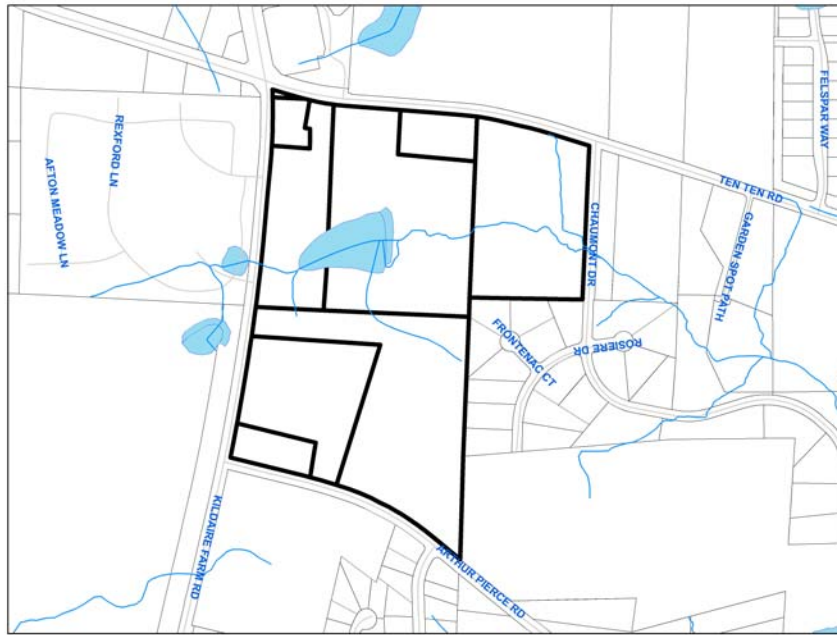


1.1 PURPOSE

The Franks Farm PDD is a ±58.33 acre mixed-use community focused on residential, commercial/retail, and office uses.

1.2 APPLICABILITY

This zoning district shall apply to the geographic land area shown on the following map and on the Official Zoning Map as adopted by the Town Council or as may be amended. This property is currently not within Cary’s jurisdiction but will be annexed into the town limits before or at the time of rezoning approval.



Vicinity Map for the Proposed PDD

1.3 GENERAL DEVELOPMENT

1.3.1 Land Uses

The Master Plan provides a maximum of 90,000 square feet of commercial/retail, 20,000 square feet of office, a maximum of 125 single-family detached and 50 single-family attached (townhome) products.

An overall density of 3.0 dwelling units per acre is proposed with a mix of residential, commercial/retail and office. This request also includes the request for this land to be added to the Millpond Village Activity Center.

1.3.2 Vehicular and Pedestrian Circulation

The proposed development will provide vehicular and pedestrian circulation. Refer to the conceptual Circulation Plan for additional details.

1.3.3 Buffers, Open Space and Recreational Facilities

The open space land dedication requirement is 4.37 acres. The total of all private open space is 18.68 acres, this number includes perimeter, streetscape and stream buffers, and other natural areas.

Perimeter buffers are indicated on the Open Space Plan. Where adjacent property is vacant, one-half of the required buffers will be provided. Streetscape buffers for the residential development along SR1010, Arthur Pierce Road, and Kildaire Farm Road shall be planted to the Town's streetscape standards within Activity Centers and as described in Exhibit 1.9.3.

1.3.4 Utilities

Water and sanitary sewer service will be provided to this project via extensions of current Town of Cary utility lines. The project is tributary to the Camp Branch basin to the east. Connection to the existing 42" Camp Branch interceptor will require approximately 5,000 feet of off-site 8" sewer that will traverse through downstream properties. This extension is part of the fully funded, Town of Cary Capital Sewer Project known as the Upper Camp Branch Interceptor. Construction of this sewer main to the Franks property is scheduled to be completed prior to development of this project.

The anticipated maximum amount of average daily flow for this project is 62,200 gpd based on 175 units at 280 gpd/du and 110,000 SF commercial/office at 0.12 gpd/sf.

Water service will be provided via connection to the existing 24" main within SR1010, the 12" main within Kildaire Farm Road and the 12" watermain in Arthur Pierce Road. Approximately 900 LF of 12" DIP line will need to be extended along the frontage of Arthur Pierce Road in accordance with Town of Cary requirements. This line will be eligible for oversize cash reimbursement in accordance with Town of Cary Policy.

