



FEB 21 2012

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

MCPB No. 11-113

Site Plan No. 81999024H

Project Name: Shady Grove Adventist Hospital Campus – Aquilino Cancer Center

Hearing Date: November 3, 2011

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Section 59-D-3, the Montgomery County Planning Board (“Planning Board”) is vested with the authority to review amendments to approved site plans; and

WHEREAS, on March 11, 1999, the Planning Board approved Site Plan No. 819990240 for 54,354 square feet of hospital uses; and

WHEREAS, on May 18, 2004, the Planning Board approved Site Plan Amendment No. 81999024A for 200,582 square feet of additional hospital uses; and

WHEREAS, on October 5, 2005, Planning Board staff (“Staff”) administratively approved Site Plan Amendment No. 81999024B for expansion of mechanical equipment areas; and

WHEREAS, on October 26, 2005, Staff administratively approved Site Plan Amendment No. 81999024C correcting the administrative approval of Site Plan Amendment No. 81999024B; and

WHEREAS, on December 1, 2006, the Planning Board approved Site Plan Amendment No. 81999024D for 2,100 square feet of office/storage spaces and a parking structure (resolution number 06-111); and

WHEREAS, on December 12, 2008, Staff administratively approved Site Plan Amendment No. 81999024E for minor site modifications; and

WHEREAS, on June 4, 2009, Staff administratively approved Site Plan Amendment No. 81999024F for the addition of a roof garden and minor site modifications; and

Approved as to
Legal Sufficiency

Christina Sorensen 1/26/12
MNCPPC Legal Department

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WHEREAS, on July 28, 2010, Staff administratively approved Site Plan Amendment No. 81999024G for minor site modifications; and

WHEREAS, on August 24, 2011, Adventist HealthCare, Inc. (“Applicant”), filed a Site Plan Amendment designated Site Plan No. 81999024H, Shady Grove Adventist Hospital Campus – Aquilino Cancer Center (the “Amendment”), located in the western quadrant of the intersection of Medical Center Drive and Medical Center Way in the Greater Seneca Science Corridor Master Plan area (“Property” or “Subject Property”), for approval of the following modifications:

1. Addition of a 51,500 square-foot Cancer Center;
2. Associated site and landscape adjustments necessary to implement the project; and
3. Removal of 111 parking spaces; and

WHEREAS, following review and analysis of the Amendment by Staff and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated October 28, 2011, setting forth its analysis and recommendation for approval of the Amendment (“Staff Report”); and

WHEREAS, on November 10, 2011, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the “Hearing”) where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on November 10, 2011, the Planning Board approved the Amendment subject to conditions on the motion of Commissioner Anderson, seconded by Commissioner Dreyfuss; with a vote of 4-0, Commissioners Anderson, Carrier, Dreyfuss, and Wells-Harley voting in favor, Commissioner Presley being absent.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board hereby APPROVES the Amendment, subject to the following conditions:

1. Preliminary Plan Conformance
The proposed development must comply with the conditions of approval for Preliminary Plan No. 1119882330 as listed in the Planning Board Resolution dated March 22, 1990, unless amended.
2. Site Plan Conformance
The proposed development must comply with all applicable conditions of approval for the following Site Plans, as listed in the respective Resolutions: 819851250, March 26, 1986; 819870610, December 16, 1987; 819990240, March 11, 1999; 820040080, May 17, 1999; 81999024A, May 18, 2004;

82004008A, July 5, 2005; 81999024B, October 5, 2005; 81999024C, October 26, 2005; 81999024D, December 1, 2006; 81999024E, December 12, 2008; 81999024F, June 4, 2009; and 81999024G, July 28, 2010.

3. Development

Additional density is limited to 51,500 square feet of hospital uses and 64 feet in height.

4. Stormwater Management

The proposed development is subject to Special Protection Area approval dated October 7, 2011, unless amended and approved by the Montgomery County Department of Permitting Services.

