

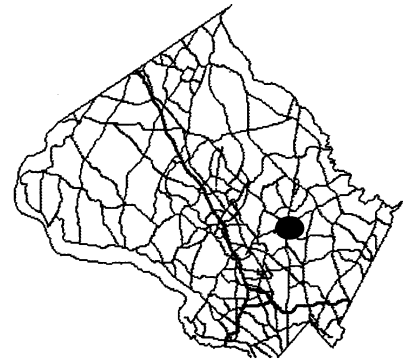


MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Consent Item # 3
MCPB 7-5-07

MEMORANDUM

DATE: June 22, 2007
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
Development Review Division
FROM: Robert A. Kronenberg, Acting *RAK*
Supervisor
Development Review Division
(301) 495-2187



REVIEW TYPE: **Site Plan Amendment**
CASE #: **82001015B**
PROJECT NAME: Regency at Leisure World
APPLYING FOR: Amendment to modify the fence design on the southern boundary.

REVIEW BASIS: Div. 59-D-2.6 of Montgomery County Zoning Ordinance for Minor Plan Amendments

ZONE: PRC (Planned Retirement Community)
LOCATION: Located on Glen Eagles Drive west of South Leisure World Boulevard in Silver Spring, Maryland
MASTER PLAN: Aspen Hill Master Plan
APPLICANT: Leisure World of Maryland Corporation
FILING DATE: February 7, 2007
HEARING DATE: July 5, 2007

STAFF RECOMMENDATION: Approval of the proposed amendment to Site Plan 82001015A and approval of the attached draft Planning Board Resolution for the Site Plan 82001015B.

BACKGROUND

The Site Plan (820010150) for Regency at Leisure World was presented to the Planning Board on May 7, 2001 (Planning Board Opinion dated June 20, 2001) for approval of 85 single-family detached lots, including 11 MPDUs on 17.87 acres in the PRC Zone. The Certified Site Plan was approved October 2, 2002.

A Site Plan Amendment (82001015A) for Regency at Leisure World was submitted to M-NCPPC in 2006 to increase the number of dwelling units within the site. The application proceeded to DRC but was subsequently withdrawn.

PROPOSED AMENDMENT

An amendment was filed on February 7, 2007, along with a public notice to adjacent and confronting property owners that outline specific changes to the approved site plan. The proposed amendment requests the following modification:

- 1) Change the existing board-on-board fence to a 10-foot-tall chain link fence along the southern property line to Georgian Colonies

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on March 12, 2007. The notice gave the interested parties 15 days to review and comment on the amended site plan. No comments have been received from the parties of record during this application.

STAFF REVIEW AND RECOMMENDATION

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

The changes are being pursued to address security concerns along the southern perimeter. This amendment did not go to DRC but was circulated to departmental staff for review and comment. Staff indicated approval of the amended items specified in the Applicant's request.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Regency at Leisure World (Site Plan No. 82001015B) for modification to the approved site plan.

ATTACHMENTS

- A. Site Description and Vicinity
- B. Draft Planning Board Resolution

ATTACHMENT A

Site Description and Vicinity

The 17.87-acre property is located on Glen Eagles Drive, approximately 1,500 feet north of the intersection with Bel Pre Road in Silver Spring, Maryland. Access to the subject development is limited to Glen Eagles Drive directly off of Leisure World Boulevard. The site is zoned PRC, as is the entire section of Leisure World to the north and east of the subject site. The two-story residential apartment buildings to the south are zoned PRC and are part of the Georgian Colony community. St. Matthews Church is located at the intersection of Georgia Avenue and Bel Pre Road and is zoned RE-2. The site is bounded to the west by Georgia Avenue. The properties across Georgia Avenue to the west are zoned R-200 and consist of detached homes.

Construction of the one-family detached homes and the townhouse-style MPDU units located on the eastern and western perimeters of the subject property has been completed. A number of tree save areas were preserved within the site and along the northern, western and southern perimeters. The site is completed fenced for security, with the exception of the eastern boundary adjacent to the parking lot for the Interfaith Chapel. The existing board-on-board fence is located on the southern perimeter adjacent to Georgian Colonies.



ATTACHMENT B



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-81
Site Plan No. 82001015B
Project Name: Regency at Leisure World
Hearing Date: July 5, 2007

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on February 7, 2007, Leisure World of Maryland Corporation ("Applicant"), filed a site plan amendment application designated Site Plan No. 82001015B ("Amendment") for approval of the following modification:

- 1) Change the existing board-on-board fence to a 10-foot-tall chain link fence along the southern property line to Georgian Colonies

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated June 22, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on July 5, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82001015B; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is _____
(which is the date that this opinion is mailed to all parties of record); and

DAL 6/27/07

Approved for legal sufficiency
M-NCPPC Office of General Counsel

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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