

**Town of Cary, North Carolina
Staff Report
14-REZ-18 Amendments to the Alston Activity Center Concept Plan
Town Council Meeting
August 14, 2014**

REQUEST

This Town-initiated request is for proposed amendments to the Alston Activity Center Concept Plan (ACCP) including changes to the neighborhood description, allowed uses and development limits, and design zones associated with the Petty Farm Neighborhood. The subject properties are located in the southeast quadrant of the Alston Regional Activity Center, bounded by I-540, CSX Railroad, Good Hope Church Road, and NC Highway 55, on approximately 142.01 acres.

NOTE: The purpose of the rezoning is to determine whether or not the land uses and densities allowed in the proposed zoning district are appropriate for the site. Technical design standards of the Land Development Ordinance are addressed during review of the site or subdivision plan and can be found at <http://www.amlegal.com/library/nc/cary.shtml>.

SUBJECT PARCELS

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
Triangle Brick Co 0 NC 55 Highway	0736405874 portion	0071197 portion	0.35
KRG PRISA II Parkside LLC 0 NC 55 Highway	0736511799	0342627	0.37
Triangle Brick Co 4720 NC 55 Highway	0736501886	0071196	37.58
Triangle Brick Co 0 NC 55 Highway	0735495878	0289282	5.92
Triangle Brick Co 0 Petty Farm Road	0735595724	0071195	39.25
Clayton, Phyllis W & Louise S 1752 Petty Farm Road	0735591114	0013469	2.09
Petty, John W 1725 Petty Farm Road	0735584609	0055089	2.85
Struble Raleigh Lots LP 0 NC 55 Highway	0735586323	0087540	2.87
Petty Farm LLC 1629 Petty Farm Road	0735578877	0051726	2.61
Nutt, Floyd Douglas 1720 Petty Farm Road	0735681885	0051725	13.93
Triangle Forest Propducts INC 1708 Petty Farm Road	0735683504	0302182	13.93
Slate, Terry E 4404 NC 55 Highway	0735674645	0101360	17.26
Town of Cary 6840 Good Hope Church Road	0735676090	0413336	2.00
Total Area			142.01+/-

PROJECT SUMMARY

The Planning Department staff has received a request from a developer and some property owners to allow for single-family detached housing within the Petty Farm Neighborhood section of the Alston Activity Center. Staff has evaluated this request, believes it has merit, and has submitted a Town-initiated rezoning case for the following amendments to the Alston Activity Center Concept Plan (ACCP):

1. Chapter I – Introduction: Revision to the Petty Farm Neighborhood Character description to add single-family detached homes as a housing type and focus non-residential and mixed use development along NC Highway 55;
2. Chapter II – Allowed Uses and Development Limits: Add single-family detached housing to the allowed residential unit types in Table II.1, Use and Limits by Traffic Analysis Zone (TAZ); add language to Additional Limits and Conditions for Table II.1 to require a minimum amount of non-residential development in the Petty Farm Neighborhood;
3. Chapter III – Design Standards: Within the Petty Farm Neighborhood, change the design zone map to remove the Town Center (TC) designation and a portion of the Neighborhood Center (NC) designation, and add the Neighborhood General (NG) designation that allows single-family detached housing.

The **Amendments to the Alston Activity Center Concept Plan** section below includes more detailed information about these proposed amendments.

BACKGROUND INFORMATION

Applicant & Agent	Meredith Chandler, PLA, AICP Town of Cary Planning Department 919-460-4983 meredith.chandler@townofcary.org		
Acreage	142.01 ±		
General Location	Southeast quadrant of the Alston Regional Activity Center, bounded by I-540, CSX Railroad, Good Hope Church Road, and NC 55 Highway		
Schedule	Public Hearing June 12, 2014	Planning & Zoning Board July 21, 2014	Town Council August 14, 2014
Land Use Plan Designation	Mixed Use (MXD)		
Existing Zoning District(s)	Base zoning varies with Alston Regional Activity Center Overlay District		
Existing Zoning Conditions	<p>The following conditions are applicable to the property with Wake County PIN 0735495878:</p> <p>Industrial Performance District Conditions:</p> <ol style="list-style-type: none"> 1. All of the special uses allowed under 40.1 (e) (5) (A) would be prohibited including manufacturing: MANUFACTURING - Fertilizing plants, chemical plants, meat packing plants, slaughter houses, copper works, enameling, lacquering or the plating of galvanized metals, foundries for iron and steel, oxygen manufacturing, poultry dressing, railroad freight yards, repair and manufacturing, soap detergent and washing compound, stonecutting, refineries, nuclear and hazardous waste storage, natural gas storage, and nuclear plants. 2. 25-foot buffer around edge of proposed lake (if lake is feasible). 3. Building footprint limited to 40% coverage of each parcel. 4. All building exteriors are to be compatible and coordinated. <p>Business-2 District Conditions:</p> <ol style="list-style-type: none"> 1. Prohibited Uses: Auto sales Auto repairs and Storage Auto wash Bottling establishments Tire recapping and retreading Venetian blind manufacturing 2. No free standing convenience stores 3. All architecture (both B-2 districts) including outparcels will be compatible and coordinated. 4. All signage (both B-2 districts) will be compatible and coordinated. 		

