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**MEMORANDUM**

March 28, 2007

**To:** Gene Poveromo, Development Coordinator  
Town of Chapel Hill Planning Department

Judy Johnson, Case Planner  
Town of Chapel Hill Planning Department

**From:** Mike Klein  
Land Planning Group

**Re:** **Chapel Hill Country Club Special Use Permit  
Clarification of Modification of Landscaped Buffers  
CHC-05000**

Subsequent to our conversation after the March 9, 2007 Town Council Public Hearing, I would like to clarify at this time an issue related to the request for Modification of Landscaped Buffers submitted as part of the Special Use Permit application. The Statement of Justification, revised January 5<sup>th</sup>, 2007, addressed areas of buffer deficiency as requested by staff. Some miscommunication has likely occurred as a result of discussion of the SUP boundary as a whole, and references made to the activity area in proximity to the clubhouse and bathhouse. The Modification to Landscaped Buffers specifically is requested for the entire SUP boundary area and not only to the two areas identified in the current staff report and Resolution. The portion of the Statement of Justification addressing this issue is attached for your convenience.

The primary point of the Statement of Justification in regard to the buffer issue is the following: "As the Country Club is 30+ years old and predates not only the LUMO but also the previous zoning ordinance, in some locations it meets the current requirement, in others exceeds it, and in others is deficient. None of the proposed renovation/expansion activities will have any effect on the existing buffers/perimeter landscaping. Additionally, in that the Country Club was designed with a residential component (i.e. The Oaks) featuring views into and through the links as an amenity, application of a visual barrier between the recreational use and the adjacent residential tracts is not appropriate. The point of living on the links is the ability to enjoy a view of the links."

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The distinction that we attempted to make between the SUP boundary area and the clubhouse/bathhouse activity area, is that while the SUP **boundary area** buffers are compliant with, in excess of, or deficient with current LUMO standards, buffers in the **activity area** are compliant with or in excess of LUMO standards except for the specific areas referenced in the Statement of Justification. Prior to Council taking action on the SUP, we are clarifying this issue so as to eliminate any confusion regarding what is specifically being requested. For a visual reference, a marked-up aerial of the SUP boundary area is attached and identifies areas where buffers are deficient.

In summary, we request that the staff report and Resolution be revised to reflect that the Modification of Landscaped Buffers be applied to the entire SUP boundary and petition the Council to make the finding that existing conditions concerning buffering between the recreational and residential uses are sufficient. Please do not hesitate to contact me with any questions you may have about areas identified on the attached aerial. Further detail can be provided if necessary.



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Revised Statement of Justification  
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90% of the Club's membership supported, as well as financed, the improvements. *(Revised January 5, 2007)*

**Finding #4:** *That the use or development conforms with the general plans for the physical development of the Town as embodied in this chapter and in the Comprehensive Plan.*

Applicant's response: The existing development and use pre-dates the LUMO and Comprehensive Plan. The future land use designation for this site is Recreation. The Comprehensive Plan and its existing and future land use designations encompass the Chapel Hill Country Club. The proposed renovation/expansion poses no change in use and conforms to the general plans for the physical development of the Town, as well as complies with the Comprehensive Plan.

**ADDENDUM I – Issues of Non-Conformity**

**Landscaped Buffer Requirements**

- 1) The applicant requests that the Council find that existing conditions in regard to landscaped buffering are sufficient to serve the public interest and exempt the Country Club from application of current LUMO buffering standards.

The 20' Type C buffer that would be required of new development under the LUMO is now shown on the revised plans around the entirety of the area to be encumbered by the SUP, as directed by Chapel Hill Planning staff. As the Country Club is 30+ years old and predates not only the LUMO but also the previous zoning ordinance, in some locations it meets the current requirement, in others exceeds it, and in others is deficient. None of the proposed renovation/expansion activities will have any effect on the existing buffers/perimeter landscaping. Additionally, in that the Country Club was designed with a residential component (i.e. The Oaks) featuring views into and through the links as an amenity, application of a visual barrier between the recreational use and the adjacent residential tracts is not appropriate. The point of living on the links is the ability to enjoy a view of the links.

In some locations, vegetative buffering is minimal to nonexistent, particularly between the links and residential structures on the east side of the site just north of the tennis courts and cart barn, where the recreational use and



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residential use overlap. Locations where the vegetative buffering is considered to be in excess of the LUMO requirements in width and/or density is along the tracts to the west of the practice green and range behind the clubhouse, along the shared boundary with the tract identified with tax map number 7.137..21, and along shared boundary with tracts on the north side of Black Oak Place.

Where residential use abuts the portion of the Country Club tract delineated for the renovation and expansion activity, buffering and screening is adequate to serve the public interest. In fact, for most part, existing buffering meets or exceeds the current LUMO requirement in proximity of the Clubhouse and Bathhouse, with the following exceptions:

- The tennis courts' frontage on New Castle Drive and on the north side of the northernmost tennis court; and
- That the vegetated buffer at the corner of Lancaster and New Castle is set back from the property line in order to accommodate the cart path which runs between the tree line and property line at this location.

Regarding buffering of the tennis courts from the New Castle Drive frontage and residential property adjacent to the north, the lower tennis court on the Newcastle Drive frontage, for instance, does not likely meet the density required for new development set by the LUMO. The middle tennis court on the same frontage runs almost completely right up to the property line with a small break in the landscaped screening. The northernmost tennis court is buffered at a deficient width but is buffered with evergreens dense and tall enough to screen tennis court activity from the adjacent residential lot.

Regarding buffer requirements around the pool/bathhouse on the site's southeastern corner, vegetative screening is set back from the frontage on Lancaster Drive and Newcastle Drive. While not located at the property line, current vegetative screening is both consistent with and in excess of the buffering standards set by the current Ordinance.

The applicant requests that the Council find that existing conditions are satisfactory to serve the public interest and feels that an exemption of the LUMO buffering standards is justified for the following reasons:



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 Revised Statement of Justification  
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- That the Country Club and surrounding residential neighborhood are compatible uses and views from neighboring residential lots into and across the links constitute an amenity;
- That the area of proposed activity is generally buffered consistent with current LUMO standards; and
- That attention to landscaped buffering on the part of the Country Club is amply demonstrated by the photographs attached with this document.

Stormwater Management

- 2) The applicant requests that the Council find that existing conditions in regard to stormwater management requirements are sufficient to serve the public interest and exempt the Country Club from application of current LUMO stormwater management standards.

The applicant specifically requests exemption from the stormwater management facilities requirement (Section 5.4.5(b) of the LUMO). As well as the following (addressed in the attached letter to Sue Burke):

- Release Rate Management,
- Volume Management,
- Water Quality Management,
- Nutrient Loading Calculations,
- Maintenance and Operation Plan requirements.

Exemption is justified in that existing stormwater management controls are sufficient to serve the public interest and that the proposed expansion will cause a negligible increase in stormwater peak flowrates. Hydrologic calculations addressing potential impact of the proposed renovation/expansion has been provided to Sue Burke for her review.

Parking Lot Screening

- 3) The applicant requests that the Council find that existing conditions in regard to parking lot screening are sufficient to serve the public interest and exempt the Country Club from application of current LUMO parking lot screening standards.



 AREAS OF TECHNICALLY DEFICIENT BUFFERS

### CHAPEL HILL COUNTRY CLUB

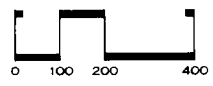
CHAPEL HILL, NORTH CAROLINA

SPECIAL USE PERMIT APPLICATION

ORANGE: P/O 9798689751 DURHAM: P/O 9799-04-81-4658

LANDSCAPE BUFFERS EXHIBIT

APRIL 02, 2007



**THE JOHN R. MCADAMS COMPANY, INC.**  
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 TEL: 919.877.1000 FAX: 919.877.1001



# CHAPEL HILL COUNTRY CLUB

CHAPEL HILL, NORTH CAROLINA



SPECIAL USE PERMIT APPLICATION  
 ORANGE: P/O 9798689751 DURHAM: P/O 9799-04-81-4658  
 LANDSCAPE BUFFERS EXHIBIT  
 APRIL 02, 2007

THE JOHN R. MCADAMS  
 COMPANY, INC.  
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 RESEARCH TRIANGLE PARK, NORTH CAROLINA  
 P.O. BOX 18000 RTP 27709-0000



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**Chapel Hill Country Club**  
Special Use Permit Application

Modification of Landscaped Buffers  
April 2, 2007

Orange Co.: p/o 9798689751  
Durham Co.: p/o 9799-04-81-4658

The following list of buffer areas references the Landscape Buffers Exhibit (attached) and specific areas of deficiency.

Area A

This location addresses the southern end of the western parking bay, where buffers are minimal and consist of a 4' to 6' berm and a row of 8 crape myrtles spaced approximately 9' apart along the breadth of the parking bays frontage on Lancaster Drive.

Area B

Vegetation is present between structures and the links, but not featured on the links side of the property line.

- 9799609033 (rear lot line only)
- 9799609344 (rear lot line)

Area C

Black Oak Place - Vegetation is present between structures and the links, but not featured on the links side of the property line and/or if located on the links side of the property line it is not of the width and density required by the LUMO.

- 9799714003 (rear lot line)
- 9799716909 (southern and eastern lot lines)
- 9799717201 (portion - southern half of eastern lot line)

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#### Area D

Buffering on the links side of the property line is non-existent, or if present is not of the width and density required by the LUMO. Some of the adjacent lots feature vegetation between structures and links, while some feature an open view into the links.

- 9799711793 (eastern lot line)
- Frontage on Sheffield Circle
- 9799716853 (southern property line)
- 9799718947 (rear lot line)
- 9799811913 (southern property line)
- 9799812959 (southern property line)
- *Durham Co.* 9799-04-82-5101 (southernmost corner of lot)
- *Durham Co.* 9799-04-81-5984 (rear lot line)
- *Durham Co.* 9799-04-81-6841 (rear lot line)
- *Durham Co.* 9799-04-81-6685 (rear lot line)
- *Durham Co.* 9799-04-81-7502 (NW lot line)
- *Durham Co.* 9799-04-81-5359 (rear lot line)
- *Durham Co.* 9799-04-81-4360 (rear lot line)
- *Durham Co.* 9799-04-81-3179 (rear lot line)

The next four lots feature overlapping of recreational and residential use where the cart path crosses property lines.

- 9799709830 (rear lot line)
- 9799708613 (rear lot line)
- 9799707572 (rear lot line)
- 9799707434 (rear lot line and southern side lot line – this lot also features a minimum 20' tall evergreen screen between the residential structure and the NE corner of the northernmost tennis court – photos previously provided)

#### Area F

Buffering along the east side of the tennis courts and the swimming pool bathhouse is thicker now than evidenced on the aerial. Although the widths of existing landscaped areas are not specifically consistent with the current requirements set by the LUMO, screening is of a satisfactory density except for a break in the screen at the SE corner of the middle tennis court area. Photos have already been provided showing this area and addressing the specific deficiency. Regarding screening of the bathhouse, vegetation is adequate in density and/or width; however, the landscaping is set back from the property line in order to accommodate the cart path at the corner of New Castle and Lancaster where it crosses under Lancaster via a tunnel.