

MCPB
Item No.
Date: 10/14/21

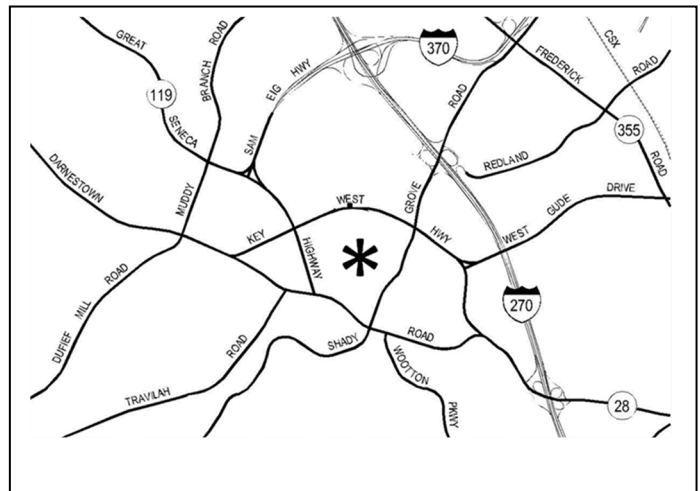
**Adventist HealthCare Shady Grove Medical Center, Preliminary Plan Amendment No. 12011016A,
Site Plan Amendment and Final Water Quality Plan 81999024I**

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Completed: 10/4/21

Description

- Preliminary Plan Amendment: Request to change timing triggers for certain infrastructure improvements
- Site Plan Amendment/Final Water Quality Plan: Request to develop an additional 150,622 square feet of hospital uses
- Location: Northwest corner of Medical Center Drive and Medical Center Way intersection
- Property Size: 39.16 acres
- Zone: LSC-1.5 H-150; reviewed under the Zoning Code in effect on October 29, 2014
- Master Plan: *Great Seneca Science Corridor*
- Applicant: Adventist HealthCare at Shady Grove Medical Center
- Acceptance date: June 1, 2021
- Review Basis: Chapters 50 and 59



Summary

- Staff recommends **Approval** of the Preliminary and Site Plan Amendments and Final Water Quality Plan with conditions.
- Pursuant to Section 59-7.7.B, Applications were reviewed under the LSC Zone in the Zoning Ordinance in effect on October 29, 2014.
- As conditioned, the Applicant will construct a portion of the LSC Loop Trail along the Property's Medical Center Drive frontage.
- As of the date of the Staff Report, Staff has not received any correspondence about the Applications.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Preliminary Plan Recommendation and Conditions

Staff recommends approval of the Preliminary Plan Amendment to modify timing triggers associated with dedication and infrastructure improvements. All conditions of approval for Preliminary Plan No. 120110160 as listed in MCPB No. 14-12, mailed on March 27, 2014, remain in full force and effect except for the modified and additional conditions below.

Modified Conditions:

2. Prior to record plat for Parcels 7 and 8, the Applicant must dedicate the Master Plan recommended 150-foot right-of-way for Broschart Road (150 feet from the opposite right-of-way line along the Subject Property frontage). The Applicant must reflect the dedication on the record plat.
3. Prior to record plat for Parcels 7 and 8, the Applicant must dedicate the Master Plan recommended 100-foot right-of-way for Blackwell Road (100 feet from the opposite right-of-way line along the Subject Property frontage). The Applicant must reflect the dedication on the record plat.
9. The Applicant must ensure that any subsequent site plans affecting Parcels 7 or 8 for the Subject Property reflect the latest Maryland Transit Administration ("MTA") alignment and design of the CCT (Corridor Cities Transitway) along the east side of Broschart Road and the CCT station on the Applicant's side of Broschart Road near the intersection of Blackwell Road.
10. The Applicant must show on the entire cross-section of the adjacent streets and intersections including the CCT Station, curb cuts on the opposite side, and crosswalks and handicapped ramps on all intersection legs at the time of site plan review for Parcels 7 or 8.
11. Prior to issuance of any Use and Occupancy Certificate for a building on Parcel 7 or 8, the Applicant must construct the master-planned 8-foot wide shared use paths ~~LB-1, LCS Loop, along Medical Center Drive and~~ SP-66, CCT, along Broschart Road.
16. The Planning Board has accepted the recommendations of MCDOT in its letters s dated January 6, 2014 and September 23, 2021 and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letters s, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of this Preliminary Plan approval.

Additional Conditions:

24. Prior to the final Use and Occupancy permit for the Patient Tower (Site Plan Amendment 81999024I), the Applicant must provide the LSC Loop Trail along the Property's Medical Center Drive frontage, the exact location, design and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations.

25. The Applicant must plat Parcel 9, associated with Phase 1 development (including the existing hospital and new patient tower) prior to the issuance of any above-grade building permit on the Subject Property.
26. The Applicant must plat the remaining parcels, including the Private Road parcels, associated with future phases of development, prior to the issuance of any building permits on those parcels. Each of the parcels may be platted independently of one another to reflect development on each parcel.
27. Before approval of the Certified Preliminary Plan, the following revisions must be made and/or information provided subject to Staff review and approval:
 - a. The Applicant must gain approval from Planning, MCDOT, and MCDPS Staff on the design of the LSC loop (12-foot-wide preferred width, with a minimum width of 8 feet in constrained areas) along the Application's Property frontage on Medical Center Drive, from the intersection with Broschart Road to Medical Center Way. The approved design must be included on the Certified Site Preliminary Plan.
 - b. If there is not sufficient right-of-way to construct the LSC Loop Trail, the Applicant must dedicate additional right-of-way or execute a Declaration of Public Improvements Easement document per the MCDOT letter dated September 23, 2021.
 - c. A phased platting plan for staff review and approval that shows:
 - i. Parcel 9 for Phase 1 development (including the existing hospital and new patient tower); and
 - ii. Parcels associated with future phases of development associated with Preliminary Plan 81999024I, as amended.

Site Plan Recommendation and Conditions

Staff recommends approval of Site Plan Amendment No. 81999024I. The development must comply with conditions of approval for Preliminary Plan No. 12011016A, and 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 11, 1999; 81999024A, May 18, 2004; 820040080, July 5, 2005; 81999024B, October 5, 2005; 81999024C, October 26, 2005; 81999024D, December 6, 2006; 81999024E, December 12, 2008; 81999024F, June 4, 2009; 81999024G, July 28, 2010; and 81999024H, February 1, 2012.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Density and Height

1. Density

The Site Plan is limited to a maximum of 150,622 square feet of additional hospital use, for a total of 725,602 square feet of hospital uses on the Subject Property.

2. Height

The development for this Site Plan Amendment is limited to a maximum height of 80 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 41 percent (41%) of the Site as public use space.
- b. Before the issuance of the final Use and Occupancy Certificate for the hospital expansion, all public use space areas within the Site Plan Amendment area must be completed.

4. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to benches, landscaping, and water features.

Environment

5. Forest Conservation & Tree Save

- a. The Applicant must schedule the required Site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- b. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan ("FFCP"). Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- c. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the mitigation trees and

¹ For the purposes 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.

maintenance, including invasive species management controls, credited toward meeting the requirements of the FFCP.

- d. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Piney Branch watershed to satisfy the reforestation requirement for a total of 0.826 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Piney Branch watershed. If mitigation credits are not available at any bank, the off-site requirement may be satisfied by making a fee-in-lieu payment.
 - e. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the FFCP. The MMA includes invasive species management control measures.
 - f. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 16 caliper inches as shown on the approved FFCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
 - g. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings as shown on the FFCP.
 - h. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
6. Stormwater Management/ Piney Branch SPA Water Quality Plan
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its combined Final Water Quality Plan and Stormwater Management Concept letter dated August 17, 2021 and 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 conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Transportation & Circulation

7. Transportation
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (MCDPS-ROW) in its memo dated August 19, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which MCDPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

8. Pedestrian & Bicycle Circulation

- a) The Applicant must provide a minimum of 14 long-term bicycle storage lockers and two (2) short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit area and the short-term spaces must be inverted-U racks (or approved equal) installed within the parking garage. The specific location(s) of the short-term bicycle rack(s) and the bicycle lockers must be identified on the Certified Site Plan.
- c) Prior to the final Use and Occupancy permit for the Patient Tower, the Applicant must provide the LSC loop along the Property's Medical Center Drive frontage, the exact location, design and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations.

Site Plan

9. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A2-01, A2-02, A2-03, A2-04 and A2-05 of the submitted architectural drawings, as determined by M-NCPPC Staff.

10. Lighting

- a) Prior to Certified Site Plan, the Applicant must 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 (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any above grade building permit associated with Site Plan Amendment No. 81999024I, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the 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-D-3.5(d) of the Montgomery County Zoning Ordinance in effect on October 29, 2014, 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, including, but not limited to plant material, on-site lighting, site furniture, private sidewalks, private utilities, paths and associated improvements of development, including sidewalks, storm drainage facilities, and

LSC Loop Trail. The surety must be posted before issuance of any above grade 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.

12. Development Program

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

13. Certified Site Plan

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, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "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."
- 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 gain approval from Planning, MCDOT, and MCDPS Staff on the design of the LSC loop (12-foot-wide preferred width, with a minimum width of 8 feet in constrained areas) along the Property frontage on Medical Center Drive, from the intersection with Broschart Road to Medical Center Way. The approved design must be included on the Certified Site Plan and be consistent with the Certified Preliminary Plan.

SECTION 2: SITE DESCRIPTION

Site Vicinity & Analysis

The LSC-zoned Property ("Property," outlined in red) is located in the LSC Central District, one of the five Districts that make up the Life Sciences Center (LSC) in the *Great Seneca Science Corridor (GSSC) Master Plan* area. The surrounding properties are primarily a mix of life science, medical, and commercial office uses including the Johns Hopkins Montgomery County Medical Center to the immediate north. The Property will eventually accommodate the Corridor Cities Transitway (CCT) with an alignment along the western edge of the Property and a CCT stop planned at the northwest corner of the Property.



Figure 1: Vicinity Map (Property outlined in red)

The Property is approximately 39.16 acres and is bound by Broschart Road to the west, Medical Center Drive to the east and south, and Blackwell Road to the north. Blackwell Road is envisioned as a future road connection, which will separate the Subject Property from the adjoining Johns Hopkins Montgomery County Medical Center property to the north. The Property is currently developed with the Shady Grove Adventist Hospital, multiple buildings with associated medical uses, and surface parking lots. There are some landscaping trees that have achieved significant size over the years, and one tree has reached specimen size. The site slopes gently from north to south, and drains to the Piney Branch watershed, which is in a Special Protection Area. A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) for the site was approved on February 29, 2012. There are no forests, streams or their buffers, wetlands or wetland buffers, or 100-year floodplains, or known occurrences of Rare, Threatened, and Endangered Species on the Property.

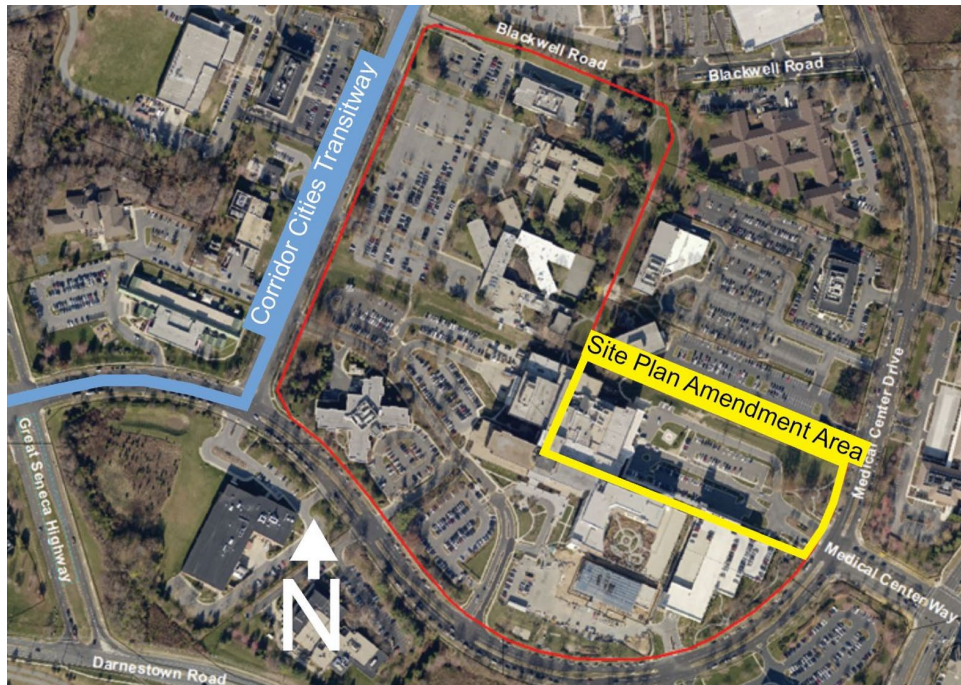


Figure 2: Aerial View of the Property (outlined in red) and Site Plan Amendment Area (outlined in yellow)

Prior Approvals

Preliminary Plan No. 119882330 was approved by Resolution dated March 22, 1990 for 1,671,454 square feet of development for the entire 180.71-acre Shady Grove Life Sciences Center. Of that area, the Montgomery County Department of Economic Development assigned 626,910 square feet of density to the various parcels that became the Shady Grove Adventist Hospital Campus. A total of 574,980 square feet within this envelope has been built via numerous Site Plans as listed in Table 1, below.

Preliminary Plan No. 120110160 was approved by Resolution MCPB No. 14-12, dated March 27, 2014 for the 39.16-acre Property outlined in red in Figures 1 and 2. This Preliminary Plan approved an additional 506,946 square feet of medical-related uses on the Property, allowing a total of 1,133,856 square feet of medical uses on the Subject Property. This Preliminary Plan significantly redesigned the Site to accommodate and promote the roads, uses, and amenities proposed by the 2010 *Great Seneca Science Corridor* (GSSC) *Master Plan* (Figure 3).

Table 1: Prior Preliminary Plan Approvals

Plan Number	Resolution Date	Density Approved (sf)
119882330	March 22, 1990	626,910
120110160	March 27, 2014	506,946
Total Approved		1,133,856
Total Built		574,980
Transferred to 9800 Medical Center ¹		75,000
Remaining/Unbuilt (Prior to Subject Application)		483,876 ²

¹ Transferred via Site Plan No. 81995045G approved by Resolution MCPB 21-063 dated July 20, 2021.

² Subsequent to construction of the Patient Tower approved by the Subject Applications, 333,254 sf of approved density will remain under this Preliminary Plan 120110160.

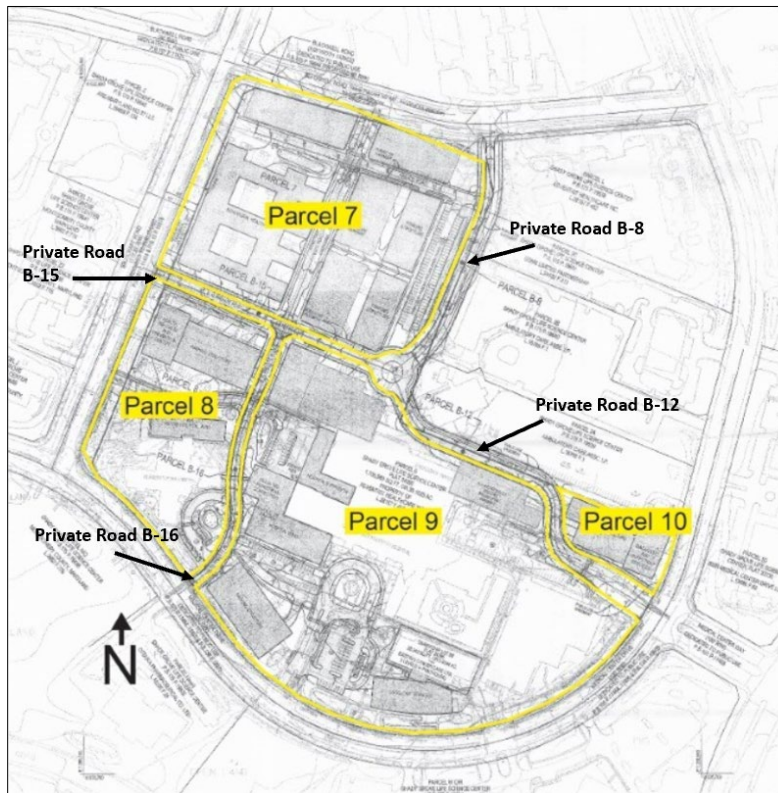


Figure 3: Approved Preliminary Plan No. 120110160

Table 2: Prior Site Plan Approvals

Plan Number	Resolution Date	Use	Density Approved (sf)
819770150	No Opinion on Record	Hospital	206,000sf
819851250	March 26, 1986 (hearing, no mailing date)	Shady Grove Dialysis Center	26,260sf
819870610	December 16, 1987	MC Residential Treatment Center	25,720sf
819990240	March 11, 1999	Rehabilitation Center	54,354sf
820040080	May 17, 2004	Covered Walkway & Parking	0sf
81999024A	May 18, 2004	Hospital	119,302sf
		Potomac Ridge Behavioral Health Center (MC Res Treatment Center)	81,280sf
82004008A	July 5, 2005	Addition to Behavioral Health Center	814sf
81999024B	October 5, 2005	Expansion for Mechanical Equipment	0sf
81999024C	October 26, 2005	Correction of 81999024B	0sf
81999024D	December 6, 2006	Parking Structure & Office/Storage	2,100sf
81999024E	December 12, 2008	Minor Site Modifications	0sf
81999024F	June 4, 2009	Roof Garden & Minor Site Modifications	0sf
81999024G	July 28, 2010	Minor Site Modifications	0sf
81999024H	February 21, 2012	Aquilino Cancer Center	51,500
Total Site Plan Density Approved/Built			567,330 sf

SECTION 3: PROJECT DESCRIPTION

Proposal

The Application proposes the demolition of existing emergency department space and the re-building of the emergency room plus a new tower with patient rooms on the eastern side of the Property (“Project” or “Patient Tower”), across from Medical Center Way. The Preliminary Plan Amendment seeks to amend the timing for certain infrastructure related conditions in the current Preliminary Plan No. 120110160 that might otherwise be triggered by the Site Plan Amendment.

