



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

**DEC 20 2010**

**MCPB No. 10-135**  
**Preliminary Plan No. 120100220**  
**Montgomery General Hospital**  
**Date of Hearing: September 16, 2010**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board (“Planning Board” or “Board”) is vested with the authority to review preliminary plan applications; and

WHEREAS, on February 16, 2010, Montgomery General Hospital, Inc. (“Applicant”), filed an application for approval of a preliminary plan of subdivision of property that would create 2 lots on 14.61 acres of land in the R-60 zone, located in the Northwest quadrant of the intersection of Olney-Sandy Spring Rd (MD 108) and Prince Philip Drive (“Property” or “Subject Property”), in the Olney master plan area (“Master Plan”); and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120100220, Montgomery General Hospital (“Preliminary Plan” or “Application”); and

WHEREAS, Planning Board staff (“Staff”) issued a memorandum to the Planning Board, dated August 23, 2010, setting forth its analysis, 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 staff of other governmental agencies, on September 16, 2010, 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 September 16, 2010, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Alfandre; seconded by Commissioner Dreyfuss; with a vote of 4-0, Commissioners Alfandre, Carrier, Dreyfuss, and Wells-Harley voting in favor, Commissioner Presley being absent.

Approved as to  
 Legal Sufficiency:

*Christina Sorent* 12/1/10

8787 Georgia Avenue Prince Georges County, MD 20110 Chairmans Office: 301.495.4605 Fax: 301.495.1320

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NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120100220 to create 2 lots on 14.61 acres of land in the R-60 zone, located in the Northwest quadrant of the intersection of Olney-Sandy Spring Rd (MD 108) and Prince Philip Drive ("Property" or "Subject Property"), in the Olney master plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to 1 lot for two physician's office buildings of 60,000 square feet each, for a total of 120,000 square feet of medical office uses; and 1 lot for an existing structure containing an existing use approved by Special Exception Case S-511 on November 24, 1976.
- 2) All conditions of the Special Exception Opinion effective January 29, 2010, remain in full force and effect.
- 3) The Applicant must comply with the conditions of approval for the final forest conservation plan. The Applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits, as applicable. These conditions include but are not limited to:
  - a. Revise the worksheet to show the site's reforestation/afforestation requirement not to exceed 2.0 acres (with these combined totals). Remove the calculations for landscape credit for shade trees proposed in the parking lot. Also show in the worksheet the remainder of the site's reforestation requirement (that portion above 0.16 acres) as being met off-site and adjust the worksheet accordingly.
  - b. Show the 40 foot-wide landscape buffer along the west property line as a continuation of the Category II Conservation Easement and show this buffer's square footage up to the closest 1/100<sup>th</sup> of an acre.
- 4) The Applicant must dedicate, and show on the final record plat, a minimum of 40 feet from the road right-of-way centerline for Prince Philip Drive (consistent with the *2005 Approved and Adopted Olney Master Plan*) along the entire frontage of the existing property.
- 5) The Applicant must dedicate and show on the final record plat a minimum of 75 feet from the road right-of-way centerline for Olney-Sandy Spring Road (MD 108) along the frontage of the existing property.
- 6) The Applicant must satisfy the Policy Area Mobility Review (PAMR) requirements of the Adequate Public Facilities (APF) test by constructing the proposed "Olney Transit Center" along the east side of Prince Philip Drive as shown on the Preliminary Plan. The transit center must be completed and available for use within 12 months of the issuance of the building permit for Phase 1 of the Preliminary Plan (i.e., Physician Office Building No. 3), but not later than issuance of the use and occupancy permit for Physician Office Building No. 3.

- 7) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated August 23, 2010. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 8) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 9) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated April 27, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 10) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
- 11) Other necessary easements must be shown on the record plat.

