



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 3
MCPB
8/1/02

MEMORANDUM

DATE: July 26, 2002
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Development Review Division
FROM: Wynn E. Witthans *W*
Planning Department Staff
(301) 495-4584



REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 122,620 sf of office and R & D on 5.166 acres
PROJECT NAME: Tyner Property
CASE #: 8-99041.D
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance

ZONE: Life Sciences Center
LOCATION: North of Shady Grove Road, 1,350 feet south of Key West Avenue
MASTER PLAN: Gaithersburg Vicinity - Shady Grove Master Plan Amendment 1996
APPLICANT: The Institute of Genomic Research
FILING DATE: May 10, 2002
HEARING DATE: August 1, 2002

STAFF RECOMMENDATION: Approval of 122,620 sf of office and R & D on 5.166 acres with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. The Site Plan Enforcement Agreement shall reference an Off-Site Parking agreement per Section 59-E-3.4 of the Zoning Ordinance in regards to the shared parking with the adjacent TIGR Property Site Plan #8-99041.
3. Shade trees shall be added along the edge of the parking lot adjacent to Shady Grove Road.

ISSUES RESOLVED DURING THE SITE PLAN REVIEW

This project has a valid Site Plan Approval from the July 29, 1999 approval. Since that approval, the site has undergone several staff level minor amendments for the temporary addition of two modular laboratories. The latest amendment provided for the temporary relocation of the modular laboratories from the Tyner site to the TIGR campus' parking lot. Once this proposed building is finished the modular laboratories will be removed.

In order to accelerate the construction process, the applicant has begun grading the site per the earlier site plan approval. They will assume all risk should Planning Board approvals revise the application in the course of the hearing, see attached letter.

Other issues resolved during the review process included the location of the building to improve access to Medical Center Drive for better connection for transit and to provide better presence within the Shady Grove Life Sciences Center. The application has improved the landscape buffers and the

PROJECT DESCRIPTION: Surrounding Vicinity

The site is served by Shady Grove Road that forms the eastern boundary of the property. Property adjoining the site to the north is the recently approved site plan for the Johnson Property, zoned R&D and proposed as a five-story office building with a connecting walk to this property. Further east of Shady Grove Road is the proposed development for the Thomas Farm, within the City of Rockville. Property to the south is within the LSC zone and is developed as The Institute for Genomic Research (TIGR). West of the site is Medical Center Drive with an intervening undeveloped parcel of land that is part of the TIGR land holdings.

All properties to the West and South of the site are the Shady Grove Life Sciences Center. This site is not part of the SGLSC.

PROJECT DESCRIPTION: Site Description

The site rises to a high point along the eastern boundary of Shady Grove Road with steep slopes descending sixteen feet down to the road. An existing single-family home and garage are located on this high point and will be removed with this development. The western boundary is four feet lower than Medical Center Drive further to the west. The site itself is largely level with a rise in topography towards the west. The site is largely absent of any significant vegetation but there is scrub growth along the boundaries of the site.

~~GIS Vicinity Map~~

PROJECT DESCRIPTION: Proposal

The proposed four-story building will house laboratory and office uses associated with the adjoining TIGR facility to the south. The linear, staggered building is placed along the southern boundary to form a connection with the TIGR campus further to the south. The roofline of the building is similar to the existing TIGR campus, thus visually linking the two facilities together. The front door or public entry of the proposed building faces north towards the parking lot, thus visible from each vehicular entry. The entry is highlighted with pavers and special planting areas. Benches are provided under a canopy adjacent to the front door. The southern façade of the building will form the backdrop for the outdoor pedestrian sitting area adjacent the wet pond on the TIGR site.

