTS	
RESIDENTIAL	54 LOTS
RESIDENTIAL LOTS AREA	16.147 ACRES
MIN. RESIDENTIAL LOT SIZE	10,830 S.F.
MAX. RESIDENTIAL LOT SIZE	24,523 S.F.
AVG. RESIDENTIAL LOTS SIZE	13,025 S.F.
PRIVATE OPEN SPACE X-LOTS	4 LOTS
TOTAL ALL LOTS	58 LOTS

DEVELOPMENT DATA	
PROPOSED USE:	PD FOR SINGLE FAMILY DISTRICT-10 (SF-10) USES
CURRENT ZONING:	AGRICULTURAL
TOTAL GROSS LAND AREA:	±22.148 ACRES
TOTAL AREA OF LOTS =	16.147 AC. 73.05%
MINIMUM LOT AREA:	10,000 S.F. SEE PD-183
MINIMUM LOT WIDTH:	80.0 FT. SEE PD-183
MINIMUM FLOOR AREA:	2,400 S.F. SEE PD-183
MINIMUM FRONT YARD:	25 FT.
MINIMUM SIDE YARD:	10 FT.
MINIMUM REAR YARD:	25 FT.
MAXIMUM LOT COVERAGE:	50% SEE PD-183
MAXIMUM HEIGHT:	3/35 FT.



EMERALD PLACE
RESIDENTIAL SUBDIVISION
Being 54 Buildable Lots & 4 X-Lots
22.148 acres Situated in the
M.J. Owens Survey, Abstract No. 981
in the
Town of Flower Mound
Denton County, Texas

OWNER: Lewisville Independent School District
1565 W. Main Street
Lewisville, TX 75067

DEVELOPER/APPLICANT: Rembert Enterprises, Inc.
3625 Bonanza Lane
Flower Mound, TX 75022
CONTACT: Reginald Rembert
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ENGINEER: Ridinger Associates, Inc.
550 S. Edmonds Ln. Suite 101
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No.	Date	Revisions	App.

Ridinger Associates, Inc.
Civil Engineers - Planners
Firm No. 1969
350 S. Edmonds Lane, Suite 101
Lewisville, Texas 75067
Tel. No. (972) 353-8000
Fax No. (972) 353-8011

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

CONCEPTUAL PLAN

Scale: 1" = 100'
Designed by: LDR
Drawn by: JWH
Checked by: LDR
Date: JULY 29, 2021
Project No. 035-033



GENERAL LANDSCAPE NOTES

1. All landscape areas are to be received within .1" of proposed finish grade and free from all trash and debris.
2. All trees are to be planted in pits twice the diameter of the tree ball and no deeper than the depth of the ball. Scarify all tree pit sides prior to planting. All trees are to be placed in pits and set slightly above finished grade. All tree pits are to have a 3" watering saucer around the perimeter of the pit. All tree pits are to be top dressed with a 2" layer of shredded hardwood mulch. Stake and / or guy trees only at the direction of the landscape architect.
3. Rotate the existing soil of all planting beds to a minimum depth of 6". Add a 3" layer of premium compost as supplied by Living Earth Technology and till into the top 3" of the existing soil. Install all shrubs 1" above finish grade and fertilize with Agri-flo slow release fertilizer tabs at the manufacturer's recommended rates of application. Top dress all planting beds with a 2" layer of shredded hardwood mulch.
4. All planting beds not formed by a concrete curb or sidewalk are to edged with Steel Edging (1/8"x4" painted green) or an approved equal. All edging stakes are to be placed to the inside of the bed and the top of the edging is to be no less than 1" and no more than 1.5" above proposed finish grade.
5. All turf areas are to be hydromulch Bermudagrass, unless otherwise noted on the plan.
6. Hydromulch with Bermudagrass seed at a rate of two (2) pounds per one thousand square feet. If installation occurs between September 1 and April 1, all hydromulch areas be to Winter Ryegrass at a rate of four (4) pounds per thousand square feet. Contractor shall be required to re-hydromulch Bermudagrass the following growing season.

7. All sodded areas are to receive common bermuda sod laid parallel to the contour of the land. All sod on slopes greater than 1:4 is to be pinned with 1"x1"x12" wooden stakes. All sod is to be laid with tight joints and with all joints staggered. Roll all sod with a water ballast lawn roller upon installation and fertilize with a complete fertilizer (13-13-13) at the rate of 1.5# actual nitrogen per 1000 square feet. Water all sod thoroughly.
 8. All irrigation equipment is to be by utility contractors as per local codes. Irrigation sleeves to be installed by licensed irrigation contractor as per the plan.
 9. All irrigation controllers are to have mini-click freeze and rain stats installed as per manufacturer's recommendations.
 10. All irrigation sleeves to be by licensed irrigation contractor. All sleeves to be PVC schedule 40 with 90 degree elbows on both ends with extensions protruding 18" above proposed finish grade.
 11. All turf and planting beds to be zoned separately. All planting bed heads to be on 12" pop-up risers. All turf heads to be on 4" pop-up risers. All valves to be plastic valves. All equipment to be Rainbird or approved equal.
 12. All mainline and lateral line to have a minimum of 12" of cover and to be SDR (class 200) pipe.
- Quantity list are landscape architect's estimate. Quantities shall be verified prior to bidding. Contractor shall be responsible for bidding and providing quantity of plants required at spacing designated for bed sizes and configurations shown on the plans regardless of quantities designated on plant list.

IRRIGATION NOTES:

1. All landscaped areas shall be irrigated with an irrigation system capable of providing the proper amount of water for the particular for the particular type of plant material used. Irrigation will be provided by an underground sprinkler system, or a subterranean drip drip system as approved by the City Arborist.
2. Automatic underground irrigation system shall be equipped with freeze guard set at 38 degrees F.
3. Areas of open space which contain preserved trees need not be irrigated if the City Arborist determines irrigation would be harmful to the preserved trees.

MAINTENANCE NOTES:

1. All plant material shall be maintained in a healthy and growing condition, and must be replaced with plant material of similar variety and size if damaged, destroyed or removed.
2. Landscaped areas shall be kept free of trash, litter, weeds and other such materials or plants not part of the landscaping.
3. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning and other maintenance of all plantings, including parkways, as needed.

LANDSCAPE TABULATIONS

LANDSCAPE BUFFER:
15' Landscape Buffer Required
Varies 18' to 41' Landscape Buffer Provided

LANDSCAPE BUFFER TREES:

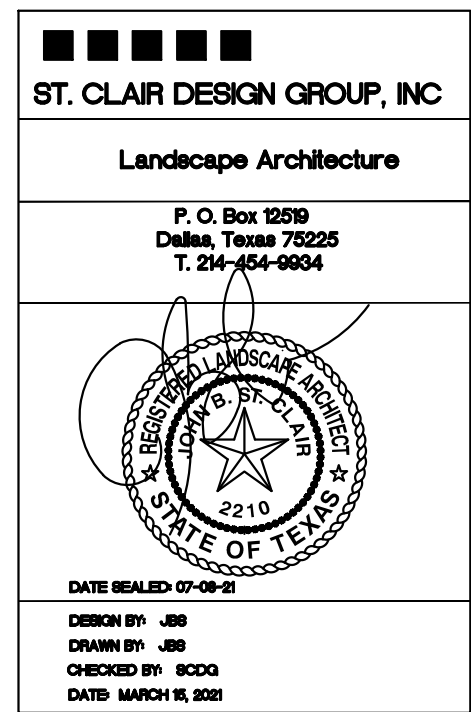
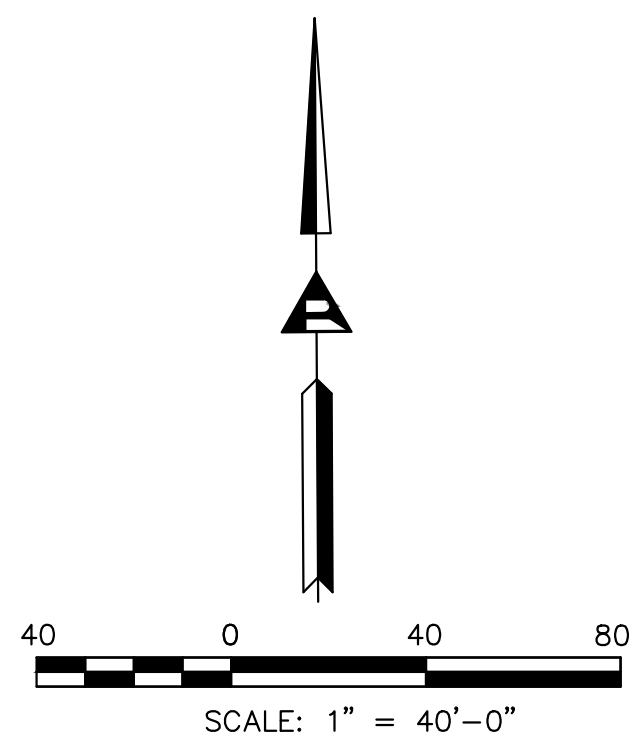
1 Tree per 30' linear feet of Frontage Required
976' Linear Feet Wager Road Frontage
 $976/30 = 36$ Buffer Trees Required 36 Buffer Trees Provided

EXISTING TREE MITIGATION

Refer to Tree Survey for Mitigation Requirements

PLANT LIST

6-LIVE OAK / *Quercus virginiana* / 3" Cal. / 8" Ht. / 6" Sp. / Container Grown
6-CEDAR ELM / *Ulmus crassifolia* / 3" Cal. / 8" Ht. / 6" Sp. / Container Grown
6-BALD CYPRESS / *Taxodium distichum* / 3" Cal. / 8" Ht. / 6" Sp. / Container Grown
6-AMERICAN ELM / *Ulmus americana* / 3" Cal. / 8" Ht. / 6" Sp. / Container Grown
6-TEXAS ASH / *Fraxinus texensis* / 3" Cal. / 8" Ht. / 6" Sp. / Container Grown
6-SHUMARD OAK / *Quercus shumardi* / 8" Ht. / 6" Sp. / Container Grown
BERMUDAGRASS / *CYNODON DACTYLON* / HYDROMULCH



**CONCEPTUAL
LANDSCAPE PLAN
EMERALD PLACE**
RESIDENTIAL SUBDIVISION
Being 54 Buildable Lots & 4 X-Lots
22.148 acres Situated in the
M.J. Owens Survey, Abstract No. 981
in the
Town of Flower Mound
Denton County, Texas

No.1	6/4/21	REVISED SITE PLAN	App.

**Ridinger
Associates, Inc.**
Civil Engineers - Planners

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

CONCEPTUAL LANDSCAPE PLAN

Scale: 1" = 40'-0"

Designed by: JBS

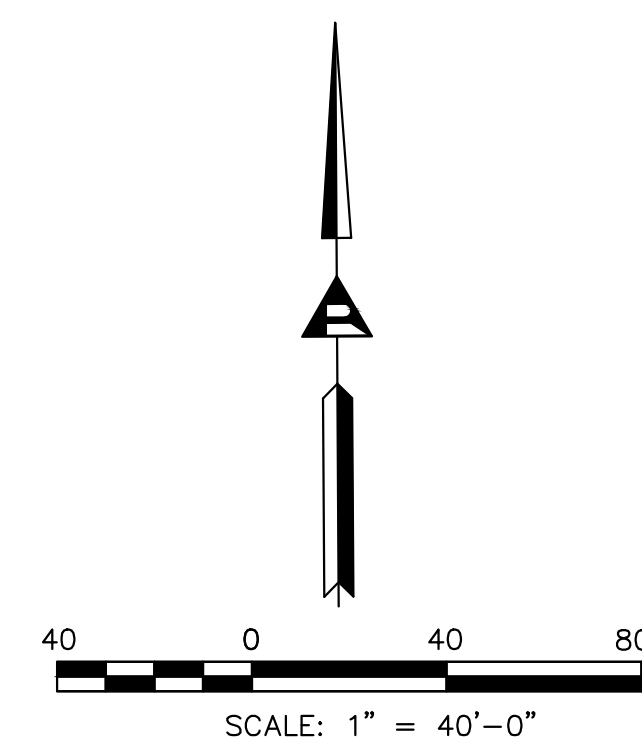
Drawn by: JBS

Checked by: SCDC

Date: MARCH 15

SHEET

LP-1



ST. CLAIR DESIGN GROUP, INC.

