



July 23, 2002

**MEMORANDUM**

TO: Montgomery County Planning Board

FROM: Gwen Wright, Historic Preservation Supervisor  
Countywide Planning Division

SUBJECT: Howard Hughes Medical Institute  
Amended Application for Modification of Special Exception  
Case No. S-1565A

**STAFF RECOMMENDATION**

Approve the Special Exception Modification request with the following conditions:

1. Howard Hughes Medical Institute will provide periodic access to the Hayes Manor house and property to the Historic Preservation Commission and other historic/preservation groups for meetings and small gatherings. Any such access will be planned in advance and coordinated with the Institute's use of the house.
2. Howard Hughes Medical Institute will undertake a historic context report for the Hayes Manor property that will be used to inform future plans for the historic site.
3. Howard Hughes Medical Institute will undertake to plant and restore certain garden features of the property, consistent with the historic context report. This work may include installation of a pathway system, restoration of the boxwood gardens, and the implementation of a landscaping plan to the immediate north of the house.
4. Howard Hughes Medical Institute will – before transferring ownership of the Hayes Manor property to another entity or individual – place an open space easement on the property which will preclude future subdivision of the environmental setting.

**BACKGROUND**

The current proposal by the Howard Hughes Medical Institute (HHMI) to amend their special exception includes incorporation of a historic site, Hayes Manor, into the organization's campus. Hayes Manor was approved as a Montgomery County *Master Plan* Site in 1984 and the designated environmental setting is the entire 9.44 acre lot on which the historic house is located.

Constructed between 1762-67, Hayes Manor is one of the oldest, best-preserved Georgian manors in the region. Its 9.44-acre tract is the remnant of a farm which was originally 700 acres in size. Reverend Alexander Williamson built the main house. The name "Hayes Manor" is believed to be derived from the name of the English home of the Earl of Chatham, William Pitt, whom Williamson admired during his earlier schooling in England. The house was purchased by James Dunlop in 1792. Members of the Dunlop family continued to occupy the house until 1961.

The east wing was added circa 1894 and the west wing in 1908. A greenhouse and a garage, which was later enlarged, were also added in 1908. A carport and dog grooming addition (circa 1985) were added within the last few years. In 1961, Historic American Building Survey (HABS) documentation was completed on the manor house.

In addition to the manor house, there are at least two outbuildings: an early barn which was significantly altered in the mid-20<sup>th</sup> century and then demolished in the early 1990s. The foundation wall of this barn remains. There is also a 1-½ story c. 1923 Craftsman bungalow constructed adjacent to the manor that was used as a servants' house for the Dunlops.

The landscape of the property is a significant part of its historicity. Important landscape features include two sets of brick entrance pillars with iron gates, a monument to the Dunlop family located to the east of the main house, terraced boxwood gardens to the north of the house, and a bowling green to the south of the house which may date from the time of Williamson's ownership.

In April, 2003, the Howard Hughes Medical Institute received a Historic Area Work Permit (HAWP) for changes to Hayes Manor and its environmental setting. The proposed expansion of the HHMI campus affects Hayes Manor in many ways and will dramatically alter the environmental setting of the site. The applicant's Historic Area Work Permit included the following alterations:

1. Remove an attached carport, located on the north side of the garage. The carport was constructed sometime in the last 40 years.
2. Remove an addition, which is constructed of brick and is located at the rear of the original manor house. This structure was constructed circa 1985 as a dog grooming space.
3. Remove an in-ground swimming pool that is located to the north of the historic house and which is enclosed by a wood stockade fence.
4. Remove a board-formed, concrete foundation that was part of a gabled, heavy-timbered bank barn. The building was an older barn that was extensively altered in the mid-20<sup>th</sup> century and then demolished in the early 1990s. Most of the existing foundation probably dates from the mid-20<sup>th</sup> century.
5. Demolish a circa 1923 1-½ story Craftsman bungalow, located east of the historic manor house. The slate roof building has double front dormers with exposed curved rafter tails. This detail is also seen under the roof eaves of the front porch. The

building is sheathed in cedar circular sawn shingles and sits on a brick foundation. 20/1 double hung wood windows are located on the first floor.

