

APR 24 2008



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 08-159
 Site Plan No. 820080210
 Project Name: Washington Adventist Hospital
 Date of Hearing: December 4, 2008

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

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

WHEREAS, on March 21, 2008, Adventist Healthcare, Inc. ("Applicant"), filed an application for approval of a site plan for 803,570 gross square feet of commercial development for a main hospital building, ambulatory care building, faith center, medical office buildings and parking ("Site Plan" or "Plan") on 48.86 acres of I-1 and I-3 -zoned land and within the US 29/Cherry Hill Road Employment Area Overlay Zone, located at the southwestern bend of Plum Orchard Drive and consisting of parcels BB, CC, RR, SS and MMM in the Fairland Master Plan area ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820080210, Washington Adventist Hospital (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated November 24, 2008, 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 December 4, 2008, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on December 4, 2008, the Planning Board approved the Application subject to conditions on the motion of Commissioner Robinson; seconded by

Approved as to
 Legal Sufficiency:

8787 Georgia Avenue, N.C.P.P.C. Legal Department 2010 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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Commissioner Cryor; with a vote of 5-0, Commissioners Alfandre, Cryor, Hanson, Presley 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. 820080210 for 802,805 gross square feet of commercial development including a main hospital building, ambulatory care building, faith center, two multi-level parking structures and two medical office buildings, on 48.86 net acres in the I-1 and I-3 zones and the US 29/ Cherry Hill Road Employment Area Overlay Zone, subject to the following conditions:

Conformance with Previous Approvals

1. Special Exception Conformance

The proposed development must comply with the conditions of approval of Special Exception S-2721 dated October 27, 2008. Any variations in this site plan to the Special Exception will require an amendment to the Special Exception, including any subsequent Site Plan amendments.

2. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval that are applicable to the Property for preliminary plans 11991039A and 119820680 as listed in the Planning Board Resolution dated February 13, 2008, unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DOT conditions, and DPS stormwater conditions.

Environment

3. Forest Conservation & Tree Save

The proposed development must comply with the conditions of the approved final forest conservation plan as described in the Environmental Planning memorandum dated November 3, 2008:

- a. The Applicant must comply with the conditions of approval for the preliminary/final forest conservation plan. The Applicant shall satisfy all standard conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services ("MCDPS") issuance of sediment and erosion control permit(s), as appropriate. In addition to standard final forest conservation plan requirements, the plan must be revised to include the following items:

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- i. Revise the forest conservation worksheet to show the existing forest area outside the proposed Category I easement on Parcel BB as "counted as cleared" and identify the area with the corresponding graphic symbol on the plan. Adjust the worksheet accordingly.
 - ii. Label all existing and proposed easements for each easement's intended purpose, including the water line in the vicinity of the stormwater management pond.
- b. A Category I conservation easement must be placed over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include a County stormwater management easement. Show the Category I conservation easement on record plat(s).
- c. No clearing or grading prior to all necessary inspections as required in Section 110 of the Forest Conservation Regulations.

4. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 28, 2008 unless amended and approved by the Montgomery County Department of Permitting Services.

5. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) "Certified" Certification, as defined by the U.S. Green Building Council ("USGBC") under the LEED Standard for New Construction & Major Renovation (LEED-NCv2.2), or other equivalent certification based on energy and environmental design standards approved by the Department of Permitting Services.

Open Space, Recreation, and Amenities

6. Amenities

- a. A concept of the special features identified at the main entry and plaza areas of the faith center must be provided on the certified site plan with respect to type of feature, material and finish, height and alternate location. The special features must be presented to the Planning Board Staff comprised of at a minimum, representatives of the Site Plan Review and Urban Design divisions for their approval. The certified site plan will note that the special features are to be identified on supplemental sheets.

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The final design of the special features must be provided in document form as a supplemental sheet to the M-NCPPC and DPS-Site Plan Enforcement.

- b. The Applicant must provide details of the canopies that include elevations and sections (including information about nominal dimensions, primary structures and materials application) at the time of Certified Site Plan.

7. Recreation and Open Space

The Applicant is responsible for providing the hard surface path, boardwalk and picnic shelter around the lake as a passive recreational amenity in accord with the Development Program.

Land Use

8. Uses

The proposed development shall be limited to the following uses:

- a. 7-story above-grade main hospital building (plus penthouse level) and attached faith center;
- b. 2-story above-grade ambulatory care building (plus penthouse level);
- c. 5-story above-grade medical office building (MOB1) (plus penthouse level) and 4-story above-grade medical office building (MOB2) (plus penthouse level); and
- d. 6-level south parking garage (4 levels above-grade) and 6-level north parking garage (1 level above-grade).

Site Plan

9. Architectural features

The buildings must maintain a consistent architectural treatment of a minimum two-story and/or 30-foot base.

10. Landscaping

- a. Provide green-screen material on the landscape plan, consistent with that shown on the architectural elevations.

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- b. Provide revised planting plan to include shade trees, ornamental trees and shrubs for the reconfigured layout of the main entry (Emergency Department).

11. Landscape Surety

The Applicant shall provide a surety (letter of credit, performance bond) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The amount of the surety shall include plant material, on-site lighting, recreational facilities, and site furniture within the relevant phase of development. Surety to be posted prior to issuance of first building permit within each phase of development and shall be tied to the development program.
- b. Provide a cost estimate of the materials and facilities, which will establish the initial bond amount.
- c. Completion of plantings by phase, to be followed by inspection and bond reduction. Inspection approval will start the 1 year maintenance period and bond release will occur at the expiration of the one year maintenance period.
- d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the respective parties and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

12. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b. All onsite light fixtures must be full cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures.
- d. Illumination levels for on-site lighting shall not exceed 0.5 footcandles (fc) at any property line abutting county roads.

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- e. The height of the light poles shall not exceed 15 feet including the mounting base for the on-site upright light fixtures and 15 feet for the light fixtures on the top surface of the parking garage.

13. Development Program

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

- a. The faith center plaza(s), including landscaping, lighting, seating areas, paving, overhead canopies, and water features shall be completed within 6 months of the issuance of the use and occupancy permit associated with the faith center.
- b. On-site street lamps, street tree planting and sidewalks must be installed within six months after street construction is completed.
- c. The planting area, covered walkway, landscaping and lighting and paving must be completed within 6 months of the use and occupancy permit associated with the ambulatory care building.
- d. The pathway, including the boardwalk, surrounding the lake and picnic shelter shall be constructed prior to issuance of the last use and occupancy permit for the site.
- e. The entry to the main building, including the planting areas, buffers, canopy, bike racks, lighting and seating areas must be completed prior to the issuance of the use and occupancy permit for the main building. The water feature and special feature areas will be occupied by annual plantings until the applicable features are implemented; such implementation must occur within two years of the issuance of use and occupancy permits for the main building.
- f. The covered walkway from the northern parking garage to the entry of the Emergency Department and pedestrian link, and landscaping and lighting must be constructed prior to the issuance of the use and occupancy permit for the main building.
- g. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final

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Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.

- h. Provide each section of the development with necessary roads in accordance with the Development Program.
- i. The development program must provide stormwater management, sediment and erosion control, reforestation, trip mitigation, and other features.

14. 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 approval, stormwater management concept approval, development program, including the phasing diagram, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading."
- c. Modify data table to include interior green space requirements in the parking islands and structures and changes to the number of parking spaces as a result of the alternative layout.
- d. Provide an alternative parking layout and pedestrian connection at the main entry of the hospital building.
- e. Details of the greenscreen on the southern parking garage.

BE IT FURTHER RESOLVED that all site development elements as shown on the Washington Adventist Hospital drawings stamped by the M-NCPPC on October 14, 2008, shall be required, except as modified by the above conditions of approval; and

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

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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 project plan was required for the subject site.

2. *The Site Plan meets all of the requirements of the applicable zone.*

The proposed hospital use and medical office building uses are allowed in the I-1 and I-3 Zones and the US 29/ Cherry Hill Road Employment Area Overlay Zone as a Special Exception Use. Special Exception S-2721 was approved by the Board of Appeals on October 27, 2008 and required specific elements on the plan, which have been incorporated into the site plan.

As the project data table below indicates, the site plan meets all of the development standards of the respective zone and overlay zone. With respect to building height, setbacks, and density the proposed development meets the standards permitted in the zone. With respect to green space the proposed development provides a significantly greater amount of permeable surface, landscaped open space and environmentally protected areas that will be preserved.

Requirements of the I-1 and I-3 zones

The Staff Report contains a data table showing how the development standards proposed comply with the Zoning Ordinance required development standards and, where applicable, the Hospital Special Exception developments standards. Based on this data table and other uncontested evidence and testimony of record, the Planning Board finds that the Application meets all of the applicable requirements of the I-1 and I-3 Zones and the US 29/Cherry Hill Road Employment Area Overlay Zone. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table

Development Standard	Permitted/ Required	Hospital Special Exception	Development Standards Approved by the Board and
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			Binding on the Applicant
Net Lot Area (AC):			
Gross Tract Area(acres)	20 ac min.	5 ac min.	50.39 ac (2,195,075 sf)
Less Previous Dedication			1.53 ac (66,614 sf)
<i>Net Lot Area (acres)=</i>			<i>48.86 ac (2,128,461 sf)¹</i>
I-3 Zone Gross Tract Area			
Net Land Area (acres)			38.52 ac (1,678,228 sf)
Previous Dedication			1.53 ac (66,614 sf)
<i>Total I-3 Zoned Gross Tract Area (acres)</i>			<i>40.05 ac (1,744,842 sf)</i>
I-1 Zone Gross Tract Area			
Gross Tract Area (acres)			10.34 ac (450,233 sf)
Hospital Gross Floor Area (GFA):			
Main Building			498,173 sf
Faith Center			13,003 sf
Ambulatory Care			58,294 sf
MOB1			133,335 sf
MOB2			100,000 sf
<i>Total Gross Floor Area of Hospital</i>			<i>802,805 sf</i>
Floor Area Ratio (FAR)=			
I-3 Zone FAR (based on I-3 Zoned gross	0.5		0.46

¹ I-3 Zone Parcel BB 252,959 sf. (5.80 ac.)
 I-3 Zone Parcel CC 336,737 sf. (7.73 ac.)
 I-3 Zone Parcel RR 364,846 sf. (8.38 ac.)
 I-3 Zone Parcel SS 723,686 sf. (16.61 ac.)
 I-1 Zone Parcel MMM 450,233 sf. (10.34 ac.)
 Total Area 2,128,461 sf. (48.86 ac.)

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tract area) ² :			
Maximum FAR, provided applicant for development obtains approval of a traffic mitigation agreement at the time of site plan review, that will result in traffic generation equal to or less than a project with a FAR of 0.5	0.6		
Green Space Requirement (percentage of gross tract area)³:	35% min - 17.64 AC.		36.86 ac (73%)
Off-street Parking Coverage (percentage of gross tract area)	45% max - 22.68 AC.		2.78 ac (5.5%)
Maximum Building Height (FT):	100' (N/A)	145'	145' (max.)
Minimum Building Setbacks (FT):			
From an abutting lot classified in the I-3 or R&D zones:	20' (N/A)	50'	50' minimum
From abutting commercial or industrial zoning other than the I-3 or R&D zones:	25' (N/A)	50'	50' minimum
From Plum Orchard Road (an industrial road that separates the	25' (N/A)	50'	50' minimum

² The Floor Area Ratio (FAR) was computed dividing the Gross Floor Area of the Hospital (802,805 sf.) by the Gross Tract Area of the I-3 Zoned Parcels BB, CC, RR, SS (1,744,842 sf.).

³ In unusual circumstances, may be waived by the Planning Board at the time of site plan approval, upon finding that a more compatible arrangement of uses would result.

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zone from a commercial or industrial zone):			
From another building on the same lot:	30'		30' minimum
Minimum Parking, Loading, and Maneuvering Area Setbacks (FT):			
From abutting commercial or industrial zoning other than the I-3 or R&D zones:	25'		25' minimum
From an abutting lot classified in the I-3 or R&D zones:	20'		20' minimum
From Plum Orchard Road (an arterial road that separates the zone from a commercial or industrial zone):	35'		35' minimum
Street Frontage and access (FT):			
Amount of frontage each lot must have on a public or private street:	150' (N/A)	200'	1704.66'
Parking Spaces			
Standard Spaces (including surface spaces, accessible and van accessible spaces)			2136 ⁴
Motorcycle Spaces			40
Bicycle Parking			108

⁴ Current plans show 2,162 spaces, but this number will be reduced by a total of 26 spaces from among one or both parking structures at certified site plan in order to meet minimum LEED requirements.

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

The primary buildings and structures, specifically the hospital and ambulatory care facility, one medical office building, and the southern parking garage are located on the southwestern bend of Plum Orchard Drive. The campus setting is organized in a well-thought-out and efficient manner to promote continuity between buildings and space. Additional buildings, MOB2 and the northern parking structure, are located further north of the main campus and directly fronting the west side of Plum Orchard Drive. The locations provide easy access to the building from adjoining sidewalks and parking. The buildings and structures are safe and efficient and adequately support the other uses on the site in a functional manner.

The open space provided is in excess of the required amount and incorporates many of the environmentally sensitive areas and the landscaped amenity areas that surround the buildings. Amenity landscaping is provided throughout the hospital site including foundation planting around the buildings, accent and ornamental planting within the amenity areas, and screening to buffer the parking garages and surface parking areas from the street. The healing gardens are located on the south side of the main building and include a mix of plant and paver materials to offer a relaxing environment for patients. The southern parking structure is adequately landscaped at the base of the structure with trees and shrubs, as well as a green-screen on the parking structure façade.

Interior lighting will create enough visibility to provide safety and security without causing glare on the adjacent roads or properties. Lighting on the rooftop of the garages has been kept to a minimum height to promote illumination while still providing for pedestrian safety. There are no recreation facilities required for this site plan, since this is not a residential development; however, the application is providing walking paths, benches, bicycle facilities and a healing garden as part of the passive activity areas for the hospital program. The lake, a major environmental feature of the site, is surrounded by a walking path and landscaping. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed use, while providing an adequate, safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements such as the covered walkways leading from the structured parking garages and medical office buildings to the main building and a separate vehicular emergency access from Plum Orchard Drive. The vehicular circulation

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design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. Additional improvements are required in accordance with the special exception recommendations that include specific intersection and road improvements, an employee shuttle service and implementation of the transportation management plan and bicycle facilities.

As designed, the paved area for both pedestrians and vehicles reduces current imperviousness on site and promotes an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles. The additional improvements and requirements of the special exception provide for a more efficient transportation program and circulation system.

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

The proposed buildings, including the main hospital and supporting ambulatory care, medical office buildings and parking structures, are compatible with the surrounding uses and adjacent site plans, with respect to variation in height, building organization and massing and relationship to other buildings. The structures are in scale with the nearby buildings and is located such that they 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.*

The proposed development is not subject to water resources protection but is subject to the forest conservation law.

The site consists of 31.22 acres of existing forest, including high priority forest, with 33 large trees and one specimen tree. A total of 12 significant trees will be retained post development. Six significant trees are within a forest to be saved on the west side of the stormwater management pond, while the remaining six trees are located at the north portion of the site. The site also contains a stream, wetlands, a portion of which are forested 100-year floodplain, steep slopes associated with highly erodible soils, severe slopes and associated environmental buffers on-site. All of the environmental buffers in this forest stand and most of the forest will be placed in a Category I Conservation Easement for permanent protection.

The stormwater management concept consists of on-site channel protection measures via the existing Westfarm Regional Pond; on-site water quality control for non-rooftop areas via installation of proprietary filtration

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cartridges. Onsite recharge is not required due to the proximity of the site to the existing retention pond.

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 MAR 24 2009 (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 Presley, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, Cryor, and Presley present and voting in favor of the motion, and Commissioner Alfandre necessarily absent at its regular meeting held on Thursday, March 26, 2009, in Silver Spring, Maryland.



Royce Hanson, Chairman
Montgomery County Planning Board



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

MCPB No. 10-05
 Site Plan No. 82008021A
 Project Name: Washington Adventist Hospital
 Hearing Date: January 7, 2010

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, by Planning Board Resolution dated April 24, 2009, the Montgomery County Planning Board ("Planning Board") approved the site plan application submitted by Adventist HealthCare Inc. ("Applicant"), designated 820080210, for the approval of 802,805 gross square feet of commercial development for a main hospital building, ambulatory care building, faith center, two medical office buildings and parking facilities on 48.86 acres of I-1 and I-3 zoned land; and

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Planning Board is required to review amendments to approved site plans; and

WHEREAS, on August 24, 2009, Applicant, filed a site plan limited amendment application designated 82008021A, Washington Adventist Hospital (the "Amendment") for approval of the following modifications to the approved site plan:

1. Modify the loading dock area of the Medical Office Building 2 (MOB2);
2. Modify the entrance of the second level within the North Garage;
3. Modify the oxygen farm and add a generator farm within the Service Areas;
4. Modify the building footprint for the Main Building;
5. Remove a story from the Main Building;
6. Remove enclosed penthouse from the Main Building;
7. Remove the porte-cochere of the Main Building;
8. Modify the Building footprint of Building A (formerly the Ambulatory Care Building);
9. Add building stories to Building A;
10. Modify the building footprint of the South Garage;
11. Modify the building footprint of the MOB1;
12. Change the building entrance location of the MOB1;
13. Relocate the loading dock access point of the MOB1;
14. Modify the campus canopy system;
15. Modify the Hardscape Plan;
16. Increase connectivity between the Main Building and Building A;

Approved as to
 Legal Sufficiency:

8787 Georgia Avenue, Suite 100, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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17. Modify the lake trail system;
18. Modify the building design and aesthetics;
19. Modify the Landscape and Forest Conservation Plans; and
20. Modify site details and amenities.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated December 28, 2009, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report");

WHEREAS, on January 7, 2010, 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 January 7, 2010, the Planning Board approved the Amendment subject to the conditions in the Staff Report as revised at the Hearing on the motion of Commissioner Presley, seconded by Commissioner Wells-Harley, with a vote of 4-0, Commissioners Alfandre, Hanson, Presley and Wells-Harley voting in favor, with one Planning Board seat being vacant.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby APPROVES the Limited Site Plan Amendment No. 82008021A, subject to the following conditions:

Conformance with Previous Approvals

1. Special Exception Conformance
 The proposed development must comply with the conditions of approval of Special Exception S-2721 dated October 27, 2007. Any variations in this Site Plan (and variations through any subsequent Site Plan amendments) will require an amendment to the Special Exception.
2. Preliminary Plan Conformance
 The proposed development must comply with the conditions of approval for preliminary plans 11991039A and 119820680 as listed in the Planning Board Resolution dated February 13, 2008 unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DOT conditions, and DPS stormwater conditions.

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3. Site Plan Conformance

The proposed development must comply with the conditions of approval for site plan 820080210 as listed in the Planning Board Resolution dated April 24, 2009, except as amended by this Resolution.

Environment

4. Forest Conservation & Tree Save

The proposed development must comply with the conditions of the amended and approved final forest conservation plan as described in the Environmental Planning memorandum dated December 10, 2009:

- a. The Applicant must comply with the conditions of the approval for the final forest conservation plan as amended herein. The Applicant shall satisfy all standard conditions prior to recording of plat(s), or Montgomery County Department of Permitting Services ("MCDPS") issuance of sediment and erosion control permit(s), as appropriate. In addition to standard final forest conservation requirements, the plan must be revised to include the following items:
 - i. Revise the forest conservation plan and worksheet to show additional forest removal associated with the preferred alignment and/or design of the stormwater management outfall at the northern-most corner of the proposed North Parking Garage
 - ii. Show and label on the plan the adjusted water line in the vicinity of the regional stormwater management pond, and the preferred alignment and/or design for the 36-inch stormwater outfall located north of the North Parking Garage.
 - iii. Revise the Category I conservation easement north of the North Parking Garage on the record plat to exclude the 30-foot wide easement for the preferred alignment and/or design of the 36-inch stormwater management outfall.
- b. Prior to signature approval of the certified forest conservation plan, the location and limit of disturbance (LOD) associated with the preferred stormwater management outfall alignment in the vicinity of the North Parking Garage shall be adjusted to minimize impacts to significant and specimen trees along its alignment to the extent feasible. The preferred alignment shall be flagged for review by the M-NCPPC forest conservation inspector; DPS plan reviewer and the applicant's Maryland tree expert. Any adjustments to the LOD shall be reflected on the project's FFCP, Sediment and Erosion Control and Final Engineering plans.
- c. The Arborist's Report shall be revised to include tree protection measures and recommended treatments to minimize tree damage along the selected outfall

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alignment. The Report shall address significant and specimen trees within 50 feet on either side of the proposed LOD so that the low end of individual tree's DBH can be determined after the alignment has been flagged in the field and checked by Environmental Planning staff.

Open Space, Recreation & Amenities

5. Amenities & Recreation Facilities

The Applicant is responsible for maintaining amenities including, but not limited to, all play equipment, special and water features.

- a. A concept of the special features identified at the main entry and plaza areas of the faith center must be provided on the certified site plan with respect to type of feature, material and finish, height and alternate location. The special features must be presented to the Planning Board Staff comprised of at a minimum, representatives of the Site Plan Review and Urban Design divisions for their approval. The certified site plan will note that the special features are to be identified on supplemental sheets. The final design of the special features must be provided in document form as a supplemental sheet to the M-NCPPC and DPS-Site Plan Enforcement.
- b. The Applicant shall provide a playground layout for the tot lot; specifically labeling the surrounding radii and its proximity to each piece of equipment and/or seating areas.

Transportation & Circulation

6. Transportation & Pedestrian Circulation

The on-site traffic signage will be coordinated by the project's traffic engineer with the Montgomery County Park and Planning Staff prior to the Certified Site Plan set.

Site Plan

The Stormwater Management, LEED Certification, Architectural Features, Landscaping, Landscape Surety, Lighting, Development Program, and the Certified Site Plan sections should be consistent with the previously approved resolution dated April 24, 2009.

BE IT FURTHER RESOLVED, that the Planning Board FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

MCPB No. 10-05
Site Plan No. 82008021A
Washington Adventist Hospital
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BE IT FURTHER RESOLVED that all site development elements as shown on the Washington Adventist Hospital drawings stamped by the M-NCPPC on December 11, 2009 (Landscape and Lighting Plans), and December 30, 2009 (Site Plan), 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 written resolution is FEB 2 2010 (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 written opinion, 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 Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chairman Hanson, Vice Chair Wells-Harley, and Commissioners Alfandre and Presley present and voting in favor of the motion at its regular meeting held on Thursday, January 28, 2010 in Silver Spring, Maryland.



Royce Hanson, Chairman
Montgomery County Planning Board

AUG 10 2010

ATTACHMENT A



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

MCPB No. 10-95
Site Plan No. 82008021B
Project Name: Washington Adventist Hospital
Hearing Date: June 24, 2010

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

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

WHEREAS, on May 17, 2010, Adventist HealthCare, Inc. ("Applicant"), filed a site plan amendment application designated 82008021B, Washington Adventist Hospital (the "Amendment") for approval of the following modification to Condition No. 1 of the previously approved Site Plan in order to ensure compliance with the Board of Appeals ultimate determination regarding transportation improvements associated with the approved Special Exception No. S-2721; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated June 11, 2010, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on June 24, 2010, 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 June 24, 2010, the Planning Board approved the Amendment subject to conditions as revised at the Hearing on the motion of Commissioner Presley, seconded by Commissioner Dreyfuss, with a vote of 4-0, Commissioners Alfandre, Dreyfuss, Presley and Wells-Harley voting in favor, one seat being vacant.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves the Site Plan Amendment No. 82008021B; and

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

MCPB No. 10-95
Site Plan No. 82008021B
Washington Adventist Hospital
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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 condition, which replaces Condition No. 1 of the previously approved Site Plan:

Special Exception Conformance. The proposed development must comply with the conditions of approval of Special Exception S-2721 dated October 27, 2008, including any amendments. Any variations in this Site Plan from the Special Exception Plan approved by the Board of Appeals (and variations through any subsequent site plan amendments) will require an amendment to the Special Exception;

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report as revised at the Hearing and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED that all site development elements as shown on Washington Adventist Hospital drawings stamped by the M-NCPPC on May 17, 2010, 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 written resolution is AUG 10 2010 (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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

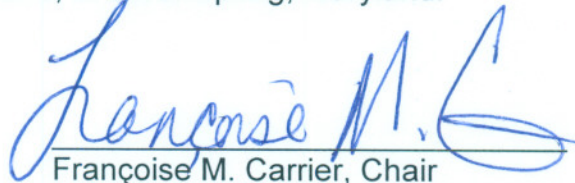
* * * * *

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 Wells-Harley, seconded by

MCPB No. 10-95
Site Plan No. 82008021B
Washington Adventist Hospital
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Commissioner Alfandre, with Commissioners Wells-Harley, Alfandre, Dreyfuss, and Presley voting in favor of the motion, and with Chair Carrier abstaining, at its regular meeting held on Thursday, July 29, 2010, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board



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

MCPB No. 12-42
Site Plan No. 82008021C
Project Name: Washington Adventist Hospital
Hearing Date: March 15, 2012

RESOLUTION

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

WHEREAS, on December 4, 2008, the Planning Board approved Site Plan 820080210 (MCPB Resolution 08-159) for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, a medical office building, and parking facilities on 48.86 acres located on the west side of plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive on I-1 and I-3 zoned land ("Property" or "Subject Property"); and

WHEREAS, on February, 2, 2010, the Planning Board approved Site Plan 82008021A for a number of architectural and site development modifications to Site Plan 820080210, resulting in a reduction to 792,951 square feet of approved development; and

WHEREAS, on August 10, 2010, the Planning Board approved Site Plan Amendment 82008021B for a modification to Condition No. 1 of Site Plan 82008021A to require conformance of the Site Plan with the approved Special Exception S-2721 dated October 27, 2008; and

WHEREAS, on January 11, 2012, Adventist HealthCare Inc. ("Applicant"), filed a site plan amendment application designated Site Plan 82008021C, Washington Adventist Hospital (the "Amendment") for approval of the following modifications to the previously approved site plans:

1. Increase density from 792,951 square feet to 803,428 square feet;
2. Increase North Parking Garage height by three levels (approximately 35 feet above grade) by eliminating some below grade parking without altering the number of parking spaces or garage footprint;
3. Widen North Parking Garage entrances;

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Landover, Maryland 20710 Chairman's Office: 301.495.4605 Fax: 301.495.1320

MNCPPC Legal Department
www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

MCPB No. 12-42
Site Plan No. 82008021C
Washington Adventist Hospital
Page 2

4. Provide additional building connections between the Hospital (Main Building) and Building A at levels 3, 4, and 5;
5. Implement minor architectural changes to the Hospital (Main Building) and Medical Office Building 1 (MOB 1);
6. Landscape, lighting and grading modifications;
7. The addition of switch and fuse boxes; and
8. The addition of PEPCO transformers; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated March 1, 2012, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 15, 2012, 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, the Planning Board modified the Staff recommendation of the maximum amount of floor area approved by this Amendment to be 803,570 square feet, the maximum floor area allowed under the Special Exception S-2721 for the Subject Property, as conditioned; and

WHEREAS, on March 15, 2012, the Planning Board APPROVED the Amendment as modified at the Hearing, on the motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, with a vote of 4-0; Commissioners Carrier, Casey, Dreyfuss, and Wells-Harley voting in favor, and Commissioner Presley being absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board APPROVES Site Plan 82008021C, i) to allow density up to the maximum allowed under the Special Exception S-2721, for 803,570 square feet, as long as it does not generate more than 1,212 weekday AM peak-hour trips and 1,080 weekday PM peak-hour trips from the site pursuant to the APF extension approved April 2008, Preliminary Plans 119820680 approved January 29, 2009 and 11991039A approved November 29, 2007, and ii) all other items in the Application as submitted; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the Hearing and as set forth in the Staff Report, which the Planning Board adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, Planning Board FINDS, with the conditions of approval that this Amendment does not alter the

MCPB No. 12-42
Site Plan No. 82008021C
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intent, objectives, or requirements in the originally approved site plan, as revised by all previous amendments, and that all findings remain in effect; and

BE IT FURTHER RESOLVED that all site development elements as shown on Washington Adventist Hospital drawings stamped by the M-NCPPC on December 22, 2011, shall be required, except as modified as required by Staff; 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

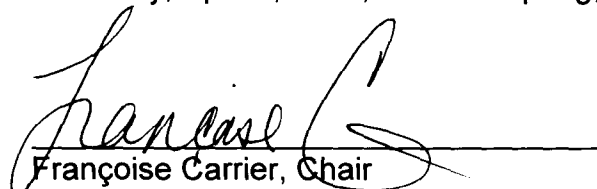
BE IT FURTHER RESOLVED, that the date of this Resolution is APR 9 2012 (which is the date that this Resolution is mailed to all parties of record); and

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).

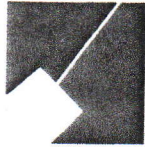
* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of an Order adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor of the motion, and Commissioner Anderson absent at its regular meeting held on Thursday, April 5, 2012, in Silver Spring, Maryland.



Françoise Carrier, Chair
Montgomery County Planning Board



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

MCPB No. 12-142
Site Plan No. 82008021D
Project Name: Washington Adventist Hospital
Hearing Date: December 20, 2012

JAN 10 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820020210 (MCPB Resolution 08-159), for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, two medical office buildings, and parking facilities on 48.86 acres of I-1 and I-3 zoned land located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Property"), in the Fairland Master Plan ("Master Plan") area; and

WHEREAS, on February, 2, 2010, the Planning Board approved Site Plan No. 82008021A (MCPB Resolution 10-05) for a number of architectural and site development modifications resulting in a total of 792,951 square feet of development; and

WHEREAS, on August 10, 2010, the Planning Board approved Site Plan No. 82008021B (MCPB Resolution 10-95) for a modification to Condition No. 1 requiring conformance of the Site Plan with the approved Special Exception; and

WHEREAS, on April 9, 2012, the Planning Board approved Site Plan No. 82008021C (MCPB Resolution 12-42) for a number of architectural and site development modifications resulting in a total of 803,570 square feet of development; and

WHEREAS, on September 18, 2012, Adventist HealthCare Inc., ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 82008021D ("Amendment"), for approval of the following modifications:

1. An interim surface parking lot consisting of 424 parking spaces with associated campus bus shelter, landscaping, lighting and grading;
2. A pedestrian canopy between Building A and the South Parking Garage;

Approved as to
Legal Sufficiency:

Christina Smith
MNCPPC Legal Department

12/16/12
Phone: 301.495.4605 Fax: 301.495.1320

www.montgomeryplanningboard.org Ag- 26 Mail: mcp-chair@mncppc-mc.org

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Washington Adventist Hospital
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3. Revised architectural elevation for a modification to a wall separating the loading dock area from the café terrace on the western side of the Hospital; and
4. Modified handicap ramp design and locations on Plum Orchard Drive.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated December 5, 2012 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on December 20, 2012, Staff presented the Amendment to the Planning Board as a consent item for its review and action; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves certain elements of Site Plan No. 82008021D, for an interim surface parking lot consisting of 424 parking spaces with associated campus bus shelter, landscaping, lighting and grading; a pedestrian canopy between Building A and the South Parking Garage; revised architectural elevation for a modification to a wall separating the loading dock area from the café terrace on the western side of the Hospital; and modified handicap ramp design and locations on Plum Orchard Drive.

BE IT FURTHER RESOLVED that all site development elements as shown on Washington Adventist Hospital drawings stamped by the M-NCPPC on August 22, 2012, shall be required, except as modified as required by staff; and

BE IT FURTHER RESOLVED, unless amended, all other conditions of approval for Site Plan Nos. 820080210, 82008021A, 82008021B, and 82008021C remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the conditions of approval that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, as revised by previous amendments and that all findings remain in effect; 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

MCPB No. 12-142
Site Plan No. 82008021D
Washington Adventist Hospital
Page 3

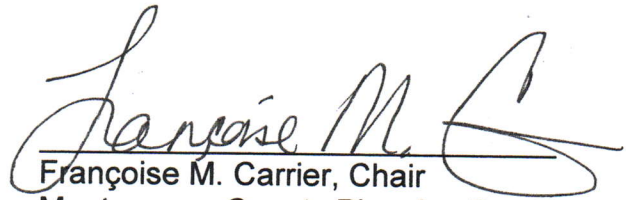
BE IT FURTHER RESOLVED, that the date of this written Resolution is JAN 10 2013 (which is the date that this Resolution is mailed to all parties of record); and

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 written opinion, 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 Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, December 20, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 16-052
 Site Plan No. 82008021E
 Washington Adventist Hospital
 Date of Hearing: June 30, 2016

JUL 22 2016

RESOLUTION

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

WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820020210 (MCPB Resolution 08-159) for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, two medical office buildings, and parking facilities on 48.86 acres of I-1 and I-3 zoned land located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Property"), in the Fairland Master Plan ("Master Plan") area; and

WHEREAS, on February, 2, 2010, the Planning Board approved Site Plan No. 82008021A (MCPB Resolution 10-05) for a number of architectural and site development modifications resulting in a total of 792,951 square feet of development; and

WHEREAS, on August 10, 2010, the Planning Board approved Site Plan No. 82008021B (MCPB Resolution 10-95) for a modification to Condition No. 1 requiring conformance of the Site Plan with the approved Special Exception; and

WHEREAS, on April 9, 2012, the Planning Board approved Site Plan No. 82008021C (MCPB Resolution 12-42) for a number of architectural and site development modifications resulting in a total of 803,570 square feet of development; and

WHEREAS, on December 20, 2012, the Planning Board approved Site Plan No. 82008021D (MCPB Resolution 12-142) to include an interim surface parking lot, a pedestrian canopy, and a number of minor architectural and site development modifications; and

WHEREAS, on December 23, 2015, Adventist Healthcare, Inc. ("Applicant") filed an application for approval of an amendment to the previously approved site plan(s) to modify the approved massing of some campus structures and implement the Life Science Center Zone on the Subject Property; and

Approved as to
 Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

MCPB No. 16-052
 Site Plan No. 82008021E
 Washington Adventist Hospital
 Page 2

WHEREAS, the application to amend the site plan was designated Site Plan No. 82008021E, Washington Adventist Hospital ("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 June 20, 2016, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 30, 2016, 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 June 30, 2016, the Planning Board voted to approve the Application subject to conditions, on motion of Commissioner Dreyfuss, seconded by Commissioner Presley, by a vote of 5-0, Commissioners Anderson, Dreyfuss, Fani-Gonzalez, Presley and Wells-Harley voting in favor;

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82008021E subject to the following conditions, for a total of 803,570 square feet of Hospital use including the main Hospital building, an ambulatory care building, two medical office buildings, the Center of Spiritual Life and Healing, two parking garages, a parking lot, a helipad, and associated parking and other improvements as shown on the Certified Site Plan. 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. This approval supersedes the conditions of approval of Site Plan No. 820080210 as previously amended:¹

1. Special Exception Conformance

Prior to Certified Site Plan approval, the Applicant must abandon Special Exception S-2721 dated October 27, 2008, and subsequent amendment (S-2721-A) dated September 22, 2010.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 11991039A, as listed in the Planning Board Resolution MCPB No. 08-19 dated February 13, 2008, and Preliminary Plan No. 119820680, as amended. This includes, but is not limited to, all references to density, rights-of-way, dedications, easements,

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.