	5. All outparcels will have inward oriented access. 6. Auto access will be limited to one main entry on NC 55; other entry driveways will be off street from NC 55.
Proposed Zoning District(s)	No change
Proposed Zoning Conditions	No change
Town Limits	Mix of within Town limits and ETJ.
Valid Protest Petition	No
Planning and Zoning Board Recommendation	Approval, 9 - 0

SUMMARY OF PROCESS AND ACTIONS TO DATE

Rezoning Process

As per the LDO 4.4.2(H), Changes to the Preliminary Development Plan Component of an Approved Mixed Use Zoning District (MXD) (Including Activity Center Concept Plans and Mixed Use Sketch Plans), staff may approve changes to approved ACCPs if such changes fall within the criteria allowed for administrative approval under Section 3.19, Minor Modifications, and also provided that such changes do not reduce buffer widths or buffer standards adjacent to residential development and/or change the overall concept of the plan. The proposed amendments do not change any of these items; however, the Alston Plan includes a provision for plan re-evaluation on a regular basis, typically every two years, by Town Council. Staff believes this change to the Alston ACCP fits in with the plan re-evaluation process and should be decided upon by Town Council through the rezoning process.

Notification of Town Council Public Hearing

On May 22, 2014, the Planning Department mailed notification of a public hearing on the request to property owners within 800 feet of the subject property. Notification consistent with General Statutes was published on the Town of Cary website on May 23, 30, and June 6, 2014, 2014. Notice of the public hearing was posted on the property on May 29, 2014.

Town Council Public Hearing (June 12, 2014)

At the public hearing, staff presented this Town-initiated rezoning request. Two people spoke at the public hearing. Steve Leach stated that Lennar Homes is interested in developing single-family detached and attached residential, similar to the Inside Wade neighborhood in Raleigh, in a portion of the Petty Farm Neighborhood. Mr. Leach said his company has listened to council concerns and support preserving existing non-residential uses allowed under the Alston Plan along NC 55 Highway and the future McCrimmon Parkway extension. Terry Slate stated he owns 17 acres on the southern portion of the Petty Farm neighborhood and doesn't have any problem with allowing single-family homes in the Petty Farm area. He asked council to consider the following items: shift the Town Center design zone along the east-west collector to the McCrimmon Parkway area, reevaluate the allowed uses; he believes Petty Farm is overly concentrated with office floor space allocation, and transportation systems with one railroad crossing instead of two should be reevaluated.

Questions from Town Council

Council asked if either of the two railroad crossings are planned to be grade separated. Assistant Town Manager Tim Bailey said the intersection with the future collector location in the middle of the Petty Farm Neighborhood is planned to be grade separated. Council asked what the Town can do so Mr. Slate maintains his zoning entitlement. Staff said as long as land owners and developers follow the Alston Plan standards, a proposed development is a staff level site plan review, and a rezoning would not be required. Council also asked if the Alston Plan requires the Petty Farm Neighborhood to be planned holistically. Staff said if Lennar submitted a single-family development plan, they will only have to show a plan for the property they are developing. There are several Petty Farm neighborhood property owners, so it depends on the number of properties assembled when the plan comes in. She said the Alston Plan was designed to work either with full neighborhood submittals or with portions of a neighborhood; the vision for Alston is defined by allowed uses and development limits and by the design zones. Staff noted the entire neighborhood was included as subject properties, instead of just the property Lennar is interested in, because it is important to look at the entire neighborhood as a whole. Staff said the hybrid form based requirements of the Alston Plan are designed to create consistency throughout the area.