6. Construct an asphalt roadway that will be part of the HHMI campus and will circle around the office structures. The roadway will go through part of the Hayes Manor environmental setting and will require major grading. The roadway will be at a significantly lower elevation than the historic manor house and stone retaining walls will be required along the western side of the new roadway. The new road will have streetlights and 10 parking spaces in proximity to Hayes Manor. A new service road will connect the Hayes Manor driveway to the "loop" road encircling the HHMI campus.
7. Install a paved pathway system that will allow for access to Hayes Manor from the rest of the HHMI campus and that will integrate the historic building into the campus. Work will be undertaken to restore and improve the historic gardens and landscaping around the historic manor house.
8. Construct a three-story addition to the main block of the HHMI complex that will be partially located in the Hayes Manor environmental setting. This addition will be approximately 207' from the manor house and be situated at a significantly lower elevation. Architecturally, the new addition will be like the existing HHMI facility buildings.

The Historic Preservation Commission reviewed and approved the proposed HAWP with the following conditions:

1. A Phase I archeological survey shall be conducted in conjunction with removal of the bank barn foundation. A qualified archeologist shall be contracted to undertake the survey, and all reports produced by the archeologist shall be reviewed by staff.
2. Construction of the loop road is approved in concept. However, the applicant must work with staff to relocate the existing bungalow or return to the HPC with additional information to make a compelling case for demolition of the bungalow.
3. Construction of a paved pathway system is approved in concept. However the applicant must return to the HPC with a detailed plan for pathway locations and materials, as well as a historically-appropriate landscaping plan.
4. Construction of a three-story addition to the main block of the HHMI complex that will be partially located in the Hayes Manor environmental setting is approved in concept. However, the applicant must return to the HPC for review and approval of the final building design.
5. A tree protection plan will be reviewed and approved by staff. If staff has concerns about the number of trees to be removed, then this issue will be brought back to the HPC for review and action.

### **STAFF DISCUSSION**

The significance and unique historic quality of Hayes Manor cannot be overemphasized. This is not only one of the earliest historic sites in Montgomery County, but it is also a rare example of the Georgian style. The fact that the property is on over nine acres in a

very developed part of the county (“inside the Beltway”) and includes many of the original historic landscape features and gardens makes Hayes Manor truly a “one-of-a-kind” resource in Montgomery County. In discussions with HHMI staff, historic preservation staff raised the comparison with Dumbarton Oaks in Georgetown, which is owned by Harvard University and serves as a research facility. Although this property will never have the same level of public visitation as Dumbarton Oaks, staff believes that the Hayes Manor/HHMI campus can be the same kind of oasis and special place for Montgomery County that Dumbarton Oaks is for Washington, D.C.

Staff feels that HHMI is the perfect steward for such an important and unique property. In addition, the HPC was clearly sympathetic to the HHMI’s goals for the site and, as seen above, approved a number of changes which will significantly alter the existing environmental setting of Hayes Manor. The HPC was convinced that the changes were necessary for HHMI to achieve its expansion goals while appropriately integrating Hayes Manor into the overall campus. During the HPC discussion of the HAWP, the HHMI representatives did state that they intended to be good stewards of the historic site, that they would be doing a historic context report on the property, that they would be making some landscape improvements to the Hayes Manor property, that they would occasionally make Hayes Manor available for specific HPC/preservation group events, and that future changes/new construction would come back for HPC review, as required under Chapter 24A, the Historic Preservation Ordinance.

However, it is important to understand that, in the HPC’s regulatory role on Historic Area Work Permits, they only have the authority to approve, deny, or approve with conditions specific physical changes to designated structures and their environmental settings. They do not have the authority to approve or deny future subdivisions, special exception modifications, or rezonings. They do not have the authority to require that HHMI restore the Hayes Manor property or its grounds. All of the discussions that took place during the HPC’s review of the HAWP about what positive things HHMI would be doing at the Hayes Manor site are important, but non-binding from a legal standpoint.

The current HHMI representatives seem sincere in their promise to be good stewards of the Hayes Manor property; however, there is no mechanism in place that assures that Hayes Manor will not – at some point in the future – become a “stepchild” on the site and that future changes will go beyond being minimally acceptable, but will rather move towards making this property the special place that it can become.

This is troubling in that the acquisition and alteration of Hayes Manor and its 9.44 acre environmental setting has greatly benefited HHMI’s application for Special Exception Modification and has essentially made the expansion of the existing office structure possible.

