



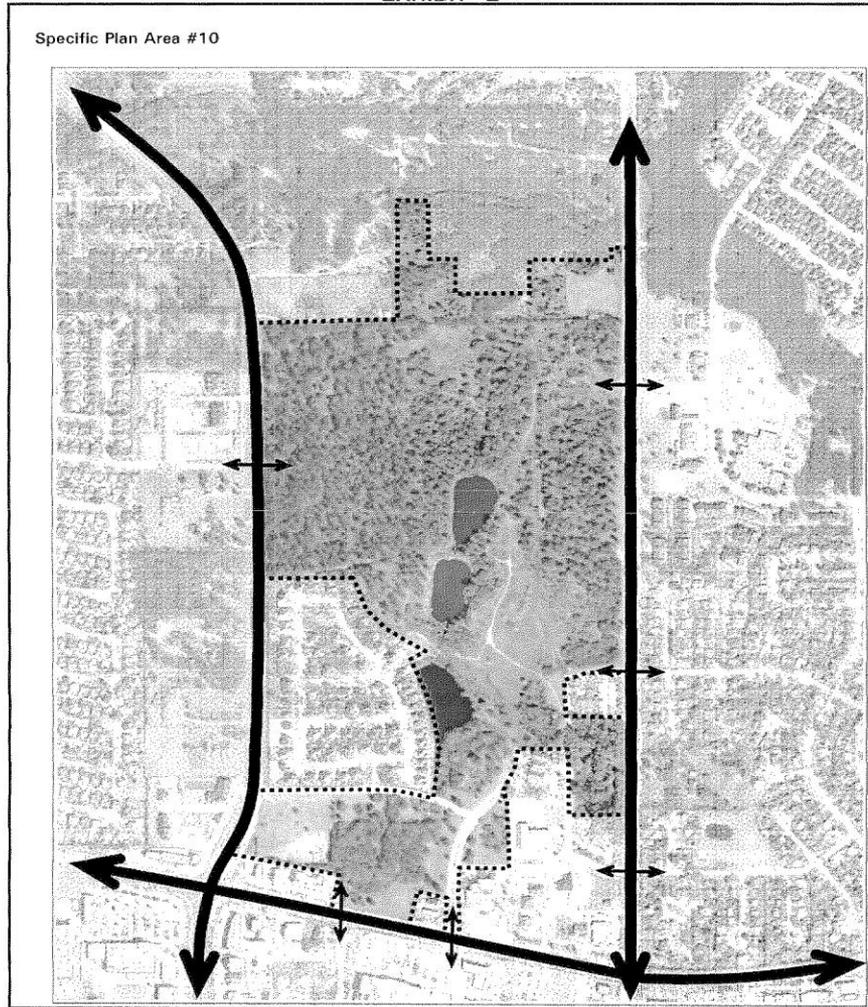
The Flower Mound River Walk PID

**Terrence S. Welch
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Richardson, Texas**

The Property

- **Located in the middle of Flower Mound, with development “on the edges”**
- **Consisted of approximately 230 acres in the 1980s, subsequently reduced through development**
- **Heavily treed property**
- **Several natural ponds on the site**
- **Many site constraints**

EXHIBIT "E"



Troubled Past for the Property

- Original zoning was as a planned development, with **137** acres of SF; **93** acres of MF; and **8.2** acres of open space
- Rezoned in 1982 to **60** acres of SF-detached, **50** acres of SF-attached, **50** acres of MF, **40** acres of office use; and **30** acres of retail and service use

Troubled Past for the Property

- **High density on the property as a result of the 1982 rezoning:**

Density - Density shall include open space; not roads.

