

ZONE-24-0025
EXHIBIT C
DEVELOPMENT STANDARDS

Development within this Planned Development (PD) District will conform to the development standards of its specified subdistrict (Neighborhood or Retail) and will follow the additional regulations outlined below and meet the intent of the Concept Plan that is attached as Exhibit D and the permitted uses as noted herein. All proposed land uses are appropriate for the Dallas North Tollway District and comply with the Town's Future Land Use Plan.

These planned development regulations will hold precedence over any conflicting regulations created by any current or future overlay district, design guidelines and/or the Town's Zoning Ordinance.

Development Plan

Concept Plan:

- A. The Property shall be developed in general accordance with the attached Concept Plan set forth in Exhibit D. However, the Concept Plan is illustrative in nature and does not reflect the exact footprint of proposed buildings nor layout of the associated parking.
- B. Development Triggers:
 - a. The residential portion of the development shall have a maximum of 110 townhomes and 271 multi-family units.
 - b. The full length of Mahard Parkway (60' ROW), including sidewalks, located on the Property and as shown on the concept plan, will be built with the townhome development (phase 2).
 - c. Full build out of the commercial development proposed along First Street (phase 1 – 60,950 sf) must have certificate of occupancy prior to the multi-family commencing vertical construction.
 - d. The multi-family will not be built before phase 4.
 - e. Notwithstanding the aforementioned, phases 2 through 4 shown on Exhibit D, are only provided as estimates of development phasing and buildings with associated parking are fungible within these phases. The market will dictate how development will occur in phases 2 – 4 (excluding the multi-family which will be developed in phase 4).

Administrative:

- A. Amendments to the Concept Plan shall be classified as major or minor.
 - a. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement within the respective sub-district, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping and screening, changes to utilities and service locations which do not substantially change the original plan. The Director of Development Services or his/her designee may approve a minor amendment

- administratively or if they deem the changes to be a Major Amendment, send to the Planning and Zoning Commission and Town Council for consideration.
- b. Major amendments shall include a change in permitted land uses or any modification to development standards outlined herein. Major amendments will be considered by the Planning & Zoning Commission and Town Council.

1) SECTION 1: NEIGHBORHOOD SUB-DISTRICT

a) Neighborhood Sub-District

i) **General Description**

The neighborhood sub-district is identified along the western portion of the Property and contains 110 townhome units. This district is meant to provide the residents of Prosper a denser residential product with their own amenity center and open space provided within their district. The neighborhood district has direct access to the neighboring retail district which is supported by the thoroughfares.

ii) **Permitted Uses**

The following uses are allowed by right with a maximum of 110 townhomes. Other uses may be allowed, as allowed within the specific zoning district of the Zoning Ordinance, or as provided for with the zoning permitted uses of the Planned Development.

b) TH - Townhome District

i) **General Description**

The Townhome District will provide for development of attached residential dwelling units in structures accommodating three to six units. This district is a high-density district, not to exceed ten units per gross acre (10 UPA). The standards in this district are intended to promote stable, quality multiple occupancy residential development at increased densities. Other uses, such as parks, trails, open spaces or community gather spaces, will be provided to maintain a balanced, orderly, convenient and attractive sense of place for the residents.

(1) **Regulations**

(a) **Maximum Permitted Density:** Ten (10) units per acre.

(b) **Size of Yards:**

(i) *Minimum Front Yard* — 20 feet.

(ii) *Minimum Side Yard* — Zero feet for the side of a unit that is attached to another unit.

1. Ten feet for the side of a unit at the end of the structure; 15 feet on corner lot adjacent to side street.

2. Each townhome should be constructed on a single lot. No multiple townhomes on a single lot permitted.

(iii) **Minimum Rear Yard** — 25 feet.

(c) **Size of Lots:**

(i) *Minimum Lot Area* — 2,500 square feet per dwelling unit.

(ii) *Minimum Lot Width* — 20 feet per dwelling unit.

(iii) *Minimum Lot Depth* — 100 feet.

- (d) **Minimum Dwelling Area:** 1,000 square feet.
- (e) **Maximum Height:** Forty-five (45) feet (as measured from the finish floor to the top plate), or three (3) stories.
- (f) **Lot Coverage:** 70 percent.
- (g) **Minimum Open Space:** 20 percent. The open space shall be located on the Townhome development. Open space areas can be less than 20,000 square feet but not less than 10,000 square feet minimum and an amenity center may count towards the open space requirement.

2) SECTION 2: RETAIL SUB-DISTRICT

a) Retail District

i) General Description

The Retail District is established to provide locations for various types of general retail, office, hotel, service uses, and 271 multi-family units with ground floor retail, creating the mixed-use portion of the development.

