



AGENDA
FLOWER MOUND PARKS BOARD
REGULAR MEETING
DECEMBER 7, 2017

FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS

6:30 P.M.

AN AGENDA INFORMATION PACKET IS AVAILABLE FOR PUBLIC INSPECTION
ONLINE AT WWW.FLOWER-MOUND.COM/AGENDA/AGENDA.PHP

All pagers and cell phones must be turned off in the Council Chambers.

A. CALL REGULAR MEETING TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

D. PUBLIC PARTICIPATION

Please fill out an "Appearance before Parks Board" form in order to address the Board, and turn the form in prior to Public Participation to Administrative Secretary Jade Olson. Speakers are normally limited to three minutes. Time limits can be adjusted by the Chair to accommodate more or fewer speakers.

The purpose of this item is to allow the public an opportunity to address the Parks Board on issues that are not the subject of a public hearing. Any item requiring a Public Hearing will allow the public to speak at the time that item appears on this agenda as indicated as a "Public Hearing". Parks Board members may not deliberate and may only cite facts or current policy in response to public comments. Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling the Parks and Recreation Division at 972.874.6300 during business hours.

E. DIRECTOR'S REPORT

- Update and status report related to Parks and Recreation issues.

F. CONSENT AGENDA – Consent Items

This agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from the Consent Agenda by any Board member by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of minutes from a regular meeting of the Parks Board held on November 2, 2017.

G. REGULAR ITEMS

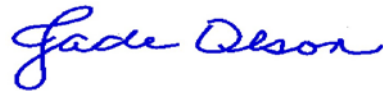
2. Consider recommending to Planning and Zoning Commission and Town Council Park Land Dedication and Park Development Fee requirements for The Point residential development generally located east of FM 2499 and north of Silveron Blvd.

H. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- The next regular meeting of the Parks Board is scheduled for January 4, 2018.

I. ADJOURN REGULAR MEETING

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: December 4, 2017 at 5:00 p.m. at least 72 hours prior to the scheduled time of said meeting.



Jade Olson, Administrative Secretary

The Flower Mound Town Hall and Council Chambers are wheelchair accessible. Requests for accommodations or interpretative services must be made at least 48 hours prior to this meeting by contacting Jade Olson, Administrative Secretary at (972) 874-6425.



PARKS BOARD AGENDA ITEM NO: 1

DATE: December 7, 2017

FROM: Jade Olson, Administrative Secretary

ITEM: Consider approval of minutes from a Regular Meeting of the Parks Board held on November 2, 2017.

I. SUMMARY:

The Parks Board held a Regular Meeting on November 2, 2017.

II. BACKGROUND INFORMATION:

N/A

III. FISCAL IMPACT:

N/A

IV. LEGAL REVIEW:

N/A

V. ATTACHMENTS:

1. Draft minutes from the November 2, 2017, Regular Meeting of the Parks Board.

VI. RECOMMENDED MOTION OR ACTION:

Move to approve the minutes from a Regular Meeting of the Parks Board held on November 2, 2017.

THE TOWN OF FLOWER MOUND PARKS BOARD REGULAR MEETING HELD ON THE 2nd DAY OF NOVEMBER 2017, 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 P.M.

The Parks Board met in a regular session with the following members present:

Gloria Jones	Place 1 – Chair
Michael Kelly	Place 2
Rick Kenyon	Place 4
Jodi Seay	Place 5
Ann Handren	Place 6
Mark Mayer	Place 9 – Alternate
Firoz Vohra	Place 10 – Alternate

The following Board member was not in attendance:

Teresa Thomason	Place 3 – Vice Chair
Ike Winfield	Place 7

The following members of Town Staff were in attendance:

Chuck Jennings	Director of Parks and Recreation
Clayton Litton	Parks Superintendent
Kari Biddix	Park Development Manager
John Habern	Park, Trails and Landscape Specialist
Mark Long	Twin Coves Park Manager
Michael Davenport	CAC Manager
Jade Olson	Administrative Secretary

- A. CALL REGULAR MEETING TO ORDER – 6:30 P.M.**
- B. INVOCATION – Mike Liles**
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**
- D. PUBLIC PARTICIPATION**

Caroline Finley, 2600 Borne Ln – stated she hopes to have parks that will build along the Corp of Engineers land that goes around the lake. She wants the nature and wildlife to be preserved.

E. DIRECTOR’S REPORT

Chuck Jennings, Director of Parks and Recreation reported the following:

- The Flower Mound Environmental Services Arbor Day celebration will be tomorrow from 3 to 6 p.m. at Green Acres Farm Memorial Park. There will be tree giveaways, an “Ask the Arborist” Q&A session, along with a tree planting and mulch demonstration at 5 p.m. In honor of America Recycles Day, Keep

