



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

MCPB No. 21-118  
Site Plan No. 819990241  
Adventist Healthcare Shady Grove Medical Center  
Date of Hearing: October 14, 2021

**NOV 15 2021**

RESOLUTION

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

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on March 11, 1999, the Planning Board approved Site Plan No. 819990240 for 54,354 square feet of hospital uses on 39.16 acres of LSC zoned-land, located at the western quadrant of the intersection of Medical Center Drive and Medical Center Way ("Subject Property"), in the Greater Seneca Science Corridor Master Plan Area ("Master Plan") area; and

WHEREAS, on May 18, 2004, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 81999024A, for 200,582 square feet of additional hospital uses on the Subject Property; and

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

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

2425 Reecie Drive, 14<sup>th</sup> Floor, Wheaton, Maryland 20902 Phone: 301.495.4605 Fax: 301.495.1320  
www.montgomeryplanningboard.org E-Mail: [mcp-chair@mncppc.org](mailto:mcp-chair@mncppc.org)

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Approved as to  
Legal Sufficiency: /s/ Matthew T. Mills  
M-NCPPC Legal Department

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WHEREAS, on December 1, 2006, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 81999024D (MCPB No. 06-111), for 2,100 square feet of office/storage spaces and a parking structure on the Subject Property; and

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

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

WHEREAS, on August 24, 2011, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 81999024H (MCPB No. 11-113), for the addition of a 51,500-square-foot Cancer Center on the Subject Property; and

WHEREAS, on October 14, 2021, Adventist HealthCare at Shady Grove Medical Center ("Applicant") filed an application for approval of an amendment to the previously approved site plans to construct 150,622 square foot of hospital uses in a new patient tower on the Subject Property; and

WHEREAS, the application to amend the site plan was designated Site Plan No. 81999024I, Adventist HealthCare Shady Grove Medical Center ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 4, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 14, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 14, 2021, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Commissioner Verma, with a vote of 3-0; Commissioners Anderson, Cichy and Verma voting in favor with Commissioner Patterson being absent.

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NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81999024I to construct 150,622 square feet of hospital uses in a new patient tower subject to the following conditions:<sup>1</sup>

### **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 38 percent (38%) 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.

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

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- 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 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

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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 submit a site plan amendment regarding 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.

## **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,

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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 (based upon Sheets 3 and 4 of MCDOT's "Life Sciences Center Loop Trail" design). 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 or replaced based upon inspector recommendation provided that the remaining or replacement surety is sufficient to cover completion of the remaining work.

#### 12. Development Program

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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 identify the location of the LSC Loop Trail with a note stating that it will be addressed in a subsequent site plan amendment requiring approval from Planning, MCDOT, and MCDPS Staff on the design of the LSC Loop Trail (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 subsequent site plan amendment must establish a date by which the LSC Loop Trail must be constructed.

**BE IT FURTHER RESOLVED** that all other site plan conditions and terms of approval, including but not limited to all those contained in all previously-approved Resolutions recited herein, for this project remain valid, unchanged and in full force and effect, except as may be specifically modified herein.

**BE IT FURTHER RESOLVED** that all site development elements shown on the latest electronic version of Adventist HealthCare Shady Grove Medical Center, 81999024I, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

**BE IT FURTHER RESOLVED** that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report,

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which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

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

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 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 the data table, 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 development is under all the maximum standards allowed. With respect to public use space, the development provides more than twice the required amount.

The Project will necessitate 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 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.



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<b>Data Table</b>			
<b>LSC Zone: Section 59-C-5.3.</b>			
Zoning Ordinance In Effect on October 29, 2014			
<b>Development Standard</b>	<b>Allowed/Required</b>	<b>Previously Approved</b>	<b>Proposed</b>
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	38
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.

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

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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. 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. The Planning Board approves 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 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.

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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 approved 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

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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.

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 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 vehicle access and driveway. The unwarranted hardship is caused by the necessary layout of the 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, the Planning Board 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. The Planning Board has made the following determinations in the review of the variance request and the forest conservation plan:

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Variance Findings

The Planning Board 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, the Planning Board concurs that the project will not violate State water quality standards or cause measurable degradation in water quality.

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Mitigation for Trees Subject to the Variance Provision

There is one tree approved for removal in this variance 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

The Planning Board approves 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, the Planning Board approves the Final Forest Conservation Plan and Final Water Quality Plan with the conditions cited in this Resolution.

