

## **SECTION 17-22.8.1 "MU-SC" MIXED USE – SHOPPING CENTER DISTRICT REGULATIONS**

(a) **Use Regulations:** A building, premise or development shall be used only for office, retail, restaurant and service uses, or a mix of those uses, which are primarily retail or residential in nature, including apartments (for sale or for rent units) and single family attached dwelling units (townhouses).

Uses may include those listed in the Office District zoning classification, as well as:

- (1) Department Stores and similar retail stores.
- (2) Professional service offices, such as doctors, medical and dental clinics, attorneys, architects, engineers, real estate, insurance, veterinarian clinics with no outside runs and other professional offices.
- (3) Corporate and administrative offices.
- (4) Restaurants, including those with outdoor seating areas.
- (5) Apartments (for sale or for rent units) and single family attached dwelling units (townhouses).
- (6) Grocery stores.
- (7) **Hotels**
- (8) Video rental stores, movie theaters and other indoor amusements.
- (9) Barber and beauty shops.
- (10) Book, card, gift and stationary stores.
- (11) Dry cleaning and laundry services.
- (12) Gasoline service stations, excluding those with motor or transmission repair services.
- (13) Florists.
- (14) Day Nurseries.
- (15) Church Worship Facilities.
- (16) Schools, private, with full curriculum accredited by the State of Texas equivalent to that of a public elementary, middle or high school.
- (17) Buildings and uses owned or operated by public governmental agencies.
- (18) Other retail, office and service uses of a similar nature subject to the following conditions:
  - a. The incidental display or sale of merchandise placed on private sidewalks in front of the store selling the merchandise shall be allowed during store operating hours. Uses involving overnight outside display of merchandise shall be prohibited except for seasonal sales for periods not to exceed 30 consecutive days and a maximum 60 days per year (i.e. Christmas tree sales and sidewalk sales).
  - b. Outside storage or display is prohibited, except as noted in section "a." above.
  - c. Platted Front and side yards shall not be used for storage of merchandise, equipment, or waste containers, except as noted in section "a." above.
  - d. The use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.
  - e. Only residential uses shall be allowed in Apartment and Townhouse units except commercial uses qualifying as a Home Occupation.
- (19) Temporary buildings for uses incidental to construction work on the premises. Such buildings shall be removed upon the completion or abandonment of construction work.
- (20) Accessory buildings and uses customarily incident to any of the above uses, provided that such not be objectionable because of odor, smoke, dust, noise, vibration or similar nuisance.

(b) **Mix of Uses Required:** No building permit for apartments or townhouses may be issued unless there is also a building permit issued for a minimum of 450 square feet of building space for retail or office uses for every dwelling unit within any development, or such space already exists and will remain within the shopping center or development. Commercial and residential uses may be combined within a building or may be located in separate buildings. Parking lots and parking buildings will not count toward the required commercial space.

(c) **Height Regulations:** No building shall exceed 35 feet in height, except that a building may be erected to a height of 80 feet if set back from all required yard lines a distance of one foot for each two feet of additional height above 35 feet. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for single family residential use exceed the height allowed in that residential zoning district.

(d) **Area Regulations:**

(1) **Size of Yards:**

- a. **Front Yard:** There shall be a front yard having a minimum depth of twenty-five (25) feet.
- b. **Side Yard:** A side yard of not less than fifteen (15) feet shall be provided on the side of a lot adjoining a side street, otherwise no side yard setback is required.
- c. **Rear Yard:** No rear setback is required except that a rear setback of not less than twenty-five (25) feet shall be provided upon that portion of a lot abutting or across the street from a residential district.

(e) **Apartment Use:**

(1) **Minimum Dwelling Size:**

The floor area of any apartment unit shall contain a minimum of 500 square feet of livable floor space, but units within any single building must contain an average of 800 square feet of livable floor space, excluding garages, porches, breezeways, common entry halls or common storage.

(f) **Single Family Attached (Townhouse) Use:**

(1) **Minimum Dwelling Size:**

The floor area of each townhouse unit shall contain a minimum of 1,200 square feet of livable floor space, exclusive of garages, porches, breezeways, common entry halls or common storage.

(2) **Size of Lot:**

- a. **Lot Area:** No building shall be constructed on any lot less than 1,700 square feet per dwelling unit.
- b. **Lot Width:** The width of a lot shall not be less than 20 feet at any point.
- c. **Lot Depth:** The depth of a lot shall not be less than 75 feet at any point.

(g) **Concept Plan Required:** At the time of submitting a request for a change in zoning to Mixed Use Shopping Center, the applicant shall include a concept plan for the proposed development. **Concept Plan:** This shall include a comprehensive narrative, complete with illustrations, outlining the proposed development in detail. The concept plan shall be submitted by the applicant at the time of the zone change request. The concept plan shall show the applicant's intent for the use of the land within the proposed zoning district in a graphic manner and as may be required, supported by written documentation of proposals and standards for development.

1. The concept plan shall include and is not limited to the following:

- a. General uses and location of buildings;
- b. Thoroughfares and access;
- c. Preliminary lot layout;

- d. Size, type and location of buildings and building sites;
- e. Density, number of dwelling units, square feet of non-residential uses;
- f. Screening;
- g. Concept landscape plan;
- h. Lighting plan;
- i. Building elevations in color (1 set);
- j. Exterior finish material and architectural character;
- k. Open Space and amenities;
- l. Phasing plan
- m. Project scheduling; ,
- n. Items not consistent with the City of Lewisville General Development Ordinance; and requested variances
- o. Traffic study (if needed)
- p. Physical features of the site;

The plat and engineering site plan shall be substantially consistent with the concept plan approved with the zoning request. If the number of dwelling units, total amount of non-residential uses, proposed open space and amenities differs from the concept plan by more than ten percent (10%) the applicant will be required to file a new zone change request. Changes to the concept plan not impacting the above conditions including changes in the building layout may be approved by the Planning and Zoning Commission with an amended concept plan and narrative submittal explaining the conditions for change. Denials may be appealed to the City Council for a final resolution.