MCPB No. 16-052
 Site Plan No. 82008021E
 Washington Adventist Hospital
 Page 3

transportation conditions, Montgomery County Department of Transportation (MCDOT) conditions, and Montgomery County Department of Permitting Services (MCDPS) stormwater conditions.

Environment

Forest Conservation & Tree Save

3. The development must comply with the conditions of the amended Final Forest Conservation Plan dated June 1, 2016.
 - a. Prior to the issuance of the first building permit, the Applicant must record a revised Category I Conservation Easement, approved by the M-NCPPC Office of the General Counsel, in the Montgomery County Land Records by deed. The Liber and Folio for the easement must be referenced on any subsequent record plat.
 - b. Prior to the issuance of the first building permit, the Applicant must pay the fee-in-lieu for the 0.59-acres forest planting requirement.
 - c. The Applicant must plant a minimum total of eight caliper inches of native canopy trees as mitigation for the tree variance impacts on the Property within one calendar year or two growing seasons after the issuance of the first Use and Occupancy permit for the main Hospital building. The trees must be a minimum of three-inch caliper.

Stormwater Management

4. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management (SWM) concept letter dated December 4, 2015, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the SWM easements and facilities.

Transportation and Circulation

Traffic Mitigation Agreement

5. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the future White Oak Policy Area's Transportation Management Organization (TMO) to assist in achieving the 30% Non-Auto Driver Mode Share

MCPB No. 16-052
 Site Plan No. 82008021E
 Washington Adventist Hospital
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(NADMS) goal established by *Amendment #14-02 to the 2012-2016 Subdivision Staging Policy regarding the White Oak Policy Area* (Council Resolution No. 18-107).

Master Plan Road B-5

6. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must submit and execute a deed of dedication acceptable to Montgomery County DOT to dedicate 60 feet of right-of-way (ROW) for Street B-5 located on Subject Property as shown on the Certified Site Plan.
7. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must construct the interim cross section of Street B-5 per the applicable Montgomery County Standards and as shown on the Certified Site Plan and approved by MCDOT.
8. The Applicant must provide Bikeway LB-8 on the east side of Street B-5 if the State Highway Administration makes the land available from its property, as shown on the Certified Site Plan. The exact location, design and construction of the bikeway must be approved by the MCDOT, Division of Traffic Engineering and Operations.

Cherry Hill Road & Plum Orchard Drive-Clover Patch Drive intersection

9. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must provide the following road improvements as approved by MCDOT. If the Applicant is unable to obtain any easement, County agency approval, or permit necessary to complete this improvement before the issuance of the Use and Occupancy permit for the main Hospital Building, the time for completing this improvement will be extended by 18 months from the date of the issuance of the Use and Occupancy Permit:
 - a. A separate right-turn lane from southbound Cherry Hill Road to westbound Plum Orchard Drive.
 - b. Restripe the existing pavement to reconfigure the through lane to a right-turn/through lane from eastbound Plum Orchard Drive to southbound Cherry Hill Road/eastbound Clover Patch Drive.
 - c. Upgrade existing traffic signal system as required by MCDOT.

Plum Orchard Drive

10. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must restripe the existing 50-foot wide pavement between Cherry Hill Road and the North Entrance (Medical Office Building 2 and North Surface Parking Lot entrance) as shown on the Certified Site Plan and approved by MCDOT:

MCPB No. 16-052
Site Plan No. 82008021E
Washington Adventist Hospital
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A two-way bikeway, LB-6, (along the hospital side) separated by a three-foot buffer; one westbound lane; one eastbound lane; one center lane for left turns at the intersections with the Target/USPS Carrier Center access driveway, Street B-5, Ambulance/Service Road access driveway, and North entrance; and a parking lane along the shopping center side.

Plum Orchard Drive and Broadbirch Drive intersection:

11. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must provide a new traffic signal at the intersection, if warranted and approved by MCDOT.

Plum Orchard Drive and Street B-5 intersection:

12. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must provide the following improvements as approved by MCDOT:
 - a. Deceleration lane for right turns from eastbound Plum Orchard Drive onto southbound Street B-5.
 - b. Separate right-turn and left-turn lanes from northbound Street B-5 onto Plum Orchard Drive.
 - c. A new traffic signal at the intersection, if warranted and approved by MCDOT.

Other Transportation-related Improvements

13. The Applicant must provide employee shuttle(s) for main shift employees to and from Takoma Park Campus or the Metrorail System for 10 years (from the issuance of the Use and Occupancy permit for the main Hospital building) or until an earlier date if the Planning Board determines that area public transit service adequately meets the needs of these employees. The Applicant may modify the shuttle program based on its employees' changing commuting needs, subject to MCDOT and the M-NCPPC Staff's approval.
14. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must construct a multi-bus pull-off facility with canopy structure(s) along Plum Orchard Drive, east of Street B-5, as approved by MCDOT and shown on the Certified Site Plan.
15. Prior to issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must install a wayfinding system, as reviewed and approved by the M-NCPPC and Montgomery County Staff. The wayfinding system must include signage, educational measures, and other mechanisms to encourage employees and visitors to access the Hospital from the Cherry Hill Road/Plum Orchard Drive intersection instead of the Broadbirch Drive/Plum Orchard Drive intersection.

MCPB No. 16-052
Site Plan No. 82008021E
Washington Adventist Hospital
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16. Prior to issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must submit and obtain M-NCPPC Staff approval of a traffic management plan. The management plan must include signage, employee incentives, car pools, educational measures, and other mechanisms to reduce single-occupancy car travel, and encourage transit use in order to minimize the impacts of the increased traffic on the surrounding streets.
17. The Applicant must provide a minimum of 42 private (for employees) and 6 public bicycle parking spaces at full buildout.
 - a. Prior to issuance of the Use and Occupancy permit for the main Hospital building and Building A, the Applicant must provide a minimum of 34 private and 6 public bicycle parking spaces.
 - b. The private spaces must be in a secured, well-lit bicycle room adjacent to the covered parking area, and the public spaces must be inverted-U racks installed in a weather protected location convenient to the main entrance. The specific location(s) of the public bicycle rack(s) must be identified on the Certified Site Plan.

Fire and Rescue

18. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service (MCFRS) Fire Code Enforcement Section in its letter dated April 14, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which Montgomery County may amend if the amendments do not conflict with other conditions of Site Plan approval.

Site Design

19. The Applicant must move Medical Office Building (MOB) 2 closer to Plum Orchard Drive to meet the Build-to Area (BTA) requirements of Section 59.4.6.3.D.
20. MOB 1 main entrance must be on the abutting open space.
21. The Applicant must enhance the exterior facades of South Parking Garage through materials, articulation, public art or other means to make it architecturally compatible with the main Hospital building and the general architectural character of the Hospital

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campus. The enhanced façades treatment must be reviewed and approved by the Staff and shown on the Certified Site Plan.

22. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A-200HO, A-2014HO, A-202HO, A-203HO, A-204HO, A-205GO, A-206HO, A-201M1, A-201MS, A-201GS, and A-201GN of the submitted architectural drawings, as determined by the M-NCPPC Staff.

23. Landscaping

The Applicant must provide the landscaping on the Subject Property as shown on the landscape sheets L-200, L-211, L-212, L-213, L-214, L-215 and L-220 no later than the next growing season after the issuance of the final Use and Occupancy permit for each building.

24. Lighting

- a. Prior to issuance of Use and Occupancy permit for the main Hospital building, 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 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 lights must have full cut-off fixtures.
- c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially improved properties.
- e. All pole-mounted lights on the Subject Property and the roof tops must not exceed the height illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

25. The Applicant must provide a minimum of 219,507 square feet of public open space (10% of tract area) on-site as shown on the Certified Site Plan, Exhibit 100.
26. Prior to the issuance of the Use and Occupancy permit for the main Hospital building, the Applicant must provide the Healing Garden, and the courtyard open space between the main building and Building A. The trail around the pond must be completed prior to the issuance of the Use and Occupancy permit for either the Healing Center or MOB1, whichever is built first.

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27. The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to paving, plantings, lighting, benches, tables and bike racks as shown on the Certified Site Plan.

28. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first post-foundation building permit for the main Hospital building, the Applicant must modify the Site Plan Surety and Maintenance Agreement with the Planning Board as approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The modified Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A modified cost estimate of the materials and facilities, which, upon Staff approval, will establish the revised surety amount.
- b. The modified cost estimate must include applicable Site Plan elements, including, but not limited to, plant material, on-site lighting, recreational facilities, site furniture, trash enclosures, retaining walls, fences, benches, tables, bike racks, railings, private roads, paths and associated improvements within the relevant phase of development.
- c. The modified bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development, and will be followed by inspection and potential reduction of the surety.
- d. The modified bond or surety for each block/phase shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific CSP sheets depicting the limits of each block/phase.

29. Development Program

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

30. Certified Site Plan

Before approval of the Certified Site Plan, the Applicant must make the following revisions and/or provide the following information subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, development program, and Preliminary Plan resolutions on the cover sheet(s).
- b. Add a note to the Site Plan stating that "All public sidewalks and ramps will be ADA compliant."

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- 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. Show location of the car-sharing, electric vehicle charging spaces, and motorcycle/scooter parking spaces.
- e. Modify data table to reflect development standards approved by the Planning Board.
- f. Include a minimum total of eight caliper inches of native canopy trees as mitigation for the tree variance impacts per the condition of approval for the FFCP.
- g. Show MOB 2 located closer to Plum Orchard Drive to be within the required BTA.
- h. Show the main entrance of MOB 1 on the abutting open space.
- i. Show enhanced articulation of South Parking Garage facades as approved the M-NCPPC Staff.
- j. Ensure consistency of all details and layout between Site, Landscape, FCP, and architectural plans. Revise street cross sections and all landscaping, building modifications and other elements to be consistent with the Planning Board's approval.

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, 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:

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

The development satisfies the applicable conditions of approval for Preliminary Plans No. 119820680, 119910390, and 119910380.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

Special Exception S-2721 dated October 27, 2008 and a subsequent amendment S-2721-A dated September 22, 2010 approved the Hospital under the Property's I-1 and I-3 Zones at the time. This Amendment is approved under the current LSC Zone that allows a hospital use by right. As a result, the Special Exception requirements no longer apply.

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

The development satisfies the applicable use standards, development standards, and general requirements as follows:

Section 3.4.6.B. Hospital Use Standards

- Where a Hospital is allowed as a limited use, it must abut property zoned Commercial/Residential, Employment, or Industrial.

Not applicable; the Hospital is a permitted use in the LSC zone.

- Where a Hospital is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1., Conditional Use, and the following standards:

Not applicable; the Hospital is a permitted use in the LSC zone and therefore the additional use standards do not apply.

Section 4.6.3.D. Development Standards

Section 4.6.3.D.	Development Standard	Permitted/ Required	Approved
	Gross Tract Area (sf)	n/a	2,195,075 sf (50.39 ac)
1. Site	Open space, site >10,000 SF	10%	41% (20.07 ac)
2. Lot and Density	Lot (min) Lot area Lot width at front building line Lot width at front lot line Density (max) FAR Coverage (max) Lot	n/a n/a n/a 0.5 n/a	48.86 ac n/a 998 ft 0.37 13.5%
3. Placement	Principal Building Setbacks (min) Front setback (from Street B-5) (from Plum Orchard Drive) Side street setback	0' 0' 0'	124' 184' 487'

Section	Development Standard	Permitted/ Required	Approved	
4.6.3.D.	Side setback	0'	542'	
	Rear setback	0'	25'-4"	
	Accessory Structure Setbacks (min)			
	Front setback, behind front building line	0'	n/a	
	Side street setback			
	Side setback (South Parking Garage)	0'	21'-10"	
	Rear setback (North Parking Garage)	0'	193'	
	Parking Setbacks for Surface Parking Lots (min)			
	Front setback	Behind bldg. line	In front of bldg. line	
	Side street setback		n/a	
	Side setback	Must include landscaping	27'	
	Rear setback		169'	
	Build-to Area (BTA, max setback and min %)			
	Front setback (main Hospital fr Plum Orchard)	20'	184'	
	(MOB 2 fr Plum Orchard)			
Building in front street BTA	20'	20' (max)		
Side street setback	70%	0%		
Building in side street BTA	20'	n/a		
	35%	n/a		
4. Height	Height (max)			
	Principal buildings (Hospital, Building A, MOB1, MOB2, Healing Center)	200'	145'	
	Accessory structure (parking garages)	200'	66'	
5. Form	Building Orientation (max)			
	Entrance facing street or open space	Required	Provided	
	Entrance spacing (max)			
	Main Hospital	100'	181'	
	MOB 2	100'	177'	
	Transparency for Walls Facing Street or Open Space			
	Main Hospital			
	Ground story, front (min)	40%	28.1%	
Ground story, side/rear (min)	25%	21.2%		
Upper Story (min)	20%	23.2%		

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Section	Development Standard	Permitted/ Required	Approved
4.6.3.D.	Blank wall, front (max)	35'	52'
	Blank wall, side/rear (max)	35'	122'/38'
	MOB2		
	Ground story, front (min)	40%	64%
	Ground story, side/rear (min)	25%	43.6%
	Upper Story (min)	20%	49.7%
	Blank wall, front (max)	35'	8.5'
	Blank wall, side/rear (max)	35'	10'/23.5'

The main Hospital building is set back 184 feet from Plum Orchard Drive, and 124 feet from street B-5, in excess of the maximum allowed BTA of 20 feet (59.4.6.3.D.3); and it does not meet the orientation and transparency standards of Section 59.4.6.3.D.5.

The Emergency Room's surface parking lot for visitors is located in front of the main Hospital building instead of behind the building as required by the zoning standards (59.4.6.3.D.3).

MOB 2 does not meet the orientation and transparency and maximum building entrance spacing standards of 59.4.6.3.D.5.

Hospital Building and Emergency Room Public Parking Lot (Placement, Orientation and Transparency)

Pursuant to Section 4.6.3.D.5., the Planning Board approves this Amendment with modifications to the Building Orientation and Transparency standards and finds that the plan: (1) deviates from the requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks, and parks.

The Hospital is unlike typical retail or office use. The building design incorporates a highly use-specific, programmed floor plan that does not allow for the specified entry spacing and façade transparency. The use requires control of limited access points to maintain security and patient privacy. The interior space layout creates an exterior wall that exceeds the maximum transparency permitted for interior spaces dedicated to sensitive patient procedures and privacy. The main façade incorporates a canopy next to a wide sidewalk to provide a comfortable pedestrian path to/from the entrances. As

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described above, a number of design elements are create a robust and inviting arrival area that engages the surrounding publicly accessible spaces.

Pursuant to Section 4.6.3.D.3, the Planning Board approves this Amendment with modifications to the Parking Setbacks for Surface Parking Lots and Build-to Area (BTA) standards, the Planning Board found that the plan: (1) deviates from the requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks, and parks.

The site design includes a network of paths that provides direct access to the main entrance with minimal points of conflict between vehicles and pedestrians. The entry area will feature landscaped open spaces with trees and foundation plantings. In addition to monumental and wayfinding signage, a location is also reserved for a landmark feature such as public art or a fountain to be added at a future time. These improvements seek to create a robust and inviting arrival area that engages the surrounding publicly accessible spaces.

MOB 2 and North Parking Lot (Placement and Orientation)

MOB 2 is set back 50 feet from the lot line, beyond the 20-foot BTA, which also creates non-conformance for the North Surface Parking Lot located closer to the street than the MOB2, (in front of the building line along Plum Orchard Drive) and therefore in violation of the placement standards for surface parking lots. The Planning Board does not grant a modification for MOB 2 and requires it to relocate within the maximum permitted BTA thereby bringing both the MOB 2 structure North Surface Parking Lot into conformance with the required development standards.

MOB 2 does not meet the required standards for orientation (maximum entrance spacing of 100 feet). The building is approximately 355 feet long and has only one entrance facing Plum Orchard Drive. Multiple entry points along this street would cause confusion and could require mobility-impaired patients/patrons to reenter at a separate entrance or unnecessarily travel long distances within the building. The Planning Board approves the requested modification to allow only one entry point along the building's Plum Orchard Drive frontage.

With these modifications, and the recommended conditions of approval requiring full compliance with the BTA and orientation standards for MOB 2, the Site Plan will comply with the applicable development standards of the LSC Zone.

General Development Requirements

Division 6.1. Site Access

The Site Plan includes three vehicular entrances to the Hospital site from Plum Orchard Drive. The northernmost access point along Plum Orchard Drive will provide access to the interim surface parking lots and future Medical Office Building 2 and North Garage. Over 500 feet south of this access point is another entrance dedicated to loading, waste removal, and ambulance circulation. The access from new Street B-5 serves as the main access for visitors and employees to access the Hospital and associated parking.

With the conditions of approval, the development provides safe pedestrian and bicycle access to the Hospital via a network of sidewalks and bikeways including existing and required facilities within the right-of-way of Plum Orchard Drive and the Master-planned street B-5. The Site Plan provides satisfactory general vehicular, pedestrian, and bicyclist access.

Division 6.2. Parking, Queuing, and Loading

Parking for the Site Plan will be provided in a combination of interim surface lots and structured parking facilities. The initial construction phase will include the South Parking Garage, a surface lot for emergency room parking near the main entrance, and an interim surface lot on the future site of medical office building MOB 1. Vehicular and loading access is appropriately located behind the main Hospital and is accessed from Ambulance Entrance, separate from the main Hospital building. Separation of loading, ambulatory, and waste removal circulation from that of visitors and employees reduces potential conflicts. The parking includes spaces for the handicapped, car-sharing, and motorcycles and provides electric charging stations in accordance with Section 6.2.2. The approved phasing ensures adequate parking for each phase of construction. Therefore, the Site Plan provides adequate parking and space for queuing.

Section 6.2.9.3 of the Zoning Ordinance has perimeter planting requirements that apply to the two surface parking lots that will remain as surface parking lots at full buildout. The Amendment has a minimum 6-foot wide area between the surface parking lot and property line with hedge plantings that will exceed the minimum required height of three 3 feet at full growth. The Site Plan also includes canopy trees planted every 30 feet on center.

Pursuant to Section 6.2.9.D., structured parking facilities must have a living green wall or public artwork along 50% of the ground floor of any garage wall facing a right-of-way, residential property, or open space. The South Garage is the only parking structure that

faces a right-of-way. It will have a green wall screen that meets the minimum 50% coverage.

The two parking garages, the interim parking lot on the future site of medical office building MOB1, and an interim surface parking lot at the future site of MOB2 (if additional parking is needed before the construction of the North Parking Garage) meet the required parking as outlined in Table 6 below.

Section 6.2.4. Parking Requirements for Ultimate Buildout				
USE	METRIC	METRIC	MINIMUM REQUIRED	APPROVED
B. Vehicle Parking Space				
Hospital	1.75 per 1,000 sf of GFA	556,376 sf	974	
Medical Clinic	4.00 per 1,000 sf of GFA	247,194 sf	989	
Total			1,963	
C. Bicycle Parking Space				
Hospital	1.00 per 25,000 sf of GFA	556,376 sf	Min. 23 (85% Long-Term: 20)	
Medical Clinic	0.50 per 5,000 sf of GFA	247,194 sf	Min. 25 (85% Long-Term: 22)	
Total			48	

Parking Construction Schedule			
	INITIAL CONDITION	INTERIM CONDITION	ULITMATE BUILDOUT
South Garage	1,008	1,008	1,008
MOB 1 Surface Lot	145	25	25
Emergency Room Surface Lot	44	44	44
MOB 2 Surface Lot	0	140	0
North Garage	0	0	1,052
North Surface Lot	0	287	287
TOTAL	1,197	1,504	2,416

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Division 6.3. Open Space and Recreation

Section 4.6.3.D.1. of the Zoning Ordinance requires the development provide a minimum of 10 percent of the lot area as public open space. The Site Plan has 41 percent, approximately 20 acres, of the property as public open space. Recreation facilities are not required of the Hospital use. However, the Site Plan includes walking paths, benches, bicycle facilities and a healing garden as part of the passive activity areas for the Hospital staff, patients and visitors. The stormwater management facility wet pond, a major environmental feature, will include a walking path and landscaping around it.

Division 6.4. General Landscaping and Outdoor Lighting

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors.

The open space provided is in excess of the required amount and incorporates many of the environmentally sensitive areas and the landscaped amenity areas that surround the buildings. Amenity landscaping is provided throughout the campus including foundation plantings, accent and ornamental planting, and screening planting. The South Garage is adequately landscaped at the base with trees and shrubs, as well as a green screen on the parking structure façade abutting the right-of-way of Street B-5.

Outdoor lighting is provided to create enough visibility to provide safety and security without causing glare on the adjacent roads or properties. Lighting on the rooftop of the garages has been kept to a minimum height to promote illumination while still providing for pedestrian and vehicular safety.

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

Chapter 19, Erosion, Sediment Control, and Stormwater Management

The Amendment does not modify the previously approved stormwater management or sediment control plans. A Stormwater Concept Plan was reconfirmed by the Montgomery County Department of Permitting Services by a letter dated April 1, 2015.

Chapter 22A, Forest Conservation

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The approved FFCP 82008012E includes revisions including a water line extension from the nearby WSSC property, across the adjacent Montgomery County property (Site II) and onto the Subject Property to provide required water supply redundancy. In order to accommodate this water line connection, 0.01 acres of reforestation and associated Category I Conservation Easement will be removed from the Subject Property. An additional 0.02 acres of reforestation and associated Category I Conservation Easement will be added to the same reforestation area. The water line extension also requires an additional 0.83 acres of disturbance and 0.52 acres of forest clearing.

The approved FFCP 82008012E also includes off-site disturbance on the Percontee property associated with the public storm drain and sewer line and temporary turnaround construction, minor areas along Plum Orchard Drive for site construction, and SHA property for Street B-5 construction. While this disturbance had been previously shown on the FFCP, the areas had not been accounted for in the tract area. The net tract area includes: 48.86 acres of Parcel RRRR site area, 0.83 acres of disturbed area for water line construction on Montgomery County property, 1.49 acres on Percontee property, 0.47 acres of disturbed area along Plum Orchard Drive, and 0.3 acres on SHA property, for a total net tract area of 51.95 acres. The Final Forest Conservation worksheet on Sheet F-206 reflects the total tract area change and subsequent forest conservation requirement changes. The off-site disturbance and forest clearing covered by this amended FFCP generate an additional 0.59-acre reforestation requirement. All other reforestation requirements associated with this project have already been met through a combination of on-site and off-site reforestation. The Applicant is required to meet this 0.59- acre reforestation by payment of fee-in-lieu.

Chapter 22A, Forest Conservation

Section 22A-12(b) (3) of the Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal or disturbance within the tree's critical root zone (CRZ) requires a variance. The Planning Board approves the variance for the impacts to one tree. The layout will remove one tree that is considered high priority for retention under Section 22A-12 (b) (3) of the County Forest Conservation Law.

Unwarranted Hardship for Variance Tree Impacts

The Planning Board finds that leaving the requested tree in an undisturbed state will result in unwarranted hardship. The requested variance is necessary due to the need to install a storm drain and sewer line on the adjacent Percontee property.

Variance Tree Table Removals				
ID	Species	Size	Condition	Notes
229	White oak	32"	Good	Storm drain and sewer location

Variance Findings

Based on the review of the variance request and the Preliminary Forest Conservation Plan, the Planning Board makes the following necessary findings:

1. *Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.*

The variance will not confer a special privilege on the Applicant as removal of the specified tree is necessary to construct storm drain and sewer connections.

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 not based on conditions or circumstances that are the result of actions by the Applicant. The variance is necessary due to the location of the tree within the area being disturbed for the storm drain and sewer connections

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

The variance is a result of the location of trees and the required storm drain and sewer connections. The need for the variance is not based on a condition relating to land or building use on a neighboring property.

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

The Applicant will plant a minimum of eight caliper inches of native canopy trees to replace the form and function of the 32" white oak that will be removed. Trees protect water quality by reducing runoff through rainfall interception and water

uptake. The trees also provide shade for impervious areas and improve soil texture, which also results in improved water quality.

Mitigation for Trees Subject to the Variance Provisions

The removal of one tree will be mitigated by additional plantings. Mitigation planting is calculated at the rate of 1 caliper inch planted per 4" inch DBH lost. Using this ratio, the Applicant is required to plant eight caliper inches of native canopy trees as mitigation for the tree variance impacts on the Site within one calendar year or two growing seasons after completion of construction. The trees must be a minimum of three-inch caliper.

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

The Planning Board does not accept the Applicant's proposal for widening Plum Orchard Drive. The Master Plan designates Plum Orchard Drive as a business district street of 80-foot ROW with two through travel lanes. The current pavement width of the street is wide enough to have four travel lanes. The road has enough capacity to support any increase in traffic from the proposed Hospital--the highest projected total full-build-out of through traffic volume on Plum Orchard Drive is less than 850 vehicles per hour per lane, which is below the Highway Capacity Manual's 900 vehicles per hour per lane for business district streets. The Planning Board finds that instead of enhancing the existing street, the Applicant's proposed widening to create a five-lane cross section with no median breaks will negatively impact the appearance and character of Plum Orchard Drive and be inconsistent with the two-lane recommendation for this road and other goals and aspirations of the Master Plan. While the proposed widening will increase road capacity, it will be in conflict with the Master Plan recommendation and its balanced approach in improving "mobility and access where design, safety, and community objectives require a multi-faceted approach to place-making" (page 56).

The Planning Board is concerned about the potential safety and circulation impacts of the Hospital-related traffic on the nearby road network and particularly the intersection of Broadbirch Drive and Plum Orchard Drive and therefore requires the installation of a new traffic signal at the Plum Orchard Drive/Broadbirch Drive intersection and restripe the existing 50-foot wide pavement of Plum Orchard Drive to create two travel lanes with one turn lane in the center and a master plan-recommended bike lane.

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The Board finds that, with the conditions of approval requiring a new signal at Plum Orchard Drive/Broadbirch Drive intersection, restriping of Plum Orchard Drive and other network improvements as described in the conditions of approval, the Site Plan provides adequate, safe, and well integrated circulation pattern for vehicular traffic, pedestrians, bicyclist and other uses of the Hospital.

The main Hospital building, the ambulatory care building and the South Parking Garage are the primary campus features and are located on the southwestern bend of Plum Orchard Drive. The 7-story Hospital includes an Emergency Room, operating rooms and facilities to accommodate inpatient care. The adjacent ambulatory care building will accommodate a number of Hospital-related offices and services, as well as physician office space. These structures are arranged to provide the ease of access and circulation to deliver efficient health care services. Master-planned street, B-5, along the eastern property line between Plum Orchard Drive and the Property's southern boundary line will provide vehicular, bicycle, and pedestrian access to these structures. The separation of ambulatory loading from the Emergency Room and main Hospital entrance enhances the safety of circulation by limiting potential for conflicts.

The phased addition of the Center for Spiritual Life and Healing and medical office building MOB1 will promote continuity between the buildings and open space. The site design includes paths that feature distinctive hardscape, landscaping, and lighting that create a series of intimate, pedestrian-oriented outdoor passages.

The phased addition of medical office building MOB2 and the North Parking Garage will expand the campus to the northern portion of the Property. Although separated from the primary structures by approximately 500 feet, the campus is connected by the sidewalk along Plum Orchard Drive and an internal path within the site.

The Planning Board finds the Site Plan provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.

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

The Subject Property is located within the area identified as the Life Sciences/FDA Village Center by the 2014 *White Oak Science Gateway Master Plan*. The Life Sciences/FDA Village Center is an 800-acre area currently home to light industrial and service uses, back offices, public sector facilities, and heavy industrial. The Master Plan envisions this area as one of three major mixed-use activity centers in the Master Plan

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area. While redevelopment of Percontee and Site II properties are the primary focus of discussion in this area, the Sector Plan recommends the following for the Subject Property:

Rezone the five parcels owned by AHC and proposed for Washington Adventist Hospital from I-1 and I-3 to the Life Sciences Center Zone, to promote research, academic and clinical facilities that advance the life sciences, health care services and applied technologies. The LSC Zone allows Hospitals by right and has been successfully used by Shady Grove Adventist Hospital in the Great Seneca Science Corridor Master Plan area. (page 50).

The required traffic signal at the Broadbirch Drive/Plum Orchard Drive intersection and reconfiguration of Plum Orchard Drive through restriping the existing pavement will create a more harmonious street network, one that is more compatible with the existing and proposed development as envisioned by the Master Plan. With the conditioned improvements, the Site Plan will support the Master Plan's goal of increasing connectivity for all users of the area's vehicular as well as pedestrian and bikeway network. The Hospital with related uses will advance life sciences, health care services and applied technologies in the area as recommended by the Sector Plan. Therefore, with the approved conditions for a traffic signal at the intersection of Plum Orchard Drive and Broadbirch Drive and restriping of Plum Orchard Drive, the Site Plan will be in substantial conformance with the White Oak Science Gateway Master Plan.

White Oak Science Gateway Design Guidelines

The Amendment is in substantial conformance with the *White Oak Science Gateway Design Guidelines*. The project incorporates sustainable planning and design principles to use the land efficiently, and promote walkability and transportation alternatives. The site layout builds on the existing natural resources including topography and forest stand. It also utilizes the wet pond as an amenity that will connect to future development on County-owned Site II.

7. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The Adequate Public Facilities (APF) test for the Hospital was satisfied originally under approval of the three preliminary plans below and Special Exception Case No. S-2721 to transfer unbuilt, but approved office development and the associated trip credits within the overall Westfarm site to the Hospital:

- Preliminary Plan No. 119820680, Westfarm;

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- Preliminary Plan No. 119910390, Westfarm Technology Park (I-3); and
- Preliminary Plan No. 119910380, Westfarm Technology Park (I-1).
- Special Exception Case No. S-2721: Planning Board hearing on April 24, 2008 extended APF.

With a series of two-year automatic APF validity extensions for all valid plans by the County Council, the original 2008 APF validity period for the preliminary plans above was extended through July 31, 2021.

While the APF is valid for the Property, the off-site transportation improvements, as conditioned, are necessary to provide adequate road capacity for safe and efficient functioning of the use at this location. With the conditions of approval, the development will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

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

The structures and site layout are compatible with the surrounding uses and adjacent site plans, with respect to variation in height, building organization and massing and relationship to other buildings. The structures are in scale with the nearby buildings and are located such that they will not adversely impact existing or adjacent uses.

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

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

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 22 2016 (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).

* * * * *

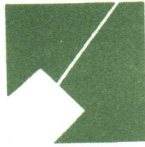
MCPB No. 16-052
Site Plan No. 82008021E
Washington Adventist Hospital
Page 23

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 Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-González voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, July 14, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MCPB No. 17-093
Site Plan No. 82008021F
Washington Adventist Hospital
Hearing Date: November 2, 2017

NOV 03 2017

RESOLUTION

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

WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820080210 (MCPB No. 08-159) for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, two medical office buildings and parking facilities on 48.86 acres of I-1 and I-3 zoned land on 44.86 acres of LSC zoned-land, located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Subject Property"), in the Area 2 Policy Area and White Oak Science Gateway Master Plan ("Master Plan") area; and

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

WHEREAS, on August 10, 2010, the Planning Board, by Resolution No. MCPB No. 10-95, approved an amendment to the Site Plan No. 82008021B for a modification to Condition No. 1 requiring conformance to the Site Plan to the approved Special Exception on the Subject Property; and

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

WHEREAS, on December 20, 2012, the Planning Board, by Resolution No. MCPB No. 12-142 approved an amendment to the Site Plan No. 82008021D to include an interim surface parking lot, a pedestrian canopy, and a number of minor architectural and site development modifications on the Subject Property; and

Approved as to
Legal Sufficiency:


MNCPPC Legal Department

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

MCPB No. 17-093
 Site Plan No. 82008021F
 Washington Adventist Hospital
 Page 2

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

WHEREAS, on August 14, 2017, Adventist Healthcare, Inc. (“Applicant”), filed an application for approval of an amendment to the previously approved site plan(s) for the following modifications:

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

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 82008021F Washington Adventist Hospital (“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 23, 2017, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on November 2, 2017, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff’s recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82008021F, subject to the following conditions:

1. Conditions numbers 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 24 and 26 of the approved Site Plan No. 82008021E are modified as follows, (the deleted text is in ~~strikeout~~, new text is underlined):

Condition No. 3 (c) Applicant must plant a minimum total of eight caliper inches of native canopy trees as mitigation for the tree variance impacts on the Property within one calendar year or two growing seasons after the issuance of the ~~first~~ final

MCPB No. 17-093
Site Plan No. 82008021F
Washington Adventist Hospital
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and Occupancy permit for the main Hospital building. The trees must be a minimum of three-inch caliper.

Condition No. 5. Prior to the issuance of the first Use and Occupancy permit for the main Hospital building, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the future White Oak Policy Area's Transportation Management Organization (TMO) to assist in achieving the 30% Non-Auto Driver Mode Share (NADMS) goal established by *Amendment #14-02 to the 2012-2016 Subdivision Staging Policy regarding the White Oak Policy Area* (Council Resolution No. 18-107).

Condition No. 6. Prior to issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must submit and execute a deed of dedication acceptable to the Montgomery County DOT to dedicate 60 feet of right-of-way (ROW) for Street B-5 located on Subject Property as shown on the Certified Site Plan.

Condition No. 7. Prior to issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must construct the interim cross section of Street B-5 per the applicable Montgomery County Standards and as shown on the Certified Site Plan and approved by MCDOT.

Condition No. 8. Prior to issuance of the final Use and Occupancy permit, the Applicant must provide Bikeway LB-8 on the east side of Street B-5 if the State Highway Administration makes the land available from its property, as shown on the Certified Site Plan. The exact location, design and construction of the bikeway must be approved by the MCDOT, Division of Traffic Engineering and Operations.

