



Town of Prosper
"a place where everyone matters"

Town Council Meeting
September 27, 2016



Town of Prosper
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Agenda Item 1.

Call to Order/Roll Call.



Town of Prosper
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Agenda Item 2.

*Invocation, Pledge of Allegiance, and
Pledge to the Texas Flag.*



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Pledge to the Texas Flag

*Honor the Texas flag;
I pledge allegiance to thee,
Texas, one state under God,
one and indivisible.*



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Agenda Item 3.

*Announcements of recent and
upcoming events.*



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Agenda Item 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.



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Agenda Items 4a. – 4b.

4a. Consider and act upon minutes from the following Town Council meetings. **(RB)**

- Regular Meeting – September 13, 2016
- Special Meeting – September 19, 2016

4b. Consider and act upon a resolution designating *The Prosper Press* as the official newspaper of the Town of Prosper for Fiscal Year 2016-2017. **(RB)**



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Agenda Item 4c – 4d.

- 4c.** Consider and act upon approving a list of qualified firms to provide professional engineering and related services to the Town of Prosper. (HW)

- 4d.** Consider and act upon a resolution calling for a Public Hearing on Tuesday, November 8, 2016 on the Water, Wastewater, & Roadway Impact Fee, Land Use Assumptions, and Capital Improvements Plan. (JW)



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Agenda Item 4e – 4f.

- 4e.** Consider and act upon adopting the Collin County Hazard Mitigation Action Plan (HazMAP), September 2016. **(RT)**
- 4f.** 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. **(AG)**

EXISTING DETENTION BASIN
PD-7
DRAINAGE & DETENTION
EASEMENT
2016062000072880

LOT 4, BLOCK A
PROSPER TOWN CENTER, PHASE III
CC# 20070425010001500
P.R.C.C.T.

EXIST. COMMERCIAL/
RETAIL
PD-7

LOT 4, BLOCK A
PROSPER TOWN CENTER, PHASE III
VOLUME 2007, PAGE 235
PD-7

LOT 5, BLOCK A
PROSPER TOWN CENTER, PHASE III
VOLUME 2007, PAGE 235
PD-7

EXIST. COMMERCIAL/
RETAIL
PD-7

LOT 1 BLOCK A
PROSPER TOWN
CENTER, PHASE IV
THE PLAT IS NOT
RECORDED YET
20151223001616890
PD-7

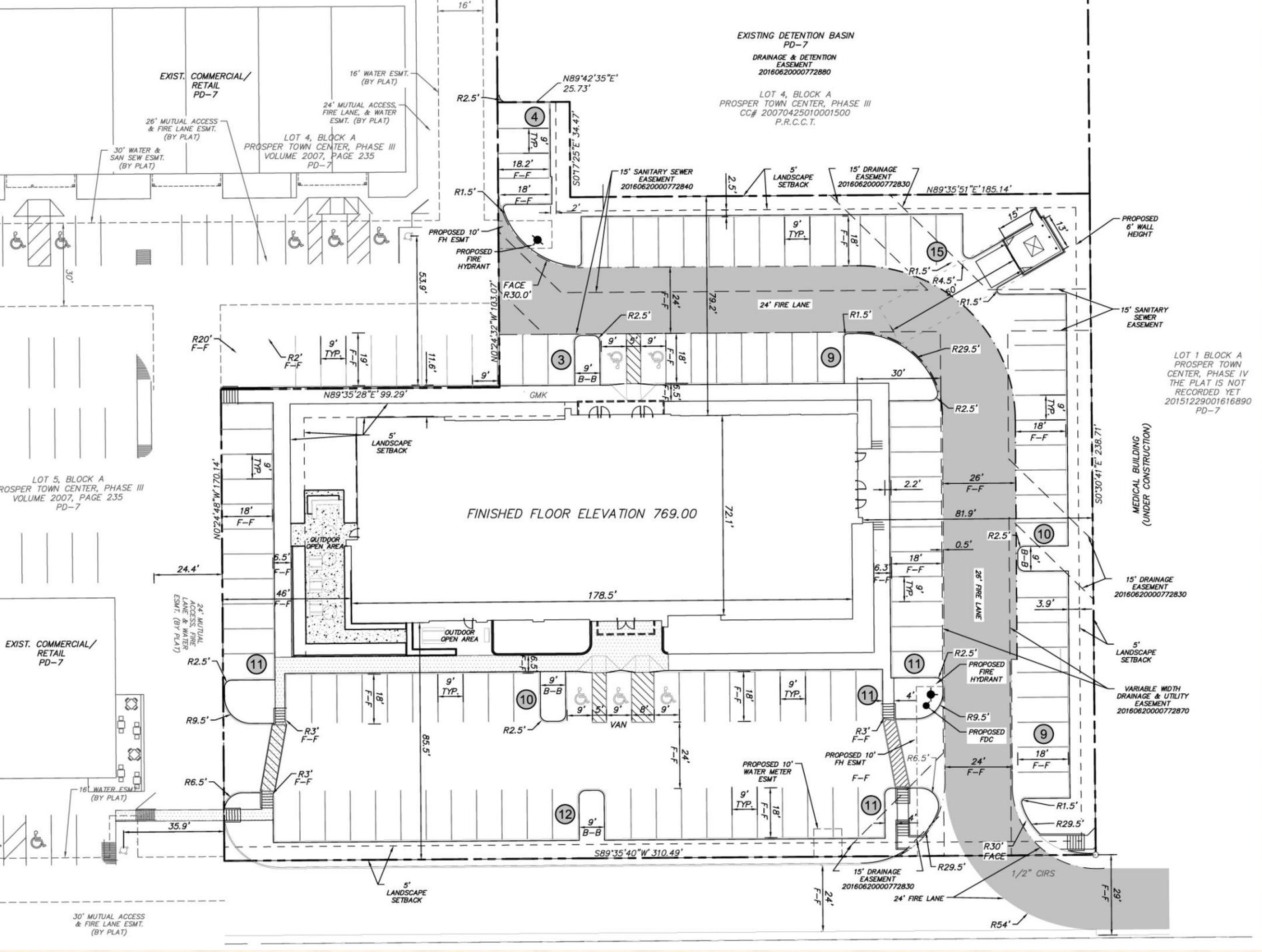
MEDICAL BUILDING
(UNDER CONSTRUCTION)

