



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

**Item #**  
**MCPB 12-13-07**

**MEMORANDUM**

**DATE:** November 21, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief *RK*  
 Robert A. Kronenberg, Supervisor *RAK*  
 Development Review Division  
**FROM:** Sandra Pereira *SP*  
 Development Review Division  
 (301) 495-2186



**REVIEW TYPE:** Site Plan Review  
**CASE #:** 820070190  
**PROJECT NAME:** Leisure World, Villa Cortese, Building V  
**APPLYING FOR:** Approval of 46 dwelling units including 6 Moderately Priced Dwelling Units (MPDUs)  
**REVIEW BASIS:** Div. 59-D-3 of Montgomery County Zoning Ordinance  
**ZONE:** PRC  
**LOCATION:** On Georgia Avenue, 107 feet SE of Rossmoor Boulevard  
**MASTER PLAN:** Aspen Hill Master Plan  
**APPLICANT:** Rossmoor – IDI Villa Cortese, LP  
**FILING DATE:** April 4, 2007  
**HEARING DATE:** December 13, 2007

**STAFF RECOMMENDATION:** Approval of 46 dwelling units, including 6 Moderately Priced Dwelling Units (MPDUs), on 1.63 acres. All site development elements as shown on the site and landscape plans stamped by the M-NCPPC on October 19, 2007 and October 26, 2007 shall be required except as modified by the following conditions:

1. Development Plan Conformance  
 The proposed development shall comply with the binding elements listed in the Development Plan Amendment (DPA) 07-1 [Attachment A].

2. Landscaping  
Provide evergreen low-growing shrubs to delineate the patio areas for the terrace units.
3. Lighting
  - a. Provide onsite street lights on the north side and rear of the building.
  - b. Provide an updated lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential development.
  - c. All light fixtures shall be cut-off fixtures.
  - d. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
  - e. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
  - f. The height of the light poles shall not exceed 12 feet including the mounting base.
4. Moderately Priced Dwelling Units (MPDUs)  
The proposed development shall provide 6 (or 12.5 percent) MPDUs on-site in accordance with the letter from the Department of Housing and Community Affairs dated October 31, 2007 [Attachment B].
5. Stormwater Management  
The proposed development is subject to Stormwater Management Concept approval conditions dated November 1, 2006 unless amended and approved by the Montgomery County Department of Permitting Services.
6. Occupancy Provisions  
The age of the residents of the proposed project is restricted in accordance with Section 59-C-7.44 (b)(1) through (6) of the Zoning Ordinance as such regulations may be amended from time to time.
7. Common Open Space Covenant  
Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the use and occupancy permit for the building that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.
8. Development Program  
Applicant shall construct the proposed development in accordance with a Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of certified site plan. The Development Program shall include a phasing schedule as follows:
  - a. Street tree planting shall progress as street construction is completed, but no later than six months after completion of the building.
  - b. Community-wide recreation facilities that include the indoor community space ('party room') shall be completed prior to issuance of the use and occupancy permit.

- c. Landscaping and onsite lighting associated with the parking lot and building shall be completed as construction of each facility is completed.
- d. Pedestrian pathways and seating areas associated with the building shall be completed as construction of the building is completed.
- e. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- f. Provide each section of the development with necessary roads.
- g. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

9. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of the certified site plan.

10. Certified Site Plan

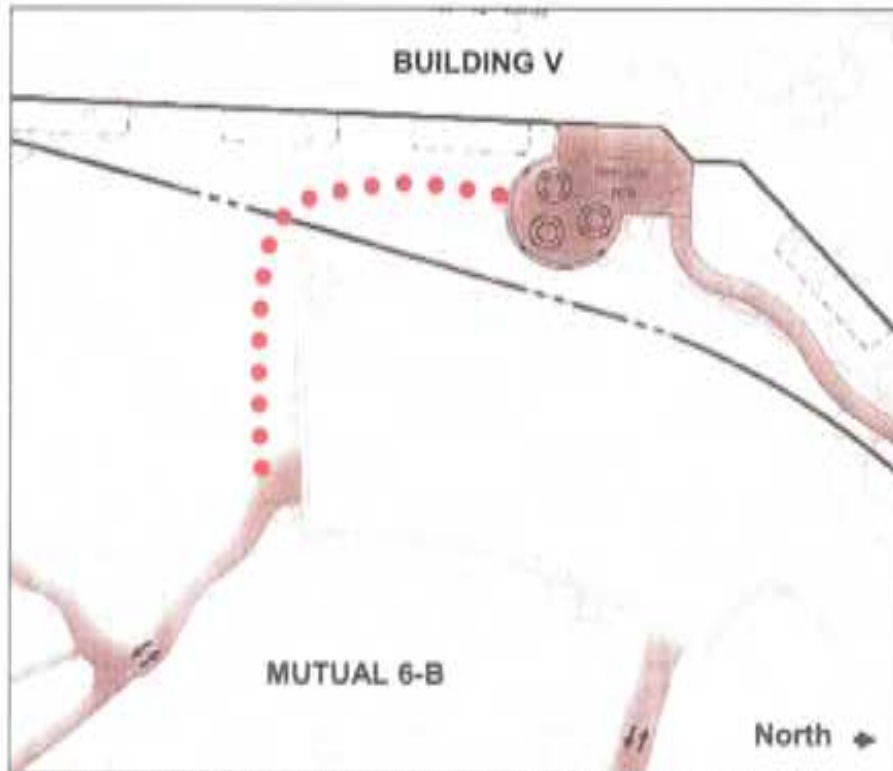
Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Revise recreation tabulations to be consistent with the recreation calculation table on page 11.
- b. Development program, inspection schedule, site plan index, and site plan resolution.
- c. Limits of disturbance.
- d. Methods and locations of tree protection.
- e. Note stating the M-NCPPC Staff must inspect tree-save areas and protection devices prior to clearing and grading.

## SITE PLAN REVIEW ISSUES

### I. Pedestrian System

The proposed pedestrian system associated with Building V does not connect to the existing path system at Mutual 6-B, located to the rear of the proposed building. The Applicant agreed to provide the path connection, however the residents of Mutual 6-B consistently opposed having any linkages or improvements on their property associated with Building V (Attachment C). As a result, the linkage between the two pedestrian systems could not be accomplished.



Diagrammatic representation of the recommended linkage between the pedestrian systems of Building V and Mutual 6-B.