Condition No. 9. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must provide the following road improvements as approved by MCDOT. If the Applicant is unable to obtain any easement, County agency approval, or permit necessary to complete this improvement before the issuance of the final Use and Occupancy permit for the main Hospital Building, the time for completing this improvement will be extended by 18 months from the date of the issuance of the final Use and Occupancy Permit:

Condition No. 10. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must restripe the existing 50-foot wide pavement between Cherry Hill Road and the North Entrance (Medical Office Building 2 and North Surface Parking Lot entrance) as shown on the Certified Site Plan and approved by MCDOT:

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Site Plan No. 82008021F
Washington Adventist Hospital
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Condition No.11. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must provide a new traffic signal at the intersection, if warranted and approved by MCDOT.

Condition No. 12. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must provide the following improvements as approved by MCDOT:

a. ~~Deceleration lane for r~~ Right turns from eastbound Plum Orchard Drive onto southbound Street B-5.

Condition No.13. The Applicant must provide employee shuttle(s) from main shift employees to and from Takoma Park Campus or the Metrorail system for 10 years (from the issuance of the final Use and Occupancy permit for the main Hospital building) or until an earlier date if the Planning Board determines that area public transit service adequately meets the needs of these employees. The Applicant may modify the shuttle program based on its employees' changing commuting needs, subject to MCDOT and the M-NCPPC Staff's approval.

Condition No.14. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must construct a multi-bus pull-off facility with four bus shelters ~~with canopy structure(s)~~ along Plum Orchard Drive, east of Street B-5, as approved by MCDOT and shown on the Certified Site Plan.

Condition No. 15. Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must install a wayfinding system, as reviewed and approved by the M-NCPPC and Montgomery County Staff. The wayfinding system must include signage, educational measures, and other mechanisms to encourage employees and visitors to access the Hospital from the Cherry Hill Road/Plum Orchard Drive intersection instead of the Broadbirch Drive/Plum Orchard Drive intersection.

Condition No. 16. Prior to issuance of the first Use and Occupancy permit for the main Hospital building, the Applicant must submit and obtain M-NCPPC and MCDOT Staff approval of a traffic management plan. The management plan must include signage, employee incentives, car pools, educational measures, and other mechanism to reduce single-occupancy car travel, and encourage transit use in order to minimize the impacts of the increased traffic on the surrounding streets.

Condition No. 17. a. Prior to issuance of the final Use and Occupancy permit for the main Hospital building and Building A, the Applicant must provide a minimum of 34 private and 6 public bicycle parking spaces.

MCPB No. 17-093
 Site Plan No. 82008021F
 Washington Adventist Hospital
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Condition No. 24. a. Prior to issuance of the final Use and Occupancy permit for the main Hospital building, 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 lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

Condition No. 26. Prior to issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must provide the Healing Garden, and the courtyard open space between the main building and Building A. The trail around the pond must be completed prior to the issuance of the Use and Occupancy permit for either the Healing Center or MOB1, whichever is built first.

2. Conditions No. 4 and 18 of the approved Site Plan No. 820082021E are modified as follows, (new text is underlined):

Condition No.4. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management (SWM) concept letter dated December 4, 2015, and as amended January 19, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letters, 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 SWM easements and facilities.

Condition No. 18. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue (MCFRS) Fire Code Enforcement Section in its letter dated April 14, 2016, and as amended September 1, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which Montgomery County may amend if the amendments do not conflict with other conditions of Site Plan approval.

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

BE IT FURTHER RESOLVED that all development elements shown on the latest electronic version of Washington Adventist Hospital 82008021F, 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

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Site Plan No. 82008021F
Washington Adventist Hospital
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BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS that, with the conditions of approval, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan No. 820080210 or subsequent amendments, and that all findings remain in effect, except as modified herein; 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 § 59-7.3.4.H; and

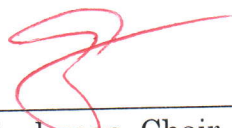
BE IT FURTHER RESOLVED, that the date of this written resolution is NOV 03 2017 (which is the date that this resolution is mailed to all parties of record); and

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 written opinion, 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 Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, November 2, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MCPB No. 18-022
Site Plan No. 82008021G
Washington Adventist Hospital
Hearing Date: March 22, 2018

MAY 03 2018

RESOLUTION

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

WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820080210 (MCPB Resolution No. 08-159) for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, two medical office buildings and parking facilities on 48.86 acres of I-1 and I-3 zoned land on 44.86 acres of LSC zoned-land, located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Subject Property"), in the Fairland/White Oak Policy Area and the White Oak Science Gateway Master Plan ("Master Plan") area; and

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

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

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

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

Approved as to
Legal Sufficiency:

Christina Sowa 4/2/18
8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
M-NCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

MCPB No. 18-022
Site Plan No. 82008021G
Washington Adventist Hospital
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WHEREAS, on July 22, 2016, the Planning Board approved Site Plan Amendment No. 82008021E (MCPB Resolution No. 16-052) for a total of 803,570 square feet of Hospital use including the main Hospital building, an ambulatory care building, two medical office buildings, the Center of Spiritual Life and Healing, two parking garages, a parking lot, a helipad, and associated parking and other improvements on the Subject Property; and

WHEREAS, on November 03, 2017, the Planning Board approved Site Plan Amendment No. 82008021F (MCPB Resolution No. 17-093) for the following modifications on the Subject Property:

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

WHEREAS, on November 1, 2017, Adventist Healthcare, Inc. ("Applicant"), filed an application for approval of modification to Condition 10, and 30 of the previously approved Site Plan 82008021E, to replace the requirement for a two-way bike lane (LB-6) on the Hospital side of Plum Orchard Drive, with a one-way bike lane on each side of Plum Orchard Drive and associated adjustments to lane widths, buffers, and right and left turn lanes; modification to Condition 14 of the previously approved Site Plan 82008021F, to reduce the total number of bus shelters to be provided from four to two; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82008021G Washington Adventist Hospital ("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 March 8, 2018, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 22, 2018, Staff presented the Amendment to the Planning Board for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82008021G, subject to the following conditions:

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Site Plan No. 82008021G
Washington Adventist Hospital
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10. Plum Orchard Drive

Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must restripe the existing 50-foot wide pavement between Cherry Hill Road and the North Entrance (Medical Office Building 2 and North Surface Parking Lot entrance) as shown on the Certified Site Plan and approved by MCDOT:

Two, one-way bike lanes, one on each side of Plum Orchard Drive separated from the travel lanes by three and a half-foot buffers; one westbound lane; one eastbound lane; one center lane for left turns at the intersections with the Target/USPS Carrier Center access driveway, Street B-5, Ambulance/Service Road access driveway, and North Entrance.

14. Other Transportation-related Improvements

Prior to the issuance of the final Use and Occupancy permit for the main Hospital building, the Applicant must construct a multi-bus pull-off facility with two bus shelters along Plum Orchard Drive, east of Street B-5, as approved by MCDOT and shown on the Certified Site Plan. MCDOT may require the Applicant to install up to two additional shelters in the future if they are needed to meet demand.

30. Certified Site Plan

Before approval of the Certified Site Plan, the Applicant must make the following revisions and/or provide the following information subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, development program, and Preliminary Plan resolutions on the cover sheet(s).
- b. Add a note to the Site Plan stating that "All public sidewalks and ramps will be ADA compliant."
- 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. Show location of the car-sharing, electric vehicle charging spaces, and motorcycle/scooter parking spaces.

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Site Plan No. 82008021G
Washington Adventist Hospital
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- e. Modify data table to reflect development standards approved by the Planning Board.
- f. Include a minimum total of eight caliper inches of native canopy trees as mitigation for the tree variance impacts per the condition of approval for the FFCP.
- g. Show MOB 2 located closer to Plum Orchard Drive to be within the required BTA.
- h. Show the main entrance of MOB 1 on the abutting open space.
- i. Show enhanced articulation of South Parking Garage facades as approved the M-NCPPC Staff.
- j. Ensure consistency of all details and layout between Site, Landscape, FCP, and architectural plans. Revise street cross sections and all landscaping, building modifications and other elements to be consistent with the Planning Board's approval.
- k. Add a note to the Site Plan stating, "The signings and markings that have been shown on Site Plan 82008021G are for reference only and they will be finalized at the time of right-of-way permit under the signing and marking plan".

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

BE IT FURTHER RESOLVED that all development elements shown on the latest electronic version of Washington Adventist Hospital 82008021G, 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 given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS that, with the conditions of approval, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan No. 820080210 or subsequent amendments, and that all findings remain in effect, except as modified herein; 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 § 59-7.3.4.H; and

MCPB No. 18-022
Site Plan No. 82008021G
Washington Adventist Hospital
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BE IT FURTHER RESOLVED, that the date of this written Resolution is MAY 03 2018 (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 written opinion, 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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, April 26, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MEMORANDUM

DATE: October 18, 2018

TO: Gwen Wright, Planning Director

VIA: Carrie Sanders, Chief *CS*
Patrick Butler, Supervisor *P.B.*
Area 2 Division

FROM: Rhoda Hersson-Ringskog, Senior Planner *RHR*
Area 2 Division

SUBJECT: Washington Adventist Hospital
Site Plan Amendment No. 82008021H

On May 23, 2018, Adventist HealthCare, Inc. (Applicant), filed a Site Plan Amendment application designated Site Plan No. 82008021H (Amendment). Typically, increases in height and square footage are considered Major Amendments and require Planning Board approval. However, the additional height and Gross Floor Area requested were previously approved by Site Plan No. 82008021E, and basement/storage space does not count toward Gross Floor Area per the Zoning Ordinance. Further explanation of these two requests are provided as follows:

1. **Addition of two floors, Level 6 & 7 on the Main Hospital Building, south tower;**
The Applicant sought and obtained approval of the two additional floors (Levels 6 & 7) on the Main Hospital Building, south tower, at the time of Site Plan No. 82008021E. The Applicant intended to build these future expansion areas when funding became available. The Applicant was required to show these areas as "Future Hospital" expansion areas. The Applicant has since secured funding and now seeks to add/show the previously approved floors (Levels 6 & 7) to the Main Hospital Building, south tower on the Site Plan. The proposed expansion conforms to the delineation of the Future Hospital expansion areas, as identified on Certified Site Plan 82008021E. The proposed total gross floor space for the addition of the two floor is 36,000 square feet, which does not exceed the 100,000 square feet for the "Future Hospital" identified on the Data Table of Certified Site Plan No. 82008021E or the 803,570 Total Gross Floor Area of the Hospital approved by the Planning Board and shown on the Data Table for Site Plan No. 82008021E.

The addition of new floorspace would typically result in the requirement for additional parking spaces. However, since the Applicant's previous approval was for 803,570 square feet of Hospital uses (which included the future hospital expansion areas), the Applicant is not required to provide any additional parking as a result of the addition.

2. **Addition of crawl space under north tower;**
During the value engineering construction process, the Applicant added crawl space under the north tower. The Applicant confirmed that the expense of infill (soil) at that volume was greater than adding a structural deck at level one and creating the crawl space. Floor areas are not counted for mechanical and storage areas; therefore, this change will not impact on the total floor space for the "Future Hospital" or Gross Floor Area identified on the Data Table.
3. **Minor façade, window, canopy, retaining wall modifications;**
4. **Minor pavement and landscape modifications;**
5. **Relocation of transformer/switchgear box and landscaping/screening along Plum Orchard Drive;**
6. **Switchgear box added adjacent to transformer at SE corner of Building A, and transformer/switchgear box added to the South Garage;**
7. **Removal of the traffic island, reduced driveway width and revised lighting design along ambulance access drive;**
8. **Louvers, doors and roof screen wall added to Central Utility Plant (CUP) elevations;**
9. **Revisions to utility locations to reflect final construction; and**
10. **Parking gates added at Phase 1A surface parking lot.**

Per Section 59.7.7.1.B.3.a., Staff reviewed this Amendment under the development standards and procedures of the Zoning Ordinance in effect on October 29, 2014 and have determined that this amendment is consistent with the provisions of Section 59-D-3.7(d). It does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved Site Plan or any subsequent amendments thereof.

Pursuant to Section 59.7.3.4.J.2.c., "A minor amendment may be approved by the Planning Director without a public hearing if no objection to the application is received within 15 days after the application notice is sent." Pursuant to 59.7.3.4.J.2.a., "A minor amendment includes any change to a parking or loading area, landscaping, sidewalk, recreational facility or area, configuration of open space, or any other plan element that will have a minimal effect on the overall design, layout, quality or intent of the plan. A minor amendment may also be approved to reduce the approved parking to satisfy Article 59-6. A minor amendment does not include any change that increases density or height or prevents circulation on any street or path."

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the Development Applications and Regulatory Coordination (DARC) Division, Intake Section is also not required; however, submittal of the application to DARC is applicable and the applicants must provide public notice under Division 7.5. of the Zoning Ordinance.


The Applicant sent a notice of the Amendment to all parties of record on July 20, 2018. 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.

This Amendment shall remain valid as provided in Section 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:



Gwen Wright, Planning Director



Date Approved



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

MEMORANDUM

DATE: October 18, 2018

TO: Gwen Wright, Planning Director

VIA: Carrie Sanders, Chief *CS*
Patrick Butler, Supervisor *P.B.*
Area 2 Division

FROM: Amy Lindsey, Planner Coordinator *ALL*
Area 2 Division

SUBJECT: Washington Adventist Hospital
SITE PLAN AMENDMENT #82008021I

On September 27, 2018, Adventist HealthCare, Inc. (the Applicant) filed a site plan amendment application designated Site Plan No. 82008021I (Amendment) for approval of the following modifications:

1. Include required off-site transportation improvements;

Per Section 59.7.7.1.B.3.a., Staff reviewed this Amendment under the development standards and procedures of the Zoning Ordinance in effect on October 29, 2014 and have determined that this amendment is consistent with the provisions of Section 59-D-3.7(d). It does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved Site Plan or any subsequent amendments thereof.

Pursuant to Section 59.7.3.4.J.2.c., "A minor amendment may be approved by the Planning Director without a public hearing if no objection to the application is received within 15 days after the application notice is sent." Pursuant to 59.7.3.4.J.2.a., "A minor amendment includes any change to a parking or loading area, landscaping, sidewalk, recreational facility or area, configuration of open space, or any other plan element that will have a minimal effect on the overall design, layout, quality or intent of the plan. A minor amendment may also be approved to reduce the approved parking to satisfy Article 59-6. A minor amendment does not include any change that increases density or height or prevents circulation on any street or path."

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the Development Applications and Regulatory Coordination (DARC) Division, Intake Section is also not required; however, submittal of the application to DARC is applicable and the applicants must provide public notice under Division 7.5. of the Zoning Ordinance.

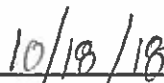
The Applicant sent a notice of the Amendment to all parties of record on October 2, 2018. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

This Amendment shall remain valid as provided in Section 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:



Gwen Wright, Planning Director



Date Approved



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

MCPB No. 19-094
Site Plan No. 82008021J
Washington Adventist Hospital
Hearing Date: July 18, 2019

AUG 21 2019

RESOLUTION

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

WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820080210 (MCPB Resolution No. 08-159) for 802,805 gross square feet of non-residential development for a main hospital building, an ambulatory care building, a faith center, two medical office buildings and parking facilities on 48.86 acres of I-1 and I-3 zoned land on 44.86 acres of LSC zoned-land, located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Subject Property"), in the Fairland/White Oak Policy Area and the White Oak Science Gateway Master Plan ("Master Plan") area; and

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

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

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

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

Approved as to
Legal Sufficiency

Christina Scott 7/17/19
8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
MNCPPC Legal Department
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WHEREAS, on July 22, 2016, the Planning Board approved Site Plan Amendment No. 82008021E (MCPB Resolution No. 16-052) for a total of 803,570 square feet of Hospital use including the main Hospital building, an ambulatory care building, two medical office buildings, the Center of Spiritual Life and Healing, two parking garages, a parking lot, a helipad, and associated parking and other improvements on the Subject Property; and

WHEREAS, on November 03, 2017, the Planning Board approved Site Plan Amendment No. 82008021F (MCPB Resolution No. 17-093) for the following modifications on the Subject Property:

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

WHEREAS, on May 3, 2018, the Planning Board approved Site Plan Amendment No. 82008021G (MCPB Resolution No. 18-022) for the following modifications on the Subject Property:

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

WHEREAS, on October 18, 2018, the Director of Planning approved a minor Site Plan Amendment No. 82008021H for the following modifications on the Subject Property:

1. Addition of two floors, Level 6 & 7 on the Main Hospital Building, south tower;
2. Addition of crawl space under north tower;
3. Minor façade, window, canopy, retaining wall modifications;
4. Minor pavement and landscape modifications;
5. Relocation of transformer/switchgear box and landscaping/screening along Plum Orchard Drive;
6. Switchgear box added adjacent to transformer at SE corner of Building A, and transformer/switchgear box added to the South Garage;
7. Removal of the traffic island, reduced driveway width and revised lighting design along ambulance access drive;
8. Louvers, doors and roof screen wall added to Central Utility Plant (CUP) elevations;
9. Revisions to utility locations to reflect final construction; and
10. Parking gates added at Phase 1A surface parking lot.

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Washington Adventist Hospital
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WHEREAS, on October 18, 2018, the Director of Planning approved a minor Site Plan Amendment No. 82008021I for the following modifications on the Subject Property:

1. Include required off-site transportation improvements within the limits of disturbance on the Forest Conservation Plan.

WHEREAS, on January 29, 2019, Adventist Healthcare, Inc. ("Applicant"), filed an application for approval of modifications to Condition Nos. 8, 10, 11, 12, 15 and 26 of Site Plan 82008021F to change the timing of various required items such as the way finding system, the Traffic Management Plan, roadway improvements on Plum Orchard Drive; and the courtyard between the main hospital and Building "A"; modification to Condition No. 10 of Site Plan No. 82008021G to remove the specific dimension of the bikeway buffer and add final approval of exact roadway lane dimensions by Montgomery County Department of Transportation (MCDOT); and modifications to the site plan drawings of Site Plan No. 82008021G as listed below:

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

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82008021J Washington Adventist Hospital ("Site Plan," "Amendment," or "Application"); and

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Site Plan No. 82008021J
Washington Adventist Hospital
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WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 8, 2019, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 18, 2019, Staff presented the Amendment to the Planning Board for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82008021J, subject to the following conditions listed below:

Conditions Nos. 6, 7, 8, 11, 13, 15, and 26 of Site Plan 82008021F, as modified:

Master Plan Road B-5

6. Prior to certification of Site Plan Amendment No. 82008021J, the Applicant must obtain a Design Exception approval from MCDOT and a waiver from DPS for the 62-foot reduced right-of-way (70-foot per the White Oak Science Gateway Master Plan) and must submit a third-party certification stating compliance with the site plan and county standards for roadway B-5. Prior to August 25, 2019, the applicant must submit a deed of dedication for review and approval by MCDOT to dedicate up to 62 feet of right-of-way (ROW) for Street B-5 located on the Subject Property as shown on the Certified Site Plan and must execute the deed of dedication upon MCDOT approval.
7. Prior to December 31, 2019, the Applicant must construct the cross section of Street B-5 per the applicable Montgomery County Standards and as shown on the Certified Site Plan and approved by MCDOT. If the Applicant is unable to complete Street B-5 as prescribed, the Applicant is liable for the actual costs of completion. The Applicant has already posted a right-of-way bond with MCDOT (ROW 370201).
8. Prior to December 31, 2019, the Applicant must construct Bikeway LB-8 on the east side of Street B-5, as shown on the Certified Site Plan. Prior to certification of Site Plan Amendment No. 82008021J, the exact location, design and construction of the bikeway must be approved by the MCDOT, Division of Traffic Engineering and Operations and Division of Transportation Engineering. If the Applicant is unable to complete the bikeway as prescribed, the Applicant is liable for the actual costs of completion of the work to be approved by MCDOT. The Applicant has already posted a right-of-way bond with MCDOT (ROW 370201).

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 Washington Adventist Hospital
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11. Prior to December 31, 2019, the Applicant must install a new traffic signal at the intersection of Plum Orchard Drive and Broadbirch Drive, as warranted and approved by MCDOT on May 20, 2018. If the Applicant is unable to complete the work before December 31, 2019, Washington Adventist Hospital must pay liquidated damages for 20% of the existing right-of-way bond amount to the County.

Other Transportation-related Improvements

13. The Applicant must provide employee shuttle(s) for main shift employees to and from the White Oak Hospital Campus and the vicinity of the Tech Road Park and Ride Lot for 10 years (from August 25, 2019) or until an earlier date if the Planning Board determines that area public transit service adequately meets the needs of these employees. The Applicant may modify the shuttle program based on its employees' changing commuting needs, subject to MCDOT and the M-NCPPC Staff's approval.
15. Prior to August 25, 2019, the Applicant must install a wayfinding system, as reviewed and approved by the M-NCPPC and Montgomery County DOT Staff. The wayfinding system must include signage, educational measures, and other mechanisms to encourage employees and visitors to access the Hospital from the Cherry Hill Road/Plum Orchard Drive intersection instead of the Broadbirch Drive/Plum Orchard Drive intersection.

Open Space, Facilities and Amenities

26. Prior to issuance of the final Use and Occupancy permit for the interior fit out of Building A, the Applicant must provide the Healing Garden, and the courtyard open space between the main building and Building A. The trail around the pond must be completed prior to the issuance of the Use and Occupancy permit for either the Healing Center or MOB1, whichever is built first.

Conditions Nos. 9 and 12 of Site Plan No. 82008021E and 82008021F, as modified herein:

Cherry Hill Road & Plum Orchard Drive/Clover Patch Drive Intersection

9. Prior to October 1, 2020, the Applicant must provide the following road improvements as approved by MCDOT:
 - a. A separate right-turn lane from southbound Cherry Hill Road to westbound Plum Orchard Drive.

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- b. Restripe the existing pavement to reconfigure the through lane to a right-turn/through lane from eastbound Plum Orchard Drive to southbound Cherry Hill Road/eastbound Clover Patch Drive.
- c. Upgrade existing traffic signal system as required by MCDOT, per the May 11, 2018 MCDOT approval.

If the Applicant is unable to complete the improvements as prescribed, Washington Adventist Hospital must pay liquidated damages for 20% of the existing right-of-way bond amount to the County.

Plum Orchard Drive and Street B-5 Intersection

12. Prior to December 31, 2019, the Applicant must provide the following improvements as approved by MCDOT:
 - a. Right turns from eastbound Plum Orchard Drive onto southbound Street B-5.
 - b. Separate right-turn and left-turn lanes from northbound Street B-5 onto Plum Orchard Drive.
 - c. A new traffic signal at the intersection of B-5 and Plum Orchard Drive, as warranted and approved by MCDOT on May 20, 2018.

If the Applicant is unable to complete the work before December 31, 2019, Washington Adventist Hospital must pay liquidated damages for 20% of the existing right-of-way bond amount to the County.

Conditions Nos. 10, 14, and 30 of Site Plan 82008021G, as modified herein:

Plum Orchard Drive

10. Prior to December 31, 2019, the Applicant must restripe the existing 50-foot wide pavement between Cherry Hill Road and the North Entrance (Medical Office Building 2 and North Surface Parking Lot entrance) as shown on the Certified Site Plan and with exact dimensions as approved by MCDOT:

Two, one-way bike lanes, one on each side of Plum Orchard Drive separated from the travel lanes by buffers with flex posts; one westbound lane; one eastbound lane; one center lane for left turns at the intersections with the Target/USPS Carrier Center access driveways, Street B-5, Ambulance/Service Road access driveway, and North Entrance.

If the Applicant is unable to complete the work before December 31, 2019, Washington Adventist Hospital must pay liquidated damages for 20% of the existing right-of-way bond amount to the County.

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Other Transportation-related Improvements

14. Prior to December 31, 2019, the Applicant must construct a multi-bus pull-off facility with two bus shelters along Plum Orchard Drive, east of Street B-5, as approved by MCDOT and shown on the Certified Site Plan. MCDOT may require the Applicant to install up to two additional shelters in the future if they are needed to meet demand. If the Applicant is unable to complete the work before December 31, 2019, Washington Adventist Hospital must pay liquidated damages for 20% of the existing right-of-way bond amount to the County.

Certified Site Plan

30. Before approval of the Certified Site Plan, the Applicant must make the following revisions and/or provide the following information subject to Staff review and approval:
 - a. Include the stormwater management concept approval letter, development program, and Preliminary Plan resolutions on the cover sheet(s).
 - b. Add a note to the Site Plan stating that "All public sidewalks and ramps will be ADA compliant."
 - 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. Show location of the car-sharing, electric vehicle charging spaces, and motorcycle/scooter parking spaces.
 - e. Modify data table to reflect development standards approved by the Planning Board.
 - f. Include a minimum total of eight caliper inches of native canopy trees as mitigation for the tree variance impacts per the condition of approval for the FFCP.
 - g. Show MOB 2 located closer to Plum Orchard Drive to be within the required BTA.
 - h. Show the main entrance of MOB 1 on the abutting open space.
 - i. Show enhanced articulation of South Parking Garage facades as approved by the M-NCPPC Staff.

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- j. Ensure consistency of all details and layout between Site, Landscape, FCP, and architectural plans. Revise street cross sections and all landscaping, building modifications and other elements to be consistent with the Planning Board's approval.
- k. Add a note to the Site Plan stating, "The signings and markings that have been shown on Site Plan No. 82008021G are for reference only and they will be finalized at the time of right-of-way permit under the signing and marking plan".
- l. The Applicant must ensure the new name for Building A "Ancillary Hospital Facility" and the new street name for Street B-5 "Healing Way" will be reflected on all the plans for consistency.

Other

31. Notwithstanding Washington Adventist Hospital's payment of liquidated damages for 20% of the existing right-of-way bond amount to the County if stated improvements are not completed, the Applicant must construct all required on-site amenities and off-site improvements prior to December 31, 2020. The Applicant must ensure that no further amendments to completion dates for these conditions shall be requested.

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

BE IT FURTHER RESOLVED that all development elements shown on the latest electronic version of Washington Adventist Hospital Site Plan No. 82008021J, 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 given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS that, with the conditions of approval, this Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan No. 820080210 or subsequent amendments, and that all findings remain in effect, except as modified herein; and

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 § 59.7.3.4.H; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is AUG 21 2019 (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 written opinion, 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 Patterson, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Cichy and Patterson voting in favor, and Vice Chair Dreyfuss and Commissioner Fani-González absent at its regular meeting held on Thursday, July 18, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MCPB No. 20-099
 Site Plan No. 82008021K
 Washington Adventist Hospital
 Hearing Date: September 24, 2020

OCT 06 2020

RESOLUTION

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


WHEREAS, on April 24, 2009, the Planning Board approved Site Plan No. 820080210 (MCPB Resolution No. 08-159) for 802,805 gross square feet of non-residential development for the main hospital building, an ambulatory care building, a faith center, two medical office buildings, and parking facilities on 48.86 acres of I-1 and I-3 zoned land on 44.86 acres of LSC zoned-land, located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive ("Subject Property"), in the Fairland/White Oak Policy Area and the White Oak Science Gateway Master Plan ("Master Plan") area; and

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

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

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

WHEREAS, on January 10, 2013, the Planning Board approved Site Plan Amendment No. 82008021D (MCPB Resolution No. 12-142) to include an interim surface

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 Approved as to  www.montgomeryplanningboard.org Email: mcp-chair@mncppc.org
 Legal Sufficiency: _____
 M-NCPPC Legal Department

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parking lot, a pedestrian canopy, and several minor architectural and site development modifications on the Subject Property; and

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

WHEREAS, on November 03, 2017, the Planning Board approved Site Plan Amendment No. 82008021F (MCPB Resolution No. 17-093) for the following modifications on the Subject Property:

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

WHEREAS, on May 3, 2018, the Planning Board approved Site Plan Amendment No. 82008021G (MCPB Resolution No. 18-022) for the following modifications on the Subject Property:

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

WHEREAS, on October 18, 2018, the Director of Planning approved a minor Site Plan Amendment No. 82008021H for the following modifications on the Subject Property:

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

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8. Louvers, doors, and roof screen wall added to Central Utility Plant (CUP) elevations;
9. Revisions to utility locations to reflect final construction; and
10. Parking gates added at Phase 1A surface parking lot.

WHEREAS, on October 18, 2018, the Director of Planning approved a minor Site Plan Amendment No. 82008021I for the following modifications on the Subject Property:

1. Include required off-site transportation improvements within the limits of disturbance on the Forest Conservation Plan.

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

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

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total parking spaces in the South Garage to 1,024 spaces from 1,028 spaces as a result of a field change during construction.

WHEREAS, on June 30, 2020, Adventist Healthcare, Inc. (“Applicant”), filed an application for approval for modifications to Condition Nos. 8a of Site Plan No. 82008021, and Conditions Nos. 6, 7, 8, and 30 of Site Plan 82008021J, and new Conditions Nos. 33 and 34 of Site Plan 82008021K;

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 82008021K Washington Adventist Hospital (“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 September 14, 2020, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on September 24, 2020, Staff presented the Amendment to the Planning Board for its review and action, at which time the Planning Board recommended additional conditions of approval to be included and voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff’s recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82008021K, subject to the following conditions:

Condition No. 8a of Site Plan 820080210, as modified herein:

8. Uses

The proposed development shall be limited to the following uses:

- a. 8-story above-grade main hospital building (plus penthouse level) and attached faith center.

Conditions Nos. 6, 7, and 8 of Site Plan 82008021J are hereby deleted, while Condition No. 30 of Site Plan 82008021J, is modified herein:

30. Certified Site Plan

Before approval of the Certified Site Plan, the Applicant must make the following revisions, provide the following information subject to Staff review and approval, and/or re-confirm prior conditions as noted below:

- a. Include the stormwater management concept approval letter, development program, and Preliminary Plan resolutions on the cover sheet(s).

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 Washington Adventist Hospital
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- b. Ensure the Site Plan is in full compliance with the MCDOT letter dated June 12, 2020. As Healing Way will be maintained privately, remove any associated references to right-of-way and Public Improvement Easement (PIE) or modify accordingly.
- c. The Applicant must confirm with DPS that proposed changes do not negatively impact fire department vehicular access or water supply for the existing building.
- d. Add a note that the proposed 8th floor on the Main building will be consistent with the previously approved exterior architectural program for the building.
- e. Ensure consistency of all details and layout between Site, Landscape, FCP, and architectural plans. Revise all landscaping, building modifications, and other elements to be consistent with the Planning Board's approval.
- f. Revise all plan notes to reflect that the future pergola/shade structure location is shown for reference only and shall be a future improvement to be constructed at a later date.
- g. The Applicant must show the private road area for Street B-5/Healing Way with Book and Page number reference to the covenant recorded.
- h. The Applicant must show the final cross-section and Design Standards for Street B-5 to Road Code Standard MC-2005.02, as modified.

Conditions Nos. 32 and 33 are hereby added, following the numbering of the previously approved Site Plan 82008021J:

Master Plan Road B-5

32. The Planning Board has accepted the latest recommendations of the Montgomery County Department of Transportation ("MCDOT") in its revised letter dated June 12, 2020 and hereby incorporates them as conditions of the Site 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 the Site Plan approval.

33. Private Roads

The Applicant must provide Private Street B-5, now known as Healing Way, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by the Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:

- a. The Private Road must be subjected to a recorded Declaration of Restrictive Covenants for Private Road ("Covenant") with terms consistent with those set forth in the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338.

- i. A metes and bounds description of the boundaries of the Private Road must be attached as an exhibit to the recorded Covenant.
 - ii. Prior to Certified Site Plan, a draft Covenant must be submitted to the M-NCPPC Office of General Counsel for review and approval.
 - iii. Prior to release of the road construction bond, the Applicant must recertify the Certified Site Plan to include the liber/folio of the recorded Covenant on all applicable Site Plan sheets.
- b. Before release of the road construction bond, the Applicant must deliver to the Planning Department, with a copy to the Montgomery County Department of Permitting Services, certification by a Professional Engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code Standard MC-2005.02, as modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
 - c. In the future, if Street B-5/Healing Way is accepted by the County as a public right-of-way and dedicated, the above private road conditions, including the covenant, shall be released and are no longer required.

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

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan 82008021E, or subsequent amendments, and all findings not specifically addressed remain in effect.*
2. *The Site Plan Amendment substantially conforms to the Master Plan.*

The Amendment remains consistent with the Master Plan, which envisions that the five (5) assembled parcels that encompass the WAH campus will be used for

the promotion of research, academic and clinical facilities that advance the life sciences, health care services, and applied technologies. Thus, proposed Amendment K does not alter the original intent and all findings of Site Plan No. 82008021 remain in full force and effect, except as modified by the findings below.

Generally, the Master Plan recommends increasing connectivity for all users of the road and pedestrian and bikeway network. Specifically, the Master Plan calls for a Business District Street that extends southward from Plum Orchard Drive along the eastern Property line and is to connect to FDA Boulevard. According to this recommendation, Street B-5 was previously approved and constructed for WAH. While the Master Plan recommends a 70-foot wide public right-of-way for B-5, the Master Plan also acknowledged that this segment was approved as a 60-foot private road.

Further, the proposed revisions do not materially change the elements that originally achieved master plan conformance. The road network has been constructed as previously approved. Building distribution and overall site circulation remain unchanged. The design of the elevations was approved during earlier Site Plan phases, and the vertical extension of one of the main buildings for an eighth floor do not significantly change the overall development. The private road will be subject to the standard private road conditions, which requires the private road and associated improvements to remain available for public access. Thus, the proposed amendment remains in substantial Conformance with the Master Plan.

3. *The site layout, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

- a. Development Standards

The changes, particularly the eighth-floor addition, were reviewed for compliance with the dimensional requirements for the Life Sciences Center (LSC) zone as specified in Chapter 59 of the Zoning Ordinance. The changes will meet all the dimensional requirements for the LSC zone. Proposed Amendment K does not alter previously approved (or those modified through prior amendments) lot, density, frontage, width, building and parking setbacks, build-to-area, form, or open space requirements. A summary of changes for principal building height, reallocation of square footage, and parking are included in Tables 1 and 2 below.

