

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING; AND CRIME
CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



February 3, 2025
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

Comments regarding any agenda item can be sent to the Town Council by emailing towncouncil@flowermound.gov or by calling 972.874.6005 and leaving a message.

AGENDA

A. CALL 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

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

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

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

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the mayor
- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

E. ANNOUNCEMENTS

1. Announcements from the mayor and council members

F. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

G. FUTURE AGENDA ITEM(S)

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 that 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).

H. COORDINATION OF CALENDARS

1. February 17 - Regular Meeting
2. February 20 - Work Session

I. CONSENT ITEM(S)

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 - 1/21 - Consider approval of the minutes from January 21, 2025, regular meeting and Crime Control and Prevention District special meeting.
2. Calling General Election - Consider approval of a resolution of the Town of Flower Mound, Texas authorizing and calling for a General Election to be held on May 3, 2025, for the offices of Town Council Place 1 and Town Council Place 3 and, if required, a run-off election on June 7, 2025; approving a joint election with Denton County and Tarrant County; establishing procedures for the election; and providing an effective date.
3. Granicus Video Streaming Contract - Consider approval of a Professional Service Agreement with Granicus in the amount of \$83,590.61 over three years; and authorization for the Mayor to execute same on behalf of the Town of Flower Mound.
4. Timber Creek Road Panel Replacement (Phase 2) - Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Timber Creek Road Panel Replacement (Phase 2) project through the Town of Flower Mound contract No. 2023-56-A, Concrete and Drainage Improvement Services, in the amount of \$759,501.75.
5. Spring Lake Park Improvements - Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Spring Lake Park Improvements project, located at 4815 Windmill, through the Town of Flower Mound contract No. 2021-72-B, Utility Cut Repairs and Park Improvements, in the amount of \$130,569.28.
6. SAFER Grant - Consider approval of a resolution of the Town of Flower Mound, Texas authorizing the application for grant funds as part of the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program issued by the U.S. Department of Homeland Security; authorizing the Town's Emergency Management Officer to take all actions necessary to accept a SAFER grant award in accordance with Program Requirements; pledging the Town of Flower Mound will comply with all Program requirements; and providing an effective date.
7. FY 2024-25 CIP Amendment No. 1 - Consider approval of Amendment No. 1 to the fiscal year 2024-2025 Capital Improvement Program.

8. Fire Hydrant Repair and Replacement Services - Consider approval of the award of the Fire Hydrant Replacement Services, Annual Contract Bid No. 2025-11-A to Palmer Hall Construction, LLC, for the repair and replacement of fire hydrants for an estimated annual amount of \$150,000.00; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one year with four one-year renewal options.

J. REGULAR ITEM(S)

1. Consider approval of an ordinance calling a bond e - Consider approval of an ordinance calling a bond election to be held May 3, 2025, for the purpose of submitting to the qualified voters ballot propositions on whether to fund park and recreational facilities, including trail systems, park and sports fields and the Community Activity Center and to fund street improvements with general obligation bonds in the amount of \$112,000,000; resolving other matters incident and related to such election and providing a publication of notice.
2. MPA24-0005 - Pine Hill - Public Hearing to consider an ordinance amending the Master Plan (MPA24-0005 – Pine Hill) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Low Density Residential uses to Medium High Density Residential uses. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 5 to 1 at its December 9, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)
3. ZPD24-0007 - Pine Hill - Public Hearing to consider an ordinance amending the zoning (ZPD24-0007 – Pine Hill) from Planned Development District No. 173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 6 to 0 at its December 9, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)
4. Public Hearing to consider an application for a tr - Public Hearing to consider an application for a tree removal permit (TRP24-0013) for seven (7) specimen trees on property proposed for development as Pine Hill. The property is generally located south of Cross Timbers Road, west of Auburn Drive, and east of Grace Pearl Lane. (The Environmental Conservation Commission recommended approval of seven (7) trees and denial of one tree (#2968) by a vote of 6 – 0 at its December 3, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)

K. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Capital Improvements Advisory Committee, Community Development Corporation, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission, Parks Board,

L. 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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as indicated below. 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 below-referenced items.

1. Consultation with Town Attorney.
 - a. Oncor Electric Delivery Company NTU, LLC v. Town of Flower Mound, et al. Cause No. 25-0139-158
2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
3. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, and Planning and Zoning Commission.
4. Discuss and consider economic development incentives, including retail centers, grocers, corporate relocation/expansion/retention, hospitality projects, health care facilities, performance related to certain incentive agreements, and Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, River Walk PID No. 1, Proposed PID, MMDs, and MUDs.

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.

M. RECONVENE

N. ADJOURN

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: January 30, 2025, at 4:15 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 accommodation or interpretive services must be made 48 hours prior to this meeting by contacting Town Hall at 972.874.6000. Additional time limits will be provided for members of the public that need to address the Town Council through a translator.

To preview upcoming items of business that may appear on future agendas click [HERE](#).

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING; AND CRIME
CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



January 21, 2025
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

DRAFT MINUTES

A. CALL TO ORDER

Mayor Moore called the meeting to order at 6:00 p.m. with the following members present:

Cheryl Moore, Mayor
Ann Martin, Mayor Pro Tem
Adam Schiestel, Deputy Mayor Pro Tem
Chris Drew, Councilmember Place 2 (remote)
Brian Taylor, Councilmember Place 3
Janvier Werner, Councilmember Place 4

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

Theresa Scott, Town Secretary
James W. Childers, Town Manager
Alicia Kreh, Town Attorney
Tommy Dalton, Assistant Town Manager
Tiffany Bruce, Assistant Town Manager/Town Engineer
Lexin Murphy, Director of Development Services
John Zagurski, Chief Financial Officer
Chuck Jennings, Director of Parks and Recreation
Sarah Luxton, Senior Management Analyst
Clayton Litton, Parks Superintendent

B. INVOCATION

Chaplain Liles gave the 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."

Mayor Moore led the pledges.

D. PRESENTATION

1. Presentation by the Friends of the Flower Mound Public Library of a donation to the Town in the amount of \$37,000.

Ann Martin, Chair, Friends of the Flower Mound Library, presented the Town with a donation of \$37,000.

2. Presentation by Oncor of a donation to the Town for the annual tree planting project in the amount of \$25,000.

Eric Mintoya, Area Manager, Oncor, presented the Town with a check in the amount of \$25,000 to be used for the annual tree planting project.

E. PUBLIC COMMENT

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- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

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 name and address	Subject (as written on the form)
1.	Priyanka Warriar's mother, name and address not provided	Girl Scout tree planting project
2.	Robert Waters, 5109 Saddle Drive	FMYFA
3.	Frank Klarich 5005 Glenshire	FMYFA

** Indicates person did not wish to speak*

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members
Mayor Moore recognized Flower Mound Citizens Academy participants in the audience.

Councilmember Taylor announced he is running for reelection and members of Council offered congratulations.

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

Mr. Childers announced that a focus group will meet on January 28 at the library (3 - 5pm) for the purpose of examining substance abuse and mental health challenges within the community.

a. Employee Service Recognition

Mr. Childers recognized the following Town employees for 15+ years of service:

- Jeremy Jennings, Public Works, Utility Line Maintenance Manager
- Curtis Lester, Parks Department, Crew Leader
- Tiffany Bruce, Assistant Town Manager/Town Engineer

H. FUTURE AGENDA ITEM(S)

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 that 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).

No future agenda item request.

I. COORDINATION OF CALENDARS

1. February 3 - Regular Meeting

Mayor Moore confirmed that all members of Council plan to be at the February 3 meeting.

J. CONSENT ITEM(S)

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.

ACTION: Adam Schiestel moved to approve consent items J. 1 - 7 as presented in the agenda caption. Brian Taylor seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

1. Minutes 1/6 & 1/16 - Consider approval of the minutes from a regular meeting held on January 6, and a work session held on January 16, 2025.
2. FY 24-25 Budget Amendment #1 - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2024, and ending on September 30, 2025, as adopted by Ordinance No. 40-24 for adjustments to the General Fund, Utility Fund, Library Development Fund, Tree Preservation Fund, Justice Seizure Fund, Texas Parks & Wildlife Fund, CDBG HUD Grant Fund, COVID-19 Fund, Tax Note Fund, Vehicle and Equipment Replacement (VERF) Fund, Technology Replacement Fund, and the Health Insurance/ Flex Account Fund.

ORDINANCE NO 04-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024, AND ENDING ON SEPTEMBER 30, 2025, AS ADOPTED BY ORDINANCE NO. 40-24, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, UTILITY FUND, LIBRARY DEVELOPMENT FUND, TREE PRESERVATION FUND, JUSTICE SEIZURE FUND, TEXAS PARKS & WILDLIFE FUND, CDBG HUD GRANT FUND, COVID-19 FUND, TAX NOTE FUND, VEHICLE AND EQUIPMENT REPLACEMENT FUND, TECHNOLOGY REPLACEMENT FUND AND HEALTH INSURANCE/FLEX ACCOUNT FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

3. FY 24-25 Crime Control Budget Amendment #1 - 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 amending the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025, as adopted by Resolution No. 15-24.

RESOLUTION NO. 04-25

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, AMENDING THE BUDGET FOR THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, AS ADOPTED BY RESOLUTION NO. 15-24; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

4. Energy Efficiency & Conservation Block Grant (EECBG) - Consider approval of a resolution accepting grant funds in the form of a voucher for an equipment

rebate from the Department of Energy as part of its Energy Efficiency & Conservation Block Grant (EECBG) Program; approving the purchase and installation of a new HVAC system for one of the Town's fire stations; pledging that the Town of Flower Mound will comply with all program requirements of the grant program; and providing an effective date.

RESOLUTION NO. 05-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE FORM OF A VOUCHER FOR AN EQUIPMENT REBATE FROM THE DEPARTMENT OF ENERGY AS PART OF ITS ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT (EECBG) PROGRAM; APPROVING THE PURCHASE AND INSTALLATION OF A NEW HVAC SYSTEM FOR ONE OF THE TOWN'S FIRE STATIONS; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

5. Street Name Change - Kirkpatrick (3000 - 3200 block) - Consider approval of an ordinance for a street name change for Kirkpatrick Lane (3000 - 3200 block) to Voyager Lane (3000 - 3200 block) (The Transportation Commission recommended to change the street name by a vote of 5 to 1 at its December 10, 2024, meeting)

ORDINANCE NO. 05-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING A STREET NAME CHANGE OF THE 3000 TO 3200 BLOCKS OF THE ROADWAY KNOWN AS "KIRKPATRICK LANE" TO BE THE 3000-3200 BLOCKS OF "VOYAGER LANE"; AUTHORIZING NECESSARY ACTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. Bakers Branch Stabilization at Wastewater Treatment Plant - Consider approval of the purchase of creek bank stabilization and erosion control services from Knight Erosion Control, Inc., a sole source provider, for work associated with the Bakers Branch Stabilization at Wastewater Treatment Plant project, in the amount of \$582,375.04; and authorization for the Mayor to execute on behalf of the Town.
7. Vehicle Purchases - Fire Department - Consider approval of the purchase of a two (2) Ford F-150 Police Responders for Fire and Emergency Services Department from Chastang Ford in the amount of \$157,194.00, and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEM(S)

1. Blue Ribbon Bond Recommendations - Discuss the Blue Ribbon Bond Committee's recommendation of proposed capital improvements for the May 2025 election (continuation from the January 16 Town Council Work Session).

Mr. Jennings and Mr. Zagurski gave a presentation identifying or noting:

- Flower Mound trail system and connectivity options as part of the bond proposal
- Flower Mound Road (Long Prairie Rd to Duncan Ln), including photos
- Proposition A and B
- Project lists breakdown

and he, or Mr. Zagurski responded to questions from Council regarding:

- concerns regarding using bond funds to make sidewalk repairs
- clarification on the project process if approved by the voters
- will the bond help provide additional fields for organizations to use

Council direction:

Acceptable to the bond election coming forward, and interest in having specificity for the voters so they have a full understanding regarding how the funds will be used.

2. Annual Tree Planting Project - Provide an update regarding the completed tree planting project at Colony Park. Present and discuss options for the FY 2025-26 Annual Tree Planting Project.

Ms. Luxton gave a presentation identifying or noting:

- 2023-24 strategic plan
- Tree City USA Grant
- Colony Park tree plantings, including photos
- tree species
- location options for future planting projects: Bakersfield Park, Shadow Ridge Park, Gerault Park, Animal Services

and she, or Mr. Litton responded to questions from Council regarding:

- how can the Town get the public involved in tree planting
- concerns regarding the bald cypress as a specimen tree

There was Council feedback to pursue the primary site of Gerault Park for the next tree planting project, with the possibility of adding Shadow Ridge Park if sufficient funds are available.

3. MPA24-0005 – Pine Hill - Public Hearing to consider an ordinance amending the Master Plan (MPA24-0005 – Pine Hill) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Low Density Residential uses to Medium High Density Residential uses. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 5 to 1 at its December 9, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- master plan exhibit
- 12.9.24 conceptual site plan
- modifications
- exception requests
- site photos
- revised conceptual site plan
- existing site plan
- revised conceptual plan
- boards and commissions recommendation
- tree survey
- MPA caption, ZPD caption

and she responded to questions from Council regarding:

- master plan low density clarification
- masonry wall use at adjacent homes

Town Council recessed at 7:31 p.m. and reconvened at 7:41 p.m.

Applicant Presentation (some remarks are after the public hearing)
Geoff Wescott of Brockett Street Capital gave a presentation identifying or noting:

- background information on the property
- existing zoning
- proposed zoning
- zoning, density, and green space comparison
- community concerns addressed
- enhancement proposal
- tree preservation

and he responded to questions from Council regarding:

- traffic impact
- neighborhood meeting

For the public hearing- items K.3, K.4, and K.5:

Mayor Moore opened the first public hearing at 7:57 p.m., and a second public hearing for these same items at 8:30 p.m.*

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

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	Adam Shear, 3712 Alberta Ln		
2.			Aditi Banerjee, 2220 Beechwood Ln**

* Indicates person did not wish to speak

** spoke at both public hearing time slots

For the public hearing- items K.3, K.4, and K.5:

Mayor Moore closed the first public hearing at 8:07 p.m., and 8:32 p.m. for the second public hearing.

Council Discussion

There was Council discussion regarding:

- current property zoning
- neighborhood input
- trees
- history associated with Grace Park
- seriousness of master plan amendments
- current property owner intent
- possibility of postponing the item to a future date to allow the applicant time to meet with the Grace Park neighbors, and interest with staff participating in that meeting to clarify any land use questions, including what the options for the property are

ACTION: Adam Schiestel moved to postpone item K.2 to a future date uncertain. Ann Martin seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

4. ZPD24-0007 – Pine Hill - Public Hearing to consider an ordinance amending the zoning (ZPD24-0007 – Pine Hill) from Planned Development District No. 173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 6 to 0 at it's December 9, 2024, meeting.)

ACTION: Adam Schiestel moved to postpone to a date uncertain.
Ann Martin seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor,
Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

5. TRP24-0013 - Pine Hill - Public Hearing to consider an application for a tree removal permit (TRP24-0013) for seven (7) specimen trees on property proposed for development as Pine Hill. The property is generally located south of Cross Timbers Road, west of Auburn Drive, and east of Grace Pearl Lane. (The Environmental Conservation Commission recommended approval of seven (7) trees and denial of one tree (#2968) by a vote of 6 – 0 at its December 3, 2024, meeting.)

ACTION: Adam Schiestel moved to postpone to a future date
uncertain. Ann Martin seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor,
Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Capital Improvements Advisory Committee, Community Development Corporation, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Tax Increment Reinvestment Zone Number (TIRZ #2), Transportation Commission, and Veterans Liaison Board.

No action.

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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as indicated below. 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 below-referenced items.

Mayor Moore announced that the Town Council is convening into a closed meeting at 8:34 p.m., pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087.

1. Consultation with Town Attorney.
 - a. Senate Bill 673 relating to regulation of accessory dwelling units
2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
3. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, and Planning and Zoning Commission.
4. Discuss and consider economic development incentives, including retail centers, grocers, corporate relocation/expansion/retention, hospitality projects, health care facilities, performance related to certain incentive agreements, and Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, River Walk PID No. 1, Proposed PID, MMDs, and MUDs.

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N. RECONVENE

The Town Council reconvened into an open meeting at 9:20 p.m., to take no action on the above items.

O. ADJOURN

Mayor Moore adjourned the meeting at 9:20 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

CHERYL MOORE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA I.2. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Theresa Scott, Town Secretary
ITEM: Consider approval of a resolution of the Town of Flower Mound, Texas authorizing and calling for a General Election to be held on May 3, 2025, for the offices of Town Council Place 1 and Town Council Place 3 and, if required, a run-off election on June 7, 2025; approving a joint election with Denton County and Tarrant County; establishing procedures for the election; and providing an effective date.

BACKGROUND: The Town's General Election will be held on the first Saturday in May in accordance with state law. Councilmember Place 1 and 3 shall be elected at the General Election, and each for a three-year term.

The Town Secretary's Office is responsible for conducting municipal elections as prescribed by the Texas Election Code. In accordance with Section 271.002 of the Texas Election Code, the Town's election will be conducted jointly with other political subdivisions in Denton and Tarrant County. The proposed Resolution calls for the May 3, 2025, election, and establishes the procedures for the election.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: \$ 23,315

Proposed Expenditure/(Revenue)
\$23,315

Account Number(s):
100-610-10300-5110

LEGAL REVIEW: Elizabeth Yelverton, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the resolution, etc. as to form and legality.

ATTACHMENTS:

1. Resolution_Calling Election

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

TOWN OF FLOWER MOUND, TEXAS

RESOLUTION NO. __-25

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING AND CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 3, 2025, FOR THE OFFICES OF TOWN COUNCIL PLACE 1 AND TOWN COUNCIL PLACE 3 AND, IF REQUIRED, A RUN-OFF ELECTION ON JUNE 7, 2025; APPROVING A JOINT ELECTION WITH DENTON COUNTY AND TARRANT COUNTY; ESTABLISHING PROCEDURES FOR THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas ("Town"), is a home rule town 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, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a "uniform election date" and that a general election of a town may be held on such day; and,

WHEREAS, state law and the Town charter require that a general election be held; and,

WHEREAS, the regular election for Town Council members is required to be held on May 3, 2025, at which time the voters will elect persons to fill the offices of Town Council Place 1 and Town Council Place 3; and,

WHEREAS, it is the Town Council's intent that the election will be held as a joint election, conducted under the authority of Chapter 271 of the Texas Election Code ("Code"); and,

WHEREAS, the Town Council finds that it is in the public interest to enter into Joint Election Agreements with Tarrant County (the "Tarrant Agreement") and Denton County (the "Denton Agreement") to provide the most efficient and convenient voting opportunities; and,

WHEREAS, by this Resolution, it is the intention of the Town Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election, and to authorize the Mayor to execute a contract with Tarrant County for conducting the election.

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

SECTION 1

The facts and recitations contained in the above preamble of this Resolution are incorporated herein for all purposes.

SECTION 2

GENERAL ELECTION CALLED. A general election shall be held in the Town of Flower Mound, Texas, on Saturday, May 3, 2025, between the hours of 7:00 a.m. and 7:00 p.m. at which the following officers will be elected:

COUNCIL MEMBER, PLACE 1 – For a three-year term ending May, 2028.

COUNCIL MEMBER, PLACE 3 – For a three-year term ending May, 2028.

Additionally, voting shall be conducted at the following locations:

Denton County:

1. Flower Mound Community Activity Center, 1200 Gerault Rd, Chill Zone, Flower Mound, Texas 75028
2. Flower Mound Senior Center, Ballroom C, 2701 West Windsor Dr, Flower Mound, Texas 75028

Tarrant County:

1. Grapevine Public Library, 1201 Municipal Way, Grapevine, 76051

The above locations are subject to change per the Denton or Tarrant County Agreements.

SECTION 3

APPLICATION FOR A PLACE ON THE BALLOT. Any eligible and qualified person shall have their name printed upon the official ballot as a candidate for the offices herein set forth by filing their application with the Town Secretary not earlier than January 15, 2025, and not later than 5:00 p.m. on February 15, 2025. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Town Secretary. Notice of the time and place for such drawing shall be given in accordance with the Code.

SECTION 4

JOINT AGREEMENT WITH DENTON AND TARRANT COUNTIES. Prior to the election, the Town anticipates that it will enter into a joint agreement for election services with the counties of Denton and Tarrant, the “Denton Agreement” and “Tarrant Agreement,” respectively. The Mayor is hereby authorized to execute Agreements with

Denton County and Tarrant County for the conduct of the election in accordance with Chapter 31, Subchapter D of the Code and other applicable statutes and laws.

SECTION 5

APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES. Election judges for the general election shall be appointed by Denton County and Tarrant County, respectively, as authorized by Chapter 271 of the Code.

SECTION 6

(a) **EARLY VOTING - DENTON COUNTY.** The Denton County Elections Administrator is designated as the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Denton Agreement.

- (1) Early Voting by personal appearance shall be conducted beginning on April 22, 2025, and continuing through April 29, 2025, at the Denton County Main Early Voting site located at 701 Kimberly Dr., Ste. A111, Denton, Texas, 76208, on the following days and times:

Date	Time
Tuesday, April 22 – Saturday, April 26	8:00 a.m. – 5:00 p.m.
Sunday, April 27	11:00 a.m. – 5:00 p.m.
Monday, April 28 – Tuesday, April 29	7:00 a.m. – 7:00 p.m.

Any eligible Denton County Registered Voter may cast their vote at any additional early voting location throughout Denton County as established by the Denton Agreement. If there is any discrepancy between this resolution and the Denton Agreement as to early voting locations or times, the Denton Agreement shall control.

- (2) Applications for Ballots by Mail (ABBM)s and Federal Post Card Applications (FPCAs) in Denton County may be delivered to the Early Voting Clerk, P.O. Box 1720, Denton, Texas, 76202; Website: www.votedenton.gov; Phone: 940.349.3200; Fax: 940.349.3201; email: elections@dentoncounty.gov to be received not later than the close of business on April 22, 2025. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Denton Agreement.

(b) **EARLY VOTING - TARRANT COUNTY.** The Tarrant County Elections Administrator is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Tarrant Agreement.

- (1) Early Voting by personal appearance shall be conducted beginning on April 22, 2025, and continuing through April 29, 2025, at the Tarrant County Main Early Voting site located at 2700 Premier Street, Fort Worth, Texas, 76111, on the following days and times:

Date	Time
April 22 – 25, Tues – Fri	8:00 a.m. – 5:00 p.m.
April 26, Sat	7:00 a.m. – 7:00 p.m.
April 27, Sun	10 a.m. – 4:00 p.m.
April 28 – 29	7:00 a.m. – 7:00 p.m.

Any eligible Tarrant County Registered Voter may cast their vote at any additional early voting location throughout Tarrant County as established by the Tarrant Agreement. If there is any discrepancy between this resolution and the Tarrant Agreement as to early voting locations or times, the Tarrant Agreement shall control.

- (2) Applications for Ballots by Mail (ABBM)s and Federal Post Card Applications (FPCAs) in Tarrant County may be delivered to Tarrant County Elections, 2700 Premier Street, Fort Worth, Texas, 76111, or P.O. Box 961011, Fort Worth, Texas 76161-0011; Website: www.tarrantcountytx.gov; Phone: 817.831.8683; Fax: 817.831.6118; Email: votebymail@tarrantcountytx.gov to be received not later than the close of business on April 22, 2025. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Tarrant Agreement.

(c) Early voting both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge will be appointed by the Denton and Tarrant County Election Administrators as permitted by law. The Presiding Election Judge shall appoint election clerks as may be necessary for the proper conduct of the election. The Presiding Election Judge, or the Alternative Election Judge, in the absence of the Presiding Election Judge, and the election clerks, shall constitute the Early Voting Ballot Board to process early voting results from the election. The Presiding Election Judge and the Alternate Election Judge must be eligible to serve in accordance with state law, and the election clerks shall be qualified voters of the Town. To the extent required by law, those persons designated by Denton and Tarrant Counties as election officers and clerks are hereby appointed by the Town.