#### Applicant's Proposal

The site plan proposes a sidewalk that wraps around the front, north and rear sides of the building, where it ends in a proposed concrete patio. This pedestrian path links up to the sidewalk of Building IV and the path leading towards Rossmoor Boulevard through crosswalks. No path connection is established with the existing pedestrian system at Mutual 6-B, where residents enjoy a well-connected meandering path through landscaped and sitting areas. In order for residents of Building V to access this amenity from the rear of the building, they will have to walk through the visitor's parking lot. The Applicant agreed to provide the path connection subject to the approval of the Mutual 6-B community.

#### Community Position

The adjacent community of Mutual 6-B has consistently opposed any linkages, connections, or improvements on their property associated to Building V. At a meeting on September 4, 2007, a

schematic plan illustrating the path connection was presented to the Property Manager and 11 residents of Mutual 6-B (Attachment C). Their main opposing arguments were increased liability from encouraging additional pedestrian traffic on their property, and increased maintenance by having to upkeep additional paths. Without the agreement of Mutual 6-B to build a path connection on their property, the two pedestrian systems cannot be connected.

#### Staff Analysis/Position

In a letter dated August 7, 2007 (Attachment D), Staff requested that the pedestrian path at the rear of Building V be extended and connected to the pedestrian system at Mutual 6-B. According to the Montgomery County Recreation Guidelines, a pedestrian path is “a coherent and continuous network of sidewalks and paths that provides safe pedestrian linkages to major destinations and recreational opportunities for the community.” As proposed, future residents of Building V will have to walk through a parking lot in order to access the pedestrian network at Mutual 6-B, which compromises their safety as well as access to adjacent amenities.

Leisure World provides extensive opportunities for recreation; however, most are centrally located within the total 618.5 acres and not necessarily at walking distance from Building V in Villa Cortese. Additionally, in an age-restricted community, where residents might have physical limitations that prevent them from walking long distances, every opportunity should be given to enjoy the outdoors and exercise within the immediate vicinity of their residences. While Staff recommends having a path connection, Staff finds the Applicant’s proposal acceptable since it is consistent with the requests of the community of Mutual 6-B to not have a path connection on their property.

## **II. Visitor’s parking lot at the rear of Building V**

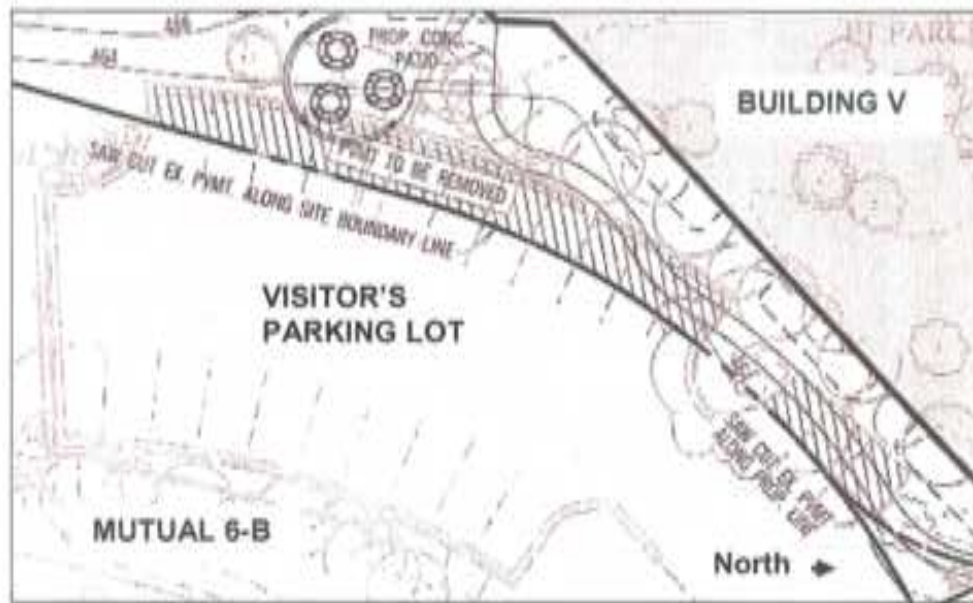
The site plan proposes to eliminate a portion of the existing visitor’s parking lot that is within the property boundary. The resulting parking lot will have a bay of usable spaces closest to Mutual 6-B and a bay of unusable spaces closest to Building V. Excess and unused pavement, per the standards of parking lot design (Section 59-E), could be removed in favor of additional landscaped areas and buffering from the proposed terrace units in Building V.

#### Applicant’s Proposal

The visitor’s parking lot is partly located on Mutual 6-B and partly on the site for Building V. This site plan proposes to eliminate all pavement within the property boundary for Building V in order to have a minimum setback from the building and to build the sidewalk leading to the concrete patio. The resulting parking lot will have a net total of 10 spaces after having eliminated 14 spaces. These spaces accommodate guest and overflow parking from Mutual 6B.

#### Community Position

In the letter dated November 6, 2007 (Attachment C), the community acknowledged the modifications to the visitor’s parking lot resulting from the proposed site plan for Building V. They agreed to all of the modifications outside their property boundary. However, they re-emphasized their position of no improvements on their property, which includes having excess pavement removed and converted into additional landscaped areas.



Pavement to be removed is shown with diagonal hatch pattern.

Staff Analysis/Position

Excess and unused pavement, per the standards of parking lot design (Section 59-E), should be removed in favor of additional landscaped areas and buffering from the proposed terrace units in Building V. The patios of the terrace units in Building V have a minimum setback of 11 feet from the edge of pavement. To improve privacy and compatibility, Staff has requested that the patios be screened with low-growing evergreen shrubs.

Additionally, by decreasing the amount of impervious surfaces, greater environmental benefits are accomplished, such as lower run-off and decreased reflective heat. Lastly, a revised layout will contribute to orderly and safe vehicular circulation, and parking.

