

Montgomery Planning Upcounty Planning

03/13/2025

Ruby Senior Living

Agenda item 7
Preliminary Plan No.
120250030

Preliminary Plan No. 120250030
Forest Conservation Plan No. F20250100



Overview

- A. Staff recommends **approval** of Preliminary Plan No. 120250030, with conditions.
 - B. Staff recommends **approval** of Forest Conservation Plan No. F20250100, with conditions.
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- Subdivision will create one lot for a Residential Care Facility comprised of eight buildings with 120 beds.
 - The project is within the Clarksburg Special Protection Area and includes a Final Water Quality Plan as part of the review.

Background

Conditional Use CU202311:

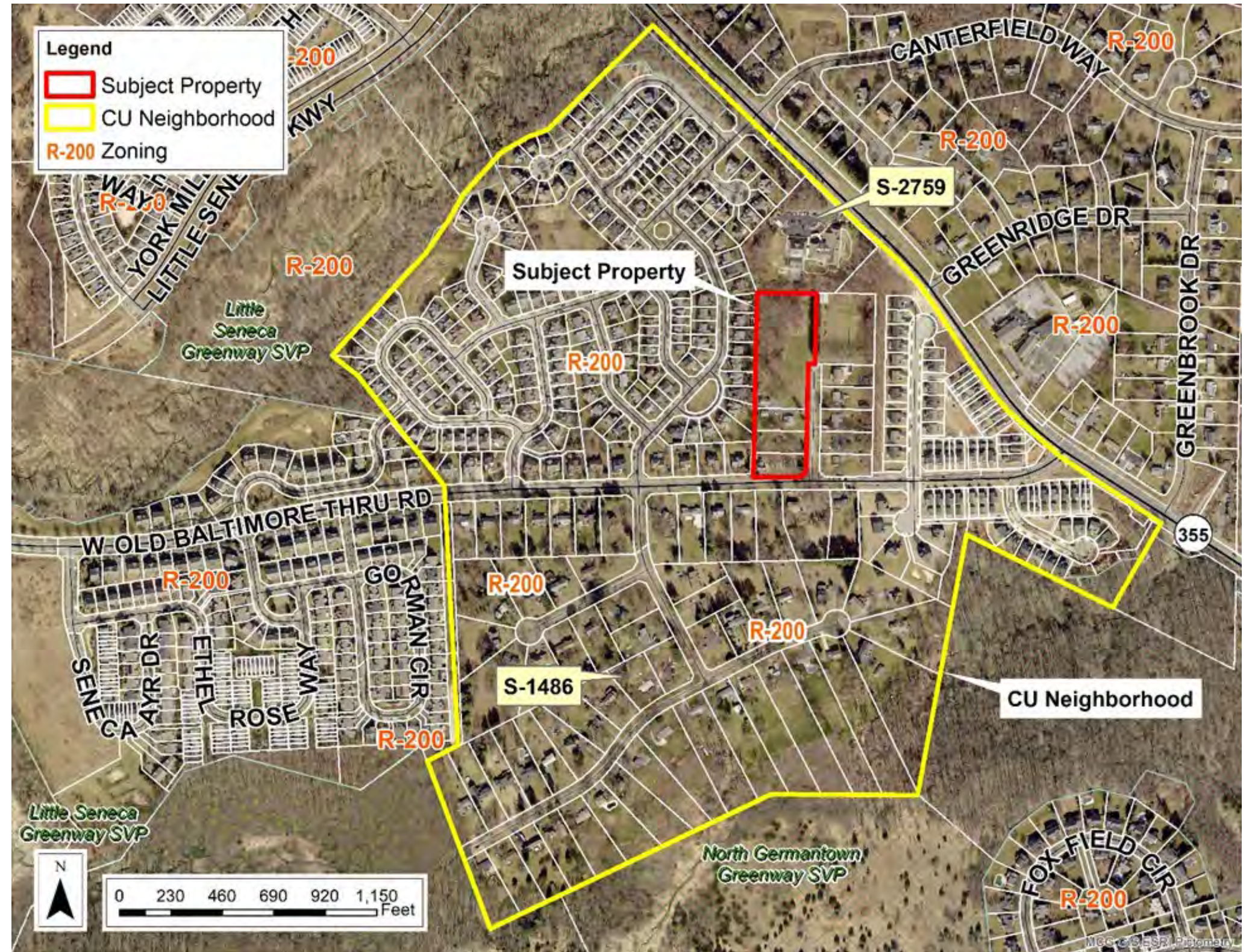
On January 18, 2024 the Planning Board Recommended Approval of the use and Preliminary Forest Conservation Plan.

