Montgomery Planning

BELWARD CAMPUS PARCEL A SITE PLAN NO. 820220250

FINAL FOREST CONSERVATION PLAN NO. F20230020

Description

The Application seeks to construct multiple buildings with up to 757,000 square feet of above grade gross floor area for research and development, biotechnology offices, related labs, and a retail pavilion; new public and private roads; associated structured parking garages; open space improvements; and related amenities. The Phase II Site Plan is limited to the 66-acre northern portion of the 107-acre Overall Site and includes future Parcel A and future Belward Campus Drive. The Final Forest Conservation Plan applies to the entire 107-acre Overall Site.

No. 820220250
No. F20230020
Completed: 3-20-2023

MCPB
Item No. 6
3-30-2023

Montgomery County
Planning Board
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LOCATION/ADDRESS

9951 Key West Avenue

MASTER PLAN

2021 *Great Seneca Science Corridor Minor Master Plan Amendment* and 2010 *Great Seneca Science Corridor Master Plan*

ZONE

LSC-1.0, H-150T

PROPERTY SIZE

66.5 acres (Site Plan)
107 acres (Forest Conservation Plan)

APPLICANTS

Trammell Crow Company (Site Plan)
Johns Hopkins University (Forest Conservation Plan)

ACCEPTANCE DATE

October 6, 2022

REVIEW BASIS

Chapter 22A; Section 59-7.7.1.b of the Zoning Ordinance in effect October 30, 2014 and Sections 59-C-5.3 and 59-C-5.477 of Zoning Ordinance in effect on October 29, 2014.

Summary:

- Staff recommends approval with conditions of the Site Plan Application and Final Forest Conservation Plan.
- Section 59.7.3.C of the Zoning Ordinance provides a 120-day review period for Site Plan hearings. The Planning Board may, however, extend this period. On January 5, 2023, the Planning Board granted an extension of the review period for the Applications from February 2, 2023 to June 1, 2023.
- The Planning Board previously approved Preliminary Plan No. 119961100 on March 6, 1997 and Preliminary Plan Amendment No. 11996110A under Resolution MCPB No. 11-72 on November 2, 2011.
- This Site Plan is being reviewed under the previous LSC Zone development standards in effect on October 29,2014, as permitted under Section 59-7.7.1.B.1 of the Zoning Ordinance. Section 59.7.7.1.B.3.b allows old code site plans to be reviewed under the current Zoning Ordinance for parking.
- The Project proposes 757,000 square feet of above grade gross floor area and 138,000 square feet of cellar areas excluded from the density based on the definitions of GFA and cellar under Section 59-A-2.1.
- JHU has submitted Forest Conservation Plan No. F20230020 to amend the Final Forest Conservation Plan Associated with Site Plan No. 820210120 for the Overall Site.
- The Final Forest Conservation Plan proposes 25.95 acres of forest clearing, 3.85 acres retained, a mitigation requirement of 36.70 acres, and 7.33 acres of forest plantings in the 200-foot-wide Mission Hills Preserve.
- Staff has received public comments on this Application related to traffic, open space, protection of the historic farm, and future phasing.

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SECTION 1: EXECUTIVE SUMMARY

The Subject Property for the Site Plan and Forest Conservation Plan Applications is located at 9951 Key West Avenue.

The Applicant, Trammell Crow Company (TCC), is seeking approval of Site Plan No. 820220250 which is limited to the 66.5 acres of the northern portion of the 107-acre Overall Site. This Site Plan is the subject of a ground lease between the Trammell Crow Company and the Property Owner Johns Hopkins University, and which includes future Parcel A, Block C of the Johns Hopkins University Belward Campus subdivision and Belward Campus Drive.

The Applicant, Johns Hopkins University (JHU), is seeking approval of Final Forest Conservation Plan (FFCP) No. F20230020, which encompasses the entire 107 acres referenced as the Belward Tract or Overall Site. The Forest Conservation Plan was approved for the Overall Site with Amended Preliminary Plan No. 11996110A and amended in the JHU Medical Office Building Site Plan No. 820210120. This current submission of JHU's Final FCP amendment is triggered by the proposed development with the TCC Site Plan application. The purpose of JHU's FCP amendment is to modify the previously approved FFCP for the Overall Site to accommodate TCC's proposed development in their Site Plan application ("TCC Site Plan").

The Phase I Site Plan ("JHU MOB Site Plan") was approved by the Planning Board per MCPB Resolution No. 21-110 to redevelop approximately 11 acres of the southeastern portion of the Overall Site with a 126,200-square foot medical office building. This Subject Application ("TCC Site Plan", "Application", "Project", "Proposal") is the second Site Plan (Phase II) implementing a portion of Amended Preliminary Plan No. 11996110A for the Overall Site. Combined, these two developments will result in the allocation of a total gross floor area of 883,200 square feet on the Overall Site. This proposed density will be within the maximum density of 1,410,000 square feet permitted for the Overall Site by Preliminary Plan No. 11996110A and would leave a remaining total of 526,800 square feet for future development.