SECTION 7

(a) **METHOD OF VOTING - DENTON COUNTY.** Voting in Denton County shall be conducted using Denton County's Hart InterCivic Verity Voting System. All

expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Code.

(b) **METHOD OF VOTING - TARRANT COUNTY.** Voting in Tarrant County shall be conducted using Tarrant County's Hart InterCivic Verity Voting System. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Code.

SECTION 8

GOVERNING LAW AND QUALIFIED VOTERS. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the Town shall be eligible to vote at the election.

SECTION 9

PUBLICATION AND POSTING OF NOTICE OF ELECTION. Notice of the election shall be published in accordance with Chapter 4 (Sec. 4.003) of the Code.

SECTION 10

RUN-OFF ELECTION. In the event no candidate receives a majority of votes for an office, there shall be a run-off election held on June 7, 2025.

SECTION 11

NECESSARY ACTIONS. The Mayor and the Town Secretary, in consultation with the Town Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 12

EFFECTIVE DATE. This Resolution shall be effective upon its adoption.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____ ON THIS THE 3RD DAY OF FEBRUARY, 2025.

APPROVED:

Cheryl Moore, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY



TOWN COUNCIL AGENDA I.3. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Melissa Demmitt, Director of Communications
ITEM: **Consider approval of a Professional Service Agreement with Granicus in the amount of \$83,590.61 over three years; and authorization for the Mayor to execute same on behalf of the Town of Flower Mound.**

BACKGROUND: This item is for a Professional Service Agreement with Granicus. Under this contract, Granicus will continue to operate and host the web video streaming of all public meetings held in Council Chambers for the 2025-2028 fiscal years. All Town Council, Planning and Zoning, and board and commission meetings are streamed live and then archived by Granicus on the Town of Flower Mound website. Additionally, Granicus live streams all Town Council meetings to the Town of Flower Mound's Facebook page. This renewal is coming before Town Council for approval because Granicus acquired Swagit and added additional terms to the contract. Due to the cost of the services over the three years of the contract, this item requires Council approval.

Swagit (now Granicus) has provided live video streaming and archiving services to the Town since 2009.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: \$83,590.61 over three years

Proposed Expenditure	Account Number(s):
FY 25-26: \$26,001.00	100-670-71000-5110
FY 26-27: \$27,821.07	100-670-71000-5110
FY 27-28: \$29,768.54	100-670-71000-5110

LEGAL REVIEW: John Domenech Associate Attorney for Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the contract as to form and legality.

ATTACHMENTS:

1. Granicus PSA

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

Granicus Proposal for Flower Mound, TX

ORDER DETAILS

Prepared By: Andrea Marin
Phone:
Email: andrea.marin@granicus.com
Order #: Q-393364
Prepared On: 10 Dec 2024
Expires On: 31 Jan 2025

ORDER TERMS

Currency: USD
Payment Terms: Net 30 (Payments for subscriptions are due at the beginning of the period of performance.)
Current Subscription End Date: 31 Jan 2025
Initial Order Term End Date: 31 Jan 2028
Period of Performance: 01 Feb 2025 - 31 Jan 2026

PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

Renewing Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
EASET™ 75	Annual	1 Each	\$15,408.00
Sound Search™	Annual	1 Each	\$963.00
CaptionPM	Annual	1 Hours	\$8,025.00
Social Media eXstream	Annual	1 Each	\$1,605.00
SUBTOTAL:			\$26,001.00

FUTURE YEAR PRICING

Solution(s)	Period of Performance	
	01 Feb 2026 - 31 Jan 2027	01 Feb 2027 - 31 Jan 2028
EASE™ 75	\$16,486.56	\$17,640.62
Sound Search™	\$1,030.41	\$1,102.54
CaptionPM	\$8,586.75	\$9,187.82
Social Media eXstream	\$1,717.35	\$1,837.56
SUBTOTAL:	\$27,821.07	\$29,768.54

PRODUCT DESCRIPTIONS

Solution	Description
EASE™ 75	EASE™ 75 Managed Service SaaS: Up To 75 Indexed Meetings per year (EASE™) - Includes Media On- Demand, 24/7 LIVE Stream and up to 120 hours of additional specialty content per year (No staff involvement—Hands Free).
Sound Search™	Sound Search: Speech-to-Text software that can include searchable and navigable transcripts of events. Search the spoken word audio of a meeting.
CaptionPM	CaptionPM - Post Meeting/Event Captioning Service in English, per hour. Video On-Demand closed captioning, with a VOD captions turnaround time of 4 - 5 business days from the end of the meeting.
Social Media eXstream	Facebook Live or YouTube live streaming from an EASE encoder

TERMS & CONDITIONS

- This quote, and all products and services delivered hereunder are governed by the terms located at <https://granicus.com/legal/licensing>, including any product-specific terms included therein (the "License Agreement"). If your organization and Granicus has entered into a separate agreement or is utilizing a contract vehicle for this transaction, the terms of the License Agreement are incorporated into such separate agreement or contract vehicle by reference, with any directly conflicting terms and conditions being resolved in favor of the separate agreement or contract vehicle to the extent applicable.
- If submitting a Purchase Order, please include the following language: The pricing, terms and conditions of quote Q-393364 dated 10 Dec 2024 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.
- This quote is exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is the responsibility of Flower Mound, TX to provide applicable exemption certificate(s).
- Any lapse in payment may result in suspension of service and will require the payment of a setup fee to reinstate the subscription.

BILLING INFORMATION

Billing Contact:		Purchase Order Required?	☐ - No ☐ - Yes
Billing Address:		PO Number: <i>If PO required</i>	
Billing Email:		Billing Phone:	

If submitting a Purchase Order, please include the following language:
The pricing, terms, and conditions of quote Q-393364 dated 10 Dec 2024 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.

AGREEMENT AND ACCEPTANCE

By signing this document, the undersigned certifies they have authority to enter the agreement. The undersigned also understands the services and terms.

Flower Mound, TX	
Signature:	
Name:	
Title:	
Date:	



TOWN COUNCIL AGENDA I.4. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Manuel Palacios, Assistant Director of Public Works
ITEM: **Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Timber Creek Road Panel Replacement (Phase 2) project through the Town of Flower Mound contract No. 2023-56-A, Concrete and Drainage Improvement Services, in the amount of \$759,501.75.**

BACKGROUND: On August 21, 2023, the Town Council approved the annual bid contract 2023-56-A for Concrete and Drainage Improvement Services to Apex Concrete Construction, F&F Concrete, and Quick Set Concrete. This contract allows for various construction activities related to pavement and drainage improvements and sets unit bid prices for these services.

Staff would like to utilize this contract for the capital improvement project Timber Creek Road Panel Replacement Project (Phase 2). Phase 1 was completed Summer 2024. The project includes replacing multiple deteriorating concrete panels along Timber Creek Road from Homestead Street to Kirkpatrick Lane. Apex Concrete Construction has an excellent history of concrete road construction plus is available for this project. Town staff has verified Apex's project cost estimate based on contract 2023-56-A Concrete and Drainage Improvement Service.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: A decision not to approve would limit the number of concrete panels to be replaced and lead to faster deterioration of roadway.

FISCAL IMPACT: \$759,501.75

Proposed Expenditure/(Revenue)
\$759,501.75

Account Number(s):
316-560-78047-6160

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Apex Estimate - Timber Creek Road Panel Replacements

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

Grapevine, TX 76099
 817-454-1995
 Fax 817-337-8958

Date	Estimate #
1/13/2025	1040

Name / Address
Town of Flower Mound Public Works Attn: Keith Gabbard

Ship To
Timber Creek Road

				Project
Qty	Item	Description	Rate	Total
		5212 Timber Creek		
206	demo	Item # 31 Cut and Remove 6" Concrete Pavement	49.50	10,197.00
70	demo	Item # 46 Cut and Remove 24" Integral Curb and Gutter	8.50	595.00
206	excavation	Item # 2 Excavate 6" Dirt	27.00	5,562.00
35	road base	Item # 84 Install and Compact Type I Flex Base 8	65.00	2,275.00
136	misc	Item # 75 Install Geofabric Tensar NX 750	10.25	1,394.00
206	concrete	Item # 36 Place 6" Reinforced Concrete Pavement 4000 PSI	97.00	19,982.00
70	curb & gutter	Item # 44 Install 6" Reinforced Integral Curb and Gutter	47.00	3,290.00
		5000 - 5205 Timber Creek Road		
3,520	demo	Item # 31 Cut and Remove 6" Concrete Pavement	49.50	174,240.00
850	demo	Item # 46 Cut and Remove 24" Integral Curb and Gutter	8.50	7,225.00
3,412	excavation	Item # 2 Excavate 6" Dirt	27.00	92,124.00
587	road base	Item # 84 Install and Compact Type I Flex Base 8	65.00	38,155.00
2,251	misc	Item # 75 Install Geofabric Tensar NX 750	10.25	23,072.75
3,520	concrete	Item # 36 Place 6" Reinforced Concrete Pavement 4000 PSI	97.00	341,440.00
850	curb & gutter	Item # 44 Install 6" Reinforced Integral Curb and Gutter	47.00	39,950.00
Total				\$759,501.75



TOWN COUNCIL AGENDA I.5. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Brennon Peltier, Park Development Manager
ITEM: **Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Spring Lake Park Improvements project, located at 4815 Windmill, through the Town of Flower Mound contract No. 2021-72-B, Utility Cut Repairs and Park Improvements, in the amount of \$130,569.28.**

BACKGROUND: The Community Development Corporation and Town Council approved funding for the Spring Lake Park Improvements in Fiscal Year 2023-2024 after a recommendation from the Parks Board for the Capital Improvement Program projects. This purchase will provide for the removal and repair of damaged concrete trail throughout the park.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: \$130,569.28

Proposed Expenditure/(Revenue)
\$130,569.28

Account Number(s):
317-110-90772-6210

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Estimate from Apex Concrete Construction

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

Grapevine, TX 76099
 817-454-1995
 Fax 817-337-8958

Date	Estimate #
1/14/2025	1041

Name / Address
Town of Flower Mound Public Works Attn: Brennon Peliter

Ship To
Spring Lake Park

Project

Qty	Item	Description	Rate	Total
		Spring Lake Park		
1,044	sidewalk	Item # 4 Remove 6' Reinforced Concrete Pavement	32.18	33,595.92
1,044	concrete	Item # 68 Install 5.5" Reinforced Concrete Trail	80.19	83,718.36
250	grading	Item # 165 Finish Grading	9.35	2,337.50
30	top soil	Item # 166 Topsoil provided with grading	93.50	2,805.00
5	misc	Item # 149 Remove & Dispose of Existing Park Amenities	467.50	2,337.50
5	misc	Item # 150 Install 4" thick Reinforced Concrete Bench Pad 5 X 15" to include dowel into existing concrete	715.00	3,575.00
100	curb	Item # 90 Install 6" Integral Curb & 51-250	22.00	2,200.00
		Bid # 2021-72-B		
			Total	\$130,569.28



TOWN COUNCIL AGENDA I.6. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Jeremy Brudwick, Grants and Financial Analyst
ITEM: **Consider approval of a resolution of the Town of Flower Mound, Texas authorizing the application for grant funds as part of the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program issued by the U.S. Department of Homeland Security; authorizing the Town's Emergency Management Officer to take all actions necessary to accept a SAFER grant award in accordance with Program Requirements; pledging the Town of Flower Mound will comply with all Program requirements; and providing an effective date.**

BACKGROUND: The Staffing for Adequate Fire and Emergency Response Grant is administered and funded through FEMA and was created to provide funding directly to Fire Departments, both career and volunteer, to help increase or maintain the number of trained front-line firefighters available in their communities. The goal is to increase staffing to meet National Fire Protection Association (NFPA) standards 1710 or 1720, respectively. Depending on the award amount, the grant would pay for 100% of the salary for a certain number of firefighters for three (3) years. As of September 23, 2024, FEMA has funded 191 SAFER Grants totaling over \$360 Million.

Approval of the resolution will enable the acceptance of an award within tight deadlines and the award, if given, will be brought to Council for final approval at that time.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: No matching funds required.
N/A

LEGAL REVIEW: No alteration to the legal content of this resolution was made, which had originally been approved by Taylor, Olson, Adkins, Sralla, & Elam L.L.P.

ATTACHMENTS:

1. Resolution

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

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

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE APPLICATION FOR GRANT FUNDS AS PART OF THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM ISSUED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY; AUTHORIZING THE TOWN'S EMERGENCY MANAGEMENT OFFICER TO TAKE ALL ACTIONS NECESSARY TO ACCEPT A SAFER GRANT AWARD IN ACCORDANCE WITH PROGRAM REQUIREMENTS; PLEDGING THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas (the "Town"), authorizes the application for grant funds as part of the Staffing for Adequate Fire and Emergency Response ("SAFER") Grant Program issued by the U.S. Department of Homeland Security, for the purpose of hiring firefighting personnel;

WHEREAS, the Town authorizes the Emergency Management Officer to take all actions necessary to accept a SAFER grant award on behalf of the Town in accordance with program requirements;

WHEREAS, the Town Council finds it in the best interest of the health, safety, and general welfare of the citizens of the Town to apply for and take all necessary steps to accept grant funds to enhance the Fire Department's ability to comply with response and operational standards established by the National Fire Protection Association;

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

SECTION 1

All of the above recitations are true and correct and adopted as if fully set out herein.

SECTION 2

The Town authorizes the application for grant funds as part of the Staffing for Adequate Fire and Emergency Response ("SAFER") Grant Program, issued by the U.S. Department of Homeland Security.

SECTION 3

The Town authorizes the Emergency Management Officer to take all actions necessary to accept a SAFER grant award.

RESOLUTION NO. _____

SECTION 4

This Resolution shall take 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 3rd
DAY OF FEBRUARY, 2025.**

APPROVED:

Cheryl Moore, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY



TOWN COUNCIL AGENDA I.7. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Leandro Rodriguez, CIP Manager
ITEM: **Consider approval of Amendment No. 1 to the fiscal year 2024-2025 Capital Improvement Program.**

BACKGROUND: The proposed CIP amendment No. 1, for the FY 2024-2025, will increase the general capital projects by \$5,000,000 for the Performing (Cultural) Arts Center project and will increase the utility capital projects by \$1,000,000 for the Wastewater Treatment Plant Primary Treatment Area Improvement project.

Additionally, this amendment will reallocate prior fiscal year project budgets from utility capital projects due to estimated cost projected to result in project savings. These funds will be reallocated to the funding required in the wastewater treatment plant primary treatment area improvement project included in this amendment and project savings to be used on future projects.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT:

General Capital Projects: \$5,000,000

Utility Capital Projects: \$1,000,000

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Project Modification List

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

Project Modification Listing

Attachment 1

FY 2024-2025 - CIP Amendment 1

General Capital Projects

Facility Projects

	Description	Fund	Prior Fiscal Years	FY 24-25	5 Yr CIP
Performing (Cultural) Arts Center	Funding is required for the design cost for the Performing Arts Center. Design and construction cost, \$50,000,000, was previously reflected in FY 25-26 of the CIP. \$5,000,000 will be reallocated from FY 25-26 to FY 24-25.	308 (TIRZ)	\$0	\$5,000,000	\$0
Total Facility Impact			\$0	\$5,000,000	\$0
Total General Capital Projects Impact			\$0	\$5,000,000	\$0

Utility Capital Projects

Water Projects

	Description	Fund	Prior Fiscal Years	FY 24-25	5 Yr CIP
US 377 Waterline Loop Relocation	This funding is no longer needed in this project due to the anticipated cost of the project resulting in cost savings. Funding in the amount of \$100,000 will be reallocated to the Wastewater Treatment Plant Primary Treatment Area Improvement project. The remaining \$600,000 in funding from this project will be reallocated to future projects.	630 (Utility CO's)	(\$700,000)	\$0	(\$700,000)
Royal Oaks Waterline Replacement Phase I	This funding is no longer needed in this project due to the anticipated cost of the project resulting in cost savings. Funding in the amount of \$18,000 will be reallocated to future projects.	630 (Utility CO's)	(\$18,000)	\$0	(\$18,000)
Lake Forest Blvd 12in Water Line	This funding is no longer needed in this project due to the anticipated cost of the project resulting in cost savings. Funding in the amount of \$412,000 will be reallocated to future projects.	630 (Utility CO's)	(\$412,000)	\$0	(\$412,000)
Total Water Impact			(\$1,130,000)	\$0	(\$1,130,000)

Wastewater Projects

	Description		Prior Fiscal Years	FY 24-25	5 Yr CIP
Wastewater Treatment Plant Primary Treatment Area Improvement	Additional funding required due to the cost of the step screen replacement being higher than anticipated. Increase FY 24-25 funding by \$1,000,000 from the Kirkpatrick Lane & Stapleton St. Sewer Rehab project (\$400,000), Lower Timber Interceptor Rehab project (\$500,000) and US 377 Waterline Loop Relocation (\$100,000) projects included in this amendment.	630 (Utility CO's)	\$0	\$1,000,000	\$1,000,000
Kirkpatrick Ln & Stapleton St Sanitary Sewer Rehabilitation	This funding is no longer needed in this project due to the anticipated cost of the project resulting in cost savings. Funding in the amount of \$400,000 will be reallocated to the Wastewater Treatment Plant Primary Treatment Area Improvement project.	630 (Utility CO's)	(\$400,000)	\$0	(\$400,000)
Lower Timber Interceptor Rehab	This funding is no longer needed in this project due to the anticipated cost of the project resulting in cost savings. Funding in the amount of \$500,000 will be reallocated to the Wastewater Treatment Plant Primary Treatment Area Improvement project.	630 (Utility CO's)	(\$500,000)	\$0	(\$500,000)
Total Wastewater Impact			\$ (900,000.00)	\$ 1,000,000.00	\$ 100,000.00
Total Utility Capital Projects Impact			\$ (2,030,000.00)	\$ 1,000,000.00	\$ (1,030,000.00)



TOWN COUNCIL AGENDA I.8. CONSENT ITEM(S)

DATE: February 3, 2025
FROM: Manuel Palacios, Assistant Director of Public Works
ITEM: **Consider approval of the award of the Fire Hydrant Replacement Services, Annual Contract Bid No. 2025-11-A to Palmer Hall Construction, LLC, for the repair and replacement of fire hydrants for an estimated annual amount of \$150,000.00; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one year with four one-year renewal options.**

BACKGROUND: On December 18, 2024, bids were received and opened (Bid No. 2025-11-A) for Fire Hydrant Replacement Services annual unit bid price contract. Palmer Hall Construction, LLC, submitted the lowest qualified bid for an estimated annual amount of \$150,000.00. The initial term of the contract will be one year, with four optional one-year periods.

This contract provides for the repair and replacement services for fire hydrants throughout the Town. There are over 4,000 fire hydrants within the Town, and some are in need of repair and replacement. This contract will assist the Public Works Utility staff with repairs and replacement of fire hydrants.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: A decision not to approve the Construction Agreement would continue a backlog or delay in repairing fire hydrants promptly.

FISCAL IMPACT: \$150,000.00

Proposed Expenditure/(Revenue)
\$150,000.00

Account Number(s):
630-960-96004-6170

LEGAL REVIEW: The Town's standard construction agreement form documents, prepared by Taylor, Olson, Adkins, Sralla, & Elam L.L.P., was used to draft this agreement. No alteration to the legal content of this form document was made.

ATTACHMENTS:

1. TOFM Contract No. 2025-11-A

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

**TOWN OF FLOWER MOUND
STANDARD TERMS & CONDITIONS FOR SERVICES/PRODUCTS**

This Contract is made by the Town of Flower Mound, Texas, a Municipal Corporation (“Town”) and Palmer Hall Construction, LLC (“Contractor”). The Town and Contractor agree:

1. **EMPLOYMENT OF THE CONTRACTOR.** The Town agrees to retain the Contractor, and the Contractor agrees to provide services relative to: Fire Hydrant Replacement Services (hereinafter referred to as “Services”) in connection with the terms and conditions as set forth in the Contract Documents, attached hereto and incorporated by reference.

2. **SCOPE OF SERVICES.** The Services to be performed are specified in the solicitation. Deviations from the Contractor’s Pricing Sheet or Criteria may be authorized from time to time by the Town in writing.

3. **SCHEDULE OF WORK.** The Contractor agrees to begin work upon receipt of written authorization from the Town. Time is of the essence for this Contract and work is to commence immediately.

4. **CONTRACT PERIOD.** The initial contract period will be one year, with four (4) optional one-year renewal periods from date of award of contract. All pricing is to remain firm during the contract period. This agreement may be terminated by either party with written notice at least ninety (90) days prior to the current term renewal date, indicating their intent not to renew

5. **COMPENSATION.** Contractor’s total compensation for products or services to be performed and expenses to be incurred is specified in the Contractor’s Pricing Sheet or Criteria.

6. **PAYMENTS.** Payments will be processed monthly with payment available within 30 days after receipt of the invoice for the previous month’s service.

7. **PRICING ESCALATION:** Unless otherwise stated in the specification herein, prices must remain firm for the initial term of the contract. The contracted vendor may request an adjustment at the time of contract renewal by submitted a request in written form to the Purchasing Manager. Basis for price escalation should be based on the consumer price index for the most recent twelve-month period reported for the Dallas-Fort Worth area. The contracted vendor shall provide the Town with copies of the appropriate indices for verification purposes. The Town of Flower Mound reserves the right to approve or reject all request for price escalations.

8. **PRICE REDUCTION:** If during the life of the contract, the contracted vendor's net prices to other customers for the same goods or services are lower than the Town of Flower Mound's contracted prices, an equitable adjustment shall be made in the contract price in favor of the Town.

9. **INVOICING.** Invoices should be prepared and submitted to the Town for payment in accordance with the Contract Documents. Invoices should be mailed to Accounts Payable, Town of Flower Mound, 2121 Cross Timbers Road, Flower Mound, TX 75028 or accountspayable@flower-mound.com.

10. **RIGHTS OF WITHHOLDING.** The Town may withhold any payment or partial payment otherwise due the Contractor on account of unsatisfactory performance by the Contractor. The amount to be withheld will be calculated based on the work not performed and the impact to the Town. Any payment or partial payment that may be withheld for unsatisfactory performance can be used to remedy the lack of performance and will not be paid to the Contractor.

11. **INFORMATION PROVIDED BY THE TOWN.** Although every effort has been or will be made to furnish accurate information, the Town does not guarantee the accuracy of information it furnishes to Contractor.

12. **TRANSFER OF INTEREST.** Neither Town nor Contractor may assign or transfer their interests in the Contract without the written consent of the other party. Such consent shall not be unreasonably withheld. This Contract is binding on Town, Contractor, and their successors and assigns. Nothing herein is to be construed as creating a personal liability on the part of any Town officer, employee, or agent.

13. **AUDITS AND RECORDS.** At any time during normal business hours and as often as the Town may deem necessary, the Contractor shall make available to the Town for examination all its records with respect to all matters covered by the Contract and will permit the Town to audit, examine, and make copies, excerpts, or transcripts from such records. The Town may also audit all contracts, invoices, payroll records of personnel, conditions of employment and other data relating to the Contract.

14. **EQUAL EMPLOYMENT OPPORTUNITY.** The Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such actions shall include, but not be limited to the following: employment, promotions, demotion, transfers, recruitment or recruitment advertising, layoffs, terminations, selection for training (including apprenticeships), and participation in recreational activities.

a. The Contractor agrees to post in conspicuous places, accessible to employees and applicants for employment, notices setting forth the provisions of the nondiscrimination clause. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

b. The Contractor will cause the foregoing provisions to be inserted in all subcontracts for any work covered by the Contract so that such provisions will be binding upon each subcontractor, except that the foregoing provisions shall not apply to contracts or subcontracts for customary office supplies.

c. The Contractor shall keep records and submit reports concerning the racial and ethnic origin(s) of applicants from employment and employees as the law may require.