Historic preservation staff and HHMI representatives have had many discussions about this matter. To focus attention on Hayes Manor, historic preservation staff had originally asked HHMI to consider undertaking a comprehensive Historic Structures Report for Hayes Manor and its landscaped grounds and to develop a specific plan for implementing

the recommendations of the Historic Structures Report. This was more that HHMI was willing to undertake at this time. However, they have committed to engaging Robinson & Associates (a historic preservation consulting firm) to prepare a historic context report on the property. The report will address the chronology of the development and use of the property and will identify contributing elements and features of the property. This report will serve as a guide for any further work on the property, although there is no commitment or time frame for future preservation work to the house. There is also no definite use planned for the Hayes Manor house.

Staff also asked the HHMI representatives to consider placing an open space easement on the portion of the 9.44 acre environmental setting that is not affected by the current expansion plans. The purpose of this open space easement would not be to stop all future construction and alteration – indeed, it might be very appropriate, in the future, to add another small structure to the property in connection with the HHMI's programs. However, the easement would prevent future subdivision of the property which would detract from the historic landscape. The easement which staff envisions would be much like the types of easements negotiated under the Legacy Open Space program. Staff has also offered that it would be acceptable to have such an easement put in place only when and if HHMI transfers ownership of the Hayes Manor property. HHMI opposes such an easement.

## **CONCLUSION**

There can be no doubt that Hayes Manor is one of the most significant and unique historic sites in Montgomery County. HHMI has derived great benefit from adding the Hayes Manor acreage to their campus. The HPC's review of HHMI's proposed changes to the Hayes Manor environmental setting has allowed major alterations to the site necessary for HHMI expansion program. However, there is no legal mechanism yet in place to assure HHMI's long-term stewardship of Hayes Manor. The Special Exception process – by which HHMI is asking the county for "special" development rights not allowed by the current zoning – is the appropriate time to place conditions on the property that will assure the long-term stewardship of this irreplaceable historic resource. Most of the conditions recommended by historic preservation staff in this memo are things already offered by HHMI during the HPC discussions. The major point of disagreement is the placement of an open space easement on the Hayes Manor property.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 24, 2003

**MEMORANDUM**

TO: Bill Landfair, Community Based Planning

VIA: Steven Federline, Environmental Planning 

FROM:  Dominic Quattrocchi, Environmental Planning

SUBJECT: Special Exception request No. S-1565-A  
Howard Hughes Medical Institute

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The Environmental Planning staff has reviewed the special exception application referenced above. Staff recommends **approval** of this request **with the following conditions**:

- The final SWM and Sediment and Erosion Control plans must be approved by the Department of Permitting Services, and be consistent with the final FCP/Tree Save Plan.
- A final Forest Conservation Plan (FCP) must be approved by M-NCPPC prior to DPS approval of the sediment and erosion control plan or any clearing, grading or land disturbance of the site.

The final FCP must address all of the following issues before approval will be granted:

- 1) - A detailed Tree Save Plan shall be prepared by an ISA certified arborist as part of the FCP which fully meets the directives of M-NCPPC Forest Conservation Regulations #1-01, Section 109B. The Tree Save Plan shall include a detailed evaluation of the condition of all significant trees (as defined on the NRI/FSD and preliminary FCP; and all trees  $\geq 6$ " diameter at breast height (DBH) within the historic 9.6 acre Hayes Manor setting), and the delineation and determination of significant impacts (>30%) to their critical root zones (CRZ) based on the proposed site plan and grading.
- 2) Where significant impacts occur, all elements of the site layout shall be thoroughly re-examined to minimize the impacts. Consideration shall be given to relocating/realigning/consolidating roadway, pathways, and other impervious areas, and minimizing grading and the amount of fill and cut within the CRZ's.
- 3) After disturbance has been minimized, stress reduction measures shall be identified on the plan, as recommended by the arborist, after discussion with M-NCPPC Environmental Planning staff. The plan shall identify demolition/construction techniques and schedules, in addition to other appropriate stress reduction measures designed to minimize root destruction and promote root regeneration. Tree save measures shall include, but not be limited to, pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities.

