



January 25, 2024

Mrs. Lynn Robeson Hannan, Director

Montgomery County Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, MD 20850

Subject: Request for a Conditional Use for Residential Care Facility (Over 16 Persons) located at 12450 West Old Baltimore and 2190 Ruby Drive, Clarksburg

Dear Director Robeson Hannan:

At its regular meeting on January 18, 2024, the Montgomery County Planning Board reviewed Conditional Use Application CU202311, for a Residential Care Facility (Over 16 Persons) on approximately 4.66 acres, located at 12450 West Old Baltimore and 21908 Ruby Drive, Clarksburg, R-200 Zone, in the 1994 *Clarksburg Master Plan*.

The Applicant, Worldshine Homes, LLC., 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. Associated lighting, landscaping, and screening for the use on the approximately 4.66-acre property. The Conditional Use Plan shows the proposed layout of the Site.

In its staff report dated January 5, 2024, technical staff recommended approval of the Conditional Use with conditions. The Planning Board concurred with the findings and recommendations of the staff report with one additional condition to address concerns raised during the hearing:

14. Applicant shall use building materials on the rear of the units on the east side of the property closest to Ruby Drive to be equivalent or better than what is on the existing homes on Ruby Drive.

The Planning Board agreed with staff's conclusion that the use is consistent with the recommendations of the 1994 *Clarksburg Master Plan*. The application satisfies all the applicable requirements and regulations of the approval of a Conditional Use for a Residential Care Facility (Over 16 Persons). The Applicant has also met the burden of proof by showing that operating the use at this location will not be a detriment to the neighborhood and will not adversely affect the public interest.

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On a motion by Commissioner Hedrick, seconded by Commissioner Linden, and Chair Harris voting in favor of the motion, the Planning Board, voted 3 to 0 (with Commissioner Bartley abstaining and Vice Chair Pedeoem absent) to recommend that the Hearing Examiner approve the Conditional Use with the conditions as discussed herein.

The Planning Board appreciates the opportunity to review this project and looks forward to working with your staff on subsequent reviews. If you have any questions, please contact Joshua Penn at 301-495-4546 or joshua.penn@montgomeryplanning.org.

Sincerely,

A handwritten signature in blue ink that reads "Artie L. Harris". The signature is written in a cursive style with a large initial "A".

Artie L. Harris

Chair