This Application under review proposes the construction of three (3) buildings for research and development, biotechnology offices, and related labs and a commercial pavilion that totals up to 757,000 square feet of gross floor area that is above grade. The buildings will be supported by three (3) structured parking garages and on-street parking for the commercial use. The Project includes a combined total of 138,000 square feet of below grade space. A subtotal of 126,000 square feet of R&D and Office cellar space and 12,000 square feet of commercial cellar space is excluded from the definition of gross floor area (GFA) under Section 59-A-2.1.

The Site Plan will construct a new internal network of private and public roads, including Belward Campus Drive, which bisects the Overall Site into northern and southern portions. To accompany the previously approved 200-foot-wide Mission Hills Preserve, between the Site and the Mission Hills community to the north, the Site Plan proposes to construct 6.86 acres in this phase towards the 14-acre master-planned Muddy Branch Park (to be a privately owned public space). The remainder of the Park will be constructed in future phases. The Site Plan will also provide a minimum of 0.54 acres (with security fence) or up to 1.06 acres (without security fence) for the Urban Green that is connected

to Muddy Branch Park via an internal system of pathways and separated bicycle facilities. The Project will construct a portion of the master Planned Life Sciences Loop (LSC) Trail.

SECTION 2: RECOMMENDATIONS AND CONDITIONS

SITE PLAN 820220250

Staff recommends approval of Site Plan No. 820220250 for the development of Phase II of the Belward Farm Overall Site ("Site Plan", "TCC Site Plan", "Project", or "Application"). The development must comply with the applicable conditions of approval for Preliminary Plan No. 119961100 approved on March 6, 1997 and Preliminary Plan Amendment No. 11996110A, as listed in the MCPB Resolution No. 11-72 dated November 2, 2011, as may be amended, to the extent that such conditions relate to the area of the Belward Farm Overall Site located within the boundaries of the Site Plan (the "Property"). All site development elements shown on the latest electronic version of the Site Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.[1]

DENSITY & HEIGHT

1. Density

   The Site Plan is limited to a maximum of 757,000[2] square feet of above grade total non-residential development on the Property for Research and Development and Office[3] uses, and commercial use (such as eating/drinking establishments[4]) as follows:

   a) Building A1 with maximum of 265,392 square feet of gross floor area.

   b) Building A2 with maximum of 192,656 square feet of gross floor area.

   c) Building A4 with maximum of 298,228 square feet of gross floor area.

   d) Commercial Pavilion with a maximum of 6,000 square feet of gross floor area[5].

2. Height

   The development is limited to the maximum heights below, as measured from the building height measuring point, as illustrated on the Certified Site Plan, and excluding certain encroachments that are allowed under applicable Zoning Ordinance provisions:

   a) Building A1 - 150 feet.

   b) Building A2 - 110 feet.

   c) Building A4 - 100 feet.

   d) Commercial Pavilion - 30 feet.

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

[2] The maximum gross floor areas of the individual office buildings may change; however, the overall maximum density is 757,000 square feet.

[3] Maximum allowable office is 40% of gross floor area in the LSC zone under Section 59-C-5.21 Footnote 13 of the Zoning Code in effect on October 29, 2014.

[4] The eating/drinking use space can be changed to other permitted commercial uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

[5] If the Commercial Pavilion cannot be developed in this approved Phase or concurrent with future Phases of build-out, then a maximum of 6,000 square feet of gross floor area for commercial uses accessible to the general public is permitted on the ground floor(s) of Building A1, Building A2, and/or Building A4, in accordance with Conditions 12(a), 12(b), and 16(f).

OPEN SPACE, FACILITIES, AND AMENITIES

3. Public Use Space, Facilities, and Amenities

   a) The Applicant must provide a minimum of approximately 1,162,025 square feet (approximately 26.67 acres) of public use space (approximately 46.6% of the site) on the Property north of Belward Campus Drive as illustrated on the Certified Site Plan, with any minor deviations due to compliance with MCDOT and DPS conditions of approval, and to be reviewed by Planning Department Staff during the Site Plan Certification.

   b) Before issuance of the Use and Occupancy certificate (excluding core and shell) for the last constructed R&D/Office Building (anticipated to be A2), or whichever comes last in this Site Plan, the Applicant must construct the streetscape improvements, including the undergrounding of existing utilities, along the Property's frontage on Muddy Branch Road included in this Site Plan.

   c) Before issuance of the Use and Occupancy certificate (excluding core and shell) for the last constructed R&D/Office Building (anticipated to be A2), or whichever comes last in this Site Plan, all plantings, and amenities within the public use space areas on the Property included in this Site Plan must be completed, except for Muddy Branch Park.