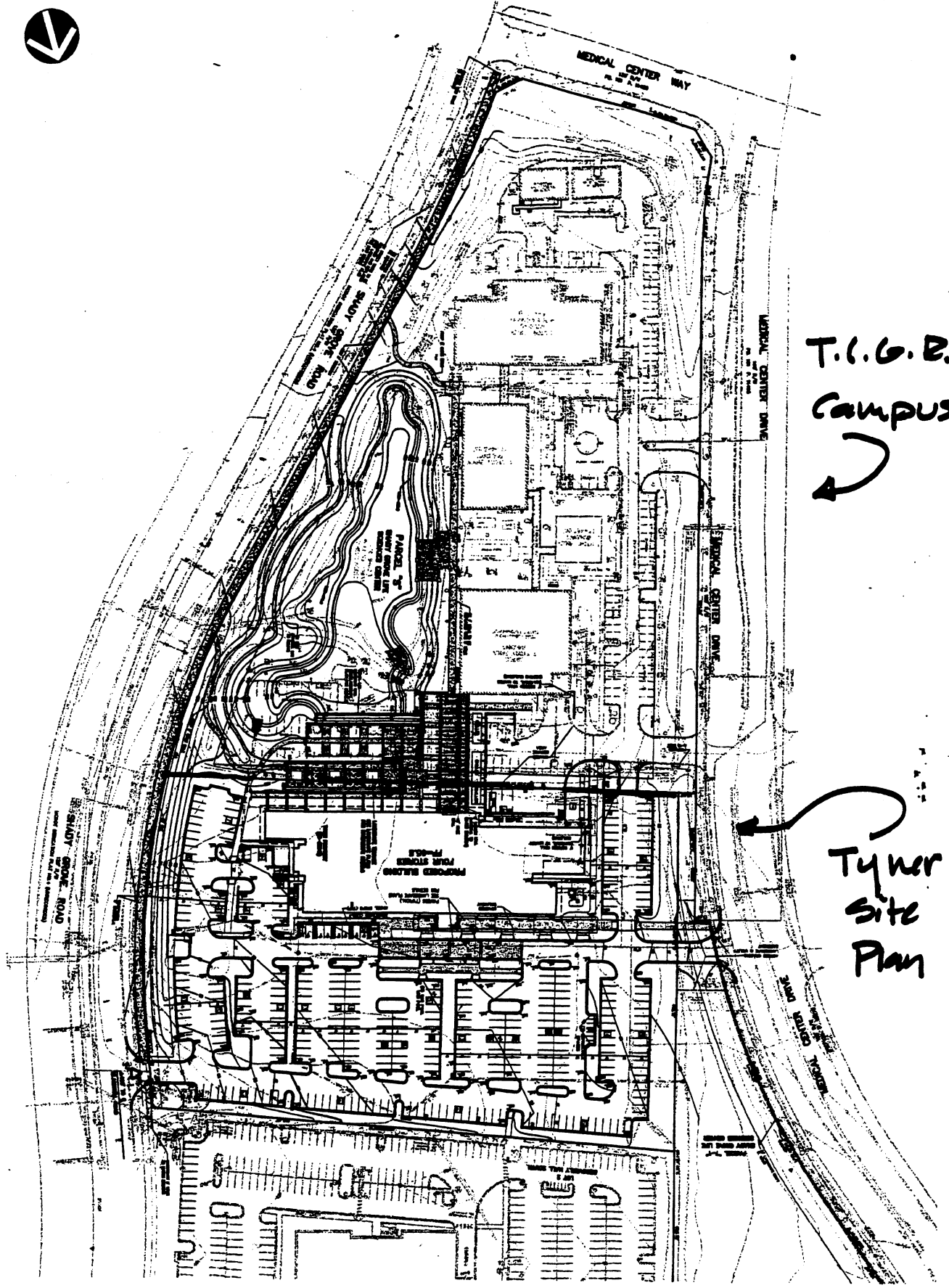
The pedestrian system includes a system of walks and crosswalks from the two adjacent roads. A pedestrian walk will extend southward from the proposed building to connect with the pedestrian sitting area and other walks on the TIGR campus. A covered walkway along the front of the building will highlight the building entry and provide for protected pedestrian access towards Medical Center Drive. Other walks will continue from the parking lots to the wet ponds and eventually to Shady Grove Road. A path connection will be made to the properties to the north to connect to pedestrian systems within those facilities.

Vehicular access points to the site are from Shady Grove Road and Medical Center Drive (via a parcel owned by the adjacent TIGR site). The parking lot allows for an aisle along the frontage of the building and the perpendicular aisles to the parking bays will allow for easy pedestrian access to the building front. The service area for the proposed building will join with the service area for the TIGR facility. Eight-foot screen walls are proposed to hide the service operations and will be constructed from the same materials as the adjacent buildings.

