



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

MCPB No. 13-75
Site Plan No. 81998022F
QIAGEN Campus at Germantown Business Park
Date of Hearing: June 6, 2013

JUL 5 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on September 25, 1990, the Montgomery County District Council approved Local Map Amendment G-662 ("LMA") to reclassify 16.5 acres, the outer portion of the 18.4 acre Subject Property (as hereafter defined) to the OM zone, while the innermost portion of the Subject Property remained in the I-1 zone; and

WHEREAS, the Schematic Development Plan approved with the LMA included binding elements pertaining to coverage FAR, green area, parking setbacks, building setbacks building height; and

WHEREAS, on April 22, 1998, the Planning Board approved Site Plan No. 819980220, for 231,600 square feet of office on the OM zoned land, and parking in the I-1 zoned-land, all located on the west side of Germantown Road (MD 118) and north of Dawson Farm Road ("Subject Property"), in the Germantown West Policy Area, in the Germantown Master Plan ("Master Plan") area; and

WHEREAS, the Subject Property consists of multiple lots, which will be consolidated into one lot (Lot 7) through approval of a minor subdivision record plat submitted September 20, 2012; and

WHEREAS, on January 24, 2000, the Planning Board approved Site Plan No. 81998022A, an amendment to the previously approved site plan, to construct 300,000 square feet of research and development ("R&D"), industrial and office uses on the Subject Property; and

WHEREAS, on October 28, 2002, the Planning Board approved Site Plan No. 81998022B, an amendment to the previously approved site plans, to construct an additional 78,300 square feet of office and 11,700 square feet of day-care, or 90,000 square feet of office with a parking waiver for 11 spaces on the Subject Property; and

Approved as to
Legal Sufficiency

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WHEREAS, on July 31, 2009, the Planning Board approved Site Plan No. 81998022C, an amendment to the previously approved site plans, for i) construction of a temporary parking facility, ii) redistribution of R&D uses (building additions), iii) revisions landscape plans, iv) addition of mechanical equipment, v) reconfiguration of the entrance drive, vi) restriping the handicap spaces, and vii) providing fire access at the rear of the building; and

WHEREAS, on October 27, 2012, the Planning Director approved Site Plan No. 81998022D as an administrative amendment to the previously approved site plans for i) reallocation of gross floor area from Building 4A and 2A to Building 3A, ii) addition of the transformers at Building 4 & 8, iii) addition of an underground fire protection vault behind Building 3A, iv) removal of the exterior stairwell on Building 3A, and v) addition of a six-foot mulch path around the storm water management pond; and

WHEREAS, on November 20, 2012, the Planning Director approved Site Plan No. 81998022E as an administrative amendment to the previously approved site plans to allow i) a hard-surface access route required by PEPCO, ii) transformers, iii) a hard-surface pathway for emergency egress from Building 2, iv) accessible egress from the parking garage; and v) the installation of a generator pad; and

WHEREAS, on August 16, 2012, QIAGEN Sciences, Inc. ("Applicant"), filed an application for approval of an amendment to the previously approved site plans to construct i) a 244,000 square foot building for office and R&D uses, ii) a 2-level parking garage, iii) add third level to an existing parking garage, iv) reconfigure of the main entry area, and v) revise the Lighting and Landscape Plans on the Subject Property; and

WHEREAS, Applicant's application to amend the previously approved site plans was designated Site Plan No. 81998022F, QIAGEN Campus at Germantown Business Center ("Site Plan," "Amendment" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 24, 2013, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 6, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application, including revisions to the Staff Report; and

WHEREAS, on June 6, 2013, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Dreyfuss, seconded

by Commissioner Anderson, with a vote of 5-0; Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley all voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Site Plan No. 81998022F to construct i) a 244,000 square foot building for office and R&D uses, ii) a 2-level parking garage, iii) add third level to an existing parking garage, iv) reconfigure of the main entry area, and v) revise the Lighting and Landscape Plans on the Subject Property by adding the following conditions:¹

Conformance with Previous Approvals

1. Development Plan Conformance

The development must comply with the binding elements of the Schematic Development Plan dated September 25, 1990, and approved with Local Map Amendment G-662.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 11981142R as set forth in Planning Board Opinion mailed February 24, 2000, unless amended.

