

# TOWN OF CARY TOWN CENTER PLAN

## Chapter 2

### *Future Land Use*

#### **2.1 The Future Land Use Map and How to Read It**

*Map 1: Future Land Uses* depicts the future land uses recommended for the Town Center Area. Different color shadings are used on the map to indicate different categories of recommended future land use, with the color shadings defined in the map's legend. The land uses shown on the map generally follow existing lot lines. Development will normally follow these boundaries. However, the final boundaries may vary according to the merits of a development proposal and whether it meets the intent of the plan vision as a whole.

The land use categories used on the map are explained in greater detail in Section 2.2, below. In addition, text labels and numbered notes are used to clarify recommended land uses for certain areas, or to specify limitations to the standard land use category given by the color shading. These areas are discussed in Section 2.4. Lastly, several areas on the map are also identified as “Special Opportunity Sites” – areas that offer great potential for market-driven, transit-supportive redevelopment – as explained in Section 2.3.

There will be some instances where the existing land use on a particular parcel and the long-term vision for that parcel are different. How this Plan addresses those cases is discussed in Section 2.5.

#### **2.2 Land Use Definitions**

*Map 1: Future Land Uses* assigns a recommended future land use to each parcel in the Town Center Area. The future land use categories used on the Map are described on the map key, and in more detail below. In addition to the broad definitions below, *Appendix 1: Proposed Table of TCAP Land Uses* provides detailed recommendations for the specific types of land uses that are recommended within each of the land use categories.

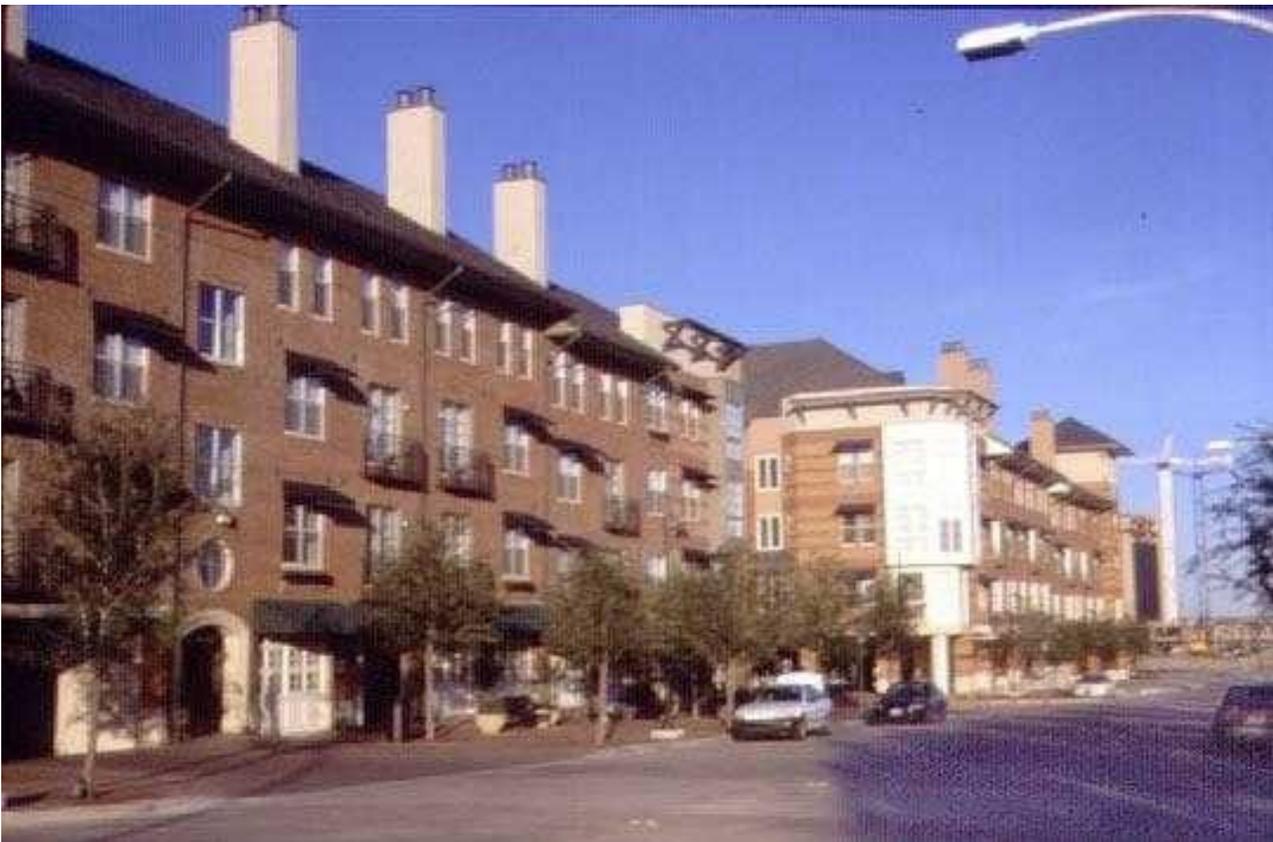
**High Intensity Mixed Use (HMXD) and Mixed Use (MXD):** The plan map identifies 2 different classes of Mixed Use: regular and High Intensity. (These are illustrated in photos 2-1 through 2-7.) Both land use categories indicate that a mix of commercial, office, and medium to high-density residential uses are desired for these land areas. Institutional uses that are compatible and complimentary to the development of mixed-use area may also be considered – such as churches, schools, libraries, and daycare facilities. Land uses in mixed-use areas may be mixed either side-by-side on adjacent lots, sites, or individual tenant spaces in a multi-tenant building, or vertically within buildings (e.g., shops on a first floor, with apartments or offices on upper floors). In both MXD and HMXD-designated areas, a single use should not substantially dominate the entire area. The differences between HMXD and MXD are as follows:

In HMXD areas, the development densities are to be higher than in MXD areas. This Plan focuses HMXD uses in the heart of the downtown, in areas that are generally within a short 5-minute walking distance (about ¼ mile) of the future regional rail station. HMXD areas are the key components of creating a vibrant, walkable, and exciting downtown. Therefore, the types of commercial uses appropriate within HMXD are more limited than in the Commercial land use category (see Appendix 1 for details). The focus is on encouraging commercial uses that add to vibrancy in the downtown, and create a shopping, dining, and entertainment destination for the entire town, as well as serving local downtown needs. Within HMXD areas, care should be taken that institutional uses do not consume so much land or street frontage that it will be difficult to attain the vision of this plan.

In HMXD areas buildings should generally be at least two stories, front the street, and be brought up close to the street. (See Chapter 3 for more details.) There should be a greater emphasis on mixing uses vertically within buildings (when feasible) than in MXD areas. Uses, which require large amounts of firstfloor storage space (such as a big box or warehouse store”) are discouraged and should locate outside of the high density, mixed area.

In order to make high densities feasible, HMXD areas should be served by public parking deck facilities (see Chapter 5), and sites should have limited on-site surface parking. With the exception of on-street parking, any surface parking should normally be placed behind buildings. As an interim measure parking lots may be designed so that they can be replaced by buildings on decks with ground floor retail or a mix of uses as the market for such investment matures.

The development densities in MXD areas can be lower than in HMXD areas. MXD sites need not rely on structured parking facilities to meet their parking needs, and single-story buildings can be appropriate. Buildings should still front the street, and be brought up close to the street. (See Chapter 3 for more details.) There is less emphasis on the desire to mix uses vertically within buildings, and more on mixing uses side-by-side along a street or within a project.



**Photo 2**

-7: High intensity mixed-use.

**High-Density Residential Mid- Rise (HDR Mid-Rise):** Condominiums and apartments at densities from 18-50 units per acre, typically about 4-5 stories, with some reliance on structured parking to achieve the density. HDR Mid-Rise developments should incorporate some amount of central outdoor public space for their residents, such as a pocket park. HDR Mid-Rise areas are generally located within a half mile of the proposed TTA regional rail station. As in the other residential designations, limited compatible and complimentary institutional uses may also be considered, such as churches, schools, and daycare facilities, however such uses should not dominate an area designated as HDR Mid-Rise, making it difficult to attain the housing goals of the plan.



