




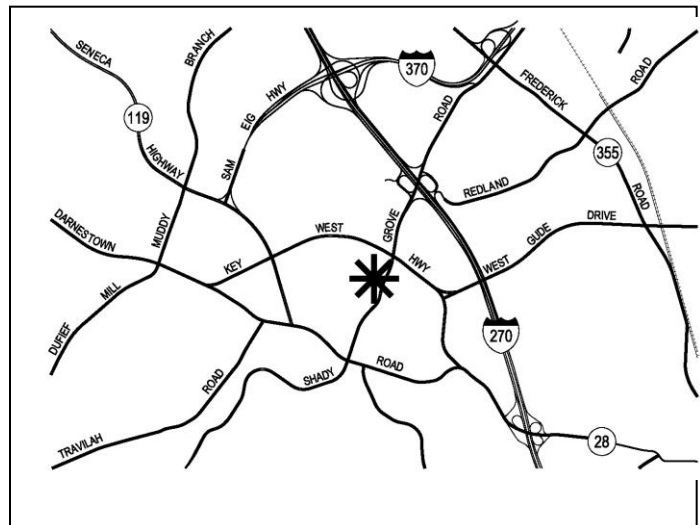
Decoverly Hall South, Preliminary Plan Amendment 11999033A and Site Plan Amendment 81999014C

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Completed: 05/01/15

Description

- Limited Preliminary and Site Plan Amendments requesting a change in use for up to 100% Medical Clinic use, or any less intensive use permitted in the LSC Zone, including up to 40% General Office use, and an amendment to the parking requirements;
- 5.51 acres located at 9601 Blackwell Road (northwest quadrant of the Shady Grove Road/Blackwell Road intersection), Rockville;
- LSC-1.0 H-110T (Life Sciences Center) Zone, Great Seneca Science Corridor Master Plan - LSC Central District, R&D Village Policy Area, Lot 1;
- Applicant: Wellblack 1, LLC;
- Submitted: 12/15/14.



Summary

- Staff recommends **approval** of the Preliminary and Site Plan Amendments with conditions, including an amendment to the parking requirements.
- No physical changes, additions, expansions or alterations are proposed to the existing five-story office building.
- The proposed amendments are reviewed under the LSC Zone in effect on October 29, 2014, pursuant to the grandfathering provision of the current Zoning Ordinance in Section 7.7.1.B.3., and an amendment to parking requirements allowed under the current Zoning Ordinance.
- 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 Amendment 11999033A subject to the following conditions:

1. All previous conditions in Planning Board Opinions/Resolutions for the Decoverly Hall South site relating to Lot 1 shall remain in full force and effect unless there is any conflict, and if so, the Planning Board Resolution for the subject Preliminary Plan Amendment supersedes the previous approvals.
2. The approval is limited to a maximum of 128,038 square feet of up to 100% medical-clinic use, or any other less intensive land use allowed in the LSC Zone, including up to 40% General Office use. For future alternative land uses not analyzed herein, the Applicant must seek Adequate Public Facilities review for any trips in addition to the maximum of 307 peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and 364 peak-hour trips during the evening peak period (4:00 to 7:00 p.m.) analyzed for this application.
3. Any increase in square footage beyond the 128,038 square feet approved, or any reconfiguration of the existing building footprint, may require a Preliminary Plan Amendment to address, among other elements, the dedications for Master Plan recommended Business District Streets B-9 and B-10.
4. Prior to the issuance of the last Use & Occupancy Certificate, the Applicant must provide an interim 8-foot wide shared-use-path, LB-4, within the existing public right-of-way of Blackwell Road between Medical Center Drive and the western property line of the Subject Property. The Applicant must demonstrate to the Department of Permitting Services (DPS) that the bond, permitting, and construction of the path have been completed as shown on the Certified Site Plan.
5. Concurrent with the activation of the Shady Grove Road/Blackwell Road traffic signal, the Applicant must provide crosswalks and handicap ramps on all four legs at the intersection of Shady Grove Road and Blackwell Road as approved by the Montgomery County Department of Transportation (MCDOT).
6. The Applicant must provide two sets of inverted-U bike racks (or equivalent approved by Staff) that conform to American Pedestrian and Bicycle Professionals Guidelines located near the existing front and rear building entrances.
7. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated March 17, 2015, as amended in a letter dated April 24, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter(s), which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE PLAN RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of Site Plan 81999014C for a maximum of 128,038-square feet of up to 100% Medical Clinic use, or any less intensive use permitted in the LSC Zone, including up to 40% General Office use, and an amendment to parking requirements. All site development elements shown on the latest electronic version of Site Plan drawings as of the date of this staff report submitted via ePlans to the M-NCPPC are required, except as modified by the following conditions:

1. Preliminary Plan Conformance

The development must comply with the conditions of the approval for Preliminary Plan 119990330, and 11999033A.

2. Maintenance

Maintenance of all on-site landscaping, lighting, hardscape, and site elements is the responsibility of the Applicant and subsequent owner(s). Maintenance may be taken over by a governmental agency by agreement with the owner and applicable agency.

3. Forest Conservation Plan

Prior to issuance of the last Use & Occupancy Certificate for the Subject Property, the Applicant must demonstrate to Planning Staff that the necessary approvals have been received to address the forest conservation requirements for the construction of the interim shared-use-path in the unimproved Blackwell Road public right-of-way between the western terminus of Blackwell Road and Medical Center Drive.

4. Development Program

The Applicant must construct all on and off-site improvements as required by the conditions of approval in accordance with a development program that will be reviewed and approved by Planning Staff prior to the approval of the Certified Site Plan.

5. Certified Site Plan

The Certified Site Plan must include the following revisions and/or information subject to Staff review and approval:

- a. Final Forest Conservation Plan approval letter, all agency approval letters, and all original and subsequently amended Planning Board resolutions for the Preliminary Plan and the Site Plan.
- b. Remove unnecessary plan sheets, as required by Staff.
- c. Ensure consistency of all details and layout among the site, landscape and lighting, and forest conservation plan of compliance.
- d. A note stating: Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings at the Department of Permitting Services.

SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Site Vicinity

The Subject Property (outlined in red) is located in the LSC Central District, one of five Districts that comprise the Life Sciences Center (LSC) in the Great Seneca Science Corridor (GSSC) Master Plan area. Shady Grove Road and Blackwell Road border the site to the east and south, respectively. Existing uses in the 230-acre district include: Shady Grove Adventist Hospital, the Johns Hopkins University-Montgomery County Campus (JHU-MCC), the Regional Institute for Children and Adolescents (RICA), the Noyes Institute facilities and several County social services. The district is characterized as a “Medical and Biotech Center.” Some General Office uses are located in the vicinity, including the Lot 2 Decoverly Hall South office building (directly south of the Subject Property, Lot 1). Two undeveloped parcels to the west and southwest, Parcels T1 and T2 are adjoining sites as shown in Figure 2 at the top of page 5.

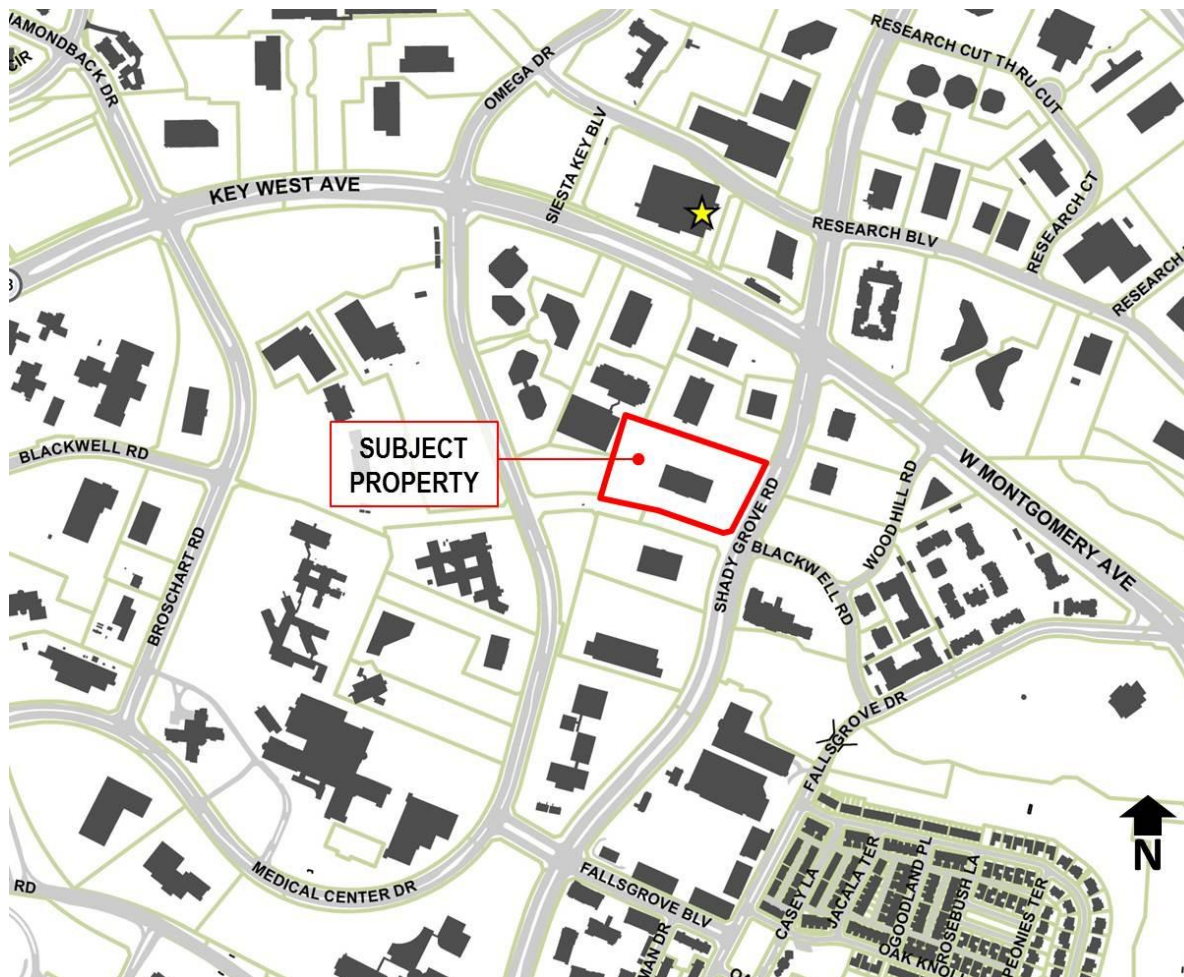


Figure 1 Vicinity Map - Decoverly Hall South - Lot 1

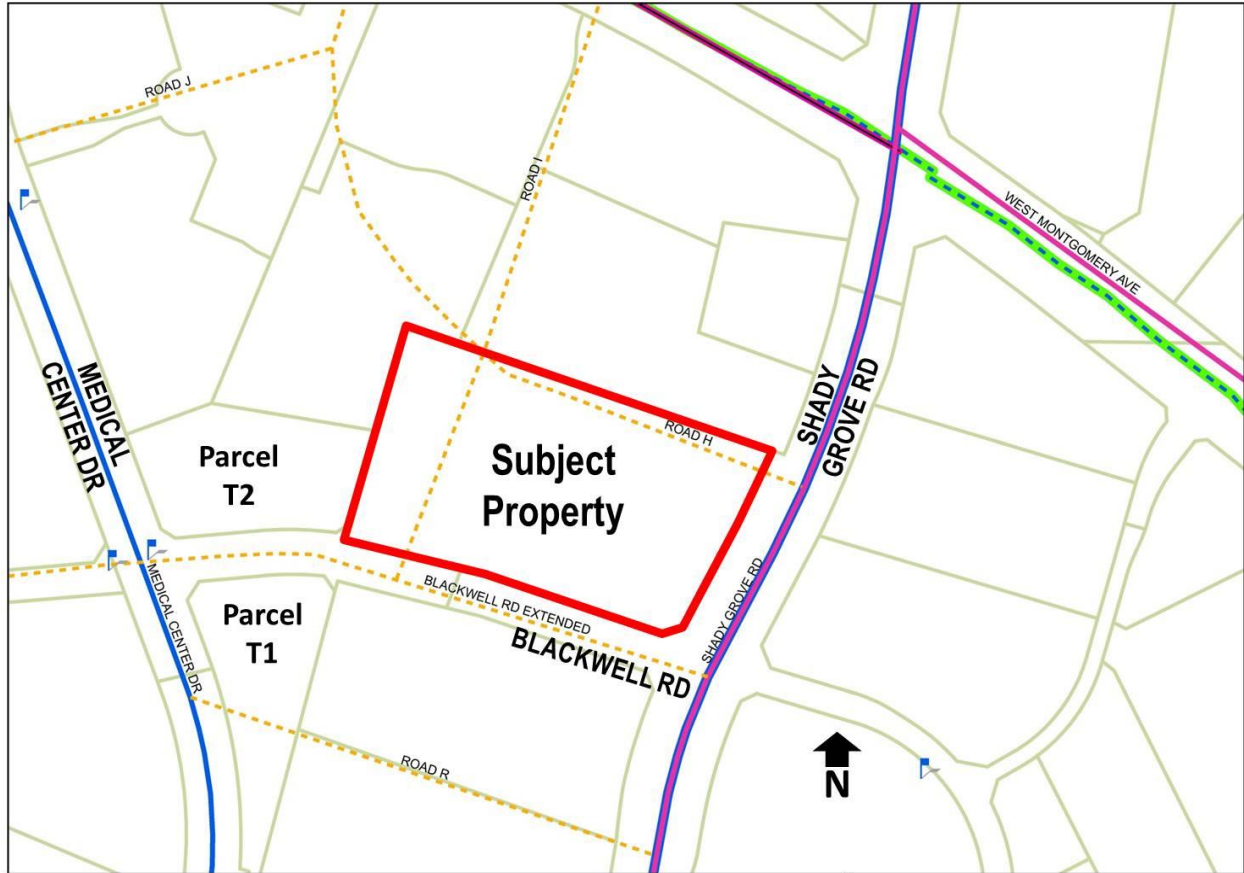


Figure 2 shows Parcels T1 & T2 and Blackwell Road extended

Property Description

The proposed Preliminary Plan and Site Plan Amendments cover the 5.51-acre Subject Property (outlined in red above in Figure 2), currently developed with a five-story office building totaling 128,038 square feet with surface parking on all four sides. The green boundary indicates the original 10.87-acre subdivision approved to create the two lots; Lot 1 is the Subject Property.

The Subject Property is in the Watts Branch watershed, which is a Use Class I stream. It does not lie within a Special Protection Area. There are no forest areas or trees that are 24-inches DBH or greater on-site.

