

THE FLOWER MOUND TOWN COUNCIL WORK SESSION MEETING HELD ON THE 19TH DAY OF JULY, 2012, 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
Kendra Stephenson	Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Steve Dixon	Councilmember Place 4

with the following members of the Town Council absent:

Mark Wise, Deputy Mayor Pro Tem
Jean Levenick, Place 5

With the following members of the Environmental Conservation Commission (ECC) present:

Chris Baca	Marilyn Lawson
Alton Bowman	Russ McNamer, Chair
Craig Bromley	Jennifer Romaszewski
James Dickey	Ellen Stallcup
Joe Haver	

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

Harlan Jefferson	Town Manager
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Kent Collins	Assistant Town Manager
Chuck Springer	Assistant Town Manager/CFO
Doug Powell	Executive Director of Development Services
Jared Martin	Environmental Review Analyst

A. CALL WORK SESSION TO ORDER

Mayor Hayden called the briefing session to order at 6:03 p.m.

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

Councilmember Webb gave the invocation and Mayor Hayden led the pledges.

D. SPECIAL MEETING ITEMS

1. Consider approval of a resolution creating the Town of Flower Mound Development Process Review Committee (DPRC).

Mayor Hayden announced the purpose of the DPRC is to review the Town's

Ordinances which will allow Council to take steps toward ensuring Flower Mound is welcoming to the business community, while also ensuring Council is in the right direction for what benefits the residents of the Town.

He also announced Town Council has selected the following individuals to serve on the Development Process Review Committee:

Si Simonson, Chairman
Andre Zwilling
David Watson, Direct Development
Von Geougher, G & A Consulting
Ken Hodge
Carol Kyer
Kurt Buehler
Karen Wilkerson
Al Picardi
Marla Senick
Ron Crowell
Councilmember Steve Dixon, serving as Council liaison.

Mayor Hayden outlined the charge of the committee, as outlined in the corresponding resolution, and as noted below. He indicated these areas would be discussed in phases, followed by recommendations to Council:

Discuss and consider:

1. amount of detail that is required for Planning & Zoning and Town Council staff reports
2. an access management exception process
3. regulations to allow administrative approval of street standards for the older neighborhoods.
4. detailed flood study of the Town
5. regulations to not require recommendations by Planning and Zoning regarding amendments to subdivision regulations
6. regulations to defer the TIA to after a site plan approval. This would require a standardized agreement to be approved concurrently with the site plan
7. requirement that four site plans go to Town Council for economic development projects and PDs that have that requirement

Councilmember Dixon asked Council to give direction for staff to get feedback from TIP Strategies and Retail Coach to discuss best practices and ways to help build priorities within the scope of work for the committee. In addition, contact the development community to understand their priorities as well, followed by an update in those two areas at the August 6th Town Council meeting.

Mayor Hayden offered the following suggestions:

- Economic Development Department consider having a roundtable once a month (such as what Colleyville does) in that people are invited to discuss economic development activity taking place in the community. He indicated the Chamber could also be involved.

- A member of Council serving as a primary contact for the various projects in Town, and suggested the names of Councilmember's Steve Dixon and Bryan Webb for Canyon Falls; and Councilmember Levenick and himself for the River Walk. He encouraged the development community to be forthcoming with specific issues or concerns they have so resolutions or improvements can be made.

Mayor Hayden requested staff extend an invitation to the new owners of Canyon Falls to allow them an opportunity to give a presentation to Council, which could include a status update and what they would like to accomplish.

Councilmember Dixon moved to approve a resolution creating the Town of Flower Mound Development Review Committee to include those individuals named as members of the committee. Councilmember Webb seconded the motion.

VOTE ON THE MOTION

AYES: Dixon, Stephenson, Webb

NAYS: None

ABSENT: Wise, Levenick

E./F. ADJOURN SPECIAL MEETING/CALL WORK SESSION TO ORDER

Mayor Hayden adjourned the special meeting and called the work session to order at 6:25 p.m.

