

Welcome to the February 13, 2024, Prosper Town Council Meeting

Call to Order/Roll Call

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

Pledge to the Texas Flag

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

Announcements

Presentations

Agenda Item 1.

Receive a presentation from the Salvation Army of North Texas regarding the 2023 Mayor's Red Kettle Challenge. (MLS)

Consent Agenda

Agenda Item 2.

Consider and act upon the minutes from the January 23, 2024, Town Council Regular meeting. (MLS)

Agenda Item 3.

Consider and act upon an ordinance ordering a General Election to be held on May 4, 2024, for the purpose of electing a Councilmember Place 2 and Councilmember Place 6; designating location of polling places; ordering notices of election to be given as prescribed by law and authorizing the Town Manager to execute contracts with Collin County and Denton County Election Departments for joint election services. (MLS)

Agenda Item 4.

Consider and act upon an ordinance amending Division 3, "Community Engagement Committee," of Article 1.04, "Boards, Commissions and Committees," within Chapter 1 of the Town's Code of Ordinances by amending Section 1.04.039, "Number of Members," and Section 1.04.042 "Chair/Vice-Chair/quorum." (MLS)

Agenda Item 5.

Consider and act upon approval of a Professional Services Agreement between the Town of Prosper and Soccer Sparks LLC for recreation program instructor services; and authorizing the Town Manager to execute documents for same. (DB)

Agenda Item 6.

Consider and act upon approval of a Professional Services Agreement between the Town and Prosper and Gray Event Management for recreation program instructor services; and authorizing the Town Manager to execute documents for same.
(DB)

Agenda Item 7.

Consider and act upon whether to direct staff to submit a written notice of appeals 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 Preliminary Site Plans and Site Plans. (DH)