   d) All landscape buffers between sidewalks and the street and between sidewalks and bikeways shall be provided as shown on the Certified Site Plan.

   e) Before issuance of the Use and Occupancy certificate (excluding core and shell) for the R&D/Office Building A2, the Urban Green (minimum of 0.54 acres with fence or up to 1.06 acres without fence) fronting Road C on the Property, as shown on the Certified Site Plan, must be completed and available for public use.

   f) Prior to clearing and grading for each phase of development, the Applicant must record a Covenant for Public Access, in a form approved by the M-NCPPC Office of the General Counsel, to apply to the required:

      a. Public use spaces and the Muddy Branch Park per the phasing noted in Condition 3(h)(iv) and 3(g)(v); and

      b. Urban Green (minimum of 0.54 acres with fence or up to 1.06 acres without fence) as shown on the Certified Site Plan and the Phasing Plan.

   g) A covenant, approved as to form and substance by the M-NCPPC Office of General Counsel, granting public access to the each of the two segments of Muddy Branch Park to be constructed with this Site Plan must be recorded prior to final completion of each segment on the Property.

   h) The Applicant must provide, design, and construct the two segments of the Muddy Branch Park ("the Park") north of Belward Campus Drive with a combined total of approximately 6.86 acres (298,821 square feet), as shown on the Certified Site Plan, as follows:

      a. The final Park design must include flexible lawn areas, terraced seating, passive recreation areas, internal pedestrian pathways including an internal loop, a dedicated rectangular athletic field, trail, seating areas, and substantial planting buffers along the western and eastern sides.

b. The Park must include a rectangular athletic field with a minimum dimension of approximately 140 feet by 230 feet for active recreation, or greater if reconfigured per Conditions No. 3(h)(iv)(ii) and 3(h)(v)(ii), and to be shown on the Certified Site Plan.

c. The final Park programming must include a focal point in the design that commemorates the former Black Gum tree which was uniquely recognizable and had a long-standing presence on the campus, as recommended by the Master Plan.

d. Muddy Branch Park, north portion/phase 1 (north of Road B-3):

    i. The required approximately 2.40 acres (104,596 square feet) of open space must be provided north of the private Road B-3 connecting to Muddy Branch Road and adjoining the Mission Hills community.

    ii. The draft schematic design must be finalized within six (6) months of the approval of the Certified Site Plan for this Site Plan. The final schematic design must be substantially similar to the preliminary schematic design required in the Certified Site Plan, as determined by Staff, or a Minor Site Plan amendment shall be filed.

    iii. Construction of the northern portion of the Park must be substantially completed as certified by the Applicant's landscape architect before the issuance of a Use and Occupancy certificate for the first building constructed under this Site Plan.

e. Muddy Branch Park, south portion/phase 2 (north of Belward Campus Drive and south of Road B-3):

    i. The required approximately 4.46 acres (194,548 square feet) of open space must be provided south of Road B-3, north and directly adjoining the northern edge of Belward Campus Drive.

    ii. The draft schematic design must be finalized within six (6) months of the approval of the Certified Site Plan for this Site Plan. The final schematic design must be substantially similar to the preliminary schematic design required in the Certified Site Plan, as determined by Staff, or a Minor Site Plan amendment shall be filed.

    iii. Construction of the southern portion of the Park must be substantially completed as certified by the Applicant's landscape architect before the issuance of a Use and Occupancy certificate for the third building constructed under this Site Plan.

i) At the time of Site Plan Certification, the plan set must include the draft schematic design of the northern and southern portions of Muddy Branch Park as shown on this Site Plan, which will be finalized within six (6) months of Certified Site Plan approval in accordance with Conditions No. 3(d)(ii) and 3(e)(ii) above.

4. Recreation Facilities

   The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP), including the trail and athletic fields. The CSP must include an exhibit delineating location, detail, and timing for installation of recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.

5. Maintenance of Public Amenities

   The Applicant is responsible for maintaining all publicly accessible amenities throughout the Site including, but not limited to pedestrian scale lighting, athletic fields and equipment, picnic/eating tables, dining chairs, benches, garage green wall, transit shelters, and specialty pavement. Furniture may be replaced or reconfigured, with like equivalents, without requiring a Site Plan amendment.