An eight-foot bike path will be installed along the Shady Grove Road frontage of the property. A bike rack is proposed on the east side of the building, closest to the bike path.

Lighting for the property will be provided by free standing poles with 175 watts of metal halide fixtures. The proposed fixtures direct the light towards the pavement. The average light levels proposed are 1.94 footcandles.

Landscaping for the site proposes shade trees within the parking lot, shrubs as understory throughout the parking lot, evergreen and deciduous trees along the northern boundary and shade trees, flowering trees and evergreen shrubs along the street frontages. Street trees will be added along Shady Grove Road and the existing walk and old shade trees will be removed.



T.I.G.R.
Campus
↙

Tyner
Site
Plan
↙

436

VIA REVISIONS
DATE: MAY 2008
DES: DMH, DMH
SCALE: 1"=20'
PROJECT/FILE NO: 436
SHEET NO.

COMPOSITE
SITE PLAN

THE INSTITUTE FOR GENOMIC RESEARCH
SHADY GROVE LIFE SCIENCES CENTER
PARCEL 5
9th ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

VIA
ARCHITECTS & PLANNERS • LANDSCAPE ARCHITECTS & DESIGNERS • GPS SURVEY
VIA ARCHITECTS & PLANNERS
2000 CENTURY BELLEPLANE SUITE 200 • GAITHERSBURG, MARYLAND 20878
(301) 984-4400 • (301) 984-4401
WWW.VIAARCHITECTS.COM

S.G.L.S.C.