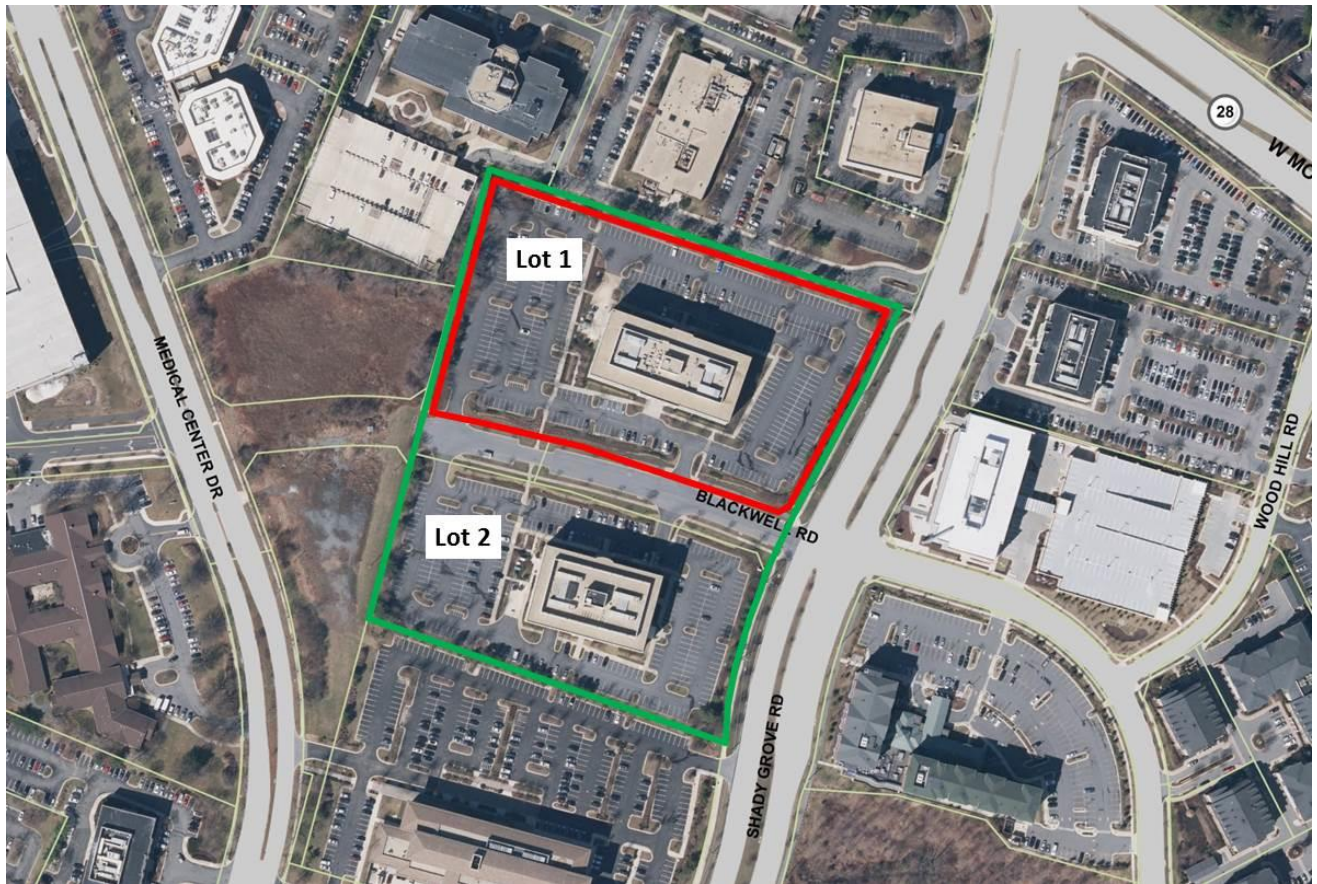


Figure 3 Decoverly Hall South - Lot 1 highlighted in red

PROJECT DESCRIPTION

Previous Approvals

Preliminary Plan

The Planning Board approved Preliminary Plan 119990330 by Opinion, dated January 14, 1999, which created two lots (Lots 1 and 2) on 10.87 acres of land using the R&D Zone Optional Method Development Standards. The Board's approval included a Preliminary Forest Conservation Plan.

The Planning Board approved Preliminary Plan Amendment 11999033R by Opinion, dated August 2, 2000, to amend the Adequate Public Facilities (APF) agreement with the Planning Board limiting development to a maximum of 236,735 square feet of office use for each office building on Lots 1 and 2.

Site Plan

The Planning Board approved Site Plan 819990140 by Opinion, dated January 14, 1999, for 236,156 square feet of office and R&D for Lots 1 and 2. The Site Plan has been amended twice: the 'A' amendment was for submittal of a Site Plan Enforcement agreement approved in the Board's Opinion mailed August 2, 2000; the 'B' amendment revised parking tabulations at Lot 2 for a bank addition with a drive-up pneumatic teller unit on the east side of the building and was approved on September 18, 2002.

Proposal

The Applicant purchased 9601 Blackwell Road building (Lot 1) at auction in October 2014. Currently, approximately 10,000 square feet is occupied by one tenant for General Office use and 1,500 square feet by a café/deli operator serving local workers; the rest of the building is vacant.

Lots 1 and 2 are referred to as the Decoverly Hall South site. The proposed Preliminary Plan Amendment will sever the Subject Property (Lot 1) from the original Preliminary Plan that created Lots 1 and 2 of Decoverly Hall South subdivision (Attachment 1). The adjacent Lot 2 is owned and managed by others and not part of this application. The subject amendments do not propose any physical changes, additions, expansions or alterations to the existing five-story office building with a ground-level parking lot (Attachment 2). The original APF has expired; therefore the requested change in land use required a new APF analysis. See Attachments 3.a. and 3.b., the Amended Statements of Justification, for more background and detailed information about the Applicant's proposal.

COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements. Area 2 staff discussed the application at the Great Seneca Science Corridor (GSSC) Implementation Advisory Committee on March 26, 2015. No comments have been received as of the date of this report.

SECTION 2: PRELIMINARY PLAN

ADEQUATE PUBLIC FACILITIES

Transportation

Site Location and Vehicular Site Access Points

The site is located on the northwest side of the intersection of Shady Grove Road and Blackwell Road and has two existing site access points from Blackwell Road that will be retained.

Master-Planned Roadways and Bikeways

In accordance with the 2010 *Great Seneca Science Corridor Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the master-planned designated roadways and bikeways are as follows:

1. Shady Grove Road is designated as a six-lane Major Highway, M-42, with a recommended 150-foot-wide right-of-way and a dual bikeway (shared use path on the south side and bike lanes on both sides), DB-15.
2. Blackwell Road is designated as a four-lane Business District Street, B-1, with a recommended 100-foot-wide right-of-way and a dual bikeway (shared use path on the east side and bike lanes on both sides), LB-4. The road's current 70-foot wide right-of-way is in accordance with the original 1999 Preliminary Plan approval and recommendation in the 1996 *Gaithersburg Vicinity – Shady Grove Master Plan Amendment* for Blackwell Road between Broschart Road and Shady Grove Road. Since there is no record plat action required with the proposed preliminary plan amendment, a Public Improvement Easement (PIE) along Blackwell Road between the existing 70-foot wide right-of-way and the planned 100-foot right-of-way is needed for the shared use path. Within the existing 70-foot wide right-of-way, there is an existing public utility easement (PUE) – Plat No. 21199.

Blackwell Road is unbuilt between the site's western property line and Medical Center Drive, but it has an 80-foot wide public right-of-way dedicated as part of the 1998 approval of Preliminary Plan No. 119882330 Shady Grove Life Science Center (see Figure 3). Staff is recommending that the Applicant build a shared-use-path in this right-of-way to provide an interim pedestrian/bikeway connection between Shady Grove Road and Medical Center Drive.

Blackwell Road on the east side of Shady Grove Road is located within the City of Rockville and has a 50-foot wide right-of-way and a City master-planned "shared land"/bikeway. The GSSC Master Plan also recommends two new Business District streets (shown as Road "I" and Road "H" on the Figure 2 graphic):

1. A new north-south Road "I" is designated as a two-lane Business District Street, B-10, with a recommended 70-foot wide right-of-way and no bikeway.
2. A new east-west Road "H" is designated as a two-lane Business District Street, B-9, with a recommended 60-foot wide right-of-way and no bikeway.

The Master-Planned alignments for Business District Streets B-9 and B-10 have not been established at this time and will be determined in the future based on redevelopment of the properties northwest of the site.