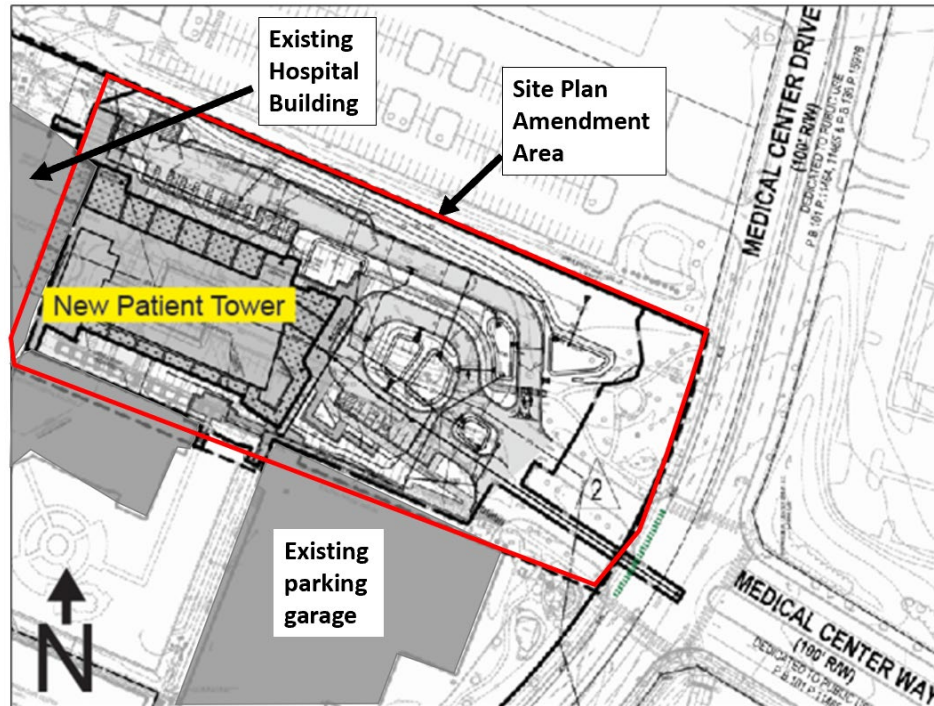


Figure 4: Site Plan Amendment

Uses and Density

The Project includes demolition of 141,724 square feet of existing emergency department space and the re-building of the emergency room plus a 150,622-square foot tower with patient rooms in a new 292,346-square foot building yielding a net of 150,622 square feet of new development (Figure 4). After completion of the Project, the total density on the 39.16-acre Property will comprise 725,602 square feet of hospital uses.

The proposed Patient Tower modernizes treatment rooms and converts semi-private patient rooms to private rooms. With the all-private rooms new tower, the original hospital building will close or convert most semi-private rooms to private rooms, bringing the hospital into line with best medical practices. Therefore, the additional proposed square footage does not increase the hospital capacity or number of employees and only redistributes the existing capacity into an expanded building. The programming within the Patient Tower Project has already been approved by the Maryland Health Care Commission and a Certificate of Need is forthcoming. Due to the critical need for private patient rooms as a means of infection control, the Patient Tower Project is on a fast track for construction, which is scheduled to begin in the first quarter of 2022.

In addition, the Project will significantly upgrade the delivery of emergency department and other medical services, which are in serious need of modernization. The Project also relocates the existing helipad, currently located at ground level, to the roof of the new Patient Tower and away from other campus operations.

Building

The Patient Tower will occupy part of an existing surface parking lot in the vicinity of the emergency department. The proposed building will create a human scaled base at the main entrance as well as the side emergency entrance. High-quality building materials are proposed for the base and upper volume of the building. The glassy stairwell tower, enhanced with signage, provides a terminus element to the proposed building.



Figure 5: Renderings of the Project

Open Space

The Project provides outdoor areas south and east of the proposed building. The open spaces include landscaping, benches, a water feature and a dry creek bed (Figure 6).



Figure 6: Renderings of outdoor areas located south and east of the proposed building

Access and Circulation

Vehicular access to the Project's proposed surface parking and loading areas and into the existing parking garage is from Medical Center Drive. Internal vehicular circulation within the Site Plan Amendment Area will be retrofitted as a result of the Project. The Applicant proposes to redesign the existing loop drop-off area and remove surface parking spaces presently located in between Medical Center Drive and the existing structures, as a means of accommodating the Patient Tower. The existing private driveway layout will continue to provide circulation for the storage of private vehicles, pick-ups/drop-offs, deliveries, as well as other short-term parking needs. The existing driveway from the Medical Center Drive entrance to the north of the emergency department will be maintained and there are no proposed modifications to the other existing ingress and egress points on the Property.

No parking, deliveries, or other short-term parking needs will occur within the public right-of-way. Garage entrances, loading, and the proposed loop drop-off area will be located within internal driveways. Providing such short- and long-term vehicular access will prevent on-street conflicts and maintain multimodal flow on Medical Center Drive. Loading areas for the Project are proposed from the private driveway.

The Applicant will provide a shared use path along the Property's Medical Center Drive frontage that will serve as a portion of the LSC Loop Trail (Figure 7). The design of the facility will be submitted for Staff review and approval with the Certified Preliminary and Site Plans. Although the preferred facility width is 12 feet, it may be reduced to a minimum width of 8 feet, where necessary, to accommodate existing site elements, utility poles, etc. The facility will be constructed prior to the final use and occupancy permit for the Patient Tower.

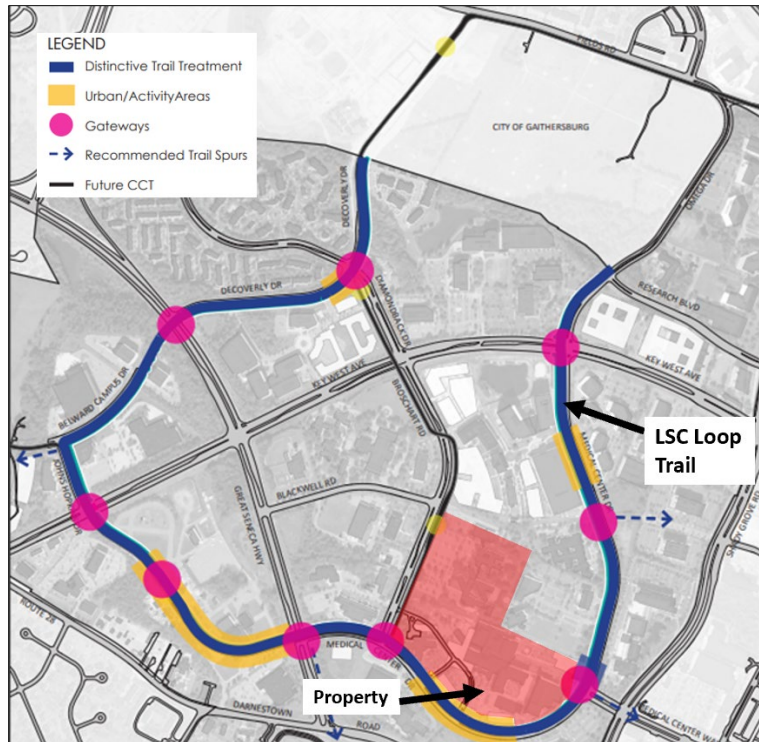


Figure 7: LSC Loop Trail

Preliminary Plan Amendment

The Applicant requests to delay the timing triggers associated with the following infrastructure improvements until plats are recorded or site plans are submitted for development of Parcels 7 and 8 on the Subject Property:

- Dedication for Broschart Road;
- Dedication for Blackwell Road;
- Site Plans that reflect the entire cross-section, alignment and design of the CCT and the CCT station on Broschart Road; and
- Construction of the shared use path along Broschart Road.

The Statement of Justification includes the following rationale for postponing the infrastructure improvements:

These infrastructure improvements will be reviewed in a future preliminary plan amendment ("Future Plan") that will implement the Applicant's new internal campus master plan to be completed by the fall. A reprieve from Current Plan [Preliminary Plan] conditions is warranted while the new comprehensive Future Plan is being thoughtfully worked through. This will also allow the Patient Tower Project to move forward quickly in order to address pandemic-related health care needs in the region.

The Applicant initially requested to postpone the construction of the LSC Loop Trail along the Property's Medical Center Drive frontage. However, after discussion with Staff, the Applicant has agreed to construct this segment of critical pedestrian and bicycle infrastructure and approval of the Applications is conditioned as such.

Forest Conservation

The Final Forest Conservation Plan implements a portion of the development approved under Preliminary Plan No. 120110160 and its associated Preliminary Forest Conservation Plan (PFCP). The PFCP worksheet resulted in an overall afforestation requirement of 5.84 acres. The PFCP approval permits implementation of the FFCP to be phased, with mitigation provided with each Site Plan application on a pro rata share basis. The Site Plan area of 5.54 acres is 14.14 percent of the 39.16-acre total tract area; therefore, the amount of mitigation being provided with this FFCP is 14.14 percent of 5.54 acres, or 0.826 acres of forest mitigation. The Applicant will fulfill the 0.826 acres of mitigation in an offsite forest bank or pay a fee-in-lieu if no forest bank credits are available.

Community Outreach

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements under the Zoning Ordinance and the Manual of Development Review Procedures for Montgomery County. The Applicant held the required pre-submission community meeting on January 20, 2021. The meeting was convened virtually because of the COVID-19 pandemic that precluded in-person gatherings.

As of the posting date of the Staff report, Staff has not received any correspondence concerning the Subject Applications.

SECTION 4: PRELIMINARY PLAN ANALYSIS AND FINDINGS

The proposed additional 150,622-square-foot emergency department expansion and patient tower was approved under Preliminary Plan No. 120110160, which approved a total of 1,133,856 square feet of density on the Property. The change to the timing triggers are for certain infrastructure improvements and do not impact prior findings of approval. Therefore, the Preliminary Plan Amendment does not change the intent or alter the findings of Preliminary Plan No. 120110160. All previous findings of approval remain in full force and effect.

SECTION 5: SITE PLAN ANALYSIS AND FINDINGS²

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 Property.

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.*

² Zoning Code in Effect on October 29, 2014

The proposed hospital use is a permitted use in the Life Science Center Zone and the Site Plan 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”.

As demonstrated in Table 3, the Site Plan Amendment meets all of the development standards of the LSC zone pursuant to the Zoning Ordinance in effect on October 30, 2014. 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.

The Project will necessitate in the removal of 124 parking spaces, but the total number of parking spaces in the existing campus parking garages and surface lots meet the requirement of the Zoning Ordinance, by providing 1,837 vehicle spaces. The vehicular parking spaces will be located within the existing hospital campus garages and surface off-street parking spaces surrounding the existing and proposed structures. As it relates to the proposed building expansion, five long-term bike spaces and 2 short-term bike racks are required as part of this request. The Applicant is providing 14 long-term bicycle storage lockers and two (2) short-term bicycle parking spaces.

Table 3: Data Table LSC Zone: Section 59-C-5.3. Zoning Ordinance In Effect on October 29, 2014			
Development Standard	Allowed/Required	Previously Approved	Proposed
Property Gross Tract (square feet)	n/a	n/a	1,705,963
Max. Density (FAR)	2.0 (LSC Zone)	0.34 (574,980sf)	0.43 (725,602 sf)
Max. Height (feet)	200 (LSC Zone)	64	80
Public Use Space (% of net lot)	20	41	41
Parking (total spaces)	1,270 (min)	1,961	1,837

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

The proposed building is adequately, safely, and efficiently located adjacent to the existing hospital building on what is currently a surface parking area. Pedestrian access from adjacent sidewalks and the proposed LSC Loop Trail adequately and efficiently integrates this site into the surrounding area.

The proposed open space serves to provide 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. 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 site plan, but benches and bicycle facilities are provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed use and the recommendations of the Master Plan, while providing a safe and comfortable environment.

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

The proposed hospital use is compatible with the adjacent and confronting similar uses as well as pending development plans. Future growth can be accommodated around the proposed building as envisioned by the *Master Plan*. The building itself is in scale with the nearby buildings and is located such that 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.*

SPA Water Quality Plan

The Application satisfies all of the applicable requirements of Chapter 19 of the Montgomery County Code. As conditioned, the Application is in compliance with the Environmental Guidelines and Chapter 19 of the Montgomery County Code. The Site Plan requires approval of a Final Water Quality Plan because the project is within the Piney Branch Special Protection Area.

Preliminary Water Quality Plan 120110160 was approved by the Planning Board Resolution dated March 27, 2014 as part of the Preliminary Plan approval for the Property. A Final Water Quality Plan was approved for the Aquilino Cancer Center at Shady Grove Adventist Hospital on Feb. 21, 2012 as part of the Planning Board's approval of Site Plan Amendment No. 81999024H. The Final Water Quality Plan for this Site Plan Amendment was submitted as part of this Application. The Applicant has demonstrated efforts to minimize impervious surfaces. In a letter dated August 17, 2021, MCDPS approved their portion of the SPA Water Quality Plan. (Attachment B) The approved stormwater management concept plan proposes to meet the required stormwater management goals via micro bioretention, green roofs, and existing structural measures (surface sand filters).

Planning Board Special Protection Area Review Elements

Following is an analysis of the Planning Board's responsibilities in the review of the Final Water Quality Plan. Staff recommends approval of the elements of the SPA Water Quality under its purview.

- 1) **Priority Forest Conservation Areas**

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The Final FCP was submitted with this Application (Attachment C). The Preliminary Forest Conservation Plan found that the Property does not include any priority forest conservation areas (such as stream buffers), and that there are no suitable forest planting areas on site. The FFCP proposes off-site forest banking or payment of a fee-in-lieu to fulfill the required forest mitigation.

2) SPA Environmental Buffer Protection

There are not environmental buffers on site. The plans as submitted are in conformance with the Planning Department's *Environmental Guidelines*.

3) Impervious Surfaces

The Piney Branch SPA does not have a specific numerical limit on impervious surfaces; however, a main goal for development in all SPAs is to reduce or minimize the amount of impervious surfaces. The existing impervious surfaces cover 24.30 acres, or 62.05% of the 39.16-acre Property. The projected imperviousness after construction of the Patient Tower proposed in this Site Plan Amendment is 24.42 acres, or 62.35%, an increase of only 0.3%. Increases in impervious cover on the site have been minimized by building the new Patient Tower over portions of the site that are already covered by impervious surfaces. This approach allows for significant modernization of the existing hospital with very little increase in imperviousness. The SPA requirement to minimize new impervious cover has been met.

Forest Conservation

The Preliminary Forest Conservation Plan (PFCP No. 1120110160) was approved by Planning Board Resolution MCPB No. 14-12. The PFCP covered the Shady Grove Adventist Hospital campus, with a net tract area of 38.94 acres. Based on the net tract area and land use category, the afforestation requirement for the site is 5.94 acres. The PFCP permitted a phased implementation of the Final Forest Conservation Plan, with afforestation to be provided with each Site Plan on a pro rata share basis. The Final Forest Conservation Plan (FFCP No. 81999024I) submitted with this Site Plan covers 5.54 acres, or 14.14 percent of the net tract area. The FFCP is providing 14.14 percent of the required afforestation, or 0.826 acres. The afforestation will be provided either through approved off-site forest banking or through payment of a fee-in-lieu.

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 tree; 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.

Prior Variance Approval

The approved PFCP No. 120110160 included approval of a variance to remove tree no. T17, a 31-inch diameter willow oak, and required that 3 trees of at least three inches caliper, each, be planted to mitigate for the loss of T17.

Variance Request

Since the approval of PFCP No. 120110160, tree number T18 has grown to specimen size. This tree was not approved for removal with the original PFCP. The Applicant submitted a variance request to remove tree T18 in a letter dated February 5, 2021. (Attachment D).

