



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

MCPB No. 15-147
Site Plan No. 81986028B
Leisure World Clubhouse II – fitness center addition
Date of Hearing: December 10, 2015

DEC 17 2015

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on May 22, 1986, the Planning Board, by Opinion mailed on June 5, 1986, approved Site Plan No. 819860280, for a 49,500-square-foot Clubhouse II facility to be constructed in two phases (Phase I for 27,000 square feet, and Phase II for approximately 22,500 square feet) on 7.01 acres of Planned Retirement Community (PRC) zoned-land, located at the southwest quadrant of the North Leisure World Boulevard/Interlachen Drive intersection (“Subject Property”), in the Aspen Hill Policy Area and the Aspen Hill Master Plan (“Master Plan”) area; and

WHEREAS, on August 8, 2005, the Planning Director approved a minor Site Plan Amendment No. 81986028A to alter the parking lot layout to add handicap parking spaces and a vehicular drop-off area at the building’s main entrance, and reduce the previously approved Phase II square footage from 22,500 to 17,500 ; and

WHEREAS, on August 12, 2015, Leisure World of Maryland Corporation (“Applicant”) filed an application for approval of a limited site plan amendment to the previously approved site plan(s) to expand the existing 44,500-square-foot fitness center by up to 5,400 square feet including exterior landscape and hardscape improvements, interior upgrades, and Americans with Disabilities Act-compliant features; and

WHEREAS, the application was designated Site Plan No. 81986028B, Leisure World Clubhouse II Addition (“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 (“Staff Report”), dated November 30, 2015, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ; and

Approved as to
Legal Sufficiency

Christina Smith 12/2/15
M.NCPPC Legal Department

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WHEREAS, on December 10, 2015, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81986028B subject to the following conditions:¹

1. Zoning Map Amendment Conformance
The development must comply with the approval in Zoning Map Amendment No. C-1318.
2. Site Plan Conformance
The development must comply with the conditions of approval for all previous approvals including Site Plans 819860280 and 81986028A.
3. Transportation
The Applicant must install an inverted-U bike rack, or its equivalent, for two bicycles in a weather protected area near the main entrance.
4. The Applicant must provide one bike storage space (a bike locker or a storage area in the building) near the Clubhouse II main entrance, in a weather-protected area.
5. Stormwater Management
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept acceptance letter dated October 14, 2015, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping with the Stormwater Management easements and facilities.
6. Building Height
The maximum height for the Clubhouse II Fitness Center addition is 19 feet.

¹ For the purpose 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.

7. Landscaping

Prior to the issuance of the final Use and Occupancy Certificate, the Applicant must install all on-site amenities including, but not limited to: one bike rack and one bike locker, pervious pavement/patio features, landscaping plants, outdoor lighting, fence, sidewalks, and retaining wall/s.

8. Lighting

Prior to Certified Site Plan approval, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plan conforms to the Illuminating Engineering Society of North America (IESNA) exterior standards for a recreation facility.

9. Architecture

The final exterior architectural character, proportion, materials and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by Staff.

10. Site Plan Surety and Maintenance Agreement

Prior to issuance of the building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the hardscape and landscape materials and bicycle facilities, which, upon Staff approval, will establish the surety amount. The cost estimate must include, but not be limited to, one bike rack and one bike locker, pervious pavement/patio features, landscaping, outdoor lighting, fence, sidewalks, and retaining wall/s shown on the Certified Site Plan (CSP). The surety must be posted before issuance of the building permit.
- b) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for the development will be followed by inspection and potential reduction of the surety.
- c) The bond or surety for the development shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific CSP sheets depicting the limits of the development.

11. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to approval of the Certified Site Plan.

12. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Provide a general note to read: "The Applicant has satisfied the transportation Adequate Public Facilities test and demonstrated that the Clubhouse II addition will not increase the number of dwelling units in the development, and the use of the Clubhouse II is limited to the residents of the Leisure World community and their guests, under County Council's Bill 62-14."
- b) Include the Forest Conservation Exemption approval and other agency approval letters, development program, and Site Plan and other applicable resolutions.
- c) Remove all reference on the plans to the word "preliminary" in relation to the limits-of-disturbance.
- d) In lieu of a Development standards data table, add general notes to reflect the bicycle parking standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.

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 all site development elements shown on the latest electronic version of Leisure World Clubhouse II addition, Site Plan Amendment No. 81986028B, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered 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 and all applicable elements of Section 7.3.4., the Planning Board FINDS that as conditioned herein the Site Plan Amendment:

- a. *Satisfies any previous approval that applies to the site;*

The Site Plan Amendment satisfies all previous approvals including Site Plan Nos. 819860280 and 81986028A.