Council asked how many residential units could be built by Lennar. Staff said up to 770 residential units are allowed in the entire Petty Farm Neighborhood, allocated proportionally based on acreage. Based on the acreage of the land they are interested in developing occupying about half of the Petty Farm Neighborhood,

Lennar would likely be entitled to half of the residential unit allocation. Council asked staff to define the difference between the Neighborhood Center and Town Center design zones. Staff said both allow the same uses—mixed use, commercial, office, multi-family, live/work, and attached single-family. The main difference between the two zones is the required length for the main street—2400 linear feet in the Town Center design zone, and 1200 linear feet in the Neighborhood Center design zone. Council also asked for clarification on what the Neighborhood General design zone allows. Staff replied that Neighborhood General only allows single-family attached and detached housing.

Comments from Town Council

Several council members said the Petty Farm Neighborhood description in the Alston plan is ambiguous, and the language needs to be more precise.

Ms. Robinson expressed concern about the plan moving away from an overall mixed use intent by including a residential only design zone. The plan for Petty Farm should be done holistically with all of the landowners coming forward with a more cohesive plan. A developer needs a compelling case to move land from office and institutional to residential. Ms. Robinson is also concerned about the lack of school capacity in the vicinity and said council should continually work with the school board on addressing capacity. Mr. Frantz also said given the intense commercial development in the Alston area, he expressed concern about the viability of office space. Ms. Bush said she would rather see retail and commercial on NC 55 Highway for the visibility, not houses.

Mr. Frantz said he would like to know how many townhomes and single-family homes could be built, and how many if it's mixed housing types. This will help council understand the possible density of development.

Mr. Yerha said the rezoning request has merit.

Changes Since the Town Council Public Hearing

Based on questions, comments, and concerns expressed at the Town Council public hearing, staff has proposed revisions to the Petty Farm Neighborhood description and added a new condition for Table II.1, Use and Limits by TAZ, that requires a minimum amount of non-residential development in the Petty Farm Neighborhood. Details are explained below under the section, **Amendments to the Alston Activity Center Concept Plan**.

Notification of Planning and Zoning Board Public Hearing

Consistent with NC General Statutes, notice of the public hearing on the proposed rezoning was mailed to property owners within 800 feet of the subject property, published on the Town's website and posted on the subject property.

Planning and Zoning Board Public Hearing (July 21, 2014)

Steve Leach from Lennar Homes spoke about the ACCP and the vision of mixed-use development. He said the amendment would encourage office development outside of the single-family allotment and would encourage a decrease in density. He noted that Lennar's Inside Wade development, a potential model for a development in Alston's Petty Farm Neighborhood, has lower impacts on the school system than traditional single-family developments. Eric Evenson, a property owner in the Petty Farm Neighborhood, stated he was a life-long resident of the area. He indicated support of the proposed amendments to the Alston ACCP. He said he believed Petty Farm Road should go away in the future, and he shared concerns about the financial feasibility for a developer to extend McCrimmon Parkway.

Questions and Discussion

A board member asked if the existing business could still operate if this rezoning request is approved. Staff confirmed that Triangle Forest Products could still be in place. Another member asked if it was too early in the process for Lennar to provide a development plan. Staff said it was too early to add a layout and noted any references to Inside Wade, or any sketch plans, are not tied to this rezoning case. The question was asked about the effect the amendment would have on a total number of units allowed in TAZs 14 and 15. Staff stated the residential unit allocation as per the Alston Plan is 420 in TAZ 14 and 350 in TAZ 15. About 280 – 350 housing units may be possible in TAZ 14 if this Alston ACCP amendment package is approved in TAZ 14; this is less than what is currently allowed. Mr. Rogers asked why single-family-detached housing was not allowed in the Petty Farm Neighborhood when the Alston Plan was conceived. Staff explained that

based on the location of the railroad tracks and roadways, this area was not envisioned for a family-friendly neighborhood. Board members asked about the future of Petty Farm Road and McCrimmon Parkway, and about the location of the main street. Staff responded that all of these items would be determined at site plan level.

Planning and Zoning Board Recommendation

The board voted unanimously to recommend approval of this rezoning request. Multiple board members said they liked the expansion of residential types as well as the certainty of mixed use development in Alston's Petty Farm Neighborhood.