Table 4 – Protected Tree to be removed

Tree Number	Species	DBH Inches	% CRZ Impacts	Status
T18	Willow Oak (<i>Quercus phellos</i>)	33"	100%	Variance request to remove

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the proposed Site Plan is needed to increase the hospital footprint by 36,214 square feet and provide emergency vehicle access, entry and visitor parking. Tree T18 is located within the proposed vehicle access and driveway. The unwarranted hardship is caused by the necessary layout of the proposed development on a constrained site, the need to provide expanded medical facilities, and the location of the tree. Denying the variance would preclude the layout needed to construct the needed building expansion and access. Therefore, Staff concurs that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations in the review of the variance request and the proposed forest conservation plan:

Variance Findings

Staff has made the following determination based on the required findings that 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 removal of the tree is due to the location of the tree and necessary site design requirements. The Applicant proposes removal of the tree with mitigation. 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 upon the existing site conditions and necessary design requirements of this project.

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 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. The specimen trees being removed are not located within a stream buffer or wetland. The Application proposes mitigation for the removal of the tree by planting three native shade trees of at least 3 inches caliper, each, on-site, to replace the lost water quality treatment function of the tree being removed. Therefore, Staff concurs that the project will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

There is one tree proposed for removal in this variance request resulting in a total of 33 inches of DBH being removed. The specimen tree being removed will be replaced by planting one inch (caliper) of new trees for each four inches diameter removed, using planting stock of no less than 3 inches caliper. In a few years, the replacement trees should attain sufficient size to replace the lost water quality treatment benefits of the trees removed. In this case, the Applicant must plant at least 8.25 caliper inches of new trees, or at least three native shade trees of at least three inches caliper, each, to replace the specimen trees being removed. This is in addition to the three mitigation trees required for the removal of tree T17, as approved in PFCP No. 120110160. The Final Forest Conservation Plan shows that three red oak (*Quercus rubra*) trees and three white oak (*Quercus alba*) trees, each at least three inches caliper, are being planted in mitigation for the specimen trees removed.

Variance Recommendation

Staff recommends approval of the variance request.

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. Therefore, Staff recommends approval of the Final Forest Conservation Plan and Final Water Quality Plan with the conditions cited in this Staff Report.

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 Property is within the LSC Central District of the 2010 *Great Seneca Science Corridor Master Plan* ("Master Plan"). The Master Plan includes the following recommendations that affect the Property:

- Amend the LSC Zone to allow mixed uses and increased density and height;
- Allow a maximum of 1.0 FAR for properties in the SGLSC District;

- A maximum recommended building height for the Property between 50 and 110 feet;
- Provide at least 15% of the net tract area as public use space;
- Create an identifiable LSC Loop Trail along Medical Center Drive;
- Design Broschart Road as an urban street, lined with buildings and activating street-level uses; and
- Extend Blackwell Road between Medical Center Drive and Broschart Road.

The LSC Loop Trail is a key Master Plan recommendation. The importance of the LSC Loop is underscored by the fact that it is a staging element of the Master Plan: Before Stage 2 of the Master Plan can be opened the LSC Loop Trail must be funded in the County's six-year CIP and/or through developer contributions. The Master Plan calls the LSC Loop Trail "the organizing element of the LSC open space plan," and says that "Creation of the (LSC) loop (including landscaping and facilities such as benches) will be the primary amenity requested of property owners." While the LSC Loop Trail has been established in the current County CIP, and County funds have been expended on its design, the majority of the funding for construction is envisioned to come from developer contributions. Approval of the Subject Applications is conditioned on the Applicant designing and constructing the LSC Loop Trail along the Property's Medical Center Drive frontage between Broschart Road and Medical Center Way (east). The LSC Loop Trail should be consistent with the design produced by the Montgomery County Department of Transportation under MCDOT CIP Item No. P501742.

The proposed Patient Tower is 80 feet tall, and the FAR is less than 1.0. The Amendment will provide public use space over more than 20% of the Property. These elements are in conformance with the Master Plan.

Sector/Master-Planned Roadways

Medical Center Drive: Medical Center Drive is classified as a 100-150-foot four-lane Arterial Street, A-261d, with an existing 100-feet of public right-of-way. The existing section has four (4) lanes, with an existing raised, vegetated median dividing opposing lanes of travel. A 50-foot transit easement is currently positioned along the frontage of the roadway, on the adjacent property to north of the Subject Property, that was originally intended for potential future routing of the Corridor Cities Transitway (CCT). The Applicant proposes to maintain the 100-foot right-of-way, providing frontage improvements in the form of constructing portions of the LSC Loop Trail consistent with the *LSC Loop Trail Design Guidelines*.

Road K: Road K is a planned Business Street, B-12, with a planned right-of-way of 60-feet. As shown in Figure 7, it is prioritized in the 2010 *Great Seneca Science Corridor Master Plan* as a means of facilitating the construction of new connections to support a street grid network with walkable access to high frequency transit. A portion of the planned street is identified on the Property, from the Medical Center Drive and Medical Center Way intersection, westwards to the planned Road G Business Street (B-8) and onwards to Broschart Road. Construction and/or dedication of right-of-way for the new Business Street is not feasible at this time due to the presence of existing portions of the hospital structure in place of the planned alignment of the roadway. While the proposed emergency room expansion as part of this request will not preclude construction of the roadway, further technical analysis is necessary in order to balance the needs of the hospital campus with future multimodal transportation goals for the overall Life Sciences Center area.

The Applicant nevertheless proposes to utilize the existing driveway, with modifications, for emergency vehicle parking and loading. Opportunities to retrofit the driveway space for full accommodation of the planned Business District Street will occur in a future phase of development as the Applicant seeks to update the campus master plan based on evolving needs of the hospital.

Public Transit Service

The Property is serviced by Ride On, with one existing bus stop located along the Property's frontage with Medical Center Drive. The nearest public transit routes are as follows:

- Ride On route 43 operates along Medical Center Drive, providing service between the Traville Transit Center, Universities at Shady Grove, and the Shady Grove Metrorail Station.
- Ride On route 56 operates along Medical Center Drive and Medical Center Way between the Lakeforest Mall Transit Center, the NIST, and the Rockville Metrorail Station.
- Ride On route 66 operates along Medical Center Drive between the Traville Transit Center, the Rockville Senior Center, and the Shady Grove Metrorail Station.
- Ride On route 301 operates along Medical Center Drive, providing service between the Potomac Oak Shopping Center and the Rockville Metrorail Station.

While the Corridor Cities Transitway route is not currently planned along this segment of Medical Center Drive, the outcome of the Corridor Forward: I-270 Transit Plan may propose a realignment for optimal efficiency and ridership. A 50-foot transit easement is present along the frontage of adjacent properties to the north along Medical Center Drive; however, no action is required as part of this Application. A future CCT stop is planned along Broschart Road to the west of the proposed Project.

Pedestrian and Bicycle Facilities

The 2018 *Bicycle Master Plan* identifies a one-way sidepath along both frontages of Medical Center Drive. The *LSC Loop Trail Design Guidelines* identifies a portion of the LSC Loop Trail along the Applicant's frontage of Medical Center Drive (Figure 7). As conditioned, the Applicant is proposing to construct the planned sidepath and street buffer along the Property frontage to the west up to the Broschart Road intersection. Staff has coordinated with the Applicant and MCDOT with regards to implementation of the LSC Loop Trail, consistent with Condition 11 of the approved Preliminary Plan No. 120110160. Every effort has been made to preserve existing mature canopy trees along the Medical Center Drive frontage, and flexibility has been provided in the widths of tree panels along both flanks of the route.

SECTION 6: CONCLUSION

Preliminary Plan Amendment No. 12011016A, and Site Plan Amendment and Final Water Quality Plan No. 81999024I satisfy the applicable findings under the Subdivision Regulations and the Zoning Ordinance, meet all applicable requirements of the Forest Conservation Law and substantially conform to the recommendations of the 2010 *Great Seneca Science Corridor Master Plan*. Therefore, Staff recommends approval of Preliminary Plan Amendment No. 12011016A, and Site Plan Amendment and Final Water Quality Plan No. 81999024I with the conditions included at the beginning of this Staff Report.

ATTACHMENT A



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

MAR 27 2014

MCPB No. 14-12
Preliminary Plan No. 120110160
Shady Grove Adventist Hospital
Date of Hearing: January 23, 2014

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on March 24, 2011, Adventist HealthCare ("Applicant"), filed an application for approval of a preliminary plan of subdivision that would create 7 lots and allow for a maximum of 1,133,856 square feet of hospital and life-science related uses (626,910 square feet of previously approved, 506,946 square feet of new) on approximately 39.16 acres of land in the LSC Zone, located in the northeast quadrant of the intersection of Broschart Road and Medical Center Drive ("Subject Property"), in the LSC Central District of the Great Seneca Science Corridor Master Plan ("Master Plan") area; and

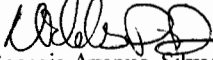
WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120110160, Shady Grove Adventist Hospital ("Preliminary Plan" or "Application"); and

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 January 13, 2014, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on January 23, 2014, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on January 23, 2014, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Presley, seconded by Commissioner Wells-Harley, with a vote of 4-0; Commissioners Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor and Commissioner Anderson absent.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 120110160 to subdivide the Subject Property to create 7 lots and

Approved as to  3/13/14
Legal Sufficiency Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
MNCPPC Legal Department
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allow for a maximum of 1,133,856 square feet of hospital and life-science related uses (626,910 square feet of previously approved, 506,946 square feet of new), subject to the following conditions:¹

1. Total development on the Subject Property is limited to an additional 506,946 square feet of medical-related uses for a total of 1,133,856 square feet of medical-related uses.
2. Prior to record plat, the Applicant must dedicate the Master Plan recommended 150-foot right-of-way for Broschart Road (150 feet from the opposite right-of-way line along the Subject Property frontage). The Applicant must reflect the dedication on the record plat.
3. Prior to record plat, the Applicant must dedicate the Master Plan recommended 100-foot right-of-way for Blackwell Road (100 feet from the opposite right-of-way line along the Subject Property frontage). The Applicant must reflect the dedication on the record plat.
4. The Applicant must satisfy the Local Area Transportation Review ("LATR") test by providing the following intersection improvements:
 - a. Key West Avenue-West Montgomery Avenue (MD 28) and Shady Grove Road:
 - i. Extend the third left-turn lane on eastbound Key West Avenue through participation in the previously established Road Club of the developers of Preliminary Plan No. 120110080, 9800 Medical Center Drive and Preliminary Plan No. 11986115C, Johns Hopkins University (JHU)-Montgomery County Medical Center (MCMC).
 - ii. The Applicant must contribute the equivalent pro rata cost of adding a fourth westbound lane towards implementation of the Corridor Cities Transitway.
 - b. Key West Avenue (MD 28) and Omega Drive-Medical Center Drive: Reconfigure the left-most through lane on southbound Omega Drive to a second left-turn lane consistent with the same condition of approval required of the developer of Preliminary Plan No. 120120180/Site Plan No. 820120130, Mallory Square.
 - c. Great Seneca Highway (MD 119) and Sam Eig Highway: Construct a third eastbound through lane on Great Seneca Highway with the necessary traffic signal modifications through the participation in the Road Club of the developers of Preliminary Plan No. 120110080, 9800 Medical Center Drive, and Preliminary Plan No. 11986115C, JHU-MCMC.

¹ 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.

- d. Great Seneca Highway and Muddy Branch Road: Construct a second left-turn lane on northbound Muddy Branch Road and a second left-turn lane on westbound Great Seneca Highway with the necessary traffic signal modifications through participation with the developer of Preliminary Plan No. 11986115C, JHU-MCMC.
5. The Applicant must submit a Letter of Intent to confirm its plan to identify, create, fund, and construct the intersection improvements by the previously established or a new privately-operated Road Club. Prior to release of any building permit, the intersection improvements above must be permitted and bonded by the Montgomery County Department of Permitting Services ("DPS") and the Maryland State Highway Administration ("SHA").
6. Prior to release of any building permit, the Applicant must execute a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation ("MCDOT") to participate in the Greater Shady Grove Transportation Management Organization and assist in achieving its Stage 2 non-auto driver mode share of 18%, in compliance with the *Great Seneca Science Corridor Master Plan*.
7. Business district streets B-8 (Road G), B-12 (Road K), B-15 (Road N), and B-16, as shown on the Plan, may be implemented as private streets subject to the following conditions:
 - a. Prior to record plat, the Applicant must grant public access easements for the private streets and adjacent parallel sidewalks. The public access easement agreement must be reviewed and approved by MCDOT, DPS, the Office of the County Attorney, and the Maryland-National Capital Park and Planning Commission ("M-NCPPC"), and the boundaries of the easement areas must be shown on the record plat. The easement agreement must include, at a minimum, provisions for the following:
 - i. The public access easement must include volumetric dimensions to accommodate uses above and below the designated easement areas for the private streets as described below:
 1. The full 70 feet of public access easement along north-south Road G/master-planned business district street, B-8, on the Subject Property and four adjacent properties.
 2. The full 60 feet of public access easement along east-west Road K/master-planned planned business district street, B-12, on the Subject Property and one adjacent property.
 3. The full 70 feet of public access easement along east-west Road N/master-planned planned business district street, B-15, on the Subject Property.
 4. The full 70 feet of public access easement along east-west Traville Gateway Drive Extended/ master-planned business

district street, B-16, on the Subject Property, except the section accepted as 50 feet in front of the hospital, as shown on the Preliminary Plan.

- ii. Installation of public utilities must be permitted within the public access easement areas.
 - iii. The private streets may not be closed for any reason unless approved by MCDOT.
 - iv. Montgomery County may require the Applicant to install appropriate traffic control devices within the public access easement areas, and the County must have the right to construct and install such devices.
 - v. At the time of record plat, Maintenance and Liability Agreements for each easement area must be entered into by the Applicant. These Agreements must identify the Applicant's responsibility to maintain all the improvements within the easement areas in good fashion and in accordance with applicable laws and regulations.
 - vi. MCDOT must inspect the private streets once they are constructed and verify that they have been constructed in accordance with the corresponding Road Code standard for a similar public road.
 - vii. The Applicant is obligated to remove snow and provide repairs to keep the roads open and in working order and if, for any reason, the Applicant does not, Montgomery County must have the right, but not the obligation, to remove snow and/or provide repairs within the easement areas.
 - viii. Montgomery County may charge the Applicant stormwater management fees if County facilities are to be utilized.
- b. The public access easement must be shown on the record plat, and all private streets must be located within their own parcel, separate from the proposed development.
8. The Applicant must construct the private streets to corresponding public road standards and in accordance with Montgomery County Road Code standard 2005.02 for streets B-8, B-15, and B-16 and Road Code standard 2005.01 for street B-12, including sidewalks and amenities, unless modified by MCDOT and the Planning Board at the time of site plan review. The design of these master-planned roads must also comply with the *Great Seneca Science Corridor Master Plan*, and the Master Plan's Urban Design Guidelines. The final extent, delineation and alignment of these streets shall be determined at the time of site plan review.
9. The Applicant must ensure that any subsequent site plans for the Subject Property reflect the latest Maryland Transit Administration ("MTA") alignment and

design of the CCT along the east side of Broschart Road and the CCT station on the Applicant's side of Broschart Road near the intersection of Blackwell Road.

10. The Applicant must show on the entire cross-section of the adjacent streets and intersections including the CCT Station, curb cuts on the opposite side, and crosswalks and handicapped ramps on all intersection legs at the time of site plan review.
11. Prior to issuance of any Use and Occupancy Certificate, the Applicant must construct the master-planned 8-foot wide shared use paths LB-1, LCS Loop, along Medical Center Drive and SP-66, CCT, along Broschart Road.
12. The Applicant must show the required number of bicycle parking spaces by providing inverted-U bike racks for visitors near the main entrance in a weather-protected area and bike lockers or secured bike rooms for employees at the time of site plan review.
13. The Applicant must submit a Final Forest Conservation Plan with subsequent site plans for the Subject Property. The Applicant may install plantings or make payments of the fee in lieu pursuant to the approved Final Forest Conservation Plan on a pro-rata share basis with each site plan.
14. Prior to any clearing or grading on the Subject Property, the Applicant must submit and obtain approval of the forest conservation financial security instrument.
15. The Applicant must include three native canopy trees of at least 3" dbh in mitigation for the removal of variance tree T-17. These trees should be shown on the landscape plans submitted with the site plan.
16. The Planning Board has accepted the recommendations of MCDOT in its letter dated January 6, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of this Preliminary Plan approval.
17. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
18. The Planning Board has accepted the recommendations of the DPS stormwater management concept approval letter dated April 5, 2011, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
19. No clearing and grading of the site or recording of plats can occur prior to approval of the certified site plan except for demolition of the existing structures.
20. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the Preliminary Plan with respect to lot configuration or

right-of-way location, width, or alignment (except the modifications required by these conditions), the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the site plan.

21. The Certified Preliminary Plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for this lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."

22. All necessary easements must be shown on the record plat.

23. Phased Validity Periods:

a. The Adequate Public Facility (APF) approval for the Preliminary Plan will remain valid subject to the following phasing schedule:

- Phase I: Issuance of building permits for the originally approved 626,910 square feet of development (523,480 square feet of built and 103,430 square feet of approved but unbuilt) before July 25, 2019.
- Phase II: Issuance of building permits for 256,946 square feet of development (for a cumulative total of 883,856 square feet) within 85 months from the date the Preliminary Plan Resolution is mailed.
- Phase III: Issuance of building permits for 250,000 square feet of development (for a cumulative total of 1,133,856 square feet) within 145 months from the date the Preliminary Plan Resolution is mailed.

b. The validity period of the Preliminary Plan is subject to the following phasing schedule; by which time the record plat(s) for the land area that will be needed to construct the buildings in each APF phase must be recorded:

- Phase I: By July 25, 2019;
- Phase II: 61 months from the date the Preliminary Plan Resolution is mailed;
- Phase III: 121 months from the date the Preliminary Plan Resolution is mailed.

