



## 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 for Prosper Arts District**

**Town Council Meeting – May 28, 2024**

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

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#### **Agenda Item:**

Conduct a public hearing to 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)

#### **Background:**

On April 23, 2024, the Planning & Zoning Commission held a Public Hearing for this item. The Public Hearing was closed, and the item was tabled to the May 7, 2024, meeting.

On May 1, 2024, the Planning & Zoning Commission and Town Council held a joint work session to discuss items related to this project.

On May 7, 2024, the Planning & Zoning Commission tabled this item to May 21, 2024.

On May 21, 2024, the item was removed from the table and considered by the Planning & Zoning Commission. The Planning & Zoning Commission approved the item by a vote of 5-1 (Jackson voted in opposition; no reason given) with the following motion:

Approve this item subject to staff comments plus the following changes:

- 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 Hako that will be complementary to the 4-diamond hotel named Hotel VOZ.
- Additional updates to the Mixed-Use Zone, Section 5.ii.3 in Exhibit C, removing fiber cement from number 2 and adding it to number 3.
- Under G.1.viii, in Exhibit C, strike items 2 and 3.
- Move three items to a Specific Use Permit category as opposed to approved by right, which will be the Commercial Amusement Indoor facility, Furnishing, Home Furnishing and Appliance Store, and the Veterinarian Clinic and/or Kennel, Indoor.
- The trigger for Phase 1B is that Phase 1A will need to have started construction – building permits.
- Phase 4 remains the same with office.

The applicant has updated the Development Standards (Exhibit C) and the Development Schedule (Exhibit E) to reflect the Planning & Zoning Commission's motion.

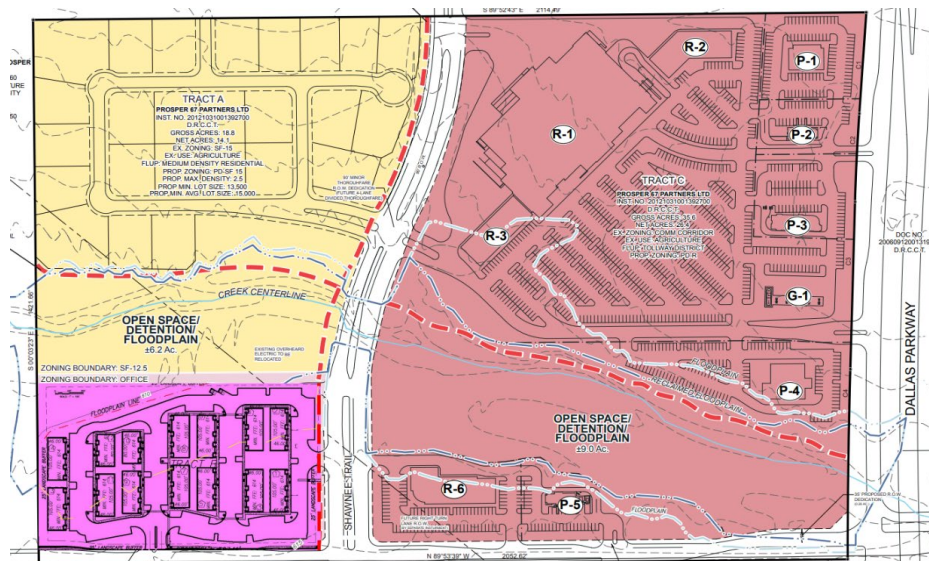
### **History:**

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.