G. WORK SESSION ITEMS

2. Presentation regarding the Mixed-Use Regulations and the Lakeside DFW development application for a mixed-use development.

Jimmy Archie, Realty Capital, 8333 Douglas Ave, Dallas, TX

Mr. Archie gave a presentation on the Lakeside DFW project which included:

- background information
- site location
- project plans in relation to building uses which included renderings for various areas within the development
- "Go Team" update
- zoning guidelines
- status update with regard to the zoning application, as well as various ordinance requirements in which relief is being sought by the developer - Each was identified as opportunities specific to the project, and referenced as not addressed in the mixed use ordinance or development handbook:

Opportunity # 1 (Goal: create a retail friendly environment on Lakeside Parkway)

<p>Proposed: Reduce a portion of Lakeside Parkway from a major thoroughfare to minor arterial</p>	<p>Questions, answers, and discussion from governing body included:</p>
<p><u>Developer Comments:</u></p> <ul style="list-style-type: none"> • reducing a portion of the current six lane median roadway to four lanes with angled parking to create a retail friendly environment • amendment to the Town’s Thoroughfare Plan would be needed as Lakeside Parkway is identified as a major thoroughfare. 	<ul style="list-style-type: none"> • the need for angled parking (18’) • Traffic Impact Analysis (TIA) anticipated in 2-3 weeks • arterial lanes being 12 feet, sidewalk widths of 14 feet, and 12 feet medians • Speed limit estimates at 30 mph and crosswalk options to keep speeds reduced <p><u>Council Comments:</u></p> <p>Councilmember Dixon: no wheel stops in angled parking spaces.</p> <p>Mayor Hayden offered Councilmember’s Wise and Levenick’s comments in that they would prefer not to commit without public comment.</p> <p><u>Consensus by Town Council:</u></p> <p>No objections to reviewing the request to change Lakeside Parkway from a major thoroughfare to a minor arterial, pending the results of the TIA in progress (as the impact of the proposed change would need to be identified prior to making a decision).</p>

Opportunity # 2 (Capitalize on the unique topography of the site)

<p>Proposed by developer: Seeking an exemption to build on areas within the project that have over a 12% slope</p>	<p>Questions, answers, and discussion from governing body included:</p>
<p><u>Developer Comments:</u></p> <ul style="list-style-type: none"> • He recognized this regulation is in place for the purpose of ensuring developers take advantage of the topography instead of flattening it and noted they want to integrate the slope within the project. He pointed out the areas on a map which include the slopes. 	<p><u>Consensus by Town Council:</u></p> <p>Acceptable to consider the exception within the concept plan, however, with a complete understanding as to what is being done in the slope areas.</p>

Opportunity # 3 (Tree Strategy)

<p>Proposed: confirmation that the current policy will stay in place for the district in that the Town’s Tree Ordinance is exempt for the entire Lakeside DFW Project</p>	<p>Questions, answers, and discussion from governing body included:</p>
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<ul style="list-style-type: none"> they have intentions to increase the tree canopy requirement by planting new trees 	<p>Mr. Bowman (ECC member) provided background information from when the Tree Ordinance was written by the ECC, and the importance of having it equally implemented throughout the Town for sustainability purposes.</p> <p>Mr. Jefferson commented that in the past the Tree Ordinance was interrupted to mean that development within the Lakeside Business District was exempt, however, staff recently came to the conclusion that it meant non-residential development was exempt from the Tree Ordinance. This prompts the question will the residential component of the mixed use development need to comply with the Tree Ordinance?</p> <p>Mayor Pro Tem Stephenson commented there would be a need for canopy coverage restored within a reasonable amount of time, and she encouraged Mr. Archie to get with Mr. Bowman regarding his <i>Acorns to Oaks</i> program and to allow space within the development for those plantings.</p> <p>There was agreement this discussion would continue as part of the Joint Session with ECC members.</p>
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Opportunity # 4 (Parks Plan)