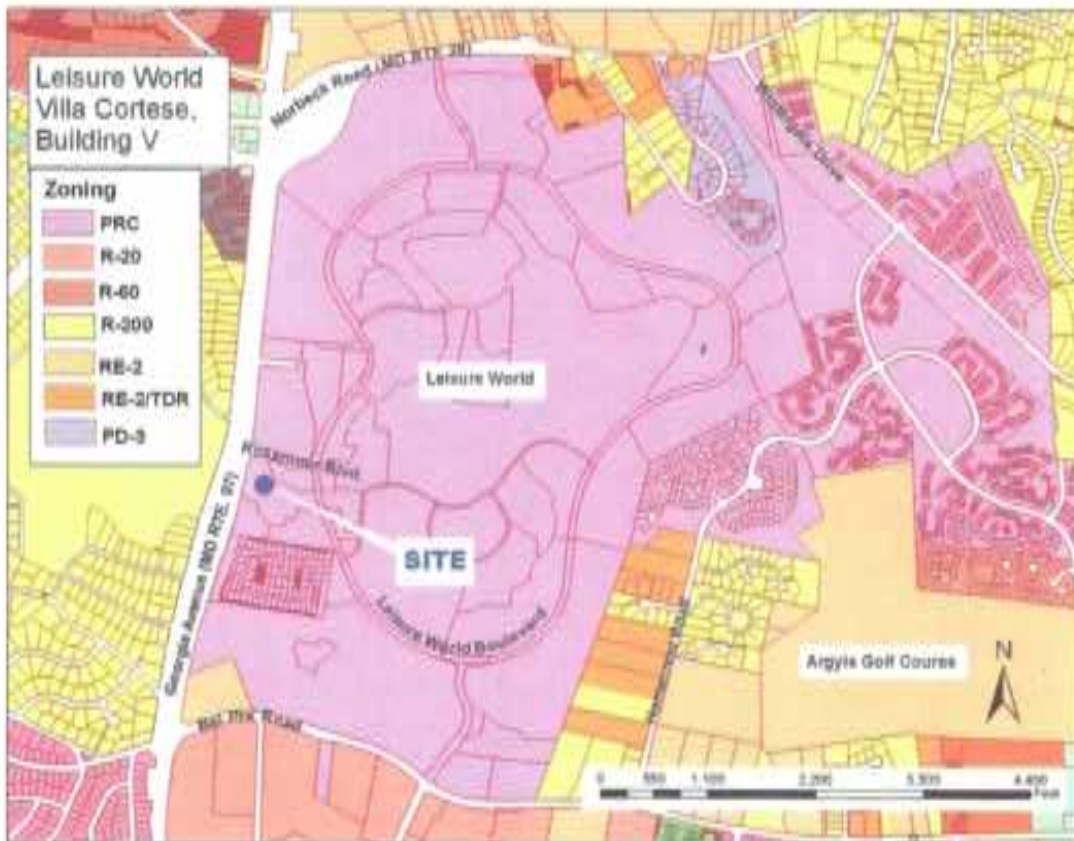
The loss of 14 parking spaces was considered acceptable since this parking lot served mainly visitors to the sales office, which is being demolished as part of this site plan. The parking requirements for residents of Building V are fully met onsite. In addition, all units at Mutual 6-B have designated parking spaces in driveways or in the existing parking garages.

**PROJECT DESCRIPTION:** Site Vicinity

The subject property is located in the age-restricted section of Leisure World, which consists of 618.5 acres of land located on the east side of Georgia Avenue and south of Norbeck Road in the Aspen Hill area. The general area is developed with a shopping center, office building, an assisted care facility and the Leisure World Community. The subject site is located in the southeast quadrant of the intersection of Georgia Avenue and Rossmoor Boulevard in Villa Cortese. This area of Leisure World has 170 multi-family dwelling units contained in four buildings approximately 35 feet in height. Villa Cortese surrounds the community of Mutual 6-B that consists mainly of one-family detached houses.

The Leisure World community contains a number of amenities including an 18-hole golf course. The community has two clubhouses that together provide a dining room, ballroom, library, theater, exercise facilities, indoor swimming pool and a number of meeting rooms. The community provides a variety of ongoing activities and services for residents. There are medical clinics, a church, lakes, and two tennis courts amongst other amenities.

The age-restricted portion of Leisure World is bordered by one-family detached homes to the east and south. To the northeast, beyond the PRC zone, is a mixture of residential densities developed under the RE-2/TDR, the R-200, RE-2 and PD-3 Zones. To the east is the unrestricted portion of the PRC zone consisting of 383.9 acres of land. This area is located south of Norbeck Road, west of Layhill Road and north of Argyle County Club, and comprises the subdivisions of Georgian Colonies, Aquarius and Longmead Crossing.



**PROJECT DESCRIPTION:** Site Description

The 1.63-acre site of Building V is located in Villa Cortese and adjacent to the community of Mutual 6-B. The shape of the site is irregular and bounded by the right-of-way for Georgia Avenue and Rossmoor Boulevard. Vehicular access to the site is accommodated via Pennfield Circle that wraps around Villa Cortese. There is a sales office and part of the visitor's surface parking lot on the site that are accessed through Mutual 6-B.

The majority of the site is covered with trees and lawn. There is an ephemeral stream to the north of the site that is channeled under the road connecting to Rossmoor Boulevard. The site gently slopes from west to east with a total 16-foot drop in elevation from Georgia Avenue to the eastern edge of the property.



