



MCPB
Item No.
Date: 10/07/21

Mandatory Referral No. MR2021025: Request by WSSC for a Laboratory Building Expansion

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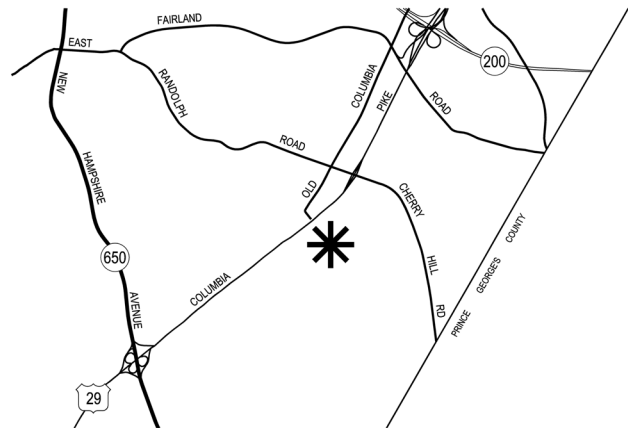
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Completed: 9/30/21

Description

- Mandatory Referral for a 12,000-square foot addition and site modification for an existing laboratory.
- Location: 12245 Tech Road, Silver Spring
- Zone: CR-0.75 C-0.75 R-0.25 H-75
- Master Plan: 2014 *White Oak Science Gateway Master Plan*
- Size: 9.87 acres
- Application Accepted: August 11, 2021
- Applicant: Washington Suburban Sanitary Commission (WSSC)



Summary

- Staff recommends approval of the Mandatory Referral and transmittal of comments to WSSC.
- The proposal is exempt from Chapter 22A, the Forest Conservation Law and does not require a Forest Conservation Plan.
- The Planning Board review of the Mandatory Referral is advisory.

RECOMMENDATIONS

Staff recommends approval and the transmittal of the following comments to the Washington Suburban Sanitary Commission (WSSC):

1. The Applicant must receive a final Stormwater Concept Plan approval from the Montgomery County Department of Permitting Services (MCDPS).
2. Prior to construction, the Applicant must receive a Final Forest Conservation Plan from the Maryland Department of Natural Resources (DNR).

PROJECT DESCRIPTION

Background

The Washington Suburban Sanitary Commission (WSSC) conducts water and wastewater services at the existing Consolidated Laboratory Facility. The laboratory facility, which was built in 2001, is located at 12245 Tech Road in Silver Spring and annually performs more than 500,000 tests to support WSSC water and wastewater services. The results of these tests are used to inform operational changes, adjust treatment processes and comply with regulatory reporting requirements for numerous WSSC facilities and distribution systems.

Surrounding Neighborhood

Commercial properties, including Westech Village Corner, are located north of Broadbirch Drive and east of Tech Road. Montgomery County Public Schools (MCPS) West Farm Bus Depot is located to the immediate south on Bournefield Way. The State of Maryland has a full-service Motor Vehicle Administration (MVA) office located to the west at the intersection of Old Columbia Pike and Industrial Parkway. Additional commercial and light industrial properties are located between Industrial Parkway and Tech Road.

Site Description

The WSSC Consolidated Laboratory Facility is located at Broadbirch Drive and Tech Road (Figure 1). The existing one-level building is approximately 25,680 square feet in size with surface parking spaces located immediately south and west of the existing building. Tech Road provides the only access to the Property. An existing wooded area surrounds the Property's northern, eastern and southern boundaries. Approximately 2.5 acres of the wooded area is within an existing forest conservation area. The Maryland Department of Natural Resources (DNR) is leading the forest review of this application.



Figure 1: The location of the WSSC lab facility.

Project Description

WSSC proposes to expand the existing laboratory by approximately 12,000 square feet to address anticipated future testing services over the next two decades. New features on the Property will include a new circular driveway to serve emergency response vehicles, modifications to the existing parking areas to improve circulation and increase the number of spaces, and new stormwater management areas to accommodate the additional runoff from the proposed development (Figure 2). The one-level building addition will take place on the northern portion of the existing building (Figure 3).

