



*Prosper is a place where everyone matters.*

**AGENDA**  
**Meeting of the Prosper Town Council**  
Prosper Municipal Chambers  
108 W. Broadway, Prosper, Texas  
Tuesday, April 22, 2014  
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of upcoming events.
4. **CONSENT AGENDA:**

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

- 4a. Consider and act upon minutes from the following Town Council meeting. **(RB)**
  - Regular Meeting – April 8, 2014

- 4b. Receive the March 2014 Financial Report.

- 4c. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or preliminary site plan. **(CC)**

- 4d. Consider and act upon authorizing the Mayor to execute a Partial Termination of the Preannexation Agreement between the Town of Prosper and TVG Texas I, LLC. **(CC)**

- 4e. Consider and act upon an Ordinance rezoning 29.5± acres, located on the southeast corner of Coit Road and Frontier Parkway, from Agricultural (A) to 17.9± acres of Single Family-17.5 (SF-17.5) and 11.6± acres of Retail (R). (Z14-0004). **(CC)**

- 4f. Consider and act upon an Ordinance granting a Specific Use Permit (SUP) for a Child Day Care Center, on 2.3± acres, located on the east side of Coit Road, 800± feet north of First Street. The property is zoned Retail (R). (S14-0001). **(CC)**

5. **CITIZEN COMMENTS:**

(The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete

a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.)

Other Comments by the Public -

**REGULAR AGENDA:**

(If you wish to address the Council during the regular agenda portion of the meeting, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. Those wishing to speak on a non-public hearing related item will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

**PUBLIC HEARINGS:**

6. Conduct a Public Hearing, and consider and act upon a request to rezone 878.9± acres, located on the southeast and southwest corners of Prosper Trail and Dallas Parkway, from Planned Development-3 (PD-3), Planned Development-14 (PD-14), Planned Development-23 (PD-23), Planned Development-34 (PD-34), Single Family-10 (SF-10), Single Family-12.5 (SF-12.5), Office (O), and Commercial Corridor (CC) to Planned Development-Single Family/Office/Retail (PD-SF/O/R). (Z13-0018). **(CC)**
7. Conduct a Public Hearing, and consider and act upon a request to rezone 621.1± acres, located on the northeast and northwest corners of U.S. 380 and Preston Road, from Planned Development-2 (PD-2), Planned Development-3 (PD-3), Planned Development-13 (PD-13), Agricultural (A), and Single Family-15 (SF-15) to Planned Development-Single Family-10/Townhome/Multifamily/Office/Retail/Commercial (PD-SF-10/TH/MF/O/R/C). (Z09-0013). **(CC)**

**DEPARTMENT ITEMS:**

8. Consider and act upon an ordinance approving a Water Resource and Emergency Management Plan and Water Conservation Plan; establishing criteria for the initiation and termination of drought response states; establishing restrictions on certain water uses; establishing administrative fees for violation and provisions for enforcement of these restrictions; establishing procedures for granting variances; repealing Ordinance Nos. 96-23, 00-20, 01-11, 02-30, 06-01 and 11-57; providing for repealing, savings and severability clauses; providing for an effective date of this Ordinance; and providing for the publication of the caption hereof. **(FJ)**

9. **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

- 9a. *Section 551.087 - To discuss and consider economic development incentives.*

- 9b. Section 551.072 - To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*
- 10. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
- 11. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
- 12. Adjourn.

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at the Town Hall of Prosper, Texas, 121 W. Broadway Street, Prosper, 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:

On April 17, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Robyn Battle, Town Secretary

\_\_\_\_\_  
Date Noticed Removed

If during the course of the meeting covered by this Notice, the Town Council should determine that a closed or executive meeting or session of the Town Council or a consultation with the attorney/special counsel for the Town should be held or is required, then such closed or executive meeting or session or consultation with the attorney/special counsel as authorized by the Texas Open Meetings Act, Texas Government Code, §551.001, *et seq.*, will be held by the Town Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Town Council may conveniently meet in such closed or executive meeting or session or consult with the attorney/special counsel for the Town concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sections and purposes:

Texas Government Code:

§551.071 - Consultation with the attorney/special counsel for the Town.

§551.072 - Discussion regarding the purchase, exchange, lease or value of real property.

§551.074 - Discussion regarding personnel matters.

**NOTICE**

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper Staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:** The Prosper Town Council Meetings are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's Office at (972) 569-1011. BRAILLE IS NOT AVAILABLE.