Proposed by developer: seeking an exception to the 73 acres of park land dedication requirement as defined in the Town's Ordinance.	Questions, answers, and discussion from governing body and staff included:
<p><u>Developer Comments:</u></p> <p>Reasons the exception is being requested:</p> <ul style="list-style-type: none"> It's unrealistic or viable to the project to dedicate 73 acres of park land. The project will generate the quality of life desired within the park system Public utilization components incorporated in project such as a boardwalk element The nature of the develop allows public access and pedestrian flow Various parks and amenities being 	<ul style="list-style-type: none"> Primary open space is 10 – 15 acres Mixed use requirement of 5% open space Background information related to the Mixed Use Steering Committee <p><u>Consensus by Town Council:</u> Council is interested in pursuing working through the issues; however, making sure the residents receive fair value in areas such as planned open space and other amenities proposed for the development.</p>

<p>incorporated within the development</p> <ul style="list-style-type: none"> • This topic was not taken into consideration by the mixed use steering committee for a mixed use development project • Suggested looking at what percent of the overall development was the park dedication area, as in their case it's almost 50% of the land, and what's the comparison and disparity to make sure it's more in line with what has been done in the past. 	<p>Feedback is requested by the August 6th Town Council meeting.</p> <p><u>Council Comments:</u> Councilmember Dixon requested staff put together a report that compares and contrast the type of requirements that were put in place for a single use development on this topic (from Flower Mound development projects) versus a mixed use development. He also asked the developer to put together some options on their end.</p> <p>Mayor Pro Tem Stephenson commented Council will need to have a clear understanding as to what developments trigger the building of the various amenities.</p>
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Mr. Archie offered various dates for potential meetings with Planning & Zoning, ECC, PALS, and the Transportation Commission, ending with Council on September 17th.

Mayor Pro Tem Stephenson asked for clarification that the developer has completed the pre-application process.

Mr. Jefferson: at the conclusion of tonight's work session they will have met the pre-requisites.

Mayor Pro Tem Stephenson stated as the Town moves forward with the application process, it is her recommendation the Town contract with the consultant to review the application for reasonableness.

Mr. Jefferson: staff can move forward in that manner, along with setting up a schedule, however, would like to have the opportunity to negotiate the contract, with a contract to come forward at the next meeting.

Mayor Hayden asked when would the traffic study be completed.

Mr. Jefferson: mid August

Mayor Hayden asked of Mr. Jefferson what he thought about the proposed schedule.

Mr. Jefferson indicated it's a bit aggressive, and the TIA is the main consideration at this juncture. He pointed out that the "Go Team" discussed having an introductory meeting (work session) to receive a presentation to understand all the aspects of the project. Furthermore, he indicated the September 17th date for Council is unrealistic given the amount of work the consultant would need to do, along with the TIA

outstanding. In addition, the Development Agreement normally follows the P & Z meeting.

Mayor Hayden asked what is a realistic time table?

Mr. Jefferson: October or early November. He noted all of the work sessions can happen in August, followed by the application coming forward for all of the boards and commissions.

Mr. Powell commented the end of the pre-application process is a realization that everybody agrees on the pieces that will come forward, and noted the applicant has provided several revisions of an application booklet. He noted there are still forty pages of items pending. For that reason it's difficult to talk about hard schedules due to awaiting information.

Mayor Hayden asked Mr. Archie at what point do the delays start causing hardship for the developer.

Mr. Archie responded as soon as possible and suggested meeting with staff after the meeting tonight to discuss items needed from them.

Councilmember Webb agreed with the idea of having joint meetings with the boards and commissions, as applicable.

Mayor Pro Tem Stephenson suggested having the work session on-site to better identify the topography and things such as tree lines.

There was consensus by Council to expedite the work of the consultants in conjunction with the TIA study, and to work with staff to make sure all the items requested are submitted.

Mayor Hayden called for a recess at 8:30 and reconvened at 8:39 p.m.