- a. Single Family-Detached - Average density of 3.5 units per acre with a maximum of 5.0 units per acre.**
- b. Single Family-Attached - Average density of 8.5 units per acre with a maximum of 10.0 units per acre; the lowest density abutting Rippy Road.**
- c. Multi-Family - Average density of 16.0 units per acre with a maximum of 20.0 units per acre.**

Troubled Past for the Property

- Rezoned in 1985 with **40** acres of SF-detached, **50** acres of SF-attached, **70** acres of MF, **40** acres of Office use, **20** acres of retail and service uses and **10** acres of community center uses
- Property (except on the exterior portions adjacent to roadways) remained vacant

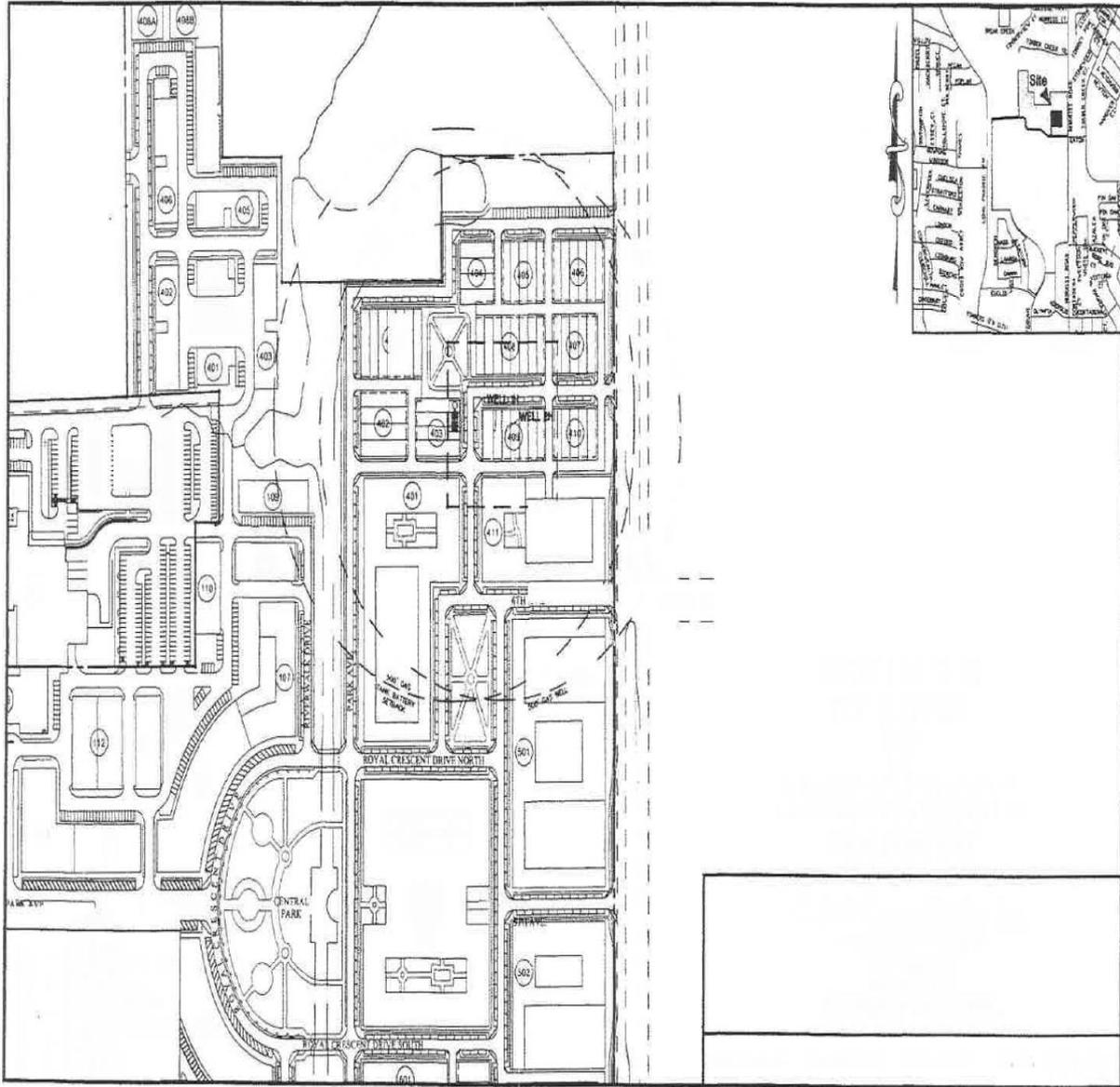
Troubled Past for the Property

- In early 2008, application was made to drill for natural gas on the property**
- Variances to the Town's gas drilling ordinance were necessary**
- Eventually, after public hearings, the variance requests were denied**
- The gas operator twice sued the Town for an illegal taking**

