

March 7, 2023

Public Hearing – Specific Use Permit: Midtown East, Block A, Lot 1
(SUP23-0001)
Owner(s): FTNV Corp.

DESCRIPTION:

A request for a Specific Use Permit for an Outdoor Commercial Amusement venue on 97.4± acres on the northeast corner of Dallas Parkway and Panther Creek Parkway. Zoned Planned Development-280. Neighborhood #53. Tabled 02/07/2023 and 02/21/2023. JH

HISTORY:

Ordinance No. 12-06-37 – Annexed 2,807.0± acres on June 5, 2012.

Ordinance No. 2020-04-23 – Zoned 2,158.6± acres from Agricultural to Planned Development-280 on April 21, 2020.

Ordinance No. 2022-09-40 – Zoned 2,158.6± acres from Planned Development-280 to Planned Development-280 on September 6, 2022.

EXECUTIVE SUMMARY:

The applicant is requesting a Specific Use Permit for an Outdoor Commercial Amusement venue, specifically a Theme Park, that is focused on young children ages 3-11. The intensity of the proposed development is less than that of potential other developments in terms of the number of driveways, water and sewer demand, and generated traffic. Further, in addition to complying with the City's development standards, the applicant is proposing to install additional landscaping around the perimeter of the development, install a wider trail along Panther Creek Parkway, and cap the maximum height. (Reference Comparison Exhibit for additional information on each of the noted items)

The proposed development is in the Midtown East Subdistrict, which is within the overall master planned Fields development. Within the Midtown East Subdistrict, Planned Development-280 allows for a combination of smaller lot single family, multiplex (residential development that is less than or equal to 24 dwelling units per acre on the same platted lot), and urban living residential uses as well as commercial uses permitted in the Office-2 and Retail zoning districts. Outdoor Commercial Amusement requires approval of a Specific Use Permit in both the Office-2 and Retail zoning districts.

CASE OVERVIEW:

The Planning & Zoning Commission tabled this item and continued the public hearing at the February 7, 2023 and February 21, 2023, Joint City Council and Planning & Zoning Commission meetings to allow the applicant additional time to work with Staff and to provide additional information on the request.

The applicant is requesting a Specific Use Permit for an Outdoor Commercial Amusement venue, specifically a Theme Park. Per the proposed Specific Use Permit, a “Theme Park” shall mean and refer to a theme park open to all ages, but specifically focused on young children ages 3-11, set in an immersive lush green landscape and featuring themed areas with family-friendly attractions, interactive shows, character meet and greets, as well as merchandise and fun food and beverage venues.

The development is 97.4± acres at the northeast corner of Dallas Parkway and Panther Creek Parkway and is proposed as the following:

- 30.0± acres dedicated for the “Theme Park”, which includes rides, restaurants, plazas, water features, walkways, ponds, etc. (but does not include the parking associated with the development).
- A 300-room hotel designed for families in Phase 1. An additional 300-rooms is contemplated in a future phase.
- The remainder of the site is proposed to be hotel guest parking, theme park guest parking, employee/back of house parking (each of the beforementioned parking areas are separated from one another), and support uses (administration & employee support, storage & technical services, etc.).
- Specifically focused on young children ages 3-11.

A HOA meeting was held at Trent Middle School on January 11, 2023, to give citizens an opportunity to learn more about the proposed development. An additional citizen input meeting was held at Collin College on February 4, 2023. The topics that came up the most are listed below.

A meeting of the Mayor, Staff, and the Cobb Hill HOA was held on February 15, 2023, at UT Southwestern to give residents an additional opportunity for citizen input (Reference Pages 16 – 18) for topics of discussion during this meeting).

- **Zoning Entitlements** – The proposed development is in the Midtown East Subdistrict, which is within the overall master planned Fields development. Within the Midtown East Subdistrict, Planned Development-280 allows for a combination of smaller lot single family, multiplex (residential development that is less than or equal to 24 dwelling units per acre on the same platted lot), and urban living residential uses as well as commercial uses permitted in the Office-2 and Retail zoning districts.

Outdoor Commercial Amusement requires approval of a Specific Use Permit in both the Office-2 and Retail zoning districts.

- **Traffic** – Reference individual traffic sections below.

Surrounding Infrastructure

The site is bounded by the Dallas North Tollway on the west and Panther Creek Parkway on the south. Panther Creek Parkway currently terminates at the entrance to the Estates of Cobb Hill neighborhood. Future roadways will mark the northern and eastern boundaries. Several roadway projects are under construction or about to start construction in this area to serve the growth occurring in north Frisco and will be completed by the time Universal Studios would open. See Figure 1.0 (Reference Page 8) below for how these roadway projects relate to the theme park site.

- NTTA is widening the Dallas North Tollway through Frisco from six lanes to eight lanes and constructing a new southbound exit ramp to Fields Parkway;
- Panther Creek Parkway is being widened from four lanes to six lanes for almost a mile west of the Dallas North Tollway (and future projects will widen it all the way to FM 423);
- Panther Creek Parkway will be constructed as a six-lane road from the Dallas North Tollway east to Preston Road;
- A new arterial roadway, Fields Parkway, is being built as a four-lane roadway starting at the Dallas North Tollway and extending west all the way to FM 423;
- Fields Parkway will be built as a six-lane road east of the Dallas North Tollway and will turn into Frisco Street as it curves around the site and then connects to Panther Creek Parkway;
- Frisco Street will be built as a four-lane roadway between Panther Creek Parkway and Cobb Hill Drive, creating a continuous route down to Main Street;
- Frisco Street will be built north of Fields Parkway as a two-lane collector road up to PGA Parkway; and
- The Dallas Parkway frontage roads will be widened from two lanes to three lanes in each direction between Panther Creek Parkway and PGA Parkway.