3. Receive an update on the proposed sustainability initiatives from the Environmental Conservation Commission and discuss the objectives of the draft plan.

Russ McNamer, Chairman of the ECC announced Joe Haver, Vice-Chair of the ECC will be offering a presentation, and they will be seeking feedback from Council related to the scope of work currently underway.

Mr. Haver defined sustainability as environmental stewardship. Each Councilmember was provided a draft document of the proposed sustainability plan as written by the ECC. He provided a presentation on the sustainability plan which included background information and summarized the scope of work completed to date. There was emphasis on the plan being enforceable, meaningful, marketable and measurable. He noted components of the plan were divided into six key categories as follows:

- 1) land use planning and urban forestry

- 2) water conservation and storm water management
- 3) energy conservation climate
- 4) education and advocacy
- 5) recycling
- 6) green building code

He also identified initiatives that coincide with each of the above categories.

The entire presentation is available in the Town Secretary's office upon request.

Councilmember Dixon offered comments that the ECC is on the right track and encouraged them to move forward— specifically as it relates to the Town. For example, he would have liked their input by recommending drought tolerant plants for road medians. He also expressed being in agreement about the Town being the leader in this area and suggested the ECC put some ideas in front of staff early on. With regard to LEEDS standards if another Town facility is built in Flower Mound he would like it to be an example of what to do. He noted it is more expensive initially, however, the payback is high with decreased energy costs.

Councilmember Webb: asked if there is an equivalent to the green building code for residential.

Mr. Haver responded yes, there is, and explained how the program works.

Councilmember Webb stated several times there were references to incentives within the presentation, however, if we went down that road to provide incentives to do things that had a long payback to the community, it would be a win – win.

Councilmember Webb asked if gray water for commercial is encompassed within that code, and have other communities in Texas adopted it yet.

Mr. Haver responded, yes, the handling of gray water is within the code, and no, it has not been adopted by other cities in Texas and noted it was just released in March so many communities are in the evaluation stages. He pointed out the green building code has been out for a while; however, there has not been an enforceable component until recently.

Mayor Pro Tem Stephenson commented the green building codes are of interest, however, may be a lower priority given everything going on right now and there is a concern to not overburden staff. She mentioned there is interest in doing a tree survey given it's been six years since the last one. She also mentioned water conservation is important as well.

Mr. Collins offered background information regarding the Town's current water supply resources and gave a presentation outlining the Town's long term water supply strategies which include:

- reclaimed water
- groundwater
- conservation

He noted staff is seeking direction from Council to identify interest in pursuing some of the strategies outlined.

Mr. Jefferson pointed out that the ECC ended their presentation with next steps which included community involvement and staff would like to work with the ECC to do that. The other area is with regard to setting priorities and water conservation and addressing future water supply strategy. The other area is the green waste program.

Mayor Hayden commented that with regard to the Green Waste Program this was a problem at the time of the contract discussions with Waste Management because residents didn't have the option to "opt in" or "opt out".

Councilmember Dixon offered a suggestion with regard to getting public participation and rolling this out to the citizenry is to work on getting the word out to second and third graders on the importance of conserving water, and once the kids have ownership of it they will reach the parents. He came up with the phrase "witness waste, build a case".

Mr. Springer provided background information related to the green waste program in that it would be a separate pick up for things such as yard waste, leaves, or tree trimmings. This type of debris would need to be placed in a special recyclable container which is available at retailers. He said the green waste is then taken by Waste Management to a company called Living Earth and at that point it is recycled to mulch. The cost for the resident would be \$1.55 per month for residential. He noted the rate is now \$9.76 and with optional green waste the cost per month would be \$11.63. He pointed out that it would be an additional truck to pick up the green waste. He pointed out the survey results from 2009 and 2011 when residents were asked how interested they were in the Town pursuing green waste options:

	Very Interested	Somewhat Interested	Not Interested at All
2009 (similar question with no cost reference)	36%	40%	24%
2011 (included associated cost)	37%	33%	30%

Joe Jaynes, Waste Management, 520 E Corporate Dr, Ste 100, Lewisville

Lora Hinchcliff, Living Earth, 7761 B Justin Rd, Double Oak, TX

Mayor Hayden asked for an overview with regard to how the Town is doing in the area of recycling.