ENVIRONMENT

6. Stormwater Management

   The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter (SM File No. 239332) dated February 28, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

TRANSPORTATION & CIRCULATION

7. Transportation

   a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated March 1, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

   b) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated March 17, 2023 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary and Site Plan approvals.

   c) Before the issuance of any building permit, the Applicant must obtain approval of a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation (MCDOT).

   d) The Certified Site Plan must reflect a revised roadway design for Belward Campus Drive that satisfies Section 50.4.3.E.2.g., "Horizontal Alignment" of the Subdivision Regulations.

e) The grade and material of the Muddy Branch sidewalk and bicycle facilities must be maintained such that the sidewalk and bicycle facilities cross Road B-3 in a flush condition, subject to approval by Montgomery County DPS Right-of-Way.

f) A portion of Belward Campus Drive must be under construction at the time of the issuance of the second building permit of the three approved buildings in this Site Plan Application, or Building A4, whichever comes first.

g) Belward Campus Drive shall be fully constructed and open to traffic, as shown on the Certified Site Plan, prior to any subsequent Site Plan Application associated with additional development north or south of Belward Campus Drive.

h) Prior to issuance of the first Use and Occupancy certificate (excluding core and shell) for this Site Plan, anticipated to be Building A1, or the opening of Belward Campus Drive, whichever comes first, and subject to any necessary approvals or consent from the Maryland State Highway Administration, two (2) new traffic signals and related pedestrian improvements at the Muddy Branch Road and Belward Campus Drive intersection and Key West (MD 28) and John Hopkins Drive/PSTA Site intersection must be installed by the Applicant and operational.

i) The extension of Private Road D with the 10-foot-wide sidepath must be provided with the next development application for the area north of Belward Campus Drive and will require a subsequent Site Plan Amendment.

j) The extension of the Life Sciences Loop Trail for the Muddy Branch frontage south of Belward Campus Drive must be constructed with the Site Plan Application with corresponding frontage.

k) The continuation of the internal pathway system within Muddy Branch Park, not part of this Site Plan, must be constructed at the time of the subsequent development Application for the Park south of Belward Campus Drive. The Park's pathways must provide interconnectivity with natural surface trails through the forest conservation areas on the Overall Site as illustrated on the Final Forest Conservation Plan.

8. Private Roads

The Applicant must provide Private Roads A, B3, B4, C, and a portion of D, including any sidewalks, sidepaths, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the Site Plan within the delineated private road area (collectively, the "Private Roads"), subject to the following conditions:

a) The record plat must show the Private Roads in a Public Use Easement. The record plat must clearly delineate the Private Roads and include a metes and bounds description of the boundaries of the Private Roads.

b) The Private Roads must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to the following requirements/conditions:

i. The Applicant, at its expense, shall design, construct, and maintain the Private Roads.

ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Roads and all improvements located within the Private Roads, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every five (5) years, given that there are no below-ground parking structures in the Private Roads. The reserves must be adequate to cover the costs of needed repairs.

iii. The Applicant must post and retain signage to notify the public that the Private Roads are not publicly maintained and to provide contact information to handle complaints, concerns, or questions regarding the Private Roads.

c) Before issuance of the first building permit for this Sie Plan, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

9. Pedestrian & Bicycle Circulation

a) The Applicant must provide 85 long-term and 15 short-term bicycle parking spaces associated with the three (3) R&D/office buildings that are approved by this Site Plan.

b) The Applicant must provide an additional 15 short-term bicycle parking spaces associated with the Commercial Pavilion.

c) The long-term spaces must be in a secured, well-lit bicycle rooms in the buildings, parking garages or secure parking areas for the Project, and the short-term spaces must be inverted-U racks (or approved equal) installed along both the commercial building's frontage and in a location convenient to the main R&D building entrances (weather protected preferred). The specific locations of the short-term bicycle racks must be identified on the Certified Site Plan.

d) The Applicant must provide the following master planned pedestrian and bicycle facilities, in the exact location, design and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations, with the corresponding right-of-way/access permit(s):

iv. Muddy Branch Road frontage: In conjunction with the construction of each segment of Muddy Branch Park located north of Belward Campus Drive, construct the 16-foot-

wide tree panel, 10-foot-wide Life Sciences Loop (LSC) Trail, 6-foot-wide bike buffer, and 10-foot-wide two-way separated bike lanes.

v. Belward Campus Drive: Prior to the issuance of the Use and Occupancy certificate(s) (excluding core and shell) for the second building permit of the three approved buildings in this Site Plan Application or Building A4, whichever comes first, construct the road with sidewalks, trails, floating bus stop, and associated amenities, as shown on the certified Site Plan, and in accordance with the LSC Loop Trail Design Guidelines as follows:

    a. North side of median: 10-foot-wide sidewalk, 7.5-foot-wide tree panel, 6.5-foot-wide separated bike lane, and 6-foot-wide street buffer.

    b. South side of median: 10-foot-wide Life Sciences Center (LSC) Loop Trail, 7.5-foot-wide tree panel, 6.5-foot-wide separated bike lane, and 6-foot-wide street buffer.