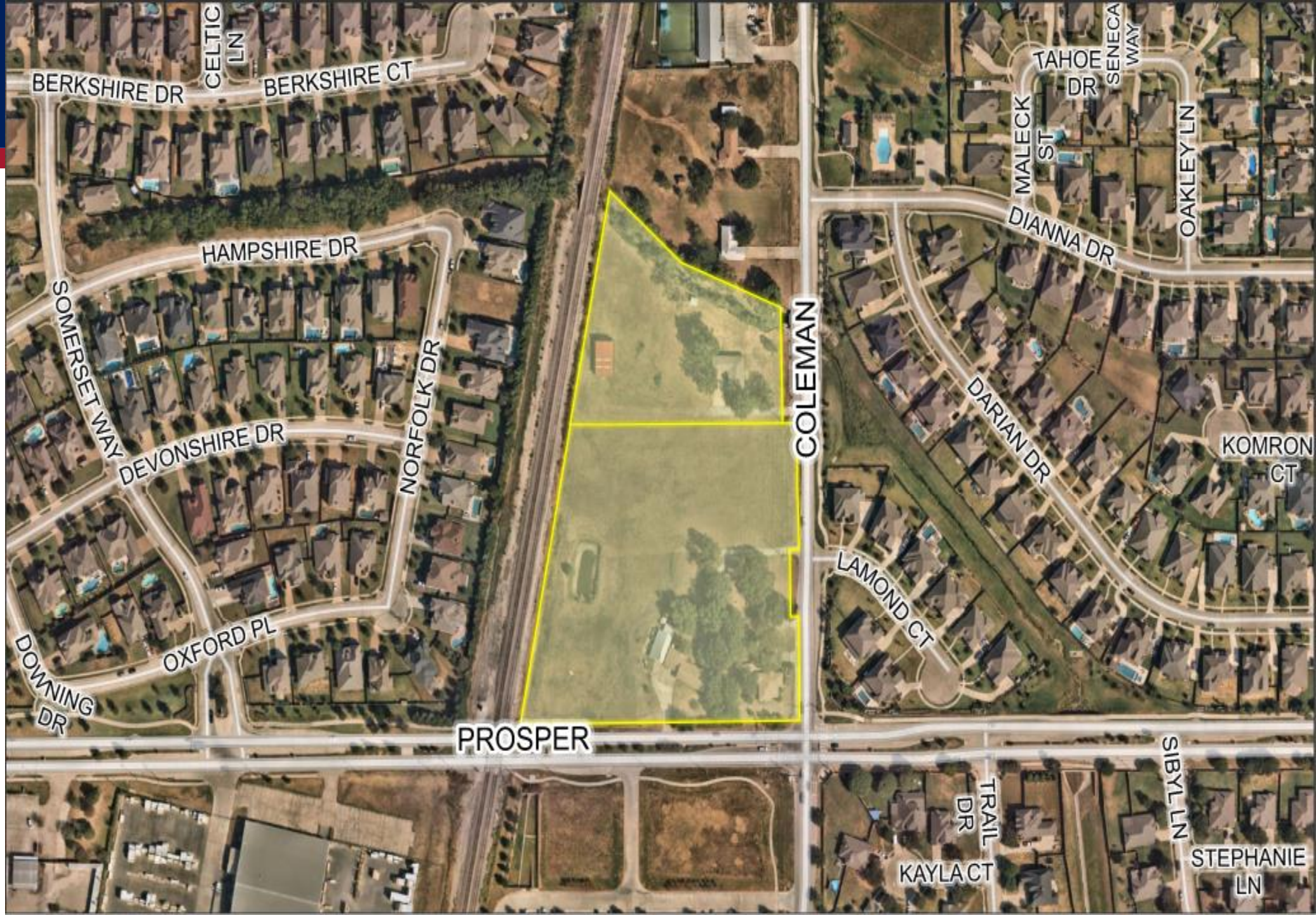
Citizen Comments

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.

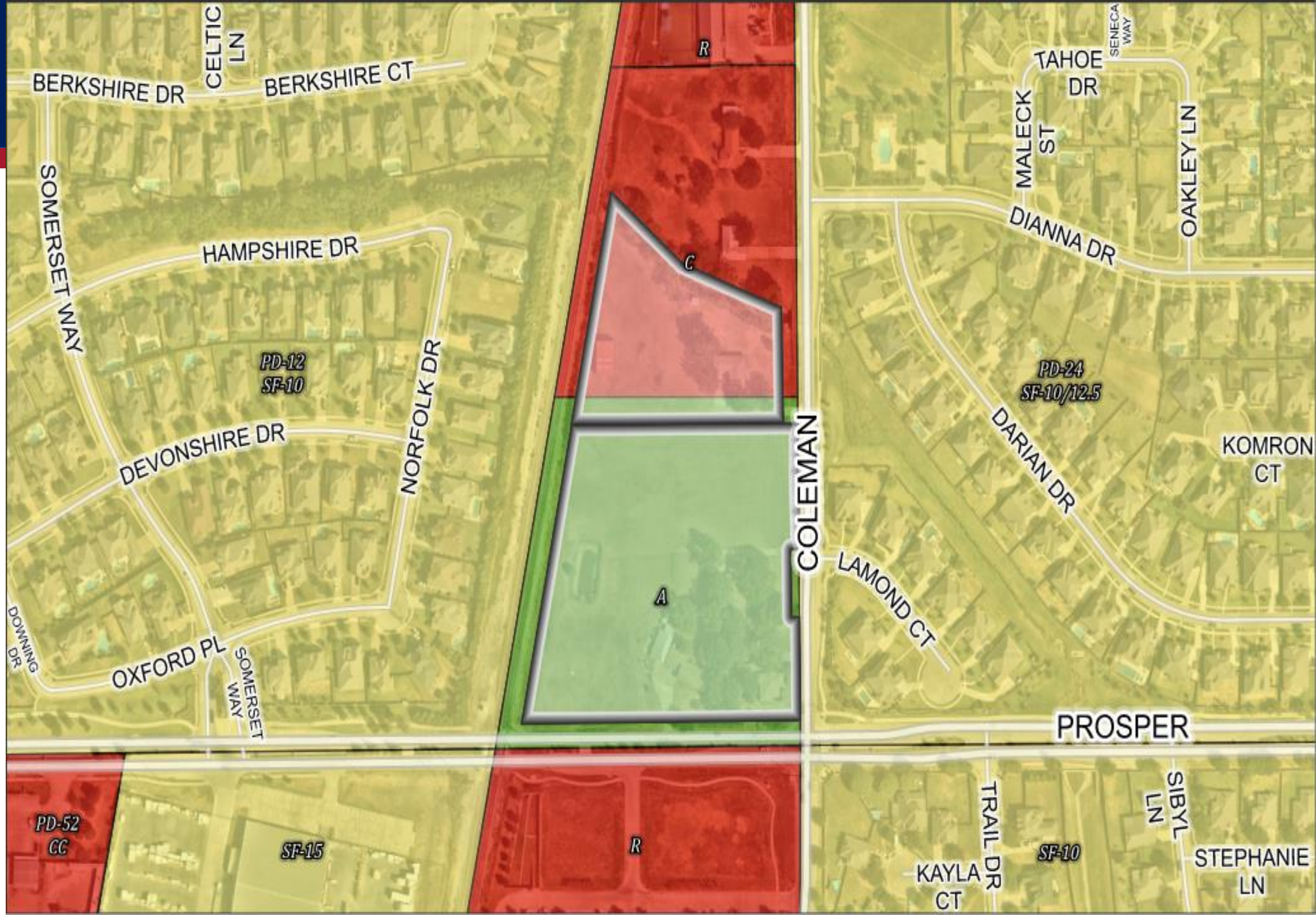
Agenda Item 8.