Environment

3. Stormwater Management

The development is subject to stormwater management ("SWM") concept approval conditions in a letter from Montgomery County Department of Permitting Services ("MCDPS") dated June 21, 2012 unless amended and approved by MCDPS.

Transportation

4. Under the peak hour traffic generation by the uses, the development of the Subject Property is limited to 544,000 square feet with the following mixed use density:
- 124,450 square feet of R&D;
 - 106,430 square feet of Warehouse;
 - 229,120 square feet of Manufacturing; and
 - 84,000 square feet of Office.

Site Plan

5. Lighting

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

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b. On-site light fixtures directly adjacent to the county road and neighboring properties must be full cut-off fixtures.
- c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e. The height of the light poles must not exceed 14 feet including the mounting base.

6. Surety

Prior to issuance of first building permit within each relevant phase of development, Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. Applicant must provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety must include plant material, on-site lighting, recreational facilities, site furniture, and entrance signage within the relevant phase of development.
- c. Prior to issuance of the first building permit, Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
- d. Bond/surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

7. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by Staff prior to approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities associated with each parking facility or building must be installed prior to release of any building occupancy permit.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion, the final forest conservation plan, the sediment

- control plan, the Staff inspection and approval of all tree-save areas and protection devices.
- c. The development program must provide phasing for installation of on-site landscaping and lighting associated with each parking facility or building, subject to seasonal requirements.
 - d. Landscaping associated with each parking facility or building must be completed as construction of each parking facility or building is completed, subject to seasonal requirements.
 - e. Pedestrian pathways and seating areas associated with each parking facility or building must be completed as construction of each parking facility or building is completed.
 - f. The development program must provide phasing SWM, sediment and erosion control and other features.

8. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided is subject to M-NCPPC Staff review and approval:

- a. Include the SWM concept approval, Fire and Rescue approval letter, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.
- b. Add a note to the Site Plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards enumerated in the Staff Report.
- d. Ensure consistency of all details and layout between Site and Landscape Plans.
- e. Modify the Landscape Plan to provide a pathway and possible stair for hose access to the 2-level parking garage from Germantown Road (MD 118) to be approved by Staff and Fire & Rescue Staff.

BE IT FURTHER RESOLVED, that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED, that all site development elements as shown on QIAGEN Campus at Germantown Business Center drawings stamped by the M-NCPPC on May 17, 2013, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board **FINDS**, with the conditions of approval, that:

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.*

On September 25, 1990, the District Council approved Local Map Amendment G-662 with the Schematic Development Plan. This approval only rezoned the outermost portions of the property (near Germantown Road and Dawson Farm Road) and included binding elements specifically pertaining to the building coverage, FAR, green area, parking setbacks, building setbacks and building height on the OM portion of the Subject Property. The Schematic Development Plan illustrated office uses (within 3 to 5-story building) and surface parking facilities. It did not include the I-1 portion of the Subject Property. A note on the plan regarding the development phasing established that the Schematic Development Plan shall not occur until the transportation network improvements had been agreed on and finalized. The development phasing for the Subject Property was based on more detailed information (e.g. a traffic study) and approved with previous approvals.

The Application conforms to the binding elements of the Schematic Development Plan as demonstrated in Table 2 of the Staff Report.

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 approved under Chapter 56.*

Within the I-1 zoned portion of the Subject Property, the uses are allowed, and the Site Plan fulfills the purpose by accommodating small to medium scale industrial activities, including R&D, warehousing and storage activities, light manufacturing and assembly of products, and other similar uses. This Application meets the maximum building height, coverage, floor area ratio (FAR) and setback requirements for the I-1 Zone. With respect to the green area within the I-1 portion of the Subject Property, approximately 48 percent of the area is dedicated toward green space.