-
- Flower Mound Beautiful will also be on-site teaching Worm Composting 101, where residents will learn how to turn food waste into vital nutrients for seedlings.
- The annual Veterans Day Ceremony will take place on Sunday, November 5th from 1 to 3 p.m. at the Flower Mound High School Football Stadium. A family picnic will be held from 1 to 2 p.m. with free hot dogs, cake, and lemonade. From 2 to 3 p.m., the Town will host the ceremony, which will include a Veterans Review where local Boy Scouts, Girl Scouts, and ROTC units parade before the Veterans in uniform. There will also be a guest speaker and performances by the Voices of Flower Mound.
 - The Annual Veterans Day Relay Run is Friday, November 10th. This event provides veterans and their family members the opportunity to run a portion of a pre-determined route throughout Town, carrying the American flag. The relay run will kick off at 9 a.m. on Friday, beginning and ending at the Flower Mound Community Activity Center (1200 Gerault Road). Following the run at approximately 5 p.m., a post-run celebration will take place, further honoring our nation's veterans and relay participants. As a special edition, the flag will be presented at both high school football games later that evening after the 1st quarter at Marcus and halftime at Flower Mound High School.
 - Dorothy's Dash will take place on Saturday, November 11th at Flower Mound High School. Registration is now open and all proceeds benefit the MS Society. The Kids 1K begins at 8 a.m. and all others will run at 8:30 a.m. Participants can sign up until the race begins.
 - 20 trees were recently planted at the Hound Mound in the north large dog section and along Garden Ridge. These were planted to help replace several that died from construction.
 - Join the Town in celebrating its 28th Annual Christmas Parade and Tree Lighting Ceremony; Saturday, December 9th, 6 to 9 p.m. The parade will begin at 6:00 p.m. at the intersection of Lexington and Spinks and will end near the CAC. This year's theme will be "Christmas Around the World." There will be a tree lighting ceremony with choir performances and lots of fun activities following the parade. Please visit the Town's website to fill out an application to enter a lighted float in this year's parade.
 - The SIM program currently has 2,048 members. During the month of October, the Flower Mound Senior Center had 4,139 membership card scans.
 - The SIM Advisory Board held its annual Arts & Crafts Fair on Saturday, Oct. 28th. Over 500 members and guests attended the Craft Fair. The SIM Advisory Board raised \$2,500 during the event to help support the program.
 - On Friday, Nov. 10th, the SIM program will celebrate Veterans Day with a special Veterans Day Party. Members will enjoy a patriotic performance by Rhonda Medina and a lunch of pot roast, mashed potatoes, vegetables, and dessert.
 - All Fall Adult leagues will be completed the week before Thanksgiving, weather permitting.
 - FMYSA will host the 11th Annual Flower Mound Toy Tournament at Bakersfield Park on November 10th through 12th.
 - GLASA will host the 2017 Fall Premier Cup Soccer Tournament at Chinn Chapel Soccer Complex on November 17th through 19th.
 - The Twin Coves Park entrance sign is now double sided and repositioned so it can be seen from both directions on Wichita Trail. Lighted flag poles have also been installed to give the area a nicer look.

- The general contractor will be replacing all the dead trees (under warranty) in Twin Coves Park in November.
- Twin Coves Park hosted two corporate outings in October and will have one additional event in November.
- 50 ft. of wood railing along the North Shore trail will be replaced in November by an Eagle Scout candidate.
- The Parks and Recreation Division will have several employees attend the annual Texas Parks and Recreation Society North Region annual conference in Denton tomorrow. The Town will be receiving an award at the conference for Excellence in Recreational Facility design for the new senior center.

Kari Biddix, Park Development Manager reported the following:

- The Rheudasil, Wilkerson, and Cortadera Park Pond Dredging and Bank Stabilization project has started. Cortadera Park will be complete once the pond is filled up. The wall at Rheudasil Park is getting prepared to place stonework. The Wilkerson ponds have been dredged.
- Heritage Park splash pad plans have been submitted for review. The erosion control swale has been poured. The restrooms will be delivered and installed the week of November 13. Next week the plumber will install the lift station for the recirculatory and purification system for the splash pad. The pavilion and trellis for the splash pad are scheduled to arrive the last week of December.
- Glenwick Park playground is complete.
- Spring Meadow Park playground is in progress. The playground theme is the Wild West.
- The next playground upgrades will be Oak Park and Bluebonnet Park.

F. CONSENT AGENDA

- 1. Consider approval of minutes from a regular meeting of the Parks Board held on October 5, 2017.**

Board Deliberation

Board member Kenyon moved to approve the minutes of a regular meeting of the Parks Board held on October 5 2017. Board member Handren seconded the motion.

VOTE ON THE MOTION

AYES: Vohra, Kenyon, Seay, Handren, Mayer
NAYS: None
ABSTAINS: Kelly

G. REGULAR ITEMS

- 2. Public Hearing to consider recommending for Town Council consideration, Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code – Section 42.041 and to adopt an Ordinance provided for said Standards**

Staff Presentation

Michael Davenport – CAC Manager

Board Deliberation

Board member Kelly moved to approve for Town Council consideration, Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code – Section 42.041 and to adopt said Standards. Board member Kenyon seconded the motion.

VOTE ON THE MOTION

AYES: Mayer, Handren, Seay, Kenyon, Vohra, Kelly

NAYS: None

3. Consider recommending approval for Town Council consideration the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park during the 2018 Independence Fest.

Staff Presentation

Chuck Jennings – Director of Parks and Recreation

Board Deliberation

Board member Handren moved to approve for Town Council consideration the sale and consumption of alcoholic beverages (beer and wine at Bakersfield Park during the 2018 Independence Fest. Board Member Seay seconded the motion.

VOTE ON THE MOTION

AYES: Kelly, Vohra, Kenyon, Seay, Handren, Mayer

NAYS: None

4. Consider recommending to Planning and Zoning Commission and Town Council Park Land Dedication and Park Development Fee requirements for the Serenity residential development generally located west of High Rd. and south of Hickory Springs Rd.

Staff Presentation

John Habern – Parks, Trails & Landscape Specialist

Board Deliberation

Board member Handren moved to recommend approval to Planning and Zoning Commission and Town Council cash, in the amount of \$17,976.00, be accepted in lieu of the otherwise required Park Land Dedication, and Park Development Fees in the amount of \$22,208.00 for Serenity residential development generally located west of High Rd. and south of Hickory Springs Rd. Board member Kenyon seconded the motion.

VOTE ON THE MOTION

AYES: Mayer, Handren, Seay, Kenyon, Vohra, Kelly
NAYS: None

H. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- The next Parks Board Regular Meeting is scheduled for December 7, 2017.

I. ADJOURNMENT

Board Member Kelly made a motion to adjourn the meeting. Board member Vohra seconded the motion.

Chair Gloria Jones adjourned the Regular Meeting at 7:23 p.m.