- 4) Exceptional measures such as root aeration/hydration systems should be examined for specimen trees excessively affected by surrounding grading and/or imperviousness. Based on the arborist's recommendations and Environmental Planning staff evaluation, trees that are deemed to be savable through application of preservation techniques shall be saved.
- 5) Dozens of trees, including four specimen trees, on the site are proposed for removal or will experience significant impacts as a part of the Howard Hughes expansion. The preliminary FCP illustrates several trees as potentially saved where in fact, significant impacts are apparent in the preliminary grading and site layout. This plan must make additional efforts to preserve healthy trees throughout the site, particularly those associated with the environmental setting for the history Hayes Manor estate.
- 6) Mitigation is required for the removal of all healthy trees  $\geq 6$ " DBH on the Hayes Manor parcel at a ratio of 1:1 on an inch-per inch basis. Mitigation is also required (1:1) for the removal of all specimen trees outside of the Hayes and for all specimen trees where encroachment on the critical root zone is 30% or more. Proposed planting areas shall be on-site and shown on the final FCP. An easement must be recorded for long-term protection.
- 7) Applicant will be required to meet Forest Conservation Act requirement and will meet these requirement through a combination of on-site forest/tree retention (to be placed in Category I and II easements) and offsite reforestation or banking.

## DISCUSSION

The Hayes Manor (35/10) 9.6 acre historic site (includes residence, formal gardens, cemetery) shares its eastern border with HHMI. Howard Hughes recently purchased the Hayes Manor property. Hayes Manor dates to c1767 and is one of the earliest and best-preserved examples of Georgian style architecture in this region.

The proposed facility expansion and realigned road and associated grading, along the general boundary between Howard Hughes Medical Institute and the 9.6 acre Hayes Manor Property, will result in the removal of approximately 25 individual trees (>12" diameter at breast height-DBH) on the historic Hayes Manor parcel and approximately 1.75 acres of existing forested area on the combined Hayes Manor/Howard Hughes project area.

Environmental Planning recommends adjustments to the proposed road realignment/parking or circulation to minimize impact to existing specimen trees and visual impact to Hayes Manor (proposed road comes within 110 feet of Hayes Manor estate). The existing forested area serves to visually separate the HHMI facility from historic Hayes Manor. Recommended changes to the Preliminary Forest Conservation Plan are:

- Change grading and sidewalk alignments to further minimize or eliminate impacts to the specimen 40" diameter at breast height (DBH) silver maple (Tree No. 6), 190 feet north of Hayes Manor. Proposed tree well and retention measures are inadequate to ensure likely preservation of this tree.
- Relocating the proposed parking area on Hayes Manor (10 spaces) to either the Platt Parcel or the main HHMI campus to better maintain the environmental setting of Hayes Manor.
- Mitigation for avoidable loss of specimen trees and for trees within the historic setting of Hayes Manor, will be required (typically at a 1:1 replacement ratio- a one inch caliper tree replacement for every inch of DBH lost for specimen tree removal).

Staff agrees in concept with proposed 2.07 acre Category 1 Easement along Connecticut Avenue and Jones Bridge Road. Category II Easements can be placed over existing specimen trees to reduce overall planting requirements.

#### Forest Conservation

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) has been approved for this site. A preliminary Forest Conservation Plan has been submitted, and is approved subject to conditions that require additional efforts to preserve trees through both changes in the supporting elements of the site layout and use of prescribed stress reduction techniques. A final Forest Conservation Plan must be approved prior to DPS issuance of sediment and erosion control permits.

**Services of a qualified arborist will be required during construction and monitoring phase.**

Preservation or transplanting of existing on-site trees should be considered when feasible.

For purposes of Category I easements for Forest Conservation credit, save areas must have a minimum width of 50' with a minimum area of 10,000 square feet.

#### Water Quality

This site is located in the lower Rock Creek watershed. This property is not located within a Special Protection Area. The Countywide Stream Protection Strategy (CSPS) indicates that the stream conditions are poor and habitat conditions are fair in this subwatershed. It is listed as a Watershed Restoration Area where stream restoration, stormwater retrofit and habitat improvement efforts are highly encouraged. This proposal is not anticipated to have any measurable deleterious effects on water quality.

#### Air Quality

There should be no objectionable fumes, particulate matter or odors resulting from the proposed use. Dust is not expected to be problematic since most of the site is landscaped or improved. Proposed grading does not involve excessively large area.

