

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

**July 29, 2024**

MCPB No. 24-071  
Site Plan No. 82008021L  
Adventist HealthCare White Oak Medical Center  
Date of Hearing: July 25, 2024

## **RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on April 24, 2009, the Planning Board, by Resolution MCPB No. 08-159, approved Site Plan No. 820080210 for 803,570 gross square feet of non-residential development for the main hospital building, an ambulatory care building, a faith center, two medical office buildings, and parking facilities on 48.86 acres of I-1 and I-3 zoned-land, rezoned to LSC in 2014, located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive and consisting of previously identified Parcels BB, CC, RR, SS, and MMM, now recorded as Parcel RRRR of the West Farm Technology Park Subdivision, recorded at Plat No. 24195 (“Subject Property”), in the Fairland/White Oak Policy Area and the 2014 *White Oak Science Gateway Master Plan* (“Master Plan”) area; and

WHEREAS, on February 2, 2010, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021A (MCPB No. 10-05), for several architectural and site development modifications resulting in a total of 792,951 square feet of development on the Subject Property; and

WHEREAS, on August 10, 2010, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021B (MCPB No. 10-95), for a modification to Condition No. 1 requiring conformance of the Site Plan to the approved Special Exception on the Subject Property; and

WHEREAS, on April 9, 2012, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021C (MCPB No. 12-42), for several architectural and site development modifications resulting in a total of 803,570 square feet of development on the Subject Property; and

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Approved as to  
Legal Sufficiency:

/s/ Emily Vaias  
M-NCPPC Legal Department

WHEREAS, on January 10, 2013, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021D (MCPB No. 12-142), to include an interim surface parking lot, a pedestrian canopy, and several minor architectural and site development modifications on the Subject Property; and

WHEREAS, on July 22, 2016, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021E (MCPB No. 16-052), for a total of 803,570 square feet of Hospital use including the main Hospital building, an ambulatory care building, two medical office buildings, the Center of Spiritual Life and Healing, two parking garages, a parking lot, a helipad, and associated parking and other improvements on the Subject Property; and

WHEREAS, on November 3, 2017, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021F (MCPB No. 17-093), for the following modifications on the Subject Property:

1. Minor adjustments to loading docks and transformers/switch box locations;
2. Amend multiple conditions of previous approval regarding the U&O trigger for completion of amenities;
3. Increase the fence height on top of the retaining wall from 42" to 60" high;
4. Minor adjustments to the South Garage parking entrances and façade; and
5. Enlarge the helipad by 5' on all sides; and

WHEREAS, on May 3, 2018, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021G (MCPB No. 18-022), for the following modifications on the Subject Property:

1. Modifications to Conditions No. 10 and 30 of the previously approved Site Plan 82008021E, to replace the requirement for a two-way bike lane (LB 6) on the Hospital side of Plum Orchard Drive, with a one-way bike lane on each side of Plum Orchard Drive and associated adjustments to lane widths, buffers and right and left-turn lanes; and
2. Modifications to Condition No. 14 of the previously approved Site Plan 82008021F, to reduce the total number of bus shelters to be provided from four to two; and

WHEREAS, on October 18, 2018, the Planning Director approved an amendment to the previously approved site plan, designated Site Plan No. 82008021H, for the following modifications on the Subject Property:

1. Addition of two floors, Level 6 & 7 on the Main Hospital Building, south tower;
2. Addition of crawl space under north tower;
3. Minor façade, window, canopy, retaining wall modifications;
4. Minor pavement and landscape modifications;
5. Relocation of transformer/switchgear box and landscaping/screening along Plum Orchard Drive;
6. Switchgear box added adjacent to transformer at SE corner of Building A, and the transformer/switchgear box added to the South Garage;

7. Removal of the traffic island, reduced driveway width and revised lighting design along ambulance access drive;
8. Louvers, doors, and roof screen wall added to Central Utility Plant (CUP) elevations;
9. Revisions to utility locations to reflect final construction; and
10. Parking gates added at Phase 1A surface parking lot; and