TOWN OF FLOWER MOUND, TEXAS

Gloria Jones, Chair

ATTEST:

Jade Olson, ADMINISTRATIVE SECRETARY



Parks Board AGENDA ITEM NO. 2

DATE: December 7, 2017

FROM: John Habern, Parks, Trails and Landscape Specialist

ITEM: Consider recommending to Planning and Zoning Commission and Town Council Park Land Dedication and Park Development Fee requirements for The Point residential development generally located east of FM 2499 and north of Silveron Blvd.

Background Information: The proposed development has one applications in with the Town: a Zoning Planned Development (ZPD17-0007) in order to develop a mixture of uses. The uses include office lodging, retail, hotel, carriage homes and multi-family. The residential density proposed is 585 multi-family dwelling/carriage homes.

Alternatives or Options: The Board may wish to recommend land be dedicated for park use within the proposed development or receive cash in lieu of land.

Park Land Dedication and Park Development Fees:

Park Land Dedication is determined as follows:

- 3.36 acres of land per 100 dwelling unit lots = 0.0336 acres/dwelling unit lot
- 0.0336 acres/dwelling unit lot X **577** dwelling unit lots = **19.3872 acres of Park Land Dedication required**

Payment of cash in lieu of the otherwise dedicated park land is determined as follows:

- **\$376,000.00** per acre is the fair market value of land within the development as determined by the Town and the developer
- **\$376,000.00** per acre X 19.3872 acres = **\$ 7,289,587.20 payment of cash in lieu of land to satisfy Park Land Dedication**

The Park Development Fees are determined as follows:

- \$1,388.00 fee per dwelling unit lot X **577** dwelling unit lots = **\$800,876.00 in Park Development Fees**

For further details of the Town's Land Development Regulations regarding Park Land Dedication and Park Development Fees, please review The Flower Mound Code of Ordinances; Subpart B - Land Development Regulations; Chapter 90 – Subdivisions; Article VI. – Standards; Division 8. - Parks and Recreational Areas; Sections 90-441 through 90-448.

For further details of the Town's Land Development Regulations regarding Planned Development District zoning regulations, please see the following link to the Town's Land Development Regulations:

Link to the Flower Mound Code of Ordinances:



Parks Board AGENDA ITEM NO. 2

https://www.municode.com/library/tx/flower_mound/codes/code_of_ordinances?nodeId=SPBLADERE_CH98ZO_ARTIIDIIE_DIV21PDPLDEDI

Fiscal Impact: N/A

Legal Issues: N/A

Attachments:

1. The Point Conceptual Plan
2. Developers Letter of Intent

Recommendation:

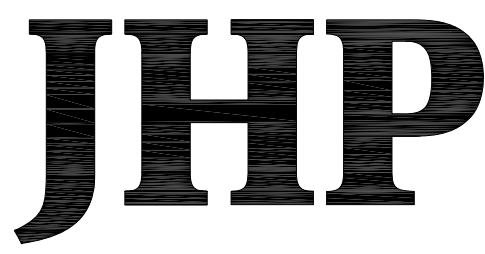
Move to recommend approval to Planning and Zoning Commission and Town Council Park Land Dedication of **19.3872 acres of land** and Park Development Fees in the amount of **\$800,876.00** for The Point residential development generally located east of FM 2499 and north of Silveron Blvd.

- OR -

Move to recommend approval to Planning and Zoning Commission and Town Council **cash**, in the amount of **\$7,289,587.20**, be accepted **in lieu of** the otherwise required Park Land Dedication, and Park Development Fees in the amount of **\$800,876.00** for The Point residential development generally located east of FM 2499 and north of Silveron Blvd.

- OR -

Move to recommend approval to Planning and Zoning Commission and Town Council of the use of the parks and open space standards contained in 98-905(b) with the addition of park fees per residential dwelling unit of **\$575** or **\$336,375.00** and publicly accessible open space of approximately 15% for the residential components of The Point development generally located east of FM 2499 and north of Silveron Parkway.



JHP Architecture / Urban Design
8340 Meadow Road Suite 150
Dallas, Texas 75231
Telephone: 214-363-5687
Fax: 214-363-9563

Michael L. Arbour
Registered Architect of the State of TEXAS
Registration Number: 11958

THE POINT

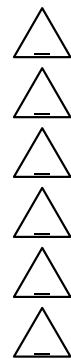
Flower Mound, Denton County, TX

Conceptual Site Plan

Project Number: 2017031
Drawn By: gp
Issue For: Master Plan Amendment
Date: 10.30.2017

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Revision Date



Sheet:

MASTER PLAN FEATURES	
Land Use Plan	Lakeside Business District
Specific Plans	N/A
Urban Design Plan	Lakeside Business District
Parks and Trails	Required Multi use trail along FM2499
Thoroughfare Plan	FM 2499 (Major Arterial), Silveron Blvd (Urban Minor Arterial), Lake Forest Blvd. Lake Forest Blvd. is a pending thoroughfare plan amendment and is subject to becoming a mutual access easement. (Urban Minor Arterial)
Water Plan	Lakeside Service Area – 12" Water along FM 2499, 12" Water along Silveron Blvd, 12" Water stub at Lake Forest Blvd.
Wastewater Plan	8" gravity main flowing south along FM 2499, 8" gravity main along Silveron Blvd flowing southwest from intersection with future Lake Forest.
Economic Impact	\$100 million ad valorem; HOT and additional revenue streams TBD.

According to the federal emergency management agency (FEMA) – national flood insurance program (NFIP) – flood insurance rate map (FIRM) – for the Tarrant county, Texas and incorporated areas – map no. 48439c0110k, map revised, September 25, 2009.

Drainage from the site will be conveyed in underground storm sewer systems and underground detention systems to the existing drainage system in FM 2499/Silveron Blvd that drains to the south and the existing drainage system in Silveron Blvd that drains to the east from the planned old intersection with Lake Forest Blvd. The green space on the northeast end of the site will drain to the existing creek which flows to Denton Creek. Detention will be sized to contain the difference between existing conditions and proposed conditions.

