

THE MARCO

Planned Development District — Development Standards

Northeast corner of the Dallas North Tollway and U.S. Highway 380, Prosper, Texas · ±142.996 acres ·
U.S. 380 Gateway (DNT Sub-District 1)

August 2026

This Planned Development comprises the development standards set forth in Exhibit C, together with the exhibits referenced herein, which are provided under separate cover. Except as expressly modified herein, development of the Property is governed by the Town's Unified Development Code (the "UDC") and the Dallas North Tollway District Development Standards (the "DNT Standards").

Exhibit C — Planned Development Standards

C-1. Statement of Intent and Purpose

The Marco is a master-planned, mixed-use development of approximately 142.996 acres at the northeast corner of the Dallas North Tollway and U.S. Highway 380. The Property lies within the U.S. 380 Gateway (Sub-District 1) of the DNT Standards and within the Dallas North Tollway District of the Comprehensive Plan, each of which provides for higher-density, mixed-use development organized around a central open-water feature and a connected public realm. This Planned Development establishes the standards under which the Property will develop as a walkable, mixed-use village integrating employment, hospitality, civic, retail, service, and residential uses around a central lagoon.

The Property. The Property comprises approximately 142.996 acres, presently zoned Commercial (C) and Commercial Corridor (CC) with PD-42, bounded by the Dallas North Tollway to the west, U.S. Highway 380 to the south, and the BNSF Railway to the east.

Development concept. The Property is organized into the Planning Areas described in C-3, comprising a tollway-frontage employment and hospitality district; a mixed-use village core on a central lagoon, with a public square, a performing arts venue, a hotel, canals, and ground-floor retail; waterfront high- and mid-rise residential; a lower-intensity residential neighborhood of villas, townhomes, and flats; an age-restricted residential area; and a central lagoon serving as regional detention and public open space. The development contemplates a significant residential population, approximately 1.1 million square feet of office, hotel(s), a performing arts venue, a grocer and market hall, and village retail and service uses.

Conformance. Except as expressly modified in this Exhibit and the exhibits incorporated herein, the Property shall develop in accordance with the UDC and the DNT Standards (UDC §2.05.B.4).

C-2. Definitions

Except as defined in this Section, terms have the meanings given in UDC Article 4 and Article 2.07. The following terms apply within this Planned Development:

Active Use. A ground-floor use that generates pedestrian activity, including retail, restaurant, personal service, gallery, market, lobby, and amenity uses; the term excludes parking, back-of-house, and unoccupied frontage.

Build-to Line. A line at or near the front setback at which a stated minimum percentage of the building façade shall be located.

Event and Assembly Amenity (chapel and pavilion). A building or open-air structure used for weddings, private events, gatherings, and assembly, including religious ceremonies and services, operated as an amenity of the development.

Frontage. The plane of a lot or building facing a street or the Public Realm, to which placement, entrance, and transparency standards apply.

High-Rise Residential. A Multifamily Dwelling, as defined by the UDC, in a building exceeding five stories; regulated by building form and height.

Lagoon. The central surface-water feature, including its canals and Passeggiata, serving as both regional stormwater detention and public open space.

Liner Building. An occupied building placed to wrap a Structured Parking facility and screen it from the Public Realm.

Live-Work Unit. A dwelling unit containing an integral, street-facing ground-floor commercial or studio space occupied by a resident of the unit, as further governed by C-4.4.

Market Hall. An enclosed or semi-enclosed grocer or public market containing multiple vendor stalls.

Mid-Rise Flat. A Multifamily Dwelling, as defined by the UDC, in a building of five stories or fewer, developed to the standards established in C-5.3.

Passeggiata. The continuous public promenade located at the edge of the Lagoon.

Planning Area. A geographic sub-area of this Planned Development governed by the standards assigned to it, as shown on the Conceptual Development Plan.

Public Realm. Streets, sidewalks, plazas, the Lagoon edge, trails, and other publicly accessible open space.