- ii) Development within the Retail District should utilize established landscape and buffering requirements.
- iii) Tract 3 and tract 6 shall be addressed from a public access easement.

(1) Retail Regulations

(a) Size of Yards:

(i) *Minimum Front Yard* — 30 feet.

(ii) *Minimum Side Yard:*

1. Fifteen feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
2. Thirty feet for a one story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district.
3. Thirty feet adjacent to a street.

(iii) *Minimum Rear Yard:*

1. Fifteen feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
2. Thirty feet for a one story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district.

(b) Size of Lots:

(i) *Minimum Size of Lot Area* — 10,000 square feet.

(ii) *Minimum Lot Width* — 100 feet.

(iii) *Minimum Lot Depth* — 100 feet.

(c) **Maximum Height:** Two (2) stories.

(d) **Lot Coverage:** 40 percent.

(e) **Floor Area Ratio (FAR):** Maximum 0.8:1.

(f) **Minimum Open Space:** Seven (7) percent and can be consolidated with overall district

(g) Landscape Buffer

- (i) Landscape buffer should follow Town Ordinance.

(2) Hotel Regulations

(a) Hotel, Full Service. Full-Service Hotel developments shall be subject to the following development standards:

- (i) External balconies and walkways shall be set back 200 feet from any residential zoning district in place at the time of this ordinance's approval.
- (ii) Shall provide management staff on-site 24 hours a day.
- (iii) Shall provide at least four amenities from the list below:
1. Indoor/outdoor pool
 2. Spa/Sauna
 3. Weight Room/Fitness Center
 4. Playground
 5. Sports Court
 6. Game Room
 7. Jogging Trail
- (iv) Shall provide a full-service restaurant offering three meals a day.
- (v) Shall provide a minimum total of 10,000 square feet of meeting/event space.
- (vi) No more than 5% of the total number of guest rooms shall have cooking facilities.
- (vii) All room units must be accessed through an internal hallway, lobby or courtyard.
- (viii) Hotel building height:
- (ix) Minimum: four (4) stories
- (x) Maximum: eight (8) stories

(3) Office Regulations

General Description

The office may accommodate a variety of office developments providing for professional, financial, medical, and similar services for local residents.

(a) Size of Yards:

- (i) *Minimum Front Yard* — 30 feet.
1. Minimum Side Yard: Ten feet adjacent to a nonresidential district.
 2. Twenty-five feet for a one story building adjacent to a residential district and forty feet for a two-story building adjacent to a residential district.
- (ii) *Minimum Rear Yard:*
1. Ten feet adjacent to a nonresidential district.
 2. Twenty-five feet for a one story building adjacent to a residential district and forty feet for a two-story building adjacent to a residential district.

(b) Size of Lots:

(i) *Minimum Size of Lot Area* — 7,000 square feet.

(ii) *Minimum Lot Width* — 70 feet.

(iii) *Minimum Lot Depth* — 100 feet.

(c) **Maximum Height:** Six (6) stories on Tract 6 and three (3) stories on Tract 7.

(d) **Lot Coverage:** 30 percent.

(e) **Floor Area Ratio (FAR): Maximum.** 0.5 :1.

(f) **Minimum Open Space:** Seven (7) percent and can be consolidated with overall district

(4) Multi-Family (MF) Regulations

General Description

(i) The Multi-Family (MF) will provide for development of high density attached residential dwelling units, a wrap product with structured parking, not to exceed the total allowable number of 271 multi-family units. The following standards are intended to promote stable, high quality multiple occupancy residential development at high densities. This product type is appropriate for the Dallas North Tollway District as shown on the Town's Future Land Use Plan.

(ii) **First Floor:** The height of the first floor shall be a minimum fourteen (14') in height. The first floor of the building may be used for either residential use or retail.

(iii) Ground floor retail is required, up to a maximum of 50% of the net rentable ground floor square footage, as shown on the Concept Plan. Retail use for the sake of this subsection may also include Leasing Center, Beauty salon, Barber shop, commercial amusement (indoor), furniture / home furnishings store, gymnastics/ dance studio, health / fitness center, museum / art gallery, restaurant (without drive-thru / drive-in service), retail store and shops, retail service incidental use, and theatre.

Regulations

(a) **Maximum Number of units:** 271 multi-family units

(b) **Unit Mix:** 65% One bedroom; 30% Two bedroom; 5% Three bedroom

(c) Size of Yards:

(i) *Minimum Front Yard* — 50 feet along rights-of-way.