Landscape Architecture

P.O. Box 1259
Dallas, Texas 75225
T. 214-454-9634



DATE REAILED 07-07-98

DESIGN BY: JES
DRAWN BY: JES
CHECKED BY: WDDG
DATE: MARCH 5, 2001

**CONCEPTUAL
LANDSCAPE PLAN
EMERALD PLACE**
RESIDENTIAL SUBDIVISION
Being 54 Buildable Lots & 4 X-Lots
22.148 acres Situated in the
M.J. Owens Survey, Abstract No. 981
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Denton County, Texas

No.1	6/4/21	REVISED SITE PLAN						App.



Ridinger
Associates, Inc.
Civil Engineers - Planners

Firm No. 1969
 550 S. Edmonds Lane, Suite 101
 Lewisville, Texas 75067

Tel. No. (972) 353-8000
 Fax No. (972) 353-8011

**Ridinger
Associates, Inc.**
Civil Engineers - Planners

 Firm No. 1969
550 S. Edmonds
Lewisville, Texas 75067

Lane, Suite 101
Tel. No. (972) 353-8000
Fax No. (972) 353-8011

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

CONCEPTUAL LANDSCAPE PLAN

Scale: 1" = 40'-0"

Designed by: JBS

Drawn by: JBS

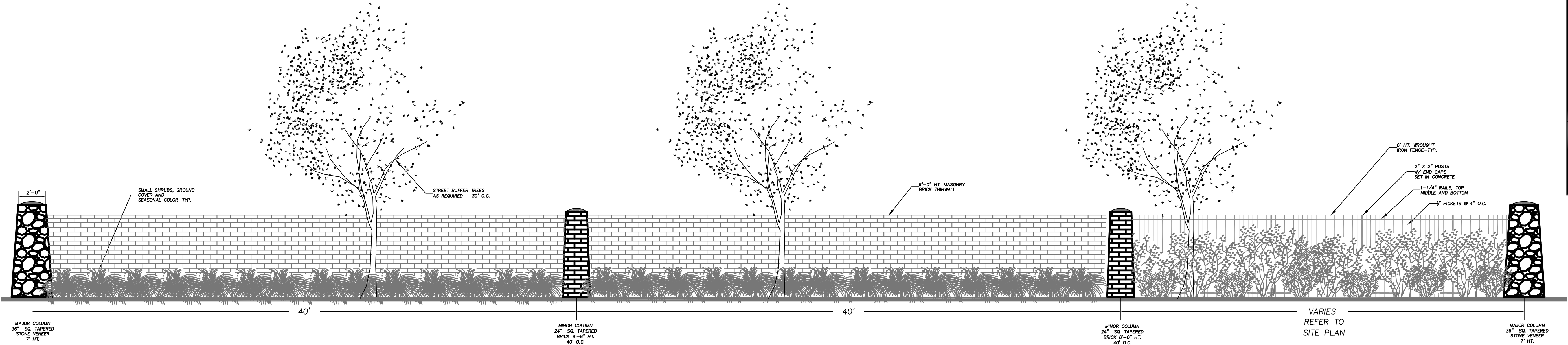
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Date: MARCH 15, 2003