#### Noise

This use is not considered to be a point source or mobile source of noise. The Montgomery County *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development* are not applicable. The Department of Environmental Protection administers the Montgomery County Code Chapter 31B Noise Control. This use is not expected to generate a noise disturbance to surrounding uses.

#### Partial List of Trees Removed as Part of HHMI/Hayes Manor Proposed Expansion on the Hayes Manor Property. Tree measure in diameter at breast height (DBH) in inches.

27"/24" Paulownia tomentosa  
48" Black Locust (Robinia pseudoacacia) Fair health  
32" Black Cherry (Prunus serotina)  
24" Bur Oak (Quercus macrocarpa)  
20" Chinese Chestnut (Castanea mollissima)  
39" Paulownia  
37" Black Locust  
37" Black Walnut (Juglands nigra)  
68" Sycamore (Platanus occidentalis) poor health/form  
20" Golden Rain Tree  
29" Black Walnut



25" Black Walnut  
26" Pin Oak (*Quercus* sp)  
19" Red Oak (*Quercus rubra*)  
26" Pin Oak  
34" Tuliptree (*Liriodendron tulipifera*)  
13" Black Walnut  
23" Box elder (*Acer negundo*)  
24" Ash (*Fraxinus pennsylvanica*)  
34" Box elder  
24" Ash  
13" Black Cherry (*Prunus serotina*)  
13" Black Cherry  
15" Red Oak  
26" Black Locust



Hayes Manor (South Façade) 2002

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cc Patton Harris Rust & Associates, Trisha Monday and Nat Ballard  
Gwen Wright, M-NCPPC, Historic Preservation Coordinator  
Cathy Conlon, M-NCPPC, Forest Conservation Coordinator

July 24, 2003

**MEMORANDUM**

TO: William Landfair, Coordinator  
Development Review Division

VIA: Daniel Hardy, Supervisor *DKH*  
Transportation Planning

FROM: Shahriar Etemadi, Coordinator *SE*  
Transportation Planning

SUBJECT: S-1565-A, Howard Hughes Medical Institute, Bethesda

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This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject application.

**RECOMMENDATION**

Transportation planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this application.

1. At the time of subdivision, dedicate 60 feet from the centerline of Connecticut Avenue, if needed, to reflect the 120-foot of right-of-way recommended in the Bethesda-Chevy Chase Master Plan.
2. At the time of subdivision, dedicate 40 feet from the centerline of Jones Bridge Road, if needed, to reflect the 80-foot of right-of-way recommended in the Bethesda-Chevy Chase Master Plan.
3. Provide funding to the Department of Public Works and Transportation (DPWT) to implement the following mitigating measures as agreed with the County Executive staff:

- a) Funding for the installation of three bus shelters and three real time transit information signs. The location of these installations in the study area will be determined by the division of Transit Services.
- b) Funding for the installation of 3,120 linear feet of sidewalk in the Bethesda-Chevy Chase Policy Area.

### **Annual Growth Policy Guidance**

Section TA5.2 of the Annual Growth Policy (AGP) includes special provisions for Corporate Headquarters. The AGP states that any applicant for a preliminary plan of subdivision in any policy area need not take any action under Policy Area Transportation Review (PATR) or Local Area Transportation Review (LATR) if several conditions are met. The referenced petition meets those conditions. (Please see the Attachment for the complete section of this provision in the AGP.)

The petitioner is using this provision to pass PATR and LATR. Due to the provision, the petitioner is not required to mitigate traffic impacts following quantitative methods. For example, there is currently no staging ceiling capacity for jobs in the Bethesda-Chevy Chase Policy Area. There is a negative capacity of 301 jobs as of June 30, 2003, and the applicant is adding 150 jobs. Also, the applicant has agreed to the limited mitigation measures stated in the conditions for approval of this application to address the fact that at three LATR study intersections, the petition will increase congestion at intersections where the background congestion level exceeds the congestion standard.

The provision of TA5.2.5, Mode Share Goal in the AGP indicates that "each applicant must commit to make its best efforts to meet mode share goals set by the Planning Board as a condition of approving the subdivision". The Planning Board has not established a mode share goal for the Bethesda-Chevy Chase Policy Area.

### **Local Area Transportation Review**

A traffic study was prepared to determine the impact of this proposal on the local area transportation network. The study concluded that the new developments on campus would generate a total of 108 and 112 trips during the peak hour of the weekday morning and evening peak periods, respectively. The trip rates were determined based on the current number of trips generated by the Howard Hughes Medical Institute (HHMI) employees at the Institute.

