



**AGENDA**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
Prosper Town Hall  
Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, February 2, 2021, 6:00 p.m.

**Notice Regarding Public Participation**

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency.

Individuals will be able to address the Commission either (1) via videoconference, or (2) via telephone conference call.

**To access the videoconference online, follow these instructions:**

Join the Zoom Meeting by clicking on the following link: <https://us02web.zoom.us/j/81847978852>

Enter Meeting ID: 818 4797 8852

To request to speak, click on "Participants" at the bottom of the screen, and click "Raise Hand." The meeting moderator will acknowledge your request and allow you to speak.

To join the meeting by phone, dial any one of the following numbers: +1 346 248 7799

Enter Meeting ID: 818 4797 8852

To request to speak, enter \*9. The meeting moderator will acknowledge your request and allow you to speak.

**If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.**

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission when the item is considered by the Planning & Zoning Commission.

1. Call to Order / Roll Call
2. Pledge of Allegiance
3. Consider and act upon the appointment of the Planning & Zoning Commission Chairman.
4. **CONSENT AGENDA**

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Planning & Zoning Commissioner may remove any item for discussion and separate action. Planning & Zoning Commissioners may vote nay on any single item without comment and may submit written comments as part of the official record.)

- 4a. Consider and act upon minutes from the January 19, 2021, Planning & Zoning Commission Regular meeting.

**REGULAR AGENDA**

If you wish to address the Planning & Zoning Commission, please fill out a "Public Meeting Appearance Card" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission when the item is considered by the Planning & Zoning Commission.

5. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to Retail & Neighborhood Services, generally located on the northwest corner of Legacy Drive and Prosper Trail. This is a companion case to Z20-0013. (CA20-0003). **[REQUEST TO BE TABLED]**
6. Conduct a Public Hearing, and consider and act upon a request to rezone 5.5± acres, from Agriculture (A) to Planned Development-Retail (PD-R), for Legacy Storage, in order to allow for an additional mini-warehouse/public storage building. This is a companion case to CA20-0003. (Z20-0013). **[REQUEST TO BE TABLED]**
7. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
8. Adjourn.

Note: The order in which items are heard on the agenda is subject to change.

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, January 29, 2021, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Melissa Lee, Town Secretary

\_\_\_\_\_  
Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

**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 Hall is wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



**MINUTES**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
Prosper Town Hall  
Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, January 19, 2021, 6:00 p.m.

*Governor Greg Abbott granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in order to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency. This meeting was held via telephone conference call and videoconference.*

**1. Call to Order/ Roll Call**

The meeting was called to order at 6:02 p.m.

Commissioners present: Chairman Charles Cotten, Vice-Chairman Brandon Daniel, Secretary Chris Long, Doug Charles, Chris Kern, and Sarah Peterson (via videoconference).

Commissioners Absent: Michael Pettis.

Staff present: Alex Glushko, Planning Manager (via videoconference); Scott Ingalls, Senior Planner; and Evelyn Mendez, Planning Technician.

**2. Recitation of the Pledge of Allegiance.**

**3. CONSENT AGENDA**

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Planning & Zoning Commissioner may remove any item for discussion and separate action. Planning & Zoning Commissioners may vote nay on any single item without comment and may submit written comments as part of the official record.)

**3a. Consider and act upon minutes from the January 5, 2021, Planning & Zoning Commission Regular meeting.**

**3b. Consider and act upon a Preliminary Plat for Star Trail, Phases 10-18, for 628 single family residential lots, 27 common area lots, one (1) neighborhood park lot, and one (1) community park lot, on 242.4± acres, located on the west side of Legacy Drive, south of Prosper Trail. The property is zoned Planned Development-66 (PD-66). (D20-0094).**

**3c. Consider and act upon a Preliminary Plat for Windsong Ranch Phase 6A, for 103 single family residential lots and two (2) HOA/open space lots, on 42.1 ± acres, located on the northwest corner of Windsong Parkway and Teel Parkway. The property is zoned Planned Development-40 (PD-40). (D20-0105).**