Table 1: Development Standards in the LSC Zone
 with Changes

Standard	Required/ Permitted	Existing Site Plan 82008021J	Approved Amendment K
Principal Building Height	200 ft. max	145 ft.	175 ft.
Max Density, FAR	0.4 FAR	0.37 FAR	No change
Approved Gross Floor Area		803,570 sf.	No change
Hospital Gross Floor Area			
Main Bldg.		402,031 sf.	424,023 sf.
Future Hospital		61,202 sf.	39,210 sf.
Healing Center		18,000 sf.	No change
Ambulatory Care & Building A		79,529 sf.	95,029 sf.
<i>Total Hospital Gross Floor Area</i>		560,762 sf.	576,262 sf.
Medical Office Gross Floor Area			
Building A – Hospital Related Medical Office		15,500 sf.	0 sf.
Ambulatory Care & Bldg. A – Medical Office		74,665 sf.	No change
MOB1		81,799 sf.	No change
MOB2		70,844 sf.	No change
<i>Total Medical Office Gross Floor Area</i>		242,808 sf.	227,308 sf.

b. General Requirements

Site Access

Amendment K does not entail any changes to existing on-site vehicular circulation. However, this Amendment seeks to modify Condition No. 6 of Site Plan 82008021J to amend and memorialize the private ownership of Master Planned Street B-5 (Healing Way), revising a prior approval as public. MCDOT, MCDPS, and the Office of the County Attorney determined that the County could not accept the road as a public right-of-way because

Street B-5, as constructed, does not qualify for several necessary design exceptions to public road standards and does not meet the recommended 70-foot width per the Master Plan. Despite this determination and the reduced right-of-way width, the Planning Board found that the existing location and design of Street B-5 is appropriate for the development given its location and the type of development and use contemplated and continues to meet the applicable requirements of Chapter 59.

Parking and Loading

The reallocation in gross floor square footage has resulted in slight changes in the required parking calculations, as shown in Table 2.

Table 2: Parking Requirements and Changes

	Initial Construction				Ultimate Buildout			
	Required		Provided		Required		Provided	
	Site Plan J	Proposed Amendment K	Site Plan J	Proposed Amendment K	Site Plan J	Proposed Amendment K	Site Plan J	Proposed Amendment K
Hospital Parking	843	908	852	914	982	1,009	2,432	N/C
Ancillary Hospital Parking	361	299	361	299	971	910		
Total Parking Spaces	1,204	1,207	1,213	N/C	1,953	1,919		
ADA Spaces	23	N/C	35	N/C	32	30	35	N/C
Electric Vehicle Spaces	12	13	12	13	20	N/C	20	N/C
Hospital Bike Parking								
Minimum	20	21	40	N/C	23	N/C	40	N/C
% Long-term	17	18	34	N/C	20	N/C	34	N/C
Ancillary Hospital Bike Parking								
Minimum	19	15	32	N/C	25	N/C	32	N/C
% Long-term	16	13	32	N/C	22	N/C	32	N/C
Total	39	36	72	N/C	48	N/C	72	N/C

<i>Bike Parking</i>								
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*N/C=No change

Transportation and Circulation

Master Plan Road B-5

The revision to Condition No. 6 of Site Plan 82008021E reflects the latest conditions related to Master-Planned Street B-5 (now replaced with the new conditions of approval No. 33 and 34 of Site Plan 82008021J). Subsequent to adoption of the 2014 White Oak Science Gateway Master Plan, the Planning Board approved Master-Planned Street B-5 as a public road in Site Plan Amendment 82008021E. The road is largely constructed and nearing completion. However, recently, when concluding the review of Site Plan Amendment J, it was determined by the Montgomery County Department of Transportation (MCDOT), the Montgomery County Department of Permitting Services (MCDPS), and the Office of the County Attorney that the County could not accept the road as public right-of-way because Street B-5, as constructed, does not qualify for several necessary design exceptions to public road standards and does not meet the recommended 70-foot width per the Master Plan. Therefore, an amendment to Condition No. 6 was necessary to classify the road as private to reflect the County’s determination and allow the Applicant to conclude construction of the road and close out permits.

Because Street B-5, as constructed, does not meet several necessary design exceptions to public road standards and does not meet the recommended 70-foot width per the Master Plan, MCDOT has determined that the County cannot accept the road as a public right-of-way. The basis for this determination is outlined in a MCDOT letter dated June 12, 2020. As a result, the Applicant cannot comply with Condition No. 6 of Amendment J, which requires, in pertinent part, a deed of dedication of up to 62 feet of Street B-5 right-of-way. Both MCDOT and the Applicant support an amendment of Condition No. 6 to address the impracticality of compliance and to clarify that Street B-5, along with Master Planned Bikeway LB-8, shall be owned and maintained by WAH. Furthermore, the Applicant’s previously submitted Design Exception Application is no longer applicable under the private roadway ownership.

4. *The Site Plan Amendment satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

- c. Chapter 19, Erosion, Sediment Control, and Stormwater Management

MCPB No.20-099
 Site Plan No. 82008021K
 Washington Adventist Hospital
 Page 11

The Amendment will meet all stormwater management requirements as previously approved by the Montgomery County Department of Permitting.

d. Chapter 22A, Forest Conservation

There are no changes to the previously approved Forest Conservation Plan. The Board finds that as previously conditioned the Forest Conservation Plan remains compliant with the requirements of the Forest Conservation Law.

BE IT FURTHER RESOLVED that all development elements shown on the latest electronic version of Washington Adventist Hospital Site Plan No. 82008021K, 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 given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS that, with the conditions of approval, this Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan No. 820080210 or subsequent amendments, and that all findings remain in effect, except as modified herein; 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 § 59.7.3.4.H; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is OCT 06 2020 (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

MCPB No.20-099
Site Plan No. 82008021K
Washington Adventist Hospital
Page 12

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

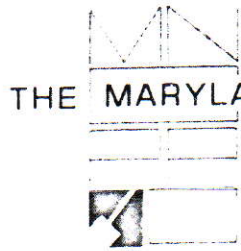
* * * * *

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 Verma, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Cichy and Verma voting in favor, and Vice Chair Fani-González and Commissioner Patterson absent at its regular meeting held on Thursday, September 24, 2020, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-82068
NAME OF PLAN: WESTFARM

On 04-29-82, WESTFARM ASSOC. INC. , submitted an application for the approval of a preliminary plan of subdivision of property in the I3 zone. The application proposed to create 23 lots on 142.19 ACRES of land. The application was designated Preliminary Plan 1-82068. On 10-21-82, Preliminary Plan 1-82068 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 upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-82068 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-82068, subject to the following conditions:

1. Dedication along East Randolph Road (relocated) and Cherry Hill Road in accordance with master plan
2. Record plat to show 100 year flood plain and 25' building restriction line
3. Denied access to relocated East Randolph Road
4. Site plan to show appropriate buffer along stream, south of Broadbirch Drive
5. Necessary slope and drainage easements
6. Plan to meet conditions of Transportation Memo dated 10/5/82
7. No clearing or grading or recording of plats prior to approval of site plan for streets and buffer area by Montgomery County Planning Bd
8. DOT requirements in connection with relocated East Randolph Road

Date of Mailing: October 26, 1982



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications (Motion of Comm. Keeney, seconded by Comm. Floreen, with a vote of 5-0; Comms. Keeney, Floreen, Bauman, Baptiste and Richardson voting in favor.)

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-91038

NAME OF PLAN: WESTFARM TECH. PARK (I-1)

On 03-15-91, WESTFARM ASSOC. LTD. PART., submitted an application for the approval of a preliminary plan of subdivision of property in the I1 zone. The application proposed to create 14 lots on 75.41 ACRES of land. The application was designated Preliminary Plan 1-91038. On 07-18-91, Preliminary Plan 1-91038 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 upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-91038 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-91038, subject to the following conditions:

1. Existing agreement with Planning Board to limit development to a maximum density of 0.4 FAR. The Planning Board will review compliance with the agreement at the time of any "loophole review" under Chapter 8 Article IV of the County Code. The Planning Board must review any traffic mitigation agreement required under the "loophole" provisions, if any, for all Westfarm I-1 zoned lots
2. Record plat to reflect stream buffer boundary established by the technical staff for Parcel DDD or Outlot 1 and Parcel QQQ, as shown in the 7-1-91 Environmental Planning Division memorandum. The proposed AT&T right-of-way is specifically prohibited from being located within either the stream buffer area or the tree line immediately adjacent to the stream buffer, except that incursions into the stream buffer area outside the tree line for the AT&T right-of-way and into the tree line along Broadbirch Drive for the entrance

- continued -

into the parcel, as both are shown on the drawing attached to the July 1, 1991 Environmental Planning Division memorandum, shall be permitted and shall be accompanied by compensatory protection of an approximately equal area outside the stream buffer to be delineated by staff approval of a grading plan prior to building permit for the parcel so affected

3. Conditions of DEP stormwater management concept dated 4-8-91
4. Access and improvements as required to be approved by MCDOT
5. Necessary easements



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date of Mailing: August 1, 1991
ATTACHMENT A
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications
(Motion of Comm. Keeney, seconded by Comm. Floreen, with
a vote of 5-0; Comms. Keeney, Floreen, Bauman, Baptiste
and Richardson voting in favor.)

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-91039

NAME OF PLAN: WESTFARM TECH. PARK (I-3)

On 03-15-91, WESTFARM ASSOC. LTD. PART., submitted an application for the approval of a preliminary plan of subdivision of property in the I3 zone. The application proposed to create 14 lots on 112.99 ACRES of land. The application was designated Preliminary Plan 1-91039. On 07-18-91, Preliminary Plan 1-91039 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 upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-91039 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-91039, subject to the following conditions:

1. Agreement with Planning Board to limit development to a maximum density of 0.4 FAR. Averaging of the 0.4 FAR over all lots may be allowed provided that all other requirements of the I-3 zone are met. (The adequate public facilities agreement will implement the development administration agreement previously entered into between the applicant and the Planning Board)
2. Conditions of DEP stormwater management concept dated 4-8-91
3. No clearing or grading prior to site plan approval
4. Size and location of buildings to be determined at site plan
5. Environmental issues including delineation of stream buffers and final tree preservation plan to be resolved at site plan

- continued -

6. Denied access to Cherry Hill Road
7. Record plat to show 100-year floodplain and 25' building restriction line
8. Access and improvements as required to be approved by MCDOT
9. Prior to site plan approval, provision of an environmental manhole easement in the general vicinity of the intersection of Broadbirch Drive and Cherry Hill Road on Parcel BBB, the exact location to be determined by consultation between applicant and C & P, subject to staff approval
10. Necessary easements



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

MCPB
Item #4
Date: 4/24/08

MEMORANDUM

DATE: April 14, 2008

TO: Montgomery County Planning Board and the Board of Appeals

VIA: Rose Krasnow, Chief, Development Review Division
Ralph Wilson, Zoning Supervisor, Development Review Division

FROM: Elsabett Tesfaye, Planner Coordinator (301) 495-1301

SUBJECT:

- I. Adequate Public Facilities Extension requests for:
 - Preliminary Plan No. 119820680
 - Preliminary Plan No. 119910390
 - Preliminary Plan No. 119910380
- II Preliminary Forest Conservation Plan for S-2721 Washington Adventist Hospital
- III. Special Exception S-2721 Washington Adventist Hospital—Request for approval of special exception to allow establishment of a hospital use on approximately 48.86 acres of land identified as Parcels BB, CC, RR, SS and MMM, on Tax Map KQ342, Silver Spring, MD.
- IV. A request for a Waiver from “Distance from Establishment Served” requirement of § 59-E-1.3 for a Parking Garage, in conjunction with Special exception S-2721

FILING DATE: November 30, 2007
PLANNING BOARD HEARING: April 24, 2008
PUBLIC HEARING: May, 5, 2008; May 9, 2008

Staff Recommendations:

- I. Adequate Public Facilities Extension requests for Preliminary Plan No. 19820680, Preliminary Plan No. 119910390 and Preliminary Plan No. 119910380 - **APPROVAL**
- II Preliminary Forest Conservation Plan S-2721 Washington Adventist Hospital - **APPROVAL with conditions**
- III. Special Exception S-2721 Washington Adventist Hospital -**APPROVAL with conditions**
- IV. A request for a Waiver from “Distance from establishment Served” requirement of Section 59-E-1.3 for a Parking Garage, in conjunction with Special exception S-2721 - **APPROVAL**

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APPENDICES

- I. Transportation Planning Staff Memo
- II. Environmental Planning Memo-Preliminary FCP

ATTACHMENTS:

- i. Aerial
- ii. Plans and Drawings
- iii. Referral comments

OVERVIEW:

On November 30, 2007, Washington Adventist submitted a special exception application to build a hospital on 48.86 net acres located on the west side of Plum Orchard Drive approximately 360 feet west of its intersection with Cherry Hill Road and approximately 315 feet south of its intersection with Broad Burch Drive. The location is subject to the 1997 Fairland Master Plan. The new hospital is being proposed to replace the Adventist Hospital currently located in Takoma Park. As presented, it will have the same number of patient beds although the rooms will be private rather than semi-private. In addition to the acute care facility and emergency department, the applicant also proposes to build two medical office buildings, two multi-level parking garages, an ambulatory care building, and a helipad on the site.

The chosen location has valid APF approvals that permit the construction of an additional 802,619 square feet of office. However, because these approvals are due to expire over the next year and a half, the applicant needs to obtain extensions in order to be able to move forward with the special exception request. As the Board is aware, APF extensions must be closely scrutinized. However, the importance of a new hospital in the eastern county also must be taken into account. Therefore, staff has decided to bring both the APF extensions and the special exception to you at the same time.

ORGANIZATION OF THE REPORT:

This report is organized into two main parts. Part One contains the Transportation Planning Section's review and recommendation of the Adventist Healthcare, Inc's request for Adequate Public Facility (APF) extensions. Part Two contains the Technical Staff's review and recommendations for approval of the special exception request as well as comments and recommendations for Preliminary Forest Conservation Plan (FCP) and the applicant's request for a waiver from the requirements of Section 59-E-1.3 for a parking garage that exceeds the required maximum distance from the main building.

Part One: Adequate Public Facilities Extension requests

Requests for APF extensions normally are associated with preliminary plan reviews. However, the subject special exception application, which is not subject to Preliminary Plan review, requires a finding of adequate public facilities related to public roads. Complicating matters is the fact that the Adequate Public Validity periods for the parcels associated with the special exception are due to expire over the next year and a half. Therefore, it has become necessary to present the APF extension analysis along with the special exception analysis because a positive recommendation of the special exception cannot be made unless the Planning Board grants the requested APF extensions. It is important to remember that APF extensions cannot be conditioned. However, numerous conditions related to transportation have been included as part of the recommended conditions of approval for the special exception because these are necessary in order to make a finding that adequate public facilities are available to serve the proposed hospital use. The Transportation Planning memorandum dated April, 14, 2008 is attached as Appendix I.

Part Two: Special exception S-2721, Preliminary Forest Conservation Plan and Waiver from the Distance requirement for a parking facility

The applicant's Preliminary Forest Conservation Plan requires a separate action by the Planning Board. A positive recommendation of the special exception is dependent upon approval of the Preliminary

FCP. The Environmental Planning Staff review and recommendation are presented under Section VIII. The conditions of approval of the Preliminary FCP are included in the conditions of approval of the special exception. The Environmental Planning memorandum of April 1, 2008 is attached as Appendix II.

With respect to the applicant's request for a waiver from the distance requirement for the North Parking Garage, the Technical Staff has reviewed the request and the findings are presented under Section XIII of this Report.

PART ONE**ADEQUATE PUBLIC FACILITIES EXTENSION REQUESTS**Staff Review of Applicant's APF Extension

Adventist Healthcare, Inc. is requesting that the Planning Board approve extensions of APF validity for five parcels associated with Preliminary Plan No. 119820680 (Parcels BB and CC), Preliminary Plan No. 119910390 (Parcels RR and SS), and Preliminary Plan No. 119910380 (Parcel MMM) for up to six years to July 25, 2013, in accordance with Section 50-20(c)(9)(B) of the County Code, Article III Subdivision Regulations. The Applicant's stated purpose for requesting the above APF extension is to relocate Washington Adventist Hospital from Takoma Park to its property in Fairland along Plum Orchard Drive, with a total built density of 803,570 square-feet.

The above Code provision states that "the Planning Board may approve one or more additional extensions of a determination of adequate public facilities" for up to six additional years per Section 50-20(c)(8) of the County Code, beyond any extension allowed under Section 50-20(c)(5) of the County Code "if the applicant will commit to reduce the amount of unbuilt development by at least 10%, and the validity period for the amount to be reduced will expire as scheduled."

ANALYSIS:

In the early 1980's, West*Farm was subdivided into two sectors: an I-1 sector and an I-3 sector. The I-1 zoned parcels were approved in 1980 as Preliminary Plan No. 119802000 and all of the I-3 zoned parcels (including Parcels BB, CC, RR, and SS) were approved in 1982 as Preliminary Plan No. 119820680.

In 1991, West*Farm re-recorded parcels approved under the previous preliminary plans. The I-1 parcels were recorded as Preliminary Plan No. 119910380 and the I-3 parcels were recorded as Preliminary Plan No. 119910390. Parcels RR and SS, among others, at this time were separated from Preliminary Plan No. 119820680, and were made part of new Preliminary Plan No. 119910390 (approved by the Planning Board on August 1, 1991). The above established a new 12-year APF validity period for Parcels RR and SS to July 31, 2003. Parcels BB and CC however remained as part of the original plan, and consistent with the expiration of the loophole closure legislation, the APF validity period for these parcels was established as July 25, 2001. The parcels in the I-1 zone of West*Farm, including Parcel MMM, were part of Preliminary Plan No. 119910380. The APF approval for Parcel MMM was extended in parallel with that for Parcels RR and SS, and was scheduled to expire on July 31, 2003.

In 1999 and 2001, the APF validity period for Parcels BB, CC, RR, SS, and MMM were extended by previous owners of the parcels for an additional six years. Thus, the new APF validity period for Parcels BB and CC was extended to July 25, 2007, and that for Parcels RR, SS, and MMM was extended to July 31, 2009.

Now, the Applicant is requesting that the Planning Board approve an extension of APF validity for up to six years for Preliminary Plan No. 119820680 (Parcels BB and CC only), Preliminary Plan No. 119910390 (Parcels RR and SS only), and Preliminary Plan No. 119910380 (Parcel MMM only) to

July 25, 2013, in accordance with Section 50-20(c)(9)(B) of the Montgomery County Code, Article III Subdivision Regulations.

The above Code provision states that “the Planning Board may approve one or more additional extensions of a determination of adequate public facilities” for up to six additional years per Section 50-20(c)(8) of the County Code, beyond any extension allowed under Section 50-20(c)(5) of the County Code “if the applicant will commit to reduce the amount of unbuilt development by at least 10%, and the validity period for the amount to be reduced will expire as scheduled.”

With a total approved unbuilt density of 802,619 square-feet of office currently on the subject parcels, the Applicant must commit to reducing the amount of unbuilt density on the subject parcels by 80,262 square-feet of office coinciding with the approval of the APF Extensions, and must limit total approved unbuilt density on the subject parcels to the number of peak-hour trips generated by 722,357 square-feet of office. According to the Code provision, the validity period for the amount to be reduced (80,262 square-feet of office) must expire as scheduled in July 2009.

Staff had many concerns related to the requested APF extension which were discussed internally and with the Applicant. These concerns included:

1. The cumulative effect of multiple APF extensions that have been granted for the parcels must be considered. The prior approvals/extensions granted for the subject preliminary plans originally approved in 1982 were reapproved in 1991, and extended in 1999 and 2001 to the full extent of six years for a total approval of over 25 years. This cumulative period is more than double the maximum 10 year APF validity granted for developments under current regulations. The applicant has submitted traffic analyses to address this concern.
2. The feasibility of private sector participation in effectively addressing US 29 congestion is limited. The impact of through traffic growth along the US 29 corridor (specifically at Fairland Road/Musgrove Road, at Tech Road/Industrial Parkway, and at Stewart Lane intersections) regardless of the use that gets built on the site will ultimately require implementation of master-planned interchanges. Reasonable short-term, at-grade capacity improvement solutions at the existing intersections may therefore have limited value. In addition, there is likely not a nexus between the construction of grade-separated interchanges and the traffic impacts generated by any one single development in the area.
3. Conditional support for the special exception petition must consider transportation system performance, regardless of the APF approval status. The infrastructure and service improvements initially proffered by the Applicant would not fully address the proposed development’s own impact on the local street network, especially along Cherry Hill Road.
4. The Planning Board cannot condition approval of preliminary plan APF extensions that may be granted to require needed transportation improvements.
5. The subject APF extensions could be construed as not limited to only those parcels associated with the hospital replacement project.
6. The Planning Board cannot limit the subject APF extension to the proposed hospital use. The Planning Board is not the final approving authority for the proposed hospital use, and should state and local authorities not approve the hospital use, the underlying office density (that

would be approved by the current APF extension) could be constructed without the public benefit expected from the proposed hospital.

7. The APF extension establishes a peak-hour trip generation cap on the parcels, which will not be fully utilized by the proposed hospital. This could facilitate approval of future additional uses/density on the property through Site Plans without requiring any new APF determination.
8. The staff recommendation to the Planning Board to approve the subject APF extension could be argued as a precedent by applicants on other similar APF extension requests.

With these concerns in mind, staff carefully reviewed the Applicant’s APF extension requests.

Local Area Transportation Review

A traffic study was required in support of the subject APF extension requests and the subject special exception petition per the *2004 Local Area Transportation Review (LATR) Guidelines* since the proposed use was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The traffic study was scoped on August 24, 2007, and reviewed under the *2004 LATR Guidelines* because of the pending APF extension request.

The Applicant submitted a traffic study (initial draft dated November 30, 2007) that determined traffic-related impacts of the proposed hospital on the nearby roadway intersections during weekday morning and evening peak periods. At the request of staff, the Applicant also submitted several additional analysis/reports in support of the initial draft traffic study. The following briefly describes information contained within the traffic study and the subsequent Applicant/staff analyses.

- Site Trip Generation – Proposed Replacement Hospital at West*Farm

The traffic study estimated that the proposed special exception use, an 803,570 square-foot hospital, will generate approximately 964 total peak-hour vehicle trips during the weekday morning peak-period and 948 total peak-hour vehicle trips during the weekday evening peak-period. These estimates were based on trip generation rates contained in Institute of Transportation Engineers (ITE) Trip Generation (7th Edition) report for a Hospital (ITE Land Use Code 610). A summary of the above is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED 803,570 SF REPLACEMENT HOSPITAL AT WEST*FARM
WASHINGTON ADVENTIST HOSPITAL**

Trip Generation	In	Out	Total
Morning Peak-Hour	646	318	964
Evening Peak-Hour	313	635	948

Trip Generation based on ITE LUC 610 Hospital. Independent Variable: Trips per 1,000 SF GFA.
Source: The Traffic Group, Inc. Traffic Report; November 30, 2007.

If the 802,619 square feet of office density approved for the subject five parcels were to be built, the site would generate 1,341 total peak-hour vehicle trips during the weekday morning peak-period and 1,216 total peak-hour vehicle trips during the weekday evening peak-period using *LATR Guidelines* trip generation rates.

Staff notes that with the reduction in the amount of unbuilt development on the property by 10%, the resulting 722,357 square feet of office density would generate approximately 1,212 total peak-hour vehicle trips during the weekday morning peak-period and 1,080 total peak-hour vehicle trips during the weekday evening peak-period using *LATR Guidelines* trip generation rates. These trips will become the new trip generation cap for the combined parcels.

The above estimates show that the proposed 803,570 square-foot hospital would generate 20 percent and 12 percent less trips during the morning and evening peak hours respectively compared to traffic that will be generated by the office density that will in effect be approved for the site subsequent to the APF extension approvals (which will be 722,357 square-feet of office).

- Capacity Calculations – Proposed Replacement Hospital at West*Farm

Staff review of the initial draft traffic study and subsequent analysis by the Applicant (dated March 10, 2008) and by staff focused on analyzing impact of hospital traffic at three critical intersections along Cherry Hill Road and at two intersections along Broad Birch Drive within West*Farm. These included the Cherry Hill Road intersections with Prosperity Drive, Broad Birch Drive/Calverton Boulevard, and Plum Orchard Drive/Clover Patch Drive, and the Broad Birch Drive intersections with Plum Orchard Drive and Tech Road. Based on the analysis, it was determined that intersection improvements are required at four of the above five intersections.

With the improvements reflected in the special exception approval conditions, which includes installation of several non-auto transportation facilities in the vicinity of the proposed hospital to enhance non-auto accessibility to the hospital, staff finds that the proposed hospital will be adequately served by public facilities and will not reduce safety of vehicular or pedestrian traffic.

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis results for the five intersections listed above for the weekday morning and evening peak hours within the respective peak periods is provided in Table 2.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED 803,570 SF REPLACEMENT HOSPITAL AT WEST*FARM
WASHINGTON ADVENTIST HOSPITAL**

Intersections	Traffic Conditions							
	Existing		Background ¹		Total		Total w/ Improvements	
	AM	PM	AM	PM	AM	PM	AM	PM
Cherry Hill Rd/Prosperity Dr	1,019	1,011	1,132	1,138	1,338	1,340	--	--
Cherry Hill Rd/Broad Birch Dr/ Calverton Blvd	1,498	1,462	1,919	1,745	2,247	1,871	1,575	1,540
Cherry Hill Rd/Plum Orchard Dr/ Clover Path Dr	1,135	1,052	1,223	1,149	1,577	1,363	1,195	1,216
Broad Birch Dr/Plum Orchard Dr	629	751	891	1,039	1,045	1,321	873	1,169
Broad Birch Dr/Tech Rd	716	890	1,303	1,309	1,380	1,385	1,145	1,256

Source: The Traffic Group, Inc. Traffic Report; November 30, 2007; Supplemental Analysis, March 10, 2008; Staff Analysis.
2004 LATR Guidelines Congestion Standard for Fairland/White Oak Policy Area: 1,500.

¹ Includes 1,170 additional employees proposed for study in the 2008 Supplemental EIS at the Consolidated Headquarters Campus for FDA at White Oak.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *Fairland Master Plan* includes the following nearby roadway and pedestrian/bikeway facilities:

1. Columbia Pike (US 29), a six-lane north-south controlled-major (CM-10) highway within the Master Plan boundary, with a minimum right-of-way width of 100-200 feet. US 29 is currently built as a six-lane divided highway, with shoulders on both sides of the roadway. The Master Plan recommends constructing interchanges at all existing roadway crossings along US 29, and providing a Class I commuter bikeway facility along US 29 between MD 198 in Burtonsville to the north and Industrial Parkway to the south. Bikeways and sidewalks also are recommended in the design of all cross-street bridges over US 29. There are no sidewalks along US 29 within the immediate stud area.
2. Old Columbia Pike, a four-lane north-south arterial (A-99) between East Randolph Road and Tech Road, with a minimum right-of-way width of 80 feet and sidewalks. The section of Old Columbia Pike north of East Randolph Road to Briggs Chaney Road (P-25b), between Tech Road and Industrial Parkway (P-25a), and to the south of Industrial Parkway (P-2) are classified as two-lane primary residential streets with a minimum right-of-way width of 80 feet. Old Columbia Pike has an existing Class I/II bikeway (EB-13) between Stewart Lane and MD 198.

3. Intercounty Connector (ICC), as a limited-access east-west freeway (F-9) with a minimum right-of-way width of 300 feet between I-270 to the west and I-95/US 1 to the east through central/eastern Montgomery and western Prince George's Counties.
4. Fairland Road, a two to four-lane divided east-west arterial (A-75) between Paint Branch and Prince George's County Line, with a minimum right-of-way width of 80-feet and sidewalks. A Class I bikeway (PB-50) is recommended in the master plan for Fairland Road from Old Columbia Pike to Prince George's County Line along the south side of the roadway.
5. East Randolph Road/Cherry Hill Road, a four/five-lane east-west/north-south arterial (A-98) within the Master Plan boundary, with a minimum right-of-way width of 80 feet. A Class II bikeway (PB-20) is recommended for East Randolph Road between US 29 and the White Oak Master Plan boundary. The Master Plan also recommends extending/connecting the sidewalk along East Randolph Road to Cherry Hill Road. It is noted that both East Randolph Road and Cherry Hill Road are currently built to Master Plan standards with a Class I bikeway and sidewalks.
6. Tech Road, a four-lane east-west/north-south commercial business district street (B-6) between Old Columbia Pike and US 29, and designated as a four-lane industrial road (I-11) between US 29 and approximately 1,600 feet southwest of Industrial Parkway, with a minimum right-of-way width of 80 feet. The roadway is currently built to master plan recommendations with sidewalks on both sides.
7. Industrial Parkway, a four-lane east-west industrial road (I-1) between US 29 and into the WSSC site, with a minimum right-of-way width of 80 feet. It is noted that Industrial Parkway is currently built to Master Plan standards with sidewalks on both sides of the roadway.
8. Prosperity Drive, a two to four-lane north-south industrial road/commercial business district street (I-8/B-2) between Industrial Parkway and Cherry Hill Road, with a minimum right-of-way width of 80 feet and a planned Class II bikeway (PB-60). Prosperity Drive has a sidewalk to its east side between Tech Road and Whiteham Court and on both sides to the north to Cherry Hill Road.
9. Broad Birch Drive, a four-lane east-west industrial road (I-9) between Tech Road and Cherry Hill Road, with a minimum right-of-way width of 80 feet and a planned Class II bikeway (PB-65). The roadway is currently built to Master Plan standards with four travel lanes, and sidewalks and street trees on both sides.
10. Calverton Boulevard, an east-west primary residential roadway (P-46) between Cherry Hill Road to the west and Prince George's County Line to the east, with a minimum right-of-way width of 80 feet. The Master Plan recommends four travel lanes for Calverton Boulevard between Cherry Hill Road and Gracefield Road (P-38). Further to the east, Calverton Boulevard is recommended to have only two through travel lanes. Calverton Boulevard is connected to Fairland Road via Galway Drive (P-35).
11. Plum Orchard Drive, a north-south U-shaped four-lane industrial road (I-12) between Broad Birch Drive and Cherry Hill Road, with a minimum right-of-way width of 80 feet. It is noted that Plum Orchard Drive is currently built to master plan recommendations with sidewalks/tree panels on both sides.

12. FDA Access Road (through Percontee), a two-lane east-west industrial road (I-10) between Cherry Hill Road and the Federal property, with a minimum right-of-way width of 80 feet. GSA is currently pursuing construction of this roadway through the Percontee property as part of the FDA White Oak Headquarters Consolidation project.

Nearby Transportation Improvement Projects

The Maryland State Highway Administration's (SHA) FY 2008-2013 Consolidated Transportation Program (CTP) included the following nearby projects:

1. ICC: Design and construction of the ICC is currently underway, with significant increase in construction activity along the corridor expected by summer 2008. The construction of the freeway is split into five contracts, Contracts A through E. Contract A, the western section of the roadway between I-270/I-370 and east of Georgia Avenue (MD 97) is currently under construction. Contract C, the ICC section between US 29 and I-95 currently has a notice to proceed. Contract B, the ICC section between MD 97 and US 29 is currently accepting design and construction proposals.

The state's CTP contains construction funding for the ICC through the year 2013. Since the project is not fully funded in the first four years of the CTP, the full ICC is not an assumed element for LATR studies under the 2005-2007 Growth Policy. The project, however, is fully funded, and staff considered the projected traffic reduction along Cherry Hill Road attributable to the ICC as documented in the ICC Final Environmental Impact Statement in the analysis of Background and Total (Build) Traffic Conditions.

2. US 29/Fairland Road/Musgrove Road Interchange: This project is currently on hold.
3. US 29/Tech Road/Industrial Parkway Interchanges: These projects are currently on hold.
4. US 29/Stewart Lane Interchange: This project is currently on hold.

The current estimate is that the above US 29 CTP improvements could cost approximately \$250-\$400 million to implement.

The Montgomery County DPWT's current Capital Improvement Program (CIP) included the following project as well:

1. Reconstruction of Fairland Road from US 29 to Prince George's County line. This CIP project included widening of Fairland Road to 3 lanes, provision of a sidewalk to the north side and a Class I bikeway to the south side of the roadway. The project is currently under construction and is to be completed by October 2008.

In light of the above analysis, staff recommends that the Planning Board approve extensions of APF validity period for 722,357 square-feet of office use on subject Parcels BB, CC, RR, SS, and MMM only, to July 25, 2013, based on the finding that:

1. The Applicant meets provisions under Montgomery County Code Section 50-20(c)(9)(B).

2. All infrastructure improvements required by the conditions of the original preliminary plan approvals have been constructed (or required payments for its construction have been made).
3. The subject parcels already met the traffic mitigation requirements for the I-3 zone sector of West*Farm through a 1994 Trip Mitigation Agreement.
4. If no other APF extension requests are filed, much of the background (approved but unbuilt) density that was part of the special exception traffic study could expire in the near future (for example, 350,000 square-feet of office density approved for Seventh Day Adventist World Headquarters site by February 2009, and the remaining West*Farm density by July 2009).
5. Other planned future developments in the area – such as an additional 1,170 employees at the FDA, the proposed East County Center for Science and Technology on WSSC Site II, and the proposed Percontee Property “Life Science Center” – have no prior APF approvals and will require new transportation assessments. Staff notes that two of these projects (FDA and WSSC Site II) could be submitted for mandatory referral review, which does not give Planning Board authority to make APF findings and require transportation improvements. The Percontee property is proposed for a limited Master Plan Amendment which would include macro-level transportation assessments. Staff analysis of the Background Traffic Conditions included the 1,170 FDA employees that will be the subject of a Supplemental EIS in 2008 (in addition to the 7,720 FDA employees already in the FDA Master Plan).
6. The ICC is forecast to reduce through traffic along Cherry Hill Road by approximately 22 percent, though the ICC cannot be assumed in a current APF finding as it is not fully funded for completion in the next four years.
7. The combination of proposed off-site transit facilities, a main-shift employee shuttle service, intersection improvements, internal/external site access improvements, potential Transportation Management Program (TMP) elements, and proposed inter-property road connections proffered by the Applicant as part of the special exception petition should help mitigate vehicular traffic impact from the proposed hospital.
8. The Cherry Hill Road intersections would operate either below the 1,500 CLV congestion standard or at a CLV better than that determined for Background Traffic Conditions with the intersection improvements that are conditioned on the Applicant.
9. The proposed 803,570 square-foot hospital would generate less traffic than the office density that will in effect be approved for the site subsequent to the APF extension approvals (which will be 722,357 square-feet of office) - by 20 percent for the morning peak hour and by 12 percent for the evening peak hour.
10. There are adverse pedestrian, aesthetic, and compatibility impacts from additional improvements along Cherry Hill Road that may ultimately be required to support contemplated development in the area (such as an additional through travel lane on Cherry Hill Road) on the Calverton community.
11. Improvements along US 29 at the Fairland Road/Musgrove Road, Tech Road/Industrial Parkway, and Stewart Lane intersections would require construction of master-planned grade-

separated interchanges as long-term transportation infrastructure solutions at a cost of approximately \$250-\$400 million.