BE IT FURTHER RESOLVED, that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified

herein²), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the Master Plan.*

Site Specific Recommendations

The Preliminary Plan complies with the following Master Plan recommendations that are specific to the Subject Property:

- Allow a maximum of 1.5 FAR for properties in the center of the district (bounded by Key West Avenue, Medical Center Drive, and Broschart Road);
- Require submission of a Concept Plan prior to approval of any future individual development projects for Adventist Health Care to address the Plan's guidelines, including the location of the CCT, the highest densities and height at transit, the mix of uses, creation of a local street network, and provision of open spaces;
- Locate the highest density and tallest buildings adjacent to the transit station to form an identifiable center;
- Create an identifiable LSC Loop along Medical Center Drive that connects pedestrians to other transit centers, the network of natural pathways along the stream buffers, and open spaces;
- Design Broschart Road as an urban street, lined with buildings and activating uses;
- Design Blackwell Road with a building edge and improved connections;
- Provide at least 15% of the net tract area as public use space;
- Include the following public open spaces:
 - LSC Loop;
 - Stream buffers;
 - Urban square at the CCT Station;
 - Urban promenade to connect between buildings and public spaces.
- Locate a CCT Station along Broschart Road near Blackwell Drive in the vicinity of Adventist Health Care and Johns Hopkins University; and
- Extend Blackwell Road between Medical Center Drive and Broschart Road;
- Provide dedications allowing for:
 - 100-feet of right-of-way for Blackwell Road;
 - 150-feet of right-of-way for Broschart Road; and
 - Master planned business district streets B-8, B-12, B-15, and B-16.

² This Resolution reflects several minor corrections to the Staff Report and the information presented by Staff to the Board at its January 23, 2014 hearing. Staff proposed these corrections in a memorandum dated March 6, 2014 and presented to the Board as part of its consent agenda on March 20, 2014, along with this Resolution.

CCT Location

The Master Plan recommends that the CCT route travel along the subject site on the east side of Broschart Road. A station, to be accompanied by an urban square, is recommended on the northwest corner of the Subject Property.

The Applicant's Preliminary Plan and Concept Plan provide for the dedication and design of the CCT on the west side of the Subject Property. The Applicant has also designed an urban square to complement the planned CCT station when constructed. The Preliminary Plan reflects the general alignment of the CCT recommended in the Master Plan, but final alignment of the CCT will be determined during site plan review when the detailed site layout is designed. MTA believes the CCT can be accommodated within the eventual 150-foot right-of-way of Broschart Road as shown on the Preliminary Plan. During site plan review, the final alignment should maximize comfort and usability for pedestrians and transit users, and optimize access to the open spaces and circulation system.

Density and Height

The Master Plan recommends the LSC zone with a density limit of 1.5 FAR for the Subject Property. Maximum building heights are recommended at 110 feet on the eastern and southern portion of the Subject Property and 150 feet on the northwestern portion of the Subject Property, which is closer to transit.

The Applicant's Preliminary Plan and Concept Plan adhere to the Master Plan recommendations regarding density and height. As shown, within the building envelopes of allowed height, the 1.5 FAR is dispersed between lower buildings on the southern and eastern portions of the Subject Property, while the taller buildings are located on the northern portion of the site at the intersection of Broschart and Blackwell Roads.

The Master Plan also recommends that Adventist Health Care and JHU design the east side of Broschart Road as an urban street, lined with buildings and activating street level uses. The lot and street layout of the Preliminary Plan will accommodate the Master Plan's vision for this density and street edge. Activating uses and a confronting CCT Plaza will be expected in future phases as the buildings on the northern end of the Subject Property, closest to the intersection of Broschart and Blackwell Roads, come in for site plan review.

Circulation System & Mobility

The Preliminary Plan conforms to the Master Plan's recommendations for circulation and mobility. The Applicant's dedication of the CCT right-of-way on Broschart Road and right-of-way for Blackwell Road will allow for the Master Plan recommended vehicular and transit improvements along the Subject Property's peripheral roads. All Master Plan recommended roads internal to the Subject Property will be built to

public road standards and located in their own separate and distinct parcels, thus achieving the mobility and design objectives of the Master Plan, but they will be maintained privately with public access easements over the right-of-way width that would otherwise be required. These interior roads are discussed in greater detail below.

The Applicant's Preliminary Plan and Concept Plan address the additional Master Plan circulation and mobility recommendations, and they show the CCT alignment and station, the extension of Blackwell Road, pedestrian sidewalks and paths, the LSC Loop Connection, and Broschart Road as envisioned in the Master Plan. In particular, they represent Broschart Road as an urban street with the proposed CCT alignment and significant building frontage. The internal streets, which form an urban-scale network of blocks, will have sidewalks that connect to adjacent properties and the open spaces within the Subject Property. These sidewalks will connect to master-planned paths, including the LSC Loop, that run with the major roads along the periphery of the Subject Property.

Public Use Space

The Applicant's Preliminary Plan and Concept Plan provide for the LSC Loop, the urban square at the proposed CCT Station, and the connections between buildings and open spaces envisioned by the Master Plan. In addition, the Preliminary Plan shows numerous corridors between buildings allowing access to parking or serving as mid-block connections. Staff will ensure that the space between buildings ties into the larger open space areas of the Subject Property during site plan review. Each of the applicable master-planned open spaces is shown on the Applicant's Preliminary Plan and Concept Plan. As shown on the Preliminary Plan, 20% of the net tract area will be devoted to public use space, with the final percentage to be determined at time of site plan.

Therefore, the Planning Board finds the Preliminary Plan and Concept Plan to be in substantial conformance with the Master Plan.

Master Planned Roadways B-8, B-12, B-15, and B-16

The Master Plan identifies four business district rights-of-way on the Subject Property. They are Roadways B-8, B-12, B-15, and B-16. According to the Master Plan, business district street B-12 should be dedicated and constructed as a 60-foot wide right-of-way, while business district streets B-8, B-15, and B-16 should be dedicated and constructed as 70-foot wide rights-of-way.

The Applicant has requested to maintain these roads as private roads with public access easements instead of dedicating the roads to the public. Although the Master Plan envisions these roadways to be dedicated to public use, the business district

roads developed as private roads with public access easements granted to the County are in substantial conformance with the Master Plan, as conditioned by this approval.

The Planning Board supports the Applicant's request due to the unique circumstances of the Subject Property. The Subject Property has been developed and maintained as a hospital campus environment, and the Applicant will retain ownership of the land in order to control the overall design, appearance, and character of the hospital campus. Although B-8 and B-12 have been shown to overlap adjoining properties, all property owners affected have agreed to the Applicant's request to keep the internal roads private. These internal roads, unlike the perimeter roads (i.e., Broschart Road, Blackwell Road, and Medical Center Drive), are not essential to the primary road network for the Master Plan area. Additionally, as private rights-of-way with public access easements, they will still provide alternate route options for pedestrians, cyclists, and vehicles. Also, the roads will be constructed to the public road standards identified in the Master Plan and Design Guidelines, and public access easements will ensure that the roads reflect the master-planned right-of-ways for B-8, B-12, B-15, and B-16 (with the exception of the small segment of B-16 that will be 50-feet wide as shown on the Preliminary Plan).

Due to the layout of the Subject Property, the ultimate right-of-way width, as shown in the Master Plan, for a small segment of B-16 will not be fully achieved. The Board approves a width of 50 feet, instead of the Master Plan recommended 70 foot right-of-way, due to existing building entrances, parking lots, and vehicular and pedestrian circulation patterns on either side of the business district street.

The Applicant will be responsible for maintenance of Roadways B-8, B-12, B-15, and B-16. As conditioned above, the Applicant is required to plat the roads (at a minimum curb to curb) in separate parcels, while the public access easement will cover the larger cross section including the sidewalks envisioned by the Master Plan.

Master Plan Staging Considerations

The Master Plan specifically exempts healthcare services from density limitations applied to Stage 1 of development in the Master Plan area. Thus, as allowed in the Implementation Guidelines and the Master Plan, the Planning Board approves the Preliminary Plan although all of the commercial capacity for Stage 1 has been allocated and Stage 2 is not yet open. The approved 506,946 square feet of new LSC uses will count against the commercial capacity for Stage 2.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

The Planning Board finds that the following public facilities provide adequate support for and service to the Property.

Vehicular Access Points

The Subject Property will have adequate vehicular access points located at the following intersections:

- Business district street, B-8, and Blackwell Road;
- Business district street, B-12, and Medical Center Drive;
- Business district street, B-15, and Broschart Road;
- Business district street, B-16, and Medical Center Drive;
- Service Road and Broschart Road (if not closed to accommodate the Corridor Cities Transitway and its extension southward to Medical Center Drive, which will be determined at future site plan review).

Master-Planned Roadways and Bikeways

In accordance with the Master Plan and the 2005 *Countywide Bikeways Functional Master Plan*, the Preliminary Plan classifies the roadways and bikeways as follows:

1. Medical Center Drive is designated as a four-lane arterial, A-261d, with a recommended 100-foot right-of-way and a dual bikeway, LB-1, with a shared use path on the west side and a signed shared roadway;
2. Broschart Road is designated as a four-lane arterial, A-261b, with a recommended 150-foot right-of-way where 50 feet is for the CCT right-of-way and a shared-use path, SP-66, on the east side;
3. Blackwell Road is designated as a four-lane business district street, B-1, with a recommended 100-foot right-of-way and a dual bikeway, LB-4, with a shared use path on the north/opposite side and a signed shared roadway;
4. Master-planned Road "G" is designated as a business district street, B-8, with a recommended 70-foot right-of-way and no bikeway;
5. Master-planned Road "K" is designated as a business district street, B-12, with a recommended 60-foot right-of-way and no bikeway;
6. Master-planned Road "N" is designated as a business district street, B-15, with a recommended 70-foot right-of-way and no bikeway; and
7. Traville Gateway Drive is designated as a business district street, B-16, with a recommended 70-foot right-of-way and no bikeway.

Available Transit Service

Existing transit services will be adequate to support and service the Subject Property. Currently, the following three Ride-On routes that directly serve the hospital are:

1. Ride-On route 43 operates between the Shady Grove Metro Station and the Traville Transit Center including along Medical Center Drive with buses running every 30 minutes on weekdays.
2. Ride-On route 56 operates between the Lakeforest Transit Center and the Rockville Metro Station with buses running every 30 minutes on weekdays.
3. Ride-On route 66 operates between the Shady Grove Metro Station and the Traville Transit Center including along Broschart Road with buses running every 30 minutes on weekdays only.

On-Site Pedestrian and Bicycle Facilities

As shown on the Preliminary Plan and Concept Plan, the Applicant will provide pedestrian circulation improvements to connect the buildings, improved internal vehicular north-south connections between the buildings (including the existing Rehabilitation Hospital and proposed Behavioral Health buildings), pedestrian and vehicular directional signage, and the necessary sidewalks, handicapped ramps, and pedestrian crosswalks. The final locations of and materials for such improvements will be determined by subsequent site plans.

Bicycle facilities as shown on the Preliminary Plan are be adequate. Final locations and types of storage and parking facilities will be determined at site plan review.

Master-Planned Transportation Demand Management

The site is located within the boundary of the Greater Shady Grove Transportation Management District (TMD). The Applicant must participate in the TMD and assist the County in achieving and maintaining its non-auto driver mode share goals.

Local Area Transportation Review ("LATR")

A traffic study was required to satisfy the LATR test because the Preliminary Plan generates 30 or more total peak-hour trips within the weekday morning and evening peak periods. The traffic study analyzed projected impacts to sixteen (16) intersections. The calculated CLV values at four of sixteen (16) intersections exceed the applicable CLV congestion standard. Therefore, the Applicant must satisfy the LATR test by providing improvements at four intersections.

The improvements required by the conditions of approval at the intersection of Great Seneca Highway (MD 119) and Sam Eig Highway reduce the total calculated CLV values at that intersection below the applicable congestion standard. However, even with the required improvements, the total calculated CLV at the three other intersections exceed the applicable congestion standards.

For the Key West Avenue and Omega Drive-Medical Center Drive intersection and the Great Seneca Highway (MD 119) and Muddy Branch Road intersection, the required improvements will reduce total CLV values by 150% or more of the site-generated trips (i.e., equaling 150% of the difference between the total and background CLV values). Under the *LATR and TPAR Guidelines*, the Planning Board may approve development in areas where local area conditions exceed the congestion standard if the applicant agrees to reduce CLV by 150% of the CLV impact generated by the development.

For the fourth intersection, at Key West Avenue and Shady Grove Road, the Applicant must extend the third left-turn lane on eastbound Key West Avenue through participation in a previously established Road Club. Although necessary, this improvement will neither allow the intersection to meet the CLV congestion standard nor result in a 150% reduction of the evening total CLV value compared with the background CLV value. While the addition of a fourth westbound lane on Key West Avenue could result in the total improved CLV value remaining at 1,421 during the AM peak hour and being reduced from 1,514 to 1,405 during the PM peak hour, this additional improvement is difficult to implement due to the relocation of utilities and acquisition of additional right-of-way.

In accordance with the *LATR and TPAR Guidelines*, the Board finds that the addition of a fourth westbound lane at Key West Avenue and Shady Grove Road cannot be feasibly implemented by the Applicant. In lieu of the additional intersection improvement, the Applicant must contribute the equivalent cost of constructing the additional improvement towards implementation of the Corridor Cities Transitway. With this and the other conditions required for this Application, the LATR test is satisfied.

Transportation Policy Area Review ("TPAR")

Under the current *Subdivision Staging Policy*, for a complete application for subdivision submitted before January 1, 2013, the Applicant had the choice to satisfy its "policy area review" test by choosing to comply with either the Transportation Policy Area Review ("TPAR") test or the Policy Area Mobility Review ("PAMR") test. The Applicant selected the TPAR test to satisfy the "policy area review" test.

In this case, the TPAR test will not require payment of the transportation impact tax because the approved land use is a hospital with a transportation impact tax of zero percent according to the DPS impact tax rates. Thus, the Planning Board finds the TPAR test is satisfied.

Other Public Facilities and Services

The development will be served by public water and sewer systems. The Montgomery County Fire and Rescue Service reviewed the Application and determined that the Subject Property has appropriate access for fire and rescue vehicles. Other public facilities and services including police stations, firehouses, and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following the construction of the project. Electric, gas, and telecommunications services are available and adequate.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The size, shape, and width of the approved lots allow the development to meet the Master Plan goal to provide a more urban and walkable grid network of sidewalks, streets, and blocks while allowing the Hospital to expand as future needs for healthcare services dictate. This Application has also been reviewed for compliance with the Montgomery County Code, Chapter 50-29(a) of the Subdivision Regulations, and Chapter 59, the Zoning Ordinance. The Planning Board finds that the size, shape, width, and area of the lots are appropriate for the location of the subdivision.

Lot Frontage on a Private Street

Section 50-29(a)(2) of the Subdivision Regulations requires "that individually recorded lots shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road."

The Preliminary Plan's internal, private streets provide the only frontage to one of the seven approved lots. However, these private streets will be constructed to the minimum public road standards and will have at least 20-foot pavement widths with adequate turning radii at intersections where needed for emergency access, an appropriate paving cross-section elsewhere for private vehicles, and an appropriate circulation and turnaround pattern. The private roads will be placed in their own separate parcels at least as wide as the road pavement, and will have public access easements that ensure they remain fully accessible to the

public. Accordingly, the Board finds that private roads B-8, B-12, B-15, and B-16 have attained the status of public roads under the Subdivision Regulations.

The lots are designed in such a way to meet all other requirements of the Subdivision Regulations, including access, frontage, dedication for public uses, adequacy of public facilities and conformance to Master Plan recommendations.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

A. Forest Conservation Law

The Board finds that, as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

Forest Conservation

The Subject Property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code), and the Applicant submitted a Preliminary Forest Conservation Plan ("PFCP") for Planning Board approval. For purposes of Forest Conservation, the net tract area of the Subject Property is 38.94 acres. The submitted Preliminary Forest Conservation Plan has an afforestation requirement of 5.84 acres.

In this case, (1) no priority planting areas exist on the Subject Property, (2) the majority of the Subject Property is already developed with buildings and paving, (3) the density of development approved in this Preliminary Plan will approximately double the approved density on the Subject Property, and (4) the intent of the Master Plan for the Subject Property is to accommodate future growth of the Shady Grove Adventist Hospital to serve the health needs of a growing community. Therefore, the Planning Board finds that no appropriate areas exist for on-site planting and that a fee-in-lieu payment is an appropriate option for mitigation in this case. Accordingly, the Applicant may satisfy its afforestation requirement with off-site reforestation, payment of a fee-in-lieu pursuant to Section 22A-12(g)(2)(C), or some combination of the two methods of mitigation.