vi. Road A: Prior to the issuance of the Use and Occupancy certificate(s) (excluding core and shell) for Building A4 or A1, whichever comes first and is applicable to the road segment on the Phasing Plan, construct the road with 8-foot-wide sidewalks, 9-foot-wide tree panel on the north side and 10-foot-wide up to 17-foot-wide tree panels on the south side of the street, as shown on this Certified Site Plan.

vii. Road B-3 (east/west): Prior to the issuance of the Use and Occupancy certificate (excluding core and shell) for Building A4, construct the road with 12-foot-wide sidewalk with 11-foot-wide green buffer from traffic on the south side and 6-foot-wide sidewalk and 10-foot-wide green buffer to the north side of the street, as shown on this Certified Site Plan.

viii. Road B-3 (north/south): Prior to the issuance of the Use and Occupancy certificate (excluding core and shell) for Building A4, construct the road with a 12-foot-wide sidewalk with an 11-foot-wide green buffer on the western side and a 6-foot-wide sidewalk and a 10-foot-wide green buffer on the eastern side of the street, as shown on this Certified Site Plan.

ix. Road B-4 Extension: In conjunction with the construction of Belward Campus Drive, construct the road section layout as approved in the Johns Hopkins Medical Office Building Site Plan No. 820210120, and as shown on this Certified Site Plan.

x. Road C: Prior to the issuance of the Use and Occupancy certificate(s) (excluding core and shell) for Building A1 or A2, whichever comes first and is applicable to the road segment on the Phasing Plan, construct the sidewalks of varying widths between 6-feet to 8-feet-wide and 9-foot-wide tree panels, where applicable as shown on this Certified Site Plan.

xi. Portion of Road D: Prior to the issuance of the Use and Occupancy certificate (excluding core and shell) for Building A1, construct the road with an 8-foot-wide sidewalk and 17-foot-wide tree panel on the west side and a 10-foot-wide sidewalk/bike path and 9-foot-wide tree panel on the east side of the street, where applicable as shown on this Certified Site Plan.

xii. Design the following Protected Intersections subject to approval from the Right-of-Way Division and the Fire Department Access and Water Supply Division of the Montgomery County Department of Permitting Services, the Montgomery County Department of Transportation, prior to obtaining the corresponding right-of-way/access permit(s):

a. Belward Campus Drive and Road B-3

b. Belward Campus Drive and Road C

c. Muddy Branch Road and Road B-3

d. Muddy Branch Road and Belward Campus Drive

10. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated March 16, 2023, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

SITE PLAN

11. Site Design

a) Any relocation of up to 6,000 square feet of commercial use from the Commercial Pavilion into the ground-floor of the buildings within this Application must be accessible to the public, have safe and efficient pedestrian access and vehicular circulation, and meet requirements for loading and parking; otherwise, a Site Plan amendment will be required.

b) Any commercial uses in this development that are accessible to the public must not be located within security zones, not including private commercial amenities as shown on the Certified Site Plan.

c) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A1-110, A1-111, A2-108, A2-109, A4-109, A4-110, P1-106, P2-105, of the submitted architectural drawings, as determined by M-NCPPC Staff.

d) Solar arrays must be constructed with the parking structures P1 and P1 Extension, as shown on the Certified Site Plan.

e) Transformer/utilities screening and trash enclosures for the buildings must be architecturally compatible with the principal building structures and convey a coordinated design. Any changes must be substantially consistent with the maximum height and opaque nature of the screening panels as shown on the Certified Site Plan.

f) Monument signs proposed on the Site must be architecturally compatible with the principal building structures with a coordinated design as shown at the locations on the Certified Site Plan, and as approved by DPS.

g) Tree spacing on roads will be determined by DPS under the following guidance and subject to final approval by DPS:

   a. Public

      i. Major native species trees should be planted with a maximum spacing of 40 feet on center;

      ii. ii. Minor native species trees should be planted with a maximum spacing of 25 feet on center.

   b. Private

      i. Major native species trees should be planted with a maximum spacing of 30 to 35 feet on center.

h) Site design under future Applications must examine ways to prominently integrate sustainability with the design of buildings.

i) Site design under future Applications must re-examine the alignment of the remaining portion of proposed Road D to reduce sweeping curves.

12. Accessory Structures

a) The maximum of the height of the Clearvu perimeter fencing or equivalent product with transparency, with the alignment shown on the Certified Site Plan with improvements interior to Road C, shall comply with the maximum height permitted in the zone and as approved by DPS.

b) The accessory security building and Clearvu perimeter fencing (or equivalent product with transparency) shown on the Certified Site Plan, with the alignment shown on the Certified Site Plan with improvements interior to Road C, shall only be constructed if leases are entered into between the Applicant (or their Designee) and with a tenant that requires these security elements.

c) A minor Site Plan amendment must be filed for any future changes of the approved location of the security pavilion, Clearvu perimeter fence or equivalent product with transparency, and gate, associated with the alignment shown on the Certified Site Plan with improvements interior to Road C.