15. TERMINATION OF CONTRACT. The Town may terminate this contract upon ninety (90) days written notice to Contractor, except in the event (i) Contractor is in breach of this Contract or (ii) Contractor fails to comply with the terms of the Contractor's Pricing Sheet or Criteria. If either of the foregoing conditions exists, The Town shall notify Contractor and Contractor shall be given two (2) days to cure such breach. Should Contractor fail to cure to the satisfaction of the Town, the Town may terminate this Contract upon written notice.

a. Furthermore, the Town retains the right to terminate this Contract at the expiration of each Town budget period (September 30) for funding purposes during the term of this Contract, even without prior notice as described in the preceding sentence.

b. In the event of any termination hereunder, the Contractor consents to the Town's selection of another Contractor to assist the Town in any way in completing the Services. Contractor further agrees to cooperate and provide any information requested by the Town in connection with the completion of the Services.

c. Contractor shall be compensated for Services performed and expenses incurred for satisfactory work up to the termination date in that Contractor shall receive a portion of fees and expenses permitted under this Contract in direct proportion to percentage of work completed up to the termination date. This provision shall not deprive the Town of any remedies against Contractor that may be available under applicable law.

16. CONTRACTOR'S REPRESENTATIONS. Contractor hereby represents to the Town that Contractor is financially solvent and possesses sufficient experience, licenses, authority, personnel, and working capital to complete the Services required.

17. TOWN APPROVAL FOR ADDITIONAL WORK. No payment, of any nature whatsoever, will be made to Contractor for additional work without the Town's written approval before such work begins.

a. PERFORMANCE BY CONTRACTOR. All Services provided by the Contractor hereunder shall be performed in accordance with the highest professional standards and in accordance with the Contract Documents, and Contractor shall be responsible for all Services provided hereunder whether such services are provided directly by contractor or by any contractors hired by Contractor. The Contractor shall perform all duties and Services and make all decisions called for hereunder promptly and without unreasonable delay. Contractor shall not utilize subcontractors to perform Services without the Town's prior written consent.

18. DAMAGE. In all instances where Town property and/or equipment is damaged by the Contractor's employees, a full report of the facts, extent of the damage and estimated impact on the Contractor's schedule shall be submitted to the Town's Human Resources Division by 8 a.m. of the following Town business day after the incident. If damage may result in further damages to the Town or loss of Town property, the Contractor must notify Police Dispatch immediately. The Contractor shall be fully liable for all damage to Town property or equipment caused by the Contractor's officers, employees, or agents.

19. TOWN OBJECTION TO PERSONNEL. If at any time after entering this Contract, Town has any reasonable objection to any of Contractor's personnel, or any personnel retained by Contractor, then Contractor shall promptly propose substitutes to whom the Town has no reasonable objection, and the Contractor's compensation shall be equitably adjusted to reflect any difference in the Contractor's costs occasioned by such substitution.

20. COMPLIANCE WITH LAWS. The Contractor warrants and covenants to the Town that all Services will be performed in compliance with all applicable federal, state, county and Town laws, rules, and regulations including, but not limited to, the Texas Industrial Safety and Health Act and the Workers Right-to-Know Law. All necessary precautions shall be taken to assure that safety regulations prescribed by OSHA and the Town's Representative are followed.

21. ENTIRE CONTRACT. This instrument together with the Contract Documents of which this Contract is a part contains the entire Contract between the Town and Contractor concerning the Services. There will be no understandings or contracts other than those incorporated herein. The Contract may not be modified except by an instrument in writing signed by the parties hereto. In the event of a conflict between an attachment to this Contract and this Contract, this Contract shall control.

22. **ADVERTISING:** Contractor shall not advertise or publish, without the Town's prior consent, the fact that the Town has entered this contract, except to the extent necessary to comply with proper requests for information from an authorized representative of the federal, state, or local government.

23. COOPERATIVE GOVERNMENTAL PURCHASING NOTICE (INTERLOCAL)

Other governmental entities maintaining interlocal agreements or may enter into an interlocal agreement with the Town, may desire, but not obligated, to purchase goods and services defined in this RFP from the successful Bidder. All purchases by governmental entities, other than the Town, will be billed directly to and paid by that governmental entity. The Town will not be responsible for another governmental entity's debts. Each governmental entity will place their own orders with the successful Bidder and be responsible for ensuring full compliance with the RFP specifications. Prior to other governmental entities placing order, the Town will notify the successful Bidder of their intent.

Please indicate below if you will permit other governmental entities to purchase from your agreement with the Town.

_____ **Yes, Others can purchase**

_____ **No, only the Town can purchase**

24. **IMMIGRATION REFORM AND CONTROL ACT (8 U.S.C 1324a):** The Town supports the Immigration Reform and Control Act (IRCA), which is a comprehensive scheme prohibiting the employment of unauthorized aliens in the United States. The Seller and its subcontractors shall always during the term of the contract with the Town comply with therequirement of IRCA and shall notify the Town within fifteen (15) working days of receiving notice of a violation of IRCA. The Seller also warrants that it has not had an IRCA violation within the last five (5) years. The Town may terminate a contract with the Seller if the Town determines that (a) the Seller or its subcontractors have been untruthful regarding IRCA violations in the preceding five (5) years or (b) the Seller or its subcontractors fail to timely notify the Town of an IRCA violation.

25. **NO BOYCOTT OF ISRAEL:** Pursuant to Texas Government Code Chapter 2270, the Seller agrees that acceptance of these Terms & Conditions serves as written verification that

- 1) Seller does not boycott Israel, as defined by Texas Government Code Section 808.001 and
- 2) Seller will not boycott Israel during the term of the contract.

26. COMPANIES ENGAGED IN BUSINESS WITH IRAN, SUDAN, OR FOREIGN TERRORIST ORGANIZATION: Pursuant to Texas Government Code Chapter 2252, Subchapter F. Seller affirms that it is not identified on a list created by the Texas Comptroller of Public Accounts as a company known to have contracts with or provide supplies or services to a foreign terrorist organization.

27. MAILING ADDRESSES. All notices and communications concerning this Contract to be mailed or delivered to the Town shall be sent to the address of the Town as follow, unless and until the Contractor is otherwise notified:

Sabrina Zadow Purchasing Manager
Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, TX 75028

All notices and communications under this Contract to be mailed or delivered to the Contractor shall be sent to the address listed below until the Town is otherwise notified:

Name: R. Terrell Hall
Title: President
Company: Palmer Hall Construction, LLC
Address: 2633 McKinney Ave, STE 130-164
City, State, Zip: Dallas, TX 75204

ADDITIONAL VERIFICATIONS

To the extent required by Texas law, Seller verifies that: (1) It does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, as defined in Texas Government Code § 2274.001, and that it will not during the term of the Agreement discriminate against a firearm entity or firearm trade association; and (2) It does not “boycott energy companies,” as those terms are defined in Texas Government Code §§ 809.001 and 2274.001, and it will not boycott energy companies during the term of the Agreement.

Any notices and communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date in the notice or communication is placed in the United States Mail or hand delivered.

28. LEGAL CONSTRUCTION. If any one or more of the provisions contained in the Contract for any reason is held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Contract shall be construed as if such invalid, illegal or unenforceable provision had never been included.

29. **GOVERNING LAW.** The validity of this Contract and of any of its terms or provisions as well as the rights and duties hereunder, shall be governed by and construed in accordance with Texas law. Venue for this Contract shall be in Denton County, Texas.

30. **COUNTERPARTS.** The Contract may be signed in counterparts, each of which shall be deemed to be an original.

31. **EFFECTIVE DATE.** This contract shall be effective once it is signed by the Town and Contractor.

AGREED TO BY: PALMER HALL CONSTRUCTION, LLC

Signature _____
R. Terrell Hall, President

Date: _____

AGREED TO BY: TOWN OF FLOWER MOUND, TEXAS

Signature _____
Honorable Mayor Cheryl Moore

Date: _____



TOWN COUNCIL AGENDA J.1. REGULAR ITEM(S)

DATE: February 3, 2025
FROM: John Zagurski, Chief Financial Officer
ITEM: **Consider approval of an ordinance calling a bond election to be held May 3, 2025, for the purpose of submitting to the qualified voters ballot propositions on whether to fund park and recreational facilities, including trail systems, park and sports fields and the Community Activity Center and to fund street improvements with general obligation bonds in the amount of \$112,000,000; resolving other matters incident and related to such election and providing a publication of notice.**

BACKGROUND: The Town Council approved Resolution 13-24 on September 16, 2024, which established a Blue Ribbon Bond Committee (BRBC) outlining its structure, defining its purpose and scope of work, and setting a sunset date. The BRBC consists of twelve (12) regular members appointed by a majority vote of the Town Council with a Chair serving as a non-voting member and an objective to evaluate potential facilities, parks and trails, and street reconstruction projects for a possible bond election in May 2025.

The BRBC has met over the course of five (5) meetings since August 27, 2024, with the phases of establishment, orientation, listening, deliberation, and recommendation. Public Engagement Opportunities were accomplished with public open houses, social media, emails and an online survey. The final meeting was held December 10, 2024, to deliberate on proposed capital improvements and funding recommendations for the Town Council's consideration on December 16, 2024, and for further discussion at the January 16, 2025, Work Session. The Town Council provided staff with direction at the January 21, 2025, Town Council Meeting.

The attached Order will call for an election to place Proposition A and Proposition B on May 3, 2025, General Election for the issuance of General Obligation Bonds, as listed below.

Proposition A - \$82,000,000 will fund park and recreational facilities, including trail systems, park and sports fields and the Community Activity Center. This initiative aims to achieve the Town's Strategic Goal Number 1, Superior Quality of Life and Number 6, Parks & Recreation.

Proposition B - \$30,000,000 will fund street replacement projects for the next five years, creating additional funding for street maintenance and improvements. This initiative aims to achieve the Town's Strategic Goal Number 3, Infrastructure by extending the lifespan of the current streets, thereby slowing the rate at which the aging infrastructure needs to be replaced. By spreading out road replacement costs over a longer period, the Town can lessen the financial burden on the taxpayers. This initiative aims to achieve the Town's Strategic Goal Number 4, Financial Stability & Operational Soundness.

An informational publication will be provided to Flower Mound residents detailing the bond election propositions.

BOARD REVIEW/CITIZEN FEEDBACK: The BRBC approved the recommendation for Town Council on December 10, 2024.

ALTERNATIVES: N/A

FISCAL IMPACT: \$112,000,000

LEGAL REVIEW: The Town's Bond Counsel, Norton Rose Fulbright US LLP, prepared the proposed ordinance.

ATTACHMENTS:

1. Ordinance Calling May 2025 Bond Election

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

ORDINANCE NO. _____

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE TOWN OF FLOWER MOUND, TEXAS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

* * * * *

WHEREAS, the Town Council (the “Council”) of the Town of Flower Mound, Texas (the “Town”), hereby finds and determines that an election should be held to determine whether the Council shall be authorized to issue general obligation bonds of the Town in the amount and for the purposes hereinafter identified (the “Election”); and

WHEREAS, the Council hereby finds and determines that it is in the public interest to call and hold the Election to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Council hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the Town; now, therefore,

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

SECTION 1. The Election shall be held in the Town of Flower Mound, Texas on May 3, 2025 (“Election Day”), which is a uniform election date under the Texas Election Code, and is not less than 78 days nor more than 90 days from the date of the adoption of this ordinance (the “Ordinance”), for the purpose of submitting the following propositions to the qualified voters of the Town:

PROPOSITION A

“Shall the Town Council of the Town of Flower Mound, Texas, be authorized to issue general obligation bonds of the Town in the principal amount of \$82,000,000 for permanent public improvements and public purposes, to-wit: designing, renovating, constructing, developing, improving, expanding, furnishing and equipping park and recreation facilities including trail systems improvements, parks, sports fields, the renovation and expansion to the Community Activity Center, and acquiring lands, interests in lands, and rights-of-way related thereto; such bonds to mature serially or otherwise over a period not to exceed 30 years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the Town Council at the time of issuance of the bonds; and whether the Town Council shall be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the Town

sufficient to pay the principal of and interest on the bonds and to provide a sinking fund to redeem the bonds as they become due?"

PROPOSITION B

"Shall the Town Council of the Town of Flower Mound, Texas, be authorized to issue general obligation bonds of the Town in the principal amount of \$30,000,000 for permanent public improvements and public purposes, to wit: developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing streets and thoroughfares within the Town and related storm drainage facilities and improvements, and the acquisition of land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed 30 years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the Town Council at the time of issuance of the bonds; and whether the Town Council shall be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the Town sufficient to pay the principal of and interest on the bonds and to provide a sinking fund to redeem the bonds as they become due?"

SECTION 2. The election shall be conducted by the Denton County Elections Department (the "Denton County Elections Administrator") for that portion of the Town located in Denton County and the Tarrant County Elections Department (the "Tarrant County Elections Administrator" and together with the Denton County Elections Administrator, the "Election Administrators") for that portion of the Town located in Tarrant County, in accordance with the provisions of the respective Denton County Election Contract and Tarrant County Election Contract (jointly, the "Contracts").

On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m. at the locations designated by the Election Administrators in accordance with the Contracts. The locations of such polling places on Election Day are set forth in **Exhibit A** which is attached hereto and incorporated herein by reference as a part of this Ordinance for all purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places designated by the Election Administrators and to conform to the Contracts.

SECTION 3. With respect to that portion of the Town located in Denton County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B-1**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Frank Phillips, Denton County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the Denton County Election Contract.

With respect to that portion of the Town located in Tarrant County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B-2**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Heider Garcia, Tarrant

County Elections Administrator, is hereby appointed as early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the Tarrant County Election Contract.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contracts.

SECTION 4: With respect to voters of the Town residing in Denton County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Office of the Elections Department, 701 Kimberly Drive, Suite A10, Denton, Texas 76208 and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Denton County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by the Texas Election Code.

With respect to voters of the Town residing in Tarrant County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Tarrant County Election Department, 2700 Premier Street, Fort Worth, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Tarrant County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by the Texas Election Code.

SECTION 5: A voting system or systems meeting the standards and requirements of the Texas Election Code is hereby adopted and approved for early voting by personal appearance and by mail and for election day voting and such voting systems shall comply with Texas and federal laws.

SECTION 6. The official ballot shall be prepared in accordance with the Texas Election Code so as to permit voters to vote “FOR” or “AGAINST” the aforesaid propositions which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF \$82,000,000 GENERAL OBLIGATION BONDS FOR PARK AND RECREATIONAL FACILITIES, INCLUDING TRAIL SYSTEMS, PARK AND SPORTS FIELDS AND THE COMMUNITY ACTIVITY CENTER, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”

PROPOSITION B

“THE ISSUANCE OF \$30,000,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”

SECTION 7. All resident qualified voters of the Town shall be permitted to vote at the Election. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, Chapters 1251 and 1331, Texas Government Code, and as may be required by any other law. To the extent required by law, all materials and proceedings relating to the Election shall be printed in English, Spanish and Vietnamese.

SECTION 8. Notice of election, including a Spanish and Vietnamese translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the Town, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 days, prior to Election Day. Moreover, a substantial copy of this Ordinance and the voter information document as shown in **Exhibit C**, including a Spanish and Vietnamese translation thereof, shall be posted (i) at Town Hall not less than 21 days prior to Election Day; (ii) at three additional public places within the Town not less than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the Town's internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the Town's internet website not less than 21 days prior to Election Day.

SECTION 9. In accordance with Section 3.009(b) of the Texas Election Code, the Town, as of the date of the adoption of this Ordinance, had outstanding an aggregate principal amount of debt equal to \$136,735,000; the aggregate amount of the interest owed on such Town debt obligations, through respective maturity, totaled \$38,533,962; and the Town levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.0634 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the adoption of this Ordinance, the maximum interest rate for any series of bonds authorized at the Election is 5.00% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (not more than 30 years from their date of issuance), though the Town estimates that, based on current bond market conditions, such bonds will amortize over a 20-year period from their respective date of issuance. The foregoing estimated interest rate and amortization period are only estimates, provided for Texas statutory compliance, and do not serve as a cap on the interest rate or the amortization period for bonds that are the subject of the Election.

SECTION 10. The Council authorizes the Mayor, the Town Manager, or their respective designee of either of such parties, to make such modifications to this Ordinance that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein. By incorporating all essential terms necessary for a joint election agreement, this Ordinance is intended to satisfy Section 271.002(d) of the Texas Election Code, without further action of the Council. To the extent needed or desirable, the Administrators are hereby appointed as joint custodians of voted ballots in their respective County for the purposes of the Texas Election Code.

SECTION 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 12. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 13. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 14. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 15. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

* * * *

PASSED, APPROVED, and ADOPTED on the 3rd day of February, 2025.

TOWN OF FLOWER MOUND, TEXAS

Mayor

ATTEST:

Town Secretary

(TOWN SEAL)

Exhibit A

DENTON COUNTY ELECTION DAY PRECINCT AND POLLING INFORMATION

Election Day: Saturday, May 3, 2025

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Precinct	Location	Address	Room
	Flower Mound Community Activity Center	1200 Gerault Rd, Flower Mound, Texas 75028	Chill Zone
	Flower Mound Senior Center	2701 West Windsor Dr, Flower Mound, Texas 75028	Ballroom C

*Preliminary, subject to change. If any locations are changed, this will be reflected on the Denton County elections website: <https://www.votedenton.gov/>.

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TARRANT COUNTY ELECTION DAY POLLING INFORMATION*

Election Day: Saturday, May 3, 2025

Election Day Polling Locations open from 7 a.m. to 7 p.m.

*Tarrant County participates in the Countywide Polling Place program under the Texas Election Code. Registered voters of the Town of Flower Mound, Texas who reside in Tarrant County will be able to cast their Election Day ballots at any of the Vote Centers in Tarrant County identified below and on Tarrant County's website at: www.tarrantcountytexas.gov/en/elections.html

Countywide Polling Place	Address	City and Zip
Myrtice and Curtis Larson Elementary School	2620 Avenue K	Grand Prairie, TX 75050
Asia Times Square	2625 West Pioneer Parkway	Grand Prairie, TX 75051
James Starrett Elementary School	2675 Fairmont Drive	Grand Prairie, TX 75052
Anna May Daulton Elementary School	2607 North Grand Peninsula Drive	Grand Prairie, TX 75054
Kenneth Davis Elementary School	900 Eden Road	Arlington, TX 76001
R. F. Patterson Elementary School	6621 Kelly Elliott Road	Arlington, TX 76001
Janet Brockett Elementary School	810 Dove Meadows Drive	Arlington, TX 76002
MISD Student Nutrition Department	1151 Mansfield Webb Road	Arlington, TX 76002
Sherrod Elementary School	2626 Lincoln Drive	Arlington, TX 76006
Elzie Odom Athletic Center	1601 Northeast Green Oaks Boulevard	Arlington, TX 76006
Dora E. Nichols Junior High School	2201 Ascension Boulevard	Arlington, TX 76006
Meadowbrook Recreation Center	1400 Dugan Street	Arlington, TX 76010
Tarrant County Sub-Courthouse in Arlington	700 East Abram Street	Arlington, TX 76010
Arlington ISD Dan Dipert Career & Technical Center	2101 Browning Drive	Arlington, TX 76010
John Webb Elementary School	1200 North Cooper Street	Arlington, TX 76011
Berta May Pope Elementary School	901 Chestnut Drive	Arlington, TX 76012
Shackelford Junior High School	2000 North Fielder Road	Arlington, TX 76012
Town of Pantego Council Chambers	1614 South Bowen Road	Pantego, TX 76013
South Davis Elementary School	2001 South Davis Drive	Arlington, TX 76013
C. C. Duff Elementary School	3100 Lynnwood Drive	Arlington, TX 76013
Bailey Junior High School	2411 Winewood Lane	Arlington, TX 76013
Atherton Elementary School	2101 Overbrook Drive	Arlington, TX 76014
Bob Duncan Center	2800 South Center Street	Arlington, TX 76014
Floyd Gunn Junior High School / Fine Arts and Dual Language Academy	3000 South Fielder Road	Arlington, TX 76015
Dalworthington Gardens City Hall	2600 Roosevelt Drive	Dalworthington Gardens, TX 76016
Charles W. Young Junior High School	3200 Woodside Drive	Arlington, TX 76016
Ruth Ditto Elementary School	3001 Quail Lane	Arlington, TX 76016
Miller Elementary School	6401 West Pleasant Ridge Road	Arlington, TX 76016
Truett Boles Junior High School	3900 Southwest Green Oaks Boulevard	Arlington, TX 76017
Corey Academy	5200 Kelly Elliott Road	Arlington, TX 76017
City of Arlington South Service Center	1100 Southwest Green Oaks Boulevard	Arlington, TX 76017

Fitzgerald Elementary School	5201 Creek Valley Drive	Arlington, TX 76018
L. R. Bebensee Elementary School	5900 Inks Lake Drive	Arlington, TX 76018
Ferguson Education Center	600 Southeast Green Oaks Boulevard	Arlington, TX 76018
Pelican Bay City Hall	1300 Pelican Circle	Pelican Bay, TX 76020
Azle ISD Instructional Support Center	483 Sandy Beach Road, Suite C	Azle, TX 76020
Pat May Center	1849-B Central Drive	Bedford, TX 76022
Precinct One Garage	800 East Rendon Crowley Road	Burleson, TX 76028
Tarver Rendon Elementary School	6065 Retta Mansfield Road	Burleson, TX 76028
Colleyville Public Library	110 Main Street	Colleyville, TX 76034
Crowley 9th Grade Campus	1016 FM 1187	Crowley, TX 76036
Euless Family Life Senior Center	300 West Midway Drive	Euless, TX 76039
St. John Missionary Baptist Church	3324 House Anderson Road	Euless, TX 76040
Grapevine Public Library	1201 Municipal Way	Grapevine, TX 76051
Sendera Ranch Elementary School	1216 Diamondback Lane	Haslet, TX 76052
Legacy Learning Center Northwest ISD	501 School House Road	Haslet, TX 76052
Brookside Center	1244 Brookside Drive	Hurst, TX 76053
Kennedale Community Center	316 West 3rd Street	Kennedale, TX 76060
Mansfield Sub-Courthouse	1100 East Broad Street	Mansfield, TX 76063
Dr. Jim Vaszauskas Center for the Performing Arts	1110 West Debbie Lane	Mansfield, TX 76063
J. L. Boren Elementary School	1401 Country Club Drive	Mansfield, TX 76063
Vernon Newsom Stadium	3700 East Broad Street	Mansfield, TX 76063
Southlake Town Hall	1400 Main Street	Southlake, TX 76092
Tarrant County Plaza Building	201 Burnett Street	Fort Worth, TX 76102
Greenway Church	1816 Delga Street	Fort Worth, TX 76102
Trinity Terrace	1600 Texas Street	Fort Worth, TX 76102
Christ Cathedral Church	3201 Purington Avenue	Fort Worth, TX 76103
Sagamore Hill Elementary School	701 South Hughes Avenue	Fort Worth, TX 76103
Victory Temple Worship Center	2001 Oakland Boulevard	Fort Worth, TX 76103
Van Zandt-Guinn Elementary School	600 Kentucky Avenue	Fort Worth, TX 76104
Community Christian Church Education Building	1720 Vickery Boulevard East	Fort Worth, TX 76104
Southside Community Center	959 East Rosedale Street	Fort Worth, TX 76104
Carroll Peak Elementary School	1201 East Jefferson Avenue	Fort Worth, TX 76104
Morningside Elementary School	2601 Evans Avenue	Fort Worth, TX 76104
Fire Station Community Center	1601 Lipscomb Street	Fort Worth, TX 76104
D. McRae Elementary School	3316 Avenue N	Fort Worth, TX 76105
Sycamore Recreation Center	2525 East Rosedale Street	Fort Worth, TX 76105
William M. McDonald YMCA	2701 Moresby Street	Fort Worth, TX 76105
S. S. Dillow Elementary School	4000 Avenue N	Fort Worth, TX 76105
Iglesia Palabra de Amor	3402 Northwest 28th Street	Fort Worth, TX 76106
Diamond Hill/Jarvis Branch Library	1300 Northeast 35th Street	Fort Worth, TX 76106
International Newcomer Academy	3813 Valentine Street	Fort Worth, TX 76107
Como Community Center	4660 Horne Street	Fort Worth, TX 76107
North Hi Mount Elementary School	3801 West 7th Street	Fort Worth, TX 76107
Jo Kelly School	201 North Bailey Avenue	Fort Worth, TX 76107
White Settlement ISD Administration Building	401 South Cherry Lane	Fort Worth, TX 76108
Lakeside Town Hall	9830 Confederate Park Road	Lakeside, TX 76108
Brewer High School	1025 West Loop 820 North	Fort Worth, TX 76108

