

**MEMORANDUM**

DATE: September 15, 2006
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RK*
 Michael Ma, Supervisor *Ma*
 Development Review Division
 FROM: Robert A. Kronenberg *RAK*
 Development Review Division
 (301) 495-2187



REVIEW TYPE: Site Plan Amendment
 CASE #: 82001012B
 PROJECT NAME: **Traville Lot 1, Human Genome Sciences**
 APPLYING FOR: Amendment to revise the Site Plan Enforcement Agreement to extend the use of a temporary parking lot for Human Genome Sciences until November 2008 for the benefit of USG students, faculty, visitors and construction personnel (for private parking use only).
 REVIEW BASIS: Div. 59-D-2.6 of Montgomery County Zoning Ordinance for Minor Plan Amendments
 ZONE: MXN Zone (Mixed Use Neighborhood Zone)
 LOCATION: Located at the southwest quadrant of the intersection with Darnestown Road and Traville Gateway Drive
 MASTER PLAN: Shady Grove
 APPLICANT: Human Genome Sciences
 FILING DATE: January 18, 2006
 HEARING DATE: September 28, 2006

STAFF RECOMMENDATION: Approval of the proposed amendments to Site Plan 82001012A and approval of the attached draft Planning Board Resolution for the Site Plan 82001012B.

BACKGROUND

The Site Plan (820010120) for Traville Lot 1, Human Genome Sciences, was presented to the Planning Board on March 22, 2001 (Planning Board Opinion dated May 31, 2001) for approval of 1,030,000 square feet of research and development on 49.98 acres in the MXN Zone. The

Certified Site Plan was approved on November 1, 2001. The Site Plan Amendment was submitted on May 22, 2003 to include the temporary parking lot on the site plan and in the site plan enforcement agreement. The temporary parking lot was installed to provide parking for Human Genome Science as an employee parking facility for a manufacturing plant being constructed during 2003. The parking lot was to remain a temporary facility for 2-3 years. Eventually, the temporary facility will be removed and replaced with development associated with the future needs of Human Genome Science. The temporary parking facility is shown on sheet C-6 of the approved site plans.

PROPOSED AMENDMENT

An amendment was filed on January 18, 2006, along with a public notice to adjacent and confronting property owners that outlines specific changes to the approved site plan. The Applicant submitted the amendment specifically to change the validity period in the Site Plan Enforcement Agreement. The proposed amendment requests the following modification:

1. Amendment to revise the Site Plan Enforcement Agreement to extend the use of a temporary parking lot for Human Genome Sciences until November 2008 for the benefit of the Universities of Shady Grove ("USG") students, faculty, visitors and construction personnel (for private parking use only).
2. A note shall be placed on the certified site plan amendment and in the revised site plan enforcement agreement that states: No further development of the site shall occur unless the final water quality plan is amended and approved by the Montgomery County Department of Permitting Services.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on January 18, 2006. The notice gave the interested parties 30 days to review and comment on the amended site plan. This amendment did not go to DRC but was circulated to departmental staff for review and comment. Staff received comments regarding the final water quality approval from the Montgomery County Department of Permitting Services for the temporary facility. DPS has permitted the temporary facility but is concerned that no other development site plans be processed until the final water quality plans are reconfirmed and approved for any additional development.

STAFF REVIEW AND RECOMMENDATION

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan. Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Traville Lot 1, Human Genome Sciences (Site Plan No. 82001012B) for modifications to the approved site plan.

ATTACHMENT

- A. Vicinity Map
- B. Draft Planning Board Resolution

ATTACHMENT A

PROJECT DESCRIPTION: Site Vicinity

The subject property is located at the southwest quadrant of the intersection with Darnestown Road and Traville Gateway Drive, within the Shady Grove planning area. The site is irregular in shape and has a gentle rolling terrain with the highest elevation near the Travilah Square Shopping Center. Environmental features on the site include wetlands, floodplain, a stream with its associated buffers and rare, threatened and endangered species. The Piney Branch divides into several small tributaries on the site.

The site is developed in a campus-like setting, with the primary buildings located near the southwestern boundary of the property near the Shady Grove Road access. An existing stormwater management facility is located on the southern portion of the site adjacent to Willow Tree Drive.



DRAFT

MCPB No. XX-XX
Site Plan No. 82001012B
Project Name: Traville Lot 1, Human Genome Sciences
Hearing Date: September 28, 2006

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on January 18, 2006, Human Genome Sciences ("Applicant"), filed a site plan amendment application designated Site Plan No. 82001012B ("Amendment") for approval of the following modifications:

1. Amendment to revise the Site Plan Enforcement Agreement to extend the use of temporary parking lot for Human Genome Sciences until November 2008 for the Universities of Shady Grove ("USG") students, faculty, visitors and construction personnel (for private parking use only).
2. A note shall be placed on the certified site plan amendment and in the revised site plan enforcement agreement that states: No further development of the site shall occur unless the final water quality plan is amended and approved by the Montgomery County Department of Permitting Services.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated September 15, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on September 28, 2006, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82001012B; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this opinion 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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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