13. Lighting

a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.

c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.

d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.

e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

14. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, grading, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include 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) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, screening panels, retaining walls, fences and gates, bollards, railings, building entrance features, security kiosks/guard shack, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.

c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

15. Development Program

a) The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

b) Prior to the issuance of the Use and Occupancy permit for the last building of the three buildings approved in this Site Plan Application, the Applicant must either (i) construct the Commercial Pavilion as indicated on the Certified Site Plan; or (ii), in the event that up to 6,000 square feet of retail uses are to be relocated from the Commercial Pavilion into the ground floor of the buildings in accordance with Condition 12(a), construct the alternate conditions for the Commercial Pavilion area that will be shown on the plan required at Certified Site Plan per Condition 17(f).

c) The associated parking garages (P1, P1 extension, and P2) and related improvements, such as screening, may be constructed incrementally or in subphases as shown on the Phasing Plan approved with the Site Plan.

d) Future developments north of Belward Campus Drive must be an amendment to the Subject Site Plan within the Overall Site, rather than a new site plan, for continuity with requirements of the subject approval.

16. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

a) Include the stormwater management concept approval letter, development program, relevant Resolutions and any other applicable letters on the approval or cover sheet(s).

b) Add the following notes:

i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."

ii. "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."

iii. "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times."

iv. "Final Design and Alignment of Belward Campus Drive, including protected intersections, are subject to review and approval by DPS at the time of Engineered construction plans and permitting."

v. "This Site Plan does not include approval for any roadways shown in future phases."

vi. "Flexibility may be permitted for minor changes to plant material, hardscape, light fixtures, ROW requirements, and other site plan elements on the Certified Site Plan, that do not alter conditions or findings."

vii. "No fences shall be placed around the master-planned Urban Green or open spaces recommended by the Master Plan for public use."

c) Fire and Rescue Access plan should be included in the Certified Site Plan.

d) Modify data table to reflect development standards approved by the Planning Board including the building height of accessory structures.

e) Ensure consistency of all details and layout between Site and Landscape plans.

f) The Certified Site Plan must provide a plan showing the condition of the Commercial Pavilion area if not constructed. In the interim, the Commercial Pavilion area must be graded and seeded. Hardscape materials, including but not limited to seating and tables, shall be provided to assist with activation.

g) Provide details of the exact location and treatment of screening materials for the loading area along Road B3.

h) Provide the following revisions for the parking garage P2:

a. Design the western façade of the parking garage to relate architecturally to the other buildings on the Site by adding vertical and horizontal architectural elements to further articulate the façade and meet the required minimum of 50% of ground floor screening facing the public use space (Muddy Branch Park).
b. Provide a clear, vertical focal element to terminate the view entering the site from Muddy Branch Road.
c. Provide screening with an artistic element to hide the parking on the eastern façade and meet the required minimum of 50% of ground floor screening facing the public use space (stream valley buffer area).

i) Quantify the square footage of commercial uses shown on the ground floor of buildings and show in a future phase in association with a Preliminary Plan amendment, if applicable.

j) Revise the Site Plan to include a table that quantifies tree canopy coverage and proposed locations in this Application towards the 30% requirement within the Belward District.

k) To better integrate with the abutting open space and soften the hardscape, additional landscaping elements such as evergreen shrubs with additional height (min. 3 feet) must be provided alongside the ClearVu perimeter fencing (or equivalent product with transparency) associated with Building A2 and improvements interior to Road C.

l) Provide additional tree plantings at the southeastern corner of the Park to provide additional screening between park users and the highly visible loading area on Road B3.

m) Clarify details on the lighting plan including identifying any wall mounted fixtures at lobby entrances of the buildings, as applicable.

n) Clearly delineate the approximately 7-acre environmental setting for the historic house outside of the Site Plan boundary on the vicinity exhibit.

o) Where fitness trail is referenced, provide associated equipment stations, or revise to trail.

p) Revise the road cross section for Road C to remove the public utility easement (PUE) shown.

FOREST CONSERVATION PLAN F20230020

Staff recommends approval of Final Forest Conservation Plan (FFCP) Amendment F20230020 covering Chapter 22A requirements for Site Plans 820210120 and 820220250 and amending FFCP 820210120 requirements for the Belward Farm Overall Site ("Site Plan" or "Application"). The conditions of approval for the FFCP supersede the Forest Conservation Plan conditions of approval for Preliminary Plan No. 119961100 approved on March 6, 1997, and Preliminary Plan Amendment No. 11996110A, as listed in the MCPB Resolution No. 11-72 dated November 2, 2011. All site development elements shown on the latest electronic version of the FFCP as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.

