

THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 10TH DAY OF OCTOBER, 2016, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 PM

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

Claudio Forest	Chair
Perfecto Solis	Vice Chair
Brad Ruthrauff	Commissioner, Place 1
Laile Neal	Commissioner, Place 2
Mike McCall	Commissioner, Place 3
Al Linley	Commissioner, Place 5
Laura Dillon	Commissioner, Place 6
Heth Kendrick	Commissioner, Place 8
David Johnson	Commissioner, Place 9

Constituting a quorum with the following members absent:

N/A

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

And the following members of Town staff present:

Ashley Dierker	Town Attorney
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director
Chuck Russell	Town Planner
Robert Pegg	Engineering Manager
Matthew Hotelling	Traffic Engineer
John Habern	Parks, Trails & Landscape Specialist
Matthew Woods	Director of Environmental Services
James Hoefert	Environmental Review Analyst
Richard Brown	Senior Planner
Cindi Price	Executive Assistant

- A. CALL TO ORDER: 6:37 P.M.**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. CITIZENS/VISITORS COMMENTS**

There were none.
- D. ELECTION OF OFFICERS**

a) Chair

Commissioner McCall nominated Claudio Forest for Chair. Commissioner Solis seconded the nomination.

VOTE ON THE NOMINATION

AYES: Dillon, Linley, Solis, Forest, McCall, Neal, Ruthrauff

NAYS: None

ABSTAIN: None

ABSENT: None

The nomination passed with a vote of 7-0.

b) Vice Chair

Commissioner McCall nominated Perfecto Solis for Vice Chair. Commissioner Ruthrauff seconded the nomination.

VOTE ON THE NOMINATION

AYES: Ruthrauff, Neal, McCall, Forest, Solis, Linley, Dillon

NAYS: None

ABSTAIN: None

ABSENT: None

The nomination passed with a vote of 7-0.

E. REGULAR ITEMS

1. Consider approval of the minutes of the September 26, 2016, Planning and Zoning Commission Regular Session.

Commission Deliberation

Commissioner McCall moved to approve the September 26, 2016, minutes as presented. Vice Chair Solis seconded the motion.

VOTE ON THE MOTION

AYES: Dillon, Linley, Solis, McCall, Neal

NAYS: None

ABSTAIN: Ruthrauff

ABSENT: None

The motion passed with a vote of 5-0-1.

2. **Public Hearing to consider a request for a Replat (RP16-0021 – Pecan Acres, Lot 3R, Block 14) to create one residential lot. The property is generally located north of Pecan Drive, east of Pinon Street.**

Staff Presentation

Richard Brown, Senior Planner

In Favor –

Conrad Roach, 3106 Pecan, Flower Mound (property owner)

In Opposition – None

Close Public Hearing

Commission Deliberation

Vice Chair Solis moved to approve RP16-0021 – Pecan Acres, Lot 3R, Block 14. Commissioner McCall seconded the motion.

VOTE ON THE MOTION

AYES: Ruthrauff, Neal, McCall, Solis, Linley, Dillon

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

F. CLOSED SESSION

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission convened into a closed session at 6:46 p.m. for legal consultation with the Town Attorney to receive legal advice as follows:

- a. Item 3: MPA16-0005 – Smith Tract
- b. Item 4: MPA16-0006 – Smith Tract
- c. Item 5: MPA16-0007 – Smith Tract

G. RECONVENE INTO OPEN SESSION

The Planning and Zoning Commission reconvened into open session at 7:05 p.m.

3. **Public Hearing to consider a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian**

Trail, Equestrian Trail Head, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Parks, Arts and Library Services Board recommended denial by a vote of 4 to 0 at its September 1, 2016, meeting.)*

4. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0006 – Smith Tract) to amend Section 7.0, Thoroughfare Plan, by amending the Rural Collector cross-section for Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road adjacent to the Smith Tract to remove the bike lane designation. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Transportation Commission recommended denial by a vote of 5 to 1 at its September 13, 2016, meeting.)*
5. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road.