Generated trips from the site were added to the existing and the background traffic (trips from area developments that are approved but not built) to determine the total future traffic. Six intersections were evaluated to determine their level of congestion. The results are shown in the following table.

Intersections	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Connecticut Ave/Jones Bridge Rd/ Kensington Pkwy	1778	1676	1821	1755	1827	1762
Connecticut Ave/Manor Rd*	1328	1354	1356	1684	1364	1693
Connecticut Ave/East-West Hwy*	1738	1725	1676	1631	1677	1631
Platt Ridge Rd/Jones Bridge Rd	773	965	776	974	778	982
Manor Rd/Jones Bridge Rd	679	906	685	945	685	946
Rockville Pike/Jones Bridge Rd/ Center Dr*	1528	1825	1455	1553	1455	1556

\* Analysis includes programmed improvements at these intersections.

As shown in the above table, the total future traffic for three of the intersections in the study area would operate above the congestion standard of 1650 Critical Lane Volume for the Bethesda-Chevy Chase area. The background conditions reflect improvements at three of the intersections as follows:

1. The Maryland State Highway Administration and other private developers have committed to fund an eastbound left-turn lane on East-West Highway at Connecticut Avenue.
2. DPWT has approved funding for adding a second southbound left-turn lane along Rockville Pike at Jones Bridge Road and a second exclusive westbound left-turn lane along Jones Bridge Road.
3. The developer of Chevy Chase Lake East is committed to fund improvements at the intersection of Connecticut Avenue and Manor Road. These improvements involve lane reconfiguration along the westbound approach of Manor Road and lengthening the southbound left-turn lane along Connecticut Avenue at Manor Road.

At the same three intersections described above, the total future condition exceeds both the background condition and the congestion standard in either one or both morning and evening peak hours. Without the provision of AGP Section TA5.2, the petitioner would be required to either provide additional intersection capacity or otherwise mitigate the effect of the site-generated trips. The applicant and the County have agreed to a number of mitigation measures in order to address local congestion demonstrated by LATR. These mitigations are the conditions for approval of this special exception and the subsequent subdivision plan.

HHMI is providing for the cost of installing three bus shelters and three real time transit information signs. The location of these facilities will be determined by DPWT later. It is understood that each bus shelter costs \$10,000 and each real time transit

information sign costs between \$10,000 and \$20,000 depending on the proximity of utility lines. The funding provided by HHMI will be based on these ranges of costs.

The County has a backlog of unfulfilled requests for installing sidewalks. The Institute has agreed to provide funding for installation of 3,120 linear feet of sidewalk in the Bethesda-Chevy Chase Policy Area. This agreement is based on the estimated cost of \$35 per linear foot of sidewalk.

Because the proposed actions require approval of both a special exception petition and a preliminary plan of subdivision, the APF finding will occur at the time of subdivision. Staff finds, however, that based on the County policy specified in the AGP, the special exception petition has no adverse effect on transportation conditions.

### **Master Plan Recommendations**

The 1992 approved and adopted master plan for the Bethesda-Chevy Chase area includes the following roadway classification recommendations:

1. Connecticut Avenue is a six-lane divided major highway with 120-feet of right-of-way.
2. Jones Bridge Road is an arterial roadway with 80-feet of right-of-way and a recommended 48-feet of pavement width.

Tax maps suggest that the Master Plan recommended right-of-way is already in public ownership. The extent of any dedication required to achieve the Master Plan recommended right-of-way will be determined at time of subdivision.

The Maryland Department of Transportation has recently announced their intent to study the feasibility of a bus rapid transit system from Silver Spring to Bethesda that utilizes Jones Bridge Road from Jones Mill Road to MD 355. This announcement prompted the County Council to request that the Planning Board study the feasibility of a Jones Bridge Road Busway and report back to the Council in July 2003. The Planning Board staff conducted a preliminary planning study and concluded that the Jones Bridge Road Busway does not merit further study. This option would have required grade separation of the busway with Connecticut Avenue and would have a physical impact on properties including HHMI along the busway alignment. The Planning Board has recommended and the County Council has unanimously agreed with the Planning Board's finding that the Jones Bridge Road Busway is not a preferable option.

