

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING AND WORK SESSION HELD ON THE 18TH DAY OF JANUARY 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.**

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

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

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

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

Theresa Scott	Town Secretary
Alicia Kreh	Town Attorney
James W. Childers	Town Manager
Tommy Dalton	Assistant Town Manager
Bob Pegg	Assistant Director of Engineering
Lexin Murphy	Director of Planning Services
Andy Kancel	Police Chief

**A. CALL REGULAR MEETING TO ORDER**

Mayor France called the regular meeting and work session to order at 6:01 p.m.

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

Chaplain Richard Plunk gave the invocation and Mayor France led the pledges.

**D. PUBLIC COMMENT**

	<b>Speaker names and address</b>	<b>Subject (as written on the form or stated)</b>
1.	Kendra Stephenson, 4801 Steinbeck Cr	Work session item #8

**F. ANNOUNCEMENTS**

Councilmember Schiestel and Mayor France expressed thanks to the Martin Luther King, Jr. committee for a great event on January 17.

Councilmember Martin offered congratulations to Sue Ridnour, Director of Library Services, for earning the designation of Certified Public Library Administrator from the American Library Association.

**G. TOWN MANAGER'S REPORT**

Mr. Childers provided an update or report on the following projects or topics:

1. Capital improvement projects
  - Safety services at various parks
  - Rest room at dog park
  - Field work at Bakersfield Park
2. Economic Development projects
  - 2021 business activity report
  - New or coming soon businesses
3. Operational Updates
  - The need for lifeguards at the Community Activity Center
  - Public Works involvement with a girl scout

Chief Kancel reported on the Town's support role with the City of Colleyville during a recent hostage situation.

**H. FUTURE AGENDA ITEMS**

1. Mayor France requested a future agenda item to discuss improvements to Bakersfield Park, Field 11, to accommodate the Miracle League, including financial resources or opportunities.

There was Council consensus to proceed with the discussion.

**I. COORDINATION OF CALENDARS**

1. A regular meeting is scheduled for February 7.

Mayor France announced the above referenced meeting date and confirmed council member availability.

**J. CONSENT ITEMS**

1. Minutes 1/3- Consider approval of the minutes from a regular meeting of the Town Council held on January 3, 2022.
2. CIP Amendment 2- Consider approval of Amendment No. 2 to the Fiscal Year 2021-2022 Capital Improvement Program.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1 and 2, as presented in the agenda caption. Mayor Pro Tem Bumgarner seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

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

**K. REGULAR ITEMS**

3. MPA21-0005 - Silveron FM Duke- Public Hearing to consider an ordinance for a Master Plan Amendment (MPA21-0005 - Silveron Flower Mound Duke) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located north of International Parkway and east of Silveron Boulevard. (Town Council reconsidered the application on November 1, 2021 and moved to remand the project back to the Planning and Zoning Commission by a vote of 4 to 0.) (P & Z recommended approval by a vote of 6 to 0 at its January 10, 2022, meeting.)
4. ZPD21-0003 - Silveron FM Duke- Public Hearing to consider an ordinance amending the zoning (ZPD21-0003 - Silveron Flower Mound Duke) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.181 (PD-181) with Campus Industrial District (CI) uses and certain Campus Commercial District (CC) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, "Topographical Slope Protection", and an exception to Section 82-302, Compatibility buffer. The property is generally located north of International Parkway and east of Silveron Boulevard. (Town Council reconsidered the application on November 1, 2021 and moved to remand the project back to the Planning and Zoning Commission by a vote of 4 to 0.) (P & Z recommended approval by a vote of 6 to 0 at its January 10, 2022, meeting.)
5. TRP21-0012 - Silveron FM Duke- Public Hearing to consider an application for a tree removal permit (TRP21-0012) for forty-eight (48) specimen trees on property proposed for development as Silveron Flower Mound Duke. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. (The Environmental Conservation Commission recommended approval by a vote of 7 to 0 at its July 6, 2021, meeting).

Mayor France opened items 3, 4, and 5 at the same time.