Environmental Guidelines

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the Subject Property on February 29, 2012. The Subject Property contains no forests, streams or their buffers, wetlands or their buffers, or 100-year floodplains. There are no records of Rare, Threatened or Endangered Species on the Subject Property. The

Preliminary Plan is therefore in compliance with the *Environmental Guidelines*.

SPA Preliminary Water Quality Plan Review

As part of the requirements of the Special Protection Area ("SPA") Law, an SPA Water Quality Plan was reviewed in conjunction with the Preliminary Plan. 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 Preliminary/Final Water Quality Plan under its purview. In accordance with its responsibilities, the Planning Board has determined that required environmental buffer protection, SPA forest conservation and planting requirements, and site imperviousness limits have been satisfied.

a. Environmental Buffers

There are no environmental buffers on the Subject Property; therefore, the requirement to protect environmental buffers is not applicable to this Preliminary Plan.

b. Forest Conservation and Planting Requirements

As described above, the Applicant will meet all applicable forest conservation and planting requirements through off-site reforestation and/or payment of a fee-in-lieu.

c. 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. Montgomery County Executive Regulations 29-95, Regulations for Water Quality Review-Special Protection Areas, require that the Water Quality Plan must include a plan describing the proposed development that minimizes impervious areas and, if applicable, meets any required imperviousness limits. The existing 39.16 acre site contains 1,017,701 square feet of impervious surfaces, for a total imperviousness of 59.7%. The Preliminary Plan includes 1,090,833 square feet of impervious surfaces. Even though this represents an overall increase in imperviousness on the Subject Property of 4.2% (to 63.9%), the increase results from a Preliminary Plan that more than doubles the development density on the site through infill development. This increase in imperviousness is small in proportion to the new development approved. Operational requirements of the hospital campus, including the need to focus on accessibility for

mobility-challenged individuals, limit possibilities for reducing impervious surfaces further.

The Board finds that the Preliminary Plan minimizes new impervious surfaces by proposing infill development that substantially builds on existing surface parking areas.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected 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.

This Application will require the removal or CRZ impact to one (1) Protected Tree as identified in the Staff Report (Variance Tree T-17). In accordance with Section 22A-21(a), the Applicant has requested a Variance and the Board agreed that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board made the following findings necessary to grant the Variance:

- 1. Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

The Preliminary Plan is in accordance with both the intent and recommendations of the Master Plan and the LSC zone approved for this site. The Master Plan notes that population growth and demographic changes will create demand for additional capacity at Shady Grove Adventist Hospital, and it supports an expanded, first-class medical center. Not allowing the removal of Variance Tree T-17 would require moving the Diagnostic and Outpatient Services building or substantially modifying its design. The intensity of the development of the hospital campus, coupled with other constraints from the provision of the Master Plan-recommended road grid and stormwater management requirements, further inhibit the ability to preserve this tree. Because there is no feasible alternative to the Preliminary Plan that would permit the tree to be saved, granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The Variance is based on the constraints of the Subject Property and the development density and road network as recommended in the Master Plan, rather than on conditions or circumstances which are the result of actions by the Applicant.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property*

There are no conditions relating to land or building use, either permitted or nonconforming, on a neighboring property that have played a role in the need for this Variance.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality. Removal of Variance Tree T-17 will be more than compensated for by the installation of greatly enhanced stormwater management treatments and establishment of tree cover exceeding what is currently present on the Subject Property as part of the development.

Mitigation for Trees Subject to the Variance Provisions

Mitigation for the Variance is at a rate that approximates the form and function of the Protected Trees removed. Therefore, tree replacement shall occur at a ratio of approximately 1" DBH for every 4" DBH removed, using trees that are a minimum of 3" DBH, which is consistent with mitigation required on previously approved plans. The Planning Board therefore requires the Applicant to identify 3 native canopy trees with a minimum size of 3" DBH on the landscape plan (at the site plan phase) to mitigate the loss of Variance Tree T-17.

Based on the analysis above, the Planning Board finds the Preliminary Forest Conservation Plan meets the Environmental Guidelines and Forest Conservation Law.

5. *All stormwater management requirements shall be met as provided in Chapter 19, article II, title "stormwater management," Section 19-20 through 19-35.*

This finding is based in part upon the determination by DPS that the Stormwater Management Concept Plan meets applicable standards. DPS issued a letter accepting the Stormwater Management Concept approval for the Preliminary Plan on April 5, 2011. Stormwater management will be provided through a combination of on- and off-site measures, including porous pavement, micro biofilters and a green roof. Stormwater that leaves the site will be captured and treated in the existing Western and Gudelsky Regional SWM ponds downstream of the site.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 144 months (12 years) from its initiation date (as defined in Montgomery County Code Section 50-35(h)) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

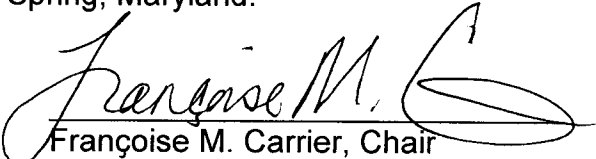
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 27 2014 (which is the date that this Resolution is mailed to all parties of record); and

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).

* * * * *

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 Presley, with Chair Carrier, and Commissioners Anderson, Dreyfuss, and Presley voting in favor, and Vice Chair Wells-Harley absent, at its regular meeting held on Thursday, March 20, 2014, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board

MEMO

AGENDA ITEM NO. 25

May 2, 1977

TO: Montgomery County Planning Board
FROM: Community Planning North
SUBJECT: Site Plan Review 8-77015 Shady Grove
Adventist Hospital

Staff Recommendation:

Approval, subject to the following conditions:

- (1) Minor revisions to the pathway layout and grading plan to facilitate pedestrian movement to the west parking area and to Road "A"
- (2) Piping of storm drainage as the open channel is unsightly and will become a maintenance problem, and
- (3) The submittal of an acceptable landscaping, lighting and screening plan

Staff Report:

This will be the first major structure built in the County Medical Center. As such it will set the tone for all future development.

The major problem the staff has with the site plan for this facility is the open concrete channel which is to carry off the storm water from much of the site. This facility will not only be unsightly, particularly from the major roadway in the Medical Center, but it will also become a maintenance problem. Staff strongly recommends that the storm water be piped through the site to the storm water detention facility.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan Review #8-85125

Project Shady Grove Dialysis Center

On December 17, 1985, Seybolt, Gore, Newquist & Berlinsky submitted an application for the approval of a site plan for property in the R-200 zone. The application was designated Site Plan Review #8-85125.

On March 26, 1986, Site Plan Review #8-85125 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the site plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
4. the site plan is consistent with the approved Medical Center Development Plan, February 1, 1976.

and approves Site Plan Review #8-85125 subject to the following conditions:

1. Submittal of a Site Plan Enforcement Agreement and Development Program that are acceptable to staff.
2. Two additional shade trees will be added within the parking lot and shall be subject to staff approval.
3. A pedestrian connection from Broschart Road to the building shall be added and will be subject to staff's approval.
4. The pedestrian path shall connect to the central pedestrian easement within the Shady Grove Life Sciences Center, and the final design and

construction of the path shall be completed prior to occupancy of the building, and shall be coordinated and reviewed by staff.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3780

MONTGOMERY COUNTY PLANNING BOARD
OPINION

Site Plan Review #8-87061
Project: Montgomery County Residential
Treatment Center

Date Mailed: December 16, 1987

Action: (Motion was made by Commissioner Floreen, seconded by Commissioner Keeney, with a vote of 4-0, Commissioners Christeller, Keeney, Floreen, and Hewitt voting for and no Commissioner voting against. Commissioner Henry was absent.)

On October 7, 1987, National Medical Enterprises submitted an application for the approval of a site plan for property in the R-200 zone. The application was designated Site Plan Review #8-87061.

On December 10, 1987, Site Plan Review #8-87061 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;

and approves Site Plan Review #8-87061 subject to the following conditions, to be addressed prior to release of building permits:

1. Prior to release of a building permit the applicant must submit to staff for approval an interim and ultimate circulation and parking layout plan showing how the Shady Grove Life Sciences Center Development Plan village street design will be accommodated, and including the following:
 - a. closure of the temporary entrance between the existing and proposed parking lots;

- b. construction of one bay of the ultimate parking adjacent to Broschart Road as part of this Site Plan and conversion of one bay adjacent to the future village street to green space; and
 - c. inclusion in the Site Plan Enforcement Agreement a requirement to reevaluate the parking need and lot design following occupancy of the Treatment Center and prior to construction of the village street and relocation of the affected parking.
2. The applicant must implement the Shady Grove Life Sciences Center Development Plan streetscape design for Broschart Road and, prior to release of a building permit, must submit a final streetscape design to staff for approval.
3. A final landscape plan must be submitted to staff for approval prior to release of a building permit and must include the following:
 - a. details of the curb ramps and crosswalks for the pedestrian path through the parking;
 - b. additional landscaping between the exit drive and north property line; and
 - c. a design for the identification sign.
4. Submission of a Site Plan Enforcement Agreement and Development Program prior to release of a building permit.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: March 11, 1999

SITE PLAN REVIEW: #8-99024

PROJECT: Montgomery County Rehabilitation Hospital

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Holmes, with a vote of 3-0, Commissioners Bryant, Holmes and Hussmann voting for. Commissioners Perdue and Richardson were absent.

The date of this written opinion is March 11, 1999, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before April 9, 1999, (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this site plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On March 11, 1999, Site Plan Review #8-99024 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-99024 which consists of 59,000 square feet of Hospital subject to following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A
2. Applicant to submit a revised record plat for Planning Board approval to remove the transit easement along Medical Center Drive prior to staff release of the signature set for the site plan.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Community-wide pedestrian pathways must be completed prior to seventy percent occupancy of each phase of the development.
 - 2) Landscaping associated with the parking lot and building shall be completed prior to occupancy.
 - 3) Pedestrian pathways and seating areas associated with each facility shall be completed prior to occupancy.
 - 4) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - 5) Coordination of each section of the development and roads;
 - 6) Phasing of dedications, stormwater management, sediment/erosion control, community paths, trip mitigation or other features.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance;
 - b. Methods and location of tree protection;
 - c. Forest Conservation areas;
 - d. Conditions of DPS Stormwater Management Concept approval and waiver letter dated February 18, 1999;
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
 - f. The development program inspection schedule.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

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MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: May 18, 2004

SITE PLAN REVIEW #: 8-99024A

PROJECT NAME: Shady Grove Adventist Hospital

The date of this written opinion is May 18, 2004, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before June 17, 2004 (which is thirty days from the date of this written opinion). This Site Plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On May 6, 2004, Site Plan Review 8-99024A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;*
2. *The Site Plan meets all of the requirement of the LSC zone;*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*
6. *The Site Plan meets all applicable requirements of Chapter 19 regarding water resource protection.*

Therefore, the Montgomery County Planning Board approves Site Plan 8-99024A, which consists of 203,262 sf of hospital;

STAFF RECOMMENDATION: Final Water Quality Plan

Action: Approval with Conditions. A motion was made by Commissioner Robinson and seconded by Commissioner Bryant, with a vote of 3 – 0. Commissioners Berlage, Bryant, Robinson, voted for and no Commissioners voting against. Commissioners Perdue and Wellington were necessarily absent.

Approval of the final water Quality Plan subject to the following conditions:

1. Conformance to the MCDPS approval memo of March 29, 2004.
-

STAFF RECOMMENDATION Site Plan Review #8- 99024A:

Action: Approval with Conditions. A motion was made by Commissioner Robinson and seconded by Commissioner Bryant, with a vote of 3 – 0. Commissioners Berlage, Bryant, Robinson, voted for and no Commissioners voting against. Commissioners Perdue and Wellington were necessarily absent.

Approval of 203,262 sf of hospital use space with the following conditions:

1. All trees used for screening that were displaced for the storm water management facility on the adjacent rehabilitation hospital site plan shall be relocated or replaced.
2. The Site Plan Enforcement Agreement shall reference an Off-Site Parking agreement per Section 59-E-3.4 of the Zoning Ordinance, as required, in regards to the shared parking with the adjacent Potomac Ridge Behavioral Health site plan #8-04008.
3. A lighting plan shall be submitted for staff review that shall include light levels that cut off at the property line and have light levels throughout the site at IESNA approved levels of approximately foot-candle averages of 2.5 with .5 minimum and uniformity ratio of 15:1.

4. A final review of the latest building materials is required by the Architectural Review Committee, as established by DED, prior to release of signature set.
5. The applicant shall establish a plan, prior to the release of signature set, to phase out the temporary trailers in a time frame to require their removal around the time of completion of this site plan in order to conform to the Development Plan requirements prohibiting such uses long term on site.
6. Transportation Requirements:
 - a. Total development under the site plan for the Potomac Ridge Behavioral Health (Site Plan No. 8-04008) is limited to the existing 107,000 square feet.
 - b. Total development under the site plan for the Hospital (Site Plan No. 8-99024-A) is limited to 325,302 FAR square feet or 387,306 total FAR square feet on Lot 4A.
 - c. The Hospital shall implement a comprehensive traffic management program as described in the Travel Demand Management (TDM) program submitted by the applicant on February 25, 2004.
 - d. The Hospital shall participate in a future Transportation Management District (TMD) for the Shady Grove Master Plan Study Area when the TMD is established by the Montgomery County Department of Public Works and Transportation (DPWT).
7. Submit a Site Plan Enforcement Agreement and Development Review Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion project.
 - 2) Community-wide pedestrian pathways facilities must be completed prior to completion of the development.
 - 3) Landscaping associated with the development shall be completed as construction of the pedestrian areas are completed.
 - 4) Pedestrian pathways and seating areas shall be completed as construction of the facility is completed.
 - b. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - 1) Limits of disturbance.
 - 2) Conditions of DPS Stormwater Management Concept approval letter dated October 15, 2003.
 - 3) The development program inspection schedule.
 - 4) Streets trees 50 feet on center along all public streets.
 - 5) No clearing or grading prior to M-NCPPC approval of signature set of plans.

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Site Plan No.: 8-99024B
Project: Shady Grove Adventist Hospital
Date of Hearing: July 28, 2005

Action: **APPROVAL SUBJECT TO CONDITIONS.** *(Motion to approve was made by Commissioner Bryant; duly seconded by Commissioner Wellington; with a vote of 3-0, Commissioners Berlage, Bryant, and Wellington, voting in favor. Commissioners Perdue and Robinson were necessarily absent.)*

The date of this written opinion is OCT 05 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court – State). This site plan shall remain valid as provided in Section 59-D-3.8.

INTRODUCTION

On May 26, 2005, the applicant, Shady Grove Adventist Hospital ("Applicant"), filed the instant application to amend Site Plan No. 8-99024. On July 28, 2005, Site Plan Review #8-8-99024B was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

THE SUBJECT PROPERTY

The subject property is located on the north side of Medical Center Drive between Broschart Road and Medical Center Way. To the north of the site is the Potomac Ridge Behavioral and Ambulatory Care Center. South of the site is Medical Center Drive, beyond which is the Life Technologies Center owned by Human Genome Sciences. All areas are within the LSC zone.

The site is currently approved for 408,931 square feet of hospital and rehabilitation hospital (FAR and non-FAR space) and 1,096 space parking spaces. The building addition is

located on the northwest corner of the main hospital between the main hospital and the Potomac Ridge Behavioral Health Center.

BACKGROUND

Zoning/Development Plan:

The subject property was rezoned from the R-200 Zone to the LSC Zone by Local Map Amendment G-725 on June 11, 1996.

Preliminary Plan:

Preliminary Plan 1-88233 was approved on March 15, 1990 for 1,052,650 s.f. of commercial development.

Site Plan:

Site Plan 8-99024 was approved on March 11, 1999 for 59,000 s.f. of hospital building.

Site Plan Amendment:

Site Plan Amendment 8-99024A was approved on May 18, 2004 for 203,262 s.f. of hospital use space.

PROPOSED DEVELOPMENT

The subject site plan amendment proposes a building addition of two levels. The addition would consist of a 2-story, 5,892-square-foot building that would provide space for transformers, switchgears, electrical supply, and mechanical equipment. The electrical building is required to support a previously approved hospital expansion (Site Plan #8-99024A).

The proposed landscaping includes 3 shade trees along the asphalt path on the north side of the building addition and shrubs next to the building for screening. An asphalt sidewalk extension is proposed from the northwest corner of the addition connecting to an existing lead walk.

SUMMARY OF TESTIMONY AND EVIDENCE IN RECORD

Staff prepared a Staff Report dated July 8, 2005 and submitted it to the Planning Board in advance of the public hearing. The Applicant appeared at the Hearing represented by legal counsel and advised the Board that it concurred with the Staff Report and the

recommended conditions of approval. No other party testified in support of or in opposition to the Application.

FINDINGS

Based on all of the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required.

An approved development plan or a project plan is not required for the subject development.

2. The Site Plan meets all of the requirements of the zone in which it is located.

The Site Plan meets all of the requirements of the LSC Zone as demonstrated in the project Data Table below.

