



PLANNING

To: Mayor and Town Council

From: David Hoover, AICP, Director of Development Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Professional Services Agreement for a Unified Development Code

Town Council Meeting – August 13, 2024

Strategic Visioning Priority: 4. Provide Excellent Municipal Services

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the creation of a Unified Development Code for an amount not to exceed \$324,842.

Description of Agenda Item:

A Unified Development Code is a single document that combines different land use regulations including the Zoning Ordinance, Subdivision Ordinance, Engineering Standards, and several articles of the Code of Ordinances.

In addition to creating a unified document, it will include:

- New Downtown Overlay District standards
- New Dallas North Tollway Overlay District standards
- Updates to existing ordinances

The process will start with a kick-off meeting and tour with the consultant and Town. There will be staff check-in meetings (usually bi-weekly) with the consultant as Staff works with the Consultant during the preparation of a draft and final version of the document.

Project deliverables include all electronic files in Microsoft Word and Adobe PDF formats to edit and reproduce the development regulations. This scope of services does not include preparation of engineering design/technical criteria or standard specifications, or preparation of a new zoning map.

A public hearing will be held at the Planning & Zoning Commission and at Town Council for the consideration and approval of the Unified Development Code and updates made therein.

It is anticipated that the entire process will take approximately six months to complete.

The Scope of Services in the attached Agreement outlines the services that will be provided by Freese and Nicholes, Inc.

Budget Impact:

The cost for the Unified Development Code is \$324,842 and is budgeted in Planning's Professional Services Account No. 100-5410-40-03. The project will be funded from the current and upcoming budget years from Building Inspection contract services.

The funding utilized for the contract will be the savings on unspent funds allocated to outsource commercial plan reviews, if needed. The plan review staffing has been consistent with little to no turnover; therefore, we do not anticipate these funds to be required for outsourced review services. If there is a need, the remaining amount over this contract would be available for this purpose.

This expense can be paid over two fiscal years with up to \$100,000 charged to this account in FY24 and the remaining \$224,842 charged to this account in FY25. The budget funds can be paid without an increase to the general budget for Fiscal Year 2025. After FY25, this line item will be reduced if expenses continue to remain lower.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Professional Services Agreement as to form and legality.

Attached Documents:

1. Consultant Experience
2. Consultant Resumes
3. Professional Services Agreement

Town Staff Recommendation:

Town Staff recommends authorizing the Town Manager to execute a Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the creation of a Unified Development Code for an amount not to exceed \$324,842.

Proposed Motion:

I move to approve/deny authorizing the Town Manager to execute a Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the creation of a Unified Development Code for an amount not to exceed \$324,842.