12. A new APF determination for the hospital under the current Growth Policy and Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines requirements could result in conditions that would make it impossible for the hospital project to go forward.
13. The public value of the proposed hospital use is reflected to some extent in the County Council's 2007 decision to exempt hospitals from the transportation impact tax.
14. The project has considerable community support.

STAFF RECOMMENDATIONS

1. APF Extension Requests by Adventist Healthcare, Inc. for Parcels BB, CC, RR, SS, and MMM related to Preliminary Plans 119820680, 119910390, and 119910380

Transportation Planning staff recommends that the Planning Board approve extension of APF request for the following specific parcels only, to July 25, 2013:

- a. Parcels BB and CC related to Preliminary Plan No. 119820680
- b. Parcels RR and SS related to Preliminary Plan No. 119910390
- c. Parcel MMM related to Preliminary Plan No. 119910380

Consistent with Section 50-20(c)(9)(B) of the Montgomery County Code, Article III Subdivision Regulations, the applicant must reduce the amount of unbuilt development associated with parcels related to the subject APF extension approvals by the Planning Board by 10 percent for the APF extensions to be effective. Thus, with a total approved unbuilt density of 802,619 square-feet of office currently on the subject parcels, the Applicant must commit to reduce the amount of unbuilt density on the subject parcels by 80,262 square-feet of office. Therefore, with approval of these APF Extensions, the combined total approved unbuilt density on the subject parcels is limited to the number of peak-hour trips generated by 722,357 square-feet of office.

PART TWO

**SPECIAL EXCEPTION S-2721, PRELIMINARY FOREST CONSERVATION PLAN
AND WAIVER FROM THE DISTANCE REQUIREMENT FOR A PARKING
FACILITY**

DEVELOPMENT DATA

Location and Identification	West side of Plum Orchard Drive approximately 360 feet west of its Intersection with Cherry hill Road and approximately 315 feet south of its intersection with Broad Burch Drive.
Site Size	48.86 ac (net)
Current Zone and Use:	I-3 (Technology and Business Park) I-1 (Light Industrial) US 29/Cherry Hill Road Employment Overlay Zone.
Applicant	Adventist healthcare, Incorporated
Master Plan	1997 Fairland Master Plan
Proposed Zone and Use	Special Exception to allow establishment of a hospital use. The Hospital will include: <ul style="list-style-type: none"> • an eight-story acute care facility with 294 beds and Emergency Department • a helipad • a two-story Ambulatory Care Building • a four-story Medical-Office Building (MOB 1) • two, multi-level Parking Garages • a Medical office building (MOB 2) to be constructed on Phase 2-P
Height:	145 Ft (Max)
Floor Area Ratio (FAR)	0.46
Phasing	2-Phase
Green Area Coverage	73.07% (36.82 ac)
Of-street coverage	2.64 ac (5.24%)
Parking spaces:	
Standard (including HC spaces)	2112 Spaces
Motorcycle	20
Bicycle	102

I. STATEMENT OF THE CASE

The applicant, Washington Adventist Hospital (WAH) requests approval of a special exception to establish and develop a Hospital Campus. The Hospital seeks to relocate its health care facility, currently located in Takoma Park, to the West*Farm Technology Park on Plum Orchard Drive, west of Cherry Hill Road in Silver Spring. The proposed development of the subject property will include a state of the art Main Building along with supporting physician offices and service facilities. The applicant contends that the new site provides WAH an opportunity to redesign the Hospital into a 21st century health care facility.

The Special exception plan depicts the following buildings and service facilities:

- An eight-story acute care facility with 294 beds and Emergency Department
- A helipad
- A two-story Ambulatory Care Building
- A four-story Medical-Office Building (MOB 1)
- Two, multi-level Parking Garages (The North Parking Garage and The South Parking Garage).
- A Medical Office Building (MOB 2) to be constructed in Phase 2

The development will be build out in two phases. All but one of the above listed facilities (MOB 2) will be constructed in the first phase of the build out. The proposal provides for 2,112 parking spaces in the two parking garages and a small parking lot located adjacent the Emergency Department. The applicant's architectural plan provides for ample green area and extensive landscaping throughout the Hospital Campus.

II. DESCRIPTION PROPERTY



The subject property is located on the west side of Plum Orchard Drive approximately 360 feet west of its Intersection with Cherry Hill Road and approximately 315 feet south of its intersection with Broad Burch Drive. The Hospital's property consists of 48.86 acres of land identified on the plat records as identified as Parcels BB, CC, RR, SS and MMM, on Tax Map KQ342, Silver Spring, MD. The five parcels are subdivided lots and are part of the West*Farm Technology Park subdivision. All of the property is zoned I-3 except Parcel MMM, which is zoned I-1. The property is also within the US 29/Cherry Hill Road Employment Overlay Zone.

The property is undeveloped and defined with various topographical features including slopes, wetlands, a flood plain environmental buffer area and a lake. The site has approximately 1,705 feet of frontage on Plum Orchard Road from which it is accessed

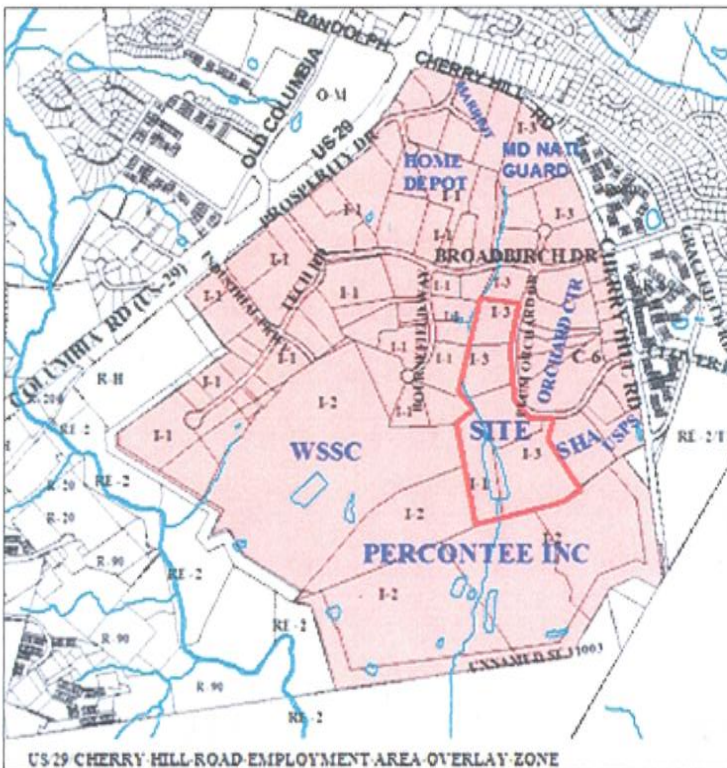
III. NEIGHBORHOOD DESCRIPTION

The neighborhood in which the subject site is located is generally defined by the following boundaries.

- North: Colesville Road (US 29) and Cherry Hill Road
- East: Cherry Hill Road
- South: The Paint Branch Stream and The Northern Boundary of the Naval Surface Warfare Center/FDA Relocation Site
- West: US 29

This neighborhood includes a 400-acre area identified as US/29/Cherry Hill Employment area in the Fairland Master Plan (page 29).

The neighborhood is developed with light industrial uses and low-density, retail commercial uses including a neighborhood shopping center. The neighborhood includes the 75-acre Montgomery Industrial Park that is classified in the I-1 Zone, the West*Farm Technology Park that also includes the subject site in the I-1, I-2 and I-3 Zones, the WSSC Site II in the I-2 Zone, and the Percontee sand and gravel and concrete recycling operation, also in the I-2 Zone. The neighborhood also contains a 40-acre, 480,000-square-foot neighborhood shopping center (Orchard Center). The shopping center property is zoned C-6.



As noted, the subject property is also within the area identified as the West*Farm Technology Park which is classified in the I-3, I-1 and C-6 zones and developed with a mixture of high-tech and light industrial uses as well as the State Highway Administration maintenance facility, a U.S Postal Service distribution facility, and a Marriot Residence Inn Hotel. Some of these uses adjoin the subject property to the north, northwest and west. To the southwest the property abuts the former WSSC-Site #2 and a portion of the Percontee excavation and recycling site which also abuts the subject property to the south. To the east, across Plum Orchard Road, is located the Orchard Center (shopping center). To the southeast, the property abuts the State Highway Maintenance facility.

IV. PLANNING AND ZONING HISTORY:

The site was placed in the R-A Zone when the zone was enacted and mapped in the 1954 Regional District Zoning. The 1958 County-Wide Comprehensive Zoning confirmed the R-A zoning of the site (The R-A Zone was renamed RE-2 in 1973). The 1982 Sectional Map Amendment (SMA) for the Eastern Montgomery County area: Cloverly, White Oak, and Fairland (G-337) reclassified the subject site to I-1 and I-3. The 1997 Fairland Master Plan and the subsequent Sectional Map Amendment (G-747) confirmed the I-1 and I-3 zoning of the site and also placed it in the US 29/Cherry Hill Road Employment Overlay Zone.

V. MASTER PLAN

Community Based Planning Staff, in its review of the application, found the proposed development of the site with a Hospital to be consistent with the vision and recommendation of the 1997 Approved and Adopted Fairland Master Plan. Community Based Planning further stated that the proposed use would provide an important public service in an area not currently served and. Additionally, the Community based Planning Staff has offered the following Comments:

- The hospital will employ thousands of highly skilled workers and professionals in an area intended for such employment uses.
- The hospital will provide all aspects of modern medical care for their existing service community as well as the larger community.
- The hospital is designed to provide immediate emergency care in a regional catastrophe. That aspect alone is in the public interest since there are few modern facilities of that type in the county or adjacent counties.
- There is synergy with existing development. Employees could avail themselves of the supermarket and other retail services within walking distance of the hospital. Attending families and visitors can also combine needed visits with errands.
- The project provides circulation to adjacent future development. The proposed layout includes an interior drive that terminates at the Percontee property. The applicant has offered to convert the drive into a public road if needed in the future. This road can only enhance the circulation in the interior of the employment area.
- The project provides passive recreational amenities. The integration of the regional storm water facility into the hospital grounds transforms a necessity into an asset.

Community-Based Planning Staff believes that the proposed use is in conformance with the master plan and implements the vision of the master plan in a way that will solidify and enhance the importance of eastern county to the overall economy and well-being of Montgomery County.

VI. TRANSPORTATION

The proposal meets the transportation related requirements of Local Area Transportation Review Test (LATR). The Transportation Planning staff reviewed the site plan and the traffic analysis submitted by the applicant and offers the following comments:

Property Location, Area Land Uses, Proposed Use, Vehicular/Pedestrian Access, Transit Facilities

The special exception petition for the planned Washington Adventist Hospital campus is proposed on property consisting of Parcels BB, CC, RR, SS, and MMM located to the southwest of Cherry Hill Road/Plum Orchard Drive intersection in Fairland. The property is located within the West*Farm Technology Park, which has a mix of uses including office, retail, hospitality, institutional, industrial, and warehousing, and is in close proximity to residential uses (including a large age-restricted community to the east side of Cherry Hill Road).

The planned Washington Adventist Hospital campus will have a total built density of 803,570 square-feet and will include the main hospital building, an ambulatory care building, a faith center, two medical office buildings, two parking structures, and a helipad.

Vehicular access to and from the planned hospital campus is proposed via three driveways off Plum Orchard Drive. Plum Orchard Drive is a U-shaped roadway between Cherry Hill Road and Broad Birch Drive to the back of Orchard Center. This roadway is currently built to master plan recommendations with a sidewalk and a tree panel on both sides. The hospital campus can also be accessed from US 29 via Industrial Parkway and Tech Road, both connecting to Broad Birch Drive.

Primary access to the hospital building from Plum Orchard Drive is proposed via Private Street A/South Entrance Drive, located to the southeast corner of the property. This driveway will lead patients and visitors to the Main Hospital Building/Ambulatory Care Building, Medical Office Building-1, and the South Parking Garage. The Applicant is proposing to construct Private Street A to public street standards (with a minimum right-of-way width of 60 feet) such that this roadway could be connected to the adjacent Percontee property when that property develops in the future. Further north is a second entrance to the campus, the Service/Ambulance Drive, dedicated for Emergency Department and service vehicles. The proposed on-site helipad will also be accessed via this driveway. Approximately 800 feet north of the South Entrance Drive is the North Entrance Drive, which will serve Medical Office Building-2 and the North Parking Garage. The northern parking garage will be used primarily by employees.

The special exception site plan proposes adequate lead-in sidewalk connections into the campus from Plum Orchard Drive. This plan also proposes adequate internal pedestrian connections between proposed on-site buildings/structures/amenities. Since there is opportunity to further refine pedestrian/bicyclist accessibility as well as safety into and within the proposed campus and to identify locations for bike lockers and bike racks on the campus at the time of Site Plan, staff finds the special exception use site plan pedestrian/bicyclist circulation concept to be adequate.

Several Metrobus C, R, and Z routes and RideOn Route 10 serve this area and have stops along Plum Orchard Drive, Broad Birch Drive and Cherry Hill Road. Staff also finds that the bus shelters (along Plum Orchard Drive, Broad Birch Drive, and Cherry Hill Road), hospital-operated employee shuttle for main shift employees, and the Transportation Benefits Coordinator position at the hospital proffered as part of the special exception petition by the Applicant are significant traffic mitigation commitments by the Applicant to reduce auto travel to and from the hospital.

Several Metrobus C, R, and Z routes and RideOn Route 10 serve this area and have stops along Plum Orchard Drive, Broad Birch Drive and Cherry Hill Road. Staff also finds that the bus shelters (along Plum Orchard Drive, Broad Birch Drive, and Cherry Hill Road), hospital-operated employee shuttle for main shift employees, and the Transportation Benefits Coordinator position at the hospital proffered as part of the special exception petition by the Applicant are significant traffic mitigation commitments by the Applicant to reduce auto travel to and from the hospital.

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The Applicant submitted a traffic study (initial draft dated November 30, 2007) that determined traffic-related impacts of the proposed hospital on the nearby roadway intersections during weekday morning and evening peak periods. At the request of staff, the Applicant also submitted several additional analysis/reports in support of the initial draft traffic study. The following briefly describes information contained within the traffic study and the subsequent Applicant/staff analyses.

- Site Trip Generation – Proposed Replacement Hospital at West*Farm

The traffic study estimated that the proposed special exception use, an 803,570 square-foot hospital, will generate approximately 964 total peak-hour vehicle trips during the weekday morning peak-period and 948 total peak-hour vehicle trips during the weekday evening peak-period. These estimates were based on trip generation rates contained in Institute of Transportation Engineers (ITE) Trip Generation (7th Edition) report for a Hospital (ITE Land Use Code 610). A summary of the above is provided in Table 1.

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Trip Generation based on ITE LUC 610 Hospital. Independent Variable: Trips per 1,000 SF GFA.
Source: The Traffic Group, Inc. Traffic Report; November 30, 2007.

If the 802,619 square-feet of office density approved for the subject five parcels were to be built, the site would generate 1,341 total peak-hour vehicle trips during the weekday morning peak-period and 1,216 total peak-hour vehicle trips during the weekday evening peak-period using *LATR Guidelines* trip generation rates.

Staff notes that with the reduction in the amount of unbuilt development on the property by 10%, the resulting 722,357 square-feet of office density would generate approximately 1,212 total peak-hour vehicle trips during the weekday morning peak-period and 1,080 total peak-hour vehicle trips during the weekday evening peak-period using *LATR Guidelines* trip generation rates. These trips will become the new trip generation cap for the combined parcels.

The above estimates show that the proposed 803,570 square-foot hospital would generate 20 percent and 12 percent less trips during the morning and evening peak hours respectively compared to traffic that will be generated by the office density that will in effect be approved for the site subsequent to the APF extension approvals (which will be 722,357 square-feet of office).

- Capacity Calculations – Proposed Replacement Hospital at West*Farm

Staff review of the initial draft traffic study and subsequent analysis by the Applicant (dated March 10, 2008) and by staff focused on analyzing impact of hospital traffic at three critical intersections along Cherry Hill Road and at two intersections along Broad Birch Drive within West*Farm. These included the Cherry Hill Road intersections with Prosperity Drive, Broad Birch Drive/Calverton Boulevard, and Plum Orchard Drive/Clover Patch Drive, and the Broad Birch Drive intersections with Plum Orchard Drive and Tech Road. Based on the analysis, it was determined that intersection improvements are required at four of the above five intersections.

With the improvements reflected in the special exception approval conditions, which includes installation of several non-auto transportation facilities in the vicinity of the proposed hospital to enhance non-auto accessibility to the hospital, staff finds that the proposed hospital will be adequately served by public facilities and will not reduce safety of vehicular or pedestrian traffic.

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis results for the five intersections listed above for the weekday morning and evening peak hours within the respective peak periods is provided in Table 2.

TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED 803,570 SF REPLACEMENT HOSPITAL AT WEST*FARM
WASHINGTON ADVENTIST HOSPITAL

Intersections	Traffic Conditions							
	Existing		Background ¹		Total		Total w/ Improvements	
	AM	PM	AM	PM	AM	PM	AM	PM
Cherry Hill Rd/Prosperity Dr	1,019	1,011	1,132	1,138	1,338	1,340	--	--
Cherry Hill Rd/Broad Birch Dr/ Calverton Blvd	1,498	1,462	1,919	1,745	2,247	1,871	1,575	1,540
Cherry Hill Rd/Plum Orchard Dr/ Clover Path Dr	1,135	1,052	1,223	1,149	1,577	1,363	1,195	1,216
Broad Birch Dr/Plum Orchard Dr	629	751	891	1,039	1,045	1,321	873	1,169
Broad Birch Dr/Tech Rd	716	890	1,303	1,309	1,380	1,385	1,145	1,256

Source: The Traffic Group, Inc. Traffic Report; November 30, 2007; Supplemental Analysis, March 10, 2008; Staff Analysis.
 2004 LATR Guidelines Congestion Standard for Fairland/White Oak Policy Area: 1,500.

1 Includes 1,170 additional employees proposed for study in the 2008 Supplemental EIS at the Consolidated Headquarters Campus for FDA at White Oak.

VII. ENVIRONMENT

By a memo dated March 31, 2008, the Environmental Planning staff has offered the following comments:

Environmental Guidelines

The applicant has submitted and received two separate approvals of Natural Resources Inventories/Forest Stand Delineations (NRI/FSD) numbers 42003071 and 42007302. The former plan was recertified on July 18, 2007, and the latter plan received approval on November 1, 2007. There is a stream, wetlands, 100-year floodplain, steep slopes associated with highly erodible soils, severe slopes and associated environmental buffers. The site has a total of 16.41 acres of environmental buffer, 11.31 acres of floodplain and 0.82 acres of wetlands. A portion of the wetlands are forested and are within a forest stand identified as high priority retention. There is an existing in-stream stormwater management wet pond that was constructed approximately 10 years ago when the West*Farm Technology Park began to develop.

The initial submission proposed approximately less than one-half an acre of encroachment into an environmental buffer area that includes a forested wetland. After several discussions between staff and the applicant, the applicant has proposed to revise the layout to avoid encroachments into environmental buffers with proposed buildings and associated grading. In addition, although the water line must go through the environmental buffer, its location has been adjusted to avoid disturbance to wetlands.

Forest Conservation

This property is subject to Chapter 22A Montgomery County Forest Conservation Law. Staff's review and findings on the preliminary forest conservation plan for this proposed special exception are provided in a separate memorandum from Environmental Planning staff to the Planning Board dated March 28, 2008. Staff does recommend approval of the preliminary forest conservation with conditions (see Section VIII No.3: Forest Conservation-59-G-23 (d) below).

Stormwater Management

Conceptual stormwater management approval was granted by DPS in a letter dated January 28, 2008. The existing in-stream stormwater management pond will receive most of the site's runoff and provide quantity control for the site. Water quality control structures are required on the site and these are proposed in the form of a series of underground storm filters. Several of DPS' conditions of the concept approval include the following:

- Onsite recharge is not required due to the proximity of the project site to the existing retention pond.
- All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material
- All covered parking areas must drain to the sanitary sewer system. Covered parking areas will not be allowed to drain to the storm drain system.
- Rooftop runoff must be directed to the regional pond, bypassing on-site storm drainage, wherever possible.
- Environmental Planning staff has concerns for the lack of groundwater recharge provisions through infiltration in relation to the wetland area on an upland slope nearby the proposed northern-most parking deck structure. If infiltration is not provided at this location, the natural recharge function of the slope where the wetlands are located may be eliminated and the wetland may dry up.

Water Quality

The site is in the Paint Branch watershed, which is designated by the state as Use III waters (natural trout waters). Because Department of Permitting Services (DPS) is requiring the two proposed covered parking garages must drain the runoff into the sanitary sewer system, this will protect the watershed's water quality so stormwater runoff from the garage structures is not discharged untreated directly into the site's in-stream stormwater management facility.

Green Building

This proposal must comply with Montgomery County green building requirements. The applicant’s Architectural Report includes a statement that reads as follows: “The buildings will be designed to comply with applicable Montgomery County green building requirements. Green building design features are compatible with the goals that are inherent in WAH’s holistic approach to community health care, with focuses on the well being of mind, body and spirit.”

The Environmental Planning Staff has recommended the following conditions:

1. Revise all plans for the special exception to avoid disturbance of environmental buffers, including wetlands. Revisions should be consistent with the two revised site plans and waterline alignment plan (entitled “North Parking Garage and MOB2 Plan Revision” and “Main Hospital Entry Site Plan Revision” and the “Alternate Waterline Alignment” plan received March 27, 2008).
2. Coordinate with MNCPPC and County DPS to implement measures to maintain water flow to the forested wetland and its buffer near the northern parking garage. Cleaner water discharges from rooftops, green roofs, etc., should be examined to replace surface and groundwater flows lost to upstream development.

VIII. GENERAL DEVELOPMENT STANDARDS

1. **Development Standards-59-G-1.23 (a): Special exceptions are subject to the development standards of the applicable zone where the special exception is located, except when the standard is specified in Section G-1.23 or in Section G-2.**

The following table summarizes the relevant development standards for the I-1 and I-3 Zones and the US 29/Cherry Hill Road Employment Overlay Zone that are applicable to the proposed special exception request:

Development Standard	Required (current)				Proposed
	I-1	I-3	Overlay	Hospitals Sec. 59-G-2.31	
Net lot area				5 acres	48.86 acres
Maximum Building Height				145 ft	145 ft
Coverage Limitations (Percent of gross tract area):					
• Minimum Green area			35%		72.91%
• Maximum off-street Parking			45%		4.52%

Maximum density of development*		0.50			.46
Minimum Building Setback <ul style="list-style-type: none"> • From abutting non residential zoning • From another building on the same lot 			30 ft	50 ft	50 ft 30ft
Minimum Parking, Loading and Maneuvering area setbacks <ul style="list-style-type: none"> • From abutting commercial or industrial zoning other than I-3 or R&D zones • From an abutting lot classified in the I-3 or R & D zones • From an arterial road that separate the zone from a commercial or industrial zone 			25 ft 20 ft 35 ft		25 ft 20 ft 35 ft
Minimum frontage				200 ft	1704.66 ft

*In the I-3 zone, the maximum density may be increased up to a maximum floor area ratio of 0.60 provided that the applicant for development obtains approval of a traffic mitigation agreement at the time of site plan review, that will result in traffic generation equal to or less than a project with a floor area ratio of 0.50.

2. **Parking Requirements—59-G-1.23 (b):** Special exceptions are subject to all relevant requirements of Article 59-E. Moreover, Section 59-G-2.31 (4) specifies the following:

Off-street parking: Off-street parking shall be located so as to achieve a maximum of coordination between the proposed development and the surrounding uses and a maximum of safety, convenience and amenity for the residents of neighboring areas. Parking shall be limited to a minimum in the front yard. Subject to prior board approval, a hospital may charge a reasonable fee for the use of off-street parking. Green area shall be located so as to maximize landscaping features, screening for the residents of neighboring areas and to achieve a general effect of openness.

Section 59-E-3.7—Parking requirements:

Hospital: One parking space for each 1,000 square feet of total floor area, plus one space for each resident doctor, plus adequate reserved space for visiting staff doctors, plus one space for each 3 employees on the major shift.

Professional Office: Five parking spaces for each 1,000 square feet or gross floor area used by medical practitioners.

Section 59-E-2.3—Bicycle and Motor Bicycle Parking:

- (a) All parking facilities containing more than 50 parking spaces shall provide one bicycle parking space or locker for each 20 automobile parking spaces in the facility. Not more than 20 bicycle parking stalls or lockers shall be required in any one facility.

- (d) All parking facilities containing more than 50 parking spaces shall provide motorcycle stalls equal to at least 2 percent of the number of auto spaces. Not more than 10 motorcycle stalls shall be required on any one lot.

	Required	Proposed
1sp/ 1,000 SF floor area (Hospital)= 570,235sf/1,000	571	
5 sp/ 1,000 SF (Medical office bldg.) 233,335sf X 5/1000	1,170	
1sp/resident doctor=1sp/20 doc	20	
Reserved sp for visiting staff doctor 10% of 310 MOB doctors.	75	
1 sp/3 employees-900 employees/3	300	
Total parking spaces required	2,136	2,112
Minimum Bicycle parking	20	102
Minimum Motorcycle parking	20	20

The applicant’s parking report that is prepared by the Traffic Group, Inc. provides an analysis of the proposed hospital’s parking demand and supply. The consultant provides figures for “Future Parking Demand” (2045 spaces) and “Recommended Peak Future Parking Supply” (2093 spaces). The analysis was based on a methodology and assumptions developed by the consultant for the proposed hospital and the consultant’s interpretation of Section 59-E of the parking requirements. The special exception plan provides for 2,112 Parking spaces (including accessible and van accessible spaces), 20 Motor bicycle spaces and 102 bicycle spaces. Staff is of the opinion that the proposed total number of parking spaces fall slightly (24 spaces) short of the total spaces required by the ordinance. Staff recommends the following:

1. Provide a parking schedule with a break down that would show allocation of spaces under the various requirements.
 2. Provide all of the required 2,136 spaces
 3. Provide computation and breakdown of numbers for regular and van accessible handicapped spaces.
 4. Identify the areas for motor bicycle and bicycle parking
 5. Identify the loading and unloading area and provide evidence of adequate screening of the loading area.
3. **Forest Conservation-59-G-23 (d):** If a special exception is subject to Chapter 22A, the Board must consider the preliminary forest conservation plan required by that Chapter when approving the special exception application and must not approve a special exception that conflicts with the preliminary forest conservation plan.

Preliminary Forest Conservation Plan

In response to preliminary analysis and comments from Environmental Planning Staff regarding the Preliminary Forest Conservation plan, the applicant has amended the plan. The amended plan addresses many of the major issues and concerns of Environmental Planning. The Environmental Planning staff has offered the following comments and recommendations (See EP memo dated April 1, 2008-Appendix 2):

...There are 31.22 acres of existing forest on-site including various large and specimen trees. There is a stream, wetlands, 100-year floodplain, steep slopes associated with highly erodible soils, severe slopes and associated environmental buffers.

A tributary of Paint Branch (Use III waters) flows through the property. An existing, regional stormwater management (SWM) facility, constructed as a wet pond, is located in the stream and provides stormwater management controls for a large portion of development in the West*Farm Technology Park.

The Planning Board's action on the Preliminary Forest Conservation Plan is regulatory and binding. The Planning Board must act on the Forest Conservation Plan before it finalizes its recommendations on the special exception application.

Environmental Guidelines

The applicant has submitted and received two separate approvals of Natural Resources Inventories/Forest Stand Delineations (NRI/FSD) numbers 42003071 and 42007302. The former plan was recertified on July 18, 2007 and the latter plan received approval on November 1, 2007. The site has a combined total of 16.41 acres of environmental buffer, 11.31 acres of floodplain and 0.82 acres of wetlands. A portion of the wetlands are forested and are within a forest stand identified as high priority retention. The site is not within a Special Protection Area.

The south portion of the site has an existing in-stream regional stormwater management pond that will be a focal point of the hospital facility. The pond facility was built approximately 10 years ago as other parcels in the West*Farm Technology Park developed. As a result of several meetings with the applicant and their representatives, they are in general agreement to work with DPS staff to enhance the existing pond facility with native plants to county standards.

On March 27, 2008 a revised site plan was received that avoids and minimizes direct encroachments to wetlands and environmental buffers shown on the initial plan submittal. The revised plan is supported by staff for several reasons. First, it represents relocation of two proposed

buildings to completely avoid direct encroachments to a wetland and environmental buffer (the north parking garage and medical office building 2 [MOB2]). Secondly, it adjusts infrastructure alignments (i.e., a proposed 8-inch water line around wetlands) to avoid encroachments to wetlands. Finally, the plan adjusts the limits of disturbance (LOD) to be more realistic in relation to building edges and environmental buffers. Initially the plan showed some areas of the LOD with a minimum of 15 feet between the edge of the northern-most six-story parking garage and a forested wetland. At this same location, staff raised concerns for the loss of a groundwater source for the wetland due to the extensive impervious surfaces proposed adjacent to and uphill of the wetland. Therefore, staff recommends that the plan is amended to include at least one structure to provide for the groundwater recharge of surface stormwater runoff on the uphill side of the forested wetland.

Forest Conservation

This property is subject to Chapter 22A Montgomery County Forest Conservation Law. A Preliminary Forest Conservation Plan (PFCP) has been submitted for approval.

Because the two revised site plans and alternate waterline location plan were recently submitted the PFCP is also being revised. However, staff has not received the revised PFCP as of this writing. There are 31.22 acres of existing forest on-site including various large and specimen trees. One forest stand in the NRI/FSD was identified as high priority retention because of its overall structure and location in relation to nearby natural resources and environmental buffers.

The initial PFCP has a total reforestation requirement of 2.70 acres. The revised PFCP will have a slightly smaller reforestation requirement. The initial PFCP proposed to preserve 9.95 acres of forest. The revised PFCP will have a slightly larger forest preservation area of approximately 10 acres. The revised PFCP will show this adjusted amount based on the three revised plans submitted on March 27, 2008. Areas of existing forest in the environmental buffers will be preserved in Category I Conservation Easements, the details of which will be further reviewed during the Final Forest Conservation Plan and Site Plan (FFCP) review. Details and specific measures of large, specimen tree and forest preservation and protection will be required on the FFCP.

Environmental Planning staff recommends approval of the Preliminary Forest Conservation Plan with the following conditions.

1. Revise the PFCP to include the following:
 - a. Avoid disturbance of environmental buffers, including wetlands. Revisions must be consistent with the two revised site plans (entitled "North Parking Garage and

MOB2 Plan Revision” and “Main Hospital Entry Site Plan Revision”) and alternate waterline plan (entitled “Alternate Waterline Location Plan”).

- b. Show proposed limits of disturbance that avoid environmental buffers and that are realistically located with respect to proposed structures.
- 2. Category I conservation easement must be placed over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include a County stormwater management easement.
- 3. Category I conservation easement must be shown on record plats.
- 4. **Signs—59-G-23(f): The display of a sign must comply with Article 59-F.**

Several signs, including freestanding, building, and directional signs are proposed. Any sign, including, temporary construction signs must comply with all applicable requirements of Article 59-F. All signs placed on the property must meet the requirements of Section 59-F-4.2 (a) in terms of number, location and area and Section 59-F-4.1 (e) regarding illumination.

IX. COMMUNITY CONCERNS:

The record indicates overwhelming support to the proposed special exception use and operation of the subject Hospital facility among residents of the surrounding area. The applicant has conducted extensive community outreach on this project beginning in 2005. The Community Outreach Chronology section of the applicant’s statement indicates that the proposed Hospital Campus development and management team met with various community groups and local government representatives to inform them the Hospital’s development plan and to address potential issues regarding the proposed development. The Community Outreach Chronology submitted by the applicant indicates that 36 such meetings were held between October 6, 2005 and November 15, 2007. As of this writing, over 700 letters, in support of this application have been received by the planning office. The vast majority of the letters are form letters with some additional notes from the individuals signed the letters and some are letters that are individually written.

X. INHERENT AND NON-INHERENT ADVERSE EFFECTS

Standard for Evaluation: Section 59-G-1.2.1 of the Zoning Ordinance specifies that a special exception must not be granted without the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent

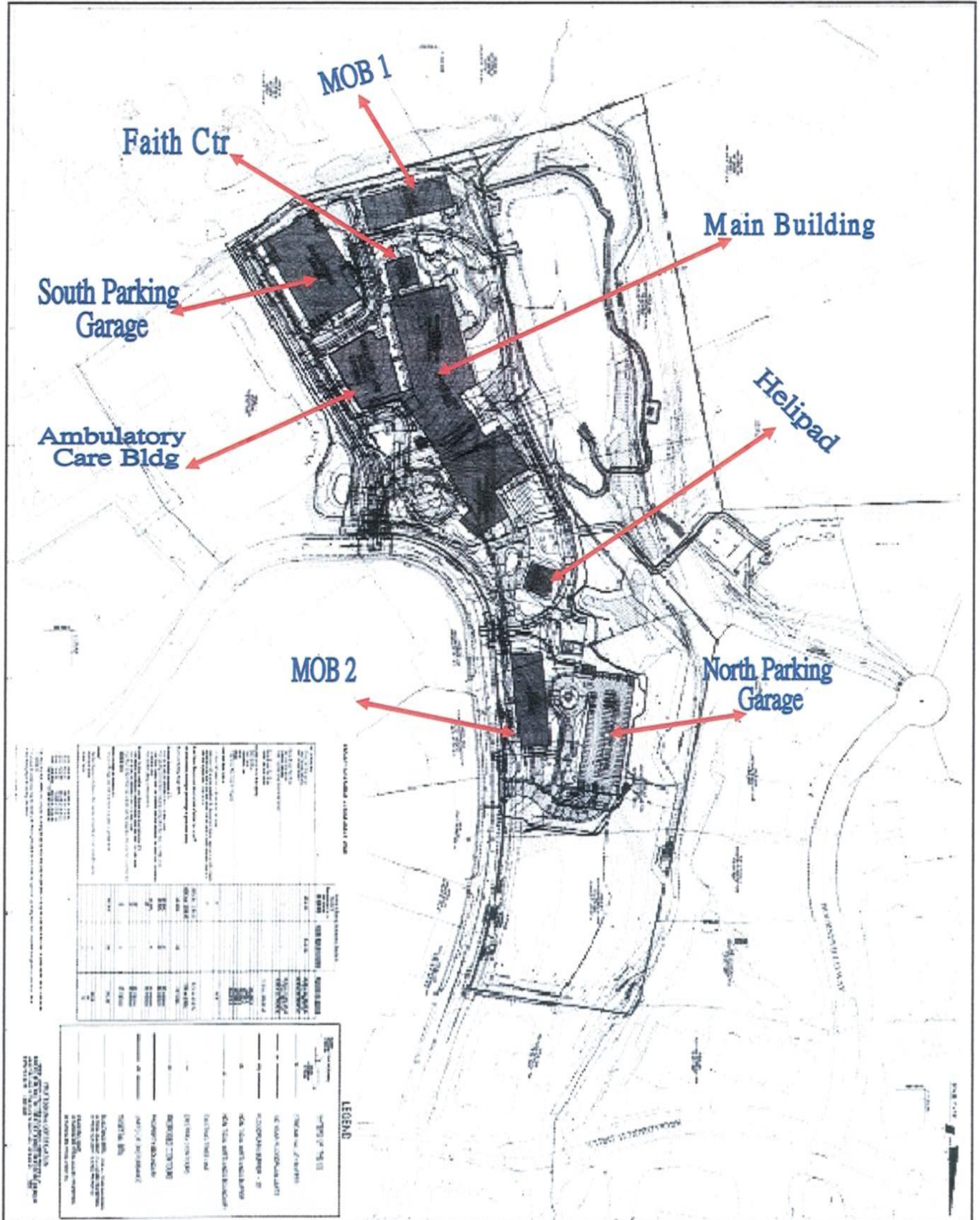
adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent adverse effects, are a sufficient basis to deny a special exception.