15' DRAINAGE
EASEMENT
2016062000072830

5' LANDSCAPE
SETBACK

VARIABLE WIDTH
DRAINAGE & UTILITY
EASEMENT
2016062000072870

30' MUTUAL ACCESS
& FIRE LANE ESMT.
(BY PLAT)





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Agenda Item 5.

Citizen's 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.



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Agenda Item 6.

Conduct a Public Hearing and consider and act upon a request for a Special Purpose Sign District for Windsong Ranch Marketplace, on 46.6± acres, located on the northeast corner of US 380 and Gee Road. (MD16-0002). (JW)

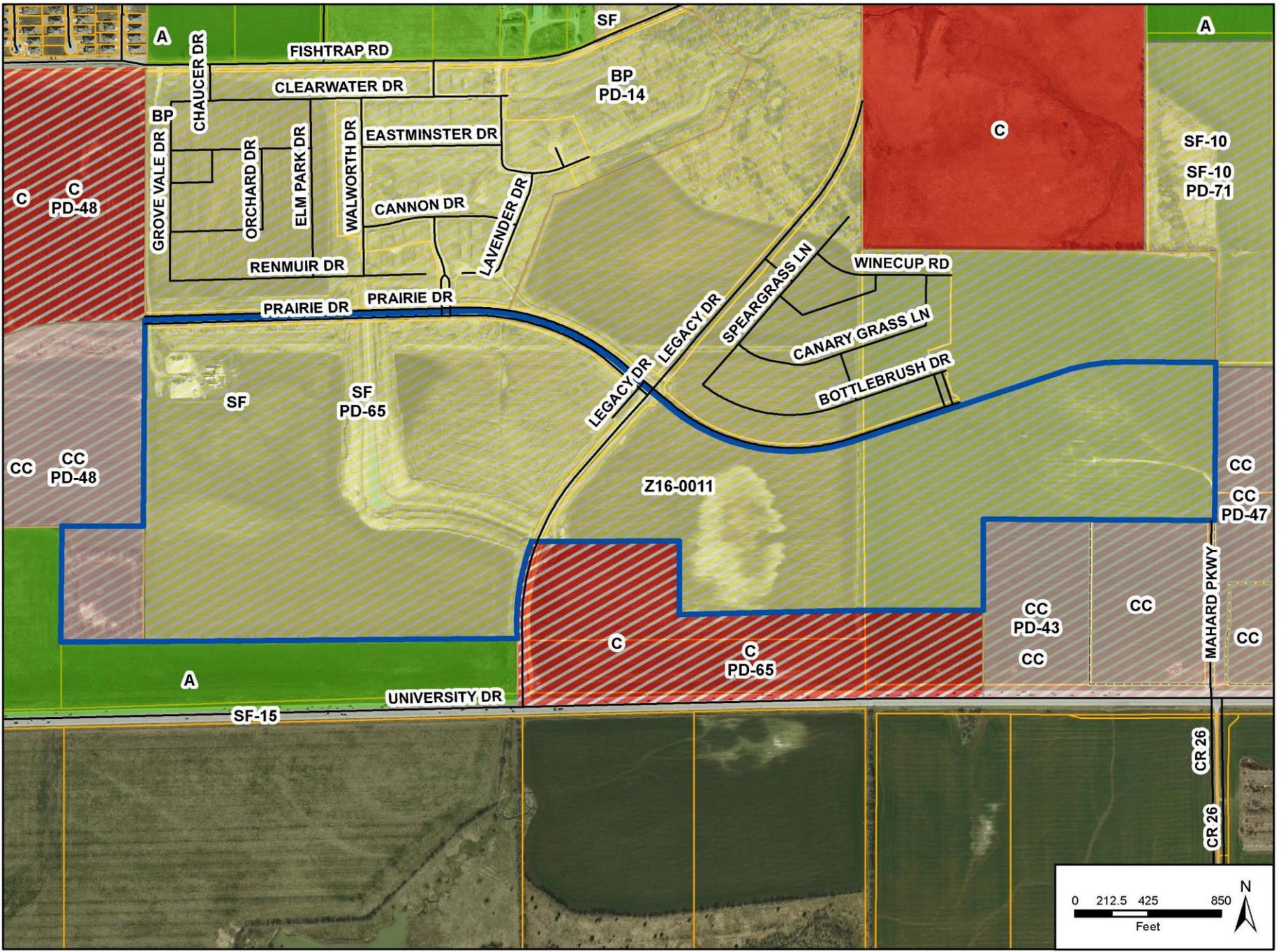


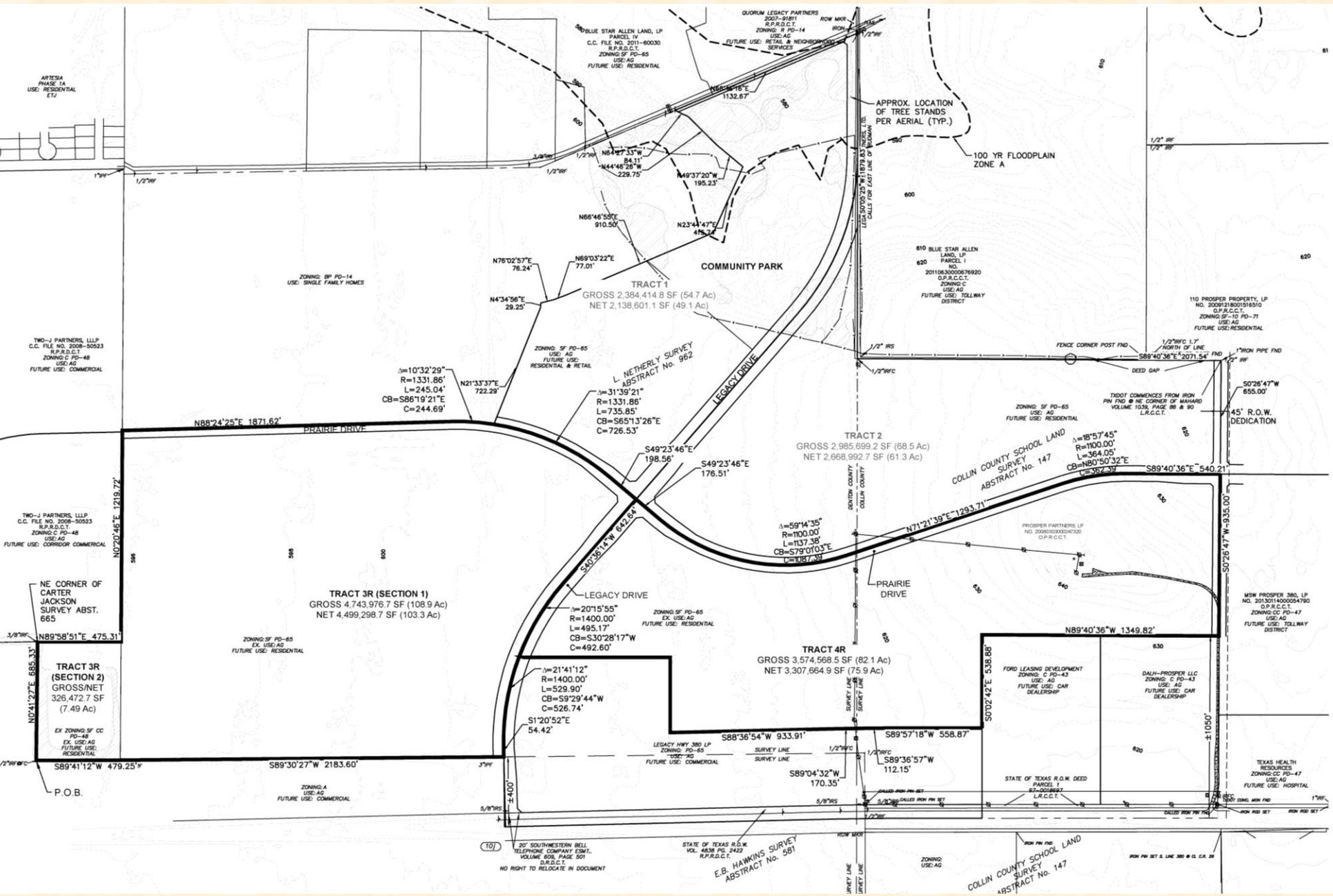
Town of Prosper

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Agenda Item 7.

Conduct a Public Hearing, and consider and act upon a request to rezone a portion of Planned Development-65 (PD-65) and a portion of Planned Development-48 (PD-48), on 198.4± acres, located on the southeast and southwest corners of existing and future Prairie Drive and Legacy Drive, to allow for the development of a single family detached, senior living development and to modify lot type requirements. (Z16-0011). (JW)