**3d. Consider and act upon a Site Plan for an amenity center in Windsong Ranch, on 13.0± acres, located north of Windsong Parkway, west of Teel Parkway. The property is zoned Planned Development-40 (PD-40). (D20-0106).**

- 3e. Consider and act upon a Final Plat for Windsong Ranch Amenity Center 3, Block X, Lot 1X, on 13.0± acres, located north of Windsong Parkway, west of Teel Parkway. The property is zoned Planned Development-40 (PD-40). (D20-0107).**

Motion by Daniel, second by Charles, to approve the Consent Agenda, subject to staff recommendations. Motion approved 6-0.

### **REGULAR AGENDA**

- 4. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to Retail & Neighborhood Services, generally located on the northwest corner of Legacy Drive and Prosper Trail. This is a companion case to Z20-0013. (CA20-0003). [REQUEST TO BE TABLED]**
- 5. Conduct a Public Hearing, and consider and act upon a request to rezone 5.5± acres, from Agriculture (A) to Planned Development-Retail (PD-R), for Legacy Storage, in order to allow for an additional mini-warehouse/public storage building. This is a companion case to CA20-0003. (Z20-0013). [REQUEST TO BE TABLED]**

*Items 4 and 5 were considered concurrently.*

*Ingalls:* Indicated the applicant has requested the items be tabled and the Public Hearings continued to the February 2, 2021, Planning & Zoning Commission meeting.

Motion by Long, second by Daniel, to table Item 4, and continue the Public Hearing at the February 2, 2021, Planning & Zoning Commission meeting. Motion approved 6-0.

Motion by Long, second by Daniel, to table Item 5, and continue the Public Hearing at the February 2, 2021, Planning & Zoning Commission meeting. Motion approved 6-0.

- 6. Consider and act upon a Preliminary Site Plan for a Utility Distribution/Transmission Facility (Oncor Prosper Substation), on 9.5± acres, located on the north side of Richland Boulevard, west of La Cima Boulevard. The property is zoned Planned Development-2 (PD-2). (D20-0103).**

*Ingalls:* Summarized the request, presented exhibits, and recommended approval, subject to Planning & Zoning Commission approval of a solid living screen, in lieu of a masonry wall.

Commissioners generally inquired about the specifications of the proposed solid living screening.

*Commissioner Kern:* Noted concern about the adequacy of the propose solid living screening adjacent to the residential subdivision.

*Thomas Fletcher (Applicant):* Presented information regarding the proposed development and proposed solid living screening.

*Kayvon Naderi (Willow Ridge Resident):* Expressed concern regarding the difference in heights of the proposed equipment and screening.

*David St. Romain (Willow Ridge Resident):* Expressed concern regarding the proposed location of the project and the proximity to the adjacent residential subdivision.

Motion by Peterson, second by Long, to approve Item 6, subject to staff recommendations. Motion approved 5-1. Commissioner Kern voted in opposition to the request.

7. **Conduct a Public Hearing, and consider and act upon a request to amend Subdistrict 2 of Planned Development-67 (PD-67), on 217.8± acres, generally to modify the multifamily development standards for the Gates of Prosper, located on the southwest corner of Coleman Street and Lovers Lane. (Z20-0022).**

*Ingalls*: Summarized the request, presented exhibits, and recommended approval.

Chairman Cotten opened the Public Hearing.

*Scott Shipp (Applicant)*: Provided information regarding the proposed development.

*Jeff Courtright (Lincoln Properties)*: Provided information regarding the proposed development.

There being no additional speakers, the Public Hearing was closed.

Motion by Long, second by Charles, to approve Item 7. Motion approved 6-0.

8. **Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.**

*Glushko*: Provided information regarding action taken by the Town Council at their January 12, 2021 meeting.

9. **Adjourn.**

Motion by Kern, second by Long, to adjourn. Motion approved 6-0 at 6:54 p.m.

