Montgomery Planning

WORLDSHINE RUBY DRIVE

CONDITIONAL USE NO. CU202311 AND PRELIMINARY FOREST CONSERVATION PLAN NO. CU202311

Description

Request for Conditional Use approval to construct and operate an Assisted Living Facility, consisting of eight units containing up to 120 assisted living beds, in the R-200 zone.

No. CU202311

Completed: 01-05-2024

MCPB
Item No. 9
01-18-2024

2425 Reedie Drive
Floor 14
Wheaton, MD 20902

Planning Staff

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LOCATION/ADDRESS

12450 West Old Baltimore and 21908 Ruby Drive, Clarksburg

MASTER PLAN

1994 *Clarksburg Master Plan & Hyattstown Special Study Area*

ZONE

R-200

PROPERTY SIZE

4.66 Acres

APPLICANT

Worldshine Homes, LLC

ACCEPTANCE DATE

12/21/2022

REVIEW BASIS

Chapter 59 & Chapter 22A

HEARING EXAMINER PUBLIC HEARING

February 2, 2024

Summary:

- Staff recommends approval of the Conditional Use with conditions and transmittal of comments to the Hearing Examiner.
- Staff recommends approval of the associated Preliminary Forest Conservation Plan with conditions.
- The proposal is for a Residential Care Facility (Over 16 Persons) (see Section 59-3.3.2.E.c). Specifically, the Project includes eight units containing up to 120 assisted living beds.
- Staff has received significant public correspondence in opposition to this Application.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

CONDITIONAL USE NO. CU202311

Staff recommends approval of Worldshine Ruby Drive Conditional Use No. CU202311, for a Residential Care Facility (Over 16 Persons), subject to the following conditions:

1. The maximum number of residential care units is limited to 8 structures with 120 beds on 4.66 acres net tract area. Occupancy of the dwelling units shall be in accordance with the standards of Zoning Ordinance Section 59-3.3.2.E.2.c.ii.h.
2. The height of any structure will be limited to Forty (40) feet.
3. The maximum number of employees on-site at any one time must not exceed 44.
4. Food supply deliveries to the facility shall be limited to twice per week.
5. The collection of solid waste refuse and recyclable materials must occur on weekdays only, between 8:00 a.m. and 9:00 p.m., consistent with Solid Waste Regulations. No collection shall occur on Saturdays or Sundays.
6. The Applicant must provide evergreen screening above the standard requirement for the western property boundary. Landscaping must be in accordance with the Landscape Plan.
7. The Applicant must maintain 52 parking spaces as shown on the Conditional Use Plan and may not expand or reduce the parking facility without explicit permission from the Hearing Examiner through modification of this Conditional Use.
8. The Applicant must provide a minimum of five (5) bicycle parking spots.
9. Before issuance of any building permit for the subject Conditional Use, the Applicant must obtain approval of a Preliminary Plan of Subdivision and a Record Plat pursuant to Chapter 50 of the Montgomery County Code. If changes to the approved Conditional Use site plan or other plans filed in this case are required at Subdivision, the Applicant must file a copy of the revised site and related plans with OZAH.
10. As part of the Preliminary Plan, the Applicant shall provide additional operational information concerning the resident shuttle service for review.
11. Before approval of the Preliminary Plan of Subdivision, the Applicant must obtain approval of the Final Water Quality Plan from the Montgomery County Department of Permitting Services (MCDPS).
12. The Applicant must obtain a permit for the proposed monument sign, and a copy of the permit for the approved sign must be submitted to the Hearing Examiner before the sign is constructed.
13. The Applicant must obtain and satisfy the requirements of all licenses including a use and occupancy permit.

FOREST CONSERVATION PLAN

1. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of three (3) caliper inches totaling 115.75 caliper inches. Planting locations to be shown on the Final Forest Conservation Plan ("FFCP")
2. Applicant must submit a FFCP for review and approval Before obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for this Subject Property.
3. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

SECTION 2: NEIGHBORHOOD & SITE DESCRIPTION

VICINITY

The Subject Property delineated in the thick dashed line in Figure 1 below, is located at 12450 West Old Baltimore and 21908 Ruby Drive, Clarksburg. The Property is located in the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* ("Master Plan"). The Property is located in the northwest quadrant of the intersection of West Old Baltimore Road and Ruby Drive.

The vicinity is comprised of residential communities in the R-200 Zone. Directly to the west of the Property is a single family development known as Clarksburg Heights, containing approximately 130 homes – this development was approved under the MPDU Optional Method of Development (*e.g.* at higher than standard density, with smaller than typical lots). To the north is a child daycare facility operated by the Goddard School. Confronting the Property, across Ruby Drive are several single-family homes. Farther beyond to the east, and across West Old Baltimore Road to the south, is a new residential subdivision containing 57 detached homes and 10 semi-detached units, also approved with higher than standard R-200 density pursuant to the MPDU Optional Method of Development.

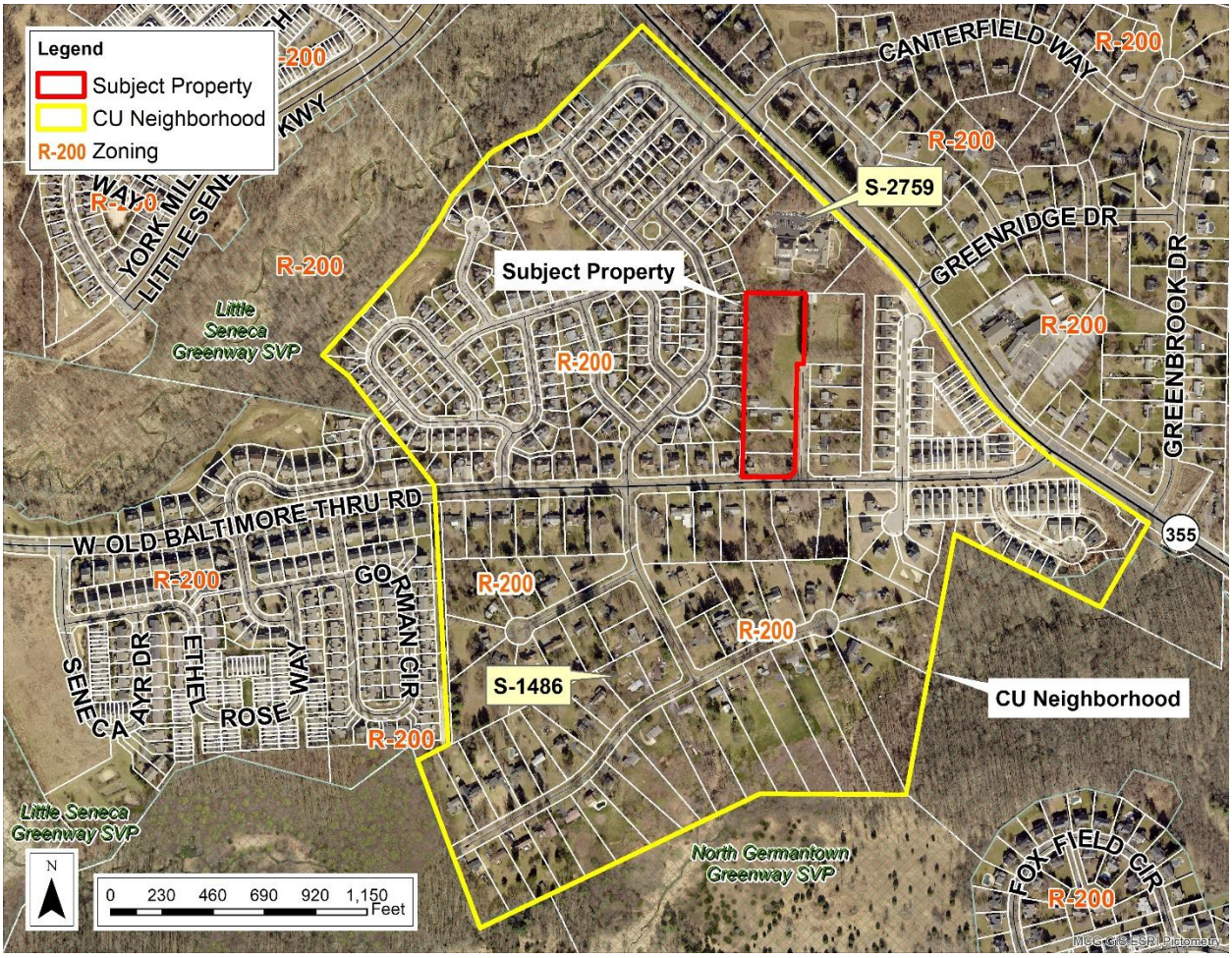


Figure 1: Vicinity Map Showing Existing Zoning and Staff-defined CU Neighborhood Boundary

NEIGHBORHOOD

To determine the compatibility of the proposed use with the surrounding area, it is necessary to delineate the neighborhood, ("Neighborhood") which is the area surrounding the Subject Property that will be most directly impacted by the proposed use. Once delineated, Staff must assess the character of the Neighborhood and determine whether the impacts of the proposed conditional use will adversely affect that character.

The Property is located within a larger neighborhood bounded by Frederick Road to the north/east, the R-200 zoned single-family detached homes south of West Old Baltimore (and north of the stream valley) and the Clarksburg Heights residential subdivision to the west (south of Little Seneca Creek) The Surrounding Neighborhood is depicted in Figure 1. The properties in the Surrounding Neighborhood are classified in the R-200 and R-200/TDR 4.0 Zones. The neighborhood is generally residential in character.

Staff identified two existing, approved conditional use/special exceptions within the defined neighborhood, 1) S1486 Accessory Apartment located at 12505 Deoudes Road and 2) S2759 The Goddard School Private Education Facility located at 22010 Frederick Road.

PROPERTY DESCRIPTION

The Property is an assemblage of four pieces of land, more particularly known as Lot 3, Lot 2 and Lot 1 (currently comprised of two parts of lots that collectively comprise Lot 1) in the "Neelsville" subdivision, as recorded among the Land Records of Montgomery County, Maryland at Record Plat No. 7681. Collectively, the Property is comprised of approximately 202,898 square feet or 4.66 acres ("Property" or "Subject Property"). The Property is improved with two single-family detached homes and associated accessory structures. One house is on part of Lot 1, directly adjacent to West Old Baltimore Road and accessed via an existing driveway. The second dwelling is located on Lot 2, which is accessed via Ruby Drive. The Property contains one forest stand containing 1.36 acres of forest and scattered trees across the Property which are 24-inches DBH and greater.

Figure 2: Aerial View of the Subject Property

The Property does not have any streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically adjacent steep slopes, or known occurrences of Rare, Threatened and Endangered species. The Property drains to the Little Seneca Creek watershed. Little Seneca Creek is a State Use Class IV-P stream. The Site is within the Clarksburg Special Protection Area ("SPA").

SECTION 3: PROJECT DESCRIPTION

PROPOSAL

Conditional Use Area

The Conditional Use area proposed for this Application is a net lot area of approximately 202,898 square feet or 4.66 acres.

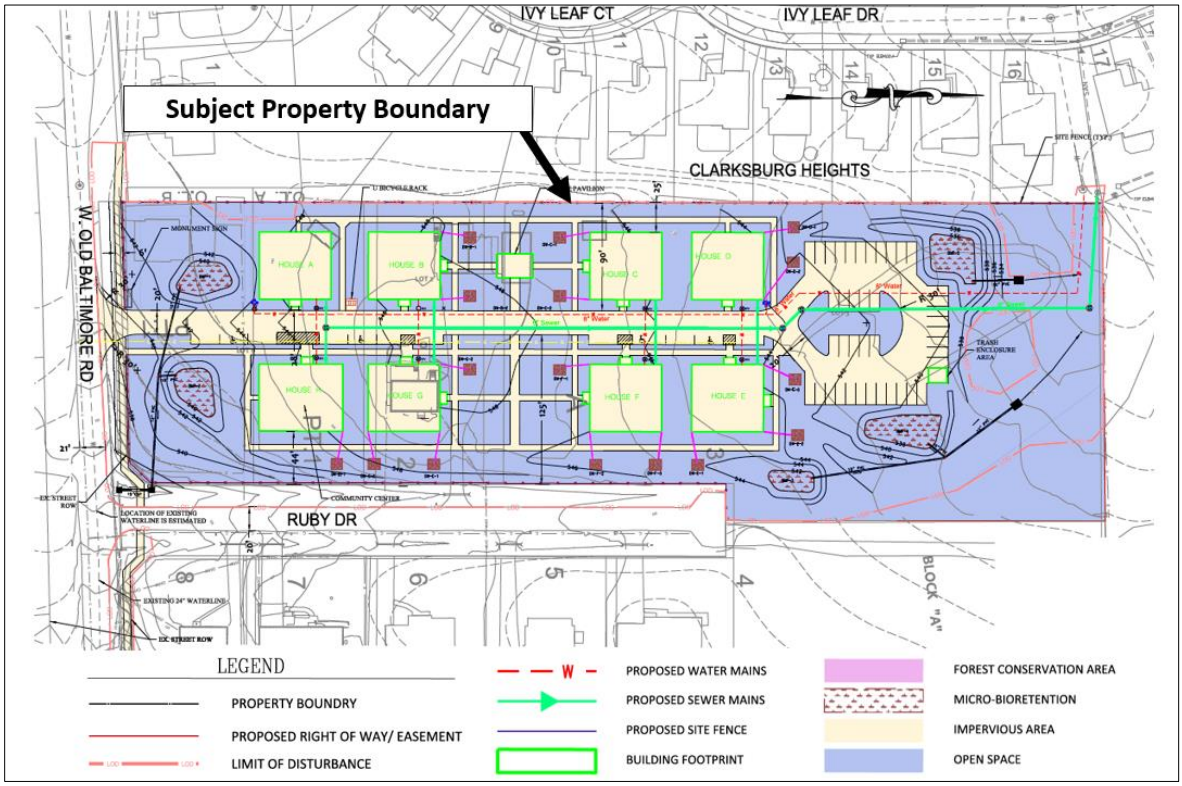


Figure 3: Proposed Layout

Operations

The Applicant proposes to redevelop the Property with a Residential Care Facility (Over 16 Persons) (see Section 59-3.3.2.E.c). Specifically, the Project includes eight structures containing up to 120 assisted living beds. Seven of the structures will be devoted solely to residential use, each containing 15 beds. A central kitchen for staff to prepare meals and a communal dining and living room in the eighth structure in the southeast corner of the site, at the intersection of Ruby Drive and West Old Baltimore Road. This structure will also function as the "community center" and will house the common amenities for all of the residents, such as a library and computer room, arts and crafts space, music therapy, physical therapy and fitness center, beauty salon/barber shop, centralized commercial grade kitchen, and a private dining room to celebrate special occasions with family and friends. There

also will be 15 residential units above the community center rooms. The eight structures have been oriented toward the internal private drive leading from West Old Baltimore Road to the parking at the rear of the Property. Additionally, the structures have been organized around a central amenity courtyard that will promote opportunities for residents to relax and socialize. The central courtyard will feature an accessible walking path, garden, various seating opportunities and activity area(s). The activities within the courtyard will be screened and visually buffered from neighboring homes by landscaping around the perimeter. The proposed assisted living residence will serve seniors who are 62 years of age or older and will provide programs and coordination of various services for residents, including transportation services, organized community service events, holiday celebrations and other planned social events. As discussed above, there is a centralized commercial style kitchen where the residents' meals will be prepared and then delivered to the individual structures within the communal dining rooms.

Although the facility will operate 24 hours a day, the main business hours for the administrative staffing operations, discussed below, will be on a traditional 9:00 – 5:00 schedule.

Generally, deliveries are arranged during regular business hours, outside of the peak hours, in consideration of both the on-site residents and the surrounding community. Food deliveries are typically made twice per week by a 20-foot to 30-foot box truck. All other deliveries are made by USPS, FedEx, and UPS on their standard routes. All laundry, linens etc. is performed in house and requires no outside vendors or deliveries.

Waste collection and recycling will occur at an enclosed dumpster that will be located in the northeast corner of the Property, adjacent to the main parking facility. The dumpster has been located as far away from the adjacent single-family homes as possible. The dumpster will be emptied approximately twice per week by a standard garbage truck.

Site Layout & Buildings

The site layout and building architecture have been designed to be compatible with and complementary to the surrounding residential neighborhoods. The structures are symmetrically oriented around the internal north-south private drive and central, linear courtyard in the approximate center of the Property. No parking is provided between the structures and the street, in an effort to reflect a traditional residential development pattern along both West Old Baltimore Road and Ruby Drive. The structures have been appropriately sized to blend with the surrounding neighborhood. The footprint of the buildings has been substantially reduced – up to 30 percent, as compared to the Original Concept Plan. As illustrated on Attachment C, the resulting structure footprints are comparable to the footprints of the newly constructed residential homes to the west of the Property. The structures will be two stories, with a maximum height of approximately 40 feet, which is less than the 50 feet allowed in the R-200 Zone (for lots over 40,000 square feet). As a result, the Project will be compatible in terms of height and massing with the nearby residential homes (which are also two stories). The exterior architecture of the structures is designed to be residential in

nature and evoke an inviting residential quality of “home”. The structures incorporate traditional residential architectural elements and details such as peaked roofs, covered porches, bay windows, and many other design features, to complement the residential character of the Surrounding Neighborhood. The exterior building materials feature a neutral color pallet, with horizontal siding and natural stone and wood accents. The overall effect is a residential community that complements the character of the Surrounding Neighborhood. Only minimal building lighting is proposed and the lighting for the parking and amenity areas will be limited to the amount necessary to ensure safety. Exterior lighting has been designed to eliminate light exposure on adjacent properties – all outdoor lighting for the Project will be directed, shielded, or screened. Full cut-off fixtures will be used in the parking lot to focus the light on the parking areas only. The Photometric Plan, submitted in connection with this Application, illustrates that lighting has been carefully designed so that it will not spill into adjacent properties.

Staffing

The facility will employ a maximum of 75 team members, with a maximum of 44 Staff on-site at any given time. Employee schedules generally fall into four categories:

1. Healthcare Staff generally work on three, approximately eight-hour shifts (with the exception of the overnight shift, which is seven hours and 15 minutes, given the three staff member shifts that will overlap for 15 minutes at shift change to provide continuity of service). Shift changes generally occur at 2:00 PM, 10:15 PM and 5:45 AM. There is a maximum of 13 healthcare Staff working on-site at any given time.
2. Meal service Staff work on two shifts from 6:00 AM - 2:00 PM and 2:15 PM – 10:15 PM, with one staff member working from 6:30 AM – 2:30 PM to provide continuity between shifts. There is a maximum of 10 meal service staff members working on-site at any given time.
3. Housekeeping and maintenance Staff work in two, eight-hour shifts from 6:00 AM - 2:00 PM and 2:00 PM - 10:00 PM, with a maximum of four team members on-site at any given time.
4. All other employees, such as those employees on the social worker, management, activity, and transportation teams, work a 9:00 AM – 5:00 PM shift with a maximum of 17 employees.

Access and Parking

The Project will provide safe and efficient vehicular access and will significantly improve pedestrian circulation. As mentioned above, the Project has evolved over time. The Applicant originally proposed to locate the main entrance and vehicular drop-off at the northern end of the site, along Ruby Drive, within the previously proposed cul-de-sac at the terminus of Ruby Drive. However, to further promote compatibility with the residential homes across Ruby Drive, and to address community concerns, the cul-de-sac has been eliminated and the Applicant has acquired the parcel with frontage along West Old Baltimore Road, to keep all vehicular activity associated with the Property off Ruby Drive.

Specifically, vehicles will access the Property from West Old Baltimore Road through an internal private drive that is buffered from the surrounding residential homes to the east and west by the proposed residential structures. West Old Baltimore Road is currently designed as an open-section street with no sidewalk along the Property frontage. The Project will significantly improve pedestrian circulation and safety through the construction of a six-foot wide sidewalk along the northern side of West Old Baltimore Road. The Applicant is proposing to extend the sidewalk along West Old Baltimore Road approximately 260 feet east of Ruby Drive beyond the site frontage, as shown on the Conditional Use plan.

With respect to parking, the Project will satisfy applicable Zoning Ordinance requirements on-site. Section 6.2.4 of the Zoning Ordinance requires a minimum of 0.25 parking spaces per bed, plus 0.50 vehicular parking spaces per employee. The Project will have a total of up to 120 beds and a maximum of 44 people working in any given shift (with staggered shift changes). As such, the Project satisfies the parking requirements by providing a minimum of 52 parking spaces on-site. Parking will be accommodated on the northern end of the Property, closest to the abutting institutional child development center use, in order to maintain the residential character along both West Old Baltimore Road and Ruby Drive. The surface parking will be further buffered and screened from the surrounding residential homes by existing and proposed landscaping. Additional planting and fencing is proposed along the property line shared with the residential neighbors to the west to block car lights and provide general screening. To accommodate non-automobile users of the Property, a minimum of five (5) bicycle parking spaces will be provided to meet the needs of the community, including bicycle parking for residents, employees, and visitors. Loading and servicing will be accommodated along the internal drive aisle, so as to be located in close proximity to each of the structures. Adequate space will be provided to accommodate a 10-foot by 30-foot single-unit truck, which will double as a drop-off zone for resident units and only contain Assisted Living uses when not in use. As such, the Project will comply with the loading requirements contained in the zoning ordinance.

Preliminary Plan

A subsequent Preliminary Plan application is required and the Planning Board will determine the adequacy of the public facilities at that time.

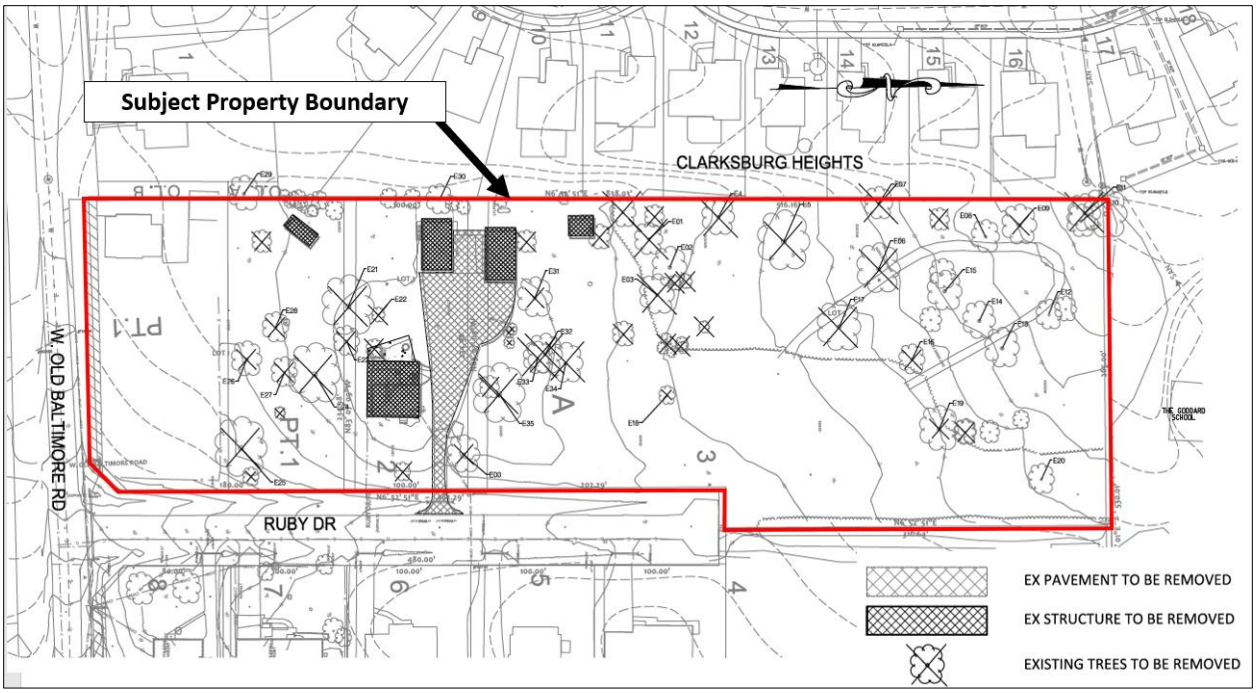


Figure 4: Existing Site Conditions

FOREST CONSERVATION

The Applicant has submitted a Preliminary Forest Conservation Plan No. CU202311 ("PFCP") for concurrent review with the application for Conditional Use Plan No. CU202311. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's approved Environmental Guidelines. The full analysis is in Section 5 of this report.

SECTION 4: COMMUNITY CORRESPONDENCE

During the course of this application staff received numerous communications via phone and email with concerns and opposition to this project. Listed below, the major areas of concern focused on traffic, lighting, pollution, compatibility, pedestrian safety, commercial characteristics of the use, the intersection at West Old Baltimore and MD 355, lack of landscaping between uses, and general degradation of community character.

Traffic

The use does have inherent traffic associated with it including staff, visitors, medical personnel, waste and deliveries. The overall traffic has been reviewed and is analyzed in Section 5 of this report. However, in an attempt to reduce impacts, during the process, the applicant moved all access and traffic off of the small community road, Ruby Drive, and has provided access directly off of West Old Baltimore Road. This relocation of the access point should relieve some direct traffic impacts from the community on Ruby Drive.

Intersection at West Old Baltimore and MD355

As part of the transportation review process, the Applicant is not required to complete a full traffic study as the proposed project generates less than 50 peak-hour person trips per Local Area Transportation Review (LATR) guidelines. This action triggers the submission of a Transportation Exemption Statement (TES) outlining the site's future transportation operations. Additionally, the Institute of Transportation Engineers (ITE) contains land use codes for different uses (i.e., assisted living facility, LU code 254), which provide an estimation of expected trip generation. At present, the intersection of West Old Baltimore Road and Frederick Road is improved with a traffic signal and pedestrian & bicycle facilities (six-foot sidewalk, sidepath, separated bike lane). This application is not proposing any changes to the latter intersection, as the overall use will have a negligible impact on the surrounding roads.

Lighting

As part of the application the Applicant has provided a photometric plan of the proposed facility. The project is in compliance with Section 59-6.4.4.E, and the photometric plans indicate that illumination will not exceed 0.1 footcandles at any lot line that abuts a lot with a detached house.

Pollution

The project will have no non-inherent sources of pollution; however, based upon the inherent increase in vehicle trips that are consistent with this type of use there will be additional vehicle trips to and from the property but no pollution that is inconsistent with the use or residential area should occur.

Compatibility

In response to comments, the Applicant made significant changes to the Project design. Notably, the Applicant has significantly reduced the footprint and mass of the buildings to be compatible in scale and height with the surrounding residential communities (e.g., the footprint of the buildings were reduced by approximately 30 percent, to be comparable with the single-family homes in the adjacent residential community); and relocated the main entrance to West Old Baltimore Road, to promote compatibility with the homes along Ruby Drive.

Figure 5: Building Type Comparison

Pedestrian Safety

Currently, no pedestrian facilities exist along the Property frontage on West Old Baltimore Road. However, adjacent sidewalk connections terminate to the east and west of the Site. An existing sidewalk currently ends at the western property line and an additional sidewalk connection exists to the east of the Subject Property and terminates at Red Oak Ridge Place. As part of this application, the Applicant is providing a six-foot-wide sidewalk along the Property's frontage. Additionally, the Applicant is providing an off-site continuation of the proposed sidewalk to the east, concluding at Red Oak Ridge Place. The completion of this gap in the sidewalk network will significantly improve pedestrian circulation and safety.

Landscaping

The landscaping plans meet all requirements for screening under section 59.6.5.3.C.7. However, the Applicant should add additional evergreen planting above what is required in the code to help with compatibility and screening. Additional evergreen screening along the western property boundary should help mitigate some of the neighbors' concerns on screening. (See Condition #6)

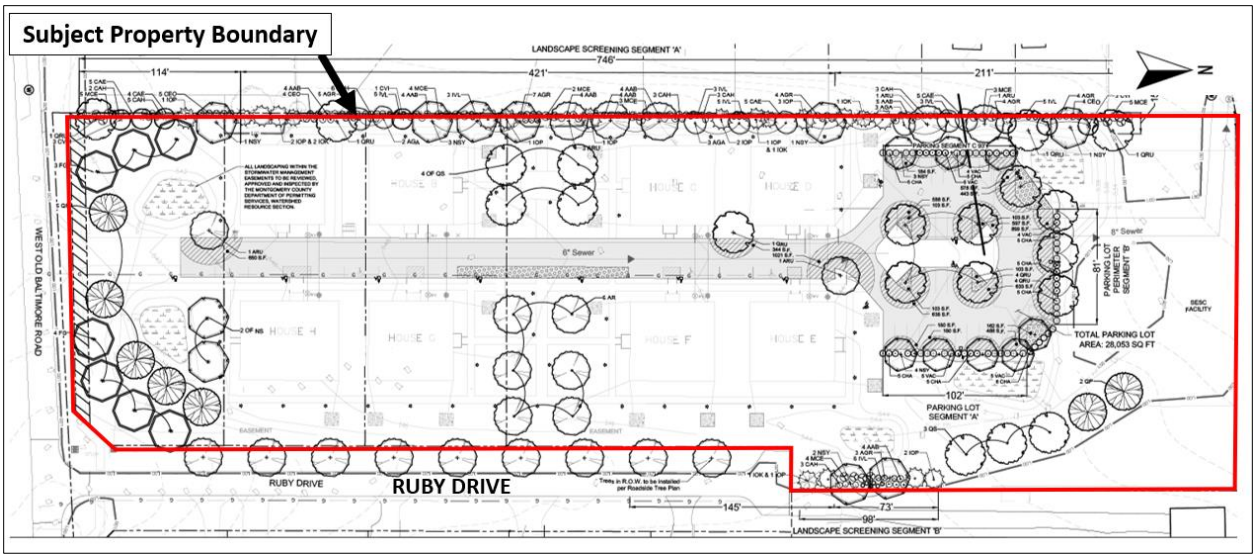


Figure 6: Proposed Landscaping

Community Character

The Ruby Drive community is described in some of the correspondence as a small residential neighborhood on a dead-end street where the children and grandchildren can safely play. The Project in its current layout and access will have minimal impact on the Ruby Drive's character and pedestrian safety. With the location of the only access point to the project on West Old Baltimore Road no site vehicular traffic should be traversing or using Ruby Drive.

With the structure styling of the buildings, versus a typical larger single structure, the impacts of the massing and size of the proposed use have been greatly reduced. The overall relationship between the proposed structures and existing structures along Ruby Drive is compatible.

SECTION 5: ANALYSIS AND FINDINGS

CONDITIONAL USE NO. CU202311

1. ***Per Section 59.7.3.1.E., to approve a conditional use application, the Hearing Examiner must find that the proposed development:***

   a) ***satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended.***

There are no previous approvals for the property.

b) satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;

Use Standards

59.3.3.2.E

ii. Where a Residential Care Facility (Over 16 Persons) is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:

(a) The facility may provide ancillary services such as transportation, common dining room and kitchen, meeting or activity rooms, convenience commercial area or other services or facilities for the enjoyment, service or care of the residents. Any such service may be restricted by the Hearing Examiner.

The Project will provide both indoor and outdoor amenities for the residents. The structure located in the southeast corner of the Property will function as the community center and house the primary residential amenities on the ground floor, although each residential building also will provide some common facilities (such as a communal dining and living room). The Project also will provide transportation services for its residents to facilitate off-site excursions including access to shopping, medical appointments and social events in nearby Clarksburg and Germantown. Services and facilities for the residents are limited and will not result in incompatible activity or traffic to, from, or within the Property. As such, no convenience commercial or similar ancillary services are proposed.

(b) A group home for children must provide ample outdoor play space, free from hazard and appropriately equipped for the age and number of children who will use the facility.

Not Applicable

(c) Where residential dwelling units are provided

(1) the maximum residential density per lot area is 15 units per acre or the maximum density allowed in the zone, whichever is greater; and

(2) the minimum green area is 50%.

Not Applicable: The assisted living suites do not have cooking facilities and are not classified as apartments or dwelling units. Regardless, the Project provides a substantial amount of green area on-site (above 50%).

(d) Where facility size is based on the number of beds, not dwelling units, the following lot area is required:

(2) In all other zones, the minimum lot area is 2 acres or the following, whichever is greater:

(A) in RE-2, RE-2C, RE-1, and R-200 zone: 1,200 square feet per bed;

(B) in R-60, R-90, and R-40 zone: 800 square feet per bed;

(C) in TLD, TMD, THD, R-30, and R-20 zone: 600 square feet per bed; and

(D) in R-10: 300 square feet per bed.

TAs currently proposed, the Project will provide up to 120 assisted living beds. Based on the net lot area of 202,898 square feet, the Project will provide approximately 1,690 square feet per bed, which exceeds the Zoning Code requirement.

(e) Principal building setbacks for all building types must meet the minimum setbacks required under the standard method of development for the subject building type in the R-30 zone (see Section 4.4.14.B.3, Placement).

The Project satisfies the setback requirements of Section 4.4.14.B.3.

(f) The minimum side setback is 20 feet to abutting lots not included in the application.

The Project will provide a minimum side setback of 40 feet.

(g) Independent dwelling units must satisfy the MPDU provisions of Chapter 25 (Section 25.A-5).

There are no MPDUs required because the Project does not provide dwelling units.

(h) In a Continuing Care Retirement Community and a Senior Care Community, occupancy of any independent dwelling unit is restricted to persons 62 years of age or older, with the following exceptions:

(1) the spouse of a resident, regardless of age;

(2) another relative of a resident, 50 years of age and older;

(3) the resident widow, widower, or other surviving relative of a resident who dies while residing at the Continuing Care Retirement Community or the Senior Care Community is allowed to remain, even though the resident widow, widower, or other surviving relative has not reached the age of 62.

A minimum of 80% of the dwelling units must be occupied by at least one person per unit who is 55 years of age or older.

The Project is an assisted living facility (and not a continuing care retirement community) and does not provide any independent living units.

(i) Height, density, coverage, and parking standards must be compatible with surrounding uses; the Hearing Examiner may modify any standards to maximize the compatibility of the building with the residential character of the surrounding neighborhood.

The Project promotes compatibility with the surrounding residential neighborhoods. The two-story structures are comparable in size and scale with the surrounding residential homes. Furthermore, the Applicant has modified the overall site layout to minimize impacts on the surrounding residential homes. The Applicant was able to acquire the intervening property located along West Old Baltimore Road, which allows the Applicant to address many of the comments received from Park and Planning Staff and the community regarding access and vehicular traffic on Ruby Drive. As discussed in this Staff Report, the revised layout allows vehicular access to the Project to be accommodated off West Old Baltimore Road, thereby keeping all vehicular traffic off Ruby Drive. Adequate parking is provided on-site to eliminate any impacts to the surrounding communities. The Parking has been relocated to the rear of the Property, so as to be predominately screened from view from the streets and surrounding neighborhoods. In connection with the relocation of the parking, the Applicant has also been able to relocate the trash enclosure to the northeast corner of the Property – as far away from the abutting single-family homes as possible.

(j) In the AR zone, this use may be prohibited under Section 3.1.5, Transferable Development Rights.

