



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OCT 3 2013

MCPB No. 13-139  
Site Plan No. 81985045A  
Rossmoor Leisure World Commercial Center  
Date of Hearing: September 19, 2013

**RESOLUTION**

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on September 12, 1985, the Planning Board approved Preliminary Plan No. 11985065 (formerly No. 1-85065) with conditions, limiting development for the Rossmoor Leisure World Commercial Center to a total of 146,530 square feet, including: an 111,130-square foot shopping center, 12,000 square feet of general office, 12,000 square feet of medical office, 6,400 square feet of bank, and 5,000 square feet of restaurant "without further APF review" on 13.40 acres of PRC zoned land in the northeastern quadrant of the intersection of Georgia Avenue and Rossmoor Boulevard ("Subject Property"), in the Aspen Hill Policy Area, in the Aspen Hill Master Plan ("Master Plan") area; and

WHEREAS, on September 12, 1985, the Planning Board approved Site Plan No. 81985045 (formerly No. 8-85045) with conditions, for commercial and office development totaling 146,530 square feet, including: 117,530 square feet of retail, 12,000 square feet of medical office, 12,000 square feet of general office, and 5,000 square feet of restaurant; and

WHEREAS, on March 12, 1986, the Planning Board formalized an Agreement ("APF Agreement") with Rossmoor-IDI Commercial Center Associates and established a process to allow the Applicant to exceed the total density limit of 146,530 square feet<sup>1</sup> previously approved under the Preliminary and Site Plans if it finds that public facilities remain adequate for any additional development, subject to the specific uses within the approved development envelope being:

<sup>1</sup> Neither the Preliminary nor Site Plan indicated whether the 146,530 square feet was gross floor area or gross leasable area, and the APF Agreement referred to it in both ways.

Approved as to  
Legal Sufficiency:

 9/11/13

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a shopping center of 101,330 square feet; a 36,000 square foot 3-story commercial/general office/medical office building with not more than 12,000 square feet of general office space and not more than 12,000 square feet of medical office space; 9,200 square feet for three free-standing buildings to include two banking institutions of not more than a total of 6,400 square feet and one restaurant of not more than 5,000 square feet; and

WHEREAS, on December 27, 2012, Rossmoor – IDI Commercial Center Associates Limited Partnership (“Applicant”)<sup>2</sup> filed an application for approval of an amendment to the previously approved site plan for the addition of a 2,900-square-foot free standing bank with two drive-through aisles on the Subject Property; and

WHEREAS, Applicant’s site plan application was designated Site Plan No. 81985045A, Rossmoor Leisure World Commercial Center (“Site Plan,” “Amendment” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 6, 2013, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on September 19, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 19, 2013, the Planning Board voted to approve the Application subject to conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Site Plan No. 81985045A for a free standing bank of up to 2,900 square feet of gross leasable area (“GLA”), with two drive-through aisles and associated site modifications by adding the following conditions to the previously approved site plan:

1. The development must comply with conditions of approval for Preliminary Plan No. 11985065 and as amended by Preliminary Plan No. 11985065A.
2. Prior to the issuance of any use and occupancy (U&O) certificate, the Applicant must:

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<sup>2</sup> For the purposes of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- a. Install a landscape bed of low-growing plants between the bank entrances and the drive-through aisles.
- b. Provide handicapped ramps per ADA requirements.
- c. Provide one inverted-U bike rack, or equivalent bike storage for two bikes, located near each entrance of the bank building.

BE IT FURTHER RESOLVED, that all site development elements as shown on Rossmoor Leisure World Commercial Center drawings stamped by the M-NCPPC on December 27, 2012 and revised September 3, 2013, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan and all findings not specifically addressed remain in effect.*
2. *Public facilities remain adequate under this Site Plan.*  
Staff conducted an adequate public facilities review of the proposed modifications, and found that the addition would not exceed the total number of vehicle trips for the commercial center development as established under previous approvals, and as amended and conditioned by the Planning Board Resolution for Preliminary Plan No. 11985065A for the Subject Property.

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

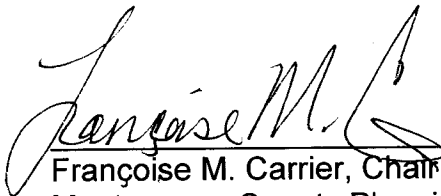
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 3 2013 (which is the date that this resolution is mailed to all parties of record); and

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 Resolution, 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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**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Anderson voting in favor, and Commissioners Dreyfuss, and Presley absent, at its regular meeting held on Thursday, September 19, 2013, in Silver Spring, Maryland.

  
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Françoise M. Carrier, Chair  
Montgomery County Planning Board