

**THE JOINT FLOWER MOUND TOWN COUNCIL AND PLANNING & ZONING COMMISSION  
WORK SESSION HELD ON THE 20<sup>th</sup> 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 6:00 P.M.**

The Town Council met in a work session with the following members present:

Tom Hayden	Mayor (arrived at 6:20 p.m.)
Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5 (left at 9:42 p.m.)

constituting a quorum with the following members of the Planning & Zoning Commission present:

Claudio Forest	Chair
Perfecto Solis	Vice Chair
Brad Ruthrauff	Place 1
Mike McCall	Place 3
Al Linley	Place 5
Laura Dillon	Place 6
Heth Kendrick	Place 8, Alternate
David Johnson	Place 9, Alternate (arrived at 6:14 p.m.)

with the following members absent:

Laile Neal	Place 2
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with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
Matt Hotelling	Traffic Engineer
Clay Riggs	Floodplain Engineer

**A. CALL WORK SESSION TO ORDER**

Mayor Pro Tem Bryant called the work session to order at 6:00 p.m.

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

Mayor Pro Tem Bryant led the pledges and Councilmember Jason Webb gave the invocation.

**D. WORK SESSION ITEM**

*Administrative Note: The following items were not heard in the agenda order.*

Presentation and discussion regarding the following:

**1. The Town's Master Plan (Land Use Plan, Land Use Plan Map, Specific Plan Areas, and Area Plans) including density definitions, infill development, and senior housing**

Mr. Powell and Mr. Dalton gave a presentation on the topics of:

- Land use
- Specific Plan Areas (SPAs)
- Density definitions
- Infill Development
- Senior housing

Mr. Powell or Mr. Dalton responded to questions from Council and Planning & Zoning (P & Z) Commission members as follows:

**SPAs:**

- what is the process to dissolve a SPA
- does the entitlements go with the zoning

**Density Definitions:**

- why can't the Town use lot size (i.e. SF5, SF10, SF15) instead of density terminology (i.e. high, medium, low)
- clarification regarding the land use layer map and remaining land use categories
- past history associated with the creation of the density levels

**Senior Housing:**

- clarification regarding development standards as it relates to duplexes

**Infill Development:**

- clarification regarding the process associated with infill development
- when was the last time the Town conducted a comprehensive review of the Master Plan

Town Council/P & Z recessed at 8:22 p.m. and reconvened at 8:26 p.m.

There was Council/P & Z discussion as follows:

**Density:**

- end goal as it relates to density
- feedback from P & Z members as it relates to classifying density
- interest in bringing the definitions in line with the reality of what the Town already does
- whether there should be more clarity in the density terminology

**Infill Development:**

- possibility of incentivizing developers to protect the quality and maintain the open space that people have become accustomed to looking at for years
- possibility of having staff come up with wording to incorporate in the Master Plan that would address infill development

There was general Council consensus with the following direction:

- **SPAs**
  - bring this topic forward as a P & Z work session item for the purpose of review/discuss the function and relevance of the SPAs considering their build-out conditions
  - review the repetitive language of the development standards and identify those that are unique and specific to certain SPAs
- **Density:**
  - have the P & Z Commission review various options as it relates to density terminology and come forward with a recommendation
- **Senior Housing:**
  - consider senior housing in the same spectrum as economic development
  - interest in considering offering incentives for developers to build senior housing
  - actively recruit in the marketplace
  - reach out to land owners to see if senior housing is something they would be interested in
  - explore both rental and for sale multi-family projects
  - insure project doesn't resemble an apartment complex
  - keep central to existing health care facilities and shopping opportunities
- **Infill Development:**
  - have the P & Z Commission examine the issue and review guidelines as it relates to infill development and come forward with a recommendation

**2. The Town's Land Development Regulations involving the Town's floodplain standards and process for flood studies, and the Town's requirement and process for Traffic Impact Analyses**

Mr. Dalton gave a presentation identifying or noting:

- River Walk progress update

Mr. Hotelling gave a presentation identifying or noting:

- Development proposal process/guidelines
- TIA process

- SMARTGrowth requirement
- Town initiated TIAs
- Scope and Fee
- Traffic engineering firms
- General TIA timeline
- Multiple TIAs in same general vicinity

Mr. Hotelling or Mr. Stathatos responded to questions from Council/P & Z as follows:

- will there ever be a point in time where a TIA would not be required
- why doesn't the Town let the developer go to the engineering firms directly instead of communicating through staff
- how do the engineering firms get selected
- if keeping staff in the loop allows for flexibility from one firm to another that allows flexibility as it relates to areas of expertise
- how does the TIA process work for a multiple phase project over the course of many years
- what is the mechanism that triggers an additional traffic analysis of a project
- does the Town do a traffic analysis for Town facilities

There was Council consensus as follows:

- have staff come up with a plan that would eliminate the middle man (staff) involved in the engineering firm communication process
- have staff look at streamlining the mechanics of the engineering firm communication process for improved efficiencies