Retirement / Age-Restricted Housing. Retirement Housing, as defined by the UDC, or other residential development restricted to occupancy by age-qualified households in accordance with applicable state and federal fair-housing law.

Structured Parking. Parking located within a building or parking structure.

Townhome. An attached single-family dwelling in a building of three to six units, developed at the scale and dimensional standards established in C-5.3.

Villa. A detached or attached single-family dwelling developed at the scale and dimensional standards established in C-5.3; the term includes the Cottage and Court Home building types identified in C-5.3, each of which is permitted wherever a Villa is permitted and counted against

the combined maximum for Villas, Townhomes, Cottages, Court Homes, and Live-Work Units established in C-5.2.

C-3. Planning-Area Structure

The Property is divided into the Planning Areas identified below. Each Planning Area develops in accordance with its assigned base district under the UDC, except as modified in this Exhibit. Acreages are approximate; percentages are of gross site area and are rounded. A Planning Area need not be contiguous and may consist of more than one area. The boundary of a Planning Area is established at Preliminary Site Plan and may be adjusted at Preliminary Site Plan or at site plan by not more than 20% of the acreage shown, provided that the maximums established by C-5 and the common open space required by C-7.3 continue to be satisfied for the Property as a whole. An adjustment within that limit is not a variation from the Conceptual Development Plan for purposes of C-9.3.

PA	Name	Base	Acres (±)	Primary program	%
PA-1	Tollway / 380 Frontage	C	24.5	Office, corporate campus, Structured Parking	17%
PA-2	Village Core	C	11.2	Mixed-use; Lagoon, square, performing arts venue, hotel, retail	8%
PA-3	Waterfront / Neighborhood	MF	59.5	High- and mid-rise residential at the Lagoon	41%
PA-4	Mercato	MF	12.3	Retail-forward market square with surrounding residential	9%
PA-5	Open Space / Lagoon	C	24.4	Lagoon, Passeggiata, trails, regional detention	17%
—	Rights-of-way and other land not assigned to a Planning Area	—	11.1	Thoroughfares, dedications, and incidental areas	8%
	Total		143.0		100%

PA-1 — Tollway / 380 Frontage. The employment and hospitality frontage along the Dallas North Tollway and U.S. 380, accommodating office, a hotel, and Structured Parking, with the landscaped tollway edge required by the DNT Standards. Multifamily is set back from the Tollway frontage under C-5.2, reserving the frontage for office and hospitality.

PA-2 — Village Core. The mixed-use core at the Lagoon, containing the public square, the performing arts venue, a hotel, canals, and the Passeggiata, with ground-floor retail and the development's tallest building and tower elements.

PA-3 — Waterfront / Neighborhood. High- and mid-rise residential addressing the Lagoon, at the highest residential densities in the development.

PA-4 — Mercato. Retail-forward market square with surrounding residential.

PA-5 — Open Space / Lagoon. The Lagoon and its Passeggiata, canals, and perimeter trail, serving as the development's central open space and as regional stormwater detention.

C-4. Permitted Uses

C-4.1 Use schedule

Uses are permitted within each Planning Area as set forth in the schedule below, in which **P** indicates a permitted use and **—** indicates a use that is not permitted. An asterisk (*) indicates a use that is permitted subject to the Multifamily setback from the Dallas North Tollway established in C-5.2. Within each Planning Area, the uses permitted by its assigned base district under the UDC Schedule of Uses (Art. 2.07.C) apply, except as modified by this schedule. Uses defined in C-2 that do not appear in the UDC Schedule of Uses are added as shown.