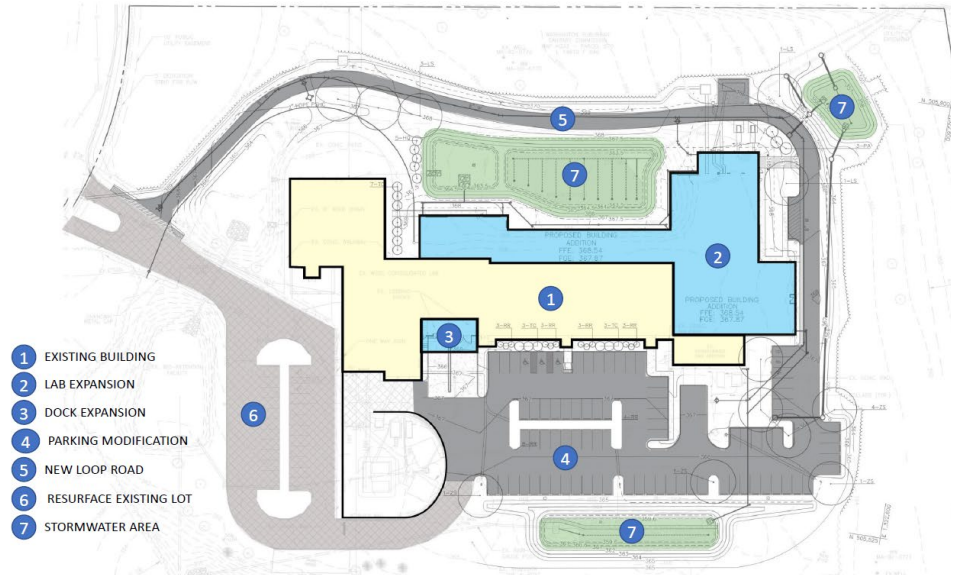


Figure 2: Existing and proposed changes at the WSSC lab.

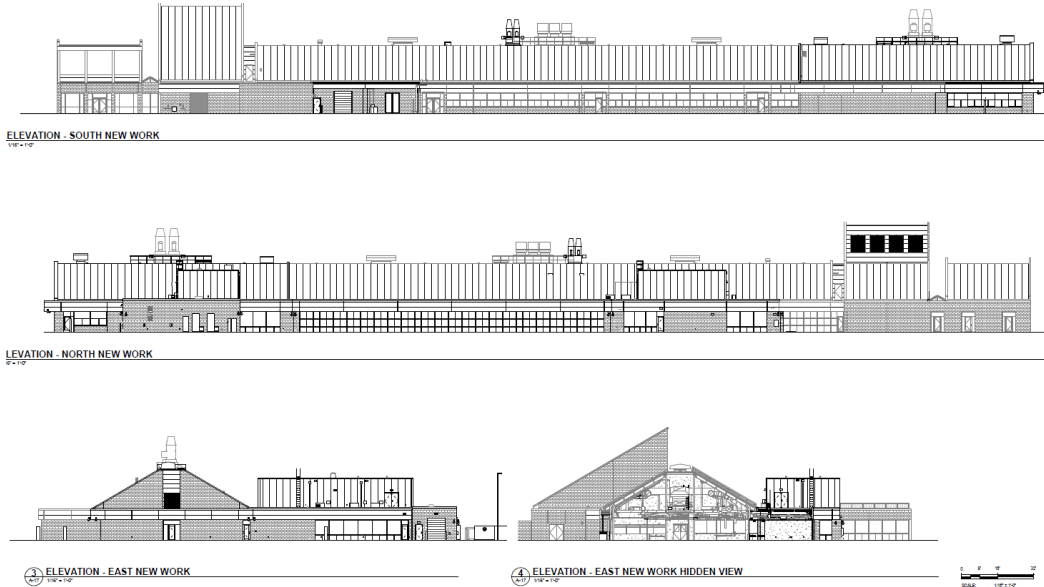


Figure 3: Proposed elevations for the new building addition.

MANDATORY REFERRAL ANALYSIS AND FINDINGS

Mandatory Referral review is guided by the *2001 Montgomery County Department of Park and Planning Uniform Standards for Mandatory Review*, as amended, and through the authority granted through the Maryland Land Use Article, Section 20-301, et.seq. As set forth in Sections 20-301 and -302, the Montgomery County Planning Board has jurisdiction over mandatory referral projects presented by Montgomery County government for (i) acquiring or selling land; (ii) locating, constructing or authorizing a road, park, public way or ground, public building or structure, or public utility; or (iii) changing the use of or widening, narrowing, extending, relocating, vacating or abandoning any of the previously mentioned facilities. The Planning Board must review such projects and approve the proposed location, character, grade and extent of the activity.