Conduct a public hearing and consider and act upon a request for a Planned Development for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on 8.7± acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest corner of North Coleman Street and West Prosper Trail. The property is zoned Agricultural and Commercial. (ZONE-23-0017) (DH)



Surrounding Area

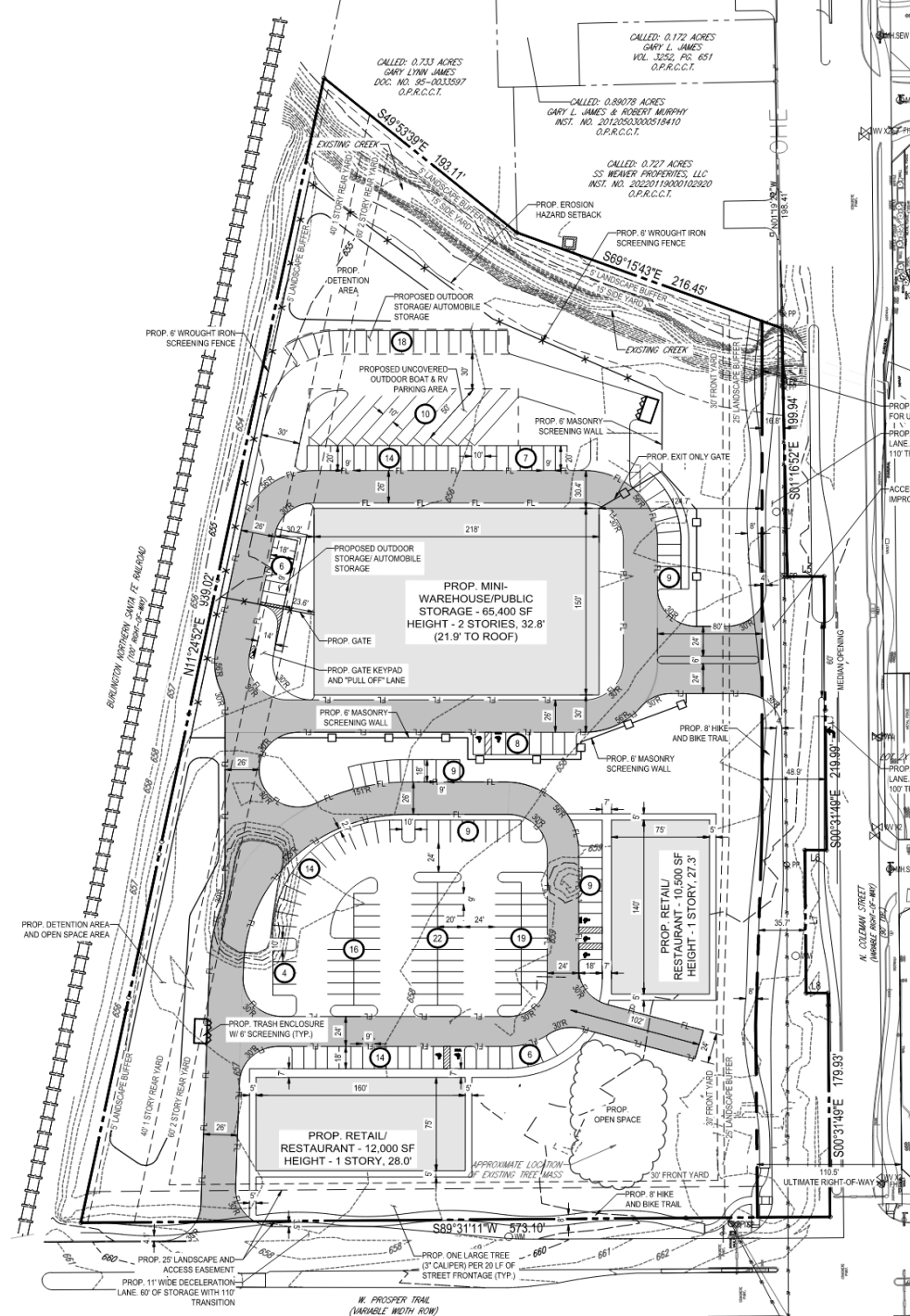
	Zoning	Current Land Use
Subject Property	Agricultural & Commercial	Residential
North	Commercial	Residential (Being Converted to Office)
East	Planned Development-24	Residential
South	Retail	Vacant
West	Planned Development-12	Residential



