

## **SECTION 33A MU-1 MIXED USE DISTRICT**

### **33A.1 INTENT:**

The DeSoto Mixed Use Districts and related Illustrative Guide were created to provide a framework to allow cohesive and orderly mixed use developments within the City of DeSoto. "Mixed Use" refers to a development style that creates areas which combine residential, retail, office and public uses in the same building, same lot, same tract, and/or same block. Mixed Use design encourages development that promotes pedestrian-oriented scales, a sense of community, quality architectural design, heightened visual quality, and increased quality of life.

MU-1 Districts were created to provide flexibility in uses that are contained within a site which promotes a contemporary style of architecture. Buildings within MU-1 Districts should contain modern forms and modern materials in order to create a unique sense of place. The Districts and related Illustrative Guide establish a community character through examples in land uses, site design, circulation, architectural elements and landscape concepts. This Ordinance and related Illustrative Guide document borrows mixed use design elements from the existing DeSoto Town Center and other mixed use projects. Appropriate flexibility in final design is given to developers and designers to allow creativity for the opportunities associated with individual sites. Also see Mixed Use Illustrative Guide page 4 for examples.

### **33A.2 MU-1 MIXED USE DISTRICT ESTABLISHED:**

There is hereby established the following Zoning District:

- A. The MU-1 Mixed Use District will maintain and promote a contemporary design style of architecture similar to the existing DeSoto Town Center Project.
- B. MU-1 can include a mix of restaurant, retail, office, public and residential uses.
- C. Contemporary refers to a style of architecture that is being made at the present time. This style of architecture is eclectic by nature. Generally speaking, contemporary architecture is not traditional in nature. It will use modern construction and building materials. Key forms and building elements are defined by materials and textures. Heights and sizes of buildings may vary, but should be compatible in proportions of openings, composition and rhythm.

### **33A.3 PERMITTED USES:**

- A. The mixture of uses allowed in the MU-1 Mixed Use District are those uses specified as allowed in the MU-1 in Section 36 (Use Charts) and include the following:
  - 1. A mixture of Retail Uses and Office Uses as specified in the Use Charts.
  - 2. Residential Uses as specified in the Use Charts.
    - a. Multiple-Family Dwellings greater than six (6) units per building and may consist of apartment dwelling units, condos, lofts and/or flats.
    - b. For buildings adjacent to arterial and major collector streets as defined in the City of DeSoto Paving Design Manual and Adopted Thoroughfare Plans, ground floors must contain non residential uses in conformance with Section 33A.4.B.8.
    - c. Interior buildings, or buildings located behind buildings that are adjacent to arterial, major collector, and collector streets; ground floors may consist entirely of residential uses.

3. MU-1 developments, as provided in the concept plan, which is greater than 3 acres shall include a mix of uses. The mix of uses shall include at a minimum residential as well as retail and/or office. Of these uses, none shall be less than 20% of the total building square footage of the development.
4. Single family attached, single family detached, rowhomes and townhomes are not permitted in MU-1.

#### 33A.4 MU-1 MIXED USE SITE DESIGN PRINCIPLES:

The design of a MU-1 Mixed Use site shall include the consideration of pedestrian scales, building uses, circulation and visual quality. The arrangement of building masses, parking, open space, landscaping, walks and site furnishing shall encourage pedestrian activity, create unique views and create a usable site. Land uses can be mixed both vertically in the same building and horizontally on the same site. All planning and design of MU-1 Mixed Use sites shall begin with analysis of the site. This analysis shall consider the site's constraints, nature influences, historical qualities and surrounding land uses.

