




Preliminary Plan No. 11996112A, DANAC Stiles Property

 Patrick Butler, Senior Planner, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561

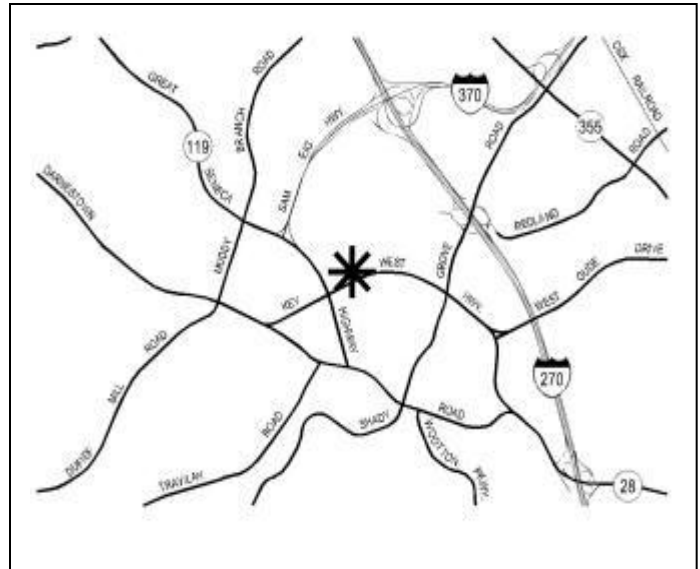
 Joshua Sloan, Planner Supervisor, Area 2 Division, Joshua.Sloan@montgomeryplanning.org, 301-495-4597

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Date of Staff Report: 11/20/12

description

- Conversion of approved but unbuilt commercial development to residential uses, in order to construct up to 498,072sf of residential uses and 5,000sf of non-residential live/work units;
- Current uses: office buildings, surface parking and lawn;
- Located in the northwest quadrant of the intersection of Key West Avenue and Diamondback Drive;
- Subject Property is 30.7 gross acres of land in the CR2.0 C1.5 R1.5 H150 & CR1.0 C0.5 R1.0 H80 Zones, in the LSC North District of the Great Seneca Science Corridor Master Plan area;
- Applicant: Camden USA, Inc, Preliminary Plan on February 14, 2012; Site Plan on February 22, 2012;
- Submittal: February 14, 2012.



summary

- Staff recommends approval of the Preliminary Plan with conditions.
- The Planning Board approved Sketch Plan 320120050 on July 26, 2012.
- The proposed development will allow for up to 475 residential units and several live/work spaces in an area dominated by research, medical, and, office uses. Existing offices will remain.
- Conversion of approved commercial capacity is exempt from staging.
- Staff recommends approval of the Applicant’s request for private roads with public access easements, modifications to the Forest Conservation Easement areas, and phased platting/development of the Subject Property.
- Staff has not received any correspondence from noticed parties as of the date of this report.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

Staff recommends approval of Preliminary Plan 11996112A subject to the following conditions:

1. Approval is limited to a maximum density of 1,012,253 square feet of total development, which includes up to 514,181 square feet of non-residential uses and up to 498,072 square feet of residential uses for up to 475 multi-family units, including a minimum of 12.5% moderately priced dwelling units (MPDUs).
2. Prior to submission of a Site Plan for Lot 7, permanent Category I Forest Conservation Easement signs must be placed along the perimeter of the conservation easement area. Final number and locations of signs to be determined by the M-NCPPC inspector.
3. Prior to the submission of a Site Plan for Lot 7, a Phase I Noise analysis must be conducted to determine if noise mitigation elements must be incorporated in the Site Plan.
4. Prior to issuance of any residential building permit, Lot 5 and Lot 7 must be rerecorded by plat to reflect the required right-of-way dedications and amended Category I Forest Conservation Easement areas. Platting will be done in phases, and additional right-of-way dedication for Lot 4 and Lot 6 will be required in the future when the Preliminary Plan is amended and those properties are redeveloped.
5. The Applicant must dedicate, and the record plat(s) must reflect, the Master Plan recommended 200-foot right-of-way (100 feet from centerline along the Subject Property frontage) for Key West Avenue (MD 28), per the phasing allowed in Condition No. 4.
6. The Applicant must dedicate, and the record plat(s) must reflect, the Master Plan recommended 150-foot right-of-way (150 feet from the opposite right-of-way along the Subject Property frontage) for Diamondback Drive, per the phasing allowed in Condition No. 4.
7. The Applicant must amend the existing Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board that was originally executed on August 28, 1989 to satisfy trip reduction requirements under the I-3 Zone and participate in the Greater Shady Grove Transportation Management Organization (TMO). The amended Traffic Mitigation Agreement must be executed prior to release of any building permit for the residential building.
8. The Applicant must design, construct, maintain, and provide public use easements for the recommended business district streets B-2 and B-7. The two new internal streets may be implemented as private streets subject to the following conditions:
 - a. The Applicant must determine the final extent, delineation, and alignment of the private streets when subsequent site plans are filed.
 - b. Private streets must be located within their own parcel, separate from the proposed development.
 - c. Public easements must be granted for the streets and must be reviewed and approved by MCDOT and the Maryland-National Capital Park and Planning Commission (M-NCPPC).
 - d. The design of the roads must follow or improve on the corresponding Montgomery County Road Code standard (2005.02 modified) for a similar public road, unless approved by MCDOT and the Planning Board at the time of future site plan.
 - e. Installation of any public utilities must be permitted within such easements.
 - f. The streets may not be closed for any reason unless approved by MCDOT.
 - g. The public access easements must be volumetric to accommodate uses above or below the designated easement areas.

- h. Montgomery County may require the Applicant 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.
 - i. Maintenance and Liability Agreements will be required for each Easement Area by MCDOT at the time of record plat. These agreements must identify the respective Applicant's responsibility to maintain all of the improvements within their easement areas in good fashion and in accordance with applicable laws and regulations.
 - j. Montgomery County will inspect these streets and ensure that each has been constructed in accordance with the corresponding Road Code standard for a similar public road.
 - k. The Applicant is obligated to remove snow and provide repairs to keep the roads in working order and open and if, for any reason, the Applicant does not, the County must have the right, but not the obligation, to remove snow and/or provide repairs.
 - l. The boundary of the easements must be shown on the record plat.
9. The Applicant must coordinate with the developer of Site Plan No. 820100090, JHU-National Cancer Institute, to improve the intersection of Key West Avenue and Diamondback Drive/ Broschart Drive, which is adjacent to the Subject Property. The intersection improvement must be completed or permitted and bonded by the Montgomery County Department of Permitting Services (MCDPS) prior to release of any building permit. The required improvement is to:
 - a. Convert the inside through lane on the southbound approach of Diamondback Drive to a combined through and second left-turn lane; and
 - b. Modify the traffic signal timing on the north/south approaches from a concurrent to a split phase.
 10. The Applicant must coordinate with the Maryland Transit Administration (MTA) to ensure that the plans reflect the latest MTA alignment and design of the Corridor Cities Transitway (CCT) along the west side of Diamondback Drive and its proposed station at the intersection with master-planned business district street, B-2.
 11. The Applicant must provide and show on the future site plan a total of 110 bicycle parking spaces consisting of the following:
 - a. At least 10 public bicycle parking spaces or 5 inverted-U bike racks, or approved equivalent, near the main entrances in a weather-protected area, with locations and final numbers determined at site plan.
 - b. 100 bike lockers or a secured bike room for at least 100 bicycles in the garage near the elevator in a well-lit area, with locations and final numbers determined at site plan.
 12. The Planning Board has accepted the recommendations of the MCDOT in its letter dated November 6, 2012, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
 13. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
 14. The Planning Board has accepted the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated April 16, 2012, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
 15. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.

16. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (“DPS”) stormwater management concept approval letter dated April 4, 2012, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
 17. The Subject Property is located in the Gaithersburg High School Cluster. The Applicant must make a School Facilities Payment to the Montgomery County Department of Permitting Services at the elementary school level. The Applicant will be required to pay at the “highrise/low-rise w/structured parking” residential units rate as defined by the Annual School Test effective July 1, 2012. This amounts to a payment of \$820.00 per residential unit at the elementary school level. The timing of the payment is determined by DPS.
 18. No clearing or grading of the Subject Property, or recording of plats prior to certified site plan approval.
 19. Final approval of the number and location of buildings, dwelling units, on-site parking, and site circulation will be determined at site plan.
 20. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved preliminary plan with respect to lot configuration or right-of-way location, width, or alignment, the applicant must obtain approval of a preliminary plan amendment prior to certification of the site plan.
 21. 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 this lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
 22. All necessary easements must be shown on the Record Plat.
 23. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid until July 9, 2019.
-

SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity and Site Description

The DANAC Stiles Property (Subject Property), is bound by Key West Avenue (MD 28) to the south, Diamondback Drive to the east, Discoverly Drive to the north, and Great Seneca Highway (MD 118) to the west. Current uses within the campus include office buildings, surface parking, structured parking, and forest conservation and stormwater areas. This large block is split by two master-planned business district streets that subdivide the campus; each of these streets is generally complete.



Vicinity Map

The site is immediately surrounded by research, office, institutional, and office parks; lower density residential uses are located immediately across Discoverly Drive to the north. The LSC zoning to the south allows density up to 1.5 FAR and building heights up to 150 feet; the O-M zoning to the east allows density up to 1.5 FAR and building heights up to 80 feet (as recommended in the Master Plan). The site is located adjacent to a future Corridor Cities Transitway (CCT) station, and is dedicating an additional 50 feet of right-of-way along Diamondback Drive for the station and alignment. It is within ½ mile of three additional master-planned CCT Stations, and is within 1 mile of a fourth. Numerous bike routes, including shared-use paths, dual-bikeways, and shared signed roadways including the LSC Loop and the bikeway along the CCT run along and near the site.



Site Map

The Subject Property (red outline) comprises approximately 30.7 gross acres, and is currently improved with 367,681 square feet of office uses, internal driveways, a parking garage, and surface parking lots. Lot 7 (black outline) occupies the southeast portion of the Subject Property. Lot 7 is approximately 7.62 gross acres in size, and is currently improved with one of the surface parking lots, which will be replaced by a garage on Lot 6 by Site Plan Amendment 82000018D. The site is currently served by public water and sewer. A stream buffer and Category I Forest Conservation easements occupy approximately 2.3 acres of the site. The property is located within the Muddy Branch Watershed, State Use Class category I, which is not within a Special Protection Area.

The Subject Property is in the Great Seneca Science Corridor (GSSC) Master Plan area and the Life Sciences Center (LSC) North District. The entire site was rezoned by Sectional Map Amendment following the approval of the GSSC Master Plan adopted on May 4, 2010. Lot 7 was rezoned from the I-3 zone to the CR-2.0 C1.5 R1.5 H150 zone, while the remainder of the Subject Property was rezoned from the I-3 zone to the CR-1.0 C0.5 R1.0 H80 zone.

PROJECT DESCRIPTION

Previous Approvals

Preliminary Plan

The preliminary plan for DANAC Stiles was approved by the Planning Board Opinion dated June 9, 1997. Pursuant to Section 50-20(c)(3)(A)(i), a determination of adequate public facilities (APF) for this plan would remain valid for 145 months, or July 9, 2009. Before the APF expired, the County Council took action to grant all valid plans an automatic two-year extension. Thus, the APF approval for the subject plan remained valid until July 9, 2011. On October 14, 2010, the Planning Board granted an extension of the APF approval until July 9, 2017. The County Council then took action to grant another two-year extension to all valid plans, and thus, the APF validity period is now valid until July 9, 2019. To date,

367,681 square feet of office use have been developed leaving 301,857 square feet of the approved density to be constructed on the property.

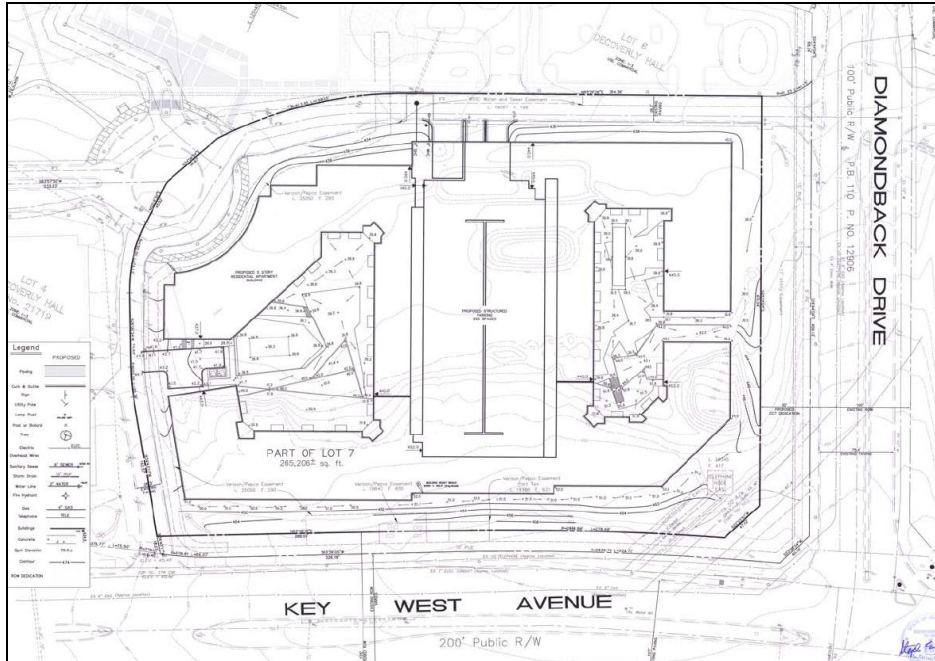
The Planning Board approved Sketch Plan 320110050 (Resolution – Attachment A) on July 26, 2012, for a maximum total density of 503,072 square feet of development on Lot 7, including a maximum of 498,072 square feet of residential uses and a minimum of 5,000 square feet of non-residential uses, and a maximum height of 75 feet for occupiable space and 85 feet for architectural design elements. The final amount of residential and commercial floor area and the final number of dwelling units will be determined at site plan; but a minimum of five live/work units must be provided. A site plan has not been filed for this portion of the Subject Property.