Blue Haze Elementary School	601 Blue Haze Drive	Fort Worth, TX 76108
McLean 6th Grade School	3201 South Hills Avenue	Fort Worth, TX 76109
Southcliff Baptist Church	4100 Southwest Loop 820	Fort Worth, TX 76109
Tanglewood Elementary School	3060 Overton Park Drive West	Fort Worth, TX 76109
Southwest Regional Library	4001 Library Lane	Fort Worth, TX 76109
E. M. Daggett Elementary School	958 Page Avenue	Fort Worth, TX 76110
Lily B. Clayton Elementary School	2000 Park Place Avenue	Fort Worth, TX 76110
R. L. Paschal High School	2911 Forest Park Boulevard	Fort Worth, TX 76110
George C. Clarke Elementary School	3300 South Henderson Street	Fort Worth, TX 76110
Worth Heights Community Center	3551 New York Avenue	Fort Worth, TX 76110
Richard J. Wilson Elementary School	900 West Fogg Street	Fort Worth, TX 76110
Worth Heights Elementary School	519 East Butler Street	Fort Worth, TX 76110
Victory Forest Community Center	3427 Hemphill Street	Fort Worth, TX 76110
Versia L. Williams Elementary School	901 Baurline Street	Fort Worth, TX 76111
Andrew "Doc" Session Community Center	201 South Sylvania Avenue	Fort Worth, TX 76111
Riverside Community Center	3700 East Belknap Street	Fort Worth, TX 76111
Oakhurst Elementary School	2700 Yucca Avenue	Fort Worth, TX 76111
Springdale Elementary School	3207 Hollis Street	Fort Worth, TX 76111
Riverside Applied Learning Center	3600 Fossil Drive	Fort Worth, TX 76111
Handley-Meadowbrook Community Center	6201 Beaty Street	Fort Worth, TX 76112
First Jefferson Unitarian Universalist Church	1959 Sandy Lane	Fort Worth, TX 76112
Martin Luther King Community Center	5565 Truman Drive	Fort Worth, TX 76112
Eastern Hills High School	5701 Shelton Street	Fort Worth, TX 76112
Paul Laurence Dunbar High School	5700 Ramey Avenue	Fort Worth, TX 76112
Atwood McDonald Elementary School	1850 Barron Lane	Fort Worth, TX 76112
St. Matthew United Methodist Church	2414 Hitson Lane	Fort Worth, TX 76112
Legacy Fellowship Church	5320 Norma Street	Fort Worth, TX 76112
East Regional Library	6301 Bridge Street	Fort Worth, TX 76112
River Oaks United Methodist Church	4800 Ohio Garden Road	River Oaks, TX 76114
Sansom Park City Hall	5705 Azle Avenue	Sansom Park, TX 76114
Westworth Village City Hall	311 Burton Hill Road	Westworth Village, TX 76114
River Oaks Annex	4900 River Oaks Boulevard	River Oaks, TX 76114
James Avenue Service Center	5001 James Avenue	Fort Worth, TX 76115
Carter Park Elementary School	1204 East Broadus Avenue	Fort Worth, TX 76115
Hubbard Heights Elementary School	1333 West Spurgeon Street	Fort Worth, TX 76115
Agape Baptist Church	3900 Southwest Boulevard	Fort Worth, TX 76116
R. D. Evans Community Center	3242 Lackland Road	Fort Worth, TX 76116
Country Inn & Suites	2730 South Cherry Lane	Fort Worth, TX 76116
Harvest United Methodist Church	6036 Locke Avenue	Fort Worth, TX 76116
Haltom City Library	4809 Haltom Road	Haltom City, TX 76117
Haltom City Senior Center	3201 Friendly Lane	Haltom City, TX 76117
First Baptist Hurst at the Trails	9208 Trammel Davis Road	Fort Worth, TX 76118
Richland Hills City Hall	3200 Diana Drive	Richland Hills, TX 76118

Beth Eden Missionary Baptist Church	3208 Wilbarger Street	Fort Worth, TX 76119
Bradley Center	2601 Timberline Drive	Fort Worth, TX 76119
Griffin-Poly Sub-Courthouse	3212 Miller Avenue	Fort Worth, TX 76119
W. M. Green Elementary School	4612 David Strickland Road	Fort Worth, TX 76119
Sunrise-McMillian Elementary School	3409 Stalcup Road	Fort Worth, TX 76119
A. M. Pate Elementary School	3800 Anglin Drive	Fort Worth, TX 76119
Glen Park Elementary School	3601 Pecos Street	Fort Worth, TX 76119
Central Bible Church - The Connection	8200 Anderson Boulevard	Fort Worth, TX 76120
Meadowcreek Elementary School	2801 Country Creek Lane	Fort Worth, TX 76123
Blue Mound Community Center	1824 Fagan Drive	Blue Mound, TX 76131
Northbrook Elementary School	2500 Cantrell Sansom Road	Fort Worth, TX 76131
Chisholm Ridge Elementary School	8301 Running River Lane	Fort Worth, TX 76131
Sonny and Allegra Nance Elementary School	701 Tierra Vista Way	Fort Worth, TX 76131
Hyatt Place Fort Worth / Cityview	5900 Cityview Boulevard	Fort Worth, TX 76132
Oakmont Elementary School	6651 Oakmont Trail	Fort Worth, TX 76132
St. Matthew's Lutheran Church	5709 Wedgwood Drive	Fort Worth, TX 76133
Westminster Presbyterian Church	7001 Trail Lake Drive	Fort Worth, TX 76133
Bruce Shulkey Elementary School	5533 Whitman Avenue	Fort Worth, TX 76133
Southwest Sub-Courthouse	6551 Granbury Road	Fort Worth, TX 76133
Trinity Cumberland Presbyterian Church	7120 West Cleburne Road	Fort Worth, TX 76133
Genesis United Methodist Church	7635 South Hulen Street	Fort Worth, TX 76133
Greenbriar Elementary School	1605 Grady Lee Street	Fort Worth, TX 76134
New Hope Fellowship	6410 South Freeway	Fort Worth, TX 76134
Edgecliff Village Community Center	1605 Edgecliff Road	Edgecliff Village, TX 76134
Highland Hills Community Center	1600 Glasgow Road	Fort Worth, TX 76134
St. Luke Cumberland Presbyterian Church	1404 Sycamore School Road	Fort Worth, TX 76134
Parkway Elementary School	1320 West Everman Parkway	Fort Worth, TX 76134
Sheriff's Office North Patrol Division	6651 Lake Worth Boulevard	Lake Worth, TX 76135
Bluebonnet Elementary School	7000 Teal Drive	Fort Worth, TX 76137
Summerglen Branch Library	4205 Basswood Boulevard	Fort Worth, TX 76137
Hillwood Middle School	8250 Parkwood Hill Boulevard	Fort Worth, TX 76137
Forest Hill Civic & Convention Center	6901 Wichita Street	Forest Hill, TX 76140
Everman Civic Center	213 North Race Street	Everman, TX 76140
Watauga City Hall	7105 Whitley Road	Watauga, TX 76148
Candlewood Suites Hotel	4200 Reggis Court	Fort Worth, TX 76155
M. G. Ellis	215 Northeast 14th Street	Fort Worth, TX 76164
J. P. Elder Middle School	709 Northwest 21st Street	Fort Worth, TX 76164
Northside Community Center	1100 Northwest 18th Street	Fort Worth, TX 76164
Eagle Mountain Elementary School	9700 Morris Dido Newark Road	Fort Worth, TX 76179
John Ed Keeter Public Library	355 West McLeroy Boulevard	Saginaw, TX 76179
Northwest Branch Library	6228 Crystal Lake Drive	Fort Worth, TX 76179
North Richland Hills City Hall	4301 City Point Drive	North Richland Hills, TX 76180
North Richland Hills Public Library	9015 Grand Avenue	North Richland Hills, TX 76180
Former Bursey Road Senior Adult Center	7301 Bursey Road	North Richland Hills, TX 76182

Golden Triangle Branch Library	4264 Golden Triangle Boulevard	Fort Worth, TX 76244
Woodland Springs Elementary School	12120 Woodland Springs Drive	Fort Worth, TX 76244
Northpark YMCA	9100 North Beach Street	Fort Worth, TX 76244
Bear Creek Intermediate School	801 Bear Creek Parkway	Keller, TX 76248
Shady Grove Elementary School	1400 Sarah Brooks Drive	Keller, TX 76248
Town of Westlake	1500 Solana Boulevard, Building 7, Suite 7100	Westlake, TX 76262
Trophy Club Town Hall	1 Trophy Wood Drive	Trophy Club, TX 76262
John M. Tidwell Middle School	3937 Haslet-Roanoke Road	Roanoke, TX 76262

Exhibit B-1

DENTON COUNTY EARLY VOTING LOCATIONS, DATES AND HOURS

Early voting begins Tuesday, April 22, 2025, and ends on Tuesday, April 29, 2025.

Days/Dates	Times
Tuesday, April 22, 2025 – Saturday, April 26, 2025	8:00 AM – 5:00 PM
Sunday, April 27, 2025	11:00 AM – 5:00 PM
Monday, April 28, 2025 – Tuesday, April 29, 2025	7:00 AM – 7:00 PM

Main Early Voting Location

Denton County Elections Administration
701 Kimberly Dr., Ste. A111
Denton, TX 76208

Location	Address	Room
Flower Mound Community Activity Center	1200 Gerault Rd, Flower Mound, Texas 75028	Chill Zone
Flower Mound Senior Center	2701 West Windsor Dr, Flower Mound, Texas 75028	Ballroom C

*Preliminary, subject to change. If any locations are changed, this will be reflected on the Denton County elections website: <https://www.votedenton.gov>

Early Voting By Mail

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on Tuesday, April 22, 2025. Applications should be sent to:

Early Voting Clerk
PO Box 1720,
Denton, Texas 76202
phone: 940-349-3200
fax: 940-349-3201
email: elections@dentoncounty.gov

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

Exhibit B-2

TARRANT COUNTY EARLY VOTING LOCATIONS, DATES AND HOURS

Early voting begins Tuesday, April 22, 2025, and ends on Tuesday, April 29, 2025.

Days/Dates	Times
Tuesday, April 22, 2025 – Friday, April 25, 2025	8:00 AM – 5:00 PM
Saturday, April 26, 2025	7:00 AM – 7:00 PM
Sunday, April 27, 2025	10:00 AM – 4:00 PM
Monday, April 28, 2025 – Tuesday, April 29, 2025	7:00 AM – 7:00 PM

	Location	Address	City	Zip Code
1	Bob Duncan Center	2800 S Center Street	Arlington	76014
2	Elzie Odom Athletic Center	1601 NE Green Oaks Boulevard	Arlington	76006
3	Center for Community Service Junior League of Arlington	4002 W Pioneer Parkway	Arlington	76013
4	City of Arlington South Service Center	1100 SW Green Oaks Boulevard	Arlington	76017
5	Tarrant County Sub-Courthouse in Arlington	700 E Abram Street	Arlington	76010
6	Tarrant County College Southeast Campus EMB - Portable Building (<i>edificio móvil</i>) (<i>Nhà Di Động</i>) C	2100 Southeast Parkway	Arlington	76018
7	Azle ISD Instructional Support Center	483 Sandy Beach Road, Suite C	Azle	76020
8	Bedford Public Library	2424 Forest Ridge Drive	Bedford	76021
9	Blue Mound Community Center	1824 Fagan Drive	Blue Mound	76131
10	Colleyville Public Library	110 Main Street	Colleyville	76034
11	Crouch Event Center in Bicentennial Park	900 E Glendale Street	Crowley	76036
12	Eules Family Life Senior Center	300 W Midway Drive	Eules	76039
13	Everman Civic Center	213 N Race Street	Everman	76140
14	Forest Hill Civic & Convention Center	6901 Wichita Street	Forest Hill	76140
15	Como Community Center	4660 Horne Street	Fort Worth	76107
16	Diamond Hill/Jarvis Branch Library	1300 NE 35 th Street	Fort Worth	76106
17	Golden Triangle Branch Library	4264 Golden Triangle Boulevard	Fort Worth	76244
18	Griffin-Poly Sub-Courthouse	3212 Miller Avenue	Fort Worth	76119
19	Handley-Meadowbrook Community Center	6201 Beaty Street	Fort Worth	76112
20	James Avenue Service Center	5001 James Avenue	Fort Worth	76115
21	Northside Community Center	1100 NW 18 th Street	Fort Worth	76164
22	Southside Community Center	959 E Rosedale Street	Fort Worth	76104
23	Southwest Regional Library	4001 Library Lane	Fort Worth	76109

24	Southwest Sub-Courthouse	6551 Granbury Road	Fort Worth	76133
25	Summertown Branch Library	4205 Basswood Boulevard	Fort Worth	76137
26	Tarrant County Elections Center <i>Main Early Voting Site</i> <i>(Principal sitio de votación adelantada)</i> <i>(Trung Tâm Bầu Cử Sớm)</i>	2700 Premier Street	Fort Worth	76111
27	Tarrant County Plaza Building	201 Burnett Street	Fort Worth	76102
28	Worth Heights Community Center	3551 New York Avenue	Fort Worth	76110
29	Asia Times Square	2625 W Pioneer Parkway	Grand Prairie	75051
30	Grapevine Public Library	1201 Municipal Way	Grapevine	76051
31	Haltom City Library	4809 Haltom Road	Haltom City	76117
32	Haltom City Senior Center	3201 Friendly Lane	Haltom City	76117
33	Legacy Learning Center Northwest ISD	501 School House Road	Haslet	76052
34	Brookside Center	1244 Brookside Drive	Hurst	76053
35	Keller Town Hall	1100 Bear Creek Parkway	Keller	76248
36	Kennedale Community Center	316 W 3rd Street	Kennedale	76060
37	Sheriff's Office North Patrol Division	6651 Lake Worth Boulevard	Lake Worth	76135
38	Mansfield Sub-Courthouse	1100 E Broad Street	Mansfield	76063
39	Vernon Newsom Stadium	3700 E Broad Street	Mansfield	76063
40	Former Bursey Road Senior Adult Center	7301 Bursey Road	N Richland Hills	76182
41	North Richland Hills Public Library	9015 Grand Avenue	N Richland Hills	76180
42	River Oaks Annex <i>Old Library Building</i>	4900 River Oaks Boulevard	River Oaks	76114
43	Former Eagle Mountain-Saginaw ISD Building	1600 N Old Decatur Road	Saginaw	76179

*Preliminary, subject to change. If any locations are changed, this will be reflected on the Tarrant County elections website: www.tarrantcountytx.gov/en/elections.html

Early Voting By Mail

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on Tuesday, April 22, 2025. Applications should be sent to:

Tarrant County Elections
PO Box 961011
Fort Worth, Texas 76161
phone: 817-831-8683
fax: 817-850-2344
email: votebymail@tarrantcountytx.gov

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

**EXHIBIT C
VOTER INFORMATION DOCUMENT**

Town of Flower Mound Proposition A:

☐ FOR ☐ AGAINST	“THE ISSUANCE OF \$82,000,000 GENERAL OBLIGATION BONDS FOR PARK AND RECREATIONAL FACILITIES, INCLUDING TRAIL SYSTEMS, PARK AND SPORTS FIELDS AND THE COMMUNITY ACTIVITY CENTER, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”
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principal of debt obligations to be authorized	\$82,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.50%	\$43,503,125
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized if amortized over 24 years	\$125,503,125
as of the date the election was ordered, principal of all outstanding debt obligations	\$136,735,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$38,533,962
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 20 years	\$175,268,962
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved.	\$0
This figure makes conservative assumptions about the amortization period of the debt obligations and the estimated interest rate and presumes 3.20% growth in future taxable values within the Town.	

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Town of Flower Mound Proposition B:

☐ FOR	“THE ISSUANCE OF \$30,000,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”
☐ AGAINST	

principal of debt obligations to be authorized	\$30,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.50%	\$15,907,875
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized if amortized over 24 years	\$45,907,875
as of the date the election was ordered, principal of all outstanding debt obligations	\$136,735,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$38,533,962
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 20 years	\$175,268,962
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved.	\$0
This figure makes conservative assumptions about the amortization period of the debt obligations and the estimated interest rate and presumes 3.20% growth in future taxable values within the Town.	

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TOWN COUNCIL AGENDA J.2. REGULAR ITEM(S)

DATE: February 3, 2025
FROM: Chuck Russell, Principal Planner
ITEM: **Public Hearing to consider an ordinance amending the Master Plan (MPA24-0005 – Pine Hill) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Low Density Residential uses to Medium High Density Residential uses. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 5 to 1 at its December 9, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)**

BACKGROUND:

- Size – Approximately 4.28 acres
- Request – Change in land use from Low Density Residential uses to Medium High Density Residential uses.
- SMARTGrowth – Passed
- Traffic Analysis– Passed (see companion ZPD24-0007 application for details)
- Incentives – N/A
- [Planning and Zoning Commission Staff Report Link](#)

BOARD REVIEW/CITIZEN FEEDBACK: The Planning & Zoning Commission recommended denial by a vote of 5 to 1 at its December 9, 2024, meeting. The Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

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

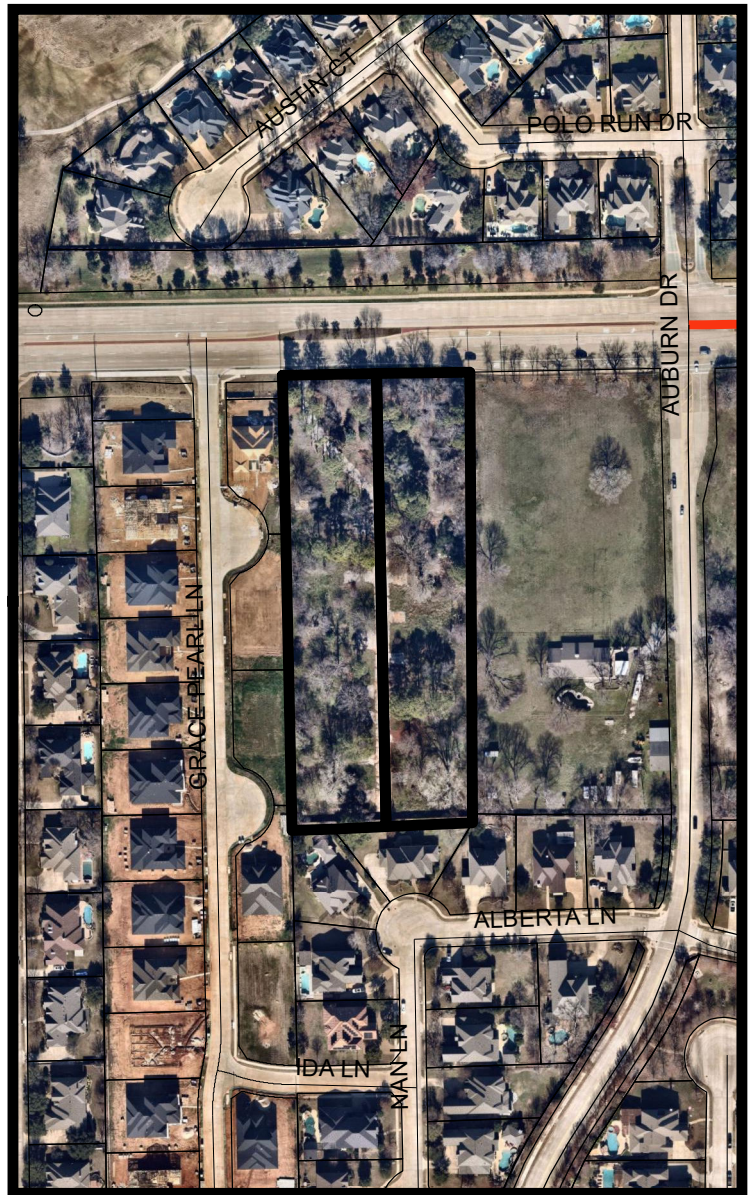
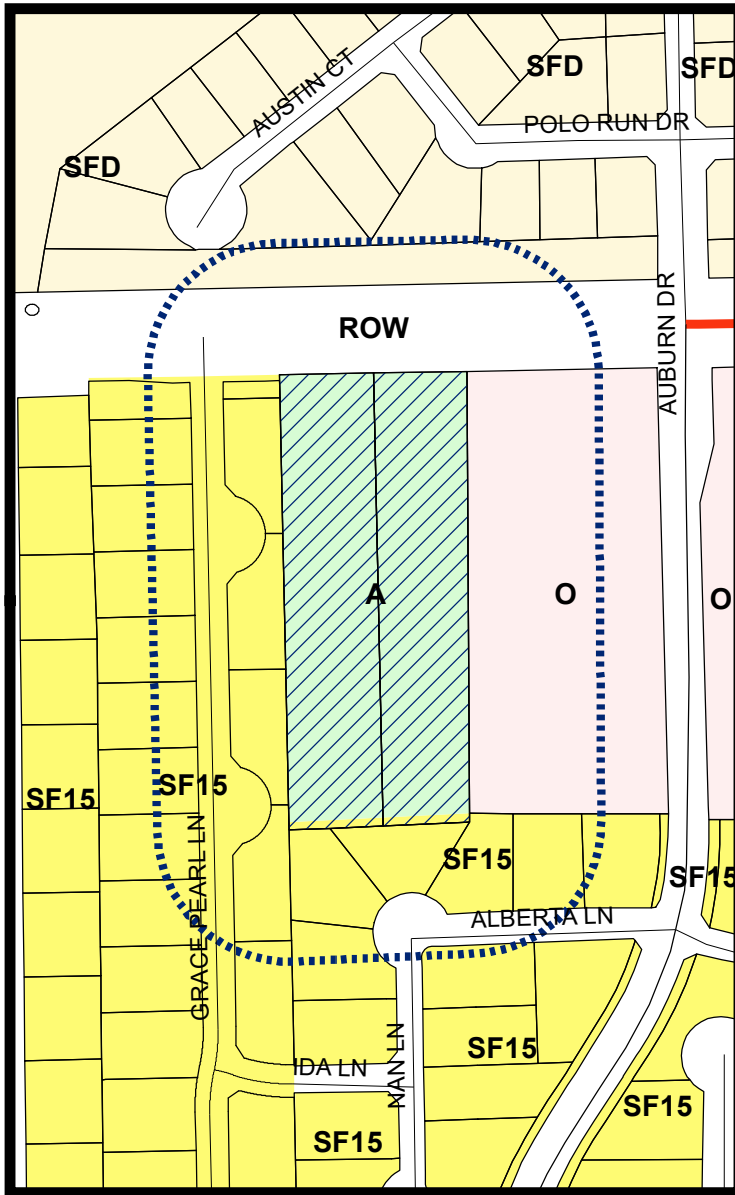
ATTACHMENTS:

1. Map - Zoning & Aerial
2. DRAFT Ordinance
3. DRAFT Exhibits

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

Vicinity Map

MPA24-0005 & ZPD24-0007: Pine Hill



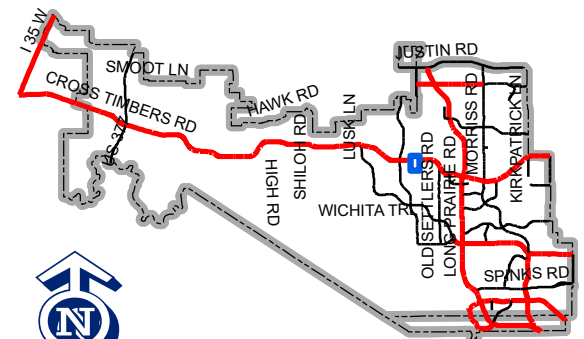
LEGEND

- Agriculture
- Office
- Single Family 15
- Single Family Detached

- Subject Property
- 200 ft Notification Buffer around Property

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

Visit <https://www.flowermound.gov/notifyme> to sign up for text message and/or email alerts for future projects.