On April 16, 2024, the Hearing Examiner Approved Case No. CU 2023-11 for a Residential Care Facility (greater than 16 persons).

The Layout and design has not changed since the Approval of the use.

Vicinity

- 12405 West Old Baltimore and 21908 Ruby Drive, Boyds
- West of MD355
- North of West Old Baltimore Road
- R-200 Zoning
- Properties to the west having a TDR overlay zone of TDR 4.0
- Goddard School Conditional Use to the north.



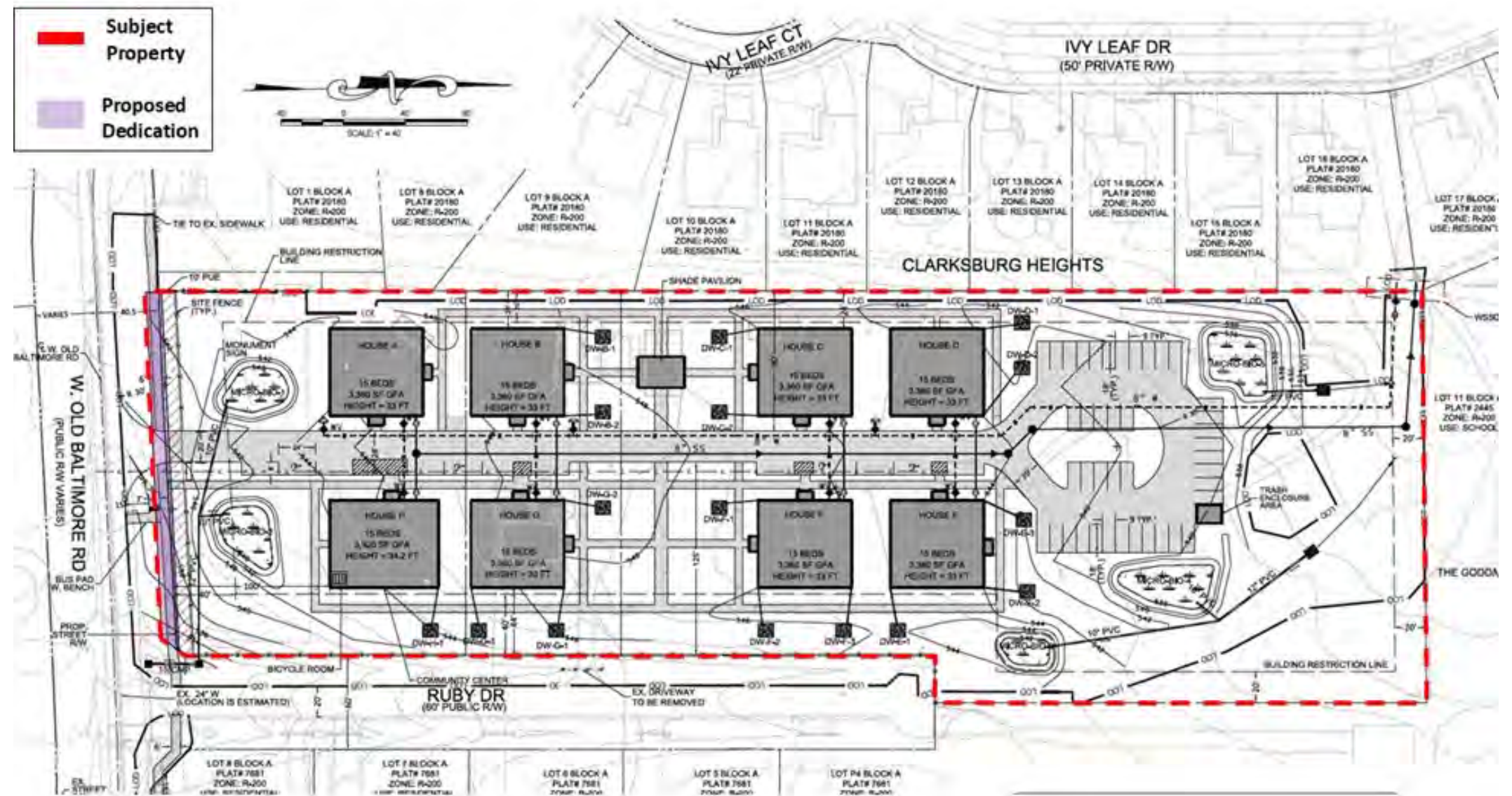
Site Description