As established in previous special exception cases, seven criteria are used to identify the physical and operational characteristics of a use. Those criteria are size, scale, scope, lighting, noise, traffic, and the environment. For the instant case, analysis of inherent and non-inherent adverse effects must establish what physical and operational characteristics are necessarily associated with a Hospital use.

In recent report and recommendation of the Hearing examiner, the following are identified as inherent characteristics of a hospital: A large, high-bulk physical plant, with some visual impact on its surroundings; hospital operations running round the clock, seven days per week; a large staff; a large number of patients and visitors; a significant amount of traffic and parking commensurate with the size of staff and patient body; a certain amount of operational noise from e.g. air conditioning systems; a large amount of bio and other waste which must be carefully disposed-of; a significant amount of external lighting needed for safety; and an Emergency helipad. Staff is of the opinion that these descriptions appropriately denote the inherent characteristics of a modern-day Hospital Campus.

With the approval of the applicant request for APF extension and provided that all the conditions of approvals of the APF for transportation are complied with, and given the location of the proposed hospital in an area developed with commercial and industrial uses. The inherent and non-inherent adverse impacts associated with this application are not sufficient to warrant a denial of the special exception petition.

SITE PLAN



XI. § 59-G-2.31: SPECIFIC SPECIAL EXCEPTION REQUIREMENTS:

Pursuant to § 59-G-2.31 A hospital or sanitarium building may be allowed, upon a finding by the board that such use will not constitute a nuisance because of traffic, noise or number of patients or persons being cared for; that such use will not affect adversely the present character or future development of the surrounding residential community; and if the lot, parcel or tract of land on which the buildings to be used by such institution are located conforms to the following minimum requirements; except, that in the C-2 and C-O zones, the minimum area and frontage requirements shall not apply:

- (1) **Minimum area. Total area, 5 acres.**

The site comprises 48.86 acres, thus exceeding the minimum area requirements.

- (2) **Minimum frontage. Frontage, 200 feet.**

The proposal complies with this requirement. The property has 1,700 feet of frontage along Plum Orchard Drive,

- (3) **Setback: No portion of a building shall be nearer to the lot line than a distance equal to the height of that portion of the building, where the adjoining or nearest adjacent land is zoned single-family detached residential or is used solely for single-family detached residences, and in all other cases not less than 50 feet from a lot line.**

The proposal satisfies this requirement. The property does not adjoin any land that is zoned for single-family detached residential or used solely for single-family detached residences. The Hospital Campus will be surrounded by properties that are zoned I-1, I-2, I-3 and C-6 zones and all of the adjoining properties are currently developed. The site plan shows that the buildings in the proposed Hospital Campus are set back at least 50 feet from each lot line.

- (4) **Off-street parking: Off-street parking shall be located so as to achieve a maximum of coordination between the proposed development and the surrounding uses and a maximum of safety, convenience and amenity for the residents of neighboring areas. Parking shall be limited to a minimum in the front yard. Subject to prior board approval, a hospital may charge a reasonable fee for the use of off-street parking. Green area shall be located so as to maximize landscaping features, screening for the residents of neighboring areas and to achieve a general effect of openness**

Off-street parking is provided in two garages — the South Parking Garage and the North Parking Garage. The plan also provides a small surface parking area for short term convenience parking near the Emergency Department walk-in entrance. The North Parking Garage is located north of the main building behind MOB 2 to accommodate hospital staff and provide parking for MOB 2. The special exception site plan indicates that a total of 2,112 parking spaces, 20 motor bicycle spaces and 102 bicycle spaces are provided. The number of

parking spaces in each of the two parking garages and the short-term parking lot should be provided and the location of bicycle and motor bicycle should be identified.

The proposal generally provides for sufficient parking spaces for the hospital use and meets the parking requirements. There is a minor inconsistency between staff's and the applicant's figures for the total number of parking spaces. Staff believes that the applicant's figure falls short of the required numbers by 24 spaces. The discrepancy occurred due to the traffic consultant's use of a methodology in calculating the supply and demand for parking spaces that is different from the method dictated by the Ordinance. Staff is of the opinion that the requirements be met as stated in the Ordinance. As noted earlier, staff recommends (see Section VIII (2)-Parking Requirements) conditions to ensure that minor discrepancies and inconsistencies related to the parking facility are clarified and addressed.

The applicant intends to submit application to the appropriate agency requesting authorization for the WAH to impose reasonable charges for parking.

As noted, the various plans submitted with the application have been revised to address environmental and design issues and concerns raised by staff. The revisions included the relocation of two structures, the proposed North Parking Garage and MOB2, to avoid encroachments into a wetland and environmental buffers. The relocation of the parking garage from its original proposed location resulted in extending the maximum distance requirement (from 500 feet to 560 feet) of Section 59-E-1.3(a). Therefore, the applicant is requesting a waiver from the requirements of **Section 59-E-1.3(a)-Distance from establishment served**. Staff is in support of the waiver request. Staff review and recommendation is presented in Section XIII of this report.

- (5) **Commission recommendation: The board or the applicant shall request a recommendation from the commission with respect to a site plan, submitted by the applicant, achieving and conforming to the objectives and requirements of this subsection for off-street parking and green area.**

The Planning Board will hear the proposed special exception and will make a recommendation to the Board of Appeals. In addition, due to the location of the portion of the property within the I-3 Zone, the proposed development is subject to a site plan review with a final decision by the Planning Board.

The Site Plan staff has offered the following comments (See memo dated April 3, 2008);

...the Development Review Division retain the discretion at time of Site Plan Review to address location and design issues, including entrance location and building height, for several areas, including, but not limited to:

1. the applicability of the 50' hospital building restriction line to the

- medical office buildings;
- 2. the employee walkway from the parking garage to the hospital;
- 3. the main entry court;
- 4. the chapel;
- 5. the southeast portion of the campus, including the parking garage, private drive, and ambulatory care entrance;
- 6. vehicular and pedestrian connections to adjacent properties.

(6) **Building height limit: Building height limit, 145 feet.**

The tallest building on site will be eight stories tall (seven above grade) and will not exceed 145 feet in height.

(7) **Prerequisite: A resolution by the health services planning board approving the establishment of the hospital shall be filed with the petition for a special exception.**

The applicant indicated that because the special exception is for a replacement of an already established hospital this requirement is not applicable. The applicant further indicated that the hospital will comply with all applicable health planning requirement.

XII. SECTION 59-G-1.21: GENERAL CONDITIONS

(a) **A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:**

(1) **Is a permissible special exception in the Zone.**

The subject property is located in the I-1 and I-3 Zones, which permit the proposed special exception. Moreover, the overlying US 29/Cherry Hill Road Employment Overlay Zone allows all special exception uses allowed in the underlying zones.

(2) **Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.**

The proposal is in compliance with the specific special exception requirements of Section 59-G-2.31 in accordance with Section 59-G-1-21(a) (2) of the Zoning Ordinance.

(3) **Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any recommendation in a master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that**

granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

There are no master plan issues associated with this application. As noted, the Community based Planning found that “ the proposed use is in conformance with the Master Plan and implements the vision of the Master Plan in a way that will solidify and enhance the importance of eastern county to the overall economy and well-being of Montgomery County”.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.**

With the recommended conditions, the proposed use will be in harmony with the general character of the neighborhood given its location within the U S 29/Cherry Hill Road Employment area that included the Montgomery Industrial Park and The West*Farm Technology Park. Properties that are located adjacent to the site are developed with one, two and three story buildings, housing a variety of light industrial, office, retail, small restaurants and other service uses. The applicant’s land planning report provides the following justification to satisfy this requirement

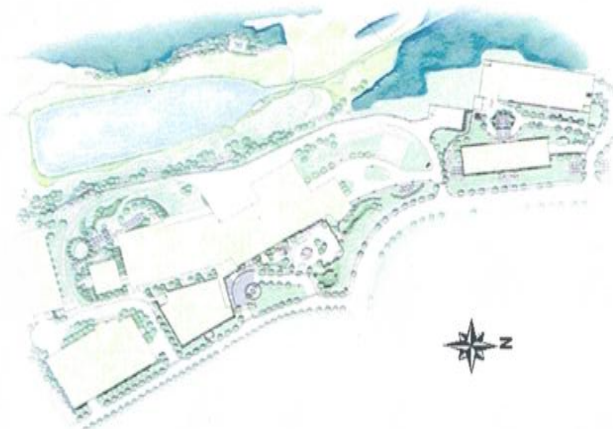
“ The Hospital is designed as a set of separate buildings and structures, including separate building elements for the Main Building. By creating a Campus of individual buildings and dividing the Main Building into separate architectural elements, the proposed buildings are of a mass and scale generally comparable to other buildings within the West*Farm Technology Park. The traffic and physical activity associated with the Hospital is of a similar nature to traffic and activity associated with other surrounding uses. Many surrounding uses have truck and service vehicular traffic as well as traffic due to patronage by the general public. Buildings within the West*Farm Technology Park range from one to four stories in height, and a water tower located approximately 500 feet from the Hospital appears well in excess of the height of an eight-story building. While the Main Building will be taller than many surrounding buildings, it is less than the maximum allowable height and it is located well within the boundaries of the business/industrial park. Most importantly, it will be located over one-quarter mile from the nearest residence. Given its setting, the Hospital will, therefore, be in harmony with the general character of the surrounding area.”

The applicant’s description and assessment of the proposal’s compatibility with the general characteristics of the surrounding area, in terms of building and site design, density, scale and bulk, is fairly accurate and is consistent with the depiction of the various buildings and other facilities on the proposed special exception site plan, architectural drawings and renderings. In terms of traffic

related impacts on nearby roadway intersections, the Transportation Planning Section is in agreement with applicant's traffic study estimation that the proposed special exception use, an 803,570 square-foot hospital, will generate approximately 964 total peak-hour vehicle trips during the weekday morning peak-period and 948 total peak-hour vehicle trips during the weekday evening peak-period. The Transportation Planning staff finds that if the total office density approved for the subject five parcels were to be built, the site would generate 1,341 total peak-hour vehicle trips during the weekday morning peak-period and 1,216 total peak-hour vehicle trips during the weekday evening peak-period using *LATR Guidelines* trip generation rates. These estimates show that the hospital use will represent a reduction of approximately 28 to 22 percent trips on surrounding roadways during the morning and evening peak hours, respectively.

Transportation planning staff has also found that the proposed pedestrian/bicyclist circulation concept to be adequate and noted that there is an opportunity to further refine accessibility and safety measures and to identify locations for bike, lockers and bike racks at the time of site plan. On-site parking is also adequate provided that conditions recommended by staff are met.

The site and landscape plans provide for extensive landscaping, generous size of green space (73 %) and sufficient building setbacks. The setting of the hospital in the area, adequately distanced from the residential properties with the presence of stream, wetlands, 100-year floodplain, and steep slopes, effectuated an environmentally sensitive and aesthetically appealing design of the Hospital Campus. This, coupled with roads and circulation improvements recommended as part of the extensions of APF approvals, and the services that will be provided by the hospital would contribute greatly in maintaining and enhancing the quality of life for the neighborhood and the surrounding communities.



- (5) **Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

Given the commercial and industrial nature of existing and future developments in the neighborhood the proposed Hospital Campus development, will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone. With the various innovative measures employed in the design of the

campus and compliance with recommended conditions of approvals, the proposed Hospital Campus would be a positive and productive presence in the neighborhood and would provide a needed service for the residents of surrounding area and the County.

- (6) **Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

The hospital buildings are substantially distanced and separated by other non residential uses from the nearest residential uses. Moreover, screening and buffering is proposed in the form of landscaping and forest conservation easements. Given the prevailing characteristics of the development and uses surrounding the site, it is not anticipated that the use would cause objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone

As noted in the Environmental Planning Comments, emergency vehicles (ambulance and medivac helicopters) will frequent this location on an as-needed basis at any time day or night. The occurrence or frequency of loud sirens, illumination and glare from emergency vehicle lights, dust, vibration and loud noise from medivac helicopters are inherent to a hospital use during emergency episodes. Dust, loud noise and vibration from medivac helicopters are anticipated during landing and take-off procedures, in addition to loud noise including sirens, illumination and glare from emergency vehicle lights, with related physical activity from emergency personnel at a hospital facility with emergency room and medivac services. The adjacent developed and planned land uses are similarly industrial zoned and no existing or planned residential uses are in the surrounding West*Farm Technology Park neighborhood of the Fairland Planning Area.

- (7) **Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.**

The proposed modifications will not increase the number, intensity and scope of approved special exceptions in the area. Staff has identified the following approved special exception uses within the area the identified as US-29/ Cherry Hill Road employment area (I-1, I-2 and I-3 and C-6 Zoned) in the Master Plan:

BAS-1274: A hotel (courtyard Marriot)

BAS-2316: Drive in restaurant (McDonalds), within the Orchard Center compound.

BAS-2321: A gas station, within the Orchard Center compound.

BAS-2563- Eating and drinking establishment (Starbacks), within the Orchard Center compound

BAS-2656 Proposed Hilton Garden Hill Hotel

The subject property and the surrounding area are zoned commercial and industrial. The proposed special exception will have no adverse effect on any neighboring one-family residential area, the closest of which is about a quarter of a mile away.

- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

With the recommended conditions, the proposed use will not adversely affect the health, safety, security, morals or welfare of residents, visitors or workers in the area. The applicant maintains that the proposed hospital will directly serve the health, safety, and general welfare of the area population which it serves. The applicant further indicated that the Hospital, with its mission to provide a safe setting for healing in a spiritually uplifting environment, will bring a greater sense of safety and security to the area. As noted, over 700 letters, in support of the proposed hospital, were received from area residents, civic association and churches of nearby residential communities.

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.**

(i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception. If the special exception does not require approval of a preliminary plan of subdivision, the adequacy of public facilities must be determined by the Board of Appeals when the special exception is considered. The adequacy of public facilities review must include the Local Area Transportation Review and the Policy Area Transportation Review, as required in the applicable Annual Growth Policy.

(ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the proposal will not reduce the safety of vehicular or pedestrian traffic.

The applicant's Land Planning Report indicates that the property is currently served by adequate sewer and water services, public roads, and storm drainage facilities, all of which are located near the property. The property is located within two miles of the Hillandale Fire Station located at 10617 New Hampshire Avenue.

Transportation Planning staff has recommended that the Planning Board approve the applicant's request for the extension of the Adequate Public Facilities approval period to July 25, 2013. The request, if approved, would allow a 72 month extension for Parcels BB and CC, a 48-month extension for Parcels RR and SS, and a 48-month extension for Parcel MMM. Previous APF extensions were granted for the five parcels at various time and under separate Preliminary Plan applications and expiration due dates (see transportation Staff Memo of April 14, 2008). To ensure adequacy of public facilities, Transportation Planning staff, has recommended a range of conditions —Section XVI, Condition of Approval No. 5 of this report, pages 43-47 (also, see Appendix I, TP staff memo of April 14, 2008).

In recommending approval of the applicant's request for the APF extensions, The Transportation Planning staff has made a request to the Hearing Examiner to keep the record open to receive comments from State and County agencies for the following reason:

Staff notes that materials submitted in support of the subject APF extension request and/or special exception petition are not yet assembled in final form and have not been transmitted to Maryland State Highway Administration (SHA), Montgomery County Department of Public Works and Transportation (DPWT), Prince George's County Department of Public Works and Transportation, and Prince George's County M-NCPPC Transportation Planning staff for their review and/or comment. Therefore, the conditions of approval for the special exception (since APF extension cannot be conditioned) enumerated below reflect staff recommendations based on our review alone. Staff therefore requests the Hearing Examiner to keep the record open on the special exception case as long as comments from agencies listed above are received within a reasonable timeframe (proposed as submission of comments to the Hearing Examiner within 45 days from the date the final traffic report is transmitted by staff to the agencies above).

- (b) **Nothing in this Article relieves an applicant from complying with all requirements to obtain a building permit or any other approval required by law. The Board's finding of any facts regarding public facilities does not bind any other agency or department, which approves or licenses the project.**

The applicant will so note.

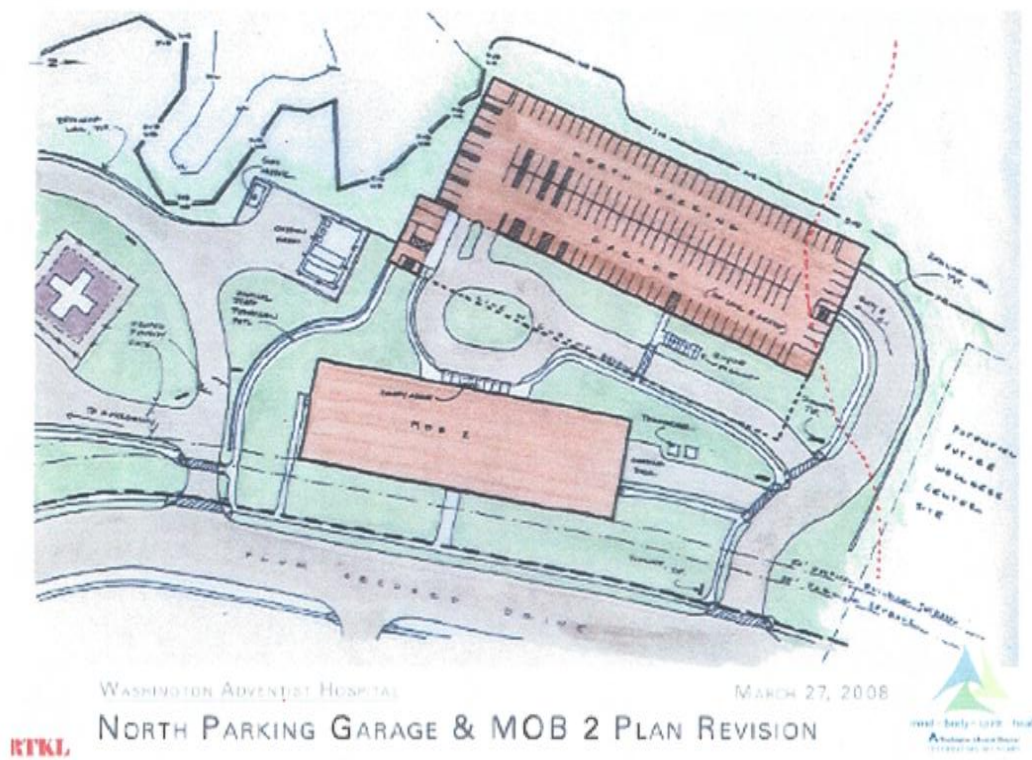
- (c) **The applicant for a special exception has the burden of proof to show that the proposed use satisfies all applicable general and specific standards under this Article. This burden includes the burden of going forward with the evidence, and the burden of persuasion on all questions of fact.**

The applicant has met the burden of proof under **Sections 59-G-2.31: Hospitals (specific requirements) and 59-G-21(a): General Conditions.**

XI11. SECTION 59-E-4.5 WAIVER-PARKING STANDARDS

Pursuant to **Section 59-E-1.3(a) Distance from establishment** all automobile off-street parking facilities shall be located so that the major point of pedestrian access to a parking facility is within 500 feet walking distance of the entrance to the establishment to be served by such facilities.

The special exception site plan that was initially submitted with the application has been revised to address various environmental and design issues raised by staff. The revised plan was submitted shifting the North Parking Garage approximately 60 feet north of its original location. The relocation, while effectively removing the parking garage from the wetland and environmental buffer, extended the parking facility distance from the main building beyond the maximum required 500 feet triggering a need for a waiver from the requirements of **Section 59-E-1.3(a)**



Section 59-E-4.5 the Zoning Ordinance provides that [t]he Director, Planning Board, or Board of Appeals may waive any requirement in this article not necessary to accomplish the objectives in Section 59-E-4.2 and in conjunction with reductions may adopt reasonable requirements above the minimum standards. Any request for a waiver under this Section must be referred to all adjoining property owners and affected citizen associations for comment before a decision on the requested waiver.

The applicant has provided the following justification addressing each of the four objectives in **Section 59-E-4.2** and demonstrating that the objectives are accomplished per required provisions of **Section 59-E-4.3**.

Section 59-E-4.2: Objectives of Parking Facility Plan

- (b.) **The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include, but not be limited to, the reasonable control of noise, glare or reflection from automobiles, automobile lights, parking lot lighting and automobile fumes by use of perimeter landscaping, planting, walls, fences or other natural features or improvements.**

The North Parking Garage is situated such that to the west is a forested stream valley buffer in excess of 190 feet in width; to the south is the proposed Hospital Emergency Department, ambulance arrival area, and helipad; to the east is the proposed MOB 2 (situated between the North Parking Garage and Plum Orchard Drive); and to the north is undeveloped land (contemplated to be developed in the future with a wellness center). Thus, the only users of adjoining land potentially affected by the North Parking Garage (with or without its relocation) are future users of the wellness center. Landscaping is proposed along the north edge of the garage, which would screen the wellness center from the North Parking Garage. In addition, most of the parking spaces in the North Parking Garage are located below grade with only one level of surface parking, thereby reducing the impact of the facility on any users of the property to the north. This arrangement, with respect to adjacent users, does not change because of the relocation of the North Parking Garage. Thus, the objectives of Section 59-E-4.2(a) are met even though the maximum distance from the North Parking Garage to the Main Building is exceeded.

- (a) **The safety of pedestrians and motorists within a parking facility.**

Staff driving to the North Parking Garage will access the lower levels of the structure on the north side and visitors to MOB 2 will arrive on the surface level via a driveway and utilize the garage's upper levels. This physical separation is designed for safety and to provide easy access to the garage users' final destinations.

The North Parking Garage is arranged for staff, such that, after parking their cars, staff makes their way to the south exit of the facility closest to the Main Building. A pedestrian pathway then leads pedestrians toward Plum Orchard Drive, across the Emergency/Service entrance drive, and then directly to the Main Building. The pathway is visually obvious and clearly delineated-providing a very straightforward path to the Main Building with only one driveway crossing. As previously stated, the pathway will be utilized by Hospital staff, who will be informed of the pathway system and will become very familiar with its route. Staff utilizing the pathway will be quite removed from the vehicular access to the garage, thereby providing for their safety. This objective continues to be met notwithstanding that the walking distance is in excess of 500-foot maximum.

- (b) **The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent traffic congestion.**

The North Parking Garage is designed to provide a safe circulation system with visitors to MOB 2 arriving at the surface and upper levels and the staff arriving directly to the lower levels via a driveway on the north side of the structure. This access system has not changed with the shifting of the location of the North Parking Garage to the north. The entrance/exit driveway to Plum Orchard Drive will shift approximately 40 feet to the north from the present Plan location. This new driveway point of access still will be located midway between, and approximately 300 feet from, two driveways on the opposite side of Plum Orchard Drive, thereby reducing and preventing traffic congestion. The additional walking distance still permits this objective to be met.

- (c) **The provision of appropriate lighting, if the parking is to be used after dark.**

Lights are provided because the North Parking Garage will be utilized after dark; shifting this garage further to the north will not affect the lighting. The pedestrian pathway also will be lighted, as previously proposed, and located close to Plum Orchard Drive in a safe location. This objective is met even though the walking distance exceeds the 500-foot maximum.

Section 59-E-4.3: Requirements of Parking Facility Plan

Section 59-E-4.3 of the Zoning Ordinance lists five provisions that must be satisfied in order to accomplish the Parking Facility Plan objectives of **Section 59-E-4.2**. The following justification addresses each of these provisions and indicates the manner in which they are satisfied even though a waiver is requested to the 500-foot maximum walking distance provided in **Section 59-E-1.3(a)**.

- (a) **Effective landscaping of parking lots contiguous to or adjacent to any public road shall be provided in accordance with the landscaping requirements of section 59-E-2.7.**

The North Parking Garage is set back 250 feet from Plum Orchard Drive behind MOB 2 and does not abut a public road. As such, no street landscaping is required. However, the Plan provides for the supplementation of street trees along Plum Orchard Drive with proposed extensive planting of shade trees and deciduous shrubs along the sides of MOB 2 and between the parking area and MOB 2. None of the proposed landscaping is affected by the increase in walking distance due to the northward shift of the North Parking Garage. This landscaping provision, therefore, remains satisfied.

- (b) **Safe sight distances free of any obstruction shall be provided at all entrances and exits to public roads. Ample safe sight distances clear of any building or other artificial or natural obstructions shall be provided at the corner of intersecting public roads.**

The increase in walking distance to 560 feet is due to the relocation of the North Parking Garage, which in turn shifts the entrance/exit serving the garage to the north

approximately 40 feet. The new entrance/exit location is in excess of 280 feet from the driveway across Plum Orchard Drive to the north, which provides sufficient sight distance. The shift in the entrance/exit centers the driveway midway between the two driveways on the opposite side of Plum Orchard Drive. This sight distance provision continues to be satisfied.

- (c) Effective channelization and division of parking areas within the interior of a parking facility shall be provided for both pedestrian and vehicular traffic. This may be accomplished by use of landscaped areas with trees, walls, fences, other natural growths or artificial features, raised curbs, marked directional lanes and controls, change of grade or other devices to mark points of turn, to separate parking areas and to control traffic movement.

The shift in the location of the North Parking Garage has no impact on the channelization and division of the parking areas included within this garage. Thus, this provision will continue to be satisfied.

- (d) Parking facilities containing 500 or more parking spaces shall be divided into several smaller parking areas and shall be separated from each other by landscaping, change of grades, buildings or other natural or artificial means.**

The North Parking Garage includes in excess of 500 parking spaces. These parking spaces are divided into six separate parking levels, which will not be affected by a shift in the location of the garage. The provision continues to be satisfied.

- (e) Each parking facility shall be designed individually with reference to the size, street pattern, adjacent properties, buildings and other improvements in the general neighborhood, number of cars to be accommodated, hours of operation and kinds of use.**

The North Parking Garage has been designed and located to respect the Site topography and wetland features, as well as adjacent proposed uses and the street that provides access for the garage. The entrance/exit along the north side of the garage will continue to serve the lower level staff parking area, while the drive to the rear of MOB 2 will serve tenants and visitors, and provide a turn-around for emergency vehicles. Shifting the building northward and extending the walking distance to 560 feet will not affect the satisfaction of this provision.

Staff is in agreement with the findings of the applicant and supports the granting of the proposed waiver. The revised location of the North Garage renders the overall design of the Hospital Campus more functional, attractive, and in keeping with the environmental guidelines of the county. The approximately 60 feet shifting of the location of the garage is minor and would not contradict the objectives of Section 59-E-4.2.

XIV. CONCLUSION & CONDITIONS

The proposed Special exception satisfies all applicable requirements for approval of a special exception as specified in the Montgomery County Zoning Ordinance. Moreover, the proposed

development is consistent with the recommendations of the 1997 Fairland Master Plan. There are no unacceptable traffic, circulation, noise or environmental impacts associated with the application provided that the recommended conditions are satisfied. The proposed replacement hospital provides a much needed healthcare service to the residents of the immediate neighborhood as well as the surrounding communities and the County. As evidence by the numerous letters submitted into the record of the case, the proposed Hospital Campus development has the residents of the immediate neighborhood and nearby communities overwhelming support.

Based on the foregoing analysis, staff recommends Approval of Special Exception S-2721 with the associated Preliminary Forest Conservation Plan and the request for a waiver from the maximum distance requirement for a parking facility, subject to the conditions found below:

Conditions of Approval for Special Exception S-2721

1. Comply with the conditions of the Preliminary Forest Conservation Plan
2. Revise the special exception site plan to
 - a. Provide a parking schedule with a break down showing allocation of spaces applying the various computation methods, as required.
 - b. Provide the required 2,136 spaces
 - c. Provide computation and breakdown of numbers for regular and van accessible handicapped spaces.
 - d. Identify the areas for motor bicycle and bicycle parking
 - e. Identify the loading and unloading area and provide evidence of adequate screening of the loading area from the street.
3. Revise all plans for the special exception to avoid disturbance of environmental buffers, including wetlands. Revisions should be consistent with the two revised site plans and waterline alignment plan (entitled "North Parking Garage and MOB2 Plan Revision" and "Main Hospital Entry Site Plan Revision" and the "Alternate Waterline Alignment" plan received March 27, 2008).
4. Coordinate with MNCPPC and County DPS to implement measures to maintain water flow to the forested wetland and its buffer near the northern parking garage. Cleaner water discharges from rooftops, green roofs, etc., should be examined to replace surface and groundwater flows lost to upstream development.
5. To ensure adequacy of public facilities, the applicant must satisfy the following conditions:
 - a. Limit development on the property as part of this Special Exception and future Site Plan for the property to a total built density of 803,570 square-feet, including a main hospital building, an ambulatory care building, a faith center, two medical office buildings, two parking structures, and a helipad. No additional uses may be permitted on the property unless the special exception is modified within the APF validity period.

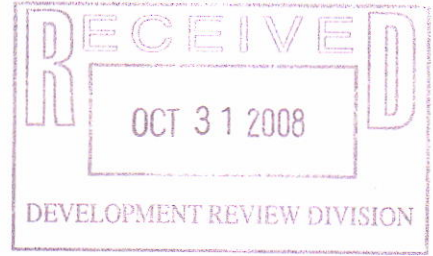
- b. Construct, prior to the release of building permits for the proposed hospital, with approval from Montgomery County Department of Public Works and Transportation (DPWT), required intersection capacity improvements listed below. In general, intersection improvement design details must be coordinated with DPWT and finalized prior to the certification of Site Plan. Additionally, if any of the road improvements identified in this condition either are now, or in the future become, obligations of other development projects, applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of participation on a pro-rata basis is the sum of total peak hour trips generated by the subject development relevant to the particular improvement over the sum of total peak hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The improvements must include:
- ii. At the Cherry Hill Road/Broad Birch Drive/Calverton Boulevard intersection:
 - 1. Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Broad Birch Drive.
 - 2. Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Broad Birch Drive.
 - 3. Provide, along Broad Birch Drive, improvements that result in two eastbound left turn lanes to northbound Cherry Hill Road, a through lane to eastbound Calverton Boulevard, and a right-turn lane to southbound Cherry Hill Road.
 - 4. Upgrade existing traffic signal system at the intersection as necessary.
 - iii. At the Cherry Hill Road/Plum Orchard Drive/Clover Patch Drive intersection:
 - 1. Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Plum Orchard Drive.
 - 2. Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Plum Orchard Drive.
 - 3. Upgrade existing traffic signal system at the intersection as necessary.
 - iv. At the Broad Birch Drive/Plum Orchard Drive intersection:
 - 1. Provide a new traffic signal when warranted.
 - 2. Provide, along Broad Birch Drive, a separate eastbound right-turn lane to southbound Plum Orchard Drive.
 - 3. Provide, along Broad Birch Drive, a separate westbound left-turn lane to southbound Plum Orchard Drive.
 - v. At the Tech Road/Broad Birch Drive intersection:
 - 1. Provide a new traffic signal when warranted.

2. Reconfigure southbound Tech Road approach to Broad Birch Drive – from a through lane and a through-left lane to provide a through-left lane (to southbound Tech Road and eastbound Broad Birch Drive) and a left-turn lane (to eastbound Broad Birch Drive).
 3. Reconfigure northbound Tech Road approach to Broad Birch Drive – from a through-right lane and a through lane to provide a right-turn lane (to eastbound Broad Birch Drive and a through lane (to northbound Tech Road).
 4. Reconfigure westbound Broad Birch Drive approach to Tech Road – from a right-turn lane and a left-turn lane to provide a right-turn lane (to northbound Tech Road) and a left-right lane (to southbound Tech Road and northbound Tech Road).
- vi. At the Plum Orchard Drive/Proposed Southern (Main) Hospital Entrance Driveway/Private Street A:
1. Provide a new traffic signal when warranted.
 2. Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway.
 3. Provide along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway.
 4. Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).
- vii. At the Plum Orchard Drive/Proposed Northern Hospital Entrance Driveway:
1. Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway.
 2. Provide, along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway.
 3. Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).
- c. Provide hospital-operated employee shuttle(s) for main shift employees to and from the Silver Spring Metro Station (Red Line) and Greenbelt Metro Station (Green Line) for a total of 10 years. A statement of operation for the proposed shuttle(s) must be submitted to staff at the time of Site Plan and finalized prior to the certification of the Site Plan. Logistics related to the operation of the employee shuttle(s) must be in place prior to the release of the first occupancy permit for the hospital. The employee shuttle service must start operation at least a week prior to formal opening of the proposed hospital.
- d. Submit a Memorandum of Understanding (MOU) between the Applicant and M-NCPPC to implement a Transportation Management Program (TMP) for the proposed hospital at the time of the Site Plan. The MOU and the TMP must be

finalized and entered into prior to the release of building permits for the proposed hospital.

The TMP must designate a Transportation Coordinator at the hospital. The TMP must also include a periodic reporting mechanism such as a semi-annual performance review of the program by a Community Liaison Committee that may include members of the local community, area businesses and institutions, and Citizen Advisory Committees. In addition, the program must consider transit subsidies to employees, establishment of creative transportation accessibility options for employees, patients and visitors, installation of transportation/transit information display areas or kiosks in prominent locations throughout the hospital for employees, patients and visitors, and joint operation of local non-employee circulator shuttles in the area with other businesses/uses.

