



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

**MAY 22 2013**

MCPB No. 13-88  
Site Plan No. 820120180  
Suburban Hospital  
Date of Hearing: April 18, 2013

**RESOLUTION**

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on May 22, 2012, Suburban Hospital, Inc. ("Applicant"), filed an application for approval of a site plan for a 253,597-square foot addition to an existing 323,100-square-foot hospital (not including useable cellar space) and a 36-foot tall parking structure on 15.17 acres of R-60 zoned-land, located on the block bounded by Old Georgetown Road, Grant Street, Southwick Street, and McKinley Street ("Subject Property"), in the Bethesda/Chevy Chase Policy Area, and in the Bethesda-Chevy Chase Master Plan ("Master Plan") area; and

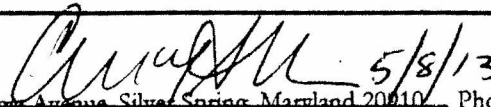
WHEREAS, the Subject Property had previously received approval by the Montgomery County Board of Appeals i) on October 20, 2010 of Special Exception S-274-D, with conditions to modify an existing special exception for hospital use, and ii) on July 23, 2012 of Variance Case Nos. A-6364 thru A-6377, with conditions to allow for construction of a hospital addition, a garage, and a drive aisle consistent with Special Exception S-274-D; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820120180, Suburban Hospital ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued memoranda to the Planning Board, dated April 5, 2013, and April 18, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (collectively "Staff Report"); and

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Approved as to  
Legal Sufficiency:

 5/8/13

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WHEREAS, on April 18, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on April 18, 2013 the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Dreyfuss, seconded by Commissioner Wells-Harley, with a vote of 5-0; Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 8201300180 for a 253,597-square foot addition to an existing 323,100-square-foot hospital (not including useable cellar space) and a 36-foot tall parking structure on the Subject Property, subject to the following conditions:<sup>1</sup>

### **Conformance with Previous Approvals**

#### **1. Special Exception Conformance**

The Applicant must comply with the conditions of Special Exception S-274-D, as specified in the Opinion of the Board of Appeals dated October 20, 2010, which may be amended by the Board of Appeals. In the event that a subsequent amendment to the special exception substantially modifies the subdivision shown on the approved Site Plan, the Applicant must obtain a Site Plan amendment. In the event a final decision of the courts in the underlying case, Huntington Terrace Citizens Association v. Suburban Hospital, Civil No. 342309-V results in a remand to the Board of Appeals or reversal of that Board's Opinion in Special Exception S-274-D, the Applicant must notify the Planning Director within 30 days of the decision. The determination of whether a subsequent amendment to the special exception as a result of such remand or reversal substantially modifies the development shown on the approved certified Site Plan or materially impacts the basis for the findings of the Planning Board as set forth in its Resolution of approval of the Site Plan, requiring the Applicant to obtain a Site Plan amendment, will be made by the Director.

#### **2. Variance Conformance**

The Applicant must comply with the conditions of approval of Variances A-6364 - A-6377 dated July 23, 2012, which may be amended by the Board of Appeals. In the event that a subsequent amendment to the variances substantially modifies the development shown on the approved Site Plan, the Applicant must obtain a site plan amendment.

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

3. Right-of-Way Conformance

The Applicant must comply with the conditions of Abandonment AB715, as specified in County Council Resolution 17-220, dated July 19, 2011, which may be amended by the County Council. In the event that a subsequent amendment to the abandonment substantially modifies the development shown on the approved Site Plan, the Applicant must obtain a site plan amendment.

4. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan 120120240 as listed in the Planning Board Resolution, unless amended.

**Environment**

5. Stormwater Management

The development is subject to Stormwater Management Concept approval conditions dated April 1, 2012, unless amended and approved by the Montgomery County Department of Permitting Services ("MCDPS").

6. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform Staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to Staff a written report for public record purposes only from the Applicant's LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost. Submission of this report constitutes compliance with this condition.

7. Noise

Noise level measurement testing will be taken at the locations at which it was done pursuant to the Board of Appeals' December 13, 2007, Resolution in Case No. S-274-C and prior to the grant of the modification in Case No. S-274-D.

**Parks, Open Space, & Recreation**

8. Maintenance of Public Amenities

The Applicant is responsible for maintaining all on-site publicly accessible amenities including, but not limited to, outdoor seating areas, walkways, and bicycle racks and lockers.

## **Site Plan**

### **9. Site Design**

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A-301 – A-303 of the submitted architectural drawings, as determined by Staff.

### **10. Private Lighting**

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b. All onsite down-light fixtures must be full cut-off fixtures.
- c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels must not exceed 0.1 footcandles accordance with Section 59-G-1.23 of the Montgomery County Code.
- e. The height of the light poles must not exceed the height specified on the certified Site Plan.