WHEREAS, on October 18, 2018, the Planning Director approved an amendment to the previously approved site plan, designated Site Plan No. 82008021I, to include required off-site transportation improvements within the limits of disturbance on the Forest Conservation Plan on the Subject Property; and

WHEREAS, on July 18, 2019, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021J (MCPB No. 19-094), for modifications to Condition Nos. 8, 10, 11, 12, 15, and 26 of Site Plan 82008021F to change the timing of various required items such as the wayfinding system, the Traffic Management Plan, roadway improvements on Plum Orchard Drive; and the courtyard between the main hospital and Building “A”; modification to Condition No. 10 of Site Plan No. 82008021G to remove the specific dimension of the bikeway buffer and add final approval of exact roadway lane dimensions by Montgomery County Department of Transportation (MCDOT); and modifications to the site plan drawings of Site Plan No. 82008021G as listed below:

1. Add the approved Grade Establishment Plan for Street B-5;
2. Indicate the location of two of the four bus shelters along Plum Orchard Drive;
3. Change Street B-5 street name from “Kress Drive” to “Healing Way”;
4. Change timing to Conditions of Approval;
5. Change Building “A” to “Ancillary Hospital Facility/ Medical Pavilion”;
6. Provide sidewalk connection from the public (B-5) right-of-way to the parking garage;
7. Changes to dimensions of travel lanes and bikeway buffers along Plum Orchard Drive;
8. Confirmation of Condition No. 15 of Site Plan No. 82008021E which required the Applicant to install wayfinding signs directing Hospital traffic to the Hospital via Cherry Hill Road and Plum Orchard Drive to be reviewed and approved by M-NCPPC and Montgomery County Staff;
9. Confirmation of Condition No. 24 of Site Plan No. 82008021E which required the Applicant to provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations;
10. Add a timber retaining wall along Street B-5 (Healing Way), outside of the right-of-way; and
11. Modify the Site Plan Data Table to revise the overall Gross Floor Area (GFA) to exclude mechanical equipment, which was previously included, and to revise the total parking spaces in the South Garage to 1,024 spaces from 1,028 spaces as a result of a field change during construction; and

WHEREAS, on October 6, 2020, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82008021K (MCPB No. 20-099), to

make modifications to permit the hospital to increase the height of the main hospital building from seven stories to eight stories and to ensure Private Street B-5 (Healing Way) is adequately maintained as a private road on the Subject Property; and

WHEREAS, on November 27, 2023, Adventist HealthCare Inc. (“Applicant”) filed an application for approval of an amendment to transfer 61,750 square feet of permitted density from Medical Office Building 2 (“MOB 2”) to Medical Office Building 3 (“MOB 3”), extend the APF validity for 12 years, and adjust parking on the Subject Property, in conjunction with Forest Conservation Plan No. F20240160 and Subdivision Regulation Waiver No. SRW202401; and

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 82008021L, Adventist HealthCare White Oak Medical Center, (“Site Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 12, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 25, 2024, the Planning Board held a public hearing on the Application and voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82008021L to transfer 61,750 square feet of permitted density from Medical Office Building 2 (“MOB 2”) to Medical Office Building 3 (“MOB 3”), extend the APF validity for 12 years, and adjust parking on the Subject Property by replacing in their entirety Conditions No. 4 and 18 of prior Site Plan No. 82008021F and adding Conditions Nos. 34 through 40, as follows:<sup>1</sup>

### **Replaced Conditions**

#### **4. Stormwater Management**

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management (SWM) concept letter dated August 9, 2017, and updated on January 22, 2024, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other

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<sup>1</sup> For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the SWM easements and facilities.

18. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letters dated September 1, 2017, and updated on June 15, 2024, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations set forth in the letters, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

**New Conditions**

**TRANSPORTATION & CIRCULATION/ADEQUATE PUBLIC FACILITIES (APF)**

34. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated December 1, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

35. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 11 long-term and two (2) short-term bicycle parking spaces located within 90 feet of the main entrance to MOB 3.
- b) The long-term spaces must be in a secured, well-lit bicycle room on the ground floor of MOB 3, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one (1) bicycle repair station.