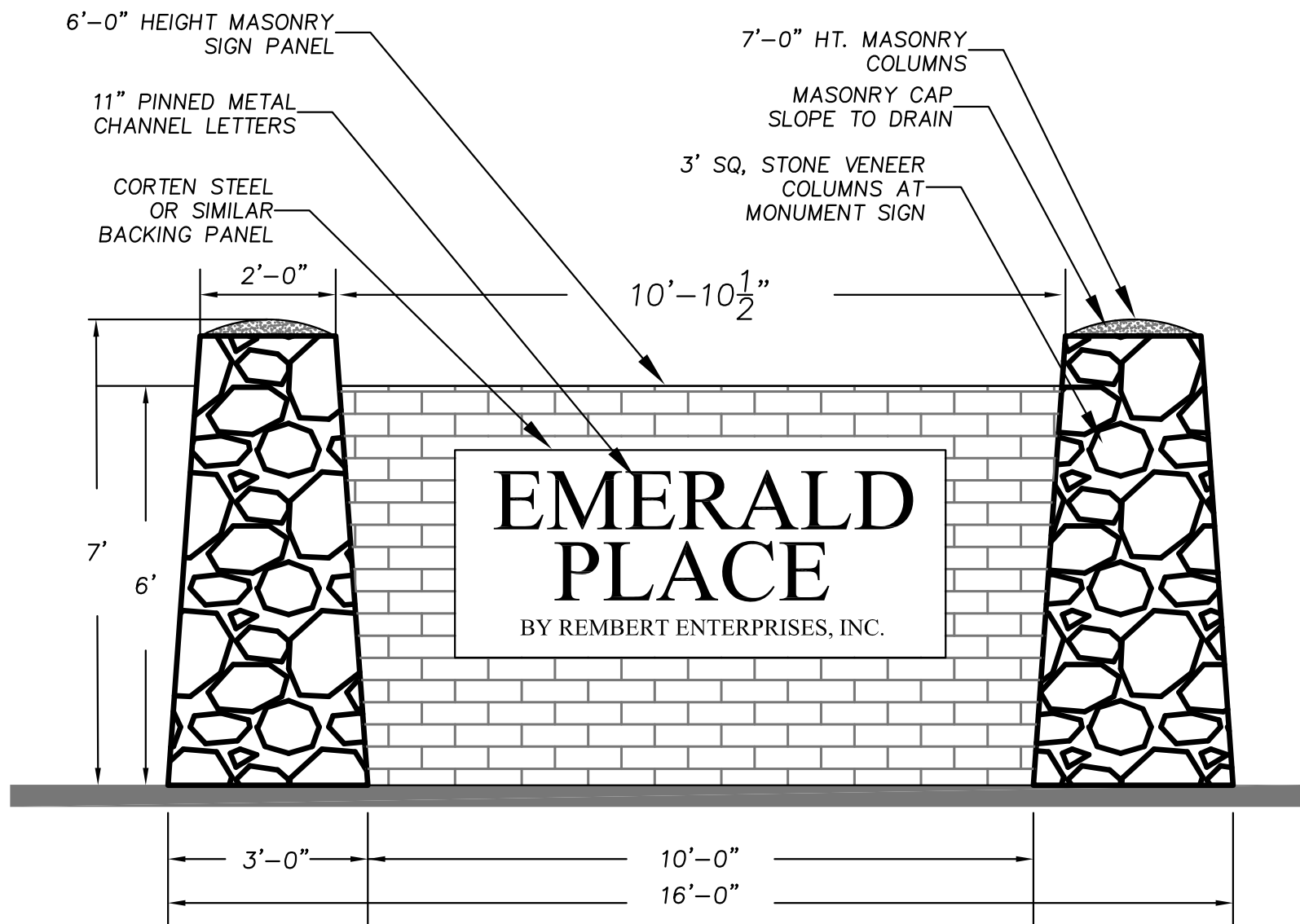
Project No. 035-03

SHEET

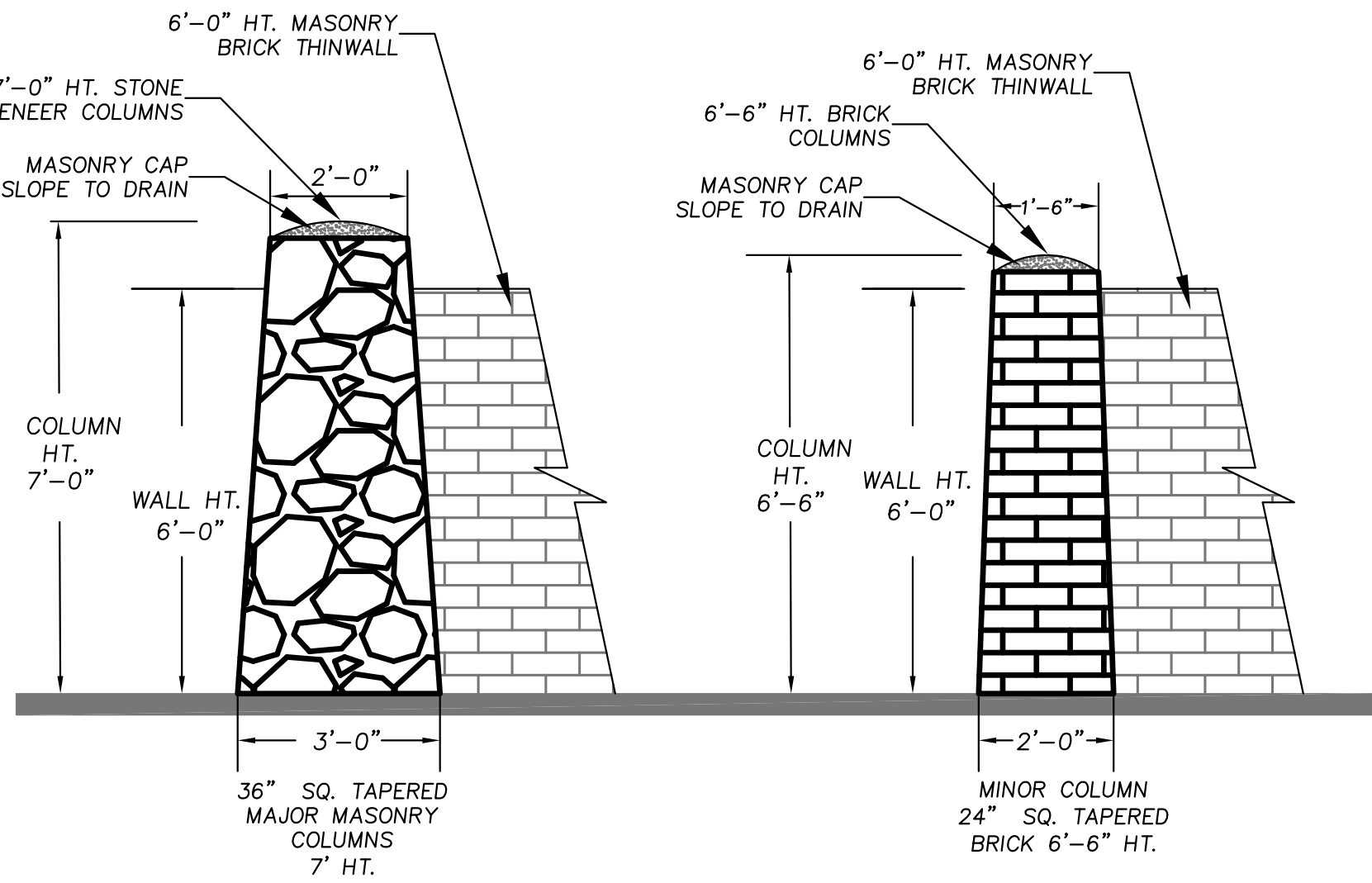
LP-2



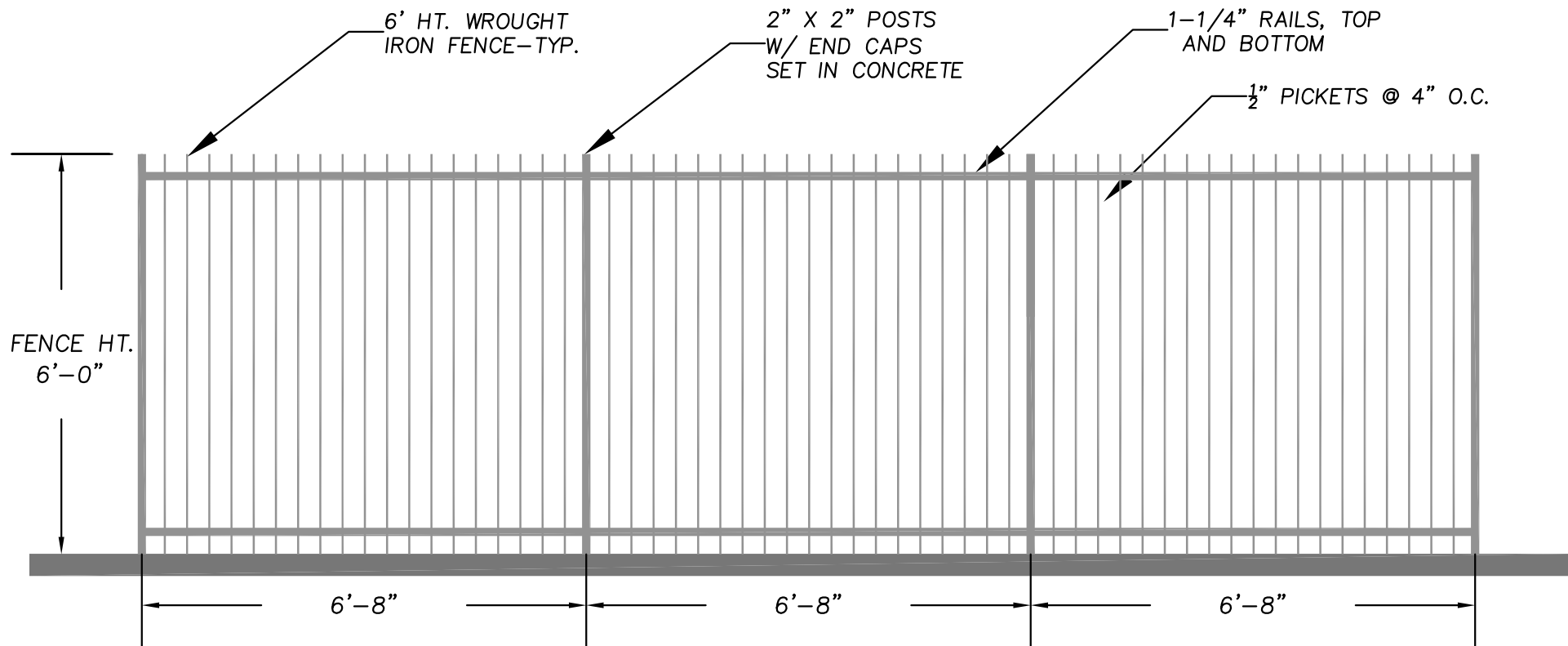
PARTIAL SCREENWALL AND FENCE ELEVATION - TYP.
NOT TO SCALE



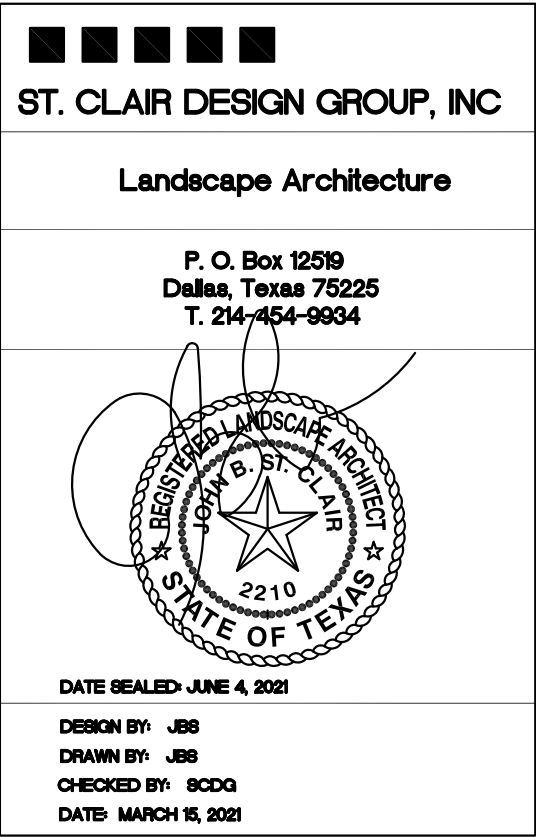
MONUMENT SIGN DETAIL
NOT TO SCALE



MASONRY COLUMN DETAIL
NOT TO SCALE



WROUGHT IRON FENCE DETIAL
NOT TO SCALE



**CONCEPTUAL
LANDSCAPE PLAN DETAILS**
EMERALD PLACE
RESIDENTIAL SUBDIVISION
Being 54 Buildable Lots & 4 X-Lots
22.148 acres Situated in the
M.J. Owens Survey, Abstract No. 981
in the
Town of Flower Mound
Denton County, Texas

Scale: NOT TO SCALE
Designed by: JBS
Drawn by: JBS
Checked by: SCDG
Date: MARCH 15, 2021
Project No. 035-030

SHEET
LP-3

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

CONCEPTUAL
LANDSCAPE PLAN
DETAILS

**Ridinger
Associates, Inc.**
Civil Engineers - Planners
P. O. Box 1989
Firm S. C. Long, Suite 101
Lewisville, Texas 75067
Tel. No. (972) 353-8000
Fax No. (972) 353-8011

No. Date Revisions App.



TOWN COUNCIL AGENDA ITEM NO. 14

REGULAR ITEM

DATE: October 4, 2021

FROM: James Hoefert, Environmental Review Analyst

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

BACKGROUND INFORMATION: The Emerald Place residential development is generally located west of Wager Road and north of Trails End Drive. The site is currently zoned for Agricultural (A) uses and master planned for Estate Residential. According to the tree survey for the project, the site contains five (5) specimen trees. One specimen tree originally noted in the applicant's letter of intent was declassified due to its poor or hazardous condition. The applicant is requesting to rezone the site to Planned Development District No. 183 (PD-183) with Single Family District-10 (SF-10) and amend the land use plan to Medium Density Residential. The applicant is requesting to remove four (4) of the specimen trees. The specimen trees proposed for removal are in good to fair condition and located within the proposed buildable area on residential lots. All four (4) specimen trees are also located within Upland Habitat on the property.

The following is a list of the four (4) specimen trees being requested for removal:

Tree #109 – 25" hickory (fair condition);
 Tree #306 – 24" post oak;
 Tree #322 – 33" post oak;
 Tree #455 – 34" hickory;

The Town's tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. However, since all four (4) specimen trees are located in Upland Habitat, the Upland Habitat mitigation fee of \$15,000/acre would be assessed instead. The current plan shows 2.66 acres, out of 3.16 total acres of Upland Habitat to be impacted. Based on that amount of acreage impacted versus what is being preserved, \$32,400 would be owed for Upland Habitat mitigation. The applicant may plant additional trees to offset some of the mitigation. If approved, final mitigation would be determined with the record plat application – once final engineering has been completed for the project.

BOARD REVIEW/CITIZEN FEEDBACK: This application was considered by the Environmental Conservation Commission (ECC) at its August 3, 2021, meeting. The ECC recommended denial of the requested permit to remove four (4) specimen trees. The ECC meeting can be viewed at: <https://flowermoundtx.swagit.com/play/08032021-1173>

As of September 23, 2021, staff has not received feedback related to this item.

ALTERNATIVES/OPTIONS: The Town Council may approve or deny the requested tree removal permit or may choose to approve the permit with conditions or changes.

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent
2. Specimen tree removal permit application
3. Photographs of specimen trees
4. Tree Survey

DRAFT MOTION: Move to approve as presented in the agenda caption.



Rembert Enterprises, Inc.
3625 Bonanza Lane Flower Mound, TX 75022

June 21, 2021

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

RE: Application for Tree Removal Permit
Emerald Place Flower Mound (Community)

Dear Mr. Hoefert,

Please accept this as our formal Letter of Intent to describe and explain the requested application for a Tree Removal Permit.

There are 200+ protected trees on this site, which includes 6 specimen trees. I have attached an updated Specimen Tree Survey for your review.

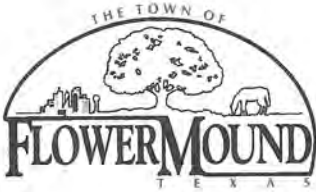
We are requesting the removal of 4 specimen trees.

- | | | |
|-------------|--------------|----------------|
| • Tree #109 | 25" Hickory | Buildable Area |
| • Tree #322 | 33" Post Oak | Buildable Area |
| • Tree #306 | 24" Post Oak | Buildable Area |
| • Tree #455 | 34" Hickory | Buildable Area |

The reason for the proposed removal of the above mentioned specimen trees are they fall within a buildable area. A photograph of each tree is attached.

Sincerely,

Reginald Rembert



Town of Flower Mound Environmental Services
 Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028
 Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/08 - present)

Check one: ☐ Protected Tree ☒ Specimen Tree ☐ Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:

John St. Clair

St. Clair Design Group, Inc.

Address:

P.O. Box 12519

Dallas, TX 75225

Phone:

214-454-9934

Applicant's Legal Interest in the Property:

Landscape Architect retained by property owner for Landscape representation.

2. Property Owner(s)

Name(s): Lewisville ISD

Address: P.O. BOX 217

LEWISVILLE, TX 75067

3. Location and Legal Description of Property:

LOCATION: 3101 Wager Road

LEGAL DESCRIPTION: WAGER ROAD SCHOOL ADDN BLK A LOT 2

Page 2 of 3.

4. Owner's Authorization of Representation

I, See ATTACHED OWNERS Consent, the owner of the above described real property, do hereby authorize _____ to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.

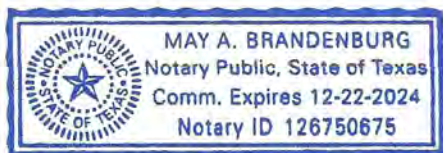
Signature of Owner

Given Under My Hand and Seal of Office
This the ___ Day of _____, 20__

Notary Public
In and For _____ County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I
John St. Clair, do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.



Signature of Applicant

Landscape Architect License No. 2210
State of Licensure TEXAS
Or ISA Certified Arborist No. _____
Or Certified Forester No. _____

Given Under My Hand and Seal of Office
This the 21 Day of June, 2021

Notary Public
In and For Denton County, Texas

6. Received by Town of Flower Mound on (Date) 7/29/2021 by
(initials) JRH.

March 31, 2021

Planning Department
Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, Texas 75028

RE: 3227 Wager Road, Flower Mound, TX 75028 (the "Property")

Dear Planning Staff:

On January 29, 2021, the Lewisville Independent School District ("District" or "Owner") and Rembert Enterprises ("Buyer") entered into a Contract of Sale for the above referenced Property. The Property will require a change of zoning based on the proposed residential development of the Buyer.

Therefore, I, Dr. Kevin Rogers, Superintendent of Schools for the District, authorize the Buyer and/or the Buyer's engineer, Ridinger Associates, Inc. (the "Engineer"), to submit zoning change request documents and other related applications to the Town of Flower Mound as "Applicant" for the Property.

Documents for submittal include: (i) Master Plan Amendment Application; (ii) Zoning Planned Development Application; (iii) Development Plan Application; and (iv) Record Plat Application.

The contact information for the Buyer and Engineer is as follows:

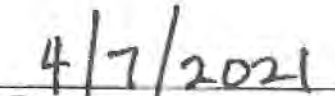
Rembert Enterprises, Inc.
3625 Bonanza Lane
Flower Mound, Texas 75022
Ph: (214) 213-5982

Ridinger Associates, Inc.
550 South Edmonds Lane, Suite 101
Lewisville, Texas 75067
Ph: (972) 353-8000

If needed, please feel free to contact me via the contact information below.

Regards,

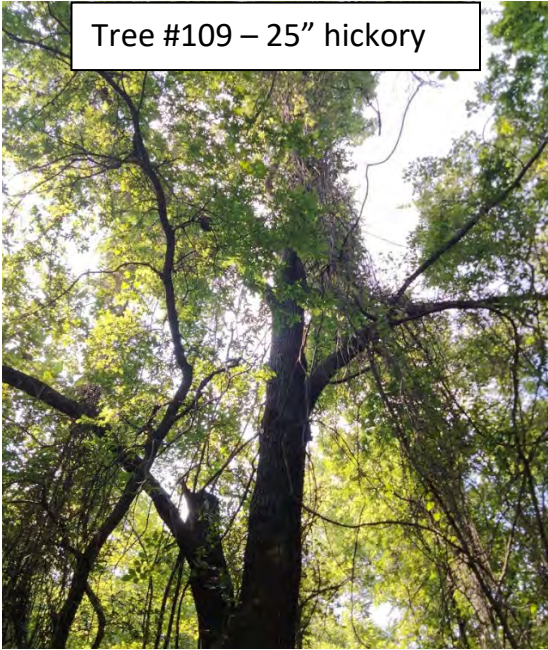

Dr. Kevin Rogers, Superintendent of Schools


Date

Lewisville Independent School District
1565-A West Main Street
Lewisville, Texas 75067
Ph: (469) 713-5200