Cut-Through Traffic

The Cobb Hill neighborhood is experiencing cut through traffic because the planned network of arterial roadways has not been completed in the area. Both Frisco Street and Panther Creek Parkway are dead-ended near the neighborhood and so motorists use the neighborhood as a connection between the two roads. Panther Creek Parkway will be extended east to Preston Road and Frisco Street will be extended north to connect to Dallas Parkway before the theme park opens, at which time the arterial network will be in place. As a result, motorists will be able to use Frisco Street to reach Panther Creek Parkway and there will no longer be a benefit for them to cut through the neighborhood because it would take them longer to cut through the neighborhood. Although the hotel employee driveway is currently

planned to align with the neighborhood entrance, that traffic will approach the hotel on the arterial roadways and will not see a benefit to cut through the neighborhood. If any cut-through traffic does occur, the City could prohibit through movements across Panther Creek Parkway at King George Lane. (The traffic study estimates that 80 employee cars will enter this driveway during the morning commuter rush hour and 31 employee cars will exit this driveway during the evening commuter rush hour, which is less traffic than would use this driveway if developed under the current zoning.)

Congestion & Construction Zones

Traffic conditions in the area of Eldorado Parkway & Dallas Parkway and Panther Creek Parkway & Dallas Parkway are more congested than they otherwise would be for these reasons.

1. Since Panther Creek Parkway does not connect from Preston Road to the Dallas North Tollway, traffic wanting to drive to the Tollway is concentrated onto Eldorado Parkway. The extension of Panther Creek Parkway to Preston Road is slated to be open in early 2025, which will give motorists another option to reach the Tollway and remove some of the traffic from Eldorado Parkway. This improvement will be in place before the proposed theme park opens.
2. NTTA's widening project of the Dallas North Tollway has temporarily closed the northbound exit ramp to PGA Parkway, so that traffic must exit early and pass through the Panther Creek Parkway intersection before reaching PGA Parkway. This places more traffic through the Panther Creek intersection at the same time that their construction project has temporarily removed some of the turn lanes at the intersection. This construction backs up traffic on northbound Dallas Parkway during busy times. These temporary constraints will be removed once NTTA's construction project is complete, and traffic will flow more easily through the Panther Creek Parkway intersection. (The northbound exit ramp to PGA Parkway will reopen in early to mid-2024.) In addition, a right-turn lane is slated to be constructed on northbound Dallas Parkway at Panther Creek Parkway to further help traffic. These improvements will be in place before the proposed theme park opens.

Traffic Impact Analysis (TIA)

The applicant was required to conduct a traffic impact analysis of the proposed theme park. Although the development will be built in phases, the TIA analyzed the full-build out of the theme park and hotel described in the Specific Use Permit. The TIA assumed all of the roadway improvements described above will be in place and then estimated the amount of background traffic on the roadways for the year 2040 assuming that all of the vacant land in north Frisco has been developed. This is based on projects that are currently under construction, zoning that has been approved on vacant land, and the City's Future Land Use Plan where zoning has not yet been approved. The TIA included the following:

- trip generation estimates;
- internal traffic circulation plan (Internal Traffic Operations); and
- detailed analysis of traffic operations around the site (External Traffic Operations).

Trip Generation Estimates

The traffic study explains that, on a typical weekday, the theme park will have about 7,500 visitors over the course of the day and will generate about the same amount of traffic during commuter peak hours as an office complex containing one million square feet. On its peak days (certain weekends and holidays), the theme park will have up to 20,000 visitors and will generate more traffic (but during these times won't coincide with commuter or school traffic). While the same land could have developed with more than one million square feet of office, the theme park generates traffic at different times and in different ways and therefore requires detailed analysis. For example, all visitor traffic will be concentrated into one entrance, but the peak of that traffic flow will not coincide with the peak hour of normal commuter traffic (because the theme park will open at 10:00 a.m. on a typical weekday). Traffic Engineering staff had several meetings with Universal Studios representatives and their traffic engineering consultants to discuss traffic operations in and around the theme park. Staff learned how the traffic will flow internally and worked with the applicant to analyze the external operations of traffic approaching and departing the theme park. The analysis below was conducted using average arrival and departure patterns that Universal Studios provided from their other theme parks.

Internal Traffic Operations

The ability of the theme park to accept and process the peak inbound traffic at their single visitor entrance for vehicular traffic will be an important factor for how it affects traffic on the City's transportation network. Universal Studios has many decades of experience with dealing with inbound and outbound traffic at their theme parks in California and Florida and will apply the same concepts to this project. For example, the parking lot is being designed to utilize "speed parking" in order to park inbound cars as fast, efficiently, and safely as possible. This system, which is used by several major theme parks, consists of a large parking field with all aisles being one-way in the same direction and a series of staff members who direct a line of cars into rows of double-tiered angled parking spaces. All cars are parked in the same direction, with every two tiers of cars separated by a drive aisle. As each tier is filling up, pedestrians walk away from their cars towards the aisle in front of them (which no longer has vehicular traffic) while staff continue to fill the tiers behind them. This eliminates slowdowns caused by drivers looking for their own spaces or waiting for pedestrians that might be walking in their drive aisle. It also allows the constant flow of pedestrians to walk towards the entrance without conflicting with the entering traffic. Traffic Engineering staff has seen speed parking in action and agrees that it can handle a constant stream of inbound traffic more efficiently than typical parking.

Furthermore, the layout of speed parking provides more safety for the pedestrians through its design.

The other component to inbound traffic is the row of “toll booths” where each car is charged a parking fee. People with season passes to the theme park will just need to scan their card to enter but other cars will need to pay a fee to park (which varies by time of day). This too is standard practice at major theme parks. Based on data provided by the Universal Studios, it takes an average of 30 seconds to process each car at each toll booth. They are proposing eight booths which would allow them to staff a variable number of booths depending on the amount of traffic entering at various times of the day. Each booth has a capacity to process 120 vehicles per hour and so if all eight booths are staffed, the toll plaza could process 960 vehicles per hour. The applicant estimates that the peak arrival of inbound cars will be 615 vehicles per hour on an average day, which could be handled by six staffed booths. Busier days, such as weekends and holidays, would need eight booths staffed during the peak arrival period. In addition, the toll booths have been placed a long distance from the entrance to contain any queue that might form in advance of the toll booths. The three internal lanes approaching the toll booths can hold 230 queued cars before the line reaches back to Fields Parkway. In addition, Universal Studios has stated that if the queue does reach the city street during an extreme peak period, they would wave traffic through the toll booths and collect the parking fee after each car is parked.