(ii) *Minimum Side Yard* — 25 feet

(iii) *Minimum Rear Yard* — 25 feet

(d) Size of Lots:

(i) *Minimum Lot Area* — one acre.

(ii) *Minimum Lot Width* — 100 feet.

(iii) *Minimum Lot Depth* — 150 feet.

(e) Minimum Dwelling Area:

(i) *One or two bedroom* – 850 square feet

(ii) *Additional bedrooms* – 150 square feet per additional bedroom.

(f) **Minimum Height:** Three (3) stories.

(g) **Maximum Height:** Five (5) stories.

(h) **Lot Coverage:** 80 percent.

- (i) **Minimum Open Space:** 30 percent. Open space does not need to be located on the multifamily lot and can be consolidated with the overall district.
- (j) **Parking:** minimum 1.7 spaces per unit.

Permitted Uses on the Property

The following business establishments shall be permitted on the Property: Items listed are allowed by right; Designation by, (S) - permitted by special use permit.

Schedule of Permitted Business Establishments
Neighborhood District:
Townhome
Park or playground
Amenity center
Retail District:
Administrative, medical, insurance or professional office
Alcoholic Beverage Sales
Antique shop
Automobile paid parking lot/garage
Automobile parking lot garage
Bank, savings and loan, or credit union
Beauty salon / Barber shop as an incidental use
Big box
Business service
Catering business
Childcare center
Commercial amusement, indoor (S)
Farmers Market
Food truck park (only for special events)
Furniture, home furnishings and appliance store
Government office
Gymnastics /Dance studio
Health / Fitness center
Hotel, full service
House of worship
Meeting / banquet / reception facility
Mobile food vendor
Multifamily
Museum / art gallery
Park or playground
Print shop, minor
Restaurant without drive-thru or drive in service
Restaurant with drive through service (S)
Retail stores and shops
Retail /service incidental use
School, private or parochial

School, public
Theater, neighborhood
Theater, regional
Veterinary clinic and/or kennel, indoor
Wireless communications and support structures (cell tower)

2) SECTION 3: BUILDING DESIGN STANDARDS

The Building Design Standards and Guidelines for the Bella Prosper District shall establish a coherent urban character and encourage enduring and attractive development, ensuring the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scale spaces. The key design principles are:

- i) New buildings should utilize building elements and details to achieve a pedestrian-oriented public realm.
- ii) Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- iii) Building facades should include appropriate architectural details and ornamentation to create variety and interest.
- iv) Open space(s) should be incorporated to provide usable public areas integral to the urban environment.

a) General to all Sub-Districts or Tracts

i) Building Height

- (1) Maximum Building Height: Varies. See each land use district.
- (2) Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 20% of the first-floor footprint may exceed the height limits by up to twenty (20) feet.
- (3) Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1.) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2.) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet above finish grade at the Fire, Access, Utility, and Drainage Easement Line.

ii) Minimum Building Height by use type:

- (1) *Office*: one (1) story.
- (2) *Multifamily*: three (3) stories.

- (3) *Townhome*: two (2) stories.
- (4) *Hotel*: four (4) stories.
- (5) *Retail/Restaurant*: one (1) story.

b) Office Design Standards

- i) The ground floor condition for office shall have a minimum of 12 feet ceiling and 14 foot floor to floor.
- ii) Decorative or enhanced concrete tilt wall shall be a permitted material for up to sixty percent (60%) of any façade.

c) Design of Parking Structures

- i) Above-grade parking structure facades along all rights-of-way shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal (aligning with horizontal elements along the block) articulation.
- ii) Where above-grade structured parking is located at the perimeter of a building with frontage along any right-of-way, openings in their facades shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings. Screening may be achieved through the use of louvered, solid or opaque vertical screening elements. Permitted materials shall be metal, glass, pre-cast concrete, masonry or concrete block.
- iii) When parking structures are located at corners, corner architectural elements shall be incorporated such as corner entrance, signage, glazing and vertical elements that accentuate the parking structure's vertical circulation.
- iv) Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.
- v) Parking structure ramps shall not be directly fronting any right-of-way.
- vi) Parking Structure Height: No parking structure shall be taller than the primary building it serves.

d) Roof Form

- i) Buildings shall have simple, flat fronts with minimal articulations with flat or low-pitched roofs (2.5:12 or lower) with parapets. Corner hip roof elements and gable accents at the parapet may be permitted. Projecting mansard roofs shall not be permitted.

e) Façade Composition

- i) Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- ii) Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings,

balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper-level uses may be defined and integrated into the design of the overall building facade.