	Zoning Ordinance Development Standard	Development Standard Approved by Planning Board and Binding on Applicant
Min. Tract Area (ac.):	N/A	39.16
Gross Floor Area (sf)	626,910	527,272 ¹
Floor Area Ratio (FAR)	3675 ²	3063 ³
Green Space (%)	25	42.7

¹ Includes the proposed electrical room addition.

² .3 FAR for the entire LSC Development. 3675 FAR allocated for the subject Parcel 5 which includes previous Parcels 3A, 3B, 4A and K.

³ Excludes the proposed electrical room addition as per Sec. 59-C-5.321 of the Montgomery County Zoning Ordinance.

<i>Min. Building Setbacks (ft.):</i>		
<i>from rights-of-way of interior roads</i>	25	210
<i>from rights-of-way of perimeter roads</i>	50	210
<i>from right-of-way line at entry gateways</i>	50	N/A
<i>from interior lot lines</i>	20	N/A
<i>Parking Setbacks (ft.):</i>		
<i>from rights-of-way</i>	50	N/A*
<i>from interior lot lines</i>	15	N/A*
<i>from adjacent parking lot</i>	8	N/A*
<i>from Blackwell Rd. & cul-de-sacs</i>	25	N/A*
<i>Max. Building Height (ft.):</i>	100	35

* No parking is required or proposed as a part of the instant site plan amendment.

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

- a. *Buildings*

The building addition fits into the northwest corner of the existing hospital and provides a coherent terminus for this corner of the building. The architecture blends with the existing hospital to create a meaningful addition to the main building structure.

- b. *Green Spaces*

The campus currently provides approximately 43% of green space throughout site. The stormwater management concept consists of on-site water quality control via a water quality inlet. Channel protection volume is provided in the Shady Branch 5 Regional Pond.

- c. *Landscaping and Lighting*

*The proposed landscaping on the site consists of three River Birches (*Betula nigra*) along the proposed sidewalk and plantings of Leatherleaf *Viburnum**

(Viburnum rhytidophyllum) along edge of building addition. The revised landscaping will provide a more informal feel and will soften the appearance of the asphalt path and building addition while at the same time providing shading along the walk between the hospital and the Potomac Behavior Health Center.

Existing project lighting will not be affected by this amendment.

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

The proposal is compatible with adjacent health care facilities located in the SGLSC. The addition blends in to the form of the existing hospital.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

No Forest Conservation Plan is required due to an approved Forest Conservation Exemption 4-94192E approved on June 18, 1994.

PLANNING BOARD ACTION AND CONDITIONS

The Montgomery County Planning Board APPROVES Site Plan Review #8-99024B for Shady Grove Adventist Hospital on 39.16 gross acres in the LSC zone. All site elements of the Shady Grove Adventist Hospital plans stamped by M-NCPPC on May 26, 2005 shall be required except as modified by the following conditions:

1. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan 1-88233 as listed in the Planning Board opinion March 15, 1990.
2. Site Plan Conformance
The proposed development shall comply with the conditions of approval for Site Plan 8-99024A as listed in the Planning Board opinion dated May 18, 2004.
3. Landscaping
 - a. Provide six (6) additional River Birches (*Betula nigra*) grouped informally along proposed asphalt path.

- b. Provide additional Leatherleaf Viburnums (*Viburnum rhytidophyllum*) along wall of building addition and down slope.
 - c. Provide ground plane landscape treatment on north side of new addition and west of addition where proposed staging area is located.
4. Forest Conservation
The proposed development shall comply with the conditions of approval for the Forest Conservation Exemption dated June 18, 1994.
5. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated May 10, 2005.
6. Development Program
Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:
 - a. Landscaping associated with proposed amendment shall be completed as construction of the facility is completed.
 - b. Pedestrian pathways associated with the addition shall be completed as construction of the facility is completed.
 - c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
7. Clearing and Grading
No clearing or grading prior to M-NCPPC approval of signature set of plans.
8. Signature Set
Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:
 - a. Development program, inspection schedule, and Site Plan Opinion.
 - b. Limits of disturbance.
 - c. Methods and locations of tree protection.

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY

TAB
M-NCPPC LEGAL DEPARTMENT

DATE

9/26/05

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, September 29, 2005**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission by unanimous consent **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Site Plan No. 8-99024B, Shady Grove Adventist Hospital**. Vice Chair Perdue was absent. Commissioner Robinson abstained.

A handwritten signature in cursive script, appearing to read "E. Ann Daly", written over a horizontal line.

Certification As To Vote of Adoption
E. Ann Daly, Technical Writer

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

TO: Charles Loehr, Director

VIA: Rose Krasnow, Chief *RK*
Development Review Division

FROM: Michael Ma *Ma*
Development Review Division

SUBJECT: Shady Grove Adventist Hospital
Revised Site Plans 81999024C (8-99024C)

Date: October 26, 2005

Prior Approval

Site Plan amendment 81999024B (formerly 8-99024B) for Shady Grove Adventist Hospital was approved by the Planning Board on July 28, 2005, with conditions. The purpose of the amendment was to construct a two-story electrical room addition. The approved plan shows 5,892 square feet as the square footage for the addition.

Proposed Amendment

The purpose of the subject amendment is to correct the square footage information shown on the approved Site Plan amendment, which reflects the square footage for the first floor only instead of 11,784 square feet (the total square footage for two stories).

Public Notice

The applicant mailed a public notice to all adjoining and confronting property owners on August 15, 2005, with a full-scale copy of the site plan and a copy of the submission cover letter dated August 10, 2005, explaining the proposed changes. During the 30-day review period, staff did not receive any comments regarding the proposed changes to the approved plan.

Staff Recommendation

The proposed change does not alter the design and site layout of the approved plan. It just corrects the square footage information for the proposed addition. Staff recommends approval of amended Site Plan 81999024C.

✓ Approved By Charles E. Loehr Date 10/26/05
Charles Loehr, Director
Department of Park and Planning

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

DEC 01 2006

MCPB Resolution No. 06-111

Site Plan No. 81999024D

Shady Grove Adventist Hospital Parking Structure Addition

Date of Hearing: September 14, 2006

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, on May 19, 2006, Adventist Healthcare Inc. ("Applicant"), filed an application for approval of a site plan amendment ("Site Plan Amendment" or "Plan") for a 289,251 square foot parking structure for the Shady Grove Adventist Hospital, including 2,100 square feet of office and storage space on 39.16 acres of land ("Property" or "Subject Property") in the Life Sciences Center ("LSC") Zone; and

WHEREAS, this Site Plan Amendment proposed to modify the Site Plan No. 819990240, originally approved for the Subject Property on March 11, 1999 and last amended by Site Plan No. 81999024C on November 2, 2005; and

WHEREAS, Applicant's Site Plan Amendment application was designated Site Plan No. 81999024D, Shady Grove Adventist Hospital Parking Structure Addition (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated August 31, 2006, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on September 14, 2006, Staff presented the Application to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on this Application and approved the Application on the motion of Commissioner Bryant, seconded by Commissioner Robinson, with Commissioners Berlage, Perdue, Bryant, Wellington and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 81999024D, Shady Grove Adventist Hospital Parking Structure Addition, for a 289,251 square foot parking structure for the Shady Grove Adventist Hospital, including 2,100 square feet of office and storage space on 39.16 acres of land in the LSC zone, subject to the following conditions:

1. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan 1198823.
2. Site Design
 - a. The data table on the Site Plan shall be revised to match the data table in the Staff Report.
 - b. A minimum of twenty bicycle parking spaces shall be provided per Section 59-E-2.3 of the zoning code. Of the 20 spaces, 14 shall be in the form of bike lockers (one locker per bicycle) located in a visible, well-lit location accessible by the existing and proposed sidewalks under a canopy near the stairs and elevators of the proposed parking garage structure, and six (6) shall be in the form of inverted U bike racks located in the parking structure. A note stating that the applicant shall not charge a fee to employees and visitors to use the lockers or the racks shall be added to the site plan.
 - c. A minimum of five shade trees in the parking islands of the surface parking area to the west of the proposed garage.
 - d. White reflective surface materials for the rooftop parking to reduce heat absorption.
 - e. Planting of shade trees along the higher grade of the berm between the proposed parking garage and the roof of the easternmost portion of the hospital structure to provide visual interest to the adjacent areas overlooking it on the west side.
 - f. Provide street level references and the average elevation of finished ground surface on the site plan for measuring building height on the site plan.
 - g. Additional shade trees shall be provided in the landscaped area along Medical Center Drive to provide additional screening for the parking structure.
 - h. On submission of the signature set, the Applicant will verify information on the total approved development cap and FAR for the entire development and for this parcel to be included in the data table.

- i. On submission of the signature set, the Applicant will provide an overall site plan showing the boundaries of the subject parcel, the location of the proposed parking structure and the location of the following existing structures, Hospital, Potomac Ridge, Broschart Building, rehabilitation hospital and temporary trailers.
3. Lighting
 - a. All light fixtures shall be full cut-off fixtures or be able to be equipped with refractors, reflectors or shields.
 - b. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent properties.
 - c. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line.
 - d. The height of the outdoor light poles shall not exceed 20 feet including the mounting base.
4. Transportation
 - a. Prior to issuance of building permits, the Applicant shall enter into a traffic mitigation agreement ("Agreement") to participate in the Greater Shady Grove Transportation Management District.
 - b. The Agreement will integrate the applicant's proposed TDM Program dated February 25, 2004 and approved by the Planning Board as part of Site Plan No. 8-99024A.
5. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. The Development Program shall include a phasing schedule as follows:

 - a. On-site landscaping shall be installed along with the construction of the parking structure but no later than six months after opening of the proposed garage
 - b. All sidewalks, pathways and sitting areas shall be completed prior to the opening of the proposed parking garage.
 - c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
6. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of the certified plan.

7. Certified Site Plan

Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to Staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Limits of disturbance.
- c. Methods and locations of tree protection.
- d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- e. Revised transportation memorandum from the Transportation Planning Section showing the correct remaining density for the hospital.
- f. Site Plan and Landscape Plan revised to show all items in Condition #2

BE IT FURTHER RESOLVED THAT, all site development elements as shown on Shady Grove Adventist Hospital drawings stamped by the M-NCPPC on August 18, 2006, shall be required except as modified by the above conditions of approval.

BE IT FURTHER RESOLVED THAT, the Planning Board's decision is based on the following findings proposed by Staff, in its Report, which is supported by the evidence of record:

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;*

This Section is not applicable because neither a development plan nor a diagrammatic plan is required for the proposed development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Plan meets all of the requirements of the LSC Zone and the developments standards for the Shady Grove Hospital Parking Structure Addition are limited as specified in the data table below:

Data Table

Development Standards	Development Standard Approved by the Board and Binding on the Applicant
Gross Tract Area (ac/sf.):	39.16 acres 1,705,963 sq.ft.
Gross Floor Area ¹	523,480 sq.ft.
Hospital	327,402 sq.ft.
Potomac Ridge	107,814 sq.ft.
Broschart building	26,260 sq.ft.
Rehabilitation hospital	54,354 sq.ft.
Temporary trailers	7,650 sq.ft.
Parking structure	289,251 sq.ft.
Parking	287,151 sq.ft.
Office space	300 sq.ft.
Yard supply storage	1,800 sq.ft.
Gross Square Footage ²	760,151 sq.ft.
Hospital	561,973 sq.ft.
Potomac Ridge	107,814 sq.ft.
Broschart building	26,260 sq.ft.
Rehabilitation hospital	54,354 sq.ft.
Temporary trailers	7,650 sq.ft.
Office within parking structure	300 sq.ft.
Yard storage within parking structure	1,800 sq.ft.
Floor Area Ratio for the subject Parcel	523,480 sq.ft. 0.3068
Green Space	42.43% 723,818 sq.ft.
Building Coverage	22.27% 380,067 sq.ft.
Building Height	58.5 feet ³
Minimum Building Setbacks From right-of-way	51 feet
Minimum Parking Setbacks From right-of-way	51 feet
Parking according to Projected Demand	2,062 spaces
Parking structure	856 spaces

Bicycle Parking	42 spaces
Motorcycle Parking	10 spaces

-
- 1 The Gross Floor Area calculations do not include mechanical space and parking in a structure. The proposed office and yard storage (a total of 2,100 sq.ft.) within the proposed parking structure are included in the proposed gross floor area calculations.
 - 2 The Gross Square Footage calculations include mechanical space. The area of proposed parking in a structure is not included in the proposed gross square footage calculations. The proposed office and yard storage (a total of 2,100 sq.ft.) within the proposed parking structure are included in the proposed gross square footage calculations.
 - 3 The proposed height excludes the top of the elevator cores (approximately 17'6" above the upper parking level). The height is measured from the average elevation of finished ground surface along the front of the building to the highest point of roof surface of a flat roof; to the mean height level between eaves and ridge of a gable, hip, mansard, or gambrel roof; street grade AND is referenced in the data table and on the site plans. A condition of approval has been added to add street level references and the average elevation of finished ground surface on the site plan.
3. *The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.*
- a. Buildings and Structures

The buildings and structures are safe, adequate and efficient. The Applicant is proposing a 289,251-square foot parking structure to meet the future parking needs of the Adventist Healthcare facilities. The parking structure will be located adjacent to the existing buildings and will be integrated with the design of the existing buildings by the use of similar materials. The height, scale and design of the parking structure will be compatible with the height, scale and design of the existing buildings. The maximum height of the parking structure is 58.5 feet.
 - b. Open Spaces

The open spaces are safe, adequate and efficient. The Plan proposes 723,818 square feet of green area (42.43%) of green area on the site.
 - c. Landscaping and Lighting

The landscaping and lighting are safe, adequate and efficient. Extensive landscaping consisting of a combination of shade trees, evergreen trees, ornamental trees, shrubs and ground cover, four-foot-wide stone dust pathways and sitting areas are provided in the 51 foot-wide building
-

setback area along Medical Center Drive to create a park like setting along Medical Center Drive. Extensive landscaping along the proposed sidewalk is also provided in the area in between the hospital and the parking structure to create visual interest along the sidewalk.

d. Recreation

This section is not applicable to this proposal because only parking and office uses are being proposed.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient. Access to the parking area is from a new entrance along Medical Center Drive. Two 20-foot-wide in and out aisles are provided at the entrance along Medical Center Drive. One ingress and two egress driveways are provided at the entrance to the parking garage for cars to enter and exit the parking structure. Another vehicular entrance to the parking structure from the parking area to the north is provided.

A five-foot-wide sidewalk is proposed to connect the internal sidewalks to Medical Center Drive. Five-foot-wide sidewalks are proposed on the west and north sides of the parking structure to provide pedestrian access from the parking structure to the hospital. The sidewalk on the north side will have a canopy to provide a covered walkway from the parking structure. The sidewalks will be connected with the existing sidewalks to provide an integrated pedestrian system throughout the site.

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

The proposed development's structures and uses are compatible with other site plans and adjacent existing and proposed uses. The parking structure will be located adjacent to the existing buildings and will be integrated with the design of the existing buildings by the use of similar materials. The height, scale and design of the parking structure will be compatible with the height, scale and design of the existing buildings. The maximum height of the parking structure is 58.5 feet. Conditions of approval have been added to require design elements that reduce the visual impacts of the structure along Medical Center Drive. Therefore, the proposal is compatible with existing and proposed adjacent development.

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.*

The Plan meets all applicable requirements of Chapter 22A regarding forest conservation and Chapter 19 regarding water resource protection. The property is exempt from forest conservation and exemption 4-02182E was approved on June 18, 2004. The Environmental Planning Section has recommended approval of the site plan submitted for review.

BE IT FURTHER RESOLVED, that the Record of this Application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived; and

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-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this resolution is DEC 01 2006 (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).

* * * * *

At its regular meeting, held on Thursday, November 9, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Bryant, seconded by Commissioner Robinson, with Commissioners Perdue, Bryant, Robinson, and Wellington voting in favor, and Chairman Hanson abstaining, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes

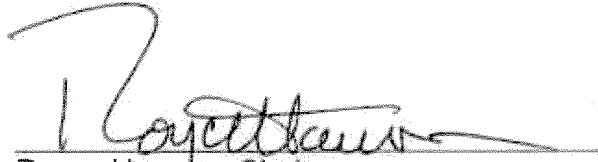
MCPB No. 06-111

Site Plan No. 81999024D

Shady Grove Adventist Hospital Parking Structure Addition

Page 9

the Board's findings of fact and conclusions of law for Site Plan Amendment No. 81999024D, Shady Grove Adventist Hospital Parking Structure Addition, to the Prior Site Plan No. 819990024C.

A handwritten signature in dark ink, appearing to read "Royce Hanson", is written over a horizontal line.

Royce Hanson, Chairman
Montgomery County Planning Board



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Memorandum

TO: Rollin Stanley, Planning Director

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RK*
Development Review Division

FROM: Joshua Sloan, Coordinator *JS*
Development Review Division

RE: Shady Grove Adventist Hospital Amendment E
SITE PLAN #81999024E

DATE: November 24, 2008

Pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments), the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are considered minor in nature and do not alter the intent and objectives of the plan.

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the DRD Intake Section is also not required; however, submittal of the application to DRD is applicable. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual and require approval of the Planning Director.