Emerald Place -
Specimen trees proposed for removal

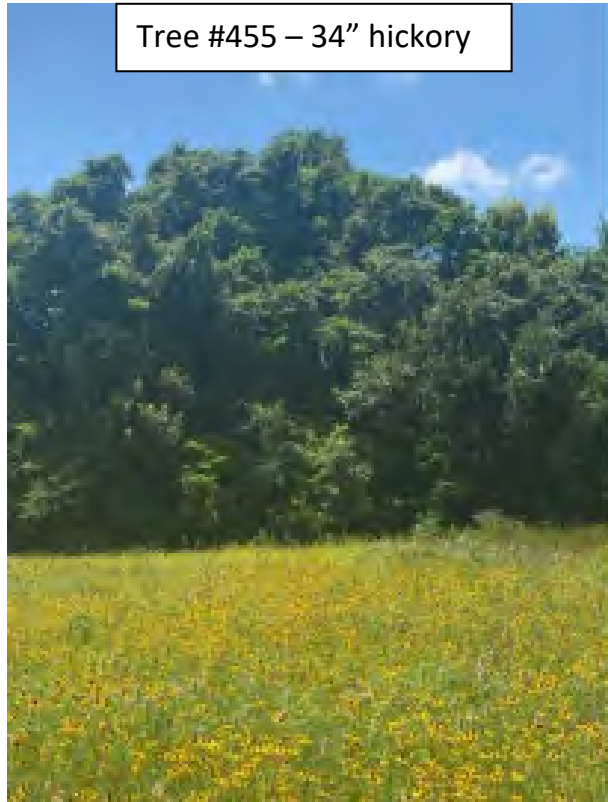
Tree #109 – 25" hickory



Tree #306 – 24" post oak

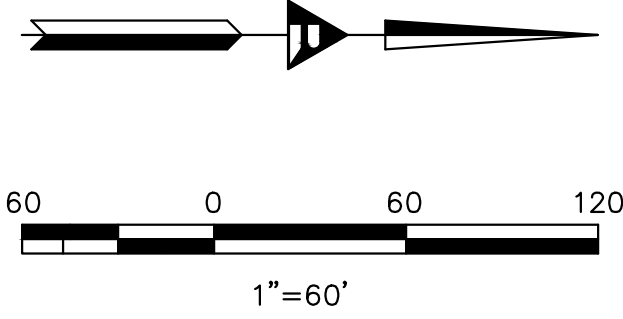


Tree #455 – 34" hickory



Tree #322 – 33" post oak





TREE LEGEND

-  SPECIMEN TREE TO REMAIN
-  SPECIMEN TREE TO BE REMOVED
-  SPECIMEN TREE CANOPY



No.	Date	Revisions	App.

Ridinger Associates, Inc.
 Civil Engineers - Planners

Firm No. 1969
 350 W. Edmonds
 Lewisville, Texas 75067

License Suite 101
 Tel. No. (972) 353-8000
 Fax No. (972) 353-8011

EMERALD PLACE
 RESIDENTIAL SUBDIVISION
 FLOWER MOUND, TEXAS

TREE SURVEY-WEST

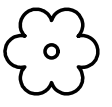
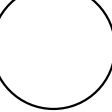
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Drawn by: JWH
Checked by: LDR
Date: JULY 29, 2021
Project No. 035-033

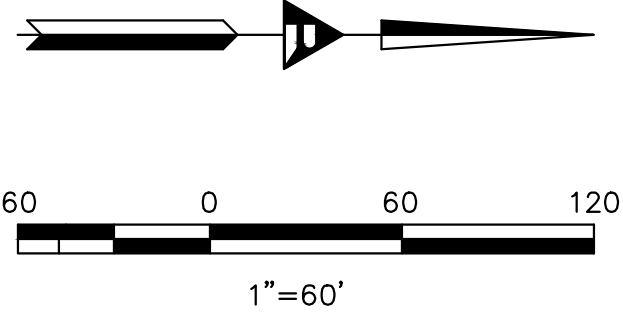
TAG NO.	CALIPER (IN.)	COMMON NAME / SCIENTIFIC NAME	PROTECTED / SPECIMEN	LOCATION	ESAs	STATUS	CONDITION	COMMENTS	CANOPY SPREAD
109	25	HICKORY/CARYA SPECIES	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	POOR	DECAY	1256
306	24	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		1809
322	33	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		3419
455	34	HICKORY/CARYA SPECIES	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		2323
5109	25	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	PRESERVE	GOOD		1963

253 NON-ESA PROTECTED TREES ON-SITE.

MATCHLINE (SEE TS-1)

TREE LEGEND

-  SPECIMEN TREE TO REMAIN
-  SPECIMEN TREE TO BE REMOVED
-  SPECIMEN TREE CANOPY



Ridinger Associates, Inc.

Civil Engineers - Planners

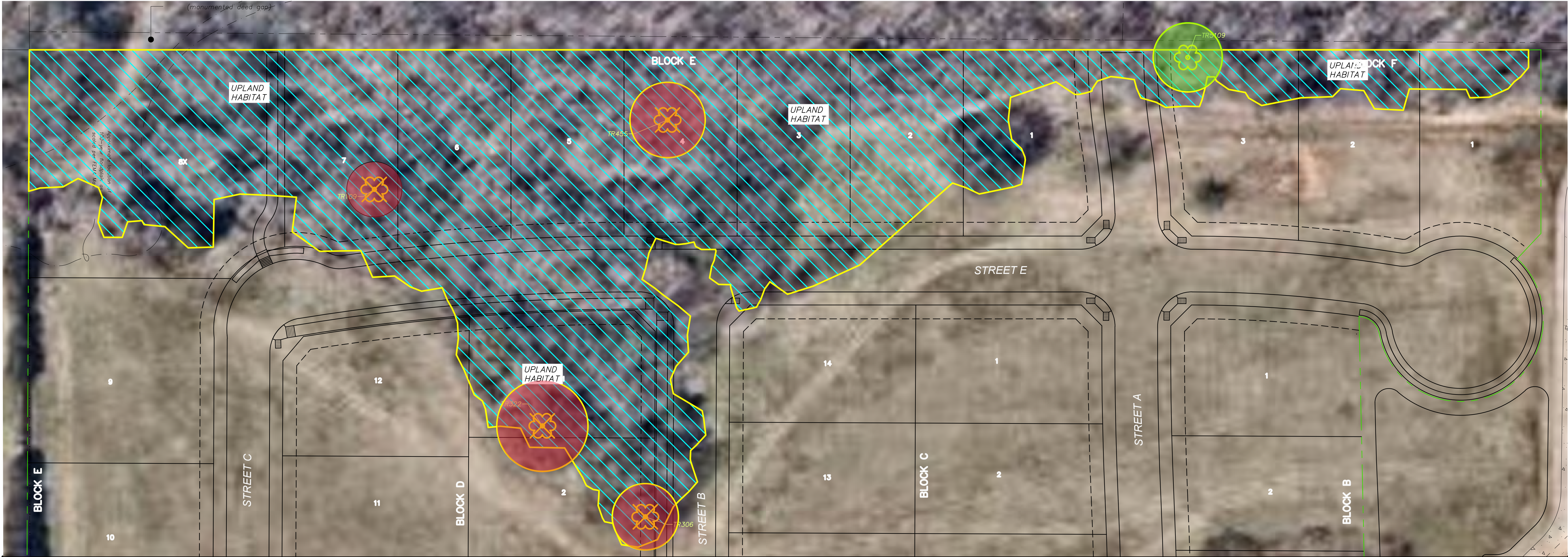
Firm No. 1969
350 W. Edwards
Lawrence, Texas 75067

License Suite 101
Tel. No. (972) 353-8900
Fax. No. (972) 353-8911

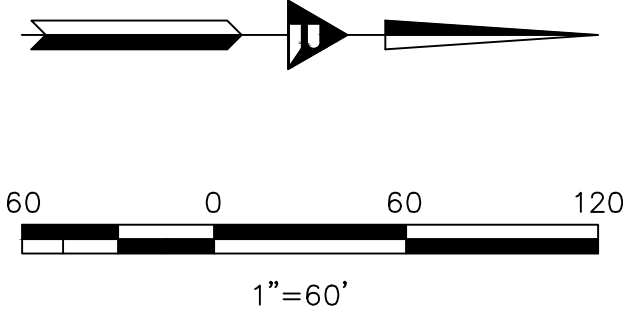
EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

TREE SURVEY-EAST

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Designed by: LDR
Drawn by: JWH
Checked by: LDR
Date: JULY 29, 2021
Project No. 035-033



MATCHLINE

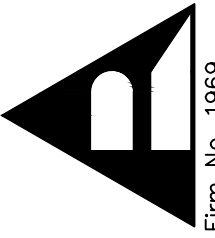


TREE LEGEND

-  SPECIMEN TREE TO REMAIN
-  SPECIMEN TREE TO BE REMOVED
-  SPECIMEN TREE CANOPY



No.	Date	Revisions	App.



Ridinger Associates, Inc.
Civil Engineers - Planners
Firm No. 1969
3500 Edmonds
Louisville, Texas 75087
Tel. No. (972) 353-8000
Fax No. (972) 353-8011

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

TREE SURVEY-WEST
WITH AERIAL

Scale: 1" = 60'
Designed by: LDR
Drawn by: JWH
Checked by: LDR
Date: JULY 29, 2021
Project No. 035-033

TAG NO.	CALIPER (IN.)	COMMON NAME / SCIENTIFIC NAME	PROTECTED / SPECIMEN	LOCATION	ESAs	STATUS	CONDITION	COMMENTS	CANOPY SPREAD
109	25	HICKORY/CARYA SPECIES	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	POOR	DECAY	1256
306	24	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		1809
322	33	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		3419
455	34	HICKORY/CARYA SPECIES	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	REMOVE	GOOD		2323
5109	25	POST OAK/QUERCUS STELLATA	SPECIMEN	BUILDABLE AREA	UPLAND HABITAT	PRESERVE	GOOD		1963

253 PROTECTED TREES ON-SITE.

MATCHLINE (SEE TS-1)



SPECIMEN TREE TO REMAIN



SPECIMEN TREE TO BE REMOVED



PROTECTED TREE TO BE REMOVED



SPECIMEN TREE CANOPY

TREE LEGEND



1"=60'



No.

Date

Revisions

App.

Ridinger Associates, Inc.

Civil Engineers - Planners

Firm No. 1969
3500
Edmonds
Lawrence, Texas 75067

353-8900
353-8901
Suite 101
Tel. No. (972) 353-8900
Fax No. (972) 353-8901

EMERALD PLACE
RESIDENTIAL SUBDIVISION
FLOWER MOUND, TEXAS

TREE SURVEY-EAST
WITH AERIAL

Scale: 1" = 60'
Designed by: LDR
Drawn by: JWH
Checked by: LDR
Date: JULY 29, 2021
Project No. 035-033

SHEET
TS-2



TOWN COUNCIL AGENDA ITEM NO. 15

REGULAR ITEM

DATE: October 4, 2021

FROM: John Chapman, Long Range Planner

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

SUMMARY DATA:

- This Town-initiated item proposes to amend the Town’s Land Development Regulations by updating and introducing language related to accessory buildings, off-street parking, and stacking standards.
- During the August 9, 2021, Planning and Zoning Commission work session meeting, the Commission provided direction to Staff regarding accessory buildings and off-street parking ([Video](#), topic starts at 0:49:46).

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. During Commissioner deliberation, proposed language related to shared rooflines between the attached accessory building and the main building was recommended to be reviewed for additional clarification. Upon further discussion with staff, the “Accessory building, attached,” definition was amended to require an attached accessory building to “aesthetically match the main building and not have the appearance of a separate structure.”

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

Ordinance No. _____

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

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

WHEREAS, the Town of Flower Mound is a home rule municipality 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 74, "General Provisions," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended, establishing general provisions for Subpart B; and

WHEREAS, the Town Council of the Town of Flower Mound previously adopted Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended, establishing appropriate standards for the development of land within the Town; and

WHEREAS, the Town Council finds and determines the Town's parking and accessory building regulations should be updated to clarify certain sections; and

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on September 27, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, with respect to the amendments 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; and

WHEREAS, the Town Council finds that the amendments to Chapters 74 and 82 as outlined herein are 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

Section 74-3, "Definitions," of Chapter 74, "General provisions," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby

Ordinance No. _____

amended to replace the definitions for “Accessory building, attached,” “Accessory building, detached,” and “Building, main,” and create a new definition for “Structure, primary,” to be inserted alphabetically and read as follows:

“Sec. 74-3. - Definitions.

Accessory building, attached, also known as an addition, means an integral portion of the main building devoted to uses incidental and accessory to the primary use, such as an attached garage, storage area, living space, or carport. An accessory building is considered integral when it shares a common wall (minimum six feet in width), roofline, and foundation with the main building. The addition must aesthetically match the main building and not have the appearance of a separate structure. If an attached accessory building is air conditioned, the space must be accessible from within the main building.

Accessory building, detached means a freestanding building, or a building connected to the main building by means of a breezeway or unenclosed walkway, designed and used for functions incidental and accessory to the main use, such as a garden shelter, separate garage, carport, or storage house.

Building, main means the building on a lot that is occupied by the primary use. See also *Structure, primary*.