Not Applicable: The Property is zoned R-200.

i. ***Development Standards***

Table 1: Development and Parking Standards (R-200)

Development Standard Section 4.4.7 R-200 Zone	**Permitted/ Required**	**Existing/Proposed**
Minimum Lot Area	20,000 SF	202990 SF
Minimum Lot Width at Front Building Line	100 Feet	234 feet
Minimum Lot Width at Front Lot Line	25 feet	217 feet
Maximum Density	1,200 SF per Bed	>1,600 SF per Bed
Maximum Lot Coverage	25%	14%
Minimum Front Setback	20 Feet	120 Feet
Minimum Side Setback	20 Feet	40 Feet
Minimum Rear Setback	20 Feet	25 Feet
Maximum Height	50 Feet	40 Feet

Development Standard Section 4.4.7 R-200 Zone	Permitted/ Required	Existing/Proposed
Vehicle Parking Requirement (Section 59.6.2.4.B)		
Residential Care Facility – Vehicle Parking Spaces	40 spaces: Base parking requirement of 0.25 spaces/bed, plus 0.50 spaces per employee.	52 Spaces
Residential Care Facility – Bicycle Parking Spaces	Base requirement of 0.1 space(s) per employee (44 x 0.1= 4.4)	Minimum of five (5) bicycle spaces

ii. ***General Requirements –***

(1) Access

The site access provided is adequate for the intended use of the property. The Site access is provided from West Old Baltimore Road via an internal private driveway. The private drive terminates in a full-movement loop, also internal to the Site. The Subject Property also contains internal pedestrian pathways that will provide connections to proposed pedestrian facilities along West Old Baltimore Road.

(2) Parking, Queuing and Loading

59-6.2.5.K. ***Facilities for Conditional Uses in Residential Detached Zones***

Any off-street parking facility for a conditional use that is located in a Residential Detached zone where 3 or more parking spaces are provided must satisfy the following standards:

1. Location

Each parking facility must be located to maintain a residential character and a pedestrian-friendly street.

2. Setbacks

a. The minimum rear parking setback equals the minimum rear setback required for the detached house.

b. The minimum side parking setback equals 2 times the minimum side setback required for the detached house.

c. In addition to the required setbacks for each parking facility:

i. the required side and rear parking setbacks must be increased by 5 feet for a parking facility with 150 to 199 parking spaces; and

ii. the required side and rear parking setbacks must be increased by 10 feet for a parking facility with more than 199 parking spaces.

The Application complies with 59-6.2.5.K. The parking is located at the rear of the Property and largely screened from view of the street by the buildings, as well as existing and proposed landscaping.

The Application complies with the parking screening requirements under 6.2.9.C.3.b. as shown on the Conditional Use Landscape Plan.

Nearly all the proposed off-street parking is provided at the rear of the Property. By virtue of its location, the surface parking will be largely screened from view from West Old Baltimore Road and Ruby Drive, as well as the surrounding residential neighborhoods, by the proposed buildings and existing/proposed landscaping. More than ample parking is provided on-site to ensure no vehicles will park in the surrounding residential neighborhoods while accessing the senior living facility.

(3) Open Space and Recreation

Recreation facilities are not required for the proposed use, however, there are opportunities for residents to recreate throughout the Site. The Site layout features a linear, central green amenity area, which contains a series of walking paths that are connected to a larger series of pathways around the Property. Seating and shade areas are provided along the walking path to provide places for residents and visitors to enjoy the greenspace. The walking paths around the Property are buffered from the surrounding neighborhood by the landscaping proposed along the western property boundary and street trees along Ruby Drive. Their intended use and enjoyment of their living facility is in harmony with the use and enjoyment of neighboring residential properties.

(4) Lighting

As required by Section 59-6.4.4.E, the photometric plans indicate that illumination will not exceed 0.1 footcandles at any lot line that abuts a lot with a detached house.

(5) Signage

The Applicant is proposing to provide a residential scale monument sign at the Property entrance on West Old Baltimore Road, as well as one building mounted sign on the community center building, and necessary internal wayfinding and directional signage. The Applicant understands that any new signage to be provided on the Property will be reviewed by the Montgomery County Department of Permitting Services ("MCDPS") and must be provided in accordance with the applicable Zoning Ordinance requirements and procedures for Division 6.7.

c) ***substantially conforms with the recommendations of the applicable master plan;***

The Property falls within the boundaries of the 1994 *Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area* ("Master Plan").

The Property is located within the Master Plan's "Brink Road Transition Area." The Master Plan contains no site-specific recommendations for the Property. However, the Master Plan recommends compatible, low-density residential uses in the Brink Road Transition Area. (See Page 77). The Project, which is residential in use and character, with ample green area proposed, furthers this goal by providing compatible, low-density infill development that has little impact on the surrounding neighborhood. Furthermore, the "Brink Road Transition Area" recommends the continuation of the residential character of MD 355. (See Page 75). The Master Plan specifically recognizes the need to encourage and maintain a wide choice of housing types and neighborhoods for people of all incomes, ages, lifestyles, and physical capabilities at appropriate densities and locations. The Project has been designed to complement the surrounding residential neighborhoods and importantly, provides diverse housing opportunities to allow existing seniors in the Clarksburg/Boyds area to age in the community.

Also, to further the Master Plan's compatibility recommendations, the Project will maintain and enhance the existing landscaping around the periphery of the site, to provide ample screening and buffering from the surrounding residential uses. The Conditional Use Plan does not propose vehicular traffic on Ruby Drive and locates the parking in the rear of the Property so as to preserve the residential character along both Ruby Drive and West Old Baltimore Road. The proposed, low-intensity senior living facility has been designed to promote compatibility with the uses in the surrounding neighborhood. The facility is a residential use that has been designed to have a residential appearance and maintain significant greenspace on-site. As such, the facility will have no material effect on the area's residential character.

In accordance with the Master Plan's environmental goals (See pages 138-139), the Project will provide stormwater management on-site. As discussed herein, the Project incorporates

environmental site design and micro-bioretention facilities on-site, to further mitigate the effects of new development. As discussed in Section III.A., several architectural design interventions also will advance Master Plan compatibility recommendations to ensure an appropriate transition between the Project and the surrounding single-family residential communities.

Of the ten key policies guiding development in the Master Plan area (see pages 15-35), the Project addresses several applicable planning initiatives:

- Development is in keeping with the small town feel of Clarksburg, while providing housing necessary to promote a diverse and equitable range of options.
- The natural environment is protected through implementation of stormwater facilities on-site, where there currently is none.
- The proposed site layout preserves the rural character along West Old Baltimore Road and the residential character of Ruby Drive.
- Pedestrian-orientation is addressed in several ways. First, safety and connectivity will be enhanced with a new sidewalk along West Old Baltimore, which connects to a series of internal sidewalks within the site to improve pedestrian connectivity. As noted above, although not required, the Applicant is proposing to extend the new sidewalk along West Old Baltimore Road to the east of the intersection with Ruby Drive, approximately 260 feet. Second, a mix of uses and diversity of housing types are integrated into the neighborhood. Third, buildings are street-oriented to continue the existing character of the surrounding neighborhood.
- By integrating senior living within an existing neighborhood zoned for residential uses, the Project relieves pressure from undeveloped areas, farmland, and environmentally sensitive areas.

2. ***is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan; The proposal is harmonious with, and will not alter the character of, the surrounding neighborhood.***

The structures are symmetrically oriented around the internal north-south private drive and central, linear courtyard in the approximate center of the Property. No parking is provided between the structures and the street, in an effort to reflect a traditional residential development pattern along both West Old Baltimore Road and Ruby Drive. The structures have been appropriately sized to blend seamlessly in with the surrounding neighborhood. As mentioned above, the footprint of the buildings has been substantially reduced – up to 30%, as compared to a previous proposal (i.e. the Original Concept Plan). The resulting structure footprints are comparable to the footprints of the newly constructed residential homes to the west of the Property. The structures will be two stories, with a maximum height of approximately 40 feet, which is less than the 50 feet allowed in the R-200 Zone (for lots over

40,000 square feet). As a result, the Project will be compatible in terms of height and massing with the nearby residential homes (which are also two stories).

d) ***will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;***

The proposed Conditional Use will not increase the number of conditional uses in the surrounding neighborhood sufficiently to affect the area adversely or alter the predominately residential nature of the area. There are two Special Exceptions within the Surrounding Neighborhood including a child daycare center and an accessory apartment. The proposed Conditional Use will not affect the area adversely nor alter its residential character. The Conditional Use is residential in nature and maximizes its compatibility with the surrounding properties, as discussed in Section 3 above. The Conditional Use substantially conforms to the recommendations of the Master Plan.

e) will be served by adequate public services and facilities including 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 conditional use 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 and:

i. ***if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, or***

ii. ***if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, and***

The Project will require submittal of a subsequent Preliminary Plan application and the Planning Board will determine the adequacy of the public facilities at that time.

(1) Transportation

The Subject Property is fronted by West Old Baltimore Road, identified as an Area/Neighborhood Connector in the 2023 technical update of the *Master Plan of Highways and Transitways.* Per the 2021 *Complete Streets Design Guide*, the

pedestrian and bicycle facilities for the designated street type are a 10-foot sidepath and a 6-foot sidewalk. The predominant bikeway type for West Old Baltimore Road is a sidepath, as stated in the 2018 *Bicycle Master Plan.* At present, a sidepath terminates along the south side (eastbound lanes) of West Old Baltimore, 300 feet west of Manor Crest Way, and approximately 1,400 west of the Subject Property's western property line.

Currently, no pedestrian facilities exist along the Property frontage on West Old Baltimore Road. However, adjacent sidewalk connections terminate to the east and west of the Site. A sidewalk currently ends at the western property line. An additional sidewalk connection exists to the east of the Subject Property and terminates at Red Oak Ridge Place. As part of this application, the Applicant is providing a 6-foot sidewalk along the Property's frontage. Additionally, the Applicant is providing an off-site continuation of the proposed sidewalk to the east, concluding at Red Oak Ridge Place. The completion of this gap in the sidewalk network will significantly improve pedestrian circulation and safety. The future sidewalk will create a continuous pedestrian connection extending westward from Frederick Road to Little Seneca Creek, serving a multitude of residential communities.

Local Area Transportation Review

The proposed use will consist of a residential care facility containing 120 beds spread across 8 individual housing units, designated as "structures."

The Application was reviewed under the 2020-2024 *Growth and Infrastructure Policy* (GIP) and associated 2022 *Local Area Transportation Review* (LATR) Guidelines. Per the GIP, projects that generate less than 50 weekday peak-hour person trips are required to complete a Transportation Exemption Statement ("TES").

As demonstrated on the Applicant's TES, dated October 3, 2023, the proposed Conditional Use will generate 34 AM net-new person trips during the AM weekday peak hour, and 45 net new person trips during the PM weekday peak hour. These calculations are based on the ITE Trip Generation Manual, 11th Edition, adjusted for the Clarksburg policy area, a yellow policy area (Table xx).

Table 2: Trip Generation for the Proposed Use

LATR Trip Generation							
	Units	**AM Peak Hour**			**PM Peak Hour**		
Total Vehicle Trips Per ITE 11th Edition	120 Beds	In	Out	Total	In	Out	Total
ITE Generation Code – 254 (Assisted Living)		13	9	22	11	18	29
Policy Area Adjustment Factor		13	9	22	11	18	29

(Clarksburg Policy Area – 100%)							
Auto Driver		22			29		
Auto Passenger		9			12		
Transit		1			1		
Non-Motorized (Bike)		1			3		
Pedestrian (Transit + Bike)		0			0		
Total Person Trips		***34***			***45***		

*Trip generation rates are based on the ITE Trip Generation Manual, 11th Edition and adjusted as detailed in the 2022 LATR guidelines. Figures are rounded to nearest whole number. Source: Wells + Associates Traffic Consulting Local Area Transportation Review – October 3rd, 2023

(2) Schools

Although the Project provides new residential density, the proposed senior living facility use will not generate any new students. Thus, the Project will have no impact on public school capacity.

(3) Other Public Facilities

The Property is located partially within water and sewer categories W-1 and S-1 (Lot 3) and partially within water and sewer categories W-5 and S-5 (Lots 2 and Part of 1) and is not currently served by public water or sewer. Under a previous category change request, Lot 2 and Part of 1 are recommended for a change in category through the subdivision approval process. The Project will extend public water and sewer to the Property, via an existing easement connection to the abutting property to the north. This infrastructure investment by the Project provides a substantial benefit to the confronting residential homes along Ruby Drive, who will now have the ability to connect to public water/sewer systems. Following completion of these extensions, water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the existing water and sewer lines.

Electric, gas and telecommunications services also will be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Annual Growth Policy and will continue to be sufficient following construction of the Project.

f) will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:

i. ***the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;***

ii. ***traffic, noise, odors, dust, illumination, or a lack of parking; or***

iii. ***the health, safety, or welfare of neighboring residents, residents, visitors, or employees.***

This finding requires consideration of the inherent and non-inherent adverse effects of the proposed use on nearby properties and the general neighborhood. Section 1.4.2 of the Zoning Ordinance defines inherent adverse effects as "adverse effects created by physical or operational characteristics of a conditional use necessarily associated with a particular use, regardless of its physical size or scale of operations." Inherent adverse effects, alone, are not a sufficient basis for denial of a conditional use.

Non-inherent adverse effects are defined as "adverse effects created by physical or operational characteristics of a conditional use not necessarily associated with the particular use or created by an unusual characteristic of the site." Non-inherent adverse effects are a sufficient basis to deny a conditional use, alone or in combination with inherent effects, if the adverse effect causes "undue" harm to the surrounding neighborhood. When analyzing whether impacts are inherent or non-inherent, Staff examines the size, scale, scope, light, noise, traffic and environmental effects of the proposed use.

Staff identified the following physical and operational characteristics necessarily associated with (i.e., inherent to) a Residential Care Facility: (1) A building(s) large enough to house the proposed number of residents; (2) On-site parking sufficient to meet the requirements of the use and of the Zoning Ordinance; (3) Outdoor lighting consistent with residential standards and adequate for safe vehicular and pedestrian access at night; (4) Vehicular trips to and from the site by employees, visitors, residents, delivery, and trash pick-up; (5) A modest level of outdoor activities associated with use of passive recreation areas; and (6) Noise from ambulances in emergency situations.

1. <u>A building(s) large enough to house the proposed number of residents</u>. The proposed buildings are large enough to house the proposed number of residents

2. <u>On-site parking facilities</u>.

Nearly all of the proposed off-street parking is provided at the rear of the Property. By virtue of its location, the surface parking will be largely screened from view from West Old Baltimore Road and Ruby Drive, as well as the surrounding residential neighborhoods, by the proposed buildings and existing/proposed landscaping. More than ample parking is provided on-site to ensure no vehicles will park in the surrounding residential neighborhoods while accessing the senior living facility. Additionally, the lighting for the parking areas will be limited to the amount necessary to ensure safety.

3. Outdoor lighting of parking and amenity spaces.
   As shown on the Photometric Plan, in conformance with the requirements of Section 6.4.4 of the Zoning Ordinance, lighting for the Project will fall to zero (0.0) footcandles well before approaching Property lines abutting the surrounding residential uses.

4. Vehicular trips.
   The Applicant's Traffic Exemption Statement confirms that the Project is anticipated to result in a fewer than 50 net new person trips in either the morning or evening peak hours. The Traffic Statement demonstrates that the Project will generate 34 AM peak hour and 45 PM peak hour person trips, and thus is exempt from further LATR analysist and mitigation requirements. The traffic exemption statement dated October 3, 2023 and submitted concurrently with this Application provides the required information on the person trip generation for the Project, in accordance with the current LATR standards, as well as additional information related to existing and future traffic conditions within the vicinity of the Property.

5. Outdoor amenity space for use by residents and visitors.
   The updated site layout features a linear, central green amenity area, which contains a series of walking paths that are connected to a larger series of pathways around the property. Seating and shaded areas are provided along the walking path to provide places for residents and visitors to enjoy the greenspace. The walking paths around the Property are buffered from the surrounding neighborhood by the landscaping proposed along the western property boundary and street trees along Ruby Drive. Finally, residents living in these facilities are quiet and peaceful by nature. Their intended use and enjoyment of their living facility is in harmony with the use and enjoyment of neighboring residential properties.

6. Noise from ambulances in emergency situations.
   Based on the Applicant's experience, it is anticipated that unexpected emergency visits will occur approximately one to four times a month. The Project will provide on-site 24-hour nursing and care services, along with regular doctor visits (at least once a week), which will help to minimize the occurrence of emergency visits.

   Staff did not identify any non-inherent characteristics of the proposed use.

   The proposed use will not cause undue harm to the neighborhood as a result of non-inherent adverse effects alone or the combination of inherent and non-inherent adverse effects.

g) ***Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.***

The exterior architecture of the structures is designed to be residential in nature. The structures incorporate traditional residential architectural elements and details such as peaked roofs, covered porches, bay windows, and many other design features, to complement the residential character of the Surrounding Neighborhood. The exterior building materials feature a neutral color pallet, with horizontal siding and natural stone and wood accents. The overall effect is a residential community that complements the character of the Surrounding Neighborhood.

3. The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and is not sufficient to require conditional use approval.

The Applicant acknowledges this.

4. In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential zone.

Not Applicable

5. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to

serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:

a) Filling Station;
b) Light Vehicle Sales and Rental (Outdoor);
c) Swimming Pool (Community); and
d) ***the following Recreation and Entertainment Facility use: swimming pool, commercial.***

Not Applicable

6. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:

a) Funeral Home; Undertaker;
b) Hotel, Motel;
c) Shooting Range (Outdoor);
d) Drive-Thru
e) Landfill, Incinerator, or Transfer Station; and
f) ***a Public Use Helipad, Heliport or a Public Use Helistop.***

Not Applicable

PRELIMINARY FOREST CONSERVATION PLAN

All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of variance trees. The Forest Conservation Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

Natural Resource Inventory/Forest Stand Delineation Plan

The Property has two separate Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD") 420230720 approvals on November 14, 2022, and 420240140 on October 27, 2023. During the Application review process the Applicant added and additional parcel of land which required the second NRI/FSD. The NRI/FSDs identifies the environmental features and forest resources on the

Subject Property. The Subject Property is located within the Little Seneca Creek watershed, classified as a Use Class IV-P by the State of Maryland.

The Property is located within the Clarksburg Special Protection Area (SPA) and subject to a Water Quality Plan which will be discussed below.

The Subject Property contains 1.36 acres of forest. In addition, there are numerous specimen trees both on-site and adjacent to the Subject property that have a diameter breast height ("DBH") of 30 inches or more. The Subject Property does not contain any streams, wetlands, floodplain, or stream valley buffer.

Forest Conservation Plan

The Applicant has submitted a Preliminary Forest Conservation Plan No. CU202311 ("PFCP") (Attachment A) for concurrent review with the development plan application for Conditional Use Plan No. CU202311. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's approved Environmental Guidelines.

The Subject Property is zoned R-200 and is assigned a Land Use Category of High Density Residential ("HDR") as defined in Section 22A-3 of the Montgomery County Forest Conservation Law ("FCL") and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The Net Tract Area for forest conservation purposes is the 5.2 acres which includes 0.54 acres of offsite work. There is a total of 1.36 acres of existing forest on the Subject Property with the Applicant proposing to remove 1.36 acres of forest. This results in a total afforestation/reforestation requirement of 2.24 acres within the same watershed/Priority Area or 2.92 acres outside of the same watershed/Priority Area. The Applicant proposes to meet the planting requirement offsite.

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

Variance Request

The Applicant submitted a variance request in a letter dated October 10, 2023 (Attachment B). The Applicant proposes to remove twelve (12) and impact three (3) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Table 1).

In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Staff agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance. The Applicant has demonstrated that the denial of the Variance request would cause an unwarranted hardship because each of the existing variance trees lies within or very near existing infrastructure to be removed, grading due to topographic conditions, or proposed utilities. Staff has reviewed this Application and based on the existing conditions on the Subject Property and has determined that there is an unwarranted hardship.

Table 3: Proposed Variance Trees

VARIANCE REQUEST AND MITIGATION WORKSHEET						
ID	Botanical Name	Common Name	Condition	DBH (")	Mitigation	Notes
E00	Picea Pungens	Blue Spruce	Good	34	8.50	One inch cal. Per 4" DBH removed
E01	Liriodendron tulipifera	Tulip Poplar	Fair/Poor	30	7.50	One inch cal. Per 4" DBH removed
E02	Prunus Serotina	Black Cherry	Fair	34	8.50	One inch cal. Per 4" DBH removed
E03	Acer Rubrum	Red Maple	Good	33	8.25	One inch cal. Per 4" DBH removed
E04	Quercus rubra	Red Oak	Fair	31	7.75	One inch cal. Per 4" DBH removed
E05	Quercus Palustris	Black Oak	Poor	43	10.75	One inch cal. Per 4" DBH removed
E06	Quercus Alba	White Oak	Good	36	9.00	One inch cal. Per 4" DBH removed
E09	Quercus Alba	White Oak	Good	33	0.00	24% Impact
E13	Quercus Palustris	Black Oak	Good	32	0.00	43% Impact
E17	Ulmus americana	American Elm	Fair	39	9.75	One inch cal. Per 4" DBH removed
E21	Acer Rubrum	Red Maple	Fair/Poor	53	13.25	One inch cal. Per 4" DBH removed
E25	Acer Saccharinum	Silver Maple	Good/Fair	59	14.75	One inch cal. Per 4" DBH removed
E29	Prunus Serotina	Black Cherry	Fair	31	0.00	32% impact - 16% actual
E32	Acer Saccharinum	Silver Maple	Fair	40	10.00	One inch cal. Per 4" DBH removed
E34	Acer Saccharinum	Silver Maple	Poor	31	7.75	One inch cal. Per 4" DBH removed

Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

1. ***Will not confer on the applicant a special privilege that would be denied to other applicants.***

   Granting the Variance will not confer a special privilege on the Applicant as the impacts are due to necessary development requirements of the site. These impacts cannot be avoided. Therefore, the granting of this Variance is not a special privilege that would be denied to other applicants.

2. ***Is not based on conditions or circumstances which are the result of the actions by the applicant.***

The requested Variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested Variance is based on based upon conditions and circumstances inherent to site conditions and development standards associated with best management practices and orderly development..

3. ***Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.***

   The requested Variance is a result of the existing conditions and proposed improvements, not as a result of land or building use on a neighboring property.

4. ***Will not violate State water quality standards or cause measurable degradation in water quality.***

   The Variance will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provisions

Staff recommends that mitigation for the loss of the specimen trees be provided onsite. Mitigation should be at a rate that approximates the form and function of the trees removed. Staff recommends that replacement occur at a ratio of approximately 1-inch caliper for every 4-inch DBH removed (463 x .25 = 115.75). Mitigation for the removal of the twelve (12) trees must be provided in the form of native canopy trees with a minimum size of three (3) inches in diameter at breast height. While these trees will not be as large as the trees lost, they will provide some immediate canopy and will help augment the functions lost.

Recommendation on the Variance Request

Staff recommends approval of the Variance Request

PRELIMINARY WATER QUALITY PLAN

This project is within the Clarksburg SPA and is the subject of a Conditional Use application and is subsequently subject to a Preliminary Plan of subdivision, therefore it is required to obtain approval of a water quality plan under section 19-62 of the Montgomery County Code. This section of the code states:

(b) *Privately owned property.* Except as otherwise expressly provided in this Chapter, the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property:

(1) who is required by law to obtain approval of a development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan;

Section 19-65(b) of the Montgomery County Code further notes, if the development proposal requires more than one of the approvals listed in paragraph (1), the applicant must submit a preliminary water quality plan to the Planning Director in conjunction with the first approval and a final water quality plan in conjunction with the last approval.

The applicant has submitted a Preliminary Water quality Plan with this application.

Review for Conformance to the Special Protection Area Requirements

Under the provision of the law, the Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of a water quality plan. DPS has reviewed and conditionally approved the elements of the Final Water Quality Plan under its purview. The Planning Board's responsibility is to determine if conformity with all policies in the Planning Board's Environmental Guidelines which apply to special protection areas; conformity with any policy or requirement for special protection areas, including limits on impervious area; and any other element of the plan in which the Planning Board has primary lead agency design, review, and approval responsibility have been satisfied.

County DPS Special Protection Area Review Elements

DPS has reviewed and conditionally approved the elements of the SPA final water quality plan under its purview with a synopsis provided below (see Attachment A).

Site Performance Goals

As part of the preliminary water quality plan, the following performance goals were established for the site:

1. Minimize storm flow run off.
2. Minimize increase to ambient water temperatures.
3. Minimize sediment loading.

Stormwater Management

The stormwater management concept proposes to meet the required stormwater management goals via installation of a combination of micro-bioretention and dry wells.

Sediment and Erosion Control

An engineered sediment control plan must be submitted for this development at time of Preliminary Plan.

Monitoring of Best Management Practices

Payment of the stream monitoring fee is required prior to the approval of the Sediment Control Plan. The stream monitoring fee computation is to be submitted for verification during the stormwater management/sediment control review process.

Planning Board Special Protection Area Review Elements

Staff has reviewed and recommends Planning Board approval of the elements of the SPA water quality plan under its purview with conditions:

Environmental Guidelines

The Property has two Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD"). NRI/FSD No. 420230720 was approved on November 14, 2022, and No. 420240140 on October 27, 2023. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Subject Property is located within the Little Seneca Creek watershed, classified as a Use Class IV-P by the State of Maryland.

The Subject Property contains 1.36 acres of forest. In addition, there are numerous specimen trees both on-site and adjacent to the Subject property that have a diameter breast height ("DBH") of 30 inches or more. The Subject Property does not contain any streams, wetlands, floodplain, or stream valley buffer.

The Application is in compliance with the Environmental Guidelines.

Imperviousness

A main goal for new development in all SPAs is to reduce the amount of impervious surface. The Clarksburg SPA, which was created following approval of the Master Plan and subsequently amended, specifies no maximum imperviousness cap in this portion of the SPA.

The property is zoned R-200 and adjacent to R-200TDR. Impervious surface rates across the county for the R-200 zone are generally between 15% and 19% and 35% for R-200 TDR. There is no imperviousness cap within this portion of the Clarksburg SPA so we use the general county average for the zone as a goal. At 34.7% imperviousness the proposed project is slightly higher than the 19.0% of the average of the standard R-200 zone but is below the average for the R-200 TDR areas. The Applicant had minimized usage of all impervious surfaces to the greatest extent possible while achieving the goals of the use and meeting all other county regulations (parking and ADA compliance).

The Applicant has reduced imperviousness while accommodating the program requirements and meets the impervious requirements of the Clarksburg SPA.

SECTION 6: CONCLUSION

The proposed conditional use complies with the findings require for approval of a Residential Care Facility (Over 16 Persons), subject to the recommended conditions of approval. The proposed use is consistent with the goals and recommendations of the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area*, will not alter the residential character of the surrounding neighborhood, and will not result in any unacceptable noise, traffic, or environmental impacts on surrounding properties. Staff recommends approval of the Conditional Use with conditions and transmittal of comments to the Hearing Examiner and approval of the associated Forest Conservation Plan.

ATTACHMENTS

Attachment A: Preliminary Forest Conservation Plan and Variance Request

Attachment B: Public Correspondence

Attachment C: Conditional Use Plan

Attachment D: Agency Letters

Attachment E: Impervious Surface Exhibit

Attachment A: Forest Conservation Plan and Varaince Request

FOREST CONSERVATION NOTES:

SUBJECT PROPERTY: LOT #1, #2, & #3, MUSGROVE'S ADDITION TO NEELSVILLE, L.56927 F.00436
21908 RUBY DRIVE AND 12405 W OLD BALTIMORE RD, BOYDS, MD 20841
TAX ACCOUNT #00021024, 00021035, 00026857, 00028253

ZONING CLASSIFICATION: R-200
WATERSHED: LITTLE SENECA CREEK
SPECIAL PROTECTION AREA: CLARKSBURG
PRIMARY MANAGEMENT AREA: NA

PROPOSED TREE LIST
VARIANCE MITIGATION

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE (CAL.)	ROOT	SPACING
AR	6	Acer rubrum	Red Maple	4"	B&B	AS SHOWN
FG	7	Fagus grandiflora	American Beech	4"	B&B	AS SHOWN
NS	2	Nyssa sylvatica	Black Gum	4"	B&B	AS SHOWN
QP	7	Quercus palustris	Pin Oak	4"	B&B	AS SHOWN
QS	7	Quercus shumardii	Shumard Oak	4"	B&B	AS SHOWN

FOREST CONSERVATION DATA TABLE

DESCRIPTION	SIZE
Property Area	4.66 Acres
Off-site Disturbance	0.54 Acres
Total Tract Area	5.20 Acres
Tract remaining in Ag use	0.00 Acres
Road & Utility ROW (Unimproved)	0.00 Acres
Existing Forest	1.36 Acres
Total Forest Retention	0.00 Acres
Total Forest Cleared	1.36 Acres
Land Use Category	HDR
Afforestation Threshold	15%
Reforestation Threshold	20%

Stream(s) Length: NA Average Buffer Width: NA

Acres of Forest in:	Retained	Cleared	Planted
Wetlands	0.00	0.00	0.00
100yr Floodplain	0.00	0.00	0.00
Stream Buffers	0.00	0.00	0.00
Other Priority Areas	0.00	0.00	0.00

Legend

- SIGNIFICANT TREE
- SPECIMEN TREE
- TREE CANOPY
- LIMITS OF DISTURBANCE
- TREE PROTECTION FENCE & ROOT PRUNING
- CRITICAL ROOT ZONE
- TREE TO BE REMOVED
- PROPOSED SHADE TREE FOR VARIANCE TREE MITIGATION

VICINITY MAP
SCALE 1" = 2,000'

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
30 0 15 30 60
9.14 0 4.57 9.14 18.28
(IN METERS)
1 inch = 9.14 m.

ARBORIST CERTIFICATION

DATE

DAVID B. POST
ISA CERTIFIED ARBORIST No. MA-5220-A

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No._____, including financial bonding, forest planting, maintenance and all other applicable agreements.

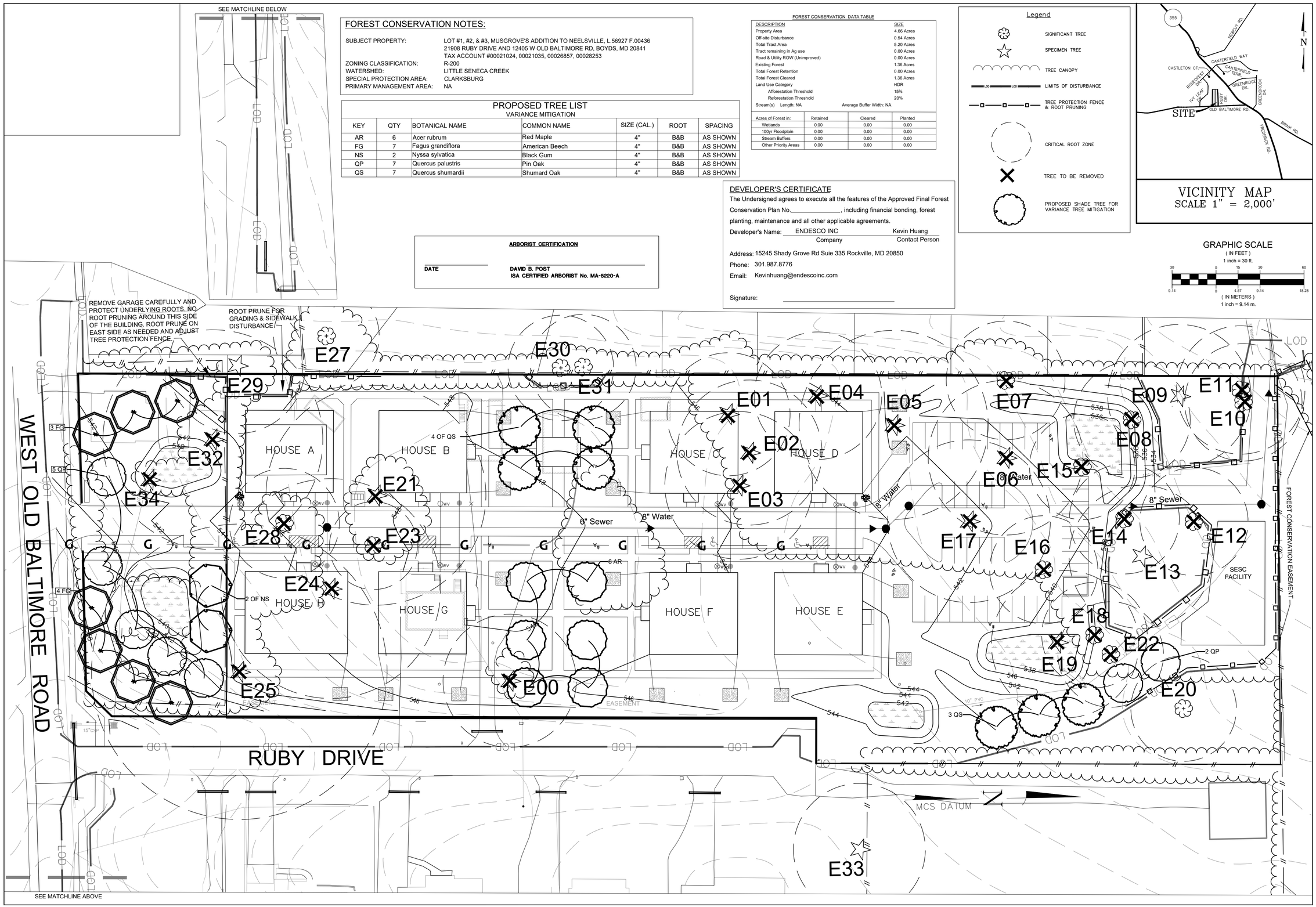
Developer's Name: ENDESCO INC (Company) Kevin Huang (Contact Person)

Address: 15245 Shady Grove Rd Suie 335 Rockville, MD 20850

Phone: 301.987.8776

Email: Kevinhuang@endescoinc.com

Signature: _____



SEE MATCHLINE ABOVE

MHG
Civil Engineers
Land Planners
Landscape Architects
Land Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgpa.com

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FRANK C. JOHNSON
10/23/2023
DATE
RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

Qualified Professional Certification
I hereby certify that the information shown hereon is correct and that this plan has been prepared in accordance with the requirements of the existing state and county forest conservation legislation.

ENDESCO, INC.
C/O KEVIN HUANG

15245 SHADY GROVE ROAD
SUITE 335
ROCKVILLE, MD 20850

301.987.8776
Kevinhuang@endescoinc.com

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EV562 WSSC 230NW12

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PART OF LOT 1, 2 & 3
BLOCK A
MUSGROVE'S ADDITION
TO NEELSVILLE

PROJ. MGR	DBP
DRAWN BY	FCJ
SCALE	1"= 30'
DATE	10.23.2023

PRELIMINARY FOREST CONSERVATION PLAN

L2.01

PROJECT NO. 87.115.41

SHEET NO. 1 OF 2

I:\87115\eng\Ruby Senior Homes 410\eng\FC_41_01.dwg, FC-1, 10/23/2023 9:12:49 AM, jphelt1, Copyright © 2023 Macris, Hendricks & Glascock, P.A.