While there is only one entrance for visitors to enter the theme park, there are two exit points. The parking lot is divided into two halves making it easy to direct half of the outbound traffic back to the traffic signal used to enter the site off of Fields Parkway and half of the traffic to an exit-only driveway that connects to northbound Dallas Parkway. The design also has the flexibility to send all of the exiting traffic to the traffic signal if there are times that the Dallas Parkway driveway has a reduced capacity (such as during the evening commuter rush hour).

The proposed SUP ordinance includes the following condition: The boundaries of the “Theme Park Area” depicted in Exhibit C and described in Exhibit C-1 shall not be expanded if such expansion would (i) result in an increase in the number of vehicle trips generated by the development, or (ii) modify the capacity or location of the toll plaza as shown in Exhibit C at the visitor entrance in a manner that would cause the queue of vehicles to extend into Fields Parkway, when compared to the data reflected in the Traffic Impact Analysis (TIA) and/or Traffic Circulation Plan approved by Frisco on February 3, 2023.

External Traffic Operations

Traffic Engineering staff worked with the applicant to ensure the site will be surrounded by six-lane arterials (Fields Parkway, Frisco Street, and Panther Creek Parkway), that the Dallas Parkway frontage road will be widened to three lanes where the exit ramp joins it, and a traffic signal will be located at the visitor entrance/exit (see Figure 1.0 – Reference Page 8). These roadways are under

design and will be completed before the theme park opens. In addition, a new southbound exit ramp from the Dallas North Tollway to Fields Parkway is being constructed by NTTA and the intersection of Dallas Parkway and Fields Parkway is under construction to widen the opening under the bridge to allow a six-lane Fields Parkway to pass through it and to add u-turn lanes from the frontage roads. Staff also worked with the applicant to ensure the visitor entrance and exit (which carries the bulk of the site's traffic) and the delivery entrance would not be located on Panther Creek Parkway and therefore not near the Cobb Hill neighborhood.

The applicant's traffic study then analyzed different traffic condition scenarios to determine what additional improvements would be needed to handle the peaks of inbound and outbound traffic to and from the theme park. The analysis looked at several "worst-case scenarios" to ensure the highest possible traffic demands were being accounted for. For example, one scenario assumed that the traffic arriving from the south along the Dallas North Tollway would use the one exit ramp closest to the theme park (while in reality traffic would use different routes). The traffic study analyzed the theme park traffic that would occur during the typical morning commuter peak hour, as well as the actual peak hour of inbound traffic that will occur later than the typical commuter peak hour (because the theme park will open at 10:00 a.m.). And finally, it analyzed the larger peak inbound traffic that would occur on a weekend or holiday (which would not coincide with weekday commuter traffic even if the park opens earlier at 9:00 a.m.). The analysis included standard equation-driven analysis (using Synchro software) as well as a detailed computer simulation of traffic (using VISSIM software) so Staff could visualize the weaving activity on the frontage road and see whether traffic would ever back up onto the Tollway, etc.