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**Evelyn Mendez, Planning Technician**

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**Chris Long, Secretary**



## PLANNING

To: Planning & Zoning Commission

Item No. 5

From: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – February 2, 2021

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to Retail & Neighborhood Services, generally located on the northwest corner of Legacy Drive and Prosper Trail. This is a companion case to Z20-0013. (CA20-0003).

**Description of Agenda Item:**

At the January 19, 2021, Planning & Zoning Commission meeting, this item was tabled and the Public Hearing continued to the February 2, 2021 meeting. The applicant has requested this item be tabled and the Public Hearing continued to the February 16, 2021, Planning & Zoning Commission meeting.

**Attached Documents:**

1. Tabling Request Letter

**Town Staff Recommendation:**

Town staff recommends the Planning & Zoning Commission table this item and continue the Public Hearing at the February 16, 2021, Planning & Zoning Commission meeting.



January 26, 2021

Mr. Alex Glushko  
Town of Prosper  
200 S. Main Street  
Prosper, TX 75078

Re: Z20-0013 & CA 20-0003 – Table Request

Dear Alex,

As the owner, applicant and/or representative of the *Zoning Case Z20-0013 and Future Land Use Plan Amendment CA 20-0003*, I hereby request that the case be tabled until the February 16, 2021 Planning and Zoning Commission.

Should you have any questions, please feel free to contact me.

Sincerely,

Claymoore Engineering, Inc.

A handwritten signature in blue ink that reads "Matt Moore". The signature is written in a cursive style with a large initial "M".

Matt Moore



## PLANNING

To: Planning & Zoning Commission

Item No. 6

From: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – February 2, 2021

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to rezone 5.5± acres, from Agriculture (A) to Planned Development-Retail (PD-R), for Legacy Storage, in order to allow for an additional mini-warehouse/public storage building. This is a companion case to CA20-0003. (Z20-0013).

**Description of Agenda Item:**

At the January 19, 2021, Planning & Zoning Commission meeting, this item was tabled and the Public Hearing continued to the February 2, 2021 meeting. The applicant has requested this item be tabled and the Public Hearing continued to the February 16, 2021, Planning & Zoning Commission meeting.

**Attached Documents:**

1. Tabling Request Letter

**Town Staff Recommendation:**

Town staff recommends the Planning & Zoning Commission table this item and continue the Public Hearing at the February 16, 2021, Planning & Zoning Commission meeting.





January 26, 2021

Mr. Alex Glushko  
Town of Prosper  
200 S. Main Street  
Prosper, TX 75078

Re: Z20-0013 & CA 20-0003 – Table Request

Dear Alex,

As the owner, applicant and/or representative of the *Zoning Case Z20-0013 and Future Land Use Plan Amendment CA 20-0003*, I hereby request that the case be tabled until the February 16, 2021 Planning and Zoning Commission.

Should you have any questions, please feel free to contact me.

Sincerely,

Claymoore Engineering, Inc.

A handwritten signature in blue ink that reads "Matt Moore". The signature is written in a cursive style.

Matt Moore



*Prosper is a place where everyone matters.*

## **RESULTS**

### **Agenda**

**Prosper TIRZ No. 1 Board of Directors**  
**Prosper TIRZ No. 2 Board of Directors**  
**Prosper Town Council Meeting**  
Council Chambers  
Prosper Town Hall  
250 W. First Street, Prosper, Texas  
Tuesday, January 26, 2021  
**5:45 PM**

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<https://us02web.zoom.us/j/87047432329>

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**To join the meeting by phone, dial (346) 248-7799**

Enter Meeting ID: 87047432329

To request to speak, enter \*9, and \*6 to mute/unmute yourself. The meeting moderator will acknowledge your request and allow you to speak.