MEDICAL CENTER DRIVE

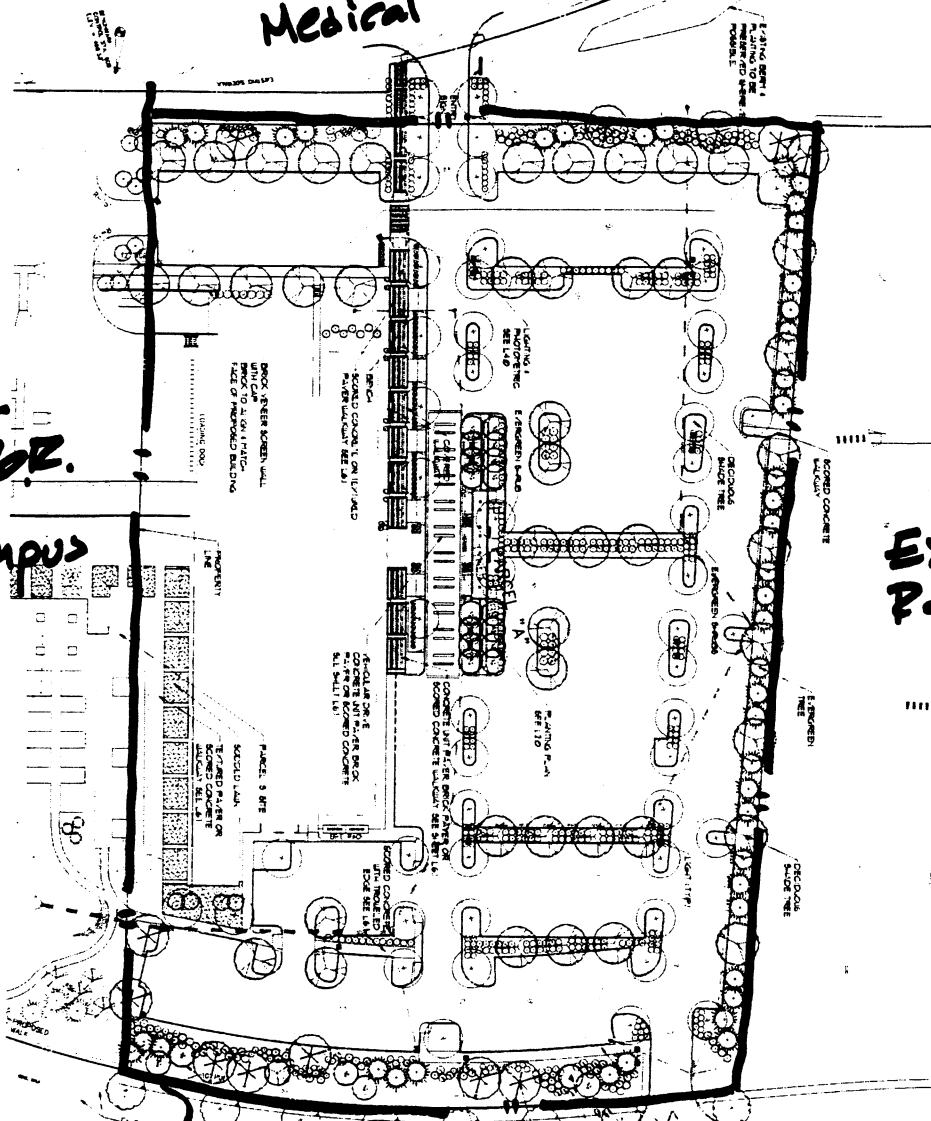
Center Drive

Medical

EX-TIGR

Campus

EX-P4D

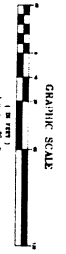


SHADY GROVE ROAD

Bike Path

60a

Tyner Site Plan



GRAPHIC SCALE

SCALE 1"=40'

TYNER

SITE PLAN

NOT FOR

CONSTRUCTION

L1.0

01/16/2006

JITRIG

NOT: The Institute for Geomatics
 Engineering and Surveying
 10000 University Drive
 Suite 200
 Rockville, MD 20850

TYNER PROPERTY
 TYNER SUBDIVISION
 SHEET 1.0
 34th FLECTION DISTRICT
 COUNTY OF GAITHERSBURG, MD

LEO ADAM

31 SITE PLAN

EMWIS SQUILLY GIGNET

SSI

RT. 501.5

FEET LOC

PROJECT DESCRIPTION: Prior Approvals

A preliminary Plan #1 -99024 and Site plan # 8-99041 were approved for the site on July 29, 1999 for a medical office building. The site was purchased by TIGR and re-designed to their needs.

ANALYSIS: Conformance to Master Plan

The Gaithersburg Vicinity - Shady Grove Master Plan Amendment recommends the R&D zone for the site.

Parking provided	345 spaces inclusive of 8 handicapped spaces and 5 car/ van pool spaces at front door
Bicycle parking 5% of 345 or 18	20 provided
Motorcycle parking 2% of 345 or 7	7 provided

Joint Parking Agreement required between the TIGR and Tyner sites to allow for shared parking between the two facilities as follows:

	Required	Provided
TIGR	205	119
Tyner Property	<u>254</u>	<u>345</u>
Total	459	464

Setbacks Waivers per Section 59-C-5.45 The Planning Board may approve setbacks less than those required under the standard method of development upon a finding that site design and pedestrian circulation would be enhanced and that the resulting development would not have an adverse impact on the use of adjacent land. See the applicant letter dated July 27, 2002

Staff finds the reduction of perimeter setbacks for the parking areas will allow for the provision of better pedestrian connections. The pedestrian connections are centrally located within the site connect directly from the street to the door of the proposed building. Each setback has been embellished with increased landscaping which creates a buffer between projects. Additionally, the immediately adjacent properties include setbacks that are comparable: to the north is a 10 foot setback to the common boundary with a 35 foot setback to Shady Grove Road; to the south is a 15 setback with no landscaping; to the west is undeveloped area (part of the TIGR campus) but narrow enough to preclude development immediately adjacent to this property. The application also proposes to improve pedestrian systems by replacing the streetscape along Shady Grove Road and improving the sidewalk location for pedestrians.

In using the higher FAR allowed by the R&D zone, the applicant is required to submit a site plan for review with the consideration of the following elements per Section 59-C-5.45:

Site design guidelines. In order to achieve better the purposes of the R&D zone, measures should be included or contained in the overall design of a project to meet certain site design guidelines. The following guidelines must be addressed at the time of subdivision or site plan approval.