**Photo 2-3:** This example of a mixed use development project contains a grocery store, restaurant, shops, **66 affordable apartments and 19 lofts.** The density here is 70 units per acre, which is appropriate for transit oriented development.

**Mixed Density Residential (MXDR):** Areas designated as MXDR should include a mix of housing types ranging from medium-density to high-density Mid-Rise, with an overall density of at least 15 units per acre. MXDR areas should include a mix of single family semi-detached units (e.g., “patio homes”), single family attached units (e.g., duplexes, and townhouses), and multifamily apartments or condominiums.

(Photos 2-9 & 2-10 show elements of the desired mix.) Single family detached uses may be included as no more than about 15% of the units in an otherwise acceptable mix of densities. There should also be a reasonable balance between single family and multifamily uses in an area designated as MXDR; neither should completely dominate the site. This recognizes that the market will need a mix of house type, size and character in the areas designated as MXDR, in order to create sustainable and attractive neighborhoods serving a range of household incomes and sizes. Institutional uses that are compatible and complimentary to the development of residential dwellings in an MXDR area may be considered such as churches, schools, libraries, and daycare facilities.



**Photo 2-9:** Town houses part of mixed density residential.

**High-Density Residential Garden (HDR Garden):** Housing at densities of anywhere from 8 to 25 units per acre, depending on the context of the location. Typical uses include townhouses, condominiums, garden apartments, and possibly duplexes or triplexes. Buildings are typically about 2-4 stories. A variety of compatible and complimentary institutional uses may also be considered, such as churches, schools, and daycare facilities.

**Medium-Density Residential (MDR):** Includes housing densities between 4 and 8 dwellings per acre and can include a mixture of residential uses including single-family detached and semi-detached units, single-family attached units, duplexes and triplexes, and townhouses. A variety of compatible and complimentary institutional uses may also be considered such as churches, schools, and daycare facilities. The MDR areas defined on Map 1 reflect these characteristics, as well as indicate where there are opportunities to increase densities through lot consolidation, infill, and appropriate redevelopment.

**Low-Density Residential (LDR):** Primarily single-family residential dwellings with density ranges from 1 to 4 dwelling units per acre and lot sizes typically ranging from approximately 10,000 square feet to 1 acre. Smaller lot sizes are possible using clustered development, although the overall density should not exceed 4 dwellings per acre. Institutional uses that are compatible and complimentary to the development of single-family residential dwellings may be considered such as churches, schools, libraries, and daycare facilities. The areas defined on Map 1 include existing neighborhoods where the plan objective is to retain the character of these single-family areas.

**Office & Institutional (OFC/INS):** Areas designated as Office & Institutional includes all types of office and institutional uses. Examples of office & institutional uses include offices (large and small), clinics, nursing homes, banks, churches, schools, daycare, etc. Depending on the size and intensity of the particular site or area, provision of a bus transit stop may be appropriate.

**Office & Industrial (OFC/IND):** This classification includes a wide range of employment-generating office, light industrial, research and development, and manufacturing uses. A limited selection of institutional and commercial uses (such as hotels/motels) may also be appropriate (see Appendix 1), but should not dominate the areas designated as OFC/IND on Map 1. The level of on-site activity and the degree of external impacts associated with Office & Industrial sites tend to be more intense than for the Office & Institutional category. OFC/IND areas should be developed in a manner compatible with nearby properties to minimize potential nuisances or damage to the environment. Depending on the size and intensity of the particular site or area, provision of a bus transit stop may be appropriate. Examples of office and industrial uses include general offices, light manufacturing, warehousing and distribution, research laboratories, prototype and production plants, automotive repair and bodywork, trade schools, auto dealers with display and lot storage/inventory, etc.

**Commercial:** Includes commercial uses such as general retailers, specialty shops, boutiques, art galleries, grocery stores, pharmacies, drug stores, banks, bakeries, specialty food, restaurants, sandwich shops, coffee houses, movie theatres, entertainment spots, hotels/motels, health and fitness clubs, personal services, print/copy shops, video rentals, dry cleaners, auto dealership (salesrooms only).