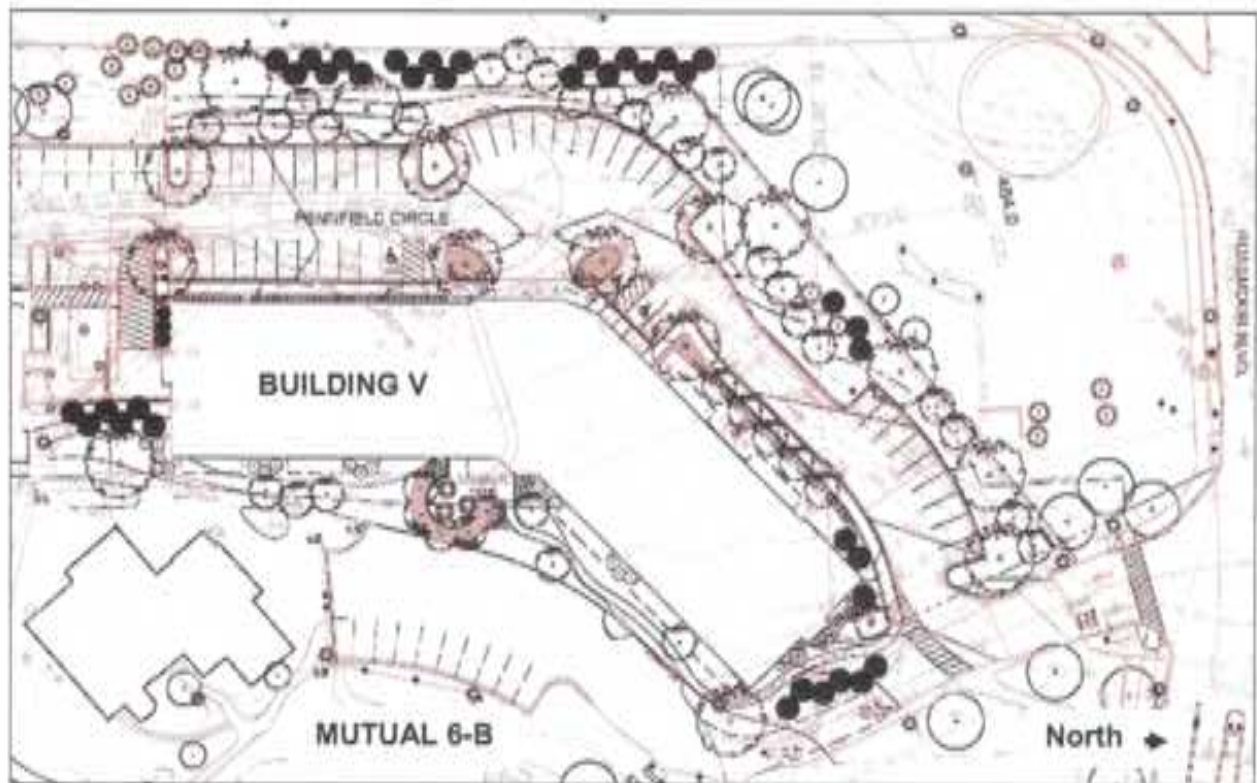
Approximate property boundary for subject site is outlined in blue.



**PROJECT DESCRIPTION:** Proposal

This site plan proposes to add Building V with a total of 46 dwelling units including 6 MPDUs to Villa Cortese in Leisure World. This building was originally approved as part of site plan no. 81993001, with a dated Opinion of August 16, 1993, providing for 228 dwelling units in five buildings. Of these, only four buildings with a total of 170 units were constructed. The location of Building V was used for a sales model building, and the unused density of Villa Cortese was transferred to another area of Leisure World, called Creekside. Recently, approval of the Development Plan Amendment (DPA) 07-1 allowed a density increase in the age-restricted section of Leisure World from 5,725 to 5,773 dwelling units, thus allowing the construction of Building V in Villa Cortese with a maximum of 48 dwelling units including 6 MPDUs. This site plan proposes to add 46 total units to Villa Cortese, even though the maximum number of units allowed is 48.

This site plan proposes to demolish the existing sales model building and eliminate the portion of the visitor's parking lot within the property boundary. The proposed 4-story multi-family residential building is accessed via an extension of Pennfield Circle that connects to Rossmoor Boulevard. A combined total of 66 spaces are provided through surface parking and an indoor parking garage. Screening from Georgia Avenue is accommodated through a hierarchy of deciduous and evergreen plantings. The recreation amenities proposed include an indoor community space ('party room'), picnic and seating areas, and pedestrian paths.



**PROJECT DESCRIPTION:      Prior Approvals**

Development Plan Amendment (DPA) 07-1

The DPA 07-1, adopted on March 20, 2007, added a density of 48 dwelling units, of which 12.5 percent (or 6 units) are MPDUs, to the age-restricted section of Leisure World with a total of 618.5 acres.

Site Plan 81993001

The Site Plan number 81993001, with a dated Opinion of August 16, 1993, approved 228 dwelling units in five buildings in Villa Cortese. Of these, only four buildings with a total of 170 units were constructed. The location of Building V was used for a sales model building, and the unused density of Villa Cortese was transferred to another area of Leisure World, called Creekside.

**ANALYSIS: Conformance to Development Standards**

PROJECT DATA TABLE (PRC Zone)

Zoning Ordinance Development Standard	Permitted/ Required	Proposed for Approval
Min. Gross Tract Area (ac.):	25	987.5 (a)
Subject Site for Building V	not specified	1.63
Max. Density of Development (d.u./ac.) (b)	10	9.3
Max. number of Dwelling Units		
Multi-family	48	46
Min. number of MPDUs (included in total number of units)	6 (12.5%)	6 (12.5%)
Min. Building Setbacks (ft.) (c)		
from Georgia Ave	100	108
from Rossmoor Blvd	100	155
from visitor's parking lot	not specified	17
Max. Building Coverage (% of Gross Total Area) (c)	15	12
Min. Green Area (% of Gross Total Area) (c)	65	67
Max. Building Height (ft.) (c)	100 (d)	39
min. 65% of the d.u.	35 (e)	39 (f)
Parking Spaces		
(15) one-bedroom	18.75	
<u>(31) two-bedroom</u>	<u>46.50</u>	
(46) d.u.'s Total	66	66

(a) Total PRC Zone per 82004030

(b) Per DPA 07-1, an additional 48 units including 6 MPDUs were approved, yielding a total of 5,773 dwelling units in the 618.5-acre area of the Leisure World age-restricted section.

(c) The binding elements of DPA 07-1 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, and a minimum green area of 65 percent.

(d) Per 59-C-7.47. (a) (1), no building except a church tower may exceed 100 feet in height

(e) Per 59-C-7.47. (a) (2), at least 65 percent of the total number of dwelling units must be contained in buildings not more than 35 feet in height.

(f) Building V will add 46 dwelling units to the existing 2,713 dwelling units located in buildings higher than 35 feet in Leisure World. The new total represents 34 percent of the total dwelling units in Leisure World.

## RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
<b>Demand Points</b>					
<u>Garden apartment (46)</u>	5.1	6.4	5.5	54.2	7.4
Total Required Points	5.1	6.4	5.5	54.2	7.4
35% of total	1.8	2.2	1.9	19.0	2.6
<b>Onsite Supply Points</b>					
Picnic/sitting (2)	2.0	2.0	3.0	10.0	4.0
Pedestrian System (1)	0.5	1.3	1.1	24.4	3.3
<u>Indoor community space (1)</u>	0.5	1.0	1.7	16.2	3.0
Total Onsite Supply Points	3.0	4.3	5.8	50.6	10.3
<b>Offsite Supply Points</b>					
Picnic/sitting (25)	25	25	37.5	125	50
Tennis court (2)	0	3.0	21	48	2
Horseshoes (1)	0	2.0	2.0	4.0	3.0
Pedestrian System (1)	0.5	1.3	1.1	24.4	3.3
Natural areas (1)	0	0.3	0.6	5.4	0.4
Swimming pool (1)	0.3	1.3	1.1	13.6	1.1
Indoor swimming pool (3)	1.5	3.9	3.3	48.9	9.0
Indoor community space (2)	1.0	1.9	3.4	32.4	6.0
Indoor fitness facility (1)	0	0.6	0.6	10.8	1.1
<u>Community garden (1)</u>	0.5	0.6	0.6	10.8	1.9
Total Offsite Supply Points	28.8	39.9	71.2	323.3	77.8
35% of total	10.08	13.97	24.9	113.2	27.2
Total supply points	4.8	6.5	7.7	69.6	12.9
% of demand met on-site	94	102	140	128	174

### **ANALYSIS:**

#### Conformance to Master Plan

The proposed project for 46 new multiple-family units on an approximately 1.6-acre site is within the larger, 618.5-acre age-restricted portion of the Leisure World Community. The applicable Master Plan is the 1994 Aspen Hill Master Plan, which identifies the Leisure World complex as site 19 in the significant parcels portion of the land use chapter (page 72). The Master Plan states that the maximum permitted development in the age-restricted portion of Leisure World can be up to 6,185 units. The proposed development will add up to 46 units for a total of 5,773 units. This number does not include the 85 units on an approximately 50-acre site previously owned by WSSC added to the age-restricted portion through a rezoning (G-782) in 2000.

#### Local Area Transportation Review

The subject site plan is not subject to Local Area Transportation Review since the proposed 46 dwelling units generate less than 30 total weekday trips during the morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods.

**FINDINGS: For Site Plan Review**

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The proposed development is consistent with the approved Development Plan Amendment (DPA 07-1) in land use, density, and general layout. The proposed development also is in conformance with the binding elements as demonstrated in the Project Data Table below. The DPA 07-1 added a density of 48 dwelling units, of which 12.5 percent (or 6 units) are MPDUs, to the age-restricted section of Leisure World.

<b>Development Standard</b>	<b>Binding per DPA 07-1</b>	<b>Proposed for Approval</b>
<b>Max. height</b>	39	39
<b>Min. building setback (ft.)</b>	100	100
<b>Max. building coverage (%)</b>	15 of GTA	12
<b>Min. Green Area (%)</b>	65 of GTA	67

2. *The site plan meets all of the requirements of the PRC zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the PRC zone as demonstrated in the Project Data Table on page 10.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

- a. **Locations of buildings and structures**

Building V, with 46 dwelling units including 6 MPDUs, replaces the existing sales model building in Villa Cortese at the southeast quadrant of the intersection of Georgia Avenue and Rossmoor Boulevard. The orientation and placement of Building V follows closely the layout of the existing multi-family buildings in Villa Cortese.

The proposed 4-story building fronts onto Georgia Avenue, with a setback of 108 feet, which accommodates a grade change of approximately 6 feet. This allows for better buffering and screening of the traffic on Georgia Avenue. The rear of the building faces onto the visitors' parking lot in Mutual 6-B. Due to the drop in elevation, an additional floor is provided with a party room and 3 terrace units (MPDUs). These have individual patios with direct access at grade to the outdoors.

This plan proposes surface parking that wraps around the west and north side of the building with a total of 48 spaces. The parking layout continues the existing parking layout at Villa Cortese. An additional 18 spaces are provided indoors at the parking garage located on the main level of Building V. The location of parking structures and Building V is adequate, safe, and efficient.

b. Open Spaces

The site plan for Building V provides open space on the perimeter of the property. On the sides facing Georgia Avenue and Rossmoor Boulevard, the open space serves as screening and buffering. At the rear of the building that open space serves recreational purposes. Overall, the open spaces proposed are adequate, safe, and efficient.

c. Landscaping and Lighting

The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the perimeter of the property and in focal areas. A hierarchy of plant material is provided along Georgia Avenue as an extension of the dense plantings in front of Building IV that provide screening from the busy road. Additional plantings are provided framing the front and rear patios. They are especially important at the rear patios to delineate the private realm since this is within close proximity of the path. Plantings are used as a focal point framing the concrete patio at the rear of Building V.

The lighting plan consists of street lights at the outer edge of the parking lot that are identical to those existing throughout Villa Cortese. These are cut-off fixtures illumination levels that do not exceed 0.5 footcandles at any property line abutting county roads or adjacent residential properties. Additional street lights need to be provided on the side and rear of the building in order to have adequate lighting and provide a safe environment for pedestrians to walk at night.

d. Recreation Facilities

Recreation demand is satisfied for all age groups as shown in the recreation calculations table on page 11. The proposed recreation amenities, including picnic tables and sitting, pedestrian system, and indoor community room, are all provided within the site boundary. Other amenities offsite, but within Leisure World include picnic/sitting, tennis court, horseshoes, pedestrian system, natural areas, swimming pool, indoor swimming pool, indoor community space, indoor fitness facility, and community garden. This site plan fulfills recreation demand through a combination of onsite and offsite supply points which target the older age groups. This seems adequate since this is an age-restricted community. The recreation facilities proposed are safe and efficient.

e. Pedestrian and Vehicular Circulation Systems

Vehicular access to Building V is provided via an extension of Pennfield Circle that connects to Rossmoor Boulevard through a gate. This connector provides 2-way vehicular access between the proposed building and Rossmoor Boulevard. There is a drop-off area in front of the main entrance to the building. The surface parking wraps around the west and north side of the building yielding a total of 41 parking spaces including 4 ADA accessible spaces. An additional 17 parking spaces with 1 ADA accessible space are provided in the indoor parking garage, which is accessed from the south side of the building and directly across from the parking garage entrance for Building IV. A designated vehicular access for fire and rescue connects the visitor parking at Mutual 6-B with the road in Building V leading to Rossmoor Boulevard. Collapsible bollards, as requested by the Division of Fire Code Enforcement on their memorandum dated September 21, 2007 [Attachment B], prevent through traffic in this road connector.

Pedestrian access is provided along the front of Building V and it wraps around the side and rear of the building, where it ends in a concrete patio. Pedestrian linkages are provided through crosswalks at critical locations such as between Buildings IV & V, and across the access off Rossmoor Boulevard. Pedestrians are encouraged to enter the site through Rossmoor Boulevard at the gatehouse to ensure surveillance.