Mr. Jaynes: Flower Mound has a 65% participation rate and they collect 580 tons of recycling and 2,000 tons on a monthly basis.

There was discussion about ways the Town and Waste Management can collaborate to encourage recycling, in addition to an overview of services they provide.

Councilmember Webb suggested an alternative that could include a drop off location instead.

Mr. Jaynes: they could consider doing a pilot program in test areas to identify a participation rate; however, he would need to evaluate the feasibility of doing that as rates are based on town-wide participation.

Mayor Pro Tem Stephenson indicated being in favor of doing a pilot program and views the program as an extension to the recycling program.

Mr. Jaynes highlighted the recycle bank program being used in Carrollton.

Mayor Hayden suggested they work with the ECC on that idea to see if it could work in Flower Mound.

Councilmember Dixon indicated not being in favor of residents having to pay for the mulch derived from the collection.

Ms. Hinchcliff: could do a special Flower Mound mulch day a couple times of year for free or they could donate mulch materials back through Keep Flower Mound Beautiful.

Mr. Jaynes: some of their contracts include mulch going back to the city.

Councilmember's Dixon and Webb indicated there is an opportunity for participation in the program in the future; however, the benefits of the program would need to be well structured and defined.

Mayor Pro Tem Stephenson indicated this would be an opportunity for the ECC to take on and decide what fits for Flower Mound, followed by a recommendation to Council.

Mr. Martin responded to questions from Mayor Hayden related to the Tree Farm.

Mayor Hayden commented he would like to see the Tree program expanded.

Councilmember Hayden solicited feedback from the ECC Commission members regarding any thoughts or comments they might have.

Ms. Romaszewski asked Mr. Martin to speak about what is being done in the way of education at elementary schools.

Mr. Martin provided a summary of what has been done in the way of recycling education since 2007 within the schools.

Mr. Dickey commented his reasoning for coming tonight is to make sure the ECC recommendations and direction is balanced. He pointed out there was some deviation in the discussion with green waste as it wasn't part of the priorities presented.

Mayor Hayden pointed out the suggestions put together was great, however, the ECC would need to start prioritizing and then work through it with Council.

With regard to water conservation, Mayor Hayden commented Council would need to have some time to take in the information presented prior to offering direction.

Mayor Pro Tem Stephenson commented she would like to have staff work with the ECC regarding the details to better understand what would be acceptable for the community, come forward to Council, and then they could be rolled out.

Mr. Jefferson clarified that with regard to water conservation staff is seeking direction to obtain an overall strategy. He indicated staff will bring forward the topic in a few months and seek direction at that time.

There was some discussion with regard to cost associated with infrastructure in conjunction with conservation efforts.

Mayor Hayden expressed interest in having a future discussion about the Town's Tree program.

Mr. Bowman commented the ECC has a list in which they can prioritize from. He said the tree program is a priority, along with the associated tree survey to understand what has been lost. Furthermore, there needs to be a replanting program.

Mayor Hayden asked what the Town needs to do to be a Tree City USA.

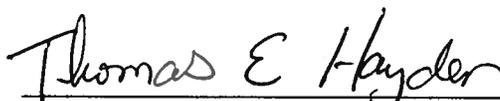
Mr. Martin identified the four criteria of being a Tree City USA:

1. Tree ordinance
2. Have a Forestry Board or Division
3. Budget that is \$2 per capita
4. Arbor Day observance

He noted the next level up is the Growth Award and the Town has achieved that five times in the last 17 years of being a Tree City.

Mayor Hayden adjourned the joint work session at 10:32 p.m. on Thursday, July 19, 2012, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



THOMAS E. HAYDEN, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY

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