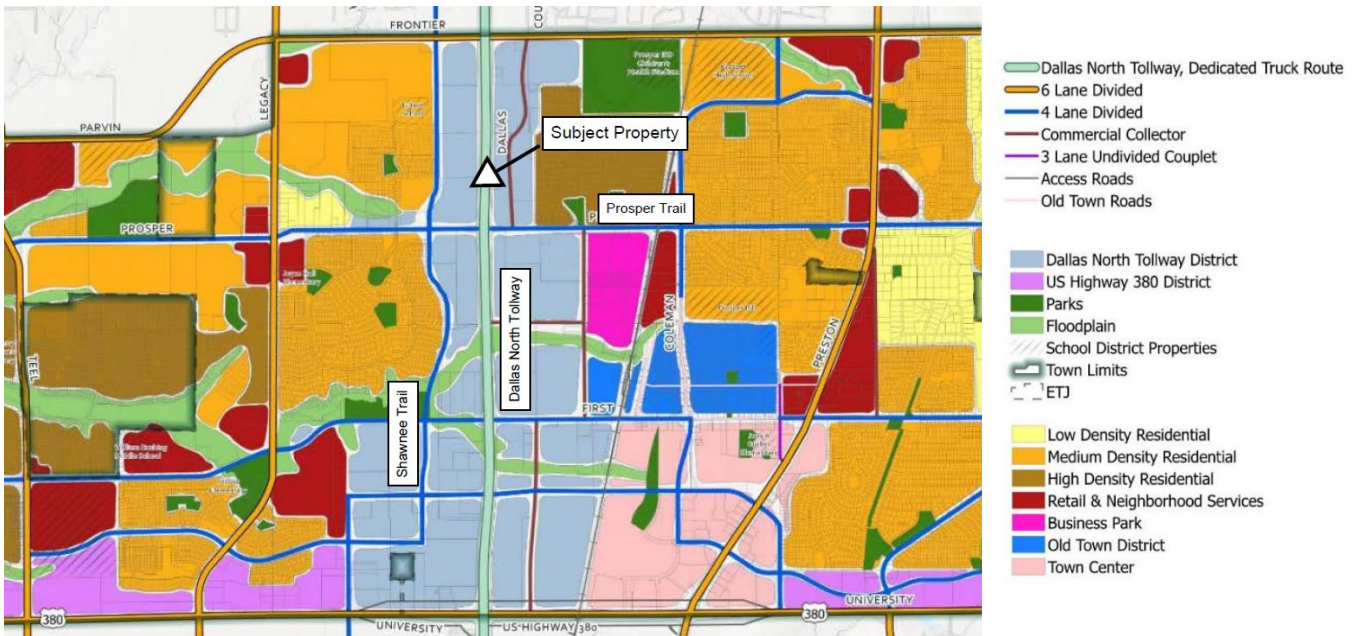
**Single Family-15** – The single family portion of the development is on the west side of Shawnee Trail, north of the office development. A Preliminary Plat for the residential subdivision has been approved and a Final Plat is currently under reviewed.

**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.



### **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			
<p>● ● ● = Appropriate primary uses</p> <p>● ● ○ = Conditional as primary uses</p> <p>● ○ ○ = Conditional as secondary uses</p> <p>○ ○ ○ = Inappropriate use</p>			
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 and the Dallas North Tollway Design Guidelines. A 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.

### **Budget Impact:**

There is no budgetary impact affiliated with this item.

### **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. Citizen comment was provided at the April 23, 2024, Planning & Zoning Commission meeting in favor of the development.

**Attached Documents:**

1. Aerial & Zoning Maps
2. Future Land Use Plan Exhibit
3. Town-wide Multifamily Locations
4. Exhibit A-1 – Metes and Bounds Legal Description
5. Exhibit A-2 – Survey
6. Exhibit B – Statement of Intent and Purpose
7. Email from Director of Development Services to Applicant, Dated May 2, 2024
8. Exhibit C – Redlined to represent changes made after the May 21, 2024, Planning & Zoning Commission meeting.
9. Exhibit C – Development Standards
10. Exhibit D – Previous Conceptual Plan from the April 23, 2024, Planning & Zoning Commission Meeting.
11. Exhibit D – Updated Conceptual Plan
12. Exhibit E – Development Schedule
13. Exhibit F – Conceptual Elevations
14. Draft Development Agreement

**Description of Agenda Item:**

The purpose of this request is to create the Prosper Arts District Planned Development. The project will have two subdistricts (zones). The Multifamily Zone consists of approximately 6.8 acres in the northwestern portion of the property, and the Mixed-Use Zone consists of approximately 28.9 acres on the balance of the property. 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 multifamily building with a structure garage that is wrapped on the east, west and south.
- An office building at the northeast corner of the property.
- Medical office along Dallas Parkway that will include a long-term stay hotel for the use of rehabilitation.
- A hotel along the Dallas Parkway that will cater to sports teams and will have retail amenities.
- 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.
- A man-made water feature bisecting the property east to west.