**Commercial Low Intensity (CLI):** This includes commercial uses that tend to produce only modest external impacts on the surrounding area, including traffic, noise, odor, air pollution, lighting, and visual impacts, and social impacts. Development in this category should also be characterized by: relatively modest building sizes; modest levels of human activity on-site; and architectural compatibility with the surrounding community, using pedestrian scale. CLI development facing or immediately adjacent to residential neighborhoods should generally use residentially compatible architectural and design features. Examples of commercial low-intensity uses include: sit-down restaurant (not fast-food), small/moderate size hotels/motels, art gallery, small specialty retail (e.g., jewelry store, greeting card store, etc.), boutique, art gallery, coffee house, nightclub, beauty salon, bank, miscellaneous personal services, printing/copy shop.

**Cottage Business and Residential (CB&R):** CB&R areas are appropriate for both single family detached and attached, as well as low intensity office or commercial uses, providing that the character, size, and appearance of buildings are closely related to adjoining residential uses. (Buildings in CB&R areas should *look* like single family structures, although their uses may not be. See photos 2-11 & 2-12 below.) CB&R areas should provide a suitable transition and buffer between neighborhoods and busy roadways. Where existing homes already exist on CB&R sites, the preference is that the houses be converted to nonresidential uses whenever feasible, rather than being replaced, using small building expansions and alterations to facilitate reuse in a residential “cottage” style.

Commercial and office uses in CB&R should be low intensity, meaning that the off-site impacts of the use should be modest and compatible with the adjacent neighborhood. Off-site impacts to be considered include traffic, noise, lighting, odor, level of activity on the site, off-site views, hours of operation, and so forth. The intent is to accommodate low-impact non-residential uses in converted homes or modest residential-style structures, including office uses such as insurance agents, tailors, law offices, real estate offices, or medical offices, or light commercial uses such as art galleries, specialty shops, photography studios, and so forth.

### **2.3 Special Opportunity Sites (SOS)**

Special Opportunity Sites are areas that offer the greatest potential and opportunity for market-driven, transit-supportive redevelopment in the downtown, in response to the future TTA regional rail station. Three distinct areas are designated as Special Opportunity Sites on Map 1 (see map labels 4, 5, and 6). Special Opportunity Sites are characterized by two features: (1) their immediate geographical proximity to the future station site (the designated SOS areas are entirely within areas located 300 to 1,200 feet of the future station platform), and (2) the presence of either some amount of vacant land within the designated SOS areas, or the existence of a relatively low value of built improvements per acre (compared to other areas so situated within the downtown), making redevelopment more economically feasible.

The location of the designated SOS sites makes them attractive for several different types of uses, either individually or as a mix of uses. The uses include not only mixed-use buildings or projects, but also residential apartments/condominiums, multi-story office buildings, and cultural and civic uses. Proposals for development of these areas will be judged on their merits according to the objectives of the plan. Additional details for the 3 areas designated as Special Opportunity Sites on Map 1 are given in the following section (see Map 1 labels 4, 5, and 6).

### **2.4 Areas of Special Land Use Recommendations**

Some portions of the Town Center Area are subject to additional details or recommendations beyond those conveyed by the colored land use designations shown on Map 1: Future Land Uses. These areas are identified on Map 1 via circled numerical labels. The following sections outline in greater detail the land use recommendations for most of the 16 labeled areas on the map, as well as the development opportunities presented by the individual areas.

**The “Heart” of the Downtown (Map Label #1):** All the H-MXD land south of the CSX Railroad in the high intensity “heart” of the downtown should have a focus on street-level commercial uses, offices or apartments over shops, buildings close to the street, parking behind buildings, on-street or in decks. The focus is on encouraging commercial uses at street level that add vibrancy to the downtown, and create a shopping, dining, and entertainment destination for the entire town, as well as serving local downtown needs.

This is to be the pedestrian heart of the downtown as well, a place where residents and visitors can stroll along the streets and gaze into shop windows, where they can visit a gallery or shop, and then take a leisurely meal or cup of coffee in a cafe or restaurant. To achieve this vision will require great

care in establishing downtown streetscapes. For example, buildings should face the street, be brought up close to the sidewalk, and voids between buildings along the street must be avoided or minimized. Commercial uses should dominate at street level along the streets, especially along Chatham and S. Academy Streets. Not all commercial, office, or institutional uses will create and reinforce this vision; care will need to be taken in selecting and approving future redevelopment projects.