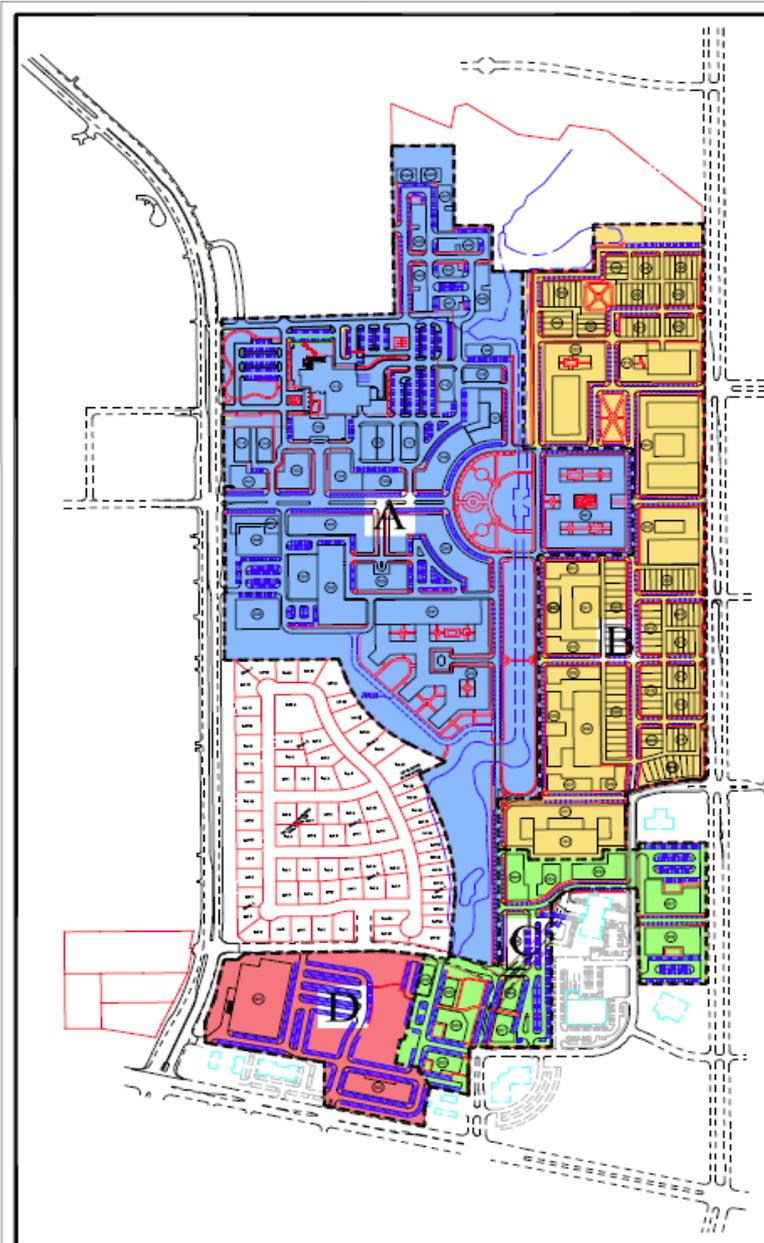
The River Walk Mixed Use Development

- **Owner (a developer) sought approval for a mixed use development in 2008**
- **After months of negotiation, a detailed development agreement was worked out**
- **Natural gas pad site was major issue to resolve—the owner/developer wanted to build structures on the proposed well site but would not dismiss lawsuit**
- **Eventually, an agreement was worked out that there could be no construction in the “setback area” around the pad site as long as the lawsuit was pending**