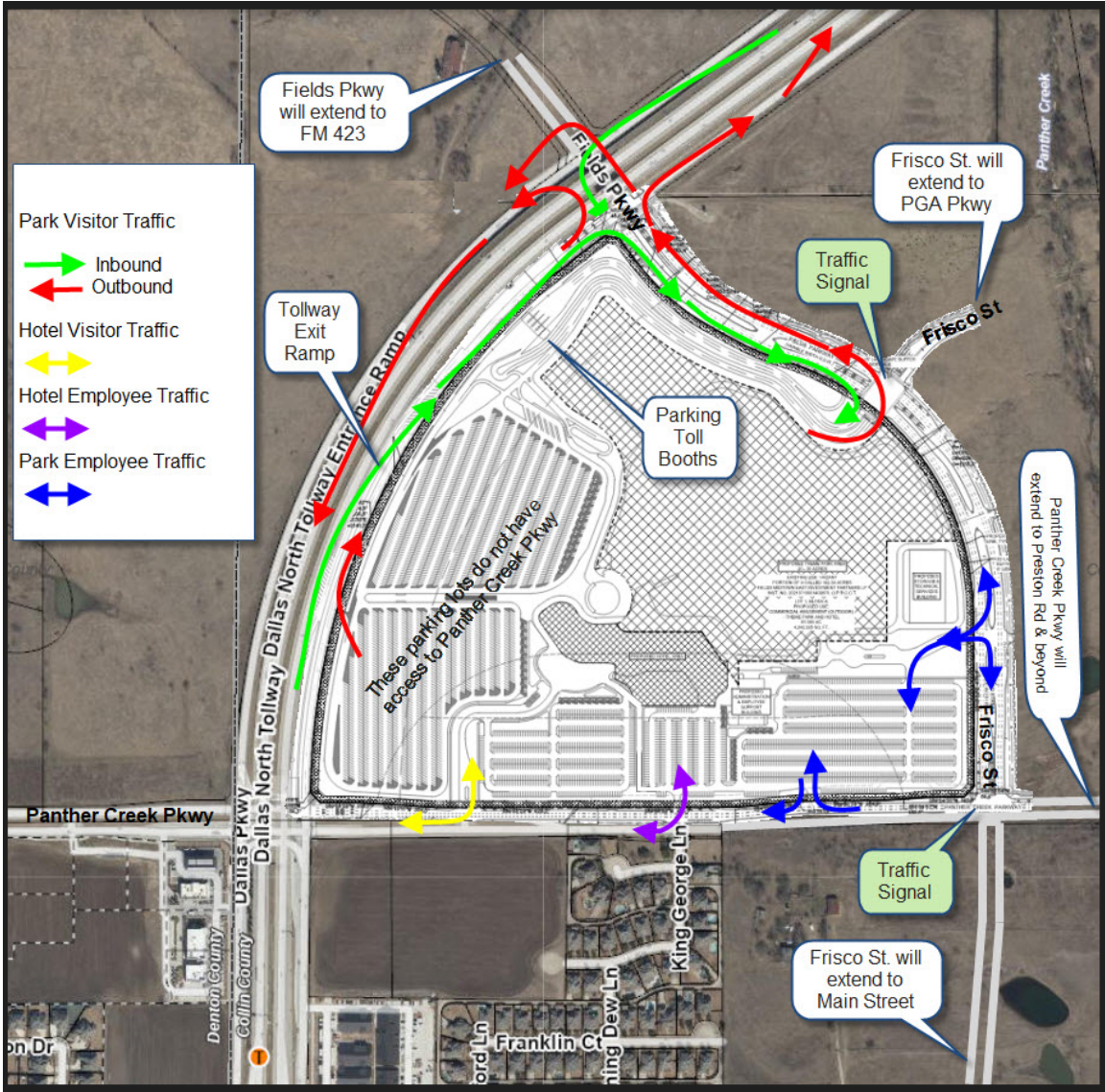


Figure 1.0 Universal Traffic Flow

The most critical movement of the analysis is the theme park traffic exiting the northbound Dallas North Tollway and then making a right-turn onto Fields Parkway to access the park's entrance on Fields Parkway. "Weaving" occurs when this traffic from the exit ramp blends with through traffic on the frontage road and has to work its way over to the right lane to turn right onto Fields Ln Parkway. The peak of inbound theme park traffic occurs in the morning when the peak direction of commuter traffic is in the southbound direction, but there will still be a significant amount of traffic on the northbound frontage road during this time. The simulation shows that some mitigations will be necessary to prevent the congestion on the frontage road from backing up traffic onto the Tollway (especially on peak Saturdays or holidays). The analysis showed that two right-turn lanes from Dallas Parkway to Fields Parkway would help handle the theme park traffic (by increasing the capacity of the traffic

signal for the theme park movement and by reducing the number of lanes that theme park traffic would have to weave over to turn right). The recommendation is to install changeable lane assignment signs so that staff can operate two right-turn lanes in the morning and then go back to one right-turn lane in the afternoon when the evening rush hour needs more through lanes (and when there is less theme park traffic using the ramp). The City already operates changeable lane assignment signs on eastbound Main Street at Dallas Parkway, eastbound Eldorado Parkway at Dallas Parkway, and eastbound Lebanon Road at Legacy Drive.

The next critical movement is the theme park traffic entering the visitor entrance from Fields Parkway. If traffic cannot enter the park quickly enough, it could back up along Fields Parkway and interfere with traffic making the right-turn from the frontage road. The theme park design includes a “free-right turn” from Fields Parkway into the theme park entrance. This means that the right-turn lane curves into the park before it reaches the traffic signal, which means the theme park traffic never has to wait at the traffic signal to turn right. The computer simulation is currently being analyzed to see if the highest peak of inbound theme park traffic can be accommodated by this single right-turn lane, or if changeable lane assignment signs are needed to direct a second lane to turn right into the theme park by using the traffic signal.

Inbound traffic has been the largest concern since so much of it is concentrated into the morning hours (though some visitors will arrive throughout the day). Outbound traffic is less concentrated as people leave at different times of the day. Universal Studios data estimates that, on a typical weekday, the heaviest departures will be spread out from 3:00 p.m. to 6:00 p.m. The peak amount of departures will occur during the evening commuter rush hour, but will not be more traffic than an office complex would have generated. Even so, it will be concentrated into one or two exit points. To help spread the exiting traffic onto more than one road, an exit-only driveway is located on Dallas Parkway. Traffic using this exit can go up and make a u-turn at the Fields Parkway intersection to head south without going through the traffic signal, which reduces the impact of the theme park traffic on that intersection. The traffic signal at Dallas Parkway and Panther Creek Parkway will create gaps in the traffic on the northbound frontage road to help theme park traffic use the Dallas Parkway exit driveway during the busier time of the evening commuter rush hour, but even so, the analysis assumes that some of the exiting traffic in that area will go up and use the traffic signal at the main entrance to leave the theme park.

Overall, the analysis shows that the addition of theme park traffic will increase delay at the surrounding traffic signals, as would an office complex developed on the same land. However, being designed with the theme park in mind, none of the intersections will reach delay levels that are considered unacceptable (Level of Service E or F). On a peak day (such as a Saturday or holiday), the theme park traffic would cause the intersection of northbound Dallas Parkway and Fields Parkway to operate at Level of Service F if no mitigations were made, but using the changeable lane assignment signs to create two right-turn lanes improves the

intersection to Level of Service C. In summary, the theme park adds similar amounts of traffic to the surrounding intersections during typical weekdays as an office complex development would. Higher amounts of traffic are added to the intersections on Saturdays and holidays at times that will not coincide with commuter traffic.

Finally, Traffic Engineering staff has experience with large special events at the various venues in the City (such as Toyota Stadium, Ford Center, Comerica Center, and RoughRiders Ballpark) and their interaction with the Dallas North Tollway (DNT). Staff also has a relationship with the North Texas Tollway Authority (who operates the DNT) wherein staff and NTTA plan for future events and coordinate during the events. Staff will apply this experience and work with Universal Studios' traffic management experts to develop a primary traffic plan and back-up traffic plan for traffic arriving at the theme park (both for a typical weekday and the busier weekends). This will include wayfinding signs on the DNT and on City streets as well as using the electronic signs on the DNT to alert motorists which exit(s) to use to reach the theme park. For example, if a problem arises on the exit ramp to Fields Parkway, the electronic signs can direct visitors to use the exit to Panther Creek Parkway. Wayfinding signs on the Dallas Parkway frontage road would then direct the traffic on the frontage road to the park entrance by the route that is most advantageous for the area. Observations can be made from the City's traffic management center to adjust these plans after the theme park opens and NTTA's traffic management center can observe the exit ramp and make changes to their changeable message signs as needed.