Proposal

Planned Development:

- Public Storage Facility
- Multi-Tenant Restaurant & Retail Buildings (2)



Permitted Uses

Base Zoning:

- Commercial District

Uses Allowed by Right:

- Automobile Storage
- Mini-Warehouse/Public Storage
- Outdoor Storage, Incidental
- Recreational Vehicle/Truck Parking Lot or Garage

All these uses require a Specific Use Permit in Commercial District

Parking

By Use:

- Restaurant: 1 Space per 100 SF
- Retail: 1 Space per 250 SF
- Mini Warehouse/Public Storage: 15 Spaces per Complex*
 - 4 Spaces per Complex + 1 Space per 300 SF of Office Area (Zoning Ordinance)

Provided:

- 160 Spaces (137 Required)
 - Restaurant (5,300 SF) – 53 Spaces
 - Retail (17,200 SF) – 69 Spaces
 - Mini-Warehouse/Public Storage (1 Complex) – 15 Spaces

Landscaping

Deviation:

- One large tree, three-inch caliper minimum, every 20 linear feet in required 25' landscape areas. (In PD)
- One large tree, three-inch caliper minimum, every 30 linear feet in required 25' landscape areas. (Zoning Ordinance)

	Proposed Landscaping (Development Standards)	Required Landscaping (Zoning Ordinance)
Northern Boundary (Adjacent to Commercial)	Buffer: 5' Landscape Area Plantings: One ornamental tree and shrub every 15 linear feet.	Buffer: 5' Landscape Area Plantings: One ornamental tree and shrub every 15 linear feet.
Eastern Boundary (North Coleman Street)	Buffer: 25' Landscape Area Plantings: One large tree, three-inch caliper minimum, every 20 linear feet. Fifteen shrubs, minimum size five gallons each, every 30 linear feet.	Buffer: 25' Landscape Area Plantings: One large tree, three-inch caliper minimum, every 30 linear feet. Fifteen shrubs, minimum size five gallons each, every 30 linear feet.
Southern Boundary (West Prosper Trail)	Buffer: 25' Landscape Area Plantings: One large tree, three-inch caliper minimum, every 20 linear feet. Fifteen shrubs, minimum size five gallons each, every 30 linear feet.	Buffer: 25' Landscape Area Plantings: One large tree, three-inch caliper minimum, every 30 linear feet. Fifteen shrubs, minimum size five gallons each, every 30 linear feet.
Western Boundary (NSF Railroad)	Buffer: 5' Landscape Area Plantings: One ornamental tree and shrub every 15 linear feet.	Buffer: 5' Landscape Area Plantings: One ornamental tree and shrub every 15 linear feet.

Screening

Northern Boundary:

- Public Storage Facility – 6' Wrought Iron Fence

Eastern Boundary:

- Public Storage Facility – 6' Masonry Wall
- Restaurant and Retail Buildings – Landscaping

Southern Boundary:

- Restaurant and Retail Buildings – Landscaping

Western Boundary:

- Restaurant and Retail Buildings – Landscaping
- Public Storage Facility – 6' Wrought Iron Fence

6' Masonry Wall at Front of Public Storage Facility

Architectural Standards

Building Materials:

- All buildings will be at a minimum 80% masonry, excluding glazing and door areas.