ARTESIA PHASE 1A
USE: RESIDENTIAL
ETC

TWO-J PARTNERS, L.L.P.
C.C. FILE NO. 2008-50523
R.P.D.C.T.
ZONING: C PD-48
FUTURE USE: COMMERCIAL

TWO-J PARTNERS, L.L.P.
C.C. FILE NO. 2008-50523
R.P.D.C.T.
ZONING: C PD-48
FUTURE USE: CORRIDOR COMMERCIAL

NE CORNER OF
CARTER
JACKSON
SURVEY ABST.
665

TRACT 3R
(SECTION 2)
GROSS/NET
326,472.7 SF
(7.49 Ac)
EX ZONING: SF CC
PD-48
EX USE: AG
FUTURE USE: RESIDENTIAL

P.O.B.

ZONING: BP PD-14
USE: SINGLE FAMILY HOMES

TRACT 3R (SECTION 1)
GROSS 4,743,976.7 SF (108.9 Ac)
NET 4,499,298.7 SF (103.3 Ac)

ZONING: SF PD-65
EX USE: AG
FUTURE USE: RESIDENTIAL

ZONING: A
USE: AG
FUTURE USE: COMMERCIAL

BLUE STAR ALLEN LAND, LP
PARCEL 1
C.C. FILE NO. 2011-60030
R.P.D.C.T.
ZONING: SF PD-65
USE: AG
FUTURE USE: RESIDENTIAL

QUORUM LEGACY PARTNERS
2007-91811
R.P.D.C.T.
ZONING: R PD-14
USE: AG
FUTURE USE: RETAIL & NEIGHBORHOOD SERVICES

APPROX. LOCATION
OF TREE STANDS
PER AERIAL (TYP.)