TOWN OF FLOWER MOUND, TEXAS
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE FLOWER MOUND 2001 MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, WHICH ADOPTED THE MASTER PLAN, BY AMENDING SECTION 1.0, "LAND USE PLAN," TO CHANGE THE CURRENT LAND USE DESIGNATION ON THE LAND USE PLAN MAP FROM LOW DENSITY RESIDENTIAL USES TO MEDIUM HIGH DENSITY RESIDENTIAL USES ON APPROXIMATELY 4.281 ACRES OF LAND SITUATED IN THE PERRY MALONE SURVEY, ABSTRACT NO. 836, DENTON COUNTY, TEXAS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas (the "Town"), 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, on March 19, 2001, the Town Council of the Town (the "Town Council") adopted the Flower Mound 2001 Master Plan (the "Master Plan"), which consists of nineteen component plans, including the Land Use Plan and Area Plans; and,

WHEREAS, the Master Plan establishes and articulates a community-based vision to preserve the country atmosphere and natural environment that makes the Town a unique and desirable community, mitigates the ill effects of rapid and intense urbanization, creates a balanced tax base to ensure the Town's long-term economic health and prosperity, and ensures all development is of enduring and exemplary quality; and,

WHEREAS, the Area Plan contained in the Master Plan indicates the land use designation for tracts of land within various areas of the Town, and the Land Use Plan Map contained in the Land Use Plan of the 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, the owner of the property described as approximately 4.281 acres of land situated in the Perry Malone Survey, Abstract No. 836, Denton County, Texas (the "Property"), has filed an application for a Master Plan Amendment to change the current land use designation from Low Density Residential Uses to Medium High Density Residential Uses; and,

WHEREAS, the Planning and Zoning Commission of the Town held a public hearing on December 9, 2024, and the Town Council of the Town held a public hearing on January 21, 2025 and February 3, 2025, with respect to the amendments 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; and,

WHEREAS, upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission and of all testimony and information submitted during the public hearings, the Town Council has determined that it is in the best interest of the citizens of the Town that the Master Plan be amended to change the Land Use Plan as described herein.

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, as amended, is hereby amended to change the land use designation on the hereinafter described Property and area as shown below:

Approximately 4.281 acres of land situated in the Perry Malone Survey, Abstract No. 836, Denton County, Texas, and more fully described in Exhibit "A" hereto.

The Land Use Plan Map contained in Section 1.0, "Land Use Plan," of the Master Plan and is hereby amended to change the current land use designation from Low Density Residential Uses to Medium High Density Residential Uses on the above-referenced Property, as depicted in Exhibit "B," "Master Plan Exhibit," attached hereto and incorporated herein.

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, 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

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 3RD DAY OF FEBRUARY, 2025.

APPROVED:

Cheryl Moore, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

Exhibit A

State of Texas

County of Denton

Whereas, WFM3801, Ltd., acting by and through the undersigned, its duly authorized agent, is the sole owner of a tract of land located in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, according to the deed recorded under Document Number 218751 of the Official Records of Denton County, Texas, and being more particularly described as follows

Being a 4.281 acre tract of land situated in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, and being a portion of a called 4.367 acre tract of land described in the deed to WFM3801, Ltd. recorded in Document No. 218751 of the Official Records of Denton County, Texas, said 4.281 acre tract of land being more particularly described by metes and bounds as follows

BEGINNING at a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common northwest corner of said 4.367 acre tract of land, southwest corner of a called 0.0607 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103588 of said Official Records of Denton County, Texas, southeast corner of a called 0.0932 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103589 of said Official Records of Denton County, Texas, and northeast corner of a called 4.952 acre tract of land described in the deed to Rembert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the south right-of-way line of FM 1171 (Cross Timbers Road) (a variable width right-of-way);

THENCE North 88 degrees 54 minutes 55 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0607 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), passing at a distance of 144.31 feet, a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common southeast corner of said 0.0607 acre tract of land and southwest corner of a called 0.0761 acre tract of land described in the deed to Denton County, recorded in Document No. 2006-103587 of said Official Records of Denton County, Texas, in all, a distance of 229.55 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for and angle point in the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road);

THENCE North 84 degrees 30 minutes 00 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), a distance of 56.95 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common northeast corner of said 4.367 acre tract of land, southeast corner of said 0.0761 acre tract of land, and southwest corner of a called 0.1468 acre tract of land described in the deed to Denton County, recorded in Document No. 2011-101915 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the west line of a called 5.2185 acre tract of land described in the deed to Gary -Johnson recorded in Document No. 99-R012887 of said Official Records of Denton County, Texas;

THENCE South 00 degrees 03 minutes 02 seconds East, with the common east line of said 4.367 acre tract of land and west line of said 5.2185 acre tract of land, a distance of 667.71 feet to a 3/8 inch iron rod found for the northwest corner of Lot 5, Block D of Flower Mound Woods, an addition to the City of Flower Mound, Denton County, Texas recorded in Document No. 2009-228 of said Plat Records of Denton County, Texas, from which a 1/2 inch iron rod found for the common southeast corner of said 4.367 acre tract of land and northeast corner of Lot 4R, Block D of Lots 1R Through 4R, Block D and

Exhibit A

Lots 1R Through 3R, Block E, Flower Mound Woods, an addition to the City of Flower Mound, Denton County, Texas recorded in Document No. 2010-94 of the Plat Records of Denton County, Texas bears South 01 degree 53 minutes 57 seconds East, a distance of 12.92 feet;

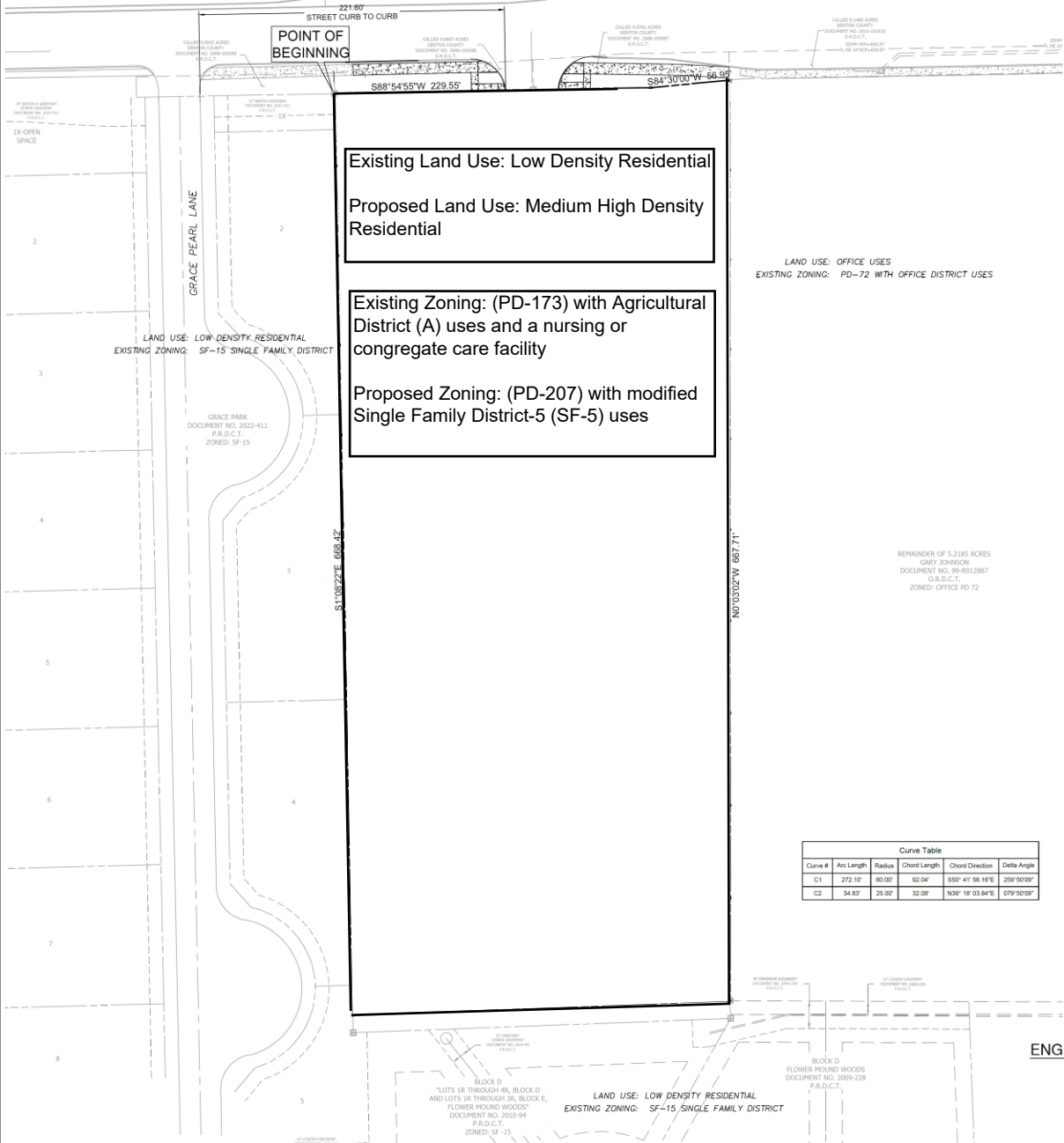
THENCE South 87 degrees 49 minutes 33 seconds West, over and across said 4.367 acre tract of land, a distance of 273.68 feet to a 1/2 inch iron rod with cap stamped "1519 SJRVEYING" set for corner in the common west line of said 4.367 acre tract of land and east line of a called 4.952 acre tract of land described in the deed to Rembert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, from which a 1/2 inch iron rod with cap stamped 'Arthur Surveying found for the common southwest corner of said 4.367 acre tract of land and northwest corner of Lot 3R, Block D of said Lots 1R Through 4R, Block D and Lots 1R Through 3R, Block E, Flower Mound Woods bears South 01 degree 08 minutes 22 seconds East, a distance of 12.92 feet;

THENCE North 01 degree 08 minutes 22 seconds West, with the common west line of said 4.367 acre tract of land and east line of said 4.952 acre tract of land, a distance of 668.42 feet to the POINT OF BEGINNING, and containing 186,499 square feet or 4.281 acres of land, more or less.

Bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD 83), North Central Zone (4202).

FM 1171 (Cross Timbers Road)

(Variable Width Right-of-Way)



Existing Land Use: Low Density Residential
Proposed Land Use: Medium High Density Residential

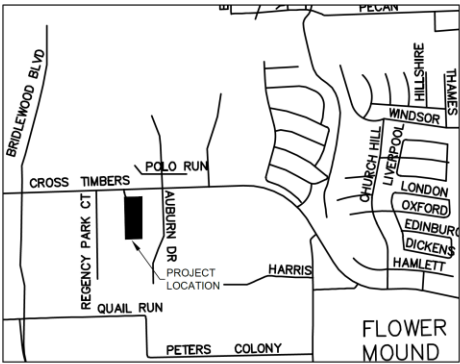
Existing Zoning: (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility

Proposed Zoning: (PD-207) with modified Single Family District-5 (SF-5) uses

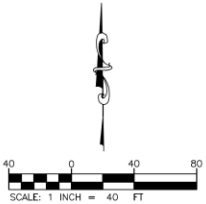
LAND USE: OFFICE USES
EXISTING ZONING: PD-72 WITH OFFICE DISTRICT USES

REMAINDER OF 5.2185 ACRES
GARY JOHNSON
DOCUMENT NO. 99-8012807
O.R.D.C.T.
ZONED: OFFICE PD 72

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Direction
C1	272.18'	80.00'	92.04'	550° 41' 56.18"
C2	34.83'	25.00'	32.08'	N30° 18' 03.84"E



VICINITY MAP



MASTER PLAN FEATURES	
MASTER PLAN COMPONENT	APPLICABLE DETAILS
LAND USE PLAN	THE SITE IS LOW DENSITY LAND USE
AREA PLANS	CROSS TIMBERS PROTECTION AREA
MEDIAN & ROW DESIGN GUIDELINES	THE SITE IS ADJACENT TO CROSS TIMBERS ROAD WITH A TYPE A CLASSIFICATION. RIGHT IN AND RIGHT OUT ONLY PROPOSED.
PARKS AND TRAILS	THE SITE IS NOT LOCATED NEAR EXISTING PARKS OR TRAILS
OPEN SPACE PLAN	THE SITE IS NOT LOCATED IN THE CROSS TIMBERS CONSERVATION DEVELOPMENT DISTRICT
THOUGHFARE PLAN	THE SITE IS ADJACENT TO CROSS TIMBERS ROAD WITH A VARIABLE WIDTH ROW
WATER PLAN	THE SITE IS LOCATED NEAR BRUTON ORAND STORAGE TANK WITH AN EXISTING 20" WATER LINE IN CROSS TIMERS ROAD
WASTEWATER PLAN	THE SITE IS LOCATED IN THE LONG PRAIRIE SERVICE AREA#4 WITH EXISTING 16" SEWER LINES IN THE PROPERTIES TO THE SOUTH AND WEST
ECONOMIC IMPACT	PROPOSED USE WILL GREATLY DECREASE THE EMERGENCY VEHICLE SERVICE NEEDS THAN THAT OF THE CURRENT APPROVED SENIOR HOUSING PD-173

SITE DATA:	
PHYSICAL ADDRESS	3801 CROSS TIMBERS RD, DENTON COUNTY
SITE AREA	4,281 AC/186,498 SF
CURRENT ZONING	PD-173
PROPOSED ZONING	PD-207 W/ MOD. SF-5 DISTRICT STANDARDS
MINIMUM LOT AREA *	7,500 SF (VS. 5,000 SF FOR SF-5)
MINIMUM LOT WIDTH *	65 FT (VS. 50 FT FOR SF-5)
MINIMUM FLOOR AREA	1,500 SF
MINIMUM FRONT YARD SETBACK	20 FT
MINIMUM SIDE YARD SETBACK *	7.5 FT (VS. 5 FT FOR SF-5)
MINIMUM REAR YARD SETBACK *	22 FT (VS. 20 FT FOR SF-5)
MINIMUM FRONT PORCH SETBACK	12 FT
MAXIMUM LOT COVERAGE	55%
MAXIMUM FLOOR AREA RATIO	NO MAX
MAXIMUM HEIGHT	2-STORY, MAX 35 FT
* PROPOSED WIDER LOTS, WITH MORE AREA REQUIRED AND GREATER SETBACKS THAN SF-5 ZONING PROPOSED FOR THIS PD	

Owner's Certificate and Legal Description

State of Texas
County of Denton

Whereas, WFM3801, Ltd., acting by and through the undersigned, in duly authorized agent, is the sole owner of a tract of land located in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, according to the deed recorded under Document Number 218751 of the Official Records of Denton County, Texas, and being more particularly described as follows:

Being a 4.281 acre tract of land situated in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, and being a portion of a called 4.367 acre tract of land described in the deed to WFM3801, Ltd., recorded in Document No. 218751 of the Official Records of Denton County, Texas, said 4.281 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common northwest corner of said 4.367 acre tract of land, southeast corner of a called 0.0607 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103389 of said Official Records of Denton County, Texas, southeast corner of a called 0.0932 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103389 of said Official Records of Denton County, Texas, and southeast corner of a called 4.932 acre tract of land described in the deed to Renbert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the south right-of-way line of FM 1171 (Cross Timbers Road) to variable width right-of-way;

THENCE North 88 degrees 54 minutes 53 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0607 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), passing at a distance of 144.31 feet, a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common southeast corner of said 0.0607 acre tract of land and southeast corner of a called 0.0761 acre tract of land described in the deed to Denton County, recorded in Document No. 2006-103387 of said Official Records of Denton County, Texas, in all, a distance of 229.53 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for said angle point in the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road);

THENCE North 84 degrees 30 minutes 09 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), a distance of 36.93 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common southeast corner of said 0.0761 acre tract of land, southeast corner of a called 0.0761 acre tract of land, and southeast corner of a called 0.1468 acre tract of land described in the deed to Denton County, recorded in Document No. 2011-101913 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the west line of a called 5.2183 acre tract of land described in the deed to Gary Johnson recorded in Document No. 99-8012807 of said Official Records of Denton County, Texas;

THENCE South 00 degrees 03 minutes 02 seconds East, with the common east line of said 4.367 acre tract of land and west line of said 5.2183 acre tract of land, a distance of 667.71 feet to a 3/8 inch iron rod found for the southeast corner of Lot 5, Block D of Flower Mound Woods, in addition to the City of Flower Mound, Denton County, Texas, recorded in Document No. 2009-228 of said Plat Records of Denton County, Texas, from which a 1/2 inch iron rod found for the common southeast corner of said 4.932 acre tract of land and southeast corner of a called 4.8, Block D of Lot 18 Through 48, Block D and Lot 18 Through 38, Block E, Flower Mound Woods, in addition to the City of Flower Mound, Denton County, Texas, recorded in Document No. 2010-04 of the Plat Records of Denton County, Texas, bears South 01 degree 53 minutes 57 seconds East, a distance of 12.92 feet;

THENCE South 87 degrees 49 minutes 33 seconds West, over and across said 4.367 acre tract of land, a distance of 273.68 feet to a 1/2 inch iron rod with cap stamped "L319 SURVEYING" set for corner in the common west line of said 4.367 acre tract of land and east line of a called 4.932 acre tract of land described in the deed to Renbert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, from which a 1/2 inch iron rod with cap stamped "Arduin Surveying" found for the common southeast corner of said 4.367 acre tract of land and southeast corner of Lot 38, Block D of Lot 18 Through 48, Block D and Lot 18 Through 38, Block E, Flower Mound Woods bears South 01 degree 08 minutes 22 seconds East, a distance of 12.92 feet;

THENCE North 01 degree 08 minutes 22 seconds West, with the common west line of said 4.367 acre tract of land and east line of said 4.932 acre tract of land, a distance of 668.42 feet to the POINT OF BEGINNING, and containing 186,499 square feet or 4.281 acres of land, more or less.

Bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD 83), North Central Zone (4208).

DEVELOPER

BROCKETT STREET CAPITAL
2336 FARRINGTON STREET
DALLAS, TX 75027
PHONE: 214.663.7882
CONTACT: GEOFF WESCOTT

ENGINEER / SURVEYOR / LANDSCAPE ARCHITECT

BOWMAN CONSULTING GROUP, LTD
2805 DALLAS PARKWAY, SUITE 310
PLANO, TEXAS 75093
PHONE: 972.497.2993
CONTACT: TODD A. ERICKSON, P.E.

**PINE HILL
ZONING & MASTER PLAN EXHIBIT**

Bowman

© 2024 Bowman Consulting Group, Ltd.
2805 Dallas Parkway • Suite 310 • Plano, Texas 75093
Phone: (972) 497-2990 • www.bowmanconsulting.com
TBP# Firm Registration No. F-14389



October 16, 2024

1 OF 1



TOWN COUNCIL AGENDA J.3. REGULAR ITEM(S)

DATE: February 3, 2025
FROM: Chuck Russell, Principal Planner
ITEM: **Public Hearing to consider an ordinance amending the zoning (ZPD24-0007 – Pine Hill) from Planned Development District No. 173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located south of Cross Timbers Road and east of Grace Pearl Lane. (PZ recommended denial by a vote of 6 to 0 at its December 9, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)**

BACKGROUND:

- Size – Approximately 4.28 acres
- Zoning – Planned Development District No. 173 (PD-173) with Agricultural District (A) uses for a nursing or congregate care facility.
- Request – Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses.
- Proposed Lots – 14 buildable single-family lots and 3 open space lots to be managed by the Homeowner's Association. The number of proposed buildable lots has been reduced from 15 to 14 after the Planning and Zoning Commission meeting.
- SMARTGrowth – Passed
- Traffic Analysis – The Traffic Engineer determined the proposed development will generate less traffic than that of the previously approved 64 bed assisted living facility, and a new traffic study was not warranted for Pine Hill. However, the applicant voluntarily performed a traffic study to demonstrate that the proposed project does not exceed the 5% threshold of the directional capacity of any Town collector or arterial link based on the overall reduction in the proposed traffic from the proposed use.
- Exceptions – Detention Pond, Driveway Spacing and Perimeter Walls and Fences (see Planning and Zoning Staff Report for more details).
- Modifications – Please see Attachment 2 below
- Incentives - N/A
- On January 24, 2025, the applicant and Town staff met with residents of the Grace Park neighborhood. Issues discussed included impact on property values, density, lot size, number of proposed lots, tree preservation and privacy for the two southern Grace Park lots adjacent to the subject property. The applicant has proposed and staff has added the following ordinance standard to address privacy issue for the two southern Grace Park lots (Exhibit C is the draft conceptual site plan):

For lots labeled as numbers 5 and 6 on Exhibit “C”, windows located on the west façade of a residential dwelling above a first floor are prohibited.

- The applicant has updated their Letter of Intent, please see Attachment 3 below.
- [Planning and Zoning Commission Staff Report Link](#)

BOARD REVIEW/CITIZEN FEEDBACK: The Planning & Zoning Commission recommended denial by a vote of 6 to 0 at its December 9, 2024, meeting. The Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting. The recommendation for denial by P&Z triggers a super majority vote of the Town Council for this project to pass.

On October 3, 2024, the Parks Board recommended fees in lieu of parkland dedication of \$100,800.00 and park development fees of \$20,820.00.

On December 3, 2024, the Environmental Conservation Commission recommended to the Town Council approval of a request to remove 7 specimen trees on the subject property and denial of a request to remove one specimen tree on the subject property. There are a total of 12 specimen trees on the site. The applicant has drafted modified conceptual plans that incorporate saving the specimen tree ECC recommended be preserved.

