

THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 14TH DAY OF OCTOBER, 2019, 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:

Brad Ruthrauff	Commissioner, Place 1
Adam Schiestel	Commissioner, Place 2
Robert Rawson	Commissioner, Place 3
David Johnson	Commissioner, Place 4
Philip Del Vecchio	Commissioner, Place 5
Laura Dillon	Commissioner, Place 6
Thomas Pickering	Commissioner, Place 7
Robert Cox	Commissioner, Place 8

Constituting a quorum with the following members absent:

Timothy Fink	Commissioner, Place 9
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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:

Ashley Dierker	Town Attorney
Lexin Murphy	Director of Planning Services
Chuck Russell	Town Planner
Robert Pegg	Assistant Director of Engineering
Richard Brown	Senior Planner
LauriAnn Cash	Executive Assistant

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ELECTION OF OFFICERS

a. Chair

Commissioner Ruthrauff nominated Commissioner Johnson for Chair. Commissioner Pickering seconded the nomination.

VOTE ON THE NOMINATION

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

NAYS: None

The nomination passed with a vote of 7-0.

b. Vice-Chair

Commissioner Johnson nominated Commissioner Ruthrauff for Vice-Chair. Commissioner Dillon seconded the nomination.

VOTE ON THE NOMINATION

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

NAYS: None

The nomination passed with a vote of 7-0.

D. PUBLIC COMMENT

None

E. FUTURE AGENDA ITEMS

None

F. DIRECTOR'S REPORT

1. Updates
 - a. Future Agenda Item Requests
 - b. Notification/Outreach Efforts
 - c. Ordinance Amendments
2. Upcoming Training Opportunity

G. REGULAR ITEMS

1. Consider approval of the minutes of the September 23, 2019, Planning and Zoning Commission Regular Session.

Commission Deliberation

Commissioner Dillon moved to approve the September 23, 2019, minutes, as presented. Commissioner Rawson seconded the motion.

VOTE ON THE MOTION

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

NAYS: None

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

- 2. Public Hearing to consider a request for a Replat (RP19-0011 – CMP Family Addition, Lots 1R1 & 1R2, Block A) to create two residential lots. The property is generally located north of Kensington Court and east of Scenic Drive.**

Staff Presentation

Richard Brown, Senior Planner

Applicant Presentation

None

Spoke in Favor:

None

Spoke in Opposition:

None

Commission Deliberation

Vice-Chair Ruthrauff moved to approve RP19-0011 – CMP Family Addition, Lots 1R1 & 1R2, Block A, as presented. Commissioner Pickering seconded the motion.

VOTE ON THE MOTION

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

NAYS: None

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

- 3. Consider a request for a Site Plan (SP19-0016 – Westside Three Professional Building) to develop an office building. The property is generally located west of Long Prairie Road and north of Winsdor Centre Drive.**

Staff Presentation

Richard Brown, Senior Planner

Applicant Presentation

None

Commission Deliberation

Commissioner Pickering moved to approve SP19-0016 – Westside Three Professional Building, as presented. Commissioner Rawson seconded the motion.

VOTE ON THE MOTION

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

NAYS: None

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

4. **Public Hearing for a request for rezoning (ZPD19-0006 – Parkway Office Lakeside) from Planned Development No. 83 (PD-83) with Campus Industrial District (CI) uses to Planned Development No. 174 (PD-174) with Campus Industrial District (CI) uses in compliance with the Campus Industrial land use designation within the Lakeside Business District Area Plan, including a Comprehensive Sign Package, with certain exceptions and modifications to the Code of Ordinances, with a request for a deviation to computing parking and loading requirements pursuant to Section 82-73 of the Code of Ordinances and with an exception to the Architectural Standards of the Town’s Urban Design Plan for meritorious design, and consider adopting an ordinance for said amendment. The property is generally located south of Lakeside Parkway and east of Gerault Road.**

Staff Presentation

Richard Brown, Senior Planner

Application Presentation

Bill Pounds; 1000 Civic Circle, Lewisville

Spoke in Favor:

James Bullington, 6612 Adobe Circle, The Colony

Spoke in Opposition:

None

Commission Deliberation

Vice-Chair Ruthrauff moved to recommend approval of ZPD19-0006 – Parkway Office Lakeside, as presented. Commissioner Pickering seconded the motion.

VOTE ON THE MOTION

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

NAYS: None

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

5. **Public Hearing to consider a request for rezoning (ZPD19-0001 – Whyburn Medical Offices) from Agricultural District (A) uses to Planned Development District 172 (PD-172) with Office District (O) uses, and with certain exceptions and modifications to the Code of Ordinances, and consider adopting an ordinance for said amendment. The property is generally located north of Waketon Road and west of Long Prairie Road.**

Staff Presentation

Richard Brown, Senior Planner

Applicant Presentation

James Bullington, 6612 Adobe Circle, The Colony

Spoke in Favor:

Dr. Wasim Haque, 4101 Kirkpatrick Road, Flower Mound

Spoke in Opposition:

None

Commission Deliberation

Vice-Chair Ruthrauff moved to recommend approval of ZPD19-0001 – Whyburn Medical Offices, as presented. Commissioner Rawson seconded the motion.

VOTE ON THE MOTION

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

NAYS: Schiestel

The motion to recommend approval passed with a vote of 5-1.

6. **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 adoption an ordinance providing for said amendment.**

Staff Presentation

Lexin Murphy, Director of Planning Services

Spoke in Favor:

Dennis Haines, 2705 Brookwood Drive, Flower Mound
Stephanie Haines, 2705 Brookwood Drive, Flower Mound
Yvette Elliott, 1309 Homestead Street, Flower Mound
Lee Hennigan, 2708 Brookwood Drive, Flower Mound
Bryan McVicker, 1910 Strait Lane, Flower Mound

Spoke in Opposition:

Bradley Hicks, 2621 Brookwood Drive, Flower Mound
Julie Hicks, 2621 Brookwood Drive, Flower Mound

Lori Penner, 604 Crestbrook Drive, Flower Mound
Sandy Fambrough, 4105 Spring Meadow Lane, Flower Mound
Jeffrey Blasko, 1720 Milford Drive, Flower Mound

Commission Deliberation

Commissioner Pickering moved to recommend approval of LDR19-0006 – Short-Term Rentals, with the amendment that the language be altered to prohibit Short-Term Rentals. No one seconded the motion.

MOTION FAILED DUE TO LACK OF A SECOND

Commissioner Rawson moved to recommend approval of LDR19-0006 – Short-Term Rentals, with the amendment to the language restricting such use to host occupied residences. Commissioner Schiestel seconded the motion.

VOTE ON THE MOTION

AYES: Rawson, Schiestel

NAYS: Pickering, Dillon, Del Vecchio, Ruthrauff

The motion to recommend approval failed with a vote of 2-4.

Commissioner Dillon moved to table LDR19-0006 – Short-Term Rentals, to allow Staff to obtain further guidance from Town Council and collect additional information from various Town departments about current usage of properties as Short-Term Rentals, and to understand the scope of what the ordinance will entail. Commissioner Del Vecchio seconded the motion.

VOTE ON THE MOTION

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

NAYS: Schiestel

The motion to table passed with a vote of 5-1.

H. ADJOURNMENT – REGULAR SESSION 9:57 P.M.

TOWN OF FLOWER MOUND, TEXAS

Lexin Murphy, Director of Planning Services

ATTEST:

LauriAnn Cash, Executive Assistant