Within the OM zoned portion of the Subject Property, the uses are allowed, and the Site Plan fulfills the purpose by providing locations for moderate intensity office buildings in areas outside of the central business districts. Area where high-intensity uses are not necessarily appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighboring properties. This Application meets the building height, lot coverage, FAR and

setback requirements for the OM zone. With respect to the green area within the OM portion of the Subject Property, approximately 57 percent of this area will be dedicated toward green space.

Development Standards

The following Project Data Table indicates compliance with the Zoning Ordinance. Only the standards that are affected by this amendment are listed. In accordance with the Zoning Ordinance (Section 59E-3.7) and the binding elements of the Schematic Development Plan, the off-street parking requirements for the office use remain unchanged from the previously approved Site Plan Amendment No. 81998022B. The R&D use does not have an associated parking rate calculation. However, the previously approved Site Plan Amendment Nos. 81998022A, 81998022C and 81998022D assumed the parking rate calculations of the industrial, manufacturing establishment or warehouse for these particular uses, including R&D.

Project Data Table for the I-1 and OM Zones

	Required By I-1 Zone	Approved by the Planning Board and Binding on the Applicant (within I-1 Zone)	Required By OM zone & the Binding Elements	Approved by the Planning Board and Binding on the Applicant (within OM Zone)
Max. Building Height (ft.)	120 ft. (approx. 10 stories)	79 ft. (approx. 6 stories)	5 stories	5 stories (approximately 60 ft.)
Min. Green Area	10 %	47 %	20 %	57 %
Max. Building Coverage	N/A	N/A	20 %	13 %
Min. Building Setbacks				
From Master Plan ROW (ft.)	N/A	N/A	15 ft.	55 ft.
From Adjacent Residential Properties toward the northwest (ft.)	50 ft.	150 ft.	20 ft.	35 ft.
From Adjacent Industrial Property toward the northeast	N/A	35 ft.	20 ft.	35 ft.

(ft.)				
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Parking Calculations

	Required	Approved by the Planning Board and Binding on the Applicant
Structured Parking Facilities		
Standard Spaces	N/A	958 spaces
ADA Spaces	N/A	17 spaces
Entry Area (structured)		
Standard Spaces	N/A	12 spaces
ADA Spaces	N/A	2 spaces
Surface Parking Facilities		
Standard Spaces	N/A	36 spaces
ADA Spaces	N/A	6 spaces
Total Parking Spaces	942 spaces*	1,031 spaces
Min. Motorcycle Spaces	16 spaces	16 spaces
Min. Bicycle Spaces	32 spaces	32 spaces

*Required Parking Calculations

- Office Space (84,000 sf. @ 3 spaces/ 1,000 sf.) = 252 spaces
- R&D, Manufacturing/ Production and Warehouse & Distribution space (460,000 sf. @ 1.5 spaces/ 1,000 sf.) = 690 spaces

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

The original conceptual plan (as shown on the Schematic Development Plan) was never constructed. The Applicant, upon acquisition of the Subject Property to accommodate its use, amended the Preliminary and Site Plans in February 2000, establishing new lots lines, a new mix of uses, square footage allocations and maximum peak hour trips.

Vehicular Circulation

With regards to the vehicular circulations systems, the total peak hour trips from this Application do not exceed the original approval. Based on the traffic analysis and statement, the Subject Property will generate 130 less AM peak hour trips and 74 less PM peak hour trips when compared to the previous approvals.

Therefore, the vehicular circulation will be adequately accommodated on-site and will not negatively impact the surrounding intersection improvements.

