

Resolution No.: 16-78
Introduced: March 20, 2007
Adopted: March 20, 2007

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Approval of Development Plan Amendment (DPA) 07-1

Background

1. Development Plan Amendment ("DPA") application No. 07-1 was filed on August 14, 2006 by Applicant Rossmoor-ID Villa Cortese, LP. The Applicant seeks to amend the Development Plan for Leisure World, which was originally approved in 1964 to permit a development under the PRC (Planned Retirement Community) Zone with an age-restricted section containing 618.5 acres and 5,725 dwelling units. The Development Plan has been amended since its original approval, but the density in the age-restricted section has not changed. The last development plan amendment was DPA 84-4, in 1984, which transferred certain approved densities within Leisure World.
2. A site plan was approved in 1993 for an area of Leisure World known as Villa Cortese, providing for 228 dwelling units in five buildings in the age-restricted section. Of these, only 170 units in four buildings were constructed. A sales model building was later constructed on part of the site that had been approved for Building 5. Site plan approval for another area of Leisure World, called Creekside, approved the transfer of the unused Villa Cortese density to Creekside. The Applicant now seeks to demolish the sales model building in the Villa Cortese area and construct Building 5 with 48 dwelling units, including 6 moderately priced dwelling units ("MPDUs"), equivalent to 12.5% of the 48 new units. This would not increase the land area of the age-restricted section of Leisure World, but would increase the total number of dwelling units from 5,725 to 5,773.
3. The 618.5-acre age-restricted section of Leisure World is located east of Georgia Avenue and south of Norbeck Road in the Aspen Hill area. Within this large property, the subject site occupies 1.63-acres at the southeast corner of Georgia Avenue and Rossmoor Boulevard. Technical Staff of the Maryland-National Capital Park and Planning Commission ("MNCPPC") reports that most of the site is covered with trees and lawn, and

there are no wetlands, rare, threatened or endangered species, or historic features on the site. The general location and shape of the proposed building are depicted on the proposed DPA. Textual elements of the DPA, which the Applicant acknowledges are binding, specify that the building will have a maximum height of 39 feet, a minimum building setback of 100 feet, maximum building coverage of 15 percent (as required in the zone) and minimum green area of 65% (as required in the zone).

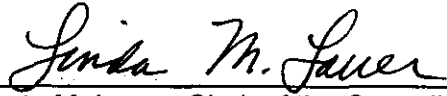
4. Technical Staff and the Montgomery County Planning Board (the "Planning Board") recommend approval of this application. The Staff Report concludes that each of the findings that are required under Section 59-D-1.6 of the Zoning Ordinance to support the approval of a development plan amendment can be made in this case: the proposed development would be consistent with the use and density indicated in the *Aspen Hill Master Plan*, including recommended dwelling unit limitations; would not conflict with any other county plans; would comply with the purposes and standards of the PRC Zone; would be compatible with adjacent properties in the surrounding area; proposes internal vehicular and pedestrian circulation systems and points of external access that are safe, adequate and efficient; proposes adequate stormwater management and is exempt from forest conservation requirements. The Planning Board unanimously recommended approval of the proposed Development Plan Amendment for the reasons set forth in the Staff Report.
5. There is no opposition to DPA 07-1, the Planning Board does not recommend a public hearing in this case, and no request has been made for a hearing.
6. On March 20, 2007, the District Council reviewed DPA 07-1 and concluded that the DPA meets the requirements of the Zoning Ordinance and its approval would be in the public interest.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, approves the following resolution.

DPA 07-1, which requests an amendment to the Development Plan approved in DPA 84-4 to allow construction of a multi-family building with a maximum of 48 dwelling units and a maximum height of 39 feet on a 1.63-acre site within the Leisure World property, located at the southeast corner of Georgia Avenue and Rossmoor Boulevard, is approved subject to the specifications and requirements of the Development Plan, Ex. 34(a), provided that the Applicant submits the Development Plan for certification by the hearing examiner under the provisions of §59-D-1.64 within 10 days of the District Council action.

This is a correct copy of Council action.

A handwritten signature in cursive script that reads "Linda M. Lauer". The signature is written in black ink and is positioned above a horizontal line.

Linda M. Lauer, Clerk of the Council