“The parties acknowledge that at the time of execution of this Agreement, litigation is pending relative to the proposed location of a gas well. . . . Prior to the entry of a final, non-appealable judgment by a court of record in any litigation relative to the denial of gas exploration and drilling or the denial of a gas drilling permit on any property in the River Walk or final settlement of said litigation, Developer agrees that it shall not construct any buildings, residences, public improvements or other facilities in the area of the setback requirements depicted in Exhibit H, attached hereto (“the Setback Area”).”



CONCEPT
PLAN
SUBDISTRICTS



- AREA A
TOWN CENTER
- AREA B
COMMUNITY
RESIDENTIAL
- AREA C
COMMUNITY
MIXED USE
- AREA D
COMMUNITY
RETAIL CENTER

DAVID M. SCHWARTZ /
ARCHITECTURAL SERVICES, INC.

G & A Consultants, Inc.
CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE
PLANNING AND DESIGN

EXHIBIT "C"
THE RIVER WALK AT CENTRAL PARK
FLOWER MOUND, TEXAS

Rev: July 7, 2008

Economic Downturn

- **Along comes the economic downturn in 2008-2009, and all development grinds to a halt, including this site**
- **Developer/owner faced bankruptcy and apparently goes through a messy divorce**
- **New owners appeared on the scene, and their desire was to sell the property, not develop it**
- **Pending gas drilling lawsuit was still an issue**

MMD Attempt Fails. . .

- **In 2013 there was a legislative attempt by Centurion American to create Riverwalk Municipal Management District No. 1 after being informed that the Town Council cannot create a public improvement district**
- **Some Town residents mobilize against the proposed MMD bill, surprised that it was filed without public discussion about it; however, the Town passed a resolution in support of the MMD**
- **The bill did not get out of the 83rd Texas Legislature**

. . . and on to a PID

- **After MMD bill fails, Centurion American opted to go the PID route—the only problem was the Town Charter**
- **In § 7.16, the Town Charter provides that before a PID may be authorized, the following must occur:**
 - **The request for the creation of a PID must be made to the Town Council at a regular meeting, and the Council may approve its implementation;**
 - **Following vote of the Council to approve the PID, the Council must call a special election to consider the question of allowing the District to be placed in the Town;**
 - **The election must be held on the next uniform election date; and**
 - **Voters are authorized to vote "For" or "Against" the PID.**