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### **MEETING OF THE TOWN OF PROSPER TAX INCREMENT REINVESTMENT ZONE (TIRZ) NO. 1 BOARD OF DIRECTORS**

**TIME: 5:45 P.M.**

**Call to Order/ Roll Call.**

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

1. Consider and act upon the minutes from the January 28, 2020, TIRZ No. 1 Board Meeting. **(ML)**
2. Receive the 2020 Annual Report. **(BP)**

**Adjourn.**

**MEETING OF THE TOWN OF PROSPER TAX INCREMENT REINVESTMENT ZONE (TIRZ)  
NO. 2 BOARD OF DIRECTORS**

**TIME: IMMEDIATELY FOLLOWING THE MEETING OF THE TIRZ NO. 1 BOARD OF  
DIRECTORS**

**Call to Order/ Roll Call.**

3. Consider and act upon the minutes from the January 28, 2020, TIRZ No. 2 Board Meeting. **(ML)**
4. Receive the 2020 Annual Report. **(BP)**

**Adjourn.**

**MEETING OF THE PROSPER TOWN COUNCIL**

**TIME: IMMEDIATELY FOLLOWING THE MEETING OF THE TIRZ NO. 2 BOARD OF  
DIRECTORS**

**Call to Order/ Roll Call.**

**Announcements of recent and upcoming events.**

**Presentations.**

5. Presentation and Annual Service Update by Community Waste Disposal. **(CS)**

**CONSENT AGENDA: All Consent Agenda Items Approved, 7-0**

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.

6. Consider and act upon the minutes from the December 16, 2020, Town Council Joint Meeting. **(ML)**
7. Consider and act upon the minutes from the January 12, 2021, Town Council Meeting. **(ML)**
8. Consider and act upon the 2021 Prosper Town Council Regular Meeting Schedule. **(ML)**
9. Consider and act upon a resolution approving the Town of Prosper and Prosper Economic Development Corporation (PEDC) Investment Policy and Investment Strategy, and approving the list of qualified brokers/dealers and financial institutions that are authorized to engage in investment transactions with the Town of Prosper and the PEDC. **(BP)**
10. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, for the America's Water Infrastructure Act of 2018 Risk and Resilience Assessment and Emergency Response Plan Project. **(FJ)**

11. Consider and act upon a resolution authorizing the Town to submit a grant application to the Office of the Governor (OOG) for Prosper Police Department SWAT equipment enhancement grant. **(DK)**
12. Consider and act upon approving Change Order Number 01 for Bid 2020-81-B to Accelerated Critical Path, Inc., related to construction services for the Prosper Trail/DNT Intersection Improvements project; and authorizing the Town Manager to execute Change Order Number 01 for same. **(HW)**
13. Consider and act upon authorizing the Town Manager to execute Amendment Fourteen to the Interlocal Agreement between Collin County and the Town of Prosper, extending the agreement through FY 2020-2021, relating to Animal Control Services. **(AG)**
14. Consider and act upon authorizing the Town Manager to execute Amendment Fourteen to the Interlocal Agreement between Collin County and the Town of Prosper for Animal Shelter Services. **(AG)**
15. 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)**

#### **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, or request to address the Council via videoconference or telephone.

#### **REGULAR AGENDA:**

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

#### **Items for Individual Consideration:**

16. Conduct a Public Hearing, and consider and act upon a request to rezone 58.1± acres, from Planned Development-86 (PD-86) to Planned Development (PD), to allow for a Funeral Home with Crematorium and Cemetery, located on the west side of Custer Road, north of US 380. (Z20-0020). **(AG) Approved with stipulations, 6-1**
17. Conduct a Public Hearing, and consider and act upon a request to rezone 55.8± acres, located on the west side of Good Hope Road, south of Parvin Road, from Agricultural (A) to Planned Development-40 (PD-40), generally to incorporate tracts of land into the Windsong Ranch development. (Z20-0023). **(AG) Approved, 7-0**

#### **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:

*Section 551.087 – To discuss and consider economic development incentives.*

*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.*

*Section 551.074 - To discuss and consider personnel matters and all matters incident and related thereto.*

*Section 551.074 - To discuss and review the Town Manager's performance evaluation.*

*Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, and Planning & Zoning Commission.*

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

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

**Adjourn.**

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, January 22, 2021, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Melissa Lee, Town Secretary

\_\_\_\_\_  
Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

**NOTICE**

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