




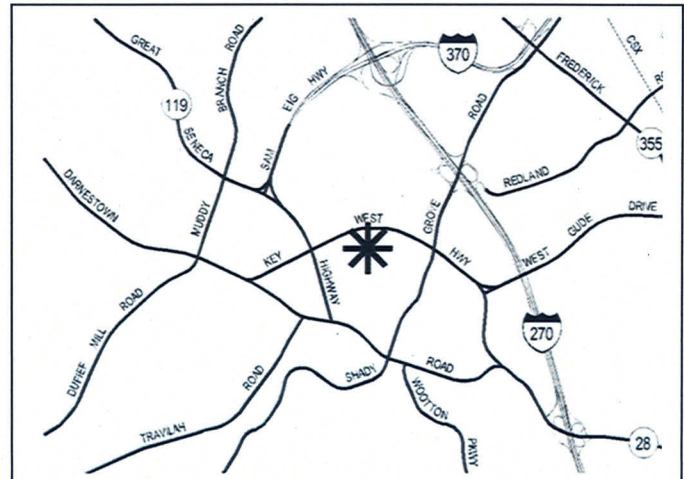
Preliminary Plan No. 11986115C, Johns Hopkins University Montgomery County Medical Center

-  Patrick Butler, Planner, Area 2 Planning Division, patrick.butler@montgomeryplanning.org, 301-495-4561
-  Steve Findley, Acting Planner Supervisor, I-270 Team, Area 2 Planning Division, steve.findley@montgomeryplanning.org, 301-495-4727
-  Glenn Kreger, Acting Chief, Area 2 Planning Division, glenn.kreger@montgomeryplanning.org, 301-495-4653

Completion Date: October 28, 2011

description

- Southwest quadrant of Key West Avenue and Medical Center Drive, the Life Sciences Center (LSC);
- LSC Zone, Great Seneca Science Corridor (GSSC) Master Plan, 41.08 acres;
- 169,071 square feet of R&D use in addition to the 884,638 square feet of existing R&D uses for a total of 1,053,709 square feet of R&D uses on the Subject Property;
- Applicant – Johns Hopkins Real Estate – David McDonough;
- Filing date: 2/18/2011;
- Subject to staging of the GSSC Master Plan.



summary

- Staff recommends approval with conditions.
- By approving this Preliminary Plan, the Board is also approving the Preliminary Forest Conservation Plan.
- There are concerns from the City of Rockville on the current procedure for assessing traffic impacts on intersections. The Planning Department is developing an approach that would bring together Planning Staff, the local jurisdictions and jurisdictional agencies to suggest how applicants might assess and mitigate their traffic impacts across jurisdictional boundaries.

The Applicant requests 169,071 square feet of development, in addition to 894,636 square feet of development that was previously approved, for a total of 1,063,707 square feet of commercial uses on one lot, zoned LSC, approximately 41.08 acres in size (gross) 30.83 acres (net), located on the south side of Key West Avenue between Broschart Road and Medical Center Drive, in the Great Seneca Science Corridor (GSSC) Master Plan area. The Applicant is also requesting a waiver of approximately 721 parking spaces for a total of 4,577 parking spaces (reduced from 5,298) with the waiver. The final number of spaces will be determined at the time of site plan review.

The proposed plan was reviewed for conformance with the LSC Zone and the recommendations of the GSSC Master Plan. The proposed development is considered new commercial development in the LSC and is, therefore, subject to the staging requirements set forth in the GSSC Master Plan.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

Approval of Preliminary Plan 120110080 pursuant to Chapter 50 of the Montgomery County Subdivision Regulations subject to the following conditions:

1. Total development under the subject Preliminary Plan is limited to an additional 169,071 square feet of R&D office space for a total of 1,053,709 square feet of R&D office space and 9,998 square feet of retail space.
2. Applicant to comply with all conditions of approval for the Preliminary Forest Conservation Plan:
 - a. Mitigation up to the conservation threshold of 15% of the net tract area to be fulfilled through planting of 4.80 acres of forest or preservation of 9.60 acres of existing forest in an approved forest mitigation bank.
 - b. Submission of a final forest conservation plan consistent with section 1.09(b) of the forest conservation regulations.
 - c. If Johns Hopkins University is required to build facilities (roads, sidewalks, trails, utilities, etc.) in any of the 3.60 acres of deducted from the net tract area on the worksheet, the affected area will be added back into the net tract area and mitigation requirements will likely increase at the time of Final Forest Conservation Plan approval.
3. The Applicant may install plantings or make payments of the fee in lieu pursuant to the approved Final Forest Conservation Plan on a pro-rata share basis with each site plan. Payment for the NCI Portion of the site may be made at the earlier of the date of the last site plan approval Resolution or 15 years from the date of the resolution.
4. The Applicant must satisfy the Local Area Transportation Review (LATR) test by providing the following intersection improvements:
 - a. Great Seneca Highway (MD 119) and Muddy Branch Road: Construct a second northbound left turn lane on Muddy Branch Road and a second westbound left-turn lane on Great Seneca Highway with the necessary traffic signal modifications.
 - b. Great Seneca Highway and Sam Eig Highway: Construct a third through lane on the eastbound approach of Great Seneca Highway with the necessary traffic signal modifications.
 - c. Key West Avenue-West Montgomery Avenue (MD 28) and Shady Grove Road: Extend three eastbound left turns on Key West Avenue.

The recommended intersection improvements above should be constructed with the required length as determined by the Montgomery County Department of Transportation (MCDOT) and the Maryland State Highway Administration (SHA), and will be based on their required supplemental SYNCHRO/traffic simulation analyses. The Applicant must submit a Letter of Intent to confirm the plan to create, fund, and privately operate a Road Club. The specific intersection improvements must be identified by the "Road Club" and permitted and bonded by the Montgomery County Department of Permitting Services (DPS) and the Maryland State Highway Administration (SHA) prior to release of any building permit. The construction of these intersection improvements must be complete and open to traffic prior to issuance of any use and occupancy permit.

5. The Applicant must satisfy the Policy Area Mobility Review (PAMR) test by contributing to the County \$11,300 per trip for each of the 47 new peak-hour trips for a total of \$531,100 towards the off-site LATR intersection improvements listed above. If the pro rata share of the Applicant's cost of these intersection improvements is less than \$531,100, the remaining PAMR funds should be paid to MCDOT for master-planned Life Science Center roadway and/or intersection

improvements. Any PAMR payment to MCDOT must be made prior to issuance of any building permit.

6. The Applicant must submit a letter from the Maryland Transit Administration (MTA) to MCDOT and the Planning Department indicating that they are coordinating with MTA and their plan reflects the latest alignment and design of the Corridor City Transitway (CCT) along Broschart Road and its proposed station south of Blackwell Road. The Applicant's plan must show the CCT along the east side of Broschart Road and include the necessary vehicular access controls to minimize conflicting movements with CCT vehicles while permitting safe through east-west movements on the master-planned business road, B-7 across Broschart Road.
7. Within the Master Plan recommended rights-of-way, the Applicant must address the following pedestrian and bicycle improvements shown on the preliminary plan. The final extent, delineation, and alignment of these improvements shall be determined and provided at the time of the relevant site plan:
 - a. A dual bikeway (LB-1) on Medical Center Way, including a 10-foot-wide shared use path on the west side and wide outside lanes for a signed-shared roadway.
 - b. A dual bikeway (LB-4) on Blackwell Road, including a 10-foot-wide shared use path on the north side and wide outside lanes for a signed-shared roadway.
 - c. A 10-foot-wide shared use path, SP-66 on the east side of Broschart Road.
 - d. The necessary pedestrian crosswalks, handicapped ramps, and other pedestrian infrastructure improvements to be determined with the plan details provided at the relevant site plan.
 - e. One bicycle parking space per 20 proposed vehicular parking spaces to accommodate short term and long term parking. The spaces must be a combination of inverted-U bike racks near the main entrances of the JHU-MCC buildings and secured key-access bike storage and/or lockers in the two garages in a well-lit area near the elevator. Work with transportation planning staff regarding the types, distribution, and locations prior to the relevant site plan to provide the best practices for the proposed campus.
8. The Applicant must dedicate their portion of, and the record plat must reflect, the master-planned recommended 150-foot right-of-way for Broschart Road (A-261b) as shown on the preliminary plan that includes the 50-foot wide Corridor Cities Transitway (CCT) and the associated shared use path.
9. At the time of the relevant site plan, the Applicant must construct (i.e., permitted and bonded) the portion of Blackwell Road, including the shared use path, necessary to serve the development included in that site plan.
10. The Applicant must dedicate, and the record plat must reflect, an additional 20-feet of right-of-way where needed along Key West Avenue, between Broschart Road and Medical Center Drive as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 200 feet (100 feet from centerline), and construct the shared use path at the time of the relevant site plan.
11. The Applicant must dedicate, and the record plat must reflect, an additional 25-feet of right-of-way where needed along Broschart Road, between Key West Avenue and Blackwell Road as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 150 feet, and construct the bikeway in accordance with road code standard No. 2004.09 and Median Transitway Standard No. MC-225.02 at the time of the relevant site plan.
12. The Applicant must dedicate, and the record plat must reflect, an additional 37-feet to 100-feet of right-of-way where needed along Blackwell Road as shown on the preliminary plan, to provide the master-planned minimum right-of-way width of 100-feet (50-feet from centerline), and construct the sidewalk and shared use path in accordance with road code standard No.

2005.03 at the time of the relevant site plan.

13. The Applicant must design, construct, maintain, and provide a public use easement for the recommended 70-foot right-of-way for business district street B-8, as shown on the preliminary plan, 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, including sidewalks and amenities, unless modifications are approved by MCDOT and the Planning Board at the time of site plan. The final extent, delineation and alignment of these roads shall be determined at the time of the relevant site plan. The easements must be approved by M-NCPPC and MCDOT, and must include, at a minimum, provision for the following:
 - a. Public easements must be granted along all these master-planned roads as approved by MCDOT and DPS for connectivity and consistency with the *Great Seneca Science Corridor Master Plan*.
 - b. These master-planned roads design must comply with the County's Road Code standards for similar public roads, the *Great Seneca Science Corridor Master Plan*, and the Master Plan's Urban Design Guidelines.
 - c. Installation of public utilities must be permitted within the public easement.
 - d. These master-planned roads must not be closed for any reason unless approved by MCDOT.
 - e. The public easement must be volumetric to accommodate uses above and below the designated easement area.
 - f. The public easement must grant the County the right to construct and install appropriate traffic control devices, if not required to be installed by the Applicant.
 - g. Maintenance and Liability Agreements for each easement area must be entered into by the Applicant. These Agreements must identify the Applicant's responsibility to maintain all the improvements within the easement areas in good fashion and in accordance with applicable laws and regulations.
14. The Applicant must design, construct, maintain, and provide a public use easement for the recommended 60-foot right-of-way for business district street B-7, and the boundary of the easement must be shown on the record plat. The road must be constructed to public standards and in accordance with the road code standard No. 2005.01, including sidewalks and amenities, unless modifications are approved by MCDOT and the Planning Board at the time of site plan. The final extent, delineation, and alignment of these roads shall be determined at the time of the relevant site plan. The easement must be approved by M-NCPPC and MCDOT, and must include, at a minimum, provision for the following:
 - a. Public easements must be granted along all these master-planned roads as approved by MCDOT and DPS for connectivity and consistency with the *Great Seneca Science Corridor Master Plan*.
 - b. These master-planned roads design must comply with the County's Road Code standards for similar public roads, the *Great Seneca Science Corridor Master Plan*, and the Master Plan's Urban Design Guidelines.
 - c. Installation of public utilities must be permitted within the public easement.
 - d. These master-planned roads must not be closed for any reason unless approved by MCDOT.
 - e. The public easement must be volumetric to accommodate uses above and below the designated easement area.
 - f. The public easement must grant the County the right to construct and install appropriate traffic control devices, if not required to be installed by the Applicant.

- g. Maintenance and Liability Agreements for each easement area must be entered into by the Applicant. These Agreements must identify the Applicant's responsibility to maintain all the improvements within the easement areas in good fashion and in accordance with applicable laws and regulations.
- 15. The Applicant must enter into a Traffic Mitigation Agreement with the MCDOT and the Planning Board to participate in the Greater Shady Grove Transportation Management District. 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.
- 16. The Applicant must coordinate with the Maryland Transit Administration (MTA) regarding the alignment of the CCT and the location of the proposed CCT station.
- 17. All private internal roadways must be constructed in accordance with the Design Guidelines and Road Code cross-section requirements as modified to satisfy the Master Plan recommendations. Future site plans must determine the extent and timing of construction of the internal private roads necessary to support the development proposed by the relevant site plan.
- 18. The record plat must reflect a public use and access easement over all private streets and adjacent parallel sidewalks. This easement must be recorded by deed prior to the first building permit after each site plan is approved.
- 19. The Applicant must comply with the conditions of approval of the Montgomery County Fire and Rescue (MCF&R) letter dated September 16, 2011. These conditions may be amended by MCF&R, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 20. The Applicant must comply with the conditions of approval of the attached MCDOT letter dated October 6, 2011. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 21. The Applicant must comply with the conditions of approval of the attached Maryland State Highway Administration (MDSHA) letter dated September 21, 2011. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 22. The Applicant must comply with the conditions of the attached Montgomery County Department of Permitting Services (MCDPS) stormwater management concept approval letter dated July 29, 2011. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 23. The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s), as applicable.
- 24. The Applicant must provide a ten-foot public utility easement parallel, contiguous and adjacent to the rights-of-way of Key West Avenue, Broschart Road, Blackwell Road, Medical Center Drive, and Master Planned Roads B-7, and B-8 unless an alternative alignment is agreed upon by the applicable utility companies at the request of the M-NCPPC prior to certification of the relevant site plan and recordation of the plat.
- 25. No clearing, grading, or recording of plats prior to the relevant certified site plan approval.
- 26. Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at the relevant site plan.
- 27. 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 relevant site plan.

28. 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.
29. Open Space Areas shown on the Concept Plan must be provided as part of subsequent Site Plans as recommended in the GSSC Master Plan.
30. 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.”
31. The Adequate Public Facilities (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
32. All necessary easements must be shown on the Record Plat.

TABLE OF CONTENTS

SECTION 1: CONTEXT AND PROPOSAL	7
SITE DESCRIPTION	7
Site Vicinity	7
Site Analysis	8
PROJECT DESCRIPTION	9
Previous Approvals	9
Proposal	9
COMMUNITY OUTREACH	10
DEVELOPMENT ISSUES	11
Private Roads with Public Access Easements	11
Applicant’s Request for Extended APF Validity Periods	12
SECTION 2: PRELIMINARY PLAN REVIEW	15
MASTER PLAN	15
TRANSPORTATION	20
ENVIRONMENT	24
COMPLIANCE WITH THE ZONING ORDINANCE AND	
SUBDIVISION REGULATIONS	25
RECOMMENDATION	25
ATTACHMENTS	25

SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Site Vicinity

The LSC zoned Subject Property (outlined in red) is located in the LSC Central 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 surrounding properties are primarily a mix of R&D and commercial office uses including the Shady Grove Adventist Hospital, Key West Research Center, and Noyes Children’s Center. Properties to the north of Key West Avenue include Decoverly Industrial Park and the Shady Grove Industrial Center. The property will eventually accommodate the Corridor Cities Transitway (CCT) with an alignment along the western edge of the Subject Property with a stop planned just south at the Shady Grove Adventist Hospital Property.



Vicinity Map

Site Analysis

The Subject Property is approximately 41 acres in size (31.9 Net) and is bound by Key West Avenue to the north, Medical Center Drive to the east, and Broschart Road to the west. Blackwell Road is envisioned as a future road connection, which will separate the Subject Property from the adjoining Shady Grove Adventist Hospital property to the south. The site is currently developed with three 3-story structures comprised of approximately 210,000 square feet of commercial space. A large stormwater pond is located near the intersection of Key West Avenue and Medical Center Drive and is intended to be an amenity for the campus setting. The topography slopes gently, generally draining from the south to a regional stormwater pond in the northeast corner of the property. Most of the site is already developed, with three buildings existing and one additional building (the National Cancer Institute) under construction. A parking garage is also under construction to serve the National Cancer Institute. Much of the remainder of the site is covered by surface parking lots. There are no forest areas on the property.



Site Aerial View

PROJECT DESCRIPTION

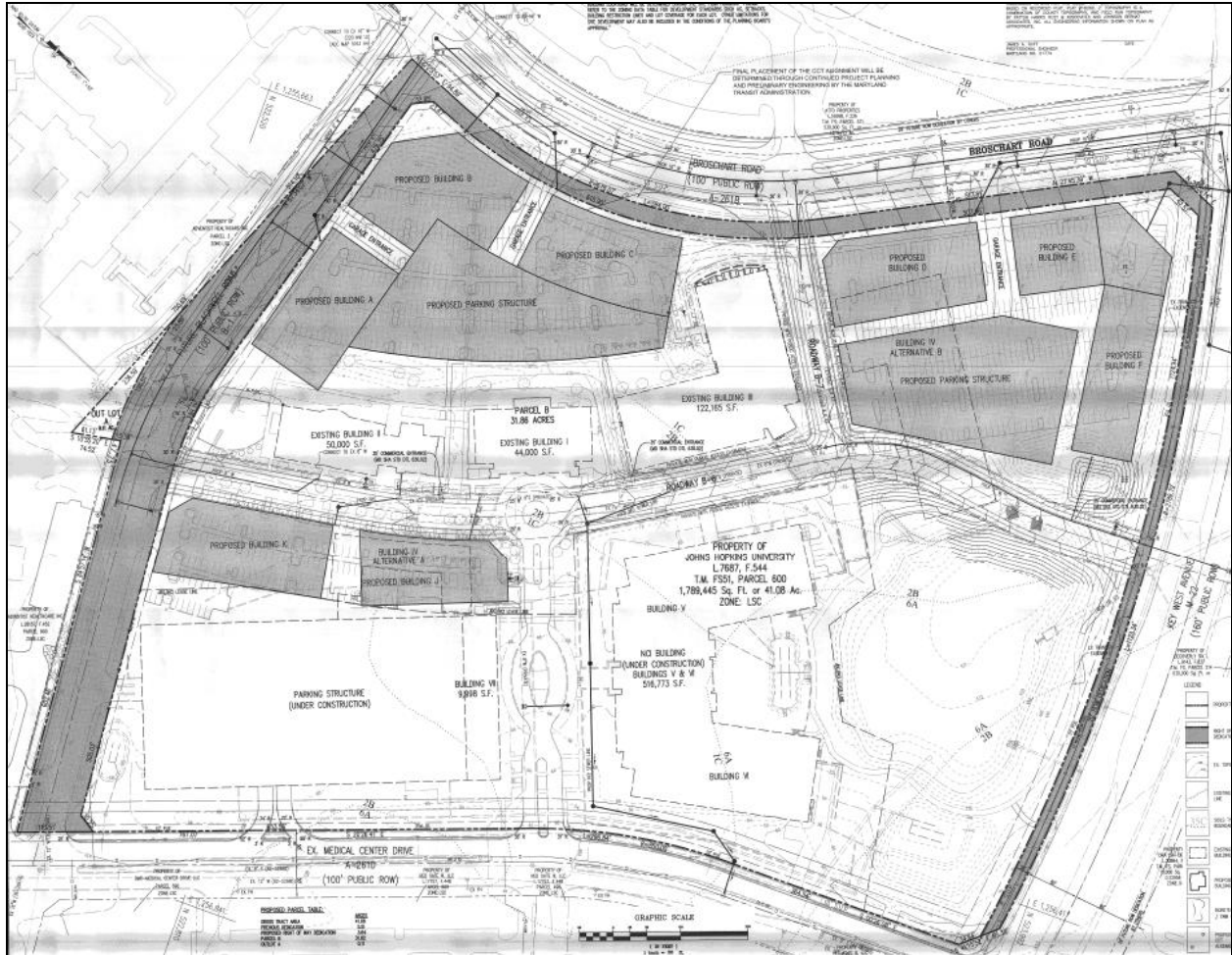
Previous Approvals

Preliminary Plan 119861150 was approved in April 1987 for the creation of one lot on 35.57 acres. An amendment to the Preliminary Plan 11986115A was approved in October 2007 to allow an additional 519,636 square feet of research and development related uses, in addition to the 375,000 square feet previously approved for a total of 894,636 square feet. An additional amendment, Preliminary Plan 11986115B, was approved in March 2010 to allow changes to two conditions of approval of the Preliminary Plan. The language in Condition No. 3 was modified to change the timing of when certain roadway improvements and their opening to traffic must occur (“prior to the issuance of any use and occupancy permit” rather than “prior to the issuance of any building permit”). Also, the language in Condition No. 5 was modified to change the timing of when the Traffic Mitigation Agreement must be executed (“prior to issuance of any building permit” rather than “prior to submission of the next Site Plan for any portion of this project”).

To date, approximately 216,165 square feet of R&D uses have been approved by various site plans and were constructed on the Property, while approximately 516,773 square feet of R&D uses and 9,998 square feet of retail uses were approved by the most recent site plan and are currently under construction. Based on the existing approvals listed above, there is approximately 151,700 square feet of approved but unbuilt development associated with the Subject Property.

Proposal

The proposed amendment to the approved Preliminary Plan will revise the previously approved lot by obtaining additional dedication of Blackwell Road, Broschart Road, and Key West Avenue. The Applicant is requesting an additional 169,071 square feet of R&D office space for a total of 1,053,709 square feet of R&D office space and 9,998 square feet of retail space. The total development proposed at this time is 1,063,707 square feet of commercial uses. The Applicant is showing the potential full build-out of the Subject Property. The total density shown, 2,684,167 square feet, is for conceptual purposes only. 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 M, of the Montgomery County Medical Center into one lot approximately 31.82 acres in size and one Outlot approximately 0.11 acres in size. The master-planned business district streets B-7 and B-8 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. The master-planned business district street B-11 was approved as part of the previous preliminary plan amendment and site plan amendment for the NCI building on the Subject Property. The massive amount of previously planned surface parking is proposed to be shifted to parking structures and dispersed throughout the site as future development is allowed to move forward subject to the staging requirements of the GSSC Master Plan. Sidewalks will be provided to serve the site both internally and along the frontages of the major roads on the periphery.



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. Areas in dark grey represent the additional right-of-way dedication proposed by the preliminary plan.

COMMUNITY OUTREACH

The Applicant presented the Preliminary Plan to the GSSC Implementation Advisory Committee. The Applicant fielded mainly general questions from committee members regarding who will occupy the conceptual buildings. The Applicant has complied with all submittal and noticing requirements, and staff has not received correspondence from any community groups as of the date of this report, including the GSSC Implementation Advisory Committee (IAC).

Staff has received correspondence from the City of Rockville (Attachment A). The main concern from the City is that traffic studies that are required for development in Montgomery County are not required to include traffic impacts on intersections outside of Montgomery County's jurisdiction. The City would like the Planning Board to require the Applicant to revise their traffic study to include any impacted

intersections, regardless of jurisdiction, and coordinate with Rockville to determine appropriate mitigation if necessary.

The Planning Department is developing an approach that would bring together Planning Staff, the local jurisdictions and jurisdictional agencies to suggest how applicants might assess and mitigate their traffic impacts across jurisdictional boundaries (Attachment B). Ideally, the working group would consist of MCDOT, SHA, City of Rockville, City of Gaithersburg and Planning Staff. Staff does not recommend the Planning Board delay the review of applications in the LSC until this issue is resolved.

DEVELOPMENT ISSUES

Private Roads with Public Access Easements

The Applicant approached staff questioning the need to dedicate the master-planned business district roads proposed on this site by plat. As outlined in the attached May 25, 2011 letter from the Planning Director (Attachment C), staff recommends that all perimeter and arterial roads must be dedicated, but the master planned business district streets may be provided by easement.

The Master Plan identifies three business district rights-of-way on the Subject Property. Roadway B-7, on the western portion of the Subject Property, provides a connection from Broschart Road to roadway B-8, which bisects the Property. Roadway B-11, on the western portion of the Subject Property, provides a connection from Medical Center Drive to roadway B-8. According to the Master Plan, business district streets B-7 and B-11 are to be constructed as 60-foot wide rights-of-way, while business district street B-8 is to be constructed as a 70-foot wide right-of-way. The Master Plan envisions these roadways to be dedicated to public use.

The Applicant has requested permission to construct these 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 development team, and internal review, staff recommends that the business district roads be accepted as private roads subject to the following conditions:

- a. Public easements must be granted along all these master-planned roads as approved by MCDOT and DPS for connectivity and consistency with the *Great Seneca Science Corridor Master Plan*.
- b. These master-planned roads design must comply with the County's Road Code standards for similar public roads, the *Great Seneca Science Corridor Master Plan*, and the Master Plan's Urban Design Guidelines.
- c. Installation of public utilities must be permitted within the public easement.
- d. These master-planned roads must not be closed for any reason unless approved by MCDOT.
- e. The public easement must be volumetric to accommodate uses above and below the designated easement area.
- f. The public easement must grant the County the right to construct and install appropriate traffic control devices, if not required to be installed by the Applicant.
- g. Maintenance and Liability Agreements for each easement area must be entered into by the Applicant. These Agreements must identify the Applicant's responsibility to maintain

all the improvements within the easement areas in good fashion and in accordance with applicable laws and regulations.

Staff conditionally supports this request for private, business district roads due to the unique circumstances of the JHU Montgomery County Medical Center site. The JHU site is being developed and maintained as 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., Key West Avenue, Broschart Road, Blackwell Road, and Medical Center Drive), 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-7 and B-8 will be recorded on the plat. B-11 was approved and constructed as part of the previous Preliminary Plan Amendment and Site Plan for the National Cancer Institute, and the cross section is actually much wider than the minimum 60 feet required by the Master Plan. Therefore, in this instance the master-planned roads B-7, B-8, and B-11 will essentially function as public roads in a dedicated right-of-way. However, JHU will be responsible for maintenance of the roads.

Applicant Requests for Extended APF Validity Periods

APF Extension Request of Previous Approval

Currently, there is approximately 151,700 square feet of approved but unbuilt development on the Subject Property. The 151,700 square feet of development was approved in October 2007 with an APF validity period of five years, or an expiration date of November 18, 2012. The Council has since granted two (2) two-year extensions for all valid plans. Therefore, the 151,700 square feet of development currently has five years remaining of the nine years total, or an expiration date of November 18, 2016. As part of the Subject Application, the Applicant requested the maximum APF extension of six years for the original approval as extended by the County Council. This would have extended the validity period from November 18, 2016 to November 18, 2022, which would result in a 15-year APF validity period (2007 to 2022). The Applicant has temporarily withdrawn that request.

Request for an Extended APF Validity Period of the Pending Application

Applicant's Request

The Applicant is requesting the maximum 12-year APF Validity Period for the 169,071 square feet of additional research and development space proposed by this preliminary plan. Pursuant to Section 50-20(c)(3)(A)(iii) of the Subdivision Regulations (Attachment D), the Planning Board can make an APF determination for "no less than 7 and no more than 12 years after the preliminary plan is approved, as determined by the Board at the time of approval, for any plan approved on or after April 1, 2009, but before April 1, 2013." In accordance with Sections 50-20(c)(3)(B) (Attachment E) and 50-34(g) (Attachment F) of the Subdivision Regulations, the Applicant is requesting a validity period that is longer than the minimum specified in the Subdivision Regulations.

The Applicant believes that the following staging schedule promotes the public interest because the extended validity period would allow the Applicant to continue its efforts, in cooperation with federal, state, and local agencies, to develop the Property in a manner that furthers the planning and economic

development objectives of the County (i.e. fostering the growth of the critically important life sciences community and to achieve the goal of developing the Property as a world-class Research Campus as envisioned by the Master Plan). The proposed phasing schedule, provided pursuant to 50-34(g), is listed as follows:

- Phase I: Issuance of building permits for a cumulative total of 151,700 square feet of development by November 18, 2016.
- Phase II: Issuance of building permits for a cumulative total of 320,771 square feet of development within twelve years from the date of approval of this Application.

The Applicant believes the above phasing schedule appropriately accommodates the length and complexities of the design and development for development proposed in furtherance of the vision of the Applicant and the County for the Property (see Applicant Letter – Attachment G).

Staff Position

Staff does not support the request for the lengthened APF validity period for the following reasons:

1. Staff does not feel that a maximum APF validity period of twelve years is necessary for phasing of an additional 169,071 square feet of research and development uses;
2. The Approved GSSC Implementation Guidelines specifically discourage hoarding of available capacity and approval of APF validity periods longer than the minimums; and
3. Staff does not agree that granting the maximum APF validity period is in the public interest.

Phasing

While it is true that the Board can grant longer than the minimum validity periods for plans large enough to require phased development, the additional square footage requested is relatively small. Staff believes that the minimum APF approval of seven years is reasonable to accommodate phasing of an additional 169,071 square feet of development.

Implementation Guidelines

The Board very recently (June 2011) approved Implementation Guidelines for the Great Seneca Science Corridor Master Plan. In that document, the Board makes clear the intent to limit plan and APF validity periods to discourage hoarding of available capacity due to the strict staging requirements for each stage of development allowed in the GSSC. The hoarding of capacity by projects that are not ready to proceed prevents viable projects from moving ahead. Under Section 4.1.5 on page 9 of the Guidelines state, “Because development in the LSC is tightly controlled by staging, plan validity and APF approvals should be limited to the minimum time periods prescribed in the subdivision regulations: currently five years for a Preliminary Plan approval and seven years for Adequate Public Facilities approval. The Planning Board can limit the approval of extensions to discourage hoarding” (Attachment H). As a recent example, the Planning Board approved 230,929 square feet of R&D uses as part of Preliminary Plan No. 120110080, 9800 Medical Center Drive, and limited the APF validity period to the minimum seven years.

Staff is not entirely opposed to long APF validity periods in the Life Sciences Center (LSC), but staff believes the longer APF validity periods and phased development should be reserved for substantially larger projects. For example, the Belward Campus still has 1,410,000 square feet of approved but unbuilt R&D uses available on that site, and that project was granted a longer APF phasing schedule due to the size of that project. While staff agrees that the Board can grant longer validity periods for special circumstances or for plans large enough to require phased development, staff does not find the proposed project to qualify as either of those.

Public Interest

Staff does not find that an APF validity period longer than the minimum would serve the public interest. Staff feels that the Applicant has sufficient time to allow development of the Property in a manner that furthers the planning and economic development objectives of the County, and to achieve the goal of developing the Property as a world-class Research Campus as envisioned by the Master Plan. Larger projects, such as the Belward Campus, with much more square footage and more moving parts may benefit by having additional flexibility in obtaining approvals from jurisdictional agencies and providing public improvements that are required as a direct result of development; however, staff doesn't believe that is the case with this application. The Master Plan requirements and the improvements required as a result of the limited amount of proposed development are relatively light at this time.

Furthermore, it should also be noted that the Applicant has the ability to transfer FAR with a much longer APF approval from Belward to the JHU Montgomery County Medical Center site if needed. The Belward Campus was approved for 1,800,000 square feet of development in March 1997, and the remaining 1,410,000 square feet of approved but unbuilt development has an APF approval valid through April 6, 2025 or 28 years. If the proposed plan is approved there will be approximately 1,730,771 square feet of approved but unbuilt development between the Belward Campus and the JHU Montgomery County Medical Center properties. This equates to approximately 54 percent of the total 3.2 million square feet of pipeline development (approved but unbuilt) in the LSC. The GSSC Master Plan allows for a transfer of density from on LSC-zoned property to another LSC-zoned property. This provision would allow a transfer of density from Belward to LSC Central, which the JHU MCMC site is located, but is completely voluntary and could only occur at the property owners' initiative. If there is an offsetting reduction in FAR on Belward, the density and height in the LSC Central could be increased by 0.5 FAR and by 50 feet above what the Plan allows for in this district. Given the fact that the Applicant has a substantial amount of pipeline development already approved with adequate time to move forward with that development and the flexibility to transfer additional density if needed, it is difficult for staff to view a longer APF validity period of 12 years for the proposed development as anything but hoarding of available capacity. Staff does not find this to be in the public interest.

Based on the analysis above, Staff recommends the Board approve the minimum APF validity period of seven years for the proposed Preliminary Plan.

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 Central District. The specific language of the Master Plan is included in Attachment I, but in short, the applicable Master Plan recommendations include a CCT station on Broschart Road near Blackwell Road, and those streets should be enlivened with activating uses. Future development, in its design and use, should be carefully planned to take advantage of transit and contribute to creating a vibrant LSC hub. The Plan envisions redeveloping portions of the block surrounded by Broschart Road, Medical Center Drive, Great Seneca Highway, and Blackwell Road. Currently, this area is developed with low-density, low-scale uses. With a transit station along Broschart Road, portions of this block could redevelop to higher densities with a mix of housing, retail, and employment uses.

Property Recommendations and Concept Plan

The Land Use & Zoning Recommendations for the Life Sciences Center (LSC) Central area of the Master Plan require submittal of “a Concept Plan prior to approval of any future individual development projects for JHU to address the Plan’s guidelines, including the location of the CCT, the highest densities and height at transit, the mix of uses, creation of a local street network, and provision of open spaces.”¹ Each of these issues is addressed by topic below.

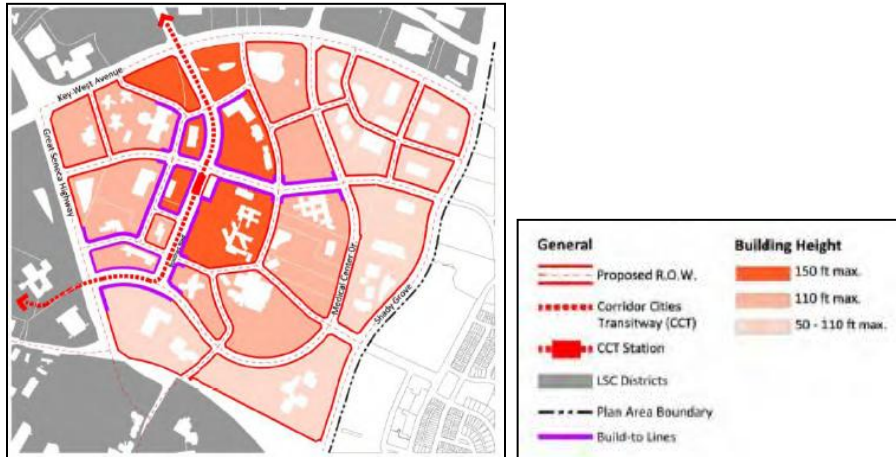
CCT Location

The Plan recommends that the CCT route travel along the subject site on the east side of Broschart Road. A station is recommended on the adjoining Shady Grove Adventist Hospital site.

The Applicant’s Preliminary Plan and Concept Plan reflect the general alignment recommended in the master plan. Final alignment 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 eventual 150-foot right-of-way of Broschart Road as shown on the Preliminary Plan. During Site Plan review, the final alignment should maximize pedestrian and transit user comfort and usability, and optimize access to the open spaces and circulation system.

¹Great Seneca Science Corridor Master Plan, June 2010, page 36.

Density & Height Near Transit



Map 13 LSC Central: Urban Form²

The Master Plan recommends the LSC zone with a density limit of 1.5 FAR for the subject property. Maximum building heights are recommended at 110 feet on the eastern half of the property (bisected by business district street B-8) and 150 feet on the western half of the property, which is closer to transit. Street walls are suggested by the “build-to lines” on the plan.



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 1.5 FAR is dispersed between lower buildings to the

² Ibid, page 36.

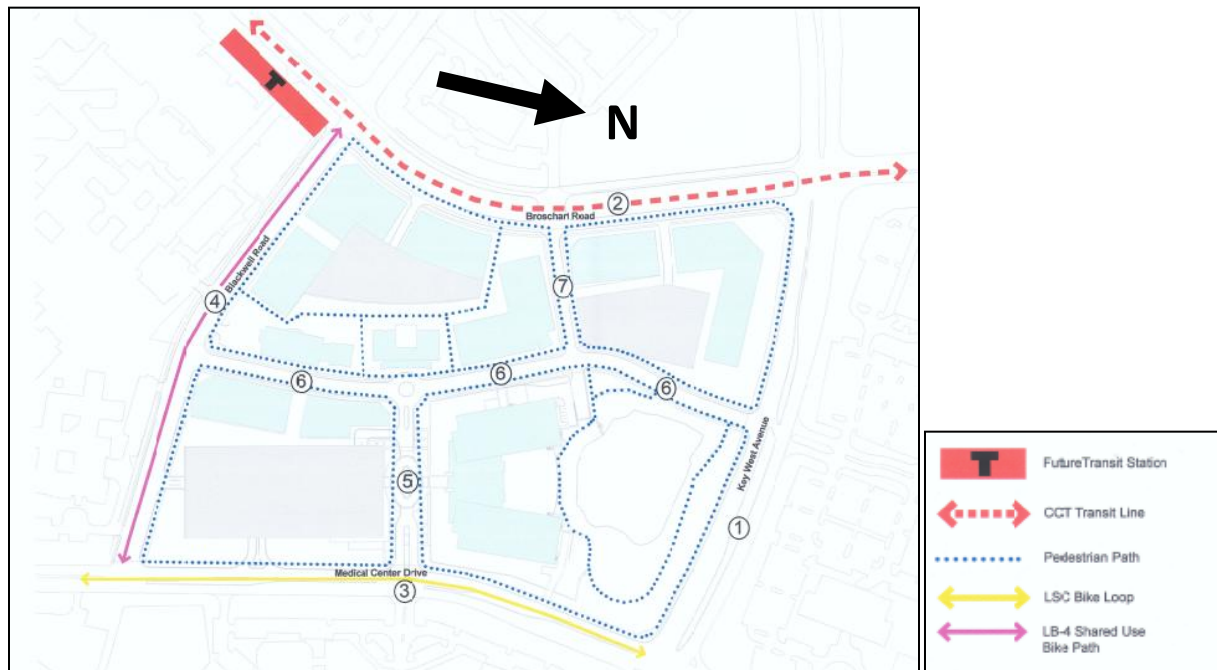
east of B-8, and higher buildings to the west side of B-8. The master plan recommends that Adventist Health Care and JHU design the east side of Broschart Road as an urban street, lined with buildings and activating street level uses. The proposed lot and street layout of the Preliminary Plan will accommodate the Master Plan’s vision for this density and lively street edge.

Circulation System & Links to Adjacent Neighborhoods

The Master Plan recommends numerous circulation and mobility improvements for LSC Central. These include:

- Construction of the CCT and station,
- Extension of Blackwell Road,
- Creation of a network of streets within the site,
- Creation of a pedestrian network,
- Implementation of the LSC Loop,
- Design Broschart Road as an urban street,
- Connection of recreational trails and bikeways,
- Road improvements.³

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, extension of Blackwell Road, pedestrian sidewalks and paths, LSC Loop Connection, and Broschart Road is represented as an urban street with the proposed CCT alignment and significant building frontage.



Proposed Circulation Concept

³ Ibid, page 37.

The internal streets, which form an urban-scale network of blocks, will have sidewalks that connect to adjacent properties and the open spaces proposed within the site. These sidewalks will connect to master-planned paths, including the LSC Loop, that run with the major roads along the periphery of the Subject Property.

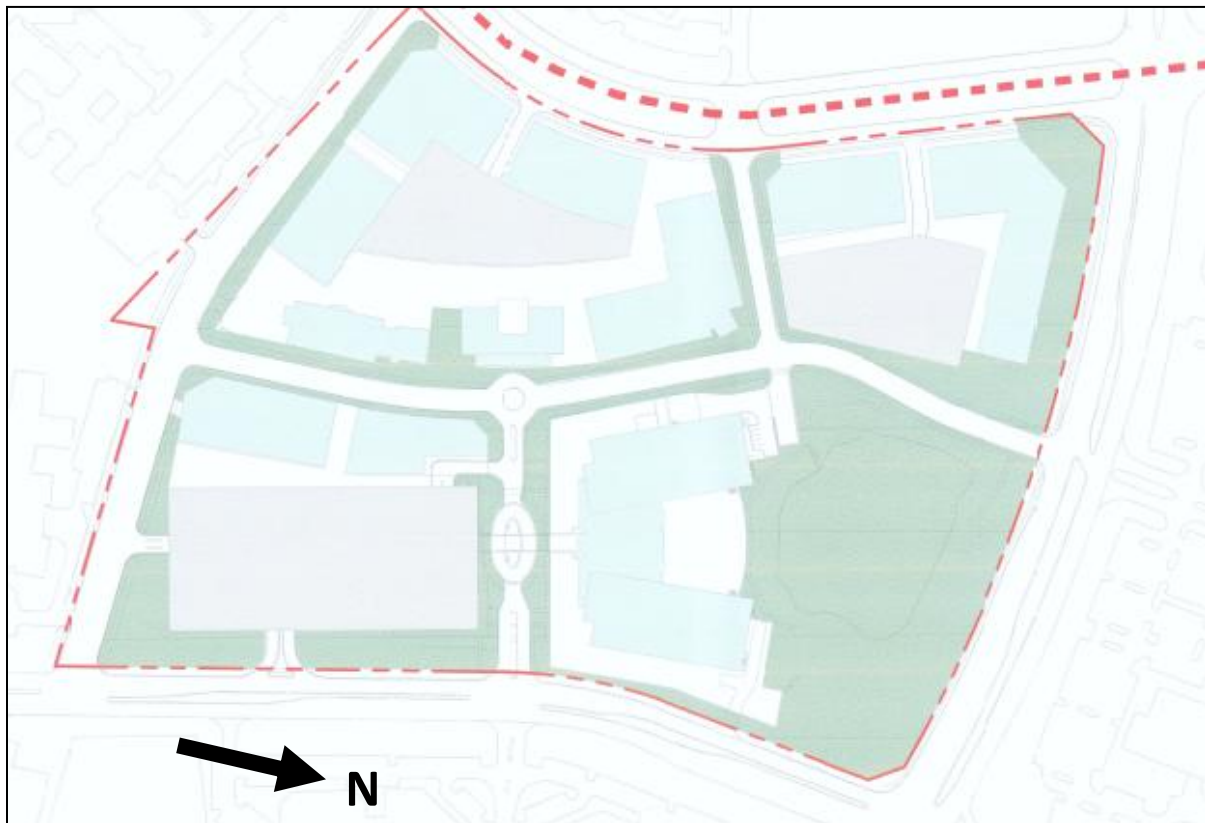
Dedication of the CCT right-of-way, Blackwell Road right-of-way, and expansion of the rights-of-way for Key West Avenue and Broschart Road will allow for the recommended vehicular and transit improvements. All other internal roads will be built to public road standards, maintaining the mobility and design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

Open Space System

The Master Plan requires that properties in the LSC Central provide the following public open spaces:

- LSC Loop,
- Stream buffers,
- Urban square at the CCT station,
- Urban promenade to connect between buildings and public spaces.

Each of the applicable master-planned open spaces are provided in the Applicant's Preliminary Plan and Concept Plan as required.



Proposed Open Space Concept

The Applicant has also provided a diagram of “places.” The diagram helps to illustrate how the conceptual places and the proposed open spaces tie together through the proposed development. The Applicant has also provided this illustration to serve as a reference to 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. There are numerous situations where corridors are created between buildings to access parking or as mid-block connections. Staff will require that the space between buildings ties into the larger open space areas of the Subject Property during Site Plan review.



Places Diagram

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

TRANSPORTATION

Site Location and Vehicular Site Access Points

The site is located on the south side of Key West Avenue between Broschart Road and Medical Center Drive with three proposed vehicular access points from Key West Avenue, Medical Center Drive, and Blackwell Road.

Master-Planned Transportation Demand Management

The site is located within the boundary of the Greater Shady Grove TMD. The Applicant must participate in the TMD and assist the County in achieving and maintaining the non-auto driver mode share goals in the Master Plan.

On-Site Parking

Given the close proximity to a planned future CCT station, transportation planning staff supports the requested parking waiver of 721 spaces to reduce the required 5,298 spaces to 4,577 spaces. The total number of parking spaces and the number of parking spaces waived will be determined as part of the future site plan reviews.

Available Transit Service

The following three Ride-on routes operate along the roads fronting the site:

- Ride-On route 74 along Key West Avenue between Diamondback Drive and Omega Drive;
- Ride-On route 66 along Broschart Road between Key West Avenue and Medical Center Drive;
- Ride-On routes 43 and 66 along Medical Center Way between Broschart Road and Key West Avenue.

Corridor Cities Transitway (CCT)

The Maryland Transit Administration's (MTA) preferred alignment of the CCT is along the east side of Broschart Road with a proposed station south of the intersection with Blackwell Road. The Applicant must coordinate with the MTA's CCT project manager, Rick Kiegel, regarding MTA latest alignment and design of the CCT. The *Master Plan* reflects the CCT alignment as being on the east side of Broschart Road. The MTA – while acknowledging alignments could be modified as the project proceeds through additional engineering - is showing the alignment on the same east side of Broschart Road. The Preliminary Plans dated September 23, 2011, show the CCT alignment on the east side of Broschart Road within the 150-foot master-planned right-of-way.

Master-Planned Roadways and Bikeways

In accordance with the 2010 approved and adopted *Great Seneca Science Corridor Master Plan* and the 2005 approved and adopted *Countywide Bikeways Functional Master Plan*, the classified roadways and bikeways are provided as follows:

1. Key West Avenue is designated as a six-lane major highway, CM-22, with a recommended 200-foot right-of-way and a dual bikeway (bike lanes and a share use path on the north side), DB-43. The required right-of-way is shown on the latest submitted plans.
2. Broschart Road is designated as a four-lane major highway, A-261b, with a recommended 150-foot right-of-way, CCT, and a shared use path on the east side, SP-66. The required right-of-way is shown on the latest submitted plans.
3. Blackwell Road is a four-lane business road, B-1, with a recommended 100-foot right-of-way and a dual bikeway, LB-4, with a shared use path on the north side and a signed shared roadway. The required right-of-way is shown on the latest submitted plans.
4. Medical Center Drive is a four-lane arterial, A-261d, with a recommended 100-foot right-of-way and a dual bikeway, LB-1, with a shared use path on the west side and a signed shared roadway. The required right-of-way is shown on the latest submitted plans.
5. Road "F" or master-planned business district road, B-7, with a recommended two-lane 60-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.
6. Road "J" or master-planned business district road, B-11, with a recommended two-lane 60-foot right-of-way. This road was approved and constructed in its current configuration as part of the previous Preliminary Plan and Site Plan approvals for NCI.
7. Road "G" or master-planned business district road, B-8, 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.

Pedestrian and Bicycle Facilities

The pedestrian and bicycle facilities would be adequate with the additional improvements required at the time of site plan review.

Local Area Transportation Review (LATR)

The proposed additional R&D space is limited by the available remaining commercial development of 169,071 square feet in the Great Seneca Science Corridor Master Plan Stage I development. The table below shows the number of peak-hour trips generated by the proposed 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>Square Footage</i>	<i>Peak-Hour Trips</i>	
		<i>Morning</i>	<i>Evening</i>
Previously Approved & Proposed Land Uses	788,707	216	190
Previously Approved by Preliminary Plan No. 11986115B	519,636	355	331
Net Increase by Preliminary. Plan No. 11986115C	169,071	134	119

The Applicant submitted a traffic study to satisfy the LATR test because the proposed land use generates 30 or more peak-hour trips within the weekday morning and evening peak periods. The table below shows the calculated Critical Lane Volume (CLV) values from the traffic study at the analyzed intersections for the following traffic conditions:

1. Existing: Existing traffic conditions as they exist now.

2. Background: The existing condition plus the trips generated from approved but un-built nearby developments.
3. Total Not Improved: The background condition plus the site-generated trips.
4. Total Improved: The Total Not Improved condition analyzed with intersection improvements described in Condition No 4.

Analyzed Intersection	Weekday Peak Hour	CLV Congestion Standard	Traffic Condition			
			Existing	Background	Total	
					Not Improved	Improved
Great Seneca Highway (MD 119) and Muddy Branch Road	Morning	1,425	1,407	1,595 ¹	1,632 ¹	1,492 ^{1,4}
	Evening		1,615	1,740 ¹	1,780 ¹	1,690 ^{1,4}
Great Seneca Highway and Sam Eig Highway	Morning	1,450	1,223	1,394 ²	1,514 ^{1,2}	1,276 ²
	Evening		1,480	1,393 ²	1,433 ²	1,433 ²
Darnestown Road (MD 28) and Muddy Branch Road	Morning	1,450	1,454 ¹	1,582 ¹	1,586 ^{1,3}	Not Required ³
	Evening		1,280	1,347	1,349	
Key West Avenue (MD 28) and Darnestown Road	Morning	1,450	1,030	1,108	1,118	-----
	Evening		1,020	1,177	1,198	-----
Key West Avenue and Great Seneca Highway	Morning	1,450	1,230	1,348	1,422	-----
	Evening		1,122	1,255	1,363	-----
Key West Avenue (MD 28) and Broschart Drive-Diamondback Drive	Morning	1,450	1,260	1,264 ²	1,349 ²	-----
	Evening		1,088	1,189 ²	1,270 ²	-----
Key West Avenue and Omega Drive-Medical Center Drive	Morning	1,450	1,112	1,391	1,430	-----
	Evening		1,110	1,316	1,362	-----
Key West Avenue - West Montgomery Avenue and Shady Grove Road	Morning	1,450	1,117	1,249 ²	1,352 ²	1,352 ²
	Evening		1,302	1,598 ^{1,2}	1,680 ^{1,2}	1,534 ^{1,2,4}
Shady Grove Road and Research Boulevard	Morning	1,450	879	918	946	-----
	Evening		990	1,137	1,237	-----
Shady Grove Road and Corporate Boulevard	Morning	1,450	889	949	1,040	-----
	Evening		1,046	1,225	1,343	-----
Darnestown Road and Travilah Road	Morning	1,450	970	1,047	1,077	-----
	Evening		995	1,167	1,190	-----
Great Seneca Highway and Darnestown Road	Morning	1,450	1,035	1,067	1,078	-----
	Evening		1,077	1,185	1,225	-----
Darnestown Road and Traville Gateway Drive	Morning	1,450	993	1,016	1,022	-----
	Evening		645	712	726	-----
Shady Grove Road and Darnestown Road	Morning	1,450	1,061	1,131	1,161	-----
	Evening		1,019	1,140	1,188	-----
Darnestown Road and Glen Mill Road	Morning	1,500	931	972	999	-----
	Evening		893	1,108	1,150	-----
Shady Grove Road and Medical Center Way-Falls Grove Blvd	Morning	1,450	708	879	1,112	-----
	Evening		807	881	1,000	-----

¹The CLV values exceed the intersection's congestion standard

²The CLV values calculated with the intersection improvement(s) required of the JHU-National Cancer Institute and the Crown Farm background developments.

³The increase in CLV is 5 or less and, thus, an intersection improvement is not required because the Applicant is required to provide at least one improvement in accordance with Section TL1 of the 2009-11 Growth Policy.

⁴The CLV value still exceeds the intersection's congestion standard, but the Total Improved CLV value is less than the Background CLV value.

The CLV values for the background, total not improved, and total improved traffic conditions were analyzed with the following intersection improvements:

1. Required of the developer of Site Plan No. 820100090, JHU-National Cancer Institute:
 - a. Great Seneca Highway/Sam Eig Highway intersection: Construct a third westbound through lane on Great Seneca Highway from Sam Eig Highway to Muddy Branch Road.
 - b. Key West Avenue and Broschart Drive-Diamondback Drive: Convert the inside through lane on the southbound approach of Diamondback Drive to a combined through second left-turn lane and modify the traffic signal timing on the north/south approaches from a concurrent to a split phase.
 - c. Key West Avenue-West Montgomery Avenue/ Shady Grove Road: Construct a third left-turn lane on the eastbound Shady Grove Road approach.

2. Required of the developer of the Crown Farm developer in the City of Gaithersburg:
 - a. Great Seneca Highway/Sam Eig Highway: Construct a third through lane on the westbound approach and a third receiving through lane on eastbound approach on Great Seneca Highway.

The LATR test is satisfied at four analyzed intersections where the CLV values in the total traffic condition exceed the intersections' congestion standards as follows:

1. Great Seneca Highway/ Muddy Branch Road intersection: The evening CLV value in the Total Improved traffic condition still exceeds the intersection's congestion standard, but the CLV value in the Total Improved traffic condition is reduced below the CLV value in the background traffic condition with the intersection improvements described in Condition No. 4.
2. Great Seneca Highway/Sam Eig Highway intersection: The CLV value in the Total Improved traffic condition is reduced below its congestion standard of 1,450 with the intersection improvements described in Condition No. 4.
3. Darnestown Road/Muddy Branch Road intersection: The increase in morning CLV values from the background traffic condition to the Total Not Improved traffic condition is 5 or less. In accordance with Section TL1 of the *2009-11 Growth Policy*, an improvement at this intersection is not required because the Applicant is required to provide at least one improvement at another off-site location.
4. Key West Avenue - West Montgomery Avenue/Shady Grove Road intersection: The evening CLV value in the Total Improved traffic condition still exceeds the intersection's congestion standard, but the CLV value in the Total Improved traffic condition is reduced below the CLV value in the background traffic condition with the intersection improvements described in Condition No. 4.

Policy Area Mobility Review

As a preliminary plan amendment application filed on February 2011, the trip mitigation requirements under the FY 11 *Growth Policy* must be satisfied. *The FY 11 PAMR* test requires the Applicant to mitigate 47 or (35% of the 134) new peak-hour trips generated by the proposed additional R&D office space within the weekday morning and evening peak periods. To satisfy the PAMR test, the Applicant proposed to contribute \$11,300 per trip for each of the 47 trips or \$531,100 towards the off-site LATR intersection improvements as discussed in Condition No. 5.

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

Environmental Inventory

An Existing Conditions Plan, containing roughly the same information as a simplified NRI/FSD, was approved by Area 2 Environmental staff on October 11, 2011. The site contains no forest, floodplain, wetlands, streams, stream buffers, or rare, threatened or endangered species.

The property is located within the Muddy Branch watershed. This portion of the Muddy Branch watershed has been assessed as being in Fair condition based on biological monitoring indicators. Muddy Branch is classified a Use Class I stream by the State of Maryland. This site does not lie within a Special Protection Area.

Forest Conservation

A Preliminary Forest Conservation Plan (#11986115C) was approved by Area 2 Environmental staff on October 12, 2011. No forest exists on the site; therefore only the afforestation requirement applies. As submitted, the net tract area is 31.97 acres, including deductions taken for road and sidewalk dedications. The afforestation requirement is 4.8 acres of forest planting or 9.6 acres of forest preservation at an approved forest conservation bank. These requirements may increase at the time of Final Forest Conservation Plan approval if the Applicant is required to add areas that were deducted for right-of-way dedication back into the net tract area. The Applicant is proposing to meet all of their afforestation requirements off-site. Based on the approved Preliminary Forest Conservation Plan, staff finds that the Preliminary Plan is in compliance with Chapter 22A, Forest Conservation.

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

Stormwater Management

The Montgomery County Department of Permitting Services accepted the stormwater management concept for this project on July 29, 2011. The stormwater management concept proposes the use of Environmentally Sensitive Design approaches, including biofiltration, to treat runoff from the site. Any runoff not treated by the ESD systems will be treated by the existing regional pond on the northeast corner of the site.

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 (Attachment J).

RECOMMENDATION

The application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms with the recommendations of the Great Seneca Science Corridor Master Plan. Therefore, Staff recommends approval of the Preliminary Plan subject to the conditions contained at the beginning of this report.

ATTACHMENTS:

- A. City of Rockville Traffic Letter
- B. Agency Coordination Letter from the Planning Director – M-NCPPC
- C. Private Roads with Public Access Easement Letter from the Planning Director – M-NCPPC
- D. Section 50-20(c)(3)(A)(iii) of the Subdivision Regulations
- E. Section 50-20(c)(3)(B) of the Subdivision Regulations
- F. Section 50-34(g) of the Subdivision Regulations
- G. Applicant Letter – APF Justification Statement
- H. GSSC Implementation Guidelines
- I. GSSC Master Plan (pages 35 – 37)
- J. Agency approval letters



City of
Rockville
Get Into It

111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000
www.rockvillemd.gov

September 19, 2011

Mr. Ed Axler, Planner Coordinator
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD. 20910

RE: LATR and PAMR for Johns Hopkins University – Montgomery County Campus

Mr. Axler:

Thank you for the opportunity to review and comment on the above-referenced traffic study. The City of Rockville Traffic and Transportation Division has reviewed the document and would like to provide the following comments:

- It is not recommended to pursue the proposed modification for the southbound right turn at the intersection of MD 119 and Sam Eig Highway. The purpose of the existing traffic pattern is to address the weave pattern with the close proximity between this intersection and the intersection of MD 119 and Muddy Branch Road.
- MD 28 (Key West Avenue)/Darnestown Road: If the north leg of Darnestown Road is added to the intersection, analysis will be needed to determine the type of phasing that will serve traffic operations here. At what point is this proposed modification scheduled to occur?
- The word "Research" in Research Boulevard and Research Court is spelled incorrectly throughout the transportation report.
- Based on the scale of the proposed development and standard accepted approaches to understanding transportation impacts, a broader range of intersections should be analyzed, irrespective of the City border. Rockville requests, in particular, that the following intersections be analyzed because of their proximity to the project:
 - MD 28 and Darnestown Road

Mr. Ed Axler, Planner Coordinator
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD. 20910

Page 2
September 19, 2011

- MD 28 and West Gude Drive
 - MD 28 and Research Boulevard
 - MD 28 and Hurley Avenue
 - MD 28 and I-270 Southbound Off Ramp
- Of the following 6 intersections with proposed improvements 4 still have Critical Lane Volume (CLV) over the allowable thresholds:
 - MD 119 and Muddy Branch Road
 - MD 119 and Sam Eig Highway
 - MD 28 and Muddy Branch Road
 - MD 28 and Shady Grove Road

Based on the LATR/PAMR guidelines, is this acceptable?

Should you have any questions please feel free to contact me at 240-314-8228, or Peter Campanides, Civil Engineer II, at 240-314-8527.

Sincerely,



Bobby Ray, AICP
Principal Planner

- C: Susan Swift, Director of Community Planning & Development Services
David Levy, Chief of Long Range Planning & Redevelopment
Peter Campanides, Civil Engineer II, Department of Public Works



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

September 7, 2011

Ms. Susan Swift, Director
City of Rockville
Department of Community Planning and Development
111 Maryland Avenue
Rockville, Maryland 20850-2364

Re: Great Seneca Science Center – Impact of Development Projects

Dear Ms. Swift:

Thank you again for your letter of July 19, 2011 regarding this matter. As mentioned in my initial letter of response dated August 11, 2011, I look forward to the establishment of an inter-agency working group that can work collaboratively toward the formulation of recommendations to address this important issue.

The purpose of this letter is to respond more fully to several key issues you've raised in your July 19th letter.

(1) Location of Traffic Mitigation Projects (see attached map)

Five (5) traffic mitigation projects are cited at the top of page 2 in your letter. It should be noted that all but one of these projects is physically located **along the City's boundary with the County**. The exception is the restripe of westbound Bou Avenue at Rockville Pike. While this project is physically within the County, this improvement is only located roughly 0.2 miles beyond the City's southern boundary. I should note that our transportation planners usually require the applicants to examine and if necessary provide some measure of improvements at the intersections (within the County's jurisdiction) bordering the City of Rockville or Gaithersburg.

(2) Inter-agency Coordination Regarding the Traffic Mitigation Process

Recent communications between my staff, MCDOT and MDSHA concerning this matter highlights the fact that staff-level interactions among the various agencies that have an interest in the traffic mitigation process, **including the Cities of Rockville and Gaithersburg**, have been historically minimal. These communications also reveal that coordination efforts in this regard, **by all the relevant parties**, could be greatly improved.

Ms. Susan Swift
September 7, 2011
Page Two

(3) Traffic Mitigation within Rockville as may be Required by New Development in the Great Seneca Science Center (GSSC) Area

As you are aware, the new development applications in the GSSC area, particularly the ones already pending have done their traffic impact studies. In accordance with the current Local Area Transportation Review Guidelines, these applicants did not analyze the impact on the intersections located within the City. We do not have an established inter-jurisdictional policy that guides our staff with regard to mitigating trips within the City limit if any of the intersections failed to meet your congestion standard. The county cannot currently require applicants to widen an intersection within the City limit. Therefore, we cannot legally stop the pending applications from moving forward in the development review process. Until we establish an appropriate inter-jurisdictional development review policy, we must allow these applications to go through the process and be reviewed and decided by the Planning Board.

To reiterate, an inter-agency coordination working group should be formed to work on this important issue. Methodological and legal issues must both be addressed given our different jurisdictions and respective review processes. Both municipalities should participate along with the County DOT and State Highway Administration. With the help of our elected officials, we should seek to develop a means to coordinate and evaluate the impact of future developments in our respective jurisdictions.

I believe the points expressed above reaffirm the need for and potential merit of our agencies working together to begin to address this issue in the collaborative manner that I have proposed. If you have any questions concerning this matter please contact, or have your staff contact, Shahriar Etemadi at 301-495-2168. I would be happy to have Mr. Etemadi set up the working group.

Sincerely,



Rollin Stanley
Planning Director
Montgomery County Planning Department

Attachment

cc: Arthur Holmes, MCDOT
Steve Foster, SHA
Diane Schwartz Jones, Office of the Executive, Montgomery County
Lauren Press, Planning Director, City of Gaithersburg



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

May 25, 2011

Mr. David McDonough
Johns Hopkins Real Estate
1101 E. 33rd 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



MONTGOMERY COUNTY CODE
Chapter 50

- (5) for the reconstruction of a one-family dwelling that is located on part of a previously platted lot, recorded by deed before June 1, 1958, if the dwelling is destroyed or seriously damaged by fire, flood or other natural disaster or;
- (6) for an addition to an existing one-family dwelling, a porch, deck, fence or accessory structures associated with an existing one-family dwelling located on part of a previously platted lot, recorded by deed before June 1, 1958.
- (c) (1) Words and phrases used in this subsection have the meanings indicated in Section 8-30.
- (2) Except as provided in this subsection and Article IV of Chapter 8, the Department of Permitting Services may issue a building permit only if the Planning Board has made a timely determination of the adequacy of public facilities to serve the proposed development under this Chapter. However, the Department may issue a building permit for any proposed development that is:
 - (A) exclusively residential on a lot or parcel recorded before July 25, 1989, or otherwise recorded in conformance with a preliminary plan of subdivision approved before that date; or
 - (B) otherwise exempt from the requirement for determining adequacy of public facilities before a preliminary plan of subdivision is approved.
- (3) (A) A determination of adequate public facilities made under this Chapter is timely and remains valid:
 - (i) for 12 years after the preliminary plan is approved for any plan approved on or after July 25, 1989, but before October 19, 1999;
 - (ii) for no less than 5 and no more than 12 years after the preliminary plan is approved, as determined by the Planning Board at the time of approval, for any plan approved on or after October 19, 1999, but before August 1, 2007;
 - (iii) for no less than 7 and no more than 12 years after the preliminary plan is approved, as determined by the Planning Board at the time of approval, for any plan approved on or after April 1, 2009, but before April 1, 2013; and
 - (iv) for no less than 5 and no more than 10 years after the preliminary plan is approved, as determined by the Board at the time of approval, for any plan approved on or after August 1, 2007, and before April 1, 2009, or on or after April 1, 2013.

Sec. 50-20(c)(3)(A)(iii)

MONTGOMERY COUNTY CODE
Chapter 50

§ 50-20

Sec. 50-20(c)(3)(B)

(B)

If an applicant requests a validity period that is longer than the minimum specified in this paragraph, the applicant must submit a development schedule or phasing plan for completion of the project to the Board for its approval. At a minimum, the proposed development schedule or phasing plan must show the minimum percentage of the project that the applicant expects to complete in the first 5 or 7 years, as appropriate, after the preliminary plan is approved. To allow a validity period longer than the minimum specified in this paragraph, the Board must find that the extended validity period would promote the public interest. The Board may condition a validity period longer than the minimum specified in this paragraph on adherence to the proposed development schedule or phasing plan, and may impose other transportation improvement or mitigation conditions if those conditions are needed to assure adequate levels of transportation service during the validity period.

(3A) A determination of adequate public facilities made under this Chapter is timely and remains valid:

- (i) For 10 years after the date of the conveyance of land to the County, or possession of building space by the county for an arts or entertainment use, under a preliminary plan for an optional method of development project approved under Section 59-C-6.2356.
- (ii) The Board must grant an application to extend the validity period established under this paragraph for an additional 5 years if:
 - a. at least 20% of the approved development, excluding the arts or entertainment use, either separately or in combination:
 - 1. has been built;
 - 2. is under construction;
 - 3. is subject to building permits that have been issued;
 - 4. is subject to a valid lease; or
 - 5. has had a site plan approved under Section 59-D-3; or

35

MONTGOMERY COUNTY CODE
Chapter 50

§50-34

- (3) Interior road or street access, whether private or proposed to be dedicated, shall be shown.
- (1) *Wells and septic systems.* Before submission to the Department of Permitting Services, all preliminary subdivision plans for lots in areas where individual wells, and septic systems would be installed must show, in addition to the usual data, the following items:
 - (1) The proposed location of water wells for each lot. Where there are existing wells on the property or on adjoining lots within one hundred (100) feet, they shall also be shown.
 - (2) A circular area with radius of one hundred (100) feet around each well to denote clear space in which no final sewage system is to be located.
 - (3) The "usable area" for sewage disposal, which shall be situated beyond the one hundred-foot radius and downgrade from the proposed house location and shall all be in virgin soil.
 - (4) Any existing sewage disposal systems on the property or on adjoining lots within one hundred (100) feet.
 - (5) Swamps, rock outcrops and floodplains, when the same exist.
 - (6) A ten-foot zone surrounding the water service line to buildings, free and clear of any sewer lines, systems or part thereof.

50-34(g)

(g) *Staging schedule.* The applicant or his agent must submit with the written application a recording and construction schedule which must indicate those portions of the area covered by the preliminary plan for which record plats and building permits will be sought and obtained during each of the succeeding years, up to the validity period of the APFO approval required by Sec. 50-35(k). Where a project is proposed to be built out in phases cumulatively exceeding three years, the applicant must submit a phasing schedule for approval by the Board as part of the preliminary plan. The preliminary plan establishes the validity period for the entire project.

When applicable, the phasing schedule should specifically identify the timing for the completion of construction and conveyance to unit owners of such things as common open areas and recreational facilities. In addition, the phasing schedule should indicate the timing for the provision of moderate priced dwelling units, and infrastructure improvements associated with each phase. Such a phasing schedule must be designed to have as little dependence on features (other than community-wide facilities) to be provided in subsequent phases and have minimal impact during construction on phases already built and occupied

→ next page

50-34(9)

For projects that require site plan review, the applicant may submit the final phasing schedule, detailing the information required in this section, provided the implementation of the phasing schedule does not exceed the validity period established in the preliminary plan.

- (h) *Staging schedule for land containing an arts or entertainment use as a public use space.* If a phasing plan for a preliminary plan of subdivision includes land or building space that the County has accepted for an arts or entertainment use under Section 59-C-6.2356, approval of a site plan under Section 59-D-3 for the phase containing that land or building space validates all remaining phases of the preliminary plan and the project plan for the purpose of Section 59-D-2.7(b).
- (i) *Increase of density.* A preliminary subdivision plan for a property in a receiving area which proposes to increase the density of the property by a utilization of development rights shall indicate, in addition to the number of lots permitted by the base density, the number of development rights to be conveyed to the receiving property, the total density, in dwelling units, of the proposed subdivision, the number of moderately priced dwelling units to be provided in accordance with the provisions of Chapter 25A, and the density recommended by the approved and adopted general, master, sector or functional plan.
- (j) *Development rights.* Such a preliminary subdivision plan must include at least two-thirds of the number of development rights permitted to be transferred to the property under the provisions of the appropriate general, master, sector or functional plan. However, upon a finding by the Planning Board that for environmental reasons it would be desirable to permit a lower density, the two-thirds requirement may be waived.
- (k) A preliminary subdivision plan application for a subdivision to be located in a transportation management district, as designated under Chapter 42A, Article II, must contain a draft traffic mitigation agreement that meets the requirements of that article unless one has previously been submitted at the time of project plan submittal under the optional method of development. (Mont. Co. Code 1965, § 104-23; Ord. No. 8-73, § 1; Ord. No. 9-23, § 1; Ord. No. 9-68, § 1; Ord. No. 9-69, § 1; Ord. No. 11-18, § 1; Ord. No. 11-23, § 1; Ord. No. 12-16, § 1; Ord. No. 12-19, § 4; Ord. No. 12-60, §§ 1, 3; Ord. No. 13-36, § 1; Ord. No. 13-51, § 1; Ord. No. 13-91, § 4; Ord. No. 13-113, § 1; Ord. No. 14-37, § 1; Ord. No. 14-50, § 1; Ord. No. 15-89, § 1; Ord. No. 16-26, § 1.)

Editor's note—Section 50-34 is quoted in Cinque v. Montgomery County Planning Board, 173 Md. App. 349, 918 A.2d 1254 (2007). Sections 50-34 to 50-36 [formerly §104-23 through §104-25] are quoted in Gruver-Cooley Jade Corporation v. Perlis, 252 Md. 684, 251 A.2d 589 (1969).

For preliminary plans and record plats approved prior to the effective date of this ordinance, which remain valid, the validity period and procedural requirements and limitations for plan extensions are as established under this ordinance

51

accomplished within the existing APF validity period. The extension allows the Applicant to continue its efforts to replat the Property consistent with the Master Plan and work in cooperation with federal, state, and local agencies, to develop the Property in a manner that furthers the planning and economic development objectives of the County to foster the growth of the critically important life sciences community.

Accordingly, for the reasons stated above, we request an extension of the APF validity period of the approved but unbuilt 151,700 square feet from November 18, 2014 to a date 7 years from the date of approval of this Application in accord with the phasing schedule outlined below.

B. APF Validity Period Request for the Additional 400,000 Square Feet

Pursuant to Section 50-20(c)(3)(A)(iii) of the Subdivision Regulations, the Applicant proposes an APF validity period of 12 years for the additional 400,000 square feet of non-residential development under Stage 1. Section 50-20(c)(3)(A)(iii) of the Subdivision Regulations provides that “[a] determination of adequate public facilities made under this Chapter is timely and remains valid ... for no less than 7 and no more than 12 years after the preliminary plan is approved, as determined by the Planning Board at the time of approval, for any plan approved on or after April 1, 2009, but before April 1, 2011”. In addition, Section 50-20(c)(3)(B) of the Subdivision Regulations, in part, provides the following: “If an applicant requests a validity period that is longer than the minimum specified in this paragraph, the applicant must submit a development schedule or phasing plan for completion of the project to the Board for its approval. At a minimum, the proposed development schedule or phasing plan must show the minimum percentage of the project that the applicant expects to complete in the first 5 or 7 years, as appropriate, after the preliminary plan is approved. To allow a validity period longer than the minimum specified in this paragraph, the Board must find that the extended validity period would promote the public interest. . .”

With additional time needed to develop the approved but unbuilt 151,700 square feet of development and the additional 400,000 square feet of non-residential development, more than a minimum validity period of 7 years is appropriate and in the public interest. The extended validity period would promote the public interest of allowing the Applicant to continue its efforts, in cooperation with federal, state, and local agencies, to develop the Property in a manner that furthers the planning and economic development objectives of the County to foster the

growth of the critically important life sciences community and to achieve the goal of developing the Property as a world-class Research Campus as envisioned by the Master Plan. Below is the phasing schedule for the total 551,700 square feet of development that has or will require APF approval.

C. Phasing Schedule

The Applicant requests approval of the following phasing schedule for the 151,700 square feet of approved but unbuilt development that is the subject of the APF validity extension request, and the additional 400,000 square feet of non-residential development, for a total amount of 551,700 square feet:

- Issuance of building permits for a cumulative total of 151,700 square feet of development within 7 years from date of approval of this Application; and
- Issuance of building permits for a cumulative total of 551,700 square feet of development within 12 years from date of approval of this Application.

We believe the above phasing schedule appropriately accommodates the length and complexities of the design and development for development proposed in furtherance of the vision of the Applicant and the County for the Property.

VI. PARKING WAIVER REQUEST

Pursuant to Section 59-E-4.5 of the Zoning Ordinance, we are requesting a waiver from the strict compliance with the required number of parking spaces for the additional requested density. Section 59-E-4.5 of the Zoning Ordinance provides that the Planning Board may waive any requirements of Article 59-E of the Zoning Ordinance not necessary to accomplish any of the enumerated objectives for parking facilities as set forth in Section 59-E-4.2 of the Zoning Ordinance.

In support of this waiver request, the Applicant's experience with life science uses in other locations demonstrates that a parking ratio of 2 spaces per 1,000 square feet as opposed to 2.9 spaces per 1,000 square feet, is sufficient. Furthermore, for purposes of the LATR, Transportation Staff has concluded that it is reasonable to expect one employee per 520 square feet for purposes of evaluating trip generation associated with life science uses. Currently, the Zoning Ordinance does not have a proscribed parking standard for life science uses in the

subject to staging. This applies both to buildings demolished to make way for redevelopment and to approved but unbuilt development.

The Plan is silent on conversion of residential to commercial development. Therefore, while residential development may be converted to commercial development if the zone permits, the conversion will be treated as new development for the purposes of staging, and will be subject to all staging limitations. Again, this applies both to demolitions and to approved but unbuilt development.

Converted properties that count against staging will be included in the monitoring program. This may mean that on-the-ground total development amounts may not exactly match the levels prescribed in the Plan. The administrative adjustment will show the real (as-built) totals and an adjusted total that can be used to determine when commercial and residential maximums have been reached.

4.1.5 Limiting Plan and APF Validity Periods

The only safeguards against potential hoarding of staging capacity are the time limits placed on preliminary plan validity and APF approvals. Because development in the LSC is tightly controlled by staging, plan validity and APF approvals should be limited to the minimum time periods prescribed in the subdivision regulations: currently five years for a Preliminary Plan approval and seven years for Adequate Public Facilities approval¹. The Planning Board can limit the approval of extensions to discourage hoarding. While longer validity periods will be discouraged, the Board has the authority to grant longer validity periods for special circumstances, including phased projects.

4.1.6 General Staging Policies

- The total development maximums (commercial and residential) will be the ultimate controlling number used to determine when a stage has reached capacity.
- If a preliminary plan approved under the staging guidelines expires without the lots being recorded, or if APF approval expires, the development capacity represented by that plan becomes available to all eligible applicants. If an APF approval has expired, an application for reinstatement will not preserve an applicant's allotted capacity or place in the queue. However, if an extension request is filed prior to the APF expiration date, the development capacity represented by that plan remains allocated to the plan pending Board action on the request.
- The Subdivision Staging Policy (SSP) establishes the policies and procedures for administering the Adequate Public Facilities Ordinance (APFO). The Life Sciences Center is in the R&D Village policy area, where the SSP indicates that, by suburban standards, area roads are congested and certain school clusters are overcrowded. Any new development that exceeds the standards set in the Subdivision Staging Policy will need to mitigate a percentage of its impact before it can move forward. The APFO goal is to ensure that transportation and school facilities have sufficient capacity for the Planning Board to approve specific development projects. Development that is exempt from staging is still subject to APFO requirements.

4.2 Transportation Network Staging

4.2.1 LATR, PAMR, and CIP Projects

Improvements to the transportation network will occur both as requirements of development approvals and as CIP projects or as State Consolidated Transportation Program (CTP) projects. Development applications in the LSC will follow the normal development review process that includes a requirement for developers to conduct traffic studies and establishes requirements for transportation network improvements through formulas in the Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) processes. Larger

¹ Per County Council resolution, the typical three-year and five-year minimum validity periods for Preliminary Plans and APF approvals, respectively, has been increased to five and seven years for approvals granted until April 1, 2013.

LSC Central: A Medical and Biotech Center

This 230-acre district includes Shady Grove Adventist Hospital, several medical office buildings, the Johns Hopkins University-Montgomery County Campus (JHU-MCC), the Regional Institute for Children and Adolescents (RICA) and Noyes Institute facilities, and some County social service uses. This area also includes the Key West Corporate Center and biotech companies such as the J. Craig Venter Institute, BioReliance, and Otsuka.

Today, LSC Central is a single-purpose destination for workers, students, and hospital visitors. While it should continue to focus on medical and biotech uses, other uses should be introduced, including retail and a limited amount of housing (approximately 30 percent of permitted floor area ratio). The Plan recommends a CCT station on Broschart Road near Blackwell Road, and those streets should be enlivened with activating uses. Future development, in its design and use, should be carefully planned to take advantage of transit and contribute to creating a vibrant LSC hub.

Adventist HealthCare (AHC) and JHU, as the district's largest property owners, will play a significant role in achieving the land use vision. Population growth, combined with demographic shifts and aging baby boomers, is fueling demand for additional capacity at the Shady Grove Adventist Hospital. To meet these needs, the 48-acre facility will continue to evolve, including centers of cardiac and vascular services, oncology, and women's and children's services.

AHC intends to develop medical offices, diagnostic and outpatient treatment facilities, and convenience retail. Accompanying these physical improvements will be structured parking, landscaped open spaces, and other public amenities. Under the current zoning, AHC would not be able to expand its facilities substantially. This Plan supports an expanded, first-class medical center and recommends zoning changes to accommodate future growth.

Most of the land in LSC Central is zoned LSC. To implement the vision of a mixed-use, transit oriented center, this Plan recommends modifying the LSC Zone to permit more uses, density, and height. The revised zone would allow housing and the Plan recommends that up to 30 percent of the floor area ratio (FAR) in LSC Central could be residential. LSC Central properties zoned R-200, O-M, and R&D are recommended for rezoning to the revised LSC Zone. One zone for all LSC Central properties will enhance development or redevelopment possibilities, provide consistent land use options and development standards, and improve design cohesiveness.

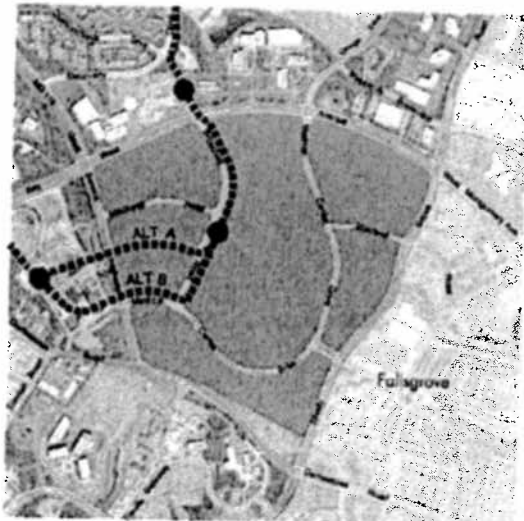
The LSC Zone allows for a transfer of density from one LSC-zoned property to another LSC-zoned property. This provision would allow a transfer of density from Belward to LSC Central, but it is completely voluntary and could only occur at the property owners' initiative. With a transfer of density, if 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 this district.

The Plan envisions redeveloping portions of the block surrounded by Broschart Road, Medical Center Drive, Great Seneca Highway, and Blackwell Road. Currently, this area is developed with low-density, low-scale uses. With a transit station along Broschart Road, portions of this block could redevelop to higher densities with a mix of housing, retail, and employment uses. The Plan recommends rezoning the RICA and Noyes facilities (from R-200 to LSC) to accommodate redevelopment consistent with the vision for LSC Central if these uses are relocated.

A fire station is needed in this area and the selected location is the northwest corner of Shady Grove Road and Darnestown Road. The 1990 *Shady Grove Study Area Master Plan* identified this intersection for a possible grade-separated interchange, which is being removed by this Plan.

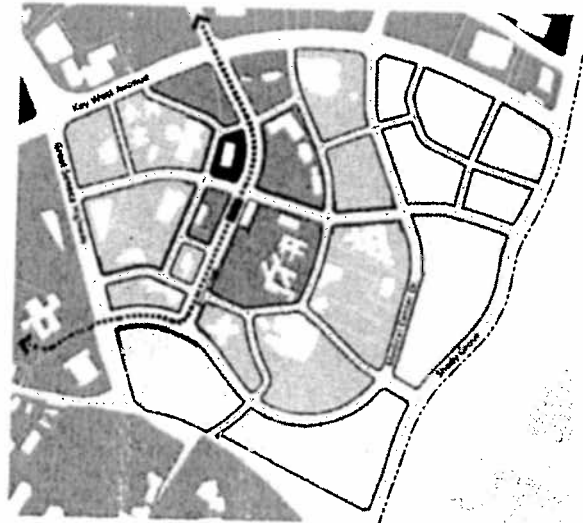


map 12 LSC Central: Proposed Zoning



Life Sciences Center
Corridor Cities
Transway and Stations

map 13 LSC Central: Urban Form



General
Proposed R.O.W.
Corridor Cities
Transway (CCT)
CCT Station
LSC Districts
Plan Area Boundary
Build-to Lines

Building Height:
150 ft max.
110 ft max.
50 - 110 ft max.

Recommendations

Land Use and Zoning

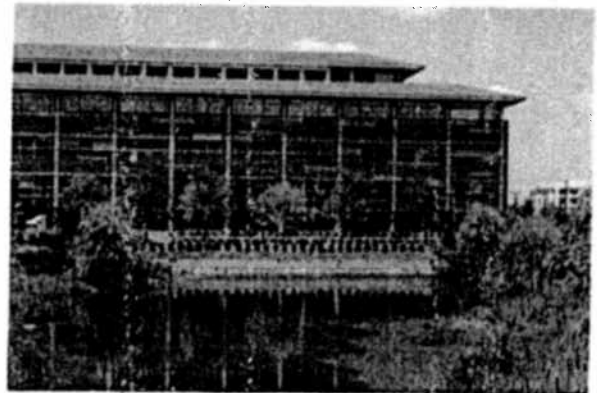
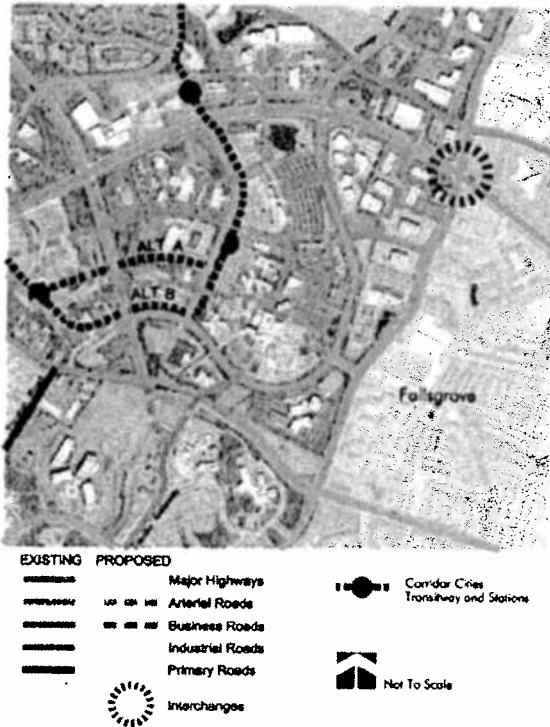
- Amend the LSC Zone to allow mixed uses and increased density and height.
- Amend the LSC zoning standards to reflect current technology and allow future flexibility.
- Allow a maximum of 1.0 FAR for properties in LSC Central.
- Allow a maximum of 1.5 FAR for properties in the center of the district (bounded by Key West Avenue, Medical Center Drive, and Broschart Road): AHC, JHU, and 9707, 9711, and 9715 Medical Center Drive.
- Allow a maximum of 30 percent of permitted FAR to be used for housing.
- Rezone the RICA and Noyes properties from the R-200 Zone to the LSC Zone.
- Rezone the R&D and O-M parcels to the LSC Zone.
- Require submission of a Concept Plan prior to approval of any future individual development projects for AHC and JHU to address the Plan's guidelines, including the location of the CCT, the highest densities and height at transit, the mix of uses, creation of a local street network, and provision of open spaces.
- Accommodate a fire station on the northwest corner of Shady Grove Road and Darnestown Road.

Urban Form and Open Spaces

- Locate the highest density and tallest buildings (150 feet) adjacent to the transit station to form an identifiable center. Future developments should be well-integrated with each other.
- Create an identifiable LSC Loop along Medical Center Drive that connects pedestrians to other transit centers, the network of natural pathways along the stream buffers, and the open spaces.
- Design Broschart Road as an urban street, lined with buildings and activating street-level uses. The east side of Broschart Road is shared by AHC and JHU, and both property owners have opportunities to create a lively street edge that takes full advantage of transit-station proximity.
- Design Blackwell Road between the AHC and JHU properties with a building edge and improved connections.
- Provide at least 15 percent of the net tract area as public use space.
- Include the following public open spaces:
 - LSC Loop
 - stream buffers
 - urban square at the CCT station
 - urban promenade to connect between buildings and public spaces.



map 14 LSC Central: Mobility



Mobility

- Locate a CCT Station along Broschart Road near Blackwell Drive in the vicinity of AHC and JHU.
- Extend Blackwell Road between Medical Center Drive and Broschart Road.
- Create additional streets to encourage an urban building form and to improve access and circulation for pedestrians and vehicles.
- Widen Key West Avenue (MD 28) to 8 lanes divided.
- Construct an interchange at Key West Avenue (MD 28) and Shady Grove Road.



FIRE MARSHAL COMMENTS

DATE: 16-Sep-11
TO: Steven Reynolds
Patton Harris Rust & Associates
FROM: Marie LaBaw
RE: Montgomery County Medical Center
11986115A 11986115C

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **16-Sep-11**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

This conditional approval is based on 9/16/11 plans submitted by Patton Harris Rust & Associates.

***** General fire department vehicular access in relation to building layout appears to be acceptable if buildings meet Life Safety Code per Montgomery County Code Chapter 22, NFPA 1, and all applicable Executive Regulations including 29-08AM *****

***** Parking restrictions, building main side hinge door access locations, fire department connection locations, fire department water supply, and all other fire department access requirements are required to be reviewed and approved in detail at time of site plan *****



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

October 6, 2011

Arthur Holmes, Jr.
Director

Mr. Patrick Butler, Planner
Area 2 Team
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 11986115C
Johns Hopkins University,
Montgomery [Medical] Center Campus

Dear Mr. Butler:

We have completed our review of the preliminary plan dated on September 12, 2011. An earlier version of this preliminary plan was reviewed by the Development Review Committee at its meeting on March 21, 2011. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Please be advised that Executive Regulation No. 28-06AM ("Schedule of Fees for Transportation-Related Reviews of Subdivision Plans and Documents") became effective on July 1, 2008. The applicant has paid the MCDOT review fee to address the pending request of an additional 169,071 square feet of development density. Per our agreement with the applicant, any additional development density may subject to a future MCDOT review fee.

General Site Layout & Right-of-Way Review Comments

1. As the preliminary plan identifies developments shown as "conceptual" and future amendments of the preliminary plan are anticipated for finalized layout of the site, MCDOT will defer most of its typical detail issues (such as site access, sight distances analyses, storm drain capacity & impact analyses, roadway improvements, etc.) until such time.
2. Necessary right-of-way dedication along Key West Avenue (MD 28), Medical Center Drive, Broschart Road, and Blackwell Road in accordance with the Great Seneca Science Corridor Master Plan. Dedicate right-of-way truncations at the intersections of public streets.
3. Dedicate necessary rights-of-way for the Corridor Cities Transitway (CCT) in accordance with the Maryland Transit Administration (MTA) study.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

4. The applicant has requested approval to design, construct, and maintain master planned roads B-7, B-8, and B-11 (which cross through the interior of the campus) as private roads. We believe any decision to substitute master planned roads with private streets must be vetted and approved through a public process – certainly by the Planning Board (if not the County Council).

From our review agency perspective, we do not oppose the applicant's request, provided the following conditions are satisfied:

- Public easements must be granted for the roadway. These easements must be reviewed and approved by Planning Board, Department of Transportation (MCDOT), and Department of Permitting Services (MCDPS) staff for connectivity and consistency with the Great Seneca Science Corridor Master Plan prior to acceptance of the easement.
 - The design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at the subdivision review stage or otherwise specified in the Master Plan.
 - Installation of any public utilities must be permitted within such easement.
 - The road will not be closed for any reason unless approved by MCDOT.
 - Approval from the Department of Fire and Rescue Services must be obtained for purpose of fire access.
 - The public easement may be volumetric to accommodate uses above or below the designated easement area.
 - The County may require the applicants to install appropriate traffic control devices within the public easement, and the easement must grant the right to the County to construct and install such devices.
 - Maintenance and Liability Agreements will be required for each Easement area. These agreements must identify the applicants' responsibility to maintain all of the improvements within their Easement Area in good fashion and in accordance with applicable laws and regulations.
 - We recommend separate parcels be created for these roads to facilitate conversion to public use and maintenance at a future date – should it ever become desirable.
5. At site plan stage, delineate the location of the Corridor Cities Transitway (CCT) and right-of-way requirements along Broschart Road in accordance with the MTA study. Delineate pedestrian access from the site to the CCT station. Please include MCDOT representation in any future coordination efforts with the MTA.
 6. Blackwell Road (LB-4) and Medical Center Drive (LB-1) have master planned bicycle facilities; confirm the type and locations of these facilities at the site plan stage. Provide bike route and way-finding signage throughout the campus. Signage should indicate bike sharing and bike parking locations.

Stormwater Management Concept Plan

The stormwater management concept plan does not appear to propose constructing any stormwater facilities within the rights-of-way of the perimeter public roads [Medical Center Drive, Blackwell Road, Broschart Road, and Key West Avenue (MD 28)].

The plan does propose constructing structural bioswale facilities on the internal streets (B-7, B-8, and B-11) proposed to be privately constructed and maintained by the applicant. We do not object to this proposal. For the applicant's benefit, we note the following concerns with that design:

- Instead of providing slotted curb openings, we recommend constructing curb opening inlets which incorporate paved flumes between the edge of pavement and trapezoidal ditch (MSHA Standard MD 374.68 modified for 6" curb per MSHA Standard MD 375.55-01. The inlet/shelf width, per the comment above, should be a minimum of 2'8" to allow space for passengers to enter and exit parked cars. These inlets should be sized and located to handle the one (1) year storm event runoff.
- We do not support the use of structural, rectangular boxes on publicly maintained roads due to concerns over safety and liability. Instead, we recommend the use of trapezoidal, flat bottom ditches. The shelf between the back edge of the curb and the front hinge point of the ditch should be a minimum of 2'; the shelf between the rear hinge point and the front edge of the sidewalk should be a minimum of 1' wide.

Structural, rectangular boxes may be used on privately owned and maintained streets. We have reservations over this with respect to safe ingress/egress of parked cars, pedestrian and bicycle safety, and the ability to accommodate street signs and street lights. We recommend providing a 2' minimum width shelf between the back edge of the curb and the front edge of bio-swale structure. These minimal dimensions may necessitate attaching traffic control signage to the structure and/or locating same within the bio-swale media. We also recommend providing a sturdy safety fence and/or benches around the structure. Streetlights will likely be located immediately behind the bio-swale structures.

- We recommend enclosed storm drain systems be located behind the curb -- preferably at a shallow depth underneath the bio-swale systems to limit future repair costs and minimize right-of-way impacts. We recommend enclosed storm drain systems should be designed and located to handle the 10 year storm event in accordance with the MCDOT Storm Drain Criteria.
- The location of the proposed trapezoidal ditch (with respect to the face of curb) will necessitate locating standard width curb opening inlets and traffic control signage within those ditches.
- Any proposed trapezoidal ditches and bio-swales should include opportunity for pedestrians to cross them (between parked cars and the sidewalks). These path locations should be selectively located to minimize mid-block pedestrian crossings of the adjacent streets.
- Coordinate the species and location of proposed street trees with respect to the side ditch and streetlights.

General Plan Review and Permitting Comments

1. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
2. At the site plan stage, submit a completed, executed and sealed MCDOT Sight Distances Evaluation certification form, for the proposed intersections on Broschart Road, Medical Center Drive, and Blackwell Road for our review and approval.
3. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan. Also homeowners' documents should establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
4. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
5. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
6. Access and improvements along Key West Avenue (MD 28) as required by the Maryland State Highway Administration. We recommend the existing sidewalk to be retained along the Key West Avenue site frontage.
7. Relocation of utilities along the site frontage to accommodate the required roadway improvements shall be the responsibility of the applicant.
8. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operation Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
9. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with Division of Highway Services, Tree Maintenance Section. Mr. Linkletter may be contacted at (240) 777-7651.

11. At the site plan stage, please coordinate with Ms. Stacy Coletta of our Division of Transit Services to coordinate the project with RideOn requirements and project impacts on their bus network. Ms. Coletta may be contacted at 240 777-5836.
12. At the site plan stage, submit a DRAFT Traffic Mitigation Agreement for review. The trip reduction elements should be coordinated with Ms. Sandra Brecher, Chief of our Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800.

We believe the trip reduction measures in that Agreement should include:

- Minimize Parking: reduce the number of parking spaces below the minimum by making payments into the Ridesharing Account;
 - Design parking facilities to promote use of alternative modes by carpool and vanpool parking, car sharing vehicle parking spaces , electric car charging stations;
 - Design parking facilities to provide flexibility in use of parking;
 - Design to promote use of transit: main entrances of buildings should be oriented to transit , design building frontages/lobbies to provide two-way visibility, where port-cocheres (covered entryways) are used, ensure height is adequate to accommodate transit buses, provide displays and communication of transit and other TDM information;
 - Incorporate Planning for Other Modes: shuttles, parking arrangements, taxis, pedestrian/bike;
 - Execute a Traffic Mitigation Agreement that includes but is not limited to the above elements;
 - Pay all transportation management fees as required by law.
13. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to the following (generally stated) improvements (details of the improvements will be determined at the amended preliminary/site plan stage):
 - A. Construct Blackwell Road (between Medical Center Drive and Broschart Road) as a four lane, undivided closed section roadway (using MCDOT Design Standard No. MC-2005.03, modified) with roadway pavement, curb and gutter, enclosed storm drainage and appurtenances, sidewalk and bikeway facilities with handicap ramps, and street trees. The master planned shared use path (LB-4) should be continued along the site frontage.
 - B. Across the Medical Center Drive site frontage, construct the master planned shared use path with handicap ramps.
 - C. Improvements across the Broschart Road site frontage to be confirmed at the site plan stage based on then-latest available plans for the CCT.
 - D. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - E. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.

Mr. Patrick Butler
Preliminary Plan 1-1986115C
October 6, 2011
Page 6

- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Sincerely,



Gregory M. Leck, P.E. Manager
Development Review Team

m:/subdivision/gml/docs/PP-gml revs/11986115C, JHU-MCC, FINAL.doc

cc: David McDonough; Johns Hopkins Real Estate
Patricia D. Monday; Patton, Harris, Rust & Associates
James A. Ruff; Patton, Harris, Rust & Associates
Barbara Sears; Linowes & Blocher, LLP
James Renaud; MSHA AMD
Glenn Kreger; MNCPPC Area 2
Shahriar Etemadi; MNCPPC Area 2
Ed Axler; MNCPPC Area 2
Cathy Conlon; MNCPPC DARC
Preliminary Plans Note Book
Preliminary Plan Folder

cc-e: Rick Kiegel; MTA
Marie LaBaw; MCFRS
Amy Butler Stevens; DPS SWFMP
Gene Gopenko; DPS SWFMP
Atiq Panjshiri; DPS RWPR
Sam Farhadi; DPS RWPR
Rick Brush; MCDPS WRM
Bill Campbell; MCDPS WRM
Edgar Gonzalez; MCDOT DO
Bob Simpson; MCDOT DO
Bruce Johnston; MCDOT DTE
Jerry McCauley; MCDOT DTE
Gail Tait-Nouri; MCDOT DTE
Stacy Coletta; MCDOT DTS
Sande Brecher; MCDOT DTS
Beth Dennard; MCDOT DTS
Fred Lees; DOT DTEO
Kyle Liang; DOT DTEO
Dan Sanayi; DOT DTEO



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

Beverley K. Swain-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

September 21, 2011

Re: Montgomery County
MD 28
JHU Montgomery County Campus
SHA Tracking No. 11APMO054

Mr. Shahriar Etemadi
Transportation Coordinator
M-NCPPC Area #2 Team
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Etemadi:

Thank you for the opportunity to review the Traffic Impact Study Report dated August 3, 2011 by The Traffic Group, Inc. (received by the AMD on August 25, 2011) that was prepared for the proposed expansion of the Johns Hopkins University Montgomery County Campus (JHU MCC) in Montgomery County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the campus that will be expanded by adding 170,000 square feet of life sciences space on the MCC Campus is proposed from two existing County Roadways: 1) Medical Center Drive and 2) Broschart Road.
- The traffic report determined that the proposed development would negatively impact several intersections surrounding the site. Therefore, the following improvements were proposed in the report:
 - MD 119 at Muddy Branch Road – Construct second northbound Muddy Branch Road left turn lane. Modify traffic signal as necessary to accommodate proposed improvements.
 - MD 119 at Sam Eig Highway – Modify the southbound Sam Eig Highway double right turn signalized traffic movement into a free-flow right turn lane. Construct third eastbound MD 119 through lane. Modify traffic signal as necessary to accommodate proposed improvements.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

51

- MD 28 at Muddy Branch Road – Construct second southbound Muddy Branch Road left turn lane. Modify traffic signal as necessary to accommodate proposed improvements.
 - MD 28 at Shady Grove Road – Construct third eastbound MD 28 left turn lane on MD 28. Modify traffic signal as necessary to accommodate proposed improvements.
 - MD 28 at Diamond Back Drive – Restripe southbound Diamondback Drive through lane into a second left turn lane. Modify traffic signal as necessary to accommodate proposed improvements.
 - MD 28 at Omega Drive – Restripe southbound Omega Drive approach from the existing 1 left turn lane, 2 through lanes, and 1 right turn lane –to- 1 left turn lane, 1 left/through lane, 1 through lane, and 1 right turn lane. Modify northbound/southbound Omega Drive traffic signal approaches to split signal phasing.
- In order to comply with the M-NCPPC Policy Area Mobility Review (PAMR), the applicant proposed a contribution of \$479,000 towards area roadway improvements.

Based upon SHA review, SHA has the following comments/concerns:

- In order to more comprehensively evaluate the proposed improvements to serve the campus expansion, SHA recommends that supplemental Synchro analyses be performed on the six(6) negatively impacted intersections described above. As agreed during the September 15, 2011 meeting, the applicant will obtain the Synchro analyses prepared by Wells & Associates for the nearby Shady Grove Life Sciences Center (SGLSC). Four (4) of the intersections described above were also analyzed in the SGLSC Synchro. SHA is recommending that the JHU/MCC applicant expand the existing SGLSC Synchro to include the MD 28 @ Muddy Branch Road and MD 119 @ Muddy Branch Road intersections. Projected traffic queues and delays should be clearly documented so that SHA can review the information in detail.
- The specific details of the proposed lane improvements at the intersections should be provided that include taper lengths and storage lane lengths.
- The report recommended the modification of the existing southbound Sam Eig Highway signalized double right turn movement at MD 119 to a free-flow right turn movement. The southbound Sam Eig Highway right turn movement was signalized for operational and safety reasons. Therefore, SHA recommends that the M-NCPPC

require the applicant to explore alternative intersection improvements to address the negative site traffic impacts at this location.

- Diamondback Drive is proposed to be extended to Sam Eig Highway in the future. Due to these future plans, the southbound Diamondback Drive through movements at MD 28 are likely to increase. Therefore, SHA recommends that instead of the proposed modification of one of the southbound Diamondback Drive through lanes to a left turn lane at MD 28, a separate second exclusive left turn lane is constructed to provide 2 left turn lanes, 2 through lanes, and 1 right turn lane.

Thus, in conclusion, SHA recommends that the M-NCPPC require the applicant to submit a revised traffic impact study report prior to the Site Plan milestone to address the issues identified above. **SHA has no objection to inclusion of JHU/MCC Preliminary Plan Amendments on the next available Planning Board meeting agenda with one stipulation. SHA requests that M-NCPPC wait for completion of Montgomery County Department of Transportation's review of this Traffic Report prior to finalizing SHA's recommendations in their staff report conditions.** Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If you have any questions or comments regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Sincerely,

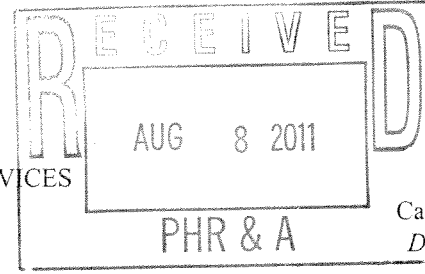


Steven D. Foster, Chief
Access Management Division

cc: Mr. Ed Axler, M-NCPPC Montgomery County
Mr. Ray Burns, SHA AMD
Ms. Mary Deitz, SHA RIPD
Mr. Bob French, SHA Office of Traffic & Safety
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Wes Guckert, The Traffic Group, Inc.
Mr. Greg Leck, Montgomery County Department of Transportation
Ms. Reena Mathews, SHA RIPD
Mr. Johnson Owusu-Amoako, SHA Office of Traffic & Safety
Mr. Errol Stoute, SHA Traffic Development & Support Division
Mr. Morteza Tadayon, SHA Travel Forecasting Section
Mr. Cedric Ward, SHA District 3 Office



DEPARTMENT OF PERMITTING SERVICES



Carla Reid
Director

Isiah Leggett
County Executive

July 29, 2011

Ms. Sherry Mitchell, P.E.
Patton, Harris, Rust & Associates, Inc.
12850 Middlebrook Drive, Suite 200
Germantown, Maryland 20874

Re: Stormwater Management **CONCEPT** Request
for Johns Hopkins University Campus
Expansion
Preliminary Plan #: 11986115C
SM File #: 239331
Tract Size/Zone: 35.57 acres/LSG
Total Concept Area: 35.57 acres
Lots/Block: NA
Parcel(s): N600
Watershed: Muddy Branch

Dear Ms. Mitchell:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via Environmentally Sensitive Design, a Biofilter, and the use of the existing regional pond for the remaining storage requirements.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.

This list may not be all-inclusive and may change based on available information at the time.



54

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB: tla

cc: C. Conlon
SM File # 239331

ESD Acres:	16.31
STRUCTURAL Acres:	1.79
WAIVED Acres:	18.26