SIGNIFICANT TREE LIST

ID	Botanical Name	Common Name	DBH (")	Condition	Notes
E07	Prunus avium	Sweet Cherry	28	Poor	
E08	Quercus Alba	White Oak	26	Good	deadwood
E10	Quercus Alba	White Oak	27	Fair	swollen at base, deadwood, tag #76
E11	Quercus Alba	White Oak	29	Fair/Poor	dieback, heavy vines, tag #77
E12	Quercus Palustris	Black Oak	25	Fair	deadwood
E14	Quercus Rubra	Red Oak	26	Fair	deadwood, leans, vines
E15	Quercus Alba	White Oak	24	Good	lopsided canopy
E16	Acer Rubrum	Red Maple	25	Fair	Cavities in canopy, vines, epicormic
E18	Carya tomentosa	Mockernut Hickory	24	Fair	deadwood
E20	Robinia Pseudoacacia	Black Locust	25	Poor	Topped, bee hive
E22	Acer Rubrum	Red Maple	25	Good	
E23	Acer Rubrum	Red Maple	28	Poor	Cavity, deadwood, wound closure, fungus
E26	Quercus Alba	White Oak	24	Fair	Dieback
E27	Quercus palustris	Pin Oak	24	Fair	deadwood
E28	Custanea Mollisima	Chinese Chestnut	26	Fair	deadwood
E30	Carya tomentosa	Mockernut Hickory	24	Fair	Codominant, cavity, sapsucker holes, deadwoo
E31	Prunus Serotina	Black Cherry	24	Fair/Good	deadwood, leans

SPECIMEN TREE SCHEDULE

ID	Botanical Name	Common Name	DBH (")	Condition	Notes
E00	Picea Pungens	Blue Spruce	34	Good	deadwood, ohw
E01	Liriodendron tulipera	Tulip Poplar	30	Fair/Poor	large cavity
E02	Prunus Serotina	Black Cherry	34	Fair	deadwood, vines, tag #82
E03	Acer Rubrum	Red Maple	33	Good	vines
E04	Quercus Rubra	Red Oak	31	Fair	deadwood, large vines
E05	Quercus Palustris	Black Oak	43	Poor	Baserot, vines, dieback
E06	Quercus Alba	White Oak	36	Good	
E09	Quercus Alba	White Oak	33	Good	deadwood, vines
E13	Quercus Palustris	Black Oak	32	Good	
E17	Ulmus americana	American Elm	39	Fair	Deadwood extensive, tag #85
E19	Acer Saccharinum	Silver Maple	33.5	Dead	
E21	Acer rubrum	Red Maple	53	Fair/Poor	Deadwood, wound/cavity, sm cavities
E24	Custanea Mollisima	Chestnut	50	Dead	
E25	Acer Saccharinum	Silver Maple	59-20-22	Good/Fair	deadwood, included bark
E29	Prunus Serotina	Black Cherry	31	Fair	Codominant, deadwood, included bark
E32	Acer Saccharinum	Silver Maple	47	Fair	deadwood, vines
E33	Acer Saccharinum	Silver Maple	30	Good	
E34	Acer Saccharinum	Silver Maple	31	Poor	almost dead, topped, decay, vines

VARIANCE REQUEST AND MITIGATION WORKSHEET

ID	Botanical Name	Common Name	Condition	DBH (")	Mitigation	Notes
E00	Picea Pungens	Blue Spruce	Good	34	8.50	One inch cal. Per 4" DBH removed
E01	Liriodendron tulipifera	Tulip Poplar	Fair/Poor	30	7.50	One inch cal. Per 4" DBH removed
E02	Prunus Serotina	Black Cherry	Fair	34	8.50	One inch cal. Per 4" DBH removed
E03	Acer Rubrum	Red Maple	Good	33	8.25	One inch cal. Per 4" DBH removed
E04	Quercus rubra	Red Oak	Fair	31	7.75	One inch cal. Per 4" DBH removed
E05	Quercus Palustris	Black Oak	Poor	43	10.75	One inch cal. Per 4" DBH removed
E06	Quercus Alba	White Oak	Good	36	9.00	One inch cal. Per 4" DBH removed
E09	Quercus Alba	White Oak	Good	33	0.00	24% Impact
E13	Quercus Palustris	Black Oak	Good	32	0.00	43% Impact
E17	Ulmus americana	American Elm	Fair	39	9.75	One inch cal. Per 4" DBH removed
E21	Acer Rubrum	Red Maple	Fair/Poor	53	13.25	One inch cal. Per 4" DBH removed
E25	Acer Saccharinum	Silver Maple	Good/Fair	59	14.75	One inch cal. Per 4" DBH removed
E29	Prunus Serotina	Black Cherry	Fair	31	0.00	32% impact - 16% actual
E32	Acer Saccharinum	Silver Maple	Fair	40	10.00	One inch cal. Per 4" DBH removed
E34	Acer Saccharinum	Silver Maple	Poor	31	7.75	One inch cal. Per 4" DBH removed
					115.75	**Total caliper inches required**
					29	**Total 4" caliper trees required**

NOTE: TREE INFORMATION UPDATED BY MHG ON 08/08/19, 10/06/2022 AND 07/13/2023.

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No.______________, including financial bonding, forest planting, maintenance and all other applicable agreements.

Developer's Name: ENDESCO INC (Company) Kevin Huang (Contact Person)

Address: 15245 Shady Grove Rd Suie 335 Rockville, MD 20850

Phone: 301.987.8776

Email: Kevinhuang@endescoinc.com

Signature: ______________________

811 Know what's below. Call before you dig.

FOR UTILITY LOCATIONS CONTACT "ONE CALL" AT 811 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION

FOREST CONSERVATION WORKSHEET

NET TRACT AREA:

A. Total tract area ...	4.66
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)...	0.54
C. Land dedication acres (parks, county facility, etc.) ...	0.00
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.00
E. Area to remain in commercial agricultural production/use ...	0.00
F. Other deductions (specify)	0.00
G. Net Tract Area ....=	5.20

LAND USE CATEGORY: (from Chapter 22A-3. Definitions)
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	CDR	MDR	IDA	HDR	MPD	CIA
0	0	0	0	1	0	0

G. Afforestation Threshold ...	15%	x G =	0.78	
H. Conservation Threshold ...	20%	x G =	1.04	
EXISTING FOREST COVER:				
I. Existing forest cover ....=			1.36	
J. Area of forest above afforestation threshold ....=			0.58	
K. Area of forest above conservation threshold ....=			0.32	
BREAK EVEN POINT:				
L. Forest retention above threshold with no mitigation ....=			1.10	
M. Clearing permitted without mitigation ....=			0.26	
PROPOSED FOREST CLEARING:				
N. Total area of forest to be cleared ....=			1.36	
O. Total area of forest to be retained ....=			0.00	
PLANTING REQUIREMENTS:				
P. Reforestation for clearing above conservation threshold ....=			0.32	
Q. Reforestation for clearing below conservation threshold ....=			2.60	1
R. Credit for retention above conservation threshold ....=			0.00	
S. Total reforestation required ....=			2.92	1
T. Total afforestation required ....=			0.00	
U. Credit for landscaping (may not be used to meet reforestation requirement if project is located outside an EFA. For projects within EFA, may not exceed 20% of "S") ....=			0.00	
V. Total reforestation and afforestation required ....=			**2.92**	
worksheet date			5/13/2019	

FOREST CONSERVATION WORKSHEET

NET TRACT AREA:

A. Total tract area ...	4.66
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)...	0.54
C. Land dedication acres (parks, county facility, etc.) ...	0.00
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.00
E. Area to remain in commercial agricultural production/use ...	0.00
F. Other deductions (specify)	0.00
G. Net Tract Area ....=	5.20

LAND USE CATEGORY: (from Chapter 22A-3. Definitions)
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	CDR	MDR	IDA	HDR	MPD	CIA
0	0	0	0	1	0	0

G. Afforestation Threshold ...	15%	x G =	0.78	
H. Conservation Threshold ...	20%	x G =	1.04	
EXISTING FOREST COVER:				
I. Existing forest cover ....=			1.36	
J. Area of forest above afforestation threshold ....=			0.58	
K. Area of forest above conservation threshold ....=			0.32	
BREAK EVEN POINT:				
L. Forest retention above threshold with no mitigation ....=			1.10	
M. Clearing permitted without mitigation ....=			0.26	
PROPOSED FOREST CLEARING:				
N. Total area of forest to be cleared ....=			1.36	
O. Total area of forest to be retained ....=			0.00	
PLANTING REQUIREMENTS:				
P. Reforestation for clearing above conservation threshold ....=			0.16	
Q. Reforestation for clearing below conservation threshold ....=			2.08	1
R. Credit for retention above conservation threshold ....=			0.00	
S. Total reforestation required ....=			2.24	1
T. Total afforestation required ....=			0.00	
U. Credit for landscaping (may not be used to meet reforestation requirement if project is located outside an EFA. For projects within EFA, may not exceed 20% of "S")			0.00	
V. Total reforestation and afforestation required ....=			**2.24**	
worksheet date			5/13/2019	

FOREST CONSERVATION REQUIREMENT PER ONE OF THE FOLLOWING:
1. 2.92 ACRES IF MET OUTSIDE THE SAME WATERSHED, A PRIORITY WATERSHED, AN SPA OR PMA
2. 2.24 ACRES IF MET WITHIN THE SAME WATERSHED OR IN A PRIORITY WATERSHED, AN SPA OR PMA.

FOREST CONSERVATION REQUIREMENT TO BE MET PER THE ABOVE IN A FOREST BANK OR IF NOT AVAILABLE TO BE MET VIA FEE IN LIEU.

ARBORIST CERTIFICATION

DATE ______________ ______________________

DAVID B. POST
ISA CERTIFIED ARBORIST No. MA-5220-A

Sequence of Events for Properties Required To Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

Pre-Construction

1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.

2. The property owner must arrange for the meeting and the following people must participate at the preconstruction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/MD Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
   a. Typical tree protection devices include:
   i. Chain link fence (four feet high)
   ii. Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
   iii. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
   b. Typical stress reduction measures may include, but are not limited to:
   i. Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector
   ii. Crown Reduction or pruning
   iii. Watering
   iv. Fertilizing
   v. Vertical mulching
   vi. Root aeration systems
   Measures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.

3. A Maryland Licensed Tree expert must perform, or directly supervise, the implementation of all stress reduction mesasures. Documentation of the process (including photograhs)

Page 1 of 3 February 2017

may be required by the Forest Conservation Inspector, and will be determined at the preconstruction meeting.

4. Temporary protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan.

5. Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities:
   a. Parking or driving equipment, machinery, or vehicles of any type.
   b. Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
   c. Dumping or any chemicals (i.e., paint thinner), mortar or concrete remainder, trash, garbage, or debris of any kind.
   d. Felling of trees into a protected area.
   e. Trenching or grading for utilities, irrigation, drainage, etc.

6. Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

During Construction

7. Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to all tree protection devices must be completed within the timeframe given by the Inspector.

8. The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

Post-Construction

9. After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
   a. Removal, and possible replacement, of dead, dying, or hazardous trees
   b. Pruning of dead or declining limbs
   c. Soil aeration
   d. Fertilization
   e. Watering

Page 2 of 3 February 2017

   f. Wound repair
   g. Clean up of retention areas, including trash removal

10. After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

11. Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

Page 3 of 3 February 2017

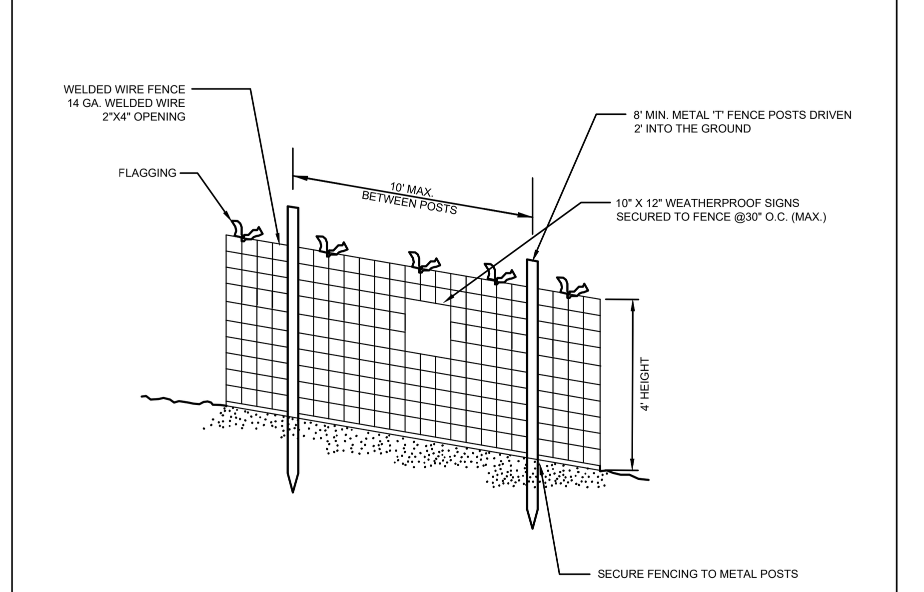
INSPECTIONS

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

Plans without Planting Requirements
1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements
4. Before the start of any required reforestation and afforestation planting.
5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
6. 2 years after reforestation and afforestation have been completed, to determine survival and assess necessary maintenance activities for the remaining duration of the maintenance and management period.
7. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

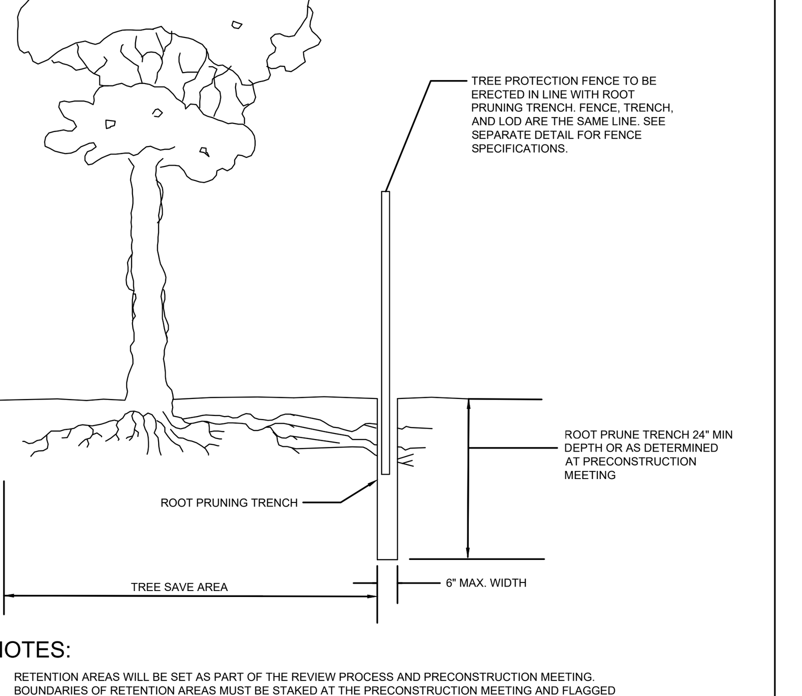


NOTES:
1. PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING.
2. LOCATION AND LIMITS OF FENCING SHALL BE COORDINATED IN FIELD WITH ARBORIST.
3. BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEVICE.
4. ROOT DAMAGE SHOULD BE AVOIDED.
5. PROTECTIVE SIGNAGE IS REQUIRED.
6. FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION FENCE DETAIL

NTS

NOTE: Tree Protection Fence shall be installed on top of the Limits of Disturbance. For purposes of legibility only, the Tree Protection Fence is graphically represented adjacent to the LOD.

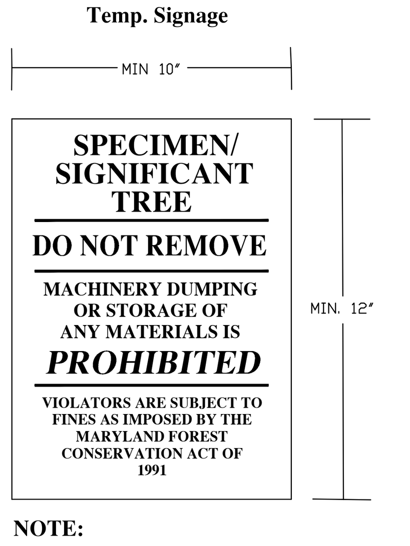


NOTES:
1. RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRECONSTRUCTION MEETING.
2. BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRECONSTRUCTION MEETING AND FLAGGED PRIOR TO TRENCHING.
3. EXACT LOCATION OF TRENCH SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FOREST CONSERVATION (FC) INSPECTOR.
4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL AS SPECIFIED PER PLAN OR BY THE FC INSPECTOR.
5. ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.
6. ALL PRUNING MUST BE EXECUTE WITH LOD SHOWN ON PLANS OR AS AUTHORIZED IN WRITING BY THE FC INSPECTOR.

ROOT PRUNING DETAIL

NTS

Temp. Signage



NOTE:
1. Attachment of signs to trees is prohibited.
2. Signs should be properly maintained.
3. Avoid injury to roots when placing posts for the signs.
4. Signs should be posted to be visible to all construction personnel from all directions.

MHG

Civil Engineers
Land Planners
Landscape Architects
Land Surveyors

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Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgpa.com

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FRANK C. JOHNSON
10/23/2023
DATE
RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

Qualified Professional Certification
I hereby certify that the information shown hereon is correct and that this plan has been prepared in accordance with the requirements of the existing state and county forest conservation legislation.

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C/O KEVIN HUANG

15245 SHADY GROVE ROAD
SUITE 335
ROCKVILLE, MD 20850

301.987.8776
Kevinhuang@endescoinc.com

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EV562 WSSC 230NW12

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PART OF LOT 1, 2 & 3 BLOCK A MUSGROVE'S ADDITION TO NEELSVILLE

PROJ. MGR	DBP
DRAWN BY	FCJ
SCALE	NTS
DATE	10.23.2023

PRELIMINARY FOREST CONSERVATION PLAN

L2.02

PROJECT NO.	87.115.41
SHEET NO.	2 OF 2

I:\87115\dwg\Ruby Senior Homes .41\Dwg\FC_41_01.dwg, FC-2, 10/23/2023 9:12:19 AM, johnsfr, Copyright © 2023 Macris, Hendricks & Glascock, P.A.

Macris, Hendricks & Glascock, P.A.
Engineers ▪ Planners ▪ Surveyors ▪ Landscape Architects

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

MHG

Phone 301.670.0840
Fax 301.948.0693

October 10, 2023

Maryland National Capital Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

Re: Musgrove's Addition
to Neelsville PFCP
MHG Project No. 87.115.41

To Whom It May Concern:

On behalf of the applicant of the above referenced Forest Conservation Plan, we hereby request a variance from Section 22A-12.b(3)(C) of the Montgomery County Code, Chapter 22A for the removal of twelve and impact of three specimen trees, as required by the Maryland Natural Resources Article, Title 5, Subtitle 16, Forest Conservation, Section 5-1611, and in accordance with Chapter 22A-21(b) of the Montgomery County Code. The proposed removal of twelve and impact of three trees over thirty inches satisfies the variance application requirements of section 22A-21(b).

1. *Describe the special conditions peculiar to the property which would cause the unwarranted hardship;*

   The subject property is 4.66 acres. The property is currently developed with two single family residential buildings and is zoned R-200. The development proposes to remove the existing buildings and replace them with an assisted living community. The property is partially forested (1.36 acres) which is proposed for removal. The majority of the property is maintained as treed grass/yard space. The property is rectangular in shape and includes an area of dedication. The proposed development includes eight buildings, a parking lot, open space areas, extensive stormwater requirements, as well as other utilities such as water and sewer connections.

   The trees to be removed are scattered across the property with many located in central locations causing them to be impacted by multiple things. The development proposes a new entrance off of West Old Baltimore with the driveway going across the property with parking in the back. This layout was a requested change by the county. This has pushed the development out and created more tree impacts that are unavoidable. Sidewalks serve the buildings and make connections to the parking and open space areas. Stormwater is met through six facilities as well as drywells where possible. A sediment control facility is proposed behind and downhill from the proposed parking lot. The sewer and water connections are just off-site in the northwest corner of the property. In order to connect to this existing utility line, the disturbance must cross through the forest area.
   Trees 00, 01, 02, 03, 04, 05, 31, 25, 32 and 34 are all centrally located and are impacted by the house site locations, sidewalks and the extensive grading necessary across a

relatively flat lot that needs to be graded to provide necessary drainage. Trees 06, 17, 13 and 19 are impacted by the parking lot and grading around the parking lot. The parking is required as is the turn around radius within the parking lot for emergency vehicle movement. In order to treat the stormwater, five stormwater facilities are needed as well as multiple drywells which impact trees 00, 09, 13, 32, and 34. Given the grades of the site relative to the position of the impervious surfaces, the stormwater facilities need to be placed in their proposed positions in order to properly treat and convey stormwater. Drywells were utilized on buildings where spacing allowed. Trees 09 and 13 are impacted by the water and sewer connections which are in the rear corner of the property. In addition to the impacts from grading, stormwater, parking lot and utility connections, tree 13 is also impacted by the proposed sediment control facility needed to treat the site during construction. Tree 29 is just off-site and is impacted by the removal of an existing building as well as the proposed sidewalk, grading, and building placement. The complexities of designing on a site that is long and narrow to provide the parking, driveway, and building accessibility results in significant land disturbance and the ultimate need to impact and remove the subject trees.

Impacts to trees to remain have been minimized and will be mitigated with all stress reduction requirements necessary. In order to meet the needs of proposed development and maintain a development style that is compatible with the surrounding properties while providing the necessary stormwater, parking, and utility requirements, not allowing the removals would be a hardship that is not warranted in light of the special conditions particular to the property.

2. *Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;*

   The development of the property regardless of being developed as single family homes per R-200 zoning or developed as assisted living housing would result in significant disturbance to the overall property, and as a result the need for removal of specimen trees. The inability to remove the subject trees would limit the development of the property. This creates a significant disadvantage for the applicant and deprives the applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

3. *Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;*

   A Stormwater Management Concept has been submitted for the improvements. The sites SWM requirement is met with five facilities and drywells. The approval of the Stormwater Management Concept will confirm that the goals and objectives of the current state water quality standards are being met.

4. *Provide any other information appropriate to support the request.*

   Mitigation will be provided for all specimen trees to be removed. A copy of the Forest Conservation Plan and variance tree table has been provided as part of this variance request. Please let us know if any other information is necessary to support this request.

Please contact me via email, at fjohnson@mhgpa.com, or by phone, at (301) 670-0840 should you have any additional comments or concerns.

Thank you,

Frank Johnson

Frank Johnson

VARIANCE REQUEST AND MITIGATION WORKSHEET

ID	Botanical Name	Common Name	Condition	DBH (")	Mitigation	Notes
E00	Picea Pungens	Blue Spruce	Good	34	8.50	One inch cal. Per 4" DBH removed
E01	Liriodendron tulipifera	Tulip Poplar	Fair/Poor	30	7.50	One inch cal. Per 4" DBH removed
E02	Prunus Serotina	Black Cherry	Fair	34	8.50	One inch cal. Per 4" DBH removed
E03	Acer Rubrum	Red Maple	Good	33	8.25	One inch cal. Per 4" DBH removed
E04	Quercus rubra	Red Oak	Fair	31	7.75	One inch cal. Per 4" DBH removed
E05	Quercus Palustris	Black Oak	Poor	43	10.75	One inch cal. Per 4" DBH removed
E06	Quercus Alba	White Oak	Good	36	9.00	One inch cal. Per 4" DBH removed
E09	Quercus Alba	White Oak	Good	33	0.00	24% Impact
E13	Quercus Palustris	Black Oak	Good	32	0.00	43% Impact
E17	Ulmus americana	American Elm	Fair	39	9.75	One inch cal. Per 4" DBH removed
E21	Acer Rubrum	Red Maple	Fair/Poor	53	13.25	One inch cal. Per 4" DBH removed
E25	Acer Saccharinum	Silver Maple	Good/Fair	59	14.75	One inch cal. Per 4" DBH removed
E29	Prunus Serotina	Black Cherry	Fair	31	0.00	32% impact - 16% actual
E32	Acer Saccharinum	Silver Maple	Fair	40	10.00	One inch cal. Per 4" DBH removed
E34	Acer Saccharinum	Silver Maple	Poor	31	7.75	One inch cal. Per 4" DBH removed
					115.75	**Total caliper inches required**
					29	**Total 4" caliper trees required**

Attachment B: Public Correspondence

From: Jagdish Tarpara
To: Penn, Joshua; Beall, Mark
Subject: Worldshine Senior living Project on Ruby Drive, Boyds, MD
Date: Monday, June 19, 2023 2:19:11 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

The Conditional Use number is CU202311..

Hi Mark and Joshua:

I am writing this email to you regarding the subject project, Worldshine Senior living Project on Ruby Drive, Boyds, MD.

My name is Jagdish Tarpara. I am living at the "Hurley Ridge by Toll Brothers" since 2002, being the original owner of my home.

My family have a grave concern for the proposed Project of such magnitude that will have huge impact on quality of life of my community as well as high burden on the surrounding communities on West Old Baltimore Road. This project will have direct impact on the quality of life as well as personal impact (e.g., road safety, pedestrian or children playing, traffic, well water impact, impact on your neighborhood etc).

I am wiling to meet both of you or any other county office to personally convey and share my concerns anytime or at a time convenient to you. Please contact me by email or phone.

Regards,

Jagdish P Tarpara

Cell: 301-257-7200

Virus-free.www.avast.com

From:	Ala In (null)
To:	Beall, Mark; Penn, Joshua
Cc:	vyjoo1@gmail.com
Subject:	Senior center in my back yard
Date:	Sunday, June 4, 2023 7:32:02 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good day gentlements,
This email is to informed my opostion with the county to have the center in Ruby drive. It would create more traffic, noise and, since it is behind my house, my privacy is greatly affected. Please let me know what your solutions for the issues above.
Sincerely yours,

Alain Chu
9 Ivy Leaf ct.

To Whom It May Concern,

I live at 21917 Ruby Drive, Boyds Maryland. I will directly be affected by The World Shine project in question, myself along with my husband, my children, and my eighty year old mother who has lived at this address for 50 plus years.

We have many concerns about this project. There are six houses on Ruby Drive which is a dead end street. This is a residential community. Ruby Drive nor West Old Baltimore will support any more traffic which a business, such as the World Shine project, will attract. There will be trash trucks, recycle trucks, employees, residents and visitors, food trucks, landscaping trucks, laundry trucks, mail and delivery trucks, activities that would be coming and going, and not to mention any medical and emergency vehicles when needed. This will add noise, pollution, and traffic to our tiny little street.Lastly, this will create a larger amount of foot traffic which increases the risk of crime.

This is too dense of a street as is. The property in question is only 4 acres with a plan to build 6, two story buildings, an activity building, and a large parking lot. I am fully aware that there is a need for senior facilities but this is not the right location for such a large business. This business is not looking out for the better interest of the seniors, but rather making money.

The owner of 21918 Ruby Drive, the property in question for this project, also owns two other properties on Ruby Drive. They own these properties under different names, Baron Investment Service (21905 Ruby Drive) and Quill Li (21901 Ruby Drive). These are also his business rental properties which are very run down. Is this a reflection of his business ethics? Our homes were built in the 60's so there is no HOA associated with our street. Therefore, there are no regulations on the appearance of homes.

We have submitted letters, met with council members, county members, documented signatures of homeowners in the area, and held town meetings. We want to make our voices heard that this is not the right placement for such a facility. I look forward to hearing back from you regarding this issue and what my next steps will be to continue to have my voice be heard.

Alexis T. Duffin

Alexis T. Duffin

To Whom It May Concern,

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Barbara J. Fisher

Barbara J. Fisher

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Breyanna E. Duffin

Breyanna E. Duffin

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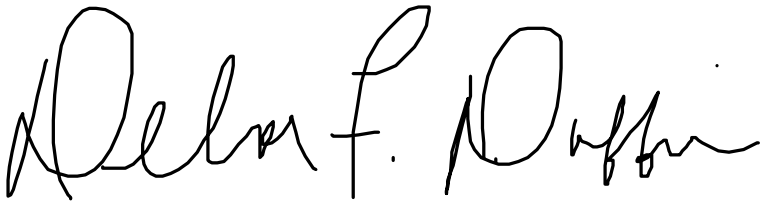
Debra F. Duffin



From:	Duffin, Debra F
To:	Beall, Mark
Subject:	The conditional use of CU202311
Date:	Friday, May 19, 2023 10:55:25 AM
Attachments:	Kami Export - Untitled document (1).pdf Kami Export - Untitled document (2).pdf Kami Export - Untitled document (3).pdf Kami Export - Untitled document (4) (2).pdf Kami Export - Untitled document (5).pdf

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[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Please see attached letters

Thank you,

Debra Duffin

DO YOU NEED LOANS? AT 3% IF YES EMAIL WITH AMOUNT NEEDED. Note all reply should be copy and send to this email michele.geloso@rogers.com michele.geloso@rogers.com

From: Emily Martin
To: Penn, Joshua; Beall, Mark
Subject: CU202311
Date: Tuesday, May 16, 2023 9:36:43 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Evening,

I am very overwhelmed and exhausted by continued efforts of World Shine LLC to commercialize our residential neighborhood. My name is Emily Martin, I am a mother of three and I grew up on Ruby Drive in Boyds, MD. This is a dead-end road with just a few houses. My parents, Carl and Jeanean, babysit their 10 grandchildren on any given day of the week and we have all of our family get togethers and holidays on Ruby Drive. They have worked their entire lives to own their home. They should be able to retire in peace, but instead for the past 4 years a corporation has been pushing their way into a small residential neighborhood with the sole intention to make money by starting a business. There have been labeled commercial trucks and vans coming in and out of the street at all hours of the night, solicitors trying to buy their house and unkempt lots for the houses they have acquired. They do not upkeep the properties because they don't want to own the homes to use for their original purpose. No one intended to live there. They would be happy to bulldoze the entire street down. What Worldshine is proposing would create unprecedented traffic, light pollution and the entire quality of life for the existing and original residents would crumble. We want you to know this truly does not fit. We already cannot let our children ride bikes and scooters on the street due to erratic and heavy traffic from the Worldshine vans that are already coming and going. Please consider the original zoning and incompatibility of what they are proposing to the established community. Take business traffic off of Ruby Drive it is very dangerous to the families living there.

Thank you,

Emily Martin

From: Atul Ganatra
To: Beall, Mark; Penn, Joshua
Subject: Concern regarding senior living facility on Ruby Drive
Date: Monday, May 15, 2023 9:02:17 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark and Joshua:

I am a resident of a community on W Old Baltimore Rd in Boyds, MD. Our community is about half mile up the road from the proposed senior living facility on Ruby Dr. The conditional use number for this facility is CU202311 for your reference.

I am writing to express a serious concern regarding this proposal. I am a parent of a high school student who often walks to a bus stop on W Old Baltimore road close to 355. A large section of this walk route has no sidewalks. This forces my daughter, many other kids, and other pedestrians to walk on a very narrow county road with poor visibility due to changing gradients. I see many pedestrians walking on this road who are using transportation on 355 but then have no choice but walk on W Old Baltimore Rd to get to their homes.

The proposed senior living facility is likely to add a tremendous burden on this county road which is not meant to handle such an increased volume of commercial and emergency vehicles that will be passing through that patch on a daily basis. My biggest concern is the safety of the residents and children who are walking on this road and crossing the road in their communities every single day. The residential neighborhood where this project is proposed is not suitable for a commercial facility like this one.

Thank you for your attention.

Atul Ganatra
12707 Gorman Cir
Boyds, MD 20841

From: Ketan Ganatra
To: Penn, Joshua; Beall, Mark
Subject: Conditional Use number is CU202311
Date: Thursday, July 20, 2023 3:03:17 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Mark and Joshua:

Good evening. I hope this message finds you well. My name is Ketan Ganatra (Summerfield Crossing) and I am writing to you today with a deep sense of concern and urgency regarding the proposed project, whose implications have the potential to drastically alter our cherished community.

Here is the reason why.

1. The site where it is located is purely residential. Having this massive facility will change the character of the community forever.

2. The ramifications of this project on local traffic cannot be overlooked. The intersection at 355/WOB, already known for its challenging navigation, would be further strained by the additional traffic generated by this facility. The absence of sidewalks compels our residents to walk on the road, a situation that is far from ideal and is only poised to worsen with the influx of new vehicular traffic

3. Furthermore, envisioning a scenario where pedestrians are forced to share the road with ambulances and commercial vehicles is chilling. The safety of our residents, particularly our children and elderly, is paramount and should never be compromised. This project could potentially turn our peaceful streets and roads into a chaotic and hazardous landscape.

4. Lastly, it is important to highlight the presence of numerous commercial sites in our vicinity that could easily accommodate such a project. Clarksburg, an area still under development, boasts vast open spaces that can be utilized without disrupting established residential communities. It seems illogical to uproot long-standing residents for the sake of financial gain.

Regards.

(SIGNED)

Ketan Ganatra

On behalf of the HOA of Hurley Ridge we would like to express our concern on the proposed Worldshine Senior Living project on Ruby Drive. Conditional use #CU202311.

Our first concern is the fact that this proposed facility is a commercial business that would be built in a residential neighborhood on a dead-end road that is less than 1000 feet. Ruby Drive does not have adequate ingress and egress access to handle the potential increase of traffic that would come with this facility. Furthermore, with this proposed commercial facility comes increased commercial traffic including staff, commercial deliveries, trash trucks and fire and EMS vehicles.

The proposed Worldshine project would also increase traffic along West Old Baltimore Rd and create traffic issues on Ruby Drive along with the intersections of the nearby neighborhoods. What you may not know is that the number of vehicles has steadied increased along West Old Baltimore in recent years due to the addition of Cabin Branch development. And it will only get worse as there are several hundred more homes proposed in around the Cabin Branch development.

Lighting is another concern. This proposed facility would have 6 buildings with numerous lights within the facility along with exterior lighting that would come with this facility. This lighting would directly impact the residents who live along Ivy Leaf Ct and Ivy Leaf Drive in Hurley Ridge. Plus, a lot of those homes sit lower and would be greatly impacted by the lighting at the facility.

While it is understood that there is a need for elderly care in the Clarksburg area as well as other areas of the county, there are far more suitable areas nearby that already have the proper infrastructure in place to handle a facility of this size. This proposed facility does not fit with this immediate area.

From: Jeanean Martin
To: Beall, Mark; Penn, Joshua
Subject: Worldshine Senior living Project on Ruby Drive
Date: Monday, May 15, 2023 9:39:09 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Sirs,
My name is Jeanean Martin. I have been living at 21909 Ruby Drive, Boyds, MD since 1981. Our family is opposed to the proposal for a senior living project by Worldshine. This facility is in direct violation of our zoning witch is for residential houses not a commercial enterprise like the project Worldshine is proposing. Worldshine purchased the houses and land at a very cheap residential price. The owner never intended to be part of our "neighborhood. It is much more profitable when they build a commercial facility. Clearly the purchase of the three homes on Ruby Drive were to drive out the existing property owners and to build a commercial venture that would destroy our homes and value, not to mention our quality of living.

In the past five years we have had the construction of the Goddard school, Tapestry Development and Hurley Ridge Developments. How much more congestion and traffic can this area tolerate? West Old Baltimore Road and Rt. 355 are already heavily trafficked and were never designed to support this kind of constant traffic.

To put a facility which will house 90 + people, all the staff, and services required for such a commercial facility to operate on a small rural road like Ruby Drive is simply not feasible. It would clearly cause even more noise, traffic, congestion, light pollution and disturb the natural environment that we have and love so much.

I firmly believe that the property should remain single family housing (non-business) to curb and further increase in population density and traffic.

Please abide with the original residential zoning and do not let this organization ruin our neighborhood.