Structure, primary, see *Building, main*.

***”

SECTION 2

Section 82-72, “Applicability of article provisions,” of Article III, “Off-street parking and loading,” of Chapter 82, “Development Standards,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

“Sec. 82-72. – Applicability of article provisions.

- (a) *New and complying development*. New and complying development shall be subject to the following provisions:
 - (1) Every use of a building or land must provide the minimum off-street parking and loading spaces required by this article. The adequate provision of parking spaces will be reviewed during rezoning, specific use permit (SUP), site plan, and certificate of occupancy reviews.
 - (2) The number of parking and loading spaces may be reduced when the land use or floor area of a building is changed or reduced to a use or floor area requiring fewer parking or loading spaces.
 - (3) When a building is expanded or a land use is changed so as to increase the number of parking or loading spaces required, the number of such spaces must be increased.
- (b) *Existing noncomplying development*. Developments with noncomplying parking and loading areas are subject to the following provisions:

Ordinance No. _____

- (1) Existing parking and loading spaces may not be reduced below the minimum required by this article.
 - (2) No building permit or certificate of occupancy shall be issued for any new building, building addition or expansion, change of use, remodeling, or structural alterations until all parking and loading areas associated with the development are brought into full conformity with the provisions of this article.
- (c) *Engineering Design Criteria.* The provisions established under this article are not intended to supersede any requirement contained within the Town of Flower Mound Engineering Design Criteria and Construction Standards Manual, as amended.”

SECTION 3

Section 82-73, “Computing parking and loading requirements,” of Article III, “Off-street parking and loading,” of Chapter 82, “Development Standards,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to replace subsections 1-6 and add subsection 10 to read as follows:

“Sec. 82-73. – Computing parking and loading requirements.

The number of parking spaces required for a specific development proposal shall be based on the requirements listed in section 82-74, Off-street parking requirements, and the following provisions:

- (1) *Deviation of required spaces.* The amount of parking may be reduced or increased by 20 percent. Deviations for all uses, excluding “Religious Assembly/Institution or Rectory,” in excess of 20 percent must be accompanied by a parking study and approved by the town council. Deviations for “Religious Assembly/Institution or Rectory” increasing required spaces in excess of 30 percent, must be accompanied by a parking study and approved by the town council. Any approved parking in excess of 20 percent must be mitigated. Mitigation may be achieved by the use of pervious paving, increased landscaping, increased stormwater treatment, or other method to reduce the impact of the increased parking.
- (2) *Unlisted uses.* Where questions arise concerning the minimum off-street parking requirements for any use not specifically listed, the requirements may be interpreted by the town as those of a similar use.
- (3) *Large developments.* A large development is defined as any development that is required to provide over 250 parking spaces based on the parking ratios listed in section 82-74. All large developments are required to provide a parking study as defined in this section. If the required parking study finds that a reduced number of parking spaces is necessary, due to the mixture of uses onsite, the reduced number becomes the town standard for that specific development.
- (4) *Parking study.* A parking study required by this article must be reviewed by the town along with any traffic engineering and planning data appropriate to the establishment of a parking requirement for the use proposed. A parking study, when required by this article, must include, but not be limited to, estimates of parking requirements based on recommendations in studies such as those from the Urban Land Institute, the Institute of Traffic Engineers, or the Texas A&M Transportation Institute, and based on data collected from uses or combinations of uses that are the same or comparable to the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study must include a shared parking analysis based on the mixture of uses and corresponding peak demand. Specifically, the parking required for restaurants should be included in the study and be determined by the

Ordinance No. _____

number, location, and type of restaurants proposed. The study must document the source of data used to develop recommendations.

- (5) *Location*. All required off-street parking spaces, unless otherwise approved through this article, must be located and arranged on the site to insure optimal access and use.
- (6) *Fractions*. When measurements determining the number of required parking spaces result in fractions, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall be rounded upward to the next full number.

- (10) *Required Loading Spaces*. The number of required loading spaces shall be determined by the town manager or their designee during the development process."

SECTION 4

Section 82-74, "Off-street parking and loading space requirements," of Article III, "Off-street parking and loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to rename the section to "Off-street parking requirements" and to amend the opening statement and schedule title to read as follows:

"Sec. 82-74. – Off-street parking requirements.

The following are the off-street parking requirements:

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

***"

SECTION 5

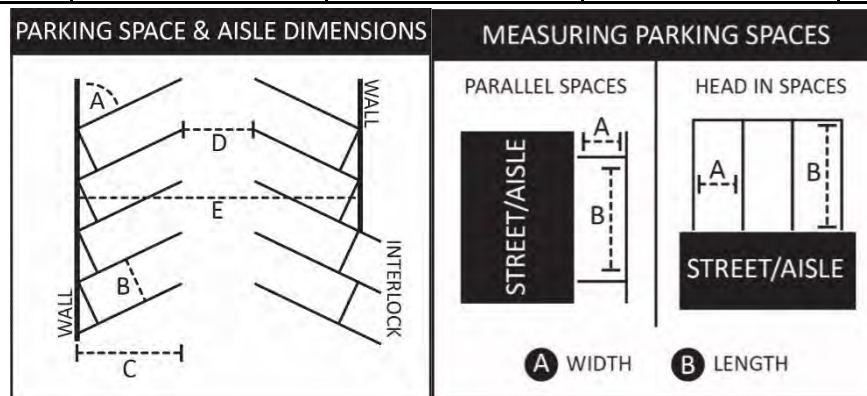
Section 82-77, "Parking space and aisle dimensions," of Article III, "Off-street parking and loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

"Sec. 82-74. – Parking space and aisle dimensions.

For all parking areas, the minimum required dimensions of parking spaces and aisles shall be as indicated in the following table. If proposed parking angles are not shown in the table, dimensions shall be interpreted from the table by the town manager or their designee. All dimensions are in feet and measured as shown graphically in the figure following the table in this section. Minor deviations from these standards may be approved by the town manager or their designee for the design of parking structures. The dimensions in the table are graphically illustrated in the figures following the table in this section:

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Parking Angle A	Parking Space Width B	Parking Space Depth to wall C	Aisle Width D	Wall Module Width (wall to wall) E
90 degree parking angle, two-way aisle				
90	9.00	17.5	26.0	61.0
60 degree parking angle, two-way aisle				
60	9.00	18.0	26.0	62.0
75 degree parking angle, one-way aisle				
75	9.00	18.5	22.0	59.0
60 degree parking angle, one-way aisle				
60	9.00	18.0	18.0	54.0
45 degree parking angle, one-way aisle				
45	9.00	16.5	15.0	48.0



SECTION 6

Section 82-78, "Parking area design," of Article III, "Off-street parking and loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to amending subsections 1 and 4-9 and adding subsection 10 to read as follows:

"Sec. 82-78. – Parking area design.

All parking areas, unless indicated otherwise, must comply with the following design requirements:

- (1) Each off-street parking space must open directly onto an aisle or driveway that is not a public or private street or alley, provided that this subsection shall not apply to parking spaces provided by the town for town parks.

- (4) No parking space shall block access by emergency vehicles or be located within fire lanes.
- (5) No off-street parking spaces shall be located within a public or private street, alley, or joint access easement.

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- (6) For parking areas including ten or more spaces, a minimum queuing distance of 20 feet shall be provided along all access drives between a street and the nearest parking space.
- (7) All parking spaces must be delineated by single or double stripes on each side of the space.
- (8) Curbs must be provided to prevent any vehicle using a parking area from encroaching on any public street, required landscaping area, sidewalk, trail, or adjacent property, unless otherwise approved by the town manager or their designee.
- (9) Parallel parking spaces shall have a minimum length of 23 feet and a minimum width of eight feet. A minimum width of ten feet must be required if any structure or obstacle that would impede the opening of a vehicle door is within two feet of the curbside of a parallel parking space.
- (10) Parking spaces shall not be located within triangular areas established by section 82-161."

SECTION 7

Section 82-79, "Residential parking area design," of Article III, "Off-street parking and loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

"Sec. 82-79. – Residential parking area design.

Required parking spaces for residential dwelling units, other than multifamily parking areas, must comply with the following requirements, unless indicated otherwise:

- (1) *Dimensions.* All required parking spaces must have a minimum width of nine feet and a minimum length of 20 feet.
- (2) *Location.* Required parking spaces for residential dwelling units, other than multifamily or mobile homes, must be located within an enclosed garage.
- (3) *Driveways.* A driveway complying with sections 82-132 and 82-135, and not less than 20 feet long measured from the property line, must connect the required enclosed garage or parking spaces to the public or private street, or alley. Driveways to parking areas, garages, or detached garages not required by this article must comply with section 82-80 when located within the required front or side yard setback. No portion of any driveway shall be located within the public or private street or alley.
- (4) *Residential and Multifamily Parking Areas.* Parking areas within any residential zoning district must comply with sections 82-77 and 82-78."

SECTION 8

Section 82-80, "Paving standards," of Article III, "Off-street parking and loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

"Sec. 82-80. – Paving standards.

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All parking areas, loading spaces, and driveways, regardless of size or length, constructed after December 31, 1974, or unless otherwise granted within this article, must be free of weeds and surfaced with concrete, asphalt, brick, or other accepted pavement, as approved by the town manager or their designee.”

SECTION 9

Section 82-81, “Use of parking areas,” of Article III, “Off-street parking and loading,” of Chapter 82, “Development Standards,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

“Sec. 82-81. – Use of parking areas.

Required off-street parking spaces and associated aisles and maneuvering areas shall be used for vehicle parking only and comply with the provisions of chapter 66, article IV. – stopping, standing, parking. No sales, storage, display of merchandise (including vehicles), repair work, or dismantling shall be permitted in such areas.”

SECTION 10

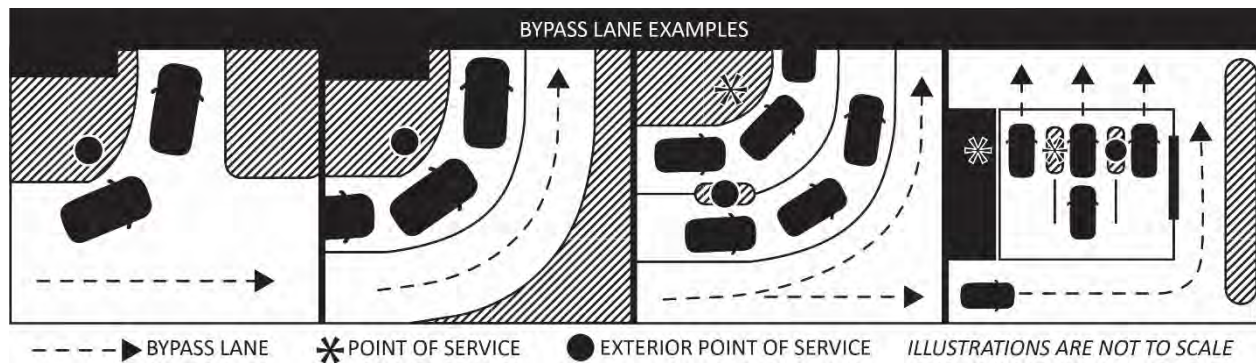
Section 82-82, “Queuing requirements for drive-through facilities,” of Article III, “Off-street parking and loading,” of Chapter 82, “Development Standards,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

“Sec. 82-82. – Queuing requirements for drive-through facilities.

In addition to meeting the off-street parking requirements of this article, drive-through facilities must meet the following queuing standards:

- (1) *Dimensions.* Each queue space must have a width not less than ten feet and a length not less than 20 feet. Unless otherwise indicated, queuing shall be measured from the point of ultimate service to the end of the queuing lane.
- (2) *Design.* Each queue lane must be clearly defined and designed to not conflict or interfere with other traffic using the site.
- (3) *Bypass Lane.* A bypass lane with a minimum width of 12 feet must be provided for sites where service to occupied vehicles takes place. Bypass lanes must not be located within any queuing area. Up to the exterior first point of service, vehicles must have the ability to exit the queuing lane and return safely to the regular flow of traffic without any obstruction or barriers. For the purpose of this section, “exterior first point of service,” shall be defined as being the first, outermost, interaction between the establishment, such as a kiosk, window, menu board, or individual, and an occupied vehicle. This standard is graphically illustrated in the figure below:

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- (4) *Number of queue spaces.* The minimum number of queue spaces, including the vehicle being serviced, shall be provided for each drive-through facility as follows:

Land Use Type	Minimum Queue Spaces
Bank teller lane	Five
Automated teller machine	Three
Restaurant, drive-through*	Five
Car wash stall, automatic or full service	Five
Car wash stall, self-service	Three
Oil change station	Four
Dry cleaning or laundry	Three
Photo lab or Pharmacy	Three
General retail	Four
Gasoline pump island	30 feet from each end of pump island
Schools, elementary or secondary, or Day care center	Based on the approved stacking and queuing analysis

- (a) During the site plan or specific use permit process, a queuing and stacking analysis prepared by a traffic engineering firm is required when one or more of the following is met:
- i. The land use type is "Restaurant, drive-through."
*While the minimum number of queue spaces required for a "Restaurant, drive-through" is five, a queuing and stacking analysis is required to determine whether a specific business's expected customer traffic will require additional stacking spaces.
 - ii. The land use type is "Schools, elementary or secondary, or Day care center."
 - iii. Other circumstances necessitating a traffic impact analysis as determined by the town manager or their designee.
- (5) *Tandem drive-through facilities.* The measurement for required queuing spaces shall begin at the last point of ultimate service.
- (6) *Single Stacking Space.* A single stacking space must be provided after the ultimate point of service, order board, kiosk, or stopping point to allow vehicles to pull clear of the transaction area prior to re-entering the normal flow of traffic."

