



**COUNTY COMMISSIONERS**

Karen Howard, Chair  
Katie Kenlan, Vice Chair  
David Delaney  
Franklin Gomez Flores  
Amanda Robertson

**COUNTY MANAGER:** Bryan Thompson

**Resolution of the Chatham County Board of Commissioners  
A RESOLUTION APPROVING A SPECIAL USE PERMIT REQUEST**

**BY** Harris Teeter Properties, LLC

**WHEREAS**, Harris Teeter Properties, LLC has applied to Chatham County for a special use permit on Parcel No. 18906, located at 88 Chatham Downs Dr., Williams Township, for the addition of a fueling station, 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. The added use is a permitted use within the Zoning Ordinance for the approved zoning district for the shopping center.
2. The requested special use permit is either essential or desirable for the public convenience or welfare because, among other reasons, there are several residential developments on Lystra Road that could also utilize this service which in turn could help reduce traffic US 15-501.

The facility would be accessible 24/7 through credit card transactions. There is a proposed kiosk with an attendant that would be present from 6am to 10pm for any cash or small convenience item purchases.

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. Measures taken for development of the site include implementation of a water quality device to treat surface waters and air safety regulations. The proposed fuel tanks will meet or exceed all state and federal regulations for Underground Storage Tanks (UST). The site will also comply with the National Emission Standards for Hazardous Air Pollutants (NESHAP) and will be compliant with Federal and State guidelines for Stage 1 Vapor Recovery.

No new access is needed. An internal connection drive will be installed.

4. The requested permit is consistent with the objectives of the Land Development Plan by, Chapter 4 – Land Use – the proposed fuel center will be located within an existing shopping center at a key intersection. This area is identified on the Future Land Use and Conservation Plan Map as a "Community Center" node and meets the goal of concentrating development in these nodes.  
Chapter 4 – Strategy 6 – by locating in the existing shopping center avoids "strip" commercial development along key road corridors.  
Chapter 4 – Strategy 6.4 – encourages shared driveways and internal connectivity to reduce additional accesses onto 15-501. This project will utilize an internal connection to the already existing access drives.

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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 project will utilize minimal water and wastewater with the addition of the 240-sf kiosk. County water will continue to serve the site, and they will utilize the existing septic system on the property.

The property is located within the WSIV-Protected Area watershed of the Jordan Lake Buffer rule area. BUA will remain within limits allowed by the Watershed Protection Department.

**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, Harris Teeter Properties, LLC, and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

#### ATTACHMENT "A"

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

1. All previous conditions approved for the Chatham Downs shopping center shall remain valid and in effect.
2. The landscaping plans as reviewed by the CCAC for this submittal request shall be followed. Any deviations from the plan will require re-review by the CCAC and planning staff. Periodic inspections of the landscaping shall be made to ensure survival and meeting landscape buffer requirements.
3. A building permit shall be obtained and remain valid at all times within two (2) years of the date of this approval or the SUP becomes null and void for this additional use and shall revert back to the previous permitted uses.
4. All land disturbing activity shall be reviewed and approved by the Watershed Protection Department prior to disturbance to ensure no water features, streams, storm drainage ditches, etc. are present or for any associated riparian buffers that are impacted.

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

5. 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 set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
6. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

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

7. 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.
8. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
9. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
10. 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.





**COUNTY COMMISSIONERS**

Karen Howard, Chair  
Katie Kenlan, Vice Chair  
David Delaney  
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Amanda Robertson

**COUNTY MANAGER:** Bryan Thompson

**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 21 day of July, 2025

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Karen Howard, Chair  
Chatham County Board of Commissioners



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Responsible Representative/Applicant

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

ATTEST:

\_\_\_\_\_  
Jenifer Johnson, MMC, Clerk to the Board  
Chatham County Board of Commissioners

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