Vehicular and pedestrian circulation systems are safe, adequate and efficient within the site boundaries.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The proposed site plan meets the requirements and adheres to the development standards of the PRC Zone. These standards allow for a maximum of 35 percent of the dwelling units to be located in buildings with a height greater than 35 feet. Building V, with a proposed maximum height of 39 feet, will add 46 units to this group of buildings which as a result, will comprise 34 percent of the total dwelling units in Leisure World.

The location of Building V takes advantage of the drop in elevation between Georgia Avenue and the site which also increases compatibility. The finished floor elevation of the building is approximately 6 feet below the elevation of the road, which prevents pedestrians onsite from having direct views of the traffic on Georgia Avenue. Likewise, the surface parking between the building and the road is hidden by the grade when looking from Georgia Avenue. Additional screening is provided through dense plantings between the surface parking and the existing fence that parallels Georgia Avenue.

In terms of scale and materials, Building V is compatible with the existing buildings in Villa Cortese. This building is intended to mirror Building IV and be consistent with the architectural character of Villa Cortese.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The plan has been granted exemption from the requirements of forest conservation under the Planned Unit Development exemption, which includes a development plan that was approved before January 1, 1992, and site plans that were not approved before July 1, 1992. It should be noted that Leisure World was 75% or more complete on January 1, 1992 per Environmental Planning memorandum of March 24, 2006 [Attachment B].

The proposed stormwater management concept consists of (1) on-site channel protection measures via the existing onsite Regional Pond which serves the Leisure World Shopping Center; and (2) on-site water quality control via installation of proprietary filtration devices with structural pretreatment. Water quality for the proposed roof areas will be provided by the downstream Regional Pond. Onsite recharge is not required because this is a redevelopment project.

#### APPENDIX

- A. Planning Board opinion for Development Plan Amendment 07-1.
- B. Referenced Agency correspondence
- C. Community of Mutual 6-B correspondence
- D. Staff's letter dated August 7, 2007

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**

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By: District Council

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**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).

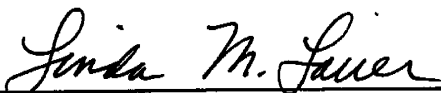
4. Technical Staff and the Montgomery County Planning Board (the "Planning Board") recommend approval of this application. The Staff Report concludes that each of the findings that are required under Section 59-D-1.6 of the Zoning Ordinance to support the approval of a development plan amendment can 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.

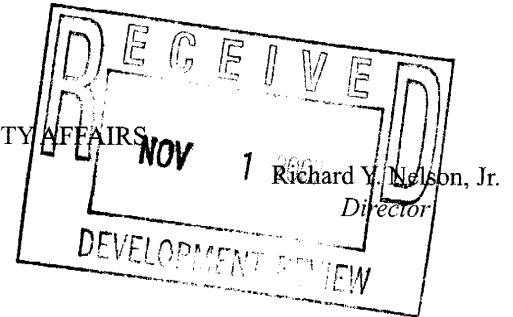
A handwritten signature in cursive script that reads "Linda M. Lauer". The signature is written in black ink and is positioned above a horizontal line.

Linda M. Lauer, Clerk of the Council



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive



October 31, 2007

Ms. Sandra Pereira  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Leisure World's Villa Cortese – Building V  
M-NCPPC Site Plan #820070190

Dear Ms. Pereira:

The Department of Housing and Community Affairs (DHCA) has received the revised site plan for the above project. While we note that all of the Moderately Priced Dwelling Units (MPDUs) are now located in Building V, per the request of both of our agencies, we have additional comments concerning some of the MPDUs.

When DHCA staff and I met with the applicant's representatives on July 24, 2007, we were assured that the terrace level, where three (3) of the MPDUs are located, is considered desirable by Leisure World residents because these units have individual patios. However, as I noted in my letter to Kim Currano of September 17, 2007, the architectural drawings show neither individual patios nor enclosed sunrooms for these MPDUs, both of which are provided for the market rate units on the first floor of the building. (This configuration has not been changed in the most recent architectural drawings.) Given our discussion with the applicant, and to compensate for the proximity of these units to the party room and utility rooms, we urge that individual, fenced patios with direct egress be provided along the length of the three (3) MPDUs to the edge of the balcony overhangs, with the type of fencing subject to approval by Park and Planning. We understand that there is insufficient space to provide a larger patio given the location of the pedestrian path.

While we would like to see a similar arrangement for the one-bedroom MPDU on the first floor, we recognize that there is insufficient space to provide a patio given the configuration of the parking.

Office of the Director

Ms. Sandra Pereira  
October 31, 2007  
Page 2

In addition to the above, we recommend extra soundproofing for the MPDU located closest to the party room.

Thank you for providing us with this opportunity to comment on the plan.

Sincerely,



Richard Y. Nelson, Jr.  
Director

RYN:lss

cc: Jolene Zangardi, IDI  
Ines Vega, IDI  
Barbara A. Sears, Esq., Linowes & Blocher, LLC  
Kim Currano, Greenhorne & O'Mara  
Robert Kronenberg, M-NCPPC  
Joseph T. Giloley, DHCA  
Christopher J. Anderson, DHCA  
Lisa S. Schwartz, DHCA

## **Pereira, Sandra**

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**From:** Schwartz, Lisa [Lisa.Schwartz@montgomerycountymd.gov]  
**Sent:** Monday, November 26, 2007 10:51 AM  
**To:** Ines E. Vega  
**Cc:** Jolene Zangardi; Sears, Barbara A. - BAS; YCheng@linowes-law.com; Pereira, Sandra; CURRANO, Kim; SINGH, Surina; Nelson, Rick; Giloley, Joseph; Anderson, Christopher  
**Subject:** RE: Villa Cortese V - DHCA Comments from October 31, 2007

Ms. Vega,

Thank you for providing this information. This resolves all of DHCA's outstanding issues with the Villa Cortese project.