On October 9, 2008, Adventist Healthcare, Inc. ("Applicant") filed a site plan amendment application designated Site Plan No. 81999024E ("Amendment") for approval of the following modifications:

1. Elimination of one proposed pedestrian access;
2. Adjustment of curb locations, grading, and sidewalks;
3. Provision of new sidewalks and details;
4. Provision of aluminum railing along one revised sidewalk;
5. Removal of proposed internal driveway connection to east parking lot;
6. Installation of gates and pay stations at parking lot entrances; and
7. Restoration of temporary gravel parking area.

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on October 9, 2008. The notice gave the interested parties 15 days to review and

comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

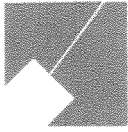
ACCEPTED & APPROVED BY:



Rollin Stanley, Planning Director

12.12.08

Date Approved



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

Memorandum

TO: Rollin Stanley, Planning Director *RS*

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RK*
Development Review Division

FROM: Joshua Sloan, Coordinator *JS*
Development Review Division

RE: Shady Grove Adventist Hospital
SITE PLAN #81999024F

DATE: May 28, 2009

Pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments), the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are considered minor in nature and do not alter the intent and objectives of the plan.

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the DRD Intake Section is also not required; however, submittal of the application to DRD is applicable. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual and require approval of the Planning Director.

On April 22, 2009 Adventist Healthcare, Inc. ("Applicant") filed a site plan amendment application designated Site Plan No. 81999024F ("Amendment") for approval of the following modifications:

1. Add a roof garden and
2. Make minor modifications to parking islands and gates.

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on April 9, 2009. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not

alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved and amended site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY:



Rollin Stanley, Planning Director

6.4.09



Date Approved




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Memorandum

TO: Rollin Stanley, Planning Director

VIA: Cathy Conlon, Acting Chief 
Elza Hisel-McCoy, Acting Supervisor 
Development Review Division

FROM: Joshua Sloan, Coordinator 
Development Review Division

RE: Shady Grove Adventist Hospital
SITE PLAN #81999024G

DATE: July 28, 2010

Pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments), the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are considered minor in nature and do not alter the intent and objectives of the plan.

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the DRD Intake Section is also not required; however, submittal of the application to DRD is applicable. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual and require approval of the Planning Director.

On May 13, 2010, Adventist Healthcare, Inc. ("Applicant") filed a site plan amendment application designated Site Plan No. 81999024G ("Amendment") for approval of the following modifications:

1. Change in emergency department driveway, parking, and drop-off layout;
2. Change in gate-controlled parking access; and
3. Revisions to associated landscape and lighting.

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on May 4, 2010. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

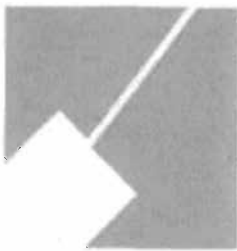
ACCEPTED & APPROVED BY:



Rollin Stanley, Planning Director

7-28-10

Date Approved



MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: May 17, 2004

SITE PLAN REVIEW #: # 8-04008

PROJECT NAME: Potomac Ridge Behavior Health

Action: Approval with Conditions. A motion was made by Commissioner Robinson and seconded by Commissioner Bryant, with a vote of 3 – 0. Commissioners Berlage, Bryant, Robinson, voted for and no Commissioners voting against. Commissioners Perdue and Wellington were necessarily absent.

The date of this written opinion is May 17, 2004, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before June 16, 2004 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On May 6, 2004, Site Plan Review # 8-04008 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;*
2. *The Site Plan meets all of the requirement of the LSC zone, and is consistent with an urban renewal plan approved under Chapter 56;*

3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*
6. *The Site Plan meets all applicable requirements of Chapter 19 regarding water resource protection.*

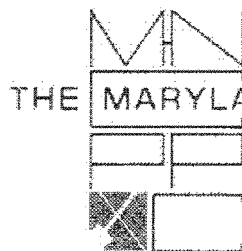
Therefore, the Montgomery County Planning Board approves Site Plan #8-04008, 650 square feet of covered walkway and path and 81 parking spaces;

Staff recommends approval of site plan 8-04008 with the following conditions to be met prior to signature set release:

1. Submit a Site Plan Enforcement Agreement and Development Review Program for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- 1) Community-wide pedestrian pathways facilities must be completed prior to completion of the development.
 - 2) Landscaping associated with the development shall be completed as construction of the parking and pedestrian areas are completed.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance.
 - b. Conditions of DPS Stormwater Management Concept approval letter dated October 15, 2003.
 - c. The development program inspection schedule.
 3. No clearing or grading prior to M-NCPPC approval of signature set of plans.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date Mailed: JUL 05 2005

Hearing Date: May 12, 2005

Action: Approval with conditions

Motion of Commissioner Robinson,
seconded by Commissioner Wellington,
with a vote of 3 to 0;
Commissioners Bryant, Wellington and
Robinson voting in favor. Chairman
Berlage and Commissioner Perdue
necessarily absent.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan No.: 8-04008A

Project: Potomac Ridge Behavior Health

The date of this written opinion is JUL 05 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules, thirty days from the date of this written opinion. This site plan shall remain valid as provided in Section 59-D-3.8.

INTRODUCTION

On May 12, 2005, Site Plan Review No. 8-04008A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the application.

THE SUBJECT PROPERTY

The site is an existing wing of a behavioral treatment facility within the center core of the Shady Grove Life Sciences Center ("SGLSC"). Driveway access to the building is from

the east side of Broschart Road near the intersection of Blackwell Road. It is adjacent to the open space within the SGLSC but is fenced off and does not connect.

BACKGROUND

The development was originally approved as a mandatory referral to allow the construction of a behavioral treatment facility. The project was built in the late 1980's. On May 6, 2004, the Planning Board approved a site plan to allow a covered walkway between the Potomac Ridge Behavioral Health Center and the adjacent former dialysis center (now Shady Grove Adventist Hospital offices).

Subsequent to the site plan approval in 2004, several adjacent parcels were consolidated to create one lot. This combined the former dialysis center on Lot K (to the north), the adjacent mental health facility to the north and the hospital site to the south. This combined lot is 39.1635 acres. The site plan data table will reflect the combined lot, whereas only the original 11.02-acre lot was analyzed for the first site plan.

PROPOSED DEVELOPMENT

This amendment was filed by the Shady Grove Seventh Day Adventist Hospital ("Applicant") and is a proposal for an 814-square-foot addition to an existing wing, creating larger space for a behavioral health facility. The site plan also includes the creation of a secure outdoor play area bound by an 8-foot board on board fence. The outdoor play area includes rubber mulch. Play equipment will be added per the facility needs.

CONFORMANCE TO MASTER PLAN

The proposed site plan conforms to the Shady Grove Study Area Master Plan Amendment, July 1990. The Master Plan supports the creation of a central core area of health care facilities. The Master Plan recommends .3 FAR for the SGLSC and .5 FAR once the area is transit served.

SUMMARY OF TESTIMONY AND EVIDENCE IN RECORD

At the hearing, Staff described the proposed amendment and recommended approval with conditions.

The Applicant was represented by legal counsel who testified that the Applicant accepted all the conditions proposed by Staff in its report. No other speakers testified at the hearing.

FINDINGS

Based on all of the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required.

An approved development plan or a project plan is not required for the subject development.

2. The Site Plan meets all of the requirements of the zone in which it is located.

The Site Plan meets all of the requirements of the SGLSC Zone as demonstrated in the project Data Table below.

Development Standard	Permitted/required	Existing	Approved
Lot area	N/A	39.1635 acres	39.1635 acres
Gross Floor Area (Square Feet)	N/A	336,522 sf.	337,336 sf.
Floor Area Ratio (FAR) Total SGLSC	.3 (per Master Plan)	.28 FAR	.28 FAR
Green Space Min. (%)	25% (426,491s.f.)	42.8% (730,646 s.f.)	42.8% (730,646 s.f.)
Building Coverage Max. (%)	25% (426,491 s.f.)	315,001 s.f.	315,815 s.f. - 18.5%
Building Height Max. (ft)	125 ft.	64 ft. (Hospital)	28 ft. (PRBH)
Parking (see below)	1170 spaces	1528 spaces	1528 spaces
Parking setback to ROW	25 ft.	50 ft.	N/A

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

Buildings and Structures

The building expansion location is unobtrusive in its placement and provides for expanded building function in a manner that is adequate, safe and efficient.

Open Spaces

The open spaces are adequate, safe, and efficient. The open space remains the same except for the building footprint of the proposed addition. It should be noted that the new addition will be sited between two existing structures, which minimizes the addition's impact on the existing open space.

Landscaping and Lighting

The landscaping and lighting are adequate, safe and efficient. The proposed landscaping on the site consists of preservation of an existing shade tree and introduction of shrubbery adjacent to the building to provide internal privacy for the patients.

The lighting plan will not change per the existing conditions.

Recreation Facilities

The recreation facilities will be adequate, safe and efficient. This commercial facility does not require a recreation plan. Nonetheless, the facility does provide an open space play area for the patients. It will be a contained outdoor yard with rubber mat to allow for outdoor play per the requirements of the facility.

Vehicular and Pedestrian Circulation

The existing vehicular and pedestrian circulation is safe, adequate and efficient and is unchanged with this application.

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

The modest enlargement of a wing of this facility will pose no impacts to adjacent buildings and will only benefit the program of the existing building. It is compatible with both existing and proposed adjacent development.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

This site plan is exempt from forest conservation.

6. The evidence in the record for this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

PLANNING BOARD ACTION AND CONDITIONS

The Montgomery County Planning Board hereby APPROVES Site Plan Review No. 8-04008A for a 814-square-foot classroom addition with the following conditions:

1. Stormwater Management

The proposed development is exempt from Stormwater Management and Sediment Control Requirements per letter from MCDPS dated February 28, 2005.

2. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

a. All outdoor amenities and landscaping associated with the expansion shall be completed as construction is completed.

3. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

4. Landscaping and Site Plan

Applicant shall provide 4 bike racks on-site for use of employees. The landscape plan shall include a more open variety of evergreen shrub (*Viburnum Pragense*) adjacent to the northern façade of the wing.

5. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Limits of disturbance.

* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY

DYP 6/17/05
M-NCPPC LEGAL DEPARTMENT

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on Thursday, June 23, 2005, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, ADOPTED the above Opinion, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Potomac Ridge Behavior Health, Site Plan No. 8-04008A. Commissioners Berlage and Perdue abstained.



Certification As To Vote of Adoption
Technical Writer



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

8787 Georgia Avenue, Suite 100, Bethesda, Maryland 20814

MNCPPC Legal Department
www.MCParkandPlanning.org

Christina Sorensen 1/26/12

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chairman@mncppc.org

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

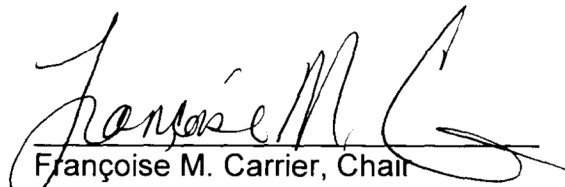
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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

* * * * *

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

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
355 ROCKVILLE PIKE,
2ND FLOOR
ROCKVILLE, MD 20850

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MR. ATIQ PANJSHIRI
MCDPS
RIGHT OF WAY PERMITTING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. EHSAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL AND SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
DHCA
ADPU MANAGER
100 MARYLAND AVENUE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDEP
WATER RESOURCE PLANNING
255 ROCKVILLE PIKE
1ST FLOOR
ROCKVILLE, MD 20850

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION AND ENFORCEMENT
255 ROCKVILLE PIKE,
2ND FLOOR
ROCKVILLE, MD 20850

ASA ASSOCIATES
STEVE TAWES
RESEARCH PLACE
ROCKVILLE, MD 20850

ADRIAN HAGERTY
3101 WILSON BOULEVARD
SUITE #900
ARLINGTON, VA 22201

PARKER RODRIQUEZ
TRINI RODRIQUEZ
101 NORTH UNION STREET
SUITE 320
ALEXANDRIA, VA 22314-3231

FRCH, EARLY & BREWER
PATRICK O'NEIL
BETHESDA METRO CENTER
SUITE 460
BETHESDA, MD 20814

SCOTT OLMSTED
1650 TYSONS BOULEVARD
SUITE #820
MCLEAN, VA 22102

ATTACHMENT B



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

September 23, 2021

Mr. Parker Smith, Planner Coordinator
Midcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, Maryland 20902

RE: Preliminary Plan Amendment
No. 12011016A
Shady Grove Adventist Hospital

Dear Mr. Smith:

We have completed our review of the preliminary plan amendment uploaded to eplans on April 20, 2021. The plan was reviewed by the Development Review Committee at its meeting on June 22, 2021. We recommend approval of the plan subject to the following comments:

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 in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

Significant Plan Review Comments

1. The applicant did not submit a downstream storm drain analysis. Submit the downstream storm drain study analysis to DPS with the right-of-way permit. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed development drains to an existing closed section street,

Office of the Director

101 Monroe Street, 10th Floor, Rockville, MD 20850 · 240-777-7170 · 240-777-7178 Fax
www.montgomerycountymd.gov/mcdot

montgomerycountymd.gov/311



301-251-4850 TTY

include spread computations in the impact analysis.

2. The applicant did not submit a sight distance evaluation certificate form. Prior to approval of the right-of-way permit by the Department of Permitting Services, submit a completed, executed and sealed MCDOT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for DPS review and approval.
3. The applicant will need to comply with the Life Science's Center loop requirement for a 12 foot wide shared use path along the site's frontage.
 - a. A Public Improvements Easement may be necessary along Medical Center Drive in order to accommodate the required shared use path (LSC loop) construction. Prior to site plan certification, the applicant's consultant will need to determine if there is sufficient right of way to permit this shared use path construction. If not, the applicant will need to either dedicate additional right of way or execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County. The Public Improvements Easement is to be a minimum width of the shared use path not located in the right-of-way and a one foot maintenance strip. The overlapping Public Utilities Easement should be increased by the width of the PIE.
 - b. Prior to issuance of the final Use and Occupancy Certificate for the patient tower, the Applicant must construct the 12-foot LSC loop along Medical Center Drive.

Standard Plan Review Comments

4. Full width dedication along Medical Center Drive.
5. No steps, stoops or retaining walls for the development are allowed in County right-of-way. No door swings into county ROW.
6. If the proposed development will alter any existing street lights, 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.

7. If the proposed development will alter or impact any existing County maintained transportation system management component and systems (i.e., traffic signals, signal poles, handboxes, Accessible pedestrian signals, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.) in any way, the developer will be required to submit plans to relocate the impacted facilities. please contact Mr. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations and or modifications shall be the responsibility of the applicant. The applicant will also be required to participate upgrading traffic signals with Accessible Pedestrian Signals (APS) and ADA ramps.
8. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the right-of-way permit. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - a. Shared use path along Medical Center Drive.
 - b. Any improvement to the downstream storm drain analysis.
 - c. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
 - d. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Parker Smith
Preliminary Amendment Plan No. 12011016A
September 23, 2021
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact myself for this project at rebecca.torma@montgomerycountymd.gov or (240) 777-2118.

Sincerely,

Rebecca Torma

Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/transportation/director's office/development review/Rebecca/developments/12011016A Adventist Hospital.docx

cc-e: Sam Farhadi, MCDPS RWPR

81999024I Adventist HealthCare Shady Grove Medical Center

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-BSITE-81999024I-008.pdf V2” uploaded on/ dated **“8/16/2021”**.

The followings need to be addressed prior to the certification of site plan:

1. For site access points on Medical Center Drive, provide:
 - a. An updated form to ensure of adequate actual available sight distance;
 - b. Curb radii and truck turning movements.
2. Provide downstream storm drain analysis based on the proposed site improvements.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

August 17, 2021

Mr. Timothy J. Stemann, P.E.
Soltesz, Inc.
2 research Place, Suite 100
Rockville, Maryland 20850

Re: **COMBINED FINAL WATER QUALITY PLAN
AND STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Shady Grove Medical Center Tower Expansion
Site Plan #: 81999024I
SM File #: 239312
Tract Size/Zone: 39.16 acres/LSC-1.5
Total Concept Area: 3.30 acres
Lots/Block: N/A
Parcel(s): N/A
Watershed: Muddy Br. and Piney Br. SPA

Dear Mr. Stemann:

Based on a review by the Department of Permitting Services Review Staff, the Final Water Quality Plan and stormwater management concept for the above-mentioned site is **acceptable**. The Final Water Quality Plan and stormwater management concept propose to meet required stormwater management goals via micro bioretention (enhanced where infiltration rates are acceptable), green roofs and existing structural measures (surface sand filters). This approval is for elements of the Water Quality Plan of which DPS has lead agency responsibility and does not include limits on imperviousness or buffer encroachments.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. All the proposed micro bioretention structures must meet the MCDPS requirements for materials, sizing criteria and drainage area limits.

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**. SPA monitoring fees will be required per Special Protection Area regulations.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The Final Water Quality Plan and concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and



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www.montgomerycountymd.gov/permitting-services

Mr. Timothy J. Stemann, P.E.
August 17, 2021
Page 2 of 2

the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at 240-777-6242.