**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:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Planned Development-75 (Retail)	Vacant	Dallas North Tollway District
<b>North</b>	Commercial Corridor	Vacant	Dallas North Tollway District
<b>East</b>	Commercial Corridor	Vacant	Dallas North Tollway District
<b>South</b>	Planned Development-66 (Retail)	Vacant	Dallas North Tollway District
<b>West</b>	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. It was updated to reflect the feedback given at the April 23, 2024, Planning & Zoning Commission meeting and in response to the discussion at the May 1, 2024, joint work session.

The Conceptual 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
<ol style="list-style-type: none"><li>1. Multifamily Dwelling</li><li>2. Accessory Building</li><li>3. House of Worship</li><li>4. Municipal Uses Operated by Town of Prosper</li><li>5. Park or Playground</li><li>6. Private Recreation Center</li><li>7. Home Occupation</li></ol>	<ol style="list-style-type: none"><li>1. Administrative, Medical or Professional Office</li><li>2. Wine Bar</li><li>3. Cocktail Lounge</li><li>4. Cigar Bar</li><li>5. Antique Shop and Used Furniture</li><li>6. Artisan's Workshop</li><li>7. Automobile Parking Lot/Garage</li><li>8. Automobile Paid Parking Lot/Garage</li><li>9. Bank, Savings and Loan, or Credit Union</li><li>10. Beauty Salon/Barber Shop</li><li>11. Business Service</li><li>12. Caretaker's/Guard's Residence</li><li>13. Catering</li><li>14. Civic/Convention Center</li><li>15. Convenience Store without Gas Pumps</li><li>16. Dry Cleaning, Minor</li><li>17. Governmental Office</li><li>18. Gymnastics/Dance Studio</li><li>19. Health/Fitness Center</li><li>20. Hospital</li><li>21. Hotel, Full Service</li><li>22. Hotel, Residence/Extended Stay (XO2)</li><li>23. House of Worship</li><li>24. Insurance Office</li><li>25. Meeting/Banquet/Reception Facility</li><li>26. Mobile Food Vendor</li><li>27. Multifamily, if over a minimum 1-floor of non-residential uses.</li><li>28. Municipal Uses Operated by the Town of Prosper</li><li>29. Museum/Art Gallery</li><li>30. Outdoor Merchandise Display, Temporary</li><li>31. Park or Playground</li><li>32. Print Shop, Minor</li><li>33. Private Club</li><li>34. Private Recreation Center</li><li>35. Restaurant (without a drive-through)</li></ol>

	36. Retail Stores and Shops 37. Retail/Service Incidental Use 38. Theater, Neighborhood
(No uses by Specific Use Permit)	<b>Specific Use Permit Required</b> 1. Commercial Amusement, Indoor 2. Commercial Amusement, Outdoor 3. Farmer's Market 4. Furniture, Home Furnishings and Appliance Store 5. Helistop 6. Outdoor Merchandise Display, Incidental 7. Pet Day Care 8. Rehabilitation Care Institution 9. Veterinarian Clinic and/or Kennel, Indoor

**Multifamily Units:**

All multifamily units will consist of one, two and three bedrooms. The minimum size of any unit is 850 square feet. An additional 150 square feet is required for an additional bedroom. No more than ten percent of the units may contain three-bedrooms.

**Density:**

The maximum number of residential units allowed within the entire Planned Development is 515.