All Drive Approaches to be 24 feet with 20 feet turning Radius;
All Fire Lanes to be 26 feet, with 25 feet turning Radius.

Notes:

1. All retaining/detaining walls, turn-down curbs, tree retaining walls shall be clad in a material to complement the materials and colors within this development.
2. All ground based HVAC shall be screened with live screening or masonry enclosure. Masonry enclosure shall be clad in the same material as the main building.
3. All roof-mounted mechanical units and/or equipment shall be screened from view.
4. Dumpster screening wall shall be clad in a material to match the material on the main building.
5. Dumpster screening wall requires a separate building permit.
6. Signs require a separate building permit. Any signs depicted on the subject site plan/elevations are not approved as a part of this review and must comply with all applicable town regulations.
7. Retaining walls 4 feet in height or taller, including footings, will require a separate building permit through the building department.
8. Locations of all outdoor seating areas, gathering areas, dining areas, and permeable open space areas may be revised during site plan review for each building.

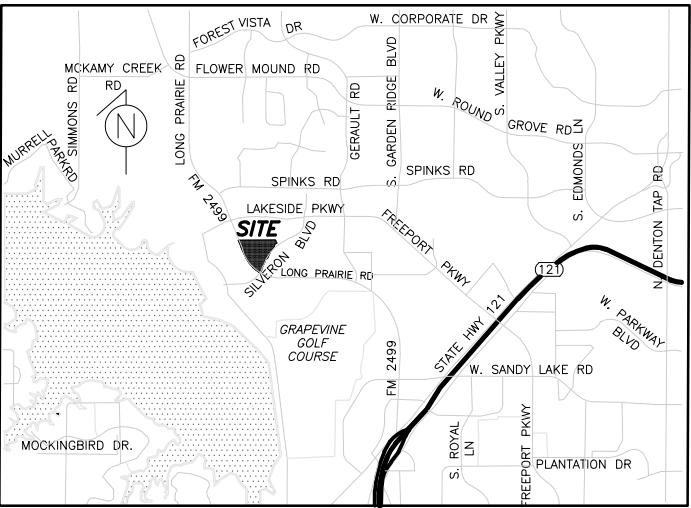
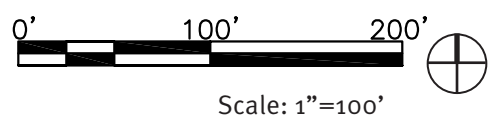
Building Summary										
Bldg.	No. of Stories	Gross Square Feet	Use	Number of Units	Live/Work Units	Total Number of Units	Required Parking Ratio	Required Parking	Total Required Parking	Provided Parking
1	3	47,300	Office				1 / 300 sf	155	155	156
2	2-3	5,700	Carriage House	5			1.5 per Unit	8		
3	3	77,500	Multifamily & Live/Work	55 Total	4	120	1.5 per Unit	83	181	192
4	3	77,500	Multifamily	60			1.5 per Unit	90		
5	2	Retail: 20,000 Office: 20,000	Retail Office				1 / 250 sf 1 / 300 sf	80 66	140	145
6	3	135,300	Multifamily	120			1.5 per Unit	180		
7	2-3	6,800	Carriage House	6		131	1.5 per Unit	9	197	200
8	2-3	5,700	Carriage House	5			1.5 per Unit	8		
9	5	57,500	Hotel	100		100	1 per Room	100	100	108
10	2-3	13,500	Carriage House	12			1.5 per Unit	18		
11	3	52,500	Multifamily	40		92	1.5 per Unit	60	138	141
12	3	52,500	Multifamily	40			1.5 per Unit	60		
13	3	71,500	Multifamily	55		60	1.5 per Unit	83	91	95
14	2-3	5,700	Carriage House	5			1.5 per Unit	8		
15	2-3	4,500	Carriage House	4			1.5 per Unit	6		
16	3	71,500	Multifamily	55		174	1.5 per Unit	83	262	268
17	3	78,900	Multifamily , Retail & Live/Work	55 Total	10		1.5 per Unit	83		
18	3	78,900	Multifamily	60			1.5 per Unit	90		
Total		902,800		577 Dwelling Units 100 Hotel Rooms					1,264 20% reduction 1,012	1,304

Project Name: The Point
Street Address: Unplatted, Not Assigned
Site Area: 34.553 Acres
Existing Zoning: PD-31, Tract 1- Campus Commercial
Existing Land Use: Undeveloped