Thank you,

Jeanean Martin
21909 Ruby Drive
Boyds, MD 20841
--
JEANEAN SONGCO MARTIN FINE ART STUDIO
21909 Ruby Drive
Boyds, MD 20841

(301) 540-2092

e-mail: jeaneansongcomartin6@gmail.com
Artist website: www.jeaneansongcomartin.com
Painting blog website: https://jeaneansongcomartin.com/

From:	jerome pajot
To:	Beall, Mark; Penn, Joshua
Cc:	councilmember.balcombe@montgomerycountymd.gov
Subject:	Concerns over Conditional Use number: CU202311
Date:	Thursday, May 4, 2023 12:10:42 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good morning to you both,

Please file the following concerns with the above referenced project to be considered prior to final decision.

I am a resident of Hurley Ridge (property #10 on the filed "revised plan" found here. This project proposes a line of buildings 40 feet from my property and I am concerned about that and the overall nature of the project.

CU202311 is looking to drastically and completely change Ruby Drive in Boyds MD and the surrounding areas.

Ruby drive is a quiet, rural dead end street measuring less than 1,000 feet and is comprised of approximately 6 single family homes, most of which are single story homes built well before the surrounding neighborhoods, operating on well water.

It is the type of quiet neighborhood most look for but is so hard to find nowadays.

Worldshine and its owners have acquired 3 of these properties and as a result has asked that you consider this multi-building expansion of their existing business (located at 20420 Century Blvd, Germantown MD.....3.1 miles away from Ruby Drive).

Below are concerns you should consider as you advise the planning board, which I share with many of the local residents.

1. Traffic:

Although a traffic study has been provided to you (from 2021), I assure you that it does not account for the most recent number of cars and trucks traveling up and down West Old Baltimore. In addition to Hurley Ridge, Summerfield Crossing, Tapestry and the residents in the neighborhood off Diller Lane, Cabin Branch residents use West Old Baltimore and more will come as that project expands over the next few years. I can attest that coming out of Hurley Ridge is now harder than it

was when I moved here 14 years ago. This proposed Worldshine project would increase traffic along West Old Baltimore and create unprecedented traffic issues on Ruby Drive and at the intersection of the two streets.

In addition to staff and frequent visitors to the proposed facility, there would undoubtedly be frequent commercial traffic to the facility..... trash service, laundry service, commercial grocery deliveries, EMS services etc....

Ruby Drive is narrow and short.

2. Noise:

My backyard is currently quiet and would most likely remain so if single family homes were built on the empty lot where CU202311 is proposed instead of this multi-building facility. Worldshine, however, wants to construct 6 buildings to house up to 90 residents. This facility, if approved and constructed, would bring a lot of people within 40 feet of my property. People make and bring noise. The facility would also bring traffic noise, both commercial and personal. (heavy truck engine noise, horns, sirens, backup lights, alarms, trash service banging when emptying dumpsters etc...)

3. Light:

Every commercial facility needs a lot of lighting. 24hr, 7 days a week lighting. Ruby Drive is currently unencumbered by a lot of light.

6 buildings would have windows..a lot of windows. These windows would certainly have lights shining through and the properties along Ivy Leaf Ct. would be looking up at those lights from our homes and yards.

All of the surrounding residential homes would be impacted by all of this lighting required for this business. No lighting plan will prevent additional lighting and therefore light pollution. The proposed landscape plan does not provide a dense line of evergreens to shield the residents of Hurley Ridge.

Conclusion:

I believe the Clarksburg master plan did not include this facility. I purchased my home due to the serenity of the back yard and the overall quiet nature of the area. This facility would take that away and surely negatively impact my property value along with those around me.

The planning staff, board and examiner need to consider the drastic changes to personal lives that this project would cause as a result of the destruction of the Ruby Drive neighborhood and the severe impact to the surrounding communities.

Even if there is a need for elderly care in the Clarksburg area (Worldshine currently operates

3.1 miles away from Ruby Drive), Montgomery County Planning should not approve nor allow the destruction of a neighborhood, but rather re-direct this project to a more suitable site along major roads.

Regards,

Jerome Pajot

From:	jerome pajot
To:	Beall, Mark; Penn, Joshua
Cc:	Pratt, Jamey
Subject:	Re: Additional testimony - Opposition to Conditional Use number: CU202311
Date:	Tuesday, October 10, 2023 9:36:05 AM
Attachments:	Worldshine Land use report excerpt.png

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good morning.

The purpose of my writing to you today is to supplement my initial concerns (email included below) with additional testimony to be considered by planning staff and/or any other decision makers regarding Worldshine's claim that their proposed facility will provide "*much-needed assisted living.....*"

Worldshine has submitted a Land Use Report in which it proposes to "develop a Residential Care Facility (over 16 persons) containing up to 85 beds (the "Project") on the property located at 21908 Ruby Drive in Boyds, Maryland (the "Property"). Specifically, the Applicant is proposing to redevelop the Property with six cottage-style buildings which collectively contain up to 85 assisted living beds, with associated services and amenities." and also states that "the Project will provide much-needed assisted living facilities in the Clarksburg/Boyds area of Montgomery County, where no such facilities exist today."

Please consider the following quantitative analysis in your evaluation of whether Ruby Drive should be destroyed to allow this unnecessary facility in that location.

- Boyds MD has a population of approximately 10,460 residents (2010 census). According to the provided source link, approximately 8,368 of the residents are age 18 and above.

  Source: https://dwellics.com/maryland/community-in-boyds

- Clarksburg MD has a population of 29,051 residents of which approximately 18,400 are 18 years old or above.

  Source: (https://data.census.gov/all?q=Clarksburg+CDP,+Maryland).

The combined total number of residents equals approximately 39,500.

Worldshine is proposing to build this facility with "*up to 85 beds*". This represents being able to assist .22% of the population. If we assume that only residents age 18 and above (26,768 total residents in Boyds and Clarksburg combined) would benefit from such an assisted living facility, then 85 beds would assist .32% of that population.

This math does not justify destroying Ruby Drive. If in fact Worldshine is looking to support the Clarksburg/Boyds area with regard to assisted living facilities, you should reject their current proposal to build it on Ruby Drive and recommend they build a much bigger facility in a commercial lot setting.

This 85 bed facility proposal does not address any potential need of the community but would rather allow the land owner to commercialize Ruby Drive and get a greater Return on Investment for the purchased residential land on that street.

Regards,

Jerome Pajot

From: jerome pajot <pajots@yahoo.com>

Sent: Thursday, May 4, 2023 12:09 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>
Cc: councilmember.balcombe@montgomerycountymd.gov
Subject: Concerns over Conditional Use number: CU202311

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CU202311 is looking to drastically and completely change Ruby Drive in Boyds MD and the surrounding areas.

Ruby drive is a quiet, rural dead end street measuring less than 1,000 feet and is comprised of approximately 6 single family homes, most of which are single story homes built well before the surrounding neighborhoods, operating on well water.

It is the type of quiet neighborhood most look for but is so hard to find nowadays.

Worldshine and its owners have acquired 3 of these properties and as a result has asked that you consider this multi-building expansion of their existing business (located at 20420 Century Blvd, Germantown MD.....3.1 miles away from Ruby Drive).

Below are concerns you should consider as you advise the planning board, which I share with many of the local residents.

1. Traffic:

Although a traffic study has been provided to you (from 2021), I assure you that it does not account for the most recent number of cars and trucks traveling up and down West Old Baltimore. In addition to Hurley Ridge, Summerfield Crossing, Tapestry and the residents in the neighborhood off Diller Lane, Cabin Branch residents use West Old Baltimore and more will come as that project expands over the next few years. I can attest that coming out of Hurley Ridge is now harder than it was when I moved here 14 years ago. This proposed Worldshine project would increase traffic along West Old Baltimore and create unprecedented traffic issues on Ruby Drive and at the intersection of the two streets.

In addition to staff and frequent visitors to the proposed facility, there would undoubtedly be frequent commercial traffic to the facility..... trash service, laundry service, commercial grocery deliveries, EMS services etc....

Ruby Drive is narrow and short.

2. Noise:

My backyard is currently quiet and would most likely remain so if single family homes were built on the empty lot where CU202311 is proposed instead of this multi-building facility. Worldshine, however, wants to construct 6 buildings to house up to 90 residents. This facility, if approved and constructed, would bring a lot of people within 40 feet of my property. People make and bring noise. The facility would also bring

traffic noise, both commercial and personal. (heavy truck engine noise, horns, sirens, backup lights, alarms, trash service banging when emptying dumpsters etc...)

3. Light:

Every commercial facility needs a lot of lighting. 24hr, 7 days a week lighting. Ruby Drive is currently unencumbered by a lot of light.

6 buildings would have windows..a lot of windows. These windows would certainly have lights shining through and the properties along Ivy Leaf Ct. would be looking up at those lights from our homes and yards.

All of the surrounding residential homes would be impacted by all of this lighting required for this business. No lighting plan will prevent additional lighting and therefore light pollution. The proposed landscape plan does not provide a dense line of evergreens to shield the residents of Hurley Ridge.

Conclusion:

I believe the Clarksburg master plan did not include this facility. I purchased my home due to the serenity of the back yard and the overall quiet nature of the area. This facility would take that away and surely negatively impact my property value along with those around me.

The planning staff, board and examiner need to consider the drastic changes to personal lives that this project would cause as a result of the destruction of the Ruby Drive neighborhood and the severe impact to the surrounding communities.

Even if there is a need for elderly care in the Clarksburg area (Worldshine currently operates 3.1 miles away from Ruby Drive), Montgomery County Planning should not approve nor allow the destruction of a neighborhood, but rather re-direct this project to a more suitable site along major roads.

Regards,

Jerome Pajot

From: V Krishnan
To: Penn, Joshua
Cc: Beall, Mark; Wilson, Craig; Balcombe, Marilyn; Butler, Patrick; Casey, Jonathan
Subject: Re: Neighborhood concerns_ CU202311_Ruby Drive Senior Living Project
Date: Thursday, January 4, 2024 7:17:24 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Thanks Joshua. Communities in the area are pretty concerned and aggravated with the ever-increasing scope of this project. It is unfair to the community residents to continuously have to keep up with updated proposals and constantly having to submit feedback to the "new" proposals all over again.

Also I was informed that many folks on the list of people contacted by Sunshine have never received emails or paper notifications, and I definitely have not received them either. I also noticed that my physical address in their contact list (which is part of the application online) shows my address in Arizona!! Is there a way the county can confirm that these letters/emails have indeed been sent to the listed contacts/persons of record by the Applicant? How does county know that these emails or letters were actually sent? In such cases, if there is not much feedback , is it truly indicative of community acceptance? Does Applicant have to provide copies of emails sent?

Also- can you let me know when the meeting is scheduled (is it still 1/11) and if so can you send the link where we can attend virtually, along with date and time?

Hope to hear from you soon, thanks
Vyjoo

Thanks in advance.

On Thu, Jan 4, 2024 at 7:53 AM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> Thank you so much for your email regarding the Worldshine Ruby Drive Project. Your email has been received and will be used in the review of the application and a copy of the letter will be attached to the Staff Report also.
>
> Thank you for your concerns and comments on the application.
>
> **Joshua Penn**
>
> **Planner III**
>
> Montgomery County Planning Department
>
> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
>
> Joshua.Penn@montgomeryplanning.org
>
> o: 301.495.4546
>
> ---
>
> **From:** V Krishnan <vyjoo1@gmail.com>
> **Sent:** Wednesday, January 3, 2024 2:41 PM
> **To:** Penn, Joshua <joshua.penn@montgomeryplanning.org>
> **Cc:** Beall, Mark <Mark.Beall@montgomeryplanning.org>; Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
> **Subject:** Re: Neighborhood concerns_ CU202311_Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Joshua and Planning team

Hope you all had a great holiday season and Happy New Year. The communities were made aware of an updated proposal for the assisted living project , but now with a larger footprint and entering through West Old Baltimore Road. This plan is even worse and is still inherently unsuitable for this area, given the number of residential neighborhoods and traffic pouting into WOB, a 2 -lane road with no scope for expansion. I have provided a letter (see below) on behalf of Summerfield Crossing community which is ~ 0.1 mile from this proposed facility. Please let me know if this is sufficient to formally document our concerns regarding the proposed facility, or a signed pdf etc is needed. Hope to hearfrom you soon. Thanks, Vyjoo

---

Dear Planning Committee:

I am the President of the Summerfield Crossing HOA situated on West Old Baltimore Road in Boyds/Clarksburg borderline. We were recently made aware of a plan for EIGHT buildings, 120-bed facility for senior assisted living off West Old Baltimore Road! (Project: Ruby Senior Living: CU202311)

West Old Baltimore Road (WOB) itself is a rural, two-lane road that has long been overburdened with the traffic caused due to increased housing construction (Summerfield Crossing, Hurley Ridge , Tapestry , and Cabin Branch communities) WITHOUT the accompanying road network to withstand the influx of traffic. All of these developments were PLANNED developments and were part of the approved master plans for this area.

WOB road also serves as the only road to access Black Hill Regional Park and so we get traffic due to that too on this two-lane road. Only recently after years of requests and townhall meetings, we have finally got at least basic safety needs addressed by the ongoing realignment of WOB to 355. Adding a 120-bed facility, with 75 employees on a 24/7 rotation, 40+ parking spaces, and whose only access is from West Old Baltimore Road, will be a huge burden on the traffic on WOB, which this road is not designed to handle. This development was NOT in the approved master plans for this area, and cannot therefore be added on without major reconstruction or expansion of WOB, and will thus be an unacceptable burden on the planned neighborhoods in the area. With 2200 homes planned in the Cabin Branch community across from Black Hill Regional park, WOB is already a traffic-congested nightmare again with all the through traffic, and MDot has no plans of widening WOB to a four-lane road in its plans.

In such a scenario, having a 120- bed senior assisted facility crammed into eight buildings, off of WOB (and abutting a narrow dead-end street -Ruby Drive) seems bizarre to say the least. We have the following concerns:

1. Does not align with the current character of the community on Ruby Drive and surrounding residential neighborhoods. Ruby Drive has a bunch of single-family homes, and the proposed facility's only exit/entry access is through WOB. A senior facility there with eight commercial buildings (even if made to look "residential") will not fit with the rural character of that street /area.

2. With multiple units per building and eight such buildings, the amount of light from individual units, stairway lights, etc will disrupt the current quiet feel of the street and adjoining areas. Ruby Drive does not even have street lamps currently.

3. The number of units and parking spaces planned will increase density in the street that cannot be sustained by Ruby Dr. More importantly, WOB congestion and traffic also cannot be further burdened by this increased load of numerous service

vehicles, food service and medical access vehicles that are needed to cater to the large number of assisted living residents. There is no plan by the county or State to expand WOB road allow for this unplanned (with respect to the approved master plan) increase in traffic and residents in the area.

4. Children's safety is a critical issue since school bus stops are right at the intersection of WOB/Ruby Dr for ES, MS, and HS. With the new Tapestry (Miller and Smith Construction) at 355/WOB, the number of school bus stops have only increased exponentially. The addition of a high volume living facility, creates undue safety issues with a potent combination of school buses, increased traffic, and small children.

5. Ruby Drive resident's and surrounding neighborhood resident's safety given increased traffic in and out of Ruby Drive, higher chances of accidents.

6. Additionally a number of school children are walkers and/or use WOB for walking to their homes. With the added traffic from this proposed facility and lack of continuous sidewalks, the risks are only higher with the ER vehicles and other medical access vehicles that may need right of way but can be lethal for children who may not be able to react in time to get off the street etc.

7. The facility has Only a **Single** point of exit/entry from West Old Baltimore Road (already a two lane road), any traffic blockage can lead to fatalities/ undue delays of the senior facility's residents in need of ER services, due to lack of alternate access. Recently we had a tree collapse due to heavy rains and there was no access in or out of WOB for nearly 5 hours. Imagine if that were to happen when a resident in that senior facility needed critical care! We also routinely have traffic backups on WOB due to rush hour traffic, and if someone needed to be taken to hospital at that time from the senior facility-thoughts and prayers I guess is all that can be done.

While we are fully supportive of the county's needs to have assisted facilities in the region, we feel the WOB location is not the appropriate location for such a facility for the reasons listed above, **and the location is inherently unsuitable for such a facility's development.**

In summary, **on behalf of the 250 homeowners and families of Summerfield Crossing** who are on West Old Baltimore Road, I request you to reject any plan for building this assisted living facility on West Old Baltimore Rd. It will affect the quality of our life by further impacting traffic negatively throughout the day, add additional stress/accidents/delays during rush hour, and overall doesn't function well within the character of its immediate neighborhood.

We therefore strongly urge you to NOT approve any plans/proposals for such a facility under this or future applications. You can reach me at this email ID at any time if you have any questions/concerns. I would greatly appreciate it if you can confirm receipt of this email.

Thanks in advance,

Dr. Vyjayanthi Krishnan

Summerfield Crossing HOA President

On Tue, Jul 18, 2023 at 10:28 AM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> I have attached the Development Review Committee comments on the project from April 25, 2023 so you can see the comments. Additionally you can watch the DRC meeting video here: https://mncppc.granicus.com/MediaPlayer.php?

view_id=10&clip_id=2789 around the 2hr 28 min mark.

Joshua Penn

Planner III

Montgomery County Planning Department

2425 Reedie Drive, 13th Floor, Wheaton, MD 20902

Joshua.Penn@montgomeryplanning.org

o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, July 17, 2023 4:21 PM
To: Penn, Joshua <joshua.penn@montgomeryplanning.org>
Cc: Beall, Mark <Mark.Beall@montgomeryplanning.org>; Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Thanks, please keep me posted on those as they become scheduled.

Also are you able to share what feedback was provided by the agencies?

Thanks, vyjoo

On Mon, Jul 17, 2023, 1:30 PM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> Unfortunately we do not have any new dates at this time. We are waiting on the applicants resubmission and the new date will be set after that date.
>
> I will send you and email when we get the new dates.
>
> Thanks,
>
> **Joshua Penn**
>
> **Planner III**

Montgomery County Planning Department

2425 Reedie Drive, 13th Floor, Wheaton, MD 20902

Joshua.Penn@montgomeryplanning.org

o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, July 17, 2023 1:18 PM
To: Penn, Joshua <joshua.penn@montgomeryplanning.org>
Cc: Beall, Mark <Mark.Beall@montgomeryplanning.org>; Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

HI Josh

Do you have dates for these 2 hearing meetings already scheduled? If they are not yet scheduled, do you have a time frame when these might be set up? Let me know so I can let communities know and be able to show up.

Thanks in advance, Vyjoo

On Mon, Jul 17, 2023 at 11:02 AM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> Thanks for reaching out on the Ruby Drive Senior living facility project. The Ruby Drive project is still active and we are awaiting some redesigns of the project based upon feedback from various agencies. At this moment we do not have any news to share, however as the plan progresses we will keep you informed.
>
> As for requesting an additional public meeting, there is no requirement for a public meeting in the code (although it is generally recommended). However you will have two opportunities to speak and get all the issues on the record, The Planning Board Hearing and the Hearing Examiner Hearing. In addition to the public hearings you are always more than welcome to share all your thoughts and concerns with Staff, which can be relayed to the applicant.
>
> Thanks!,
>
> **Joshua Penn**
>
> **Planner III**
>
> Montgomery County Planning Department

2425 Reedie Drive, 13th Floor, Wheaton, MD 20902

Joshua.Penn@montgomeryplanning.org

o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Friday, July 14, 2023 12:37 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Thanks for your email and have a few concerns:

1. I do feel it is unfair that the developer puts in a new application but does not have to do the same community outreach for the new application. While we community members have to write new letters as if nothing was ever opposed for the older application- since the developer/applicant can just say those were to the old application, and not this one. The fact still remains that it is inherently not suited for the location proposed, irrespective of any reduction in number of people living in that facility. So the process seems non-equitable from the start. But we are trying our best to get communities from different neighborhoods to write in. Can I also send any letters etc that were sent during the prior application again (at the latest to make it less unequitable for the communities vs the applicant)

2. Also am Following up on whether there are any updates on this application, and if there are any deadlines that the communities need to be aware of that are coming up. Please let us know so we can plan accordingly

Look forward to your response soon on both points.

Best, Vyjoo

On Wed, May 17, 2023 at 2:05 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

> Good Afternoon,
>
> The community meeting that they had before is not required as part of the Conditional Use process. They will still be required to go through the public hearing process with the Planning Board and then follow up with a public hearing with the Hearing Examiner (OZAH). For these hearings, notices will be sent out to abutting and

confronting property owners as well as HOA's and Civil Associations in the area.

Thank you for your inquiry and please let us know if you have any additional questions or concerns. Have a good day!

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

From: V Krishnan <vyjoo1@gmail.com>
Sent: Tuesday, May 16, 2023 10:43 AM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Some community members in the area have asked the following:

Since this application is new to the planning staff, is there a requirement for Worldshine to hold a community meeting as they did a few years ago?

If so, will all the adjacent neighborhoods be notified and given adequate notice to attend?

Hope to hear from you soon!

Vyjoo

On Mon, May 1, 2023 at 12:55 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

> Good Afternoon,

The Conditional Use number is CU202311. You can find it on our DAIC website. I have provided the link below for your convenience.

https://montgomeryplanning.org/development/

Have a great day!

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, May 1, 2023 12:49 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Can you please provide the application number or proposal number for the development proposal, so we can reference it in the community letters?

Thanks, Vyjoo

On Tue, Apr 25, 2023, 9:54 AM V Krishnan <vyjoo1@gmail.com> wrote:

> Hi Mark and Planning Dept team
>
> Thank you all for taking the time to come on-site and hear the community's feedback and concerns. The attendees were very appreciative of the information regarding the process and the advice provided for providing feedback on the project. Also appreciate the ability to email you and Joshua the feedback, I will provide your email IDs for the same to the community as discussed during the meeting.

For reference, can you also provide the application number so it can be indicated in the emails from community members and/or HOAs?

Hoping to hear back from you soon!

Best, Vyjoo

On Tue, Apr 18, 2023 at 1:08 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

> Good Afternoon,
>
> Look forward to seeing you and hearing everyone's concerns and feedback.
>
> Have a great day!

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

From: V Krishnan <vyjoo1@gmail.com>
Sent: Tuesday, April 18, 2023 8:41 AM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark and Planning Dept team

We look forward to seeing you on site at Ruby Drive at 11 AM on April 21st. The neighborhood community is very grateful for your willingness to engage with them and hear their concerns/feedback.

See you Friday!!

Vyjoo

On Mon, Mar 27, 2023 at 1:22 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

> Good Afternoon,
>
> I just sent out the invite. Please feel free to forward it to the other folks that you said may want to attend.
>
> Have a great and look forward to seeing you on April 21st.
>
> **Thank you,**
>
> **Mark Beall**
>
> **Zoning Planner**
>
> Montgomery County Planning Department
> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
> mark.beall@montgomeryplanning.org
> o: 301-495-1330
>
> ---
>
> **From:** V Krishnan <vyjoo1@gmail.com>
> **Sent:** Friday, March 24, 2023 3:44 PM
> **To:** Beall, Mark <Mark.Beall@montgomeryplanning.org>
> **Cc:** Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
> **Subject:** Re: Ruby Drive Senior Living Project
>
> **[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.
>
> Hi Mark and team
>
> It would be great if you can visit on-site at Ruby Drive on April 21st, 11 AM, a number of community members have RSVPed for that date among the three options provided. Please let me know if we can lock this time in. Once you confirm I can send out an update to the different neighborhoods n the area that are impacted by this project.
>
> Look forward to your reply.
>
> Best, Vyjoo

On Wed, Mar 22, 2023 at 3:36 PM V Krishnan <vyjoo1@gmail.com> wrote:

> Thank you very much for the response! I will get back to you as soon as possible (by this Friday latest) on the time/day that is most convenient for a majority of the community members.
>
> Thanks again, Vyjoo
>
> On Wed, Mar 22, 2023 at 2:35 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:
>
>> Good Afternoon Vyjoo,
>>
>> We appreciate your patience while we get some dates together to meet onsite. I have some dates that we could meet with you in mid to late April and hopefully one works for you all.
>>
>> April 19 at 9am (Wednesday)
>>
>> April 21st at 11 am (Friday)
>>
>> April 28th at 11 am (Friday)
>>
>> Please let us know if one of these works for you all and I will block everyone's calendar internally. Look forward to meeting you onsite.
>>
>> **Thank you,**
>>
>> **Mark Beall**
>>
>> **Zoning Planner**
>>
>> Montgomery County Planning Department
>> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
>> mark.beall@montgomeryplanning.org
>> o: 301-495-1330
>>
>> ---
>>
>> **From:** V Krishnan <vyjoo1@gmail.com>
>> **Sent:** Friday, March 17, 2023 11:58 AM
>> **To:** Beall, Mark <Mark.Beall@montgomeryplanning.org>
>> **Cc:** Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
>> **Subject:** Re: Ruby Drive Senior Living Project
>>
>> **[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Hope you are doing well and have had a chance to look into the project a bit further. Do you have any potential times/dates that you are looking at to do an onsite visit? If you can provide a few options, I can ask the community members to keep those slots available, to ensure we have a productive meeting with the community involvement during the site visit.

Hope to hear from you soon. My number is 240 422 1133 in case of any questions/feedback.

Thanks, Vyjoo

On Thu, Mar 9, 2023 at 12:08 PM V Krishnan <vyjoo1@gmail.com> wrote:

> Thanks Mark, appreciate your response, and will wait to hear from you on potential on-site visit options.
>
> Best, Vyjoo
>
> On Wed, Mar 8, 2023 at 2:23 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:
>
>> Good Afternoon,
>>
>> Thank you Craig for introducing us and thank you for the kind words. It is very nice to meet you too Ms. Krishnan.
>>
>> Thank you for giving us a heads up on some of your concerns. Let us try and look into some of this before we meet. As far as the Docusign issue, that is new to me so let me look into that also. Please give me a few days to look over everyone's schedule to see when we could meet you out there onsite.
>>
>> Thank you for your patience and have a great day.

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

From: V Krishnan <vyjoo1@gmail.com>
Sent: Tuesday, March 7, 2023 12:26 PM
To: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>
Cc: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Thank you Craig, greatly appreciate your help! Very nice to e-meet you, Mr. Beall!

As Craig mentioned, there are a number of residential neighborhoods close to Ruby Drive street that all feed into the single-lane West Old Baltimore road (WOB) which then connects us to Frederick Road (355). Currently, WOB road is barely managing to handle the traffic that is in the area. Additional improvements per the approved master plan are planned, however even these were only meant to address the traffic increase generated by the approval of these existing communities that currently feed into WOB.In other words, the master plans DO NOT account for an 85+ unit senior living buildout that feeds into WOB .even with additional infrastructure that is planned for the area per the master plan.

A senior living facility in addition to traffic also adds additional burden in terms of service personnel, and delivery trucks, food services, further adding to traffic, especially on a single-lane road. Also, Ruby Dr. is a single entry-exit street, ie there is no alternate access off 355 to get to Ruby Drive. Thus any emergency access or vehicular traffic due to health/emergencies in the senior facility will be a constant source of congestion, traffic backups, and noise pollution for all residents who live off WOB.

There are many other concerns in addition to the above, shared by multiple neighborhoods in the area close to the senior living facility. While all of us fully support the growing need for such services, the concerns are due to the severe impact such a facility on Ruby Drive would have, not just on residents on Ruby Drive but also on all the surrounding communities that rely on WOB to get to and from work, events, kids activities, school routines etc. For context, There are about 1000 residents in our community and another ~1000 residents right behind the proposed facility, from another community, who are all directly affected by this project. WOB is also the only road leading to the Black Hill Regional Park and experiences heavy seasonal traffic due to the park access from all over the county during peak months.

We were told that any concerns should be sent by "Docusign" to the Planning department regarding this project, which is the first time I have heard of this specific condition to obtain feedback from regular residents and constituents of the county. With such a digital barrier to communicating on this project, the communities have additional concerns that their feedback may not be heard at all, let alone be considered. I therefore kindly request you to visit the site for assessing it in person, as well as hear the community's concerns directly.

Once you decide on a date /time for a site visit, please let me know and I can convey the same to the community HOAs/groups in the area who are eagerly waiting to hear from you, so you can make an informed assessment.

I look forward to hearing from you soon. My cell number is 240-422-1133, in case you need further information or clarifications.

Thanking you,

Ms. Vyjoo Krishnan (MoCo resident and Voter)

On Mon, Mar 6, 2023 at 4:35 PM Wilson, Craig <Craig.Wilson@montgomerycountymd.gov> wrote:

> Good Afternoon Folks,
>
> I wanted to take a minute to introduce you all to each other, as I spoke with each of you on Friday regarding this project.
>
> Vyjoo, Mark Beall is one of the Planning Department staff members that will be working on this conditional use project. I have known Mark for a while and can testify to his professional work and expertise, you are in good hands.
>
> Mark, Vyjoo represents some of the residents that live near this proposed project that have some concerns about the capacity of this site to handle this type of commercial project.
>
> My hope in connecting the both of you is that you can arrange for some time for Mark and his partner to visit the site, speak to some of the neighbors and get a good visual of what the site looks like and some of the impacts it may have. My understanding is that now that the developer has made changes to the project, Planning staff will have an opportunity to make their recommendation to the Planning Board before this goes over to Zoning Administrator, so there should be sufficient time for Vyjoo and her neighbors to express their concerns.
>
> I hope you can find some time to connect, and once that happens we will be more than happy to follow the process along and figure out how our office can be helpful.
>
> Regards,
>
> **Craig A. Wilson**
>
> Deputy Chief of Staff
>
> Office of Councilmember Marilyn Balcombe
>
> Montgomery County Council
>
> 100 Maryland Ave.
>
> Rockville, MD 20850
>
> (240) 777-7937

For more helpful Cybersecurity Resources, visit:
https://www.montgomerycountymd.gov/cybersecurity

From: V Krishnan
To: Penn, Joshua
Cc: Beall, Mark; Wilson, Craig; Butler, Patrick; Casey, Jonathan; Balcombe, Marilyn
Subject: Re: Neighborhood concerns_ CU202311_Ruby Drive Senior Living Project
Date: Wednesday, January 3, 2024 2:41:05 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Joshua and Planning team

Hope you all had a great holiday season and Happy New Year. The communities were made aware of an updated proposal for the assisted living project , but now with a larger footprint and entering through West Old Baltimore Road. This plan is even worse and is still inherently unsuitable for this area, given the number of residential neighborhoods and traffic pouting into WOB, a 2 -lane road with no scope for expansion. I have provided a letter (see below) on behalf of Summerfield Crossing community which is ~ 0.1 mile from this proposed facility. Please let me know if this is sufficient to formally document our concerns regarding the proposed facility, or a signed pdf etc is needed. Hope to hearfrom you soon. Thanks, Vyjoo

---

Dear Planning Committee:

I am the President of the Summerfield Crossing HOA situated on West Old Baltimore Road in Boyds/Clarksburg borderline. We were recently made aware of a plan for EIGHT buildings, 120-bed facility for senior assisted living off West Old Baltimore Road! (Project: Ruby Senior Living: CU202311)

West Old Baltimore Road (WOB) itself is a rural, two-lane road that has long been overburdened with the traffic caused due to increased housing construction (Summerfield Crossing, Hurley Ridge , Tapestry , and Cabin Branch communities) WITHOUT the accompanying road network to withstand the influx of traffic. All of these developments were PLANNED developments and were part of the approved master plans for this area.

WOB road also serves as the only road to access Black Hill Regional Park and so we get traffic due to that too on this two-lane road. Only recently after years of requests and townhall meetings, we have finally got at least basic safety needs addressed by the ongoing realignment of WOB to 355. Adding a 120-bed facility, with 75 employees on a 24/7 rotation, 40+ parking spaces, and whose only access is from West Old Baltimore Road, will be a huge burden on the traffic on WOB, which this road is not designed to handle. This development was NOT in the approved master plans for this area, and cannot therefore be added on without major reconstruction or expansion of WOB, and will thus be an unacceptable burden on the planned neighborhoods in the area. With 2200 homes planned in the Cabin Branch community across from Black Hill Regional park, WOB is already a traffic-congested nightmare again with all the through traffic, and MDot has no plans of widening WOB to a four-lane road in its plans.

In such a scenario, having a 120- bed senior assisted facility crammed into eight buildings, off of WOB (and abutting a narrow dead-end street -Ruby Drive) seems bizarre to say the least. We have the following concerns:

1. Does not align with the current character of the community on Ruby Drive and surrounding residential neighborhoods. Ruby Drive has a bunch of single-family homes, and the proposed facility's only exit/entry access is through WOB. A senior facility there with eight commercial buildings (even if made to look "residential") will not fit with the rural character of that street /area.

2. With multiple units per building and eight such buildings, the amount of light from individual units, stairway lights, etc will disrupt the current quiet feel of the street and adjoining areas. Ruby Drive does not even have street lamps currently.

3. The number of units and parking spaces planned will increase density in the street that cannot be sustained by Ruby Dr. More importantly, WOB congestion and traffic also cannot be further burdened by this increased load of numerous service vehicles, food service and medical access vehicles that are needed to cater to the large number of assisted living residents. There is no plan by the county or State to expand WOB road allow for this unplanned (with respect to the approved master plan) increase in traffic and residents in the area.

4. Children's safety is a critical issue since school bus stops are right at the intersection of WOB/Ruby Dr for ES, MS, and HS. With the new Tapestry (Miller and Smith Construction) at 355/WOB, the number of school bus stops have only increased exponentially. The addition of a high volume living facility, creates undue safety issues with a potent combination of school buses, increased traffic, and small children.
5. Ruby Drive resident's and surrounding neighborhood resident's safety given increased traffic in and out of Ruby Drive, higher chances of accidents.

6. Additionally a number of school children are walkers and/or use WOB for walking to their homes. With the added traffic from this proposed facility and lack of continuous sidewalks, the risks are only higher with the ER vehicles and other medical access vehicles that may need right of way but can be lethal for children who may not be able to react in time to get off the street etc.

7. The facility has Only a **Single** point of exit/entry from West Old Baltimore Road (already a two lane road), any traffic blockage can lead to fatalities/ undue delays of the senior facility's residents in need of ER services, due to lack of alternate access. Recently we had a tree collapse due to heavy rains and there was no access in or out of WOB for nearly 5 hours. Imagine if that were to happen when a resident in that senior facility needed critical care! We also routinely have traffic backups on WOB due to rush hour traffic, and if someone needed to be taken to hospital at that time from the senior facility-thoughts and prayers I guess is all that can be done.

While we are fully supportive of the county's needs to have assisted facilities in the region, we feel the WOB location is not the appropriate location for such a facility for the reasons listed above, **and the location is inherently unsuitable for such a facility's development.**

In summary, **on behalf of the 250 homeowners and families of Summerfield Crossing** who are on West Old Baltimore Road, I request you to reject any plan for building this assisted living facility on West Old Baltimore Rd. It will affect the quality of our life by further impacting traffic negatively throughout the day, add additional stress/accidents/delays during rush hour, and overall doesn't function well within the character of its immediate neighborhood.

We therefore strongly urge you to NOT approve any plans/proposals for such a facility under this or future applications. You can reach me at this email ID at any time if you have any questions/concerns. I would greatly appreciate it if you can confirm receipt of this email.