As described in the Uniform Standards for Mandatory Referral Review, the Planning Board considers all relevant land use and planning aspects of the proposal including, but not limited to, the following:

1. *whether the proposal is consistent with the County's General Plan, functional plans such as the master plan of highways, environmental guidelines, the approved and adopted area master plan or sector plan, and other public plans or programs for the area;*

The proposed Mandatory Referral is within the 2014 *White Oak Science Gateway Master Plan* area. The WSSC property is located in the Life Sciences-FDA Village Center portion of the plan area. The Master Plan recommends the Commercial Residential (CR) zone for this and other properties in the Life Sciences/FDA Village Center "to encourage redevelopment and provide land use flexibility" (p.50). The Master Plan provides specific land use, urban design and mobility recommendations for larger properties with significant redevelopment potential. It did not provide any specific recommendations for the WSSC property. Research and development uses, such as the WSSC facility, are a permitted use in the CR zone.

2. *whether the proposal is consistent with the intent and the requirements of the zone in which it is located;*

The subject property is located within the Commercial Residential (CR) zone, which permits a mix of residential and nonresidential uses at varying densities and heights. The laboratory is a research and development use, which is permitted in the CR zone.

3. *whether the nature of the proposed site and development, including its size, shape, scale, height, arrangement and design of structure, is compatible with the surrounding neighborhood and properties;*

Commercial uses, including banks and restaurants, and public uses, including the Maryland Department of Transportation Motor Vehicle Administration (MVA), and a church are some of the uses that surround the existing property. Adventist Healthcare White Oak Medical Center and Orchard Center Shopping Center are located further east along Plum Orchard Drive and Cherry Hill Road, respectively. The proposed addition is compatible with the existing structure and the surrounding properties in the vicinity.

4. *whether the locations of buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*

The 2020-2024 Growth and Infrastructure Program (GIP) temporarily suspends Local Area Transportation Review (LATR) requirements for bioscience facilities. The definition of a bioscience facility in the County Code, Section 52-39, states that “any biological research and development or manufacturing facility that substantially involves research, development or manufacturing of:

- (1) biologically active molecules,
- (2) devices that employ or affect biological processes,
- (3) devices and software for production or management of specific biological information, or
- (4) products or materials that purify or handle biologically active products”.

According to WSSC, the laboratory facility involves items two and four of the above definition of a bioscience facility.

5. *whether the proposal has an approved NRI/FSD and a preliminary SWM concept plan, and meets the requirements of the Forest Conservation law (Chapter 22A of the County Code). Forest Conservation Plan, if applicable, must be approved by the Planning Board, either before or at the time of the Board’s mandatory referral review and action on the project. Unlike the mandatory referral review by the Board, the conditions of the Forest Conservation Plan are binding on all county projects.*

This project is exempt from Article II of the County’s Forest Conservation Law under Section 22A-5(f) because it is a governmental project reviewed for forest conservation purposes by the State Department of Natural Resources under the Code of Maryland Regulations. The site contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, known occurrences of rare, threatened or endangered species, or significant or specimen trees. This project is in conformance with the Montgomery County Planning Department’s *Environmental Guidelines*. A preliminary stormwater management concept plan is under review by the Department of Permitting Services.

6. *whether a Preliminary or a Final Water Quality Plan has been reviewed by the Planning Board if the project is located in a Special Protection Area. In addition, for a Water Quality Plan for a project on public property, the Board must determine if the plan meets the standards of Article V. WATER QUALITY REVIEW IN SPECIAL PROTECTION AREAS, of the County Code (pursuant to Section 19-65(d)(4));*

The subject property is not located in a Special Protection Area.

7. *whether or not the site would be needed for park use if the proposal is for disposition of a surplus school.*

The proposal is not for the disposition of a surplus school.

8. *whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan or other plans and policies for the area, or has negative impacts on the surrounding properties or neighborhood, the transportation network, the environment or other resources.*

The proposal is consistent with the 2014 *White Oak Science Gateway Master Plan* and does not have negative impacts to the surrounding neighborhood, transportation network, environment or other resources.

COMMUNITY OUTREACH

The Planning Department notified local civic and homeowners associations and other interested parties of this proposal. As of the date of this report, staff has received no correspondence on this proposal.

CONCLUSION

Staff recommends the approval of the submitted Mandatory Referral and the transmittal of comments to the Washington Suburban Sanitary Commission (WSSC).