- b. *Satisfies under Section 7.7.1.B.5 the binding elements of any development plan in effect on October 29, 2014;*

Not applicable; the Subject Property does not have a development plan, diagrammatic plan, schematic development plan, or project plan associated with it. Zoning Map Amendment No. C-1318 did not include a Development Plan for the designated age-restricted area of the planned retirement community.

- c. *Satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014, for a property where the zoning classification on October 29, 2014, was the result of a Local Map Amendment;*

The Site Plan Amendment does not increase the green area, or any other open space requirements for the Leisure World property. The current open space system in Leisure World provided as part of the previous approvals remain in compliance with the applicable green area and open space requirements.

- d. *Satisfies applicable use standards, development standards, and general requirements under this chapter;*

The Site Plan Amendment will add 5,400 square feet of recreation space to the existing clubhouse, which is a required use as stated in Section 8.3.5.B.1.a.iv.(c).

Development Standards

The addition satisfies all development standards under Section 59.8.3.5.C including: Tract area—no change in the area of the entire Leisure World property; Setbacks—the addition does not violate any required setback for the entire property. There are no separate setback requirements for the clubhouse site; Coverage and Common Open Space—the addition is within the maximum building coverage of 30% for the entire property; and Parking—the addition does not require any new vehicle parking spaces; Industry outdoor lighting standards were also considered in this review, see finding *f.* below.

- e. *Satisfies the applicable requirements of:*
i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and
ii. Chapter 22A, Forest Conservation.

The Applicant obtained Stormwater Concept Plan acceptance from the Montgomery County Department of Permitting Services (DPS) in a letter dated October 14, 2015.

The Application is exempt from the requirements of submitting a Forest Conservation Plan based on the Forest Conservation Exemption letter, #42016005E, dated July 27, 2015. There are no sensitive natural resources on or in the vicinity of the Subject Property. Therefore, the Applicant's request is in compliance with Chapter 22A and the County's Environmental Guidelines.

- f. Provides safe, well integrated parking, circulation patterns, building massing and, where required, open space and site amenities;*

The existing clubhouse has concrete sidewalks connecting to the sidewalk system at Leisure World. A new four-foot wide concrete sidewalk will be constructed along the west and south side of the addition. The addition's building massing will be consistent with the existing facility. Pedestrian safety should be provided with building-mounted exterior lighting on the south and west sides in relation to the sidewalks and at the new rear door. LED fixtures should be incorporated in the patio retaining wall to define the outdoor patio area and sidewalks. The addition does not require any new vehicle parking spaces. The existing bicycle parking facilities are below current PRC Zone standards and must be upgraded as stated in the conditions of approval.

Three short-term bicycle parking spaces are located in a 'floating ribbon' bike rack on the rear side of the building; there are no long-term bicycle spaces. The existing bike rack is an obsolete facility; the Applicant must make two modifications to these facilities as recommended in the conditions of approval.

An open space area behind the Clubhouse II addition will remain accessible as part of existing Leisure World Golf Course. This open space area was previously designed when the Subject Property was developed in the 1960's, and the Amendment does not alter or change this or other open spaces. As a result, the existing open space area remains adequate, safe, and efficient for access by Leisure World residents.

The landscaping on the east side of the addition provides a variety of native plants and shade and ornamental deciduous trees.

Based on the limits-of-disturbance for the Clubhouse II addition, construction activity will not impact the existing Leisure World Golf Course operation (Hole #3) abutting the Site to the south.

- g. Substantially conforms with the recommendation of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The addition is located in the Aspen Hill Master Plan area and conforms with the goals and recommendations of the Master Plan in that, the general intent of the Amendment is consistent with the Master Plan that seeks to increase recreational opportunities in a manner that improves the overall development and the quality of life of Leisure World residents and workers. Upon completion of the Clubhouse addition, residents and workers will have increased convenient access to this community facility.

- h. Will be served by adequate public services and facilities include schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The addition to the existing clubhouse will not require any new public services and facilities. All public facilities and services serving the current Leisure World property are adequate. No new adequate facilities test is required; all streets in the Subject Property are privately-maintained.

- i. On a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The addition will expand the existing Clubhouse's building footprint, and will be located at the rear of the current building. Its height and massing will be consistent with the existing facility. One other structure is located nearby. The addition is small and expands the existing use, which is compatible with other uses nearby. There are no other developments in vicinity of the Site.

- j. On a property in all other zones, is compatible with the existing and approved or pending adjacent development.*

Not applicable.

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 § 59-7.3.4.H; and

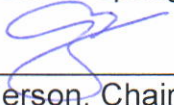
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 17, 2015 (which is the date that this Resolution is mailed to all parties of record); and

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).

* * * * *

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 Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-González voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, December 10, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board