Thanks in advance,
Dr. Vyjayanthi Krishnan
Summerfield Crossing HOA President

On Tue, Jul 18, 2023 at 10:28 AM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> I have attached the Development Review Committee comments on the project from April 25, 2023 so you can see the comments. Additionally you can watch the DRC meeting video here: https://mncppc.granicus.com/MediaPlayer.php?view_id=10&clip_id=2789 around the 2hr 28 min mark.
>
> **Joshua Penn**
>
> **Planner III**
>
> Montgomery County Planning Department
>
> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
>
> Joshua.Penn@montgomeryplanning.org

o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, July 17, 2023 4:21 PM
To: Penn, Joshua <joshua.penn@montgomeryplanning.org>
Cc: Beall, Mark <Mark.Beall@montgomeryplanning.org>; Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Thanks, please keep me posted on those as they become scheduled.

Also are you able to share what feedback was provided by the agencies?

Thanks, vyjoo

On Mon, Jul 17, 2023, 1:30 PM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> Unfortunately we do not have any new dates at this time. We are waiting on the applicants resubmission and the new date will be set after that date.
>
> I will send you and email when we get the new dates.
>
> Thanks,
>
> **Joshua Penn**
>
> **Planner III**
>
> Montgomery County Planning Department
>
> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
>
> Joshua.Penn@montgomeryplanning.org
>
> o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, July 17, 2023 1:18 PM
To: Penn, Joshua <joshua.penn@montgomeryplanning.org>
Cc: Beall, Mark <Mark.Beall@montgomeryplanning.org>; Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

HI Josh

Do you have dates for these 2 hearing meetings already scheduled? If they are not yet scheduled, do you have a time frame when these might be set up? Let me know so I can let communities know and be able to show up.

Thanks in advance, Vyjoo

On Mon, Jul 17, 2023 at 11:02 AM Penn, Joshua <joshua.penn@montgomeryplanning.org> wrote:

> Vyjoo,
>
> Thanks for reaching out on the Ruby Drive Senior living facility project. The Ruby Drive project is still active and we are awaiting some redesigns of the project based upon feedback from various agencies. At this moment we do not have any news to share, however as the plan progresses we will keep you informed.
>
> As for requesting an additional public meeting, there is no requirement for a public meeting in the code (although it is generally recommended). However you will have two opportunities to speak and get all the issues on the record, The Planning Board Hearing and the Hearing Examiner Hearing. In addition to the public hearings you are always more than welcome to share all your thoughts and concerns with Staff, which can be relayed to the applicant.

Thanks!,

Joshua Penn

Planner III

Montgomery County Planning Department

2425 Reedie Drive, 13th Floor, Wheaton, MD 20902

Joshua.Penn@montgomeryplanning.org

o: 301.495.4546

From: V Krishnan <vyjoo1@gmail.com>
Sent: Friday, July 14, 2023 12:37 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Balcombe, Marilyn <marilyn.balcombe@montgomerycountymd.gov>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Thanks for your email and have a few concerns:

1. I do feel it is unfair that the developer puts in a new application but does not have to do the same community outreach for the new application. While we community members have to write new letters as if nothing was ever opposed for the older application- since the developer/applicant can just say those were to the old application, and not this one. The fact still remains that it is inherently not suited for the location proposed, irrespective of any reduction in number of people living in that facility. So the process seems non-equitable from the start. But we are trying our best to get communities from different neighborhoods to write in. Can I also send any letters etc that were sent during the prior application again (at the latest to make it less unequitable for the communities vs the applicant)

2. Also am Following up on whether there are any updates on this application, and if there are any deadlines that the communities need to be aware of that are coming up. Please let us know so we can plan accordingly

Look forward to your response soon on both points.

Best, Vyjoo

On Wed, May 17, 2023 at 2:05 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

> Good Afternoon,
>
> The community meeting that they had before is not required as part of the Conditional Use process. They will still be required to go through the public hearing process with the Planning Board and then follow up with a public hearing with the Hearing Examiner (OZAH). For these hearings, notices will be sent out to abutting and confronting property owners as well as HOA's and Civil Associations in the area.
>
> Thank you for your inquiry and please let us know if you have any additional questions or concerns. Have a good day!
>
> **Thank you,**
>
> **Mark Beall**
>
> **Zoning Planner**
>
> Montgomery County Planning Department
> 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
> mark.beall@montgomeryplanning.org
> o: 301-495-1330
>
> **2D690ACD**

From: V Krishnan <vyjoo1@gmail.com>
Sent: Tuesday, May 16, 2023 10:43 AM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Some community members in the area have asked the following:

Since this application is new to the planning staff, is there a requirement for Worldshine to hold a community meeting as they did a few years ago?

If so, will all the adjacent neighborhoods be notified and given adequate notice to attend?

Hope to hear from you soon!

Vyjoo

On Mon, May 1, 2023 at 12:55 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

Good Afternoon,

The Conditional Use number is CU202311. You can find it on our DAIC website. I have provided the link below for your convenience.

https://montgomeryplanning.org/development/

Have a great day!

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

2D690ACD

From: V Krishnan <vyjoo1@gmail.com>
Sent: Monday, May 1, 2023 12:49 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Can you please provide the application number or proposal number for the development proposal, so we can reference it in the community letters?

Thanks, Vyjoo

On Tue, Apr 25, 2023, 9:54 AM V Krishnan <vyjoo1@gmail.com> wrote:

Hi Mark and Planning Dept team

Thank you all for taking the time to come on-site and hear the community's feedback and concerns. The attendees were very appreciative of the information regarding the process and the advice provided for providing feedback on the project. Also appreciate the ability to email you and Joshua the feedback, I will provide your email IDs for the same to the community as discussed during the meeting.

For reference, can you also provide the application number so it can be indicated in the emails from community members and/or HOAs?

Hoping to hear back from you soon!

Best, Vyjoo

On Tue, Apr 18, 2023 at 1:08 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

Good Afternoon,

Look forward to seeing you and hearing everyone's concerns and feedback.

Have a great day!

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

2D690ACD

From: V Krishnan <vyjoo1@gmail.com>
Sent: Tuesday, April 18, 2023 8:41 AM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark and Planning Dept team

We look forward to seeing you on site at Ruby Drive at 11 AM on April 21st. The neighborhood community is very grateful for your willingness to engage with them and hear their concerns/feedback.

See you Friday!!

Vyjoo

On Mon, Mar 27, 2023 at 1:22 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:

Good Afternoon,

I just sent out the invite. Please feel free to forward it to the other folks that you said may want to attend.

Have a great and look forward to seeing you on April 21st.

Thank you,

Mark Beall

Zoning Planner

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
mark.beall@montgomeryplanning.org
o: 301-495-1330

2D690ACD

From: V Krishnan <vyjoo1@gmail.com>
Sent: Friday, March 24, 2023 3:44 PM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark and team

It would be great if you can visit on-site at Ruby Drive on April 21st, 11 AM, a number of community members have RSVPed for that date among the three options provided. Please let me know if we can lock this time in. Once you confirm I can send out an update to the different neighborhoods n the area that are impacted by this project.

Look forward to your reply.

Best, Vyjoo

On Wed, Mar 22, 2023 at 3:36 PM V Krishnan <vyjoo1@gmail.com> wrote:

> Thank you very much for the response! I will get back to you as soon as possible (by this Friday latest) on the time/day that is most convenient for a majority of the community members.
>
> Thanks again, Vyjoo
>
> On Wed, Mar 22, 2023 at 2:35 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:
>
> > Good Afternoon Vyjoo,
> >
> > We appreciate your patience while we get some dates together to meet onsite. I have some dates that we could meet with you in mid to late April and hopefully one works for you all.
> >
> > April 19 at 9am (Wednesday)
> >
> > April 21st at 11 am (Friday)
> >
> > April 28th at 11 am (Friday)
> >
> > Please let us know if one of these works for you all and I will block everyone's calendar internally. Look forward to meeting you onsite.
> >
> > **Thank you,**
> >
> > **Mark Beall**
> >
> > **Zoning Planner**
> >
> > Montgomery County Planning Department
> > 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
> > mark.beall@montgomeryplanning.org
> > o: 301-495-1330
> >
> > **2D690ACD**

From: V Krishnan <vyjoo1@gmail.com>
Sent: Friday, March 17, 2023 11:58 AM
To: Beall, Mark <Mark.Beall@montgomeryplanning.org>
Cc: Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Re: Ruby Drive Senior Living Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Mark

Hope you are doing well and have had a chance to look into the project a bit further. Do you have any potential times/dates that you are looking at to do an onsite visit? If you can provide a few options, I can ask the community members to keep those slots available, to ensure we have a productive meeting with the community involvement during the site visit.

Hope to hear from you soon. My number is 240 422 1133 in case of any questions/feedback.

Thanks, Vyjoo

On Thu, Mar 9, 2023 at 12:08 PM V Krishnan <vyjoo1@gmail.com> wrote:

> Thanks Mark, appreciate your response, and will wait to hear from you on potential on-site visit options.
>
> Best, Vyjoo
>
> On Wed, Mar 8, 2023 at 2:23 PM Beall, Mark <Mark.Beall@montgomeryplanning.org> wrote:
>
> > Good Afternoon,
> >
> > Thank you Craig for introducing us and thank you for the kind words. It is very nice to meet you too Ms. Krishnan.
> >
> > Thank you for giving us a heads up on some of your concerns. Let us try and look into some of this before we meet. As far as the Docusign issue, that is new to me so let me look into that also. Please give me a few days to look over everyone's schedule to see when we could meet you out there onsite.
> >
> > Thank you for your patience and have a great day.
> >
> > **Thank you,**
> >
> > **Mark Beall**
> >
> > **Zoning Planner**
> >
> > Montgomery County Planning Department
> > 2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
> > mark.beall@montgomeryplanning.org
> > o: 301-495-1330
> >
> > **2D690ACD**
> >
> > ---
> >
> > **From:** V Krishnan <vyjoo1@gmail.com>
> > **Sent:** Tuesday, March 7, 2023 12:26 PM
> > **To:** Wilson, Craig <Craig.Wilson@montgomerycountymd.gov>
> > **Cc:** Beall, Mark <Mark.Beall@montgomeryplanning.org>
> > **Subject:** Re: Ruby Drive Senior Living Project
> >
> > **[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.
> >
> > Thank you Craig, greatly appreciate your help! Very nice to e-meet you, Mr. Beall!

As Craig mentioned, there are a number of residential neighborhoods close to Ruby Drive street that all feed into the single-lane West Old Baltimore road (WOB) which then connects us to Frederick Road (355). Currently, WOB road is barely managing to handle the traffic that is in the area. Additional improvements per the approved master plan are planned, however even these were only meant to address the traffic increase generated by the approval of these existing communities that currently feed into WOB.In other words, the master plans DO NOT account for an 85+ unit senior living buildout that feeds into WOB .even with additional infrastructure that is planned for the area per the master plan.

A senior living facility in addition to traffic also adds additional burden in terms of service personnel, and delivery trucks, food services, further adding to traffic, especially on a single-lane road. Also, Ruby Dr. is a single entry-exit street, ie there is no alternate access off 355 to get to Ruby Drive. Thus any emergency access or vehicular traffic due to health/emergencies in the senior facility will be a constant source of congestion, traffic backups, and noise pollution for all residents who live off WOB.

There are many other concerns in addition to the above, shared by multiple neighborhoods in the area close to the senior living facility. While all of us fully support the growing need for such services, the concerns are due to the severe impact such a facility on Ruby Drive would have, not just on residents on Ruby Drive but also on all the surrounding communities that rely on WOB to get to and from work, events, kids activities, school routines etc. For context, There are about 1000 residents in our community and another ~1000 residents right behind the proposed facility, from another community, who are all directly affected by this project. WOB is also the only road leading to the Black Hill Regional Park and experiences heavy seasonal traffic due to the park access from all over the county during peak months.

We were told that any concerns should be sent by "Docusign" to the Planning department regarding this project, which is the first time I have heard of this specific condition to obtain feedback from regular residents and constituents of the county. With such a digital barrier to communicating on this project, the communities have additional concerns that their feedback may not be heard at all, let alone be considered. I therefore kindly request you to visit the site for assessing it in person, as well as hear the community's concerns directly.

Once you decide on a date /time for a site visit, please let me know and I can convey the same to the community HOAs/groups in the area who are eagerly waiting to hear from you, so you can make an informed assessment.

I look forward to hearing from you soon. My cell number is 240-422-1133, in case you need further information or clarifications.

Thanking you,

Ms. Vyjoo Krishnan (MoCo resident and Voter)

On Mon, Mar 6, 2023 at 4:35 PM Wilson, Craig <Craig.Wilson@montgomerycountymd.gov> wrote:

> Good Afternoon Folks,
>
> I wanted to take a minute to introduce you all to each other, as I spoke with each of you on Friday regarding this project.
>
> Vyjoo, Mark Beall is one of the Planning Department staff members that will be working on this conditional use project. I have known Mark for a while and can testify to his professional work and expertise, you are in good hands.
>
> Mark, Vyjoo represents some of the residents that live near this proposed project that have some concerns about the capacity of this site to handle this type of commercial project.
>
> My hope in connecting the both of you is that you can arrange for some time for Mark and his partner to visit the site, speak to some of the neighbors and get a good visual of what the site looks like and some of the impacts it may have. My understanding is that now that the developer has made changes to the project, Planning staff will have an opportunity to make their recommendation to the Planning Board before this goes over to Zoning Administrator, so there should be sufficient time for Vyjoo and her neighbors to express their concerns.
>
> I hope you can find some time to connect, and once that happens we will be more than happy to follow the process along and figure out how our office can be helpful.
>
> Regards,
>
> **Craig A. Wilson**
>
> Deputy Chief of Staff
>
> Office of Councilmember Marilyn Balcombe
>
> Montgomery County Council
>
> 100 Maryland Ave.
>
> Rockville, MD 20850
>
> (240) 777-7937

Image removed by sender.

For more helpful Cybersecurity Resources, visit: https://www.montgomerycountymd.gov/cybersecurity

To Whom It May Concern,
Project Ruby Drive CU202311

I live at 21917 Ruby Drive, Boyds Maryland. I will be directly affected by The World Shine project in question, along with my entire family: my wife, my children, and my eighty-year-old mother-in-law who has lived at this address for 50 plus years.
We have many concerns about this project. This is a residential community. There are six houses on Ruby Drive which is a dead-end street. Ruby Drive nor West Old Baltimore will support any additional traffic which a business, such as the World Shine project, will attract. There will be trash trucks, recycle trucks, employees, residents and visitors, food trucks, landscaping trucks, laundry trucks, mail, and delivery trucks, activities that would be coming and going, and not to mention any medical and emergency vehicles when needed. This will add noise, pollution, and traffic to our tiny little street. Lastly, this will create a larger amount of foot traffic which increases the risk of crime. The facility in question has a single point of entry and exit from West Old Baltimore Road which is a royal two-lane road (a historical road in Montgomery County). Ruby Drive is too dense of a street as is and furthermore these homes are on well and septic systems, and this will affect us tremendously. This development will change the character of the community. The property in question is a little over 5 acres with a plan to build 8 two-story buildings with over 120 beds, an activity building, and a large parking lot. I am fully aware that there is a need for senior facilities, but this is not the right location for such a large business. This business is not looking out for the best interests of the seniors or the community in which they will reside, but rather to make money.
The owner of 21908 Ruby Drive, the property in question for this project, also owns two other properties on Ruby Drive along with newly purchased 12405 West Old Baltimore Road. They own these properties under different names, Baron Investment Service (21905 Ruby Drive) and Quill Li (21901 Ruby Drive). These are also his business rental properties which are very run down, a clear reflection of his business ethics. Our homes were built in the 60's so there is no HOA associated with our street. Therefore, there are no regulations on the appearance of homes.
We have submitted letters, met with council members, county members, documented signatures of homeowners in the area, and held town meetings. We want to make our voices heard that this is not the right placement for such a facility.
With this being said, I urge you not to approve the plans/proposal of such a facility without a careful in person examination of the properties in question.

Harold R. Duffin
Harold Duffin Sr.

Had.duffin@yahoo.com

(301)873-6829

To Whom It May Concern,
Project Ruby Drive CU202311

I live at 21917 Ruby Drive, Boyds Maryland. I will be directly affected by The World Shine project in question, along with my entire family: my daughter, my son-in-law, and my granddaughters. I have lived at this address for 50 plus years.
We have many concerns about this project. This is a residential community. There are six houses on Ruby Drive which is a dead-end street. Ruby Drive nor West Old Baltimore will support any additional traffic which a business, such as the World Shine project, will attract. There will be trash trucks, recycle trucks, employees, residents and visitors, food trucks, landscaping trucks, laundry trucks, mail, and delivery trucks, activities that would be coming and going, and not to mention any medical and emergency vehicles when needed. This will add noise, pollution, and traffic to our tiny little street. Lastly, this will create a larger amount of foot traffic which increases the risk of crime. The facility in question has a single point of entry and exit from West Old Baltimore Road which is a royal two-lane road (a historical road in Montgomery County). Ruby Drive is too dense of a street as is and furthermore these homes are on well and septic systems, and this will affect us tremendously. This development will change the character of the community. The property in question is a little over 5 acres with a plan to build 8 two-story buildings with over 120 beds, an activity building, and a large parking lot. I am fully aware that there is a need for senior facilities, but this is not the right location for such a large business. This business is not looking out for the best interests of the seniors or the community in which they will reside, but rather to make money.
The owner of 21908 Ruby Drive, the property in question for this project, also owns two other properties on Ruby Drive along with newly purchased 12405 West Old Baltimore Road. They own these properties under different names, Baron Investment Service (21905 Ruby Drive) and Quill Li (21901 Ruby Drive). These are also his business rental properties which are very run down, a clear reflection of his business ethics. Our homes were built in the 60's so there is no HOA associated with our street. Therefore, there are no regulations on the appearance of homes.
We have submitted letters, met with council members, county members, documented signatures of homeowners in the area, and held town meetings. We want to make our voices heard that this is not the right placement for such a facility.
With this being said, I urge you not to approve the plans/proposal of such a facility without a careful in person examination of the properties in question.

Barbara J. Fisher
Barbara J. Fisher
Had.duffin@yahoo.com
(301)873-6829

Type text here

To Whom It May Concern,
Project Ruby Drive CU202311

I live at 21917 Ruby Drive, Boyds Maryland. I will be directly affected by The World Shine project in question, along with my entire family: my husband, my daughters and my eighty-year-old mother who has lived at this address for 50 plus years.
We have many concerns about this project. This is a residential community. There are six houses on Ruby Drive which is a dead-end street. Ruby Drive nor West Old Baltimore will support any additional traffic which a business, such as the World Shine project, will attract. There will be trash trucks, recycle trucks, employees, residents and visitors, food trucks, landscaping trucks, laundry trucks, mail, and delivery trucks, activities that would be coming and going, and not to mention any medical and emergency vehicles when needed. This will add noise, pollution, and traffic to our tiny little street. Lastly, this will create a larger amount of foot traffic which increases the risk of crime. The facility in question has a single point of entry and exit from West Old Baltimore Road which is a royal two-lane road (a historical road in Montgomery County). Ruby Drive is too dense of a street as is and furthermore these homes are on well and septic systems, and this will affect us tremendously. This development will change the character of the community. The property in question is a little over 5 acres with a plan to build 8 two-story buildings with over 120 beds, an activity building, and a large parking lot. I am fully aware that there is a need for senior facilities, but this is not the right location for such a large business. This business is not looking out for the best interests of the seniors or the community in which they will reside, but rather to make money.
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Debra F. Duffin

Had.duffin@yahoo.com

(301)873-6829

To Whom It May Concern,
Project Ruby Drive CU202311

I live at 21917 Ruby Drive, Boyds Maryland. I will be directly affected by The World Shine project in question, along with my entire family: my parents, my sister, and my eighty-year-old grandmother who has lived at this address for 50 plus years.
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Breyanna E. Duffin

Breyanna E. Duffin

Had.duffin@yahoo.com

(301)873-6829

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Project Ruby Drive CU202311

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Alexis T. Duffin

Alexis T. Duffin

Had.duffin@yahoo.com

(301)873-6829

From: Terri Meyer
To: Beall, Mark; Penn, Joshua
Subject: Concerns about Application for Conditional Use #CU202311
Date: Wednesday, May 17, 2023 4:04:37 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Mark and Joshua,
My name is Terri Meyer and I live on 22005 Ivy Leaf Dr. Boyds, MD since 2000. I would like to voice my concerns about the petition by Worldshine, LLC application to change the zoning in order to construct a commercial Assisted Living Facility on Ruby Drive.

This facility would directly back my property. The traffic has increased significantly over the last year or so due to the new completion of the Tapestry development and Cabin Branch developments at the other end of West Old Baltimore Rd. The amount of drivers that now cut thru on Ivy Leaf Dr (and drive significantly over the speed limit) to avoid the intersection of W. Old Baltimore Rd and 355 has increased. I've had one driver miss the curve of my street hit my front tree. Also, I've had to really watch out crossing the street while walking the dog. The addition of a commercial facility that will have to spill out on W. Old Baltimore Rd will not help but make it worse.

My 2nd concern is that the plan has deciduous trees as a border which will do nothing to hide the facility in the winter. If anything, Leyland cypress or large evergreens should be planted as a border to the houses on Ivy Leaf Dr.

My 3rd concern is lighting. The back of my house sits much lower than the related property due to a hill and I'm concerned that my bedroom window will be in line with the lighting in the parking lots.

In summary, the area is already dense enough with planned residential housing. A new commercial facility will cause even more visitors, staff, delivery trucks, etc. than a residential area should tolerate. I firmly believe that the property should remain single family housing (non-business) to curb any further increase in population density. If Worldshine would like to build group homes for seniors that would be different as the number of residents would much more in line with the typical # of household residents in the neighborhood.

Thank you very much for your time.

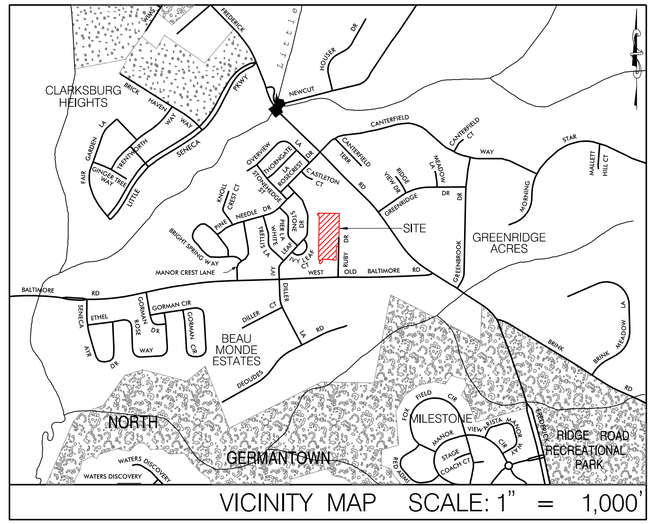
Terri Meyer
22005 Ivy Leaf Dr. Boyds MD

Attachment C: Conditional Use Plans

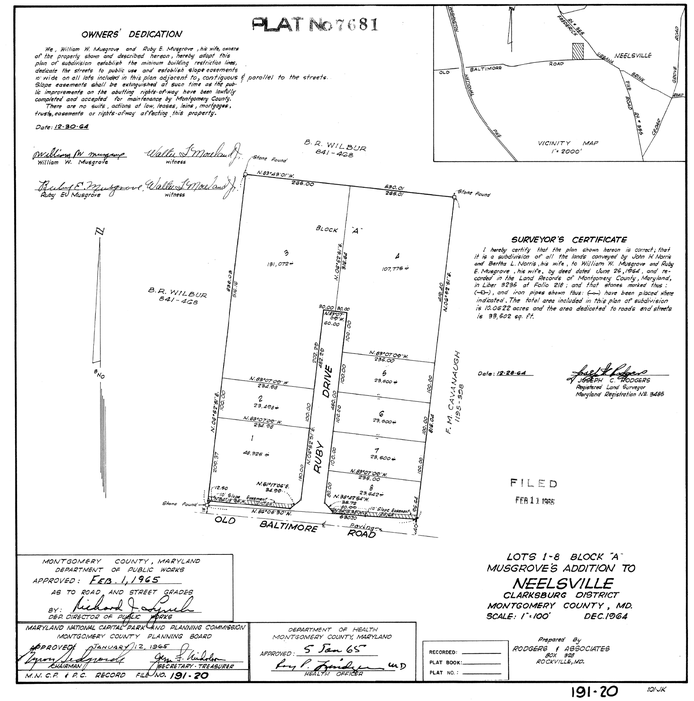
CONDITIONAL USE PLAN
RUBY SENIOR HOMES

SHEET INDEX:

CPP-1	COVER SHEET
CPP-2	CONDITIONAL USE PLAN
CPP-3	EXISTING CONDITIONS AND DEMOLITION PLAN
CPP-4	SITE UTILITY PLAN
CPP-5	FIRE PROTECTION PLAN
CPP-6	FOREST CONSERVATION PLAN-1
CPP-7	FOREST CONSERVATION PLAN-2
CPP-8	LANDSCAPE PLAN-1
CPP-9	LANDSCAPE PLAN-2
CPP-10	LIGHTING PLAN
CPP-11	STORMWATER MANAGEMENT CONCEPT PLAN-1
CPP-12	STORMWATER MANAGEMENT CONCEPT PLAN-2
CPP-13	ARCHTECTURE PLAN-1
CPP-14	ARCHTECTURE PLAN-2
CPP-15	ARCHTECTURE PLAN-3



VICINITY MAP SCALE: 1" = 1,000'



EXISTING SUBDIVISION PLAT NO. 7681

SURVEY NOTES:
1. HORIZONTAL DATUM :NAD 83 – MARYLAND STATE PLANE
2. VERTICAL DATUM – NAVD 88
3. CONTOUR INTERVAL IS 2 FOOT
4. THIS SURVEY WAS PERFORMED BY LIGGIE SURVEYS, INC.
5. UNDERGROUND UTILITY MARKINGS PERFORMED BY MISS UTILITY

DATA TABLE

ZONING DISTRICT	R-200 (RESIDENTIAL-ONE FAMILY)	
TAX ACCOUNT NO:	00021024, 00021035, 00026857, 02-00028253	
ELECTION DISTRICT:	02	
BUILDING SETBACKS:		
TYPE	REQUIRED	PROVIDED
FRONT	20'	120'
SIDE	20' (MIN.)	40'
REAR	20' (MIN.)	25'
MIN. LOT AREA	20,000 SF	9,000 SF
MAX. BEDS	148 BEDS	120 BEDS
RESIDENT PARKING	30 (0.25/BED)	30
PEAK TIME STAFF PARKING(44 STAFF)	20 (0.5/EMPLOYEE)	22
OFF STREET PARKING	50	52
ON-STREET PARKING	0	0
ADA PARKING	0	4
BICYCLE PARKING	0	4
UNITS/ACRE	8.9	8
COVERAGE	25%	14%
BUILDING HEIGHT	50' (MAX.)	40'
EXISTING SITE SIZE:		4.66 ACRES
PROPOSED SITE SIZE:		4.66 ACRES
TOTAL LOD AREA:		4.92 ACRES

GENERAL NOTES & ZONING ANALYSIS

1. PROJECT NAME: RUBY SENIOR HOMES, BOYDS MONTGOMERY COUNTY, MARYLAND

2. OWNER / DEVLOPER: WORLDSHINE HOME, LLC
9200 CORPORATE BLVD, SUITE 330
ROCKVILLE, MD 20850
PHONE: (240) 261-6678

3. CIVIL ENGINEER: ENDESCO, INC.
15245 SHADY GROVE RD, SUITE 335
ROCKVILLE, MD 20850
CONTACT: MR. KEVIN HUANG
PHONE: (301) 987-8776, FAX: (301) 987-8777

4. LEGAL DESCRIPTION: MUSGROVE'S ADDITION TO NEELSVILLE
LOT 1, LOT 2, & LOT 3

5. SURVEY: ORIGINAL TOPOGRAPHIC SURVEY PREPARED BY LIGGIESURVEYS, INC. IN OCTOBER 2018

6. PROPOSED USE: CONDITIONAL USE - RESIDENTIAL CARE FACILITY (OVER 16 PERSONS)

7. CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY: ONE ENTRANCE ROADS AND UTILITY CONNECTIONS

8. STORMWATER MANAGEMENT: STORMWATER MANAGEMENT IS BEING PROVIDED IN ACCORDANCE WITH MCDPS REQUIREMENTS.

9. NOTIFY MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION AND MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES 48 HOURS BEFORE BEGINNING CONSTRUCTION OF PROPOSED IMPROVEMENTS.

10. WSSC 200 SCALE SHEET NO. 230NW12

11. NRI / FSD PLAN #420191830

12. PUBLIC UTILITY COMPANIES:

WATER AND SANITARY SEWER:	WSSC	PH: 800-828-6349
ELECTRICITY:	PEPCO	PH: 202-833-7500
NATURAL GAS:	WASHINGTON GAS	PH: 703-750-1000

13. WATERSHED: LITTLE SENECA CREEK

14. ROADWAY AND PAVEMENT SECTION IS PER MC DOT STANDARD MC-211.03

ROW 1 OF 2

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND

23093
License No.

05/06/2025
Expiration Date

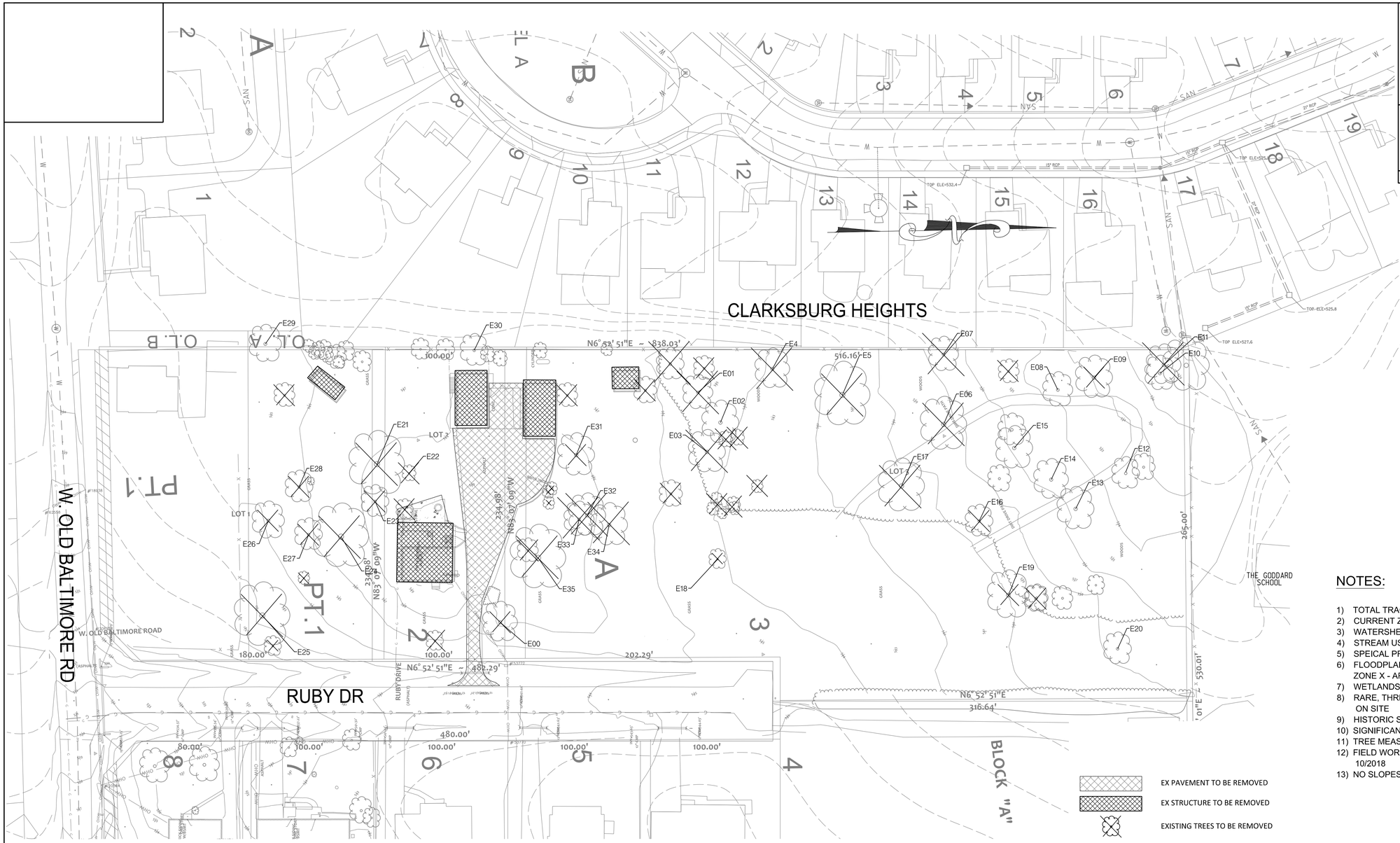
ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS
15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

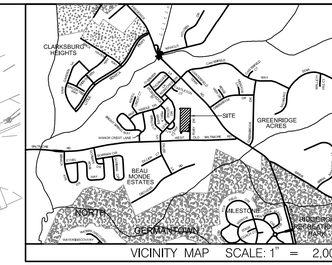
PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE: COVER SHEET
DATE: NOV 2023
DRAWN: GJ
DESIGNED: GJ
CHECKED: KH
SCALE: NTS
SHEET: CPP-1





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ENGINEERS, DESIGNERS & CONSULTANTS

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ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

NOTES:

1) TOTAL TRACT AREA: 4.09 ACRES
2) CURRENT ZONING: R-200
3) WATERSHED: LITTLE SENECA CREEK
4) STREAM USE CLASS: NONE ON SITE
5) SPEICAL PROTECTION AREA: CLARKSBURG
6) FLOODPLAIN SOURCE: FEMA MAP 24031C0160D 9/29/2006
   ZONE X - AREA OF MINIMAL FLOOD HAZARD
7) WETLANDS SOURCE: NWI, NONE ON SITE
8) RARE, THREATENED, OR ENDANGERED SPECIES: NONE ON SITE
9) HISTORIC SITE: NONE
10) SIGNIFICANT TREES: 18
11) TREE MEASURING TOOL: FORESTRY DIAMETER TAPE
12) FIELD WORK CONDUCTED BY: LIGGIE SURVEYS, INC. 10/2018
13) NO SLOPES >15% ON SITE.