- Four pieces of land,; Lot 1 (consisting of two tax parcels or parts of lots), Lot 2 and Lot 3 in the “Neelsville” subdivision
- Record Plat No. 7681
- 202,898 square feet or 4.66 acres
- The Property is improved with two single-family detached homes and associated accessory structures.



Proposal

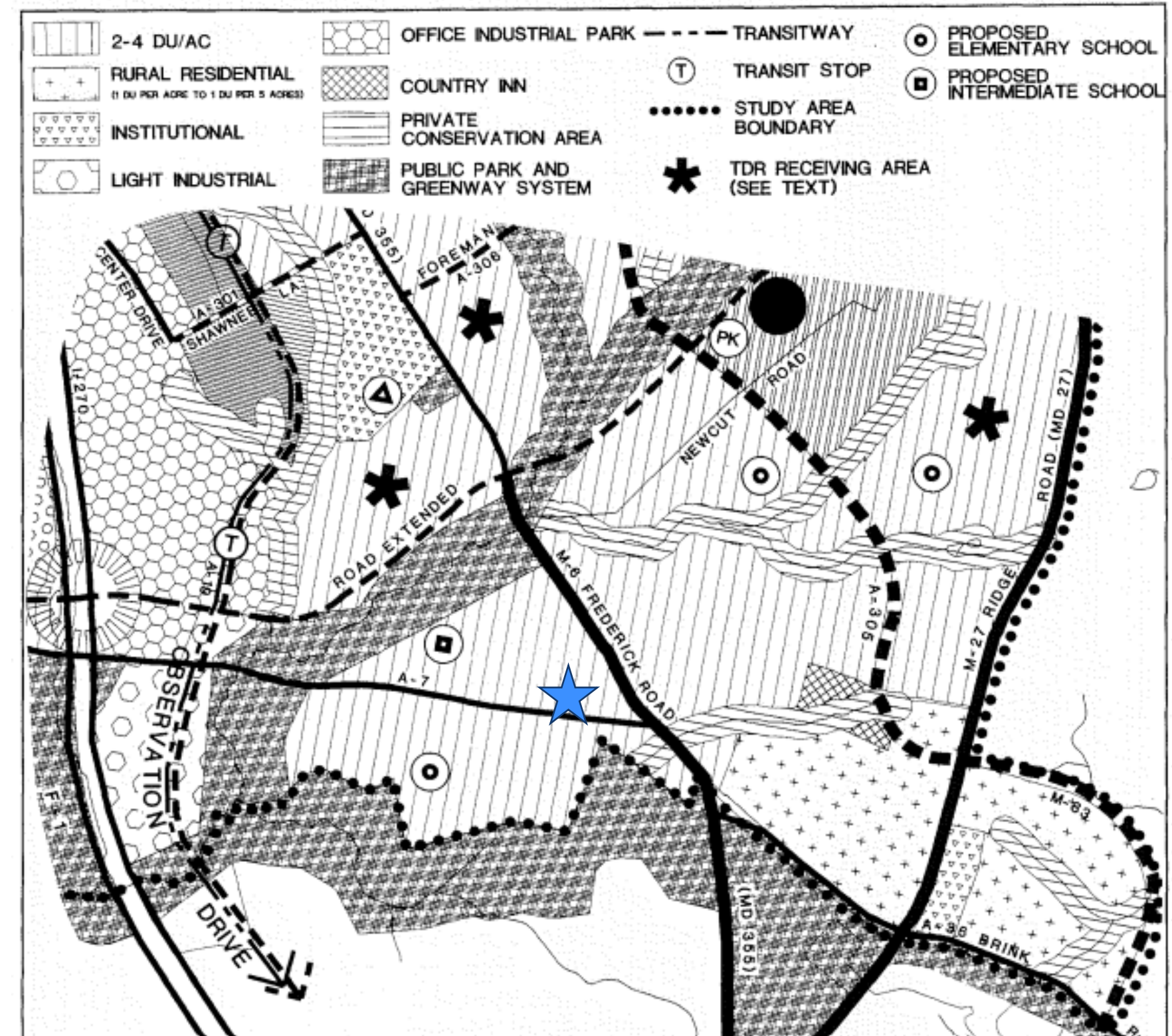
- One 4.58-acre lot
- Residential Care Facility (greater than 16 persons)
- 0.08 acres right-of-way dedication
- Public Water and Sewer (W1 & S1)
- Buffered 6-foot-wide sidewalk along the Subject Property frontage connecting to the existing sidewalk portions to the east and west.



