

**THE FLOWER MOUND TOWN COUNCIL SPECIAL WORK SESSION MEETING HELD ON THE 31ST DAY OF JANUARY, 2019, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.**

[Click here](#) for meeting Video Link (subject to change)

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

Steve Dixon	Mayor
Jason Webb	Mayor Pro Tem
Claudio Forest	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Kevin Bryant	Councilmember Place 3
Jim Engel	Councilmember Place 4

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

Anne Carnes	Executive Assistant
Jimmy Stathatos	Town Manager
Debra Wallace	Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Lexin Murphy	Director of Planning Services
Andrea Roy	Director of Economic Development
Tiffany Bruce	Executive Director of Public Works
John Habern	Parks, Trails, & Landscape Specialist
JP Walton	Assistant to the Town Manager

**A. CALL SPECIAL WORK SESSION TO ORDER**

Mayor Dixon 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 Dixon gave the invocation and led the pledges.

**D. WORK SESSION ITEM**

1. Amending the Town’s Park Land Dedication ordinance in order to establish park/open space standards for multi-family uses.

Mr. Dalton gave a presentation identifying or noting:

- Background information
- Council direction to date
- Committee work research, including aspects and key concepts
- Parks Board input and feedback
- Elements: Formula, Ordinance, Applicability, Open Space
- Next steps

and he, Mr. Habern, or Mr. Walton, responded to the following questions or comments from Council:

- Clarification regarding the reference to park development fee reimbursement for playgrounds, and why no other amenities such as a gazebo, plantings, gardens, etc. were included
- Concerns regarding some of the multipliers on the credits as they are a bit rich
- For the credit option if a courtyard was internal to a structure and didn't have easy access for people, is that courtyard also eligible for a credit option
- Is there a definition as to how wide a linear park would need to be for credit consideration
- What was the process staff went through in creating the credits
- How would the numbers translate based on projects in the pipeline or on some of the past situations where Council was negotiating at the dais
- Clarification regarding next steps that involve finalizing a draft and routing it back to the Parks Board
- Clarification regarding the senior multiplier

There was Council discussion regarding:

- Interest in reimbursement being given to a developer in situations where:
  - They go above and beyond for the amenities and not just a playground
  - Something that connect trails (i.e. a bridge)
- Increased park fees are ultimately passed on to the buyer (the resident)
- Appreciation for the reduction in fees for senior housing
- It's critical the Town look at this now as neighboring cities are putting in these types of projects and that will put a lot of traffic on our western edge, so the time to do something is now
- Importance of recognizing the input of the Parks Board
- Staff has been challenged by applying old code that doesn't fit
- Concerns regarding courtyards being eligible for a credit option
- Terms of mixed use and a mixture of uses can be confusing
- Tonight is about trying to set a framework to create certainty
- It would be helpful for the categories to include examples of what it could look like (types of open space) instead of just the math
- Interest in making sure there is a defined path so everyone gets in their lane and it's clearly defined up front
- There should be discussion about how the public will gain access to the parkland
- If it's a gated community the general public won't have access and that needs to be taken into consideration on the credits

For the senior multiplier:

- There was general discussion regarding:
  - 1.6 was acceptable as a multiplier because the tenants are going to pay for the property and seniors need a development that is cost effective
  - Whether the objective is to be more receptive to the lower number or to the higher number for the multiplier
  - Actual versus theoretical numbers for the multiplier
  - Difference between a single family home and a multi-family unit
  - Some cities don't even charge park fees for senior housing projects

- The initial 3.36 was on the high side and if there are less people in a dwelling unit then it needs to be less on the park fees, and it becomes a fairness issue
- The multiplier is always a little more than the people per household
- Anywhere between 2.63 and 1.68 is still better than the 3.36 multiplier previously used
- Each member of Council offered feedback regarding their preferred multiplier and the average equated to 1.81
- Interest in having staff come up with different scenarios based on the 1.67 – 1.76 multiplier range

There was Council consensus to work with the average multiplier of 1.81.

## 2. Defining 'limited residential' in the Lakeside Business District.

Mr. Dalton gave a presentation identifying or noting:

- Background information, including previous discussion
- Summary of concerns discussed
- Considerations: Maximum density in units per acre, maximum acreage percentage, maximum building square footage percentage, and combination of the above
- Density: housing types, acres, units, and units per acre
- Next steps: direction from Council, draft edits, P & Z Public Hearing, Town Council Public Hearing

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

- What is the total number of residential units within the pink areas of the Lakeside map

There was Council discussion or questions regarding:

- How residential shouldn't be larger than office or retail or commercial
- A development should get credit for open space, as well as retail and commercial; the residential component helps the math work
- When the term of limited is used it means allowing for flexibility
- The purpose of the Lakeside Business District is to allow for commercial development that ultimately offers taxpayer relief
- There have been a few projects come forward that are truly limited residential
- Interest in Lakeside being a commercial corridor in Flower Mound and limited is difficult because it doesn't allow flexibility
- Sometimes projects come forward as mixed use but they really are three things happening on the property at the same time, but the original intent of mixed use would be retail on the first floor and apartments above
- Horizontal and vertical mixed use
- Under a mixed use proposal, 4.07 and 5 units per acre would be acceptable but may not be the best course of action (to put a hard and fast number)
- Some properties lend themselves to more retail than office, but when you look at a residential piece, developers will argue that it's needed to make the retail work
- Limited is just what it says – limited to no more than the rest so you can't have 50% residential, and then have 25% retail, and 25% office. That's not limited

and it doesn't work and that's how Council should be looking at it - not one thing can be more than the rest.