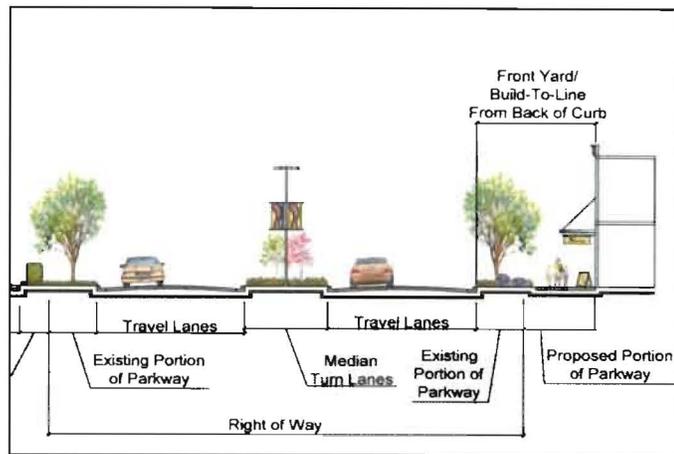
##### A. Site Design

1. Building Orientation - Building orientation shall consider uses both within structures and outside. Also see Mixed Use Illustrative Guide page 7 for reference.
2. Block Lengths - Block lengths in MU-1 areas shall generally be characterized by smaller, walkable blocks that are connected to each other. Cul-de-sacs or other single entrance streets are not allowed unless, due to topography or existing development patterns, there is no other way to serve the MU-1 development and a waiver is granted as part of a Planned Development for MU-1 approval in accordance with Section 33D.7 "Mixed Use Development Requirement Waivers." These small block lengths and connected street patterns will provide traffic efficiency and opportunities for pedestrian connectivity. Also see Mixed Use Illustrative Guide page 7 for reference.
  - a. The minimum length of a public street block shall be 200 feet.
  - b. The maximum length of a public street block shall be 500 feet.
3. View Corridors - The arrangement of streets, open space and buildings can create view corridors. View corridors shall be provided for in the Concept Plan prior to its approval unless a waiver is granted by the Planning and Zoning Commission and/or City Council due to unique physical constraints in accordance with Section 33D.7. Also see Mixed Use Illustrative Guide page 7 for reference.
4. Scale - The massing of all new buildings shall be articulated in a variety of ways, including the use of projecting and recessed elements such as porches, cantilevers, balconies, bay windows and roof dormers, to reduce their apparent overall bulk and volume, to enhance visual quality and to contribute to human-scale development. Larger scale buildings with a box like style shall be avoided unless a waiver is granted in accordance with Section 33D.7 and the buildings meet the intent of the MU-1 Mixed Use District and the Illustrative Guide. In particular, large, single use buildings (Big Box Building) in excess of 35,000 square feet shall either not be allowed or shall demonstrate one of the following: Also see Mixed Use Illustrative Guide page 7 for reference.
  - a. The Concept Plan shall demonstrate that the site can be re-configured into a pedestrian oriented development, without removing more than 50% of the proposed big box building; or