SECTION 11

Section 82-83, "Off-street loading requirements," of Article III, "Off-street parking and loading,"

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of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

"Sec. 82-83. – Off-street loading requirements.

Loading requirements. Each development is required to detail where loading will occur and the type of vehicle servicing each specific use. The location and design of loading areas shall conform to the following standards:

- (a) *Paving standards.* The surface of all open off-street loading spaces shall comply with section 82-80.
- (b) *Design of loading areas.* All off-street loading spaces shall comply with the following design requirements:
 - 1. No off-street loading space shall be located within a public or private street. Any loading dock or door shall be set back far enough from the right-of-way so that no portion of the right-of-way is occupied by trucks or other vehicles while loading or unloading.
 - 2. The location of the loading area shall not interfere with the free circulation of vehicles in the off-street parking area. Where loading areas are directly adjacent to or integrated with an off-street parking lot, the town manager or their designee may require installation of physical barriers or other means of separating loading areas from parking areas and pedestrian traffic.
 - 3. No loading space shall block access by emergency vehicles.
- (c) *Use of loading areas.* All off-street loading spaces and associated aisles and maneuvering areas shall be used for vehicle loading only and shall not count towards required parking spaces. No sales, storage, display of merchandise (including vehicles), repair work, or dismantling shall be permitted in such areas."

SECTION 12

Section 82-161, "Clear visibility standards," of Division 2, "Driveways and Access," of Article IV, "Traffic," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to read as follows:

"Sec. 82-161. – Clear visibility standards.

Walls, buildings, fences, parking areas, landscaping, or other obstructions exceeding two feet in height must not be placed within the following triangular areas at the intersections of streets, driveways, and alleys, except trees pruned higher than seven feet to permit unobstructed vision to automobile drivers:

***"

SECTION 13

Section 982-2, "Definitions," of Article I, "In General," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to replace the definition for "Accessory dwelling," to read as follows:

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“Sec. 98-2. – Definitions.

Accessory dwelling means a dwelling unit accessory to the primary single-family dwelling use with permanent provisions for sleeping, cooking, and sanitation, located in a separate building on the same lot as the primary structure. The habitable floor area of an accessory dwelling shall not exceed 50 percent of the habitable floor area of the primary structure.

***”

SECTION 14

Section 98-1032, “Accessory buildings,” of Division 3, “Dimensional Regulations,” of Article IV, “Supplementary district regulations,” of Chapter 98, “Zoning,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to add subsection (a)(5) to read as follows:

“Sec. 98-1032. – Accessory buildings.(a) *Generally.*

- (5) *Attached accessory building.* An attached accessory building, also known as an addition to the main building, must comply with all regulations applicable to the main building to which it is attached.”

SECTION 15

Section 98-1126, “Height for light pole standards,” of Division 6, “Outdoor Lighting,” of Article IV, “Supplementary district regulations,” of Chapter 98, “Zoning,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

“98-1126. – Height for light pole standards.

Maximum height for light pole standards shall be as follows:

- (1) In parking areas containing zero to 150 parking spaces, excluding parking spaces located within an enclosed parking garage, light pole standards shall not exceed 25 feet in height.
- (2) In parking areas containing 151 or more parking spaces, excluding parking spaces located within an enclosed parking garage, light pole standards shall not exceed 35 feet in height.”

SECTION 16

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.

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SECTION 17

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 18

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 19

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 20

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 21

This Ordinance shall be in full force and effect from and after the date of its passage.

Ordinance No. _____

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**



TOWN COUNCIL AGENDA ITEM NO. 16

REGULAR ITEM

DATE: October 4, 2021

FROM: John Chapman, Long Range Planner

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

SUMMARY DATA:

- This Town-initiated item proposes to amend the Town’s Land Development Regulations based on State law and staff recommendations by updating and introducing language related to the Board of Adjustment, construction signs, and street signs.
- During the April 26, 2021, Planning and Zoning Commission work session meeting, the Commission provided direction to Staff regarding construction signage regulations in tandem with Senate Bill 291 ([Video](#), topic starts at 17:17).

BACKGROUND INFORMATION: Attached is the Planning and Zoning Commission (P&Z) report and backup for this item. During Commissioner deliberation, no additional recommendations to the proposed language were made.

ATTACHMENTS:

1. Draft Ordinance
2. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

Ordinance No. _____

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO. _____**

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

WHEREAS, the Town of Flower Mound is a home rule municipality 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 78, "Administration," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended; and

WHEREAS, the Town Council of the Town of Flower Mound previously adopted Chapter 90, "Subdivisions," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended; and

WHEREAS, the Town Council finds and determines that it is necessary adopt new variance considerations for structures to reflect recently adopted state law; and

WHEREAS, the Town Council finds and determines that variance and construction signage regulations should be updated to reflect Town practices and state law; and

WHEREAS, the Town Council finds and determines that temporary dead ends and stub-outs should be identified by signage as "future through streets" for the benefit of surrounding property owners and visitors; and

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on September 27, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 4, 2021, with respect to the amendments 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; and

WHEREAS, the Town Council finds that the amendments to Chapters 78 and 90 as outlined herein are 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. _____

FLOWER MOUND, TEXAS, THAT:

SECTION 1

Portions of Section 78-85, "Variances," Division 3, "Board of Adjustment," of Article II, "Boards, Committees, Commissions," of Chapter 78, "Administration," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to add subsection (c) to read as follows:

"Sec. 78-85. - Variances.

(c) *Structures.* In exercising its authority under subsection b, the Board may consider the following as grounds to determine whether compliance with the ordinance, as applied to a structure, would result in an unnecessary hardship regarding structures and buildings:

- (1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the town.
- (2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur.
- (3) Compliance would result in the structure not being in compliance with a requirement of this Code, building code, or other requirement.
- (4) Compliance would result in the unreasonable encroachment on an adjacent property or easement.
- (5) The municipality considers the structure to be a nonconforming structure per section 78-236."

SECTION 2

Sections 90-187–90-210, "Reserved," of Article IV, "Mandatory homeowners' association," of Chapter 90, "Subdivisions," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to rename the sections to read as follows:

"Secs. 90-187–90-209. Reserved."

SECTION 3

Section 90-210, "Construction signage," of Article V, "Improvements," of Chapter 90, "Subdivisions," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby established to read as follows:

"Sec. 90-210. – Construction signage.

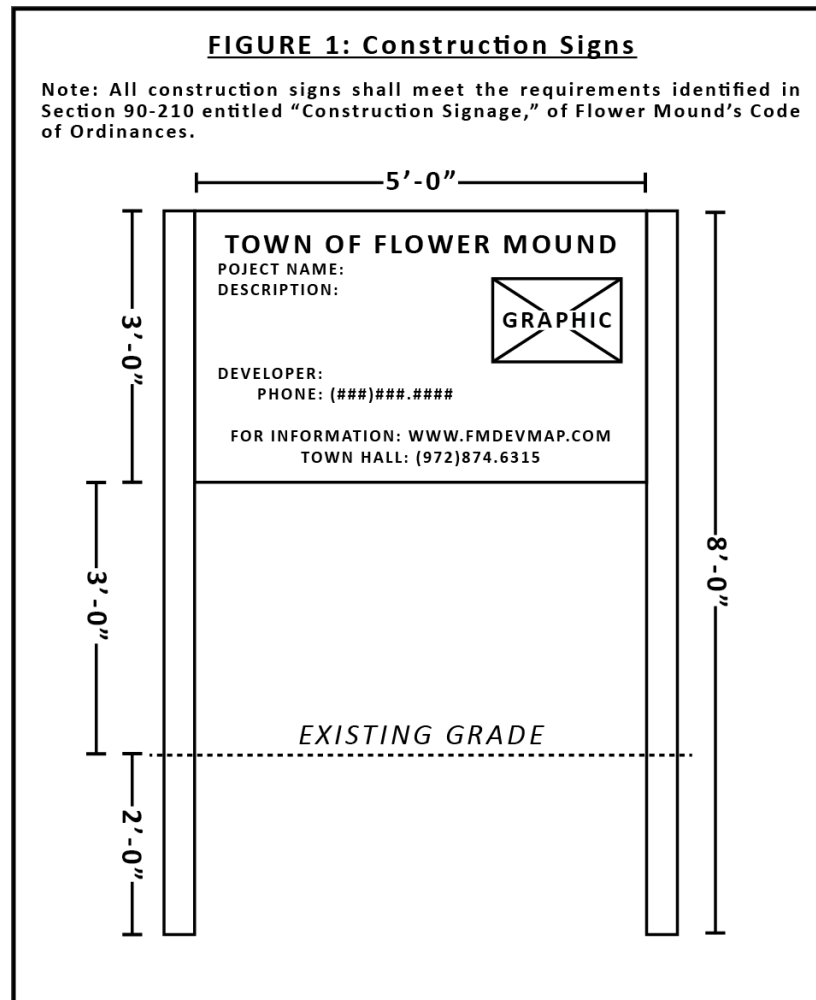
The contractor shall install construction signs onsite, at the contractor's sole expense, in accordance with the standards below.

- (1) *Applicability.* This section shall apply to all residential and nonresidential developments obtaining a development permit.

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- (2) *Permit.* No separate permit shall be required; however, Figure 1 of this section must be included as a detail within applicable development permits for the project. Signs must be approved by the town prior to installation and inspected prior to commencing construction.
- (3) *Number and location.* The number and locations of signs shall be determined by the town. The number of signs will be based on the development's size, construction entrance location(s), and final access points, with a preference toward locating signs in areas visible to adjacent, existing developments. Supporting posts shall be buried a minimum two (2) feet in the ground for stabilization as depicted in Figure 1 of this section. No signs shall be placed within clear visibility areas identified by Section 82-161.
- (4) *Size and material.* All signs must significantly comply with the design and layout of Figure 1 within this section and meet the following requirements:
 - a. Must be comprised of three-quarter inch exterior or marine grade plywood or an equivalent material approved by the town, be three feet by five feet in size, and painted with exterior white latex paint.
 - b. A graphic, no less than 11 inches by 17 inches, of the development shall be included as identified in Figure 1 of this section for the following:
 - i. *Non-residential and multifamily.* An approved color rendering of the project.
 - ii. *Residential.* An approved color rendering of the development, or town approved alternate graphic.
 - c. The board must be mounted on two vertical posts measuring 8 feet in height constructed of two-inch by four-inch board stock, painted with exterior white latex.
 - d. The project name, a brief description of the project, the developer's name, and the town webpage and phone number must be provided on the sign as identified in Figure 1 of this section.
 - e. Lettering shall be no less than 1.5 inches in height and generally comply with the location of text as identified in Figure 1 of this section.
- (5) *Maintenance.* All signs must be properly maintained through subdivision acceptance for residential projects, or approval of final inspection for non-residential and multifamily projects, including keeping the area around the sign clear of weeds and debris. Following written notification, missing or damaged signs must be replaced or repaired within two weeks.
- (6) *Removal.* The owner/developer/applicant must remove signs from the lot or tract of land within fourteen days after the date of subdivision acceptance for residential projects or approval of final inspection for non-residential and multifamily projects.
- (7) *Figure 1.*

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Section 90-216, "Traffic signs," of Article V, "Improvements," of Chapter 90, "Subdivisions," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended in its entirety to read as follows:

"Sec. 90-216. – Traffic signs.