Waterline connections within the development will consist of 8" lines that will be looped internally within the project. The actual location of the waterlines, sizing, and connections will be determined during construction plan preparation and will be in accordance with Town of Cary Standard Specifications and Details.

1.3.5 Storm Drainage

This development is tributary to Camp Branch, which is tributary to Middle Creek in the Neuse River basin. This project is subject to the Town of Cary Stormwater Management requirements as outlined in the LDO. Appropriate BMPs will be proposed to provide total nitrogen control and 1-year design storm peak

attenuation. These measures will address stormwater management on an overall development basis for this PDD. Best management practices may include wet detention ponds, dry detention ponds, constructed wetlands, alternative level spreaders, and other innovative practices as approved by the Town of Cary. Actual design of these facilities will be completed as part of the construction drawing process.

1.3.6 Phasing

This project is anticipated to develop in two phases although the phasing schedule may change due to changes in market conditions.

Phase	Tract	Number of Units	Phasing Schedule
Phase I	Tract A-C	90,000 s.f. retail, 20,000 s.f. office and 72 SF and 50 TH	2006-2009
Phase 2	Tract C	53 SF	2009-2012

1.3.7 Road Improvements

Roadways

This project is located at the southeast quadrant of the intersection of SR1010 (Ten Ten Road) and Kildaire Farm Road.

Widening of SR1010, Kildaire Farm Road, and shall be completed to the thoroughfare sections provided in Exhibit 1.9.8 of this document. Arthur Pierce Road will be constructed in accordance with the Town of Cary’s Comprehensive Transportation Plan. Thoroughfare improvements and right-of-way dedication for SR1010, Kildaire Farm Road and Arthur Pierce Road, shall be eligible for reimbursement in accordance with Town of Cary policy. A request for a developer agreement will be submitted prior to bidding the project.

Access to these thoroughfares shall be coordinated with NCDOT and the Town of Cary. Driveway permits will be required by NCDOT as well as encroachment agreements for the widening.

The typical internal street sections will meet the typical sections required by the Town Standard Specifications and Details with curb and gutter and sidewalk on one side of the street except for cul-de-sacs less than 200’ where sidewalk is not required. Right-of-ways consisting of 50’ may be considered where preservation of rear yards is desirable.

1.4 SUBDISTRICTS CREATED AND DEFINED

In order to present the full range of zoning and development requirements for each different area, this zoning district is divided into sub-districts as follows.

Sub -district	Acres	Max. Number Units	Max Density
A	9.94	90,000 SF retail 20,000 SF office	-
B	3.93	50	12.72 du/acre
C	24.39	125	5.45 du/acre
ROW	1.39	-	-
Perimeter Buffers	1.54	-	-
Streetscape Buffers	2.90	-	-
Additional Open Space/Rec.	14.24	-	-
Totals	58.33	175	3.0 du/acre

1.5 ALLOWED USES

Principal uses allowed in each sub-district are detailed in the Use Table contained in this Section. Accessory or ancillary uses normally associated with these primary uses and which do not constitute more than 25% of the gross floor area on a site are allowed in conjunction with the principal use.

TABLE OF PERMITTED USES

The table below sets forth the uses allowed within all districts.

Explanation of Table Abbreviations:

(A) **Permitted Uses**

A “P” in a cell indicates that a use category is allowed “by right” in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Ordinance, including the General Development Regulations set forth in Chapter 7 of the L.D.O.

(B) **Special Uses**

An “S” in a cell indicates that a use category is allowed only if reviewed and approved as a special use, in accordance with the special use review procedures of Section 3.8 of the L.D.O.

(C) **Accessory Uses**

An “A” in a cell indicates that a use category is allowed by right as an accessory, ancillary, or incidental use to a legally-established principal use in the respective zoning district. Accessory uses are subject to all other applicable regulations of the L.D.O.

(D) **Prohibited Uses**

A blank cell indicates that the use type is prohibited in the zoning district.

(E) **Additional Regulations**

Regardless of whether a use category is permitted by right, as a special use, or as an accessory use, there may be additional regulations that are applicable to a specific use. The existence of these use-specific regulations is noted through a section reference in the last column of the use summary table entitled “Additional Regulations”. References refer to subsections of Section 5.2 in the L.D.O., Use-Specific Regulations. These regulations apply to all districts unless otherwise specified and may not be varied.