- e. Provide adequate internal connecting roadways, sidewalks, handicapped ramps and crosswalks to ensure safe and efficient vehicular/pedestrian connections. The Applicant must submit a vehicular/non-vehicular circulation plan for the campus at the time of Site Plan for review and approval by Transportation Planning staff, DPWT, and Montgomery County Department of Permitting Services (DPS) prior to the release of building permits for the proposed hospital.
- f. Provide, with approval from DPWT, two (2) super bus shelters along Plum Orchard Drive at the proposed Southern Hospital Entrance Driveway/Private Street A (main hospital entrance). The super bus shelters must be installed along Plum Orchard Drive at the proposed locations prior to the release of building permits for the proposed hospital. In addition, real-time transit information signs, with approval from DPWT, may be installed at these bus shelters. In the event the super bus shelters and the real-time transit information signs are not approved by DPWT, the Applicant may substitute these with other available non-auto facilities of equivalent or greater value.
- g. Provide, with approval from DPWT, two (2) bus shelters along Plum Orchard Drive at the proposed Northern Hospital Entrance Driveway (Medical Office Building Two entrance). The bus shelters must be installed along Plum Orchard Drive at the proposed locations prior to the release of building permits for the proposed hospital. In the event the bus shelters are not approved by DPWT, the Applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.
- h. Provide, with approval from DPWT, two (2) bus shelters along Cherry Hill Road at its intersection with Broad Birch Drive. The bus shelters must be installed along Cherry Hill Road at the proposed locations prior to the release of building permits for the proposed hospital. In the event the bus shelters are not approved by DPWT, the Applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.



**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
www.montgomerycountymd.gov/content/council/boa/index.asp

(240) 777-6600

Case No. S-2721

**PETITION OF ADVENTIST HEALTHCARE, INCORPORATED
BY GEOFFREY A. MORGAN**

OPINION OF THE BOARD

(Opinion Adopted September 10, 2008)
(Effective Date of Opinion: October 27, 2008)

Case No. S-2721 is an application for a special exception, pursuant to Section 59-G-2.31 of the Zoning Ordinance, to permit the relocation of Washington Adventist Hospital from its current location in Takoma Park to a new site in West Farm Technology Park. The Hearing Examiner for Montgomery County held a hearing on the application on May 5, 2008, closed the record in the case on August 15, 2008, and on August 19, 2008 issued a Report and Recommendation for approval of the special exception.

The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

Decision of the Board: Special exception **granted**, subject to
The conditions enumerated below.

The Board of Appeals considered the Hearing Examiner's Report and Recommendation at its Worksession on September 10, 2008. The Board commends the Applicant for a thorough and well thought out application. After careful consideration and review of the record, and with slight revisions to Conditions three, eight, eleven and twelve, the Board adopts the Report and Recommendation, and grants the special exception subject to the following conditions:

1. Petitioner must comply with the conditions of the Preliminary Forest

Conservation Plan (PFCP) and any Final Forest Conservation Plan approved by the Planning Board. The PFCP conditions include:

- a. Revise the PFCP to include the following:
 - i. Avoid or minimize disturbance of environmental buffers, including wetlands. Revisions must be consistent with the two revised site plans (entitled "North Parking Garage and MOB2 Plan Revision" and "Main Hospital Entry Site Plan Revision") and alternate waterline plan (entitled "Alternate Waterline Location Plan").
 - ii. Show proposed limits of disturbance that avoid environmental buffers and that are realistically located with respect to proposed structures.
 - b. Category I conservation easement must be placed over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include a County stormwater management easement.
 - c. Category I conservation easement must be shown on record plats.
2. Petitioner must comply with Montgomery County green building requirements.¹
 3. Revise all forest conservation plans to avoid or minimize disturbance of environmental buffers, including wetlands, consistent with the two revised site plans and waterline alignment plan (entitled "North Parking Garage and MOB2 Plan Revision" and "Main Hospital Entry Site Plan Revision" and the "Alternate Waterline Alignment" plan received March 27, 2008).
 4. Coordinate with MNCPPC and County DPS to implement measures to maintain water flow to the forested wetland and its buffer near the northern parking garage. Cleaner water discharges from rooftops, green roofs, etc., should be examined to replace surface and groundwater flows lost to upstream development.
 5. To ensure adequacy of public facilities, Petitioner must satisfy the following conditions:²
 - a. Limit development on the property as part of this special exception and future Site Plan for the property to a total built density of 803,570 square-

¹ This conditions differs from Condition #2 proposed by the Planning Board because that condition called for Petitioner to revise its special exception site plan relating to parking, and Petitioner has already done so in filing its amended Composite Special Exception Site Plan (Exhibit 161(e)).

² The conditions listed are those recommended jointly by Technical Staff and DOT (Exhibit 176) following the hearing. They preserve the intent of the Planning Board recommendations, but have been updated to include modifications sought by DOT after the hearing.

feet, including a main hospital building, an ambulatory care building, a faith center, two medical office buildings, two parking structures, and a helipad. No additional uses may be permitted on the property unless the special exception is modified within the APF validity period.

- b. Implement road improvements and other installations required in Conditions c, g, h, i, j and k as described in the schedule below. The Applicant must complete and submit to Montgomery County Department of Transportation (DOT) conceptual designs for the road improvements and other installations, including signal warrant studies, at least 45 days in advance of the Planning Board's public hearing on the Applicant's Site Plan. Where possible, the Applicant may meet the provision of required turn lanes in some cases by restriping existing paving. Final design drawings for the road improvements and other installations must be submitted to all relevant permitting agencies prior to the release of building permits for the hospital. At the time of submission of completed designs to permitting agencies, the Applicant must post one or more surety or cash bonds in the amount estimated by its engineers (and approved by the Planning Board staff) that represent the cost of construction of such road improvements and other installations. Bonds must be posted with DOT or if DOT does not accept them, with the Planning Board on an interim basis to be released to the Applicant at such time as the permitting agencies accept bonds for equivalent purposes. Upon issuance of permits, the Applicant must proceed diligently with construction of the road improvements and other installation.

The Applicant must provide notice to Planning Board staff that final inspections for the use and occupancy permit have begun. Prior to the issuance of any use and occupancy permit for the hospital and/or any other on-site building, all road improvements and other installations must be substantially complete and open to traffic as determined by Planning Board staff.

- c. Prior to issuance of the building construction permit (including structural, electrical, plumbing, mechanical, etc. components) for the hospital and/or any other on-site building, the Applicant will be required to have obtained any necessary rights-of-way and/or easements, along with Executive Branch plans approval, and posted bonds for the construction drawings of improvements (including but not limited to intersection widenings, DOT-approved traffic signals, traffic control signs and markings, etc.) to be constructed within the public right-of-way.

Additionally, if any of the road improvements identified in these conditions either are now, or in the future become, obligations of other development projects, applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of

participation on a pro-rata basis is the sum of total peak hour trips generated by the subject development relevant to the particular improvement over the sum of total peak hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The road improvements must include:

- i) At the Cherry Hill Road/Broad Birch Drive/Calverton Boulevard intersection:
 - o Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Broad Birch Drive.
 - o Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Broad Birch Drive.
 - o Provide, along Broad Birch Drive, improvements that result in two eastbound left turn lanes to northbound Cherry Hill Road, a through lane to eastbound Calverton Boulevard, and a right-turn lane to southbound Cherry Hill Road.
 - o Upgrade the existing traffic signal system at the intersection as necessary.

- ii) At the Cherry Hill Road/Plum Orchard Drive/Clover Patch Drive intersection:
 - o Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Plum Orchard Drive.
 - o Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Plum Orchard Drive.
 - o Upgrade the existing traffic signal system at the intersection as necessary.

- iii) At the Broad Birch Drive/Plum Orchard Drive intersection:
 - o Provide a new traffic signal when warranted and approved by DOT.
 - o Provide, along Broad Birch Drive, a separate eastbound right-turn lane to southbound Plum Orchard Drive.
 - o Provide, along Broad Birch Drive, a separate westbound left-turn lane to southbound Plum Orchard Drive.

- iv) At the Tech Road/Broad Birch Drive intersection:
 - o Provide a new traffic signal when warranted and approved by DOT.
 - o Reconfigure southbound Tech Road approach to Broad Birch Drive – from a through lane and a through-left lane to provide a through-left lane (to southbound Tech Road and eastbound Broad Birch Drive) and a left-turn lane (to eastbound Broad Birch Drive).

- Reconfigure northbound Tech Road approach to Broad Birch Drive – from a through-right lane and a through lane to provide a right-turn lane (to eastbound Broad Birch Drive) and a through lane (to northbound Tech Road).
 - Reconfigure westbound Broad Birch Drive approach to Tech Road – from a right-turn lane and a left-turn lane to provide a right-turn lane (to northbound Tech Road) and a left-right lane (to southbound Tech Road and northbound Tech Road).
- v) At the Plum Orchard Drive/proposed Southern (Main) Hospital Entrance Driveway/Private Street A:
- Provide a new traffic signal when warranted and approved by DOT.
 - Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).
- vi) At the Plum Orchard Drive/Proposed Northern Hospital Entrance Driveway:
- Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).

The aforementioned lane use modifications are subject to DOT approval. If DOT finds the modification(s) is not appropriate when the applicant applies for the first building construction permit, the Applicant shall prepare a cost estimate for the measures necessary to implement the modification(s), for approval by DOT. Applicant shall pay DOT the approved amount(s); DOT will be responsible for implementing the modification(s) at such time as it determines them to be operationally appropriate.

Prior to approval of the roadway construction drawings, Applicant shall provide documentation acceptable to the Executive Branch review agencies that satisfactorily demonstrates the proposed intersection improvements will be adequate to accommodate the turning movements of WB-50 trucks and emergency response vehicles. The aforementioned intersection improvements may be expanded to accommodate these turning movement requirements.

If required as a result of Executive Branch approval of the roadway construction (and/or related Signs and Markings Plan), Applicant shall re-stripe Plum Orchard Road. Applicant shall also construct pedestrian refuge islands if approved under that review.

Applicant will be required to relocate any existing underground utilities, at its sole expense, if those utilities will be located within the proposed widened roadway pavement or in conflict with the relocated enclosed storm drain system.

- d. Provide hospital-oriented employee shuttle(s) for main shift employees to and from the Metrorail system for a total of 10 years from the date the hospital opens to the public or until an earlier date if the Planning Board determines that area public transit service adequately meets the needs of these employees. The details of the shuttle operation (routes, locations, headways, etc.) must be determined at the time of Site Plan. Logistics related to the operation of the employee shuttle(s) must be in place prior to release of the first occupancy permit for the hospital and/or any other on-site building. The employee shuttle service must start operation at least a week prior to formal opening of the proposed hospital.
- e. The applicant shall submit a Memorandum of Understanding (MOU) to implement a Transportation Management Program (TMP) for the proposed hospital at the time of Site Plan. The applicant, the Maryland-National Capital Park and Planning Commission and the Department of Transportation shall each be signatory parties on the MOU for the TMP for this project. The MOU and the TMP must be finalized and entered into prior to the release of building permits for the proposed hospital and/or any other on-site building.

The TMP must designate a Transportation Coordinator at the hospital. The TMP must also include a periodic reporting mechanism such as a semi-annual performance review of the program by DOT or the Planning Board staff, as well as periodic reports to a Community Liaison Committee that may include members of the local community, area businesses and institutions, and Citizen Advisory Committees. In addition, the program must consider transit subsidies to employees, establishment of creative transportation accessibility options for employees, patients and visitors,

installation of transportation/transit information display areas or kiosks in prominent locations throughout the hospital for employees, patients and visitors, and joint operation of local non-employee circulator shuttles in the area with other businesses/uses.

- f. Provide adequate internal connecting roadways, sidewalks, handicapped ramps and crosswalks to ensure safe and efficient vehicular/pedestrian connections. The applicant must submit a vehicular/non-vehicular circulation plan for the campus at the time of Site Plan for review by Transportation Planning staff, DOT, and the Montgomery County Department of Permitting Services (DPS).
- g. Construct a multi-bus pulloff facility(s) with canopy structure(s) in the vicinity of the hospital site. This is in lieu of the Planning Board's recommendations set forth in Section 5(g-j) of the Planning Board Recommendations for various bus shelters in the vicinity of the hospital. The location and conceptual design details for the facility(s) shall be resolved at the Site Plan stage. To the extent the multi-bus pulloff facility(s) is not equivalent to the Planning Board's recommendations, the Applicant will provide additional bus shelters or other equivalent amenity. These equivalency issues will be resolved at the time of Site Plan.
- h. Provide, with approval from DOT, pedestrian countdown/APS signals at the Cherry Hill Road intersections with Broad Birch Drive/Calverton Boulevard and Plum Orchard Drive/Clover Patch Drive. The pedestrian countdown/APS signals must be installed at these intersections under permit in conjunction with the aforementioned intersection improvements. In the event the pedestrian countdown/APS signals are not approved by DOT, the applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.
- i. Provide, with approval from DOT, pedestrian countdown/APS signals at the Plum Orchard Drive intersection with the proposed Southern Hospital Entrance Driveway/Private Street A (main hospital entrance) if the proposed traffic signal at this intersection is approved by DOT. The pedestrian countdown/APS signals must be installed at this intersection under permit in conjunction with the aforementioned intersection improvements. In the event the pedestrian countdown/APS signals are not approved by DOT, the applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.
- j. Relocate any existing pedestrian countdown and accessible pedestrian signals, at Applicant's sole expense, as part of any widenings of existing signalized intersections. In the event the County has already installed pedestrian countdown and accessible pedestrian signals at intersection(s) required of the Applicant, the Applicant obtain necessary plan approvals

and posted bonds to install such signals at other nearby signalized intersection(s) prior to issuance of the building construction permit (including structural, electrical, plumbing, mechanical, etc. components) for the hospital and/or any other on-site building.

- k. Prior to issuance of the building permit for the hospital and/or any other on-site building, Applicant shall pay the County \$40,000 for the future installation of two real-time transit information signs to be installed in the vicinity of the site. Applicant will be responsible for installing the necessary equipment, conduit, electrical connections, etc. to allow the County to install one real-time transit information sign each in the hospital and in the canopy structure once that program becomes operational. Applicant to grant necessary permission to allow County staff to access and maintain the real-time transit information sign, if one is installed within the hospital as proposed.
 - l. Provide bike lockers and bike racks on the hospital campus as required by the Montgomery County Code. The bike locker and bike rack locations must be determined and finalized at the time of Site Plan.
6. The Petitioner shall be bound by all of its testimony and exhibits of record, and by the testimony of its witnesses and representations of counsel to the extent that such evidence and representations are identified in the Hearing Examiner's Report and Recommendation and in the opinion of the Board.
 7. Petitioner may employ approximately 2,000 employees to serve staffing requirements for approximately 1,300 full-time equivalent employees. Approximately 500 additional employees will work in the two medical office buildings ("MOBs") on the Campus.
 8. Petitioner's hours of operation are 24 hours per day, seven days a week. Working hours for staff will be arranged in eight to ten different shifts, which shall be coordinated in the Transportation Management Plan to minimize traffic impacts, consistent with hospital needs.
 9. The hospital campus must be developed in accordance with the final site, landscape, architectural, engineering and lighting plans submitted prior to closure of the record, unless changed at site plan review. This special exception is conditioned upon approval at site plan review. If the submitted plans and/or specifications for this project change at site plan review in any material way, Petitioner must timely apply to the Board of Appeals for an administrative modification of the special exception to substitute the revised plans and specifications.
 10. All signs placed on the property must meet the requirements of Zoning Ordinance Article 59-F in terms of number, location, size and illumination, or appropriate variances obtained therefor. Sign permits must be obtained, and

copies of those permits should be filed with the Board of Appeals prior to posting.

11. Petitioner shall maintain a log of helicopter flights to and from the hospital to insure that it is being used only for emergency purposes, which is the basis for its permitted use status under Zoning Ordinance §59-A-6.6. "Emergency" in this context shall be broadly construed to include all flights deemed medically necessary for individual patients. The log shall indicate at least the date and time of flight, the destination and origination points, the operator of the helicopter, and the reason for the flight (Patient names or identification numbers, if included, shall be handled so as to protect patient privacy rights). The log shall be made available for review by the Department of Permitting Services upon request.
12. Petitioner shall review the helicopter flight paths and determine which flight paths will minimize disturbance to the surrounding community. To the extent that the hospital has control over the flight paths used, it shall establish a preference, consistent with safety and operational concerns, for using the flight paths which minimize disturbance to the surrounding community. If Petitioner does not control the flight paths, then it shall consult with the appropriate controlling authority to encourage use of the flight paths which minimize disturbance to the surrounding community, without adversely impacting safety and operational considerations. The results of Petitioner's review shall be submitted to the Board within six months after the relocated helipad becomes operational.
13. The requirement of Zoning Ordinance §59-E-1.3(a) that a parking facility be located within a 500-foot walking distance of the establishment served is waived so that the North Parking Garage may be located at a walking distance of up to 560 feet from the Main Building of the Hospital. Use of the North Parking Garage to access the Main Hospital Building should be restricted to hospital staff, in light of this waiver. This restriction does not apply to users of Medical Office Building 2 (MOB2), which is located practically adjacent to the North Parking Garage.
14. Petitioner must create a Community Liaison Committee (CLC) to discuss and address issues of concern to Petitioner and/or the community, especially those within sight and sound of the new property. The CLC may be established under the auspices of the Fairland Master Plan Citizens Advisory Committee, if that Group is amenable, or it may exist as an independent entity. The CLC shall consist of Petitioner's representative and representatives from the Fairland Master Plan Citizens Advisory Committee, the Calverton Citizens Association, Riderwood Village, West Farm Homeowners Association, Greater Colesville Citizens Association, Tamarac Triangle Citizens Association, Paint Branch/Powder Mill Estates Citizens Association, and any other nearby civic association or homeowners association wishing to participate. The People's Counsel will serve as an *ex officio* member of the CLC. The CLC is intended to provide a means and mechanism for communication and interaction between the hospital and its neighbors. The CLC must have an initial organizational

meeting prior to the start of construction, and meet three times a year until construction is completed. Once the hospital is open to the public, the CLC must thereafter meet at least two times each year. Minutes of meetings must be taken and distributed, and the CLC must prepare an annual report to be submitted to the Board of Appeals. There will be no requirements for a quorum, voting, or specific attendance. Community groups must be invited and notified, but they may attend at their own election and based upon their own degree of interest.

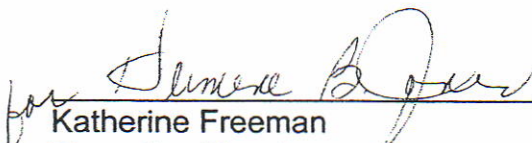
15. Petitioner must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits and use and occupancy permits, necessary to occupy the special exception premises and operate the special exception as granted herein. Petitioner shall at all times ensure that the special exception use and premises comply with all applicable codes (including but not limited to building, life safety and handicapped accessibility requirements), regulations, directives and other governmental requirements.

On a motion by David K. Perdue, seconded by Catherine G. Titus, Vice-Chair, with Wendell M. Holloway and Allison Ishihara Fultz, Chair, in agreement, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.


 Allison Ishihara Fultz
 Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
 of the Board of Appeals for
 Montgomery County, Maryland
 this 27th day of October, 2008.


 Katherine Freeman
 Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
www.montgomerycountymd.gov/boa/

(240) 777-6600

Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO REVOKE SPECIAL EXCEPTION

(Resolution Adopted July 20, 2016)

(Effective Date of Resolution: July 25, 2016)

The Board of Appeals has received a letter, dated July 8, 2016 from Patrick L. O'Neil, Esquire. Mr. O'Neil informs the Board that:

On behalf of our client, Adventist HealthCare, Inc., doing business as Washington Adventist Hospital (the "Petitioner"), please accept this request to revoke the above-referenced Special Exception. The Petitioner is the owner of the property subject to the Special Exception, which is located at 12030-12110 Plum Orchard Drive in Silver Spring, Maryland in the West Farm Technology Park (the Property"). The Board of Appeals originally approved the Special Exception on October 27, 2008, to allow Washington Adventist Hospital to implement hospital uses at the Property so the Petitioner could relocate its Takoma Park, Maryland campus there. At the time, the Property was zoned I-3 in which hospital uses were only permitted by special exception. The Property has since been reclassified to the Life Sciences Center Zone ("LSC") and hospital uses are now permitted.


As a result of the approval of the White Oak Science Gateway Master Plan (County Council Resolution 17-1204 approved July 29, 2014) and the corresponding Sectional Map Amendment (G-966 approved October 7, 2014), the Property was reclassified from I-3 to the LSC Zone. Specifically, the Property was rezoned to LSC-1.0, H-200. A printout of the current zoning designation provided from the Montgomery County Planning Department is enclosed.

The subject property is located at 12030-12110 Plum Orchard Drive in Silver Spring, Maryland in the West Farm Technology Park, in the LSC Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on July 20, 2016. Based upon the letter the Board finds that the Hospital use is permitted in the zone. Therefore, on a motion by Stanley B. Boyd, seconded by John H. Pentecost, Vice-Chair, with Bruce Goldensohn, Edwin S. Rosado, and Carolyn J. Shawaker, Chair, in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721, Petition of Washington Adventist Hospital, is re-opened to receive Mr. O'Neil's letter dated July 8, 2016, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that Case No. S-2721 is **revoked** as the use is now permitted by right.


 Carolyn J. Shawaker
 Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
 of the Board of Appeals for
 Montgomery County, Maryland
 this 25th day of July, 2016.


 Barbara Jay
 Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion. Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.

**BOARD OF APPEALS
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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO EXTEND TIME TO IMPLEMENT THE SPECIAL EXCEPTION

(Resolution Adopted October 28, 2015)

(Effective Date of Resolution: December 10, 2015)

The Board of Appeals has received a letter, dated October 20, 2015, from Patrick L. O'Neil, Esquire, on behalf of Adventist HealthCare Inc., d/b/a Washington Adventist Hospital (WAH). Mr. O'Neil requests an extension of time to implement the special exception. He explains that implementation of the special exception depends upon "an on-going and complicated healthcare licensing review," specifically, issuance of a Certificate of Need (CON) from the Maryland Health Care Commission. Mr. O'Neil's letter details the Hospital's efforts to-date to obtain that certification. Mr. O'Neil further explains that changes by the State of Maryland in the hospital rate policy necessitated substantial revisions to Adventist's pending CON application. He states that "Washington Adventist Hospital has diligently pursued the CON for the past several years and anticipates a decision from the Commission in 2015."

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008, to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on October 28, 2015. Because Case No. S-2721 was approved prior to October 30, 2014, under Section 59-7.7.1.B of the current Zoning Ordinance, this request must be reviewed under the standards and procedures in effect on October 29, 2014. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides:

- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

The Board finds that the circumstances described in Mr. O'Neil's letter constitute "other factors involved in the particular use" for the purposes of Section 59-A-4.53, and that the extension can be granted. Therefore, on a motion by Stanley B. Boyd, seconded by Edwin S. Rosado, with Bruce A. Goldensohn, John H. Pentecost, Vice-Chair, and Carolyn J. Shawaker, Chair, in agreement:

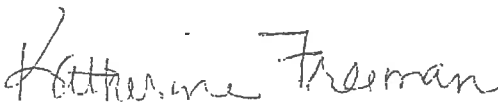
BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letter dated October 20, 2015, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended until October 27, 2016.



Carolyn J. Shawaker
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
This 10th day of December, 2015.



Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See

Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

**BOARD OF APPEALS
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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO EXTEND TIME TO IMPLEMENT THE SPECIAL EXCEPTION

(Resolution Adopted October 28, 2015)

(Effective Date of Resolution: November 20, 2015)

The Board of Appeals has received a letter, dated October 20, 2015, from Patrick L. O'Neil, Esquire, on behalf of Adventist HealthCare Inc., d/b/a Washington Adventist Hospital (WAH). Mr. O'Neil requests an extension of time to implement the special exception. He explains that implementation of the special exception depends upon "an on-going and complicated healthcare licensing review," specifically, issuance of a Certificate of Need (CON) from the Maryland Health Care Commission. Mr. O'Neil's letter details the Hospital's efforts to-date to obtain that certification. Mr. O'Neil further explains that changes by the State of Maryland in the hospital rate policy necessitated substantial revisions to Adventist's pending CON application. He states that "Washington Adventist Hospital has diligently pursued the CON for the past several years and anticipates a decision from the Commission in 2015."

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008, to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on October 28, 2015. Because Case No. S-2721 was approved prior to October 30, 2014, under Section 59-7.7.1.B of the current Zoning Ordinance, this request must be reviewed under the standards and procedures in effect on October 29, 2014. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides:

- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

The Board finds that the circumstances described in Mr. O'Neil's letter constitute "other factors involved in the particular use" for the purposes of Section 59-A-4.53, and that the extension can be granted. Therefore, on a motion by Stanley B. Boyd, seconded by Edwin S. Rosado, with Bruce A. Goldensohn, John H. Pentecost, Vice-Chair, and Carolyn J. Shawaker, Chair, in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letter dated October 20, 2015, with attachments; and

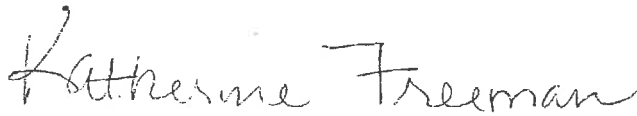
BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended until October 27, 2016.



Carolyn J. Shawaker

Vice-Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
This 20th day of November, 2015.



Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See

Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO EXTEND TIME TO IMPLEMENT THE SPECIAL EXCEPTION

(Resolution Adopted October 8, 2014)

(Effective Date of Resolution: November 7, 2014)

The Board of Appeals has received a letter, dated September 30, 2014, from Patrick L. O'Neil, Esquire, on behalf of Adventist HealthCare Inc., d/b/a Washington Adventist Hospital (WAH). Mr. O'Neil requests an extension of time to implement the special exception. He explains that implementation of the special exception depends upon "an on-going and complicated healthcare licensing review," specifically, issuance of a Certificate of Need (CON) from the Maryland Health Care Commission. Mr. O'Neil's letter details the Hospital's efforts to-date to obtain that certification. Mr. O'Neil further explains that changes by the State of Maryland in the hospital rate policy necessitated substantial revisions to Adventist's pending CON application.

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on October 8, 2014. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides:

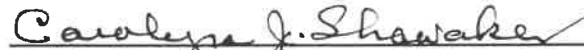
- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each

extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

The Board finds that the circumstances described in Mr. O'Neil's letter constitute "other factors involved in the particular use" for the purposes of Section 59-A-4.53, and that the extension can be granted. Therefore, on a motion by Stanley B. Boyd, seconded by Edwin S. Rosado, with John H. Pentecost and Carolyn J. Shawaker, Vice-Chair, in agreement, and David K. Perdue, Chair, necessarily absent:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letter dated September 30, 2014, with attachments; and

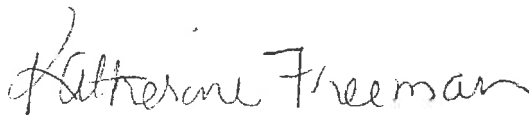
BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended until October 27, 2015.



Carolyn J. Shawaker

Vice-Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
This 7th day of November, 2014.



Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue
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(240) 777-6600

Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO EXTEND TIME TO IMPLEMENT THE SPECIAL EXCEPTION

(Resolution Adopted September 11, 2013)

(Effective Date of Resolution: October 4, 2013)

The Board of Appeals has received a letter, dated August 12, 2013, from Patrick L. O'Neil, Esquire, on behalf of Adventist HealthCare Inc., d/b/a Washington Adventist Hospital (WAH). Mr. O'Neil requests an extension of time to implement the special exception. He explains that implementation of the special exception depends upon issuance of a Certificate of Need (CON) from the Maryland Health Care Commission, and details the Hospital's efforts to-date to obtain that certification. Mr. O'Neil encloses a copy of WAH's Letter of Intent, dated August 2, 2013, to the Maryland Health Care Commission, which describes Adventist HealthCare's plan to file its CON application in October, 2013.

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on September 11, 2013. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides:

- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each

Case No. S-2721

extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

The Board finds that the circumstance described in Mr. O'Neil's letter constitutes "other factors involved in the particular use" for the purposes of Section 59-A-4.53, and that the extension can be granted. Therefore, on a motion by John H. Pentecost, seconded by Stanley B. Boyd, with Carolyn J. Shawaker and David K. Perdue, Vice-Chair in agreement and Catherine G. Titus, Chair, necessarily absent:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letter dated August 12, 2013, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended to October 27, 2014; and

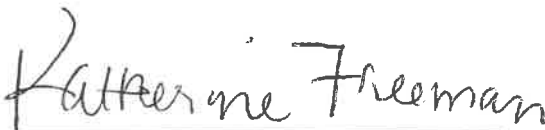
BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



David K. Perdue

Vice-Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 4th day of October, 2013.



Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

**RESOLUTION TO RE-OPEN THE RECORD
AND EXTEND TIME TO IMPLEMENT THE SPECIAL EXCEPTION**

(Resolution Adopted October 24, 2012)
(Effective Date of Resolution: November 8, 2012)

The Board of Appeals has received two letters, each dated October 15, 2012, from Patrick L. O'Neil, Esquire, on behalf of Washington Adventist Hospital. Mr. O'Neil informs the Board that the hospital has filed Site Plan Amendment No. 82008021D regarding minor changes to the overall hospital campus, including an interim condition parking lot. Mr. O'Neil also requests an extension of time to implement the special exception. He explains that implementation of the special exception depends upon issuance of a Certificate of Need (CON) from the Maryland Health Care Commission, and details difficulties in obtaining that certification. Mr. O'Neil expresses the Hospital's intention to re-file its CON application and states, "The leadership of Adventist HealthCare and WAH remain absolutely committed to the current and future success of WAH and its relocation."

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letters at its Worksession on October 24, 2012. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides:

- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of

architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

The Board finds that the circumstance described in Mr. O'Neil's letter constitutes "other factors involved in the particular use" for the purposes of Section 59-A-4.53, and that the extension can be granted. Therefore, on a motion by David K. Perdue, Vice-Chair, seconded by Stanley B. Boyd, with Carolyn J. Shawaker and Catherine G. Titus, Chair, in agreement:


BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letters dated October 15, 2012, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended to October 27, 2013; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.


Catherine G. Titus
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 8th day of November, 2012.


Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO RE-OPEN THE RECORD

(Resolution Adopted March 14, 2012)

(Effective Date of Resolution: May 18, 2012)


The Board of Appeals has received a letter, dated March 5, 2012, from Patrick L. O'Neil, Esquire, on behalf of Washington Adventist Hospital. Mr. O'Neil informs the Board that the hospital "has filed a Limited Site Plan Amendment No. 82008021C regarding minor changes to the overall hospital campus."

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's letter at its Worksession on March 14, 2012. On a motion by David K. Perdue, Vice-Chair, seconded by Walter S. Booth, with Carolyn J. Shawaker, Stanley B. Boyd and Catherine G. Titus, Chair, in agreement:

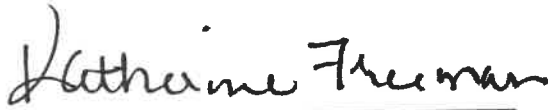
BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Patrick O'Neil's letter of March 5, 2012, with attachments.

Case No. S-2721

A handwritten signature in cursive script that reads "Catherine G. Titus". The signature is written in black ink and is positioned above a horizontal line.

Catherine G. Titus
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 18th day of May 2012.

A handwritten signature in cursive script that reads "Katherine Freeman". The signature is written in black ink and is positioned above a horizontal line.

Katherine Freeman
Executive Director

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO EXTEND TIME TO IMPLEMENT

(Resolution Adopted September 28, 2011)

(Effective Date of Resolution: November 7, 2011)

The Board of Appeals has received a letter, dated September 6, 2011, from Patrick L. O'Neil, Esquire, in behalf of Washington Adventist Hospital. Mr. O'Neil requests an extension of the time to implement the special exception until October 27, 2012. He explains that there has been a delay in issuance of a Certificate of Need by the Maryland Health Care Commission, a necessary component of the special exception project that is beyond Washington Adventist's control.

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered Mr. O'Neil's request at its Worksession on September 28, 2011. Section 59-A-4.53 of the Montgomery County Zoning Ordinance provides, in pertinent part:

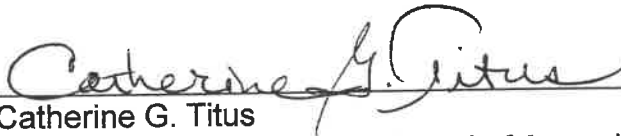
- (c) Extension of time. The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

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The Board finds that Mr. O'Neil's request falls within the requirements of Section 59-A-4.53. Therefore, on a motion by David K. Perdue, Vice-Chair, seconded by Stanley B. Boyd, with Carolyn J. Shawaker, Walter S. Booth and Catherine G. Titus, Chair, in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721, Petition of Washington Adventist Hospital, is re-opened to receive Patrick O'Neil's letter dated September 6, 2011; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the time to implement the special exception is extended until October 27, 2012.


Catherine G. Titus
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 7th day of November, 2011.


Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO MODIFY SPECIAL EXCEPTION

(Resolution Adopted September 22, 2010)

(Effective Date of Resolution: November 18, 2010)

The Board of Appeals has received correspondence, dated September 10, 2010, from Robert G. Brewer, Esquire and Patrick L. O'Neil, Esquire, on behalf of Washington Adventist Hospital (WAH). Mr. Brewer and Mr. O'Neil request administrative modification of the special exception to allow elimination of some of the off-site road improvements required by Condition 5(c) of the Board's October 27, 2008 Opinion granting the special exception. Specifically they request elimination of the requirement for Washington Adventist Hospital to construct northbound double left-turn lanes along Cherry Hill Road at Plum Orchard Drive and at Broadbirch Drive.

Mr. Brewer and Mr. O'Neil state that construction of these lanes is operationally unnecessary. They further state that construction of the lanes would adversely impact the residential townhouse community on the east side of Cherry Hill Road by necessitating relocation of sidewalks, removal of mature trees, removal of additional buffer trees outside of the right-of-way and the extensive re-grading of the slope along Cherry Hill Road. Mr. Brewer and Mr. O'Neil state that the Montgomery County Department of Transportation (DOT) staff and Maryland National Capital Park and Planning Commission (MNCPPC) Transportation Planning staff "agree that the relative utility of the second left-turn lanes on Cherry Hill Road does not warrant creating the impacts to the adjacent community, and therefore concur that they should not be built."