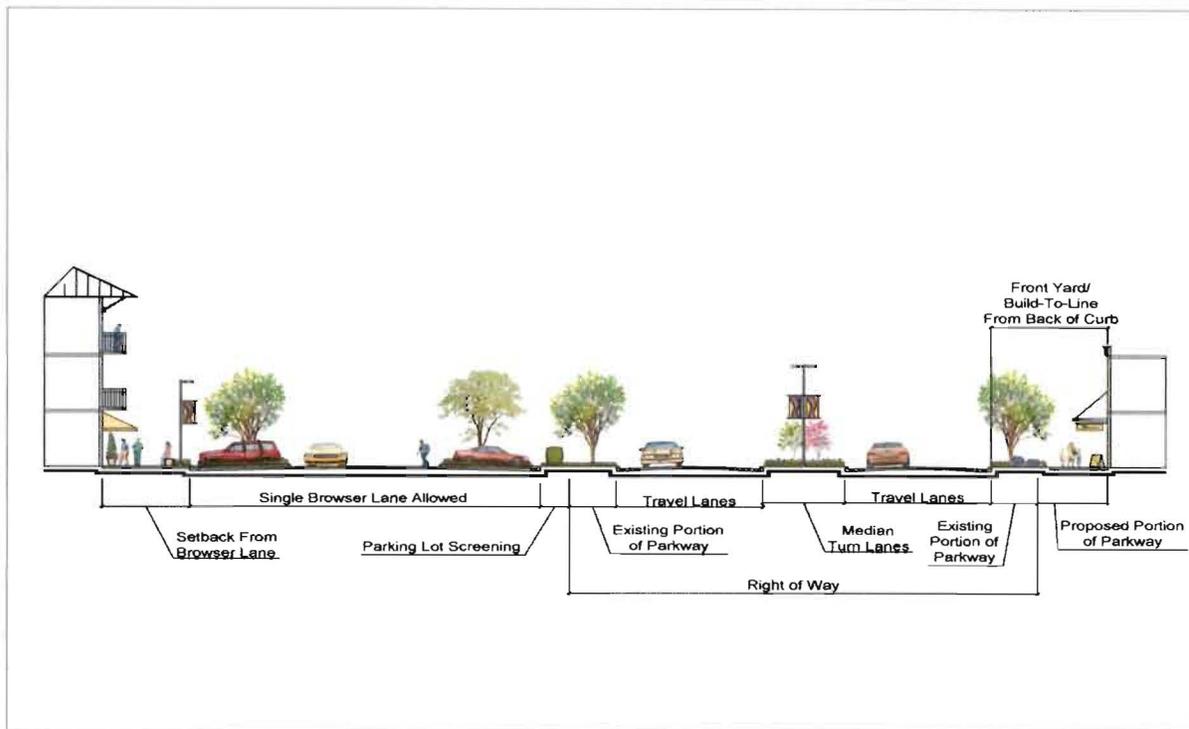
- b. The primary building's street facing façade shall be built no greater than 100 feet from the back of curb of all streets the building fronts on, in a manner that would facilitate its use by smaller tenants, with one full bay of parking in front and a continuous browsing lane. This does not apply to internal buildings which are part of a larger development that meets these setback standards.
- B. Height and Area Requirements – The following are the height and area requirements as required for all MU-1 Mixed Use Developments unless otherwise modified in this Section. All lots and structures shall meet these requirements.
1. Minimum Size of a MU-1 rezoning request shall be 3 acres unless it is immediately adjacent to an existing MU-1 district.
  2. Minimum Lot Area shall be 9,000 square feet.
  3. Minimum Lot Width shall be 60 feet.
  4. Minimum Lot Depth shall be 150 feet.
  5. Maximum Lot Coverage is the lot area covered by all buildings located thereon, including the area covered by all overhanging roofs. In the MU-1 district there are no coverage limitations provided that setback, yard, landscaping and open space requirements are met.
  6. Minimum Building Height shall be 15 feet.
  7. Maximum Building Height shall be 60 feet.
  8. At least 30% of the ground floor must be used for non-residential uses for buildings when adjacent to arterial and major collector streets. For larger developments, internal buildings (those that are located behind buildings that are adjacent to arterial, major collector, and collector streets) are not required to have at least 30% of the ground floor be used for non-residential uses. A waiver may be granted as part of a Planned Development for MU-1 to exceed that amount for those buildings with limited retail/office potential.
  9. Maximum Density of non-single family residential is 36 dwelling units per acre. Density refers to the ratio of dwelling units per acre of site. It is calculated by dividing the total number of dwelling units per development, tract or parcel by the total acreage for that development, tract or parcel. A waiver may be granted as part of a Planned Development for MU-1 to exceed that amount up to 50 dwelling units per acre.
  10. The minimum dwelling unit size in the MU-1 district shall be 700 square feet.
- C. Yard and Build-to-Lines, also see Mixed Use Illustrative Guide page 8 for examples.
1. Yards shall be free from any encroachments, unless provided for in the Zoning Ordinance, including primary buildings, accessory buildings, detached garages, and ground mounted equipment.
  2. Structures that may be permitted in the yards include but are not limited to landscaping, walks, drives, parking, walls, fences, movable furniture, umbrellas, benches, planters, tree grates, decorative waste receptacles, lighting, patios, overhangs, canopies, eaves, balconies, and signs.
  3. At least 75% of the front façade of any structure facing a street must be located between the Minimum and the Maximum Build-to-Line. Up to 25% of such façade may be located further from the back of curb than the Maximum Build-to-Line but may not

be located greater than 50 feet beyond the Maximum Build-to-Line. No part of any front façade may be located between the back of curb and the Minimum Build-to-Line.