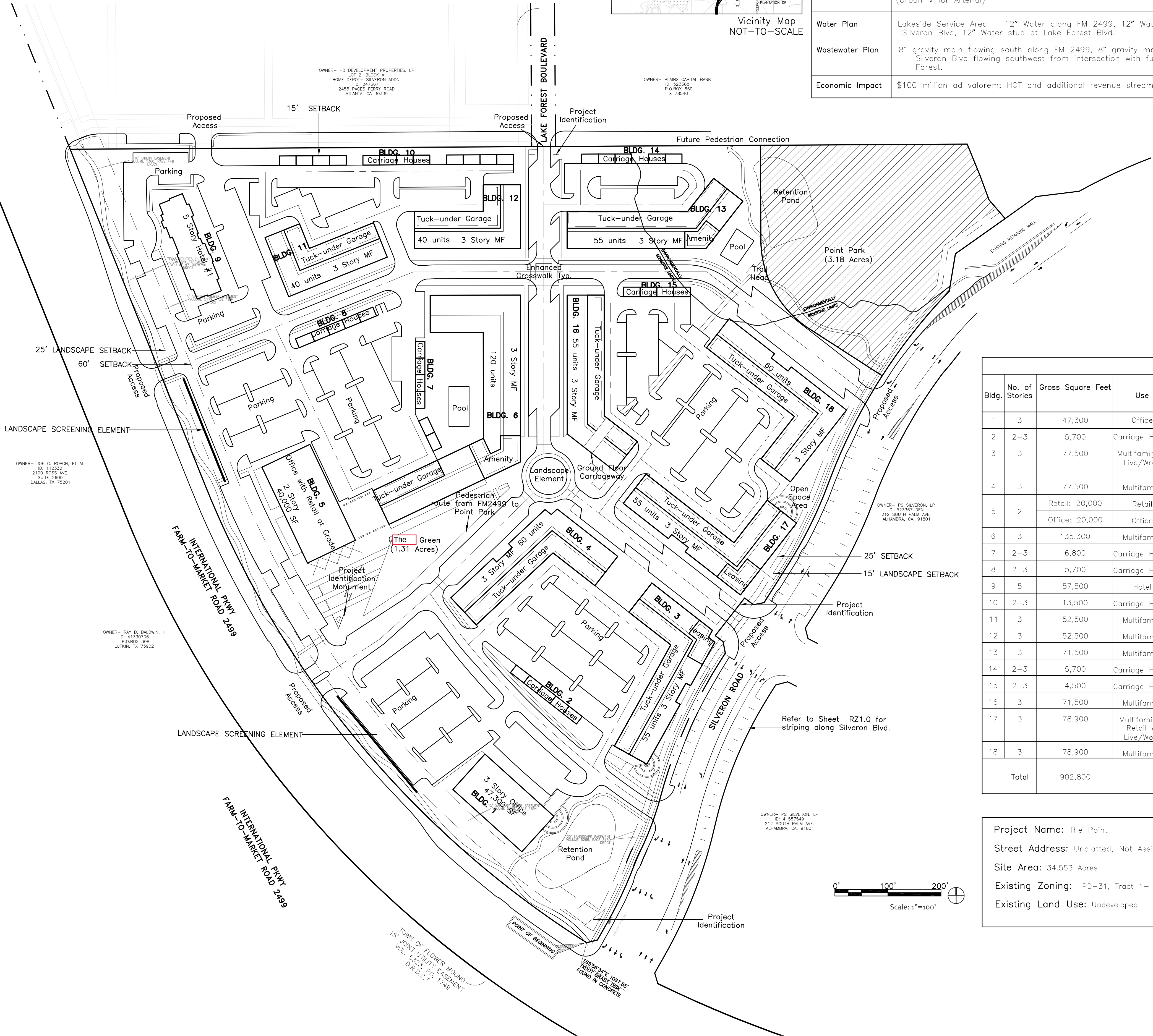
Owner Information:
Grand Seville, LP
5701 Seville Court
Plano, TX 75093

Surveyor information:
J. Knight Survey, Abstract No. 692
J. Tannahill Survey, Abstract No. 1252

Engineer information:
Cotes-Clark & Associates, LLP
14800 Quorum Drive, Suite 200
Dallas, Texas 75254
972.385.2272 x102



Vicinity Map
NOT-TO-SCALE



OWNER- PS SILVERON, LP
ID: 4105048
212 SOUTH PALM AVE.
ALHAMBRA, CA 91801

Refer to Sheet RZ1.0 for striping along Silveron Blvd.

OWNER- PS SILVERON, LP
ID: 4105048
212 SOUTH PALM AVE.
ALHAMBRA, CA 91801

OWNER- RAY B. BALDWIN, II
ID: 41330708
P.O. BOX 508
LUFKIN, TX 75902

OWNER- HD DEVELOPMENT PROPERTIES, LP
LOT 3, BLOCK 4
HOME DEPOT- SILVERON ADDN.
ID: 247367
2455 PACES FERRY ROAD
ATLANTA, GA 30339

OWNER- PLAINS CAPITAL BANK
ID: 523568
P.O. BOX 660
TX 75540

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OWNER- HD DEVELOPMENT PROPERTIES, LP
LOT 3, BLOCK 4
HOME DEPOT- SILVERON ADDN.
ID: 247367
2455 PACES FERRY ROAD
ATLANTA, GA 30339

OWNER- PLAINS CAPITAL BANK
ID: 523568
P.O. BOX 660
TX 75540

OWNER- JOE G. BOSCH, ET AL
ID: 112350
2100 ROSS AVE.
SUITE 2600
DALLAS, TX 75201

OWNER- RAY B. BALDWIN, II
ID: 41330708
P.O. BOX 508
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John Habern
Parks, Trails, and Landscape Specialist
Town of Flower Mound
2121 Cross Timbers Rd
Flower Mound, TX 75028

December 1, 2017

Mr. Haebern,

Portmanteau Consulting has submitted an application on behalf of Direct Development for a Zoning Planned Development-PD 156. The application is for approximately 35 acres of land located at FM2499 and Silveron Parkway.

This letter addresses Direct Development's request as it relates to the provision of parks and open space.

The subject property is within the Lakeside Business District Area Plan. The property is currently zoned under PD 31 as Campus Commercial. The property is bordered on the north by Home Depot and undeveloped property that is zoned Campus Industrial (a recent application for a warehouse site plan has been submitted). On the east, it is bordered by the Campus Industrial development currently occupied by Stryker. It is bordered on the south by Silveron Parkway and undeveloped land also zoned under PD 31 as Campus Commercial. To the west of FM2499, the majority of the property is also zoned and/or Master Planned for Campus Commercial.

The property has significant slope. There is approximately 40' of fall from north to south and over 70' of fall from east to west. The eastern edge of the property contains an environmentally sensitive area of over 4 acres.

Proposed Land Use and Development

The Point is designed to begin establishing the walkable, mixed-use environment needed to support the Class A office development desired in Lakeside Business District specifically to the east of FM2499. Direct Development has assembled a team of leading experts, who have designed and developed successful mixed-use projects that provide vibrant environments for DFW's leading employers. The team includes Trammell Crow Residential, JHP Architects, LandDesign and Cates-Clark & Associates. JLL has been retained as the marketing team for the proposed Class A office sites.

