

**Testimony of Patrick O’Neil
Shady Grove Medical Center
Zoning Text Amendment 24-03
Great Seneca Life Sciences Overlay Zone**

July 16, 2024

Council President Friedson and members of the Montgomery County Council. I am Patrick O’Neil with the law firm of Lerch, Early & Bewer. I am here to speak on behalf of Adventist HealthCares’s Shady Grove Medical Center (the “Hospital”) regarding its general support for ZTA 24-03 (the “ZTA”), which will help make the recommendations of the Great Seneca Plan (the “Plan”) become a reality. The ZTA provides implementation guidance that is consistent with Plan recommendations, but fails in some notable ways to recognize the land use realities of the 40-acre Hospital campus at the center of the Plan area – bounded by Medical Center Drive, Broschart Road and Blackwell Road.

Parking

Parking at the Hospital is determined by the existing centralized building configuration and the campus master plan that seeks to consolidate a variety of Hospital uses with the central facility. As such, the Planning Board should be able to modify any parking obligations in the ZTA that it finds to be impracticable in light of existing development patterns and/or uses.

In particular, we note that the requirement placing onsite parking “below grade or wrapping all structured parking with leasable GFA” (Lines 151-153) simply does not work for the Hospital. This use needs to accommodate utility vaults and maintenance access where below grade parking would occur. Therefore, like most hospital facilities, Shady Grove Medical Center utilizes freestanding garages. The wrapping of these garages with leasable space does not make sense because of the need to highlight garage structures for wayfinding purposes in emergency situations.

Also, the ZTA’s prohibition of surface parking (Lines 437-438) between a building and a public or private street, should not apply to hospital uses. As discussed throughout the Plan process, the Hospital’s master plan requires the centralized

growth of the Hospital that will leave in place existing surface parking between buildings and streets for the foreseeable future.

Build Lot Terminations

The Building Lot Termination provision in the ZTA (Lines 426-434), which requires all optional method projects to purchase BLTs, should not apply to the Hospital. The Zoning Ordinance currently exempts hospitals from BLT purchases, at Section 59.4.7.3.F.b.ii, and the ZTA should confirm this exemption in the Overlay Zone as well.

Support for Promark Partners

Lastly, we note that Promark Partner's has expressed concern with the ZTA's effort to remove residential and retail limits within the Life Sciences Zone while maintaining the 40% life sciences and related uses requirement for parcels of 5+ acres. They point out that it will be virtually impossible for the greater than 5 acre parcels to the west and north of the Hospital property to take advantage of the ZTA's residential and retail opportunities because the parcels are too small to accommodate these uses along with the required 40% life sciences and related uses. The Hospital supports Promark's suggestion to eliminate the 40% requirement for the area bounded by Blackwell Road, Medical Center Drive and Broschart Road.

Conclusion

As you are aware, the Hospital's primary goal has been preserve maximum flexibility in the Plan so the Hospital may adapt and grow in an ever-changing healthcare delivery system. We appreciate your support of this concern as we share our perspective on the pending ZTA.