Staff Presentation

Doug Powell, Executive Director

Applicant Presentation

Art Anderson, Winstead PC, Dallas

Spoke In Favor – None

Spoke In Opposition –

Mark Solow, 730 Oak Hollow, Highland Village
Tom Deans, 2250 S. Valley Pkwy, Lewisville
Ed Jordan, 1220 River Oaks, Flower Mound
Marc Finley, 2600 Bourne, Flower Mound
Scott Jostes, 3705 Ridgecrest, Flower Mound
Stephen Smith, 3705 Sarah Springs Trail, Flower Mound
John Todd, 5600 Wichita Trail, Flower Mound
Paul Stone, 709 Lake Bluff, Flower Mound
Steven Goff, 1604 Presley Way, Lantana
Vic Dean, 5213 Colonial, Flower Mound
Susan Dean, 5213 Colonial, Flower Mound
Robert Gavitt, 2800 Scenic, Flower Mound
John Basse, 1501 Lindby, Flower Mound
Marsha Gavitt, 6501 Meadowcrest, Flower Mound
Jim Engel, 5110 Bayberry, Flower Mound

Caroline Finley, 2600 Bourne, Flower Mound
Bill Milburn, 3036 Hugo Court, Flower Mound
Sharon Gentry, 2750 Bob White, Flower Mound
Ron Harvot, 3301 Camden, Flower Mound
Greg Santschi, 6405 Meadowcrest, Flower Mound
Christopher Binovi, 6509 Cardinal, Flower Mound
Janvier Scott, 2829 Bob White, Flower Mound
Mark Crump, 4209 Rollo Court, Flower Mound
Donald Cox, 5200 Parkridge, Flower Mound
Gerald Robinson, 6920 Hidden Valley, Flower Mound
Warren Campbell, 6000 Wichita Trail, Flower Mound
Cathy Strathmann, 2612 Belmont, Flower Mound
Nadia(?) Onstad, 720 Oak Hollow, Highland Village [no card]

Submitted a card to Speak In Opposition, but donated their time to Mr. Solow:

Mike Smiley, 160 E. Vista Ridge Mall, Lewisville
Craig Peterson, 6417 Bryan Pkwy, Dallas
Hannah Larsen, 3474 Shiloh, Flower Mound
Ann Marie Larsen, 3474 Shiloh, Flower Mound
Dora Achille, 4917 Wolf Creek Trail, Flower Mound
Sharon Haney, 3616 Spring Meadow, Flower Mound
Jane Herring, [no street address], Flower Mound
[no name], 1374 Forest Creek, Lewisville
[no name], 730 Oak Hollow, Highland Village
Ian Moore [no address]

Submitted cards to speak In Opposition, but did not wish to speak:

Steve and Lauri Boudreaux, 6409 Meadowcrest, Flower Mound

Close Public Hearings

Commission Deliberation (MPA16-0005)

Commissioner McCall moved to recommend denial of MPA16-0005 – Smith Tract.
Commissioner Neal seconded the motion.

VOTE ON THE MOTION (MPA16-0005)

AYES: Dillon, Linley, Solis, McCall, Neal, Ruthrauff

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

Commission Deliberation (MPA16-0006)

Vice Chair Solis moved to recommend denial of MPA16-0006 – Smith Tract.
Commissioner McCall seconded the motion.

VOTE ON THE MOTION (MPA16-0006)

AYES: Ruthrauff, Neal, McCall, Solis, Linley, Dillon

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

Commission Deliberation (MPA16-0007)

Commissioner McCall moved to recommend denial of MPA16-0007 – Smith Tract.
Vice Chair Solis seconded the motion.

VOTE ON THE MOTION (MPA16-0007)

AYES: Dillon, Linley, Solis, McCall, Neal, Ruthrauff

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

- 6. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials.**

Staff Presentation

Doug Powell, Executive Director

Spoke In Favor – None

Comments of an Informational Nature:

Gerald Robinson, 6920 Hidden Valley, Flower Mound

Spoke In Opposition:

Jim Engel, 5110 Bayberry, Flower Mound
Cathy Strathmann, 2612 Belmont, Flower Mound

Submitted a card to speak In Opposition, but did not wish to speak:

Janvier Scott, 2829 Bob White, Flower Mound

Close Public Hearing

Commission Deliberation

Vice Chair Solis moved to recommend approval of MPA16-0010 – Urban Design Façade Materials. Commissioner Neal seconded the motion.