GENERAL NOTES & ZONING ANALYSIS

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2. OWNER / DEVLOPER: WORLDSHINE HOME, LLC, 9200 CORPORATE BLVD, SUITE 330, ROCKVILLE, MD 20850, PHONE: (240) 261-6678
3. CIVIL ENGINEER: ENDESCO, INC., 15245 SHADY GROVE RD, SUITE 335, ROCKVILLE, MD 20850, CONTACT: MR. KEVIN HUANG, PHONE: (301) 987-8776, FAX: (301) 987-8777
4. LEGAL DESCRIPTION: MUSGROVE'S ADDITION TO NEELSVILLE, PART OF LOT 1, LOT 2, & LOT 3
5. SURVEY: ORIGINAL TOPOGRAPHIC SURVEY PREPARED BY LIGGIESURVEYS, INC. IN OCTOBER 2018
6. PROPOSED USE: CONDITIONAL USE - GROUP HOMES
7. CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY: ONE ENTRANCE ROAD AND UTILITY CONNECTIONS
8. STORMWATER MANAGEMENT: STORMWATER MANAGEMENT IS BEING PROVIDED IN ACCORDANCE WITH MCDPS REQUIREMENTS.
9. NOTIFY MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION AND MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES 48 HOURS BEFORE BEGINNING CONSTRUCTION OF PROPOSED IMPROVEMENTS.
10. WSSC 200 SCALE SHEET NO. 230NW12
11. NRI / FSD PLAN # 420191830
12. PUBLIC UTILITY COMPANIES:

WATER AND SANITARY SEWER:	WSSC	PH: 800-828-6349
ELECTRICITY:	PEPCO	PH: 202-833-7500
NATURAL GAS:	WASHINGTON GAS	PH: 703-750-1000

13. WATERSHED: LITTLE SENECA CREEK
14. THE ROADWAY IS PER MC DOT STANDARD MC-201.01

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED NO. 23093, EXPIRATION DATE 05/06/2023

STATE OF MARYLAND — KEVIN HUANG — No. 23093 — PROFESSIONAL ENGINEER

03/20/2023

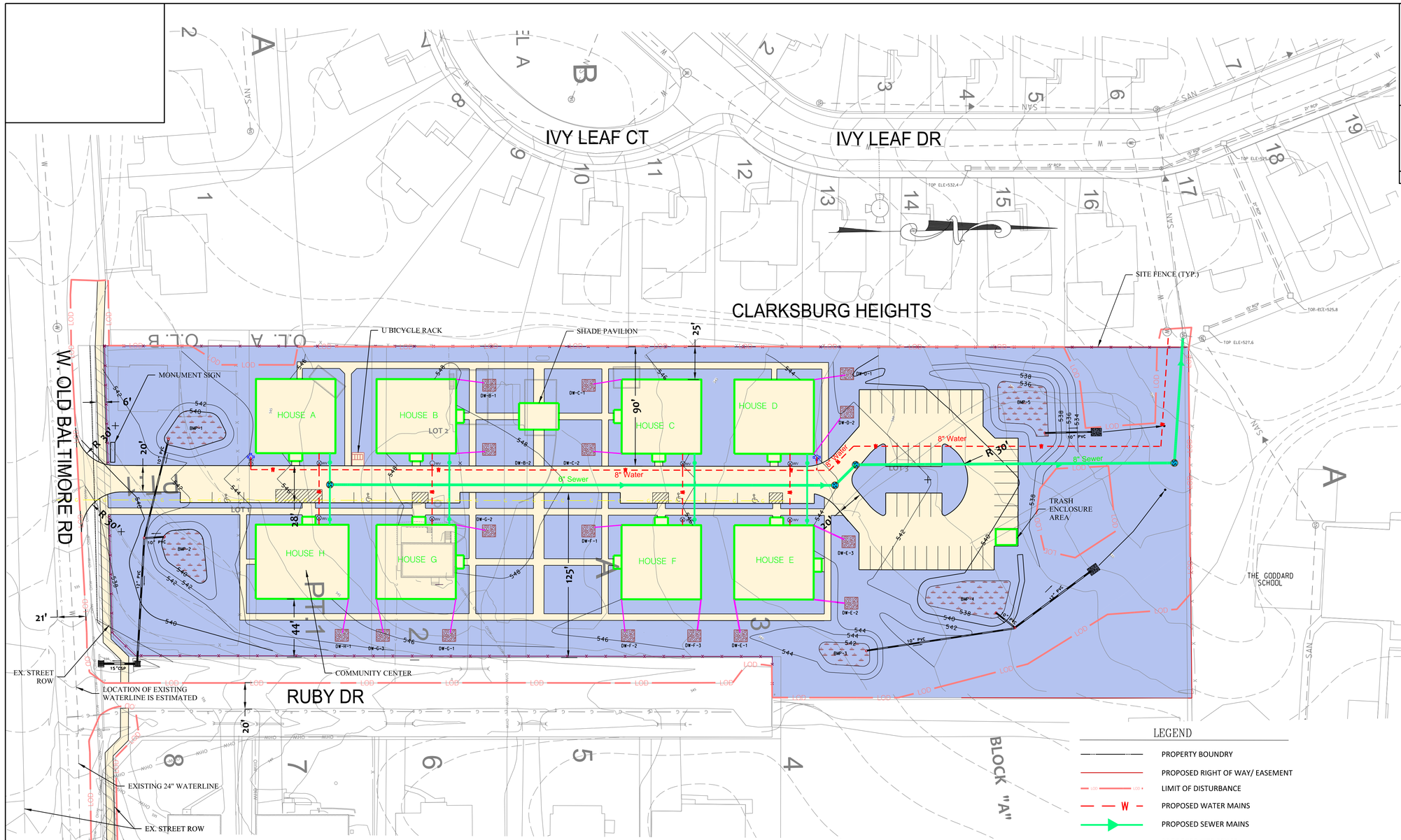
REVISIONS

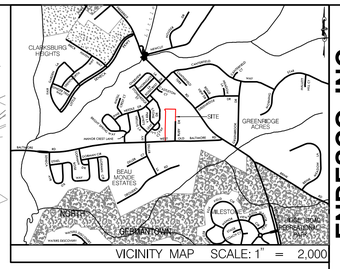
NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE: EXISTING CONDITIONS AND DEMOLITION PLAN

DRAWN: GJ
DESIGNED: GJ
CHECKED: KH

DATE: APR 2022
SCALE: 1"=40'
SHEET: CPP-3





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13. WATERSHED: LITTLE SENECA CREEK
14. ROADWAY AND PAVEMENT SECTION IS PER MC DOT STANDARD MC-211.03

LEGEND

- PROPERTY BOUNDRY
- PROPOSED RIGHT OF WAY/ EASEMENT
- LIMIT OF DISTURBANCE
- PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- PROPOSED SITE FENCE
- BUILDING FOOTPRINT
- FOREST CONSERVATION AREA
- MICRO-BIORETENTION
- IMPERVIOUS AREA
- OPEN SPACE

40' 0 40' 80'
SCALE: 1" = 40'

SURVEY NOTES:
1. HORIZONTAL DATUM :NAD 83 – MARYLAND STATE PLANE
2. VERTICAL DATUM – NAVD 88
3. CONTOUR INTERVAL IS 2 FOOT
4. THIS SURVEY WAS PERFORMED BY LIGGIE SURVEYS, INC.
5. UNDERGROUND UTILITY MARKINGS PERFORMED BY MISS UTILITY

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TEL: (301) 987-8776
FAX:(301) 987-8777

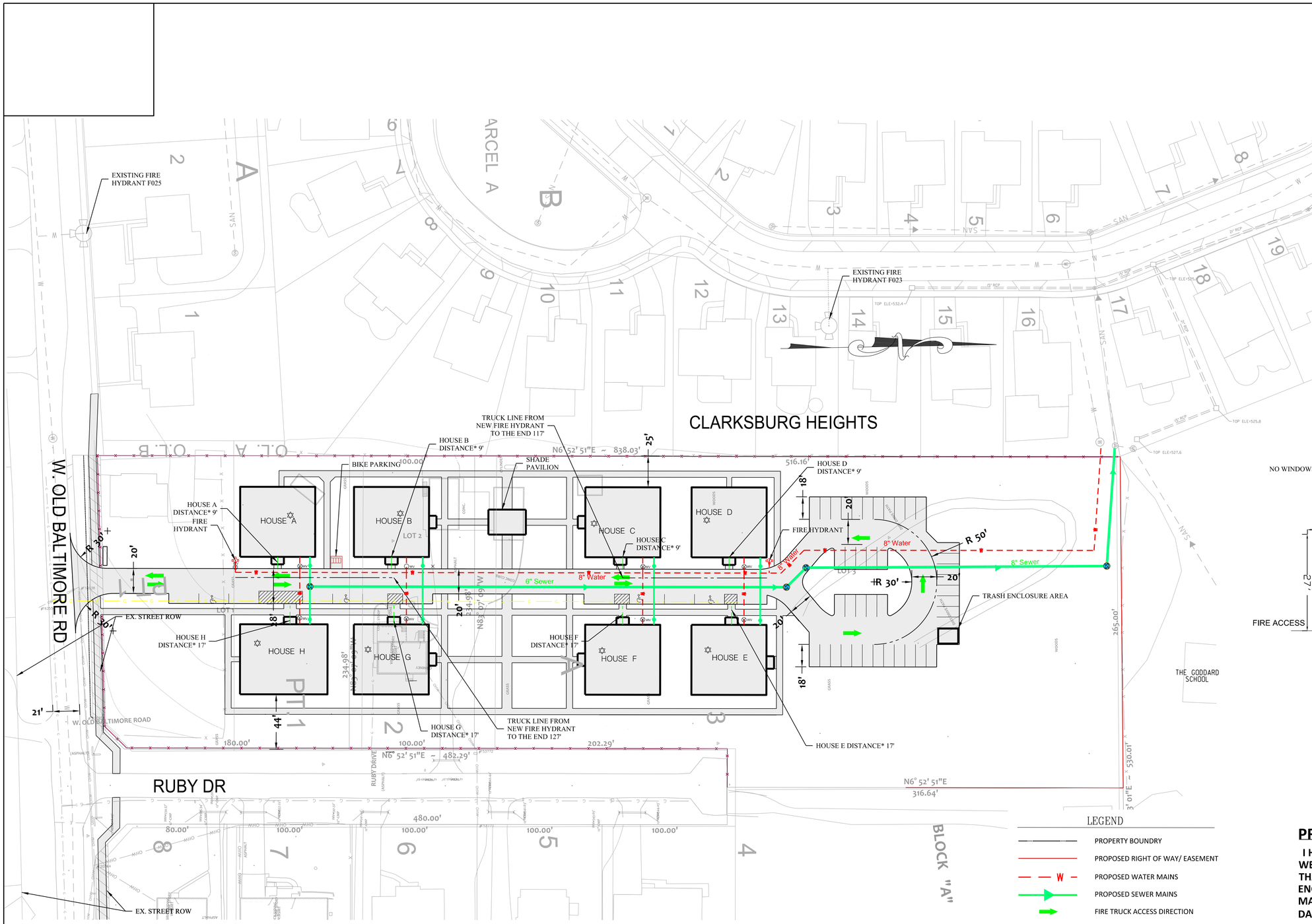
PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

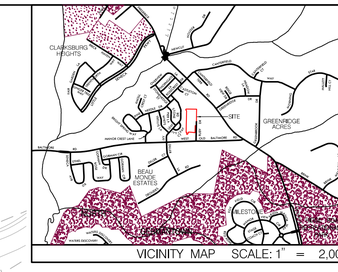
REVISIONS

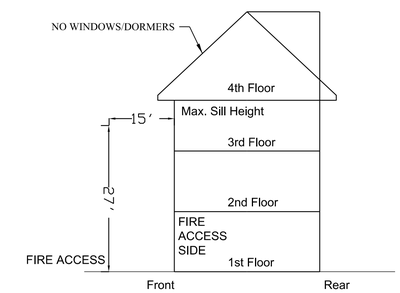
NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE: CONDITIONAL USE PLAN

DATE	OCT 2023
DRAWN:	GJ
DESIGNED:	GJ
CHECKED:	KH
SCALE	1"=40'
SHEET	CPP-2







Unit Building Height Detail - FIRE HEIGHT RESTRICTED UNIT

General Notes:
1. One and two- family dwellings of three (3) stories (27' to highest sill, including false dormers) or less must provide access to the occupied interior through a main, side- hinge door within 150 feet of a fire department access route. For units of three (3) stories or more, access must be within fifty (50) feet of access route.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED NO. 23093, EXPIRATION DATE 05/06/2025

NOTE:
* DISTANCE IS MEASURED FROM EACH BUILDING FRONT DOOR TO EDGE OF PAVEMENT ALONG VEHICULAR ACCESS PATH.

NOTE:
DRIVEWAY PAVEMENT IS LOAD BEARING AND IMPERVIOUS FOR MCFRS APPARATUS, WHICH IS NOT LESS TAHN 85,000 LBS.

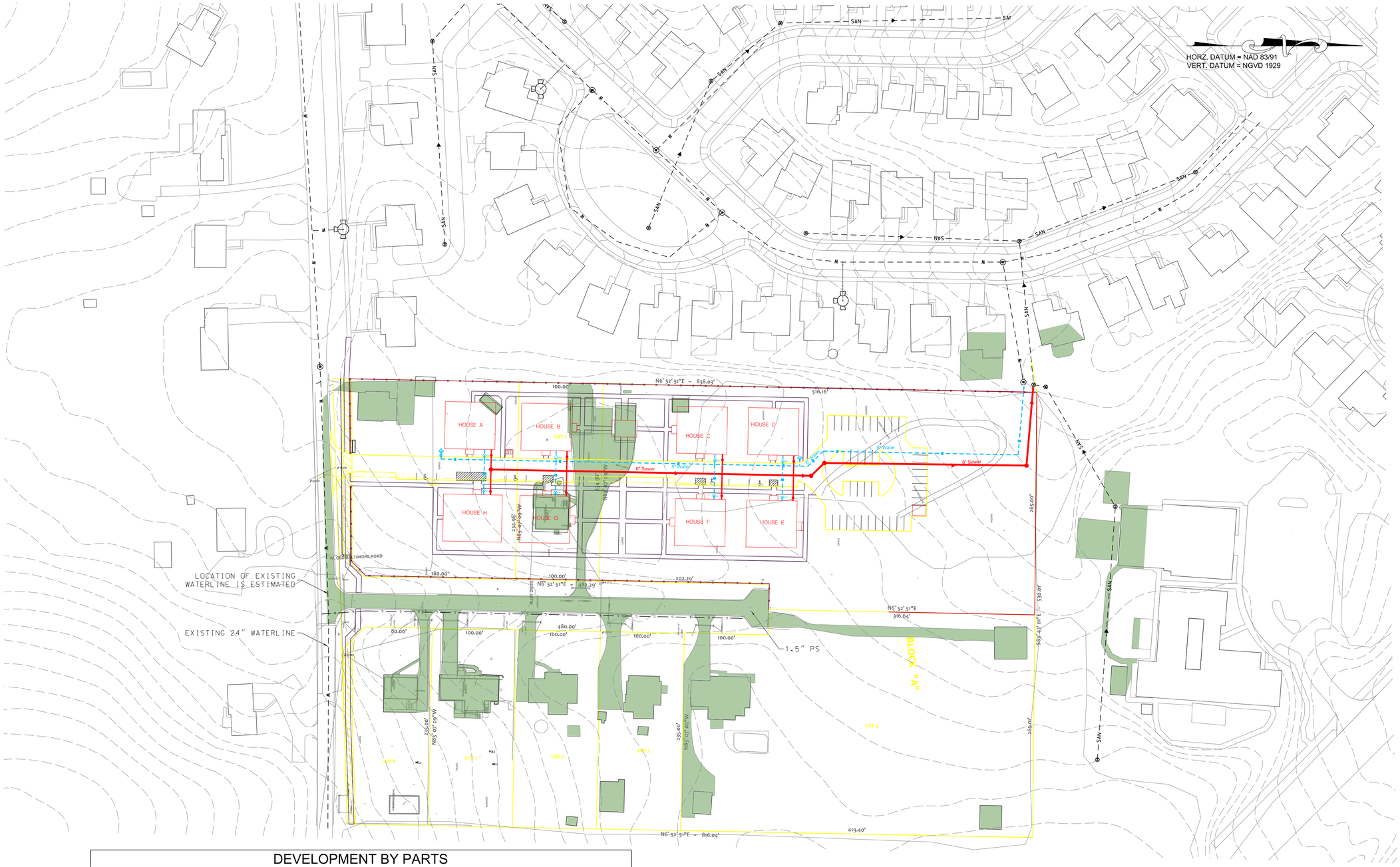
ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS
15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

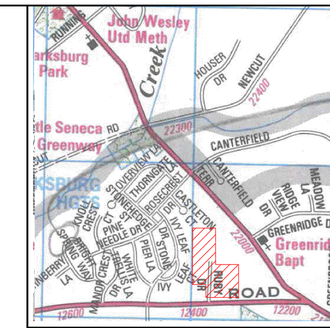
PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE	FIRE DEPARTMENT ACCESS PLAN
DRAWN:	GJ
DESIGNED:	GJ
CHECKED:	KH
DATE	NOV 2023
SCALE	1"=40'
SHEET	CPP-5





VICINITY MAP

SCALE NTS

MONTGOMERY Co. PAGE 09 GRID G-8

LEGEND

- APPLICANT'S PROPERTY
- EXISTING WATER MAINS (CONTRACT # & SIZE)
- EXISTING SEWER MAINS (CONTRACT# & SIZE)
- PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- EXISTING BUILDINGS
- PROPOSED BUILDINGS
- ADJACENT PROPERTIES
- ABUTTING ROADS W/ NAMES
- EXISTING PAVING
- PROPOSED MAJOR CONTOURS (EVERY 10' - IF AVAIL, IF NOT PROVIDE EXISTING CONTOURS)
- PROPOSED MINOR CONTOURS (EVERY 2' - IF AVAIL, IF NOT PROVIDE EXISTING CONTOURS)
- PROPOSED WATER SERVICE CONNECTIONS (TOWN HOUSES)
- PROPOSED SEWER SERVICE CONNECTIONS (TOWN HOUSES)

DEVELOPMENT BY PARTS

PARTS (OUTLINE EACH PART IN A DIFFERENT COLOR)	# OF UNITS / SQ. FT.						
	SFDU	TH	APTS	OFFICE	RETAIL	OTHER (Specify if needed)	OTHER (Specify if needed)
PART1	6						
TOTAL =	6						

SERVICE CATEGORIES	
W - 1	S - 1
PRESSURE ZONE	760B
HHG	
LHG	

60' 0 60' 120'

SCALE: 1"=60'

DRAINAGE BASIN / MINI BASIN: LITTLE SENECA CREEK

WASHINGTON SUBURBAN SANITARY COMMISSION

ENGINEER:
NAME: ENDESCO, INC
ADDRESS: 15245 SHADY GROVE GROVE ROAD, SUITE 335 ROCKVILLE, MD 20850
PHONE: 301-987-9776
CONTACT : KEVIN HUANG
EMAIL: KEVINHUANG@ENDESCOINC.COM

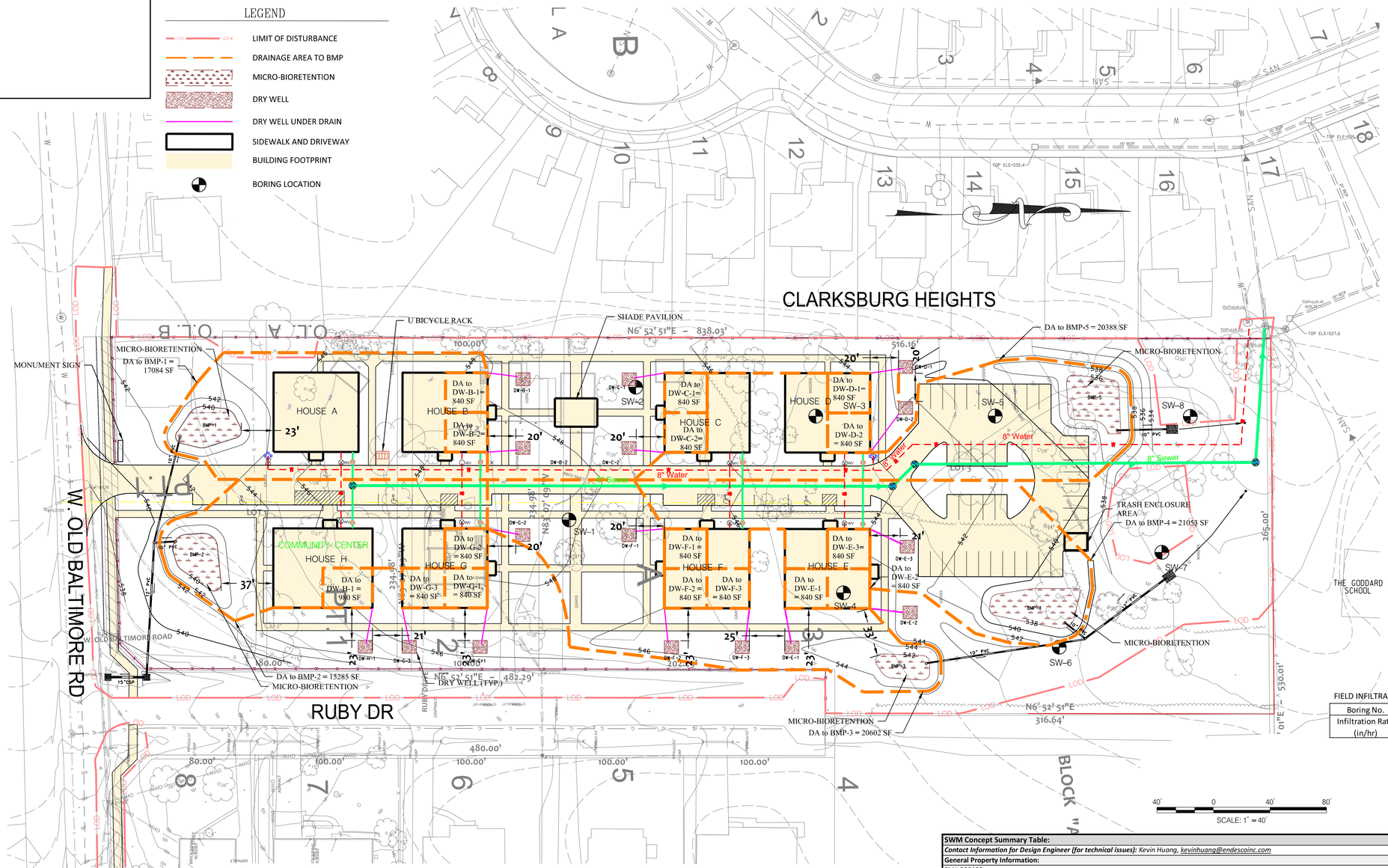
APPLICANT:
NAME: WORLDSHINE HOME, LLC
ADDRESS: 9200 CORPORATE BLVD, STE 330 ROCKVILLE, MD 20850
PHONE: 240-261-6678
CONTACT : WORLDSHINE
EMAIL: INFOR@WORLDSHINEGROUP.COM

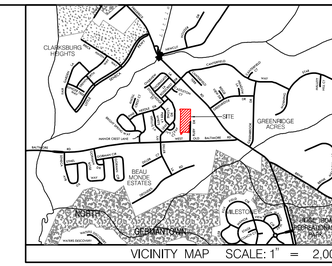
HYDRAULIC PLANNING ANALYSIS
RUBY DRIVE

CONTRACT
200'S 225NW 08 & 09 226NW 08 & 09 11/02/2023

TEMPLATE LAYOUT CURRENT as of: 9/12/16

VERIFY SCALE - BAR IS ONE INCH ON ORIGINAL DRAWING 0 1". IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.





DRYWELL SPECIFICATIONS:

1. SETBACKS
DRY WELLS SHALL SET BACK AT LEAST 20 FEET FROM BUILDING FOUNDATIONS. IF THE STRUCTURE IS SLAB ON GRADE THE SET BACK MAY BE REDUCED TO 10 FEET. REFER TO THE DRY WELL STANDARD DETAILS FOR OTHER SET BACK REQUIREMENTS. WHILE IT IS PREFERABLE TO LOCATE DRY WELLS DOWN GRADIENT FROM BUILDING FOUNDATIONS, IT IS NOT A REQUIREMENT IN ALL CASES.

2. OVERFLOW DESIGN CRITERIA
IN ORDER TO PREVENT BACKUP OF WATER IN THE DOWNSPOUT, AN OVERFLOW DOWNSPOUT SURCHARGE PIPE MUST BE PROVIDED AS SHOWN ON THE DRY WELL DETAIL. DISCHARGE FROM THE DOWNSPOUT SURCHARGE PIPE MUST BE DIRECTED TO AN ABOVE GROUND SPLASH BLOCK AND CONVEYED IN A NON-EROSIVE MANNER TO A STABLE OUTFALL. IN SOME CASES IT MAY BE DESIRABLE TO ADD AN ADDITIONAL OVERFLOW PIPE OR POP UP EMITTER DIRECTLY OUT OF THE DRY WELL. THIS SHALL BE IN ADDITION TO THE REQUIRED SPLASH BLOCK OVERFLOW. THE FLOW FROM THE ADDITIONAL OVERFLOW PIPE OR EMITTER MUST BE DIRECTED TO A SAFE LOCATION THAT IS UNLIKELY TO CONTRIBUTE TO NUISANCE DRAINAGE PROBLEMS SUCH AS A WET LAWN AREAS OR SEEPAGE ACROSS SIDEWALKS.

3. STONE
DRY WELLS SHALL BE FILLED WITH CLEAN 1.5-3.0 INCH DIAMETER STONE MEETING ASTM D448, SIZE NO. 1. FILTER FABRIC SHALL BE PLACED ON THE TOP AND SIDES OF THE FACILITY AS SHOWN ON THE DRY WELL DETAIL. NO GEOTEXTILE OR FILTER FABRIC IS ALLOWED TO BE PLACED ON THE BOTTOM OF THE FACILITY OR IN ANY OTHER LOCATION NOT CALLED FOR SPECIFICALLY ON THE DETAIL.

4. SAND BED
A 12-INCH LAYER OF FINE AGGREGATE SAND SHALL BE PROVIDED AT THE BOTTOM OF THE EXCAVATION. CLEAN ASTM C33 OR AASHTO M6 FINE AGGREGATE CONCRETE SAND IS REQUIRED PER MONTGOMERY COUNTY SAND SPECIFICATIONS.

5. OBSERVATION WELL
THE DRY WELL MST INCORPORATE AN OBSERVATION WELL IN ACCORDANCE WITH THE STANDARD DETAIL.

SURVEY NOTES:
1. HORIZONTAL DATUM :NAD 83 – MARYLAND STATE PLANE
2. VERTICAL DATUM – NAVD 88
3. CONTOUR INTERVAL IS 2 FOOT
4. THIS SURVEY WAS PERFORMED BY LIGGIE SURVEYS, INC.
5. UNDERGROUND UTILITY MARKINGS PERFORMED BY MISS UTILITY

FIELD INFILTRATION TESTING SUMMARY

Boring No.	SW-1	SW-2	SW-3	SW-4	SW-5	SW-6	SW-7	SW-8
Infiltration Rate (in/hr)	2.16	0.48	1.19	3.12	2.16	1.56	2.04	1.68

GENERAL NOTES & ZONING ANALYSIS

1. PROJECT NAME: RUBY SENIOR HOMES, BOYDS MONTGOMERY COUNTY, MARYLAND

2. OWNER / DEVLOPER: WORLDSHINE HOME, LLC
9200 CORPORATE BLVD, SUITE 330
ROCKVILLE, MD 20850
PHONE: (240) 261-6678

3. CIVIL ENGINEER: ENDESCO, INC.
15245 SHADY GROVE RD, SUITE 335
ROCKVILLE, MD 20850
CONTACT: MR. KEVIN HUANG
PHONE: (301) 987-8776, FAX: (301) 987-8777

4. LEGAL DESCRIPTION: MUSGROVE'S ADDITION TO NEELSVILLE
LOT 1, LOT 2, & LOT 3

5. SURVEY: ORIGINAL TOPOGRAPHIC SURVEY PREPARED BY LIGGIESURVEYS, INC. IN OCTOBER 2018

6. PROPOSED USE: CONDITIONAL USE - GROUP HOMES

7. CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY: TWO ENTRANCE ROADS AND UTILITY CONNECTIONS

8. STORMWATER MANAGEMENT: STORMWATER MANAGEMENT IS BEING PROVIDED IN ACCORDANCE WITH MCDPS REQUIREMENTS.

9. NOTIFY MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION AND MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES 48 HOURS BEFORE BEGINNING CONSTRUCTION OF PROPOSED IMPROVEMENTS.

10. WSSC 200 SCALE SHEET NO. 230NW12

11. NRI / FSD PLAN #420191830

12. PUBLIC UTILITY COMPANIES:

WATER AND SANITARY SEWER:	WSSC	PH: 800-828-6349
ELECTRICITY:	PEPCO	PH: 202-833-7500
NATURAL GAS:	WASHINGTON GAS	PH: 703-750-1000

13. WATERSHED: LITTLE SENECA CREEK

14. ROADWAY AND PAVEMENT SECTION IS PER MC DOT STANDARD MC-211.03

SWM Concept Summary Table:
Contact Information for Design Engineer (for technical issues): *Kevin Huang, kevinhuang@endescoinc.com*
General Property Information:
SM# 289123
Type of Concept: *Preliminary Water Quality Plan*
MNCP&PC Process/No: *Conditional Use: CU202311*
Property Address: *Ruby Drive, Boyds, MD 20841*
Property Legal Description: *MUSGROVE'S ADDITION TO NEELSVILLE, PT LOT 1, LOT 2, AND LOT 3*
Property Size (ac./sq.ft.): *4.66/202,898*
Total Concept Area (ac./sq.ft.): *5.14/224,099*
Zoning: *R-200*
Watershed(s) and Stream Class: *Little Seneca Creek /Class IV*
Special Protection Area: *Clarksburg*
100 YR Floodplain: *Zone X (FEMA Map 24031C0160D 9/29/2006)*
Ex. % impervious/Redevelopment or New Development: *7 % - New Development*
SWM Summary:
Target P_E/Proposed P_E: *1.8/NA*
Target ESDv/Provided ESDv: *11,570 cu.ft./ 12,582 cu.ft.*
ESD Measures: *MB (5) and DW (16)*
Structural Storage Required/Provided: *No*
Structural Measures: *No*
Waiver Request/QL/QN/Both: *No*
Provided ESDv + Structural Storage Provided + Requested to be Waived = *12,582 cu.ft.*
BMP-1 Provided ESDv: CF 1,794 ((Micro-Bioretention)
BMP-2 Provided ESDv: CF 1,870 (Micro-Bioretention)
BMP-3 Provided ESDv: CF 1,172 (Micro-Bioretention)
BMP-4 Provided ESDv: CF 2,575 (Micro-Bioretention)
BMP-5 Provided ESDv: CF 2,398 (Micro-Bioretention)
16 Dry Wells Provided ESDv: CF 2,774
Other Information: *N/A*

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED NO. 23093, EXPIRATION DATE 05/06/2025

WATER QUALITY SHEET #1 OF 2

ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS
15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

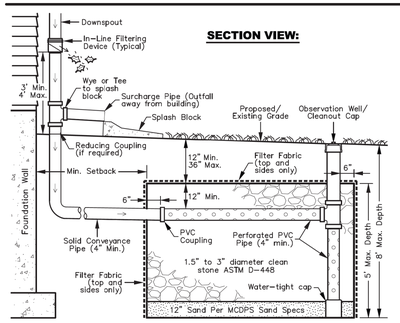
TITLE: PRELIMINARY WATER QUALITY PLAN

DATE: OCT 2023
SCALE: 1"=40'
SHEET: CPP-11
DRAWN: GJ
DESIGNED: GJ
CHECKED: KH

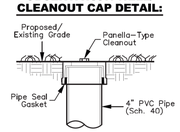
GENERAL NOTES:

1. Dry wells may receive water from roof downspouts only.
2. Length, width, and depth of each dry well is to be as specified by the design engineer on the approved plan.
3. Manufactured sand is not acceptable. Refer to the MCDPS Sand Specifications.
4. With the inspector's approval, dry well locations may be field adjusted for site conditions. All adjustments must meet the minimum setbacks.
5. Impermeable liners may be used when specified by the design engineer and shown on the plan.
6. Overflow pipes may be used when specified by the design engineer and shown on the plan. They shall be set at a minimum 2% slope. If the outfall is to daylight the outfall invert shall be shown.
7. Pop-up emitters may be used when specified by the design engineer and shown on the plan.

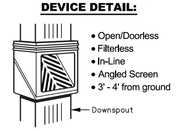
SECTION VIEW:



OBSERVATION WELL/ CLEANOUT CAP DETAIL:



IN-LINE FILTERING DEVICE DETAIL:



- Open/Doorless
- Filterless
- In-Line
- Angled Screen
- 3' - 4' from ground

LAYOUT GUIDANCE:

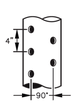
- Downspouts shall be shown on the plan view.
- Conveyance pipe(s) from the downspout(s) to the dry well shall be shown on the plan view, including connections from other downspouts. Standard, readily-available bends shall be used at couplings.
- When possible there should be only one conveyance pipe entering the dry well. It should be centered and should enter at 90 degrees.
- The interior 6" PVC perforated pipe shall be designed and shown on the plan to maximize distribution within the dry well.
- When a dry well's length is greater than its width, consider locating the perforated pipe along the longest dimension.
- The observation well with cleanout cap shall be shown on the plan view.

MINIMUM SETBACKS:

- 5 feet from property lines, Zero from R/W
- 10 feet from slab-on-grade buildings/pools
- 15 feet from buried foundations
- 20 feet from another dry well
- 30 feet from septic trench or tank
- 100 feet from primary well location or open loop geothermal well
- 50 feet from alternate well location or closed loop geothermal well
- So as to avoid basement seepage
- In accordance with other county requirements

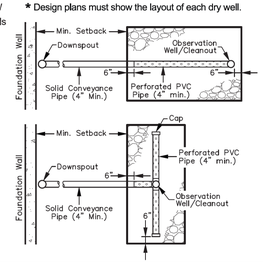
PERFORATED PVC PIPE:

- Schedule 40 PVC
- 3/8 Inch holes
- 4" on center
- 90° around pipe



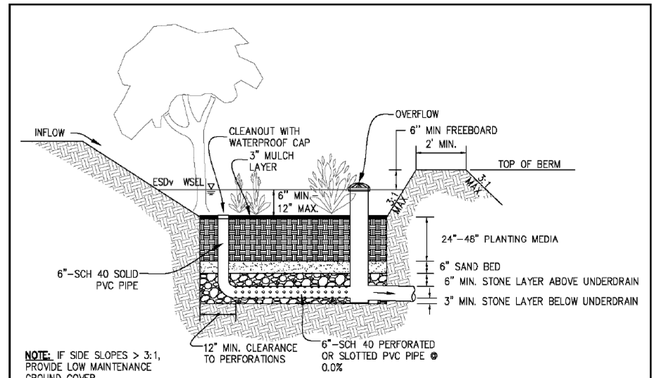
EXAMPLE LAYOUTS* - PLAN VIEW:

* Design plans must show the layout of each dry well.



MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES WATER RESOURCES SECTION	DRY WELL FOR ROOF RUNOFF DETAIL	DATE: JULY 2021 SCALE: NONE	

Linda Kobylski, Land Development Division Chief — July 23, 2021



NOTE: IF SIDE SLOPES > 3:1, PROVIDE LOW MAINTENANCE GROUND COVER.