### **11. Surety**

Prior to issuance of first building permit within each relevant phase of development, the Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The Applicant must provide a cost estimate of the materials and facilities, which, upon Staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety must include plant material, on-site lighting, recreational facilities, site furniture, and entrance piers within the relevant phase of development.
- c. Prior to issuance of the first building permit, the Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
- d. The bond/surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

### **12. Development Program**

The Applicant must construct the 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. Off-site frontage improvements, including sidewalks, street trees, and lighting, must be installed as construction is completed for that phase. Street tree planting may wait until the next growing season.
- b. On-site amenities including, but not limited to, sidewalks, retaining walls, seating areas, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit for that phase.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the final forest conservation plan, sediment control plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. Landscaping associated with each parking lot and building must be completed as construction is completed for that phase.
- f. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

### 13. 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, 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 reflect development standards enumerated in the Staff Report and approved by the Planning Board.
- d. Ensure consistency off all details and layout between Site Plan and landscape plan.
- e. Ensure consistency of all details and layout between the Site Plan and the Montgomery County Department of Transportation ("MCDOT") design exception comments in the letter dated March 28, 2013.
- f. Changes to landscaping and lighting are permitted if needed to accommodate relocated signs based on the MCDOT letter of March 28, 2013.

14. Within ten days of certification of the Site Plan, the Applicant must submit a copy of the certified Site Plan to the Board of Appeals.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Suburban Hospital drawings stamped by the M-NCPPC on October 17, 2012 and

December 3, 2012, shall be required, except as modified by the above conditions of approval; and

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

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required.

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

The use is allowed in the R-60 Zone with approval of a special exception. On October 20, 2010, the Montgomery County Board of Appeals approved Special Exception S-274-D, with conditions to modify an existing special exception for hospital use, and on July 23, 2012 it approved Variance Case Nos. A-6364 through A-6377, with conditions to allow for construction of the hospital expansion consistent with Special Exception S-274-D. The purpose of the modification to the special exception was to increase the number of patient beds to 294, add medical offices, replace the parking structure, and other site developments to incorporate the expansion into the site.

#### **Requirements of the R-60 Zone**

Based on the following data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the R-60 Zone for the special exception, except as modified by the approved variances A-6364 – A6377.

**Data Table**

Development Standard	Permitted/Required	Approved and Binding on the Applicant
<b>Building Height (feet)</b>	145	62.7
<b>Building Setbacks (feet) (Per Approved Variances) *</b>		
Front	50	50
Right-of-Way	50	50
Rear	50	50
Side	50	50
<b>Parking Setbacks (feet)</b>		
Front	25	25 *
Right-of-Way	25	25
Rear	20	Varies <sup>1</sup>
Side	16	111.5
<b>Building Area (square feet)</b>	558,697	558,697 <sup>2</sup>
<b>Lot Coverage (%)</b>	35%	41.1% <sup>3</sup>
<b>Parking Facility Internal Landscaping (%)</b>	5%	15%
<b>Parking Spaces (minimum)</b>	937	1,280

\* Not applicable to existing conditions

<sup>1</sup> Approval for less than 20-foot parking setback as approved by Board of Appeals in Variances A-6364 – A-6377.

<sup>2</sup> Not including 110,182 square feet of useable cellar space.

<sup>3</sup> Approval to exceed the 35% building coverage as approved by Board of Appeals in Variances A-6364 – A-6377.

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.*

a. **Buildings and Structures**

The building and structures of the development are located such that they balance efficiency of hospital operations with neighborhood compatibility. The location of the expansion wing was designed in order to both

minimize the impact of a large institutional building on the residential community surrounding the hospital. The new wing attaches to the north of the existing building to efficiently tie into the existing uses, and to take advantage of the Subject Property footprint. The new parking structure replaces an existing parking garage and office building to be demolished. Both the hospital addition and the new parking structure have floors underground so that the visible heights of each are reduced. The new hospital wing above-ground is also appropriately stepped back from the residential uses along Grant Street. In accordance with the special exception approval, one-family detached dwellings owned by the hospital on McKinley Street, Grant Street, and Southwick Street are retained as a buffer between the institutional use and the residential community.