Traffic Comparison

In analyzing the traffic that will be generated by the theme park, it is important to compare it to the traffic that would have been generated by the same land if it had developed under the current zoning. The Universal Studios Theme Park is comprised of 97 acres of land that is zoned for a mixed-use development. The Fields Developers have a preliminary master plan reflected in the TIA that slated this property for multifamily, office, and retail. That type of development would have generated a substantial amount of traffic with a lot of cars coming and going during the traditional commuter peak hours. The theme park will generate less traffic during a typical weekday, and most of that traffic will not occur at the same time as the commuter rush hours because the park will open at 10:00 a.m. The Theme Park traffic generated during the rush hours will be in the opposite direction of the peak direction rush hour traffic. The theme park will generate more traffic on a Saturday or a holiday, but it will be at a time that will not impact commuter traffic when people are going to work or school. In addition, the entry and exit point for all visitor traffic to Universal Studios will be located on Fields Parkway, on the opposite side of the park from the nearby residential neighborhood that borders Panther Creek Parkway. Only hotel traffic and some park employees will come and go from driveways on Panther Creek Parkway (see Figure 1.0). If developed under the current zoning, the development on this land would not be restricted in this manner and traffic would be able to use all roadways to enter and exit the site.

The table below compares Universal Studios to what could be developed under the current zoning. Nothing has been officially submitted to the City for a mixed-use development on the site, so a mid-rise estimate of the buildings shown on the preliminary masterplan was assumed for this comparison. This estimate includes 1,500 apartments, 1.9 million square feet of office, and 46,000 square feet of retail. This mid-rise scenario would generate almost four times more daily traffic on a typical weekday compared to Universal. During the rush hours, it would have almost six times as much traffic as Universal. Only on Saturday would Universal generate more traffic than the mid-rise mixed-use development because the office buildings would be less used. (This comparison is only one of many possible ways the land could develop under the current zoning. It could have much more traffic under a high-rise scenario.)

	Proposed Zoning: Universal Studios	Current Zoning: Mixed-Use Development ²
Size:	97 acres	97 acres
Weekday		
Daily Trips (in & out) ¹	7,600	28,720
AM Commuter Peak Hour Trips ¹	485	3,518
PM Commuter Peak Hour Trips ¹	616	3,442
Saturday		
Daily Trips (in & out) ¹	14,880	12,648

1 – All numbers are one-way vehicle trips. (A car that enters a property and later exits it would count as two trips.)

2 – Based on a mid-rise approximation of the land uses shown on the Fields Development preliminary master plan. More trips would be generated under a high-rise scenario.

To help visualize the amount of traffic generated by the proposed theme park, Staff has compiled the amount of traffic generated by various sites in the City of Frisco. The table below compares Universal to Costco on Dallas Parkway, HEB on Main Street, Collin College, Stonebriar Mall, Toyota Stadium and the Ford Center at the Star. The size of each site is listed in the table, so it can be seen that a Costco and an HEB could both fit on the 97 acres and together would generate 56% more traffic than Universal Studios would. Other comparisons show that Collin College is smaller than Universal Studios but generates more traffic on a weekday; and Stonebriar Mall is a bit bigger than Universal Studios but generates almost seven times as much traffic on a weekday and over four times as much on a Saturday. The last row shows how many Saturday daily trips each site generates per acre, with HEB generating the most followed by Stonebriar Mall and then Costco. Universal Studios and Collin College generate the least amount of trips per acre. In general, these differences reflect the fact that visitors to Universal will arrive over several hours in the morning and stay for four to eight hours at the site, while the shopping uses in the table have more people coming and going throughout the day (each staying about an hour).

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	Universal Studios	Costco ²	(HEB) Grocery Store ²	Collin College ²	Stonebriar Mall ²	Toyota Stadium Event ³	Ford Center Event ³	Warren Sports Complex ⁴
Size:	97 acres	17.6 acres	14.6 acres	75 acres	104 acres	47 acres	24 acres	48 acres
Weekday								
Daily Trips (in & out) ¹	7,600	6,570	10,322	9,890	50,938	N/A	N/A	N/A
AM Commuter Peak Hour Trips ¹	485	124	315	946	1,156	N/A	N/A	N/A
PM Commuter Peak Hour Trips ¹	616	648	985	946	4,679	N/A	N/A	N/A
Saturday								
Daily Trips (in & out) ¹	14,880	8,317	12,404	Not Avail.	64,136	12,365	7,659	8,898
Daily Trips per acre	153	473	850	132	617	263	319	185

1 – All numbers are one-way vehicle trips. (A car that enters a property and later exits it would count as two trips.)

2 – Based on ITE Trip Generation rates for this land use, based on its size or attendance

3 – Based on a sold-out event using the normal capacity of this venue. More is possible for a concert.

4 – Based on count of peak attendance in 2019. Acreage is that devoted to soccer games & parking.

- **Crime** – According to the Frisco Police Department, any new establishments always bring fears of the unknown and questions about the potential for crime. The partnerships the Police Department will establish with Universal, well in advance of the opening, will help dictate the number of officers needed and what services will be provided by uniformed police officers and what will be provided by Universal security officers. Even after the opening, the Police Department will have an ongoing collaboration to reevaluate the current plan and determine what could be done better to make it a safe and enjoyable experience for everyone. The Police Department works closely with residents and visitors to educate them on things to look for and how to report suspicious or criminal activity if observed. The Police Department has officers that focus on tourist areas and overall visitor safety. These officers often work near the larger venues and are regularly on bicycles or foot patrol, which allows them to interact more closely with people in the area.

The proposed SUP Ordinance includes the following condition: “b. The Theme Park must be designed and operated in accordance with the “Theme Park” definition in Section 2(1) of the Ordinance.” The “Theme Park” definition specifies that it must be focused on young children ages 3-11. With Universal building a theme park based

on a younger crowd, the most important thing is education and reminders to parents, and anyone else responsible for a child, of the important steps they can take to assure their children stay safe. As a parent, it is only natural to worry about your children at new places but with collaboration from parents, park employees, first responders and city leaders, we can all help to protect the future leaders of America.