Use	PA-1	PA-2	PA-3	PA-4	PA-5
Multifamily Dwelling / Mid-Rise Flat	P*	P	P	P	—
High-Rise Residential	P*	P	P	P	—
Villa	P	P	P	P	P
Townhome	P	P	P	P	P
Live-Work Unit	P*	P	P	P	P
Retirement / Age-Restricted Housing	—	P	P	P	—
Retail Stores and Shops	P	P	P	P	P
Restaurant (without drive-through)	P	P	P	P	P
Personal Service Establishment	P	P	P	P	P
Artisan's Workshop / Gallery	P	P	P	P	P
Market Hall / Farmer's Market	P	P	P	P	P
Health / Fitness Center	P	P	P	P	P
Child Care Center, Licensed	P	P	P	P	—
Office / Medical Office	P	P	P	P	P
Hotel	P	P	P	P	P
Performing Arts Venue / Theater	P	P	P	—	P
Commercial Amusement (Indoor)	P	P	—	P	—
Self-Storage ¹	P	P	P	P	P
Water Taxi / Canal Operations	—	P	P	—	P
Structured Parking	P	P	P	P	—
Gas or fuel sales	—	—	—	P	—
Event and Assembly Amenity (chapel and pavilion)	P	P	P	P	P

¹ Self-storage is permitted only in the integrated, lined form required by C-4.3; standalone self-storage and mini-warehouse are prohibited under C-4.5.

Use	PA-1	PA-2	PA-3	PA-4	PA-5
Lagoon / Open Water	—	P	P	—	P

C-4.2 Ground-floor activation

Along the streets and the public square identified on the Conceptual Development Plan within PA-2, the ground floor of each building shall be devoted to Active Uses.

C-4.3 Self-storage

Self-storage shall be developed only in integrated form: within a climate-controlled, multi-story building wrapped or lined by Active Uses, with no overhead or roll-up service doors visible from the Public Realm. Accessory storage serving the residents or tenants of a multifamily or retail building is permitted in any Planning Area. A curated specialty use for high-value vehicles or vessels — a motorcar garage or garage-condominium, a boat sales or service establishment, or a motor-vehicle dealership operated wholly indoors without an outdoor inventory or display lot (for example, an urban automotive showroom) — is not a standalone self-storage, mini-warehouse, storage-yard, or outdoor-storage use prohibited by C-4.5, and is permitted in a storefront retail format. All storage, service, sales, and display shall occur within an enclosed building; no vehicle or vessel shall be stored or displayed outdoors; no overhead or roll-up service door shall be visible from the Public Realm; and the ground-floor street frontage shall be devoted to Active Uses.

C-4.4 Live-work units

A Live-Work Unit shall consist of a dwelling unit with a ground-floor commercial or studio space having display frontage and a separate commercial entrance, occupied by a resident of the unit. The commercial component shall not exceed 50% of the floor area of the unit.

C-4.5 Prohibited uses

The following uses are prohibited in all Planning Areas: automobile sales or leasing (except in a storefront retail format); storage yard; standalone self-storage or mini-warehouse; pawn shop; drive-in theater; manufactured home; outdoor storage as a principal use; credit access business, as defined in Texas Finance Code §393.601, as amended, including payday lending, motor-vehicle title lending, and credit services organizations as defined in Texas Finance Code §393.001, as amended; body art facility; smoke shop or vape shop; a business that sells drug paraphernalia; a business that offers a gambling device as defined by Texas Penal Code §47.01, other than an amusement machine excluded from that definition by §47.01(4)(B); sex shop, or a business the primary purpose of which is the sale of lewd merchandise; and a business the principal operations of which use outdoor storage or outdoor display. The last clause does not prohibit outdoor dining, sidewalk display accessory to a storefront retail use, seasonal or temporary outdoor sales, a Market Hall or farmer's market, or the indoor display permitted by C-4.3.