- iii) Buildings shall generally maintain the alignment of horizontal elements along the block.
- iv) Corner emphasizing architectural features, pedimented parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.
- v) Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is offset from the front wall planes and goes above the main building eave or parapet line.

f) Windows and Doors

- i) Windows and doors on right-of-way fronting facades (except alleys) shall be designed to be proportional and appropriate to the architectural style of the building. First floor windows shall NOT be opaque, tinted or mirrored glass.
- ii) All ground floor front facades of buildings along rights-of-way or Open Space shall have transparent storefront windows covering no less than 30% of the façade area.
- iii) Upper floors along rights-of-way shall feature at least 20% transparent windows in each façade. Single tenant retail that are greater than 20,000 sf shall have no less than 20% along their primary front facade.
- iv) Windows and doors may require fire ratings depending upon separation per IBC/IFC.

g) Building Entries:

- i) Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies, so they are obvious to pedestrians and motorists.
- ii) Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk. Corner entries may count as a primary entry for both intersecting street fronts.

h) Awnings, Canopies, Arcades & Overhangs:

- i) Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
- ii) The material of awnings and canopies shall be architectural materials that complement the building.
- iii) Awnings shall not be internally illuminated.
- iv) Canopies should not exceed one hundred (100) linear feet without a break of at least five (5) feet.
- v) Canopies and awnings shall respect the placement of street trees and lighting.

i) Building Articulation

- i) That portion of the building where retail or service uses take place on the first floor shall be accentuated by including awnings or canopies, different building materials, or architectural building features.
- ii) Building facades fronting both streets and driveways should have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building facades. Design articulation should employ changes in volume and plane. Architectural elements and moldings that break up the mass of the building are encouraged.

j) Building Materials

- i) Brick, natural and manufactured stone, curtain wall and window wall glazing, and cementitious panel system shall be considered primary materials. Primary materials shall comprise of at least 75% of each elevation, exclusive of doors and windows. Where cementitious panel is applied, it shall be limited to no more than 35% of a building's material. Non-primary, or secondary materials, may include three-coat system stucco, resin-impregnated wood panel system, clapboard siding and metal panel systems.
- ii) Where multifamily is concerned, primary materials shall be limited to brick, natural and manufactured stone, and cementitious panel system (allowed on upper floors only; none on ground floor).
- iii) Only primary building materials are allowed on the first floor, plus metal panel systems for non-residential uses. For purposes of this section, the first floor shall be at least fourteen (14) feet high and, at a minimum 90% shall be constructed of masonry cladding.
- iv) All buildings shall be architecturally finished on all sides with articulation, detailing and features.
- v) Roofing materials visible from any street shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

k) Projections into Setbacks and/or Rights-of-Way:

- i) The following projections shall be permitted into a Fire, Access, Utility, and Drainage Easement as allowed below, provided that 1.) no projection shall be permitted into a building setback; 2.) such projections do not extend over public rights-of-way; 3.) the property owner has assumed liability related to such projections; 4.) the property owner shall maintain such projection in a safe and non-injurious manner; 5.) no projections allowed over franchise utility corridors unless the projection is thirteen and one half (13.5) feet above finished grade; and 6.) no projections allowed over public utility where located within a fire lane or public utility easement.

- (1) Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to twenty-four (24) inches beyond a building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.

- (2) Business signs and roof eaves may project up to ten (10) feet beyond the building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.
- (3) Architectural projections, including balconies, bays, towers, and oriels; show windows (1st floor only); below grade vaults and areaways; and elements of a nature similar to those listed; may project up to ten (10) feet beyond the building face into the setback, but not the Fire, Access, Utility, and Drainage Easement.
- (4) Canopies and/or awnings may project from the building face over the entire setback. Additionally, they may be extended into the Fire, Access, Utility, and Drainage Easement to be within eight (8) inches of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy/awning support is no closer than twenty-four (24) inches from the back of curb and does not extend over any fire lane or public utility easement.

4) SECTION 4: LANDSCAPE ENHANCEMENTS

a) Mahard Parkway Landscape and Pedestrian Easement

Mahard Parkway shall be constructed with a minimum ten-foot (10') wide meandering sidewalk located within a forty-foot (40') landscape and pedestrian easement. Said sidewalk shall be installed during Phase 2 of the development.

b) Programmed Open Space – Tracts 5 and 6

The open space area shared between Tract 5 and Tract 6 shall be designated and maintained as programmed open space. Open space requirements for tracts within the Planned Development that do not independently meet the applicable open space requirements for their respective use may be satisfied through the provision of programmed open space located on Tract 5 and Tract 6, subject to compliance with this Planned Development and all applicable City standards.

c) Monument Feature

A monument feature shall be provided at the northeast corner of Mahard Parkway and Lovers Lane to serve as a gateway to the district.