- **Hours of Operation** – The Developer’s intent is to primarily operate the majority of the weekdays with posted hours of operation for ticketed users (as opposed to Theme Park employees) between the hours of 10:00 a.m. local time and 6:00 p.m. local time. However, actual hours will vary throughout the year based on demand, seasonality, holidays, peak periods, and weekdays/weekends, but in no event shall the Theme Park opening time be earlier than 9:00 a.m. local time, except for hotel guests and/or annual passholders, for which the opening time may be as early as 8:00 a.m. local time, and the Theme Park closing time will not be later than 9:00 p.m. local time, except for up to twenty (20) days during the calendar year wherein the Theme Park shall be permitted to have a closing time of no later than 10:00 p.m. local time to facilitate holiday and special events/school events. Notwithstanding the foregoing, in no event shall the non-holiday, weekday opening time for ticketed users and annual passholders result in an increase in the number of vehicle trips generated by the development between the hours of 8:00 a.m. and 9:00 a.m. local time, when compared to the data reflected in the Traffic Impact Analysis (TIA) and/or Traffic Circulation Plan approved by Frisco on February 3, 2023, except during the first ninety (90) days after the Theme Park is open for business to paying guests, when it is anticipated that the traffic patterns may be atypical. For purposes of this section, the term “holiday” means and includes a school holiday designated by the Frisco Independent School District but excluding staff development days.
- **Ownership** – The Specific Use Permit is granted to FTNV Corp, a wholly owned subsidiary of NBCUniversal, LLC. FTNV Corp has advised Frisco that FTNV Corp intends to develop, own and operate the Theme Park on the Property as a Universal Studios-owned and -operated park.
- **Height** – All amusement rides, entertainment experiences, and all portions of structures that are designed to or may be occupied by humans, which are located within the “Theme Park Area A” as depicted in Exhibit C and described in Exhibit C-2 shall not exceed a height of 80 feet, other than the hotel use if the hotel use encroaches along the common boundary of these two uses. All themed architectural features and all portions of other structures that are not designed to be occupied by humans which are located within the “Theme Park Area A” as depicted in Exhibit C and described in Exhibit C-2 shall not exceed a height of 100 feet, other than the hotel use if the hotel use encroaches along the common boundary of these two uses.

All amusement rides, entertainment experiences, and all portions of structures within “Theme Park Area B” as depicted in Exhibit C and described in Exhibit C-3 shall not exceed a height of 100 feet.

All structures outside the “Theme Park Area” shall comply with the height restrictions of Planned Development-280. Planned Development-280 allows unlimited height within the Midtown East Subdistrict with the following exceptions (Reference Exhibit C for the boundary of each exception):

- 350-foot Panther Creek Height Zone – Maximum four stories/60-feet; and
- 750-foot Panther Creek Height Zone – Maximum ten stories/120-feet
- **Amusement Rides and Entertainment Experience Safety** – Frisco adopted Building and Fire Codes are applicable to all buildings and structures within the development. Generally, amusement rides and portions of entertainment experiences are beyond the scope of these codes. Regulation of the safe construction, maintenance and operation of these elements, shall be as prescribed by recognized national and international standards. This includes standards published and routinely reviewed by the American Society for Testing and Materials (ASTM) or other nationally and internationally recognized standard development organizations. These organizations are composed of industry professionals, manufacturers and public members who develop standard methods of test, performance, maintenance, operations, practices and guides for amusement rides and devices. Entertainment experiences on the property shall comply with industry standards where they exist. All amusement rides and entertainment experiences shall comply with all applicable federal, state and local laws, ordinances, regulations, rules and standards.
- **Perimeter Landscaping** – In accordance with Planned Development-280, the applicant is providing a 30-foot landscape buffer along the Dallas North Tollway and a 25-foot landscape buffer along Panther Creek Parkway and Fields Parkway. Within the landscape buffer, the applicant is proposing canopy trees 30-feet on center, shrubbery, and berming (Reference Exhibit D - shrubbery and berming together shall be a minimum height of six-feet or eight-feet depending on its adjacency to either the resort fence or park perimeter security fence at the time of issuance of a Certificate of Occupancy). The landscaping will create a solid screen to shield the vinyl coated fencing proposed around the perimeter of the development as well as the surface parking that is proposed to serve the development. Additionally, the perimeter landscaping will further enhance the “immersive lush green landscape” of the proposed theme park. This screening shall be installed prior to the applicant being able to obtain a certificate of occupancy for the theme park. The public has inquired of what this screening may look like, so the applicant has provided illustrations. (Reference Height Model Simulation Exhibit).

- **Size Comparison** – The proposed development at 97.4± acres is almost as big as Warren Sports Complex, which spans 105 acres, and is a quarter of the size of either the Universal parks located in Orlando or Hollywood.
- **Noise** – The proposed development shall comply with the City’s Noise Ordinance.
- **Lighting** – The proposed development shall comply with Zoning Ordinance, Subsection 4.05, Lighting Standards.
 - The light source (bulb or lamp) must be completely shielded from direct view at a point six feet above grade on the property line;
 - All luminaries shall be designed or positioned so that the maximum illumination at the property line does not exceed one-half (1/2) foot-candle adjacent to a street right-of-way; and
 - The maximum height of freestanding luminaries is thirty (30) feet in height.
 - This does not include landscape lighting.
- **Hospitals & Trauma Centers** – In terms of which hospital will serve the proposed development, residents and visitors can choose any healthcare facility for medical care. Some facilities offer services that others do not, such as trauma and stroke centers, cardiac catheterization labs, etc. The facility’s geographical location does not prevent or require a person from seeking care at a specific hospital. The location of a facility is just one of many factors that people must consider when seeking care.

In terms of Texas Health Resources changing trauma levels, each hospital may pursue specialty certifications (trauma, stroke, cardiac, etc.), but the hospital systems and executives make those decisions. The hospitals are regulated by Texas Health and Human Services and the Department of Health Services, and the City does not dictate or influence the trauma level of a hospital. Ambulance and air medical providers follow the North Central Texas Trauma Regional Advisory Council and their local medical director’s guidelines and protocols regarding patient transport destinations.