4. The following requirements shall be met:
  - a. Front Maximum Build-to-Line without a Browser Lane shall be 25 feet and shall be measured from back of curb along road frontage or on street parking (See Illustration 33A-1). The Maximum Build-to-Line is a line parallel, or approximately parallel, to any lot line at a specific distance therefrom, marking the maximum distance from the road or Browser Lane parking that a building may be erected.
  - b. Front Maximum Build-to-Line with a Browser Lane shall be 25 feet and shall be measured from back of curb closest to building along Browser Lane parking (See Illustration 33A-2).
  - c. Front Minimum Build-to-Line without a Browser Lane shall be 15 feet and shall be measured from back of curb along road frontage or on street parking (See Illustration 33A-1). It is a line parallel, or approximately parallel, to any lot line at a specific distance therefrom, marking the minimum distance from the road or Browser Lane parking that a building may be erected.
  - d. Front Minimum Build-to-Line with a Browser Lane shall be 15 feet and shall be measured from back of curb closest to building along Browser Lane parking (See Illustration 33A-2).
  - e. Rear Yard abutting another MU-1 or MU -2 zoned parcel shall be a minimum of 0 feet.
  - f. All other rear yards shall be a minimum of 10 feet unless adjacent to detached single family residential zoned lands, see Section 33A.4.C.7.a and 33A.4.C.7.b.
  - g. Side yards shall be a minimum of 10 feet unless adjacent to a MU-1 or MU-2 zoned lot in which case it shall be 0 feet. Side yards adjacent to detached single family residential zoned lands refer to Section 33A.4.C.7.a and 33A.4.C.7.b.
  - h. Side Yard abutting a MU-1 building with windows or non-fire rated wall shall be a minimum of 10 feet.
  - i. All side and rear Yard dimensions shall be measured from the property line to the closest building.



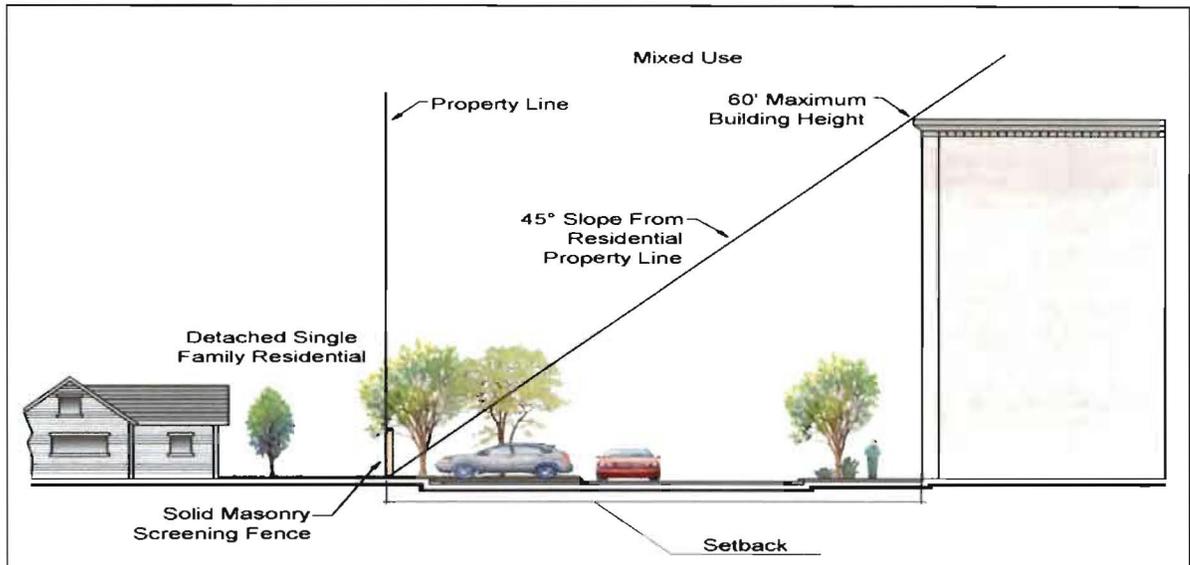
*Illustration 33A-1, Example of Build-to-Line without Browser Lane*