CRITERIA FOR CONSIDERATION IN REVIEWING REZONINGS

Section 3.4.1(E) of the Land Development Ordinance sets forth the following criteria that should be considered in reviewing rezonings:

1. The proposed rezoning corrects an error or meets the challenge of some changing condition, trend or fact;
2. The proposed rezoning is consistent with the Comprehensive Plan set forth in Section 1.3 (LDO);
3. The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation and utility facilities and services to the subject property while maintaining sufficient levels of service to existing development;
4. The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife and vegetation;
5. The proposed rezoning will not have significant adverse impacts on property in the vicinity of the subject tract;
6. The proposed zoning classification is suitable for the subject property.

AMENDMENTS TO THE ALSTON ACTIVITY CENTER CONCEPT PLAN

Background

The Alston ACCP was approved by Town Council on March 23, 2006. (The term "ACCP" preceded the name Mixed Use Sketch Plan and Preliminary Development Plan.) The plan specifies allowed uses and development limits, and sets design standards including site design requirements, circulation character, streetscape entry features, and public art locations.

On December 11, 2008, council approved amendments to the Alston Plan as part of a re-evaluation process. These amendments included addressing issues from Chapter II, Allowed Uses and Development Limits, and Chapter III, Design Standards, of the ACCP. Some key topics that required clarification were the identification of responsibility for residential unit type mixes, signage, application of the circulation type plans, streetscape entry features, and public art.

On December 13, 2012, council approved an amendment to the Alston Plan to replace the vertical mixed use design standard with a more general mixed use design standard.

Current and Proposed Standards

The requested amendments to the Alston ACCP include the following items:

Petty Farm Neighborhood Description

The Alston ACCP includes five neighborhoods, each with an associated description defining the distinct character of the neighborhood.

Current Standard. The Petty Farm Neighborhood description is as follows:

The Petty Farm Neighborhood is located in the southeast quadrant of the study area. Retail along the collector running east-west through the neighborhood provides continuity from the Town Center across NC 55. Office, light industrial and housing types including multi-family, townhomes, and live-works are envisioned in this neighborhood. Due to the proximity of the freight rail line, single-family units are not currently planned. The topography and stream buffers in this neighborhood may limit building footprints.

Proposed Standard. The Petty Farm Neighborhood Description is proposed to be amended as follows:

The Petty Farm Neighborhood is located in the southeast quadrant of the Alston area. Office, retail and housing types including multi-family, live-works, townhomes, and single-family homes are envisioned in this

neighborhood. Due to the proximity of the freight line, residential developments in the vicinity will have a unique character. The topography and stream buffers in this neighborhood may limit building footprints.

Proposed Standard - Revised. The Petty Farm Neighborhood Description is proposed to be amended as follows:

The Petty Farm Neighborhood is located in the southeast quadrant of the Alston area. Office, light industrial, retail and a variety of housing types are envisioned in this neighborhood. Nonresidential and/or mixed use development will both frame the neighborhood's main street and be located adjacent to NC 55 Highway and the future McCrimmon Parkway extension. Residential developments in Petty Farm will be conveniently located for work and play. The topography and stream buffers in this neighborhood may limit building footprints.

Allowed Uses and Development Limits

The Alston ACCP depicts 15 Traffic Analysis Zones (TAZs) established by the existing and planned roadway network, stream buffers, and ownership patterns.

Current Standard. Table II.1, Use and Limits by TAZ, in Chapter II of the Alston ACCP, includes the following allowed residential unit types in the Petty Farm Neighborhood: live/work, multi-family over commercial, multi-family, and single-family attached.

Proposed Standard. Table II.1, Use and Limits by TAZ, is proposed to be amended by adding single-family detached as an allowed residential unit type in the Petty Farm Neighborhood.

Current Standard. A list of additional limits and conditions follows Table II.1; there are no limits and/or conditions unique to Petty Farm Neighborhood, TAZs 14 and 15.

Proposed Standard. Add a seventh item to additional limits and conditions following Table II.1: In each of TAZs 14 and 15, located within the Neighborhood Center design zone, at least 50% of the area will include mixed use or non-residential development. Housing types incorporated into mixed use development may be live/work or multi-family over commercial.