5. Transportation

- a. The Applicant must amend the existing Traffic Mitigation Agreement (TMAg) with the Montgomery County Department of Transportation and the Planning Board to participate in the Greater Shady Grove Transportation Management District (TMD) prior to release of any building permit in order to establish a 30 percent non-auto driver mode share goal for Cancer Center employees and employees of the Shady Grove Adventist Hospital. The amended TMAg will further state that the Cancer Center and Shady Grove Adventist Hospital are subject to the TMAg dated August 20, 2007 (as amended) and recorded in the land records for Montgomery County at Liber 34831 and Folio 040.
- b. The Applicant must provide four inverted-U bike racks for employees, if possible located within a weather-protected area.

6. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, and trash receptacles must be installed prior to release of any building occupancy permit.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Sediment Control Plan.
- c. Landscaping associated with each parking lot must be completed as construction of the parking lot is completed or within the next growing season.
- d. The development program must provide phasing of landscaping, lighting, site amenities, sidewalks, stormwater management, sediment and erosion control, and other features.

7. Certified Site Plan

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

- a. Include the final forest conservation exemption letter, stormwater management concept approval, development program, inspection schedule, and site plan Resolution on the approval or cover sheet.
- b. Minor modifications and provision of information as required by Staff.
- c. Ensure consistency of all details and layout between site plan and landscape plan.

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

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

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the subject site.

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

The approved use is allowed in the Life Science Center Zone. The Amendment fulfills the purposes of the zone by providing medical uses in a zone that promotes “research, academic, and clinical facilities that advance the life sciences, health care services, and applied technologies”.

Under Section 59-C-5.476(b)(1)(B), this Amendment is subject to the 1986 Shady Grove Life Sciences (“SGLSC”) Development Plan guidelines. The Amendment will provide health facilities and services as allowed by the SGLSC Development Plan in the Health Services Core area and adheres to the Comprehensive Design Plan element of the SGLSC Development Plan regarding landscape design, density and building massing, site development criteria (setbacks, lighting, building design, parking design), and stormwater management.

As the project data table below indicates, the Amendment meets all of the development standards of the zone and the density and height standards of the applicable preliminary plan approval. With respect to building height, setbacks, and density the proposed development is under all the maximum standards allowed. With respect to public use space the proposed development provides more than twice the required amount allowing for a greater amount of permeable surface and landscaped open space in this Special Protection Area.

Data Table for Site Plan Amendment No. 81999024H in the LSC Zone			
Development Standard	Allowed/Required	Previously Approved	Approved by the Planning Board and Binding on the Applicant
Gross Tract (square feet)	n/a	n/a	1,705,963
Max. Density (FAR)	2.0 (LSC Zone) 1.5 (Master Plan) 0.37 (Preliminary Plan)	0.31 (523,480sf)	0.34 (574,980sf)
Max. Height (feet)	200 (LSC Zone) 150 (Master Plan)	64	64
Public Use Space (% of net lot)	20	41	41
Parking (total spaces)	1,170	2,072	1,961

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

The approved building, located near the existing hospital building and parking structure on what is currently a surface parking area, is adequate, safe, and efficient. The approved open space provides permeable area, a sitting area by the drop-off, and landscaping around the subject building. The landscaping provides screening, stormwater management areas, a traditional foundation planting area for the building, and colorful space for ornamental plantings. Interior lighting will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. No recreation facilities are required for this Amendment, but benches and bicycle facilities are provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the approved use and the recommendations of the Master Plan, while providing a safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site with the surrounding area. While, the vehicular circulation design does not propose changes to site access, it efficiently directs traffic through the site with minimal impacts to pedestrian circulation. As designed, some of the paved area will be built with permeable pavement. This balance of design between the site constraints, the recommendations of the Master Plan, and the needs of the use is an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles.

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

The approved hospital use is compatible with the similar existing uses adjacent to it as well as pending development plans. Future growth can be accommodated around the proposed building as envisioned by the GSSC Master Plan and the pending concept plan for the site. The building itself is to scale with the nearby buildings and is located so it will not adversely impact existing or proposed adjacent uses.

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

As part of the requirements of the Special Protection Area (SPA) law, an SPA Water Quality Plan was reviewed in conjunction with the Amendment. Under Montgomery County Code, Section 19-65 (Application, review, and approval procedures), approval responsibilities for water quality plans are divided between the Montgomery County Department of Permitting Services (DPS) and the Planning Board. Pursuant to this division of responsibility, DPS reviewed and conditionally approved the elements of the Final Water Quality Plan under its purview. The Planning Board finds that environmental buffer protection requirements, SPA forest conservation and planting requirements, and site imperviousness limits have been satisfied.

