

Town Center Design Guidelines Application and Review Process

All new construction, exterior renovations or remodeling, and building expansions, requiring permits through the Town, within Cary's Town Center District must be reviewed and approved, prior to construction, to ensure that they meet the intent and requirements of the Town Center Design Guidelines. Approval through the Design Guidelines does not replace or preclude other required permits or licenses although relevant information and material for other permits can and should be utilized.

Exceptions: (a). The alteration or improvement of an existing dwelling used as a single family dwelling unit.

The review and approval process involves the participation of the applicant, the Town through its staff and agents, and the community through the Downtown Development Review Committee. The process is designed to be thorough without being overly burdensome or lengthy. Applicants are strongly encouraged to familiarize themselves with the Design Guidelines prior to the design of the project in order to expedite the process.

Informational, Pre-Filing Meeting Prior to filing an application under these guidelines the applicant shall meet and confer with Town staff to discuss the project, submission and application materials required and to become more familiar with the applicable requirements and approval procedures of the Town.

Submission, Application Requirements

Required information should clearly and accurately describe the project in relationship to the existing building(s) and property, neighboring properties, the street, public rights-of-way, and pedestrian areas. The application must contain a written description of the property, all work to be done and the materials to be used. Illustrative documents should be provided whenever possible. This material may include, but is not limited to:

- 1) A map of the entire tract, including the boundary of the entire tract by courses and distances with references to true meridian and the location and dimension of all on-site and adjacent off-site easements, including but not limited to drainage, utility, public access, aerial utility, permanent and temporary construction easements.
- (2) The location and dimension(s) of all existing and proposed building(s) on the site.
- (3) The location and dimension(s) of all proposed or existing impervious surfaces on the site, including but not limited to driveways, sidewalks, parking lots, loading and other vehicular use areas, and curb and median cuts.
- (4) Property numbers of adjacent properties and proposed addresses of the proposed project.
- (5) Indicate front, side and rear setbacks for all existing and proposed structures.
- (6) On the initial site layout sheet (site plan applications), provide a listing of the following data:
 - a. Owner of the tract;
 - b. Zoning of the tract;
 - c. Area of the tract;
 - d. Existing and proposed gross square footage of building;
 - e. Amount of square footage utilized in vehicular use areas;
 - f. Number of parking spaces required;
 - g. Number of parking spaces proposed;
 - h. Number of handicap parking spaces required;
 - i. Number of handicap parking spaces proposed;
 - j. Required minimum landscapes area square footage, if applicable;
 - k. Proposed landscape area square footage, if applicable;
 - l. Residential uses: indicate maximum density allowed;
 - m. Residential uses: indicate proposed density;
 - n. The amount of impervious area proposed;

