

To: **Planning & Zoning Commission**

Item No. 4

From: **Suzanne Porter, AICP, Planning Manager**

Through: **David Hoover, AICP, Director of Development Services**

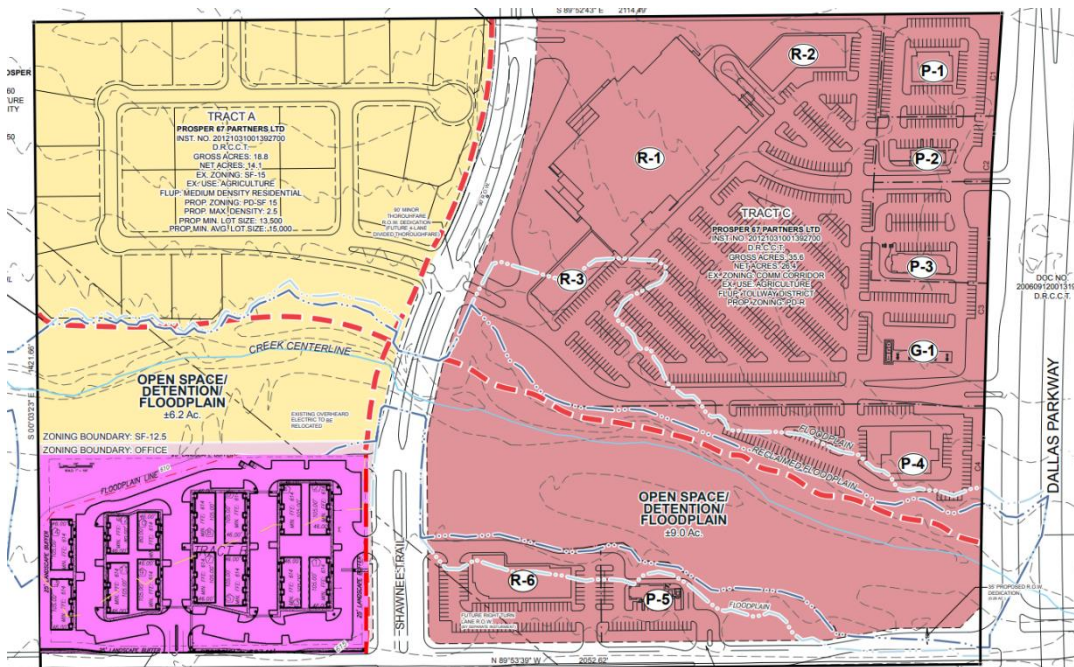
Re: **Planning & Zoning Commission Meeting – April 23, 2024**

Agenda Item:

Conduct a Public Hearing and consider and act upon a request to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail. (ZONE-24-0001)

History:

The subject property is part of a larger area of land that was rezoned on March 26, 2019, to Planned Development-75 (Ordinance No. 19-16) with a base zoning of Retail. Planned Development-75 was separated into three distinct zonings as shown and described below.