The Point is a mixed-use project containing a blend of office, hotel, retail, residential and recreation/leisure uses. Along FM 2499 up to 200,000 square feet of Class A office and a Hilton branded hotel are planned.

An additional 18,000 square feet of commercial space is planned in the core of the property and along Silveron Parkway. This space will initially be configured as approximately 24 separate units that can be used for live/work residences or small scale retail and office. (For the purposes of estimated park/open space requirements, this space has been included.) The residential component is currently planned to include 32 carriage homes and approximately 520 urban style multifamily units.

Walkability, Park and Open Space Requirements

In designing the proposed development, the priority was to establish a unique, walkable place. This is accomplished by first establishing three main park like or open space areas: The Corner, The Green and Point Park. These areas total approximately 5.5 acres or 15% of the total property. These open space areas are connected by an extensive pedestrian system that will create a superior walking environment for current and future residents, office tenants and business travelers staying at the proposed Hilton branded hotel.

Point Park preserves over 3 acres of the environmentally sensitive area and includes a trail head that establishes a natural surface path. This path can be extended on adjacent undeveloped properties north to Lakeside Parkway and south along the stream and pond. The adjacent property owner to the south has expressed interest in continuing the proposed path. The recent site plan submitted for the property to the north also incorporates the path.

The Point is requesting the use of the park standards adopted in 2012 for mixed-use projects. At that time, Flower Mound recognized that its park standards were developed to support traditional suburban development and were not suited for development that contained a mixture of uses and were more urban in nature (see attached 10/1/12 Staff Report).

Specifically, the town recognized the large amount of park land required by the existing park standards would impede or prevent walkability within mixed use developments and prevent the development of projects that are intended to be urban in nature.

These standards, contained in the attached staff report, were applied to Lakeside DFW and were later incorporated into the PD that created Southgate.

In September and October of 2017, the Town Council requested staff bring forward an amendment that would clarify the process to be used for projects that contain a

mixture of land uses, like The Point, for park standard requests. This amendment is still in process.

Flower Mound's Traditional Park Standards

Application of the traditional park standards contained in 90-443 and 446 would require the dedication of 19.2 acres of park land and payment of approximately \$800,000 in park development fees. This represents over 55% of the available land within the development and would leave only 15 acres available for development. This is excessive given the urban nature of the project, its placement within the Lakeside Business District and the Town's stated goals for the district. This is also the policy issue the Town addressed with the adoption of the mixed use park standards in 2012.

Flower Mound's Mixed Use Parks and Open Space Standards and The Point

The mixed use standards first require minimum open space of 5% of total land area. The Point's open space of 5.5 acres is approximately 15% of total land area.

Next, the mixed use park standards require each multifamily unit have a minimum of 200 square feet of private open space and private space per unit. Private open space includes outdoor amenities such as pools, volleyball courts and other amenities reserved for resident use only. Private space includes patios and balconies. The Point meets this requirement.

The mixed use standards do not require multifamily pay any other park related fees. However, in recognition of The Point's proximity and connectivity to Heritage Park, park fees of \$575 per unit are also being proposed.

Please let me know if you have any questions or need any further information.

Thank you for your consideration,

Sincerely,

Kendra Stephenson

Kendra Stephenson,
Portmanteau Consulting



TOWN COUNCIL MEETING

AGENDA ITEM NO: 15

OCTOBER 1, 2012

[] CONSENT ITEM [] REGULAR ITEM [] WORK SESSION ITEM

FROM: Doug Powell, Executive Director of Development Services

THROUGH: Chuck Springer, Interim Town Manager *CWS*
 Kent Collins, P.E., Assistant Town Manager *KC*

PRESENTER: Doug Powell, Executive Director of Development Services

ITEM: Public Hearing to consider a request to amend the Land Development Regulations (LDR 05-12) through the amendment of Chapter 98, "Zoning," by the amendment of Division 25, "Mixed Use District", by amending Section 98-905, entitled "Modifications," of the Code of Ordinances to allow the Town Council to (1) modify the requirements of the park land dedication ordinances; (2) modify the park development fees ordinances; and (3) modify the tree preservation ordinances for those Mixed Use Development projects that meet certain specified criteria identified in such amendments, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its September 24, 2012, meeting.)*

I. APPLICATION CONTACT INFORMATION

Applicant	Town of Flower Mound
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II. ITEM SUMMARY

A. Outstanding Issues

There are no outstanding issues associated with this request.

B. Planning and Zoning Commission Recommendation

Move to recommend denial of a request to amend the Land Development Regulations (LDR 05-12).

C. Draft Motions

1. Move to approve a request to amend the Land Development Regulations (LDR 05-12) through the amendment of Chapter 98, "Zoning," by the amendment of Division 25, "Mixed Use District", by amending Section 98-905, entitled "Modifications," of the Code of Ordinances to allow the Town Council to (1) modify the requirements of the park land dedication

ordinances; (2) modify the park development fees ordinances; and (3) modify the tree preservation ordinances for those Mixed Use Development projects that meet certain specified criteria identified in such amendments, and adopt an ordinance providing for said amendment.

2. Move to deny a request to amend the Land Development Regulations (LDR 05-12).

III. BACKGROUND INFORMATION

On October 6, 2008, the Town Council adopted amendments to the Master Plan and Land Development Regulations that encompassed the Town's Mixed-Use Regulations. The Mixed-Use Regulations were the result of a series of meetings and discussions of the Lakeside Stakeholders Committee who were charged with developing new regulations for mixed-use projects. The Committee was supported by Gateway Planning, who was hired by the Town to provide technical expertise. Although the effort led to the adoption of regulations that allowed for the creation of mixed-use developments within the Town, the Committee finished their work without addressing two policy issues related to the current park and tree regulations.