ALTERNATIVES:

FISCAL IMPACT: N/A

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

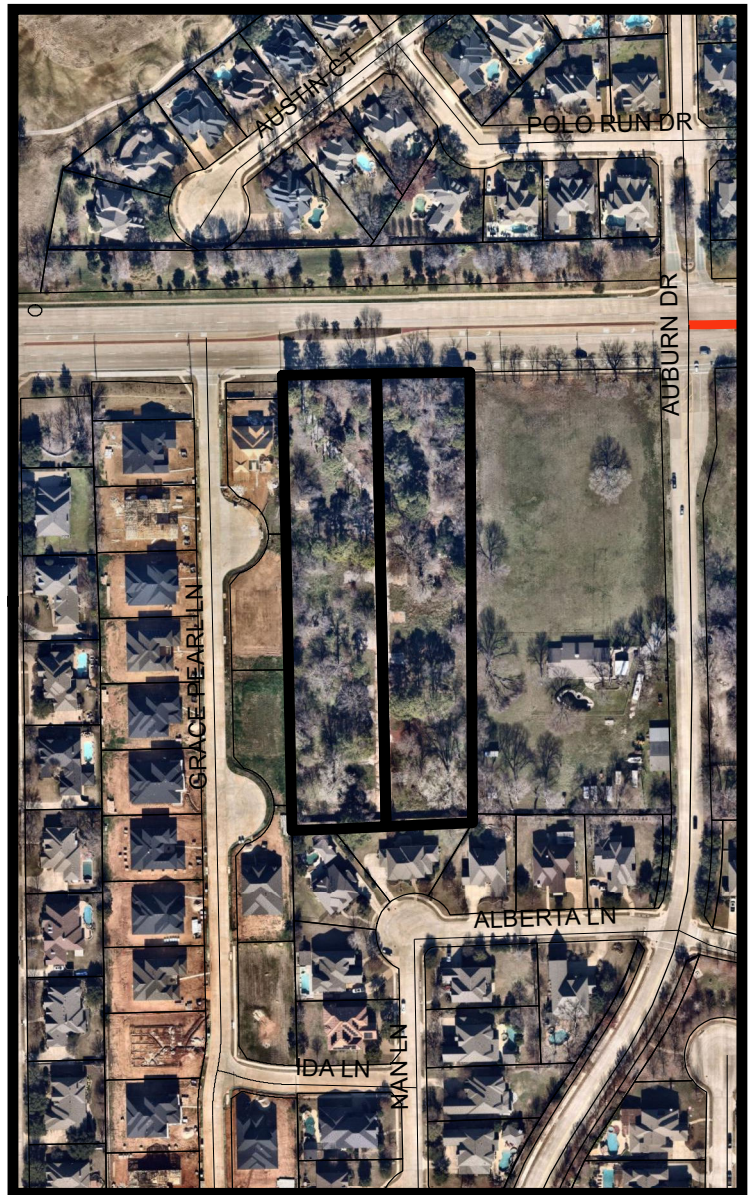
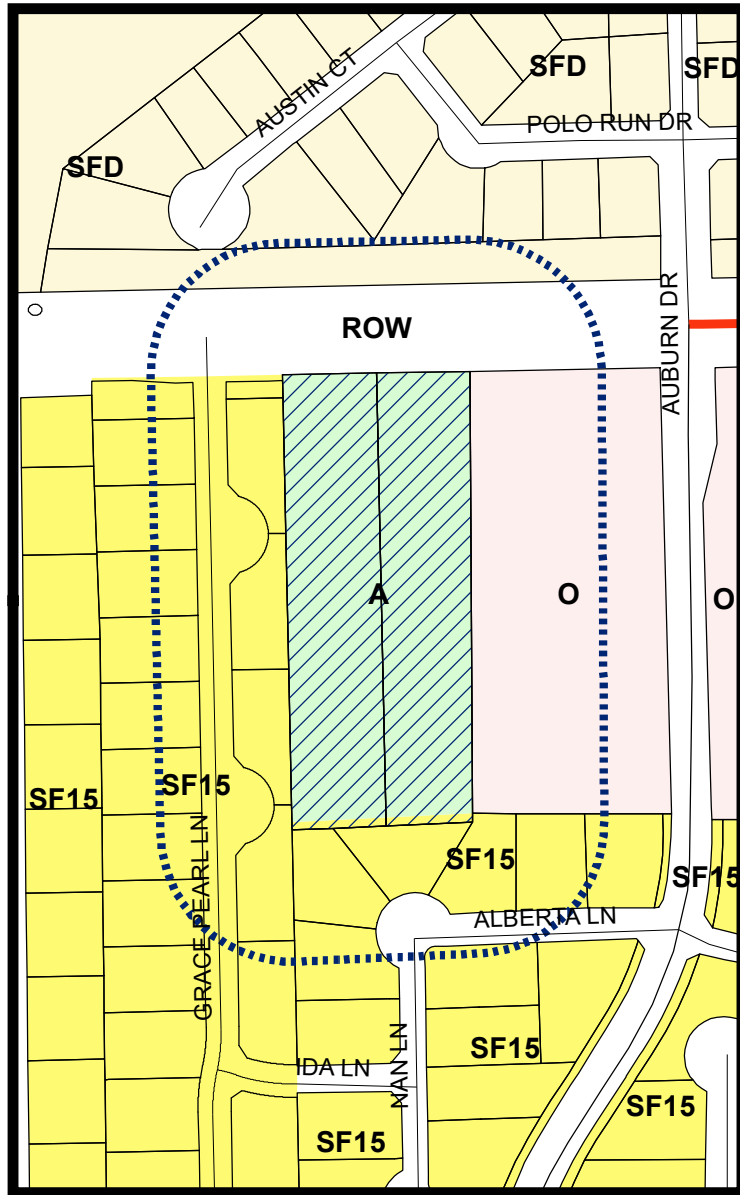
ATTACHMENTS:

1. Map - Zoning & Aerial
2. Proposed Modifications
3. Updated Letter of Intent
4. DRAFT Ordinance
5. DRAFT Exhibits

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

Vicinity Map

MPA24-0005 & ZPD24-0007: Pine Hill



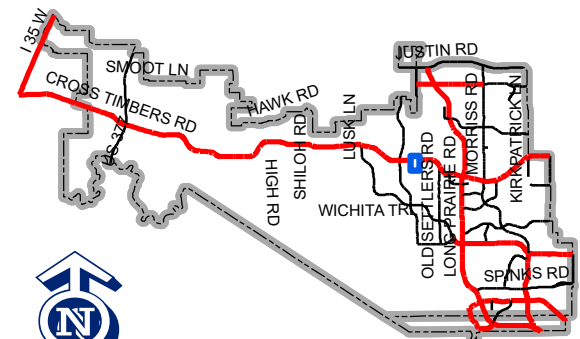
LEGEND

- Agriculture
- Office
- Single Family 15
- Single Family Detached

- Subject Property
- 200 ft Notification Buffer around Property

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

Visit <https://www.flowermound.gov/notifyme> to sign up for text message and/or email alerts for future projects.



Map Location

TOWN STANDARD	EXISTING ZONING-PD-173	TOWN'S LAND DEVELOPMENT REGULATIONS FOR AN SF-5 DISTRICT	PROPOSED PD-207 STANDARDS BASED ON THE SF-5 DISTRICT PRESENTED AT THE PLANNING AND ZONING COMMISSION MEETING	CURRENT PROPOSED PD-207 STANDARDS BASED ON THE SF-5 DISTRICT
MINIMUM LOT AREA	TWO ACRES	5,000 SF	7,500 SF	8,000
MINIMUM LOT WIDTH	200 FEET	50 FEET	65 FEET	70 FEET
MINIMUM FRONT YARD	40 FEET	20 FEET	20 FEET. EXCEPT PORCHES CAN ENCROACH 8 FEET INTO THE FRONT YARD	20 FEET WITH NO PORCH ENCROACHMENT
MINIMUM SIDE YARD	25 FEET (EXCEPT FOR THE PROPOSED OFFICE BUILDING AT 15-FEET)	5 FEET	7.5 FEET	7.5 FEET
MINIMUM REAR YARD	20 FEET	20 FEET	22 FEET	22 FEET
MAXIMUM STORIES/ STRUCTURE HEIGHT	1 STORIES/ 35 FEET	3 STORIES/ 35 FEET	2 STORIES/ 35 FEET	2 STORIES/ 35 FEET



BROCKETT STREET CAPITAL

2336 Farrington St
Dallas, TX 75207
(214) 663-7882

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

Dear Town Staff and Councilmembers;

As you are aware from the Town Council Meeting on 1/21/2025, Brockett Street Capital ("BSC") is requesting the Town amend the current zoning at 3801 Cross Timbers Rd because we believe the proposed development is the highest and best use for the Property.

In the Town Council Meeting on 1/21/2025, Grace Park residents expressed concerns about the proposed development because they believed the zoning request was to rezone a low-density residential site to medium-high density residential. During the Council Meeting they were made aware that the zoning request was to rezone the site from a 64-bed nursing home to a 14-lot residential neighborhood.

Based on the feedback they provided during public comment, which included i) concerns about density; ii) concerns about value; iii) concerns about preserving trees and iv) concerns about value degradation, we believe our plan as presented addresses all their concerns as compared to what is currently allowed. Given they were unaware of the in-place zoning we agreed to table the discussion to allow us to meet with the neighbors and explain our proposal with staff available to explain the current allowed zoning.

We met with the Grace Park neighbors on Friday January 24, 2025, for approximately 3 hours. The meeting was productive in some instances but unproductive in others. One additional issue that was expressed was privacy for the two southern lots abutting the Pine Hill property. Given this was an addressable concern, we have added a stipulation to the ordinance that ensures there are no 2nd story windows facing west towards Grace Park on lots 5 & 6. The remainder of their concerns related to lot size and value. Unfortunately, we have expressed everything we can to explain why the proposed development is more valuable and less dense than the in-place, approved zoning. The neighbors would like to see fewer and bigger lots because they believe it will enhance the value of their homes. Our proposed development has been reduced from 20 homes down to 14 homes. That is 30% of the lots which is a material reduction in density. In addition to this reduction in lots, we are proposing to preserve multiple specimen and protected trees and have almost three times the open space of Grace Park on a percentage basis. Despite these additional benefits, we were still asked to address questions about value degradation. We can only compare what is currently allowable in place and I believe the council was unanimous that our proposal is better than the existing use.

We have worked diligently with the Town, neighbors, staff and the councilmembers to improve this site for all those affected. We have listened to concerns, studied Flower Mound's core objectives, worked directly with neighbors and specifically focused on implementing as much as we could while still providing the Town a sustainable, high demand development based directly on recent success in nearby neighborhoods. Thank you for your consideration.

Sincerely,

Geoff Wescott

Brockett Street Capital
2336 Farrington St
Dallas, TX 75207

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, TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 4.281 ACRES OF LAND SITUATED IN THE PERRY MALONE SURVEY, ABSTRACT NO. 836, FROM PLANNED DEVELOPMENT DISTRICT NO. 173 (PD-173) WITH AGRICULTURAL DISTRICT (A) USES AND A NURSING OR CONGREGATE CARE FACILITY TO PLANNED DEVELOPMENT DISTRICT NO. 207 (PD-207) WITH MODIFIED SINGLE FAMILY DISTRICT-5 (SF-5) USES, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas (the "Town"), 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 heretofore adopted the Land Development Regulations of the Town, 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 owner of the property described as approximately 4.281 acres of land situated in the Perry Malone Survey, Abstract No. 836, Denton County, Texas (the "Property"), has filed an application to change the zoning from Planned Development District No. 173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses; and,

WHEREAS, the Planning and Zoning Commission of the Town held a public hearing on December 9, 2024, and the Town Council of the Town held a public hearing on January 21, 2025 and February 3, 2025, 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 official Zoning Map as

outlined herein is in the best interest of the Town and will promote the health, safety, and general welfare of the citizens of the Town 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 4.281 acres of land situated in the Perry Malone Survey, Abstract No. 836, Denton County, Texas, and more fully described in Exhibit "A" hereto.

Planned Development District No. 207 (PD-207) with modified Single Family District-5 (SF-5) uses.

SECTION 2

The Development Standards, Conceptual Site Plan and Conceptual Landscape Plan of the proposed Planned Development District No. 207 (PD-207), 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 Planned Development District No. 207 (PD-207).

SECTION 3

The Land Development Regulations of the Town, as amended, are hereby amended by repealing the previous Planned Development District No. 173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility.

SECTION 4

The official map of the Town of Flower Mound is amended and the Director of Development Services is directed to revise the official zoning map to reflect the approved Planned Development District No. 207 (PD-207), as set forth above.

SECTION 5

The use of the Property shall be subject to all restrictions, terms, and conditions contained herein and in Exhibits "A," "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.

SECTION 6

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, 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 7

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 8

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council 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, Town of Flower Mound, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 9

All rights and remedies of the Town 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 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 3RD DAY OF FEBRUARY, 2025.

APPROVED:

Cheryl Moore, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

Exhibit A

State of Texas

County of Denton

Whereas, WFM3801, Ltd., acting by and through the undersigned, its duly authorized agent, is the sole owner of a tract of land located in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, according to the deed recorded under Document Number 218751 of the Official Records of Denton County, Texas, and being more particularly described as follows

Being a 4.281 acre tract of land situated in the Perry Malone Survey, Abstract No. 836, Town of Flower Mound, Denton County, Texas, and being a portion of a called 4.367 acre tract of land described in the deed to WFM3801, Ltd. recorded in Document No. 218751 of the Official Records of Denton County, Texas, said 4.281 acre tract of land being more particularly described by metes and bounds as follows

BEGINNING at a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common northwest corner of said 4.367 acre tract of land, southwest corner of a called 0.0607 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103588 of said Official Records of Denton County, Texas, southeast corner of a called 0.0932 acre tract of land described in the deed to Denton County recorded in Document No. 2006-103589 of said Official Records of Denton County, Texas, and northeast corner of a called 4.952 acre tract of land described in the deed to Rembert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the south right-of-way line of FM 1171 (Cross Timbers Road) (a variable width right-of-way);

THENCE North 88 degrees 54 minutes 55 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0607 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), passing at a distance of 144.31 feet, a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common southeast corner of said 0.0607 acre tract of land and southwest corner of a called 0.0761 acre tract of land described in the deed to Denton County, recorded in Document No. 2006-103587 of said Official Records of Denton County, Texas, in all, a distance of 229.55 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for and angle point in the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road);

THENCE North 84 degrees 30 minutes 00 seconds East, with the common north line of said 4.367 acre tract of land, south line of said 0.0761 acre tract of land, and south right-of-way line of said FM 1171 (Cross Timbers Road), a distance of 56.95 feet to a 3.5 inch aluminum Texas Department of Transportation right-of-way monument found for the common northeast corner of said 4.367 acre tract of land, southeast corner of said 0.0761 acre tract of land, and southwest corner of a called 0.1468 acre tract of land described in the deed to Denton County, recorded in Document No. 2011-101915 of said Official Records of Denton County, Texas, said 3.5 inch aluminum Texas Department of Transportation right-of-way monument also being in the west line of a called 5.2185 acre tract of land described in the deed to Gary -Johnson recorded in Document No. 99-R012887 of said Official Records of Denton County, Texas;

THENCE South 00 degrees 03 minutes 02 seconds East, with the common east line of said 4.367 acre tract of land and west line of said 5.2185 acre tract of land, a distance of 667.71 feet to a 3/8 inch iron rod found for the northwest corner of Lot 5, Block D of Flower Mound Woods, an addition to the City of Flower Mound, Denton County, Texas recorded in Document No. 2009-228 of said Plat Records of Denton County, Texas, from which a 1/2 inch iron rod found for the common southeast corner of said 4.367 acre tract of land and northeast corner of Lot 4R, Block D of Lots 1R Through 4R, Block D and

Exhibit A

Lots 1R Through 3R, Block E, Flower Mound Woods, an addition to the City of Flower Mound, Denton County, Texas recorded in Document No. 2010-94 of the Plat Records of Denton County, Texas bears South 01 degree 53 minutes 57 seconds East, a distance of 12.92 feet;

THENCE South 87 degrees 49 minutes 33 seconds West, over and across said 4.367 acre tract of land, a distance of 273.68 feet to a 1/2 inch iron rod with cap stamped "1519 SJRVEYING" set for corner in the common west line of said 4.367 acre tract of land and east line of a called 4.952 acre tract of land described in the deed to Rembert Enterprises, Inc. recorded in Document No. 2020-199723 of said Official Records of Denton County, Texas, from which a 1/2 inch iron rod with cap stamped 'Arthur Surveying found for the common southwest corner of said 4.367 acre tract of land and northwest corner of Lot 3R, Block D of said Lots 1R Through 4R, Block D and Lots 1R Through 3R, Block E, Flower Mound Woods bears South 01 degree 08 minutes 22 seconds East, a distance of 12.92 feet;

THENCE North 01 degree 08 minutes 22 seconds West, with the common west line of said 4.367 acre tract of land and east line of said 4.952 acre tract of land, a distance of 668.42 feet to the POINT OF BEGINNING, and containing 186,499 square feet or 4.281 acres of land, more or less.

Bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD 83), North Central Zone (4202).

Exhibit “B”

DEVELOPMENT STANDARDS Planned Development District No. 207 (PD-207)

Pine Hill

The Development depicted in Exhibit “C,” PD-207, comprising approximately 4.28 acres of land within the corporate limits of the Town of Flower Mound (“Town”) shall be in accordance with the Town of Flower Mound’s Master Plan and Land Development Regulations, as amended, and shall be subject to the following requirements and conditions:

A. SF-5 SINGLE-FAMILY DISTRICT-5 USES.

Development of PD-207 comprising approximately 4.28 acres as depicted on Exhibit “C,” the Conceptual Site Plan, shall comply with all regulations applicable to SF-5 Single-Family District – 5 contained in the Town’s Land Development Regulations as amended, except as otherwise provided in this Ordinance.

1. Permitted Uses: The following uses shall be permitted within PD-207, subject to compliance with all applicable conditions and provisions of the Town’s Land Development Regulations, as amended.
 - a. Accessory use, general, subject to section 98-972;
 - b. Day care home;
 - c. Dwelling, single-family detached;
 - d. Garage sale, subject to section 98-982;
 - e. Home occupation, subject to section 98-984;
 - f. Local utility line;
 - g. Model home, subject to section 98-1000;
 - h. Religious assembly/institution or rectory
 - i. School, elementary or secondary
 - j. Solar panel systems, subject to section 98-1002; and
 - k. Swimming pool, private, subject to section 98-996.
2. Specific Uses: No uses requiring a Specific Use Permit shall be permitted within PD-207.
3. Temporary Uses: Only the following Temporary Uses may be permitted within PD-207 subject to approval of a Temporary Use Permit in accordance with the procedures and standards of section 78-87 of the Code, “Temporary Use Permits:”
 - a. Asphalt/concrete batch plant, temporary, subject to Section 98-974;
 - b. Field office, temporary; and
 - c. Sales trailer, temporary, subject to section 98-993.

B. MINIMUM AND MAXIMUM DIMENSIONS.

1. The dimensional regulations listed in the SF-5 Single-Family District-5, section 98-435 of the Town's Zoning Ordinance shall be required for PD-207 as shown on Exhibit "C," except as modified below:
 - a. The minimum lot area per dwelling unit shall be 8,000 square feet, subject to section 98-1023.
 - b. The minimum lot width for residential uses shall be 70 feet, subject to section 98-1024.
 - c. The minimum side yard for residential uses shall be 7.5 feet, subject to section 98-1027.
 - d. The minimum rear yard for residential uses shall be 22 feet, subject to section 98-1028.
 - e. The maximum height of buildings and structures shall be two stories or 35 feet, subject to section 98-1031.

C. DENSITY. There shall be a maximum of 14 residential lots within PD-207.

D. TRAIL IMPROVEMENTS.

1. As depicted on Exhibit "D," an 8-foot-wide concrete trail will be installed along Cross Timbers Road prior to final release of the development permit.

E. EXCEPTIONS.

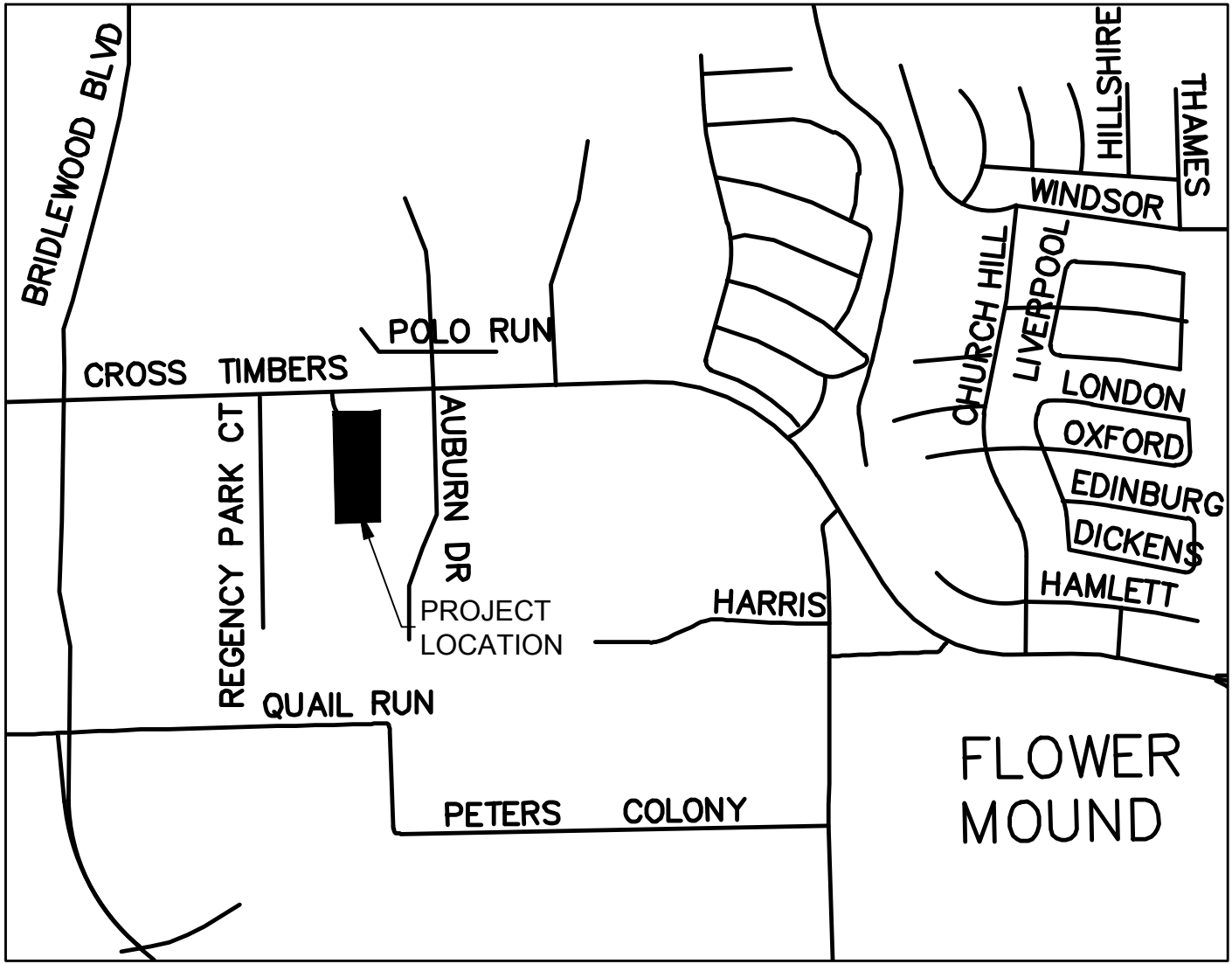
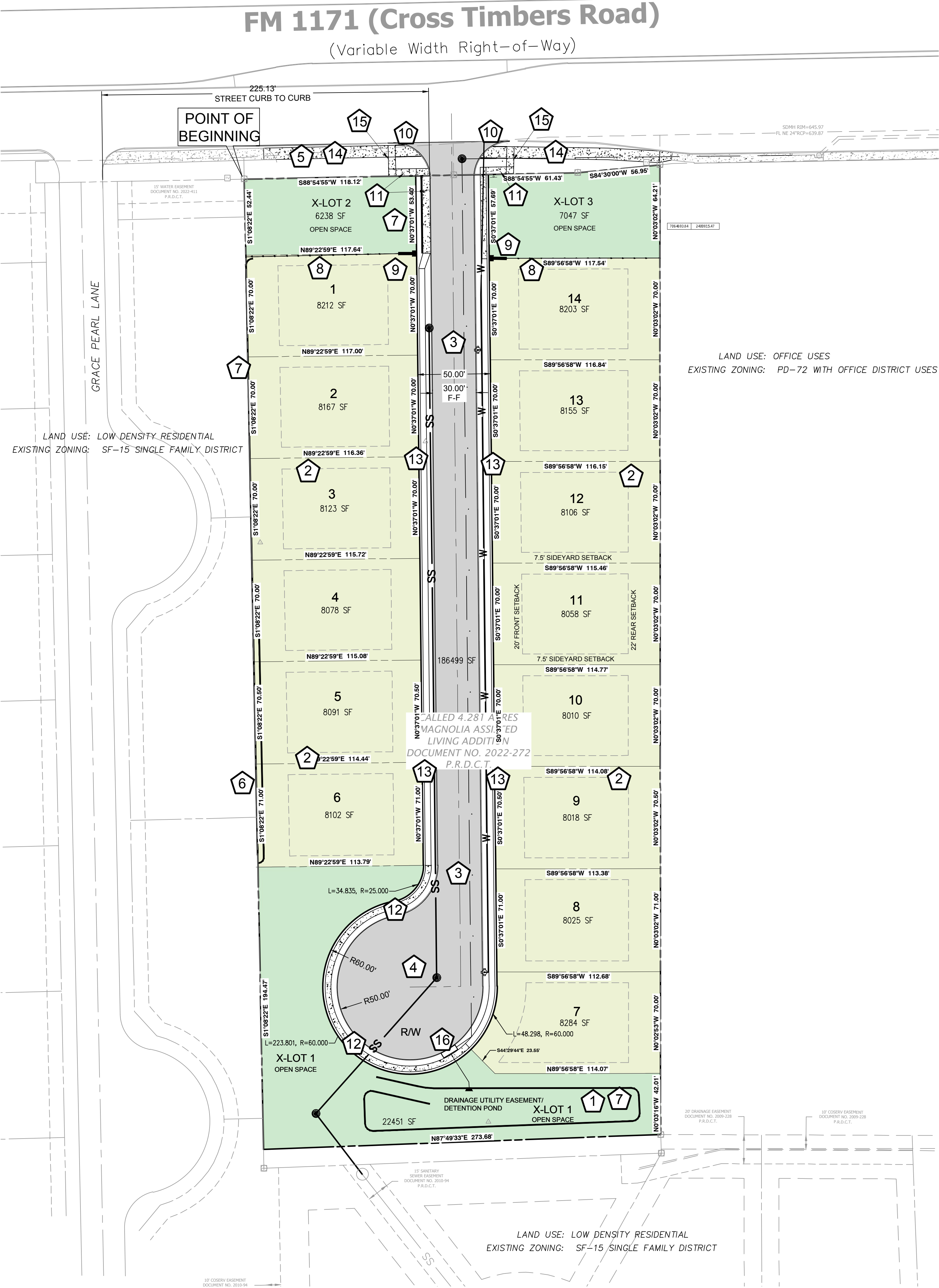
The following exceptions shall be granted with the approval of PD-207:

1. An exception to Section IV.C.5. of the Town's Engineering Design Criteria requirement to provide a wet retention pond. A dry detention area is provided as shown on Exhibit "D."
2. An exception to the access management policy and criteria regarding driveway spacing contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances to allow the driveway on the subject property to be located less than 360 feet from an existing driveway to the west.
3. An exception to Section 98-1143 "Perimeter and open space walls and fences." The subdivision perimeter fence facing Cross Timbers Road may be constructed of wood as shown in Exhibit "D."