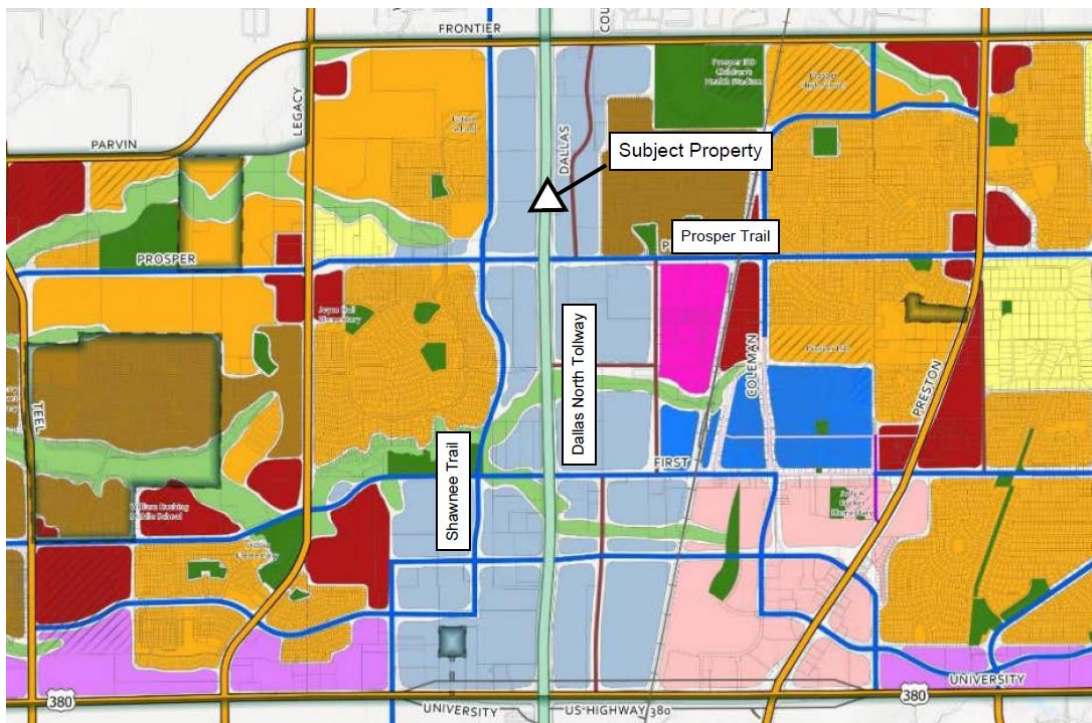
Office – The northwest corner of Shawnee Trail and Prosper Trail was identified for office development. Phase 1 of the office development is complete and Phase 2 is under review.

Single Family-15 – The single family portion of the development is on the west side of Shawnee Trail, north of the office development. A Preliminary Plat for the residential subdivision has been approved and a Final Plat is currently under reviewed.

Retail – The conceptual plan shows a Big Box retail store, gas pumps, restaurants with and without drive-throughs, retail and office uses. This is the property which the applicant requests to rezone, creating a new Planned Development.

Future Land Use Plan:

The Future Land Use Plan classifies the property as the Dallas North Tollway District. The proposed zoning request conforms to the Future Land Use Plan. The following shows the property’s location on the Future Land Use Plan and the Comprehensive Plan description of the Dallas North Tollway District.



Future Land Use

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> Low Density Residential Medium Density Residential High Density Residential Retail & Neighborhood Services Business Park Old Town District Town Center | <ul style="list-style-type: none"> Dallas North Tollway District US Highway 380 District Parks Floodplain School District Properties Town Limits ETJ | <ul style="list-style-type: none"> Dallas North Tollway, Dedicated Truck Route 6 Lane Divided 4 Lane Divided Commercial Collector 3 Lane Undivided Couplet Access Roads Old Town Roads |
|---|---|---|

Dallas North Tollway District

The Dallas North Tollway District will consist of the most intense land uses within Prosper. A diverse mixture of office, retail, and residential will likely develop along the corridor. Mid-rise office (up to 12 stories) may be permitted throughout the corridor. Office buildings should be designed for a “campus feel” —they should be oriented towards common public space with significant landscaping and should be linked by a pedestrian network. A common architectural theme should also be established for a consistent visual appearance. Mixed-use development should be encouraged and should contain a mixture of office, retail and residential uses. Mixed-use lofts/apartments would be the most appropriate residential use within this District. Structured parking should be encouraged in more intense areas to limit the presence and visibility of large parking lots. Structured parking should be oriented to minimize visibility from the Tollway. The Town may explore an overlay zoning district to better accommodate the preferred development outcomes in the Dallas North Tollway District.