Specifically, the nature of mixed-use regulations allow for a development pattern that, by its very nature, is not suburban in form or function. The Town's development regulations are designed for suburban development and have served the Town well to create a place that is known for its high quality of life. However, most of these suburban development standards are not conducive to the creation of pedestrian-oriented, mixed-use developments. The review of the first development to apply under the mixed-use regulations has shown that amendments to the regulations are appropriate to address the issue of suburban regulations being applied to mixed-use developments.

IV. PLANNING ANALYSIS

The Town's mixed-use regulations require a mixture of uses to be proposed for any development application. Also, a minimum of 5% open space is required for the development. This open space can perform as a park, but the intent is to require traditional open spaces found in urban areas such as plazas, squares, and pocket parks that fit within the urban context. These open space areas are to be developed and maintained by the developer, but would be open to the public. Again, the nature of urban development requires all aspects of the development standards to be reviewed for appropriateness.

The proposal is to amend the mixed-use regulations, specifically the Mixed-Use Zoning District, to allow the Town Council to approve modifications to the Town's park land dedication, park development fees, and tree preservation regulations. The proposal to allow for these modifications includes criteria that specify additional standards if these modifications are granted.

The intent of the criteria is to provide for parks and tree preservation requirements based on the type of residential; single-family detached versus all other residential. The type of residential is used as a basis as it differentiates between what can be considered urban versus suburban in nature. The single-family detached areas will resemble other residential areas in the Town, while the other residential areas will be designed to be the pedestrian-oriented, mixed-use areas envisioned as the core areas of the mixed-use developments.

The specifics of the criteria for the two areas of amendments are as follows:

Parks

The Town's current regulations require that residential developments provide 3.36 acres per 100 units for park development and \$1,388 per unit for park development purposes. No park fees are imposed on non-residential development. The proposed amendment calls for allowing a 50% reduction in the park dedication fees when an additional 5% open space is provided based on the amount of area dedicated to single-family-detached development. Further, the design must provide at least two parks within a quarter-mile radius of each single-family block; one of the parks may be a public park outside the development. Also, the non-single-family residential development would need to provide 200 square feet of open space per unit.

The park development fees could be used by the developer for the on-site parks and open spaces within the development.

Trees

The Town's current regulations require that residential developments mitigate tree removal and require a Tree Removal Permit for specimen trees planned to be removed. Further, the current regulations exempt non-residential development within the Lakeside Business District, Denton Creek Business District and all Specific Plan Areas (SPAs). The proposed criteria would allow for any trees to be removed; the mitigation for any removal within the single-family-detached residential areas would be by the planting of new trees within the balance of the mixed-use development or payment of a mitigation fee. The non-single-family-detached areas would be exempted as all non-residential development currently is.

V. CORRESPONDENCE

At the time this staff report was written, no correspondence had been received in support of, or opposition to, this request.

VI. ATTACHMENTS

A. Background Information

1. DRAFT Ordinance Language

B. Notices and Correspondence

1. Newspaper Notification

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY AMENDING SUBPART B, CHAPTER 98 OF THE CODE OF ORDINANCES, ENTITLED "ZONING," THROUGH THE AMENDMENT OF ARTICLE III, ENTITLED "DISTRICT REGULATIONS," THROUGH THE AMENDMENT OF DIVISION 25, "MU MIXED USE DISTRICT," BY DELETING EXISTING SECTION 98-905, "MODIFICATIONS," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 98-905 ALSO ENTITLED "MODIFICATIONS"; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law, the Planning and Zoning Commission of the Town of Flower Mound, Texas, has recommended denial of the amendment of Chapter 98 of the Code of Ordinances, entitled "Zoning," by and through the amendment of Division 25, "MU Mixed Use District," by deleting Section 98-905, "Modifications," in its entirety and replacing said section with a new Section 98-905, also entitled "Modifications"; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the Town Council of the Town of Flower Mound; and

WHEREAS, the Town Council of the Town of Flower Mound, after public notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the Town of Flower Mound and of all testimony and information submitted during said public hearings, has determined that it is in the public's best interest and in furtherance of the health, safety, morals, and general welfare of the citizens of the Town, to amend the Town Code of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

All of the above premises are hereby found to be true and correct legislative and factual determinations of the Town of Flower Mound and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, existing Section 98-905, entitled "Modifications," is hereby deleted in its entirety and replaced with a new Section 98-905, also entitled "Modifications," to read as follows:

"98-905. – Modifications

(a) *Mixed use standards.* The town council may approve modifications to any of the standards in the MU after a recommendation by the planning and zoning commission based on unique site conditions and development context at the time of the application. In granting a modification, the town council may impose any conditions that it deems necessary or desirable to protect the public interest and implement the goals of the town's master plan with respect to mixed use. However, an applicant may submit to the zoning board of adjustment a request for a variance and the board may grant variances to any specifically established standards approved by the town council in the ordinance establishing the particular MU. All such requests will be subject to the standards imposed upon the zoning board of adjustment in section 78-85.

(b) *Park land dedication and park development fees requirements.*

(1) *General.* In Mixed Use development projects, park land dedication (including the payment of cash in lieu of dedication) requirements and park development fee requirements shall be evaluated in regard to the following standards.