MICRO-BIORETENTION TYPICAL CROSS SECTION

NTS

Endesco, Inc.
Engineers, designers, consultants — 20+ YEARS Since 1997
15245 Shady Grove Road, Suite 335, Rockville, MD 20850 | o: (301) 987-8776 | f: (301) 987-8777 | www.endescoinc.com

Memorandum of Pre-Submission Meeting

Date: July 31, 2023
Subject: Water Quality Plan pre-submission meeting Location: Microsoft Teams Meeting
Attendance:

Andrew Kohler – DPS
Steven A. Robins – Lerch, Early & Brewer
Joshua Penn – MNCPPC
Mark Etheridge – DPS
Kevin Huang – Endesco, Inc
Gina Jiang – Endesco, Inc

The following is a summary of the discussion at the meeting:

- The project is proposing eight (8) buildings assisted living community, located at Ruby Drive, Boyds, MD. The project site is 4.54 acres.
- The project is located at Clarksburg Special Protection Area.
- Eight soil borings and infiltration tests are performed showing the site has good infiltrating soil.
- Five (5) micro-bioretentions and Seventeen (17) dry wells are proposed to meet the full ESD requirement for water quality management.
- MNCPPC recommend keeping the site imperviousness to be within 30%.
- There are three goals for WQP: 1. Minimize storm flow runoff increases; 2. Minimize increase to ambient water temperatures; 3. Minimize sediment loading.
- Project need to minimize the increase of stormwater runoff. Downstream owner notification letters need to be sent out after the submittal.
- There will not be a site plan submittal. A SPA Combination PWQP/FWQP permit will be applied.
- Project need to minimize the temperature impact to the existing stream. Dry wells and 1' additional storage under the micro bioretentions facilities will address this issue.
- Project need to minimize the erosion runoff during the construction. Super silt fence will be proposed around the project site and double layers of super silt fence need to be proposed at the area with minor concentrative flow. Concept erosion and sediment control plan will be proposed. Only one stabilized construction entrance will be proposed. Existing parking lot will be used for temporary parking during construction.
- SPA impact fee of $860/acre, total of $3,904.40, will be paid to Montgomery County before plan approval.
- Owner needs to pay $0.06/sf of total limit of disturbance area for monitoring the BMPs.
- Engineer might be requested to come to DPS to explain the design and the plans.
- Designer need to provide and submit AutoCAD files to DEP for review and recordation.
- Coordination/Pre-submission meeting with Marie Labaw is recommended for fire and rescue design plan.
- The Preliminary Plan needs to be sent to MCDOT for review.

Andrew Kohler — Approved Meeting Minutes
DPS Water Resources
8/4/2023

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED NO. 23093, EXPIRATION DATE 05/06/2025

WATER QUALITY SHEET #2 OF 2

ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS
15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE: PRELIMINARY WATER QUALITY DETAIL
DRAWN: GJ
DESIGNED: GJ
CHECKED: KH
DATE: OCT 2023
SCALE: NTS
SHEET: CPP-12

LANDSCAPE PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	CAL	HGT	ROOT	SPACING
MAJOR TREES							
ARU	7	Acer rubrum	Red Maple	2"	12-14'	B&B	AS SHOWN
NSY	16	Nyssa sylvatica	Tupelo	2"	12-14'	B&B	AS SHOWN
QRU	13	Quercus rubra	Red Oak	2"	12-14'	B&B	AS SHOWN
MINOR TREES							
AGA	8	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry		10'	B&B	AS SHOWN
CVI	7	Crataegus viridis	Green Hawthorn		10'	B&B	AS SHOWN
IOK	5	Ilex opaca 'Jersey Knight'	Jersey Knight American Holly (m)		10'	B&B	AS SHOWN
IOP	14	Ilex opaca 'Jersey Princess'	Jersey Princess American Holly (f)		10'	B&B	AS SHOWN
SHRUBS							
AAB	29	Aronia arbutifolia 'Brilliantissima'	Red Chokecherry		18" min.	#3 cont.	48" o.c.
AGR	27	Abelia x grandiflora 'Edward Goucher'	Edward Goucher Glossy Abelia		18" min.	#3 cont.	48" o.c.
CAE	19	Callicarpa americana	American Beautyberry		18" min.	#3 cont.	36" o.c.
CEO	13	Cephalanthus occidentalis	Buttonbush		18" o.c.	#3 cont.	54" o.c.
CHA	32	Cephalotaxus harringtonia	Japanese Plum Yew		18" min.	#3 cont.	54" o.c.
CAH	25	Clethra alnifolia 'Hummingbird'	Hummingbird Summersweet		18" min.	#3 cont.	48" o.c.
IVL	30	Itea virginica 'Little Henry'	Little Henry Sweetspire		18" min.	#3 cont.	30" o.c.
MCE	26	Morella cerifera	Wax Myrtle		24" min.	#7 cont.	54" o.c.
VAC	33	Viburnum acerifolium	Maple Leaf Viburnum		24" min.	#7 cont.	54" o.c.

Note: Plant counts are provided for the convenience of the contractor. The plan dominates on any discrepancies between the table and the plan. Contractor is responsible for verifying the counts and bringing any discrepancies to the attention of the landscape architect and client before proceeding. The planting plan must be carefully followed to ensure good plant survival and acceptance of landscaping upon completion of the project. Failure to install the specified plants in the specified locations will result in the rejection of the entire planting area, and the contractor will be required to reinstall the plantings as shown on the plans at their own expense. Substitutions are not allowed without prior approval of the landscape architect.

PROPOSED TREE LIST
VARIANCE MITIGATION

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE (CAL.)	ROOT	SPACING
AR	6	Acer rubrum	Red Maple	4"	B&B	AS SHOWN
FG	7	Fagus grandiflora	American Beech	4"	B&B	AS SHOWN
NS	2	Nyssa sylvatica	Black Gum	4"	B&B	AS SHOWN
QP	7	Quercus palustris	Pin Oak	4"	B&B	AS SHOWN
QS	7	Quercus shumardii	Shumard Oak	4"	B&B	AS SHOWN

Note: These trees are duplicated from Forest Conservation/Tree Save Plan and are not included in above Landscape Plant List.

PARKING LOT REQUIREMENTS FOR 10 OR MORE SPACES
2014 MONTGOMERY COUNTY ZONING ORDINANCE

Section 6.2.9.C.1. Landscaped Area

Parking Lot Pavement Area	= 28,053 s.f.
Landscape Area required (5% of Total Pavement Area)	= 1,403 s.f.
Total Landscape Area provided	= 1,983 s.f.

PARKING LOT SHADE TREE LIST
Section 6.2.9.C.2. Tree Canopy

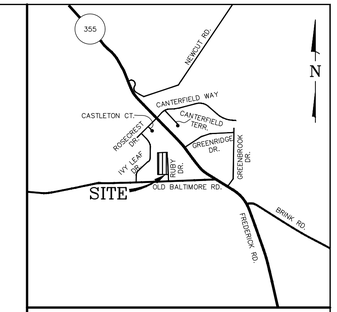
BOTANICAL NAME	COMMON NAME	20 YEAR CANOPY (DIA. IN FEET)*
Acer rubrum	Red Maple	48
Quercus rubra	Red Oak	35

*20-year canopy diameters are calculated as shown in the Montgomery County Trees Technical Manual (September 1992), Appendix C, 'Plant Species Information: Montgomery County Maryland Landscape Tree Evaluation Criteria'.

Parking Lot Pavement Area	= 28,053 s.f.
Shaded Area required (25% of Total Pavement Area)	= 7,013 s.f.
Total Shaded Area provided	= 7,165 s.f.

PARKING LOT PERIMETER LANDSCAPING REQUIREMENTS
SECTION 6.2.9.C.3.

	REQUIRED/ PERMITTED	PROVIDED
3. Perimeter planting area for a property that abuts a public right-of-way	**Segment A - 102'**	
i. Minimum width	6'	6'
ii. Minimum hedge height	3'	6'
iii. Canopy trees	1 tree per 30' = 4 trees	4
3. Perimeter planting area for a property that abuts a public right-of-way	**Segment B - 81'**	
i. Minimum width	6'	6'
ii. Minimum hedge height	3'	6'
iii. Canopy trees	1 tree per 30' = 3 trees	3
3. Perimeter planting area for a property that abuts a Residential Detached zoned property	**Segment C - 93'**	
i. Minimum width	10'	10'
ii. Minimum hedge height	6'	6'
iii. Canopy trees	1 tree per 30' = 3 trees	3



VICINITY MAP
SCALE 1" = 2,000'

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
30 0 15 30 60
9.14 0 4.57 9.14 18.28
(IN METERS)
1 inch = 9.14 m.

MHG
Civil Engineers
Land Planners
Landscape Architects
Land Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgpa.com

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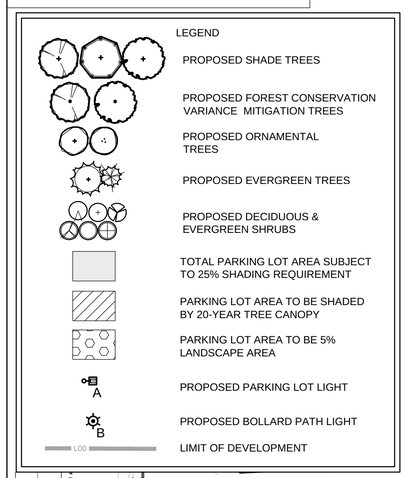
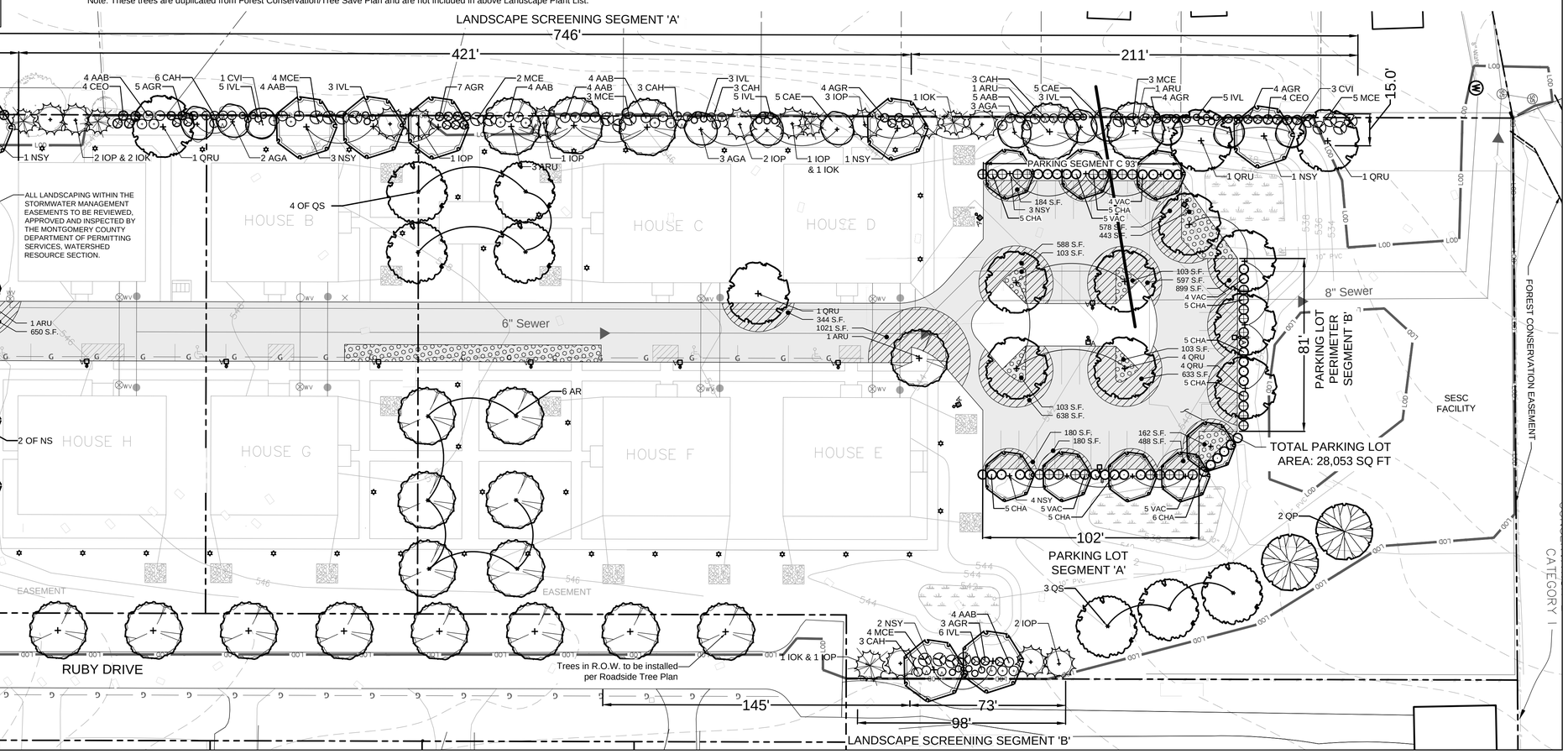
Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Landscape Architect under the Laws of the State of Maryland. Lic. No. 615
Exp. Date. 09.10.2025

ENDESCO, INC.
C/O KEVIN HUANG

15245 SHADY GROVE ROAD
SUITE 335
ROCKVILLE, MD 20850

301.987.8776
Kevinhuang@endescoinc.com





REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EV562 WSSC 230NW12

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PART OF LOT 1, 2 & 3
BLOCK A
MUSGROVE'S ADDITION TO NEELSVILLE

PROJ. MGR	DBP
DRAWN BY	PHR
SCALE	1"= 30'
DATE	10.20.2023

CONDITIONAL USE LANDSCAPE & LIGHTING PLAN

L2.01

PROJECT NO.	87.115.41
SHEET NO.	1 OF 6

I:\87115\dwg\Ruby Senior Homes 410\dwg\L8_41_01.dwg, L2.01 Plan, 10/20/2023 12:26:09 PM, phr@macris, y, Copyright © 2023 Macris, Hendricks & Glascock, P.A.

PLANTING NOTES

1. THIS PLAN IS FOR PLANTING PURPOSES ONLY.

2. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GROUNDCOVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT THE ONE YEAR GUARANTEE PERIOD.

3. CONTRACTOR SHALL LAY OUT AND CLEARLY STAKE ALL PROPOSED IMPROVEMENTS INCLUDED ON THIS PLAN.

4. CONTRACTOR IS RESPONSIBLE FOR CONTACTING MISS UTILITY PRIOR TO BEGINNING CONSTRUCTION FOR LOCATION OF ALL UTILITY LINES. TREES SHALL BE LOCATED A MINIMUM OF 5 FEET FROM SEWER/WATER CONNECTIONS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.

5. QUANTITIES AS SHOWN ON THE PLAN SHALL GOVERN OVER PLANT LIST QUANTITIES. CONTRACTOR TO VERIFY PLANT LIST TOTALS WITH QUANTITIES SHOWN ON PLAN. LANDSCAPE ARCHITECT SHALL BE ALERTED BY CONTRACTOR OF ANY DISCREPANCIES PRIOR TO FINAL BID NEGOTIATION. UNIT PRICES FOR ALL MATERIAL SHALL BE SUPPLIED TO THE OWNER AT BIDDING TIME.

6. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. OWNER SHALL RECEIVE TAG FROM EACH PLANT SPECIES AND A LIST OF PLANT SUPPLIERS. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL MEET THE NORMAL REQUIREMENTS FOR THE VARIETY PER THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY AMERICANHORT. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

7. CONTRACTOR IS RESPONSIBLE FOR SOIL TESTING AND PREPARATION AS OUTLINED IN THE CURRENT EDITION OF THE LANDSCAPE SPECIFICATION GUIDELINES OF THE LANDSCAPE CONTRACTORS ASSOCIATION OF MD-DC-VA (LCA). PREPARATION SHALL INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE ADDITION OF SOIL AMENDMENTS, FERTILIZERS AND SUPPLEMENTAL TOPSOIL AS INDICATED BY TESTING; AND SUBGRADE, FINAL GRADE AND FINISH GRADE SOIL PREPARATION.

8. WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.

9. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.

10. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED, FREE OF DISEASE, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.

11. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION.

12. GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS UNLESS OTHERWISE NOTED. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.

13. NO EXISTING TREES SHALL BE REMOVED WITHOUT WRITTEN AUTHORIZATION FROM THE OWNER EXCEPT WHERE NOTED ON PLANS. NO GRUBBING SHALL OCCUR WITHIN EXISTING TREE AREAS.

14. TREES SHALL BE LOCATED A MINIMUM OF 3 FEET FROM WALLS AND WALKS WITHIN THE PROJECT. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANS, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER OR LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.

15. LARGE GROWING PLANTS ARE NOT TO BE PLANTED IN FRONT OF WINDOWS, UNDER BUILDING OVERHANGS, OR IN DRAINAGE SWALES. SHRUBS PLANTED NEAR HVAC UNITS TO BE LOCATED SO THAT SHRUBS AT MATURITY WILL MAINTAIN 1-FOOT AIRSPACE BETWEEN UNIT AND PLANT.

16. CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS NOT TO IMPEDE DRAINAGE AWAY FROM BUILDINGS.

17. TREE STAKING AND GUYING SHALL BE DONE PER DETAILS. CONTRACTOR SHALL ENSURE THAT TREES REMAIN VERTICAL AND UPRIGHT FOR THE DURATION OF THE GUARANTEE PERIOD.

18. ALL TREE PITS, SHRUB BEDS AND PREPARED PLANTING BEDS ARE TO BE COMPLETELY EXCAVATED IN ACCORDANCE WITH THE PLANTING DETAILS.

19. MULCH IS TO BE DOUBLE SHREDDED HARDWOOD BARK FOR TREES AND SHRUBS.

20. CROWN OF ROOT FLARE SHALL BE 1/2" - 3" HIGHER (AFTER SETTLING) THAN ADJACENT SOIL.

21. TAGS AND TWINE ARE TO BE REMOVED AND BURLAP IS TO BE ROLLED BACK ONE-HALF ON ALL B&B PLANT MATERIAL.

22. SHRUBS SHALL BE TRIANGULARLY SPACED AT SPACING SHOWN ON PLANTING PLANS WHERE MASSING IS INDICATED.

23. SHADE TREES: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT FLARE TO THE TOP OF MATURE GROWTH. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "V" CROTCHES THAT COULD BE POINTS OF WEAK LIMB STRUCTURE OR DISEASE INFESTATION.

SHRUBS: HEIGHT SHALL BE MEASURED FROM THE GROUND TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.

24. ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER AND M-NCPPC. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.

25. ALL CONTRACTORS SHALL BE REQUIRED TO COMPLETELY REMOVE ALL TRASH, DEBRIS AND EXCESS MATERIALS FROM THE WORK AREA AND THE PROPERTY (ESPECIALLY AT ALL CURB, GUTTERS AND SIDEWALKS) DAILY DURING INSTALLATION.

26. DEAD PLANTS ARE TO BE REMOVED FROM THE JOB BY THE CONTRACTOR ON A MONTHLY BASIS. CONTRACTOR SHALL MAINTAIN AN UPDATED, COMPREHENSIVE LIST OF ALL DEAD MATERIALS REMOVED AND PRESENT A COPY OF THE LIST TO THE OWNER AT THE END OF EVERY MONTH DURING THE CONTRACT PERIOD.

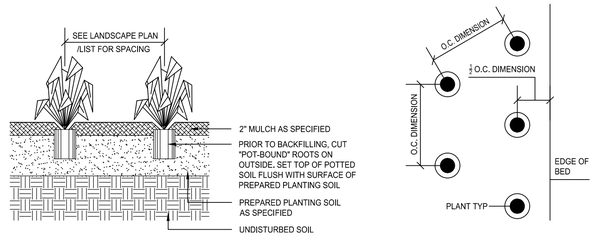
27. CONTRACTOR SHALL BE RESPONSIBLE TO REGRADE, HYDRO-SEED, STRAW MULCH, AND TACK ALL LAWN AREAS DISTURBED AS THE RESULT OF HIS WORK.

28. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, FOR ONE FULL YEAR AS REQUIRED BY THE SPECIFICATIONS. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S). CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.

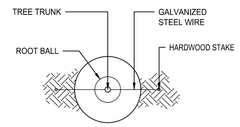
29. THE SPECIFICATIONS FOR ALL WORK INCLUDED IN THIS CONTRACT SHALL BE FROM THE LANDSCAPE SPECIFICATION GUIDELINES BY THE LANDSCAPE CONTRACTORS ASSOCIATION MD-DC-VA (LCA), CURRENT EDITION, UNLESS OTHERWISE NOTED ON THESE PLANS.

30. ANY PLANTING WHICH IS SHOWN ADJACENT TO CONDENSER UNITS SHALL BE PLANTED AS REQUIRED TO SCREEN THE UNITS. SHOULD THE CONDENSER UNITS BE INSTALLED IN LOCATIONS DIFFERENT FROM THOSE SHOWN ON THE PLAN IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL THE MATERIALS AROUND THE CONDENSERS AND TO ADJUST OTHER ADJACENT PLANTING ACCORDINGLY.

31. FOR INFORMATION REGARDING APPROPRIATE PLANTING PERIODS FOR DIFFERENT SPECIES, SEE THE LATEST EDITION OF THE LANDSCAPE SPECIFICATION GUIDELINES FROM THE LANDSCAPE CONTRACTORS ASSOCIATION OF MD-DC-VA PART 1-EXTERIOR LANDSCAPE INSTALLATION, SECTION 1.12 (A-G) AT WWW.LCAMDDCVA.ORG.



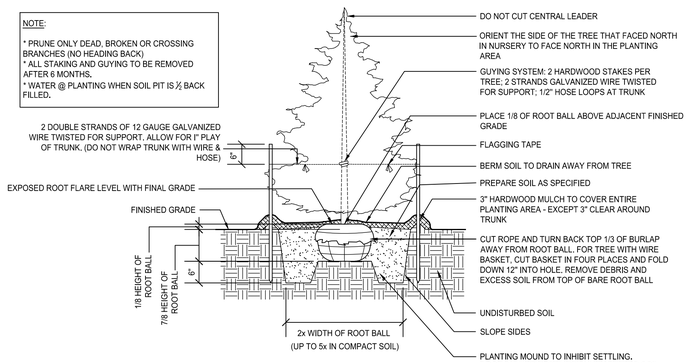
HERBACEOUS PLANTING & TRIANGULAR PLAN SPACING
NOT TO SCALE



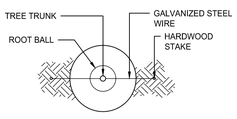
PLAN VIEW
NOT TO SCALE

NOTE:

* PRUNE ONLY DEAD, BROKEN OR CROSSING BRANCHES (NO HEADING BACK)
* ALL STAKING AND GUYING TO BE REMOVED AFTER 6 MONTHS.
* WATER @ PLANTING WHEN SOIL PIT IS ½ BACK FILLED.



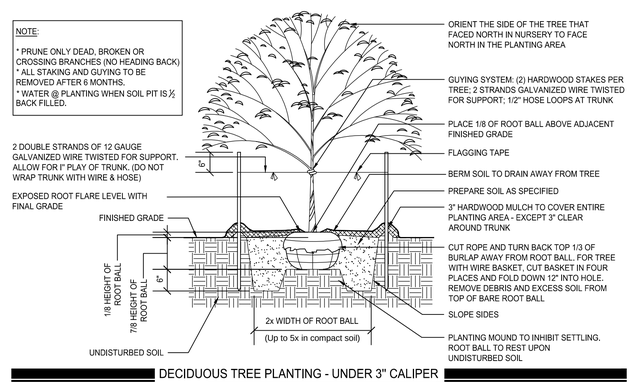
EVERGREEN TREE PLANTING - UNDER 3" CALIPER
NOT TO SCALE



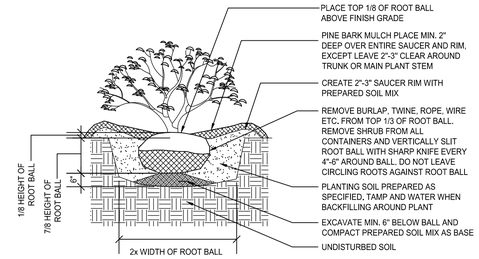
PLAN VIEW
NOT TO SCALE

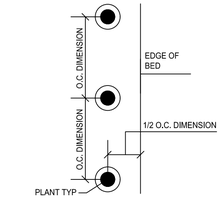
NOTE:

* PRUNE ONLY DEAD, BROKEN OR CROSSING BRANCHES (NO HEADING BACK)
* ALL STAKING AND GUYING TO BE REMOVED AFTER 6 MONTHS.
* WATER @ PLANTING WHEN SOIL PIT IS ½ BACK FILLED.

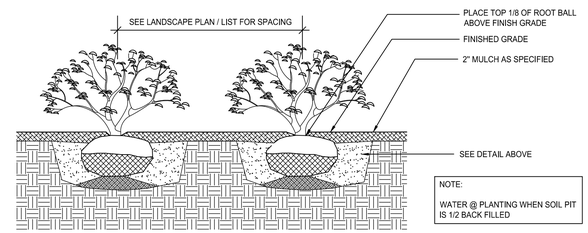


DECIDUOUS TREE PLANTING - UNDER 3" CALIPER
NOT TO SCALE



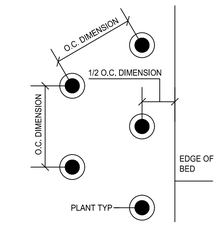


PLAN - LINEAR SPACING
NOT TO SCALE



NOTE:

WATER @ PLANTING WHEN SOIL PIT IS 1/2 BACK FILLED



PLAN -TRIANGULAR SPACING
NOT TO SCALE

SHRUB & MASS SHRUB PLANTING
NOT TO SCALE

SCREENING REQUIREMENTS
2014 MONTGOMERY COUNTY ZONING ORDINANCE
SECTION 6.5.3.C.7.

	REQUIRED/ PERMITTED	PROVIDED
7. General Building with a Conditional Use in the Residential Detached Zone	**Screening A (746' segment) - Option B**	
Minimum Landscape Dimensions (depth)	12'	15'
Canopy Trees	2 per 100' = 14.9 trees	15
Understory or Evergreen Trees	4 per 100' = 30 trees	30 trees
Large Shrubs	8 per 100' = 60 shrubs	60 shrubs
Medium Shrubs	12 per 100' = 89 shrubs	89 shrubs
Small Shrubs	N/A	N/A
Wall, Fence, or Berm (min.)	N/A	N/A
7. General Building with a Conditional Use in the Residential Detached Zone	**Screening B (98' Segment) - Option B**	
Minimum Landscape Dimensions (depth)	12'	12'
Canopy Trees	2 per 100' = 2 trees	3 trees
Understory or Evergreen Trees	4 per 100' = 4 trees	4 trees
Large Shrubs	8 per 100' = 8 shrubs	8 shrubs
Medium Shrubs	12 per 100' = 12 shrubs	12 shrubs
Small Shrubs	N/A	N/A
Wall, Fence, or Berm (min.)	N/A	N/A

MHG

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Land Planners
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Land Surveyors

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Phone: 301.670.0840
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Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Landscape Architect under the Laws of the State of Maryland. Lic. No. 615
Exp. Date. 09.10.2025

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C/O KEVIN HUANG

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SUITE 335
ROCKVILLE, MD 20850

301.987.8776
Kevinhuang@endescoinc.com

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EV562 WSSC 230NW12

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PART OF LOT 1, 2 & 3
BLOCK A
MUSGROVE'S ADDITION TO NEELSVILLE

PROJ. MGR	DBP
DRAWN BY	PHR
SCALE	NTS
DATE	10.20.2023

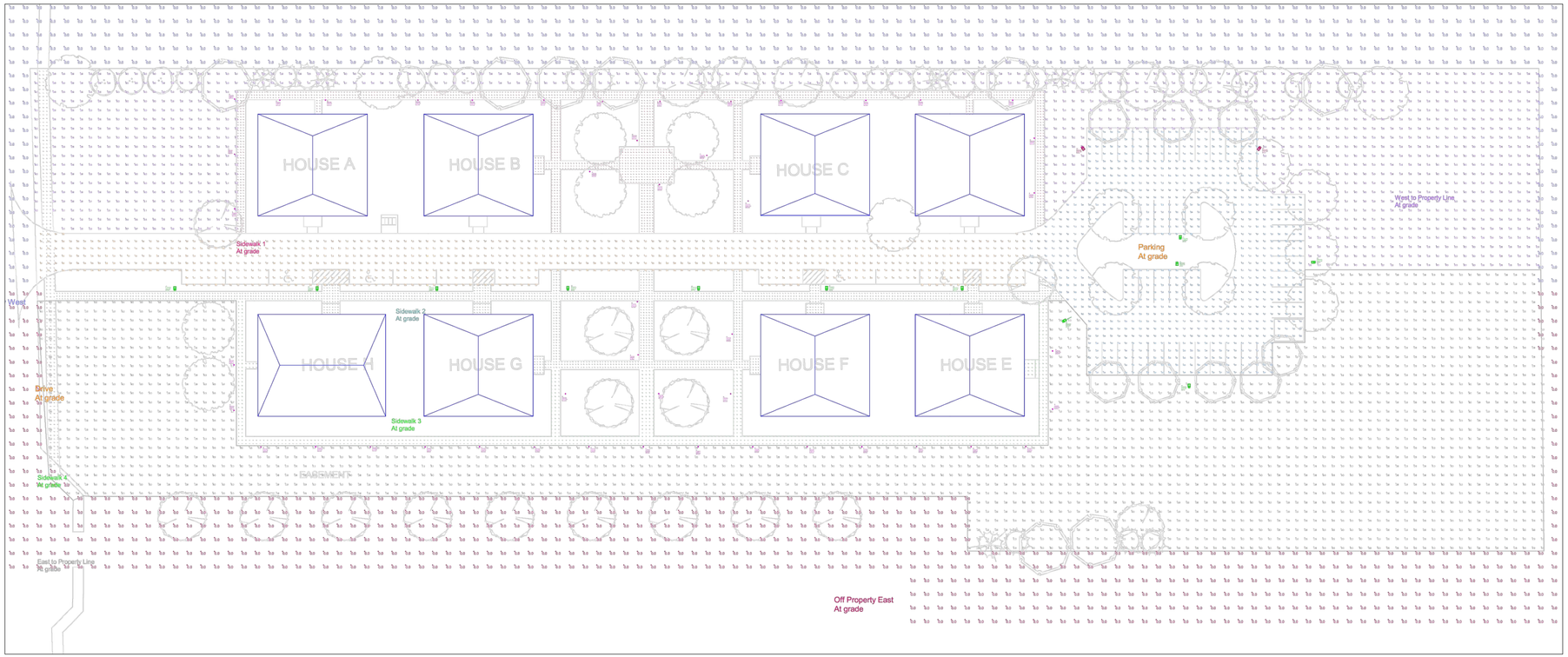
LANDSCAPE DETAILS

L2.02

PROJECT NO. 87.115.41

SHEET NO. 2 OF 6

NOTE: This is to certify that the exterior lighting fixtures shown conform to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type.



PATH LIGHT
NOT TO SCALE — OR APPROVED EQUAL

MANUFACTURER: GARDCO
WEBSITE: LIGHTINGPRODUCTS.SIGNIFY.COM
MODEL NO: PUREFORM LED BOLLARD PBL
MATERIAL/ FINISH: BRONZE FINISH
SHAFT HEIGHT: 42"
QUANTITY: 56

PARKING LOT LIGHT
NOT TO SCALE — OR APPROVED EQUAL

MANUFACTURER: GARDCO
WEBSITE: LIGHTINGPRODUCTS.SIGNIFY.COM
MODEL NO: PUREFORM LED AREA MEDIUM P26
MATERIAL/ FINISH: BRONZE FINISH
POLE HEIGHT: 15'
QUANTITY: 12

General Notes

1. This drawing is not to scale.
2. The standard Light Loss Factor (LLF) is 0.72. This figure is the estimated light output at the end of the normal life of a luminaire. Instances featuring non-standard Light Loss Factors will be noted on the drawing.
3. Vegetation visible on the plan has no 3 dimensional presence in the model. It is placed in the 2D plan to convey design intent.

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Drive	Illuminance	Fc	2.19	5.3	0.1	21.90	53.00
East to Property Line	Illuminance	Fc	0.22	8.5	0.0	N.A.	N.A.
Off Property East	Illuminance	Fc	0.00	0.0	0.0	N.A.	N.A.
Off Property West	Illuminance	Fc	0.00	0.0	0.0	N.A.	N.A.
Parking	Illuminance	Fc	2.32	7.8	0.1	23.20	78.00
Sidewalk 1	Illuminance	Fc	1.68	11.7	0.0	N.A.	N.A.
Sidewalk 2	Illuminance	Fc	1.46	10.8	0.0	N.A.	N.A.
Sidewalk 3	Illuminance	Fc	2.16	10.1	0.1	21.60	101.00
Sidewalk 4	Illuminance	Fc	0.02	0.1	0.0	N.A.	N.A.
West to Property Line	Illuminance	Fc	0.27	9.1	0.0	N.A.	N.A.

Luminaire Schedule

Symbol	Tag	Label	[MANUFAC]	[LUMCAT]	LLF	NOM LUMENS	Description
	A1	(Type A1) Pureform P26 medium area light	SIGNIFY GARDCO	P26-48L-500-NW-G2-3	0.720	9070	Neutral White 70CRI 4000k -48LEDs 3 modules -Type III
	A2	(Type A2) Pureform P26 medium area light-blc	SIGNIFY GARDCO	P26-48L-600-NW-G2-BLC	0.720	8394	Neutral White 70CRI 4000k -48LEDs 3 modules -Type III w/ back light control
	B	(Type B) Pureform LED Bollard	SIGNIFY GARDCO	PBL-14L-200-NW-G2-3-UNV	0.720	965	Neutral White 70CRI 4000k -14LEDs -Type III

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Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Landscape Architect under the Laws of the State of Maryland. License Number 615.

Exp. Date. 09.10.2025

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C/O KEVIN HUANG

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Kevinhuang@endescoinc.com

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EV562 — WSSC 230NW12

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PART OF LOT 1, 2 & 3
BLOCK A
MUSGROVE'S ADDITION
TO NEELSVILLE

PROJ. MGR	DBP
DRAWN BY	PHR
SCALE	NTS
DATE	07.31.2023

LIGHTING PLAN

L3.01

PROJECT NO. 87.115.41

SHEET NO. 3 OF 3

I:\87115\dwg\Bldg Senior Homes 4\Dwg\L8_4_01.dwg, L3.01 Lighting, 10/20/2023 1:11:32 PM, phdrcoey, y, Copyright © 2023 Macris, Hendricks & Glascock, P.A.

Attachment D: Agency Letters

Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 05-Jan-24

TO: Guoxing Kevin Huang
Endesco, Inc

FROM: Marie LaBaw

RE: Ruby Senior Homes
520220060

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **05-Jan-24** .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.

***** Applicant shall submit for FD access amendment if floor plans or any other FD access design elements change *****

***** Fire lane order shall be resubmitted for final processing when addresses are officially assigned *****

MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Date: 01/03/2024

Fire Lane Establishment Order

Pursuant to Section 22-33, Montgomery County Code, 1971, as amended, you are hereby notified that a Fire Lane has been established as described in this order. You are hereby ordered to post fire lane signs and paint curbs/pavement as identified below. When signs or paint work has been completed, this order will authorize the enforcement of this Fire Lane by appropriate police or fire officials. Compliance with this order must be achieved within 30 days of receipt when any of the following conditions are met:

- One or more structures addressed from the subject road are occupied;
- The road or accessway is available for use and at least one building permit for an address on the subject road has been issued; or
- The road or accessway is necessary fire department access.

LOCATION: 12405 W Old Baltimore Rd, Boyds, MD 20841

Delineate all areas where indicated by signs and/or paint.

☒ **SIGNS** -- (See attached diagram for location of sign placement)

(Red letters on white background)

Signs must be posted so that it is not possible to park a vehicle without being in sight of a sign. Signs may be no further apart than 100 feet.

☐ PAINT -- (See attached diagram when painting is required)

Paint must be traffic yellow with lines of Sufficient width to be readily identifiable/ readable by motor vehicle operators.

Signature of Order Writer/I.D. #

Cc: Fire Code Enforcement Section
Attachment: Fire Lane Diagram

FIRE LANE ESTABLISHMENT FORM

BUILDING OR SUBDIVISION NAME: Ruby Senior Homes

FIRE LANE LOCATION/ADDRESS: 12405 W Old Baltimore Rd, Boyds, MD 20841

See attached drawing for designated fire lanes:

I have received the drawing and instructions for installing the designated fire lanes.