- o. The proposed linear footage of roads, water lines and sewer lines;
 - p. Residential lot dimensions and setbacks;
 - q. The conditional-use zoning conditions, if applicable;
 - r. Show location, size and configuration of common open space for residential development, if applicable.
- (7) The owner, current zoning and present use of all contiguous properties (including property on opposite side of adjoining streets).
 - (8) The location of all existing buildings adjacent to and within 100 feet of all property lines.
 - (9) The location and method of screening of all existing/proposed HVAC and mechanical systems.
 - (10) The dimensions and provide details for the screening of dumpsters and recycling stations, if required. Label the intended use of the recycling station, if required.
 - (11) Proposed elevations at control points such as driveways, ramps, etc.
 - (12) Vicinity map showing location of tract at a readable scale.
 - (13) Provisions for the adequate disposition of natural and storm water in accordance with the duly adopted design criteria and standards of the Town indicating location, sizes, types and grades of ditches, catch basins and pipes, connections to existing drainage, and an erosion control plan.
 - (14) The vertical cross-sectional views if applicable with:
 - (i) Height of any proposed building;
 - (ii) Number of stories;
 - (iii) Height, location, and general design of structures, or equipment, proposed above the building height limit;
 - (15) Drawings of building elevations showing the proposed exterior building materials and colors, height of proposed building, number of stories, and grade of each story, including basement, height, location and general design of structure or equipment proposed above the building height limit, and their screening (if required, see 9 above). Building facades shall be designed to be compatible and consistent with adjacent developments.
 - (16) A plan of each typical floor with:
 - (i) Location and square foot area of any permitted uses or proposed conditional use.
 - (ii) Access to any accessory, personal or convenience service uses.
 - (iii) Number and individual area of guest rooms in any hotel or motel use.
 - (17) For residential-multifamily uses, indicate the location of not less than 24 square feet of enclosed-exterior storage area for each unit proposed.
 - (18) A topographic survey of the site certified by a registered land surveyor.
 - (19) Certificate signed by the surveyor or engineers setting forth the source of title of the owner of the tract and the place of or records of the last instrument in the chain of title.
 - (20) Plan of each floor of parking garage.
 - (21) Utility plan with:
 - (a) Location of all existing underground utilities such as water, sanitary sewer, gas, electric, and telephone cables, fire protection infrastructure etc., both within the property and in adjacent streets.
 - (22) All road improvements required in conformance with thoroughfare plan, including any right-of-way dedications and traffic control devices.
 - (23) Lighting plan. Submit a plan showing the location for all external lighting (including but not limited to parking lot lighting, canopy lighting and other similar outdoor lighting) with an Isolux Diagram as it affects adjacent residential property. (See the Standard Appearance Specifications Manual for the specific requirements.)
 - (24) Appearance and Landscaping plan.
 - (25) Other construction drawings such as plan and profiles, details, support calculations as required to complete the full plan.
 - (26) Approved street names and property numbers.

All requests for new or altered signs require a separate application and are subject to the requirements contained in the Town's Sign Ordinance. The submission should fully describe the type of sign, size, location, materials to be used, color(s), message, type of illumination, contractor, along with a complete inventory of other signs, including temporary, on the property.

Applications should be submitted to: Town of Cary, Planning Department.

Requests for approval of different permits and approvals are subject to the payment of various application processing fees in order to defray the Town's costs in reviewing such requests. The fees for different types of permits and approvals are periodically determined and changed by the Town Council through the adoption of the annual operating budget ordinance.

Sign Applications

All sign applications, exclusive of other construction or renovations, will be acted upon by Town staff. The Town, through its representatives, may approve, require changes, or deny sign applications based upon conformance with the Sign Ordinance, Town Center Design Guidelines, and other relevant ordinances, regulations and policies.

Other Construction or Renovations

All applications for renovations other than signs, or for projects including signs and other improvements, shall be submitted to the Town staff for review and recommendations. Town staff may require additional information or clarification from the applicant before the application is deemed to be complete and ready for review. If the Town staff determines that the application is not complete, the applicant shall be notified of any deficiencies; no further steps to process the application shall be taken until the applicant remedies the deficiencies. The staff shall forward the completed application, along with their recommendations, to the Downtown Development Review Committee.

The Downtown Development Review Committee shall consist of appointed community members representing the business, residential and institutional sectors of the Town Center area. The Committee may also include or involve assistance from a design professional if such involvement is deemed necessary. The Committee has the authority to convene meetings as, in its discretion, are necessary to discharge its duties.

The Committee, in its review process, may request additional information, clarification and input from the applicant, the property owner (if other than the applicant), other community representatives, as well as from pertinent public sector agencies and departments.

The Downtown Development Review Committee, with the assistance of Town staff, may:

- Require changes to the project in order to bring it into compliance,
- Deny the application due to conflicts with the Town Center Design Guidelines or other relevant codes, regulations and policies or,
- Approve and forward the application to the Town Council.

Failure of the Downtown Development Review Committee to act upon an application within sixty (60) working days of the Committee's receipt of the completed application shall be deemed to constitute the automatic acceptance of the Town's staff's decisions and recommendations.

Applications approved by the Downtown Development Review Committee will be forwarded to the Town Council for consideration. Approved applications will be granted a permit, which will remain good for a period of two (2) years, after that it will become null and void. Any changes to the approved application must be brought to the attention of the appropriate Town representative.