



*Prosper is a place where everyone matters.*

**AGENDA**  
**Prosper Planning and Zoning Commission**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, January 17, 2023  
**6:00 PM**

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link:

<https://prospertx.new.swagit.com/views/378/>

**Addressing the Planning & Zoning Commission:**

Those wishing to address the Planning and Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

**If you are attending in person**, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

**If you are watching online**, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/ Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Planning and Zoning Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the Town Council meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session of the Town Council. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

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 address the Commission when the item is considered by the Planning & Zoning Commission.

- 1. Call to Order / Roll Call.**
- 2. Pledge of Allegiance and Pledge to the Texas Flag.**

### **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. Items may be removed from the Consent Agenda by the request of a Commission Member or staff.

- 3a. Consider and act upon the minutes from the January 6, 2023, Planning & Zoning Commission meeting.

### **CITIZEN COMMENTS**

The public is invited to address the Commission on any topic. However, the Commission is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Comment Request Form" and present it to a staff member prior to the meeting.

### **REGULAR AGENDA:**

If you wish to address the Commission, please fill out a "Public Comment Request Form" 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 and 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 either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.

4. Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 69.7± acres, located northside of University Drive and east of FM1385. (Z22-0020)(Request to be tabled)
5. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
6. 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 13, 2023, and remained so posted at least 72 hours before said meeting was convened.

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Michelle Lewis Sirianni, Town Secretary

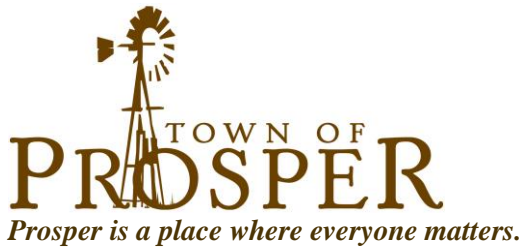
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Date Notice Removed

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 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.



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

The meeting was called to order at 6:00 p.m.

Commissioners Present: Chair Brandon Daniel, Secretary Michael Pettis, Doug Charles, Sekou Harris, Damon Jackson and Tommy Van Wolfe

Staff Present: David Soto, Planning Manager; Doug Braches, Planning Technician

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

**3. CONSENT AGENDA**

**3a. Consider and act upon the minutes from the December 6, 2022, Planning & Zoning Commission Regular meeting.**

**3b. Consider and act upon a Final Plat for Lot 1, Block A, Fire Station Number 4 Addition, on 2.7± acres, located south of Prosper Trail and west of Custer Road. The property is zoned A, (Agricultural). (D22-0102).**

Motioned by Jackson, seconded by VanWolfe, to approve the Consent Agenda, subject to staff recommendations. Motion approved 6-0.

**CITIZEN COMMENTS**

Noelle Taku (Citizen): Spoke in opposition in regards to Zoning Case Z22-0022 citing concerns regarding the proposed zoning change will not conform to the comprehensive plan as well as the effects of multifamily development on the Star Trail subdivision.

**REGULAR AGENDA**

**4. Conduct a public hearing and consider and act upon a request to rezone 14.2± acres from Commercial Corridor District (CC) and Agricultural District (A) to a new Planned Development for Multifamily Use, located northside of First Street and west of Dallas Parkway. (Z22-0022)(Request to be tabled.)**

Motion by Pettis, seconded by Jackson to table Item 4 to the January 17<sup>th</sup>. Motion approved 6-0.

**5. Planning and Zoning Commissioner Training.**

*Terry Welch (Town Attorney):* Gave presentation providing zoning and development legal information to the Planning and Zoning Commissioners.

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

*David Soto (Staff):* Presented Town Council results on previous items.

**7. Adjourn.**

Motioned by Harris, seconded by Jackson to adjourn. Motion approved 6-0 at 8:14 p.m.

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Doug Braches, Planning Technician

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Michael Pettis, Secretary



## PLANNING

To: Planning & Zoning Commission

Item No.

From: David Soto, Planning Manager

Re: Planning & Zoning Commission Meeting – January 17, 2023

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 63.7± acres, located northside of University Drive and east of FM 1385. (Z22-0020)(Request to be tabled)

**Description of Agenda Item:**

The application was submitted on November 7, 2022 and has been requested to be tabled to the February 7, 2023 meeting to allow additional time to finalize the request.

**Staff Recommendation:**

Staff recommends the Planning & Zoning Commission table this item and continue the Public Hearing February 7, 2023, meeting.