Conclusion

Notices:

- Friday, December 8

Citizen Response:

- 2 Letters of Opposition
- 1 Phone Call in Opposition

Staff Recommendation:

- Denial

P&Z Recommendation:

- Denial (5-1) @ January 16 meeting

Agenda Item 9.

Consider and act upon awarding CSP No. 2024-12-B to Wilson Contractor Services, related to construction services for the DNT Waterline Relocation (US 380 - First Street) project; and authorizing the Town Manager to execute a construction agreement for same. (HW)

Bids Received:

Ten (10) – January 26, 2024

Updated CSP Percentages:

- Cost Proposal = 65%
- Project Timeline = 25%
- Qualifications/Exp = 10%

Range of Proposals (Cost):

\$1,159,570.00 - \$1,865,041.00

Engineer's Estimate:

\$1,866,505.50

Budget:

\$2,000,000

Range of Proposals (Time):

110 days – 310 days

Recommendation:

Wilson Contractor Services

\$1,269,004.08

110 days



Agenda Item 10.

Consider and act upon a resolution of the Town Council of the Town of Prosper, Texas, declaring the public necessity to acquire certain property for a water line easement for the construction of the DNT Waterline Relocation (US 380 - First Street) project; determining the public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property if purchase negotiations are not successful. (HW)



DNT Waterline Relocation Waterline Easement Acquisition

Overall Location Map



PARCEL #	OWNER	Waterline Easement (acres)
1	Hollingshead Materials, LLC	0.072



Waterline Easement

Agenda Item 11.

Consider and act upon an ordinance amending Section 4.09.001, “Definitions,” of Article 4.09, “Special Events and Temporary Outdoor Seasonal Sales,” of Chapter 4, “Business Regulations,” of the Code of Ordinances, and amending article 4.09, “Special Events and Temporary Outdoor Seasonal Sales,” of Chapter 4, “Business Regulations,” of the Code of Ordinances by adding a new section 4.09.14, “Parking,” to address temporary parking of vehicles at special events. (DB)

Section 4.09.001 Amendment

- New Section 4.09.14
 - Addresses temporary parking of vehicles at special events
 - Allows the Town to post “No Parking” signage
 - Allows the Town to enforce the ordinance by citation or towing

Agenda Item 12.

Receive an update on the Parks, Recreation and Open Space Master Plan.
(DB)

Public Engagement

- Advisory Committee
 - Key Community Stakeholders / Participants (10)
 - Quarterly Meetings
 - Make recommendations and guide staff throughout the year based on data gathered
 - PARB roster approval February 8, 2024
 - Kickoff Meeting March 5
- Focus Groups (2)
 - Key Community Stakeholders / Participants
 - One Meeting per Focus Group
 - Intensive Data Gathering
 - What are the community's needs?

PROSMP Advisory Committee

	Name	Notes
Active Adults	Linda Baker	Sr Progs, Historical Society, Christmas Fest Vol
PARB	Kari Castro	PARB member, City of Frisco PARD employee
PYSC	Robert Patrick	PYSC Board, PASO President
PISD	Valerie Little	PARB member, PISD Leadership
Faith Community	Mel Pugh	Prestonwood Baptist Church Leadership
DTBA	Trina Lopez	PWH Owner, Supports/Participates in Town Events
MYAC	William He	MYAC Chair
Cricket	Satya Bommaraju	Active member of cricket community
PISD / Wonder Squad	Colleen Kugler	PISD Special Needs educator
HOAs	Jeff Robinson	HOA Leadership, Citizens Academy Alumni

Focus Groups

- Focus Group 1
 - Targeting PARB and CEC members
- Focus Group 2
 - Targeting stakeholders from youth sports organizations, Chamber of Commerce, development community, families with children with special needs, youth leadership, homeowner association leadership, and Citizen's Academy alumni.
- Emails distributed February 9 to gauge potential participants' levels of interest
- Meetings to take place March 27

Agenda Item 13.

Discuss and consider Town Council Subcommittee reports. (DFB)

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

Executive Session

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

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 appointments to the Upper Trinity Regional Water District Board of Directors, and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.

Section 551.074 - To discuss and consider personnel matters, including the annual evaluation of the Town Manager, Town Attorney and the Municipal Judge, and all matters incident and related thereto.

The Town Council will reconvene after Executive Session.

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

Adjourn