C-5. Dimensional Standards

The base districts assigned to the Planning Areas do not accommodate the building intensity and form provided for Sub-District 1 by the DNT Standards. The Commercial and Office districts limit building height to 40 feet, and the Multifamily district limits density to 10 dwelling units per

acre; these limits are inconsistent with the mid- and high-rise, structured-parking building types and the densities contemplated by this Planned Development and by the DNT Standards (DNT §2.1, §4.4). Building height is therefore established by the height areas in C-5.1, as designated on the Building Height Exhibit, consistent with the DNT Standards' allowance of building height within 500 feet of the Tollway (DNT §3.3) and its protection of off-site single-family development (DNT §3.3.5–3.3.6). Except where these standards expressly provide otherwise, setbacks, buffers, and other figures are those established by the DNT Standards and the UDC.

C-5.1 Building height

Area	Location	Maximum height	Source
A	Within 1,350 ft of the DNT / US 380, together with the additional areas designated Area A on the Building Height Exhibit	14 stories / 190 ft	DNT §3.3; Sub-District 1 destination intent (§2.1)
B	The balance of the Property, as designated Area B on the Building Height Exhibit	8 stories / 160 ft	DNT §3.3 (height within 500 ft of the Tollway)
Perimeter	Within 75 ft of off-site single-family-zoned property	2 stories / 40 ft; thereafter 1 ft of additional setback per 1 ft of height above 40 ft	DNT §3.3.5–3.3.6

The Perimeter standard applies only where the Property abuts off-site single-family-zoned property. Architectural features with or without habitable floor area, including towers, campanili, and cupolas, may exceed the applicable area maximum by up to 40 feet at the locations shown on the Conceptual Development Plan.

C-5.2 Density, coverage, and floor area

PA	Build-to	Coverage / FAR
PA-1	≥ 70% of façade at the Build-to Line (DNT §3.2.3)	≤ 80% / ≤ 3.0:1
PA-2	≥ 70% within 5 ft	≤ 90% / ≤ 4.0:1
PA-3	≥ 60%	≤ 75% / ≤ 3.0:1
PA-4	≥ 50%	≤ 65% / ≤ 3.0:1
PA-5	—	impervious ≤ 15%

Unit-mix limits: studio and one-bedroom dwellings shall not exceed 70% and three-bedroom dwellings shall not exceed 10% of total dwellings.

Multifamily setback from the Dallas North Tollway. Multifamily Dwelling, Mid-Rise Flat, High-Rise Residential, and Live-Work Unit shall be set back not less than 250 feet from the Dallas North Tollway right-of-way. The area between the right-of-way and that line is reserved for office, hospitality, civic, and structured-parking uses and the required tollway landscape edge.

Maximum dwelling units by type. The number of dwelling units of each type shall not exceed the maximum established for that type.

Mid-Rise Flats are limited to 2,500 units and High-Rise Residential (condominium or multifamily, more than five stories) to 400 units. Retirement / Age-Restricted Housing is limited to 500 units. Villas, Townhomes, Cottages, Court Homes, and Live-Work Units are together limited to 1,000 units. The total number of dwelling units on the Property shall not exceed 4,400 units.

The maximums stated above for residential types other than Mid-Rise Flats may be adjusted among those types at Preliminary Site Plan, provided that Mid-Rise Flats do not exceed 2,500 units and the total number of dwelling units on the Property does not exceed 4,400 units.

A maximum of two hotels is permitted.

C-5.3 Residential building-type standards

The Min. lot and Min. width standards apply only to a residential building type created on a platted, fee-simple lot. Where a building type is created other than on a platted, fee-simple lot, those two standards do not apply; the Max. height and Min. unit standards continue to apply regardless of ownership form. A Note describing lot configuration (such as a private yard or shared courtyard) applies only on a fee-simple lot; a Note describing building composition (such as units per building) applies in either form. A Villa, Townhome, Cottage, or Court Home may be developed on a single platted lot or tract, with individual units established by condominium plat or by site plan, without further subdivision into individual lots. Building separation, fire access, drives, and parking are established at site plan.