Proposed Standard - Revised. Add a seventh item to additional limits and conditions following Table II.1: In TAZ 15, located within the Neighborhood Center design zone, at least 75% of the area will include mixed use or non-residential development. Housing types incorporated into mixed use development may be live/work or multi-family over commercial.

Both the proposed standard and revised proposed standard above for a seventh additional limit and condition following Table II.1, Use and Limits by TAZ, were presented at the Planning and Zoning Board meeting on July 21, 2014. Based on input from Petty Farm property owners and discussion at the Planning and Zoning Board meeting, the revised proposed standard is included in this package of amendments to the Alston ACCP.

Design Zones

The Alston ACCP is divided into five urban design zones: Town Center, Neighborhood Center, Neighborhood General, Neighborhood Edge, and Special District. Design Standards in the Alston ACCP vary according to zone, and describe how buildings and the street interface to create the character of the public realm, including such regulations as building placement, setbacks, height, and similar.

Current Standard: The Petty Farm Neighborhood currently includes two design zones, Town Center and Neighborhood Center. The descriptions of these two urban design zones are as follows:

Town Center: The Town Center is the most urban of the five zones and will be the heart of the new community. Therefore, the character shall be defined by a mix of uses with buildings close to the street, sidewalk pavement from curb to building and outdoor areas for sidewalk cafes and for community-wide gathering. This design zone must be used within the Alston Center Neighborhood and along the East-West Collector in the Petty Farm Neighborhood.

Neighborhood Center: The Neighborhood Center is a smaller center of neighborhood retail, office and residential and/or a transition between the Town Center zone and the Neighborhood General and Neighborhood Edge zones. This design zone includes commercial, office, and residential (multi-family and

single-family attached mixed with commercial and office or in proximity to commercial and office) outside the Town Center and Special District Design zones.

Proposed Standard: This case includes a proposed change to the urban design zones in the Petty Farm Neighborhood including removal of the Town Center design zone and addition of the Neighborhood General design zone. The description of the Neighborhood General urban design zone is as follows:

Neighborhood General: The Neighborhood General is a residential zone that provides a transition from the mixed use centers of the Neighborhood Center zone to residential as it meets the Neighborhood Edge or other natural features. This design zone includes attached and detached single-family housing and must be used between the Neighborhood Center zone and the Neighborhood Edge zone.

The Town Center design zone description is proposed to be edited as follows:

Town Center: The Town Center is the most urban of the five zones and will be the heart of the new community. Therefore, the character shall be defined by a mix of uses with buildings close to the street, sidewalk pavement from curb to building and outdoor areas for sidewalk cafes and for community-wide gathering. This design zone must be used within the Alston Center Neighborhood and along the East West Collector in the Petty Farm Neighborhood.

Results of Potential Amendments to the Alston ACCP

The change to a Neighborhood General urban design zone with single-family detached housing would have the following effects:

1. The character of the Petty Farm Neighborhood would change from all mixed use with a strong office component to some mixed use with a strong office component transitioning to a residential only zone.
2. The allowance of a fifth residential unit type results in a total of three different residential unit types (instead of two) being required in the Petty Farm Neighborhood.
3. Non-residential uses will need to be located in the Neighborhood Center design zone area along NC 55 Highway and the future extension of McCrimmon Parkway.

APPLICABLE COMPREHENSIVE OR AREA PLAN REQUIREMENTS

Northwest Area Plan

As per the Northwest Area Plan, the land use designation for the entire Alston ACCP area is Mixed Use (MXD). The proposed amendments have no impact on the Northwest Area Plan.

Growth Management Plan

The proposed amendments to the Alston ACCP have no impact on the Growth Management Plan.

Affordable Housing Plan

The proposed amendments to the Alston ACCP have no impact on the Affordable Housing Plan.

Comprehensive Transportation Plan

The proposed amendments to the Alston ACCP have no impact on the Comprehensive Transportation Plan.

Parks, Recreation & Cultural Resources Facilities Master Plan

The proposed amendments to the Alston ACCP have no impact on the Parks, Recreation and Cultural Resources Master Plan.

Open Space Plan

The proposed amendments to the Alston ACCP have no impact on the Open Space Plan.

Historic Preservation Master Plan

The proposed amendments to the Alston ACCP have no impact on the Historic Preservation Master Plan.