PERMITTED USE TABLE FOR FRANKS FARM PDD

Use Category	Use Type and Use Class	SF Detached Tract	SF Attached Tract	Comm. Tract	Use Standards
Residential					
Household Living	Boarding House				5.2.1(A)
	Caretaker Residence				5.2.1(B)
	Detached Dwelling	P			
	Duplex Dwelling				
	Manuf. Home				5.2.1(J)
	Manuf. Home Park				
	Mobile Home				
	MF Dwelling				5.2.1(F)
	Patio Dwelling				5.2.1(H)
	Residential in Non-Residential Building				5.2.1(I)
	Semi-detached/ attached dwelling		P		
	Townhome		P		5.2.1(K)
Public and Intuitional					
Gov. Service	All	P	P	P	
Cultural Facilities	Library			P	
	Museum			P	
Park & Open Space	Athletic Field, Public			S	5.2.2(A)
	Community Garden	P	P	P	
	Outdoor Amphitheater, Public			S	
	Public Park	P	P	P	
	Neigh. Recreation Center, Public	P	P	P	5.2.2(D)
	Resource Conservation Facility	P	P	P	
Public Safety Station	All	P	P	P	
Religious Assembly	All			P	
Educational	Pre-school			S	
	College			P	
	School			P	
Non-Gov. Util.	Utility Sub-station	P	P	P	

PERMITTED USE TABLE FOR FRANKS FARM PDD (continued)

Use Category	Use Type and Use Class	SF Detached Tract	SF Attached Tract	Comm. Tract	Use Standards
Commercial					
Animal Service	Kennel, Indoor			P	5.2.3(E)
	Kennel, Indoor, Outdoor			S	5.2.3(E)
	Veterinary Hospital/Office w/ Indoor Kennel			P	5.2.3(O)
	Veterinary Hospital/Office w/Outdoor Kennel			S	5.2.3(O)
Assembly	Club, Lodge or Hall			P	5.2.3(E)
Financial Institution	Bank w/ drive-through service			P	
	Bank w/out drive-through service			P	
Food and Beverage	Nightclub/Bar, Indoor			P	5.2.3(G)
	Nightclub/Bar, Outdoor			P	5.2.3(G)
	Restaurant, w/outdoor			P	5.2.3(K)
	Restaurant, indoor			P	5.2.3(K)
Office	Office, Business or Professional			P	
	Radio or TV Broadcasting Studio			P	
Public Accommodation	Guest House			P	5.2.3(D)
	Hotel or Motel			P	5.2.3(R)
Recreation & Entertainment, Indoor	Amusement Establishment			P	
	Commercial, Indoor Recreation Facility			P	5.2.3(F)
	Pool or Billiard			P	
	Theater, Large			P	
	Theater, Small			P	
Retail Sales and Service	ABC Store			P	
	Convenience Store			P	5.2.3(B)
	Farm Market			P	

PERMITTED USE TABLE FOR FRANKS FARM PDD (continued)

Use Category	Use Type and Use Class	SF Detached Tract	SF Attached Tract	Comm. Tract	Use Standards
	Funeral Home			P	
	Postal Center, Private				5.2.3(I)
	Personal Service			P	5.2.3(K)
	Retail Store			P	5.2.3(K)
	Sexually Oriented Business			S	5.2.3(M)
	Trade School			S	5.2.3(S)
Parking	Parking Lot			S	5.2.3(J)
	Parking Structure				
Vehicles and Equipment	Auto Sales/Rental			P	5.2.3(Q)
	Car Wash			P	5.2.3(N)
	Towing and Vehicle Storage				5.2.3(N)
	Heavy Equip Sales/Rental				
	Vehicle Filing Station			P	5.2.3(N)
	Vehicle Service/Repair			P	5.2.3(N)

1.6 STANDARDS FOR NEW DEVELOPMENT

1.6.1 Compliance with Development Plan Procedures Required

All new development shall be subject to development plan review in accordance with Section 3.10 of the Cary Land Development Ordinance.