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

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

The 2005 Approved and Adopted Olney Master Plan recognizes the central role Montgomery General Hospital plays in Olney. The Master Plan notes that the hospital is the largest employer in the area and that the facility is expected to grow approximately 10 percent over the next 10 years. While the Master Plan focuses commercial growth in Olney in the mixed-use Town Center and discourages any rezoning or special exception petitions that are outside the Town Center, it states that "future expansion of Montgomery General Hospital should be supported on its main campus as well as on the vacant site across the street from the main campus." The Planning Board finds the proposed uses on the vacant site identified in this Preliminary Plan substantially conform to the Master Plan's vision for the appropriate growth of Montgomery General Hospital because the buildings will contain medical offices that will directly support the hospital use.

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

The Adequate Public Facilities (APF) review for this Preliminary Plan required a traffic study per the *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines* since the proposed 120,000 square-foot office buildings

will generate 30 or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods.

The Applicant submitted a LATR/PAMR traffic study dated March 2010 that examined the traffic-related impacts of the proposed development on nearby intersections and at the site driveway. Peak-hour trips estimated to be generated by the proposed office buildings were determined using the Institute of Transportation Engineers (ITE) trip generation rates for a 120,000 square-foot medical office building (ITE Trip Generation Land Use Code 720; Medical-Dental Office Building). Based on these rates, the proposed development was estimated to generate approximately 276 total trips during weekday morning peak-hour and 416 total trips during the weekday evening peak-hour. As a site within the Olney Policy Area, this development is also required to mitigate 10% of its “new” peak-hour trips to satisfy the PAMR requirements of the APF test, therefore requiring mitigation of 42 peak-hour trips.

As provided for in Section I of the *LATR/PAMR Guidelines*, a non-auto facility such as a “transit center” can be considered as trip mitigation to address both LATR and PAMR impacts associated with a development.

Following *LATR/PAMR Guidelines*, to meet the PAMR mitigation requirement of the development, the Applicant is providing the non-auto facility (the proposed “Olney Transit Center” transit facility) that can accommodate buses providing both local and regional transit service on the hospital’s East Campus parking lot. The proposed transit facility on the hospital campus can therefore be considered to provide “traffic mitigation” within the Olney Policy Area. The Planning Board finds this transit facility will satisfy needs of both the local community and that of the transit agencies and will include bays and shelters for up to four buses on the east side of Prince Philip Drive on the hospital property.

The cost of the proposed transit facility was estimated by the Applicant to be approximately \$959,526, broken down as follows: \$360,075 for construction, \$90,019 for construction management, and \$509,432 for the land. With a total cost of approximately \$960,000, the transit facility can be estimated to mitigate approximately 87 peak-hour trips (using a rate of \$11,000 per peak-hour trip mitigated, as established by the Planning Board). The Planning Board finds with the planning, design, and construction of the proposed transit facility by the Applicant, this application satisfies the PAMR requirements of the development.

#### Other Public Facilities and Services

The Application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has adequate access for fire and rescue vehicles. Other public facilities and services, such as police stations,

firehouses and health services, are operating within the standards set by the Growth Policy Resolution currently in effect. The Property will be served by public water and sewer, and gas, electric, and telecommunications facilities are also available to serve the site.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Planning Board finds the Application meets all applicable sections, and the proposed size, width, shape and orientation for the lots are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for hospital special exceptions as specified in Section 59-G-2.31 of the Zoning Ordinance. The Planning Board finds the lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks.

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

#### Environmental Guidelines

A Natural Resources Inventories/Forest Stand Delineations (NRI/FSD) #420080480 was approved by Environmental Planning Staff on November 14, 2007. There are no streams, wetlands, or 100-year floodplain on-site; however, there are Patuxent River Primary Management Area (PMA) boundaries that extend onto the Property from properties adjacent to the northern and southern ends of the site. The Environmental Guidelines state that properties for which the PMA guidelines are applicable, but that have an existing zoning density greater than RE-2, will be subject to "nonconformance requirements". The nonconformance requirements consist of applying stormwater management and best management practices to the Property that will minimize the impacts of the higher density zones, and particularly higher levels of imperviousness, on water quality. Best management practices proposed for this project include green roofs on both of the proposed buildings where approximately 85% of the roofs will be vegetated, as well as vegetated islands running the length of the parking lot which are designed to filter the pavement runoff before it reaches the storm drain inlets. The storm drain inlets were redesigned with open bottoms with gravel storage rather than the typical concrete bottoms to maximize the potential for groundwater recharge. These measures were added to provide redundancy as the site will also be served by structural water quality measures that provide control for the entire site. These water quality measures are separate from the channel protection volume or quantity controls also being provided