Master Plan

1994 Clarksburg Master Plan & Hyattstown Special Study Area

- No site-specific land use recommendations
- The Property is located within the "Brink Road Transition Area"
- Recommends compatible, low-density residential uses in the Brink Road Transition Area (p. 77)
- Conditional Use is residential in use and character and furthers the Master Plan's goals by providing compatible, low-density residential infill development, green open space, and landscape screening, resulting in minimal impact on the surrounding neighborhood.
- The approved use provides diverse housing opportunities to allow existing seniors in the Clarksburg/Boyd's area to age in the community, consistent with the Master Plan.



Transportation – Frontage Improvements

Critical improvements to pedestrian safety and circulation:

- A 6-foot wide, buffered sidewalk along the Property's West Old Baltimore frontage connecting west to the existing sidewalk network.
- A 6-foot wide, buffered sidewalk extending east of Ruby Drive connecting to the existing sidewalk network.

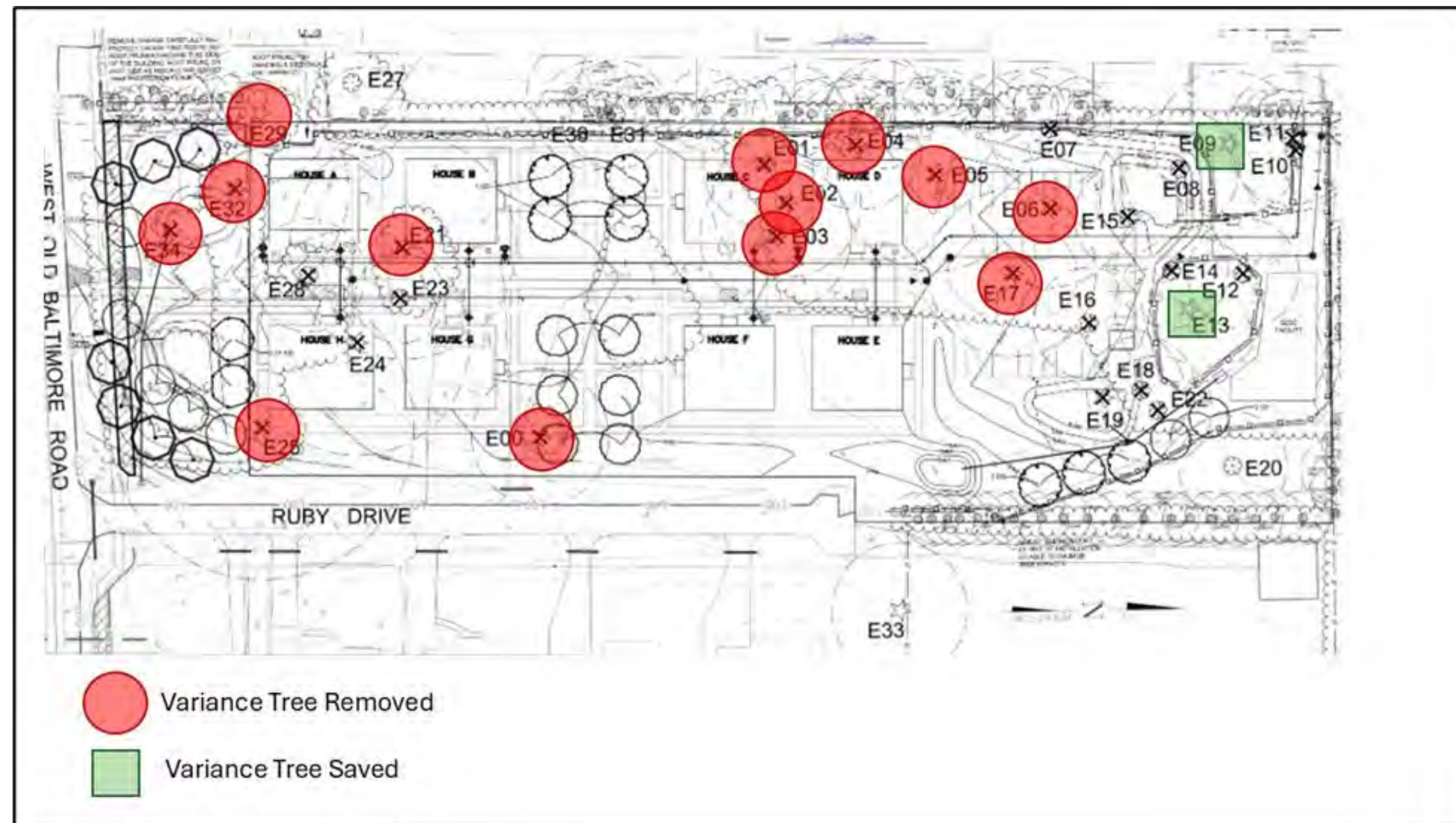


Forest Conservation Plan No. F20250100

- The Application can satisfy all requirements of Chapter 22A
- Existing 1.36 acres forest on-site
- Net Tract Area for FC purposed: 9.69 acres
- Removing 1.36 acres of forest
- Mitigation: 2.24 acres if within the same watershed or a Priority watershed or 2.92 acres if met elsewhere in the County.
- Tree Variance Request

Forest Conservation Variance

- Tree Variance Request :
 - Impact three (3) trees that are 30 inches or greater DBH.
 - Remove 12 trees that are 30 inches or greater DBH.
 - Unwarranted Hardship has been demonstrated.
 - All Variance findings have been made.
 - Mitigation at a ratio of 1:4 inches in size.
 - This results in a total mitigation of 115.75 inches
 - 29 four-inch caliper overstory trees being planted onsite.