Proposal

The Preliminary Plan (Attachment B) will allow for the conversion of previously approved commercial uses to residential uses as permitted by the Master Plan. Of the 301,857 square feet of approved but unbuilt commercial uses, approximately 155,330 square feet will be converted to residential uses and 5,000 square feet will be used to accommodate the live/work units proposed. This will leave approximately 141,527 square feet of commercial uses available on the Subject Property after the conversion. The conversion will allow for construction of one multi-family building up to 498,072 square feet in size for up to 475 units with an enclosed parking structure.

Vehicular access to the Subject Property will continue to be provided from Key West Avenue, Diamondback Drive, and Decoverly Drive. The Applicant is proposing to provide pedestrian improvements along Key West Avenue and Diamondback Drive. The Applicant is also proposing to improve pedestrian access to the site from Key West Avenue and Diamondback Drive where it is currently lacking. The area of the Subject Property where the proposed multi-family building will be located is a recorded lot, Lot 7 (Plat No. 23794), but the Applicant is required to replat the Property in order to dedicate approximately 36,798 square feet of right-of-way for the CCT (along Diamondback Drive) and Key West Avenue as required by the Master Plan. The master-planned business district streets B-2 and B-7 will be constructed to the public road standards specified in the Master Plan and be provided as internal private roads within their own separate and distinct parcels, and will have perpetual public use and access easements.

Platting of the Subject Property (30.7 gross acres) will be done in phases. Prior to issuance of any residential building permit, Lot 5 and Lot 7 must be rerecorded by plat to reflect the required right-of-way dedications and amended Category I Forest Conservation Easement areas. Additional right-of-way dedication and placement of master-planned roads in separate and distinct parcels for Lot 4 and Lot 6 will be required in the future when the Preliminary Plan is amended and those properties are redeveloped.



Preliminary Plan (Lot 7)

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 residential building. 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).

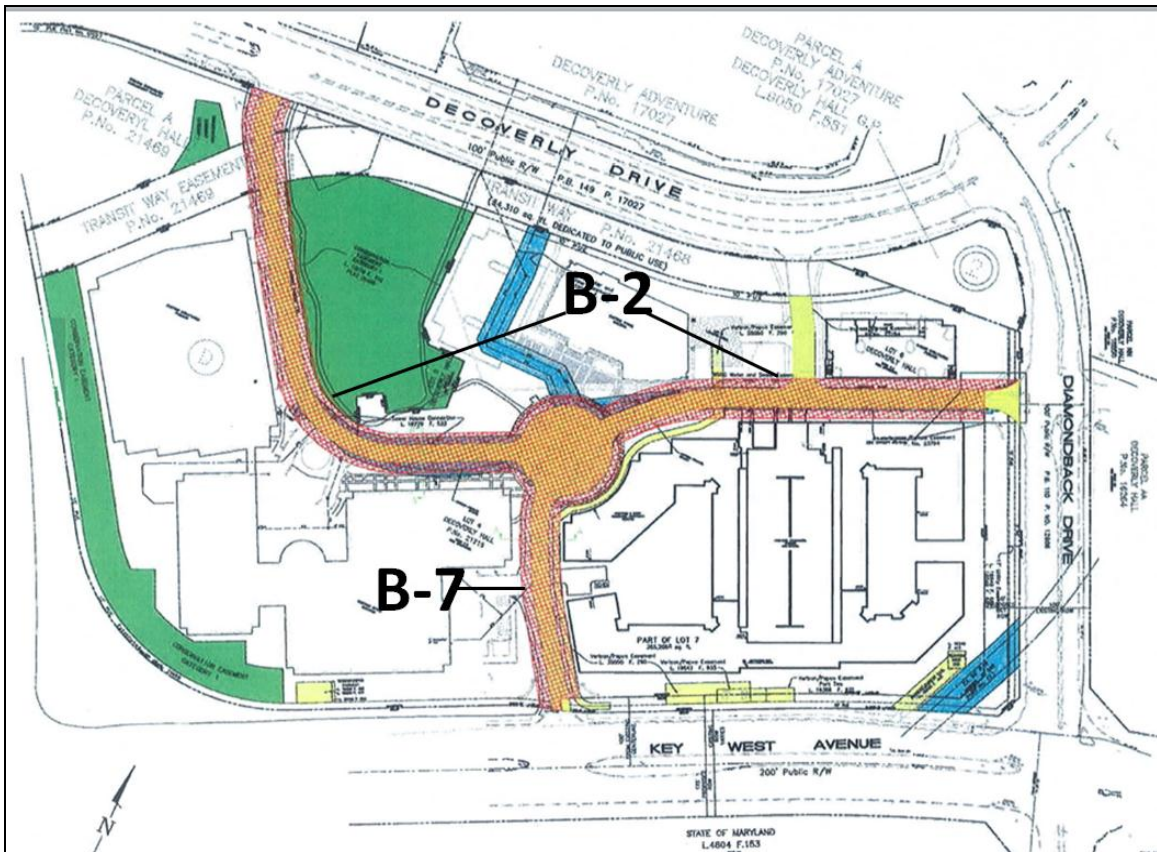
SECTION 2: PRELIMINARY PLAN

MASTER PLAN

Development Issues

The Master Plan identifies two business district rights-of-way on the Subject Property. They are Roadways B-2 and B-7. B-2 provides a connection from Discoverly Drive through the site to Diamondback Drive, while B-7 provides a connection from B-2 through the site to Key West Avenue. According to the Master Plan, business district streets B-2 and B-7 should be dedicated and constructed as 60-foot wide rights-of-way.

The Applicant has requested permission to construct these roads as private roads with public access easements instead of dedicating the roads to the public. Although the Master Plan envisions these roadways to be dedicated to public use, Staff finds that the business district roads developed as private roads with public access easements granted to the County is in substantial conformance with the Master Plan, as conditioned by this recommendation.



Private Right-of-Way and Public Access Easement

Staff supports this request due to the unique circumstances of the DANAC Stiles Property. The DANAC Stiles Property site has been developed and maintained as an office campus environment. The two owners work cooperatively with one another in order to control the overall design, appearance, and character of the campus. Both property owners have agreed to this request regarding the internal roads (Attachment C). These internal roads, unlike the perimeter roads (i.e., Key West Avenue, Diamondback

Drive, Discoverly Drive, and Great Seneca Highway), are not essential to the primary network for the Master Plan area. As private rights-of-way 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-ways for B-2 and B-7 will be recorded on the plat. Finally, the preferred alignment of the CCT station, as detailed below, will not accommodate the B-2 Diamondback Drive intersection as the Master Plan shows. Therefore, in this unique instance the master-planned roads B-2 and B-7 will function as public roads in a dedicated right-of-way. The Applicant, however, will be responsible for maintenance of the roads. As conditioned above, the Applicant is required to plat the roads (curb to curb) in separate parcels (as shown in yellow), while the public access easement (as shown in red) will cover the larger cross section including the sidewalks envisioned by the Master Plan.

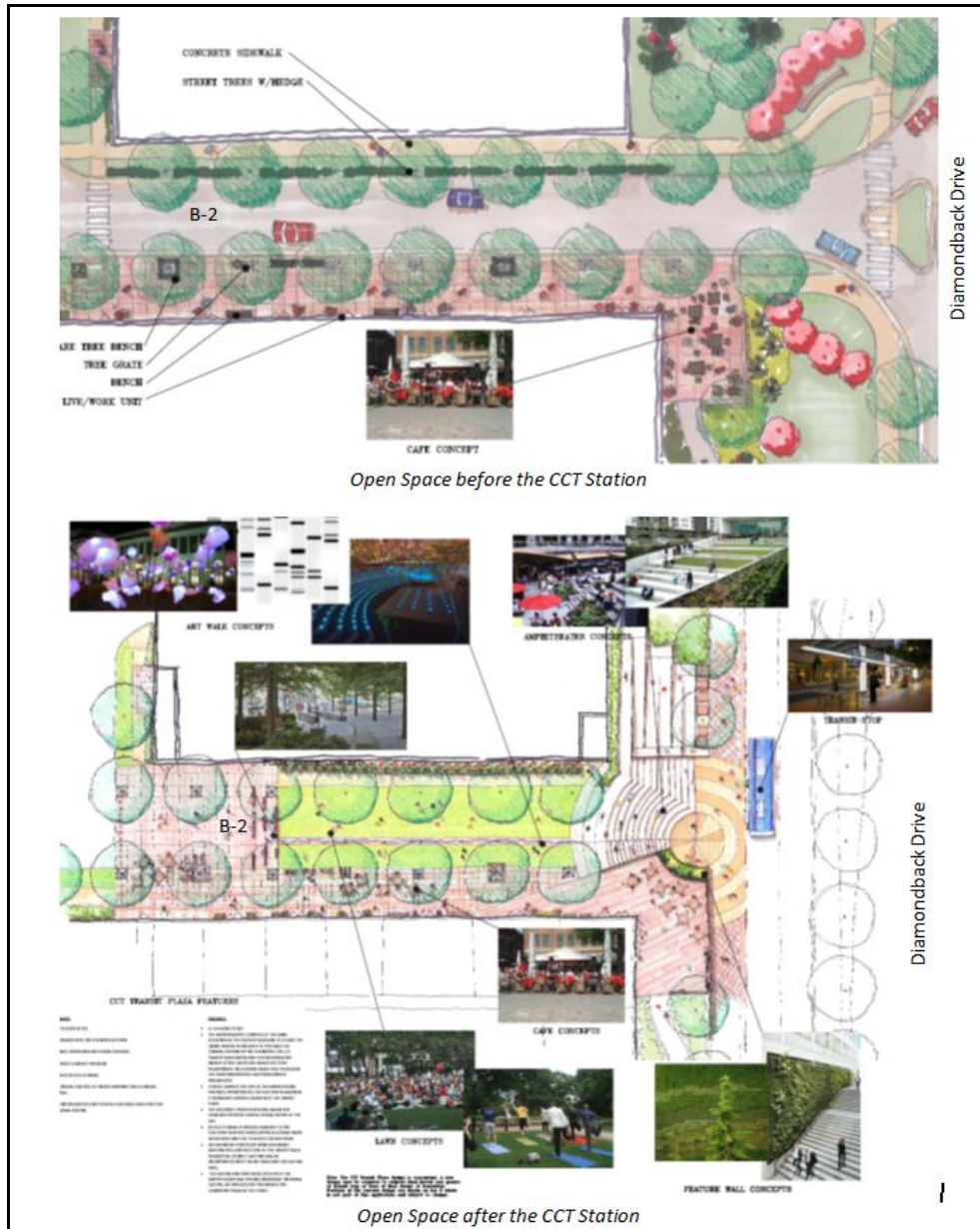
General Recommendations

The project is located within the Life Science Center (LSC) of the Great Seneca Science Corridor (GSSC) Master Plan area. The LSC includes five districts. The Subject Property is located within the North District. The specific language on the LSC North District of the Master Plan is included in Attachment D. The Master Plan provides the following general applicable recommendations for the Subject Property on pages 9-11:

- Transform the LSC into a dynamic live/work community while ensuring growth opportunities for research, medical, and bioscience interests;
- Align the Corridor Cities Transitway (CCT) through the LSC and provide four transit stations that will be the focal point of new development in the LSC North, Central, West, and Belward districts;
- Concentrate density, building height, and civic green spaces at the CCT stations. Provide appropriate transitions to adjacent neighborhoods;
- Create the LSC Loop as the organizing element of the open space plan to connect districts and destinations, incorporate natural features, and provide opportunities for recreation and non-motorized transportation;
- Create a sustainable community that will attract nationwide interest with design and materials that minimize carbon emissions, maximize energy conservation, and preserve water and air quality; and
- Support the County's Agricultural Reserve with zoning that requires acquisitions of Building Lot Termination (BLT) easements to achieve maximum densities.

There is a shortage of housing in the Master Plan area, and the proposed development, which will be adjacent to a planned CCT station, will add to the housing stock at a strategic and convenient location in the LSC. The Applicant is proposing to concentrate the most height and density of the DANAC Stiles Property to date on Lot 7 as envisioned by the Master Plan, while also designing the proposed development in a way that makes the planned CCT station a focal point of the development. The CCT station will provide convenient access to and from the area. The hardscaping and landscaping details will be addressed at the time of site plan review. Before the CCT is constructed, the area will still include the existing Diamondback Drive vehicular and pedestrian access to and from Diamondback Drive. As discussed during the review of the Sketch Plan for this site, it is expected that such access point will be closed when the CCT is constructed. The LSC Loop already runs along Discoverly Drive, along the north side of the DANAC Stiles campus. The LSC Loop provides for recreational opportunities and helps to connect the DANAC Stiles campus with the rest of the LSC. As indicated by the Sketch Plan Application,

the project will have a unique façade design, and will incorporate sustainable elements through its compliance with the County's green building requirements and public benefits schedule. The proposed plan will support the Agricultural Reserve through its acquisition of BLTs. The final number of BLTs will be determined at site plan review.



Climate Protection and Sustainability

The Master Plan makes a number of recommendations to reduce development's carbon footprint (page 29), including site and building design and orientation that takes advantage of passive solar heating and lighting and passive cooling opportunities and commitments to reduce energy and water consumption. Many of these recommendations should be incorporated at the time of Site Plan, including a commitment that new buildings meet the minimum energy efficiency standards of 17.5% below the calculated baseline performance or meet the appropriate ASHRAE advanced energy design guide.