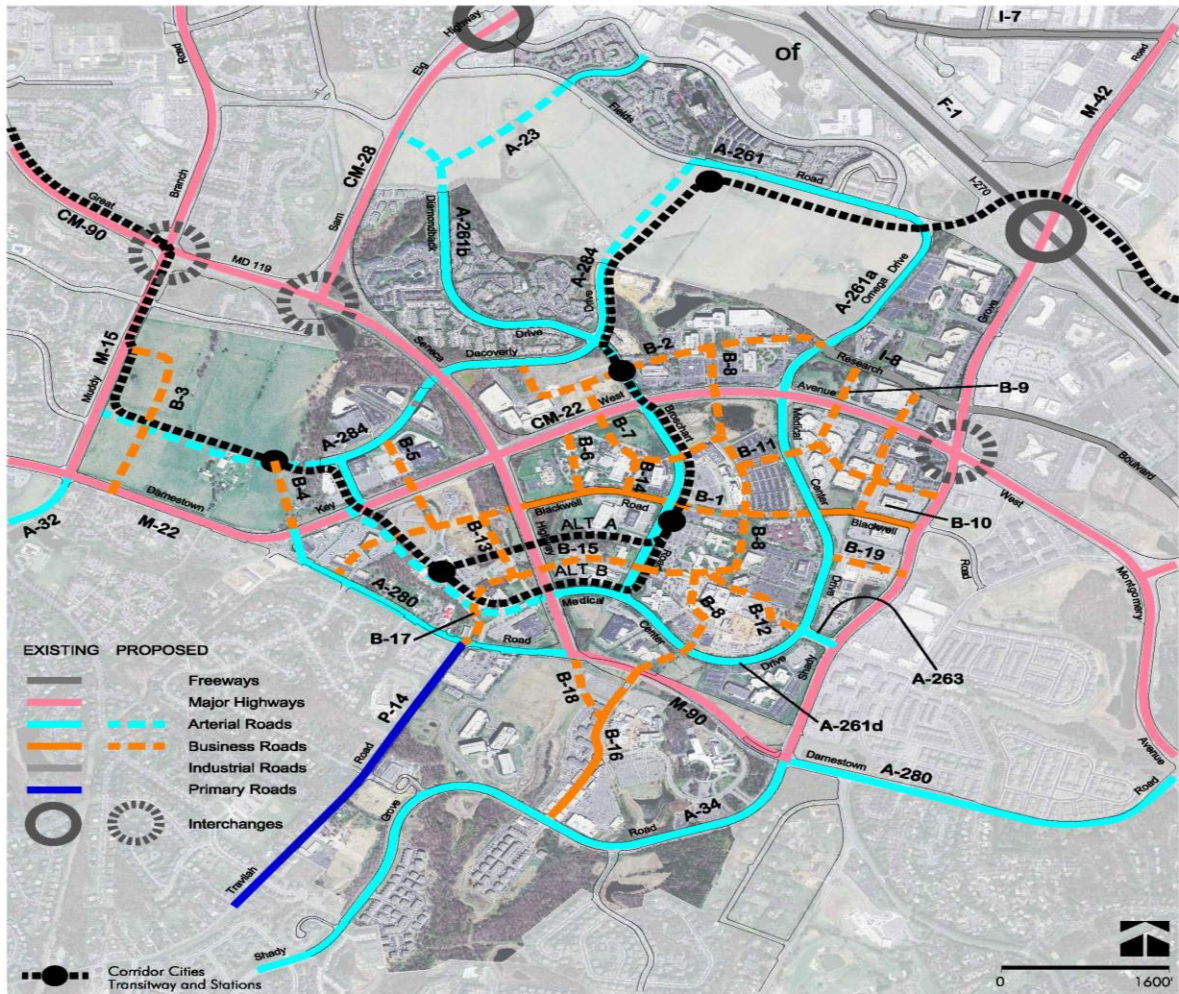


Figure 4 Map 29 - GSSC LSC Circulation

Relevant Shady Grove Transportation Projects

The Life Science Center (LSC) Loop is planned along nearby Medical Center Drive. The Master-Planned shared use path, LB-4, along the north side of Blackwell Road is an important connection between the LSC Loop and the shared use path on Shady Grove Road.

The Corridor Cities Transitway (CCT) is currently under design and its alignment does not impact roads adjacent to this site. The nearest proposed CCT station is located at the intersection of Blackwell Road and Broschart Road.

Transportation Demand Management

The Subject Property is located within the Greater Shady Grove Transportation Management District. The Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the *Great Seneca Science Corridor Master Plan* requirements to participate in the Greater Shady Grove Transportation Management Organization and assist in achieving its Stage 2 non-auto driver mode share of 18%.

Public Transit Service

Transit service is not available along Shady Grove Road. The nearest transit service is Ride On Route 45 with bus stops at the intersection of Shady Grove Road and Medical Center Way, and 15-minute to 30-minute headways serving the Shady Grove Adventist Hospital, the Rockville Metrorail Station, and the Twinbrook Metrorail Station.

Pedestrian and Bicycle Facilities

The Applicant must work with MCDOT to provide a safe pedestrian crossing of Shady Grove Road at Blackwell Road, especially for pedestrians walking to the restaurants in the Falls Grove Village Center. Staff is recommending that the Applicant upgrade the existing pedestrian and bicycle accommodations at the intersection of Shady Grove Road and Blackwell Road by providing:

1. A handicap ramp at the corner of the eastbound Blackwell Road approach.
2. A marked pedestrian crosswalk across the northern Blackwell Road approach.
3. Any other missing or substandard crosswalks and handicap ramps on all four intersection legs.

The Applicant is required to provide two sets of inverted-U bike racks to store two bicycles each located near the existing front and rear building entrances.