36. APF Validity

In conjunction with SRW202401, the APF will remain valid until July 25, 2035 subject to the following development schedule per Section 50.4.3.J.5.d.: i) a building permit must be issued for at least 61,750 square feet of density by July 25, 2029; and ii) a building permit for the remaining 148,103 square feet of approved density must be issued by July 25, 2035.

## **SITE PLAN**

### **37. Site Plan Surety and Maintenance Agreement**

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, for the development proposed by this Application, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements only for facilities located on the Property (not in the public right-of-way), including, but not limited to plant material, on-site lighting, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

### **38. Development Program**

The Applicant must construct the remaining available density in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

### **39. MOB 2**

Construction of the potential future MOB 2 will require a Site Plan Amendment for a transfer of density within the site or a Preliminary Plan Amendment to obtain additional density.

### **40. Certified Site Plan for Amendment No. 82008021L**

Before 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 stormwater management concept approval letter, DPS-ROW letter, development program, and Site Plan resolution on the approval or cover sheet(s).

- b) Add the following notes:
- i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
  - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
  - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- c) Include approved Fire and Rescue Access Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) The Applicant must show the private road area for Street B-5/Healing Way and include reference to the Declaration of Restrictive Covenants recorded at Book 68161 and Page 238.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged, and in full force and effect.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of 82008021L, Adventist HealthCare White Oak Medical Center, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or provided in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect.

**1. The development satisfies any previous approval that applies to the site.**

The conditions from Site Plan Amendment 82008021K still apply and are satisfied, except where modified by the Subject Application. The development satisfies Preliminary Plan Nos. 119820680, 119910380, and 119910390, as amended and/or as modified by this Application.

**2. The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.**

**a. Development Standards**

The Subject Property includes approximately 48.86 acres zoned LSC 1.0, H-200. The Application satisfies the applicable development standards as shown in the following data table:

*Data Table for LSC Zone, Standard Method, Section 59.4.6.3.D.*

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Prior Approved Site Plan 82008021K</b>	<b>Approved Site Plan 82008021L</b>
<b>Tract Area</b>	n/a	2,195,075 sf (50.39 ac.)	No change
<b>Prior Dedication</b>	n/a	66,614 sf (1.53 ac.)	No change
<b>Proposed Dedication (Street B-5)</b>	n/a	61,690 sf. (1.42 ac.)	No change
<b>Site Area</b>	n/a	2,066,771 sf (47.44 ac.)	No change
<b>Open Space</b>	10% min (4.9 ac.)	20.07 ac. (41%)	20.09 ac. (41.12%)
<b>Lot and Density</b>			
<b>Density (max), FAR</b>	0.5 (maximum permitted FAR is limited to 0.4 by Planning Board Resolution MCPB No. 08-19)	0.37	No change
<b>Main Hospital Building (sf)</b>	n/a	424,023 sf	No change
<b>Future Hospital (sf)</b>	n/a	39,210 sf	No change
<b>Center for Spiritual Life and Healing (sf)</b>	n/a	18,000 sf	No change



<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Prior Approved Site Plan 82008021K</b>	<b>Approved Site Plan 82008021L</b>
<b>Ambulatory Care &amp; Building A – Hospital Related (sf)</b>	n/a	95,029 sf	No change
<b>Ambulatory Care &amp; Building A – Medical Office (sf)</b>	n/a	74,665 sf	No change
<b>Medical Office Building 1 (sf)</b>	n/a	81,799 sf	No change
<b>Medical Office Building 2 (sf)</b>	n/a	70,844 sf	9,094 sf <sup>2</sup>
<b>Medical Office Building 3 (sf)</b>	n/a	n/a	61,750 sf
<b>TOTAL GROSS FLOOR AREA OF HOSPITAL (sf)</b>		803,570 sf	No change
<b>Placement</b>			
<b>Principle Building Setbacks (min.)</b>			
<b>Front setback (from Street B- 5)</b>	0 ft	122 ft	No change
<b>Front setback (from Plum Orchard Drive)</b>	0 ft	184 ft	21 ft
<b>Side street setback</b>	0 ft	487 ft	No change
<b>Side setback</b>	0 ft	542 ft	No change
<b>Rear setback</b>	0 ft	25 ft-4 in	No change
<b>Accessory Structure Setbacks (min.)</b>			
<b>Front setback, behind front building line</b>	0 ft	N/A	No change
<b>Side street setback</b>	N/A	N/A	No change
<b>Side setback (South Parking Garage)</b>	0 ft	21 ft-10 in	No change
<b>Rear setback (North Parking Garage)</b>	0 ft	193 ft	No change