Forest Conservation

The development must comply with the Final Forest Conservation Plan subject to the following conditions:

1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
2. Prior to certification of the Final Forest Conservation Plan, the Applicant must change the title of the Final Forest Conservation Plan to Johns Hopkins Belward Property.
3. Prior to certification of the Final Forest Conservation Plan, the Applicant must add tree protection measures, such as tree protection fencing and root pruning, in the vicinity of existing trees and forest to be preserved, including variance tree No. 1.
4. The Applicant must comply with all tree protection and tree save measures shown on the approved Certified Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
5. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Certified Final Forest Conservation Plan.
6. Prior to certification of the Final Forest Conservation Plan, the Applicant must show the planting locations and species of trees planted in mitigation for the removal of the variance trees. These plantings must total at least 69.5 inches caliper of native shade trees, and each tree must be at least 3 inches caliper.
7. Prior to certification of the Final Forest Conservation Plan, the Applicant must indicate on the plans that the Mission Hills Preserve will be afforested as shown on the Certified Final Forest Conservation Plan.
8. The Applicant must install the forest plantings in the 200-foot-wide Mission Hills Preserve within two planting seasons following the release of the first sediment control permit associated with development on the Overall Site.

9. Prior to the start of any demolition, clearing or grading associated with this Site Plan, the Applicant must provide financial surety to the M-NCPPC Planning Department for the 7.33 acres of new forest planting in the Mission Hills Preserve.
10. Prior to the start of any demolition, clearing and grading associated with the first sediment control permit for this Site Plan, the Applicant must record Category I Conservation Easements over all onsite retained forest and for the forest planted within the Mission Hills Preserve as specified on the certified Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and shall allow for necessary grading for roads and associated stormwater management facilities approved by the Preliminary Plan and any subsequent site plans or amendments, as illustrated on Final Forest Conservation Plan No. 820210120, must be recorded in the Montgomery County Land Records by deed, and the Liber and Folio for the easement must be referenced on the record plat.
11. The Applicant must submit a five-year Maintenance and Management Agreement in a form approved by the M-NCPPC Office of General Counsel prior to the start of any demolition, clearing or grading on the Property. The maintenance and management agreement is required for all forest planting areas credited toward meeting the requirements of the Forest Conservation Plan, including the reforestation of environmental buffers and the planting of variance mitigation trees.
12. No clearing, grading or disturbance can occur in forest conservation easement areas that are to be abandoned until the abandonment process is completed.
13. Prior to certified final forest conservation plan, the Applicant must add a note to the plans stating that approval of the FFCP does not constitute staff approval of any conceptual road alignments shown on the plans for future phases of development.
14. The Applicant must install the remaining required on-site forest plantings within two planting seasons following the release of the second sediment control permit associated with development on the Overall Site.
15. Within one year following the release of the third sediment control permit associated with development on the Overall Site, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Muddy Branch watershed to satisfy the remaining reforestation requirement. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Muddy Branch watershed or by making a fee-in-lieu payment to M-NCPPC if mitigation credits are not available at any bank.

SECTION 3: SITE DESCRIPTION

VICINITY

The vicinity of the Property (outlined in red in Figure 1 below) is situated to the west of I-270, between the city limits of Gaithersburg and Rockville, with access to Key West Avenue (MD 28).