- (i) Buildings, sidewalks, parking and vehicular access areas should be sited to promoted an attractive, active and safe pedestrian-oriented

ANALYSIS: Conformance to Development Standards for the R&D Zone

PROJECT DATA TABLE

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
Lot Area (ac.)	2 acres	5.51 acres gross 240,304 sf.
Gross Floor Area (sq. ft.):	123,024 sq ft	122,620 sq ft
Floor Area Ratio (FAR):	.50 (requires site plan)	.50
Green Space (%):	30% min(72,091 sq ft)	32.6% (78,285 sq ft)
Building Height (ft)	75 ft	5 stories or <75 ft
Setbacks (ft.):	Building/Parking	Building/Parking
Frontage to Shady Grove Hwy	50ft/50 ft	123 ft +/-35 ft*
Side yard to R&D to north	20 ft/ 20 ft	120 ft/ 30 ft*
Side yard to LSC to south	25 ft/25 ft	25 ft / 5 ft*
Frontage to MC Dr/ LSC to west	25 ft/ 25 ft	120 ft +/-30 ft*

Parking:

Adjacent TIGR site - Parcel "S"

2.9sp/1,000 sf of 61,000 gen office= 176.9 spaces
 1.5sp/1,000 sf of 61,620 laboratory = 246.5 spaces
 1sp / 4 seats of 200 seat conf. ctr = 50 spaces
 Total spaces req'd = 205 spaces

Total: 209 existing spaces

Parking removed from TIGR due to SWM pond expansion and service area combination 90 spaces
 Parking Relocated to Tyner property 86 spaces

Tyner

2.9 sp/1,000 sf of gen office 143 spaces
 (or 4 sp/1,000 sf of office under interim pkg policy – 196 spaces)
 1.5 sp/1,000 sf of laboratory 111 spaces
 (or 2.5 sp/1,000 sf of lab. Per interim pkg policy – 184 spaces)
 Required parking 254 (or 380 per interim parking policy)

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. **Buildings**

The building is located to provide a dynamic relationship with the existing TIGR campus and to create identifiable building frontages along Medical Center Drive and Shady Grove Road. The building location allows for efficient connections to the pedestrian system within the TIGR campus and to the combined service area.

b. **Open Spaces**

The storm water management for the site is provided by off site quantity within the pond on the TIGR site. Quality control is provided within the wetland marsh with pretreatment via a water quality inlet. The SWM concept approval of June 13, 2002 indicates approval but does not differentiate this site from the TIGR site at this time. A clarifying memo is expected by the time this project goes to the Planning Board.

c. **Landscaping and Lighting**

Landscaping on the site provides shade for the parking lot and pedestrian walks, screening between this parking lot and adjoining sites and the adjacent streets, and the landscaping provides for internal parking lot buffering. The landscaping is adequate and creates an attractive project as experienced by the future users and as viewed from adjacent roads.

The lighting plan is adequate for this type of project and the type of fixture reduces the light levels that extend skyward from the site.

d. **Recreation**

There are no recreation facility requirements required for commercial zones.

e. **Vehicular and Pedestrian Circulation**

The access points to the site conform to the preliminary plan approval and provide for convenient access from two major roads. The design of the parking lot allows for easy circulation.

environment within the project and to facilitate use of carpooling and vanpooling by employees of the project.

- (ii) Significant natural features should be preserved and, where appropriate, such features should be incorporated within project green space areas.

The proposed plan includes siting the building to create improved pedestrian systems with highlighted pedestrian areas and by providing the designation of carpool and vanpool spaces. The project shall provide 5 spaces carpool/vanpool spaces total. Again, the Shady Grove Road improvements are important improvements to the pedestrian systems. The site lacks any significant natural features to preserve but has provided enhanced landscaping around the site and within the parking lot areas.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement and Development Review Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - 2) Community-wide pedestrian pathways and bike paths must be completed as construction of the facility is completed.
 - 3) Landscaping associated with the parking lot and building shall be completed as construction of the facility is completed.
 - 4) Pedestrian pathways and seating areas associated with the facility shall be completed as construction of the facility is completed.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - 6) Coordination of each section of the development and roads.
 - 7) Phasing of dedications, stormwater management, sediment/erosion control, forestation, community paths, trip mitigation or other features.
 - b. Site Plan Enforcement Agreement to delineate transportation management program.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance.
 - b. Methods and locations of tree protection.
 - c. Forest Conservation areas.
 - d. Conditions of DPS Stormwater Management Concept approval letter dated June 13, 2002.
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - f. The development program inspection schedule.
 - g. Conservation easement boundary.
 - h. Streets trees 50 feet on center along all public streets.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

Pedestrian paths within the site provide for continuous pedestrian circulation to and through the site with multiple connections to the adjacent site to use the shared pedestrian and parking facilities. The internal sidewalks connect to public streets on two frontages to allow for access to public transit. The street-side bike path as provided on Shady Grove Road will provide for bike connections to this site and contribute to an overall system of bike paths.

