



Established 1771

## CHATHAM COUNTY COMMISSIONERS

Karen Howard, Chair  
Mike Dasher, Vice Chair  
Franklin Gomez Flores  
David Delaney  
Katie Kenlan

## COUNTY MANAGER

Dan LaMontagne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

## Resolution of the Chatham County Board of Commissioners

### A RESOLUTION APPROVING A SPECIAL USE PERMIT REQUEST

**BY** Chatham County Parks and Recreation Department

**WHEREAS**, the Chatham County Parks and Recreation Department has applied to Chatham County for a special use permit on Parcel No. 5809, located at 994 Pea Ridge Rd, Cape Fear Township, for a new county-owned park, and;

**WHEREAS**, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. No error in the Ordinance is being claimed. The proposed park is allowed under the approval of a Special Use Permit.
2. The requested special use permit is either essential or desirable for the public convenience or welfare because, among other reasons,
  - A Traffic Impact Analysis was completed for the Triangle Innovation project, but park traffic was not included at that time.
  - Regular passenger vehicles and buses will utilize the park depending on the various events taking place with most traffic in the evenings and on weekends.
  - Projected traffic counts will be performed by a third party (PEF) and reviewed by NCDOT based on the new road alignment configurations already proposed.
  - A crash test for the Pea Ridge Road segment is under way.
  - The Chatham County Appearance Commission reviewed the proposed landscaping and site plan on July 26, 2023, and recommended some planting changes that have been incorporated into a revised site plan.
  - All other development, such as lighting, noise, signage, etc. will comply with the Ordinance regulations and obtain permits as required.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. The property was purchased from the Parker family to become the first county park in the Moncure area. The park will provide space for recreation, gatherings, festival events, food rodeos, picnic areas, wildlife observations, hiking and mountain bike trails, etc.
4. The requested permit is consistent with the objectives of the Land Development Plan by, • Chapter 2-pg 33, the park will be preserving over 138 acres of natural land and sensitive areas. Total acreage of county owned parks will increase from 435 to nearly 550 acres (pg 36). Pg 37, the park will incorporate edible plantings such as berries, pecan trees, fruits and nuts in an effort to educate and encourage residents on the benefits of eating healthy.
  - Chapter 3- Goals and Objectives-(pg 49) Parks and Protected Lands, the park will utilize passive and active recreational areas, preserving open space and rural atmosphere, streets will follow existing edge of wooded areas to preserve as much of the natural landscape as shown on the site plan.
  - Chapter 4-Economic Development-Although the park is not a large employment center, it will provide for one full time park attendant and the opportunity during festivals, food truck rodeos, etc. for those vendors to be supported by the community and those attending the events.
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed

through any additional conditions placed on its approval as seen below. The property will be limited to no more than 36% impervious surface (BUA). This includes access roads, hard surface walking trails, gravel, concrete, asphalt, or anything under roof.

- County water will serve the property.
- All requirements for stormwater, wastewater, access roads, open space, and any other required facilities will comply with all local and state regulations and be permitted as required.

**NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS,** as follows:

That a Special Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

**BE IT RESOLVED FURTHER** that the Chatham County Board of Commissioners hereby approves the application for the special use permit in accordance with the plan submitted by the Applicant, Chatham County Parks and Recreation Department, and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

#### ATTACHMENT "A"

##### **Site Specific Conditions**

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the site plan consistent with any modifications agreed upon. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A development permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan becomes null and void.

##### **Standard Site Conditions**

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Watershed Protection, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

##### **Standard Administrative Conditions:**

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give

the applicant any vested right to develop its property in any other manner than as set forth herein.



**BE IT FURTHER RESOLVED** that the Board of Commissioners of the County of Chatham hereby approves the application for a special use permit in accordance with the plans and conditions listed above.

Adopted this, the 20 day of November 2023

---

Karen Howard, Chair  
Chatham County Board of Commissioners

---

Responsible Representative/Applicant  
(By signing this document, you agree to all findings as noted and any conditions therefore imposed above)

ATTEST:   

---

Lindsay K. Ray, NCCCC, Clerk to the Board  
Chatham County Board of Commissioners

Handwritten text, possibly a signature or name, written in blue ink.

Handwritten text, possibly a signature or name, written in blue ink.