*Illustration 33A-2, Example of Build-to-Line with Browser Lane*

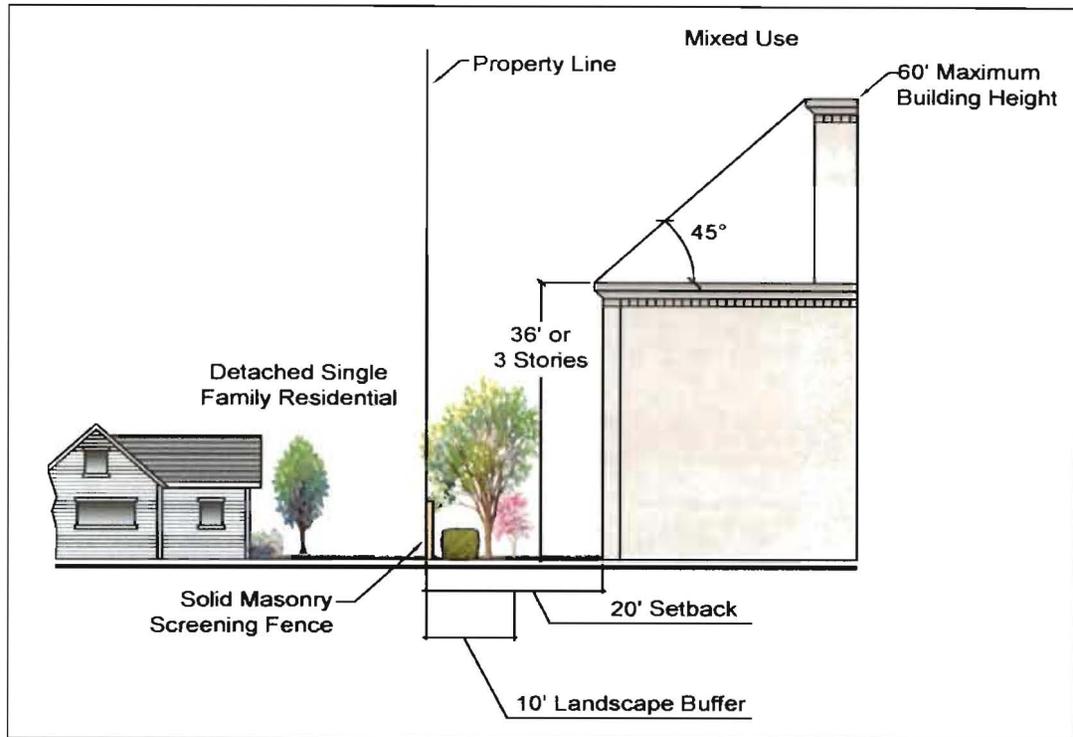
5. All areas adjacent to a street shall be deemed front yards.
6. Buildings shall be a minimum of 10 feet and a maximum of 20 feet from all other parking lots to allow for site furnishings, landscape and pedestrian corridors.
7. Side and Rear Yard Setback adjacent to Single Family Residential Zoned Land as provided in Section 33A.4.C.7.a and 33A.4.C.7.b; also see Mixed Use Illustrative Guide page 9 for examples.

- a. MU-1 Mixed Use tracts adjacent to detached single family residential zoned lands, must provide a solid masonry screening fence in accordance with Section 41.2 and buildings must be set back to fit within a 45 degree slope measured from the residential property line to maintain privacy for adjacent detached single family zoned lands. See Illustration 33A-3.



*Illustration 33A-3, Example of Setback Adjacent to Detached Single Family Zoned Residential Areas*

- b. MU-1 Mixed Use tracts that are 200 feet or less in depth and/or where existing structures will not allow structures to meet the setback in paragraph a. above, must provide a solid masonry screening fence in accordance with Section 41.2 and a 10 foot landscape buffer in accordance with Section 39.7.K. Buildings must be set back a minimum of 20 feet from property lines adjacent to detached single family residential zoned lands. In addition, all portions of the building above 36 feet must be setback to fit within a 45 degree slope measured from the building's top located at 36 feet. See Illustration 33A-4.



*Illustration 33A-4, Example of Setback on Shallow Parcels Adjacent to Detached Single Family Zoned Residential Areas*

- D. Landscape buffer requirements, see Section 39 Landscape Requirements.
- E. Fencing, Walls and Screening, see Section 41 Fencing, Walls, and Screening Requirements.