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Overall conceptual site plan
- Conceptual site plan tract 1
- Exceptions tract 1
- Site photos
- Conceptual landscape plan
- Conceptual elevations track 1
- Screen/sound walls tract 1
- Topographic slopes tract 1
- Tree survey

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

- Approved versus prohibited uses for tract 2

### Applicant Presentation

Jeff Thornton, Duke Realty, gave a presentation identifying or noting:

- Summary of prior key points
- Key project improvements
- Conceptual site plan

and he, or Jeff Dolan, Civil Engineer, Kimley Horn, responded to questions from Council regarding:

- Tree preservation
- If residential is planned for tract 2
- What would the retail buildings look like
- Use of windows

### Council Discussion

There was Council discussion regarding:

- Interest in having more office in Lakeside
- Landscaping is good
- Traffic is minimal
- No residential is good
- Appreciation for the natural space and that it will be an amenity for the Town
- Appreciation for the applicant and landowner being accommodating to the requested changes
- Background information for when the item first came before Council
- Pleased to see there is an agreement between the property owner and the Town as to what belongs at this location

Mayor France opened the Public Hearing for items 3, 4, and 5 at 6:55 p.m. No one spoke. Mayor France closed the Public Hearing at 6:55 p.m.

#### Item 3

Deputy Mayor Pro Tem Sharma moved to approve item 3 as presented. Councilmember Engel seconded the motion.

**VOTE ON MOTION:**

**AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN**

**NAYS: NONE**

*Motion passed*

#### Item 4

Deputy Mayor Pro Tem Sharma moved to approve item 4 as presented, and with the modification that the proposed windows be incorporated on both the south and west side elevations, and as agreed upon by the applicant. Mayor Pro Tem Bumgarner seconded the motion.

**VOTE ON MOTION:**

**AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL**

**NAYS: NONE**

*Motion passed*

Item 5

Deputy Mayor Pro Tem Sharma moved to approve item 5 as presented. Mayor Pro Tem Bumgarner seconded the motion.

**VOTE ON MOTION:***Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE****K. WORK SESSION ITEMS**

6. DCAD Board Action- Discuss and consider the Denton Central Appraisal District's standards for properties to qualify for an agricultural appraisal.

**Staff Presentation**

Mr. Dalton gave a presentation identifying or noting:

- Background information
- What we know
- DCAD next steps

and he responded to questions from Council regarding:

- What's the dialogue process between the Town and DCAD
- How would the Town collaborate with other entities, including county leadership
- Impact on property owners for the proposed changes

**Council Discussion**

There was Council discussion regarding:

- Lack of transparency from DCAD regarding policy adoption
- Timing for being nominated to serve on the ag advisory board
- Concerns about how they are applying the standard to ownership instead of the land
- Possible options to mitigate the issue
- Community partnership opportunity

Mr. Dalton summarized that he would compile questions from Council and forward those collectively to the Chief Appraiser.

7. Lakeside Business District- Presentation and discussion regarding attracting and promoting Class A office space in Flower Mound.

**Staff Presentation**

Mr. Watson gave a presentation identifying or noting:

- Stakeholders
- Major issues
- Town Council request
- Top tenant rep firms – DFW
- Top site selectors DFW
- Flower Mound developers
- Flower Mound C-level residents
- Panelist proposal for interactive forum with Council

- Potential questions for the moderator

and he, or Mr. Dalton, responded to the following questions from Council:

- The proposed questions are good
- What's the time frame for making this happen

#### **Council Discussion**

- Concerns about the timing and suggestion of an "industry day" as opposed to what is presented because seems like more government and red tape
- How the objective is for the Town to gain feedback to help create a vision
- Possibility of having a survey and then the panel discussion
- Interest in welcoming any industry leaders that want to come and share their thoughts
- Interest in creating a partnership with the developers and landowners in this area

There was Council consensus to proceed with next steps.

8. Cross Timbers- Presentation and discussion on establishing a framework for the review of development options within the Cross Timbers Conservation Development District.

#### **Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- Recap
- Map of Cross Timbers Conservation Development District
- Public outreach (previously)
- Outreach tools
- The survey
- Timing (3 month and 5 month approach options)
- Additional data points
- Town maintained open space in the CTCDD
- Outreach tools

and she, or Mr. Dalton, responded to questions regarding:

- Timing
- Survey questions

There was Council consensus to proceed as presented and with a 5 month timeline approach.

Ms. Murphy noted that a draft survey will be sent to Council for feedback.

#### **L. BOARDS/COMMISSIONS**

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

No discussion or action taken.

**M./N. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 8:34 p.m. on January 18, 2022, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 9:10 p.m. on January 18, 2022, and there was no action taken on the following items:

- a. Consultation with Attorney.
  1. Cause No. 18-9622-431; EagleRidge Operating, LLC v Town of Flower Mound, Texas, et al
  2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

**O. ADJOURN REGULAR MEETING**

Mayor France adjourned the meeting at 9:10 p.m. on Monday, January 18, 2022.

**TOWN OF FLOWER MOUND, TEXAS**



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**DEREK FRANCE, MAYOR**

**ATTEST:**



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**THERESA SCOTT, TOWN SECRETARY**