The location of the new hospital wing provides easy access from adjoining sidewalks, streets, and parking. The location of the garage melds well with the vehicular circulation on the site, while limiting access, from Southwick Street to employees as a left-in/right-out, and in hours of access in order to avoid conflict with the surrounding residential neighborhoods. The garage is located near Old Georgetown Road, sufficiently far from adjacent one-family dwellings. The locations of the building and structures are adequate and efficient; addressing the operational needs of the hospital while also addressing the concerns of the surrounding residential community. The locations of the buildings and structures do not pose any safety concerns.

b. Open Spaces

The project provides landscaped open space with pedestrian connections to the surrounding community. The location of the open space is adequate for the surrounding community, has been designed to encourage pedestrian activity and visual surveillance to promote safety, and presents an efficient balance between development and open space.

c. Landscaping Lighting

Site lighting will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties.

d. Recreation Facilities

There are no recreation facilities required for this Site Plan, but open space, seating, and pedestrian paths are provided. The on-site trail system will be open to the public.



e. Vehicular and Pedestrian Circulation

Pedestrian improvements, including sidewalks, trees, lighting, and underground utilities are provided to enhance the pedestrian environment.

Pedestrian access from the adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements, including new and upgraded sidewalks and ground-floor building design that features regular entrances and windows. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. This balance of design with the site, the recommendations of the Master Plan and special exception, and the needs of the use is an efficient and adequate means to provide a safe atmosphere for pedestrians, bicyclists, and vehicles.

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

The approved special exception for this expansion of Suburban Hospital includes several conditions of approval specifically intended to ensure compatibility between the hospital and the adjacent residential community. Conditions included in this Resolution require continued compliance with the conditions of the special exception and variance approvals.

The structures and uses included in the Site Plan are compatible with the surrounding community. Both the hospital addition and the new parking structure have floors underground so that the visible heights of each are reduced. The new hospital wing above-ground is also appropriately stepped back from the houses along Grant Street to assure compatibility with the surrounding residential neighborhood. The Applicant must retain the one-family detached dwellings owned by the hospital on McKinley Street, Grant Street, and Southwick Street. This requirement helps maintain a buffer between the hospital use and the single family neighborhood, and helps maintain the character of the neighborhood.

Conditions were applied to the driveway from Southwick Street that were intended to reduce vehicular traffic on that street and eliminate hospital-generated traffic on Southwick Street west of the Subject Property. The driveway is limited to left-in and right-out turns; it may be used by employees only, and it may be used only between the hours of 6:00 a.m. and 8:00 p.m. A condition of the special exception also prohibits westbound turns from the driveway at McKinley Street. These requirements help maintain the residential character of the neighborhood and assure compatibility of the hospital with the surrounding community and the existing residential development.

The requirement of the variance approval that noise level testing continue to be performed at the rear of the residential lots that front on Grant Street will ensure that higher noise levels are not allowed within the residential neighborhood. That condition is restated as a condition of approval of this Application, to further ensure compatibility as requested for Site Plan approval.

The hospital addition itself is in scale with the existing hospital building and is located such that it will not adversely impact existing or proposed adjacent uses. Like the existing building, it is located within the central portion of the site, partially buffered from the residential neighborhood by the hospital-owned one-family lots that will be retained. The scale of the addition is designed so that the rear portion of the building is lower in height in areas closest to the residential homes and higher towards Old Georgetown Road. Additionally, the hospital related activities, with the exception of the loading area which would remain unchanged, are oriented away from the residential area, towards other health-related uses. The garage is located near Old Georgetown Road, sufficiently far from adjacent one-family dwellings. The garage has been limited to no more than 36 feet in height, reduced from earlier proposals of 68 feet and 47 feet in height.

Compatibility has also been achieved through protection of the one-family detached homes along Grant Street, which retain the neighborhood character; protection of trees which add to the neighborhood character and provide additional buffer from the existing and proposed uses to the existing one-family neighborhood; through noise mitigation measures to be tested at locations set between the retained houses along Grant and the hospital; and through the closure of Lincoln Street to provide an integrated hospital campus.

- 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 development complies with the applicable requirements of the Forest Conservation Law. The final forest conservation plan was approved as part of Preliminary Plan No. 120120240. The Applicant will meet all afforestation requirements through a fee in lieu of payment.

The MCDPS Stormwater Management Section approved the stormwater management concept on April 1, 2011. According to the approval letter, the stormwater management concept consists of on-site storm water management using grass swales and proprietary structural filtering devices. Environmental site design was limited due to requirements of the special exception site plan.

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

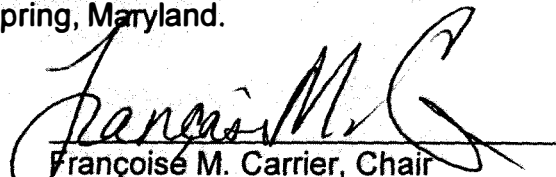
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 22 2013 (which is the date that this resolution is mailed to all parties of record); and

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 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 Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley present and voting in favor of the motion, at its regular meeting held on Thursday, May 16, 2013, in Silver Spring, Maryland.

  
Françoise M. Carrier, Chair  
Montgomery County Planning Board