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;

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- 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 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

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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

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 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.

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



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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 this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 15 2021 (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 Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy and Verma voting in favor of the motion, and Commissioners Patterson and Rubin abstaining at its regular meeting held on Thursday, November 4, 2021, in Wheaton, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

**MR. RICHARD BRUSH, MANAGER**  
MCDPS-WATER RES. PLAN REVIEW  
255 ROCKVILLE PIKE  
2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [rick.brush@montgomerycountymd.gov](mailto:rick.brush@montgomerycountymd.gov)

**MS. LISA SCHWARTZ**  
DHCA  
100 MARYLAND AENUE  
4<sup>TH</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [lisa.schwartz@montgomerycountymd.gov](mailto:lisa.schwartz@montgomerycountymd.gov)

**MR. MARK BEALL**  
MCDPS-ZONING  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [mark.beall@montgomerycountymd.gov](mailto:mark.beall@montgomerycountymd.gov)

**MR. CHRISTOPHER ANDERSON**  
MPDU MANAGER, DHCA  
100 MARYLAND AVENUE, 4<sup>TH</sup> FLOOR  
ROCKVILLE, MD 20850  
By email  
[Christopher.anderson@montgomerycountymd.gov](mailto:Christopher.anderson@montgomerycountymd.gov)

Geoffrey Morgan  
Adventist HealthCare  
820 West Diamond Ave  
Suite 600  
Gaithersburg, MD 20878

Jim Curran  
Wilmot Sanz  
77 Upper Rock Circle  
Suite 100  
Rockville, MD 20850

Geoffrey A. Morgan  
820 W Diamond Ave., Ste. 600  
Gaithersburg, Maryland 20878

Alex Berman  
77 Upper Rock Circle, Suite 100  
Rockville, MD 20850

**MR. GREG LECK**  
MCDOT  
101 MONROE ST  
10<sup>TH</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov)

**MR. ATIQ PANJSHIRI**  
MCDPS-RIGHT-OF-WAY  
PERMITTING  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email  
[atiq.panjshiri@montgomerycountymd.gov](mailto:atiq.panjshiri@montgomerycountymd.gov)  
**MS. CHRISTINA CONTRERAS**  
MCDPS-LAND DEVELOPMENT  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email  
[christina.contreras@montgomerycountymd.gov](mailto:christina.contreras@montgomerycountymd.gov)

**MR. ALAN SOUKUP**  
MCDDEP-WATER & WASTEWATER POLICY  
255 ROCKVILLE PIKE, SUITE 120  
ROCKVILLE, MD 20850  
By email [alan.soukup@montgomerycountymd.gov](mailto:alan.soukup@montgomerycountymd.gov)

Timothy Stemann  
Soltesz  
2 Research Place  
Suite 100  
Rockville, MD 20850

Daniel Park  
Soltesz  
2 Research Place  
Suite 100  
Rockville, MD 20850

Jane Przygocki, AICP, ASLA  
2 Research Place, Suite 100  
Rockville, Maryland 20850

Patrick L. O'Neil, Esq  
7600 Wisconsin Avenue, Suite 700  
Bethesda, Maryland 20814

**MR. MARK ETHERIDGE, MANAGER**  
MCDPS-SEDIMENT/STORMWATER  
INSPECTION & ENFORCEMENT  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [mark.etheridge@montgomerycountymd.gov](mailto:mark.etheridge@montgomerycountymd.gov)

**MR. EHSAN MOTAZEDI**  
MCDPS-SITE PLAN ENFORCEMENT  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [ehsan.motazedi@montgomerycountymd.gov](mailto:ehsan.motazedi@montgomerycountymd.gov)

**MR. GENE VON GUNTEN**  
MCDPS-WELL & SEPTIC  
255 ROCKVILLE PIKE, 2<sup>ND</sup> FLOOR  
ROCKVILLE, MD 20850  
By email [gene.vongunten@montgomerycountymd.gov](mailto:gene.vongunten@montgomerycountymd.gov)

Jane Przygocki  
Soltesz  
2 Research Place  
Suite 100  
Rockville, MD 20850

Patrick O'Neil  
Lerch Early & Brewer  
7600 Wisconsin Avenue  
Suite 700  
Bethesda, MD 20814

Dan Cochrane  
9901 Medical Center Drive  
Rockville, Maryland 20850

James F. Curran, AIA, LEED AP  
77 Upper Rock Circle, Suite 100  
Rockville, Maryland 20850