Locations of Buildings and Structures

The buildings are centrally located, which is appropriate for the character envisioned by the Master Plan. The building locations and orientations provide safe access to the parking structures and allow maximum sun exposure within the entrance courtyard during the peak hours of the day. This Application will remove the temporary surface parking lot, and replace it with a 5-story building (244,000 square feet) and a 2-level parking structure. In addition to these improvements, a third level will be added to the existing parking structure. The building height of the new 5-story building (approximately 60 feet) is measured from the top of the roof surface to the average elevation of the grade at the front of the site. The building is designed to comply with the County's Green Building Law, and is compatible with the existing campus facilities. The parking structures step down to surface parking facilities directly adjacent to the entrance of site, in order to maximize the major views and sunlight into the site. The parking structures will be adequately buffered by the planted berm along MD 118. The upper level parking deck will appear as a surface parking lot to the extent that it may be visible from the roadway. The locations of the buildings and structures are adequate, safe and efficient, while meeting the aesthetic concerns of the surrounding area, and do not pose any safety concerns on the site.

Pedestrian Circulation, Open Space and Landscaping

The entry courtyard contributes to an attractive "main street" campus environment directly adjacent to the formal drop-off, loading and parking areas. The buildings are arranged to reinforce the courtyard's edge, which is the terminus of the main access to the site. The plantings provide a screen for the parking facilities, and frame major views into the site. Shade trees and lighting fixtures are provided along the driveway and sidewalks to enhance the pedestrian environment. The campus setting encourages parking near the entrance of the site, and provides pedestrian sidewalks to guide visitors toward the building entrances and central green spaces areas. The pedestrian linkages also safely connected into the existing sidewalks along Germantown Road and throughout the campus. The open space areas blend into the existing green space areas, and provide an adequate landscape buffer between the development and neighboring residential properties toward the north. Some of the open spaces will serve as SWM quantity controls, which connect into the existing on-site extended detention pond within the rear yard of the Subject Property.

Lighting

Interior lighting will create enough visibility to provide a safe environment, but will not cause glare on the adjacent roads or properties. There are no recreation facilities required for this Site Plan, but seating areas and bicycle facilities are provided. Pedestrian access from the adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. The vehicular circulation pattern efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. The building locations, open spaces, landscaping, site details and circulations systems adequately and efficiently address the needs of the uses, while providing a safe work environment.

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

This Application will initiate the next phase of the development. The 5-story building and parking facilities are compatible with the adjacent and confronting uses. The existing streetscape along MD 118 will be enhanced with additional landscape plantings to adequately buffer visual impacts of the new 2-level parking garage from the roadway. Both parking structures are adequately buffered from the roadway and the surrounding residential properties, and will not adversely impact the adjacent uses. The campus expansion will increase the building coverage to approximately 13 percent (not including the parking structures); however, by consolidating the uses into one building, instead of two separate buildings (as previously approved) the energy consumption, building materials and construction activity will be reduced.

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.*

The Final Forest Conservation Plan was approved on April 22, 1998, by the Planning Board in conjunction with Site Plan No. 819980220. A Plan of Compliance was submitted (dated November 28, 2012), which reflects all the changes within this Application. These changes are within the approved Limits of Disturbance and will not have any impacts on the conservation easements onsite. This Application is in compliance with Chapter 22A of the Montgomery County Code.

The SWM concept was approved by the MCDPS on June 21, 2012, and will meet the required SWM goals via green roofs, micro bio-filters and bio-swales. All existing improvements will continue to be served by existing SWM facilities.

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

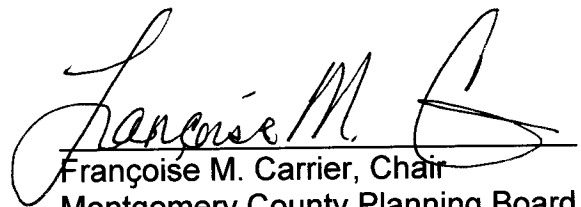
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 5 2013 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, June 27, 2013, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board