Traffic Signal Warrant at the Intersection of Shady Grove Road and Blackwell Road

The Applicant submitted a Traffic Signal Warrant Analysis dated February 3, 2015 for the Shady Grove Road/Blackwell Road intersection. Based on the results of the analysis, MCDOT recommended that the Applicant install the warranted traffic signal at this intersection. In a subsequent letter dated April 3, 2015, MCDOT required the Applicant to work with the City of Rockville and the developer of the Falls Grove project (located on the east side of Shady Grove Road within the City limits), who is required by the City to contribute \$25,000 toward the cost of a future traffic signal at this intersection. MCDOT is requiring that the traffic signal must be designed, bonded, permitted and constructed by the Subject Property's Applicant under the following schedule:

- Within six months after Planning Board approval, provide a bond to MCDOT for the full cost to design, permit, and construct the traffic signal. The Engineer's Estimate for these costs will need to include contingencies and be approved by the MCDOT Division of Traffic Engineering and Operations prior to issuance of the bond.
- Within 12 months after Planning Board approval, obtain MCDOT Division of Traffic Engineering and Operations' approval of the design plans to install the new traffic signal.
- Within 30 months after Planning Board approval, install and activate the new traffic signal.

The three conditions of approval from MCDOT for the traffic signal installation are in their amended letter dated April 24, 2015 (Attachment 6.b.).

Local Area Transportation Review

Staff analyzed the proposed amendment under the Local Area Transportation Review (LATR) test for two land use scenarios: 100% medical-dental* office space; and up to 40% of the building to be occupied by General Office use with the remaining 60% as medical-clinic use. The proposed 100% Medical-Dental use will generate additional 117 morning and 160 evening peak-hour trips during the weekday morning and the evening peak periods as shown in the table. The 40% General Office scenario will result in 51 fewer morning peak-hour trips than the existing approvals during the weekday morning peak hour period (6:30 to 9:30 a.m.) and the 58 fewer evening peak period (4:00 to 7:00 p.m.).

Land Use	Square Feet	Weekday Peak-Hour	
		Morning	Evening
Proposed 100% Medical-Dental* Office Use			
100% Medical-Dental Office Space	128,038	307	364
Currently Approved Uses			
General Office Space	64,019	101	112
R&D Office Space	64,019	89	92
Subtotal	128,038	190	204
Net Increase	0	+117	+160

*For LATR purposes, Medical-Dental is the closest/most appropriate use classification for the proposed Medical-Clinic use.

The Applicant submitted a traffic study based on the 100% medical-dental office use to satisfy the LATR test because the proposed change in land use generates more than 30 total peak-hour trips within the weekday morning and evening peak hours. The table below shows the calculated Critical Lane Volume (CLV) values at the analyzed intersections for the following traffic conditions:

1. Existing: Existing traffic conditions as they exist now.
2. Background: The existing condition plus the trips generated from approved but un-built nearby developments.
3. Total: The background condition plus the site-generated trips.

Analyzed Intersection	Weekday Peak Hour	Congestion CLV Standard	Traffic Condition		
			Existing	Background	Total
Shady Grove Road & Key West Avenue-West Montgomery Avenue	Morning	1,500 Rockville City	998	1,380	1,408
	Evening		939	1,316	1,341
Shady Grove Road & Blackwell Road	Morning	1,500 Rockville City	533	874	939
	Evening		565	1,253	1,332
Shady Grove Road & Medical Center Way-Falls Grove Boulevard	Morning	1,500 Rockville City	711	1,030	1,031
	Evening		865	1,077	1,080
Falls Grove Drive & Blackwell Road	Morning	1,500 Rockville City	247	258	259
	Evening		380	442	445
Blackwell Road & Site Driveway East	Morning	1,450 R&D Village	71	389	496
	Evening		45	327	420
Blackwell Road & Site Driveway West	Morning	1,450 R&D Village	22	105	134
	Evening		15	95	136

As shown on the table above, the CLV at the six intersections are less than the applicable congestion standard for these intersections and, thus, the LATR test is satisfied.

Transportation Policy Area Review

For the current TPAR test, the roadway test for this policy area is adequate, and the transit test is inadequate. However, a TPAR payment of the transportation impact tax will not be required because the square footage of the existing office building will not be increased.

ENVIRONMENT

Environmental Guidelines

The site contains no streams or their buffers, wetlands or their buffers, steep slopes, or known occurrences of rare, threatened, or endangered species. The proposed amendments are in conformance with the Montgomery County Planning Department's *Environmental Guidelines*.

Final Forest Conservation Plan

An existing approved Final Forest Conservation Plan (FFCP), No. 819990140, remains valid for the Subject Property; therefore, the proposed amendments are in compliance with Chapter 22A, Forest Conservation (Attachment 4).

The land disturbing activity associated with the recommended condition of approval for the installation of a shared-use-path in the unimproved right-of-way of Blackwell Road between Medical Center Drive and the western property line of the Subject Property will trigger compliance with Chapter 22A, Forest Conservation. Therefore, the Applicant must comply with Chapter 22A, Forest Conservation. Prior to the issuance of the last Use and Occupancy Certificate for the Subject Property, the Applicant must demonstrate to the satisfaction of the Montgomery County Planning Staff that the necessary approvals have been received to address the forest conservation requirements for the construction of the subject shared-use-path.

Stormwater Management

The Montgomery County Department of Permitting Services (DPS) has stated that this project does not require approval of a new stormwater management concept plan because no site disturbances or alterations are proposed on the Subject Property.

MASTER PLAN

The Subject Property is within the Great Seneca Science Corridor (GSSC) Master Plan area and the Life Sciences Center (LSC) Central District. The proposed Medical-Clinic uses are consistent with the goals and recommendations of the GSSC Master Plan. The Plan encourages the transformation of the LSC into a dynamic live/work community while ensuring growth opportunities for research, medical, and bioscience interests. The Plan also recommends creating 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. Today, LSC Central is a single-purpose destination for workers, students and hospital visitors. While it should continue to focus on medical and biotech uses, other uses should be introduced, including retail and a limited amount of housing (approximately 30 percent of permitted floor area ratio) (Attachment 5, pgs. 9, 34 & 35).

The Master Plan has specific recommendations regarding two master-planned business district roads, B-9 and B-10 that cross the Subject Property (Attachment 5, pg. 37). Dedication of B-9 and B-10 will not be required at this time because the proposed amendment does not include any increase in the square footage or footprint of the existing building at the Subject Property. As conditioned above, any increase in square footage, renovation or alteration to the footprint of the existing building, or demolition for redevelopment in the future, will require a new Preliminary Plan Amendment and full consideration of the road dedication recommendations of the Master Plan.

The proposed change in non-residential land uses within the existing building does not result in an increase in square footage for staging purposes of the GSSC Master Plan.

Blackwell Road is currently platted as a 70-foot right-of-way, while the GSSC Master Plan recommends this road be expanded to a 100-foot right-of-way. Initially, the Applicant was willing to provide the required dedication for Blackwell Road (50-foot from centerline), but it was determined that a public utility easement (PUE) had been recorded along the Property's Blackwell Road frontage. If the Applicant were to grant the dedication at this time, it would result in requiring the Applicant to relocate both the PUE and the utilities from their current location. It appears likely that requiring the dedication and relocation of the utilities will impact, if not eliminate, the front row of parking on-site. Staff also explored requiring dedication of Blackwell Road while allowing the PUE and existing utilities to remain in the right-of-way, but the Department of Permitting Services (DPS) no longer allows for such an arrangement.

Instead of dedication, MCDOT, in its amended letter dated April 24, 2015, is recommending a Public Improvement Easement (PIE) for the additional 15 feet of necessary dedication along the Subject Property's Blackwell Road frontage. By doing so, the Applicant will not be required to relocate either the PUE or any existing utilities, and Blackwell Road can be expanded, if deemed necessary by the MCDOT. As with master-planned roads B-9 and B-10, any increase in square footage, renovation or alteration to the footprint of the existing building on the Subject Property, or demolition for redevelopment in the future will require a preliminary plan amendment and full consideration of the recommendations of the Master Plan, including, but not limited to full dedication and improvements of all master-planned rights-of-way.

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

COMPLIANCE WITH ZONING ORDINANCE AND SUBDIVISION REGULATIONS

The application meets the requirements and standards of all applicable sections of Chapter 50 of the Montgomery County Code, the Subdivision Regulations. Access and public facilities will be adequate to support the Subject Property, density and requested change in use. Lot 1 was previously designed to meet all other requirements of the Subdivision Regulations as analyzed in the original Preliminary Plan application in 1999, including access, frontage, dedication for public uses, adequacy of public facilities and conformance to Master Plan recommendations. Dimensional requirements of the R&D Zone Optional Development standards were met in 1999 when Preliminary Plan 119990330 underwent review. The proposed amendment does not change the existing lot size, shape, and width, and it will further the Master Plan goals for LSC-zoned sites where Life Sciences uses are intended.

Grandfathering provisions from the current Zoning Ordinance permit the subject Amendments to be reviewed under the LSC Zone from the Zoning Ordinance in place at the time of the original approval. Because no physical changes to the site are proposed, and the site was developed in 1999 with Development Standards from the R&D Zone, these standards were previously met. Finally, the application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan Amendment (Attachment 6).

SECTION 3: SITE PLAN ANALYSIS AND FINDINGS

DEVELOPMENT STANDARDS

As noted above, the Subject Property was developed under applicable R&D Zone development standards and these were met when Site Plan 819990140 was approved in 1999. The scope of review in this Limited Site Plan Amendment does not include any physical changes to the existing building or the site layout, and therefore retains compliance with the use and development standards in effect at the time of the original approval. Section 7.7.1.B.3.1. of the current Zoning Ordinance allows this application to be grandfathered and therefore reviewed under the former Ordinance. It states:

Until October 30, 2039, an applicant may amend any previously approved application [including Preliminary Plans and Site Plans] under the standards and procedures of the property's zoning on October 29, 2014 if the Amendment:

- i. does not increase the approved density or building height unless allowed under Section 7.7.1.C; and
- ii. either:
 - (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or
 - (b) satisfies the setback required by its zoning on the date the amendment or the permit is submitted.

In addition to the requested change in uses at the Subject Property, the scope of the Limited Site Plan Amendment reflects several site features installed at the site by a previous owner. These features include: one bike rack, a concrete generator pad, an entrance sign, park benches and trash receptacles. These were installed after the original Site Plan and Certified Site Plan approvals were obtained. A mandatory site plan amendment review didn't occur before these features were installed. The existing bike rack will be relocated from the north side of the parking lot closer to the front or back entrance of the building and two additional bike racks will be installed at the aforementioned locations.

Amendment to Parking Requirements

Although this application was reviewed under the grandfathering provisions of Section 7.7.1.B.3 of the current Zoning Ordinance for all other uses and development standards, the application requested an amendment to the minimum parking requirements with Section 7.7.1.B.3.b., of the current Zoning Ordinance, which states:

"An Applicant may apply for a minor site plan amendment to amend the parking requirements of a previously approved application in a manner that satisfies the parking requirements of the Section 6.2.3 and Section 6.2.4."

The Subject Property is located in a Reduced Parking Area (RPA) under the current Zoning Ordinance. The Subject Property's parking lot currently contains 458 regular parking spaces, 10 handicap spaces and 7 motorcycle spaces. No other changes to the existing parking lot are proposed other than one regular parking space now striped for bicycle parking will be converted back to vehicular parking. Under the current Zoning Ordinance, the requested change for Medical-Clinic use has a range of minimum required

(129) to a maximum permitted (513) parking spaces. The existing spaces fall within this range as shown on the Site Plan's revised Development Table. The existing number of a total of 475 parking spaces also meets the minimum parking range for General Office use and therefore meets the requirements in Section 7.7.1.B.3.b. Staff therefore supports the Applicant's requested amendment to parking requirements for the Subject Property.

Master Plan and Design Guidelines Conformance

The environmental, circulation, staging, and compatibility Master Plan topics are addressed in the Preliminary Plan Amendment section of this staff report. Because the site was developed in 1999 and its approvals and construction predate the adoption of the 2010 GSSC Master Plan adoption, the Master Plan's Design Guidelines are not applicable. However, in the 2010 GSSC Master Plan, the site was rezoned from the R&D Zone to the LSC Zone. The proposed change in uses in this Limited Site Plan Amendment is in conformance with the purpose of the LSC Zone. This application will implement the goals and objectives of the GSSC Master Plan for the LSC Central District.

Environment

Final Forest Conservation Plan

There is an existing approved Final Forest Conservation Plan (FFCP) No. 819990140 associated with the Subject Property. The Applicant was asked to submit a Forest Conservation Plan of Compliance to demonstrate that the Site Plan Amendment would not alter any aspect of the approved FFCP. The Applicant submitted the Plan of Compliance and Staff has found it to meet the requirements on the approved FFCP.

The off-site improvements by the Applicant for the installation of the shared-use-path in the unimproved right-of-way of Blackwell Road will trigger compliance with the Chapter 22A Forest Conservation Law. Prior to the issuance of the last Use and Occupancy Certificate for the Subject Property, the Applicant must demonstrate to Planning Staff that the necessary approvals have been received to address the forest conservation requirements for the construction of the interim shared-use-path in the Blackwell Road public right-of-way between Medical Center Drive and the western property line of the Subject Property.

FINDINGS

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

The Property is not subject to a development plan, diagrammatic plan, schematic development plan, or project plan.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approval under Chapter 56.*

The Subject Property is not in an Urban Renewal Area. The proposed Amendment does not propose any exterior alterations or physical changes to the existing five-story office building on

the Subject Property. The development standards applicable to the site in 1999 when it was developed under the R&D Zone Optional Method Development per Site Plan 819990140 were met at that time.

In addition to the request for a change in uses at the Subject Property, the Site Plan Amendment will confirm several site features installed by a previous owner after the original Site Plan and Certified Site Plan approvals were obtained.

3. *The location of buildings and structures, open spaces, landscaping, recreational facilities, and pedestrian and vehicular circulation systems are adequate, safe and efficient.*

Buildings and Structures

There will be no physical alteration, expansion or renovation of the existing five-story office building, or the site layout including the surface parking lot located on all four sides of the building. The previous findings of adequacy of buildings, structures, open spaces, and other facilities remain valid.

Landscape and Lighting Plan

No changes are proposed to either of these two plans associated with the Subject Property. However, the Applicant must remove 10 existing street trees (Sugar Maples) in the public right-of-way along the site's frontage on Blackwell Road per MCDOT street tree standards. These existing trees will be replaced with 10 Zelcovas.

Pedestrian and Bicycle Facilities

The scope of review for these Limited Plan Amendments included an Adequate Public Facilities review in the Preliminary Plan analysis for pedestrian and bicycle facilities. As a result, recommended conditions of approval relevant to these facilities include improvements to pedestrian crosswalks and handicap ramps at the Shady Grove Road and Blackwell Road intersection to satisfy current standards, provide better circulation and pedestrian and bicyclists' safety and thereby make pedestrian and bicycle facilities adequate, safe and efficient.

One existing bike rack will be relocated closer to one of two building entrances and two new bike racks will be installed at these locations to increase bicycle parking opportunities.

Also a part of the Preliminary Plan Amendment review, a shared-use path extension (off-site) improvement is required of this Applicant for installation of an interim connection as described on page 10 of this report. The Applicant's contribution of the path connection implements goals and recommendations of the GSSC Master Plan for the LSC Loop regarding accessible, safe and efficient pedestrian and bicycle facilities. These improvements also contribute to increased recreation opportunities of workers in the LSC Central District.

Vehicular Circulation

The requested amendment to minimum parking requirements meets the intent and standards in the current Zoning Ordinance Section 7.7.1.B.3.b., because the Site Plan demonstrates that the existing total parking spaces (475) are within the required range for Medical-Clinic uses and the range for General Office use as described on page 15 of this report.

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

The existing five-story building on the Subject Property was constructed in 2000. The proposed limited plan amendment is for a change in use at the Subject Property, validation of several site features previously installed by a former owner and review of an amendment to the minimum parking requirements per the current Zoning Ordinance. The existing office building is compatible with other structures in the immediate area and the larger vicinity. The proposed uses will be compatible with other similar medical and biotech uses nearby in the LSC Central District of the GSSC Master Plan area.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

Staff finds the Site Plan Amendment is in conformance with the Environmental Guidelines and Chapter 22A of the Montgomery County Forest Conservation Law. A previously approved Final Forest Conservation Plan (FFCP) No.819990140 remains valid for the Preliminary and Site Plan Amendments.

Off-site improvements by the Applicant for installation of the shared-use-path in the unimproved right-of-way of Blackwell Road will trigger compliance with the Chapter 22A Forest Conservation Law as fully described on page 16 of this report. As a condition of approval, the Applicant must demonstrate to Planning Staff that the necessary approvals have been received to address the forest conservation requirements for the path prior to the issuance of the last Use & Occupancy Certificate for the Subject Property.

CONCLUSION

Based on the review by Staff and other relevant agencies, and the analysis contained in this report, Staff finds that the proposed Preliminary Plan and Site Plan Amendments meet all the required findings and are consistent with the applicable Subdivision Code and Zoning Ordinance standards. Staff recommends approval subject to the conditions stated at the beginning of this report.

ATTACHMENTS

1. Preliminary Plan
2. Site Plan
3. Amended Statement of Justification
4. Final Forest Conservation Plan
5. GSSC Master Plan references
6. Agency approval letters