### 33A.5 ARCHITECTURAL DESIGN:

MU-1 Architectural Intent: The intent of the architectural design for MU-1 is to promote a pedestrian scale, high quality architectural design that reflects a contemporary character similar to that found in the existing DeSoto Town Center. The standard and requirements set forth in this section are intended to provide continuity in both redevelopment projects and new structures. Generally, architectural design in MU-1 districts shall have a form and look consistent with modern architectural forms and context. For the following standards, see Illustrative Guide for examples and intent.

- A. General Standards
  - 1. All building façade appearances, materials and colors are subject to approval during the Concept Plan submittal.
  - 2. Horizontal Building Articulation - Building façades greater than 40 feet in length shall require at least one horizontal articulation break and be at least 2 feet in horizontal depth; at a minimum length of 20% of the building's total street facing width. See Mixed Use Illustrative Guide page 17 for examples.

3. Building façades greater than 100 feet in length shall require at least three horizontal articulation breaks and each articulation shall be at least 2 feet in horizontal depth each, with no less than 2 feet and no greater than 40 feet between articulations; cumulative articulations shall be a minimum length of 20% of the building's total street facing length. See Mixed Use Illustrative Guide page 17 for examples.
4. Vertical Building Articulation - Building façades greater than 40 feet in length shall require at least one vertical building articulation; at a minimum width of 20% of the street facing façade's width and a minimum height of 15 percent of the façade's total non articulated height. See Mixed Use Illustrative Guide page 16 for examples.
5. Building façades greater than 100 feet in length shall require at least three vertical building articulations, with no less than 2 feet and no greater than 40 feet between articulations; cumulative articulations shall be a minimum width of 20% of the façade's street facing width and a minimum height of 15 percent of the façade's total non articulated height each. See Mixed Use Illustrative Guide page 16 for examples.
6. Each sequential block of new development shall contain a unique building façade so as to encourage architectural variety within larger projects by using a combination of architectural elements.
7. The use of highly reflective materials and surfaces are prohibited.
8. The use of metal siding is prohibited.
9. The use of mirrored glass glazing is prohibited.
10. Concrete Masonry Unit (CMU) block exterior treatments are prohibited unless the CMU is colored, split face or oversized.

B. Façades and Building Forms, also see Mixed Use Illustrative Guide pages 14-19 for examples.

Intent: Street facing building façades shall be designed with identifiable first floor, upper façade and rooflines. First floor façades shall be designed at human scale with elements such as window bays, recessed entries, awnings, canopies or other human scale architectural features.

1. First floor façades may not exceed 20 feet in height but may be taller than upper level building floor to ceiling heights.
2. The first floor façade heights shall be consistent for individual buildings and not varied in first floor heights, as to form a single horizontal element.
3. First floor non residential uses shall have 80% storefronts in order to provide for pedestrian street scenes, indoor and outdoor views and retail display spaces. Storefronts are defined as the part of the building that fills the structural bay on the front façade at ground level. Storefronts shall include a maximum 3 feet high base (the area under the window), transparent windows and storefront cornice.
4. Buildings shall reflect a small scale street frontage rhythm, with building bay widths approximately 25-50 feet. See Mixed Use Illustrative Guide pages 18 for photo example.
5. Upper façades shall be designed with a rhythm, a repeating pattern, in architectural elements such as window spacing, façade sections, projections, awnings, window covers, window hoods and balconies.