F. MISCELLANEOUS.

1. For lots labeled as numbers 5 and 6 on Exhibit "C", windows located on the west façade of a residential dwelling above a first floor are prohibited.

V:\070817 - 3801 Cross Timbers SFR\070817 01-001 (ENG)\Engineering\Planning\Zoning\Zoning EXHIBIT_14 LOTS.dwg, CONCEPT EXHIBIT January 07, 2025, 12:50 PM, bradson



VICINITY MAP
NTS

MASTER PLAN FEATURES	
MASTER PLAN COMPONENT	APPLICABLE DETAILS
LAND USE PLAN	THE SITE IS LOW DENSITY LAND USE
AREA PLANS	CROSS TIMBERS PROTECTION AREA
MEDIAN & ROW DESIGN GUIDELINES	THE SITE IS ADJACENT TO CROSS TIMBERS ROAD WITH A "TYPE A" CLASSIFICATION. RIGHT IN AND RIGHT OUT ONLY PROPOSED.
PARKS AND TRAILS	THE SITE IS NOT LOCATED NEAR EXISTING PARKS OR TRAILS
OPEN SPACE PLAN	THE SITE IS NOT LOCATED IN THE CROSS TIMBERS CONSERVATION DEVELOPMENT DISTRICT
THOUGHTFARE PLAN	THE SITE IS ADJACENT TO CROSS TIMBERS ROAD WITH A VARIABLE WIDTH ROW
WATER PLAN	THE SITE IS LOCATED NEAR BRUTON ORAND STORAGE TANK WITH AN EXISTING 20" WATER LINE IN CROSS TIMERS ROAD
WASTEWATER PLAN	THE SITE IS LOCATED IN THE LONG PRAIRIE SERVICE AREA #4 WITH EXISTING 8" SEWER LINES IN THE PROPERTIES TO THE SOUTH AND WEST
ECONOMIC IMPACT	PROPOSED USE WILL GREATLY DECREASE THE EMERGENCY VEHICLE SERVICE NEEDS THAN THAT OF THE CURRENT APPROVED SENIOR HOUSING PD-173

SITE DATA:	
PHYSICAL ADDRESS	3801 CROSS TIMBERS RD, DENTON COUNTY
SITE AREA	4.281 AC/186,499 SF
CURRENT ZONING	PD-173
PROPOSED ZONING	PD-207 W/ MOD. SF-5 DISTRICT STANDARDS
MINIMUM LOT AREA *	8,000 SF (VS. 5,000 SF FOR SF-5)
MINIMUM LOT WIDTH *	70 FT (VS. 50 FT FOR SF-5)
MINIMUM FLOOR AREA	1,500 SF
MINIMUM FRONT YARD SETBACK	20 FT
MINIMUM SIDE YARD SETBACK *	7.5 FT (VS. 5 FT FOR SF-5)
MINIMUM REAR YARD SETBACK *	22 FT (VS. 20 FT FOR SF-5)
MAXIMUM LOT COVERAGE	55%
MAXIMUM FLOOR AREA RATIO	NO MAX
MAXIMUM HEIGHT	2-STORY, MAX 35 FT

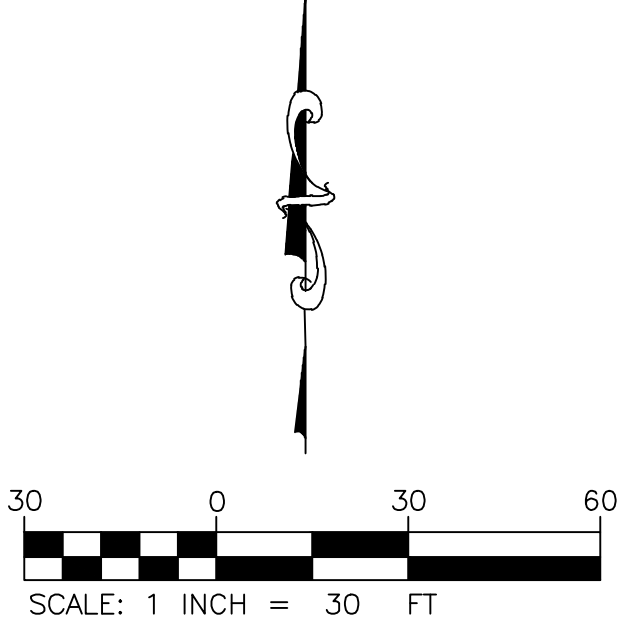
* PROPOSED WIDER LOTS, WITH MORE AREA REQUIRED AND GREATER SETBACKS THAN SF-5 ZONING PROPOSED FOR THIS PD

FLOOD STATEMENT
ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO.48121C0540G
DATED APRIL 18, 2011 PREPARED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA) FOR DENTON COUNTY, TEXAS, THIS
PROPERTY IS WITHIN ZONE X.

Proposed Lot and Dimensional Standards

Lot	No.	Area SF
	1	8,212
	2	8,167
	3	8,123
	4	8,078
	5	8,091
	6	8,102
	7	8,284
	8	8,025
	9	8,018
	10	8,010
	11	8,058
	12	8,106
	13	8,155
	14	8,203
X Lot	1X	22,451
	2X	6,238
	3X	7,047

Total Residential Lots	14
Total Area	186,499 SF
Average Lot Size	8,117 SF
Units Per Acre	3.27
Total Open Space	35,736 SF 19.2%
Total Lot Area	113,632 SF 60.9%
Total R/W Dedication	37,131 SF 19.9%



Legend

- SS Proposed 8" SDR 26 PVC
- W Proposed 8" Water Main with Hydrant
- Proposed Storm Sewer with Inlet and End Section
- Proposed Stop Sign
- Proposed 4', 5' and 8' Sidewalk By Developer (see notes)
- Proposed 4' Sidewalk By Home Builder

Notes

- Proposed (Dry) Detention Pond (With outlet to Cross Timbers)
- No lot to lot drainage proposed
- Proposed city standard 50-ft right of way with 30-ft roadway
- Proposed 50-ft cul de sac radius
- Removal of existing driveway and installation of new curb and sidewalk.
- Existing retaining wall on west property line will remain in place. Grades are proposed to be lowered for this project and it is anticipated that a retaining wall will be required, final engineering will determine configuration.
- Anticipated retaining wall, final engineering will determine required location.
- Proposed board on board screen wall.
- Proposed masonry wall end cap (see concept landscape plans for section and details).
- Proposed Curb Ramps at Intersection
- 5-ft wide sidewalk section by developer
- 4-ft wide sidewalk section by developer
- 4-ft wide sidewalk section by home builder
- Proposed 8-ft wide trail by developer
- Sidewalk proposed to access trail outside of curb ramps
- All flow to be directed to the north into the existing TxDOT storm sewer system. TxDOT permit will be required.

PINE HILL
CONCEPT EXHIBIT

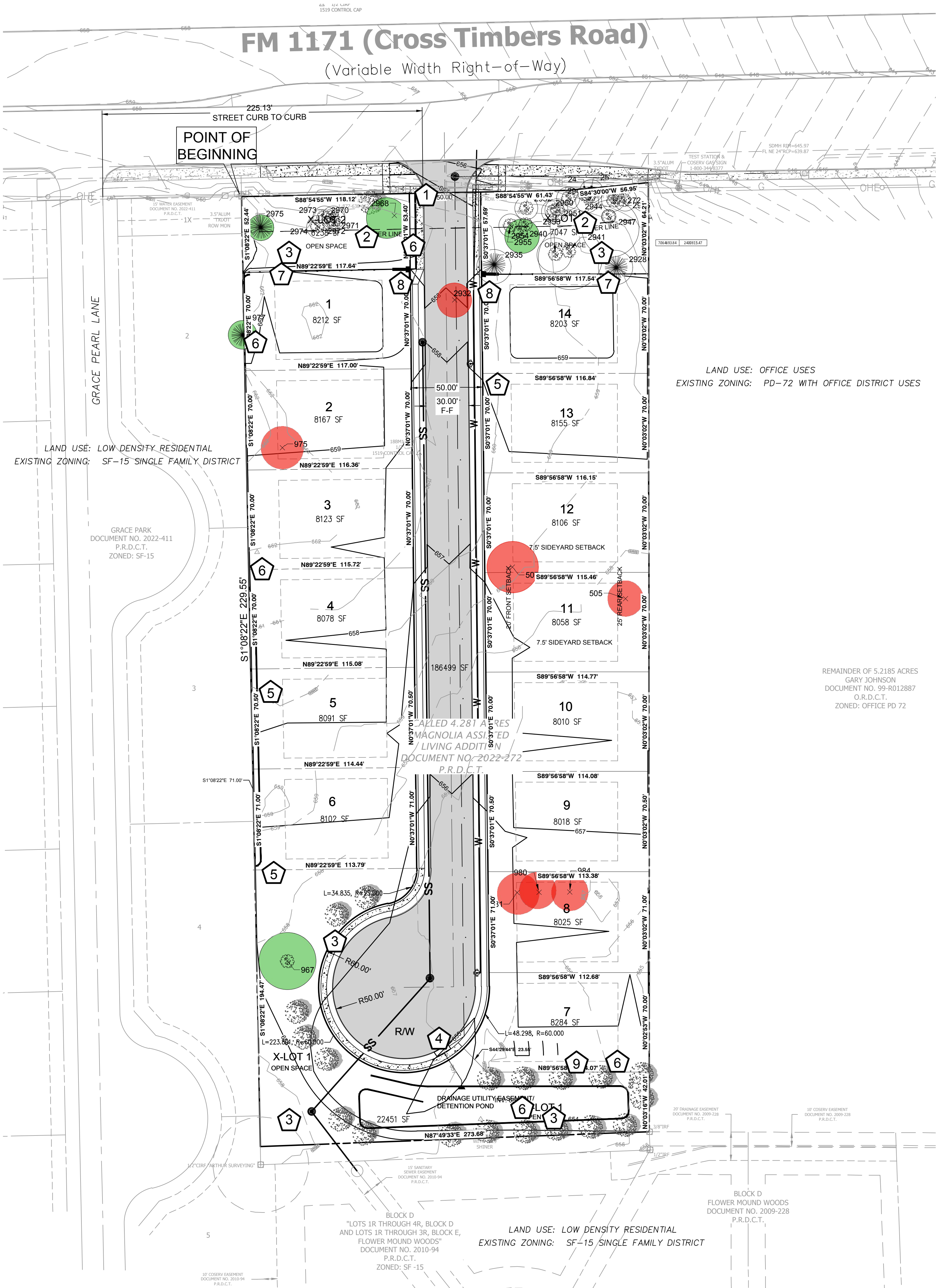
Bowman

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2805 Dallas Parkway • Suite 310 • Plano, Texas 75093
Phone: (972) 497-2990 • www.bowmanconsulting.com
TBPE Firm Registration No. F-14309

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW, MARK-UP, AND/OR DRAFTING UNDER THE AUTHORITY OF TODD A. ERICKSON, P.E. #139714
ON JANUARY 7, 2025, IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

January 7, 2025

1 OF 1



GENERAL LANDSCAPE NOTES

- All landscape areas are to be received within .1' of proposed finish grade and free from all trash and debris.
 - 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 planted plumb and at or slightly above finish grade. All tree pits are to have a 3" watering saucer fomed 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.
 - Rotovate 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-tom slow-release fertilizer tablets at the manufacturer's recommended rates of application. Top dress all planting beds with a 2" layer of shredded hardwood mulch.
 - All planting beds nor formed by a concrete curb or sidewalk are to be 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.
 - All turf areas are to be hydromulch Bermudagrass, otherwise noted on the plan.
 - Hydromulch with Bermudagrass seed at a rate of two (2) pounds per one thousand (1,000) square feet. If installation occurs between September 1 and April 1, all hydromulch areas to be Winter Ryegrass at a rate of four (4) pounds per thousand square feet. Contractor shall be required to re-hydromulch with Bermudagrass the following growing season.
 - 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.
 - All irrigation meter(s) are to be by utility contractors as per local codes. Irrigation sleeves to be installed by licensed irrigation contractor as per the plan.
 - All irrigation controllers are to have mini-click freeze and rain stats installed as per manufacturer's recommendations.
 - 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.
 - 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.
 - All mainline and lateral line to have a minimum of 12" of cover and to be SDR (class 200) pipe.
 - Quantities shown on plant list are landscape architect's estimate only and should 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

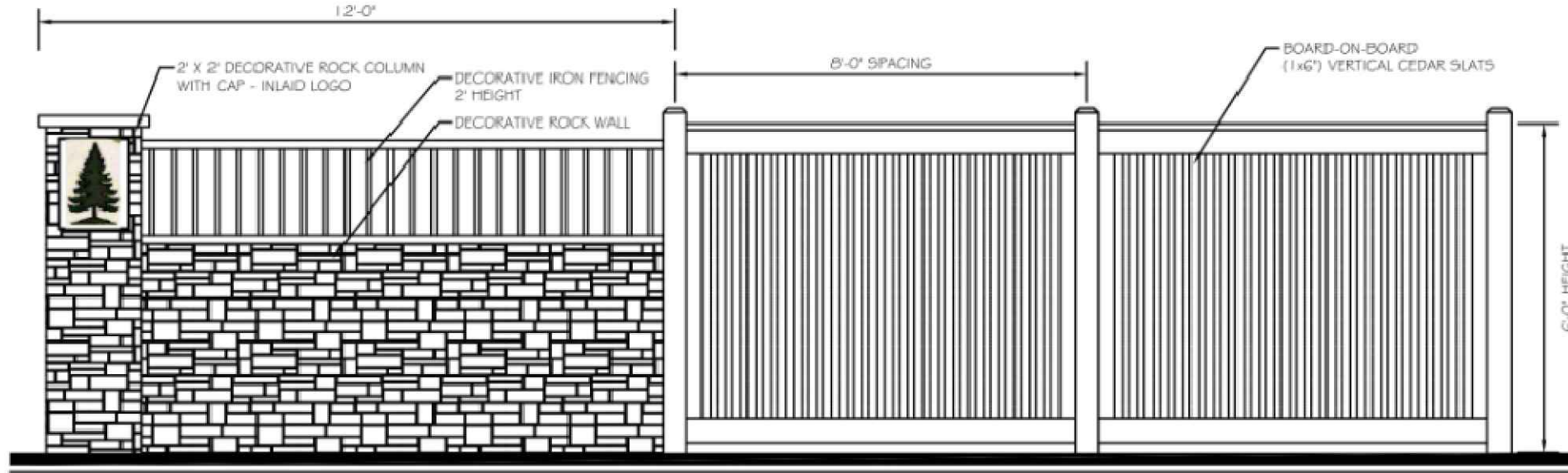
- All landscaped areas shall be irrigated with an irrigation system capable of providing the proper amount of water for the particular type of plant material used. Irrigation will be provided by an underground sprinkler system, or a subterranean drip system as approved by the City Arborist.
- Automatic underground irrigation system shall be equipped with freeze guard set at 38 degrees F.
- 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:

- 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.
- Landscaped areas shall be kept free of trash, litter, weeds and other such materials or plants not part of the landscaping.
- The property owner is responsible for regular weeding, mowing of grass, imgating, fertilizing, pruning and other maintenance of all plantings, including parkways, as needed.
- Undisturbed, naturalized area, shown on this plan is to be maintained by periodic field mowing as required by Town of Flower Mound standards.



Pine Hill Entrance Monument
(Final configuration to be determined, sign to be constructed per city requirements, made of stone and iron)



PINE HILL
LANDSCAPE CONCEPT

Bowman

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2805 Dallas Parkway • Suite 310 • Plano, Texas 75093
Phone: (972) 497-2990 • www.bowmanconsulting.com
TBPE Firm Registration No. F-14309

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January 7, 2025

1 OF 1



TOWN COUNCIL AGENDA J.4. REGULAR ITEM(S)

DATE: February 3, 2025
FROM: Matthew Woods, Director of Environmental Services
ITEM: **Public Hearing to consider an application for a tree removal permit (TRP24-0013) for seven (7) specimen trees on property proposed for development as Pine Hill. The property is generally located south of Cross Timbers Road, west of Auburn Drive, and east of Grace Pearl Lane. (The Environmental Conservation Commission recommended approval of seven (7) trees and denial of one tree (#2968) by a vote of 6 – 0 at its December 3, 2024, meeting.) (Town Council tabled this item to a future date uncertain by a vote of 5 to 0 at its January 21, 2025, meeting.)**

BACKGROUND: The proposed Pine Hill residential development project is generally located south of Cross Timbers Road, west of Auburn Drive, and east of Grace Pearl Lane. The site is approximately 4.25 acres in size.

According to the tree survey for the project, the site contains twelve (12) specimen trees. The applicant initially requested the removal of eight (8) specimen trees. The ECC recommended denial of tree #2968 at the December 3, 2024, meeting. Following the ECC's recommended denial to remove tree #2968, the applicant revised the proposed plan to preserve the tree. The applicant is now requesting to remove seven (7) specimen trees from the site to facilitate the development of the Pine Hill residential neighborhood. The specimen trees proposed for removal are in good condition with the exception of tree #507 which is experiencing dieback to main branches. All trees being requested for removal are located within the proposed buildable area.

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, 390" of replacement trees, equaling 130 three-inch diameter replacement trees is the required mitigation for the removal of the seven (7) specimen trees on this site. In addition, protected trees removed from the buildable area will also require replacement at a tree-for-tree rate. Protected tree mitigation / replacement and preservation credits will be determined with the subdivision site plan 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 December 3, 2024, meeting. The ECC recommended approval of the requested permit to remove seven (7) trees; #505, #507, #975, #980, #981, #984, #2932 and recommended denial of tree #2968. The ECC meeting can be viewed at [Dec 03, 2024 Environmental Conservation Commission - Flower Mound, TX](#).

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

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent
2. Photos of Specimen Trees
3. Tree Removal Permit Application
4. Tree Survey

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



BROCKETT STREET CAPITAL

2336 Farrington St
Dallas, TX 75207
(214) 663-7882

Jake Speckhals, Environmental Review Analyst
Town of Flower Mound
Environmental Services Department
2121 Cross Timbers Rd
Flower Mound, TX 75028

Ref: Tree Removal Application
4.25 Acres
3801 Cross Timbers Rd
Town of Flower Mound
Denton County, TX

Dear Mr. Speckhals;

Brockett Street Capital ("BSC"), on behalf of the current owner, is requesting approval to remove seven (7) out of twelve (12) specimen trees (as outlined in the attached specimen tree survey) on the site located at 3801 Cross Timbers. The in-place entitlements have already approved the removal of all of the previous on-site specimen trees. We have done a large amount of diligence to save as many of the specimen and protected trees as possible while still implementing a new sustainable and high demand project for the Town. The proposed plan demonstrates this effort. Upon approval of the attached plan there will be at least four specimen trees preserved versus what has already been approved. In addition, we expect to be able to preserve multiple protected trees including up to 10 Post Oak trees that front Cross Timbers Rd.

There has been in depth negotiation about the size of the residential lots on-site, to which we have reduced the number of lots from 25 to 14 to better suit the surrounding residential neighborhoods and Town concerns. Reducing the number of units on-site also reduced the flexibility of lot locations across the site. In the final plan, we focused on maintaining the frontage of the site on Cross Timbers, saving as many Post Oak trees as possible and increasing the open space to double the Town requirement to preserve multiple protected and specimen trees. It also preserves open lands and natural landscapes to integrate them into the development and create a sense of place per the SMARTGrowth guidelines. The attached site plan is expected to be the most efficient plan for considering neighborhood concerns, town feedback and site and market constraints.

Tree Tabulations from the Tree Survey:

Total Specimen Trees	12 Trees
Total Removed Specimen Trees	7 Trees

The following are specimen trees requested for removal:

- | | |
|---------------|--|
| 1. Tree #505 | 26" Loblolly Pine |
| 2. Tree #507 | 32" American Elm (stressed and in decline) |
| 3. Tree #975 | 26" American Elm |
| 4. Tree #980 | 27" Loblolly Pine |
| 5. Tree #981 | 31" Loblolly Pine |
| 6. Tree #984 | 29" Loblolly Pine |
| 7. Tree #2932 | 24" Post Oak |



BROCKETT STREET CAPITAL

2336 Farrington St
Dallas, TX 75207
(214) 663-7882

We believe the attached plans enhance the site and maintain multiple SMARTGrowth initiatives for the Town. As such, we greatly appreciate your consideration to approve the removal of the trees listed above.