This applicant will participate in the Shady Grove Transportation Management District under preparation by the County Council.

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

The building creates a compatible relationship with the adjacent TIGR campus and integrates the two sites together in a desirable manner. The building massing creates an attractive ensemble. The building's slight frontage orientation to Medical Center Drive will enhance the building's presence with the adjacent Shady Grove Life Sciences Center and will allow for closer pedestrian access of transit use.

Buffers proposed at the boundaries of the parking lot are adequate to screen the views of cars from public roadways and reduce the views of expansive parking lots from this and other sites.

The activity associated with the proposed office and laboratory use will not cause any negative effect on adjacent office and laboratory uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The site is subject to the requirements of the Forest Conservation Law. Forest conservation planting requirements will not have to be met until up to one year after permanent uses are constructed on the site. Staff may wish to require interim planting for temporary uses aside from the forest conservation law requirements. A final forest conservation plan will be required showing how the 1.3 acre reforestation requirement will be met for this site. Within a high-density development zone, tree canopy cover may be used to fulfill part or all of the requirement.

APPENDIX

- A. Standard conditions dated October 10, 1995
- B. Memos from other Agencies and the Applicant.

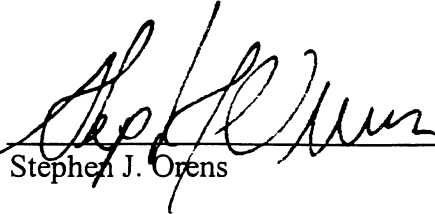
7. TIGR agrees to submit the Signature Set of Site Plan documents on July 27, 2002 assuming receipt of the DRD Staff Report on or before July 26, 2002. In the event an unanticipated condition of approval requires that the drawings or documents be modified from that submitted on July 8, 2002 revised drawings or documents will be submitted as promptly as possible following the Planning Board hearing.

TIGR acknowledges that it's right to proceed and engage in ground disturbance activities does not limit the actions that may be taken by the Planning Board in its consideration of the Site Plan Amendments and may not be relied upon by TIGR to challenge any such action by the Planning Board.

Very truly yours,

DUFOUR & KOHLHOSS, CHTD.

By:

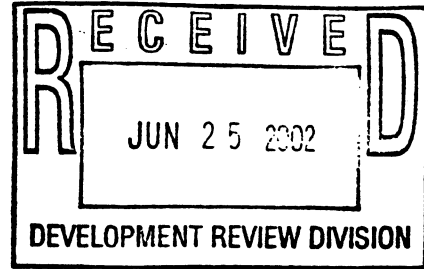


Stephen J. Orens

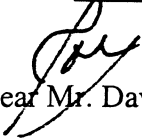
cc: Claire Fraser, PhD, President
The Institute for Genomic Research
Damar Hawkins, Vice President
The Institute for Genomic Research
Wayne Klotz, Staubach Companies
Charles Irish, VIK A
Dick Hoyme, VIK A

June 24, 2002

Mr. Joseph R. Davis, Chief
Development Review Division
Maryland-National Capital Park & Planning Commission
8787 Georgia Ave.
Silver Spring, Md. 20910-3760



Re: TIGR-Tyner Property and Parcel
Site Plan Amendment Nos.: 8-99041 and 8-94021


Dear Mr. Davis:

On behalf of the Institute for Genomic Research and the Staubach Companies I want to express our sincere appreciation to you and Wynn Witthans for your help with this project. Your department's efforts will enable TIGR to begin the project in time to meet its construction deadlines. This letter confirms the following with regard to the issuance of grading permits and the commencement of ground disturbance activities for the Tyner Property, for which there is an approved Site Plan and recorded plat and for which an amendment to the Site Plan is anticipated to be approved on August 1, 2002:

1. The Maryland-National Capital Park & Planning Commission, upon acknowledgment that this letter correctly reflects the understanding of both TIGR and M-NCPPC Staff, will approve the Permits necessary for TIGR to commence ground disturbance activities.
2. Sediment control devices will be installed in accordance with the sediment control plan approved by the County Department of Permitting Services.
3. Grading may commence immediately upon issuance of the permits with the installation of the sediment control facility and grading may continue at TIGR's sole risk until the Planning Board acts on the pending Site Plan amendments on August 1, 2002.
4. TIGR agrees to suspend ground disturbance activities in the event the Planning Board either does not approve the pending Site Plans on August 1, 2002 or imposes one or more conditions that materially alter the grading plan.
5. TIGR agrees to restore the property to its pre-graded condition in the event the Planning Board does not approve the Site Plans.
6. TIGR agrees to submit all final drawings and documents necessary for staff's completion of its Site Plan recommendation and report to the planning Board no later than July 8, 2002 and to submit all documents requiring review by the office of General Counsel at least two weeks prior to August 1, 2002.

①

The Honorable Derck Berlage

July 26, 2002

Page 2

Section 59-E-4.5 authorizes the Planning Board to waive a parking facility plan requirement that is not necessary to accomplish the objectives enumerated in Section 59-E-4.2 of Article E of the Zoning Ordinance. Section 59-E-4.6 (b) provides for the review of parking facility plans by the Planning Board in conjunction with the site plan review procedures of Division 59-D-3. In addition, 59-C-5.45 authorizes the Planning Board to approve setbacks in the R&D Zone that are less than those required under the standard method of development upon a finding that site design and pedestrian circulation would be enhanced and that the resulting development would not have an adverse impact on the use of adjacent land.

The proposed setback waivers achieve the design objectives of the R&D zone in that the design of the combined parking facilities for the Tyner and TIGR properties establishes "parking and vehicular access areas ... that are suited to promote an attractive, active and safe pedestrian-oriented environment within the project and ..." and provide connectivity between the sites to achieve a blended campus environment. It should be noted that the Zoning Ordinance provides that "where internal connection between adjacent parking lots is planned in the J SC Zone the total combined parking setback from an interior lot line is eight (8) feet." The intent of that provision is also achieved by the requested waiver.

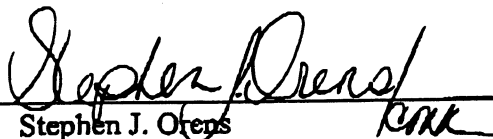
The northern setback is well landscaped and compatible with the adjacent R&D property. The requested eight-foot setback reduction will not have an adverse impact on that adjacent property.

The planting materials for the proposed parking facility include a mix of deciduous, shade and evergreen trees and shrubs designed to provide an attractive and natural appearance. To the extent that such plantings do not meet the minimum requirements for shade trees, a waiver of that requirement is requested.

Favorable action by the Planning Board on the waivers requested will facilitate the coordinated development of the site and aid in achieving a maximum of compatibility among the adjacent site plan developed properties.

Very Truly Yours

DUFOUR & KOHLHOSS, CHTD.

By: 
Stephen J. Orens



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

June 13, 2002

Robert C. Hubbard
Director

Mr. Richard E. Hoyme
VIKA, Inc.
20250 Century Boulevard, Suite 220
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for Tyner Property
Preliminary Plan #: 1-99024
SM File #: 205294
Tract Size/Zone: 5.5 ac
Total Concept Area: 6.8 ac
Tax Plate: FS51
Parcel: A
Liber/Folio: 18849/55
Montg. Co. Grid: 28 F4
Watershed: Watts Branch

Dear Mr. Hoyme:

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 consists of on-site water quantity control via a wet pond and on-site water quality control via a wetland marsh with pretreatment via a water quality inlet.

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

1. The modifications to the existing pond will be submitted to the next Wetland Coordination Committee meeting. Please contact me for the meeting date and time.
2. A water quality inlet was used for pretreatment due to the shallow storm drain. If there is a change in the storm drain design, the plan will be reevaluated for its suitability for alternative pretreatment.
3. Any modifications to the approved concept pond design or configuration will be submitted to this office as a revision.
4. A simplified dam breach will be required for the final pond design.
5. A joint use agreement will be required.

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

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. 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



5

Richard E. Hoyme
June 19, 2002
Page 2

If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Plontka at 240-777-8334.

Sincerely,



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

RRB:am CN205294

cc: M. Shaneman
S. Federline
SM File # 205294

ON - onsite; Acres: 6.8
QL - onsite; Acres: 6.8

6