Mr. Brewer and Mr. O'Neil convey DOT staff's and Transportation Planning staff's view that "some additional contribution to areawide traffic relief is needed in order to balance the effects of the proposed changes to the off-site improvements." They inform the Board that both staffs recommend that WAH should 1) extend the length of the existing left-turn lane on northbound Cherry

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Hill Road at Plum Orchard Drive, 2) provide a traffic signal on Broadbirch Drive at the Orchard Center Shopping Center, and 3) make a payment to DOT, roughly equal to the cost savings from not constructing the second left-turn lane on Cherry Hill Road, in the amount of \$488,000. to be available to DOT to make other improvements to increase roadway capacity in the surrounding neighborhood. They attach a summary of Transportation Planning staff's proposed changes to Condition 5(c) as Exhibit A [Exhibit No. 184(a)] to their letter, stating that Transportation Planning staff recognizes that WAH and DOT need some additional flexibility going forward to address other off-site road improvement requirements set forth in the Special Exception in the event that such road improvements are found to be inappropriate."

Finally, Mr. Brewer and Mr. O'Neil inform the Board of Appeals that "On June 24, 2010, the Planning Board reviewed the proposed changes to the Special Exception road improvements, including Transportation Planning staff's recommended alternatives, as part of a hearing for Site Plan Amendment No. 820080210B. Among other things, the site plan amendment allowed the Planning Board to review and comment on the proposed road improvement changes ... and thereby provide recommendations and analysis for the Board of Appeals' ultimate decision on the requested Special Exception changes. By unanimous decision, the Planning Board voted to adopt the site plan amendment and recommend to the Board of Appeals the modified off-site road improvements set forth in Exhibit A."

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The Board of Appeals considered the modification request at its Worksession on September 22, 2010. On a motion by David K. Perdue, Vice-Chair, seconded by Stanley B. Boyd, with Carolyn J. Shawaker, Walter S. Booth and Catherine G. Titus, Chair, in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721 is re-opened to receive Robert G. Brewer, Esquire and Patrick L. O'Neil, Esquire's letter dated September 10, 2010, with attachments [Exhibit Nos. 184-184(f)]; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the request to modify the special exception is **granted**; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that Condition No. 5(c) of the Board of Appeals October 27, 2008 Opinion granting Case No. S-2721 is revised as follows:

- "c. Prior to issuance of the building construction permit (including structural, electrical, plumbing, mechanical, etc. components) for the hospital and/or any other on-site building, the Applicant will be required to have obtained any necessary rights-of-way and/or easements, along with Executive Branch plans approval, and posted bonds for the construction drawings of improvements (including but not limited to intersection widenings, DOT-approved traffic signals, traffic control signs and markings, etc.) to be constructed within the public right-of-way.

Additionally, if any of the road improvements identified in these conditions either are now, or in the future become, obligations of other development projects, applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of participation on a pro-rata basis is the sum of total peak hour trips generated by the subject development relevant to the particular improvement over the sum of total peak hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The road improvements must include:

- i) At the Cherry Hill Road/Broad Birch Drive/Calverton Boulevard intersection:
- Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Broad Birch Drive.
 - Provide a traffic signal at the Broad Birch Drive/Orchard Center Shopping Center driveway, as approved by DOT.
 - Provide, along Broad Birch Drive, improvements that result in two eastbound left turn lanes to northbound Cherry Hill Road, a through lane to eastbound Calverton Boulevard, and a right-turn lane to southbound Cherry Hill Road.
 - Upgrade the existing traffic signal system at the intersection as necessary.
- ii) At the Cherry Hill Road/Plum Orchard Drive/Clover Patch Drive intersection:

Case No. S-2721

- Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Plum Orchard Drive.
 - Extend, along Cherry Hill Road, the existing northbound left-turn lane to westbound Plum Orchard Drive as approved by DOT.
 - Upgrade the existing traffic signal system at the intersection as necessary.
- iii) At the Broad Birch Drive/Plum Orchard Drive intersection:
- Provide a new traffic signal when warranted and approved by DOT.
 - Provide, along Broad Birch Drive, a separate eastbound right-turn lane to southbound Plum Orchard Drive.
 - Provide, along Broad Birch Drive, a separate westbound left-turn lane to southbound Plum Orchard Drive.
- iv) At the Tech Road/Broad Birch Drive intersection:
- Provide a new traffic signal when warranted and approved by DOT.
 - Reconfigure southbound Tech Road approach to Broad Birch Drive – from a through lane and a through-left lane to provide a through-left lane (to southbound Tech Road and eastbound Broad Birch Drive) and a left-turn lane (to eastbound Broad Birch Drive).
 - Reconfigure northbound Tech Road approach to Broad Birch Drive – from a through-right lane and a through lane to provide a right-turn lane (to eastbound Broad Birch Drive) and a through lane (to northbound Tech Road).
 - Reconfigure westbound Broad Birch Drive approach to Tech Road – from a right-turn lane and a left-turn lane to provide a right-turn lane (to northbound Tech Road) and a left-right lane (to southbound Tech Road and northbound Tech Road).
- v) At the Plum Orchard Drive/proposed Southern (Main) Hospital Entrance Driveway/Private Street A:
- Provide a new traffic signal when warranted and approved by DOT.

- Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).
- vi) At the Plum Orchard Drive/Proposed Northern Hospital Entrance Driveway:
- Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).

The aforementioned lane use modifications are subject to DOT approval. If DOT finds the modification(s) is not appropriate, the Applicant shall prepare a cost estimate for the measures necessary to implement the modification(s) for approval by DOT. Applicant shall pay DOT the approved amount(s); DOT will be responsible for implementing the modification(s), or other alternative traffic capacity improvements to serve the US 29/Cherry Hill area of the Fairland Master Plan, at such time as it determines them to be operationally appropriate.

Prior to the issuance of the building permit for the hospital and/or any other on-site building, the Applicant shall pay \$488,000 to Montgomery County Department of Transportation for alternative traffic capacity improvements to serve the US 29/Cherry Hill area of the Fairland Master Plan, which are to be determined jointly by M-NCPPC Transportation Planning and DOT staff. These funds will be in lieu of the cost of constructing a second northbound left turn

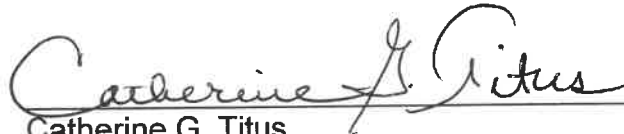
Case No. S-2721

lane on Cherry Hill Road at Broad Birch Drive as previously required by the condition of approval 5(c)(i).

Prior to approval of the roadway construction drawings, Applicant shall provide documentation acceptable to the Executive Branch review agencies that satisfactorily demonstrates the proposed intersection improvements will be adequate to accommodate the turning movements of WB-50 trucks and emergency response vehicles. The aforementioned intersection improvements may be expanded to accommodate these turning movement requirements. If required as a result of Executive Branch approval of the roadway construction (and/or related Signs and Markings Plan), Applicant shall re-stripe Plum Orchard Road. Applicant shall also construct pedestrian refuge islands if approved under that review.

Applicant will be required to relocate any existing underground utilities, at its sole expense, if those utilities will be located within the proposed widened roadway pavement or in conflict with the relocated enclosed storm drain system."

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



Catherine G. Titus

Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 18th day of November, 2010.

Katherine Freeman
Executive Director**NOTE:**

Any party may, within fifteen (15) days of the date of the Board's Resolution, request a public hearing on the particular action taken by the Board. Such request shall be in writing, and shall specify the reasons for the request and the nature of the objections and/or relief desired. In the event that such request is received, the Board shall suspend its decision and conduct a public hearing to consider the action taken.

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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Case No. S-2721

PETITION OF WASHINGTON ADVENTIST HOSPITAL

RESOLUTION TO MODIFY SPECIAL EXCEPTION

(Resolution Adopted March 31, 2010)

(Effective Date of Resolution: April 30, 2010)

The Board of Appeals has received a letter, dated March 23, 2010, from Robert G. Brewer, Jr., Esquire and Patrick L. O'Neil, Esquire on behalf of Washington Adventist Hospital (WAH). Mr. Brewer and Mr. O'Neil request administrative modification of the special exception to allow 1) approval of plan changes since the original special exception was approved on October 27, 2008, including changes made in connection with Site Plan 820080210 and Site Plan Amendment 82008021A incorporating changes required by the Planning Board and as part of the State of Maryland Certificate of Need process; 2) approval of a modified methodology for addressing future special exception modifications; and 3) an extension of time to implement the special exception.

The Board of Appeals granted Case No. S-2721 to Washington Adventist Hospital on October 27, 2008 to permit re-location of the existing hospital in Takoma Park to the West Farm Technology Park. The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

The specific plan changes requested reflect modifications to the footprint and massing of several campus structures, which result in a decrease of the campus's overall density from 803,570 square feet to 792,951 square feet together with changes to the names of two campus buildings. The changes are depicted on revised plans submitted with the modification request and are summarized as follows:

For Medical Office Building 2(MOB2):

- o Modify vehicular entrance (increase width, add median, transformers) and related adjustments (sidewalk, crosswalks, plantings)
- o Revise traffic circle
- o Modify loading dock area and related adjustments (screening)
- o Relocate bike racks to North Garage
- o Add pedestrian connection to adjacent walkway

For the North Garage:

- o Modify the entrance at second level and related adjustments (plantings)
- o Add covered canopy to garage-main building walkway

For the Service Drive Area:

- o Modify the Oxygen farm and add generators
- o Change retaining wall configurations
- o Small shift in helipad location and related adjustments (plantings, service drive configuration, Ambulance Drive configuration)

For the Main Building:

- o Modify building footprint and related adjustments (Building A and former Faith Center connections)
- o Remove 7th floor shell floor
- o Reduce square footage
- o Remove enclosed penthouse
- o Relocate maternity, CV and Intermediate care units
- o Remove chapel and redesign special feature at entry area
- o Modify loading dock area and related adjustments (retaining wall)
- o Modify outside terraces and related adjustments (plantings)
- o Create lawn area extending to the lake and related adjustments (pedestrian connections, retaining walls)
- o Reconfigure Main Building and Emergency drop-off areas and related adjustments (parking, sidewalks, porte-cochere, canopies, transformer)

For Building A (formerly Ambulatory Care Building):

- o Modify building footprint and related adjustments (plantings, sunken garden, Main Building and former Faith Center connections, elevations)
- o Increase square footage
- o Consolidate Career Center and Mental Health services
- o Redesign rear drop area and related adjustments (canopy)

For the Center for Spiritual Life and Healing (formerly Faith Center):

- o Modify building footprint and related adjustments (cellar, Main Building and Building A connections, canopies, terraces, plantings)

For the South Garage:

- o Modify footprint and related adjustments (circulation, elevator core, stairs, pedestrian connections, entrance locations, hardscape, Street A/B intersection location, plantings)
- o Implement two below-grade levels (four above-grade levels remain)
- o Add transformers and screening

For Medical Office Building 1 (MOB1):

- o Modify building footprint and related adjustments (elevation reduction, canopies, terrace, plantings, healing gardens, pathways)
- o Reduce square footage
- o Change entrance location and related adjustments (arrival plaza)
- o Relocate loading dock access and related adjustments (hardscape, screening)
- o Add service access road at rear of building and tot lot area

For the Overall Site:

- o Modify campus canopy system
- o Modify hardscape
- o Increase connectivity between the Main Building, Building A and the former Faith Center
- o Modify the Lake trail amenity
- o Modify design, massing and aesthetics of buildings, grading, utility design, sidewalks, service drive, Ambulance Drive, transformer locations and retaining wall(s) in association with other revisions
- o Modify Landscape Plan, Forest Conservation Plan, stormwater management, sewer and water, and other relevant plans to accommodate other revisions

Condition No. 9 of the Board's October 27, 2008 Opinion granting the special exception provides:

9. The hospital campus must be developed in accordance with the final site, landscape, architectural, engineering and lighting plans submitted prior to closure of the record, unless changed at site plan review. This special exception is conditioned upon approval at site plan review. If the submitted plans and/or specifications for this project change at site plan review in any

material [emphasis added] way, Petitioner must timely apply to the Board of Appeals for an administrative modification of the special exception to substitute the revised plans and specifications.

Interpreting Condition No. 9, Mr. Brewer and Mr. O'Neil state that "[W]hile the term 'material' may not be defined, it is clear that not all plan changes [approved during the Planning Board Site plan process] need to be captured within the Special Exception plans." They propose a revision of Condition 9 "to further clarify which plans should be modified when there are future material changes to the Special Exception plan":

"The hospital campus must be developed in accordance with the final site, landscape [~~DELETE: architectural, engineering~~] and lighting plans submitted prior to closure of the record, unless changed at site plan review. This special exception is conditioned upon approval at site plan review. ADD: At the time of filing any site plan amendment, Petitioner must submit the site plan cover letter, which itemizes the changes being sought, to the Board of Appeals. If the submitted plans and/or specifications for this project change at site plan review in any material way, ADD: as determined by either the Board of Appeals or the Planning Board, Petitioner must timely apply to the Board of Appeals for an administrative modification of the special exception to substitute the revised plans and specifications."

WAH also proposes to add the following Note to all special exception plans, beginning with this modification, to clarify the relationship between and the respective authority of the special exception plans and the site plan documents:

"NOTE:

This Special Exception plan sets the general framework for the hospital campus. Adjustments to the building layout, hardscape, landscape, lighting location, grading and/or utilities may be reflected in the most recent Site Plan approved by the Planning Board (currently Site Plan No. 82008021A). Non-material specifications of any such elements in the applicable Certified Site Plan do not require a modification of this Special Exception Plan. "

Mr. Brewer and Mr. O'Neil's letter states that the intent of the note is also to provide direction to the Department of Permitting Services to enforce the more detailed Planning Board site plan in case minor inconsistencies arise between that plan and the special exception plans.

WAH also requests an extension of time to implement the special exception until October 27, 2011. In support of this request, the hospital cites the size and complexity of the project, the multiple levels of regulatory reviews it

must undergo, and the large number of off-site road improvements, required by the special exception and which have "contributed to the slow pace of site development."

The Board of Appeals considered the modification at its Worksession on March 31, 2010. Mr. O'Neil and William Kominers, Esquire appeared on behalf of WAH. Susan Scala-Demby of the Department of Permitting Services was also present at the Worksession. Ms. Scala-Demby stated her belief that the Department can work with the modification and enforcement procedure proposed by WAH. Section 59-G-1.3(c)(1) of the Montgomery County Zoning Ordinance provides, pertaining to modification of special exceptions:

If the proposed modification is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood, the Board, without convening a public hearing to consider the proposed change, may modify the term or condition.

Section 59-A-4.53(c) of the Zoning Ordinance, pertaining to extensions of time to implement, provides:

The board may extend the time limit for a variance or special exception if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. For a special exception, each extension must not exceed 12 months. If the board grants an extension, the board must set a date by which the erection or alteration of the building must be started or the use established.

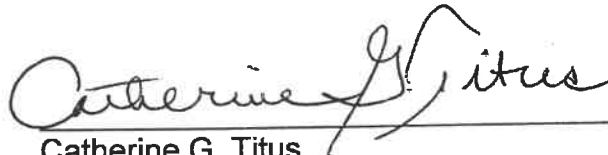
The Board finds that the requested plan changes, though numerous, will have little discernible outward impact. The Board further finds that the proposed methodology for addressing future changes to the special exception, as outlined in proposed revised Condition No. 9 and the proposed Note to be added to special exception plans, will clarify and support the implementation and enforcement of the special exception, and should be adopted. Finally, the Board finds that the information provided in support of the request to extend the implementation period falls within the requirements of Section 59-A-4.53(c). Therefore, on a motion by David K. Perdue, Vice-Chair, seconded by Carolyn J. Shawaker, with Walter S. Booth, Stanley B. Boyd and Catherine G. Titus, Chair, in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-2721, Petition of Adventist Healthcare,

Inc., is re-opened to receive Robert Brewer and Patrick O'Neil's letter dated March 23, 2010, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the request to modify the special exception is granted; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



Catherine G. Titus
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 30th day of April, 2010.



Katherine Freeman
Executive Director

NOTE:

Any party may, within fifteen (15) days of the date of the Board's Resolution, request a public hearing on the particular action taken by the Board. Such request shall be in writing, and shall specify the reasons for the request and the nature of the objections and/or relief desired. In the event that such request is received, the Board shall suspend its decision and conduct a public hearing to consider the action taken.

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for

Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
www.montgomerycountymd.gov/content/council/boa/index.asp

(240) 777-6600

Case No. S-2721

**PETITION OF ADVENTIST HEALTHCARE, INCORPORATED
BY GEOFFREY A. MORGAN**

OPINION OF THE BOARD

(Opinion Adopted September 10, 2008)

(Effective Date of Opinion: October 27, 2008)

Case No. S-2721 is an application for a special exception, pursuant to Section 59-G-2.31 of the Zoning Ordinance, to permit the relocation of Washington Adventist Hospital from its current location in Takoma Park to a new site in West Farm Technology Park. The Hearing Examiner for Montgomery County held a hearing on the application on May 5, 2008, closed the record in the case on August 15, 2008, and on August 19, 2008 issued a Report and Recommendation for approval of the special exception.

The subject property is Lot BB, CC, RR, SS and MMM, Westfarm Technology Park Subdivision, located at 12030-12110 Plum Orchard Drive, Silver Spring, Maryland, 20904, in the I-1 and I-3 Zone.

Decision of the Board: Special exception **granted**, subject to
The conditions enumerated below.

The Board of Appeals considered the Hearing Examiner's Report and Recommendation at its Worksession on September 10, 2008. The Board commends the Applicant for a thorough and well thought out application. After careful consideration and review of the record, and with slight revisions to Conditions three, eight, eleven and twelve, the Board adopts the Report and Recommendation, and grants the special exception subject to the following conditions:

1. Petitioner must comply with the conditions of the Preliminary Forest

Conservation Plan (PFCP) and any Final Forest Conservation Plan approved by the Planning Board. The PFCP conditions include:

- a. Revise the PFCP to include the following:
 - i. Avoid or minimize disturbance of environmental buffers, including wetlands. Revisions must be consistent with the two revised site plans (entitled "North Parking Garage and MOB2 Plan Revision" and "Main Hospital Entry Site Plan Revision") and alternate waterline plan (entitled "Alternate Waterline Location Plan").
 - ii. Show proposed limits of disturbance that avoid environmental buffers and that are realistically located with respect to proposed structures.
 - b. Category I conservation easement must be placed over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include a County stormwater management easement.
 - c. Category I conservation easement must be shown on record plats.
2. Petitioner must comply with Montgomery County green building requirements.¹
 3. Revise all forest conservation plans to avoid or minimize disturbance of environmental buffers, including wetlands, consistent with the two revised site plans and waterline alignment plan (entitled "North Parking Garage and MOB2 Plan Revision" and "Main Hospital Entry Site Plan Revision" and the "Alternate Waterline Alignment" plan received March 27, 2008).
 4. Coordinate with MNCPPC and County DPS to implement measures to maintain water flow to the forested wetland and its buffer near the northern parking garage. Cleaner water discharges from rooftops, green roofs, etc., should be examined to replace surface and groundwater flows lost to upstream development.
 5. To ensure adequacy of public facilities, Petitioner must satisfy the following conditions:²
 - a. Limit development on the property as part of this special exception and future Site Plan for the property to a total built density of 803,570 square-

¹ This conditions differs from Condition #2 proposed by the Planning Board because that condition called for Petitioner to revise its special exception site plan relating to parking, and Petitioner has already done so in filing its amended Composite Special Exception Site Plan (Exhibit 161(e)).

² The conditions listed are those recommended jointly by Technical Staff and DOT (Exhibit 176) following the hearing. They preserve the intent of the Planning Board recommendations, but have been updated to include modifications sought by DOT after the hearing.

feet, including a main hospital building, an ambulatory care building, a faith center, two medical office buildings, two parking structures, and a helipad. No additional uses may be permitted on the property unless the special exception is modified within the APF validity period.

- b. Implement road improvements and other installations required in Conditions c, g, h, i, j and k as described in the schedule below. The Applicant must complete and submit to Montgomery County Department of Transportation (DOT) conceptual designs for the road improvements and other installations, including signal warrant studies, at least 45 days in advance of the Planning Board's public hearing on the Applicant's Site Plan. Where possible, the Applicant may meet the provision of required turn lanes in some cases by restriping existing paving. Final design drawings for the road improvements and other installations must be submitted to all relevant permitting agencies prior to the release of building permits for the hospital. At the time of submission of completed designs to permitting agencies, the Applicant must post one or more surety or cash bonds in the amount estimated by its engineers (and approved by the Planning Board staff) that represent the cost of construction of such road improvements and other installations. Bonds must be posted with DOT or if DOT does not accept them, with the Planning Board on an interim basis to be released to the Applicant at such time as the permitting agencies accept bonds for equivalent purposes. Upon issuance of permits, the Applicant must proceed diligently with construction of the road improvements and other installation.

The Applicant must provide notice to Planning Board staff that final inspections for the use and occupancy permit have begun. Prior to the issuance of any use and occupancy permit for the hospital and/or any other on-site building, all road improvements and other installations must be substantially complete and open to traffic as determined by Planning Board staff.

- c. Prior to issuance of the building construction permit (including structural, electrical, plumbing, mechanical, etc. components) for the hospital and/or any other on-site building, the Applicant will be required to have obtained any necessary rights-of-way and/or easements, along with Executive Branch plans approval, and posted bonds for the construction drawings of improvements (including but not limited to intersection widenings, DOT-approved traffic signals, traffic control signs and markings, etc.) to be constructed within the public right-of-way.

Additionally, if any of the road improvements identified in these conditions either are now, or in the future become, obligations of other development projects, applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of

participation on a pro-rata basis is the sum of total peak hour trips generated by the subject development relevant to the particular improvement over the sum of total peak hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The road improvements must include:

i) At the Cherry Hill Road/Broad Birch Drive/Calverton Boulevard intersection:

- Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Broad Birch Drive.
- Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Broad Birch Drive.
- Provide, along Broad Birch Drive, improvements that result in two eastbound left turn lanes to northbound Cherry Hill Road, a through lane to eastbound Calverton Boulevard, and a right-turn lane to southbound Cherry Hill Road.
- Upgrade the existing traffic signal system at the intersection as necessary.

ii) At the Cherry Hill Road/Plum Orchard Drive/Clover Patch Drive intersection:

- Provide, along Cherry Hill Road, a southbound right-turn lane to westbound Plum Orchard Drive.
- Provide, along Cherry Hill Road, a second northbound left-turn lane to westbound Plum Orchard Drive.
- Upgrade the existing traffic signal system at the intersection as necessary.

iii) At the Broad Birch Drive/Plum Orchard Drive intersection:

- Provide a new traffic signal when warranted and approved by DOT.
- Provide, along Broad Birch Drive, a separate eastbound right-turn lane to southbound Plum Orchard Drive.
- Provide, along Broad Birch Drive, a separate westbound left-turn lane to southbound Plum Orchard Drive.

iv) At the Tech Road/Broad Birch Drive intersection:

- Provide a new traffic signal when warranted and approved by DOT.
- Reconfigure southbound Tech Road approach to Broad Birch Drive – from a through lane and a through-left lane to provide a through-left lane (to southbound Tech Road and eastbound Broad Birch Drive) and a left-turn lane (to eastbound Broad Birch Drive).

- Reconfigure northbound Tech Road approach to Broad Birch Drive – from a through-right lane and a through lane to provide a right-turn lane (to eastbound Broad Birch Drive) and a through lane (to northbound Tech Road).
 - Reconfigure westbound Broad Birch Drive approach to Tech Road – from a right-turn lane and a left-turn lane to provide a right-turn lane (to northbound Tech Road) and a left-right lane (to southbound Tech Road and northbound Tech Road).
- v) At the Plum Orchard Drive/proposed Southern (Main) Hospital Entrance Driveway/Private Street A:
- Provide a new traffic signal when warranted and approved by DOT.
 - Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).
- vi) At the Plum Orchard Drive/Proposed Northern Hospital Entrance Driveway:
- Provide, along Plum Orchard Drive, a separate northbound left-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along Plum Orchard Drive, a separate southbound right-turn lane into the proposed hospital driveway if approved by DOT under the Signs and Markings Plan.
 - Provide, along the proposed hospital driveway, separate outbound right-turn and left-turn lanes (to southbound and northbound Plum Orchard Drive respectively).

The aforementioned lane use modifications are subject to DOT approval. If DOT finds the modification(s) is not appropriate when the applicant applies for the first building construction permit, the Applicant shall prepare a cost estimate for the measures necessary to implement the modification(s), for approval by DOT. Applicant shall pay DOT the approved amount(s); DOT will be responsible for implementing the modification(s) at such time as it determines them to be operationally appropriate.

Prior to approval of the roadway construction drawings, Applicant shall provide documentation acceptable to the Executive Branch review agencies that satisfactorily demonstrates the proposed intersection improvements will be adequate to accommodate the turning movements of WB-50 trucks and emergency response vehicles. The aforementioned intersection improvements may be expanded to accommodate these turning movement requirements.

If required as a result of Executive Branch approval of the roadway construction (and/or related Signs and Markings Plan), Applicant shall re-stripe Plum Orchard Road. Applicant shall also construct pedestrian refuge islands if approved under that review.

Applicant will be required to relocate any existing underground utilities, at its sole expense, if those utilities will be located within the proposed widened roadway pavement or in conflict with the relocated enclosed storm drain system.

- d. Provide hospital-oriented employee shuttle(s) for main shift employees to and from the Metrorail system for a total of 10 years from the date the hospital opens to the public or until an earlier date if the Planning Board determines that area public transit service adequately meets the needs of these employees. The details of the shuttle operation (routes, locations, headways, etc.) must be determined at the time of Site Plan. Logistics related to the operation of the employee shuttle(s) must be in place prior to release of the first occupancy permit for the hospital and/or any other on-site building. The employee shuttle service must start operation at least a week prior to formal opening of the proposed hospital.
- e. The applicant shall submit a Memorandum of Understanding (MOU) to implement a Transportation Management Program (TMP) for the proposed hospital at the time of Site Plan. The applicant, the Maryland-National Capital Park and Planning Commission and the Department of Transportation shall each be signatory parties on the MOU for the TMP for this project. The MOU and the TMP must be finalized and entered into prior to the release of building permits for the proposed hospital and/or any other on-site building.

The TMP must designate a Transportation Coordinator at the hospital. The TMP must also include a periodic reporting mechanism such as a semi-annual performance review of the program by DOT or the Planning Board staff, as well as periodic reports to a Community Liaison Committee that may include members of the local community, area businesses and institutions, and Citizen Advisory Committees. In addition, the program must consider transit subsidies to employees, establishment of creative transportation accessibility options for employees, patients and visitors,

- installation of transportation/transit information display areas or kiosks in prominent locations throughout the hospital for employees, patients and visitors, and joint operation of local non-employee circulator shuttles in the area with other businesses/uses.
- f. Provide adequate internal connecting roadways, sidewalks, handicapped ramps and crosswalks to ensure safe and efficient vehicular/pedestrian connections. The applicant must submit a vehicular/non-vehicular circulation plan for the campus at the time of Site Plan for review by Transportation Planning staff, DOT, and the Montgomery County Department of Permitting Services (DPS).
 - g. Construct a multi-bus pulloff facility(s) with canopy structure(s) in the vicinity of the hospital site. This is in lieu of the Planning Board's recommendations set forth in Section 5(g-j) of the Planning Board Recommendations for various bus shelters in the vicinity of the hospital. The location and conceptual design details for the facility(s) shall be resolved at the Site Plan stage. To the extent the multi-bus pulloff facility(s) is not equivalent to the Planning Board's recommendations, the Applicant will provide additional bus shelters or other equivalent amenity. These equivalency issues will be resolved at the time of Site Plan.
 - h. Provide, with approval from DOT, pedestrian countdown/APS signals at the Cherry Hill Road intersections with Broad Birch Drive/Calverton Boulevard and Plum Orchard Drive/Clover Patch Drive. The pedestrian countdown/APS signals must be installed at these intersections under permit in conjunction with the aforementioned intersection improvements. In the event the pedestrian countdown/APS signals are not approved by DOT, the applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.
 - i. Provide, with approval from DOT, pedestrian countdown/APS signals at the Plum Orchard Drive intersection with the proposed Southern Hospital Entrance Driveway/Private Street A (main hospital entrance) if the proposed traffic signal at this intersection is approved by DOT. The pedestrian countdown/APS signals must be installed at this intersection under permit in conjunction with the aforementioned intersection improvements. In the event the pedestrian countdown/APS signals are not approved by DOT, the applicant may substitute these with other available non-auto facilities of equivalent or greater mitigation value.
 - j. Relocate any existing pedestrian countdown and accessible pedestrian signals, at Applicant's sole expense, as part of any widenings of existing signalized intersections. In the event the County has already installed pedestrian countdown and accessible pedestrian signals at intersection(s) required of the Applicant, the Applicant obtain necessary plan approvals

and posted bonds to install such signals at other nearby signalized intersection(s) prior to issuance of the building construction permit (including structural, electrical, plumbing, mechanical, etc. components) for the hospital and/or any other on-site building.

- k. Prior to issuance of the building permit for the hospital and/or any other on-site building, Applicant shall pay the County \$40,000 for the future installation of two real-time transit information signs to be installed in the vicinity of the site. Applicant will be responsible for installing the necessary equipment, conduit, electrical connections, etc. to allow the County to install one real-time transit information sign each in the hospital and in the canopy structure once that program becomes operational. Applicant to grant necessary permission to allow County staff to access and maintain the real-time transit information sign, if one is installed within the hospital as proposed.
 - l. Provide bike lockers and bike racks on the hospital campus as required by the Montgomery County Code. The bike locker and bike rack locations must be determined and finalized at the time of Site Plan.
6. The Petitioner shall be bound by all of its testimony and exhibits of record, and by the testimony of its witnesses and representations of counsel to the extent that such evidence and representations are identified in the Hearing Examiner's Report and Recommendation and in the opinion of the Board.
 7. Petitioner may employ approximately 2,000 employees to serve staffing requirements for approximately 1,300 full-time equivalent employees. Approximately 500 additional employees will work in the two medical office buildings ("MOBs") on the Campus.
 8. Petitioner's hours of operation are 24 hours per day, seven days a week. Working hours for staff will be arranged in eight to ten different shifts, which shall be coordinated in the Transportation Management Plan to minimize traffic impacts, consistent with hospital needs.
 9. The hospital campus must be developed in accordance with the final site, landscape, architectural, engineering and lighting plans submitted prior to closure of the record, unless changed at site plan review. This special exception is conditioned upon approval at site plan review. If the submitted plans and/or specifications for this project change at site plan review in any material way, Petitioner must timely apply to the Board of Appeals for an administrative modification of the special exception to substitute the revised plans and specifications.
 10. All signs placed on the property must meet the requirements of Zoning Ordinance Article 59-F in terms of number, location, size and illumination, or appropriate variances obtained therefor. Sign permits must be obtained, and

copies of those permits should be filed with the Board of Appeals prior to posting.

11. Petitioner shall maintain a log of helicopter flights to and from the hospital to insure that it is being used only for emergency purposes, which is the basis for its permitted use status under Zoning Ordinance §59-A-6.6. "Emergency" in this context shall be broadly construed to include all flights deemed medically necessary for individual patients. The log shall indicate at least the date and time of flight, the destination and origination points, the operator of the helicopter, and the reason for the flight (Patient names or identification numbers, if included, shall be handled so as to protect patient privacy rights). The log shall be made available for review by the Department of Permitting Services upon request.
12. Petitioner shall review the helicopter flight paths and determine which flight paths will minimize disturbance to the surrounding community. To the extent that the hospital has control over the flight paths used, it shall establish a preference, consistent with safety and operational concerns, for using the flight paths which minimize disturbance to the surrounding community. If Petitioner does not control the flight paths, then it shall consult with the appropriate controlling authority to encourage use of the flight paths which minimize disturbance to the surrounding community, without adversely impacting safety and operational considerations. The results of Petitioner's review shall be submitted to the Board within six months after the relocated helipad becomes operational.
13. The requirement of Zoning Ordinance §59-E-1.3(a) that a parking facility be located within a 500-foot walking distance of the establishment served is waived so that the North Parking Garage may be located at a walking distance of up to 560 feet from the Main Building of the Hospital. Use of the North Parking Garage to access the Main Hospital Building should be restricted to hospital staff, in light of this waiver. This restriction does not apply to users of Medical Office Building 2 (MOB2), which is located practically adjacent to the North Parking Garage.
14. Petitioner must create a Community Liaison Committee (CLC) to discuss and address issues of concern to Petitioner and/or the community, especially those within sight and sound of the new property. The CLC may be established under the auspices of the Fairland Master Plan Citizens Advisory Committee, if that Group is amenable, or it may exist as an independent entity. The CLC shall consist of Petitioner's representative and representatives from the Fairland Master Plan Citizens Advisory Committee, the Calverton Citizens Association, Riderwood Village, West Farm Homeowners Association, Greater Colesville Citizens Association, Tamarac Triangle Citizens Association, Paint Branch/Powder Mill Estates Citizens Association, and any other nearby civic association or homeowners association wishing to participate. The People's Counsel will serve as an *ex officio* member of the CLC. The CLC is intended to provide a means and mechanism for communication and interaction between the hospital and its neighbors. The CLC must have an initial organizational

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

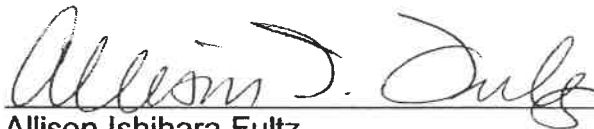
Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

meeting prior to the start of construction, and meet three times a year until construction is completed. Once the hospital is open to the public, the CLC must thereafter meet at least two times each year. Minutes of meetings must be taken and distributed, and the CLC must prepare an annual report to be submitted to the Board of Appeals. There will be no requirements for a quorum, voting, or specific attendance. Community groups must be invited and notified, but they may attend at their own election and based upon their own degree of interest.

15. Petitioner must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits and use and occupancy permits, necessary to occupy the special exception premises and operate the special exception as granted herein. Petitioner shall at all times ensure that the special exception use and premises comply with all applicable codes (including but not limited to building, life safety and handicapped accessibility requirements), regulations, directives and other governmental requirements.

On a motion by David K. Perdue, seconded by Catherine G. Titus, Vice-Chair, with Wendell M. Holloway and Allison Ishihara Fultz, Chair, in agreement, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.



Allison Ishihara Fultz
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 27th day of October, 2008.



Katherine Freeman
Executive Director

NOTE:

