



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

**Staff Report: Preliminary Plan Amendment 11996110A: Johns Hopkins University Belward Campus**

ITEM #: \_\_\_\_\_

MCPB HEARING DATE: July 21, 2011

REPORT DATE: July 11, 2011

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*  
 Shahriar Etemadi, Supervisor  
 Area 2

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**APPLICATION**

**DESCRIPTION:** Preliminary Plan Amendment of the Johns Hopkins University (JHU) Belward Campus. Creation of two recorded parcels and the removal of the restricted access to the recorded lot for 1.4 million square feet of previously approved R&D uses on approximately 108 acres in the LSC Zone; located in the northeast quadrant of the intersection of Muddy Branch Road and Maryland Route 28 (MD 28), in the Great Seneca Science Corridor (GSSC) Master Plan area.

**APPLICANT:** Johns Hopkins Real Estate – David M. McDonough

**FILING DATE:** February 28, 2011  
 Preliminary Plan Amendment

**RECOMMENDATION:** Approval with conditions

**EXECUTIVE**

**SUMMARY:** Preliminary Plan Amendment to establish the configuration of the road network and lot and block layout of the Johns Hopkins University (JHU) Belward Campus. The Preliminary Plan was reviewed for conformance with the LSC zone and the recommendations of the GSSC Master Plan. The proposed plan would create two recorded parcels, provide dedication for the extension of Belward Campus Drive, provide public access easements for two internal master planned business roads, establish the open space areas and conservation easements, and establish the concept plan for the future buildout of the site. As an amendment to an approved plan in the pipeline, it is not subject to the staging requirements of the Master Plan.

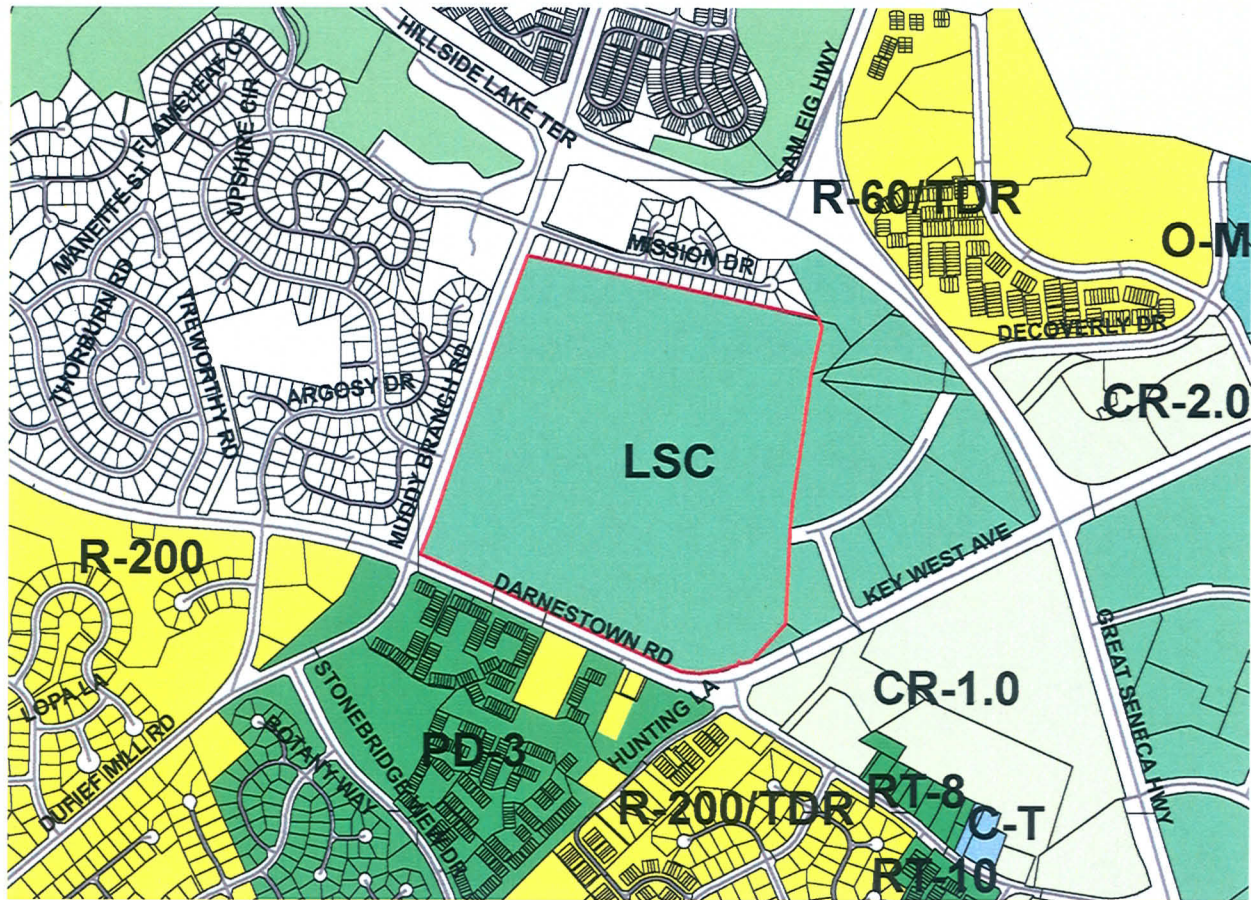
<b>TABLE OF CONTENTS</b>	
<b>SECTION 1: CONTEXT &amp; PROPOSAL</b>	<b>3</b>
<b>SITE DESCRIPTION</b>	<b>3</b>
Site Vicinity	3
Site Analysis	3
<b>PROJECT DESCRIPTION</b>	<b>4</b>
Previous Approvals	4
Proposal	6
<b>COMMUNITY OUTREACH</b>	<b>7</b>
<b>DEVELOPMENT ISSUES</b>	<b>7</b>
<b>SECTION 2: PRELIMINARY PLAN REVIEW</b>	<b>9</b>
Master Plan	9
Transportation	17
Environment	20
Compliance with the Zoning Ordinance and Subdivision Regulations	21
Preliminary Plan Recommendation and Conditions	22
<b>ATTACHMENTS</b>	<b>25</b>

# SECTION 1: CONTEXT AND PROPOSAL

## SITE DESCRIPTION

### Site Vicinity

The LSC zoned Subject Property (outlined in red) is located in the Belward District, one of the five Districts that make up the Life Sciences Center (LSC) in the Great Seneca Science Corridor (GSSC) Master Plan area. The City of Gaithersburg borders the Subject Property to the north and west. The surrounding area is predominantly residential to the north, west, and south. The area to the east and southeast within the LSC is predominantly comprised of R&D and commercial office uses. The property will eventually accommodate the Corridor Cities Transitway (CCT) with an alignment through the property and an anticipated stop near the center of the site. The CCT will then run along the western edge of the property as it makes its way north to Great Seneca Highway.



*Vicinity Map*

### Site Analysis

The Subject Property is approximately 108 acres in size, and is located in the northeast quadrant of the intersection of Muddy Branch Road and Darnestown Road (MD 28). The site's topography is generally gently rolling, with two stream valleys draining the site from south to

north. One stream valley bisects the north central portion of the plan area and the other occupies the northeastern edge. There is a wetland just south of the delineated beginning of the north central stream channel. There is an existing on-site Category I Conservation Easement approximately 14.67 acres in size. The Conservation Easement is being slightly modified by this amendment to establish the new road network, but it is also being enlarged. The property has been maintained in agricultural use, with a farmhouse and several outbuildings occupying a small portion of the site. The farmhouse and associated buildings are designated historic, and are protected by an environmental setting of approximately 7 acres. The Preliminary Plan Amendment proposes to increase the size of this environmental setting to 10 acres.



*Site Aerial View*

## **PROJECT DESCRIPTION**

### **Previous Approvals**

The preliminary plan for the Johns Hopkins University Belward Campus was approved by the Planning Board on November 7, 1996. The approval was for a total of 1.8 million square feet of office and R&D use on a 138 acre tract of land ("Property" or "Subject Property") located in the northeast quadrant of the intersection of Muddy Branch Road and Darnestown Road (MD 28) in the Great Seneca Science Corridor Master Plan area. The date of mailing of the Planning Board's Corrected Opinion for that approval was March 6, 1997. Pursuant to Section 50-20(c)(3)(A) of the Montgomery County Code, Subdivision Regulations, the validity period of the adequate

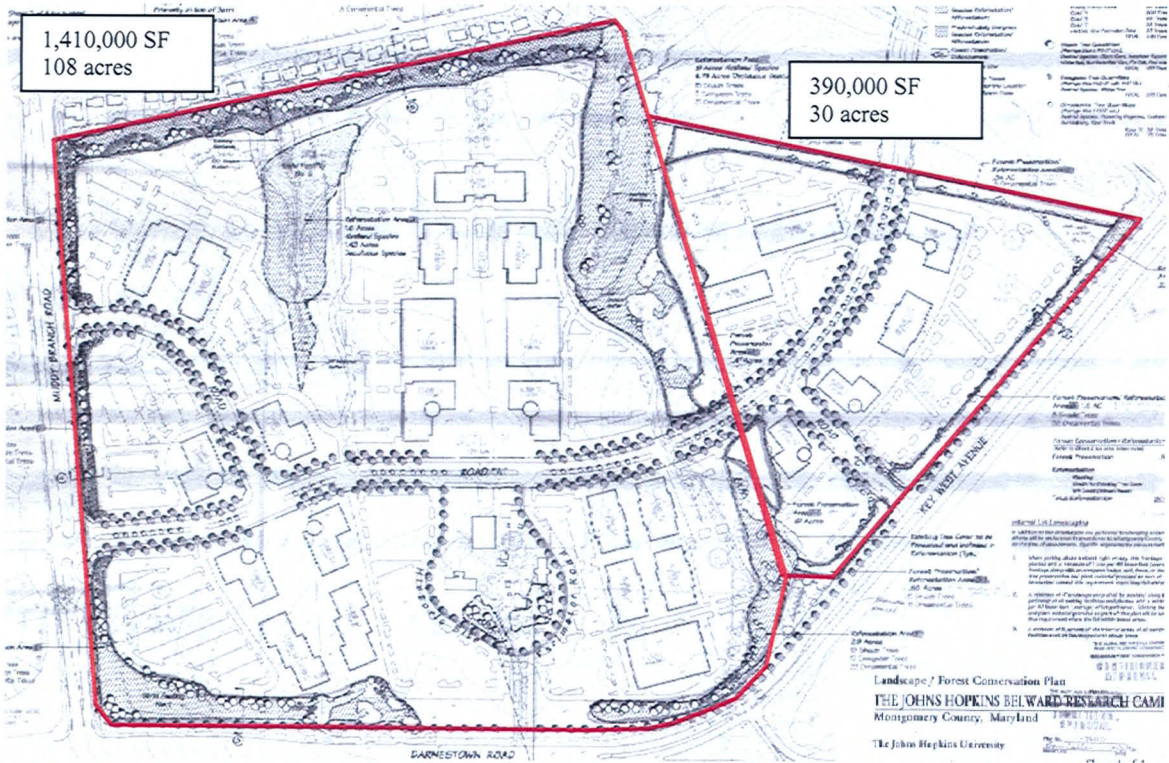
public facilities (APF) approval for the Subject Property was 145 months from the mailing date of the Planning Opinion, or until April 6, 2009. In September of 2008 the applicant filed a request for extension of the validity period, but before any action was taken the County Council took action to grant all valid plans an automatic two-year extension of the validity periods. Thus, the APF approval for the Property remained valid until April 6, 2011. The extension request of the APF validity period was approved by the Board on September 23, 2010 subject to the following phasing schedule:

- Building permits for 200,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2016.
- Building permits for the next 500,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2018.
- Building permits for the last 710,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2023.

The APF approval for the square footage identified in each phase above will expire on the specified dates, and any square footage that has not been included in a building permit issued by that date may not be used in any subsequent phase unless a new finding for APF has been made.

A second action taken by the County Council in April 2011 further extended the validity period for each of the above phases by another two years. Thus, the APF approvals for Phases I, II, and III remain valid until April 6, 2018, April 6, 2020, and April 6, 2025, respectively.

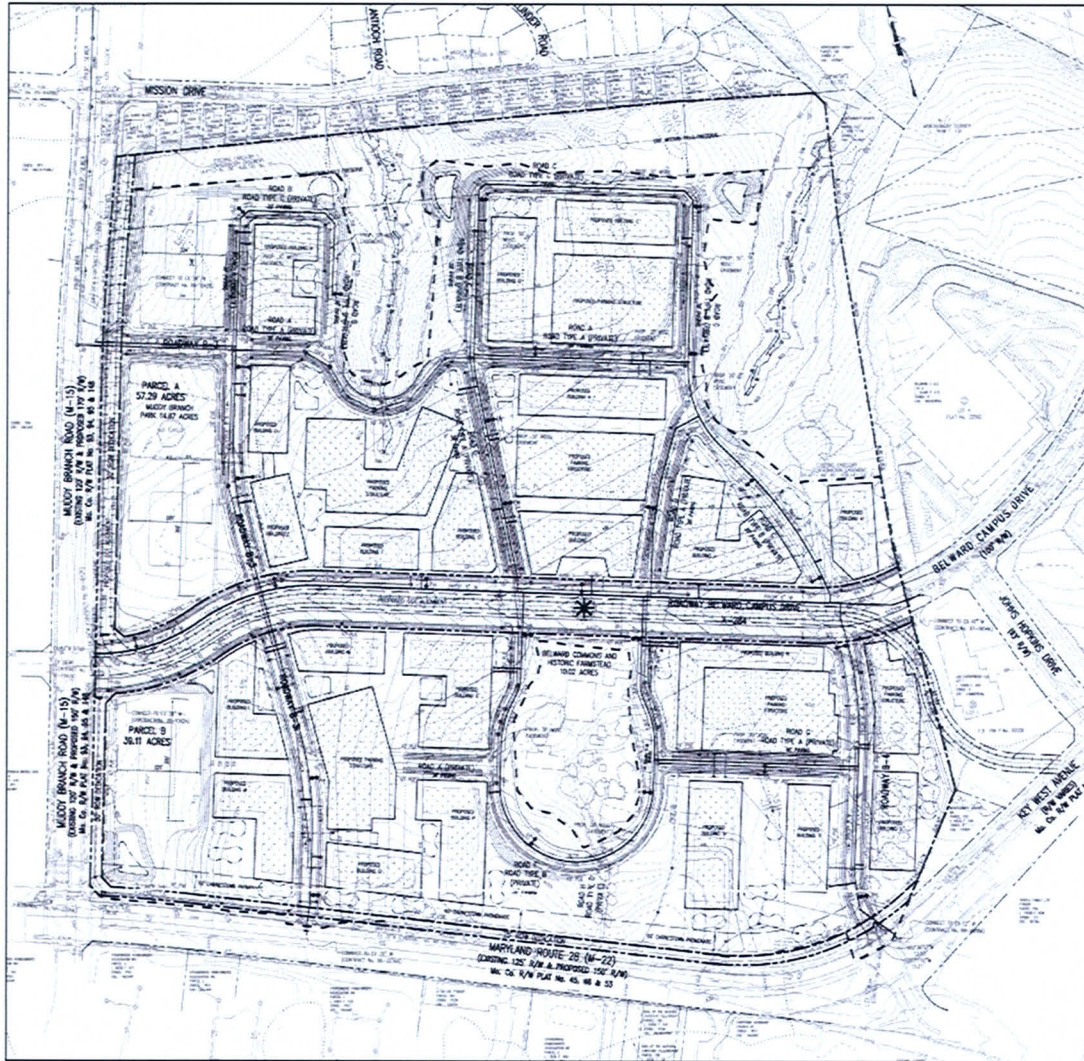
To date, approximately 390,000 square feet of R&D uses have been constructed on 30 acres of the original development tract that were donated to Montgomery County and subsequently transferred and developed. The remaining 1,410,000 square feet of the approved density is to be constructed on the remaining 108 acres.



*Approved Preliminary Plan*

**Proposal**

The proposed amendment to the approved Preliminary Plan will revise the previously approved lot and roadway configuration in anticipation of future APF and Preliminary Plan approvals for an additional 3.3 million square feet of commercial development as permitted by the Master Plan and the LSC Zone. No additional square footage above the previously approved 1,410,000 square feet is being requested at this time, but it is necessary to show the conceptual full build-out of the site to establish the lot, block, roadway, and open space configuration of the site consistent with the recently adopted Master Plan. The proposed amendment will subdivide the recorded Parcel B, Block C, of the Johns Hopkins University Belward Research Campus (Plat No. 22321) into 2 parcels approximately 57.29 acres and 39.11 acres in size. Belward Campus Drive, a 150-foot right-of-way that will include the CCT, will separate the 2 parcels, while the two Master Planned Business streets (B-3 and B-4) will be constructed to the public road standards specified in the Master Plan and be provided as internal private roads with perpetual public use and access easements, and internal private roads will be provided with perpetual public use and access easements. The massive amount of previously planned surface parking is proposed to be shifted to parking structures and dispersed throughout the site. Sidewalks will be provided to serve the site both internally and along the frontages of Muddy Branch Road and MD 28.



*Preliminary Plan (Buildings Are Conceptual)*

The previously approved internal circulation pattern and street network is being modified to provide a more efficient grid pattern of blocks. Importantly, the utilities are being planned in advance along the proposed roadways in anticipation of full build-out of the Subject Property.

### **COMMUNITY OUTREACH**

The Applicant has complied with all submittal and noticing requirements, and staff has not received correspondence from any citizens or community groups as of the date of this report.

### **DEVELOPMENT ISSUES**

#### **Applicant Requests**

The Applicant approached staff with several unique requests regarding the review of the Preliminary Plan amendment of the Belward Campus. The Applicant questioned the need to subdivide, the need to replat the property, and the need to dedicate roads by plat. As outlined in the attached May 25, 2011 letter from the Planning Director (Attachment B), Staff finds that the

proposed amendment is a subdivision and does require replatting of the property. Furthermore, staff recommends that all perimeter and arterial roads must be dedicated, but master planned business district streets may be provided by easement.

The Master Plan provides for a major arterial, Belward Campus Drive, which traverses the Subject Property in a 150-foot right-of-way and is an integral part of the LSC road network. Belward Campus Drive is actually referred to as Decoverly Drive (Extended) in the Master Plan street and highway classification table on page 84 of the Master Plan. It also identifies two business district rights-of-way on the Belward Campus. Roadway B-3, on the western portion of the Subject Property, provides a connection from MD 28 across Belward Campus Drive to Muddy Branch Road. Roadway B-4 provides a connection from the area where MD 28 becomes Key West Avenue to Belward Campus Drive. According to the Master Plan, both business district streets are to be constructed as 70-foot wide rights-of-way. The Master Plan envisions these roadways to be dedicated to public use.

The Applicant requested permission to construct all roads as private roads with public access easements instead of dedicating the roads to the public. After an extensive amount of interagency coordination, several meetings between planners and the Johns Hopkins's development team, and internal review, staff recommends that the business district roads be accepted as private roads subject to the following conditions:

- An easement (granted in perpetuity) must be platted for public access equal to the full master-planned right-of-way width;
- The proposed cross-sections must reflect the standards required by the Master Plan and design guidelines;
- The proposed roads, sidewalks, and amenities must be built to at least public street construction standards; and
- Final delineation and alignment of the roads and easements may be determined with each site plan.

Staff conditionally supports this request for private, business district roads due to the unique circumstances of the Belward Campus site. The Belward Campus is envisioned to become a campus research environment, and JHU will retain ownership of the land in order to control the overall design, appearance, and character of this campus. These internal roads, unlike the perimeter roads (i.e., Muddy Branch Road and Darnestown Road) and the major arterial through the site, are not essential to the primary connecting network for the Master Plan area. As private roads with public access easements, they will still provide alternate route options for pedestrians, cyclists, and vehicles. Also, the roads will be constructed to the public road standards identified in the Master Plan and Design Guidelines, and public access easements reflecting the master-planned right-of-way widths specified for B-3 and B-4 will be recorded on the plat. Therefore, in this instance the master-planned roads B-3 and B-4 will essentially function as public roads in a dedicated right-of-way. However, JHU will be responsible for maintenance of the roads.



## **SECTION 2: PRELIMINARY PLAN REVIEW**

### **MASTER PLAN**

The project is located within the LSC of the GSSC Master Plan area. The LSC includes five districts. The subject property is located within the Belward District. The specific language of the Master Plan is included in Attachment A, but in sum, the Plan recommends increased density on the Belward property (1.0 FAR) to be served and supported by a CCT transit station. Higher densities and building heights are to be located near the transit station. Plan recommendations aim to achieve a concentrated and compact form of development for Belward that is centered around transit. The design of Belward should be sensitive to the residential neighborhoods that surround the site. The Plan recommends substantial open spaces and buffers on the three sides of the Property that are nearest to existing residential neighborhoods. Compatible transitions and buffers for the adjacent single-family neighborhoods are critical. Heights should transition from the highest (150-foot maximum) at the transit station to lowest at the edges of the property (50-foot maximum) and immediately adjacent to the historic area (60-foot maximum). Rear walls and service areas should not face surrounding neighborhoods, and parking should be located in garages that are placed in the center of blocks and surrounded by buildings.

The property's historic Belward Farm is approximately 7 acres in size including the environmental setting, and is proposed to be expanded to approximately 10 acres in size as recommended by the Master Plan. The Plan recommends preserving views of the farmstead to the extent practical, and to use the site, including the house and barns, for recreational, educational, social, or cultural uses that complement the community and new development. The open space system for the Belward District includes an extensive network of passive and active recreation linked by an internal path system with connections to the LSC Loop and the surrounding communities. Placing parks and open spaces around the edges of Belward provides compatible transitions and buffers for the adjacent single-family neighborhoods. In total, the plan will offer nearly 50 acres of open space. Per pages 43-44 of the Master Plan, the Muddy Branch Park will be required to be substantially completed before the property owner receives building permits for more than 25 percent of the total development allowed on the Property. Connectivity to and from the surrounding neighborhoods will be emphasized.

### **Property Recommendations and Concept Plan**

The Land Use & Zoning Recommendations for the Life Sciences Center (LSC) Belward area of the Master Plan require submittal of "a Concept Plan with the first Preliminary Plan application to address the Plan's guidelines, including the CCT location, the highest densities and height at transit stations, preservation of the historic property and views of the farmstead, creation of a local street network and the LSC Loop, the open space system, neighborhood buffers, and connections from surrounding residential neighborhoods".<sup>1</sup> Each of these issues is addressed by topic below.

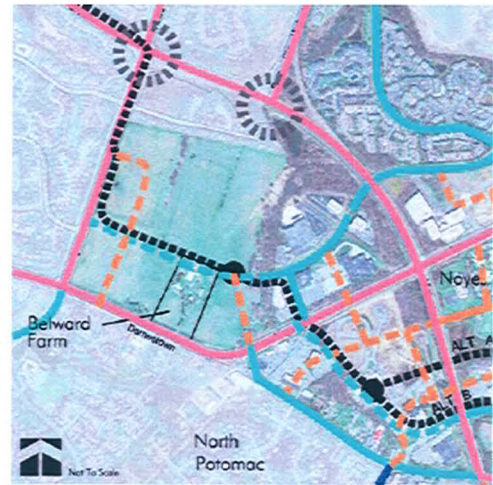
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<sup>1</sup>Great Seneca Science Corridor Master Plan, July 2010, page 45.

*CCT Location*

The Plan recommends that the CCT route enter the subject site from the southeast, travel along Belward Campus Drive, and exit the site on the western edge where it will turn to the north along Muddy Branch Road. A station is recommended midway along Belward Campus Drive.

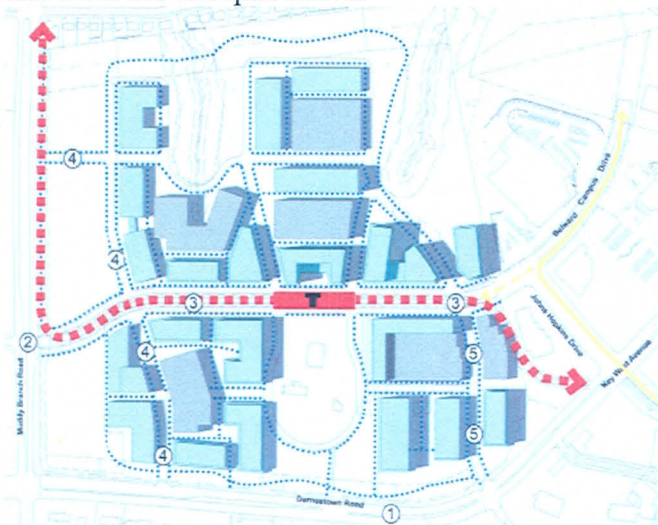
The Applicant’s Preliminary Plan and Concept Plan follows the general alignment recommended in the master plan with minor modifications based on a more detailed site analysis and input from the Maryland Transportation Administration (MTA). Final alignment and dedication of the transitway will be determined during site plan review when the detailed site layout is designed. The MTA believes the CCT can be accommodated within the 150-foot right-of-way of Belward Campus Drive as shown on the Preliminary Plan.








Map 21 LSC Belward: Mobility<sup>2</sup>

The station is proposed further to the west of the initial recommendation to take advantage of a more centralized location. This location also allows the station plaza to act as an open space across from the historic site with buildings framing the area.

Fortunately, the Applicant has been able to work with MTA to limit crossings of the proposed “Muddy Branch Park” by co-locating the CCT alignment and Belward Campus Drive.



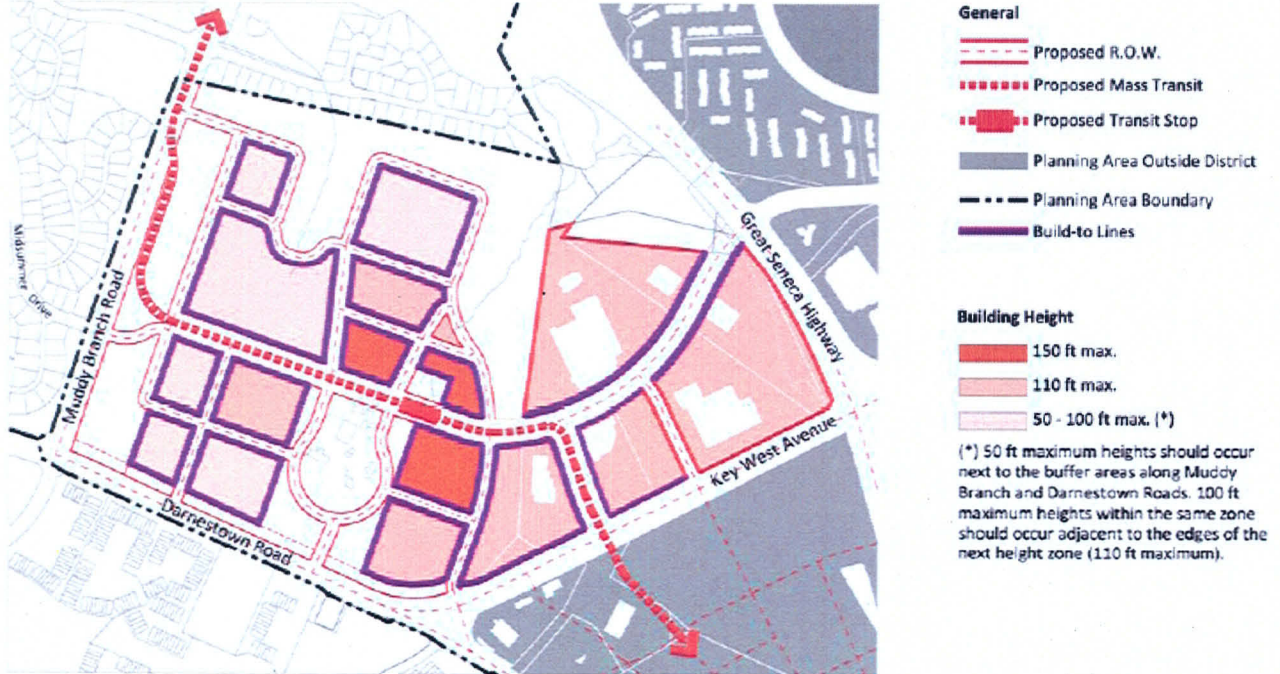
*Proposed Circulation Concept*

-  CCT Transit Station
-  CCT Transit Line & LB-7 Bike Shared Use Path
- Final location of CCT alignment to be determined through continued project planning and preliminary engineering of the Maryland Transit Administration
-  Pedestrian Path
-  LSC Bike Loop
-  Connection to LSC Bike Loop

<sup>2</sup> Ibid, page 47

During Site Plan review, the final alignment and plaza design should ensure that pedestrian and transit user comfort and usability are maximized and that views and access to the historic site, open spaces, and circulation system are optimized.

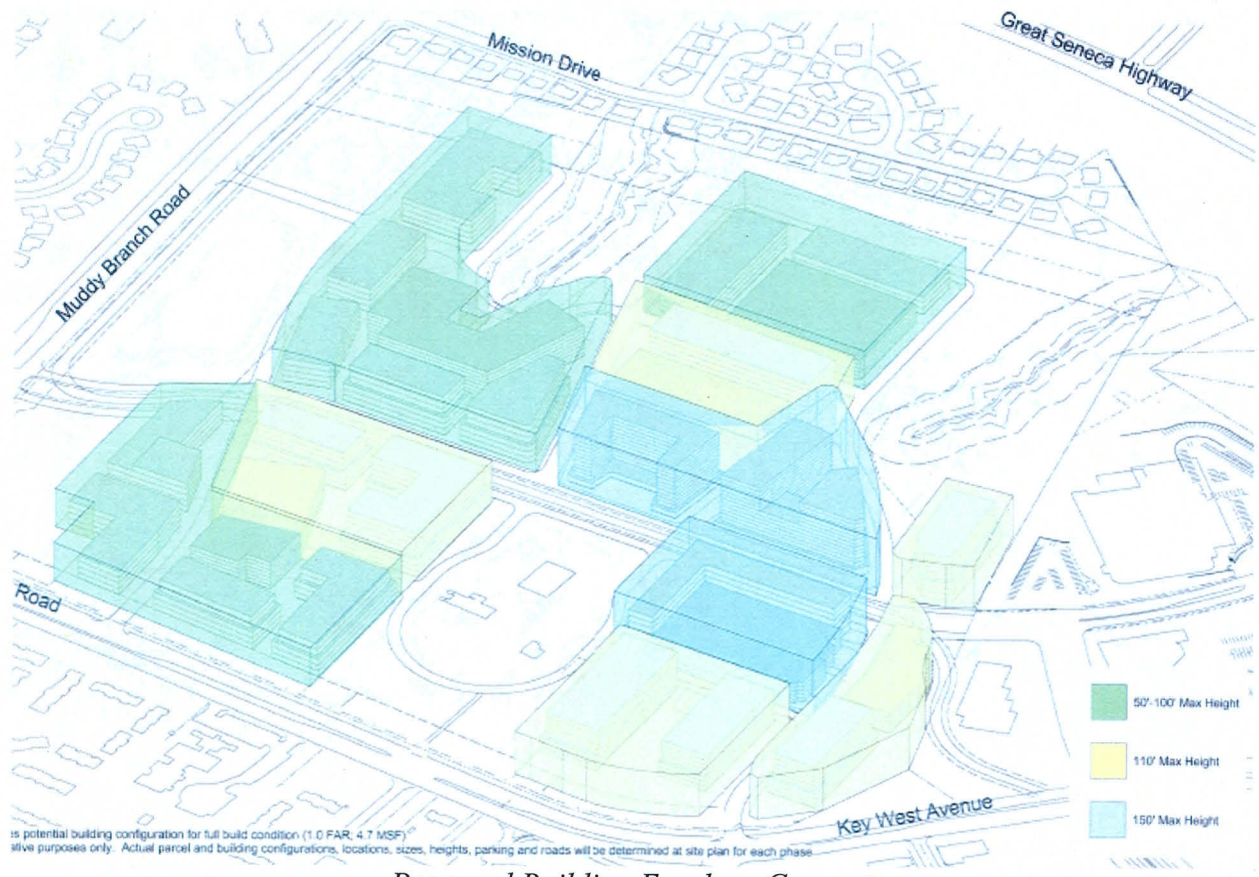
*Density & Height Near Transit*



Map 20 LSC Belward: Urban Form<sup>3</sup>

The Master Plan recommends the LSC zone with a density limit of 1.0 FAR for the subject property. Maximum building heights are recommended from 50 feet at the edges of the property and next to the buffer areas along Muddy Branch Road and Darnestown Road, to 60 feet around the historic site to 150 feet near the transit station. Street walls are suggested by the “build-to lines” on the plan.

<sup>3</sup> Ibid, page 46.



*Proposed Building Envelope Concept*

The Applicant’s Concept Plan follows the Master Plan guidelines regarding density and height. As shown, within the building envelopes of allowed height, the 1.0 FAR is dispersed between lower buildings to the north and west and higher buildings towards the center and east. The proposed lot and street layout of the Preliminary Plan will accommodate the Master Plan’s vision for this density.

Per the Concept Plan, building façades facing the houses along Mission Drive and those along the western end of the property’s frontage along Darnestown Road are shown as four to six stories, with any buildings higher than four stories stepping back the upper floors as required by the Master Plan. As shown on the Concept Plan, these buildings should be sited to minimize the “wall effect” along Darnestown Road by breaking up the massing and respecting the 60-foot “Darnestown Promenade” recommended between the buildings and the property line. A minimum 200-foot buffer, most of which will be planted and protected with a forest conservation easement, is proposed along the northern property line in accordance with the Master Plan. A 12-acre park is also recommended along Muddy Branch Road, while the Applicant is providing approximately 14.87 acres for the park.

Transitional areas between the edges and the center of the site can expect to have buildings ranging between six and seven stories (with a maximum height of 110-feet) with upper stories stepped back near the historic site, open spaces, and key pedestrian circulation routes. Some

flexibility is appropriately being maintained within the allowed building height for this area (up to 110 feet) to allow for final design modifications by the site plan.

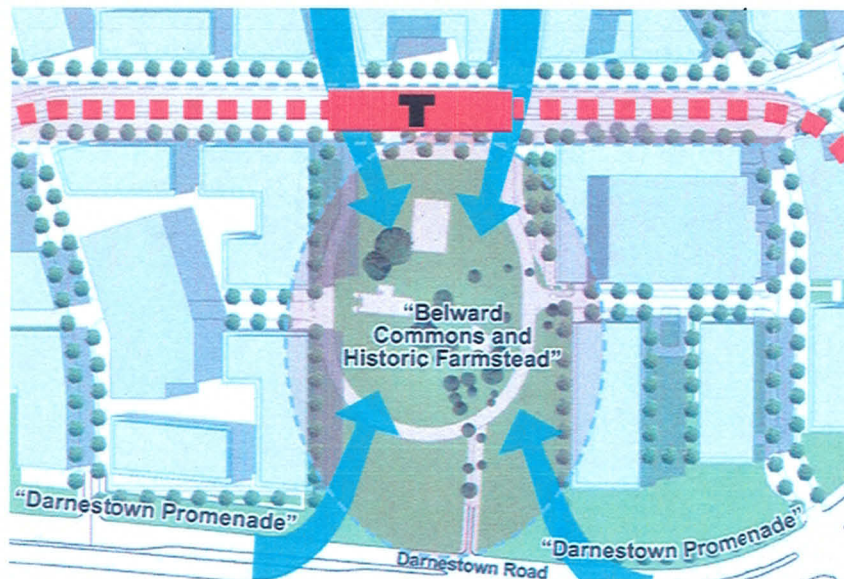
The highest densities and heights, are focused on the blocks where the CCT station is proposed and to the east, adjacent to similar uses and expected building types. These buildings will likely vary between six and 13 stories; while some tower elements may approach the maximum 150-foot height limit. Massing and heights of these buildings will be finalized during site plan review, but should maintain a comfortable pedestrian environment using tower step backs and smaller floor plates for the taller elements. Retail, service, and restaurant uses will be needed within these buildings to accommodate the needs of employees and visitors.

*Historic Property*

The Master Plan has four specific recommendations regarding Belward Farm:

- Preserve views of the farmstead, to the extent practicable, from Darnestown Road and residential neighborhoods to the south and west, consistent with other Master Plan objectives for this site.
- Step new buildings down to 60 feet (approximately four stories) adjacent to the Belward Farm.
- Use the site, including the house and barns, for recreational, educational, social, or cultural uses that complement the community and new development.
- Preserve open space and mature trees surrounding the farmstead. Retain an environmental setting large enough to convey the agricultural character of the historic resource, between 10 and 12 acres.

The Applicant’s Preliminary Plan and Concept Plan proposes an open area of approximately 10.7 acres surrounding the property. The Concept Plan proposes buildings of various heights stepped down to a maximum of 60-feet (approximately three or four stories) along the façades facing the farm. Trees and landscaping will be preserved and augmented. Vehicular, bike, and pedestrian circulation will be enhanced around and through the site.



*Proposed “Belward Commons and Historic Farmstead” Concept*

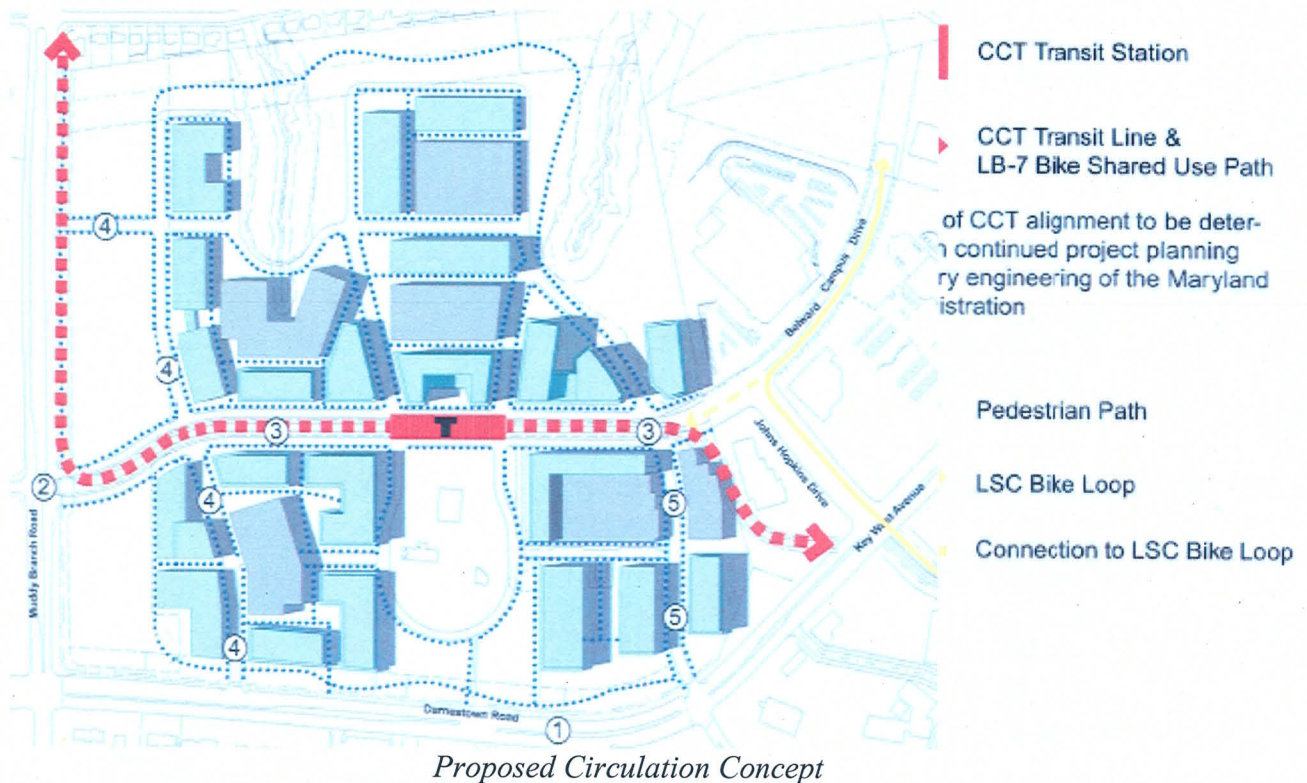
Important views of the historic farm are framed by buildings oriented along converging roads from the north, interior gridded blocks to the east and west, and a completely open vista to the south framed by buildings set 100 to 150 feet back from Darnestown Road. Finally, a system of educational signage is envisioned along the paths surrounding the site.

*Circulation System & Links to Adjacent Neighborhoods*

The Master Plan recommends numerous mobility improvements for LSC Belward. These include:

- Construction of the CCT and station,
- Extension of Decoverly Drive and Belward Campus Drive,
- Creation of a network of streets within the site,
- Creation of a pedestrian network,
- Implementation of the LSC Loop,
- Connection of recreational trails and bikeways,
- Links to surrounding neighborhoods, and
- Road improvements.<sup>4</sup>

The Applicant’s Preliminary Plan and Concept Plan addresses each of these recommendations and illustrates them in their circulation plan, which shows the CCT alignment and station, pedestrian sidewalks and paths, and the LSC Loop Connection.



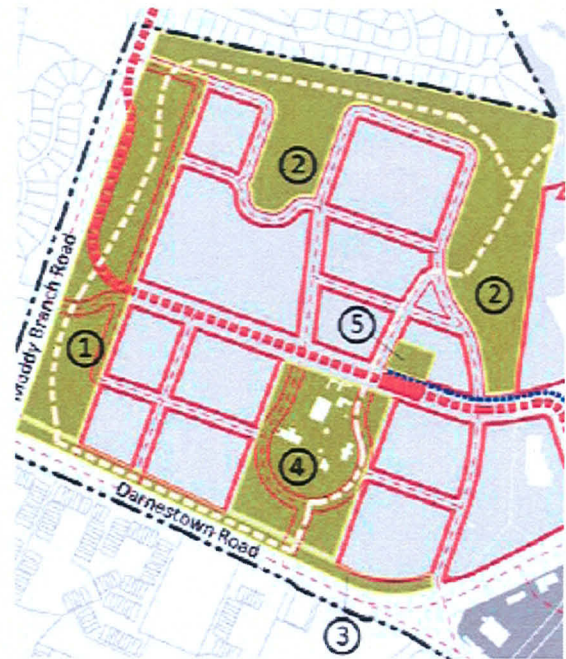
<sup>4</sup> Ibid, page 47.

All of the internal streets, which form an urban-scale network of blocks, will have sidewalks that connect to adjacent properties and the open spaces within the site. These sidewalks are augmented by paths along or through the historic farm area, the Darnestown Promenade, Muddy Branch Park, and the “Mission Hills Forest Preserve” (see open space discussion below).

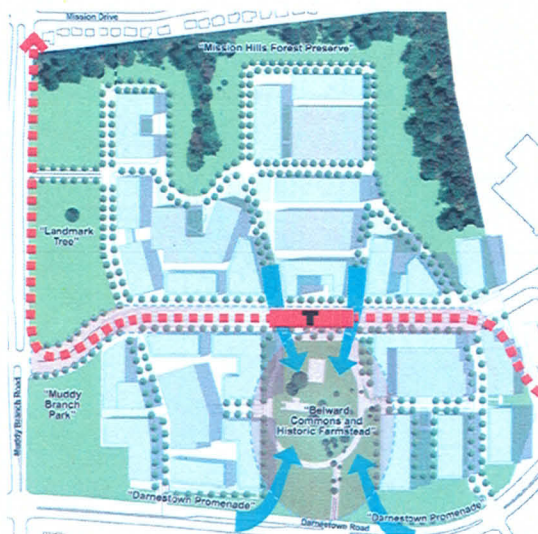
Dedication of the CCT right-of-way, Belward Farm Drive right-of way, and expansion of the rights-of way for Muddy Branch Road and Darnestown Road will allow for the recommended vehicular and transit improvements. All other internal roads will be built to public road standards, maintaining the mobility and design objectives of the Master Plan, but maintained privately with access easements over the right-of-width that would otherwise be required.

*Open Space System*

The Master Plan has numerous open space recommendations for the Belward Campus Site. These include the creation of Muddy Branch Park (1) along the west side of the site, Mission Hills Preserve (2) along the northern side of the site, Darnestown Promenade (3) along the southern edge of the site, Belward Commons and Historic Farmstead (4) surrounding the historic farm, and an Urban Square (5) at the CCT Station.



Map 18 LSC Belward: Open Space<sup>5</sup>



Each of the recommended master plan open spaces are provided in the Applicant’s Preliminary Plan and Concept Plan as required. Further, grading plans have been sketched for Parks Staff to ensure that the expected programming and uses of the various open spaces can be accommodated.

*Proposed Open Space Concept*

One of the concerns raised during review was the quality of the non-recommended open spaces on site, i.e., the spaces around and in between buildings that will create another layer of pedestrian enjoyment and urban amenity. This question was raised because of the numerous situations where corridors are created between buildings to access parking or as mid-block connections. The Applicant has provided examples that will be used as paradigms from which they will draw inspiration during detailing of the site

<sup>5</sup> Ibid, page 44.

plan design. Staff will require that the space between buildings ties into the larger open space areas of the Belward Campus during Site Plan review.



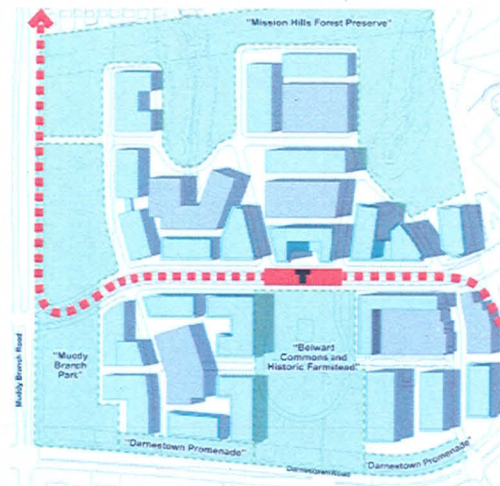
*Small Open Space Corridor Examples*

### *Neighborhood Buffers*

Three of the above mentioned open spaces are recommended for implementation to certain dimensions to provide buffering between the higher intensities of development on site and the lower densities of existing housing to the north, west, and south.

Specifically, Muddy Branch Park is recommended as a location for active and passive recreation that can accommodate playing fields on a minimum of 12 acres that is at least 100 feet deep.<sup>6</sup> The proposed park is over 12 acres and is a minimum of 230 feet deep with 3 areas that can accommodate recreation areas and playing fields. Final design and programming will be discussed and reviewed with the first site plan application.

Mission Hills Preserve is recommended to serve as a 200-foot buffer between the proposed development and the Mission Hills residential neighborhood to the north; this area also serves as a conservation easement and protects floodplains and stream valleys.<sup>7</sup> The proposed preliminary plan and concept plan places all buildings at least 200 feet from the property line to the north and outside of all environmental buffers; the area itself covers approximately 18 – 20 acres.



*Public Use Space Buffers*

Finally, the Darnestown Promenade is recommended as a 60-foot wide, 3-acre open space that maintains vistas to the farmstead, includes a landmark sign, and creates a tree-lined path connecting to sidewalks and trails to the east and west.<sup>8</sup> The proposed preliminary plan and concept plan provides a promenade that is 60 feet deep along the proposed buildings in the southwest corner of the site and expands to well over 100 feet deep between the proposed commercial buildings in the southeast corner of the site and Darnestown Road. Details of the paths, signage, etc. will be provided at the time of site plan review.

<sup>6</sup> Ibid, page 43.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.



Staff finds the proposed Preliminary Plan and Concept Plan to be in substantial conformance with the GSSC Master Plan.

## **Transportation**

### *Site Access and Vehicular/Pedestrian Circulation*

The site is located in the northeast quadrant of the intersection of Muddy Branch Road and MD 28 with two proposed vehicular access points from Muddy Branch Road and MD 28, and one vehicular access point on the eastern property line with the extension of Belward Campus Drive. The access points and the vehicular circulation system shown on the plan are adequate to provide sufficient capacity for safe and efficient circulation into and from the site. In particular, parking and driveways are sufficiently separated for through movement and safe maneuvering. The Applicant is proposing to upgrade the pedestrian and bicycle facilities along the fronting roadways and the internal roadways to ensure easy and safe access for pedestrians to and from the site. Detailed circulation will be decided at later phases as subsequent site plans are submitted for review, but it should generally conform to what is being proposed on this Preliminary Plan. Also, the State Highway Administration (SHA) is requiring a queuing study along Darnestown Road to ensure that the proposed access points will not result in any adverse impact as described in Condition No. 22. The proposed pedestrian facilities and circulation system are safe and adequate.

### *Transportation Management District*

The site is located within the boundary of the Greater Shady Grove Transportation Management District (TMD) and therefore, the Applicant must participate with the TMD and assist the County in achieving and maintaining its non-auto driver mode share goals.

### *Available Transit Service*

Ride-On route 56 operates on Darnestown Road, and Ride-On route 67 operates on Muddy Branch Road.

### *Master Plan Roadway, Corridor Cities Transitway, and Right-of-way*

The approved and adopted 2010 GSSC Master Plan recommends a minimum right-of-way width of 150 feet for Belward Campus Drive, MD 28, and the section of Muddy Branch Road from MD 28 to Belward Campus Drive. The Master Plan recommends a minimum right-of-way width of 170 feet for section of Muddy Branch Road from Belward Campus Drive to the northern edge of the Property. The 20 feet of additional right-of-way is to accommodate the CCT as it continues north to Great Seneca Highway. The Belward Campus Drive right-of-way is also designated to accommodate the Corridor Cities Transitway (CCT). All of the dedications above are shown on the Preliminary Plan, and are included as conditions of approval in this report.

The MTA has approved the alignment of the CCT within the right-of-way for Belward Campus Drive as shown, but in the future, MTA will need to revisit this to evaluate the possibility of a CCT alignment toward the north side of Belward Campus Drive as shown on the Preliminary Plan. In regards to the proposed alignment, MTA is concerned about how the alignment crosses

Belward Campus Drive and Johns Hopkins Drive from Key West Avenue, and how the alignment might cut into the corner of the park area as it turns right onto Muddy Branch Road.

As discussed above, for business district streets B-3 and B-4 the Master Plan recommends a minimum right-of-way width of 70 feet, which will be provided by easement and shown on the plat. The internal private street network will also be required to have public access easements as part of the site plan reviews. Those easements would be recorded by deed. Thus, it will not be possible to show all the easements associated with internal streets on the record plat because the ultimate location will not be certain until individual site plans are reviewed.

#### *Sector-Planned Roadways and Bikeways*

In accordance with the 2010 approved and adopted *Great Seneca Science Corridor Master Plan*, the classified roadways and bikeways are as follows:

1. Darnestown Road is designated as a six-lane major highway, M-22, with a recommended 150-foot right-of-way and a dual bikeway (bike lanes and a share use path on the north side), DB-16. The required right-of-way is shown on the latest submitted plans.
2. Muddy Branch Road is designated as a six-lane major highway, M-15, with a recommended 150-foot right-of-way and a dual bikeway (bike lanes and a share use path on the east side), DB-24 from Darnestown Road to Belward Campus Drive, and is recommended as a 170-foot right-of-way and a dual bikeway, DB-24, from Belward Campus Drive to Great Seneca Highway. The required right-of-way is shown on the latest submitted plans.
3. Belward Campus Drive (Discoverly Drive Extended in the Master Plan) is a four-lane arterial, A-284, with a recommended 150-foot right-of-way that includes the roadway, a shared use path, SP-66/LB-7, and the CCT. The required right-of-way is shown on the latest submitted plans.
4. Business district street, B-3, with a recommended two-lane 70-foot right-of-way. The right-of-way may be placed in a public use and access easement as shown on the submitted Preliminary Plan.
5. Business district street, B-4, with a recommended two-lane 70-foot right-of-way. The right-of-way may be placed in a public use and access easement as shown on the submitted Preliminary Plan.

#### *Local Area Transportation Review and Policy Area Mobility Review*

As discussed above, the APF validity period for 1,410,000 square feet of development on the Subject Property was extended by the Planning Board on September 23, 2010 and will phase out and eventually expire in April 2025.

Table 1 below shows the number of peak-hour trips generated by the previously approved land use during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

<i>R&amp;D Office Space</i>	<i>Site-Generated Peak-Hour Trips</i>	
	<i>Morning</i>	<i>Evening</i>
Existing	225	182
Unbuilt Approved	573	476
Total Approved	798	658

As a requirement for the APF validity extension, a traffic study was submitted that analyzed the following nearby intersections:

1. Key West Avenue (MD 28) and Darnestown Road
2. Great Seneca Highway (MD 119) and Darnestown Road (MD 28)
3. Darnestown Road (MD 28) and Travilah Road
4. Darnestown Road (MD 28) and Muddy Branch Road
5. Darnestown Road (MD 28) and Tschiffely Square Road
6. Key West Avenue (MD 28) and Omega Drive/Medical Center Drive
7. Key West Avenue (MD 28) and Diamondback Drive/Broschart Road
8. Key West Avenue (MD 28) and Great Seneca Highway (MD 119)
9. Great Seneca Highway (MD 119) and Sam Eig Highway
10. Great Seneca Highway (MD 119) and Muddy Branch Road

The AFP test was satisfied for the Local Area Transportation Review (LATR) test with the Planning Board approved APF validity extension under Section 50-20(c)(7)(E) on September 30, 2010 for the approved 1,410,000 square feet. The LATR test is designed to provide a near term traffic analysis of a proposed development. In 2010, LATR and background conditions were analyzed in a submitted traffic study. The Policy Area Mobility Review (PAMR) test did not apply for preliminary plans of subdivision filed before 2009.

**Other Public Facilities and Services**

Per the currently valid APF approval, other public facilities and services are available and will be adequate to serve the previously approved office use. The site will be served by public water and sewer. Gas, electric and telecommunications services are also available to serve the property. Police stations, firehouses, health services, and schools were found to be operating within the standards set by the Growth Policy Resolution in effect. At the time of approval, the current application was reviewed and approved by the Montgomery County Fire and Rescue Service (MCFRS) which has determined that the property has adequate access for emergency vehicles. The property is within a school cluster that currently requires a school facilities payment; however, the proposed plan does not include any residential uses.

## ENVIRONMENT

### *Ecological Context*

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the site was approved by Environmental Planning staff on June 17, 1996. There are no floodplains on the project site. The site contains streams plus their buffers and wetlands and associated buffers.

The topography is generally gently rolling, with two stream valleys draining the site from south to north. One stream valley bisects the north central portion of the plan area and the other occupies the northeastern edge. A wetland has been identified just south of the delineated beginning of the north central stream channel. Approximately 4 acres of mature hardwood forest exist on the upland above the stream valley on the eastern side of the site. This dominant canopy species in this forest include white oak (*Quercus alba*) and northern red oak (*Quercus rubra*). Part of the eastern portion of the plan area is underlain by serpentinite bedrock. No threatened or endangered species have been identified on the site. Several shingle oaks (*Quercus imbricaria*), which are designated watchlist species by the Maryland Department of Natural Resources, exist on the subject property; watchlist species do not have any formal protection under the law.

The site is in the Muddy Branch watershed, which is classified as a Use Class I stream. The Muddy Branch watershed in the vicinity of the Belward Campus is listed as being in fair condition as reported on the Montgomery County Department of Environment Protection (DEP) website.

### *Forest Conservation*

A Preliminary Forest Conservation Plan was approved for the original 138 acres on November 6, 1996. This plan permitted clearing of 24.67 acres out of a total on-site forest area of 29.8 acres, leaving 5.13 acres of forest retention on site and resulting in a forest planting requirement of 33.45 acres. The original Preliminary Forest Conservation Plan proposed to mitigate with 20.76 acres of on-site reforestation, including credit for existing tree cover and partial credit for street tree planting. The existing Preliminary Forest Conservation Plan is being amended to conform to the new road and lot layouts being proposed in Preliminary Plan #11996110A.

The amended Preliminary Forest Conservation Plan proposes clearing 25.13 acres of forest, with a retention area of 4.67 acres. The resulting forest planting requirement is 34.37 acres. The amended Forest Conservation Plan establishes a 17.88 acre Category I Conservation Easement, including the 200-foot-wide Mission Hills Forest Preserve along the northern boundary of the property and including both stream buffers, plus some of the upland forest along the eastern edge of the site. The remaining forest conservation requirements will be met with a combination of other mitigation approaches, including credit for previous planting, partial credit for Category II easements, and off-site planting. The exact prescription for satisfaction of the remaining 16.49 acres of mitigation will be determined at the time of Final Forest Conservation Plan approval, which will be associated with the first site plan.

One of the proposals for satisfying a portion of the remaining mitigation requirement is to establish a Category II easement over plantings in the environmental setting for the historic farmstead. Staff notes that this would require approval from the Historic Preservation Commission and planting of additional canopy trees. Further, any proposed disturbance of trees

in the environmental setting requires a variance which must be approved by the Planning Board and the Historic Preservation Commission staff as part of the Final Forest Conservation Plan approval.

Staff recommends that one Final Forest Conservation Plan be created for the site, to be approved with review and approval of the first Site Plan on the property. Staff further recommends that the required mitigation be split into two phases: the first phase will involve planting in the 200-foot-wide Mission Hills Forest Preserve to begin establishing the vegetated buffer between the Belward Campus and the Mission Hills community adjacent to the campus on the north. This planting will be required within the first two growing seasons after obtaining the sediment control permit for the first Site Plan approved on the site. The remainder of the mitigation, including planting of the stream buffers, will be required within one year of obtaining the sediment control permit for the second Site Plan approved on the site.

#### *Wetland Protection*

The wetland that arises just south of the stream in the north central portion of the site was identified on the NRI/FSD that was approved in 1996. The original Preliminary Plan for this site respected this wetland and its buffer. This wetland and buffer were also identified as regulated areas in Appendix 5 (Environmental Resources Analysis) of the GSSC Master Plan.

The applicant responded to a request from staff to modify the original Preliminary Plan Amendment to move and reconfigure the parking structure to get it out of the wetland buffer. A road still crosses the buffer north of the parking structure. This road has been identified in the Master Plan as being necessary for the internal traffic circulation on the site. Staff recommends that road design and construction techniques such as bridging or the use of a large bottomless culvert be employed to keep road structures out of the wetland and buffer.

Therefore, with the conditions of approval, this application satisfies the requirements of the Environmental Guidelines and Forest Conservation Law.

#### **Stormwater Management**

The MCDPS Stormwater Management Section approved the stormwater management concept for the site on June 15, 2011. The stormwater management concept proposes to meet required stormwater management goals via green roofs, bio-swales, permeable concrete and micro-bioretenion.

#### **COMPLIANCE WITH ZONING ORDINANCE AND SUBDIVISION REGULATIONS**

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets the requirement and standards of all applicable sections. Access and public facilities will be adequate to support the proposed lots and uses. The proposed lot size, width, shape and orientation are appropriate for this type of subdivision where the underlying land will stay in common ownership.

The proposed subdivision was reviewed for compliance with the dimensional requirements of the LSC zone as specified in the Zoning Ordinance. The proposed development meets all

dimensional requirements for area, frontage, width, and setbacks in that zone. Proposed green area for the site exceeds the minimum required by the zone. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

## **PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS**

Approval of Preliminary Plan Amendment 11996110A pursuant to Chapter 50 of the Montgomery County Subdivision Regulations and subject to the following conditions:

1. Total development under the subject Preliminary Plan Amendment is limited to the remaining 1,410,000 square feet of the original 1,800,000 square feet of R&D uses approved.
2. The Applicant must submit a Final Forest Conservation Plan for the entire Preliminary Plan site to be approved with the first Site Plan submitted.
3. The Applicant must plat record Category I Conservation Easements over all onsite retained and planted forest prior to any clearing or grading occurring on site.
4. The Applicant must install the forest plantings in the 200-foot wide Mission Hills Preserve within two planting seasons following the release of the first sediment control permit associated with the first Site Plan.
5. The Applicant must install the remaining forest plantings within one year of issuance of the sediment control permit for the second Site Plan.
6. The Applicant must submit and obtain approval of the forest conservation financial security instrument prior to any clearing or grading occurring on site.
7. If a forest mitigation bank is to be used to meet the offsite plantings, a certificate of compliance to use a forest mitigation bank must be accepted by the Planning Department Associate General Counsel's office and recorded in the Montgomery County Land Records prior to any clearing or grading occurring on site.
8. If the applicant chooses to plant forest at an offsite location the location must be identified per section 109.B(2)(f) of the forest conservation regulation and forest planted within one year of the issuance of the sediment control permit for the second site plan.
9. Final disposition of Category II Easement on environmental setting of Belward Farm to be determined at time of Final Forest Conservation Plan approval.
10. The total amount of on-site vs. off-site forest planting to be done to be determined at time of Final Forest Conservation Plan approval.
11. Applicant must use a road construction design and construction techniques such as bridging or bottomless culvert to avoid the wetland and wetland buffer in the north central portion of the site.
12. The Applicant must dedicate, and the record plat must reflect, the master-planned recommended 150-foot right-of-way for Belward Campus Drive (A-284) as shown on the preliminary plan that includes the 50-foot wide Corridor Cities Transitway (CCT), the CCT station, and shared use path.
13. At the time of the relevant site plan, the Applicant must construct (i.e., permitted and bonded) the extension of Belward Campus Drive, including the shared use path, necessary to serve the proposed site plan development.
14. The Applicant must dedicate, and the record plat must reflect, an additional 30-feet of

right-of-way where needed along Muddy Branch Road, between MD 28 and Belward Campus Drive as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 150 feet, and construct the sidewalk and shared use path in accordance with road code standard No. 2008.04/2008.08 at the time of the relevant site plan.

15. The Applicant must dedicate, and the record plat must reflect, an additional 50-feet of right-of-way where needed along Muddy Branch Road, between Belward Campus Drive and the northern property line as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 170 feet, and construct the sidewalk and shared use path in accordance with road code standard No. 2008.04/2008.08 at the time of the relevant site plan.
16. The Applicant must dedicate, and the record plat must reflect, an additional 25-feet of right-of-way where needed along Darnestown Road (MD 28) as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 150-feet, and construct the sidewalk and shared use path in accordance with road code standard No. 2008.04 at the time of the relevant site plan.
17. The Applicant must provide a public use easement for the recommended 70-foot right-of-way for business district streets B-3 and B-4, and the boundary of the easements must be shown on the record plat. The roads must be constructed to public standards and in accordance with the road code standard No. 2005.02 at the time of the relevant site plan.
18. The Applicant must enter into a Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board to participate in the Greater Shady Grove Transportation Management Organization. The Traffic Mitigation Agreement must be executed prior to certified site plan for the first building and modified as needed prior to certified site plan for the successive buildings.
19. The Applicant must work with the Maryland Transportation Administration (MTA) regarding the alignment of the CCT and the location of the proposed CCT station.
20. The Applicant must have under construction all private internal roadways in accordance with the Design Guidelines at site plan, and Road Code cross-section requirements as modified to provide offsets from the curb to the street trees and a two-foot wide maintenance offsets between the sidewalk or shared use path and the right-of-way edge line. Design Guidelines and road code as modified to include the master-planned cross-section elements (I.e., proposed cross-sections are shown on the preliminary plan) at the relevant site plans.
21. The Applicant must prepare and submit a queuing study along Darnestown Road prior to the first certified site plan. The Applicant must provide any operational improvements identified as required by the Maryland State Highway Administration (SHA) prior to release of any building permit.
22. The Applicant must provide a ten-foot wide shared use path on Private Road "D".
23. The Applicant must provide inverted-U bike racks within 50 feet of the main entrances and secured bike storage units (such as lockers) in the parking garages in a well-lit area near the garages' exit or entrance. The final locations and types of bicycle parking must be reviewed and approved by planning staff at site plan review.
24. The record plat must reflect a public use and access easement over all private streets and adjacent parallel sidewalks. This easement will be recorded by deed prior to the first building permit after each site plan is approved.

25. The Applicant must comply with the conditions of approval of the Montgomery County Fire and Rescue (MCF&R) letter dated June 16, 2011. These conditions may be amended by MCF&R, provided the amendments do not conflict with other conditions of the preliminary plan approval.
26. The Applicant must comply with the conditions of approval of the MCDOT letter dated June 17, 2011. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
27. The Applicant must comply with the conditions of approval of the Maryland State Highway Administration (MDSHA) letter dated June 17, 2011. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
28. The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management concept approval letter dated June 15, 2011. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
29. The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s), as applicable.
30. The Applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
31. The Applicant must provide a ten-foot public utility easement parallel, contiguous and adjacent to the rights-of-way of Belward Campus Drive, and Master Planned Roads B3 and B4, unless an alternative alignment is agreed upon by the applicable utility companies at the request of the M-NCPPC prior to certification of the site plan and recordation of the plat.
32. No clearing, grading, or recording of plats prior to certified site plan approval.
33. Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
34. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved preliminary plan with respect to lot configuration or right-of-way location, width, or alignment, the applicant must obtain approval of a preliminary plan amendment prior to certification of the site plan.
35. As required by the Great Seneca Science Corridor (GSSC) Master Plan, a Concept Plan is being approved as part of this Preliminary Plan. Any subsequent Site Plan must generally conform to the approved Concept Plan.
36. Open Space Areas shown on the Concept Plan must be provided as part of subsequent Site Plans as recommended in the GSSC Master Plan.
37. The certified preliminary plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
38. The Adequate Public Facilities (APF) validity period for the remaining 1,410,000 square feet of R&D use is subject to the phasing schedule as follows:



- Building permits for 200,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2018.
- Building permits for of the next 500,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2020.
- Building permits for of the last 710,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2025.

The APF approval for the square footage identified in each phase above will expire on the specified dates, and any square footage that has not been included in a building permit issued by that date may not be used in any subsequent phase unless a new finding for APF has been made.

39. All necessary easements must be shown on the Record Plat.

**Attachments:**

- A. GSSC Master Plan – pages 42 – 47
- B. Rollin Stanley Letter to JHU dated May 25, 2011

### **LSC Belward: A New Science and Research Community**

The Belward property, owned by JHU, is surrounded by major roads and residential neighborhoods on three sides. The 1990 *Shady Grove Study Area Master Plan* designated Belward as part of the greater Life Sciences Center and recommended it be developed as a research campus with a limited amount of employee housing. JHU received Preliminary Plan approval in 1996 for 1.8 million square feet on 138 acres, a density of 0.3 FAR in the R&D Zone. The eastern portion of the property, with access from Key West Avenue, was sold and developed. The remaining 107 acres is undeveloped.

This Plan recommends increased density on the Belward property (1.0 FAR), served and supported by a CCT transit station. The Plan recommends that both the 107-acre undeveloped Belward property as well as the developed, eastern portion, be rezoned from the R&D Zone to the revised LSC Zone to allow higher densities and height focused at the CCT station. Development on the Belward property may include housing for the employees and/or visiting researchers. Plan recommendations allow a concentrated and compact form of development for Belward that is centered around transit. This denser building pattern (with structured parking) creates opportunities for an extensive open space system. Previous plans for Belward were a conventional suburban office park model with sprawling, low-density, auto-dependent development, vast amounts of surface parking lots, and few community amenities intended for use by residents or workers not on the Belward campus. Compatible transitions and buffers for the adjacent single-family neighborhoods are critical.

As discussed in the LSC Central section, the LSC Zone allows for a transfer of density from one LSC-zoned property to another LSC-zoned property if recommended in the master plan. This Plan provides the option for a transfer of density from Belward to LSC Central. A density transfer is completely voluntary and could only occur at the property owner's initiative and discretion. With a transfer of density, if there is an offsetting reduction in FAR on Belward, the density and height in LSC Central could be increased by 0.5 FAR and by 50 feet above what the Plan allows for in this district.

The design and layout of Belward should be sensitive to the residential neighborhoods that surround the site. To create appropriate transitions and minimize impacts, the Plan recommends substantial open spaces, particularly on the three sides of Belward that are adjacent to neighborhoods. Development around the north, west, and south perimeters—adjacent to the Mission Hills buffer, the Muddy Branch Park, and Darnestown Road—should be compatible with surrounding neighborhoods in bulk, scale, and building height. Heights should transition from the highest (150 feet maximum) in the blocks immediately surrounding the CCT station to lowest at the edges of the property (50 feet maximum) and immediately adjacent to the historic area (60 feet maximum). Ultimately, the Planning Board will need to make the tradeoff between height and open space at the time of development. Rear walls and service areas should not face the surrounding neighborhoods. Generally, parking should be located in garages that are placed in the center of blocks and surrounded by buildings.

The property's historic Belward Farm includes the 1891 farmhouse, barns, and outbuildings. A 6.98-acre environmental setting was established for the historic properties by the 1996 Preliminary Plan approval, and includes the driveway from Darnestown Road to preserve views of the site.

Due to the proposed increase in development recommended for Belward, this Plan recommends expanding the historic farmstead's environmental setting to between 10 and 12 acres. New development adjacent to and near the farmstead must be compatible in scale and graduated in height (no higher than 60 feet immediately adjacent to the historic site) to be sensitive to the historic resource. Views of the farmstead from Darnestown Road, as well as other vantage points within Belward should be incorporated into future site planning and design. Reuse of the Belward Farm offers opportunities for community-serving uses such as a

cultural, recreational, or educational center that could become a destination on the CCT and the LSC Loop.

The open space system for the Belward District includes an extensive network of passive and active recreation linked by an internal path system with connections to the LSC Loop and the surrounding communities. By concentrating density in a compact form (with a limited amount of taller buildings and parking garages), substantial amounts of open space can be created. Placing parks and open spaces around the edges of Belward provides compatible transitions and buffers for the adjacent single-family neighborhoods. From natural, passive areas with trails next to streams to an activated urban square at the CCT station, a range of outdoor experiences are planned, all of which would be connected by trails that allow visitors to go from one open area to another by foot. As outlined below and shown on Map 18, the Plan recommends nearly 50 acres of open space.

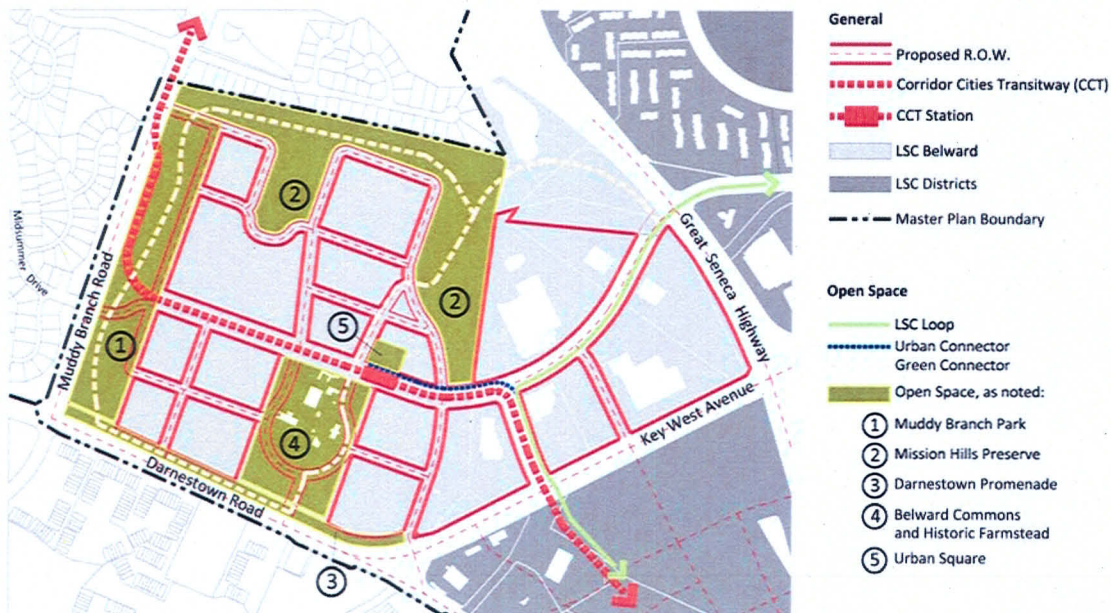
- Muddy Branch Park will consist of a minimum of 12 acres (with a minimum width of 100 feet along Muddy Branch Road) for active and passive recreation, including informal and organized playing areas and tree-lined edges at the perimeter. One rectangular field for active recreation could be provided in this area. The landmark tree in this area should be a focal point in the design of the park and open space. The park should be designed to create a sense of place and destination for existing and future residents with attractive amenities such as gardens, walking paths and water features. The Muddy Branch Trail Corridor and a countywide bikeway connection (DB-24; dual bikeway/shared use path) must be completed on the Belward side of Muddy Branch Road.
- Mission Hills Preserve will create a 200-foot wide buffer between the rear property line of the nearest Mission Hills homes and any buildings on the northern side of Belward. In addition, 200-foot wide stream buffers will be created around two tributaries of the Muddy Branch, limiting development in this portion of the property. Mission Hills Preserve, combined with the two stream buffers, will create a 20-acre area for reforestation and passive recreation that should include natural surface trails that connect with the other open spaces on the site.
- Darnestown Promenade will include a three-acre landscaped buffer (60-foot wide) along Darnestown Road that maintains vistas to the historic farmstead, includes the landmark sign (boulder and plaque), and creates a tree-lined pedestrian path that connects to the on-site path system as well as the LSC Loop. The buffer will be significantly deeper on the western portion of the site where it merges with the Muddy Branch Park. In addition, a countywide bikeway (DB-16) must be completed along Darnestown Road.
- Belward Commons and Historic Farmstead will include 10 to 12 acres of open space surrounding and including the historic farmstead buildings. Views of the farmstead from Darnestown Road and residential neighborhoods to the south and west, as well as other vantage points within the site, should be preserved to the extent practicable, consistent with other Master Plan objectives for this site. Reuse of the historic buildings offers opportunities for community-serving uses that could include active indoor recreation or cultural activities. A weekend farmers market could be established here.
- Urban Square at the CCT Station is envisioned as a hub of daily activity with space for special events and gatherings and some community retail for the convenience of CCT riders, workers, and area residents.

When a development plan application for Belward is submitted, the Planning Board should seek to maximize open space adjacent to existing residential neighborhoods and, to the extent feasible, maintain views of the historic farmstead. The Muddy Branch Park and all open spaces proposed on Belward are to be publicly accessible while remaining privately owned, constructed, and maintained. At the time of development plan approval, the Planning Board will ensure that the recreation and open space facilities in the approved development plans are built to suitable recreation standards and that the Muddy Branch Park will be substantially

completed before the property owner receives building permits for more than 25 percent of the total development allowed on the property.

Development in accordance with this Plan should add value and enhance the quality of life in the area by creating substantial amenities, recreational opportunities, and phasing new development with the provision of transit and infrastructure to support it. This Plan recommends that connections be created so that residents from surrounding neighborhoods have access to these amenities. Residents should be engaged throughout all phases of the Belward development review process to provide comments and suggestions on issues such as connectivity, plans for open space, and other amenities. As shown on Map 20, the Plan recommends new streets on Belward, including one aligned with Midsummer Drive that can provide access from the Washingtonian Woods neighborhood. The bikeway and trail connections mentioned above will improve access. Options for more direct links from the surrounding communities to Belward should be explored as development proceeds.

### map 18 LSC Belward: Open Space



## map 19 LSC Belward: Proposed Zoning



### Recommendations

#### Land Use and Zoning

- Rezone the Belward property from R&D to the LSC Zone and allow up to 1.0 FAR.
- Require a Concept Plan with the first Preliminary Plan application to address the Plan's guidelines, including the CCT location, the highest densities and height at transit, preservation of the historic property and views of the farmstead, creation of a local street network and the LSC Loop, the open space system, neighborhood buffers, and connections from surrounding residential neighborhoods.
- Maintain Belward as an open campus development.
- Provide a network of active and passive open spaces.



#### Historic Belward Farm

- Preserve views of the farmstead, to the extent practicable, from Darnestown Road and residential neighborhoods to the south and west, consistent with other Master Plan objectives for this site.
- Step new buildings down to 60 feet (four stories) adjacent to the Belward Farm.
- Use the site, including the house and barns, for recreational, educational, social, or cultural uses that complement the community and new development.
- Preserve open space and mature trees surrounding the farmstead. Retain an environmental setting large enough to convey the agricultural character of the historic resource, between 10 and 12 acres.

## map 20 LSC Belward: Urban Form

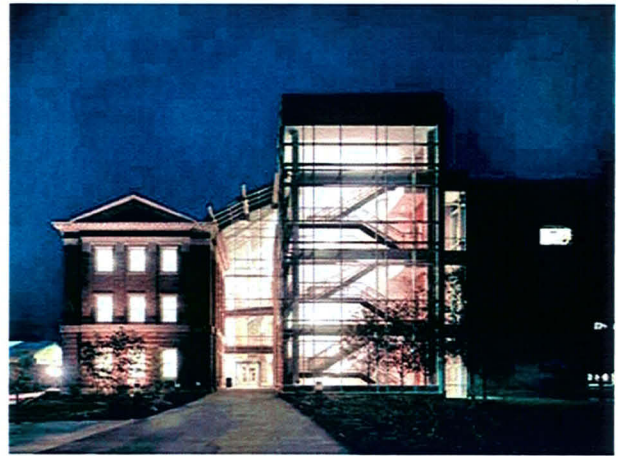
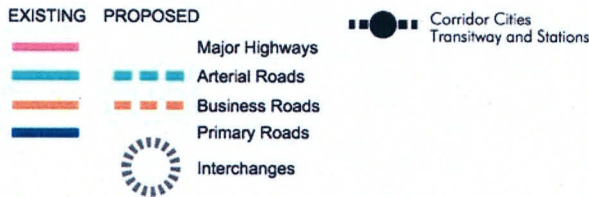
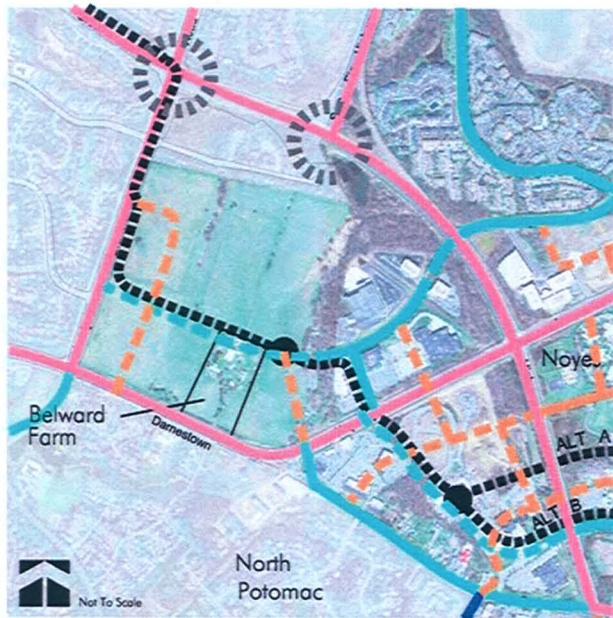


To the north and immediately adjacent to Belward is the Mission Hills neighborhood, a subdivision of 52 single-family homes in the City of Gaithersburg. Across Muddy Branch Road to the west are the Washington Woods and Westleigh neighborhoods, also in the City of Gaithersburg. South of Darnestown Road are the North Potomac neighborhoods, in the County's 2002 Potomac Subregion Master Plan.

### Urban Form and Open Spaces

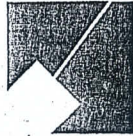
- Concentrate the highest density and building heights (150 feet) near the CCT station.
- Organize the significant roads and buildings to provide views of the historic Belward Farm.
- Complete the Muddy Branch Trail Corridor from Dufief Mill Road and Darnestown Road to Great Seneca Highway along the Belward property on the east side of Muddy Branch Road.
- Create the LSC Loop along Medical Center Drive and Decoverly Drive to connect pedestrians with other transit centers, the network of natural pathways along the stream buffers, and the open spaces.
- Preserve the landmark tree on the Muddy Branch Road side of the property.
- Include the following public open spaces:
  - LSC Loop
  - stream buffers that may include natural surface trails
  - Belward Farm environmental setting
  - urban square at the CCT station
  - urban promenade connecting buildings and public spaces.
- Provide at least 20 percent of the net tract areas as public use space.
- Create an open space along Muddy Branch Road with a minimum width of 100 feet and a 60-foot landscaped buffer along Darnestown Road.
- Provide one rectangular field for active recreation in the Muddy Branch Park, with permitting by the Parks Department.
- Preserve and augment the trees along the northern boundary as a transition to the existing single-family houses in Mission Hills.
- Provide a 200-foot buffer along the property's northern edge, adjacent to Mission Hills, between the property line of the single-family homes and any buildings on Belward.
- Provide a 100-foot wide stream buffer on either side of the two tributaries of the Muddy Branch.

**map 21 LSC Belward: Mobility**



**Mobility**

- Provide a CCT station on the Belward property along Decoverly Drive extended near the intersection with Medical Center Drive extended.
- Extend Decoverly Drive across Great Seneca Highway into and through the Belward site to Muddy Branch Road.
- Create a network of new streets with short blocks.
- Provide a comprehensive pedestrian network throughout Belward with an emphasis on easy and convenient access to the proposed CCT station.
- Implement the LSC Loop, including natural surface trails through the stream valleys and connected paths and sidewalks throughout the site and in the perimeter buffer areas.
- Build the proposed trail connection (a non-park connector between recreational trails/bikeway) on the east side of Muddy Branch Road from Darnestown Road to Great Seneca Highway.
- Improve connections and access from surrounding neighborhoods to enable residents to easily access the CCT station, the LSC Loop, the historic site, as well as other amenities in the Belward District.
- Widen Key West Avenue (MD 28) to 8 lanes divided.
- Construct interchanges at Great Seneca Highway (MD 119) and Sam Eig Highway and at Great Seneca Highway (MD 119) at Muddy Branch Road.



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

May 25, 2011

Mr. David McDonough  
Johns Hopkins Real Estate  
1101 E. 33<sup>rd</sup> Street, Suite E100  
Baltimore, MD 21218



**Re: Applications 11986115C, Montgomery County Medical Center and 11996110A, Belward Campus**

Dear Mr. McDonough:

I am writing to inform you of the Planning Department's position with respect to certain issues raised by Johns Hopkins's expansion plans for Montgomery County Medical Center and Belward Campus sites, namely the need to subdivide, plat, obtain forest conservation plan approvals, and dedicate master-planned roads. We understand that your development team has given a great deal of thought to your plans. Moreover, we appreciate the significance of Johns Hopkins's expansion plans to the implementation of the Greater Seneca Science Corridor Master Plan. With this in mind we have worked diligently to evaluate your proposals. Doing so has required extensive interagency coordination and several meetings between planners and Johns Hopkins's development team, in addition to a significant amount of internal review.

Our position on these issues reflects the Planning Department's attempt to accommodate Johns Hopkins's development goals as flexibly as possible consistent with County law and sound policy. In summary, the Planning Department believes that Johns Hopkins must subdivide, replat, and obtain forest conservation plan approval at both the Montgomery County Medical Center and Belward Campus sites. Perimeter and arterial roads must be dedicated, but master-planned business district streets may be provided by easement. We believe that this approach will help Johns Hopkins's to meet many of its development goals.

**Subdivision**

In our discussions, you have taken the position that it should be possible to avoid subdividing the Montgomery County Medical Center and Belward Campus sites if master-planned roads are created by easement or deed instead of by plat. As explained in detail below, after careful consideration, the Planning Department has concluded that it will be necessary to dedicate at least the perimeter and arterial roads, which will result in the relocation of lot lines. Under Section 50-1 of the County Code, whether dedication of the perimeter roads is by deed or plat, the effect of dedication is to create one or more lots or other divisions resulting in a subdivision.



Mr. David McDonough  
May 25, 2011  
Page Two

### **Platting**

Platting (or replatting) will be required for both the Montgomery County Medical Center and Belward Campus site. There are several reasons for this.

Under Section 50-30(c)(1) of the Subdivision Regulations, adequate space must be dedicated to public use for roads. Such dedications, and any easements created to support subdivision, such as public access and forest conservation easements, must be shown on a plat under Section 50-8 of the County Code. In addition, under Section 50-25(a), master-planned roads must be shown on a plat. Even if certain master planned streets are to be provided by an easement, as you have proposed, they must still be shown on the record plat. Under Section 50-36(d)(2)(c), easements must also be shown on the record plat. Moreover, the development requirements and standards of the Zoning Ordinance, Road Code, and Subdivision Regulations would be difficult to assess, track, implement, and enforce without a clear recording of the limits of dedications and easements. Examples of such difficulties include the assessment of dedication on confronting properties, establishing setbacks, and calculating required open space area.

In the case of the Belward site (Application 11996110A), it is also necessary to replat to remove the site access restrictions from the existing plat.

It has always been the policy of the Planning Department to require plats to be filed whenever land is subdivided (or resubdivided) to establish a clear record of ownership, public use, and access, and the basis for development entitlements and requirements. This is what the Subdivision Regulations require. We can, however, accommodate some of Johns Hopkins's programmatic goals through a variety of easements as discussed below.

The Montgomery County Medical Center will need to be platted after the first site plan, but staff will recommend that the plats for Belward Campus be done with each site plan filed. Although all dedications and easements must be shown on the preliminary plan amendments for the Montgomery County Medical Center and Belward Campus, the final limits may be set with each site plan along with development standards such as setbacks, building restriction lines, and public use space.

### **Forest Conservation**

In the case of Belward Campus application, Johns Hopkins proposes to alter an existing forest conservation approval and has agreed to amend that approval.

In the case of the Montgomery County Medical Center, the requirement to subdivide triggers the need to obtain approval of a forest conservation plan. The Montgomery County Medical Center site does not qualify for any exemption under the forest conservation law. Although the site is already developed and Johns Hopkins's development plan calls for disturbing less than 5,000 square feet of forest, exemption (t)

Mr. David McDonough  
May 25, 2011  
Page Three

of Section 22A-5 does not apply due to the subdivision requirement. Staff will recommend that a preliminary forest conservation plan be required concurrent with the pending preliminary plan and that final forest conservation plans be required for the area of each site plan application. Payments of the fee-in-lieu may be made on a pro-rata share with each site plan. Payment for the NCI portion of the site, which will not require a new site plan, may be made at the earlier of the last site plan or at the end of 15 years.

We understand that Johns Hopkins would prefer to avoid having to obtain forest conservation plan approval for the Montgomery County Medical Center site. But as explained above, the technical requirement to obtain forest conservation plan approval is triggered by the need to subdivide. Beyond technical compliance, meeting the planting requirements of the forest conservation law will help to offset the impact of substantial increases in development at the Montgomery County Medical Center site.

#### **Dedication**

The Planning Department has carefully evaluated Johns Hopkins's proposal to provide all master-planned roads through an easement of dedication rather than by dedicating them on the plat. Our understanding is that by avoiding dedication Johns Hopkins hopes to achieve several goals, including avoiding triggering subdivision, and, in turn, avoiding forest conservation requirements and the potential need to upgrade sewer pipes on the Medical Center site. Additionally, Johns Hopkins seeks to retain substantial control and maintenance responsibility for the roads traversing its campuses. We appreciate Johns Hopkins's desire to retain control and avoid costs where possible. However, based on the express requirements of the Subdivision Regulations, it has been the longstanding policy of the Planning Board and the Planning Department to require dedication of master-planned roads in all but the most unusual circumstances. Dedication serves the important objectives of providing public access, coordinating transportation systems, and establishing master-planned land patterns. When similar goals can be met for small roads without essential circulatory connections, staff agrees that private roads may be accepted if built and maintained to public standards.

For the Belward Campus, Staff will support two means of ensuring that the proposed roads remain consistent with the recommendations of the Sector Plan. For the perimeter roads (Rt. 28 and Muddy Branch Road), internal road A-284, and the Corridor Cities Transitway (CCT) alignment, Staff recommends right-of-way dedication and platting to the master-planned width and construction standards of the Plan and Design Guidelines. Staff supports the establishment of a maintenance and liability easement between the curb and the edge of the rights-of-way if accepted by the County. Staff will recommend the same for the perimeter roads (Blackwell, Broschart, and Key West) around the Montgomery County Medical Center site (11986115C).

For both applications, Staff will support the business district roads, B-3, B-4, B-7, and

Mr. David McDonough  
May 25, 2011  
Page Four

B-8, as private roads subject to the following conditions:

- An easement (granted in perpetuity) must be platted for public access equal to the full master-planned right-of-way width;
- The proposed cross-sections must reflect the standards required by the Sector Plan and design guidelines;
- The proposed roads, sidewalks, and amenities must be built to at least public street construction standards; and
- Final delineation and alignment of the roads and easements may be determined with each site plan.

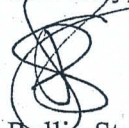
The Planning Department's support for this arrangement is based on a set of circumstances unique to Johns Hopkins's development plans for these sites. Those roads, unlike the perimeter roads for both sites and the major arterial through the Belward Campus site, are not essential to the primary connecting network for the Sector Plan area. As private roads with a public access easement, they will provide alternate route options for pedestrians, cyclists, and vehicles. Further, the roads do not abut any existing arterial or major highways already constructed and will not lead to significant off-site north/south or east/west connections; and these roads must be built such that street standards remain consistent with the master plan and design guidelines vision for the area.

### **Conclusion**

By agreeing to support certain roads as private we hope to help facilitate Johns Hopkins's development objectives for these important sites.

We look forward to continuing to work with you to implement the Master Plan vision for this area.

Sincerely,



Rollin Stanley  
Director

cc:

Edgar Gonzalez  
Diane Schwartz-Jones  
Barbara Sears