Type	Min. lot	Min. width	Max. height	Min. unit	Notes
Villa, detached	2,500 SF	35 ft	3 stories	1,200 SF	Private yard ≥ 200 SF
Villa, attached	1,800 SF	24 ft	3 stories	1,000 SF	
Townhome	1,400 SF	20 ft	3 stories	900 SF	3-6 units per building
Cottage	800 SF	15 ft	2 stories	400 SF	
Court Home	1,800 SF	24 ft	3 stories	1,000 SF	Not more than 2 units per building; shared court
Mid-Rise Flat	—	—	5 stories	500 SF	
High-Rise Residential	—	—	Per C-5.1	500 SF	

C-6. Modifications to the UDC and DNT Standards

The following table identifies each modification of the UDC and the DNT Standards effected by this Planned Development. Except as set forth below and elsewhere in this Exhibit, the UDC and the DNT Standards apply without modification (UDC §2.05.B.4).

Subject	UDC / DNT standard	Standard as modified	Source
Building height (Commercial / Office)	40 ft (UDC §2.04)	Per the height areas in C-5.1	DNT §3.3; §2.1
Residential density	10 du/ac (UDC §2.04)	Per the dwelling-unit maximums by building type in C-5.2	DNT §4.4

Subject	UDC / DNT standard	Standard as modified	Source
Coverage and floor area	Commercial 0.5 FAR / 50% coverage	Per C-5.2	DNT (Sub-District 1)
Multifamily and Retirement Housing	Multifamily by PD; Retirement Housing by SUP	Permitted by right, C-4.1	UDC §2.05
Added uses	Not listed in the UDC Schedule of Uses	Live-Work Unit, Market Hall, Water Taxi / Canal Operations, Lagoon / Open Water, and Event and Assembly Amenity added, C-4	UDC §2.07
Off-street parking	UDC Article 2.10 minimums	Modified ratios and shared parking, C-7.1	DNT §7
Lagoon street	UDC thoroughfare standards	Pedestrian / emergency-access promenade, C-7.8	DNT §11
Building materials	UDC Chapter 3 / DNT §9	Building form, massing, and frontage per C-8; building product and material standards per the Conceptual Elevations exhibit and the Development Agreement	—
Sight-visibility triangles	Required at intersections and access points	Eliminated at intersections of the firelane with the Passeggiata; otherwise required per the UDC	PD
Signage — digital display and large-format identity	DNT authorizes external illumination and is silent on internally-lit digital display (DNT §13.1); Town Sign Ordinance limits changeable-copy and roof signage	Performing arts marquee and electronic changeable-copy event signage with digital display permitted in the entertainment core; building-top identity permitted for tall office / hotel buildings — all per Exhibit M and §C-7.11	DNT §§13–14; Exhibit M
Signage — storefront uniformity	Multi-tenant developments shall have signage uniform in style, type, material, and lighting (DNT §13.1)	Uniformity applies to multi-tenant monument, directory, and wayfinding signage; individual storefront, blade, and window signs may vary within the materials and illumination standards of Exhibit M (L-2, L-4)	DNT §13.1; Exhibit M

C-7. Development Standards Applicable to All Planning Areas

The standards in this Section apply throughout the Property, except where a Planning Area provides otherwise, and modify the UDC only as stated.

C-7.1 Off-Street Parking

(a) Required off-street parking shall be provided in accordance with the following minimum ratios, which modify UDC Article 2.10:

Multifamily Dwelling, 1.5 spaces per unit;

Retail Stores and Shops, 1 space per 300 square feet;

Restaurant, 1 space per 150 square feet, with the area devoted to outdoor dining reduced by 50% for purposes of the calculation;

Office, 1 space per 400 square feet;

Medical Office, 1 space per 350 square feet;

Hotel, 1 space per guest room plus 1 space per 200 square feet of associated commercial area;

Performing Arts Venue or Theater, 1 space per 4 seats;

Health / Fitness Center, 1 space per 200 square feet of workout area.