100 YR FLOODPLAIN
ZONE A

COMMUNITY PARK

TRACT 1
GROSS 2,384,414.8 SF (54.7 Ac)
NET 2,138,601.1 SF (49.1 Ac)

ZONING: SF PD-65
USE: AG
FUTURE USE: RESIDENTIAL & RETAIL

L. NETHERLY SURVEY
ABSTRACT No. 962

TRACT 2
GROSS 2,985,699.2 SF (68.5 Ac)
NET 2,668,992.7 SF (61.3 Ac)

ZONING: SF PD-65
USE: AG
FUTURE USE: RESIDENTIAL

COLLIN COUNTY SCHOOL
SURVEY
ABSTRACT No. 147

TRACT 4R
GROSS 3,574,568.5 SF (82.1 Ac)
NET 3,307,664.9 SF (75.9 Ac)

ZONING: SF PD-65
EX USE: AG
FUTURE USE: RESIDENTIAL

FORD LEASING DEVELOPMENT
ZONING: C PD-43
USE: AG
FUTURE USE: CAR
DEALERSHIP

DAUM-PROSPER LLC
ZONING: C PD-43
USE: AG
FUTURE USE: CAR
DEALERSHIP

STATE OF TEXAS R.O.W. DEED
PARCEL 1
S.W. 2008897
L.R.C.C.T.

MHW PROSPER 380, LP
NO. 2013011400054780
D.P.R.C.C.T.
ZONING: CC PD-47
USE: AG
FUTURE USE: TOLLWAY
DISTRICT

TEXAS HEALTH
RESOURCES
ZONING: CC PD-47
USE: AG
FUTURE USE: HOSPITAL

(10) 20' SOUTHWESTERN BELL
TELEPHONE COMPANY EMT.
VOLUME 608, PAGE 501
D.P.R.C.T.
NO RIGHT TO RELOCATE IN DOCUMENT

STATE OF TEXAS R.O.W.
VOL. 4838 PG. 2422
R.P.D.C.T.
E.B. HAWKINS SURVEY
ABSTRACT No. 581

COLLIN COUNTY SCHOOL
SURVEY
ABSTRACT No. 147

IRON PIN SET & LINE 300 @ C.C. OR 28'

ARTESIA
PHASE 1A
USE: RESIDENTIAL
ETC

TWO-J PARTNERS, LLLP
C.C. FILE NO. 2009-50523
R.P.R.D.C.T.
ZONING: C PD-48
USE: AG
FUTURE USE: COMMERCIAL

TWO-J PARTNERS, LLLP
C.C. FILE NO. 2009-50523
R.P.R.D.C.T.
ZONING: C PD-48
USE: AG
FUTURE USE: CORRIDOR COMMERCIAL

NE CORNER OF
CARTER
JACKSON
SURVEY ABST.
665

TRACT 3R
(SECTION 2)
GROSS/NET
326,472.7 SF
(7.49 Ac)

ZONING: SF PD-48
EX. USE: AG
FUTURE USE: RESIDENTIAL

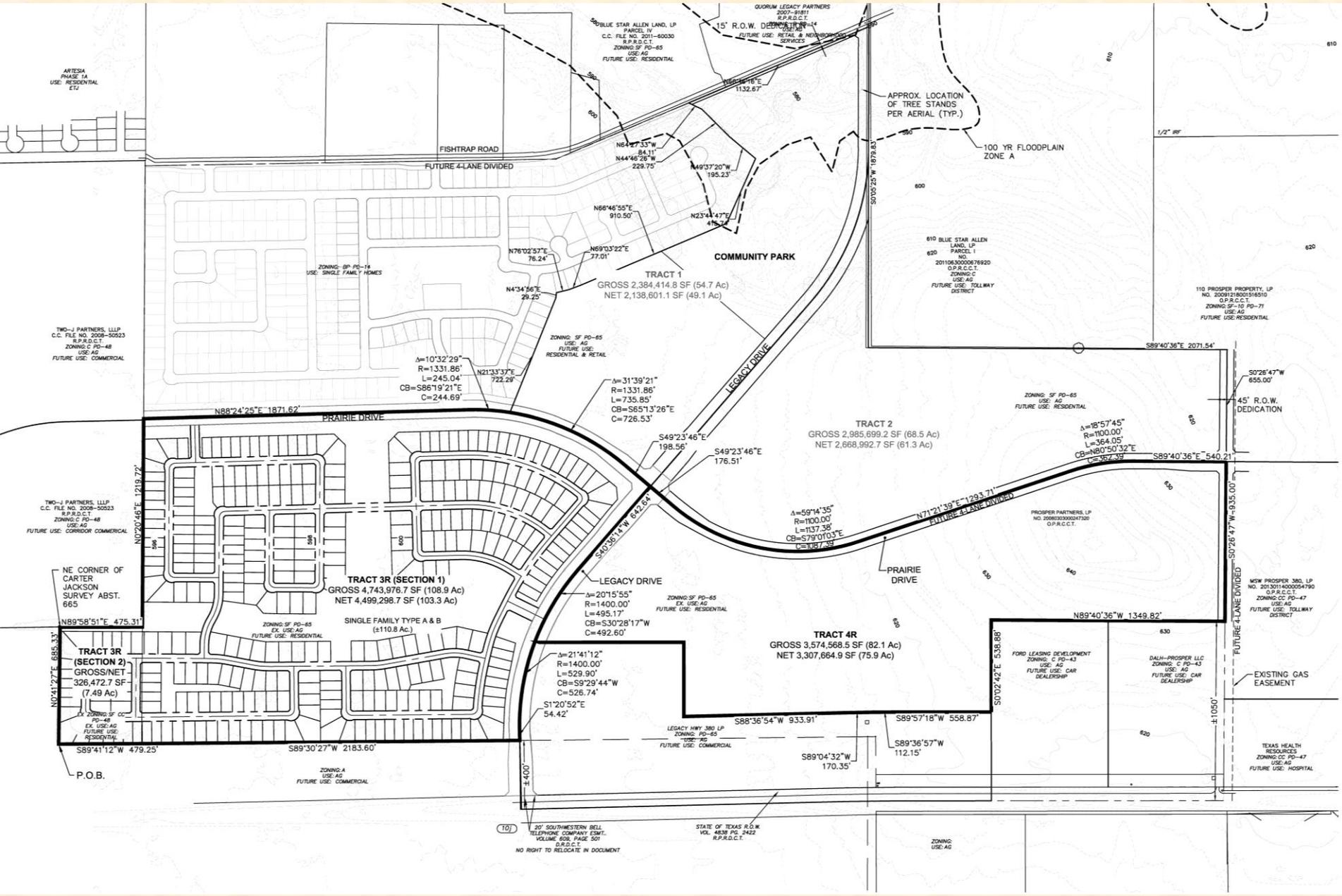
P.O.B.