### **3. The River Walk at Central Park including progress, parking, floodplain, and updated Traffic Impact Analysis**

Mr. Dalton gave a presentation identifying or noting for the River Walk at Central Park as follows:

- progress update
- concept plan
- photos of ongoing work
- River Walk amenity – Development Agreement (DA) terms
- amphitheater landscape plan and revised elevations, including renderings
- amphitheater DA Agreement terms
- chapel DA terms
- commercial/retail DA terms
- residential plans
- photo of hotel under construction
- River Walk floodplain
- River Walk TIA

Mr. Riggs gave a presentation identifying or noting:

- floodplain terminology explanations
- town regulations/process, including development scenarios
- FEMA Regulations
- survey cites results
- erosion hazard setback

Mr. Powell, Mr. Riggs, Mr. Dalton, or Mr. Stathatos responded to questions from Council or P & Z members as follows:

- what is the process for enrolling in the Community Rating System (CRS) to credit communities that go above and beyond the minimum requirement of the NFIP
- survey city results
- clarification regarding Valley Storage Requirements
- how many comments on CLOMR have come back as adverse on the project
- does FEMA require a secondary review
- what is the role of the Town engineer and/or consultant relative to the review process
- how long does FEMA have to respond to the Town on a project submittal
- what is required before someone can build in a floodplain area
- how do flood plain approvals work with the River Walk
- is the Town's current process burdensome for homeowners, particularly because it can take 3 – 6 months for an approval from FEMA
- what is the status of the River Walk floodplain review
- is there is an expiration date on a CLOMR
- who holds the liability in the event buildings are built and the LOMR map revision comes back where changes are needed on a property
- clarification regarding the provision in the River Walk DA as it relates to the flood plain

Bobby Dollak, G&A Consultants, Consultant for the River Walk

Mehrdad Moayedi, River Walk developer

Mr. Dollak and Mr. Moayedi offered input from their perspective relative to construction language associated with flood plains. Mr. Moayedi also stated that in the interest of addressing the Town's liability concerns as it relates to the flood plain and the River Walk project, he would be agreeable to indemnifying the Town.

#### **Council/P & Z Discussion**

There was Council/P & Z discussion regarding:

- how there are a lot of moving parts associated with the issue
- concerns about not putting the Town at risk

- Interest in looking at CLOMR and LOMR on a global basis to see how it effects the whole Town to understand what was required 30 years ago is still practical, along with looking at the definitions and cleaning up as needed
- Redoing the plats in November is the path forward and offers a quicker turn around than waiting for the CLOMR and LOMR
- Reclamation approval should be depoliticized and put in the hands of staff

There was general Council consensus with the following direction, as applicable:

**River Walk Progress:**

- No direction was requested or provided on this topic
  - Update provided on the various amenities for the project. Necessary development agreement amendments were discussed to reconcile differences between the PID and what the developer plans to build. Those will come forward at a later date.

**River Walk Parking:**

- No direction was requested or provided on this topic
  - The developer provided a parking analysis and no comments were provided during the meeting. The parking garage was also discussed for the Hotel under construction. The requirement for the garage to be built prior to the issuance of the hotel certificate of occupancy was also discussed.

**River Walk Floodplain:**

- Direction to amend the development agreement to allow the Town to issue building permits prior to FEMA approval of the LOMR
  - Status of the LOMR was discussed
  - Development activity as discussed

**River Walk TIA:**

- No direction was requested or provided on this topic
  - The proportionality costs are updated based on 2015 land use numbers. These costs are being reviewed by the developer. The TIA may need to be updated based on current land use numbers.

**Town-wide TIA process and regulations:**

- received direction to review the Town's regulations and bring back at a future Council work session (March)
- review allowing staff review and approval of work within the floodplain areas that don't require FEMA review/approval
- review FEMA's Community Rating System
- review allowing certain considerations for economic development projects
- better define terms (construction related activities (site prep) vs. building structures (building permits)), and the fully developed floodplain

4. Updating the Town Council on direction received during the July 22, 2016, Strategic Planning Session, and the September 15, 2016, Town Council work session including topics involving transportation, infrastructure, facilities, parks, sustainability plan, tree farm, tree ordinance, Urban Design Plan, sign standards, landscape standards, undergrounding of overhead utilities, detention and retention pond standards, administrative approvals, and discussing timing and prioritization of any direction associated with items 1-3 above.

**Prioritizing Town Council Strategic Initiatives:**

- Received direction to prioritize the development agreement for the River Walk floodplain, and seek out interested parties for senior housing.

**E. ADJOURN WORK SESSION**

Mayor Hayden adjourned the work session at 10:19 p.m. on Thursday, October 20, 2016, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

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**THOMAS E. HAYDEN, MAYOR**

**ATTEST:**

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**THERESA SCOTT, TOWN SECRETARY**