Use Appropriateness			
<ul style="list-style-type: none"> ● ● ● = Appropriate primary uses ● ● ○ = Conditional as primary uses ● ○ ○ = Conditional as secondary uses ○ ○ ○ = Inappropriate use 			
Residential		Nonresidential	
Agricultural	○ ○ ○	Mixed-Use, Neighborhood Scale	○ ○ ○
Cluster Subdivision	○ ○ ○	Mixed-Use, Community Scale	● ● ●
Single-Family, Large Lot	○ ○ ○	Mixed-Use, Regional Scale	● ● ●
Single-Family, Medium Lot	○ ○ ○	Neighborhood Office and Commercial	● ● ○
Single-Family, Small Lot	○ ○ ○	Regional Office and Commercial	● ● ●
Townhome	○ ○ ○	Neighborhood Shopping Center	● ● ○
Duplex	○ ○ ○	Regional Shopping Center	● ● ●
Senior Housing	● ○ ○	Light Industrial/Flex Space	○ ○ ○
Apartment	● ● ○	Civic/Recreation/Open Space	● ● ○

Zoning:

The property is zoned Planned Development-75 (Retail).

Thoroughfare Plan:

The property has access to the following streets on the Thoroughfare Plan:

- Dallas North Tollway – Dedicated Truck Route
- Prosper Trail – Four-Lane Divided Thoroughfare
- Shawnee Trail – Four-Lane Divided Thoroughfare

Parks Master Plan:

The Parks Master Plan does not indicate the need for a park on the property. All trails comply with the Hike & Bike Master Plan. An ten-foot hike and bike trail is required on Dallas Parkway and Prosper Trail. A six-foot sidewalk is required along all other public roadways. Trails within the development shall connect to the trails along the roadways.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and State law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial & Zoning Maps
2. Future Land Use Plan Exhibit
3. Exhibit A-1 – Metes and Bounds Legal Description
4. Exhibit A-2 – Survey
5. Exhibit B – Statement of Intent and Purpose
6. Exhibit C – Development Standards
7. Exhibit D – Conceptual Plan
8. Exhibit E – Development Schedule
9. Exhibit F – Conceptual Elevations

Description of Agenda Item:

The purpose of this request is to create the Prosper Arts District Planned Development. The project will have two separate subdistricts (zones). The Multifamily Zone consists of approximately 10.6 acres in the northern portion of the property, and the Mixed-Use Zone consists of approximately 25.0 acres to the south. The boundary between these two areas may shift somewhat during the design thus changing the final area allocated to each zone.

Though these two zones have different development regulations regarding uses, density, heights, etc., they will be linked in other respects. Open space and trails, architectural styles, parking, and the installation of Public Art will tie these two zones together to make a cohesive development. Some of the features in this development include:

- A hotel along the Dallas Parkway that will cater to sports teams.
- Medical office along the Dallas Parkway that will include a long-term stay hotel for the use of rehabilitation.
- A hotel on Shawnee Trail which will have small pod hotel rooms along the linear water channel.
- Public art throughout the entire development.
- A central parking garage that will be utilized by several uses and buildings within the Mixed-Use Zone.
- Interaction between businesses and the linear open space through the Mixed-Use Zone.

Compatibility:

The zoning change will introduce a residential component to the site while retaining the non-residential components. The mix of uses is compliant with the intent of the Comprehensive Plan and appropriate along the Dallas North Tollway. The Multifamily Zone will abut property zoned Commercial Corridor to the north. The Mixed-Use Zone will include a variety of uses, including hotels, medical office, retail, restaurant, and an event venue whose primary purpose is for weddings. All uses intended for this development are listed in the “Uses” section of this report.

The following chart describes the surrounding properties:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-75 (Retail)	Vacant	Dallas North Tollway District
North	Commercial Corridor	Vacant	Dallas North Tollway District
East	Commercial Corridor	Vacant	Dallas North Tollway District
South	Planned Development-66 (Retail)	Vacant	Dallas North Tollway District
West	Planned Development-75 (Office & Single Family-15)	Office & Vacant	Dallas North Tollway District & Medium Density Residential

Conceptual Plan:

The Conceptual Plan (See Exhibit D) shows the general layout of the development. The plan does not take into account all Zoning regulations, Engineering Standards, etc. as it is too early in the development process to determine certain criteria. In recognition of this, the following note has been placed on the Conceptual Plan:

Note:
The conceptual layout generally depicts intent, but final layout shall be determined at time of Preliminary Site Plan, and shall meet all Town requirements including, but not limited to, ALL Fire Code requirements. Engineering Design Standards as it relates to driveway spacing, throat depth and turn lane requirements, standard Town landscape requirements if not otherwise defined in Exhibit C (Development Standards), and all development standards listed throughout the Town Zoning Ordinance also if not otherwise defined in Exhibit C. In addition, all other local, state, and federal regulations as it relates to the floodplain and waters of the US, or other shall be adhered. There are no vested rights with the approval of the layout of this zoning case depicted in Exhibit D.

