



Chatham County, NC

Legislation Details (With Text)

File #: 23-4929 **Version:** 2

Type: Resolution **Status:** Passed

File created: 8/31/2023 **In control:** Planning

On agenda: 11/20/2023 **Final action:** 11/20/2023

Title: Vote to approve a quasi-judicial request by the Chatham County Parks and Recreation Department for a Special Use Permit for new county-owned park on Parcel 5809, located at 994 Pea Ridge Rd, Cape Fear Township.

Sponsors:

Indexes: Comp Plan Goal 1: Preserve the rural character and lifestyle of Chatham County, Comp Plan Goal 2: Preserve, protect, and enable agriculture and forestry., Comp Plan Goal 5: Conserve natural resources., Comp Plan Goal 6: Provide recreational opportunities and access to open space.

Code sections:

Attachments: 1. More information from the Planning department website, 2. Parkers Ridge_Joint Public

Date	Ver.	Action By	Action	Result
11/20/2023	2	Board of Commissioners	adopted	Pass
9/18/2023	1	Board of Commissioners	referred	

Vote to approve a quasi-judicial request by the Chatham County Parks and Recreation Department for a Special Use Permit for new county-owned park on Parcel 5809, located at 994 Pea Ridge Rd, Cape Fear Township.

Action Requested:

Vote to approve a quasi-judicial request by the Chatham County Parks and Recreation Department for a Special Use Permit for new county-owned park on Parcel 5809, located at 994 Pea Ridge Rd, Cape Fear Township.

Introduction & Background:

A quasi-judicial public hearing was held September 18, 2023. Planning staff and staff representatives presented the project.

One resident asked about picket ball courts and there were no other comments.

Proposed master plan map

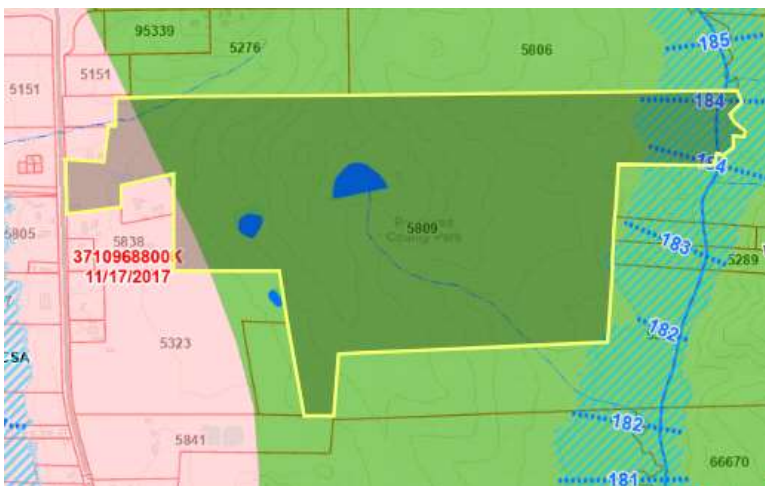


Discussion & Analysis:

When determining whether a Special Use Permit request should be approved as per Section 5 Conditional Zoning Districts, the following findings must be supported.

The alleged error in the Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same. No error in the Ordinance is being claimed. The proposed park is allowed under the approval of a Special Use Permit.

Current zoning map



The requested special use permit is either essential or desirable for the public convenience or welfare.

- 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.

Proposed NCDOT roadway change map



The requested permit will not impair the integrity or character of the surrounding or adjoining

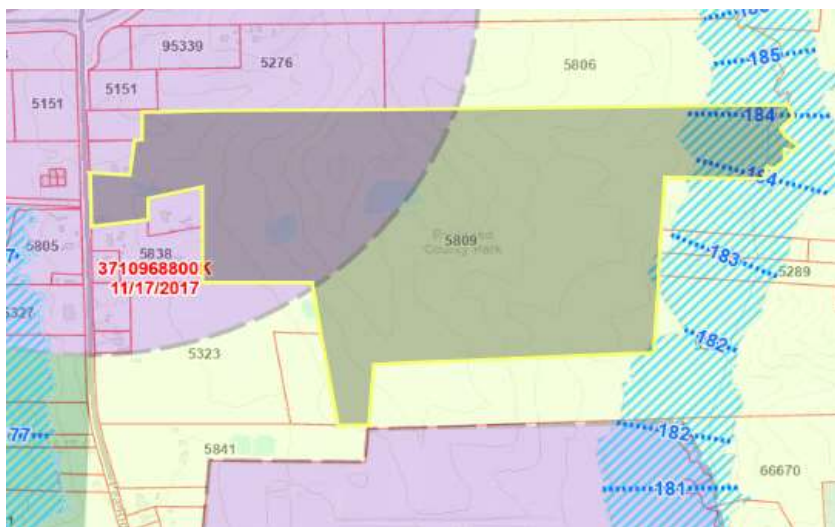
districts, and will not be detrimental to the health, safety, or welfare of the community.