### **Site Access and Circulation**

The vehicular access to the site will be onto Connecticut Avenue via Manor Road and onto Jones Bridge Road via Platt Ridge Drive. The intersections of Connecticut Avenue/Manor Road and Jones Bridge Road/Platt Ridge Drive are signalized and provide for full traffic movements. Sidewalks are provided along the site frontage on

Connecticut Avenue and Jones Bridge Road. Internal circulation is adequate. Overall, vehicular and pedestrian traffic facilities are adequate.

### **Policy Area Review/Staging Ceiling Analysis**

The site is located within the Bethesda-Chevy Chase Policy Area, which has a negative capacity of 301 jobs and 5,595 housing units as of June 30, 2003.

SE:ct

Attachment

mno to landfair re hhmi.DOC

**TA5.1.3 Size**

The size of the facility must not exceed 100,000 square feet.

**TA5.1.4 Transportation**

If the facility is not within one-quarter mile of the training facility or corporate headquarters, the employer must provide transportation between the facility and the corporate headquarters to mitigate the trips otherwise associated with the use of the facility by other than on-site employees.

**TA5.1.5 Limits on Public Use**

At least 50 percent of the weekday use of any hotel or motel rooms must be by the corporate sponsor.

**TA5.1.6 Limits on Meeting Space**

Meeting space in any hotel or motel must not exceed 20% of the total area of the building.

**TA5.1.7 Development Approval Payments**

The applicant must pay the Expedited Development Approval Excise Tax that would be due on the facility, taking any applicable credits into account, if the Alternative Review Procedure for Expedited Non-residential Development Approval (TA2) were still in effect.

**TA5.2 Corporate Headquarters**

An applicant for a preliminary plan of subdivision in any policy area need not take any action under Policy Area Transportation Review or Local Area Transportation Review if the applicant meets the following conditions:

**TA5.2.1 Jobs/Location**

The applicant must have employed an average of at least 500 employees in the County for the 2 years before the application was filed, and the applicant must seek to build or expand a corporate headquarters located in a Metro Station Policy Area or a transportation management district.

**TA5.2.2 Medical Research Organization**

If TA5.2.1 does not apply, the applicant must be a nonprofit philanthropic organization that sponsors medical or bioscience research and qualifies as a Medical Research Organization (MRO) under section 170(b) of the Internal Revenue Code; the applicant must have employed at least 150 employees in the County for the 2 years before the application was filed; and the applicant must seek to build or expand a major headquarters facility located on a site of 20 or more acres.

**TA5.2.3 Size/Use**

Any new or expanded building approved under this Procedure must not exceed 900,000 square feet, and must be intended primarily for use by the applicant and the applicant's affiliates or business partners.

**TA5.2.4 Traffic Information**

Each application must include all information that would be necessary if the requirements for Local Area Transportation Review applied.

**TA5.2.5 Mode Share Goals**

Each applicant must commit to make its best efforts to meet mode share goals set by the Planning Board as a condition of approving the subdivision.

**TA5.2.6 TMO Participation**

Each applicant must participate in programs operated by, and take actions specified by, the transportation management organization (TMO), if any, established by County law for that policy area to meet the mode share goals set by the Planning Board.

**TA5.2.7 TMO Payment**

If an applicant is located in a transportation management district, the applicant must pay an annual contribution or tax, set by County law, to fund the TMO's operating expenses, including minor capital items such as busses.

**TA5.2.8 Development Approval Payment limits**

The applicant must pay the applicable Development Approval Payment (DAP) as provided in County Code §8-37 through 8-42, but not more than the DAP in effect on July 1, 2001.

**TA5.3 Hospital in R&D Village Policy Area**

An applicant for a preliminary plan of subdivision to build or expand a hospital located in the R&D Village Policy Area need not take any action under Policy Area Transportation Review or Local Area Transportation Review if the applicant meets the following conditions:

**TA5.3.1 Size Limit**

Any new or expanded building approved under this Procedure must not exceed, in the aggregate, 350,000 square feet.

**TA5.3.2 Traffic Information**

Each application must include all information that would be necessary if the requirements for Local Area Transportation Review applied.

**TA5.3.3 Mode Share Goals**

Each applicant must commit to make its best efforts to meet mode share goals set by the Planning Board as a condition of approving the subdivision.