Sincerely,



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

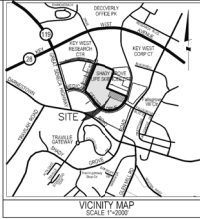
MCE: lmg

cc: N. Braunstein
SM File # 239312

ESD: Required/Provided 15,494 cf / 15,036 cf
PE: Target/Achieved: 2.14"/2.08"
STRUCTURAL: 458 cf
WAIVED: 0 ac.

ATTACHMENT C

FINAL FOREST CONSERVATION PLAN # 819990241 TOWER EXPANSION ADVENTIST HEALTHCARE SHADY GROVE MEDICAL CENTER GAITHERSBURG (9th) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND



PLANNING DEPARTMENT USE ONLY (E-PLANS)

APPLICANT

ADVENTIST HEALTHCARE, INC.
820 W. Diamond Avenue, Suite 600
Gaithersburg, MD 20878
301.315.3374
Contact: Geoffrey A. Morgan

CIVIL ENGINEER

SOLTESZ, INC.
2 Research Place, Suite 100
Rockville, MD 20850
301.948.2750, 301.948.9067 Fax
Contact: Timothy Stemann, F.E.

ATTORNEY

LERCH EARLY & BREWER
3 Bethesda Metro Center, Suite 460
Bethesda, MD 20814
301.657.0165, 301.986.0332 Fax
Contact: Patrick O'Neil, Esq.

ARCHITECT

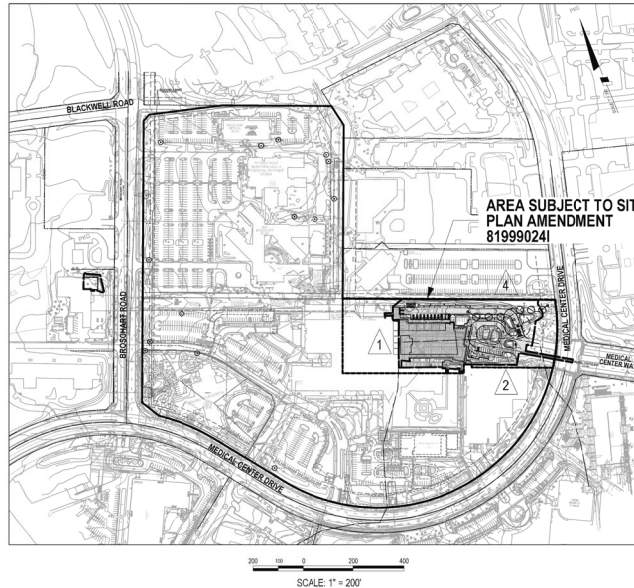
WILMOT SANZ
77 Upper Rock Circle, Suite 100
Rockville, MD 20850
240.864.2318
Contact: Jim Curran, AIA

LANDSCAPE ARCHITECT

SOLTESZ, INC.
2 Research Place, Suite 100
Rockville, MD 20850
301.948.2750, 301.948.9067 Fax
Contact: Daniel Park, PLA, ASLA

APPROVED PER PRELIMINARY FOREST CONSERVATION PLAN ON 02/29/2012

FOREST CONSERVATION WORKSHEET									
SHADY CAMPUS									
28-Dec-11									
NET TRACT AREA:									
A. Total tract area									39.16
B. Land dedication acres (parks, county facility, etc.)									0.00
C. Land dedication for roads or utilities (not being constructed by this plan)									0.22
D. Area to remain in commercial/agricultural production/use									0.00
E. Other deductions (specify)									0.00
F. Net Tract Area									38.94
LAND USE CATEGORY: (from Trees Technical Manual)									
Input the number "1" under the appropriate land use, limit to only one entry.									
ARA	MDR	IDA	HDR	MPO	CIA				
0	0	0	0	0	1				
G. Afforestation Threshold						15%	x F =		5.84
H. Conservation Threshold						15%	x F =		5.84
EXISTING FOREST COVER:									
I. Existing forest cover									0.00
J. Area of forest above afforestation threshold									0.00
K. Area of forest above conservation threshold									0.00
BREAK EVEN POINT:									
L. Forest retention above threshold with no mitigation									0.00
M. Clearing permitted without mitigation									0.00
PROPOSED FOREST CLEARING:									
N. Total area of forest to be cleared									0.00
O. Total area of forest to be retained									0.00
PLANTING REQUIREMENTS:									
P. Reforestation for clearing above conservation threshold									0.00
Q. Reforestation for clearing below conservation threshold									0.00
R. Credit for retention above conservation threshold									0.00
S. Total reforestation required									0.00
T. Total afforestation required									5.84
U. Credit for landscaping (may not exceed 20% of "S")									0.00
V. Total reforestation and afforestation required									5.84



GENERAL NOTES

- THE EXISTING ZONE IS LSC-1.5 H-150 T.
- TOTAL TRACT AREA: 1,735,963 SF (39.16 AC).
- AREA SUBJECT TO SITE PLAN AMENDMENT 819990241: 241,286 SF (5.54 AC).
- THE SITE IS LOCATED ON WSSC MAPS 210NW09, 219NW10, 220NW09, AND 220NW10.
- THE SITE IS LOCATED ON TAX MAP GRIDS FS341, FS661, FR343, AND FR563.
- THE SITE LIES WITHIN THE MUDDY BRANCH AND WATTS BRANCH WATERSHED, BOTH STATE DESIGNATED USE-1 WATERSHEDS.
- PART OF THE SITE LIES WITHIN THE PINEY BRANCH SPECIAL PROTECTION AREA.
- NO PERENNIAL OR INTERMITTENT STREAMS OR WETLANDS WERE IDENTIFIED ON SITE.
- THERE IS NO FEMA 100-YEAR FLOODPLAIN ON SITE PER PANEL 24031C0327D DATED SEPTEMBER 29, 2006.
- THERE IS NO RECORD OF RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THE SITE PER CORRESPONDENCE FROM MARYLAND DNR DATED 19 JANUARY 2011.
- EXISTING TOPOGRAPHY AND BOUNDARY INFORMATION PROVIDED BY HARRIS & SMARIGA, DATED 12/2006.
- TOPOGRAPHY AND EXISTING FEATURES HAVE BEEN UPDATED BY SUBSEQUENT PLANS OF RECORD FOR THE SUBJECT SITE, AND SUPPLEMENTED BY SURVEY PERFORMED BY SOLTESZ, INC., DATED 02/2021.
- NO FOREST EXISTS ON SITE.
- THERE ARE NO DESIGNATED HISTORIC OR CULTURAL SITES ON OR IN THE IMMEDIATE VICINITY OF THE SUBJECT PROPERTY.
- TREES WERE LOCATED BY SOLTESZ FIELD SURVEYORS IN DECEMBER 2010. LOCATIONS AND SIZES WERE RECONFIRMED BY SURVEY PERFORMED BY SOLTESZ, INC. IN FEBRUARY 2021.
- THIS SITE WAS SUBJECT TO FOREST CONSERVATION EXEMPTION #42011108E APPROVED ON FEBRUARY 29, 2012.
- THIS FCP IS SUBJECT TO PREVIOUSLY APPROVED PRELIMINARY FOREST CONSERVATION PLAN #120110160 APPROVED MARCH 27, 2014.

COMPLIANCE WITH RESOLUTION MCPE NO. 14-12 (APPROVED MARCH 27, 2014):

- AMENDMENT AREA: 5.54 AC.
TOTAL TRACT AREA: 39.16 AC.
AMENDMENT AREA EQUIVALENT TO 14% OF TOTAL TRACT AREA.
PER FINDING 4A OF THE PLANNING BOARD "NO APPROPRIATE AREAS EXIST FOR ON-SITE PLANTING AND THAT A FEE-IN-LIEU PAYMENT IS AN APPROPRIATE OPTION FOR MITIGATION IN THIS CASE".
- THE APPLICANT TO SUBMIT A FEE-IN-LIEU ON A PRO-RATA SHARE BASIS WITH EACH SITE PLAN (CONDITION 13) TO SATISFY THE TOTAL AFFORESTATION AND REFORESTATION REQUIREMENTS.
- THREE (3) NATIVE CANOPY TREES OF AT LEAST 3" DBH WILL BE PLANTED AS MITIGATION FOR THE REMOVAL OF VARIANCE TREE T-17 TO FULFILL THE REQUIREMENT OF APPROVED PRELIMINARY FOREST CONSERVATION PLAN APPROVAL (CONDITION 15).

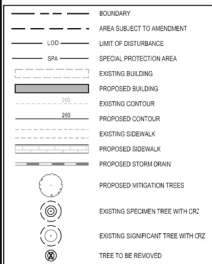
Shady Grove Adventist Hospital Fee-in-lieu			
	Area (AC)	Pro-rate Share (Percentage of Total)	Approved Forest requirement (AC)
Total Tract	39.16	N/A	5.84
Amendment (819990241)	5.54	14.14%	0.826
Future Amendments	33.62	85.86%	5.014

SHEET INDEX

- FFCP-1 COVER SHEET
- FFCP-2 FINAL FOREST CONSERVATION PLAN
- FFCP-3 NOTES AND DETAILS

- * SHEETS AMENDED PER THIS AMENDMENT
- * SHEETS ADDED PER THIS AMENDMENT

LEGEND



SOLTESZ, INC.

Rockville Office
2 Research Place, Suite 100
Rockville, MD 20850
P. 301.948.2750 F. 301.948.9067

Rockville
Lanham
Waldorf
Leesburg
Frederick
Shady Grove, LLC

MISS UTILITY NOTE

NOTIFICATION: CONSTRUCTION OF THE PROPOSED PROJECT HAS BEEN OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST OBTAIN THE FINAL LOCATION AND DEPTH OF ALL UTILITIES BY HAND, WELL IN ADVANCE OF THE START OF CONSTRUCTION. CONTACT THE UTILITY OF MARYLAND FOR RECORDS. NOISE: THE NOISE LEVELS ON THE PROJECT COMPLY WITH THE REQUIREMENTS OF THE NOISE ACT. THE NOISE LEVELS WILL BE MONITORED DURING CONSTRUCTION. CLARIFICATIONS: THE NOISE LEVELS WILL BE MONITORED DURING CONSTRUCTION. CLARIFICATIONS: THE NOISE LEVELS WILL BE MONITORED DURING CONSTRUCTION.

OWNER/DEVELOPER/APPLICANT

Adventist HealthCare
ADVENTIST HEALTHCARE, INC.
820 W. Diamond Avenue, Suite 600
Gaithersburg, MD 20878
301.315.3374
Contact: Geoffrey A. Morgan

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all of the features of the Approved Final Forest Conservation Plan No. 819990241, including financial bonding, forest planning, maintenance, and all other applicable agreements.

Developer's Name: Adventist HealthCare (Seal of Montgomery County)

Address: 820 W. Diamond Avenue, Suite 600, Gaithersburg, MD 20878

Phone: 301.315.3374

Signature: _____

LIST OF AMENDMENT 819990241 ITEMS

- Addition of 150,622 sf of hospital expansion.
- Adjustments to circulation as needed.
- Landscape Plan for revised entrance.
- Addition of Final Forest Conservation Plan.

COVER SHEET

Project Number: 8803.81

Scale: As indicated

Date: 06/02/2021

Print Date/Stamp: 8/18/2021

Sheet No.: FFCP-1

PRELIMINARY DESIGN DOCUMENTS

COVER SHEET

FINAL FOREST CONSERVATION PLAN #819990241
ADVENTIST HEALTHCARE
SHADY GROVE MEDICAL CENTER
TOWER EXPANSION
GAITHERSBURG (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

Sheet: FFCP-1

Of: 3

Project No.: 8803.81

Date: 06/02/2021

ATTACHMENT D



STRATEGIES FOR TODAY. INSIGHT FOR TOMORROW.

ADVENTIST HEALTHCARE
SHADY GROVE MEDICAL CENTER
STATEMENT OF JUSTIFICATION
FOR A VARIANCE IN ACCORDANCE WITH SECTION 22A-21
OF THE MONTGOMERY COUNTY CODE
FEBRUARY 2021

I. BACKGROUND INFORMATION

On behalf of Adventist HealthCare Shady Grove Medical Center (applicant), Soltesz, Inc. is requesting a variance for the removal of one (1) tree 30 inches or greater in DBH, to the provisions of Section 22A-21 of the Montgomery County Code. The site is located at 9901 Medical Center Drive in Rockville, Maryland.

The property is located in Shady Grove Life Sciences Center. The original Site Plan 81990240, approved in March 1999, was for the construction of the rehabilitation hospital building. Until the most recent amended Site Plan 81999024H, the project was under Forest Conservation Exemption #42011108E approved Feb 29th, 2012. A Preliminary Plan #120110160 was approved on May 27th, 2014 and as part of it, a Preliminary Forest Conservation Plan (PFCP) was submitted and approved. This Final Forest Conservation plan is provided as part of Site Plan Amendment #81999024I for 5.54 acres of the property under an approved PFCP #120110160.

II. APPLICANT'S PROPOSAL

The applicant's proposed changes to the approved Preliminary Forest Conservation Plan are for a tower expansion of the hospital's emergency department. The modifications are needed to provide more medical services to the area. These changes include increasing the hospital footprint by 36,214 SF and changes to the emergency vehicles access, entry, and visitor parking. The proposal includes removal of one (1) variance tree as part of Final Forest Conservation Plan prepared for this portion of the site.

Attached is a copy of the amended Final Forest Conservation Plan showing the area of the proposed work and limits of disturbance.

III. EXPLANATION FOR NEED TO REMOVE THE TREE THAT IS IDENTIFIED IN STATE LAW FOR PROTECTION

Included in this variance justification is a copy of Final Forest Conservation Plan. The forest conservation plan (FCP) has been updated to locate trees over 24 inches in diameter at breast height (DBH) in the area proposed for renovation. The specimen tree which will be impacted by the renovation and is the subject of this variance request is shown on the FCP.

IV. GENERAL DESCRIPTION AND JUSTIFICATION FOR TREE FOR WHICH A VARIANCE IS REQUESTED

The Applicant previously has requested and been approved for the removal of one variance **Tree #17**, a Pin Oak at 31" DBH at Preliminary Forest Conservation Plan #120110160, which was approved on February 10, 2012. With this application, the Applicant is requesting the removal of **Tree #18**, a Willow Oak at 33" DBH. The Willow Oak is located in the now proposed emergency

vehicle access and driveway. The tree is requested to be removed to allow for connection to existing emergency access and parking.

By this Final Forest Conservation plan, mitigation for the both Tree #17 and Tree #18 will be provided per Montgomery County requirements.

Tree for Removal

Listed below is the tree identified for impact on the Final Forest Conservation Plan.

Tree #	Common Name	Botanical Name	DBH	CRZ (SF)	CRZ Impact (SF)	% of Impact	Save/Remove
T18	Willow Oak	<i>Quercus phellos</i>	33	7694	7694	100%	Remove

V. SATISFACTION OF THE CRITERIA LISTED IN SECTION 22A-21(b) OF THE MONTGOMERY COUNTY CODE

Section 22A-21(b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above.

“(1) describe the special conditions peculiar to the property which caused the unwarranted hardship.”

Due to the new expansion of the building, the application proposes a revised entry drive and parking layout. This request is to remove the tree that lies in the middle of the proposed ambulance access. Without this request, emergency vehicles will not be able to easily assist the surrounding area with medical and emergency services. The site is constrained by the existing garage parking and the property line. The access from Medical Center Drive is also restricted by existing entrance location, and required emergency vehicular circulation, required width and radii. Providing ambulance access as well as fire access to the proposed building will require disturbance to tree requested to be removed.

“(2) Describe how enforcement of these rules will deprive the owner of rights commonly enjoyed by others in similar areas.”

The intent of this project and the expansion is to provide more medical services to the surrounding area. Denial of this request would deprive the owner of rights a commonly enjoyed by others with similar facilities, to provide necessary updates to standard of care.

“(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.”

The subject property is located in the Muddy Branch and Watts Branch Watershed. The existing site condition is mostly impervious surfaces on concrete and asphalt. Stormwater management is proposed to control runoff throughout the improvement area according to the current Maryland Department of the Environment (MDE) and Montgomery County Department of Permitting Services (DPS) regulations and standards. Implementing of these techniques will actually increase the water quality as there are no current practices on this property.

“(4) Provide any other information appropriate to support the request.”

As the above responses demonstrates, the Applicant believes the information set forth above is adequate to justify the requested variance to remove the specimen trees on the subject property. Furthermore, the Applicant’s request for a variance complies with the “minimum criteria” of Section 22A-21(d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The configuration of the existing facilities and the need for the proposed facilities drive the designed configuration of the site elements. The location of the subject tree to be removed is not the result of actions by the applicant, but rather is a pre-existing condition of the property whereby these trees cannot be sufficiently protected and preserved, thus necessitating the tree’s removal.
3. The requested variance is not related in any way to a condition on an adjacent, neighboring property, and
4. Removal of the impacted tree will not violate State water quality standards or cause measurable degradation in water quality. Three trees will be planted on site to mitigate for the loss of Tree #18

For the reasons listed above, the applicant is requesting for approval of this variance. Should you have any questions or require additional information, please do not hesitate to contact.

Respectfully submitted,



Soltesz, Inc.
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Director of Planning