Dallas North Tollway District Design Guidelines

The property is located in the Frontier Parkway Gateway Subsection of the Dallas North Tollway District. These guidelines provide criteria recommended for development in this corridor and are not zoning requirements. The guidelines encourage a mixed-use environment to create a live, work and play environment. It is an area to be used not only as an employment center but provide uses and amenities that create an atmosphere where families can visit and enjoy. The uses proposed in this development that meet these qualifications include, medical office, office, hotels (full-service), dine-in restaurant, retail, an event space (chapel), and a focus on public art. A central open space will allow buildings and businesses to face and interact with this amenity. The

inclusion of multifamily in the development will promote activity during all times of the day and night.

Uses:

The uses proposed within the Multifamily and Mixed-Use Zones are listed below. They fall into the categories of “Permitted” and “Specific Use Permit.”

Multifamily Zone	Mixed-Use Zone
Permitted	Permitted
<ul style="list-style-type: none"> • Multifamily Dwelling • Accessory Building • Home Occupation • House of Worship • Municipal Uses Operated by Town of Prosper • Park or Playground • Private Recreation Center 	<ul style="list-style-type: none"> • Administrative, Medical or Professional Office • Alcohol Beverage Establishment • Alcohol Beverage Sales • Antique Shop and Used Furniture • Artisan's Workshop • Automobile Parking Lot/Garage • Automobile Paid Parking Lot/Garage • Bank, Savings and Loan, or Credit Union • Beauty Salon/Barber Shop • Business Service • Caretaker's/Guard's Residence • Catering • Civic/Convention Center • Commercial Amusement, Indoor • Community Center • Convenience Store without Gas Pumps • Dry Cleaning, Minor • Farmer's Market • Furniture, Home Furnishings and Appliance Store • Furniture Restoration, as an accessory use to a Furniture Store • Governmental Office • Gymnastics/Dance Studio • Health/Fitness Center • Homebuilder Marketing Center • Hospital • Hotel, Full Service • House of Worship • Insurance Office • Locksmith/Security System Company • Meeting/Banquet/Reception Facility • Mobile Food Vendor • Multifamily, if over a minimum 1-floor of non-residential uses.

	<ul style="list-style-type: none"> • Municipal Uses Operated by the Town of Prosper • Museum/Art Gallery • Outdoor Merchandise Display, Temporary • Park or Playground • Pet Day Care • Print Shop, Minor • Private Club • Private Recreation Center • Restaurant (without a drive-through) • Retail Stores and Shops • Retail/Service Incidental Use • Theater, Neighborhood • Veterinarian Clinic and/or Kennel, Indoor
(No uses by Specific Use Permit)	<p style="text-align: center;">Specific Use Permit Required</p> <ul style="list-style-type: none"> • Commercial amusement, Outdoor • Helistop • Outdoor Merchandise Display, Incidental • Rehabilitation Care institution • Utility Distribution/Transmission Facility • Body Art Studio

Multifamily Units:

The sizes of multifamily units will vary from the Zoning Ordinance standards, as follows:

- *Efficiency Units* – This type of unit is not in the Zoning Ordinance and is proposed in the Planned Development. Efficiency Units are defined as a dwelling unit containing only one habitable room used for combined living, dining, and sleeping purposes plus a private bathroom facilities within the unit. They are a minimum of 570 square feet.
- *One or two bedroom* — The Ordinance requires that they are a minimum 850 square feet. The Planned Development will allow 750 square feet.
- *Additional bedrooms* — The Zoning Ordinance and the Planned Development require 150 square feet per additional bedroom.

The Planned Development limits the amount of Efficiency Units and those with three bedrooms or more.

- A maximum 10% of the units may be Efficiency Units.
- No more than 10% of the units may contain three or more bedrooms.