Housing

The Master Plan encourages the provision of housing to improve the area's jobs-housing balance. The Plan recommends a range of housing options to help meet County housing goals, including Moderately Priced Dwelling Units and workforce housing (page 23). This Preliminary Plan proposes 12.5% MPDUs.

Staging Considerations

According to the Master Plan, converting from non-residential to residential development is exempt from the Master Plan's staging requirement, as long as the residential project does not increase the number of already approved vehicle trips. As stated on page 76 of the Master Plan:

“The 3.7 million square feet of development in the pipeline is not subject to the Plan's staging requirements unless a project's Preliminary Plan expires. The owner of a property approved for commercial development may re-subdivide and convert to residential development and still be exempt from staging provided that the change in development will not increase the number of vehicle trips.”

Thus, the subject plan is exempt from the Master Plan staging limit of 2,500 dwelling units. The Applicant will be using 5,000 square feet of the approved but unbuilt 301,857 square feet of commercial uses to construct the required live/work units onsite.

Site Specific Recommendations

The Master Plan has the following recommendations that are specific to the Subject property on pages 48 and 49:

- Locate the LSC North CCT station on the east side of the DANAC property (west side of Diamondback Drive);
- Rezone DANAC property from I-3 to CR Zone;
- Recommended Zoning for Lot 7 is: CR2.0 C1.5 R1.5 H150. The remainder of the DANAC property should be zoned CR1.0 C0.5 R1.0 H 80;
- Building height along Decoverly Drive adjacent to the residential community to the north is limited to 50 feet within 100 feet of the Decoverly Drive right-of-way;
- The sidewalk and pedestrian improvements as shown on the Sketch Plan and Concept Plan;
- 150-feet of right-of-way for Diamond Back Drive;
- 200-feet of right-of-way for Key West Avenue; and
- Dedication of master planned business district streets B-2 and B-7.

The Applicant is providing for the dedication and design of the CCT on the east side of the Subject Property. The Applicant has also designed a public space to complement the planned CCT station when constructed as shown in the illustrative plan below. The building height restriction in relationship to Decoverly Drive is being adhered to. The Applicant is providing the dedications for Diamondback Drive and Key West Avenue, and the business district streets are proposed as private roads with public access easements, but will be constructed to the standards specified in the Master Plan.



Illustrative Plan Lot 7

Conclusion

Based on the analysis above and conditions of this report, staff finds the proposed Preliminary Plan is in substantial conformance with the GSSC Master Plan.

ADEQUATE PUBLIC FACILITIES

Master-Planned Roadways and Bikeways

The DANAC Styles Property is located on the north side of Key West Avenue (MD 28) between Great Seneca Highway (MD 118) and Diamondback Drive. The vehicular access points are at the following intersections:

- Business district street, B-7, and Key West Avenue.
- Business district street, B-2, and Decoverly Drive.
- Business district street, B-2, and Diamondback Drive if not closed to accommodate the Corridor Cities Transitway station and its extension southward crossing under Key West Avenue.

Site Location and Vehicular Site Access Points

In accordance with the 2010 *Great Seneca Science Corridor Master Plan (GSSC)* and the 2005 *Countywide Bikeways Functional Master Plan (Countywide)*, the roadways and bikeways are classified 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 Countywide dual bikeway (bike lanes and a shared use path on the north side), DB-43;
2. Great Seneca Highway is designated as a six-lane major highway, M-90, with a recommended 150-foot right-of-way and a Countywide shared use path, SP-63, on the west side;
3. Diamondback Drive is a four-lane arterial, A-261b, with a recommended 150-foot right-of-way that includes a 50-foot-wide CCT right-of-way along west side, GSSC dual bikeway, LB-3, and a Countywide shared use path, SP-66, within the CCT right-of-way;
4. Decoverly Drive is a four-lane arterial, A-284, with a recommended 100-foot right-of-way and the GSSC Life Science Center Loop dual bikeway, LB-1.

The Master Plan identifies two business district rights-of-way on the Subject Property. They are Roadways B-2 and B-7. B-2 provides a connection from Decoverly Drive through the site to Diamondback Drive, while B-7 provides a connection from B-2 through the site to Key West Avenue. According to the Master Plan, business district streets B-2 and B-7 should be constructed as 60-foot wide rights-of-way.

Corridor Cities Transitway (CCT)

MTA’s preferred alignment of the CCT is along the west side of Diamondback Drive with a proposed station at the intersection with master-planned business district street, B-2. The Applicant must coordinate with the MTA CCT’s project manager, Rick Kiegel, regarding MTA’s latest alignment and design of the CCT. The preferred CCT alignment along Diamondback Drive crosses under Key West Avenue but an alternative proposal suggests that the CCT might cross the intersection with Key West Avenue at-grade.

If the CCT alignment along Diamondback Drive does run under Key West Avenue, the proposed CCT station would be below the grade of the Diamondback Drive/B-2 intersection and block the eastbound approach of B-2 to this intersection. To travel eastbound on B-2, motorists must circle the block formed by master-planned “business district street” B-7, Decoverly Drive, and Diamondback Drive.

Based on the master-planned projection of peak-hour trips, the critical lane volume (CLV) values at the intersection of Diamondback Drive and Decoverly Drive:

Intersection	CCT Station	Peak Hour	Master-Planned Forecast
Diamondback Drive and Decoverly Drive	At-Grade	Morning	1,026
		Evening	1,361
	Depressed	Morning	1,165
		Evening	1,331

The CLV values would not exceed the congestion standard of 1,450 with or without the eastern approach of Diamondback Drive open to traffic.

Bus Rapid Transit

One of the candidate Bus Rapid Transit (BRT) options is Route 5, “Gude Drive/Key West Avenue” that proposes transit vehicles operating along Key West Avenue with a station at the intersection with Diamondback Drive/Broschart Drive.

Existing Available Transit Service

Other than the proposed CCT and BRT stations, the following two Ride-On routes currently operate along the roads fronting the site:

1. Ride-On route 66 along Key West Avenue between Great Seneca Highway and Diamondback Drive;
2. Ride-On route 74 along Decoverly Drive and Diamondback Drive between Great Seneca Highway and Key West Avenue.

On-Site Pedestrian and Bicycle Facilities

On Lot 7, the pedestrian and bicycle facilities will be determined as part of the future site plan. Under Section 59-C-15.62 of the County Zoning Ordinance as a development located in the CR zone, the Applicant must provide bicycle parking spaces for a residential building with 20 or more dwelling units. For the proposed apartment building with 475 units, the required bicycle parking is:

1. Publicly accessible bike spaces: At least 10 spaces. Final number and location to be determined at site plan.
2. Private secured bike spaces: At least 100 spaces. Final number and location to be determined at site plan.

Master-Planned Transportation Demand Management

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

Local Area Transportation Review (LATR)

For Lot 6, the proposed parking garage, in itself, does not generate vehicular trips; thus, a LATR test is not necessary.

The original Preliminary Plan No. 119961120 was approved in 1997 for 669,538sf of office uses. The table below shows the net reduction in the vehicular peak-hour trips generated by the proposed change in land use on Lot 7 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.):

Tenant	Square Feet or Units	Peak-Hour Trips	
		Morning	Evening
Previously-Approved General Office Space			
Total Approved Office Space	669,538	1,126	994
Built Office Space	-367,681	-621	-539
Trip Credit- Unbuilt Office Space	301,857	505	455
Proposed Mid-Rise Apartments	475	193	224
Net Reduction in Peak-Hour Trips		312	231

In accordance with the *Local Area Transportation Review and Policy Area Mobility Review Guidelines*, a traffic study is not required to satisfy the LATR test because the number of total peak-hour trips generated by the proposed apartments is less than the trips generated by the previously-approved and unbuilt office uses.

In addition to reducing the number of overall trips, the peak-hour trips generated by the change from office to apartments would also result in reversing the directional distribution pattern of the site's peak-hour trips. Specifically, a greater percentage of the apartment trips leave "out" from the site during the weekday morning peak hours and return "in" to the site during the evening peak hours, compared to the office trips traveling in the reverse direction. Based on the most-recently submitted traffic study for a nearby development, the traffic impact of the reversed trip directional distribution pattern was analyzed at the nearest signalized intersection of Key West Avenue and Diamondback Drive/Broschart Road. The table below shows the calculated critical lane volume (CLV) for the total traffic condition where:

- Total traffic condition includes the existing trips, trips generated from approved but un-built nearby developments, and site-generated trips in the reversed directional distribution.
- The congestion analysis was calculated with and without the previously required intersection improvement by the applicant of Site Plan No. 820100090, JHU-National Cancer Institute. The improvement is to a) convert the inside through lane on the southbound approach of Diamondback Drive to a combined through second left-turn lane and b) modify the traffic signal timing on the north/south approaches from a concurrent to a split phase.

Intersection	Intersection Improvement	Peak Hour	Future/Total Traffic Condition as		
			Office Space	Apartments	Net Change
Key West Avenue & Diamondback Drive/Broschart Road	Without improvement	Morning	1,508*	1,549*	+41
		Evening	1,436	1,364	-72
	With SB approach improvement	Morning	1,294	1,322	+28
		Evening	1,261	1,232	-29

*The CLV value exceeds the congestion standard of 1,450.

The CLV values exceed the 1,450 standard during the weekday morning peak hour without the intersection improvement required of JHU-National Cancer Institute. With the improvement, the CLV

values are reduced below the 1,450 standard. Therefore, in order to satisfy the LATR test, the Applicant must participate in the intersection improvement to the intersection of Key West Avenue and Diamondback Drive/Broschart Drive as required in the conditions of approval.

Policy Area Mobility Review (PAMR)

Under the current *Subdivision Staging Policy*, because the new peak-hour trips generated by the proposed apartments are less than the new trips generated by the previously approved and unbuilt office space, mitigation is not required to satisfy the PAMR test.

Other Public Facilities and Services

The proposed development will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service which has determined that the Subject Property has appropriate access for fire and rescue vehicles. Other public facilities and services including police stations, firehouses and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following the construction of the Project. Electric, gas and telecommunications services will also be available and adequate. The Project is located in the Gaithersburg Cluster, which requires a School Facilities Payment at the elementary school level. Therefore, the Applicant is required to pay \$820.00 per unit to the Department of Permitting Services.

ENVIRONMENT

Amended Final Forest Conservation Plan

The original Final Forest Conservation Plan (#820000180) was approved on October 13, 2000, and resulted in a mitigation requirement of 5.4 acres. Of this figure, the Applicant has previously provided 1.8 acres of on-site plantings and 2.6 acres of off-site forest planting (Certificate of Compliance June 23, 2000, Liber 18194, Folio 136) for a total of 4.4 acres of mitigation satisfied. The remaining 1.0 acre mitigation requirement was to be satisfied by street tree canopy credit; however, site constraints make this option difficult. As part of the Preliminary Plan application, the applicant proposes to amend the previously approved Final Forest Conservation Plan to satisfy the remaining 1 acre requirement at an approved off-site forest conservation bank.

In addition, the original Final Forest Conservation Plan included an approved paved pedestrian pathway within the Category I Forest Conservation easement around the stream buffer. Portions of this Category I easement adjacent to this pathway have been maintained by mowing, which is a violation of the easement agreement. On Friday, August 3, 2012 a representative of the Applicant met with an M-NCPPC Forest Inspector and Area 2 Staff. As part of the Final Forest Conservation Plan Amendment, Staff agreed to recommend removal of the Category I easement around the pathway to permit maintenance and allow visibility of the trail, with the 0.28 acres of Category I easement removed to be replaced at a 2:1 ratio in an approved off-site forest conservation bank, resulting in an additional planting requirement of 0.56 acres. The Applicant has agreed to stop mowing the Category I easement and add supplemental tree plantings in the easement. A mulched strip will be permitted adjacent to the inner edge of the pathway to facilitate maintenance. This is consistent with allowed uses in a Category I easement.

With the analysis and conditions above, Staff finds the plan is in compliance with M-NCPPC's *Environmental Guidelines* and recommends that the Planning Board approve the Final Forest Conservation Plan.

Noise

Prior to the submission of a Site Plan for Lot 7, a Phase I Noise analysis must be conducted to determine if noise mitigation elements must be incorporated in the Site Plan.

Stormwater Management

The Montgomery County Department of Permitting Services (DPS) issued a letter accepting the Stormwater Management Concept approval for the original Preliminary Plan on June 29, 2006. The requirements of the original stormwater concept plan still apply to the site, with the exception of Lot 7. For Lot 7, DPS issued a letter on April 4, 2012, and has determined that required stormwater management goals will be met onsite via Planter box micro filters, non-rooftop disconnect and the existing storm water pond.

COMPLIANCE WITH ZONING ORDINANCE AND SUBDIVISION REGULATIONS

The application meets the requirement and standards of all applicable sections of Chapter 50 of the Montgomery County Code, the Subdivision Regulations. With the improvements proposed, access and public facilities will be adequate to support the proposed lot, density, and use. The proposed lot size, width, shape, and orientation are appropriate for this type of subdivision. The proposed development meets all dimensional requirements of the CR2 C1.5 R1.5 H150 Zone as specified in the Zoning Ordinance. Finally, the application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan (Attachment E).

ATTACHMENTS:

- A. Sketch Plan Resolution
- B. Preliminary Plan
- C. Property Owners Letter Agreeing to Private ROW/Public Access Easements
- D. Master Plan References
- E. Agency Approval Letters



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

AUG 13 2012

MCPB No. 12-93
Sketch Plan No. 320120050
Camden Shady Grove
Date of Hearing: July 26, 2012

RESOLUTION

WHEREAS, under Section 59-C-15.42 of the Montgomery County Code the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review sketch plan applications; and

WHEREAS, on February 2, 2012, Camden USA, Inc. ("Applicant"), filed an application for approval of a sketch plan for construction of up to 498,072sf of residential uses and up to 5,000sf of non-residential uses on 7.62 gross acres of CR2 C1.5 R1.5 H150-zoned land, located on Parcel 7 in the northwest quadrant of the intersection of Key West Avenue and Diamondback Drive ("Subject Property") in the Great Seneca Science Corridor Master Plan ("Master Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320120050, Camden Shady Grove ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 11, 2012, setting forth its analysis of and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on July 26, 2012, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board approves Sketch Plan No. 320120050, Camden Shady Grove for construction of up to 498,072sf

Approved as to
Legal Sufficiency:

Christina Soud 7/18/12

M-NCPPC Legal Department

8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

of residential uses and a minimum of 5,000sf of non-residential uses, on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-C-15.43(b)(4) of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The development is limited to a maximum total of 503,072 square feet of development, including a maximum of 498,072 square feet of residential uses and a minimum of 5,000 square feet of non-residential uses. The final amount of residential and commercial floor area and the final number of dwelling units will be determined at site plan; but a minimum of five live/work units must be provided.

2. Height

The development is limited to a maximum height of 75 feet for occupiable space and 85 feet for architectural design elements.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-C-15.43(c); total points must equal at least 100 points and be chosen from at least 4 categories as required by Section 59-C-15.82(a); the requirements of Division 59-C-15 and the Implementation Guidelines must be fulfilled for each public benefit proposed.

- a. Transit proximity
- b. Connectivity and Mobility achieved through transit access improvements and wayfinding.

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

- c. Diversity of Uses and Activities achieved through provision of dwelling unit mix and enhanced accessibility for the disabled.
 - d. Quality Building and Site Design achieved through provision of structured parking, public open space, and exceptional design.
 - e. Protection and Enhancement of the Natural Environment achieved through the purchase of Building Lot Terminations ("BLT"s), tree canopy, vegetated area, and a cool roof.
4. Building Lot Terminations (BLTs)
Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.
5. Moderately Priced Dwelling Units (MPDUs)
The development must provide MPDUs in accordance with Chapter 25A and with an agreement to build with the Department of Housing and Community Affairs finalized prior to any building permit for the building.
6. Transportation
At the time of Preliminary and Site Plan review, the Applicant must address the following issues:
- a. Amendment of the existing Traffic Mitigation Agreement with the Montgomery County Department of Transportation ("MCDOT") and the Planning Board completed under the previous zoning to satisfy I-3 trip reduction requirements and participate in the Greater Shady Grove Transportation Management Organization ("TMO") that was executed originally on August 28, 1989.
 - i. Whether trip credits will be applied as a result of the conversion from commercial to residential will be evaluated during preliminary plan review.
 - ii. The amended Traffic Mitigation Agreement must be executed prior to release of any core and shell building permit for the building.
 - b. Provision of a public access easement for business district streets B-2 and B-7, as shown on the plan, on the record plat. The easement must be approved by the Planning Board and MCDOT, and should address the following issues:
 - i. Whether the existing internal roadways are adequately constructed and need not be demolished and reconstructed or modified to public standards and in accordance with the Road Code standards 2005.01 for B-2 and B-7 or, if not adequately constructed, need to be demolished and reconstructed or modified;
 - ii. Whether the existing sidewalks and other streetscape amenities associated with streets B-2 and B-7 that are not on Lot 7 are

- adequately constructed and need not be demolished and reconstructed or modified to standards in conformance with the Great Seneca Science Corridor ("GSSC") Master Plan and Design Guidelines or, if not adequately constructed, need to be demolished and reconstructed or modified;
- iii. Whether the proposed sidewalks and other streetscape amenities associated with streets B-2 and B-7 that are on Lot 7 and part of the Sketch Plan are in conformance with the GSSC Master Plan and Design Guidelines or, if not, need to be modified;
 - iv. Installation of public utilities will be permitted within the easement;
 - v. The streets within the easement may not be closed for any reason unless approved by MCDOT;
 - vi. The easement may be volumetric to accommodate uses above and below the designated easement area;
 - vii. The easement will grant the County the right to construct and install appropriate traffic control devices, if not required to be installed by the Applicant;
 - viii. The Applicant is obligated to remove snow and provide repairs to keep the streets in working order and open and if, for any reason, the Applicant does not, the County must have the right, but not the obligation, to remove snow and/or provide repairs;
 - ix. The final extent, delineation, and alignment of these streets will be determined at the time of site plan; and
 - x. Maintenance and Liability Agreements for each easement area will be entered into by the Applicant.
- c. The Applicant must coordinate with the developer of Site Plan No. 820100090, JHU-National Cancer Institute, regarding the improvements to the intersection of Key West Avenue and Diamondback Drive/Broschart Drive, which is adjacent to the site.
 - d. The Applicant must work with the Maryland Transit Administration ("MTA") to assure that the subject plans reflect the latest MTA alignment and design of the Corridor Cities Transitway ("CCT") along the west side of Diamondback Drive and its proposed station at the intersection of Diamondback Drive and business district street, B-2.
 - e. The Applicant must provide and show on the site plan bicycle parking spaces consisting of public bike racks near the main entrances in a weather-protected area and secure, private bike spaces in the garage near the elevator in a safe, well-lit area. The specific number and location must be identified and shown on the site plan.

7. Future Coordination for Preliminary and Site Plan

In addition to any other requirements of Chapter 50, Subdivision Regulations, and Chapter 59, Zoning Ordinance, the following must be addressed when filing the preliminary or site plan:

- a. Final alignment and design of streets and justification for not dedicating streets recommended to be public in the Master Plan;
- b. Final dedication and coordination with MTA engineering of the CCT station;
- c. Underground wet and dry utilities;
- d. Fire and Rescue access and facility details;
- e. Demonstration of how each public benefit meets the Ordinance and Guideline requirements and final point calculations;
- f. Implementation of transportation improvements;
- g. Implementation of stormwater management with Environmental Site Design methods to the maximum extent practicable;
- h. Compliance with forest conservation law;
- i. Consideration of building-to-street interface to maximize activation and safety;
- j. Consideration of ways to ensure public use space will be accessible, inviting, and safe.
- k. Focus on energy efficiency in site design, building orientation, and building design features;
- l. Consideration of shadows on primary public use spaces;
- m. Consideration of the Applicant's request for a parking space waiver;
- n. Consideration of final incentive density points; and
- o. Finalization of design and specifications of live work units.

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of § 59-C-15.43(c), the Planning Board finds that as conditioned herein the elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan. Specifically, the Planning Board FINDS the Sketch Plan:

1. Meets the objectives, general requirements, and standards of Division 59-C-15;

- a. The Sketch Plan meets the objectives of Section 59-C-15.2 quoted below; specifically, the development as approved will:
 - i. "Implement the policy recommendations of the applicable sector plan" by providing the residential uses, business opportunities, pedestrian circulation routes, and public benefits encouraged by the Master Plan. While the total density, height, and mix of uses envisioned is not yet obtained, full development of the campus may

still implement this vision through subsequent applications on the remaining parcels as transit opportunities are realized and density increases allowing taller buildings and greater commercial opportunities;

- ii. "Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses" by replacing a surface parking lot and lawn area with a residential building, structured parking, and live/work units;
 - iii. "Reduce dependence on the automobile by encouraging development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities" by providing housing with enhanced accessibility for the disabled, a mix of multi-family unit types, density adjacent to a proposed CCT station, access to the LSC recreation loop and numerous other bike routes, public open space and improved streetscapes, and a mix of diversity and connectivity public benefits;
 - iv. "Allow a mix of uses, densities, and building heights appropriate to various contexts to ensure compatible relationships with adjoining neighbors" by building residential and non-residential uses within the envelope established by the CR zone at a scale of development similar to existing and allowed buildings near the CCT station that allow densities up to 1.5 FAR and building heights up to 150 feet;
 - v. "Allow an appropriate balance of employment and housing opportunities" by providing diverse housing encouraged for this District in the Master Plan and potential employment for residents who occupy the live/work units as well as employees that will staff the complex; and
 - vi. "Provide public benefits that will support and accommodate density above the standard method limit" through the public benefits, as discussed in detail in Finding #5, that meet the requirements of the Ordinance and standards of the Implementation Guidelines.
- b. The Sketch Plan meets the general requirements of Section 59-C-15.6 as follows:
- i. Be substantially consistent with the GSSC Master Plan, as detailed in Finding #2 below, and substantially conform to the GSSC Design Guidelines by:
 - Creating public use spaces that allow for recreation; are visible and usable; have a strong relationship to adjacent live/work units, transportation nodes, and the pedestrian network; and are not separated by barriers (page 13);

- Providing improved streets with wide sidewalks, street trees, lighting, amenities, and connections to adjacent pedestrian and bike routes (pages 14 & 44);
 - Providing buildings as close to property lines as grades, stormwater areas, landscaping, and easements allow with access from units to perimeter sidewalks and, in particular, by providing live/work units along what will become a focal open space at the CCT station (pages 22 & 45);
 - Providing design excellence with a landmark feature on the building at the CCT station with a design vocabulary new to the area that will be further developed through the site plan process (page 27); and
 - Placing parking within a structure faced with residential uses (pages 18-19).
- ii. Provide at least the minimum required number of bicycle parking spaces for residents and visitors, as determined by the final unit count and non-residential space approved with the site plan; and
- iii. Provide parking spaces between the minimum required and maximum allowed, as determined by the final unit count and non-residential space approved with the site plan.
- iv. The sketch plan meets the development standards of Section 59-C-15.7, as shown in the Data Table below:

<i>Development Table for the CR1.5 C1.5 R1.5 H100 Zone</i>		
Development Standard	Required/Allowed	Approved by the Planning Board and Binding on the Applicant
Max. Density (FAR)		
Total	2.0	1.515
Residential	1.5	Up to 1.5
Commercial	1.5	Up to 0.015
Max. Height (feet)		
	150	75 for occupiable space 85 for non-occupiable architectural features
Setbacks		
	n/a	n/a
Min. Public Use Space (% of net lot)		
	10	10
Min. Residential Amenity Space		

Indoor	5,000sf	5,000sf
Outdoor	5,000sf	5,000sf
Min. Parking Spaces	TBD	TBD

2. Furthers the recommendations and objectives of the Great Seneca Science Corridor Master Plan;

The Great Seneca Science Corridor Master Plan has several specific recommendations satisfied by this project. As part of the Life Science Center North District (LSC North), the development will:

- Provide mixed-use infill with residential uses and pedestrian-oriented live/work units that may provide local services (page 48), although true realization of this objective will only be realized as further applications are made on the remaining parcels of the campus;
- Provide public benefits as detailed in Finding #5;
- Improve pedestrian and bicyclist connections, through dedication for the CCT and improvements to the sidewalks and paths along each of the property's frontages (page 53); and
- Achieve more sustainable development patterns through balanced land use, connectivity improvements, open spaces, enhanced stormwater management, and building design (pages 26-30).

3. Achieves compatible internal and external relationships between existing and proposed nearby buildings, open space, and uses;

The buildings and open spaces are compatible with existing nearby buildings, open spaces, and uses. Development on adjacent properties is related to this Application: a site plan amendment has been filed to move surface parking from the Subject Property to a structured garage on an adjacent lot and a preliminary plan amendment has been filed to convert uses from office to residential and to update the preliminary forest conservation plan. Compatibility with existing and pending development is achieved through:

- Similar massing envelopes, although with more articulation and diversity of materials;
- Modest height, comparable to other built and allowed development which may build up to 110 feet in the LSC Zone, and 85 – 150 feet in the CR Zones on surrounding properties;
- Creation of defined streetscapes and open spaces that will begin to transform the pedestrian environment and network;
- Replacement of surface parking with internal structured parking creating a stronger relationship between buildings, sidewalks, and streets; and

- Addition of a complementary mix of uses.

4. *Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

Circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists are well designed or enhanced by the development. Specifically, this Sketch Plan provides:

- Off-street loading areas for the residents from a business district street avoiding congestion on Key West Avenue and Diamondback Drive;
- Access to the residential building from the public streets at existing curb cuts;
- Increased parking for bicycles;
- Improved sidewalks, amenities, and open spaces for pedestrians and bicyclists;
- Sufficient parking within new structures for residents and visitors; and
- Sufficient area left clear of buildings, major improvements, or important amenities for proper dedication for the CCT during preliminary plan review.

5. *includes public benefits that support the approved incentive density;*

To achieve the incentive density for this project, the Applicant must provide public benefits from four of seven categories that total at least 100 points. The public benefit categories the Applicant proposes to utilize include:

Public Benefit	Max Points Allowed	Points Recommended
Transit Proximity Category		
Adjacent to Level 2 CCT Station	30	30
Connectivity & Mobility Category		
Transit Access Improvement	20	15
Wayfinding	10	5
Diversity Category		
Dwelling Unit Mix	10	10
Enhanced Accessibility	20	6
Quality Design Category		
Structured Parking	20	10
Public Open Space	20	8
Exceptional Design	10	5
Environmental Category		
BLTs	30	5
Tree Canopy	15	10

Vegetated Area	10	8
Cool Roof	10	8
Total		120

Generally

General incentive density considerations are established by the zoning ordinance and include:

- The recommendations of the master plan;
- The Incentive Density Guidelines and master plan guidelines;
- The size and configuration of the tract;
- The relationship of the site to adjacent properties;
- The presence or lack of similar public benefits nearby; and
- Enhancement beyond the criteria required for the public benefits.

The Master Plan has few specific recommendations for this site and generally encourages “public benefits that improve connectivity and mobility or add to the diversity of uses and activity” in this District (page 48). In even more general terms, the Master Plan focuses on several issues: Linking Land Uses/Connecting Communities (page 20), Housing (page 23); Urban Form and Open Spaces (page 25); Sustainability (page 26); and Community Facilities, Open Spaces, and Connectivity (page 30).

The Sketch Plan proposes taking advantage of the transit proximity and four public benefits from the connectivity and diversity categories to satisfy the recommendations for the District and the Linking Land Uses/Connecting Communities and Housing foci of the Master Plan. To satisfy the Urban Form and Open Spaces and Community Facilities, Open Spaces, and Connectivity foci, the Sketch Plan proposes open space above the minimum required amount, structured parking designed consistent with the Guidelines, and exceptional design to create a landmark architectural feature and open space at the CCT station. The Sustainability element of the Master Plan is satisfied through provision of BLTs, tree canopy, vegetated area, and a cool roof to improve water and air quality, mitigate climate change, and protect biological diversity.

Being a rather large site with the highest density recommended in the Master Plan, the Sketch Plan takes advantage of the tract and density to provide structured parking faced with active uses and open space above the minimum required, focused appropriately on the CCT station.

This development is the first proposed CR-zoned application on the west side of the LSC North District; it is one of the few sites directly adjacent to one-family residential development. It is also the first sketch plan for a site with an adjacent CCT station. Thus, the Sketch Plan proposes public benefits to take advantage

of transit proximity and provide increased connectivity with active open spaces near the CCT station and connecting trails rather than within the site and nearer the adjacent residential development.

There are no nearby developments that have provided public benefits to compare with this development. Although the Application does not qualify for points for live/work units, they are being provided to allow a flexible non-residential use near the CCT. As development proceeds, future applications will find a better market for neighborhood-serving retail and services, although this Application focuses on housing for the employees of the LSC area. This proposal is one of a few different attempts to experiment with a mix of uses that is sustainable from inception (and in a still suburban environment) and it can evolve as density and transit opportunities are realized.

Transit Proximity

Being adjacent to a CCT station (level 2 transit) and, in fact, dedicating right-of-way for the station and alignment, the Sketch Plan is eligible for 30 points. The Planning Board is granting the full 30 points to spur development and increase the likelihood that a mix of uses in the area will become more financially viable.

Transit Access Improvement

Up to 20 points may be granted for transit access improvements. These improvements must improve access to a transit facility to at least meet the County's accessibility standards. In this case, the proposed CCT station must be built about 8 feet below grade and is only accessible by stairs or by walking (or rolling) to the intersection of Diamondback Drive and Decoverly Drive. An alternative is proposed by this development – switch-back ramps integrated into the open space directly adjacent to the station platform. This is an intensive and complicated improvement and implements an important Master Plan goal. The Planning Board is granting 15 points for construction of this Transit Access Improvement.

Wayfinding

Up to 10 points may be granted for the design and implementation of a wayfinding system. The Application proposes several signs at key intersections and the CCT station providing directional signage to nearby amenities, bike routes, and transit facilities. Although the final design and layout will be determined at site plan, the Planning Board requests at least 7 signs be provided and that each have a map encompassing the area within at least a ½ mile radius from the CCT station indicating directions to certain features as appropriate for

the individual sign locations. Based on fulfillment of these criteria that will encourage the Linking & Connecting goals of the Master Plan, the Planning Board is granting 5 points for implementation of the wayfinding system.

Dwelling Unit Mix

Up to 10 points may be granted for providing a dwelling unit mix that includes at least 7.5% efficiency units, 8% 1-bedroom units, 8% 2-bedroom units, and 5% 3-or-more bedroom units. Under the Guidelines, the Planning Board should only grant 5 points for meeting the minimum unit mix and 10 points only for a greater mix (10% efficiency, 10% 1-bedroom, 10% 2-bedroom, and 7.5% 3-bedroom). But, because diversity of housing is a specific Master Plan goal for this District and the fact that some of these units will be live/work, further enhancing the diversity of uses and activities, the Planning Board is granting the full 10 points for provision of the unit mix required by the Ordinance.

Enhanced Accessibility for the Disabled

Up to 20 points may be granted for constructing units that satisfy ANSI A117.1 Residential Type A standards. The Guideline formula is that one point be granted for each percent of units that meet the criteria but Staff has finalized a revised draft of the Guidelines that will be reviewed by the Planning Board in September. In the revised draft, Staff recommends that three points be granted for each percent of units that meet the criteria. Like the dwelling unit mix, this public benefit helps fulfill a Master Plan goal and, in this case, 2% of the units are proposed to ANSI A117.1 standards and that the Planning Board is granting 6 points for the provision of this benefit.

Structured Parking

Up to 20 points may be granted for provision of parking within a structure. A formula dividing the parking provided within an above-ground structure by the total parking provided and multiplying the result by 10 has been approved in the guidelines (below ground parking spaces are eligible for double the points because of the greater cost). The parking is wrapped by residential uses so mitigation of visibility is not a concern. In this case 99% of the parking is within an above grade structure, therefore the Planning Board is granting 10 points for the provision of this benefit.

Public Open Space

Up to 20 points may be granted for providing public open space above the minimum required by the zone. The Guideline formula requires dividing the proposed amount of open space above the minimum required by the zone divided by the net tract area and then multiplied by 100. Eight percent of the net tract area (above the minimum 10% required by the zone) is being provided as public open space. This area is near a CCT station, which is recommended for

open space of $\frac{1}{4}$ to $\frac{1}{2}$ acres. The open space provided at the station alone is about 0.4 acres. The design also meets the accessibility, size, and activation criteria of the guidelines, therefore the Planning Board is granting 8 points for this public benefit.

Exceptional Design

Up to 10 points may be granted for building and site design whose visual and functional impacts enhance the character of the setting. The Guidelines have established 6 criteria to evaluate the exceptional design public benefit and recommends that the Application meet at least five of these criteria for the full 10 points. The Planning Board concludes that three of these criteria are met:

- Providing an innovative solution in response to the immediate context by, in this case, creating a site design that accommodates and integrates a transit station below grade with public space and pedestrian and bicycle routes;
- Creating a sense of place and serving as a landmark through the architectural treatment at the corner of Key West and Diamondback and the distinct design vocabulary and amenities provided at the station open space; and
- Enhances the public realm in a distinct and original manner through turning a difficult context with evolving variables into an asset through unique landscape design, integration of various unit types (bedroom mix, enhanced accessibility units, and live/work units), and construction of a street-focused building in a currently suburban environment.

For these reasons, the Planning Board grants 5 points for this public benefit (with the final analysis being done at site plan).

BLTs

Five points are required for CR-zoned optional method projects and are calculated by a formula established in the Ordinance. The Applicant will provide the BLTs as required and the Planning Board grants the 5 required points for this public benefit.

Tree Canopy

Up to 15 points may be granted for tree canopy coverage at 15 years growth over 25% of the on-site open space. The important sustainability goals of improving air and water quality as well as protection of biodiversity are enhanced by tree canopy. Because no underground structures are involved and the conceptual landscape design shows large planting areas, the Planning Board grants 10 points for this public benefit. A larger area of coverage, use of only native trees, or large planting size may be considered for the full 15 points.

Vegetated Area

Up to 10 points may be granted for installation of plantings meeting certain criteria, including coverage of at least 5,000sf. The Sketch Plan proposes vegetated area of 8,500sf which is not included in the required public use space, the proposed public benefit open space, or any easements. Ten points are granted only for projects that far exceed the minimum – up to twice the area required (10 points for 10,000sf) – and points are awarded on a pro-rated basis below that. In this case, the Planning Board grants 8 points for this public benefit.

Cool Roof

Up to 10 points may be granted for constructing roofs with a minimum solar reflectance index (“SRI”). The Applicant proposes to meet the minimum SRI for a flat roof. As seen in the aerial photograph of the area, the District is dominated by dark roofs, parking lots, and roads; decreasing the heat island effect and making a more energy efficient building are encouraged by the sustainability goals of the Master Plan. For this reason and because this is such a large building, the Planning Board grants 8 points for this benefit.

6. *Establishes a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The development may be built in one phase. Thus, no particular provisional phasing plan is required at this stage of design; a full development program to establish phasing of the elements required by this Application will be developed and analyzed during preliminary and site plan reviews.

BE IT FURTHER RESOLVED that at the time of site plan, the Planning Board may approve changes to this Sketch Plan under certain circumstances. If the Applicant proposes to change a condition of approval or binding element, or agrees to a change proposed by another party, the proposed change must satisfy the requirements for approval of a sketch plan and site plan, including Section 59-C-15, Section 59-D-3.4, and the Great Seneca Science Corridor Master Plan. If Staff proposes to change a condition of approval or binding element, however, the Board may approve the change if necessary to ensure conformance with Section 59-C-15, Section 59-D-3.4, or the Master Plan. In other words, for the Board to approve an Applicant-proposed change of a binding element it must find consistency with applicable standards; for the Board to approve a modification to a Staff-proposed binding element that the Applicant has not agreed to, the Board must find that the proposed change is necessary to meet the site plan approval standards, including conformance with zoning and Master Plan requirements.

Alternatively, based on detailed review of a site plan, the Board may find that any element of the approved Sketch Plan, including a binding element, does not meet the requirements of the zone, Master Plan, or other findings necessary to approve a site plan, and deny the site plan application.

The Board's review of sketch plans is governed by Section 59-C-15.43, which provides that "in approving a sketch plan" the Board must find that certain elements of the sketch plan are "appropriate in concept and appropriate for further detailed review at site plan." Because the Board's approval of a sketch plan is in concept only and subject to further detailed review at site plan, it necessarily follows that the Board may find, based on detailed review of a site plan, that any element of a sketch plan does not meet the requirements of the zone, master plan, or other requirements for site plan approval. The Board does not have the authority at the time of sketch plan to predetermine that any element of the sketch plan will satisfy all applicable requirements for site plan approval. As a practical matter it would be unwise for it to do so, due to the limited detail contained in a sketch plan and the sketch plan's unlimited validity period. If the Board were unable to require changes to binding elements at the time of site plan to ensure compliance with all code and master plan requirements, the Board might have decided to approve fewer elements of this Sketch Plan as binding.

Although the Board does not have the authority to provide complete certainty about the conditions of approval or binding elements of a sketch plan, this does not mean that the Board should or will require changes to an approved sketch plan without good reason. To do so would be inefficient and unfair to Applicants and community members whose expectations about the future shape of development will be formed by what the Board approves in a sketch plan; and

BE IT FURTHER RESOLVED that all elements of the plans for Sketch Plan No. 320120050, Camden Shady Grove, stamped received by M-NCPPC on May 23, 2012 are required except as modified herein; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 13 2012 (which is the date that this Resolution is mailed to all parties of record); and

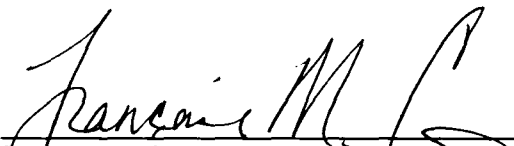
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion at its regular meeting held on Thursday, July 26, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board

Hub Properties Trust
c/o Reit Management & Research LLC
Two Newton Place
255 Washington Street, Suite 300
Newton, MA 02458

October 4, 2012

VIA FEDERAL EXPRESS

Mr. Glenn Kreger
Chief Area 2
The Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

VIA FEDERAL EXPRESS

Mr. Arthur Holmes
Director
Montgomery County Department of
Transportation
101 Monroe Street
Rockville, Maryland 20850

Re: Cooperation With Establishing The Public Access Easement
Lot 4 DANAC Stiles Corporate Campus
Establishment of Business Roads B-2 and B-7 as identified in the Great Seneca
Science Corridor Master Plan on the DANAC Stiles Corporate Campus
Preliminary Plan Amendment Application No. 11996112A

Dear Messrs. Kreger and Holmes:

The undersigned is the authorized representative of Hub Properties Trust, a Maryland real estate investment trust ("Hub"), the owner of Lot 4.¹ We have been requested by John F. Jaeger, Trustee, under the Land Trust Agreement, dated August 29, 1989, the owner of Lot 7² ("Jaeger"), and Camden, USA ("Camden"), the contract purchaser of Lot 7 of the DANAC Stiles Corporate Campus, to cooperate with establishing a 56 feet wide public access easement, within the area shown on the attached Exhibit 1 (the "PAE"). Hub's cooperation would contribute to the establishment of "Business Roads B-2 and B-7" as generally identified in the Great Seneca Science Corridor Master Plan on the DANAC Stiles Corporate Campus.

Hub has been advised that M-NCPPC's and MCDOT's receipt of this letter, that evidences Hub's agreement to cooperate, is necessary for the consideration and approval of the above captioned Preliminary Plan Amendment Application.

By this letter, we advise you that Hub does agree to cooperate with establishing the PAE. Hub's agreement to cooperate, of course, is conditioned on Hub's approval of the final documentation, including documentation of certain agreements to be entered into with the adjoining property owner and final approval of a subdivision plan, if necessary.

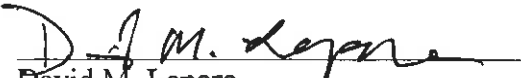
¹ Hub Properties Trust, a Maryland real estate investment trust, is the fee simple record owner of Lot 4 in a subdivision known as "Discoverly Hall," whose subdivision record plat is Plat No. 21719 recorded in the Montgomery County Land Records.

² Jaeger is the fee simple record owner of Lot 7 in a subdivision known as "Discoverly Hall," whose subdivision record plat is Plat No. 23794 recorded in the Montgomery County Land Records.

Please contact me if you have any questions.

Very truly yours,

Hub Properties Trust, a Maryland real
estate investment trust

By: 
David M. Lepore
Senior Vice President

Enclosure

cc: Mr. Joshua Sloan
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Suite #200
Silver Spring, MD 20910

Mr. Greg Leck
Montgomery County Department of Transportation
100 Edison Park Drive, 4th Floor
Gaithersburg, MD 20878

Mr. Jack Jaeger
Vice President
DANAC, LLC
7501 Wisconsin Avenue
Suite 1120
Bethesda, MD 20814

Mr. Jay Johnson
Director of New Development
Camden USA
1420 Spring Hill Road
Suite 200
McLean, VA 22102

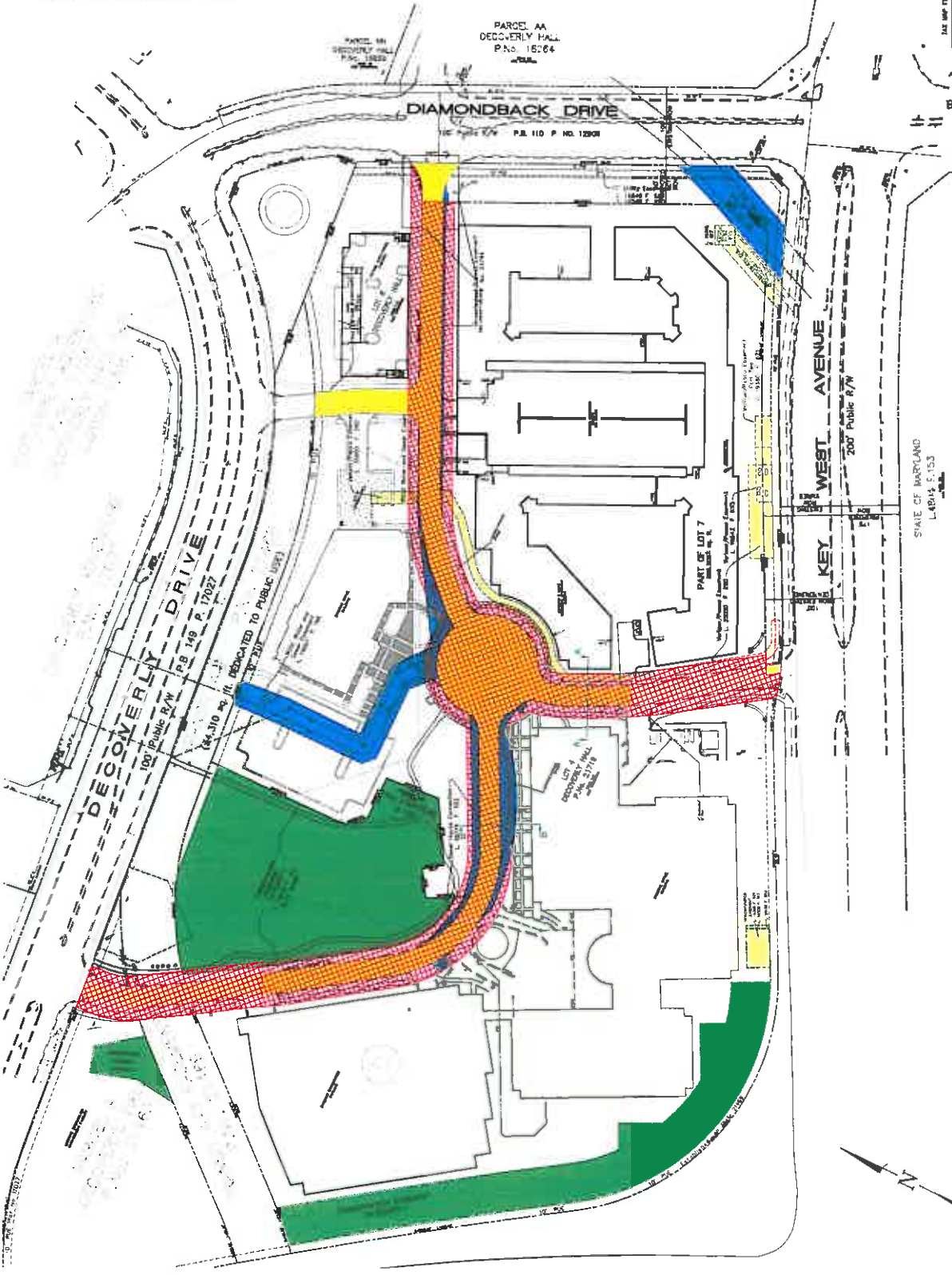
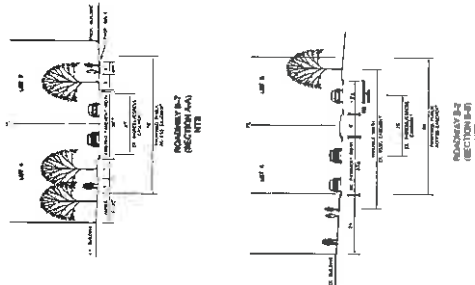
James D. Wright, Esq.
Venable LLP
750 East Pratt Street
Suite 900
Baltimore, MD 21202

Mr. Glenn Kreger
Mr. Arthur Holmes
October 4, 2012
Page 3

Timothy Dugan, Esq.
Shulman, Rogers, Gandal, Pordy & Ecker, P.A.
12505 Park Potomac Avenue, 6th Floor
Potomac, MD 20854

3131336_1 05/18/12

- PROPOSED 56' PUBLIC ACCESS EASEMENT
- EXISTING FOREST CONSERVATION EASEMENT
- EXISTING SHARED INGRESS/EGRESS EASEMENT
- WSSC WATER & SEWER EASEMENT
- VERIZON / PEPCO EASEMENT



200' Public R/W

56' PUBLIC ACCESS EASEMENT IMPACT EXHIBIT
 PART OF LOT 7
 BLOCK 0
 8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG
 MARYLAND HOME GROUP
 1430 SPRING HILL ROAD, SUITE 200
 MCKEAN, VA 22102
 CONTACT: MARK COLLETTA
 VICE PRESIDENT OF REAL ESTATE INVESTMENTS
 EMAIL: MCOLLETTA@MARIANDHOMING.COM

NO.	DATE	DESCRIPTION



plan summary

The *Great Seneca Science Corridor (GSSC) Master Plan* envisions a vibrant Life Sciences Center (LSC) where the foundation of health care, biotechnology, and academia combine to create a dynamic and sustainable science and medical hub. Knowledge will drive its agenda, attracting international scientists, business leaders, physicians, and professors who will contribute ideas and insights for the future. Labs, classrooms, research centers, and universities will encourage and foster cutting-edge discoveries. The LSC should evolve into a place where the physical form—buildings, open spaces, and amenities—is as inspiring as the discoveries occurring inside.

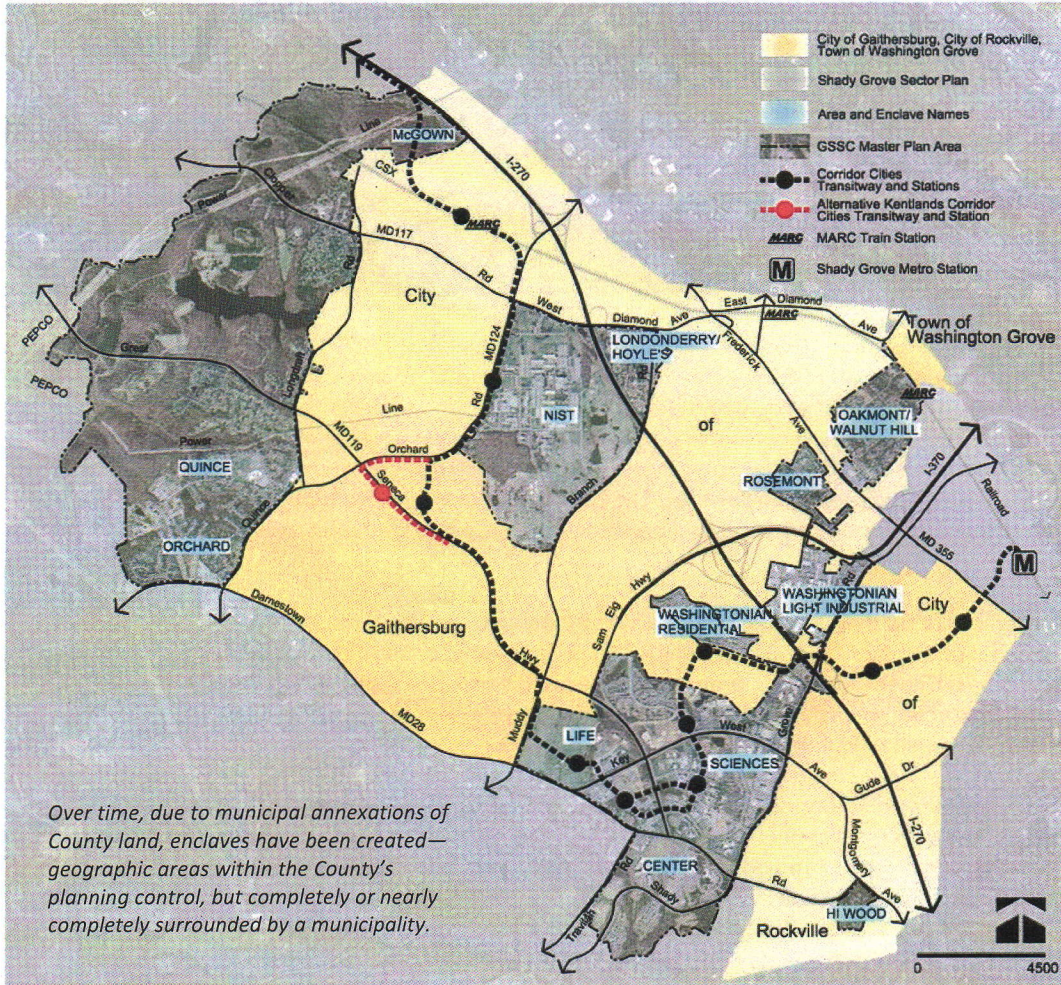
This Plan's vision will develop over 25 to 35 years. During that time, the local and national economy will experience three or four business cycles. These economic cycles make it imperative to periodically check the Plan's progress and recommendations. Regardless of the pace of growth, it is essential to establish a vision and provide a blueprint for the future that will enable the LSC to evolve over time.

While this Plan is about providing opportunities for future world-leading scientific research, it is also concerned with protecting residential neighborhoods and investments made by businesses and institutions in the area. Growth and change in the LSC must occur in a way that does not overburden the surrounding communities. This Plan's explicit staging recommendations are essential to preserving the quality of life that residents enjoy. Infrastructure—particularly transit—must be provided before significant amounts of development can be built. Staging development ensures that growth will be managed and timed with the delivery of the infrastructure necessary to support it.

Key Recommendations

- Transform the LSC into a dynamic live/work community while ensuring growth opportunities for research, medical, and bioscience interests.
- Align the Corridor Cities Transitway (CCT) through the LSC and provide four transit stations that will be the focal point of new development in the LSC North, Central, West, and Belward districts.
- Concentrate density, building height, and civic green spaces at the CCT stations. Provide appropriate transitions to adjacent neighborhoods and to the historic Belward Farm.
- Create a grid pattern of new streets that improve local circulation and connectivity among the LSC districts, promote alternatives to car use, and enhance access to the future transit stations.

map 1 Great Seneca Science Corridor Master Plan



- Create the LSC Loop as the organizing element of the open space plan to connect districts and destinations, incorporate natural features, and provide opportunities for recreation and non-motorized transportation.
- Replace the Public Safety Training Academy (PSTA) in the LSC West District with a new residential community that includes supporting retail, open spaces, and community facilities.
- Maintain the established residential neighborhoods throughout the GSSC Master Plan area.
- Create a sustainable community that will attract nationwide interest with design and materials that minimize carbon emissions, maximize energy conservation, and preserve water and air quality.
- Ensure that development in the Piney Branch Special Protection Area uses the best available stormwater management treatment techniques to protect the watershed's headwaters.
- Meet the recreation needs of the GSSC area by identifying and acquiring a site for a new local public park in the Quince Orchard area and requiring the dedication of parkland for new parks and open spaces in the LSC Districts.

overview and context

Forty-five years ago, the County identified the I-270 Corridor as a place for higher densities in a series of Corridor Cities supported by a comprehensive transportation network. Since then, jobs and business opportunities have attracted skilled workers and business investment that have in turn enabled local government to provide quality schools, amenities, and services.

The GSSC Master Plan area covers 4,360 acres in the heart of the I-270 Corridor. It includes the Life Sciences Center, the western Quince Orchard neighborhoods and enclave areas such as the National Institute of Standards and Technology (NIST) and Rosemont, which are completely or nearly completely surrounded by a municipality. The City of Gaithersburg occupies 10 square miles in the center of the Plan area. The City of Rockville borders the Plan area on the east and the Town of Washington Grove is located to the northeast. The incorporated municipalities have their own planning and zoning authority and are not part of the County's master plans.

The Life Sciences Center has played a significant role in establishing the Corridor as a globally known center for science and technology-driven industry, home to biotechnology companies, higher education facilities, and a quality medical center. This Plan provides a blueprint for the future that will transform the LSC into a vibrant place served by transit and enhanced by activating uses, open spaces, and amenities.

Planning Framework

The Plan's recommendations are consistent with State and County planning policies.

- The 1964 General Plan identifies the I-270 Corridor (which includes the LSC) for concentrated, high-density development supported by a comprehensive transportation system including a major highway network, rail lines, and centers called Corridor Cities.
- The 1992 Economic Growth, Resources Protection and Planning Act requires local plans to protect sensitive environmental resources.
- The 1993 *General Plan Refinement* supported the Corridor Cities concept but acknowledged that it had not yet fully evolved.
- The 1997 Priority Funding Areas Act directs State spending to support smart growth, typically to existing communities and places where local governments want investment to support future growth. The entire Master Plan area is within a Priority Funding area and is eligible for State funding.

Housing

This Plan's primary goal is to create a world class life sciences center. A range of housing options and amenities is needed to support this development and help achieve County housing goals, including Moderately Priced Dwelling Units and workforce housing. The transportation infrastructure proposed in this Plan will link the LSC districts in a sustainable development pattern where people can walk, bike, or use transit to reach their destinations.



One of the County's fundamental planning tools is the jobs-housing balance—the ratio of jobs to housing units in an area. Creating a balance provides the opportunity for people to live near work, which can reduce traffic congestion. While a balanced jobs-housing ratio does not guarantee that the housing will be occupied by those who work nearby, opportunities to live near work should be provided.

To date, the LSC has developed as a single-purpose, single-use employment center. Housing has not been a permitted use so the jobs-housing ratio within this area is not balanced. Because the LSC's focus has been on economic development and jobs, not housing, achieving the optimal jobs-housing balance within this small geographic area is unrealistic. However, over a broader area, the appropriate ratio can be achieved.

The 1990 Plan proposed new residential neighborhoods on large tracts of land near the LSC, including new neighborhoods at the King Farm, the Crown Farm, and the Thomas Farm (Fallsgrove). King Farm and Fallsgrove were annexed into the City of Rockville and are nearly built-out. The Crown Farm was annexed into the City of Gaithersburg, which approved a mixed-use community with 2,250 dwelling units that is not yet under construction. Existing housing that is near the LSC and within the Plan boundaries totals 3,262 dwelling units (of which 230 are senior units) at the Decoverly and Traville communities and the Washingtonian cluster north of Crown Farm.

This Plan recommends a new residential community on the current site of the County's Public Safety Training Academy (PSTA), LSC West. Housing development on this site could yield 2,000 new dwelling units. In addition, the Plan recommends that housing be allowed as a secondary use in the LSC Central District, which, along with several other sites in the greater LSC, could yield 3,750 new dwelling units. In LSC Central, the Plan allows 30 percent of the density to be used for housing. If all LSC Central property owners utilized this option, the total dwelling units in the district could be 2,225. This maximum theoretical amount will not be achieved in LSC Central due to the existing built environment and the business objectives of the property owners.

promotion of renewable energy generation, increased carbon sequestration and reduced urban heat island effect.

To reduce carbon footprint, this Plan:

- Recommends development that is compact, features a mixture of land uses, is walkable and served by public transit to make efficient use of land and resources, to reduce vehicle miles traveled and facilitate non-motorized travel.
- Creates opportunities for new development and redevelopment that take advantage of existing infrastructure and adaptive re-use of existing structures where feasible.
- Recommends that development meeting LEED or equivalent certification of any level obtain as many points as possible from approaches that reduce carbon emissions, including:
 - Site and building design and orientation that takes advantage of passive solar heating and lighting opportunities, maximizes potential for use of renewable solar energy systems, and permits passive cooling through proper shading and ventilation.
 - A commitment to reduce energy and water consumption.
 - A commitment to use recycled building materials, locally produced materials, and local labor.
 - A commitment to use building deconstruction techniques to facilitate re-use and/or recycling of building materials.
 - A commitment that new buildings meet the minimum energy efficiency standards of 17.5 percent below the calculated baseline performance or meet the appropriate ASHRAE advanced energy design guide. Renovated buildings should commit to meet a 10.5 percent energy efficiency standard below the calculated baseline performance or meet the appropriate ASHRAE advanced energy design guide.
 - Incorporates renewable energy systems to supply a portion of a building's energy needs, where feasible. Such systems may include:
 - solar power
 - wind power
 - geothermal heating and cooling systems.
- Recommends maximizing tree canopy coverage. (See goals for tree canopy coverage in the water quality section).
- Recommends the use of green roofs and walls.
- Recommends the use of light-reflecting roof surfaces where green roofs cannot be used.
- Recommends increasing vegetation throughout the Life Sciences Center. Approaches include:
 - Targeting unforested portions of regulated areas for reforestation.
 - Incorporating street trees and landscaping trees throughout the Life Sciences Center.
 - Use of vegetated roofs and walls.
 - Use of planter beds, bioswales and rain gardens.
 - Incorporating vegetation into hardscaped open space areas.

Protection of Biological Diversity

Protection of biological diversity focuses on preserving existing habitat, and on restoring habitat where feasible. Biological diversity is maintained when habitat is protected and invasive species are controlled. Control of invasive species and reducing wildlife overpopulations are operational issues not appropriate to address in a master plan. While an urban environment cannot typically support highly diverse plant and wildlife populations, much can be done to improve conditions for native plants and animals.

To protect biological diversity, the Plan:

- recommends preservation of existing natural areas, including the forest at the corner of Key West Avenue and Great Seneca Highway
- recommends the use of native plants and trees in landscaping and street tree planting to the maximum extent possible

LSC North and Washingtonian Cluster: Residential and Office

The 195-acre LSC North District is developed with several office parks, including DANAC, the National Association of Securities Dealers, Shady Grove Executive Center, and the Bureau of National Affairs. These properties are zoned I-3, O-M, and C-2. LSC North also includes the residential communities of Decoverly, with 1,144 townhouse and multifamily units along Diamondback Drive west of Decoverly Drive. The Washingtonian residential area is part of this Master Plan, but is geographically separated from the Life Sciences Center by the Crown Farm, which is in the City of Gaithersburg. The Washingtonian cluster is a housing resource for those who work in the LSC. As such, for purposes of staging, this area is included in the total amount of existing and approved dwelling units (3,300).

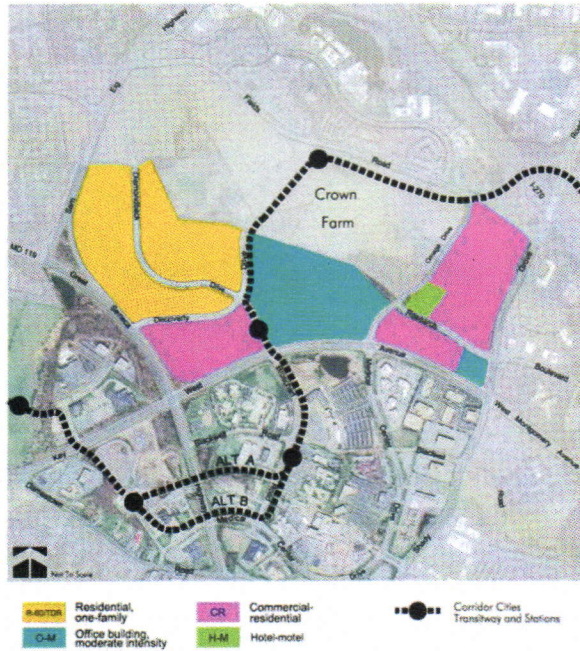
The LSC North CCT station is located on the east side of the DANAC property as part of the CCT alignment through the LSC. The Plan recommends that the DANAC property be rezoned from the I-3 Zone to a CR Zone. Rezoning DANAC to a mixed use zone with higher density will take better advantage of this transit station location. The DANAC parcel on the southeast corner of Key West Avenue and Diamondback Drive (the 6.93-acre Lot 7) is largely undeveloped and is adjacent to the proposed CCT station on the east side of the property. The recommended Zone for this parcel (Lot 7) is: CR 2: C 1.5, R 1.5, H 150. The remainder of the DANAC property should be zoned CR 1.0: C 0.5, R 1.0, H 80. Building height along Decoverly Drive adjacent to the residential community to the north is limited to 50 feet within 100 feet of the Decoverly Drive right-of-way (not including the 50-foot transit right-of-way).

The Plan does not recommend any zoning change to the National Association of Securities Dealers site. The Plan encourages mixed-use infill for the Shady Grove Executive Center and Bureau of National Affairs sites and recommends CR 1.5: C 1.5, R 1.5, H 100. Residential uses are encouraged, as are pedestrian-oriented local retail facilities that are compatible with and provide convenience for residents. Public benefits that improve connectivity and mobility or add to the diversity of uses and activity are encouraged. These should include the LSC Loop along Omega Drive as well as pedestrian connections to CCT stations at DANAC and Crown Farm.

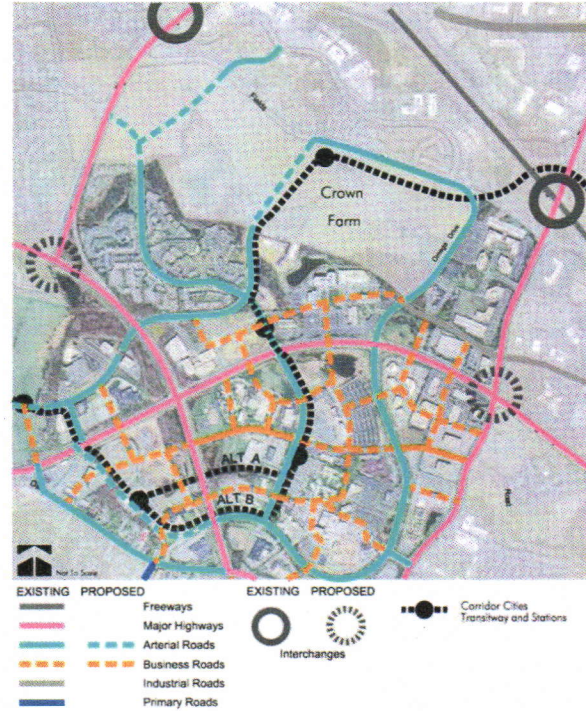
map 22 LSC North: Urban Form



map 23 LSC North: Proposed Zoning



map 24 LSC North: Mobility



Recommendations

- Extend Discoverly Drive north from its current terminus, into and through the Crown Farm to Fields Road.
- Extend Diamondback Road north from its current terminus into and through the Crown Farm to Fields Road.
- Rezone DANAC from the I-3 Zone to the CR Zone.
- Rezone the Shady Grove Executive Center property from the C-2 and O-M zones to the CR Zone.
- Rezone the Bureau of National Affairs property from the O-M Zone to the CR Zone.
- Provide for the LSC Loop, to be accompanied with the CCT from Fields Road to Diamondback Drive, and then along Discoverly Drive and across Great Seneca to the Belward site.
- Widen Key West Avenue (MD 28) to eight lanes divided.
- Construct interchanges at Great Seneca Highway (MD 119) and Sam Eig Highway and at Key West Avenue (MD 28) at Shady Grove Road.

Staging

Master plan staging addresses the timing of development and the provision of key public facilities. Staging assures sufficient capacity for the next phase of growth, provides essential place-making facilities, helps achieve a desired form of development, as well as necessary connections for efficient mobility within and around an area. Experience shows that all density allowed by zoning is rarely built and certainly not all at once. Market absorption rates are one limiting factor. Realizing the vision in this Plan will take time; its implementation should be monitored to evaluate how development is achieving the vision.

The Annual Growth Policy (AGP) is used to establish the policies and procedures for administration of the Adequate Public Facilities Ordinance (APFO). The LSC is in the R&D Village policy area, where the AGP indicates that, by suburban standards, area roads are congested and certain school clusters are overcrowded. Any new development will need to mitigate a percentage of its impact before it can move forward. The goal of the APFO is to ensure that transportation and school facilities have sufficient capacity for the Planning Board to approve specific development projects.

In addition to the APFO standards, this Plan recommends staging to ensure that infrastructure, particularly the CCT, is in place before development is allowed to proceed. Staging is applied to all five LSC districts with the exception of the Rickman property in LSC South. Each development stage will be initiated when all of the triggers for that stage are met. After a stage has been triggered, individual properties can proceed with Preliminary Plan approval.

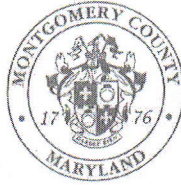
The CCT is the centerpiece of the Plan's vision for the LSC. The Plan promotes transit-oriented development by concentrating higher density uses near future CCT stations. Staging principles seek to prevent the construction of low intensity uses at transit stations that could preclude or delay the recommended higher intensity uses. To achieve the vision, a mix of uses, particularly at transit stations, should be part of new development and redevelopment to enliven these areas, increase and encourage transit use, and help create a more dynamic Life Sciences Center.

The Plan provides stages and amounts of development that are tied to the CCT's funding, construction, and operation to ensure that transit is available as development proceeds. Relocation of the PSTA from the LSC West District is a part of staging to ensure that the alignment through the LSC can be achieved and to provide new housing with increases in jobs. Staging also requires that the non-driver mode share be documented and that increases be achieved over time, a goal that results in reduced traffic congestion and increased transit use. Public institutions are not subject to staging because these projects are reviewed as mandatory referrals.

Staging Requirements

In 2010, the LSC contains 7 million square feet of commercial development. Approximately 3.7 million square feet of commercial (non-residential) development has been approved but is not yet built in the five LSC districts. The total existing and approved commercial development in all five LSC districts is 10.7 million square feet. The total existing and approved dwelling units in the LSC area is 3,300.

This Plan recommends that the staging plan and its requirements be applied to all five LSC districts except the Rickman property in LSC South. The 3.7 million square feet of development in the pipeline is not subject to the Plan's staging requirements unless a project's Preliminary Plan expires. The owner of a property approved for commercial development may re-subdivide and convert to residential development and still be exempt from staging, provided that the change in development will not increase the number of vehicle trips. This may require an administrative adjustment in the number of approved jobs and housing units exempt from staging. If a Preliminary Plan expires, the development capacity associated with it becomes available to all eligible applicants. This released capacity would



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

November 6, 2012

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

RE: Preliminary Plan 11996112A
DANAC Stiles Corporate Campus
Camden Shady Grove
Preliminary Plan Amendment

Dear Mr. Butler:

We have completed our review of the preliminary plan amendment dated February 9, 2012. This plan was reviewed by the Development Review Committee at its meeting on March 29, 2012. 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 the Department of Permitting Services 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 approx. 470 unit residential unit apartment building and 5,000 SF of retail of development density. Per our agreement with the applicant, any additional development density may be subject to a future MCDOT review fee.

General Site Layout & Right-of-Way Review Comments

1. Dedicate necessary rights-of-way and easements for the Corridor Cities Transitway (CCT) along Diamondback Drive in accordance with the Maryland Transit Administration (MTA) study.
2. Show the centerline of Key West Avenue; confirm the dedication along Key West site frontage is 100' north of that centerline

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

3. The applicant has requested approval at Preliminary Plan to design, construct, and maintain master planned roads B-2 and B-7 (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).

We defer to M-NCPPC for the typical section, horizontal alignment and vertical profile of internal private streets.

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

- a. A Public Access Easement (PAE) must be granted for each business district street (B-2 and B-7) prior to record plat. 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 (“GSSC”) Master Plan prior to acceptance of the easement.
- b. Evaluation of the existing internal roadways:
 - i. Whether they are adequately constructed or if they need to be either demolished and reconstructed or modified to public standards in accordance with the Road Code standards 2005.01 for B-2 and B-7.
 - ii. *[Advisory only; comment not required to be met if a public street]*
Operations at the roundabout, including the need of splitter islands & whether existing mix of free-flow (east- and southbound) and stop control (north- and westbound) should all be converted a yield control. Note that should WMATA and Ride-On buses service the DANAC site: they will not service the existing bus shelter facing into the roundabout. Public buses require a straight tangent section for accessibility purposes.
 - iii. *[Advisory only; comments not required to be met if a public street]*
Parking operations, including:
 1. Improving parking signing along roadways as well as within the roundabout to better define where parking, standing, &/or stopping is permitted/prohibited. If desirable, signing may specify designated hours when restrictions do or do not apply. All traffic control devices – including parking signing – should be enforced as if a public roadway.
 2. Existing parking spaces to the west of the roundabout should use white pavement markings instead of yellow markings to delineate the spaces.

- c. Evaluation of the existing sidewalks and other streetscape amenities associated with streets B-2 and B-7 that are not on Lot 7:
 - i. Whether they are adequately constructed and need not be demolished and reconstructed or modified to standards in conformance with the GSSC Master Plan and Design Guidelines or, if not adequately constructed, need to be demolished and reconstructed or modified.
 - ii. Consideration shall also be given toward areas where sidewalk is not present on both sides of a roadway within a PAE. Sidewalk outside the PAE may be required to have a Public Improvement Easement (PIE) and be designed to County standards, including adequate lighting.
- d. Evaluation of whether the proposed sidewalks and other streetscape amenities associated with streets B-2 and B-7 that are on Lot 7 and part of the Sketch Plan are in conformance with the GSSC Master Plan and Design Guidelines or, if not, need to be modified.
- e. Installation of any public utilities must be permitted within the easements.
- f. The streets within the easements may not be closed for any reason unless approved by MCDOT.
- g. Approval from the Department of Fire and Rescue Services must be obtained for purpose of fire access.
- h. The easement may be volumetric to accommodate uses above and below the designated easement area.
- i. The County may require the applicant 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.
- j. 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 the applicable laws and regulations. Obligations may include but not necessarily be limited to snow removal, keeping roadways and walkways clear of debris, and keeping all infrastructure in a state of good repair and if, for any reason, the Applicant does not: the County must have the right, but not the obligation, to perform such maintenance activities.
- k. The final extent, delineation, and alignment of these streets will be determined at the time of site plan. The alignment and width will be determined by M-NCPPC Staff because the public access easements are not the subject of a MCDOT Facility Planning Study or a CIP project.

- I. 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.
4. The Applicant must participate with the developer of Site Plan No. 820100090, JHU-National Cancer Institute, regarding the improvements to the intersection of Key West Avenue and Diamondback Drive/Broschart Drive, which is adjacent to the site. The required modification is to (A) Convert the inside through lane on the southbound approach of Diamondback Drive to a combined through & second left-turn lane, and (B) Modify the traffic signal timing on the north/south approaches from a concurrent to a split phase. The intersection modification must be completed or permitted and bonded by MCDPS prior to release of any building permit.
5. The Applicant must work with the Maryland Transit Administration ("MTA") to assure that the subject plans reflect the latest MTA alignment and design of the Corridor Cities Transitway ("CCT") along the west side of Diamondback Drive and its proposed station at the intersection of Diamondback Drive and business district street, B-2.
6. Delineate the location of the Corridor Cities Transitway (CCT) and right-of-way requirements along Diamondback Drive in accordance with the MTA study.
7. Delineate pedestrian access from the site to the CCT station. Please include MCDOT representation in any future coordination efforts with the MTA.

General Plan Review and Permitting Comments

8. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
9. At the site plan stage, submit a completed, executed, and sealed MCDOT Sight Distances Evaluation certification form for the proposed site access(es) onto the private streets.
10. Perform a signal warrant analysis for the intersection of Diamondback Drive and Decoverly Drive.
11. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
12. The owner will be required to submit evidence of 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.
13. Access and improvements along Key West Avenue (MD 28) as required by the Maryland State Highway Administration. We recommend the existing shared use pathway be retained along the Key West Avenue site frontage.

14. Relocation of utilities if applicable along the site frontage to accommodate the required roadway improvements shall be the responsibility of the applicant.
15. 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.
16. 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.
17. 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.
18. 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.
19. At the time of Site Plan 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. The Applicant must address the following issues:
 - a. Amendment of the existing Traffic Mitigation Agreement with the Montgomery County Department of Transportation ("MCDOT") and the Planning Board completed under the previous zoning to satisfy the trip reduction requirements and participation in the Greater Shady Grove Transportation Management Organization ("TMO") that was executed originally on August 28, 1989.
 - i. Trip credits to be applied as a result of the conversion from commercial to residential.
 - ii. An amended Traffic Mitigation Agreement should be executed prior to release of any core and shell building permit for the building.
 - b. We believe the trip reduction measures in that Agreement should also address:
 - i. Minimize Parking: Provide no more than the minimum number of parking spaces required. Check provisions of CR Zone to ensure parking is at the minimum level possible. Consideration of the Applicant's request for a parking space waiver.

- ii. Car Sharing Parking: Provide adequate number of car sharing vehicle parking space in highly visible, preferentially-located spots.
- iii. Electric Car Charging: Provide two electric car charging stations on site.
- iv. Bicycle Facilities:
 - 1. Provide bike racks/lockers and show on the site plan bicycle parking spaces consisting of public bike racks near the main entrances in weather-protected, highly visible/active locations.
 - 2. Consider providing secure bicycle storage area in the garage for resident use ("bike cage") located near the elevator in a safe, well-lit area, as well as bicycle repair station. The specific number and location must be identified and shown on the site plan.
 - 3. Provide space in the project for 2 bike sharing docking stations. The locations of these docking stations will be selected by the Applicant with approval of the County based upon the requirements of the bike sharing system, and must be in highly visible, convenient and well-lit locations on the project. The project will be required to pay the capital costs of such stations and five years of operating expenses as a public benefit under the CR zone provisions. Applicant will be encouraged to take other actions in concert with the TMD to promote use of bike sharing among employees and visitors at the Project, in order to accomplish the objectives of the TMD.
- v. Displays and Communications of TMD Information:
 - 1. Incorporate display space into lobbies and other high pedestrian activity areas and opportunity for information on each level of parking facilities.
 - 2. Provide space for an adequate number of Real Time Transit Information signs at highly-used locations in the Project to assist employees, residents, and visitors with commuter information. Applicant will provide conduit, electrical and internet connections, and will install County-provided equipment, including display monitor. Applicant will reimburse the County for the cost of the monitors. The Applicant will pay for five years of maintenance for the sign(s).
 - 3. Provide concierge/reception desk with an area where transit information and pass sales can be transacted — e.g., obtaining transit information, loading of SmarTrip cards.

- vi. Two Way Visibility: Design building frontages/lobbies to provide two-way visibility for transit vehicles, as well as taxis, etc. To compete with the private auto it is important that passengers be able to wait comfortably inside climate-controlled, lighted lobbies and still be able to get to their bus, shuttle, taxi, etc. Providing design that enables those passengers to see the bus coming and to enable the bus driver to see them will facilitate that.
20. Bikeways: Tie the proposed internal path along Diamondback Drive to the existing facilities at the north end of the site. Provide a shared use path along Key West Avenue site frontage.
 21. Permit and bond for any off site public transportation improvements will be required as a prerequisite to MCDPS 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):
 - c. Construct any master planned shared use paths in compliance with the ADA.
 - d. Improvements along Diamondback Drive site frontage to be confirmed at the site plan stage based on then-latest available plans for the CCT.
 - e. 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.
 - f. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - g. Developer shall ensure final and proper completion and installation of all utility lines underground for all new road construction.
 - h. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Andrew Bossi, our Development Review Area Engineer for this project, at andrew.bossi@montgomerycountymd.gov or (240) 777-2197.

Sincerely

*Andrew
Bossi for*



Gregory M. Leck, Manager
Development Review Team

Mr. Patrick Butler
Preliminary Plan No. 11996112A
November 6, 2012
Page 8

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cc: Jay Johnson Camden USA
Timothy Dugan Shulman Rogers
Edward Papazian Kimley Horn
Glenn Kreger M-NCPPC Area 2
Josh Sloan M-NCPPC Area 2
Ed Axler M-NCPPC Area 2
Catherine Conlon M-NCPPC DARC
Scott Newill MDSHA AMD
Preliminary Plan Note Book
Preliminary Plan Folder

cc-e: Rick Kiegel MTA
Marie LaBaw MCFRS
Amy Butler Stevens 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
Aruna Miller MCDOT DTE
Stacy Coletta MCDOT DTS
Sande Brecher MCDOT DTS
Beth Dennard MCDOT DTS
Brett Linkletter MCDOT DHS
Dan Sanayi MCDOT DTEO
Fred Lees MCDOT DTEO
Mark Terry MCDOT DTEO
Bruce Mangum MCDOT DTEO
Andrew Bossi MCDOT DTEO



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 4, 2012

Mr. Pearce Wroe
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886-1279

Re: Stormwater Management **CONCEPT** Request
for Camden Shady Grove
Preliminary Plan #: 1-96112
SM File #: 242219
Tract Size/Zone: 6.93 acres/CR
Total Concept Area: 5.6 acres
Lots/Block: 7
Parcel(s): NA
Watershed: Muddy Branch

Dear Mr. Wroe:

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 Planter box micro biofilters, non-rooftop disconnect and the existing storm water pond.

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.
6. Each interior level of the parking garage that cannot drain to the WSSC system must have a valve installed that will be closed when the floor is washed so that the wash water can be pumped out and disposed of properly and not drain to the storm water facilities

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

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not 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 # 242219

ESD Acres: 2.4
STRUCTURAL Acres: 3.2
WAIVED Acres: 0

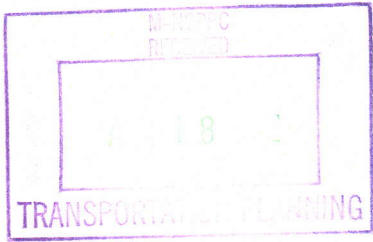


Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

April 16, 2012



Re: **Montgomery County**
MD 28
Camden Shady Grove
SHA Tracking No. 12APMO009
MD 28 (Mile Point 18.91)

Mr. Edward Axler
Area 2 Transportation/Planning Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Axler:

Thank you for the opportunity to review the Traffic Impact Study Report dated December 19, 2011 prepared by Kimley-Horn and Associates, Inc. (received by the SHA on March 21, 2012) that was prepared for the proposed Camden Shady Grove residential development in Montgomery County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the 475 Multi-Family Dwelling Units (that will replace the previously approved 301,859 square feet of Office Development) is proposed from one (1) existing full movement site access driveway on MD 28, one (1) existing right-in/right-out site access driveway on Diamondback Drive, one (1) existing full movement site access driveway and one (1) existing right-in/right-out site access driveway on Decoverly Drive.
- With the improvement along the southbound Diamondback Drive approach at the MD 28 at Diamondback Drive intersection from the existing 1 left turn lane, 2 through lanes, and 1 right turn lane –to- 2 left turn lanes, 1 through lane, and 1 right turn lane to be constructed by others, the traffic report determined that the proposed development would not cause any studied intersection to exceed the congestion standard threshold as established by the M-NCPPC for the Shady Grove Policy Area (a CLV less than or equal to 1,450).

SHA concurs with the technical findings of the report. Given the proposed change of land use from office development to residential development, SHA recommends that the developer evaluate and provide all necessary and appropriate bicycle and pedestrian facilities in the site vicinity. These improvements should include ADA compliant sidewalks and crossings, SHA approved pavement markings/signing for cyclists, and any County requirements included in the Sector Plan.

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

Mr. Edward Axler
Page 2 of 2

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,


for Steven D. Foster, Chief
Access Management Division

SDF/lg

cc: Mr. Raymond Burns, SHA AMD
Ms. Mary Deitz, SHA RIPD
Mr. Bob French, SHA Office of Traffic & Safety
Mr. Roy Gothie, SHA RIPD
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Greg Leck, MCDOT
Ms. L'Kiesha Markley, SHA RIPD
Ms. Reena Mathews, SHA RIPD
Mr. Johnson Owusu-Amoako, SHA Office of Traffic & Safety
Mr. Edward Papazian, P.E., Kimley-Horn and Associates, Inc.
Mr. Errol Stoute, SHA Traffic Development & Support Division
Mr. Morteza Tadayon, SHA Travel Forecasting Section
Mr. Eric Waltman, SHA AMD
Mr. Cedric Ward, SHA District 3 Office