(b)Where two or more uses with non-coincident demand share a parking facility, the aggregate parking requirement may be reduced by up to 30% upon submission of a shared-parking analysis.

(c)Not less than 80% of the parking provided for Multifamily Dwelling, Mid-Rise Flat, High-Rise Residential, and Retirement / Age-Restricted Housing shall be Structured Parking. Structured Parking shall be lined by Active Uses or architecturally finished where it abuts a street or the Public Realm, and ground-level openings shall not exceed 55% of the façade.

(d)Intentionally Deleted

(e)Bicycle parking shall be provided at a minimum of 0.5 space per dwelling unit, together with short-term bicycle parking serving retail uses.

(f)Parking for the Event and Assembly Amenity is satisfied through the development's shared parking supply, and no separate on-site parking is required within PA-5; the amenity's occupant capacity shall not exceed 3,500.

C-7.2 Landscaping

(a)A landscaped edge not less than 30 feet in width shall be provided along the Dallas North Tollway and U.S. Highway 380, containing one large tree of not less than four-inch caliper per 25 linear feet and 22 shrubs per 30 linear feet, together with earthen berms averaging 3.5 feet in height (DNT §10; UDC §2.08).

(b)Intentionally Deleted

(c)Interior parking areas shall be landscaped at not less than 20 square feet per space, with one large tree per 10 spaces and landscape islands of not less than 160 square feet.

(d)Large canopy trees shall be planted along internal streets at intervals not exceeding 40 feet on center, in tree grates where on-street parking is provided.

(e)All landscaped areas shall be served by an automatic irrigation system with rain-and-freeze sensors and shall consist predominantly of native and drought-tolerant species in accordance with the approved plant list.

C-7.3 Open Space and Amenities

(a)Not less than 18% of the net area of the Property, exclusive of land dedicated for public rights-of-way, shall be provided as common open space. Common open space includes the Lagoon and its canals, the Passeggiata, the public square, pocket parks and greens, plazas and courtyards, trails, and the landscaped edges and buffers required by C-7.2, whether provided at grade or on structure and whether publicly accessible or private, consistent with the definition of open space in the UDC. The requirement is satisfied for the Property as a whole at full build-out, as demonstrated on the Open Space Plan; it is not applied separately

to a Planning Area, phase, plat, or site plan. The location, size, and configuration of common open space are established at Preliminary Site Plan.

- (b) The public square, the market square, and pocket parks shall be bordered by Active Uses or building frontages along not less than 50% of their perimeter, shall be visible from an adjoining street or the Passeggiata, and shall be furnished with seating and shade. This standard does not apply to the Lagoon and its canals, the landscaped edges and buffers required by C-7.2, trails, or common open space provided on structure.

C-7.4 Lighting

- (a) Site lighting shall be full-cutoff and downward-directed, with mounting heights not exceeding 30 feet.
- (b) Illumination at any property line abutting off-site single-family-zoned property shall not exceed 0.5 foot-candles, as demonstrated by a photometric plan submitted with the site plan.
- (c) Pedestrian areas shall be lighted with pedestrian-scaled fixtures, and bollard fixtures not exceeding 48 inches in height shall be used within landscape buffers.

C-7.5 Screening

- (a) Loading, service, and refuse areas shall be located to the side or rear of buildings and screened from streets, the Public Realm, and the Lagoon.
- (b) Roof-mounted and ground-mounted mechanical equipment shall be screened from view with durable materials consistent with the principal building.
- (c) Screening walls shall be of masonry consistent with the principal building.

C-7.6 Fencing

- (a) Permitted fencing materials are ornamental metal, tubular steel, and masonry.
- (b) Fencing located forward of a building façade shall not exceed 48 inches in height.