*Multifamily Zone* – The density in this zone is 50 units per acre. The maximum number will be based on the area, which may fluctuate somewhat as the plans are finalized. Per the Conceptual Plan (Exhibit D), the property is shown as 6.777 acres. At 50 units per acre, the maximum number of units is 338.

*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.

Parking garage height will be no greater than that of the wrapped residential building.

*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 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* – The arrangement of multifamily buildings shall be organized so that resident parking is provided in a structured garage that is wrapped by the residential units. A maximum 25% of the garage may be exposed; however, the architecture of that portion must have architecture to give the appearance of a building rather than a parking garage. Visitor and other ancillary parking may be located on the drive aisle/fire lane that wraps the multifamily development.

*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:**

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.

In the Multifamily Zone, the requirement for landscape islands in the surface parking that surrounds the building is one island between a maximum of seven parking spaces.

The standard Ordinance requirement for the Multifamily district is one landscape island between every five parking spaces for parking areas between the building and a public street and one island between every 12 parking spaces for parking elsewhere on the site.

**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 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.

#### **Detention/Retention:**

Detention located within the Floodplain must meet all Town of Prosper, FEMA and all other applicable regulations. The proposed man-made water feature, located in the approximate location of the existing creek bed, will be sized to accommodate the proposed development on both sides as shown on the Conceptual Plan.

#### **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 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. (In the Mixed-Use Zone, fiber cement panel is excluded as a primary material per the Planning & Zoning Commission's motion.)
- 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. (In the Mixed-Use Zone, stucco and fiber cement panels are each limited to these percentage caps per the Planning & Zoning Commission's motion.)
- 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/or 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 phasing of the project was modified per the Planning & Zoning Commission's motion. The project will be developed in the following manner:

##### Phase 1A:

- Site-wide infrastructure for all 34 Acres
- Hotel Carbon
  - 144 Rooms (Only for Hotel Guests)
  - 12 Social Spaces (Primarily for Hotel Guests but available to the public as Event/Meeting Rental Space)

- Performance Center (Open to the Public – Leased to a 3<sup>rd</sup> Party Operator)
- Conference Center (Open to the Public)
- Streaming & eSports Center (Open to the Public – Leased to a 3<sup>rd</sup> Party Operator)
- Retail Operations (Open to the Public – Leased to a 3<sup>rd</sup> Party Operator)
- Restaurants
  - Protein Bar (Open to the Public)
  - Sports Bar (Open to the Public)
  - Food Hall (Open to the Public)
- XO2 Tower
  - Luxury Condo residences (specialized for medical recovery)
  - 1 floor of Retail Flex Space
  - 3 floors of leased medical and out-patient office
  - Rooftop workout and relaxation facility
- Outdoor Recreation Area
  - Soccer field
  - Running track
  - Covered sports pavilion
  - Enclosed multi-sport court
- Mixed-Use Zone Parking Garage

#### Phase 1B:

- Multi-Family Zone  
Phase 1B Multifamily cannot begin until Phase 1A has a building permit and begins construction.

#### Phase 2:

- Mixed-Use retail and multi-family
- Theater
- Reception Facility
- Retail on the southeast quadrant