Best wishes,

Lisa S. Schwartz  
Senior Planning Specialist  
Montgomery County Department of Housing and Community Affairs  
100 Maryland Ave., 4th Floor  
Rockville, MD 20850  
(240) 777-3786 - office (240) 777-3709 - fax  
[lisa.schwartz@montgomerycountymd.gov](mailto:lisa.schwartz@montgomerycountymd.gov)

-----Original Message-----

**From:** Ines E. Vega [mailto:ivega@idigroup.com]  
**Sent:** Wednesday, November 21, 2007 3:15 PM  
**To:** Schwartz, Lisa  
**Cc:** 'Jolene Zangardi'; 'Sears, Barbara A. - BAS'; YCheng@linowes-law.com; 'Pereira, Sandra'; 'CURRANO, Kim'; 'SINGH, Surina'  
**Subject:** Villa Cortese V - DHCA Comments from October 31, 2007

Ms. Schwartz,

We have reviewed the DHCA's requests described in the letter of October 31 and we would like to confirm that we will provide patios with direct egress for the three MPDUs in the terrace level of Villa Cortese V. Privacy will be provided through landscaping, as will be provided for the market units in this building that have patios. Please see detail below. Also, we agree to provide appropriate soundproofing for the MPDU closest to the party room.



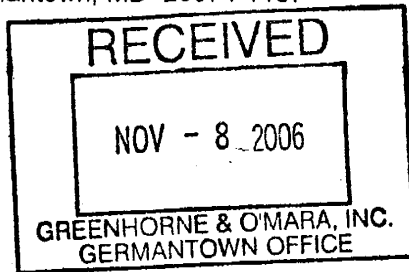
DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

November 1, 2006

Ms. Kim Currano  
Greenhorne & O'Mara, Inc.  
20410 Century Boulevard, Suite 200  
Germantown, MD 20874-1187



Re: Stormwater Management **CONCEPT** Request  
for Villa Cortese Building 5  
Preliminary Plan #: N/A  
SM File #: 227536  
Tract Size/Zone: 1.63 acres / PRC  
Total Concept Area: 1.63 acres  
Lots/Block: N/A  
Parcel(s): 21  
Watershed: Northwest Branch

Dear Ms. Currano:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via the existing onsite Regional Pond which serves the Leisure World Shopping Center; and on-site water quality control via installation of proprietary filtration devices with structural pretreatment. Water quality for the proposed roof areas will be provided by the downstream Regional Pond. Onsite recharge is not required, because this is a redevelopment project.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The stormwater management as-built submission must include dimensional as-built information for the modified existing oil/grit separator.

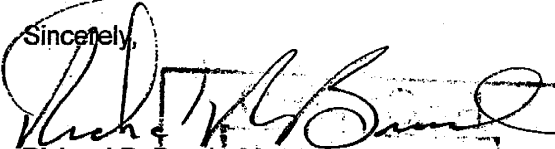
This list may not be all-inclusive and may change based on available information at the time.

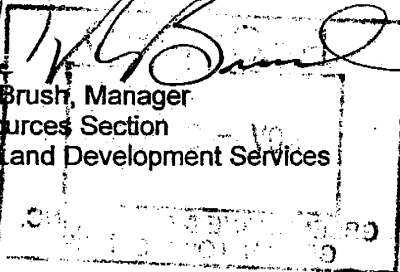
Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not** required.



This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,  
  
Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services



RRB:dm mce

cc: SM File # 227536

QN -ON; Acres: 1.5  
QL - ON; Acres: 1.5  
Recharge is not provided



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## FIRE MARSHAL COMMENTS

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**DATE:** SEPTEMBER 21, 2007  
**TO:** KIM CURRANO, GREENHORNE & O'MARA  
**FROM:** MARIE LABAW  
**RE:** LEISURE WORLD'S VILLA CORTESE - BUILDING V 8-20070190

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**PLAN APPROVED provided the following conditions are met:**

1. Collapsible bollards shall collapse upon impact and do no damage to apparatus driving over them.
- 
1. Review based only upon information contained on the plan submitted with revision on 09-21-07. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
  2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.






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

November 15, 2007

**MEMORANDUM**

To: Sandra Pereira  
Development Review Division

From: Khalid Afzal   
Community-Based Planning Division

Subject: Site Plan #820070190, Villa Cortese, Building V

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The proposed project for 46 new multiple-family units on an approximately 1.6-acre site is within the larger, 618.5-acre age-restricted portion of the Leisure World Community. The applicable master Plan is the 1994 Aspen Hill Master Plan, which identifies the Leisure World complex as site 19 in the significant parcels portion of the land use chapter (page 72). The Master Plan states that the maximum permitted development in the age-restricted portion of Leisure World can be up to 6,185 units. The proposed development will add up to 46 units for a total of 5,773 units. This number does not include the 85 units on an approximately 50-acre site previously owned by WSSC added to the age-restricted portion through a rezoning (G-782) in 2000.

After reviewing the Site Plan-820070190, the Community-Based Planning staff has concluded that this proposal is consistent with the 1994 Aspen Hill Master Plan.

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FOREST CONSERVATION RECOMMENDATIONS**

**TO:** Inspector Staff, Development Review Division

**SUBJECT:** Project Name Villa Cortese, Building V Date Recd 3/1/06  
NRI/FSD # 4-062415

The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption:

**EXEMPTION:**

- Planned Unit Development** - Activity or development within a planned unit development which
- Development or Project Plan was approved before January 1, 1992 and site plans were approved before July 1, 1992
  - Development or Project Plan was approved before January 1, 1992 and site plans were not approved before July 1, 1992, but the PD was 75% or more complete on January 1, 1992 (measured by the total acreage subject to the PD that has received site plan approval).
- Note: A development plan or project plan amendment approved after January 1, 1992 is not exempt if it results in the cutting of more than 5,000 additional square feet of forest.*

**This property is not within a Special Protection Area\*.**

\* Properties within a Special Protection Area (SPA) may be required to submit a Preliminary Water Quality Plan. Contact Leo Galanko at MCDPS for information regarding the requirements (240-777-6242).

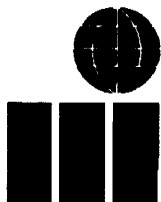
Comments:

Please Submit Mylar

Signature:   
Josh Penn, Environmental Planning

Date: 3/24/06

cc: Hannah Robinson, for the applicant (Fax: 301-441-8181)



## THE IDI GROUP COMPANIES

LEISURE WORLD OF MD OFFICE ■ 14901 PENNFIELD CIRCLE ■ SILVER SPRING, MD 20906 ■ 301.598.2100 ■ FAX 301.598.8950

ATTACHMENT C

September 19, 2007

Sandra Pereira  
Senior Planner  
Development Review Division  
Maryland - National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Dear Ms. Pereira:

On September 4, 2007 at 2 pm, we met with the Property Manager and 11 Mutual 6B residents, including the President and Vice President of the Association, to present the attached plan.