- **Architectural Control** – The proposed SUP ordinance includes the following condition: “All hotels on the Property, all parking structures on the Property and all structures taller than 50 feet that are located outside of the Theme Park Area shall be subject to architectural and design review and approval by the City Council in accordance with Sections 4.08.02 and 4.09.03 of the Zoning Ordinance. Such review and approval must occur before and as a condition of issuance of a building permit for such uses.”
- **Destination City** – As confirmed by Visit Frisco, the City attracts over 6.4 million visitors annually, all coming for a wide variety of reasons. Retail is the number one reason people visit the City from a leisure perspective. Both Stonebriar Centre and

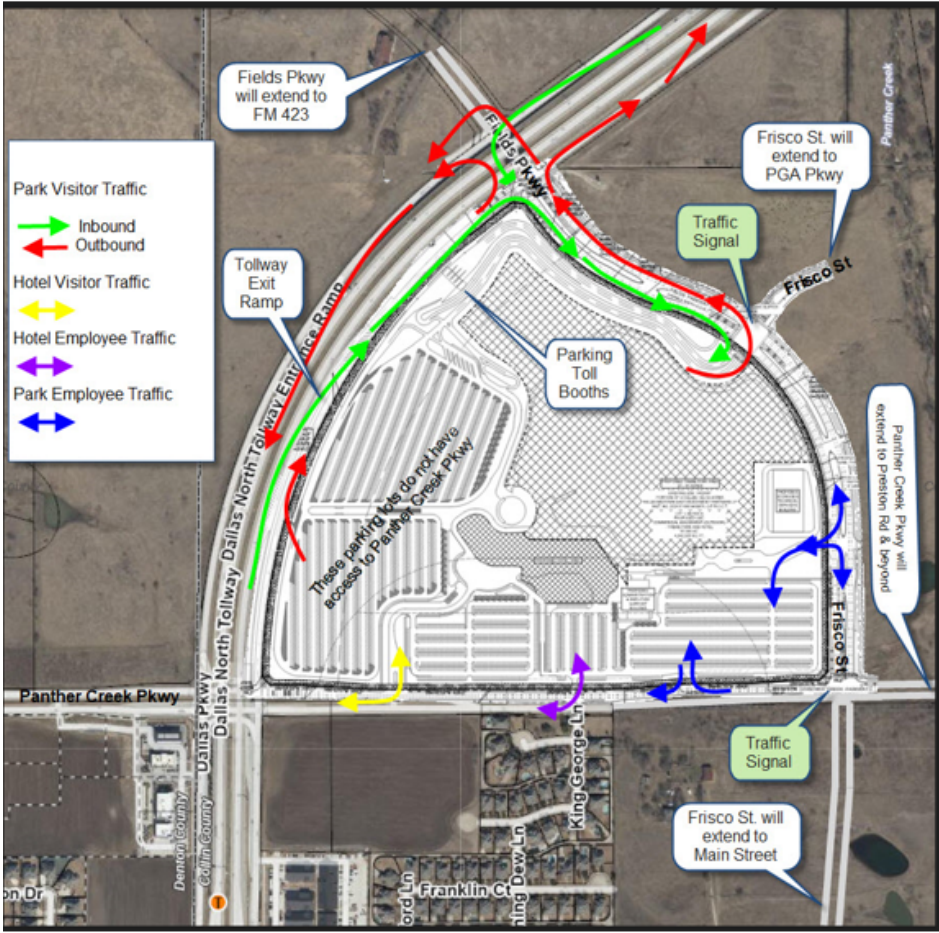
IKEA are huge drivers of business into the community. Frisco is known as Sports City USA, home to a multitude of professional sports in world class venues. The City has a growing museum district, all very kid friendly. The proposed theme park has the potential to enhance not only the City's overall visitation but will drive additional business to the existing museums and attractions.

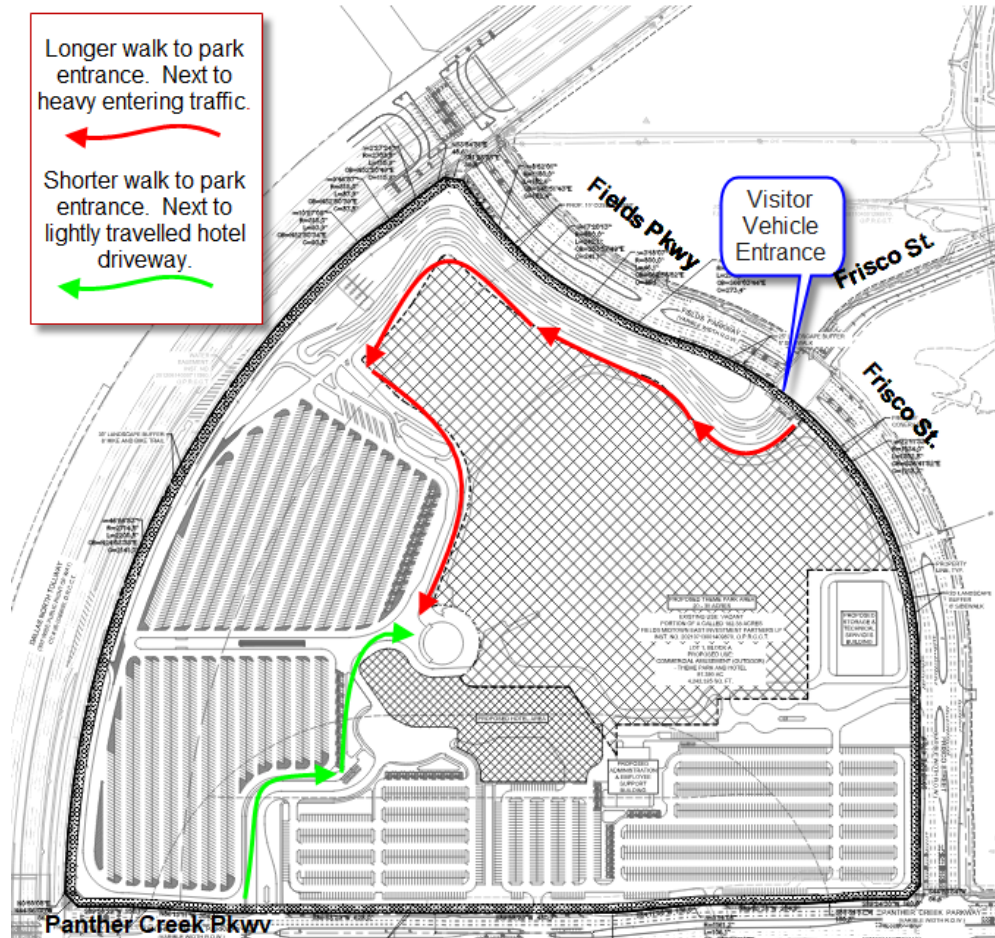
A meeting of the Mayor, Staff, and the Cobb Hill HOA was held on February 15, 2023, at UT Southwestern to give residents an additional opportunity for citizen input. In addition to the topics discussed above, below are topics that came up during this meeting.