Water Quality Plan

Planning Board Special Protection Area Review Elements

FOREST CONSERVATION

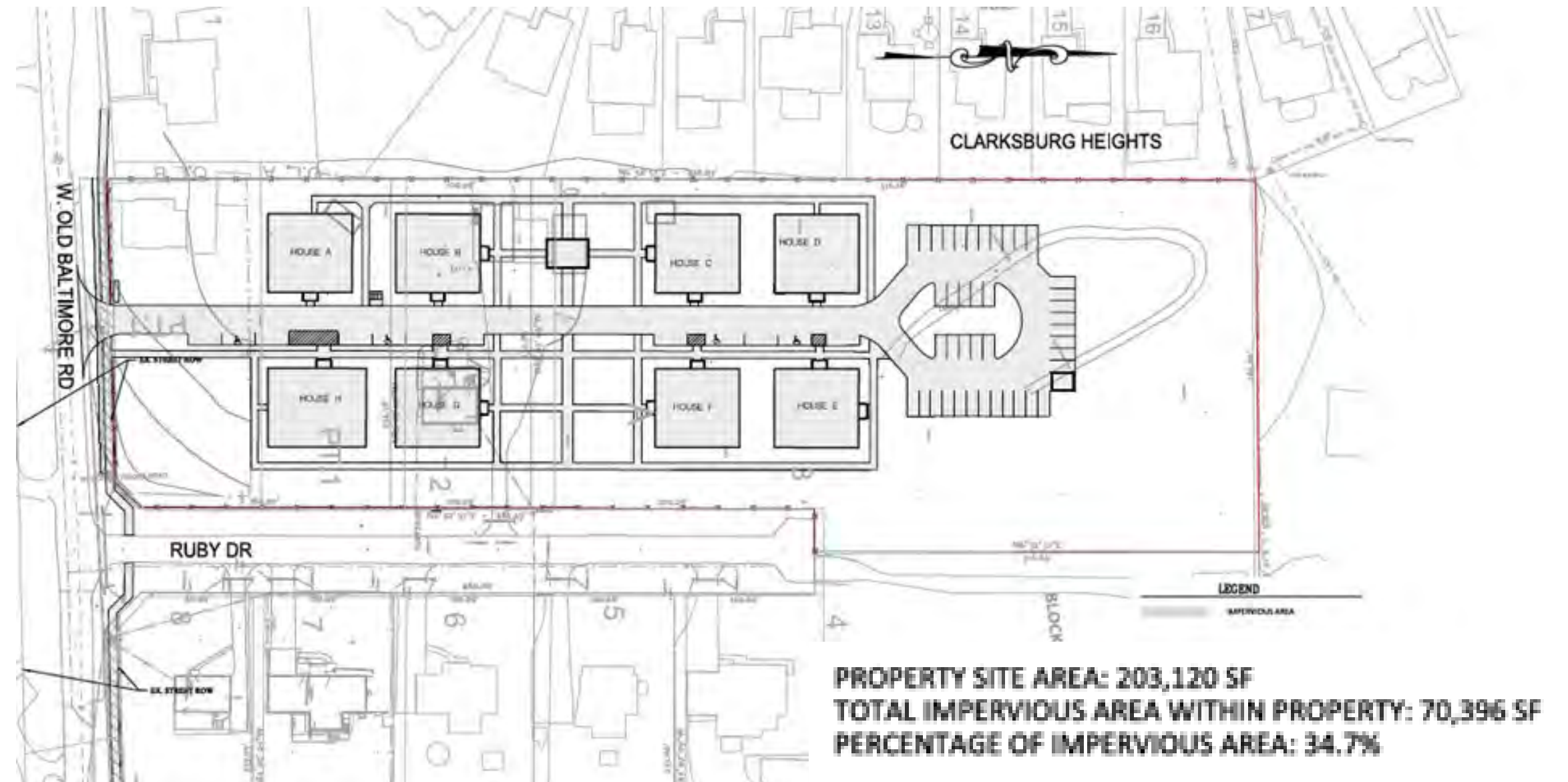
- The FFCP Application meets the requirements of Chapter 22A

ENVIRONMENTAL BUFFER PROTECTION

- The approved NRI/FSD did not identify any environmental buffers on the Property

IMPERVIOUS SURFACES

- The Clarksburg SPA does not have a numerical limit on impervious surfaces; however, a main goal for development in all SPAs is to reduce or minimize impervious surfaces.



Preliminary Plan Findings

- Conforms to the 1994 Clarksburg Master Plan & Hyattstown Special Study Area Master Plan.
- Public Facilities are adequate.
- Complies with all provisions of the Subdivision Regulations.
- The lot is appropriate with respect to size, shape, width and orientation for the proposed use.
- Complies with the Chapter 22A - Forest Conservation
 - Including Tree variance
- Meets the applicable development standards of the R-200 zone.

Recommendation

Staff recommends **approval** of the Preliminary Plan No. 120250030, with conditions.

Staff recommends **approval** of the Forest Conservation Plan No. F20250100, with conditions.

Questions?