(10) 20' SOUTHWESTERN BELL
TELEPHONE COMPANY ESM.
VOLUME 808, PAGE 501
D.R.C.C.T.

STATE OF TEXAS R.O.W.
VOL. 4838 PG. 2422
R.P.R.D.C.T.

NO RIGHT TO RELOCATE IN DOCUMENT

ZONING
USE: AG



BLUE STAR ALLEN LAND, LP
PARCEL 1V
C.C. FILE NO. 2011-80030
R.P.R.D.C.T.
ZONING: SF PD-65
USE: AG
FUTURE USE: RESIDENTIAL

QUORAM LEGACY PARTNERS
2007-21811
R.P.R.D.C.T.
FUTURE USE: RETAIL & NEIGHBORHOOD
SERVICES

APPROX. LOCATION
OF TREE STANDS
PER AERIAL (TYP.)

610 BLUE STAR ALLEN
LAND, LP
PARCEL I
NO.
2011063000678920
D.R.P.C.C.T.
ZONING: C
USE: AG
FUTURE USE: TOLLWAY
DISTRICT

110 PROSPER PROPERTY, LP
NO. 20091218001516510
D.R.C.C.T.
ZONING: SF-10 PD-71
USE: AG
FUTURE USE: RESIDENTIAL

MSW PROSPER 380, LP
NO. 20130114000054790
D.R.P.C.C.T.
ZONING: CC PD-47
USE: AG
FUTURE USE: TOLLWAY
DISTRICT

PROSPER PARTNERS, LP
NO. 20083000047320
D.P.R.C.C.T.

FORD LEASING DEVELOPMENT
ZONING: C PD-43
USE: AG
FUTURE USE: CAR
DEALERSHIP

DALH-PROSPER LLC
ZONING: C PD-43
USE: AG
FUTURE USE: CAR
DEALERSHIP

EXISTING GAS
EASEMENT

TEXAS HEALTH
RESOURCES
ZONING: CC PD-47
USE: AG
FUTURE USE: HOSPITAL

610

620

589'40'36"E 2071.54'

50'26'47"W
655.00'

145' R.O.W.
DEDICATION

589'40'36"E 540.21'

50'26'47"W 935.00'

589'40'36"W 1349.82'

50'26'47"W 538.88'

589'57'18"W 558.87'

589'36'57"W
112.15'

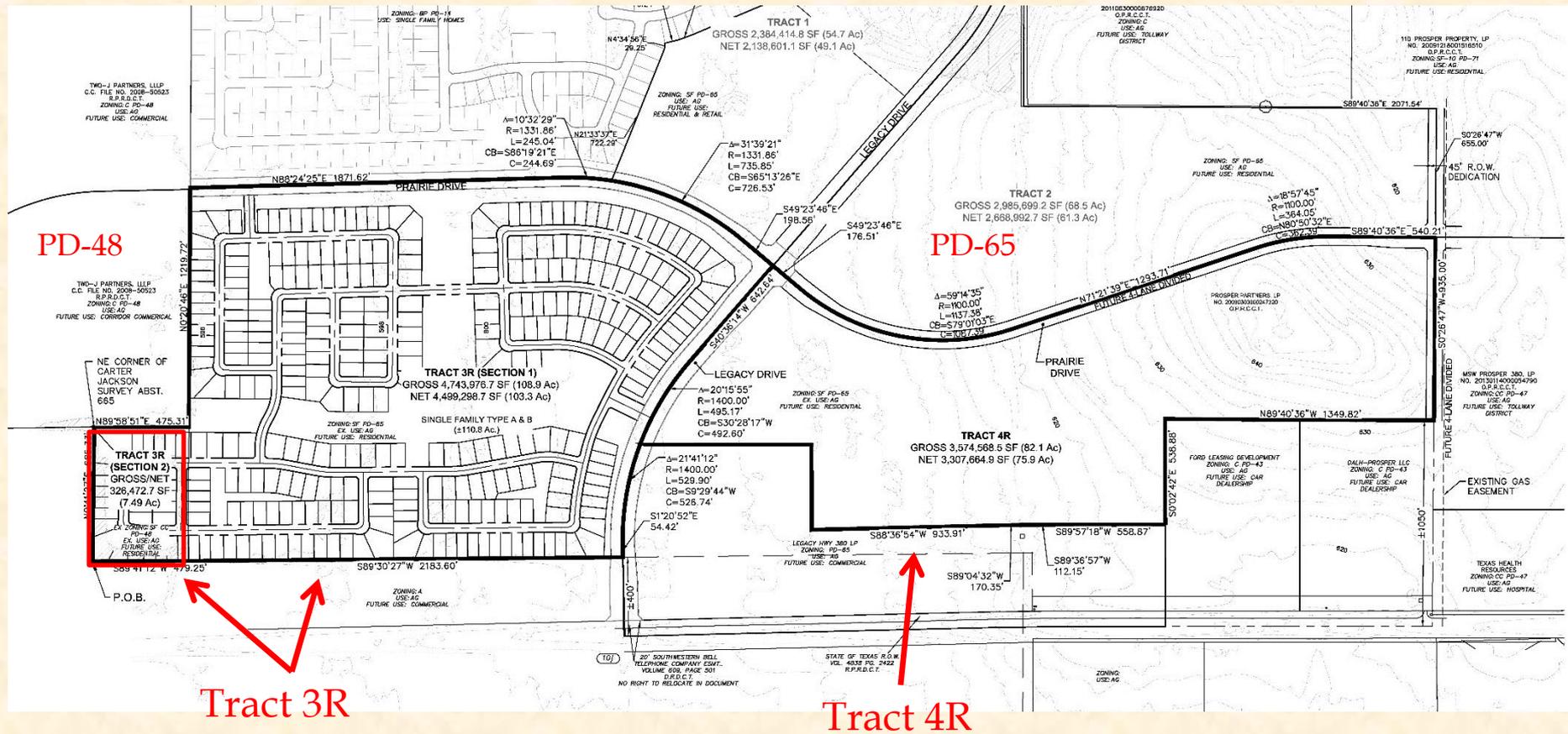
589'04'32"W
170.35'