- **Urban Heat Island Effect** – The proposed development will have more landscaping than if the property were to develop as mixed-use. As described earlier, landscape buffers consisting of canopy shade trees, shrubbery, and berming are proposed around the perimeter of the property, and the theme park is described as “set in an immersive lush green landscape”.
- **Asphalt Parking** – Zoning Ordinance Subsection 4.04.02 requires parking to be concrete. Temporary parking may be of an alternate material when approved by the Director of Engineering Services.
- **Delivery Hours** – Public streets are open 24/7, and the City cannot restrict delivery hours unless an operator volunteers to restrict delivery to certain hours. Should a resident have a concern regarding noise associated with truck operations, they can contact the Police Department. The Police Department enforces the Noise Ordinance. Delivery hours will be worked on further by Universal as they further define the back of house operations. Universal has stated they will find ways to ensure this has little to no impact on residents.
- **Construction Traffic** – The route for construction traffic is determined at the time of the pre-construction meeting. If construction traffic happens to go through the neighborhood, residents can contact the Police Department or the Director of Development Services. However, it will be important to distinguish Universal construction traffic from construction traffic that may be associated with a project within the neighborhood.
- **Off Season Crime** – As described earlier, the Police Department will establish a partnership with Universal well in advance of the opening to help dictate the number of officers needed and what services will be provided by uniformed police officers and what will be provided by Universal security officers. Whether it be security officers or maintenance, Universal has stated there will always be a presence on site. Additionally, this is not a typical “seasonal park” that will completely shutter for three or four months in a row.

- Pedestrian Connection** – Staff is trying to achieve multiple objectives. City Council has been clear in tying developments into the hike and bike trail system to give people a secondary access to sites across Frisco. More choices provide for a possible reduction of vehicle trips on our roadway system. One objective is to tie the Universal site to the rest of the trail system. (Reference Trail Exhibit)

Another objective is facilitating connections that are safe and invite trail utilization. City Council has asked if the pedestrian entrance on Panther Creek Parkway could be relocated to the Theme Park entrance on Fields Parkway. Staff is concerned that mixing pedestrians with a large volume of cars coming into the park likely creates pedestrian/vehicle conflicts that would be problematic, especially with young children (Reference first exhibit below). Staff believes the safer route would be off Panther Creek Parkway where the traffic volume is much lower based on Universal’s approved traffic study (Reference second exhibit below). The larger trail (planned for the north and east side of Fields Pkwy and Frisco Street) being across the street does not set up pedestrian/vehicle conflicts if the pedestrian entrance is on the south side of the property.





We understand that the Cobb Hill neighborhood is concerned that having this entrance on Panther Creek Parkway will increase traffic in the neighborhood and could invite parking by non-residents. We will take steps to mitigate for this concern as we've explained in previous discussions.

COMPATIBILITY CONSIDERATIONS

When considering an application for an SUP, the Planning & Zoning Commission may recommend, and the City Council may establish conditions and regulations necessary to protect the health, safety, morals, and general welfare of the neighborhood and/or the City. In addition, the use shall be in general conformance with the Comprehensive Plan and general objectives of the City. The Comprehensive Plan recognizes the importance of significant local destinations and how they make Frisco a recognized destination City. Such uses provide uniqueness and are important as economic and activity generators that are patronized by citizens and visitors alike. While proposed to be a significant destination, the development is located at a major intersection and designed to minimize traffic by providing for queuing to take place onsite and prevent traffic from backing up on the adjacent roads.

Therefore, Staff finds that the proposed development is compatible with the surrounding land uses and does not interfere with the safety, morals, and general welfare of the City.

The Planning & Zoning Commission and City Council in considering any request for a Specific Use Permit shall only approve such request after they have determined that the use or uses allowed will not be detrimental to the adjacent properties or to the City as a whole.

- **Means of ingress and egress to public streets** – Reference Traffic Section above. (Reference Pages 3 – 12)
- **Adequate off-street parking** – Adequate parking is being provided in accordance with the City’s parking ratios. Final parking calculations may be modified at the time of site plan based on final ride count and building configuration/square footage.
- **Adequate traffic circulation** – Reference Traffic Section above. (Reference Pages 3 – 12)
- **Protective screening, landscaping, and open space** – Reference Perimeter Landscaping Section above. (Reference Page 14)
- **Architectural compatibility of buildings:** Reference Architectural Control Section above. (Reference Page 15)
- **Intensity of the use:** Reference individual sections above.

RECOMMENDATION:

Recommended for approval of a Specific Use Permit for Outdoor Commercial Amusement, specifically a Theme Park. Per the proposed Specific Use Permit, a “Theme Park” shall mean and refer to a theme park open to all ages, but specifically focused on young children ages 3-11, set in an immersive lush green landscape and featuring themed areas with family-friendly attractions, interactive shows, character meet and greets, as well as merchandise and fun food and beverage venues. The only Outdoor Commercial Amusement use and the only Indoor Commercial Amusement use allowed on the Property shall be the Theme Park. The Specific Use Permit is subject to the following additional conditions:

1. The Development Standards, attached as Exhibit B;
2. The SUP Land Use Exhibit, attached as Exhibit C;
3. Description of the Theme Park Area, attached as Exhibit C-1;
4. Description of the Theme Park Area A, attached as Exhibit C-2;
5. Description of the Theme Park Area B, attached as Exhibit C-3;
6. The Landscape Buffer and Plan, attached as Exhibit D;

7. Industry Standards, attached as Exhibit E; and
8. The Specific Use Permit is granted to FTNV Corp, a wholly owned subsidiary of NBCUniversal, LLC. FTNV Corp has advised Frisco that FTNV Corp intends to develop, own and operate the Theme Park on the Property as a Universal Studios-owned and -operated park.