- 1) *Developer Obligation.* The developer shall pay the costs of purchasing and installing traffic signs required for the associated project. Traffic signs and posts shall be installed in accordance with the current town standards and the latest edition of the Texas Manual on Uniform Traffic Control Devices. The developer shall pay the cost for and install all signage for the subdivision in accordance with the approved signs and markings plan.
- 2) *Future road extension signage.* The developer must pay the costs of purchasing and installing "future through street" markers and related signage at all dead end and stub-out streets where the road is planned to extend into an adjacent undeveloped property or phase in accordance with the following standards:
 - a. *Location.* Signage must be located parallel to the dead end or stub-out's edge of pavement.

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- b. *Permit.* No separate permit shall be required; however, the future road extension signage detail contained within the Town Engineering Design Criteria and Construction Standards Manual must be included within all applicable development permits for the associated subdivision.
 - c. *Installation.* Signage must be installed by the developer prior to the town's acceptance of the subdivision.
 - d. *Design and Materials.* Future road extension signs must comply with the detail contained within the Town Engineering Design Criteria and Construction Standards Manual.
 - e. *Maintenance.*
 - i) *Public street or alley.* After acceptance of the subdivision and right-of-way, the town shall be responsible for all required maintenance of future road extension signage.
 - ii) *Private street or alley.* The owner of the private street or alley shall be responsible for all required maintenance of future road extension signage. Following written notification, missing or damaged signs must be replaced or repaired within four weeks.
- 3) *Alternative sign poles.* Alternative sign poles and attached signage approved for a specific zoning district must be maintained by the responsible party designated in the authorizing zoning ordinance, or their successor in interest. To ensure public safety, the town is authorized to temporarily remedy maintenance situations related to alternative sign poles in accordance with the following:
- a. *Critical signs.* For the purpose of this section, signs necessary for public safety shall be considered critical signs, such as stop signs.
 - b. *Notification.* Upon having knowledge of a critical sign being knocked down, or otherwise hindering public safety, the town will notify the responsible party. Upon notification, the responsible party must address the situation within two (2) hours, no matter the time of day. For notification purposes, the responsible party shall provide a 24-hour contact.
 - c. *Non-fulfillment.* If the responsible party is not able to remedy the situation within the required window, and the town must replace the alternative pole(s) to ensure public safety, the responsible party may be issued invoices for resources, including but not limited to labor, and a \$500 mobilization fee. Additionally, a \$100 fee will be invoiced to the responsible party for each reinspection of an alternative sign pole not in compliance with the zoning district's standards."

SECTION 5

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 6

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.

Ordinance No. _____

SECTION 7

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 8

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 9

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 10

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 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, **MAYOR**

ATTEST:

Theresa Scott, **TOWN SECRETARY**



TOWN COUNCIL AGENDA ITEM NO. 17

BOARD/COMMISSIONS

DATE: October 4, 2021

FROM: Theresa Scott, Town Secretary

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

BACKGROUND INFORMATION: The process for electing the Board of Directors for [Denton Central Appraisal District \(DCAD\)](#) and Tarrant Appraisal District (TAD) starts with the nomination of individuals by the taxing jurisdictions, and as defined in Section 6.03 of the Property Tax Code. Each jurisdiction may nominate up to five people to be considered for the Board of Directors and by the deadline date of October 15, 2021.

The role of the Board of Directors is to hire the chief appraiser and to set the budget. The board has no authority to set values or appraisal methods.

In mid-December of 2021 taxing jurisdictions will vote on the nominees from the slate of candidates as put forward by the contributing jurisdictions. The amount of votes that can be cast by the taxing jurisdictions is based on the 2020 tax levy. For Flower Mound this equates to 115 votes (DCAD) and 0 vote (TAD).

DCAD board members are:

Name	Title	City/Town
Charles Stafford	Chairman	Denton
David Terre	Vice Chairman	The Colony
Roy Atwood	Secretary	Carrollton
George Pryer	Member	Frisco
Bryan Webb	Member	Flower Mound
Michelle French	Ex Official Member	N/A

Mr. Webb indicated he does not wish to renew his term.

The Town Secretary's Office has not received any communication regarding interest from Flower Mound residents located in Denton or Tarrant County.

ALTERNATIVES OR OPTIONS:

1. Nominate up to five citizens to be voted on by the Denton County taxing jurisdictions.
2. Take no action and vote on the candidates selected by other taxing jurisdictions in December.

ELIGIBILITY/TERM: The nominee must have resided in the designated county for at least two years prior to January 1, 2022.

MEETINGS: The Board usually meets once per month and meetings are held at 3:00 p.m. in Denton.

ATTACHMENTS:

1. Denton Central Appraisal District memo
2. Tarrant Central Appraisal District letter
3. Draft Resolution

DRAFT MOTION: Move to nominate _____.



Denton Central Appraisal District
3911 Morse Street
Denton, TX 76208

(940) 349-3800
 www.dentoncad.com

M E M O

TO: Denton County, School Districts and Cities that Levy a Tax

FROM: Hope McClure, Chief Appraiser

SUBJECT: Request for Nominations for DCAD Board of Directors

DATE: August 13, 2021

It is time again for the taxing jurisdictions to select five individuals to serve as the DCAD Board of Directors. Each jurisdiction may nominate by written resolution up to five people to be considered for the DCAD Board of Directors. According to Section 6.03 of the Texas Property Tax Code, it is the chief appraiser's responsibility to initiate this process, which is the purpose of this memo.

Please note that a chief appraiser does not have the authority, or the duty, to investigate or judge the qualifications of the nominees. Further, a chief appraiser cannot extend the deadline for receiving nominations.

Please return your nomination(s) by written resolution before October 15, 2021.

Please provide the name and address of the nominee(s). The District will send a questionnaire to each nominee requesting additional information to assist the entities in the voting process.

CALENDAR FOR APPOINTMENTS:

1. Before October 1st - Each jurisdiction will be advised of the number of votes they are entitled to cast in the election of the board of directors (those numbers are included in this email).
2. Before October 15th - The governing body of each jurisdiction may nominate by written resolution up to five candidate(s) to the DCAD Board of Directors. (The number of votes that each jurisdiction has is not relevant in the initial nomination phase.)
3. Before October 30th - A comprehensive list of the nominees will be compiled and this information will be sent to the taxing jurisdictions in the form of a ballot.
4. Before December 15th - The taxing jurisdictions choose by written resolution the candidate, or candidates, of their choice. The jurisdictions then submit the names of their candidates and the votes they cast for each candidate before the December 15th deadline.
5. Before December 31st – A tabulation of the votes will be forwarded to the jurisdictions. The five candidates that have received the most votes become the Board of Directors as of January 1st.



Denton Central Appraisal District
3911 Morse Street
Denton, TX 76208

(940) 349-3800
 www.dentoncad.com

Memo, Appointing Board of Directors, August 11, 2021

Page 2

SELECTING A NOMINEE

AUTHORITATIVE GUIDELINES - The selection process is set forth in Section 6.03 of the Property Tax Code. This process is not an “election” governed by the Texas Election Code. It is an independent procedure unique to the property tax system.

ELIGIBILITY - An appraisal district director must reside in Denton County for at least two years immediately preceding the date he or she takes office. Most residents are eligible to serve as a director. An individual that is serving on the governing body of a city, county, or school district is eligible to serve as an appraisal district’s director.

An employee of a taxing unit served by the appraisal district is **not** eligible to serve as a director. However, if the employee is an elected official, he or she is eligible to serve.

A statute relevant to the Board selection process prohibits nepotism and conflict of interest for appraisal district directors and chief appraisers. In summary, the law states that:

..... “a person may not serve as director if closely related to anyone in the appraisal district or if related to anyone who represents owners in the district, or if the person has an interest in a business that contracts with the district or a taxing unit. A chief appraiser may not employ someone closely related to a member of the board of directors”.

TERM OF OFFICE – Those elected to the Board of Directors will serve a two year term beginning January 1, 2022.

FREQUENCY OF MEETINGS - The applicable statutes require the board of directors to meet a minimum of once each calendar quarter.

DENTON CENTRAL APPRAISAL DISTRICT 2021 DISTRIBUTION OF VOTES

Attachment 1

JURISDICTIONS		2020 LEVY	%OF TOTAL LEVIES	NUMBER OF VOTES
<u>SCHOOL DISTRICTS:</u>				
S01	ARGYLE ISD	39,211,263.47	1.7154%	85
S02	AUBREY ISD	19,686,703.81	0.8612%	42
S03	CARROLLTON-FB ISD	59,677,280.15	2.6107%	128
S04	CELINA ISD	486,214.26	0.0213%	1
S05	DENTON ISD	300,528,684.23	13.1471%	654
S15	ERA ISD	1,687.25	0.0001%	1
S06	FRISCO ISD	168,736,156.36	7.3816%	394
S07	KRUM ISD	12,760,715.66	0.5582%	27
S08	LAKE DALLAS ISD	35,082,643.50	1.5347%	76
S09	LEWISVILLE ISD	598,944,850.68	26.2018%	1325
S10	LITTLE ELM ISD	82,583,733.78	3.6128%	178
S11	NORTHWEST ISD	143,902,045.64	6.2952%	312
S12	PILOT POINT ISD	8,842,789.13	0.3868%	18
S13	PONDER ISD	10,459,467.11	0.4576%	22
S17	PROSPER ISD	23,463,503.40	1.0264%	50
S14	SANGER ISD	16,207,613.43	0.7090%	34
S16	SLIDELL ISD	463,687.64	0.0203%	1
SCHOOL DISTRICTS TOTALS		\$1,521,039,039.50	66.540%	3348
<u>COUNTY:</u>				
G01	DENTON COUNTY	\$259,814,593.05	11.37%	567
<u>CITIES:</u>				
C26	TOWN OF ARGYLE	3,068,953.12	0.1343%	6
C01	CITY OF AUBREY	2,336,792.11	0.1022%	4
C31	TOWN OF BARTONVILLE	849,568.70	0.0372%	2
C02	CITY OF CARROLLTON	53,858,677.12	2.3561%	115
C49	CITY OF CELINA	1,486,029.75	0.0650%	3
C03	CITY OF THE COLONY	37,377,039.45	1.6351%	81
C21	TOWN OF COPPELL	1,056,686.12	0.0462%	2
C27	TOWN OF COPPER CANYON	870,253.61	0.0381%	2
C04	CITY OF CORINTH	14,287,227.60	0.6250%	30
C20	CITY OF DALLAS	13,945,214.89	0.6101%	30
C05	CITY OF DENTON	79,144,970.51	3.4623%	170
C42	CITY OF DISH	150,602.62	0.0066%	1
C30	TOWN OF DOUBLE OAK	1,181,394.10	0.0517%	3
C47	TOWN OF CORRAL CITY	14,508.54	0.0006%	1
C07	TOWN OF FLOWER MOUND	54,069,728.62	2.3654%	115
C36	CITY OF FORT WORTH	22,013,466.18	0.9630%	47
C32	CITY OF FRISCO	55,852,464.79	2.4434%	119
C39	CITY OF GRAPEVINE	200.88	0.0000%	1
C22	TOWN OF HACKBERRY	173,998.12	0.0076%	1
C38	CITY OF HASLET	1,618.72	0.0001%	1
C19	TOWN OF HICKORY CREEK	2,132,828.57	0.0933%	5
C08	CITY OF HIGHLAND VILLAGE	13,667,598.50	0.5979%	29
C09	CITY OF JUSTIN	3,013,978.98	0.1319%	7
C18	CITY OF KRUGERVILLE	754,112.28	0.0330%	2
C10	CITY OF KRUM	2,806,666.66	0.1228%	6
C11	CITY OF LAKE DALLAS	3,500,738.06	0.1531%	8
C25	CITY OF LAKEWOOD VILLAGE	497,498.58	0.0218%	1
C12	CITY OF LEWISVILLE	55,532,778.10	2.4294%	118
C13	TOWN OF LITTLE ELM	30,065,520.30	1.3153%	65
C45	CITY OF NEW FAIRVIEW	45,578.69	0.0020%	1
C33	TOWN OF NORTHLAKE	3,668,108.80	0.1605%	8
C24	CITY OF OAK POINT	2,786,607.33	0.1219%	6
C14	CITY OF PILOT POINT	2,193,136.98	0.0959%	5
C29	CITY OF PLANO	6,239,891.59	0.2730%	13
C15	TOWN OF PONDER	1,367,589.48	0.0598%	3
C48	CITY OF PROSPER	5,180,168.58	0.2266%	11
C51	TOWN OF PROVIDENCE VILLAGE	4,562,351.92	0.1996%	10
C17	CITY OF ROANOKE	9,059,520.13	0.3963%	19
C16	CITY OF SANGER	5,380,837.91	0.2354%	12
C34	TOWN OF SHADY SHORES	1,117,288.68	0.0489%	2
C37	CITY OF SOUTHLAKE	509,818.25	0.0223%	1
C28	CITY OF TROPHY CLUB	9,194,185.92	0.4022%	19
C44	TOWN OF WESTLAKE	20,541.29	0.0009%	1
CITY TOTAL		\$505,036,741.13	22.09%	1085
TOTAL ALL JURISDICTIONS		\$2,285,890,373.68	100.00%	5000