for the site via the Lake Hallowell regional pond. The Planning Board finds the best management practices included in the Preliminary Plan meet the requirements of the Patuxent River PMA by providing additional water quality benefits on-site.

#### Forest Conservation

The Planning Board conditionally approved Preliminary Forest Conservation Plan (PFCP) #CBA-2521-J concurrently with its review of the site's Special Exception Modification on June 4, 2009. A final forest conservation plan (FFCP) was proposed for approval as part of the Board's review of this Preliminary Plan. The FFCP's proposed limits of disturbance (LOD) are in general conformance with the site's LOD as shown on the PFCP approved during the review of the Special Exception.

Existing forest on-site totals 0.4 acres including 11 specimen and 9 significant trees. Fifteen of the 20 trees will be retained at post development. Two additional significant trees (#19 and #20) now shown on the FFCP were not previously shown at the PFCP review. Trees #19 and #20 are located on off-site Area 'B' on the east side of Prince Philip Drive in front of the main hospital where the transit center will be constructed. Both trees are inside the LOD and will be removed for planned public improvements. A variance to Section 5-1607(c) of the Natural Resources Article, MD Ann. Code is not required as part of the review of this final forest conservation plan because the PFCP was approved by the Planning Board with the Special Exception prior to the effective date of the variance provision.

The site's conservation requirement, 2.64 acres, is proposed to be met entirely on-site as landscape credit with native shade trees in parking lot islands and a buffer along the site's western property line. The worksheet shows the requirement being exceeded in a combined total of 3.12 acres of afforestation/reforestation. Landscape credit cannot exceed 2.0 acres on-site (1.84 acres + 0.16 acres of reforestation). This proposal is not supported because there are critical root zone (CRZ) conflicts with storm drain pipes and areas of tree canopy impacts from proposed light fixtures. The Planning Board does not support landscape credit for trees in the parking lot where a tree's growth and survival is compromised by its proximity to storm drain pipes. The light fixture impacts run contrary to ever achieving 20-year canopy coverage. The revised FFCP only addresses elimination of overlapping tree canopies, so the Planning Board recommends additional changes to the FFCP. The majority of the site's afforestation requirement can be met on-site with 20 percent of the reforestation requirement and including landscape credit for a buffer along the site's west property line. The site's remaining requirement exceeds one-half acre and must be met off-site with the worksheet revised accordingly.

The recommended conditions of approval of this Preliminary Plan specify changes that must be made to the FFCP prior to its certification. Other minor required FFCP revisions are included in the attached June 23, 2010 Environmental Planning Staff

letter to the Applicant. These revisions must be made in compliance with the forest conservation regulations and in conformance with the previous conditions of approval for the PFCP.

5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.*

The MCDPS water resources section approved the stormwater management concept plan on April 27, 2009. The concept includes a series of proposed underground stormwater filters with infiltration trenches, which is consistent with the final forest conservation plan. The stormwater concept also includes on-site water quality controls and on-site recharge areas as a combination of pre-treated underground filtration devices and recharge trenches.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 60 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Land Records of Montgomery County, Maryland or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 20 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 Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).


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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner

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Alfandre, with Vice Chair Wells-Harley and Commissioners Alfandre and Presley voting in favor of the motion, and with Chair Carrier and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, December 9, 2010, in Silver Spring, Maryland.

  
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Marye Wells-Harley, Vice Chair  
Montgomery County Planning Board