

THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 13TH DAY OF JANUARY, 2020, 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:

David Johnson	Chair
Brad Ruthrauff	Vice-Chair
Adam Schiestel	Commissioner, Place 2
Robert Rawson	Commissioner, Place 3
Philip Del Vecchio	Commissioner, Place 5
Laura Dillon	Commissioner, Place 6
Thomas Pickering	Commissioner, Place 7
Timothy Fink	Commissioner, Place 9

Constituting a quorum with the following members absent:

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

And the following members of Town staff present:

Bryn Meredith	Town Attorney
Lexin Murphy	Director of Planning Services
Robert Pegg	Assistant Director of Engineering
Forrest Williams	Planner
Christa Crowe	Property Standards Manager
LauriAnn Cash	Executive Assistant

A. CALL REGULAR SESSION TO ORDER (Council Chambers): 6:30 P.M.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

None

D. FUTURE AGENDA ITEMS

None

E. DIRECTOR'S REPORT

1. Documenting Development Review Process
2. Status of Upcoming Ordinance Amendments

F. CONSENT ITEMS

1. Consider approval of the minutes of the December 9, 2019, Planning and Zoning Commission Regular Session
2. Consider a request for a Record Plat (RC19-0010 – Canyon Falls – Village 12) to create a residential subdivision. The property is generally located north of Smoky Oak Court and west of Falling Leaf Trail.

Commissioner Rawson moved to approve Consent Items 1 and 2 as presented in the agenda caption as identified above. Commissioner Pickering seconded the motion.

VOTE ON THE MOTION

AYES: Schiestel, Rawson, Del Vecchio, Ruthrauff, Dillon, Pickering

NAYS: None

The motion to approve passed with a vote of 6-0.

G. REGULAR ITEMS

3. **Public Hearing to consider a request for a Replat (RP19-0007 – Twin Coves Estates Lot 24R, Block A) to create a residential lot. The property is generally located west of Shoreline Drive and south of Wichita Trail.**

Staff Presentation

Lexin Murphy, Director of Planning Services

Applicant Presentation

None

Spoke in Favor:

None

Spoke in Opposition:

None

Commission Deliberation

Vice-Chair Ruthrauff moved to approve RP19-0007 – Twin Coves Estates Lot 24R, Block A, as presented. Commissioner Pickering seconded the motion.

VOTE ON THE MOTION

AYES: Pickering, Dillon, Ruthrauff, Del Vecchio, Rawson, Schiestel

NAYS: None

The motion to approve passed with a vote of 6-0.

4. **Public Hearing to consider an ordinance for rezoning (MU19-0001 – Lakeside Village) to amend Mixed Use District 1 (MU-1) to allow for phasing of the necessary parking infrastructure in Lakeside Village. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway and south of its intersection with Northwood Drive.**

Staff Presentation

Lexin Murphy, Director of Planning Services

Applicant Presentation

Jimmie Archie, Realty Capital Management

Spoke in Favor:

None

Spoke in Opposition:

None

Commission Deliberation

[ORIGINAL MOTION] Vice-Chair Ruthrauff moved to recommend approval of MU19-0001 – Lakeside Village, as presented with the recommendation to add a Sunset/Renewal Clause of 3 years. Commissioner Dillon seconded the motion.

[AMENDED MOTION] Commissioner Schiestel moved to amend the original motion to recommend approval of MU19-0001 – Lakeside Village, as presented and with the contingency of the completion of the restaurant garage prior to or concurrently with the permitting of an interim surface parking lot, along with the Sunset/Renewal Clause. Commissioner Del Vecchio seconded the motion.

VOTE ON THE AMENDED MOTION

AYES: Schiestel, Del Vecchio, Pickering

NAYS: Rawson, Ruthrauff, Dillon

The motion to approve the amended motion tied with a vote of 3-3. Chair Johnson broke the tie with a NAY vote. The amended motion failed.

VOTE ON THE ORIGINAL MOTION

AYES: Dillon, Ruthrauff, Rawson

NAYS: Pickering, Del Vecchio, Schiestel

The motion to approve the original motion tied with a vote of 3-3. Chair Johnson broke the tie with an AYE vote. The original motion passed.

5. **Public Hearing to consider an ordinance amending the Land Development Regulations (LDR19-0006 – Short-Term Rentals) by amending Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances to create a definition and**

define the standards and review process for Short-Term Rentals, and consider adopting an ordinance providing for said amendment.

At 7:44 P.M., the Planning and Zoning Commission convened into closed session pursuant to Section 551.071 of the Texas Government Code, the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on the January 13, 2020 agenda.

At 8:28 P.M., the Planning and Zoning Commission reconvened into regular session.

Staff Presentation

Lexin Murphy, Director of Planning Services

Spoke in Favor:

None

Spoke in Opposition:

Steve Noble, 6408 Lakeside Drive, Flower Mound

Commission Deliberation

Vice-Chair Ruthrauff moved to recommend approval of LDR19-0006 – Short Term Rentals, as presented with the additional recommendations of incorporating a minimum stay of 48 hours for tenants; a restriction on the use of properties for the purpose of housing sex offenders, operating a sober house, selling illegal drugs, selling alcohol, or operating as a sexually oriented business, using the standard language from other cities’ short-term rental ordinances; requiring that the Town be endorsed as an “additional insured” to the subject properties’ insurance policy and that the policy be endorsed to provide the Town a minimum 30-day notice of cancellation, non-renewal and/or material change in policy terms or coverage; limiting SUP applications to primary residences; and stepping up enforcement to include the issuance of citations for first-time offenses. Commissioner Pickering seconded the motion.

VOTE ON THE MOTION

AYES: Schiestel, Rawson, Del Vecchio, Ruthrauff, Dillon, Pickering

NAYS: None

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

H. ADJOURNMENT – REGULAR SESSION 9:18 P.M.

TOWN OF FLOWER MOUND, TEXAS

Lexin Murphy, Director of Planning Services

ATTEST:

LauriAnn Cash, Executive Assistant