C-7.7 Connectivity

- (a) Sidewalks not less than 10 feet in width shall be provided along the Dallas North Tollway and U.S. 380, and not less than 6 feet in width along other streets; walkways shall connect building entrances to the street and trail network (DNT §11).
- (b) A multi-use trail not less than 10 feet in width shall be provided along the Dallas North Tollway, connecting to the Town trail network.
- (c) Cross-access shall be provided between adjoining parcels.

C-7.8 Street Types and the Pedestrian Core

- (a) Street types are established by the thoroughfare exhibit.
- (b) The street encircling the Lagoon shall be a pedestrian promenade restricted to emergency-vehicle access, controlled by removable bollards or gates and designed to satisfy International Fire Code Appendix D; general vehicular traffic is not permitted. Where the Fire Code as applied at Preliminary Site Plan or site plan requires a cross-section, width, turning radius, or access configuration different from that described in this subsection, the required

configuration controls, and the modification is not a variation from the Conceptual Development Plan for purposes of C-9.3, provided the promenade remains closed to general vehicular traffic.

- (c) Shared streets and on-street-parking streets are permitted as shown on the thoroughfare exhibit.

C-7.9 Stormwater, Drainage, and Utilities

- (a) The Lagoon shall function as regional stormwater detention and as the central open space of the development.
- (b) All utilities shall be placed underground, and drainage and detention shall conform to Town engineering standards.
- (c) The size, shape, configuration, and location of the Lagoon and its canals are established at Preliminary Site Plan and may be modified at final engineering as required to satisfy the Town's drainage, detention, geotechnical, and water-quality requirements, provided the Lagoon continues to function as regional stormwater detention and as the central open space of the development.

C-7.10 Compatibility with Off-Site Single-Family Development

- (a) Where the Property abuts off-site single-family-zoned property, building height shall step down in accordance with the Perimeter standard in C-5.1.

C-7.11 Signage

- (a) Signage within the Property shall be governed by a Comprehensive Sign Package approved by the Planning & Zoning Commission and the Town Council and incorporated as an exhibit (DNT §13).
- (b) Permitted sign types are those identified in the Comprehensive Sign Package (Exhibit M). Off-premise advertising signs, billboards, pole and pylon signs, and exposed cabinet signs with internally-lit translucent faces are not permitted. Digital and electronic display is permitted only for the performing arts marquee and event signage expressly authorized in Exhibit M.
- (c) Multi-tenant signage shall be uniform in style, materials, and method of illumination.
- (d) A performing arts marquee and electronic changeable-copy event signage are permitted in the entertainment core as provided in Exhibit M, notwithstanding any general limitation on illuminated or changeable-copy signs in the Town Sign Ordinance.
- (e) Building-identity and building-top identity signage are permitted for office and hotel buildings as provided in Exhibit M.

C-8. Building Design Standards

The standards in this Section govern building form, massing, and frontage. Building product and material standards are addressed in the Conceptual Elevations exhibit and the Development Agreement.

C-8.1 Massing

Building masses shall vary in height and roofline so that larger buildings read as a composition of distinct smaller elements.

C-8.2 Articulation

No building wall shall extend a horizontal distance greater than four times its height without an offset of not less than 25% of its height. Primary façades shall be articulated at intervals not exceeding 40 feet, and no blank wall shall exceed 20 feet in length on a primary frontage.

C-8.3 Transparency

Ground-floor retail frontages shall provide not less than 50% transparency, and other ground-floor nonresidential frontages not less than 30%. Clear glazing is required; reflective, gold, and heavily tinted glazing are not permitted. Awnings, arcades, or display windows shall be provided along not less than 60% of ground-floor frontage facing the Dallas North Tollway and primary streets (DNT §9).

C-8.4 Ground floor

Each ground-floor tenant space shall have a functioning primary entrance from the adjoining sidewalk; a corner entrance satisfies this requirement for both frontages.

C-8.5 All elevations

All building elevations shall be finished to an equivalent standard, and rooftop equipment shall be screened in accordance with C-7.5.