589'23'46"E
176.51'

549'23'46"E
198.56'

549'23'46"E
176.51'

549'23'46"E
198.56'



	Existing PD-65 Standards	Proposed PD-65 Standards
Tracts 3 & 4 Combined	280 Type A Lot Max	315 Type A Lots
Tract 3R	150 Type A Lot Max	175 Type A Lot Max <i>(7.5 acres from PD-48 added)</i>
Tract 4R	280 Type A Lots <i>(minus Tract 3 Type A lots used)</i>	280 Type A Lots <i>(minus Tract 3R Type A lots used)</i>

Elevations Previously Proposed to P&Z



Proposed Elevations



Proposed Elevations



Proposed Elevations



Proposed Elevations



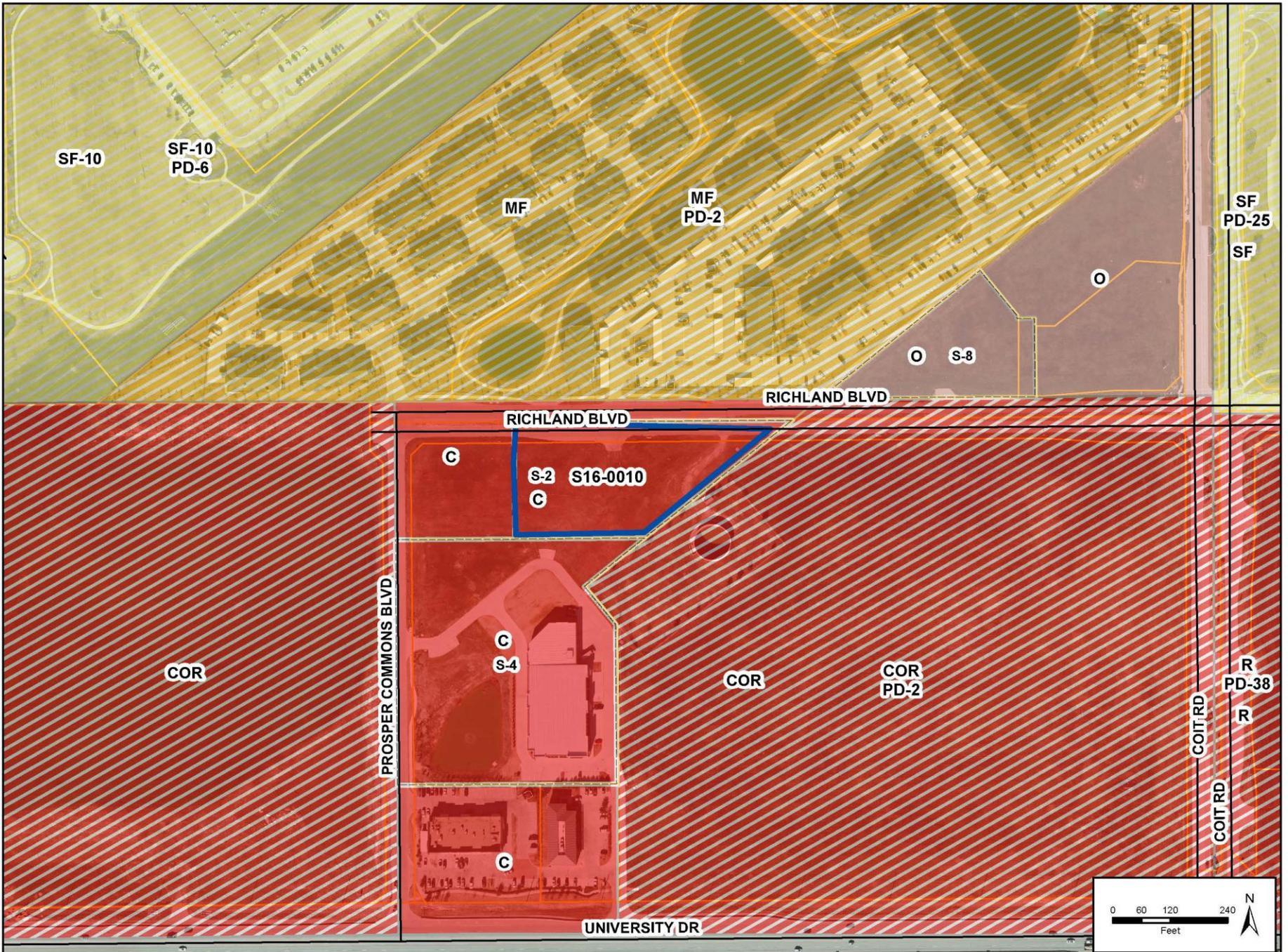


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Agenda Item 8.