1.6.2 General Development Requirements

As applicable, the following general requirements shall govern development within Franks Farm:

- (A) Measurement of Acreage, Density, and Units**
All acreage within the development is subject to final field survey. Acreage may also vary due to variations in parcel configuration. Therefore, densities may vary from the numbers shown on the Master Land Use Plan. In no case, however, shall the number of units increase above the number approved for each tract.
- (B) Reduction of Building Setbacks**
All building setbacks may be reduced a maximum of 10% by Town of Cary staff.
- (C) Interior Buffers**
There will be no interior buffers required between any uses throughout the district.
- (D) Open Space Configuration and Dimensions**
The exact configuration and dimension of open space areas shall be determined at the time of subdivision or site plan approval. No additional recreational space or open space above and beyond what is specified in the PDD Document shall be required of any parcel.
- (E) Sidewalks**
Sidewalks will be provided per the Town of Cary requirements.
- (F) Access Points**
The exact location of access points shall be determined at subdivision or site plan approval. Additional access points may be added if warranted by type of land use, topography, or type of housing.
- (G) Street Connectivity**
Connectivity requirements of the Town of Cary will be met.
- (H) Greenways**
Greenways or greenway easements will be provided per Town of Cary requirements.

- (I) Pedestrian Crossings**
Marked pedestrian crossings will be provided within the development.
- (J) Additional Parkland Fees**
Parkland fee credits will be given for any greenway trails and multi-purpose paths as agreed on by the developer and the Town of Cary.
- (K) Road Sections**
Road sections within Franks Farm will be built in accordance with section 1.9.2 of this document. Right of way will be dedicated as site plans are submitted to the Town for approval for property.

1.7 SPECIFIC DEVELOPMENT STANDARDS

The following development standards shall apply to all uses within each sub-district of the Franks Farm Planned Development District:

Use	Minimum Lot Dimensions	Minimum	Minimum Building Setbacks			Max. Height (ft)
	Area (sf)	Width (ft)	Roadway (ft) Front	Side (ft)	Rear (ft)	
SF Detached dwellings	5,000 sf or 8,000 sf <u>ONLY</u> when adjacent to the Grenadier Subdivision	50'	20'	10' Aggregate	20'	40'
SF Attached, (townhomes)	-----	16'	10'	Between Building Groups: 16' Interior Side: 0	15'	40'
Retail/ Commercial	-----	-----	15'	10'	0'	40'

1.8 OPEN SPACE, BUFFERS AND STREETSCAPES

1.8.1 Open Space

The PDD is required to dedicate 4.37 acres of land to the Town of Cary in public open space with additional parkland dedication. Calculations are shown below and are also found on the Open Space Map. Proposed open space to be dedicated to the Town is 18.68 acres.

Open Space Dedication Requirement:
Required

4.37 acres

Proposed:

Perimeter Buffers 1.54 acres
 Streetscape Buffers 2.90 acres
 Additional Open Space 3.99 acres
 Stream Buffers 10.25 acres

Total Private Open Space Proposed 18.68 acres

1.8.2 Streetscapes

Streetscapes will be planted in accordance with Exhibit 1.9.3.

1.8.3 Stream Buffers

Stream buffers within the PDD, with the exception of required street and utility crossing, shall be undisturbed land areas reserved adjacent to streams to protect water quality, as shown on the Master Land Use Plan. Grading is allowed in stream buffers only for street crossings, pedestrian paths, utility extensions, stormwater devices and as permitted within the Town's Watershed Protection Ordinance. Lotting will not be permitted in any resulting stream buffers.

1.8.4 Undisturbed Buffers

Perimeter buffers adjacent to existing residential uses shall remain undisturbed where vegetation is present, except for the construction of streets, pedestrian paths, utilities, berms, and water quality devices. Disturbed perimeter buffers shall be re-vegetated according to Town of Cary Type B buffer requirements. Lotting is not permitted in undisturbed buffers, and they will be maintained by the Homeowners Association as common open space. In order to promote healthy vegetation within undisturbed buffers, underbrush and trees (less than 5" caliper for larger trees and less than 2" caliper for under-story trees) may be trimmed or removed. Where adjacent property is vacant, one-half of the required buffer will be provided.

Tree surveys in undisturbed buffers will not be required provided tree protection measures are in place prior to land disturbance.

1.9 MAPS AND EXHIBITS

- 1.9.1 Conceptual Master Land Use Plan**
- 1.9.2 Conceptual Circulation Plan**
- 1.9.3 Conceptual Open Space and Buffer Plan**
- 1.9.4 Conceptual Water and Sewer Plan**
- 1.9.5 Conceptual Stormwater Plan**
- 1.9.6 Conceptual Phasing Plan**
- 1.9.7 Base Map**
- 1.9.8 Typical Roadway Cross Sections/Road Improvements**