ORDINANCE FOR CONSIDERATION
14-REZ-18 Amendments to the Alston Activity Center Concept Plan

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF CARY TO CHANGE THE ZONING OF PROPERTY CONTAINING APPROXIMATELY 142.01 ACRES LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF I-540 AND NC 55 HIGHWAY BY AMENDING THE NEIGHBORHOOD DESCRIPTION, ALLOWED USES AND DEVELOPMENT LIMITS, AND DESIGN ZONES FOR THE ALSTON ACTIVITY CENTER CONCEPT PLAN

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARY:

Section 1:

The Official Zoning Map is hereby amended by rezoning the area described as follows:

PARCEL & OWNER INFORMATION

Property Owner(s)	County Parcel Number(s) (10-digit)	Real Estate ID(s)	Deeded Acreage
Triangle Brick Co 0 NC 55 Highway	0736405874 portion	0071197 portion	0.35
KRG PRISA II Parkside LLC 0 NC 55 Highway	0736511799	0342627	0.37
Triangle Brick Co 4720 NC 55 Highway	0736501886	0071196	37.58
Triangle Brick Co 0 NC 55 Highway	0735495878	0289282	5.92
Triangle Brick Co 0 Petty Farm Road	0735595724	0071195	39.25
Clayton, Phyllis W & Louise S 1752 Petty Farm Road	0735591114	0013469	2.09
Petty, John W 1725 Petty Farm Road	0735584609	0055089	2.85
Struble Raleigh Lots LP 0 NC 55 Highway	0735586323	0087540	2.87
Petty Farm LLC 1629 Petty Farm Road	0735578877	0051726	2.61
Nutt, Floyd Douglas 1720 Petty Farm Road	0735681885	0051725	13.93
Triangle Forest Proproducts INC 1708 Petty Farm Road	0735683504	0302182	13.93
Slate, Terry E 4404 NC 55 Highway	0735674645	0101360	17.26
Town of Cary 6840 Good Hope Church Road	0735676090	0413336	2.00
Total Area			142.01

Section 2:

That this Property is rezoned, subject to the individualized development conditions set forth in the "Alston Activity Center Concept Plan" document adopted March 23, 2006, and as amended December 11, 2008, and as amended on December 13, 2012, and on file in the Planning Department, amended as follows:

Petty Farm Neighborhood Description

The Petty Farm Neighborhood is located in the southeast quadrant of the study Alston area. ~~Retail along the collector running east-west through the neighborhood provides continuity from the Town Center across NC 55. Office, light industrial, retail and a variety of housing types including multi-family, townhomes, and live-works are envisioned in this neighborhood. Due to the proximity of the freight rail line, single-family units are not currently planned. Nonresidential and/or mixed use development will both frame the neighborhood's main street and be located adjacent to NC 55 Highway and the future McCrimmon Parkway extension. Residential developments in Petty Farm will be conveniently located for work and play. The topography and stream buffers in this neighborhood may limit building footprints.~~

Allowed Uses and Development Limits

In Table II.1, Use and Limits by TAZ, in Chapter II of the Alston ACCP, the Petty Farm Neighborhood includes the following allowed residential unit types: live/work, multi-family over commercial, multi-family, single-family attached, and single-family detached.

Add a seventh item to additional limits and conditions following Table II.1: 7. In TAZ 15, located within the Neighborhood Center design zone, at least 75% of the area will include mixed use or non-residential development. Housing types incorporated into mixed use development may be live/work or multi-family over commercial.

Design Zones

The urban design zones will be amended as per the proposed Design Zone map. The Town Center design zone description is proposed to be edited as follows:

Town Center: The Town Center is the most urban of the five zones and will be the heart of the new community. Therefore, the character shall be defined by a mix of uses with buildings close to the street, sidewalk pavement from curb to building and outdoor areas for sidewalk cafes and for community-wide gathering. This design zone must be used within the Alston Center ~~Neighborhood and along the East-West Collector in the Petty Farm Neighborhood.~~

Section 3:

The conditions proposed to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and to promote the public health, safety and general welfare, and accepted and approved by the Town are set forth in the "Alston Activity Center Concept Plan" document adopted March 23, 2006, and as amended December 11, 2008, and as amended December 13, 2012 and on file in the Planning Department, amended as described above in Section 2.

Section 4:

This ordinance shall be effective on the date of adoption.

Adopted and effective: *August 15, 2014*

Harold Weinbrecht, Jr.
Mayor

Date