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<sup>2</sup> Future MOB 2 will require a Site Plan Amendment for a transfer of density within the site or a Preliminary Plan Amendment to obtain additional density.

Development Standard	Permitted/ Required	Prior Approved Site Plan 82008021K	Approved Site Plan 82008021L
<b>Height (max)</b>			
<b>Principal building</b>	200 ft	175 ft	No change
<b>Accessory structure</b>	200 ft	66 ft	No change

b. General Requirements (Division 59-6)

i. *Site Access*

Vehicular access to the Site will be provided via a single access point off Plum Orchard Drive along the eastern boundary of the Property. Pedestrians and bicyclists will also access the Site primarily from Plum Orchard Drive via the existing sidewalk and separated bike lanes along the roadway. Sidewalks along the driveway entrance will provide access to an internal sidewalk network providing access to the entrance of Medical Office Building 3 (MOB 3) and Medical Office Building 2 (MOB 2) when that building is constructed.

An off-street sidewalk connection is also provided to the hospital facilities located to the south. In the interim condition, this sidewalk will connect to sidewalk located at the center of the temporary surface lot. At full build out, this sidewalk connection will provide access to MOB 2 and the future parking garage.

ii. *Parking, Queuing, and Loading*

A total of 163 parking spaces are provided, spread across two surface parking lots. The first surface parking lot is located north of MOB 3 and includes 76 parking spaces. A second surface parking lot is located west of MOB 3 and includes 87 parking spaces. The total of 163 parking stalls is below the parking maximum of 248 stalls and above the minimum of 62 spaces.

An interim surface parking lot that serves the existing hospital building to the south is located at the south end of the Site and includes 139 parking spaces. With this additional parking lot, the total parking for the hospital building to the south increases from 914 parking spaces to 1,053 spaces. This is still fewer than the maximum allowed of 2,881 parking spaces.

It is anticipated that the southern interim surface parking lot will be removed with future development to accommodate MOB 2.

A total of 11 long-term bicycle parking spaces are provided in the bicycle room located on the first floor of the building which is located on the north side of the building. A total of two short-term bicycle parking spaces are also provided and are located just north of the main entrance located on the west side of the building.

iii. *Open space*

The Amendment provides open space in excess of the 10 percent requirement (4.9 acres), by providing 41.12 percent (over 20 acres).

3. ***The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.***

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A revised Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on January 22, 2024. The plan will meet stormwater management requirements through the use of an engineered sediment control plan, MDE approved filtration media, and easements.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further detailed through Forest Conservation Plan No. F20240160, approved by separate resolution concurrently with this Application.

4. ***The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.***

The Project will provide safe, efficient, and integrated surface parking to serve future medical campus patients, staff, and visitors. The scale of the new MOB 3 is consistent with the rest of the planned Medical Office Buildings. The internal private road network provides a logical, cohesive circulation system for pedestrians and vehicles. Open space and site amenities are well located and knitted throughout the fabric of the neighborhood.

5. ***The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.***

The Hospital is located within the Life Sciences/FDA Village area of the 2014 White Oak Science Gateway Master Plan. The Master Plan recommends the following for the Hospital site (pp. 46-49):

Rezone the five parcels owned by AHC and proposed for Washington Adventist Hospital from I-1 to I-3 to the Life Sciences Center Zone, to promote research, academic and clinical facilities that advance the life sciences, health care services and applied technologies. The LSC Zone allows hospitals by right and has been successfully used by Shady Grove Adventist Hospital in the Great Seneca Science Corridor Master Plan area.

The changes and addition of MOB 3 are consistent with these Master Plan recommendations for the Property.