As you can see, we incorporated your suggestions into the plan presented and asked the community to consider this option as a better alternative to what they had previously requested and as it is currently shown on the site plan. We emphasized how it was the expert opinion of professionals that the plan presented was a better option for multiple reasons such as community integration, environmental concerns, a sidewalk to separate pedestrian and vehicular traffic presenting the opportunity for enjoyable walks around the community.

The clear response was that the Mutual 6B will not agree to have any improvements made on their property as part of this site plan. They specially do not want a sidewalk that would invite others onto their property and they had no interest or benefit from linking to the community through the proposed connection. Further, they do not want to invite other pet owners to walk their animals on their property and do not want to increase their maintenance and insurance costs. As for the landscaping, they are confident that what IDI is installing around Villa Cortese V, on the land to be conveyed to new condominium, is more than enough to screen and present a pleasant view from their property.

As we persisted, they suggested that we save time and effort and that we continue with our original site plan submittal.

Please let us know if you have any questions.

Thank you,

Jolene Zangardi  
Vice President & Project Manager  
The IDI Group Companies

VILLA 5

MUTUAL 6B



ROSSMOOR LEISURE WORLD: VILLA CORTESE-VILLA V  
BLADE SPRING, MARYLAND

PREPARED FOR THE CHIEF COMPANIES



**ATTENDEES**  
**Presentation of Landscaping elements on Mutual 6B to Mutual 6B Owners**  
**Villa Cortese V**  
September 4, 2007, 2pm

Theresa Lamb  
James Lamb  
Harry Lohmeyer  
Juanita Lohmeyer  
Frances Nebesky  
John Bartley  
June Bartley  
Ruth Jett  
Elinor Mazzuchi  
Judy Whitcraft  
Earl Whitcraft  
Barbara Shea – management agent.

November 6, 2007

Sandra Pereira, Senior Planner  
Maryland - National Park & Planning Commission  
Development Review Division  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Ms. Pereira:

I am writing to confirm that IDI has presented the plans for the Fifth Building of Villa Cortese to our Association at several meetings.

We are aware that the new building is similar to the other Villa Cortese buildings and that pavement adjacent to our parking lot, on the land that will be owned by Villa Cortese, will be removed. Further, all landscaping and improvements will be kept off our association's property.

Thank you,



Theresa Lamb  
President, Board of Directors  
Mutual 6B



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

The IDI Group Companies  
Attn: Ms. Jolene Zangardi  
14901 Pennfield Circle  
Silver Spring, MD 20906

August 7, 2007

Re: Leisure World's Villa Cortese, Building V  
Site Plan No. 820070190  
Pedestrian circulation & public use space at the rear of Building V

Dear Ms. Zangardi,

I am writing to follow-up on the meeting dated August 3, 2007 in which Staff met with your team to discuss the most pertinent Development Review Committee comments. This letter is intended to further highlight some of our recommendations, particularly those concerning pedestrian circulation and open space at the rear of Building V. Our recommendations are intended to further the purpose of the Planned Retirement Community (P.R.C.) Zone of "including a maximum safety, convenience and amenity for the residents of the development," as described in the Montgomery County Zoning Ordinance (Sec. 59-C-7.4).

In this light, all efforts should be made so that the area at the rear of Building V and adjacent to the existing rental office, where three MPDUs are proposed, is integrated within the rest of Villa Cortese rather than isolated from the community. Staff recommends that the proposed site plan provide 1) connections to the pedestrian system at Mutual 6-B, 2) a hierarchy of plant materials, and 3) additional landscaped area in lieu of unused pavement at the visitor parking lot. These will contribute to greater safety, convenience, and amenity of the residents of Building V and Villa Cortese.

Recommendation #1

The pedestrian path at the rear of Building V should be extended and connected to the pedestrian system at Mutual 6-B, where residents enjoy a well-connected meandering path through landscaped areas. Staff will not be able to complete their findings on pedestrian circulation given the current path layout. According to the Montgomery County Recreation Guidelines, a pedestrian path is "a coherent and continuous network of sidewalks and paths that provides safe pedestrian linkages to major destinations and recreational opportunities for the community." As proposed, future residents of Building V would have to walk through a parking lot in order to access the pedestrian network at Villa Cortese. Not having a continuous network of sidewalks

compromises pedestrian safety as well as access to adjacent amenities, in this case the pedestrian system. Additionally, in an age-restricted community, where residents might have physical limitations that prevent them to walk long distances, every opportunity should be given to enjoy the outdoors and exercise within the immediate vicinity of their residence.

Recommendation #2

Throughout Villa Cortese, a commitment to good quality landscaping is evident in the variety and hierarchy of plant material selected, their location and maintenance. The area surrounding the existing rental office, where three dwelling units are proposed as part of this site plan, should also be landscaped in coordination with the area to the rear of Building V, and reflective of the landscape character in Villa Cortese. A hierarchy of plant material that includes trees, shrubs, and perennials is recommended in order to frame the space and integrate it with the rest of the community. Ultimately, this will enhance the outdoor experience of residents and visitors.

Recommendation #3

As a result of the location of Building V, all parking spaces on the west side of the visitor parking lot have been eliminated, resulting in a single loaded parking lot. It will be necessary to conform to the standards for parking lot design (Section 59-E) and remove any unused pavement in favor of additional pervious surfaces. The applicant is encouraged to integrate the new areas as part of the landscape at the rear of Building V. By decreasing the amount of impervious surfaces, greater environmental benefits are accomplished, such as lower run-off and decreased reflective heat. In addition, a revised layout will contribute to orderly and safe vehicular circulation, and parking.

We believe that in order to contribute to greater safety, convenience and amenity of the residents of Building V and Villa Cortese, it is necessary to provide connections to the existing pedestrian network, furbish additional landscape areas, and remove areas of unused pavement. These recommendations will contribute to better enjoyment of the residents and ultimately strengthening the community at Villa Cortese and Leisure World. We are confident that you will find innovative ways of incorporating our recommendations into your site plan. Please do not hesitate to contact me at (301) 495-2186 should you have any questions.

Sincerely yours,

Sandra Pereira, Senior Planner  
Development Review Division

Cc: Barbara Sears, Linowes and Blocher LLP  
Robert Kronenberg, DR  
Khalid Afzal, CPB  
David Paine, CWP – Transportation Planning