- 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.

The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

- 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.

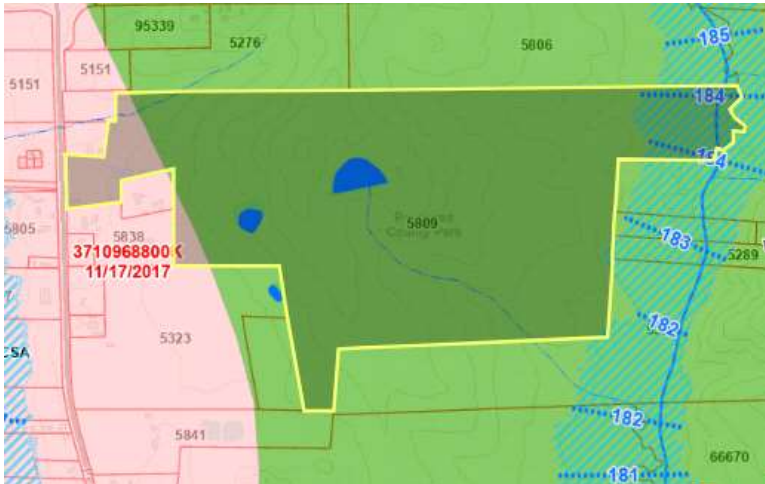
Future Land Use and Conservation Plan Map showing a split between an Economic Center and Rural nodes



Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies, and

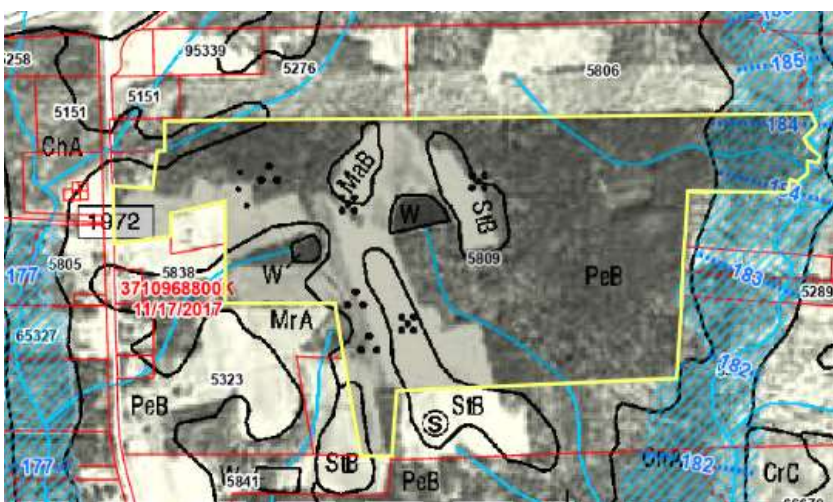
regulations. The property will be limited to no more than 36% impervious surface (BUA). This includes access roads, hard surface walking trails, gravel, concrete, asphalt, or anything under roof.

Watershed Map showing the majority within the WSIV-Protected Area, not in Jordan Lake buffer areas



- 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.

NRCS maps show several blueline streams that will require buffering and non-disturbance areas



How does this relate to the Comprehensive Plan:

- 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.
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This item was placed on the Planning Board consent agenda and they voted unanimously to recommend approval.

Recommendation:

The Planning Board recommends, by unanimous vote, adoption of a resolution to approve a quasi-judicial request by the Chatham County Parks and Recreation Department for a Special Use Permit for new county-owned park on Parcel 5809, located at 994 Pea Ridge Rd, Cape Fear Township with the following conditions:

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.