First Baptist Church and First Methodist Church are large and dominant presences within this area. Both are successful churches and have indicated their desire to expand. However, significant expansions of these churches could potentially consume so much land or street frontage as to possibly preclude the provision of sufficient commercial, office, and residential development in the heart of the downtown, where a “critical mass” of commercial uses will be needed to establish the downtown not only as a cultural destination, but also as a commercial and entertainment destination. Careful consideration will need to be given to such proposals to judge whether they can be integrated into the overall vision described above, and used to stimulate the land use plan vision.

**Middleton Avenue Area (Map Label #3):** The land designated as HDR Mid-Rise between the Norfolk Southern Railroad and Chapel Hill Road, west of the Chapel Hill Road and Adams St. intersection, is only to be redeveloped as HDR Mid-Rise if a minimum of about 2.5 contiguous acres are assembled for that purpose. Lots in this area that face Chapel Hill Road may be used for CB&R in the interim, prior to redevelopment to HDR Mid-Rise. However, any CB&R uses should re-use the existing structures and include only limited additions to the structures.

The purpose of these special recommendations are: (1) to prevent piecemeal development/redevelopment of this area that would create serious conflicts with the existing homes (the recommendation effectively encourages multiple lot owners to agree collectively to redevelop a large portion of this area, rather than having one or two lot owners alone impose incompatible high density redevelopment on their existing low density, single-family neighbors); and (2) to provide an interim option to homeowners facing Chapel Hill Road. It is possible that HDR Mid-Rise redevelopment may not occur prior to the widening of Chapel Hill Road. However, the widening of that road may render homes facing the road unsuitable as residences. By allowing these lots to convert to CB&R in the interim (until HDR Mid-Rise redevelopment does occur), the lot owners will have a viable land use option, without adding so much improved value to their lots as to make eventual redevelopment to HDR Mid-Rise unfeasible economically.

Property owners will still be able to redevelop at the historic low and medium residential densities established in this area, but will not be able to develop at the higher densities promoted in this plan without combining lots.

**West block of Adams Street (Map Label #4):** This area is a **Special Opportunity Site**, and includes land designated as HDR Mid-Rise in the area between the Norfolk Southern Railroad and Chapel Hill Road, east of Area 3 (see above). The area includes over 8 acres (excluding Adams St.), including both vacant land and a dozen dwelling units. (See Photo 2-13 below.) This area is also appropriate for OFC/INS uses. This area is only to be redeveloped for the proposed future uses if minimums of about 2.5 contiguous acres are assembled for that purpose.

As in Area #3, lots that face Chapel Hill Road may be used for CB&R in the interim, prior to redevelopment to HDR Mid-Rise. However, any CB&R uses should re-use the existing structures and include only limited additions to the structures (for the same reason as given above for Middleton Avenue Area).

Property owners will still be able to redevelop at the historic low and medium residential densities established in this area, but will not be able to develop at the higher densities promoted in this plan without combining lots.

There is the possibility of closing Adams Street between N. Harrison and Chapel Hill Road – and incorporating its right-of-way into a redevelopment project – if the area is comprehensively redeveloped, including a sufficient number of the lots along Adams Street. As an example of this area’s redevelopment potential, the area could accommodate around 250,000 square feet of office floor space or 200-300 multifamily dwelling units. (See photo 2-14)



**Photo 2-14:** Special Opportunity Site, developed into high-density mid-rise condos.

**Around East Block of Adams Street (Map Label #5):** This area is a **Special Opportunity Site**, and includes land designated as HMXD on the map, between N. Harrison Avenue and N. Academy Street, south of Chapel Hill Road, and north of the future TTA transit station. The area measures about 5 ½ acres, and comprises 21 lots, including 4 commercial lots on Chapel Hill Road and mainly single family lots on Adams Street. 3 major roadways, giving excellent vehicle access to the area bound the area. On average, the area is less than 700 feet from the proposed TTA Rail station, and is opposite the Town Hall campus.