Sincerely,

Geoff Wescott

Brockett Street Capital
2336 Farrington St
Dallas, TX 75207
(214) 663-7882



Tree #505



Tree #507



Tree #975



Tree #981



Tree #980



Tree #984



Tree #2932



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:

Bowman Consulting on behalf of Brockett Street Capital

Address:

2805 Dallas Parkway Suite 310 Plano, TX 75093

Phone:

(972) 497 -2990

Applicant's Legal Interest in the Property:

Consultant to the Developer who is under contract to purchase the Property

2. Property Owner(s)

Name(s): WFM 3801, LTD

Address:

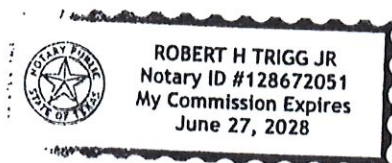
3. Location and Legal Description of Property:

Lot 1, Block A MAGNOLIA ASSISTED LIVING ADDITION, an addition to the Town of Flower Mound, Denton County, Texas according to map or plat thereof, recorded in County Clerk's file No. 2022-272 of Map and/or Plat Records, Denton County, Texas

4. Owner's Authorization of Representation

I, Jeffrey N. Crawford, the owner of the above described real property, do hereby authorize owner or its representative 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]
Signature of Owner



Given Under My Hand and Seal of Office
This the 8th Day of October, 2024

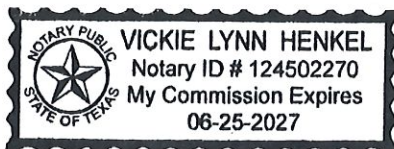
[Signature]
Notary Public
In and For Dallas County, Texas.

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 DARREN M SHARKEY, 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. 3658
State of Licensure TEXAS
Or ISA Certified Arborist No. _____
Or Certified Forester No. _____



Given Under My Hand and Seal of Office
This the 10 Day of OCTOBER, 2024

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

6. Received by Town of Flower Mound on (Date) 11/1/2024 by
(initials) js.

7. REQUIRED SUBMITTALS CHECKLIST

- a. A \$250 Administrative fee per Specimen or Historic Tree proposed for removal, not to exceed a total of \$1,000 per permit application.
- b. A \$200 fee is required for each Tree Removal Request sign that is made by the Town. The sign(s) must be placed on the property 15 days prior to the ECC hearing that the item is scheduled for on the agenda. Signs shall be placed perpendicular to the street and clearly visible. There shall be one sign for each 500ft of street frontage.
- c. One (1) electronic copy of this application signed and notarized.
- d. One (1) electronic copy of the site plan, development plan, or concept plan or landscape plan where applicable.
- e. One (1) electronic copy of the Tree Survey drawn to the largest practical scale and indicating the items as required by the Town's Tree Ordinance.
- f. One (1) electronic copy of photograph(s) or other evidence indicating that (a) sign(s) has/have been placed on the lot or tract as required by Chapter 94 of the Town's code of ordinances. Photograph(s) shall be taken from the street(s).
- g. One (1) electronic copy of a photograph for each tree requiring a tree removal permit, which is proposed for removal.
- h. One (1) electronic copy of a written document fully explaining the reasons for removal of the Protected, Specimen or Historic tree (LOI).

FM 1171 (Cross Timbers Road)

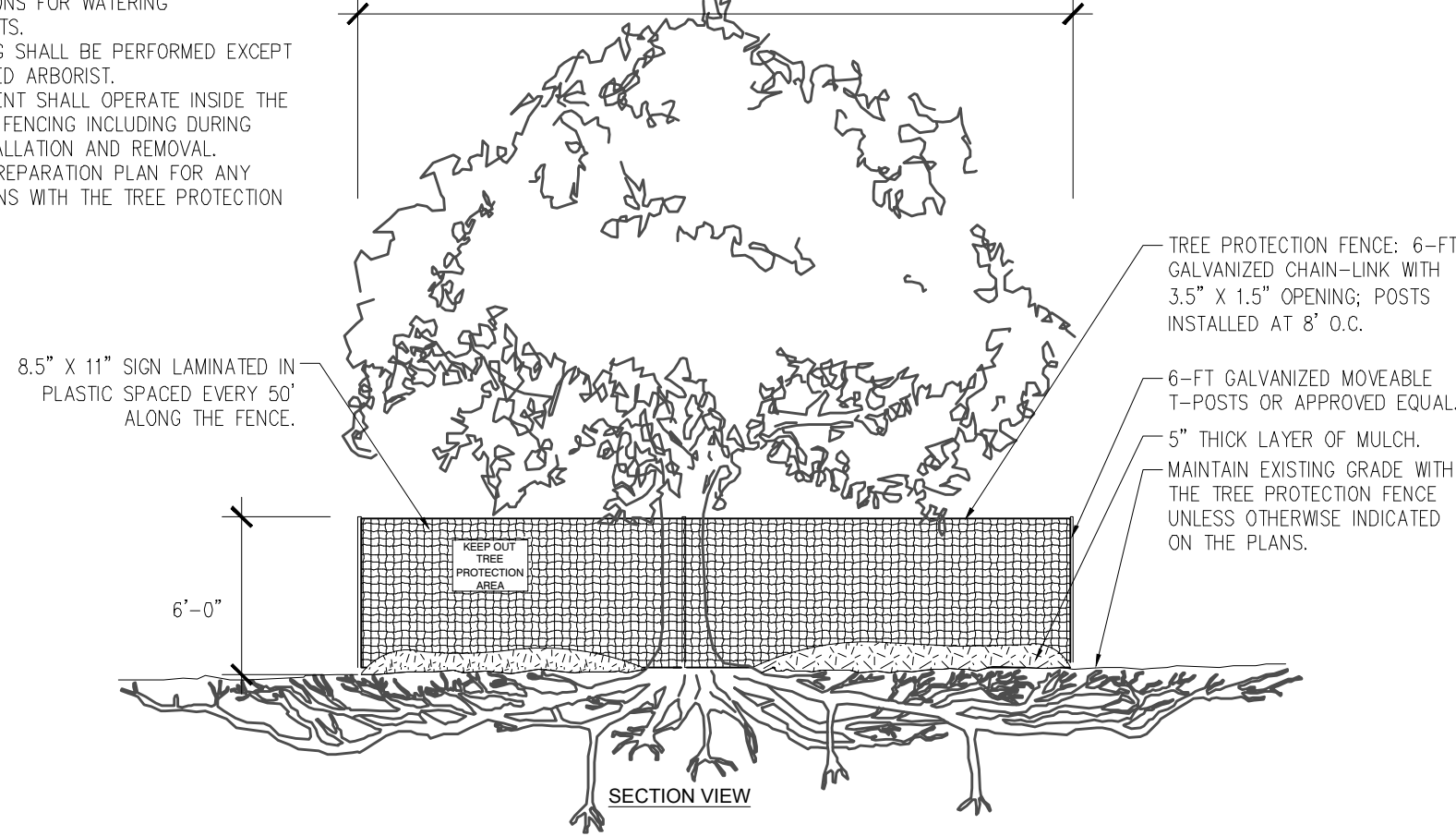
(Variable Width Right-of-Way)

388110561
1/2"=38'8"
1519 CONTROL CAP

POINT OF BEGINNING

- NOTES:
1. SEE SPECIFICATIONS FOR ADDITIONAL TREE PROTECTION REQUIREMENTS.
 2. IF THERE IS NO EXISTING IRRIGATION, SEE SPECIFICATIONS FOR WATERING REQUIREMENTS.
 3. NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.
 4. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.
 5. SEE SITE PREPARATION PLAN FOR ANY MODIFICATIONS WITH THE TREE PROTECTION AREA.

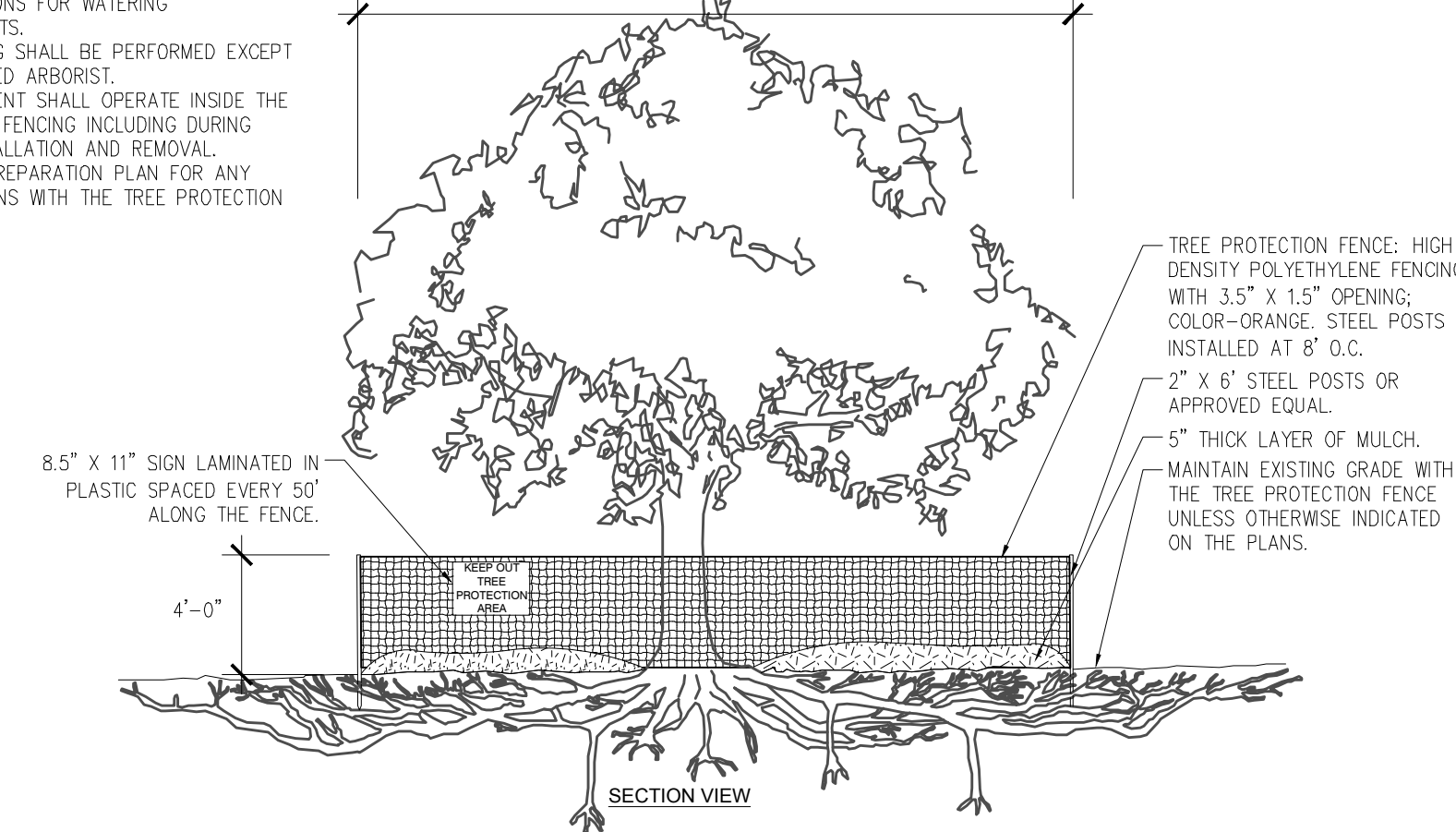
CROWN DRIP LINE OR OTHER LIMIT OF TREE PROTECTION AREA. SEE TREE PRESERVATION PLAN FOR FENCE ALIGNMENT.



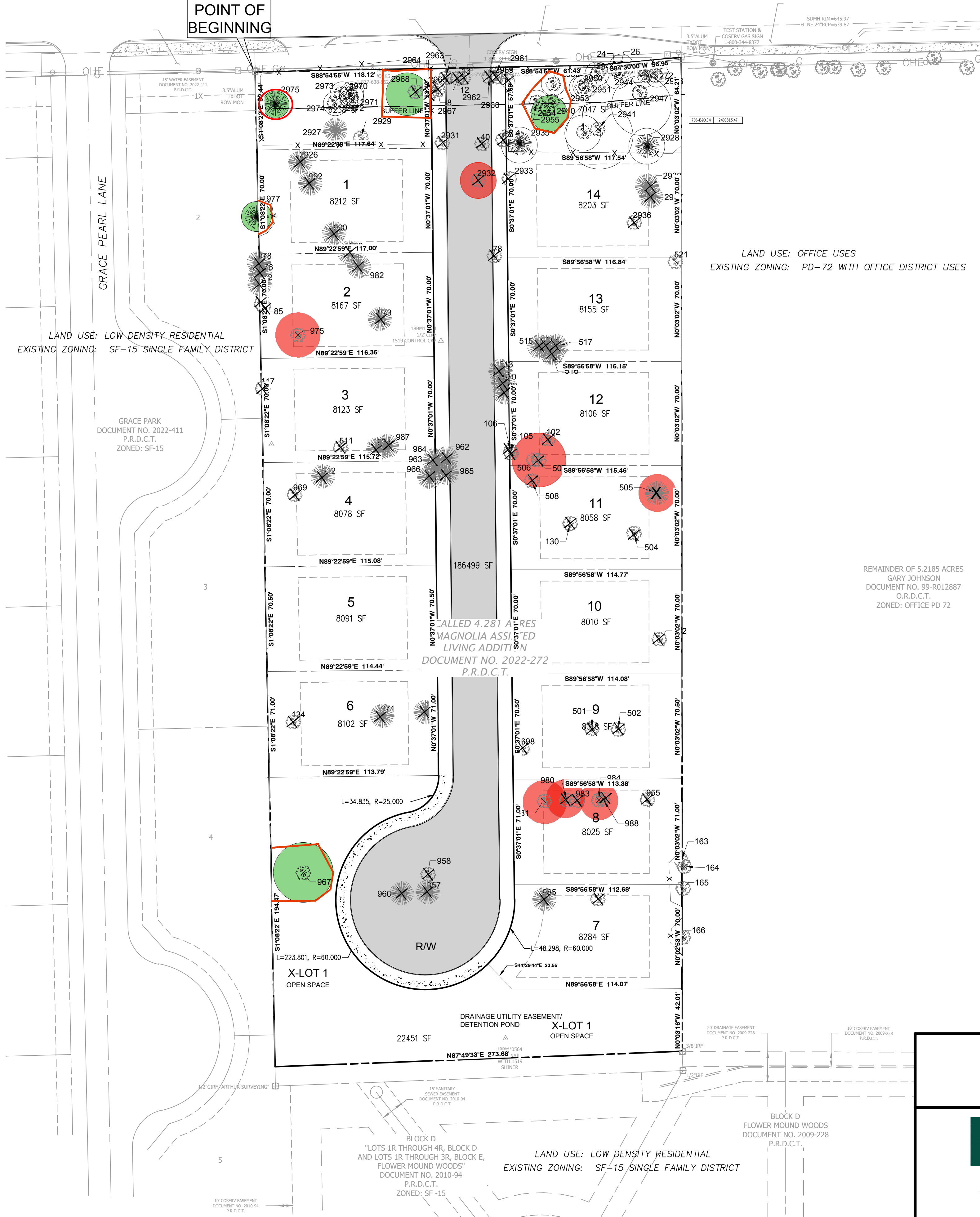
"SPECIMEN" TREE FENCING

- NOTES:
1. SEE SPECIFICATIONS FOR ADDITIONAL TREE PROTECTION REQUIREMENTS.
 2. IF THERE IS NO EXISTING IRRIGATION, SEE SPECIFICATIONS FOR WATERING REQUIREMENTS.
 3. NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.
 4. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.
 5. SEE SITE PREPARATION PLAN FOR ANY MODIFICATIONS WITH THE TREE PROTECTION AREA.

CROWN DRIP LINE OR OTHER LIMIT OF TREE PROTECTION AREA. SEE TREE PRESERVATION PLAN FOR FENCE ALIGNMENT.



"PROTECTED" TREE FENCING



Legend

- Existing Property Boundary
- Landscape Buffer Line
- Existing Protected Deciduous Tree To Remain, with Canopy
- Existing Protected Deciduous Tree To Be Removed
- Existing Protected Coniferous Tree To Remain, with Canopy
- Existing Protected Coniferous Tree To Be Removed
- Existing Specimen Tree To Remain (Canopy Shown)
- Existing Specimen Tree To Be Removed (Canopy Shown)
- Protected Tree Protection Fencing (4-ft Plastic)
- Specimen Tree Protection Fencing (6-ft Chain-Link)

Notes

- (1) Protected trees. Any tree listed on the small, medium, or large protected tree lists in section 94-22 that measures six inches in caliper width or greater and which is at least ten feet in height and located outside of existing public streets, alleys, rights-of-way, utility easements, drainage easements, fence easements, pedestrian access easements, or other existing public rights-of-way or easements.
- (2) Specimen tree. Except as specified in this section, any tree listed on the town's small, medium, or large protected tree lists can be considered a specimen tree if it reaches the designated size for that list. For the small tree list, a specimen tree shall be any tree that measures 13 inches or more in caliper width. For the medium tree list, a specimen tree shall be any tree that measures 19 inches or more in caliper width. For the large tree list, a specimen tree shall be any tree that measures 25 inches or more in caliper width.
- (3) The following tree protection measures shall be required:
 - a. Prior to any and all construction or land development activity, the developer or property owner shall install four-foot-high plastic (or equivalent) safety fencing around the drip line of protected trees and six-foot-high chain-link fencing around the drip line of specimen and historic trees.
 - b. Prior to any and all construction or land development activity, the developer or property owner shall establish designated parking areas for the parking and maintenance of all vehicles, trailers, construction equipment and related items, designated stockpile areas for the storage of construction supplies and materials during construction of the subdivision and designated drive areas for vehicles and equipment. The location and dimensions of such designated areas shall be clearly identified on both subdivision construction and site plans and shall be approved by the tree preservation and enforcement officer or authorized designee prior to any construction or land development activity in, on or about the subdivision. Such designated areas shall be completely fenced with chain-link fencing and gates for safety purposes and to separate protected, specimen, or historic trees from the construction area and related construction activity. With the approval of the tree preservation and enforcement officer or authorized designee, the designated parking and stockpile areas may be combined into one fenced area, provided that the preservation of protected trees is not adversely affected or jeopardized. Supplies and pipe and other items that are customarily unloaded where installed shall not be required to be stored within the designated stockpile areas. Sites approved for temporary batching plant permits shall be fenced and gated in the same manner as designated parking and stockpile areas. Temporary batching plant permits shall also be required for the operation of all batching plants, pursuant to the regulations of this chapter.
 - c. During construction, the developer or property owner shall prohibit the cleaning of equipment or materials and/or the disposal of any waste material, including, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy or drip line of any protected, specimen, or historic tree or group of such trees.
 - d. No attachments or wires of any kind, other than those of a protective nature, shall be attached to any protected trees.
 - e. With major grade changes of six inches or greater, a retaining wall or tree well of rock, brick, landscape timbers or other approved materials shall be constructed around the tree no closer than the drip line of the tree. The top of the retaining wall or tree well shall be constructed at the new grade.
 - f. Unless otherwise approved by the town, no construction or construction-related activity shall occur under the canopy or drip line of any protected, specimen, or historic tree or group of such trees.
 - g. Any tree(s) removed during land development, construction or construction-related activities shall be chipped or hauled offsite. Burning of removed trees is prohibited unless prior approval is given by the town's fire marshal. (b)The tree preservation and enforcement officer or authorized designee may require additional protection measures or best management practices as needed on a case by case basis to adequately protect protected, specimen, or historic trees.

REVISION: 2025.01.14: ADDED CHAINLINK AROUND TREE 2975

PINE HILL
TREE SURVEY EXHIBIT
Bowman

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2805 Dallas Parkway • Suite 310 • Plano, Texas 75093
Phone: (972) 497-2990 • www.bowmanconsulting.com
TBPE Firm Registration No. F-14309



January 7, 2025
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V:\070817 - 3801 Cross Timbers SFR\070817-01-001 (ENG)\Engineering\Engineering Plans\Reasoning\ZONING EXHIBIT_14.LOTS.dwg, TREE SURVEY EXHIBIT (2), January 07, 2025, 2:42 PM, teribson



SPECIMEN 505 - PINE - REMOVED



SPECIMEN 507 - ELM - REMOVED



SPECIMEN 967 - SWEET GUM - SAVED



SPECIMEN 975 - AMERICAN ELM - REMOVED



SPECIMEN 977 - PINE - SAVED



SPECIMEN 980 - PINE - REMOVED



SPECIMEN 981 - PINE - REMOVED



SPECIMEN 984 - PINE - REMOVED



SPECIMEN 2932 - POST OAK - REMOVED



SPECIMEN 2953 - OAK - SAVED



SPECIMEN 2968 - OAK - SAVED



SPECIMEN 2975 - PINE - SAVED

TREE #	CALIPER (Inch)	CANOPY (RAD / ft)	COMMON NAME	BOTANICAL NAME	PROTECTED	REMARKS	TOTAL CREDIT	NORTHING	EASTING
967	22	24	SWEETGUM	LIQUIDA MBAR SYRACIFLUA	YES	SPECIMEN	4	7064172.32	2400751.68
977	25	20	LOBLOLLY PINE	PINUS TAEDA	YES	BA, SPECIMEN	5	7064439.64	2400665.13
2953	26	26	POST OAK	QUERCUS STELLATA	YES	SPECIMEN, BUFFER	0	7064690.03	2400939.95
2975	25	20	LOBLOLLY PINE	PINUS TAEDA	YES	SPECIMEN, BUFFER	0	7064688.75	2400764.61
2968	34	30	POST OAK	QUERCUS STELLATA	YES	SPECIMEN, BUFFER	0	7064696.93	2400858.43

TOTAL SAVED (EACH): 5

SPECIMEN TREES REMOVED

TREE #	CALIPER (Inch)	CANOPY SPREAD	COMMON NAME	BOTANICAL NAME	PROTECTED	RO#IARKS	NORTHING	EASTING
505	26	25	LOBLOLLY PINE	PINUS TAEDA	YES	SPECIMEN , BA	7064427.33	2401020.94
507	32	36	AMERICAN ELM	ULMUS AMERICANA	YES	SPECIMEN, BA	7064449.51	2400941.46
975	26	30	AMERICAN ELM	ULMUS AMERICANA	YES	SPECIMEN, BA	7064533.51	2400779.65
980	27	26	LOBLOLLY PINE	PINUS TAEDA	YES	SPECIMEN, BA	7064221.01	2400960.35
981	31	30	LOBLOLLY PINE	PINUS TAEDA	YES	SPECIMEN, BA	7064220.65	2400944.74
984	29	32	LOBLOLLY PINE	PINUS TAEDA	YES	SPECIMEN , BA	7064221.06	2400981.86
2932	24	26	POST OAK	QUERCUS STELLATA	YES	SPECIMEN, BA	7064637.51	2400900.92

BA: BUILDABLE AREA

BUFFER: LANDSCAPE BUFFER AREA

SPECIMEN MITIGATION TABLE

MITIGATION TREE REQUIREMENT	See Note
TOTAL SPECIMEN TREES ON SITE	12
TOTAL PROTECTED TREES REMOVED	67
TOTAL SPECIMENS REMOVED	7
TOTAL PROTECTED TREES PRESERVED	10
SPECIMEN TREE PRESERVATION CREDIT	9
SPECIMEN MITIGATION DEBITS	130

Note: 130 Debits + 67 Protected Trees = (9 Credits from Specimen + 10 Credits from Preserved Protected Trees)

Total Mitigation = 178 Debits x \$600 = \$106,800

FINAL MITIGATION TOTAL FOR PROTECTED TREES WILL BE REVIEWED AT THE SUBDIVISION SITE PLAN

REVISION: 2025.01.14: TABLE REVISION

PINE HILL
TREE SURVEY TABLE

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PRELIMINARY NOT FOR CONSTRUCTION