6. ***The development 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 development is equal to or less than what was approved, a new adequate public facilities test is not required.***

The Planning Board has concurrently with this Site Plan, approved Subdivision Regulation Waiver Request No. SRW202401 (allowing the filing of this request to extend the APF validity period), and now approves a 12-year extension of the APF validity period, until July 25, 2035. The prior APF was approved based on the full build out of the Property with 803,570 square feet of non-residential development, and this square footage is not changing, thus the impact remains the same and a new APF test is not required. The criteria for approving the extension of the APF validity are set forth in Chapter 50 of the County Code, Section 50.4.3.J.7.a. as follows:

- a. ***Application. Only the Board may extend the validity period for a determination of adequate public facilities; however, a request to amend any validity period phasing schedule may be approved by the Director if the length of the total validity period is not extended.***
  - i. ***The applicant must file an application for extension of an adequate public facilities determination or amendment of a phasing schedule before the applicable validity period or validity period phase expires.***

The Planning Board concurrently approved Subdivision Regulation Waiver Request No. SRW202401 to waive this sub-finding due to the unusual and difficult circumstances brought on during the COVID-19 pandemic that required all the Hospital's time and resources.

***ii. The applicant must submit a new development schedule or phasing plan for completion of the project for approval.***

The new development schedule shows that i) a building permit must be issued for at least 61,750 square feet of density by July 25, 2029; and ii) a building permit for the remaining 148,103 square feet of approved density must be issued by July 25, 2035.

***iii. For each extension of an adequate public facilities determination:***

***(a) the applicant must not propose any additional development above the amount approved in the original determination;***

The Applicant is not proposing any additional development above the amount proposed in the original determination, which was for 803,570 square feet. The request for extension is for 209,853 square feet, the Project's remaining unbuilt approved capacity.

***(b) the Board must not require any additional public improvements or other conditions beyond those required for the original preliminary plan;***

All public improvements from the original Preliminary Plans have been satisfied, as detailed in the findings below related to Section 50.4.3.J.7.e.

***(c) the Board may require the applicant to submit a traffic study to demonstrate how the extension would not be adverse to the public interest;***

The Applicant submitted a traffic analysis as part of the accompanying Subdivision Regulation Waiver Request application. According to the Applicant's traffic capacity analysis, the amount of traffic currently generated is below the vehicle trip caps associated with the governing Preliminary Plans for the Property. The vehicle trip caps were identified as 1,212 for morning peak hour and 1,080 for the evening peak hour. The transportation impact analysis determined the amount of traffic currently being generated by existing Hospital improvements (593,717 square feet, or 74% of the total approved) at key intersections and compared that to the caps. The actual number of trips currently being generated at those key intersections is 514 morning peak hour trips and 381 evening peak hour trips. Therefore, only 42 percent of the approved cap is being used thus far, and another almost 300,000 square feet of additional density could be added to these key area intersections after the Hospital uses all its approved capacity without negative effects on traffic levels of service.

Accordingly, the Applicant’s request for extension of 209,853 square feet (its remaining unbuilt approved capacity) is well below the current roadway capacity of the key intersections.

*Table 4 – Traffic Capacity Analysis*

	<b>Vehicle Trip Caps (Estimated / Approved as Part of Prior APF approval)</b>	<b>Vehicle Trips Generated (Actual / with 74% of Total Approved Development Completed)</b>
<b>Morning Peak Hour</b>	1,212	514
<b>Evening Peak Hour</b>	1,080	381

Although the Subject Property is located within the 2014 *White Oak Science Gateway Master Plan* area and a new APF finding would require a Local Area Transportation Improvement Payment (LATIP), the Planning Board granted the APF extension without a LATIP payment based on the fact that the Applicant has satisfied the previously required transportation mitigation requirements and is not exceeding the previously approved density. Further, the larger Adventist HealthCare White Oak Medical Center development site, which includes the Subject Property, pre-dates the LATIP and has already provided transportation improvements to support the previously approved development of which the subject development is a part.