In addition to HMXD uses, the area is also appropriate for HDR Mid-Rise or office/ institutional uses, including institutional uses such as a museum or other cultural facility that would serve as a regional “magnet destination” for downtown Cary. The possibility of incorporating a “magnet” destination that would attract transit riders and others from all over the Triangle into Cary’s downtown should be seriously considered, given the area’s location near the future transit station, Town Hall and the Community Center, and two future parking decks (see Chapter 5). As an example of this site’s potential, it is capable of accommodating 300,000 square feet of office space or 150,000 square feet of mixed use buildings with an additional 100 upper floor apartments.

This area is only to be redeveloped at higher densities if a minimum of about 2.5 contiguous acres is assembled for that purpose (for the same reason as given above for Middleton Avenue Area). There is also the possibility of closing Adams Street between N. Harrison and N. Academy Street

and incorporating its right-of-way into a redevelopment project – if the area is comprehensively redeveloped, including a sufficient number of the lots along Adams Street.

**Hillsboro Street (Map Label #6):** This area is a **Special Opportunity Site**, and includes land designated as HMXD on the map, along Hillsboro Street. The area includes about 7.8 acres, and existing uses include a gas filling station, nightclub and bar, a small multi-tenant commercial building, several small storage uses with offices, and half a dozen aged dwellings. In addition to HMXD uses, the area is also appropriate for HDR Mid-Rise or OFC/INS uses. Comprehensive redevelopment of this area is encouraged, with lot consolidation/ assemblage. The area is only 300 feet from the proposed TTA rail station, making it a prime location for redevelopment at higher densities. In particular, there is potential here for a high density of mixed uses that might include commercial uses such as restaurants and personal services catering to downtown workers and residents, as well as offices or housing. For example, this area could potentially be redeveloped to provide up to 400,000 sq.ft. of office space or 300,000 sq. ft. of mixed use building with more than 50 upper floor apartments.

**Wood/Holloway/West Street Area (Map Label #7):** The land designated as HDR Mid-Rise between the Norfolk Southern Railroad and CSX Railroad is only to be redeveloped as HDR Mid-Rise if a minimum of about 2.5 contiguous acres is assembled for that purpose (for the same reason as given above for Middleton Avenue Area). Building heights in this location will normally not exceed 4 or 5 stories. Property owners will still be able to redevelop at the historic low and medium residential densities established in this area, but will not be able to develop at the higher densities promoted in this plan without combining lots.

**Cary Recycling Drop Off and Public Works Facility (Map Label #8):** Land to the south and east of these Town facilities is recommended for high density residential uses. The continued use of this Public Works Facility, with its associated heavy truck traffic, noise, and visual impacts are not likely to be compatible with the long term redevelopment of the adjacent area for more intense residential uses. It would likely preclude that redevelopment from happening proximate to the Public Works Facility. Therefore it is recommended that at some point the Town should relocate these public works activities, and replace the facilities with more compatible land uses. This may include an extension of recreation facilities at Lexie Lane Park, open space, a greenway, and perhaps additional housing.

**Land South of Old Apex Rd. (Map Label #9):** Approximately 24 acres of land are identified for mixed density residential uses and 6 acres for mixed uses, in the area north of High House Road and between Old Apex Road and West Chatham Street. The property is mainly forested vacant land at present. New development in this location should incorporate high standards of design, layout, and landscaped setting, to create a positive impression of having arrived in the downtown. Development of the residential area benefits from its location across from Cary Plaza shopping center; it should utilize careful siting of buildings and trees to create a residential community in a park-like setting, using central common open spaces or community greens. A bus transit stop may be needed to serve the area.

**Land West of St. Paul's Episcopal Church (Map Label #10):** An area between St. Paul's Episcopal Church and Chatham Forest Apartments on West Chatham Street is designated for high density residential. This area could also be used for institutional uses. The intent of the high-density residential designation is to allow for limited eastward extension of similar HDR uses. However, such development should include access from W. Chatham Street that could be shared with the church to the east (St. Paul's). This general area may also be suitable for regional storm water detention serving southwest portions of the downtown.