6. Each upper façade floor shall be a consistent height and not varied floor heights per individual floors, as to form a single horizontal element per individual floor.
  7. Individual floors shall be identifiable with elements such as material changes, trim, color changes, molding, cornice, belt course, awnings, balconies or other similar architectural features.
  8. To emphasize the community character and pedestrian scales, building façades shall incorporate the following elements:
    - a. Architectural Elements: Cornice, piers, columns, frieze, quoin, mullion, fenestration, pilasters, rustication and/or belt course.
    - b. Variation in Wall Plane: Canopies, balconies and/or awnings.
    - c. Change in Materials and Color: Each façade shall incorporate a minimum of 2 separate materials or color changes excluding glazing. Each separate material or color change shall be at least 20% of the façade's appearance excluding glazing.
- C. Exterior Materials, also see Mixed Use Illustrative Guide pages 17-18 for examples.
1. Building materials shall use modern forms and textures.
  2. For multi store buildings, windows and door glazing shall not exceed 50 percent of exterior walls. First floor façades shall not exceed 80% windows and door glazing exterior walls.
  3. Stucco may not exceed 75 percent (excluding windows and doors) of the exterior walls.
  4. Permitted exterior wall materials are brick, limestone, sandstone, flagstone, travertine, granite, slate, cast stone, stucco, tile and concrete.
- D. Exterior Colors, also see Mixed Use Illustrative Guide pages 17-18 for examples.
1. The color restrictions shall apply to building materials, painted surfaces, architectural features and site furnishings.
  2. The use of fluorescent paint, fluorescent colors and exterior neon tubular lights shall be prohibited.
  3. Color elevations shall be required at time of Concept Plan approval.
  4. Exterior colors shall be complementary to one another and promote the architectural style of the district.
- E. Building Entries
1. Main Entrances from Public Sidewalks or Plazas:
    - a. In order to create a pedestrian oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a building must have its main entrance from a public sidewalk or plaza or from a private sidewalk or plaza that is publicly accessible through a public easement.
    - b. The main entrance shall not be from a parking lot.

- c. Secondary entrances from a parking lot are permitted.
  - d. Primary entrances should be identifiable and utilize pedestrian scale.
  - e. All entrances shall conform to American Disabilities Act (ADA) requirements and guidelines.
2. Non Residential Entries: Each non residential use with exterior, street oriented exposure shall have an individual public entry from the street side.
  3. Entrances shall be accented by architectural elements such as recessed façades, columns, overhanging roofs, awnings and or balconies.
  4. Rear Entries: Spaces behind buildings that are along pedestrian walkways and parking lots where pedestrians may access the building shall have rear entrances. These rear entrances shall be identifiable with elements such as signage, plantings, awnings above rear window or other human scale elements.
  5. Residential Entries: Street level dwelling units within multi-unit structures shall have individual street oriented entries for each unit.

F. Roofs

1. Roofs shall be designed as individual design elements and be utilized to block equipment and satellite dishes.
2. The use of wood shake or clay tile roofing materials are prohibited.
3. The use of mansard or gambrel roofs are prohibited, see Mixed Use Illustrative Guide page 16 for example.

G. Parking Garages

1. To emphasize the community character of the site and to break up its overall volume appearance, parking garage façades shall incorporate at least two of the following elements:
  - a. Architectural Elements; examples include cornice, piers, columns, frieze, quoin, mullion, fenestration, pilasters, rustication and/or belt course.
  - b. Variation in Wall Planes; examples include wall openings, canopies, articulations, wall breaks, balconies and/or awnings.
  - c. Change in Materials and Color; defined as a minimum of 2 separate materials or color changes excluding glazing. Each separate material or color change shall be at least 20% of the façade's appearance excluding glazing.
2. Steel parking garages and steel guard cables on garage façades are prohibited.
3. Parking garage façades shall be designed with distinguishable first floor, upper façades and roofs. Parking garage first floors shall be designed at human scale with elements such as awnings, canopies, window breaks and door openings.
4. Parking garage façades shall be designed to complement the surrounding buildings' architectural character.

H. Site Furnishings, also see Mixed Use Illustrative Guide pages 11-13 for examples.

1. Site furnishings, including benches, litter receptacles, planters, bollards, lighting, bicycle racks, public art and fountains shall emphasize the architectural character of each individual Mixed Use development, see Illustrative Guide for examples.
2. Individual Mixed Use developments shall maintain continuity in site furnishing's style, forms, materials and color. Site furnishings shall be of the same architectural character of the surrounding buildings.
3. Site furnishings shall be low maintenance and resistant to vandalism.
4. Site furnishings shall maintain an unencumbered walkway for pedestrians.
5. Lighting for off street parking facilities and pedestrian corridors shall be of the same height, style and color per development. Lighting shall be of the same architectural style and character as the surrounding buildings.