Environmental Buffers

There are no environmental buffers on the site. Therefore the requirement to protect environmental buffers is not applicable to this Amendment.

Forest Conservation

An existing exemption from preparing a Forest Conservation Plan (#41994192E) remains valid for this property. Therefore, the Amendment is in conformance with the requirements of Chapter 22A, Forest Conservation.

Site Imperviousness

The Piney Branch SPA does not include a specific impervious limit on land development projects. In SPAs without a cap on imperviousness, developments are required to demonstrate that imperviousness has been minimized. Under Montgomery County Executive Regulations 29-95, Regulations for Water Quality Review-Special Protection Areas, the Water Quality Plan requires the proposed development to minimize impervious areas and, if applicable, meet any required imperviousness limits. The existing 1.9 acre site contains 58,554 square feet of impervious surfaces, for a total imperviousness of 70.9%. As amended, the site plan includes 55,967 square feet of impervious surfaces, which reduces the total imperviousness to 67.7%. Therefore, the Amendment minimizes new impervious surfaces by proposing infill development that substantially builds on existing surface parking areas.

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.

Site Performance Goals

As part of the Water Quality Plan, the following performance goals were established for the site:

1. Minimize increases in storm flow runoff; and
2. Minimize sediment loading and land disturbances with an emphasis on immediate stabilization.

Stormwater Management Concept

Stormwater management (SWM) will be provided through a combination of on- and off-site measures, including porous pavement, microbiofilters, and a green roof. Stormwater that leaves the site will be captured and treated in the existing Gudelsky Regional SWM pond downstream from the Property. DPS determined that the project provides Environmental Site Design to the Maximum Extent Practicable.

Sediment and Erosion Control

DPS recommends that extra care be taken to protect existing stormwater management structures from sedimentation during the construction phase. Since the Subject Property is already developed, sediment control requirements will be established by DPS during the detailed sediment plan review.

Monitoring of Best Management Practices (BMPs)

Construction and post-construction monitoring must be done in accordance with the BMP monitoring protocols established by DPS and the Montgomery County Department of Environmental Protection (DEP). Pre-construction monitoring is not required because the Subject Property is already developed. Post-

construction monitoring will include monitoring of the green roof and one of the microbiofilters for up to five years after construction has been completed.

6. *The site plan must be consistent with the recommendations of the applicable master or sector plan, including general design principles recommended by the applicable master or sector plan and design guidelines adopted by the Planning Board to implement the applicable master or sector plan. As part of its site plan, the applicant must submit for approval comprehensive design standards that address building types and facades, except when the site plan is proposed for amendment through a limited plan amendment, a consent amendment, or a director level amendment.*

The Amendment is proposed within the LSC Central District of the Great Seneca Science Corridor (“GSSC”) Master Plan. The GSSC Master Plan recommends densities up to 1.5 FAR for this site and maximum building heights ranging from 110 to 150 feet. The Amendment complies with the lower maximum density approved by the preliminary plan and therefore, complies with the GSSC Master Plan with regard to height and density.

The GSSC Master Plan recommendations regarding building and open space massing and form – the anticipated mix of uses, greater densities, taller buildings, a finer-grained road network, construction of a CCT station towards the north end of the site, and implementation of the LSC recreation loop – will be implemented through the pending Preliminary Plan and Concept Plan as staging allows. Therefore, the Planning Board finds that the Amendment conforms with the GSSC Master Plan.

BE IT FURTHER RESOLVED that all site development elements as shown on Shady Grove Adventist Hospital Campus drawings stamped by M-NCPPC on October 18, 2011, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is FEB 21 2012 (which is the date that this Resolution is mailed to all parties of record); and

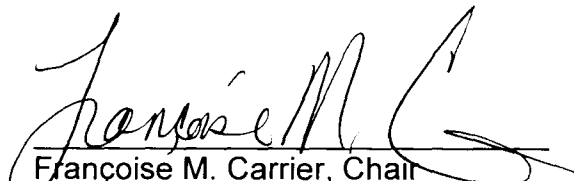
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Anderson, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor of the motion, and with Commissioner Presley abstaining, at its regular meeting held on Thursday, February 2, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board