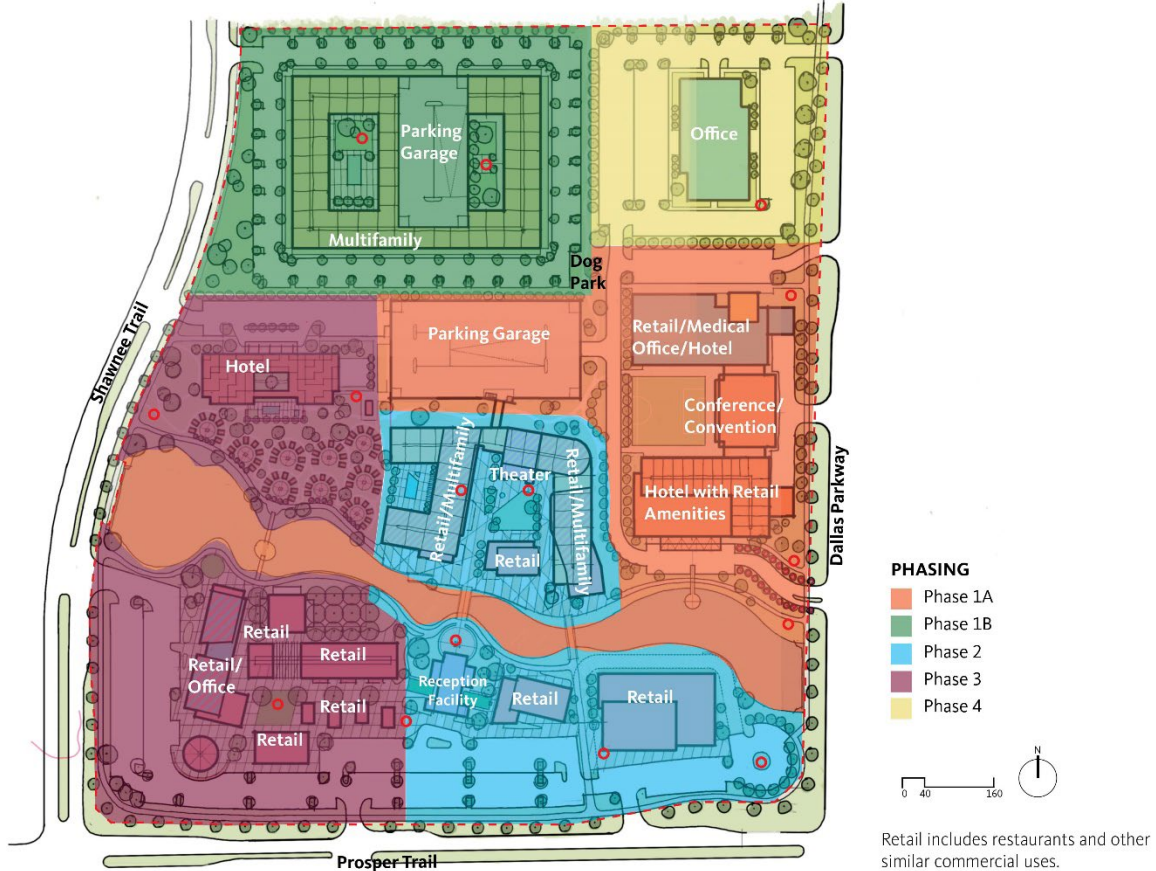
#### Phase 3:

- Hotel Voz on the far west
  - 4-diamond hotel status
  - Luxury pods called Hako that will be complementary to the 4-diamond Hotel Voz
- Retail in the southwest quadrant

#### Phase 4:

- Office on Dallas Parkway

## PHASING DIAGRAM



### **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.

### **Planning & Zoning Commission Recommendation:**

The Planning & Zoning Commission recommended approval of this item with conditions by a vote of 5-1 at their meeting on May 21, 2024. Commissioner Jackson voted in opposition to this item with no reasons given. The motion was as follows:

Approve this item subject to staff comments plus the following changes:

- 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 Hako that will be complementary to the 4-diamond hotel named Hotel VOZ.
- Additional updates to the Mixed-Use Zone, Section 5.ii.3 in Exhibit C, removing fiber cement from number 2 and adding it to number 3.
- Under G.1.viii, in Exhibit C, strike items 2 and 3.
- Move three items to a Specific Use Permit category as opposed to approved by right, which will be the Commercial Amusement Indoor facility, Furnishing, Home Furnishing and Appliance Store, and the Veterinarian Clinic and/or Kennel, Indoor.
- The trigger for Phase 1B is that Phase 1A will need to have started construction – building permits.
- Phase 4 remains the same with office.

**Proposed Motion:**

I move to approve/deny 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.