



## 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: Planned Development Ordinance for Prosper Arts District**

**Town Council Meeting – June 11, 2024**

**Strategic Visioning Priority: 3. Commercial Corridors are ready for Development**

---

**Agenda Item:**

Consider and act upon an ordinance 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)

**Description of Agenda Item:**

On May 28, 2024, the Town Council approved the proposed rezoning request by a vote of 4-2 with Mayor Pro-Tem Ray and Councilmember Kern voting in opposition.

The motion included several modifications to the standards which have been incorporated into the ordinance exhibits. Below are the items of change per the Town Council and Planning & Zoning Commission motions, which have been addressed in the attached exhibits.

**5/28/2024 Town Council Motion**

**Section E - Multifamily Zone Development Standards:**

- Clarify on the accessory building as a use and that it will be an accessory related to the multifamily.
- Recommended to remove House of Worship as a use.
- For 2i, add minimum density of 40 units to the acre.
- For 2iii add minimum height of 4 stories for multifamily.
- Add that units in multifamily will have climate controlled interior corridors which are also mentioned in the mixed-use section.
- Section 5.i. – approval will be by the Director of Development Services.
- In section 5.ii based on the Planning & Zoning Commission's feedback, remove the fiber cement panel from the primary materials to the secondary materials with a percentage

area of 20%. As well as limit the stucco from no stucco on the first floor to 10% total on the entire building.

#### Section F – Mixed-Use Zone Development Standards

- Request for Commercial Amusement Indoor, used Furniture Store, Antiques Shop, and Convenience Store Without Gas Pumps to be an SUP.
- Clarification that Hotel, Residence/Extended Stay is not an extended stay hotel, it is a full-service hotel with limited extended stay capabilities.
- Changing the name of House of Worship to an event center and having it be in conjunction with the Meeting/Banquet/Reception Facility.
- Section 2 – Residential Density, add minimum density which is 40 units to the acre.
- Section 2.V – Add minimum of 4 stories along Shawnee Trail. While along the DNT, have the minimum be 6 stories with a maximum of 14 stories. Retail along Prosper Trail be a maximum height of 4 stories.
- 3.2 – 100% of the first floor is nonresidential uses, clarified that a minimum of 50% is retail that is open to the public.
- 5.2 – Remove fiber cement panel from primary to secondary. Stucco at 10% total of the entire building.

#### Section G – Useable Open Space and Trails

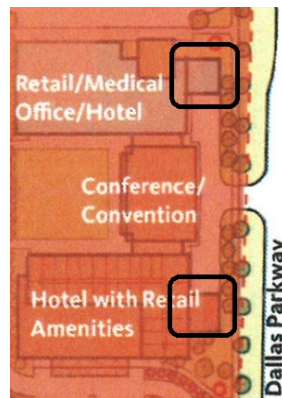
- 1.viii – Remove #2 – Areas of decorative pavement.

#### Phasing:

- Phase 1A as is.
- Phase 1B – Add that the foundation is poured for 1 of the 2 hotel buildings on site before a permit can be received for the multifamily. Also include that the waterway infrastructure should be approved by the town.
- Phase 2 – A CO on the first hotel building and foundation pour on the second hotel building to obtain a permit for the multifamily in Phase 2. Also add that all Phase 2 should be done together with the retail.
- Phase 3 as is.
- Phase 4 as is.

#### Zone:

- Along DNT, the setback should be 50ft with a 30ft landscape buffer. A request was made from the applicant for the 2 smaller squares In Phase 1A along Dallas Parkway to have some leeway with the setback requirement. The Council agreed on a 30 ft landscape buffer and setback.



- The council requests that along Prosper Trail and the southern portion of Phase 3 before the waterway, parking should be bermed. The applicant asks the council to reconsider the berming request as it could interfere with retail visibility. Council is satisfied as long as landscaping will still be there enough to act as headlight screens.

As part of the development agreement, if conditions are not met within 5 years, it will be subject to reconsideration.

#### 5/21/2024 Planning & Zoning Commission Meeting Motion

- Phasing is going to be adjusted. Phase 1A will include the infrastructure plus the medical office/hotel, conference/convention center/hotel with retail amenities on the east side of the project closest to Dallas Parkway, including the parking garage.
- Phase 1B will be the multifamily in the northwest quadrant.
- Phase 2 will be mixed-use retail, multifamily, and theatre, plus the reception facility and retail on the southeast quadrant.
- Phase 3 will be the hotel plus retail on the far west side of the project. The hotel in Phase 3 will have 4-diamond status and will include luxury pods called Hakas that will be complementary to the 4-diamond hotel named Hotel Voz.
- Additional updates to Section 5.2.3 in the mixed-use, removing fiber cement from No. 2 and adding it to No. 3.
- Under G.1.8 on Page 93, striking 2 and 3 out and moving 3 items to an SUP as opposed to approved by right, which will be the commercial amusement indoor facility, furnishing/home appliance store, and the vet clinic with indoor pet kennel.
- The trigger for 1B is that 1A will need to have construction started, building permits.
- Phase 4 remains the same with office.

#### **Budget Impact:**

There is no budgetary impact affiliated with this item.

#### **Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

#### **Attached Documents:**

1. Exhibit C – Redlined from the May 28, 2024, Town Council Meeting
2. Ordinance
3. Ordinance Exhibits

#### **Town Staff Recommendation:**

Town Staff recommends approval of an ordinance 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.

#### **Proposed Motion:**

I move to approve/deny an ordinance 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.