Conduct a Public Hearing, and consider and act upon an ordinance repealing Ordinance No. 06-77, a Specific Use Permit for a Mini-Warehouse/Public Storage Facility (SUP-2), on 3.0± acres, located on the south side of Richland Boulevard, 250± feet east of Prosper Commons Boulevard. This property is zoned Commercial (C) and Specific Use Permit-2 (SUP-2). (S16-0010). (JW)



SF-10

SF-10
PD-6

MF

MF
PD-2

SF
PD-25

SF

O

O

S-8

RICHLAND BLVD

RICHLAND BLVD

C

S-2 S16-0010

C

PROSPER COMMONS BLVD

COR

C

S-4

COR

COR
PD-2

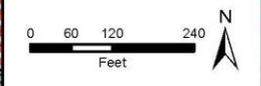
R
PD-38

R

COIT RD

COIT RD

UNIVERSITY DR





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Agenda Item 9.

Discussion on Town Hall/Multi-Purpose Facility.
(HW)



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Agenda Item 10.

Discussion on proposed Charter amendments. **(RB)**



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Charter Amendment Update

Charter Review Commission

- Appointed June 14
- Five meetings; completed review on Aug. 24
- Recommendations condensed into 10 Propositions

SECTION 4.06 Personnel System

- (1) Personnel rules shall be prepared by the Town Manager and presented to the Town Council, who may adopt them by ordinance, with or without amendment. The adopted rules shall establish the Town as an Equal Opportunity Employer and shall govern the equitable administration of the Personnel System of the Town.
- (2) The adopted rules shall provide for the following requirements:
 - (A) A pay and benefit plan for all Town employment positions;
 - (B) A plan for working hours, attendance policy and regulation and provision for sick and vacation leave;
 - (C) Procedure for the hearing and adjudication of grievances;
 - (D) Additional practices and procedures necessary to the beneficial and equitable administration of the Town's personnel system;
 - (E) A plan for annual oral and written evaluation based on a job description for all Town employees by their immediate supervisor, including evaluation of the Town Manager, ~~Town Secretary~~, Municipal Judge, and Town Attorney by the Town Council; and
 - (F) Procedure for the giving and receiving of gifts by Town employees.

SECTION 4.02 Town Secretary

- (1) The ~~Town~~ Manager shall be responsible for hiring and terminating the Town Secretary.
- (2) The Town Manager shall fix the compensation of the Town Secretary, and the Town Secretary's compensation may be amended, from time to time, in accordance with the Town Secretary's experience, qualifications and performance.
- (3) The Town Secretary shall:
 - (A) Give notice of all official public meetings of the Town Council in a manner consistent with this Charter and state laws;
 - (B) Attend all public meetings and hearings of the Town Council;
 - (C) Keep the minutes of the proceedings of all public official meetings and hearings of the Town Council in a manner prescribed by the Town Council consistent with applicable law;
 - (D) Act as custodian of all official records of the Town Council;
 - (E) Hold and maintain the seal of the Town and affix this seal to all appropriate documents;
 - (F) Authenticate by signature and seal and record all ordinances, resolutions and proclamations of the Town; and
 - (G) Perform ~~such~~ other duties as may be required by the Town Manager consistent with this Charter and the laws of the State of Texas.



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Proposition No. 1

Shall the Town Charter be amended throughout to correct non-substantive errors such as misspellings, punctuation, grammar and sentence structure; provide non-substantive clarifications and include better descriptive language of the matters addressed in the Charter; conform notice, publication and election requirements to state law; and revise references to repealed or obsolete provisions of the Town Charter, state or federal law?



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Proposition No. 2

Shall Section 3.02 of the Town Charter, entitled "Limitations on Terms," be repealed?



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Proposition No. 3

Shall Section 3.04 of the Town Charter, entitled "Compensation," be amended to provide that Town Councilmembers shall be entitled to reimbursement for actual reasonable expenses incurred in the performance of official duties for the Town?



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Proposition No. 4

Shall Section 3.06 of the Town Charter, entitled "Vacancies, Forfeiture and Filling of Vacancies," be amended to provide that vacancies on the Town Council shall be filled by election; however, if there is a vacancy on Town Council for a position with twelve (12) or fewer months remaining in the term, the Town Council may fill the vacancy by appointment?



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Proposition No. 5

Shall Section 3.12 of the Town Charter, entitled "Abstention," and Section 9.03 of the Town Charter, entitled "Procedure," be amended to provide that any abstention from voting by a Town Councilmember or Planning and Zoning Commissioner, respectively, should be recorded in the official minutes of the meeting as an abstention?



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Proposition No. 6

Shall Section 5.02 of the Town Charter, entitled "Filing for Office," be amended to provide that (A) only registered voters for at least twelve (12) months immediately preceding the filing date may file to become a candidate for Town Council; (B) only Town residents who have resided within the Town for at least twelve (12) months immediately preceding the filing date may file to become a candidate for Town Council; and (C) if any board or commission member appointed by the Town Council becomes a candidate for election to the Town Council, he immediately shall forfeit the board or commission position with the Town?