Density:

Multifamily Zone – The density in this zone is 50 units per acre.

Mixed-Use Zone – The maximum density in this zone is 60 units per acre with a maximum of 350 total units.

Building Height:

Multifamily Zone – Five (5) stories, no greater than sixty (60) feet from finished grade.

Mixed-Use Zone – Nine (9) stories, no greater than 110 feet along Shawnee Trail and 14 stories, no greater than 170 feet along Dallas Parkway.

Parking garage height varies depending on whether the garage is stand-alone or in conjunction with another building. Stand-alone garages shall not exceed seven (7) stories or 75 feet. Attached garages cannot be taller than the adjoining or wrapped building.

Building Setbacks:

Building setbacks are defined in Exhibit C. Multifamily structures can have a 10-foot or greater front setback with 30-foot side and rear setbacks. Buildings shall be 30 feet apart. There are no setback requirements in the Mixed-Use Zone, with the exception of meeting Fire Code standards.

Parking:

All multifamily units within the Planned Development will be parked as follows:

- One (1) space per dwelling unit for efficiency units
- One and one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units
- For every additional room, an additional parking space is required.

Multifamily Zone – Parking will be surface parking or individual garages.

Mixed-Use Zone – Parking for the multifamily will be in structured garages. Parking between uses is intended to be shared. A shared parking arrangement will be determined at the time of preliminary site plan review.

Sidewalks:

Multifamily Zone – Seven-foot sidewalks are required in front of buildings. This will allow for entry doors into each unit from the exterior of the building and a space for outdoor patios.

Mixed-Use Zone – A 15-foot sidewalk is required along the fronts of primary buildings, along drive aisles and parking rows.

Landscape Buffers:

The minimum landscape buffers along the streets shown on the Thoroughfare Plan are as follows:

- Twenty-five (25) feet along Prosper Trail
- Twenty-five (25) feet along Shawnee Trail
- Thirty (30) feet along Dallas Parkway.

Open Space and Trails:

The floodplain bisects the property east to west. This natural feature was identified the existing Planned Development as an open space area with walking paths, and it is a primary feature of this proposal. It is intended to be an amenity to serve both zones with connecting trails/sidewalks throughout the development.

The amount of open space proposed for the entire development is 15%, which is a approximately 5.4 acres. Exhibit C, Section G(1) describes the criteria for the development of the open space, including the following:

- A minimum 30% of the Multifamily Zone area will be open space. Of this, one-third must be provided within the bounds of that zone. The remaining area can be allocated elsewhere within the entire development.
- No more than 60% of the useable open space can be detention or within floodplain.
- Amenities are required within the open space.
- Buildings must side or face the open space areas to the greatest extent possible.

Architectural Standards:

Buildings will be designed to front onto adjacent public streets with minimal parking in front of the buildings. Garages that are visible from the Tollway will be designed so that it will appear as a building façade rather than a structured garage.

Building Materials:

The styles of buildings are to be consistent within the Multifamily zone. The Mixed-Use Zone will have buildings that will be somewhat unique and have an artistic expression. Examples of buildings are provided in Exhibit F. These will be further refined when preliminary site plan and site plan applications are submitted for review.

Regarding building materials, the applicant proposes the following:

- All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
- Primary materials include fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
- On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
- No single finish shall cover more than eighty percent (80%) of the front of any building.
- First floors in the Mixed-Use Zone will have a minimum ceiling height of 14 feet and will have windows covering 60% of the facades that face a major street and public-realm.

Public Art:

A minimum of 24 public art installations shall be included throughout the entire project. The placement and types of public art will be determined at the time of development and are subject to the approval of the Director of Development Services.

Phasing:

The project will be developed in three phases, as follows:

- Phase 1: Multifamily Zone, Trail System, Hotel on the east, Parking Garage, Extended Stay Hotel/Medical Office Tower on the east
- Phase 2: Hotel on the west, Mixed-Use Multifamily, Retail
- Phase 3: Retail and Office on Prosper Trail/Shawnee

Town Staff Recommendation:

Town Staff recommends approval of the request to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail.