

Development Review Committee

Staff Report

Date: March 20th, 2019



Case No:	19WAIVER1009
Project Name:	Hunting Creek Country Club
Location:	6807 Foxcroft Road
Owner(s):	Hunting Creek Country Club
Applicant:	Karl Lentz, Evans/Griffin Inc. – LJB Inc.
Jurisdiction:	Prospect
Council District:	16 – Scott Reed
Case Manager:	Molly Clark, Associate Planner
Presented By:	Jay Lockett, Planner I, AICP

REQUEST(S)

- Waivers:
 1. **Waiver from 5.3.6.D.1** – The maximum building square footage for non-residential uses within the designated outlying areas is 5,000 square feet.
 2. **Waiver from 5.8.1.B** – All developments shall provide sidewalks in the abutting right of way to serve the development site (same side of street).
 3. **Waiver from 5.9.2.A.1.b.i** – A clearly defined, safe pedestrian access shall be provided from adjacent public rights-of-way (public sidewalk) through off-street parking area to non-residential building entrances.

CASE SUMMARY/BACKGROUND

Hunting Creek Country Club is a private golf course / country club that has been around since 1964 and is located in Prospect. The Hunting Creek Country Club is proposing to tear down a portion of existing building square footage and build two building additions totaling 4,895 square feet to expand the golf pro shop and dining area. This case is related to a category 2B development plan case under 19DEVPLAN1014. The applicant is asking for 3 waivers: one to exceeding the maximum square feet of 5,000 which would bring the current development from 20,000 square feet to 25,000 square feet; a sidewalk waiver to put sidewalks in for the whole development; and a waiver for defined pedestrian access to all public rights of way.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are not outstanding technical issues associated with this review

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 5.3.6.D.1 (Maximum Building Square Footage)

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The proposed development is not adding additions that make the country club significantly closer to residential areas. The addition is small compared to the large parcel the country club is located on.

- (b) The waiver will not violate specific guidelines of Cornerstone 2040; and

STAFF: According to Guideline 22 policy 4 Cornerstone 2040 calls for non-residential development within the Village Form Districts to occur only at locations with appropriate access and connectivity. This site serves the whole subdivision and is technically non-residential but you can look at it as an accessory to the subdivision built around the country club. Even though the building will exceed the maximum square feet allowed, it is not an inappropriate use. Guideline 23 policy 5 states that retail commercial development should be located in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it. This gold course has existed since the 1960's and serves the subdivision built around it. Guideline 27 policy 9 states the encouragement of new developments and rehabilitation of buildings that provide commercial use. This proposed development will be rehabbing an existing country club building that houses the dining room as well as adding a gold pro shop to open to the country club members who most likely live in close proximity to the club.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: By allowing the applicant to build bigger than the maximum square footage. It will allow the existing country club to serve more of its members while being an accessory use to the residential subdivision that surrounds the country club.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant because this is not a typical non-residential use. This is a country club where the subdivision was purposely built around it. To not allow the country club to expand would deprive them of being able to serve all their members in a slightly bigger facility.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 5.8.1.B (Sidewalk Waiver)

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: All the residential properties that surround the country club do not have sidewalks and it would not be consistent with the neighborhood.

- (b) The waiver will not violate specific guidelines of Cornerstone 2040; and

STAFF: According to guideline 43 policy 9 encourages development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems. By not building sidewalks, the Country Club can avoid disturbing the greens and existing trees on the golf course. According to guideline 47 policy 1, Cornerstone 2040 calls for the preservation of buildings, sites, districts, and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, and architecture style and placement when located within the impact area of such resources. By building sidewalk, it would disrupt the current grass and other plantings specific to the gold course that has been around since the 1960's. Adding sidewalks would change the character of the neighborhood seeing as the subdivision surrounding the Country Club do not have sidewalks.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The development would have to spend a great amount of money in order to build a sidewalk around a gold course that is located in a subdivision with no sidewalk network.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land because sidewalks are not a part of the neighborhood character for the subdivision built around the country club. Strict application of the provisions of the regulation would cause a financial hardship for the applicant.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 5.9.2.A.1.b.i (Pedestrian Connectivity)

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: This development has multiple entrances from Foxcroft Rd and Hunting Creek Drive. More than likely if the subdivision does not have a network of sidewalks, residents use their vehicles and park at the country club. By not adding more impervious area to create pedestrian connectivity, this will have less effect on the adjacent property owners.

- (b) The waiver will not violate specific guidelines of Cornerstone 2040; and

STAFF: According to Cornerstone 2040, Guideline 61 policy 8 states that the protection and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the planning and design on transportation network projects. Expanding the pavement to create

pedestrian connectivity is only creating more impervious surface which is not good for the environment. Guideline 97 policy 12 states development should minimize impervious surface area and take advantage of soil saturation capacities. But adding more impervious area to create pedestrian connections, would only increase the total impervious area which is unnecessary for this development.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary for afford relief to the applicant because it is unnecessary to require an applicant to create pedestrian connections within a site to the right of way in a neighborhood that does not have side walk networks.

- (d) Either:
 - (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
 - (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: To have the applicant build pedestrian connections out to the right of way in a neighborhood that does not have a sidewalk network would be unnecessary and unreasonable. This country club has existed since the 1960s, and the subdivision accesses the country club through the 3 different vehicular access points on the site.

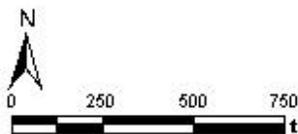
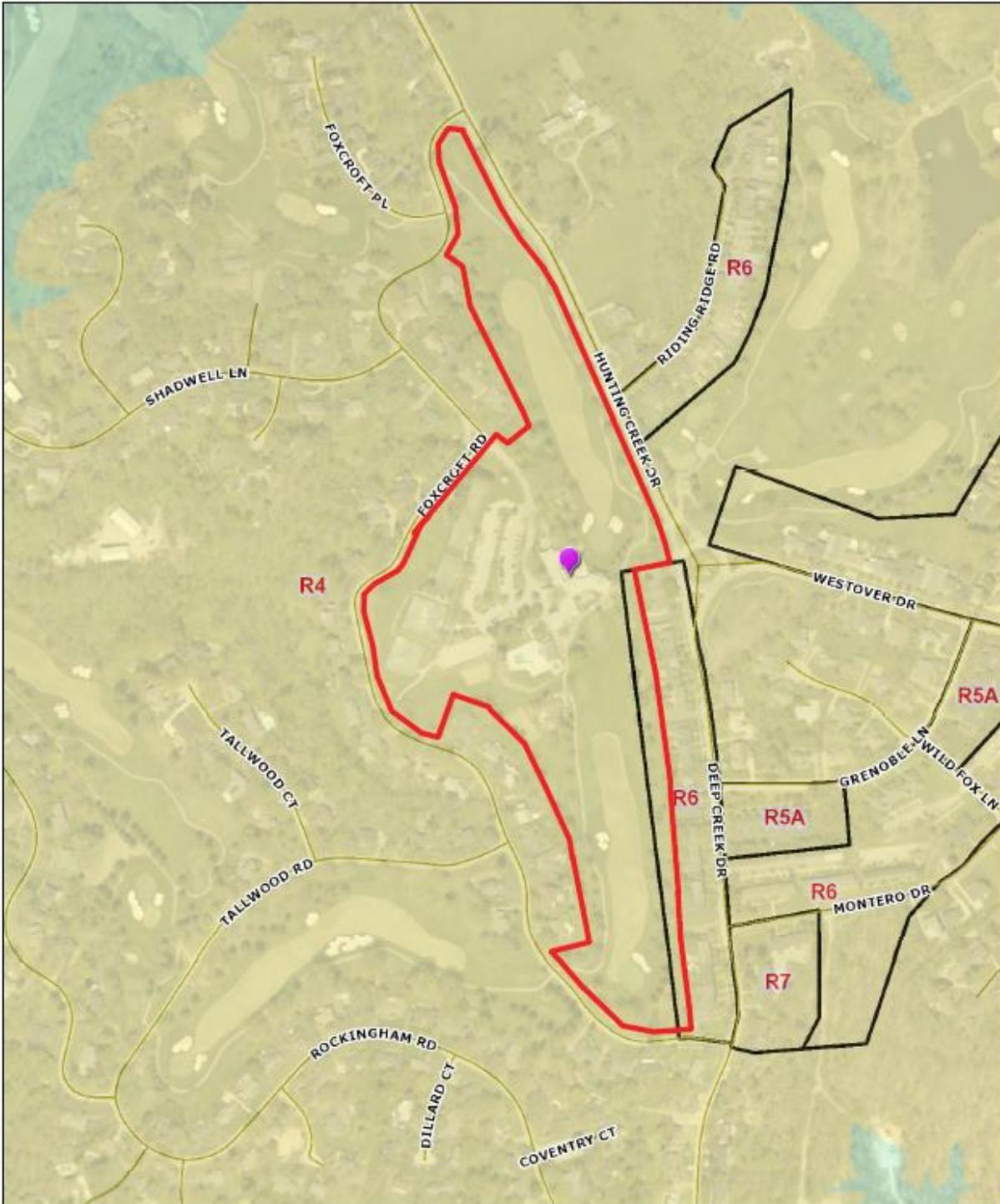
NOTIFICATION

Date	Purpose of Notice	Recipients
3/8/19	Hearing before DRC	1 st tier adjoining property owners

ATTACHMENTS

- 1. Zoning Map
- 2. Aerial Photograph

1. Zoning Map



19WAIVER 1009

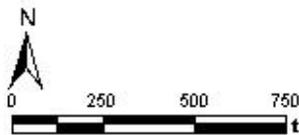
Thursday, March 14, 2019 | 10:43:11 AM



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2. Aerial Photograph



19WAIVER 1009

Thursday, March 14, 2019 | 10:43:39 AM



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