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Proposition No. 7

Shall Section 5.05 of the Town Charter, entitled "Taking of Office," be amended to provide that new Town Councilmembers shall be sworn into office at the next meeting following the declaration of the results of the election?



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Proposition No. 8

Shall Section 7.06 of the Town Charter, entitled "Proceeding on Adoption of Budget," be amended to provide that the Town budget shall be adopted prior to the beginning of the next fiscal year?



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Proposition No. 9

Shall Section 8.01 of the Town Charter, entitled "Authority, Composition and Procedures," be amended to provide that (A) board and commission members may be reimbursed for actual reasonable expenses incurred in the performance of official duties; and (B) all board and commission meeting minutes shall be kept by the Town and that written reports are not required to be submitted to the Town Council within three (3) weeks?



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Proposition No. 10

Shall Section 9.05 of the Town Charter, entitled "Board of Adjustment," be repealed?



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Charter Amendment Update

Next Steps:

- Discussion/Direction from Council
- Information on website, media release
- February 14 Town Council Meeting
 - Adopt Ordinance & Call Election
- May 6, 2017: Election Day



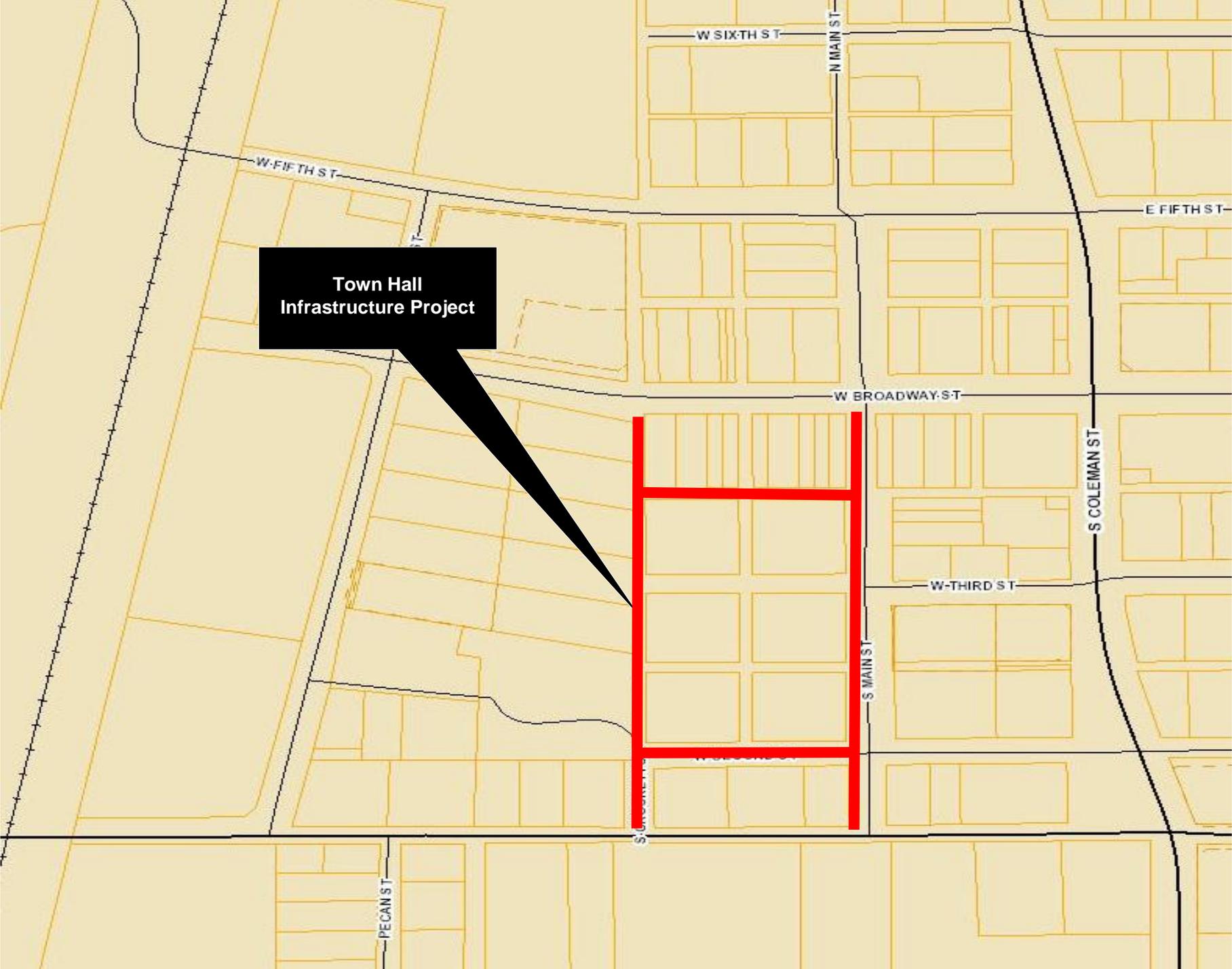
Town of Prosper

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Agenda Item 11.

Consider and act upon awarding Bid No. 2016-68-B to North Texas Contracting, Inc., related to construction services for the Town Hall Infrastructure Project; and authorizing the Town Manager to execute a construction agreement for same. **(MB)**

**Town Hall
Infrastructure Project**





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Agenda Item 12.

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:

12a. Section 551.087 – To discuss and consider economic development incentives.



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Agenda Item 12.

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:

12b. 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.



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Agenda Item 13.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.



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Agenda Item 14.

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

- Cluster Box Units (CBU). (JW)







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Agenda Item 15.

Adjourn.