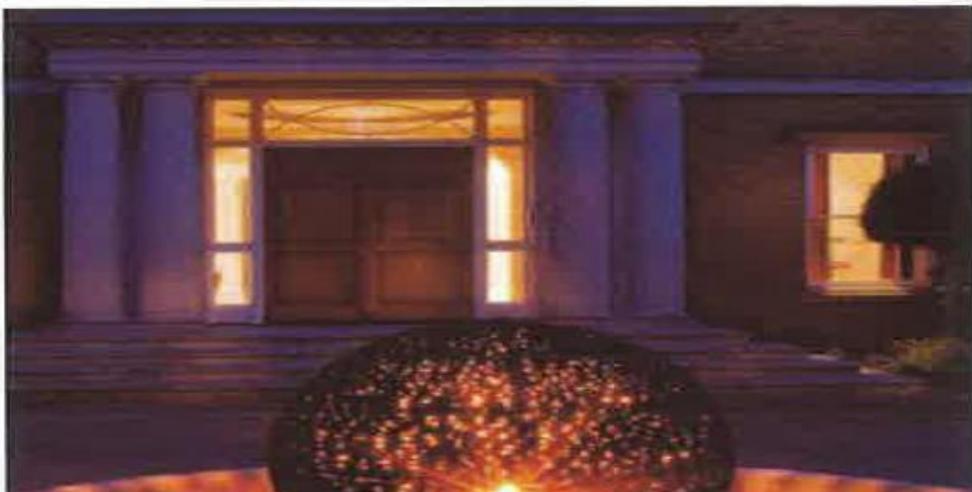
The PID Progresses

- **A special election was called for November 5, 2013**
- **Developer requested the issuance of up to \$16 million in PID bonds for public improvements**
- **Prior to election, in August 2013 the Council approves amendments to the 2008 development agreement for the property, and provided diagrams and details of the development**
- **In the ensuing campaign for PID approval, the developer sent flyers to residents, met with neighborhood groups and overall had an effective and sophisticated election campaign**