VOTE ON THE MOTION

AYES: Ruthrauff, Neal, Solis, Linley, Dillon

NAYS: McCall

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 5-1.

7. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards.

Staff Presentation

Doug Powell, Executive Director

In Favor – None

In Opposition – None

Close Public Hearing

Commission Deliberation

Commissioner Dillon moved to recommend approval of MPA16-0011 – Urban Design Architectural Standards. Commissioner McCall seconded the motion.

VOTE ON THE MOTION

AYES: Dillon, Solis, McCall, Neal, Ruthrauff

NAYS: Linley

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 5-1.

[Chair Forest called for a 10-minute break.]

- 8. Public Hearing to reconsider approval of an ordinance amending Chapter 94, "Trees", of the Land Development Regulations (LDR16-0002 – Tree Ordinance Amendments) of the Code of Ordinances by amending Section 94-22, entitled "Protected tree lists," Section 94-23, entitled "Tree survey; development projects," Section 94-32, entitled "Trees located in buildable area," Section 94-39, entitled "Mitigation requirements for authorized tree removal," Section 94-40, entitled "Incentives for preservation of protected, specimen, and historic trees," Section 94-51, entitled "Enumeration," Section 94-65, entitled "Residential lots," Section 94-66, entitled "Approved tree planting lists," Section 94-81, entitled "Exceptions," and deleting Section 94-67, entitled "Landscape credit for large trees."**

Staff Presentation

Matthew Woods, Director of Environmental Services
James Hoefert, Environmental Review Analyst

In Favor –

Marsha Gavitt, 6501 Meadowcrest, Flower Mound
Gerald Robinson, 6920 Hidden Valley, Flower Mound

In Opposition –

David Lehde, representing Dallas Builders Association, Plano

Close Public Hearing

Commission Deliberation

Vice Chair Solis moved to recommend approval of LDR16-0002 – Tree Ordinance Amendments. Commissioner McCall seconded the motion.

VOTE ON THE MOTION

AYES: Ruthrauff, Neal, McCall, Solis, Linley, Dillon

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

9. Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by deleting subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to remove the prohibition on the use of exposed neon.

Staff Presentation

Doug Powell, Executive Director

In Favor – None

In Opposition –

Jim Engel, 5110 Bayberry, Flower Mound

Submitted a card to speak In Opposition, but did not wish to speak:

Janvier Scott, 2829 Bob White, Flower Mound
Cathy Strathmann, 2612 Belmont, Flower Mound

Close Public Hearing

Commission Deliberation

Vice Chair Solis moved to recommend approval of LDR16-0003 – Prohibited Signs Amendment with the clarification that it be done in a channelized frame. Commissioner McCall seconded the motion.

VOTE ON THE MOTION

AYES: Dillon, Linley, Solis, McCall, Neal, Ruthrauff

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

10. Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0005 – Site Plan Administrative Approval) by amending various sections within Chapter 82, entitled “Development Standards,” and Chapter 98, entitled “Zoning,” of the Town’s Code of Ordinances to provide for administrative approval of site plans that meet the Town’s standards.

Staff Presentation

Doug Powell, Executive Director

In Favor – None

In Opposition –

Paul Stone, 709 Lake Bluff, Flower Mound
Jim Engel, 5110 Bayberry, Flower Mound

Submitted a card to speak In Opposition, but did not wish to speak:

Cathy Strathmann, 2612 Belmont, Flower Mound

Close Public Hearing

Commission Deliberation

Vice Chair Solis moved to recommend denial of LDR16-0005 – Site Plan Administrative Approval. Commissioner McCall seconded the motion.

VOTE ON THE MOTION

AYES: Ruthrauff, Neal, McCall, Solis, Linley, Dillon

NAYS: None

ABSTAIN: None

ABSENT: None

The motion passed with a vote of 6-0.

H. ADJOURNMENT: 11:20 P.M.

TOWN OF FLOWER MOUND, TEXAS

DOUGLAS S. POWELL, AICP
Executive Director, Development Services

ATTEST:

Cindi Price, Executive Assistant