C-9. Administration

C-9.1 Conformance

Except as expressly modified in this Exhibit, development of the Property shall comply with the UDC and the Town Subdivision Ordinance.

C-9.2 Conceptual Development Plan

The Conceptual Development Plan establishes the general arrangement of uses, open space, and circulation. Lot lines, street alignments, building locations, Planning-Area boundaries, and the configuration of the Lagoon and its canals are established at Preliminary Site Plan, approved by the Planning & Zoning Commission. The Building Height Exhibit controls the boundaries of the height areas established in C-5.1 without regard to Planning-Area boundaries.

C-9.3 Minor amendments

The Director of Development Services may approve a site plan or plat that varies from the Conceptual Development Plan without a public hearing, provided the variation does not: (1) alter the relationship of the development to adjacent property; (2) alter permitted uses; (3) increase density; (4) increase building height; (5) increase lot coverage; (6) reduce the off-street parking ratio; (7) reduce perimeter building setbacks; or (8) reduce common open space below the minimum required by C-7.3. A variation meeting any of these criteria requires an amendment of this Planned Development by the Commission and the Town Council.

C-9.4 Project tracking

The owner shall maintain a project tracking plan recording dwelling units by building type and common open space by Planning Area, updated with each plat and site plan. The project tracking plan is informational and creates no vested rights.

C-9.5 Phasing

Development shall proceed in accordance with the Development and Phasing Schedule exhibit. The Lagoon and primary public infrastructure shall be constructed in the phases shown on that exhibit. The detention capacity serving an area shall be constructed and functional before that area is placed in service, and the initial phase shall include the portion of the Lagoon and of the primary public infrastructure serving the area developed in that phase. The number, sequence, and boundaries of phases are established at Preliminary Site Plan and may be adjusted at Preliminary Site Plan or at site plan; an adjustment is not a variation from the Conceptual Development Plan for purposes of C-9.3.

C-9.6 Alternative compliance

The Director of Development Services may approve an alternative to a development standard of this Exhibit upon finding that the alternative satisfies the purpose of the standard to an equal or greater degree. A request for alternative compliance shall be made at a pre-submittal conference. An approval under this Section establishes no precedent and is not a general waiver of the standards of this Planned Development.

C-9.7 Architectural review

A conceptual material plan shall accompany the Preliminary Site Plan, and a façade plan with a material sample board shall accompany each site plan, subject to the approval of the Director of Development Services.

C-9.8 Property association

A master property association shall own and maintain the Lagoon, the Public Realm, and the common areas of the development.

C-9.9 Fire Code, Engineering, and Floodplain Conformance

(a) Approval of this Planned Development does not constitute approval under the Town Fire Code and does not approve fire hydrant locations, fire lanes, or fire apparatus access. Compliance with the Fire Code is determined at Preliminary Site Plan and site plan.

(b) Reconfiguration or modification of the layout shown on the Conceptual Development Plan or any other exhibit that is required to satisfy the Fire Code, the Town's Engineering Design Standards, or applicable floodplain or waters-of-the-United-States regulation is not a variation from the Conceptual Development Plan for purposes of C-9.3, provided that the maximums established by C-5, the height areas designated on the Building Height Exhibit, and the common open space required by C-7.3 continue to be satisfied for the Property as a whole.

(c) Fire apparatus access to the Lagoon, and any fire-related structure required in connection with it, are permitted in every Planning Area, including PA-5, and are not counted against the impervious coverage limit established for PA-5 in C-5.2, provided that the impervious surface so excluded does not exceed 25% of the impervious coverage otherwise permitted in PA-5.

(d) Fire apparatus access provided within the Passeggiata or other common open space does not remove that area from the common open space required by C-7.3.

(e) Except where this Exhibit expressly provides that an exhibit controls, the layout depicted on the Conceptual Development Plan and the other exhibits illustrates intent, and no vested right arises from the depicted layout. This subsection does not affect the standards established in this Exhibit.