The Subject Property is not required to obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT). The Property is already governed by the Traffic Mitigation Agreement (TMAG) and Traffic Mitigation Plan for the Adventist Healthcare Medical Center dated October 1, 2019. This TMAG covers the entire 48.86 acres and a total square footage of 803,570. Given these facts, the APF extension would not be adverse to the public interest.

*(d) an application may be made to extend an adequate public facilities period for a lot within a subdivision covered by a previous adequate public facilities determination if the applicant provides sufficient evidence for the Board to determine the amount of previously approved development attributed to the lot; and*

The Board finds that the Applicant has presented sufficient evidence to determine that the Subject property was approved for 803,570 square feet of development.

***(e) if the remaining unbuilt units would generate more than 10 students at any school serving the development, the Board must make a new adequate public facilities determination for school adequacy for the remaining unbuilt units under the school test in effect at the time of Board review.***

Given its hospital use, no new residential units will be generated by this development.

In addition to meeting the general requirements to apply for an APF extension (per Section 50.4.3.J.7.a.) as set forth above, the Planning Board also finds that the application satisfies the eligibility requirements to request a 12-year APF extension. Pursuant to Chapter 50 of the County Code, Section 50.4.3.J.7.e. states the following for applications with significant infrastructure investment:

***e. Applications with significant infrastructure investment. The Board may extend an initial determination of adequate public facilities once for up to 12 more years beyond the otherwise applicable validity period if the Board finds that:***

***i. the preliminary plan or APF approval for the development required a significant commitment of funds by the applicant, amounting to at least \$3 million, as adjusted annually from February 2017 by the consumer price index, to comply with specified infrastructure conditions;***

The project has completed extensive infrastructure improvements. Specifically, Site Plan Nos. 82008021E and 82008021G required the following infrastructure improvements:

- Construct Private Road B-5 (Healing Way).
- Construct Street B-5 shared use path.
- Cherry Hill Road & Plum Orchard Drive/Clover Patch Center Intersection.
  - Construct a separate right turn lane from southbound Cherry Hill Road to westbound Plum Orchard Drive.
  - Restripe the existing pavement to reconfigure the through lane to a right-turn/through lane from eastbound Plum Orchard Drive to southbound Cherry Hill Road/eastbound Clover Patch Drive.
  - Upgrade the existing traffic signal system as required by MCDOT.
- Provide a new traffic signal at Plum Orchard Drive and Broadbirch Drive Intersection.

- Construct multi-bus pull off facility with two bus shelters on Plum Orchard Drive.

These improvements have been implemented in excess of \$3.5 million as of 2019. The improvements provide significant benefits to the transportation infrastructure and network in the White Oak area, and particularly in the West Farm Technology Park.

***ii. the applicant has met or exceeded the required infrastructure conditions during the original validity period; and***

The Applicant has demonstrated that the extensive infrastructure conditions were met within the original validity period. The infrastructure investments were completed in 2019.

***iii. the applicant's satisfaction of the required infrastructure conditions provides a significant and necessary public benefit to the County by implementing infrastructure goals of an applicable master plan.***

The extensive infrastructure improvements implemented by the Applicant provide a significant and necessary public benefit to the County, particularly the historically underserved East County area. Page 53 of the 2014 *White Oak Science Gateway Master Plan* states:

The transportation network serving this area will require high quality transit improvements as well as additional road infrastructure to support the potential development envisioned by this Plan.

The Applicant has constructed high-quality bicycle and pedestrian facilities as well as a new private road, thereby contributing to the transportation goals of the Master Plan.

Based on the preceding analysis, the Planning Board determined that Adequate Public Facilities exist to support the extension of the APF validity through July 25, 2035.

***7. The development is compatible with existing and approved or pending adjacent development.***

The addition of a new medical office building with a surgical center and medical office space is consistent with the surrounding medical campus and hospital.

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



BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

**July 29, 2024**

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution approved and adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of **4-0**; Chair Harris, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, Vice Chair Pedoeem necessarily absent, at its regular meeting held on Thursday, July 25, 2024, in Wheaton, Maryland and via video conference.



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Artie L. Harris, Chair  
Montgomery County Planning Board