Letter to Taxing Units
 Appointments to Board of Directors
 September 17, 2021

RECEIVED

SEP 20 2021



Town of Flower Mound
 Town Secretary's Office

Jeff Law
 Executive Director
 Chief Appraiser

September 17, 2021

Mr. Derek France
 Mayor
 City of Flower Mound
 2121 Cross Timbers Rd.
 Flower Mound, Texas 75028

RE: Appointments to Board of Directors for 2022-2023
 Nomination of Candidates

Dear Mr. France:

The current two-year terms of the five voting members of the Tarrant Appraisal District Board of Directors will expire on December 31, 2021. By law, the Tarrant County Tax Assessor-Collector will continue to serve as a non-voting member. The first step in appointing voting members for the 2022-2023 term is calculating the number of votes to which taxing units are entitled. As required by Section 6.03 of the Property Tax Code, I have calculated and provide in the attached list the number of votes for each school district, city, and county entity that is entitled to participate in the appointment process. The **next step** is nomination of candidates. The governing body of each taxing unit on the attached list may nominate up to five candidates. Taxing units are not required to submit any nominations but, if they choose to do so, the ***nominations may be made only by a resolution adopted by the governing body and the presiding officer of the governing body must submit the names of the nominees to me before October 15, 2021.***

To be eligible to serve as a voting member of the Board of Directors, an individual must have resided in Tarrant County for at least the two years immediately preceding January 1, 2022. An individual who is otherwise eligible is not ineligible because he or she is a member of the government body of a taxing unit. Texas law restricts eligibility and conduct of members of governmental bodies such as appraisal districts' boards of directors. In consultation with your attorneys, please review the Property Tax Code and other applicable laws carefully for the details of those restrictions, including definitions of "substantial interest", "business entity", "deferred", "abated", and other terms used below and for the potential criminal consequences of violating certain restrictions. In summary, the Property Tax Code provides that the following are ineligible to serve as voting members of the Board of Directors:

- an individual who has been an employee of Tarrant Appraisal District at any time during the preceding three years;
- an individual who has served as a voting member of the Board of Directors for all or part of five terms;

Letter to Taxing Units
 Appointments to Board of Directors
 September 17, 2021

From timely submitted nominations, I will prepare and distribute before October 30th a ballot to each taxing unit entitled to participate in the appointment process.

The appointment process and schedule set out in Section 6.03 of the Property Tax Code may be summarized as follows:

before October 01, 2021	Chief Appraiser calculates numbers of votes and notifies taxing units
before October 15, 2021	Governing bodies of taxing units nominate candidates by resolution and send names to Chief Appraiser
before October 30, 2021	Chief Appraiser prepares ballot and sends it to taxing units
before December 15, 2021	Governing bodies of taxing units determine their votes by resolution and send submit votes to Chief Appraiser
before December 31, 2021	Chief Appraiser counts votes, determines which candidates received the most votes, and submits results to taxing units
January 1, 2022	new two-year term begins

If you have questions, please do not hesitate to call.

Sincerely,



Jeff Law
 Executive Director
 Chief Appraiser

JL:jw
 Enclosures
 Ms. Jimmy Stathatos

Letter to Taxing Units
 Appointments to Board of Directors
 September 17, 2021

- an individual who is an employee of a taxing unit that participates in Tarrant Appraisal District unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the District;
- an individual who, directly or through a business entity in which he or she has a substantial interest, is a party to a contract with Tarrant Appraisal District or a taxing unit that participates in the District, if the contract relates to the performance of any activity governed by the Property Tax Code;
- an individual who has engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code at any time during the preceding three years;
- an individual who has engaged in the business of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County at any time during the preceding three years;
- an individual who is related by blood or marriage to an individual who is engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code or of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County, if the relationship is within the 1st or 2nd degrees on the following chart;

Degrees of Consanguinity and Affinity

1 st DEGREE	2 nd DEGREE	3 rd DEGREE
By Consanguinity • Parents • Children By Affinity • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren	By Consanguinity • Grandparents • Grandchildren • Brothers & sisters By Affinity • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters	By Consanguinity • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles By Affinity • No prohibitions

- an individual who owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless the delinquent taxes, penalty, and interest are being paid under an installment plan or a suit to collect the delinquent taxes is deferred or abated.

When submitting nominations, please include not only the full name of each candidate, but also his or her complete address and a current resume.

TARRANT APPRAISAL DISTRICT
Calculation of Taxing Entity Votes for Board of Directors
Per Section 6.03(d) of Texas Property Tax Code

	Calculation of Votes For Appointment to Board of Directors
School Districts:	
Aledo ISD	5
Arlington ISD	465
Azle ISD	25
Birdville ISD	165
Burleson ISD	30
Carroll ISD	130
Castleberry ISD	10
Crowley ISD	125
Eagle Mountain/Saginaw ISD	175
Everman ISD	25
Fort Worth ISD	610
Godley ISD	0
Grapevine/Colleyville ISD	230
Hurst/Euless/Bedford ISD	200
Keller ISD	290
Kennedale ISD	25
Lake Worth ISD	20
Lewisville ISD	5
Mansfield ISD	225
Northwest ISD	160
White Settlement ISD	35
Total Schools	2,955
Cities:	
City of Arlington	190
City of Azle	5
City of Bedford	25
City of Benbrook	15
City of Blue Mound	0
City of Burleson	5
City of Colleyville	20
City of Crowley	10
City of Dalworthington Gardens	0
Edgecliff Village	0
City of Euless	25
City of Everman	5
City of Flower Mound	0

City of Forest Hill	5
City of Fort Worth	600
City of Grand Prairie	60
City of Grapevine	30
City of Haltom City	20
City of Haslet	5
City of Hurst	20
City of Keller	25
City of Kennedale	5
Town of Lakeside	0
City of Lake Worth	5
City of Mansfield	50
City of N. Richland Hills	35
Town of Pantego	0
City of Pelican Bay	0
City of Reno	0
City of Richland Hills	5
City of River Oaks	5
City of Roanoke	0
City of Saginaw	10
City of Sansom Park	0
City of Southlake	35
Town of Trophy Club	0
City of Watauga	10
Town of Westlake	5
City of Westover Hills	5
Westworth Village	0
City of White Settlement	10
Total Cities	1,245
Other:	
Tarrant County	515
Tarrant County College	290
Total Other	805
Total All	5,005

TOWN OF FLOWER MOUND, TEXAS

RESOLUTION NO. -21

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

WHEREAS, Section 6.03 of the Tax Code provides for the selection of members for the Denton Central Appraisal District's (DCAD) and Tarrant Appraisal District (TAD) Board of Directors based on the standard process of nominations and selection by the voting units in a taxing jurisdiction;

WHEREAS, each taxing jurisdiction is allotted five nominations and the taxing jurisdictions will vote on the slate of candidates in December of 2021.

WHEREAS, it is the desire of the Town Council of the Town of Flower Mound, Texas, to nominate the following individuals as a candidate to be considered by the taxing jurisdictions for the Board of Directors of the Denton Central Appraisal District (DCAD):

1.	
2.	
3.	
4.	
5.	

WHEREAS, it is the desire of the Town Council of the Town of Flower Mound, Texas, to nominate the following individuals as a candidate to be considered by the taxing jurisdictions for the Board of Directors of the Tarrant Appraisal District (TAD):

1.	
2.	
3.	
4.	
5.	

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

SECTION 1

All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Flower Mound and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

This Resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND,

TEXAS BY A VOTE OF _____ TO _____ ON THE 4TH DAY OF OCTOBER, 2021.

APPROVED:

Derek France, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

DRAFT

Town Council Future Agenda Items



SCHEDULED	10/18/2021	Consent	Consider approval to continue contracted services with Dr. Sean Fleming in the amount of \$63,375.00 for EMS Medical Direction.
		Consent	Consider approval of a resolution declaring expectation to reimburse water and sewer project 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.
		Consent	Consider approval of the purchase of a 2021 Pierce Air and Light Unit (F550 Chassis with Utility Body) for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the BuyBoard Contract # 571-18, in the total amount of \$331,279.00; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of the purchase of a 2022 Chevrolet Tahoe for the Fire and Emergency Services Department from Holiday Chevrolet, through the Tarrant County Cooperative Contract #2020-0174, in the total amount of \$50,817.83.
		Consent	Consider approval of the annual firefighter physical examinations with Huguley Memorial Medical Center through contract No. 2018-2-A in the total amount of \$65,160.00 and authorization for the Mayor to approve same on behalf of the Town.
		Consent	Consider approval of the purchase of Procore Technologies, Inc., Project Management Software from Carahsoft Technology Corp, through a Texas Department of Information Resources (DIR) contract, in the amount of \$37,144.86.
		Consent	Consider approval of the purchase of Firefighter uniforms in the amount of \$75,000.00 from Gall's LLC through the City of Frisco Cooperative Bid No. 1905-082 (TOFM No. 2019-168-I).
		Consent	Consider approval of the purchase of emergency medical supplies and pharmaceuticals from Bound Tree Medical LLC, through the City of Midlothian Bid#2020-28 in the amount of \$120,000.00.
		Consent	Consider approval of an agreement with Power DMS for the management of our Administrative Directive storage and approval process, in the amount of \$31,576.47 for a 5- year plan; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of an Annual Maintenance Contract with ProCare Services/ Stryker for Emergency Services ambulance equipment in the amount of \$18,610.40; and authorization for the Mayor to execute same on behalf of the Town.

SCHEDULED	10/18/2021	Consent	Consider approval of an ordinance amending Appendix A "Fee Schedule" to update Library fees.
		Presentation	Proclamation and presentation of Hometown Hero to Mathew Fleitman.
		Regular	Consider the approval of an Interlocal Agreement among the City of Lewisville, the Town of Flower Mound and the City of Highland Village for the design, construct, maintenance, operation, and management of a Joint Firefighting Training Facility.
		Regular	Consider the approval of an Interlocal Agreement among the City of Lewisville, the Town of Flower Mound and the City of Highland Village for the design, construct, maintenance, operation, and management of a Joint Firefighting Training Facility.
	10/21/2021	Work Session	Development fee study presentation and impact fee discussion.
	11/1/2021	Consent	Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2022 Independence Fest (The Parks Board recommended approval by a vote of ____ to ____ at _____ meeting).
		Consent	Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the Independence Fest, in an amount not-to-exceed \$_____ and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Lift Station Improvements & Decommissioning Phase III - Design Amendment 1
		Consent	Consider approval of Amendment No. 1 to the Fiscal Year 2021-2022 Capital Improvement Program.
		Consent	Consider approval of Change Order No. 2 to J.B. & Co., LLC. for the Hound Mound Parking Lot and Restroom project, in the amount of \$37,998.60; and authorization for the Mayor to execute same on behalf of the Town.
		Presentation	Proclamation to designate November as Arts Month in Flower Mound.
		Regular	New Resolution for Residential 30-MPH Option
		Regular	Discuss the process associated with the recruitment and selection of board and commission members, including communication resources.
		Regular	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 limit of residential streets within the Town of Flower Mound to 25 mph. (The Transportation Commission recommended approval by a vote of 5 to 1 at its October 13, 2020, meeting).
	11/15/2021	Presentation	Denton County Transportation Authority (DCTA) Presentation on GoZone on-demand rideshare services.

SCHEDULED	11/15/2021	Presentation	Animal Services Board Update
	12/20/2021	Consent	Consider approval of a Charter Service Agreement with _____ in an annual amount not-to-exceed \$_____, to provide shuttle buses for various special events and the day camp program; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an ordinance providing for said Standards.
		Presentation	Community Development Corporation and Parks Board Update
	1/17/2022	Presentation	Cultural Arts Commission Update
	2/21/2022	Presentation	Environmental Conservation Commission Update
	3/21/2022	Presentation	School Liaison Committee Update
	4/18/2022	Presentation	Veterans Liaison Board Update
	5/16/2022	Presentation	Transportation Commission Update
	6/16/2022	Presentation	All Together Flower Mound Commission Update