(2) The development plan, in addition to meeting the standards for public civic/open space above, shall be analyzed based on the following standards:

a. Provision of Private Common and Private Personal Space for all non-single-family detached residential units proposed in the development shall meet the following standards:

- i. A minimum of 200 sq.ft. per unit shall be provided as courtyards, forecourts, roof-top terraces, recreational amenities such as pools, play courts, etc., or any other private common open space that is accessible to all residents of the building or development.
 - ii. Approximately 50% of the required Private Common Open space may be provided as private personal open space that includes balconies, patios, and similar spaces that are located within individual units.
 - b. All single-family detached residential units may be eligible for up to a 50% reduction of the Town's park land dedication (including the payment of cash in lieu of dedication) requirements and park development fee requirements by meeting the following standards:
 - i. An additional 5% of open space is provided (measured as a percentage of the gross area dedicated to attached and detached single-family residential uses in all character zones);
 - ii. The additional open space provided meets the criteria under 98-903(g)(3) above; and
 - iii. The additional open space provides access to at least two types of public open space (pocket park, playground, green, linear green, etc.) within a ¼-mile radius of each single-family residential (attached and detached) block. If convenient public access is provided within a ¼-mile radius of an existing significant adjacent public open space for the majority of those residential blocks, only one public open space will be required.
- (3) For the purposes of this section, the following definitions shall be used:
- a. "Private common open space" means a privately-owned outdoor or unenclosed area, located on the

ground or on a roof, balcony, deck, porch, or terrace, which is designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, and intended for use by the residents, employees, and/or visitors to a development.

- b. "Private personal open space" means a privately-owned outdoor or unenclosed area, located on the ground or on a roof, balcony, deck, porch, or terrace, which is designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, and intended for use solely by the individual residents of a condominium or multi-family dwelling unit.

(c) *Tree preservation.*

- (1) *General.* In Mixed Use development projects, tree mitigation shall be evaluated in regard to the district as a whole based on the tree survey. Tree survey and planting requirements shall comply with Chapter 94 "Trees." Compliance with the requirements regarding tree removal and mitigation within the Mixed Use development shall comply with the following standards.

(2) *Tree removal.*

- a. *Undergrowth and unprotected trees.* A property-owner/developer may, in its discretion, remove understory growth, including but not limited to vines, shrubs, briars and bushes, and trees that are 3 caliper inches or less in diameter, however neither protected nor specimen trees as shown on the tree survey shall be removed without the submittal and approval by the Town of a tree removal permit.
- b. *Removal of protected or specimen trees.* The removal of specimen or protected trees located within a lot or site do not require a tree removal permit, however; such trees shall not be removed from a lot or site prior to all of the

conditions listed in this subsection being met. No protected or specimen trees may be removed from a lot or site prior to the approval of a development plan, Site Plan, plat or replat. In addition, a pre-construction meeting with appropriate Town staff shall occur prior to the removal of any protected or specimen tree and/or the authorization of grading and construction activities to begin on the lot or site.

(3) *Mitigation requirements for authorized tree removal.*

Tree mitigation requirements for Mixed Use districts shall not apply to non-residential uses within the Mixed Use project. Mitigation requirements for residential uses for Mixed Use districts shall comply with the following provisions.

- a. *Protected trees on-site.* It shall be the responsibility of any person removing a protected tree from a lot or site to replace each protected tree so removed with one (1) tree having a caliper of 2½ - 3 inches, measured in accordance with the terms of Chapter 94 "Trees."
- b. *Specimen trees on-site.* It shall be the responsibility of any person removing a specimen tree from a lot or site to replace each specimen tree removed with one (1) or more trees that total twice the caliper inches of the specimen tree(s) removed as measured in accordance with the terms of Chapter 94 "Trees." For example, if a thirty-inch (30") specimen tree is removed, it would be replaced with sixty (60) caliper inches comprised of twenty (20) three-inch (3") caliper trees, five (5) twelve-inch (12") caliper trees or some other combination of trees the caliper measurement of which equates to sixty (60) caliper inches.
- c. *Mitigation payments.* Mitigation payments in lieu of planting replacement trees shall be calculated and submitted to the Town for approval. Fees in lieu of planting shall be paid to the Town's Tree Preservation Fund.

- d. *Mitigation credits and incentives for preservation of protected and specimen trees.* If any protected or specimen tree is preserved on a lot or site, credits for said preservation shall be given that will count toward the replacement or mitigation requirements within the lot or site. Credits will accrue only for those trees whose measured drip lines are left predominantly in their natural state. Minimal cutting, filling or other construction-related activities are allowed within the drip line of trees eligible for credits to the extent only that such trees are not damaged or killed by such activity within their drip line. Said credits will accrue as follows.
- i. For each protected tree preserved or transplanted within a lot or site or transplanted elsewhere in the site, one (1) tree credit shall be given.
 - ii. For each specimen tree preserved or transplanted within a lot or site or transplanted elsewhere within the site, credit for caliper width equivalent to the caliper width of the tree preserved or transplanted shall be given. *For example, preserving or transplanting a specimen tree having a thirty-inch (30") caliper width would result in thirty (30) caliper inches of credit, or ten (10) three-inch (3") caliper trees.*
 - iii. For purposes of this section, one (1) credit shall be given for landscaping trees planted in compliance with the Mixed Use district landscaping standards.

SECTION 3

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Flower Mound, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF _____, 2012.

APPROVED:

Thomas E. Hayden, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, TOWN ATTORNEY

PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Flower Mound, Texas, will hold a Public Hearing on October 1, 2012, at 6:00 p.m. in the Flower Mound Town Hall, 2121 Cross Timbers Road. The purpose of the hearing is to consider a request to amend the Land Development Regulations (LDR 05-12) through the amendment of Chapter 98, "Zoning," by the amendment of Division 25, "Mixed Use District", by amending Section 98-905, entitled "Modifications," of the Code of Ordinances to allow the Town Council to (1) modify the requirements of the park land dedication ordinances; (2) modify the park development fees ordinances; and (3) modify the tree preservation ordinances for those Mixed Use Development projects that meet certain specified criteria identified in such amendments.

To Run in Denton Record-Chronicle: Wednesday, September 12, 2012

To Run in LV/FM/HV Neighborhood News: Friday, September 14, 2012

Denton Record-Chronicle:

FAX: 1-940-566-6818

ATTN: Melissa / Sherry / Natalie

Email: classads@dentonrc.com

ANY QUESTIONS OR PROBLEMS PLEASE CALL JAMES HOEFERT AT 972-874-6380

Town of Flower Mound Account # 100041137