- Council should keep the flexibility and make the decisions in the best interest of the Town of Flower Mound
- What is the likelihood of limited residential being single family versus multi family
- Interest in looking at the numbers from an overall district perspective and how that looks based on entitlements that have already been approved
- Whether a definition for limited residential can be codified or is Council leaving it up to the developers as to what Council thinks and it continues to be an ongoing negotiation
- Background information when limited residential was allowed initially in Lakeside and how limited residential was intended to allow a developer to come in and make their best pitch
- The objective today is to get the best thing on the ground that does all the things the Town wants but make it economically viable
- The exercise tonight is for the purpose of putting some clarity on expectations for when a developer comes in
- There is a need to determine what component and at what percentage so developers will know what you really mean when you say limited residential
- Interest in starting with a framework Council can start from and Council can hang their hats on because it will be an issue for future meetings
- Interest in still having the flexibility to do something different than what's on paper in the event there is a project that comes forward that is unique
- Interest in having the space ratio percentage in the different categories up front when a project comes forward
- One option would be to present a developer with an allowance range
- The vast majority of the space needs to be commercial
- In reality there isn't much land remaining without entitlements
- Staff needs some type of basic guidelines to present to a developer for a project
- Council needs to consider the traffic impact on FM 2499 when projects come forward
- 0-25% limited residential would be the target; however, 0-35% would be acceptable if the development is truly something special, and they would need to be encouraged to go above and beyond if they are in the 0-35% range
- What is being talked about is a percentage of the total utilization (square footage) and open space needs to be part of the calculation as well
- The possibility of doing both - no more than x as a percentage for acreage and no more than x as a square footage percentage
- Whether or not the changes discussed should be an amendment to the code or a policy change

Mr. Stathatos pointed out there is a need to set some parameters if Council has interest in making a change to how things are done today. He indicated that staff could work with a range. He also suggested the option of looking at square footage for the overall development.

Mr. Dalton indicated that based on Council's feedback staff will review the Master Plan and PD Ordinance to evaluate the best approach and present Council with options at a future meeting.

3. Tax Increment Reinvestment Zone (TIRZ) Feasibility Study for Lakeside Village.

Ms. Roy gave a presentation identifying or noting:

- Background information
- Lakeside Village location and project proposal
- Map of area
- TIRZ funded costs
- Developer funded costs
- Build out scenarios, including no development – land value
- Summary
- Feasibility
- Consultant's approach

and she, Mr. Stathatos, or Ms. Wallace, responded to the following questions from Council:

- Has the Town received input from the County
- What is the value difference and time frame with a TIRZ and without
- How does the performing arts center come into play if there is a desire to add that to the amounts, and when would the Town need to identify that integral piece
- What is the total overall cost of the \$20 million when you consider lost opportunities in some other part of the Town or money that needs to be borrowed
- How much did the Town spend for infrastructure in Lakeside
- When the construction starts is there a timeline as to when payouts start
- Tax structure options that would help to fund the arts center
- Would the Town build the arts center or the developer
- How long would the project be delayed without the TIRZ
- Did the figures come from the developer
- Who carries the risk in a down economy scenario
- Is there an ability to amend the TIRZ in the future
- Is it common for a Town to give a direct loan to a developer
- Revenue the Town would receive under the scenario of 50%

There was Council discussion regarding:

- Interest in moving forward with the arts center as part of the TIRZ as it derives a benefit for the rest of the Town
- Financial options associated with the scenarios presented
- Interest in coming up with other opportunities in the area outside of a fine arts center
- Interest in knowing what Tarrant County's participation rate would be
- Interest in having a visitor's center in conjunction with the fine arts center as it's an added use for the facility
- Concerns regarding the April 17, 2019 deadline identified in the Development Agreement for the Town to deliver a letter of commitment regarding the performing arts center, and if that is attainable

There was Council consensus to take the TIRZ to the next level as it's in the Town's best interest financially, which includes contacting Tarrant County next.

**E. ADJOURN SPECIAL WORK SESSION**

Mayor Dixon adjourned the work session at 8:46 p.m. on Thursday, January 31, 2019, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

*Steve Dixon*

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**STEVE DIXON, MAYOR**

**ATTEST:**

*Theresa Scott*

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**THERESA SCOTT, TOWN SECRETARY**