



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, May 24, 2016
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of recent and upcoming events.
4. Presentations.
 - Presentation of a Certificate of Appreciation to a former member of the Town's Parks and Recreation Board. **(RB)**

5. **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.)

- 5a. Consider and act upon minutes from the following Town Council meetings. **(RB)**
 - Regular Meeting – May 10, 2016
- 5b. Consider and act upon a resolution authorizing the Town Manager to execute an application to the Collin County Parks & Open Space Project Funding Assistance Program for the construction of Frontier Park North Field Improvements. **(WM)**
- 5c. Consider and act upon an ordinance rezoning 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive, from Agricultural (A) to Single Family-12.5 (SF-12.5). (Z16-0005). **(JW)**
- 5d. Consider and act upon an ordinance for a Specific Use Permit (SUP) for a Private Street Development, on 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive. (S16-0005) **(JW)**
- 5e. Consider and act upon an ordinance rezoning 5.5± acres, located on the east side of Preston Road, 1,750± feet south of Prosper Trail, from Single Family-15 (SF-15) to Retail (R). (Z16-0007). **(JW)**
- 5f. Consider and act upon an ordinance for an extension of a Specific Use Permit (SUP) for a Concrete Batching Plant on 5.0± acres, located on the west side of Dallas Parkway, 900± feet south of First Street. The property is zoned Planned Development-19-Commercial Corridor and Specific Use Permit-6 (PD-19-CC and S-6). (S16-0006). **(JW)**

- 5g. 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)**

6. 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.

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:

7. Conduct a Public Hearing, and consider and act upon an ordinance amending the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential, located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private-gated, senior living development. (CA16-0002) **(JW)**
8. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (Z16-0004). **(JW)**
9. Conduct a Public Hearing, and consider and act upon an ordinance amending a portion of Planned Development-7 (PD-7), located on the north side of First Street between Preston Road and Hays Road, to establish a specific area to allow buildings to be in excess of two (2) stories and to permit lots to have frontage on access easements in lieu of fronting on a public street. (Z16-0008). **(JW)**

DEPARTMENT ITEMS:

10. Consider and act upon a resolution directing the Town Secretary to publish notice of intent to issue Combination Tax and Surplus Revenue Certificates of Obligation for the purpose of funding costs of multi-purpose municipal facilities, parks, and storm drainage utility projects in the Town. **(HJ)**
11. Consider and act upon an ordinance approving and adopting the negotiated rate settlement resolving the 2016 "RRM – Rate Review Mechanism" filing for ATMOS Energy Corporation, Mid-Tex Division, and implementing the rate change. **(HJ)**
12. Discussion on the Downtown Office (DTO) Standards. **(JW)**

13. Discussion on the Frontier Park North Field Improvements Project. **(HW)**
14. Consider and act upon authorizing the Town Manager to execute a Water Impact Fees Reimbursement Agreement between Blue Star Development Company and the Town of Prosper, Texas, related to the extension of water lines to serve the Star Trail development. **(HW)**
15. **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:

 - 15a. *Section 551.087 – To discuss and consider economic development incentives.*
 - 15b. *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.*
 - 15c. *Section 551.071 – Consultation with Town Attorney regarding legal issues associated with existing zoning classifications and districts, and all matters incident and related thereto.*
 - 15d. *Section 551.074 – To discuss and consider election of Mayor Pro-Tem and Deputy Mayor Pro-Tem.*
 - 15e. *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.*
16. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
17. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
 - Prosper Youth Sports Commission (PYSC) amended bylaws. **(HW)**
18. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 121 W. Broadway Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted on May 20, 2016, by 5:00 p.m., and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Noticed 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 Council meetings are 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.