NAME AND TITLE OF PROPERTY REPRESENTATIVE

NAME: Becky Jia TITLE: Project Director

SIGNATURE: Becky Jia

PHONE: 202-903-4530 DATE: 1/4/2024

EMAIL ADDRESS (where processed order will be sent):

beckyjia@worldshinegroup.com

The designated fire lanes are the minimum necessary for fire/rescue access and are in accordance with Section 22-33 of the Fire Safety Code.

NAME: _____ SIGNATURE: _____

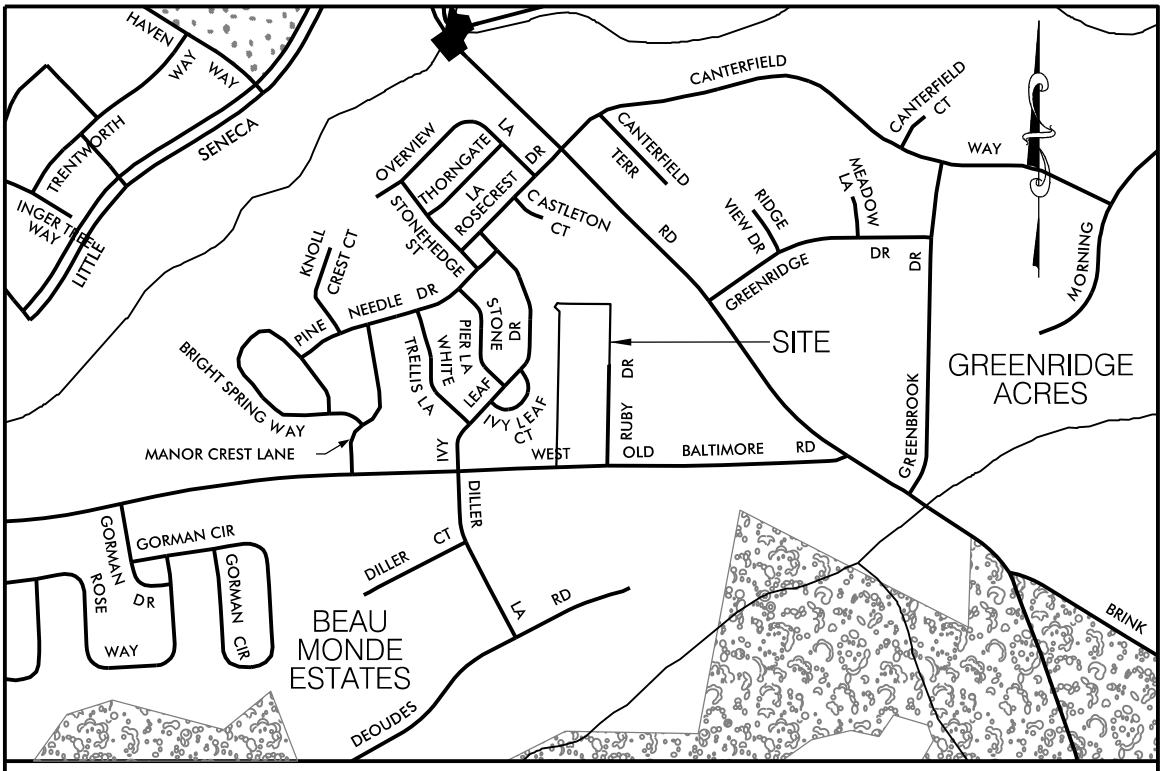
STA.#: _____ I.D.#: _____ DATE: _____

Comments: _____

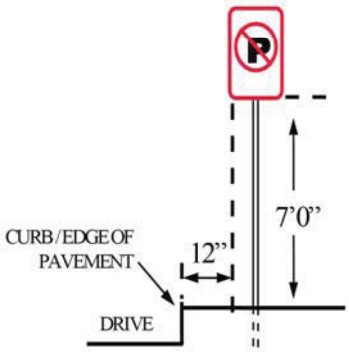
Fire Lane Installed Per Order

NAME: _____ DATE: _____

0092N/23



VICINITY MAP SCALE: 1" = 1,000'



SIGN PLACEMENT DIAGRAM

S1 S2 S3

FIRE LANE SIGNS

GENERAL NOTES:

1. SIGNS TO BE CONSISTENT WITH THE MONTGOMERY COUNTY FIRE AND RESCUE (MCFR) GUIDELINES
2. FIRE LANE SIGNS TO BE 12" WIDE BY 18" HIGH

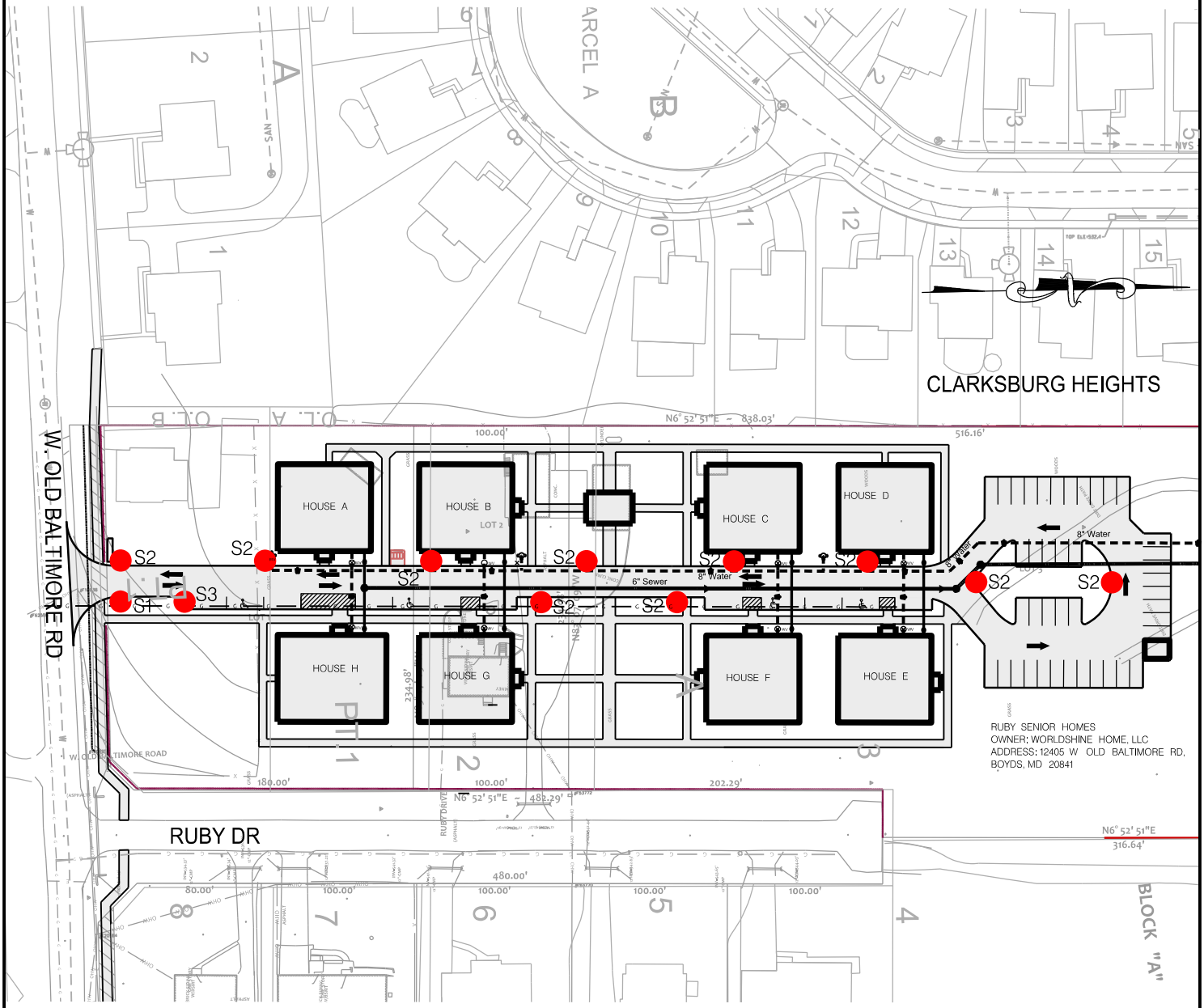
ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS

15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES

MONTGOMERY COUNTY, MARYLAND

TITLE: FIRE LANE ORDER DETAILS	
SCALE: 1" = 1000'	DRAWN: TZ
SHEET: 1 OF 2	DESIGNED: TZ
DATE: JAN 2024	CHECKED: KH



FIRE LANE PLAN
SCALE: 1" = 100'

LEGEND

S1 ● FIRE LANE SIGN (T.Y.P.)

ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS

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ROCKVILLE, MD 20850
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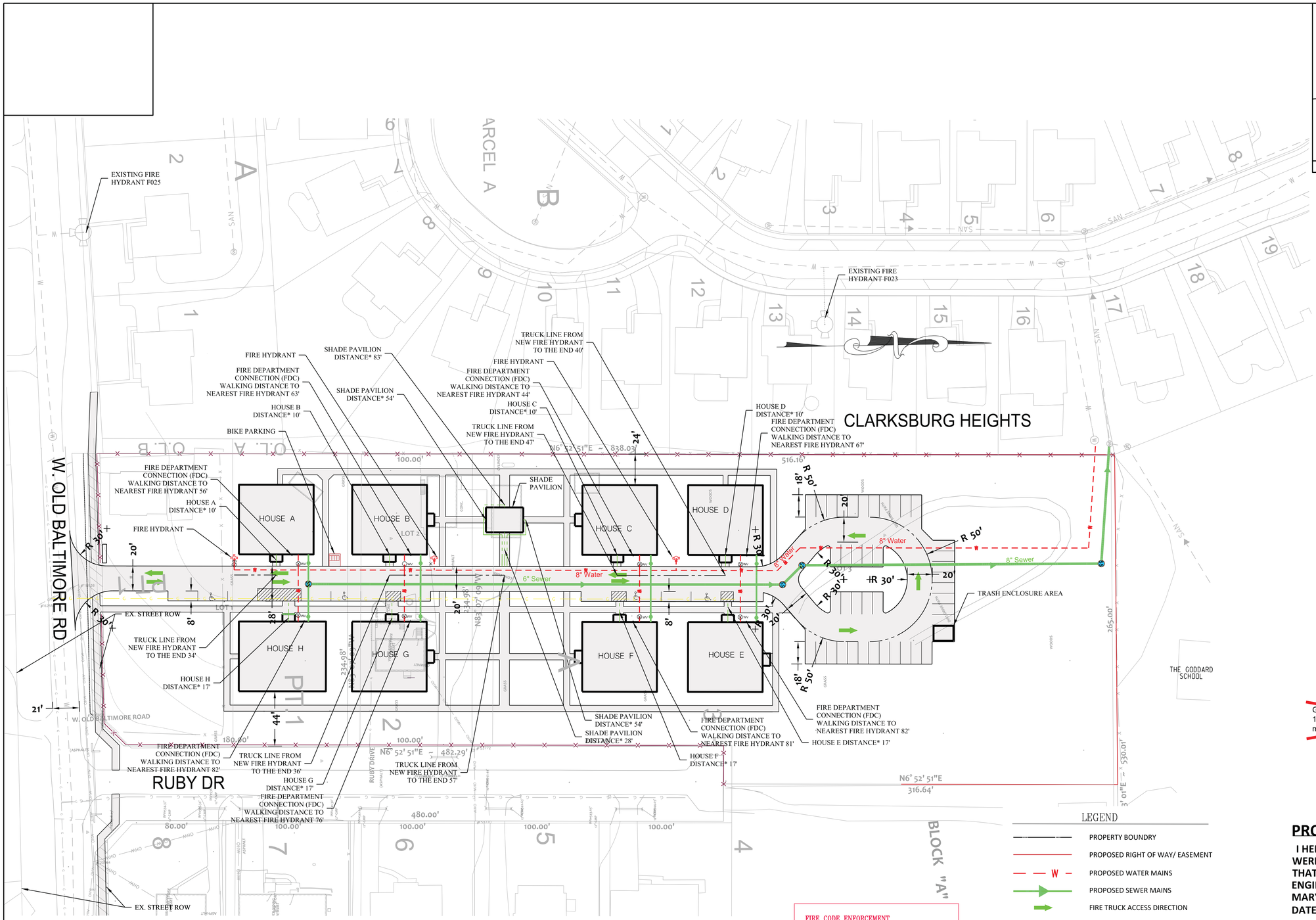
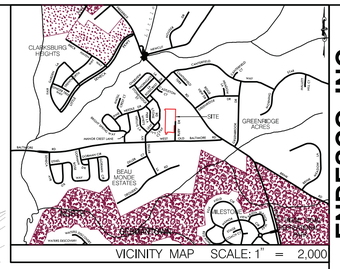
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES

MONTGOMERY COUNTY, MARYLAND

TITLE: FIRE LANE ORDER DETAILS	
SCALE: 1" = 100'	DRAWN: TZ
SHEET: 2 OF 2	DESIGNED: TZ
DATE: JAN 2024	CHECKED: KH





VICINITY MAP SCALE: 1" = 2,000'

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PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

General Notes: SML FM43 1/5/24
1. For units of three (3) stories or more, access must be within fifty (50) feet of access route.

NOTE:
* DISTANCE IS MEASURED FROM EACH BUILDING FRONT DOOR TO EDGE OF PAVEMENT ALONG VEHICULAR ACCESS PATH.

NOTE:
DRIVEWAY PAVEMENT AND SUBGRADE ARE LOAD BEARING AND IMPERVIOUS FOR MCFRS APPARATUS, WHICH ARE NOT LESS THAN 85,000 LBS.

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from ommisions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SMC FM: 43 DATE: 1/5/2024

LEGEND

- PROPERTY BOUNDRY
- PROPOSED RIGHT OF WAY/ EASEMENT
- W — PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- FIRE TRUCK ACCESS DIRECTION

40' 0 40' 80'
SCALE: 1" = 40'

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED NO. 23093, EXPIRATION DATE 05/06/2025

STATE OF MARYLAND — GARY JOSEPH — 23093 — PROFESSIONAL ENGINEER

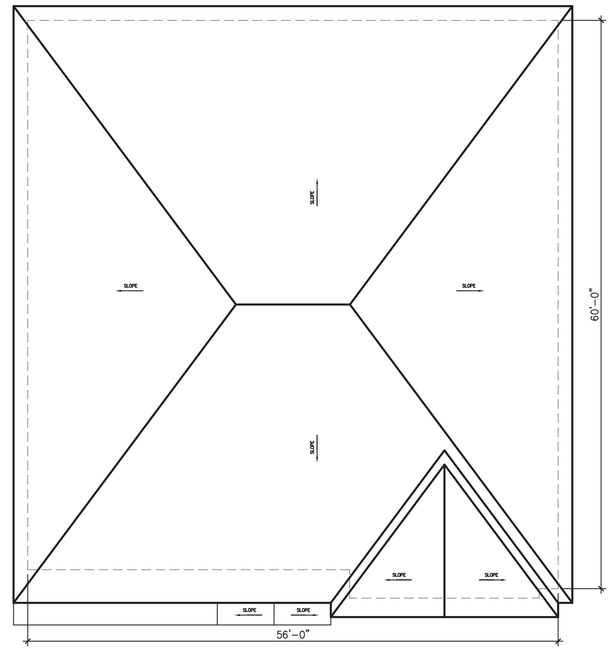
01/05/2024

REVISIONS		
NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

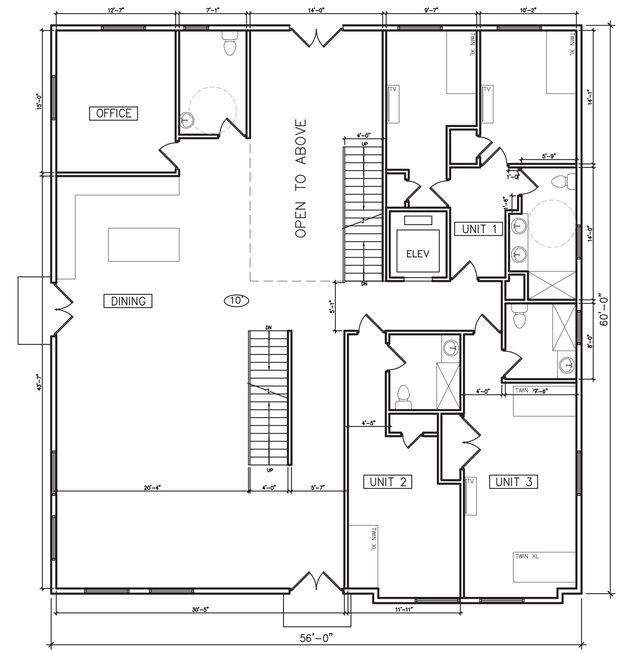
TITLE	FIRE DEPARTMENT ACCESS PLAN
DRAWN:	GJ
DESIGNED:	GJ
CHECKED:	KH
DATE	NOV 2023
SCALE	1"=40'
SHEET	CPP-5

TOTAL 9
UNITS
15 BEDS

FRONT ELEVATION
SCALE: 1/8"=1'-0"

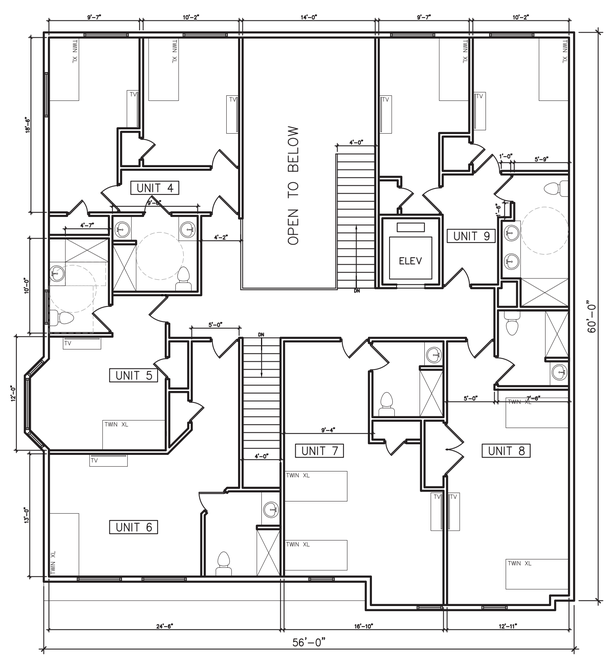


ROOF PLAN
SCALE: 1/8"=1'-0"

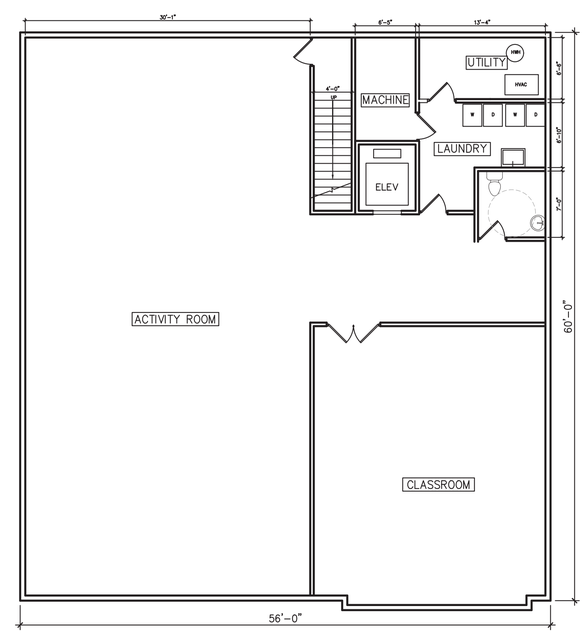


1ST FLOOR PLAN
SCALE: 1/8"=1'-0"

SIDE ELEVATION
SCALE: 1/8"=1'-0"



2ND FLOOR PLAN
SCALE: 1/8"=1'-0"



BASEMENT PLAN
SCALE: 1/8"=1'-0"

0 1' 8' 16'
SCALE: 1/8"=1'-0"

PPI PRIME PLANNING INTL, PLLC
INFO@PRIMEPLANNINGINTL.COM
571.919.0418

TYPICAL COTTAGE
BY SENIOR HOMES
RUBY DRIVE, BOYDS, MD 20841

STATE OF MARYLAND
JUN JENNY KU
No. 15007
ARCHITECT

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 15007, EXPIRATION DATE: JUNE 6, 2024.

REVISIONS

PROJECT No.
DATE: 1.2.2024
SCALE: AS SHOWN

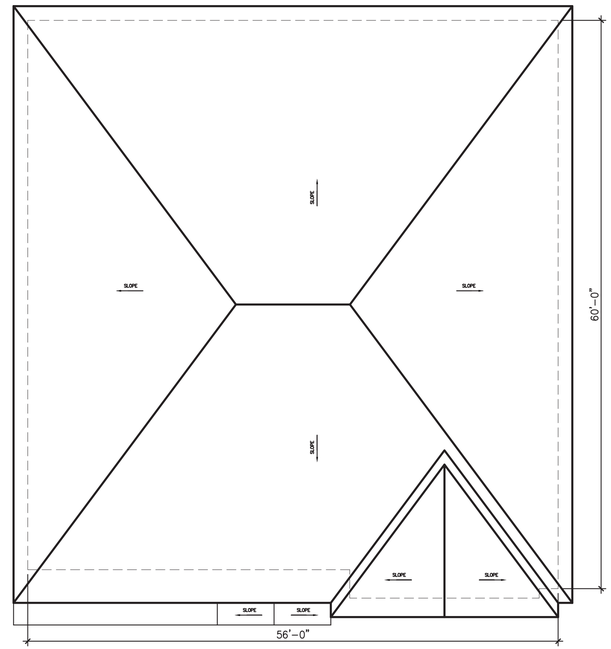
COTTAGE B, C, E, F & G
FLOOR PLANS &
ELEVATION

CCP-18

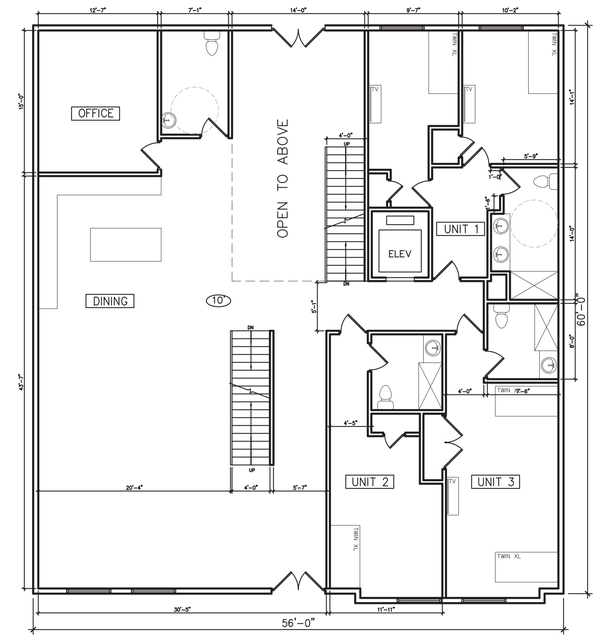
1/8" 22X34

TOTAL 9
UNITS
15 BEDS

FRONT ELEVATION
SCALE: 1/8"=1'-0"

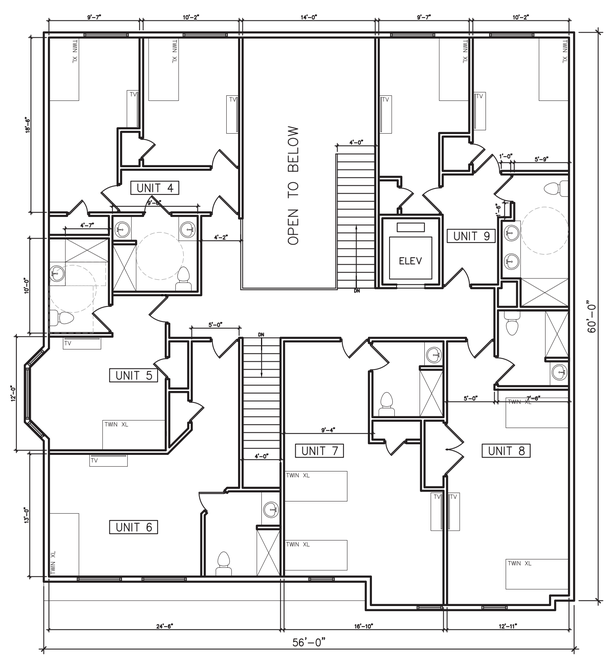


ROOF PLAN
SCALE: 1/8"=1'-0"

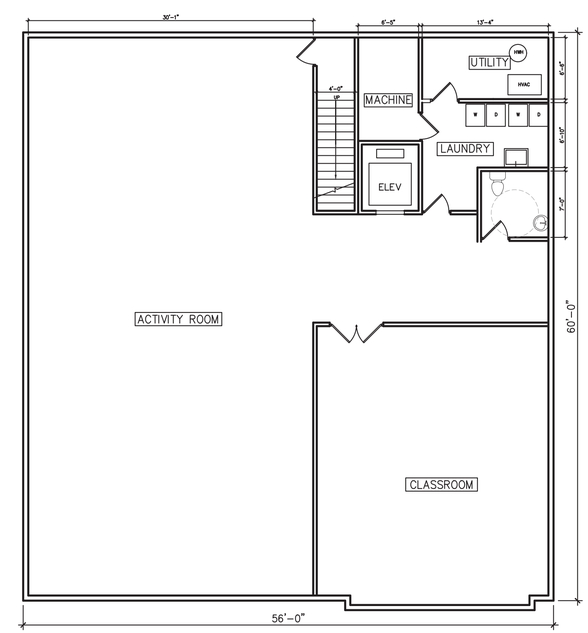


1ST FLOOR PLAN
SCALE: 1/8"=1'-0"

SIDE ELEVATION
SCALE: 1/8"=1'-0"



2ND FLOOR PLAN
SCALE: 1/8"=1'-0"



BASEMENT PLAN
SCALE: 1/8"=1'-0"

0 1' 8' 16'
SCALE: 1/8"=1'-0"

PPI PRIME PLANNING INTL, PLLC
INFO@PRIMEPLANNINGINTL.COM
571.919.0418

TYPICAL COTTAGE
BY SENIOR HOMES
RUBY DRIVE, BOYDS, MD 20841

STATE OF MARYLAND JUN JENNY KU No. 15007 ARCHITECT

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 15007, EXPIRATION DATE: JUNE 6, 2024.

REVISIONS

PROJECT No.
DATE: 12.1.2023
SCALE: AS SHOWN

COTTAGE A & D
FLOOR PLANS &
ELEVATION

CCP-15

1/8" 22X34

DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

January 3, 2024

Mr. Joshua Penn, Planner III
Up-County Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Conditional Use Plan No. CU202311
Ruby Senior Living

Dear Mr. Penn:

We have completed our review of the conditional use plan dated October 2023. An earlier version of the plan was reviewed by the Development Review Committee at its meeting on April 25, 2023. We recommend approval of the plan subject to the following comments:

Significant Comments

1. West Old Baltimore Road is classified as an area connector with a minimum right-of-way (ROW) of 80-feet. At the preliminary plan stage, we recommend that the applicant comply with the following:
    a. Dedicate along the West Old Baltimore Road site frontage to conform with the master plan.
    b. Provide a roadway cross section showing the street trees, buffer, ditch and 6' sidewalk. Final cross section shall be determined at the Preliminary Plan stage.
    c. The applicant will be responsible for providing sidewalk along the entire West Old Baltimore frontage. In addition, the applicant will be required to extend the sidewalk to connect to the existing sidewalk west of the proposed development and east to the existing Tapestry development.

Standard Comments

2. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

At the preliminary plan stage:

3. Pay the Montgomery County Department of Transportation plan review fee in accordance with Montgomery County Council Resolution 16-405 and Executive Regulation 28-06AM ("Schedule of Fees for Transportation-related Reviews of Subdivision Plans and Documents").
4. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
5. The submitted storm drain study is acceptable. If there are any changes at the preliminary plan stage, then the applicant will need to submit storm drainage and/or flood plain studies, with computations for any portion of the subject site that drains to the Montgomery County public storm drain system. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
6. The sight distance study has been accepted. A copy of the accepted Sight Distance Evaluation certification form is enclosed for your information and reference.
7. Design all access points to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
8. Forest Conservation Easements are NOT ALLOWED to overlap any easement.
9. Provide a minimum 6 ft continuous clear pathway (no grates) along all public streets.
10. If the proposed development will alter any existing streetlights, replacement of signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and

Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

11. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
12. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
13. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
14. Permit and bond for required public improvements (to be determined at the preliminary plan stage) will be required prior to approval of the record plat.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact William Whelan, our Development Review Team engineer for this project at william.whelan@montgomerycountymd.gov or (240) 777-7170.

Sincerely,

William Whelan

William Whelan, Engineer III
Development Review
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\ WhelanW\CU202311 Ruby Senior Living - MCDOT Review Letter 010324.docx

cc: Correspondence folder FY 2024

cc-e:	Becky Jia	Worldshine Group
	Kevin Huang	Endesco
	Liz Rogers	Lerch, Early & Brewer
	Steven Robins	Lerch, Early & Brewer
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCDPS FRS

DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

December 27, 2023

Mr. Kevin Huang
Endesco, Inc.
15245 Shady Grove Suite 355
Rockville, MD 20850

Re: **PRELIMINARY WATER QUALITY PLAN** for
Ruby Senior Homes
Preliminary Plan #: CU202311
SM File #: 289123
Tract Size/Zone: 4.09 Acres
Total Concept Area: 4.34 Acres
Lots/Block: Pt Lot 1. Lots 2 and 3
Parcel(s): N/A
Watershed: Little Seneca Creek-Clarksburg SPA

Dear Mr. Huang:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary Water Quality Plan/Inventory for the for the above-mentioned site is **acceptable**. The Preliminary Water Quality Plan proposes to meet required stormwater management goals via Drywells and Microbioretention (ESD).

The following **items** will need to be addressed **prior to** Planning Board approval of the Site Plan:

1. **Prior to Planning Board approval of a Preliminary Plan or a combined Preliminary/Site Plan, this Preliminary Water Quality Plan must be formally revised and an approved Final Water Quality Plan (FWQP) approval letter must be issued by DPS. If the Site Plan will be approved in stages, each Final Water Quality Plan revision submittal must specifically refer to the appropriate phase.**

2. An engineered sediment control plan must be submitted for this development.

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**.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,

Mark Etheridge

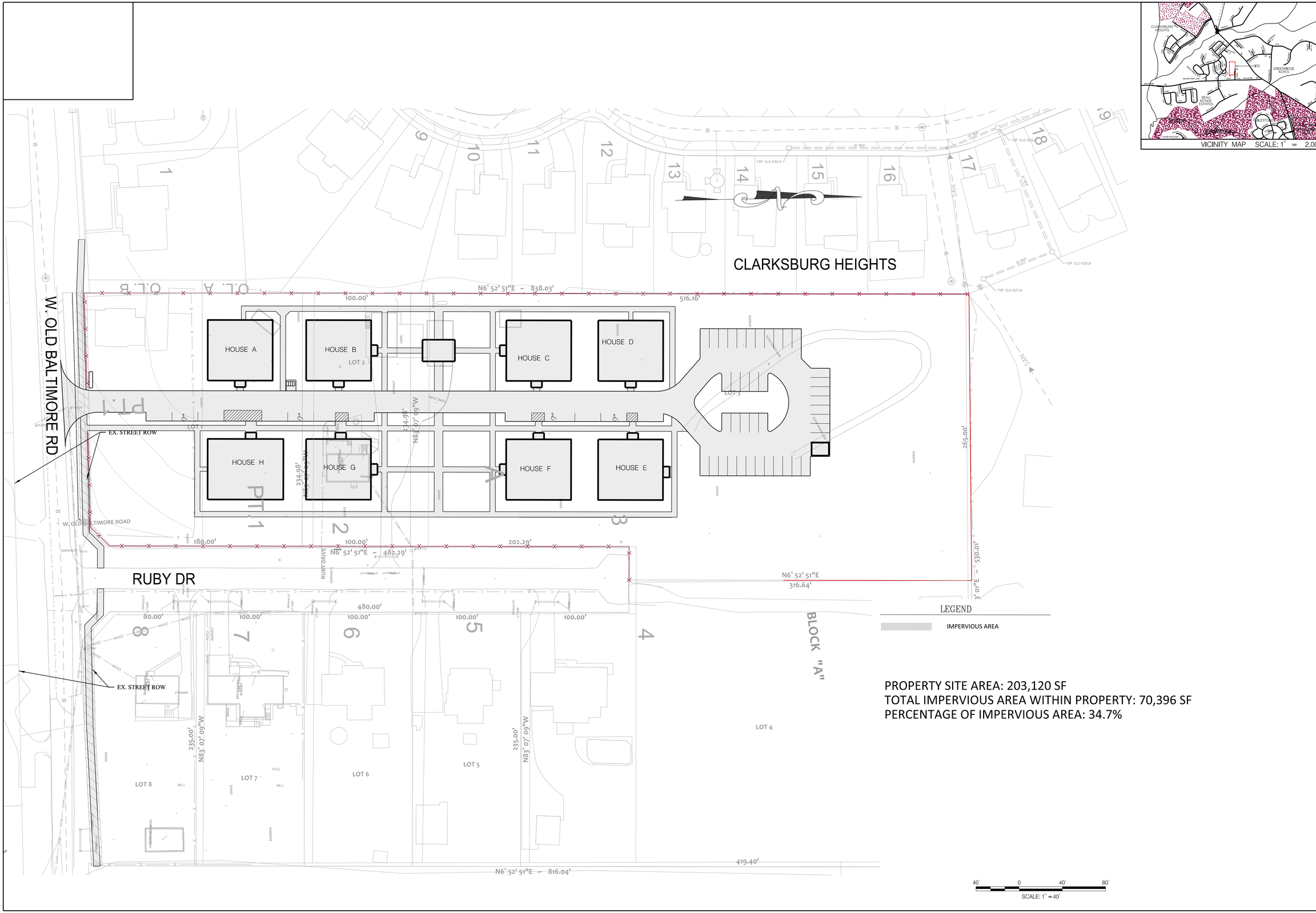
Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: agk

cc: Neil Braunstein - MNCPPC
SM File # 289123

ESD: Required/Provided 9498 cf / 11139 cf
PE: Target/Achieved: 1.8”/2.1”
STRUCTURAL: N/A cf
WAIVED: N/A cf.

Attachment E: Impervious Surface Plan



PROPERTY SITE AREA: 203,120 SF
TOTAL IMPERVIOUS AREA WITHIN PROPERTY: 70,396 SF
PERCENTAGE OF IMPERVIOUS AREA: 34.7%

ENDESCO, INC.
ENGINEERS, DESIGNERS & CONSULTANTS
15245 SHADY GROVE RD
SUITE 335
ROCKVILLE, MD 20850
TEL: (301) 987-8776
FAX:(301) 987-8777

PT LOT 1, LOTS 2 AND 3
RUBY SENIOR HOMES
MONTGOMERY COUNTY, MARYLAND

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		

TITLE: EXHIBIT - IMPERVIOUS AREA

DATE: JAN 2024
SCALE: 1"=40'
SHEET:
DRAWN: GJ
DESIGNED: GJ
CHECKED: KH