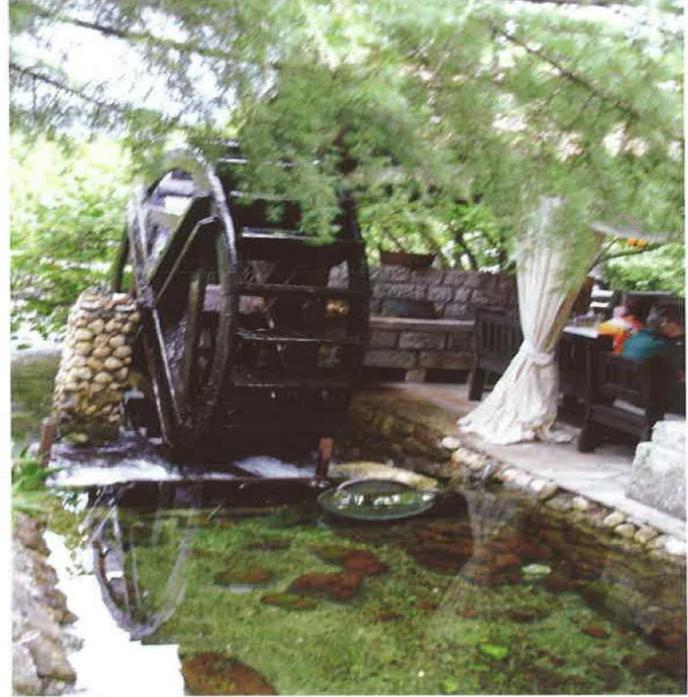
The PID Campaign

Attachment 1: Proposed Amended Development Agreement





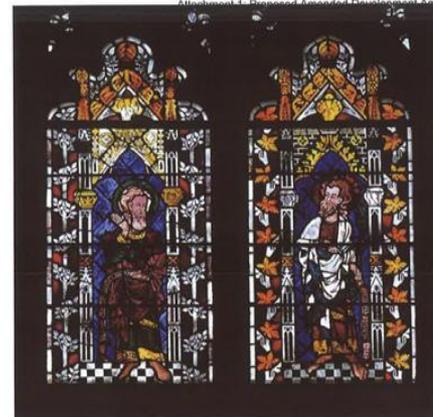




Attachment 1: Proposed Development Agreement

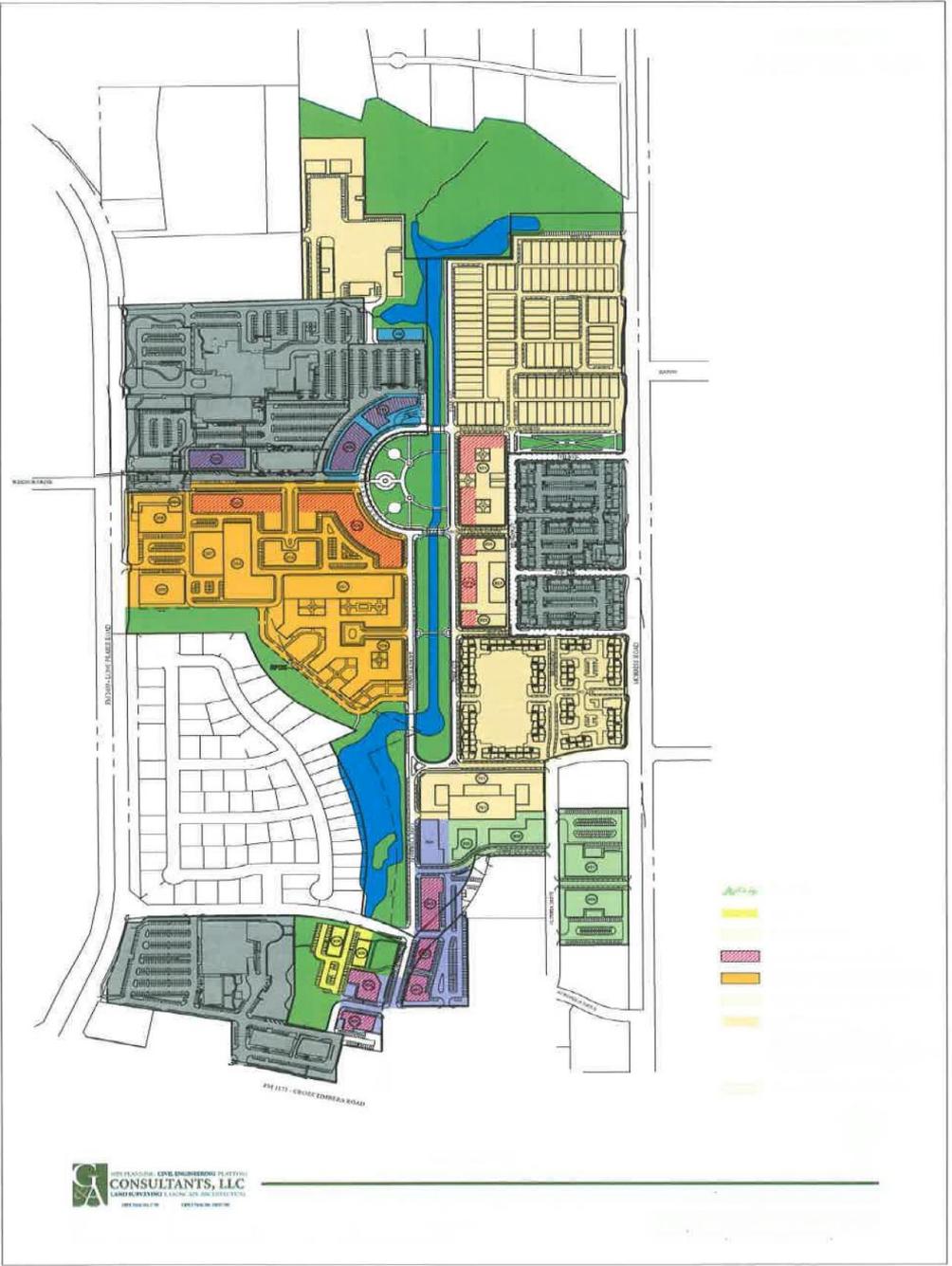


Attachment 1: Proposed Development Agreement



The Election and Its Aftermath

- **At the special election held on November 5, 2013, the PID proposition passed, 3244 “for” and 1187 “against”**
- **\$16 million in PID bonds were issued in 2014**
- **Costs of authorized improvements to date are approximately \$13 million**
- **The development plans have changed, with more high density residential development:**



Evaluating the River Walk

- **“Deforestation” Issues/Public Concerns**
- **Addition of high density residential**
- **When does the retail arrive?**
- **Issues with the “river amenity”**
- **Political consequences: Winning council candidate last May said “we are putting ourselves in a vulnerable position by changing our Master Plan so often just to meet the desires of developers. Our Master Plan is the voice of the town as it was written by the people; it is the vision of Flower Mound. I believe that changes to the Master Plan should benefit the town as a whole and not just specific developers.”**
- **Success, failure, or something in between?**




It's all along the river

The Flower Mound River Walk PID

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