**Chapel Hill Rd. and NE Maynard Rd. Area (Map Label #11):** The properties on either side of Chapel Hill Road, immediately west of NE Maynard Road, mark a “Gateway” approach into the Town Center. New development in this location should incorporate high standards of design, layout, and landscaped setting, to create a positive impression of having arrived in the downtown. Buildings on these sites should face the street, and most of the parking should be situated away from Maynard and Chapel Hill Roads, behind or to the far sides of the buildings. Storage should be located to the rear of the sites. The buildings should not present an industrial appearance as seen from these roadways. Signature landscape or building elements is recommended. Hotel/motel uses may also be appropriate.

**Chatham Estates Mobile Home Park and Adjacent Open Space Area (Map Labels #12 and 13):** Chatham Estates Mobile Home Park is recommended for mixed density residential use. The 27-acre site currently includes 150 mobile homes and a clubhouse. It has a 1-acre lake, and approximately 3 acres on the park’s southern boundary lie within a 100-foot stream buffer. The site has two advantages: it is large enough to accommodate a redevelopment project having a significant number of dwellings, and it could provide a site for a regional storm water detention facility serving some eastern portions of the downtown. Any redevelopment plans for this area should include land for the provision of such a storm water facility, at least until the downtown storm water management study recommended in Chapters 8 and 9 is completed. Final determination of the feasibility and desirability of establishing such a storm water facility, and the details of the size and type of facility, will need to be investigated as part of that storm water study.

When redeveloped as MXDR, this area may need a bus transit stop to serve the residents. It is recommended that direct pedestrian connections are provided from the site out to Clay or Waldo Streets, and out to East Chatham Street at a point further east along Chatham than currently exists for the mobile home park. The area immediately south of the mobile home park is recommended for continued use as open space, with the addition of a greenway extension between Clay Street and SE Maynard Road. The southern portion of the existing mobile home site that lies within the 100-foot stream buffer should also be included as open space. Consideration should be given to expanding the open space area if a regional storm water detention facility is sited within or adjacent to it (Map 1, label #13).

**Town Center Park (Map Label #14):** A “Town Center Park” is proposed between S. Academy and Walker Streets, immediately north of Walnut Street. This park will be a visual and cultural focal point for the downtown, serving the higher density development, nearby neighborhoods, and providing opportunities for special cultural and community events. The park should become a magnet for drawing people into the downtown as well, hosting special town events and programs.

**Mixed Use Area on Walnut Street (Map Label #15):** The area designated as MXD on the southeast quadrant of the Walnut Street and Kildaire Farm Road intersection could alternatively be used for HDR. However, if developed as MXD, any commercial or institutional mixed use components developed on the site should complement and serve the cultural arts focus of the planned Town Park and Cultural Arts Center, as well as Cary Elementary. Further, with a mixed-use development, buildings should be brought up close to Walnut Street and Kildaire Farm Road, with parking situated elsewhere on the site.

## **2.5 Non-Conforming Uses**

*Map 1: Future Land Uses* illustrates the vision for the pattern of land uses that are ultimately desired in Cary's Town Center Area. There will be some instances where the existing land use and the long-term vision are different. While the plan does *recommend* that ultimately the land should be converted to the new uses, the plan itself does not prevent the continued use of land in its current form or require a conversion to new uses. This plan does, however, recommend against any proposed expansions that would lead to the perpetuation of a non-conforming use. The recommendations of this plan will in part be implemented through the development of one or more new zoning districts for the downtown, as part of the Town's overall re-write of its development ordinances. Once these new downtown zoning districts are developed, partial or complete rezoning of the Town Center Area will need to be done. Care should be taken during this process to be sensitive to the needs of the existing "nonconforming uses" within the downtown.

In addition, Chapter 9 includes recommendations for implementing the vision of this plan, including a recommendation to identify policies, programs, and special ordinances needed to help stimulate downtown redevelopment. These studies should recommend options for helping to deal with nonconforming uses, such as market-based relocation incentives, relocation assistance, and land assembly. It is premature to speculate as to the precise range of approaches that may be endorsed.