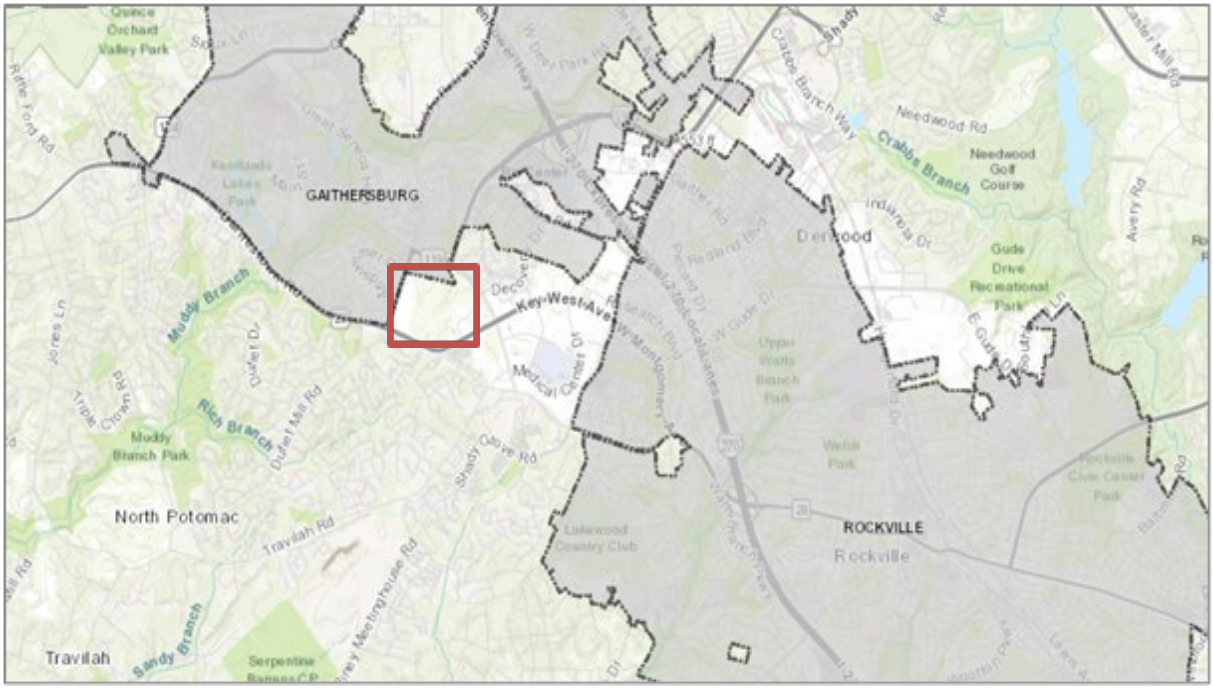

Figure 1: Project Situate (Subject Property vicinity outlined in red)

Owned by Johns Hopkins University ("JHU"), the Belward Research Campus subdivision (the "Overall Site") is located within the Life Sciences Center (LSC) of the Great Seneca Science Corridor (shown in Figure 2), and within one to two miles of various destinations including several early childhood centers and elementary schools, the Shady Grove Professional Center, the Traville Shopping Center, Johns Hopkins University, Universities at Shady Grove, the Shady Grove Adventist Hospital, and the former Public Safety Training Academy (PSTA) Site. In addition to commercial and institutional uses, the Subject Property is near residential communities including both townhomes south of Darnestown Road and single-family detached dwelling units west of Muddy Branch Road.

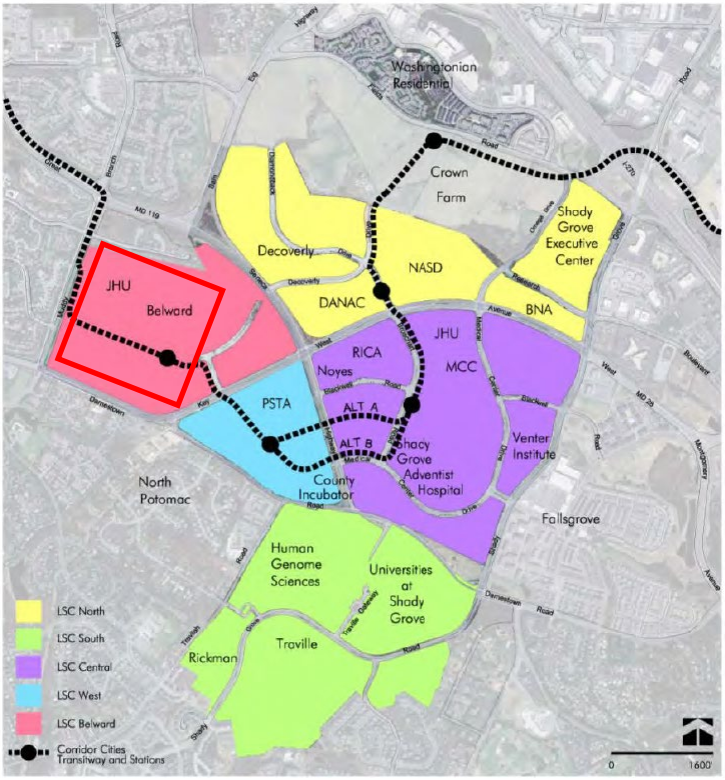

Figure 2: Life Sciences Center Districts (Subject Property highlighted in red)

More specifically, the Overall Site is comprised of approximately 107 acres of land, and is generally bounded by Darnestown Road/Key West Avenue (MD 28) to the south, Muddy Branch Road to the west, the Mission Hills subdivision to the north, and the Johns Hopkins Belward Research Campus to the east.

The Subject Property is west of Johns Hopkins Drive and a cluster of medical and biotechnology-based uses located along Key West Avenue (MD 28) and immediately east of the Belward Farm historic farmstead accessed from Darnestown Road (MD 28).

PROPERTY DESCRIPTION

The Subject Property for this Site Plan Application is located at 9951 Key West Avenue and limited to the northern portion of the Overall Site which totals approximately 66.5 acres (Figure 3 and Figure 4 – outlined in blue). This Site Plan is the subject of a ground lease between the Trammell Crow Company (TCC) – the Applicant - and the property owner (JHU), and includes future Parcel A, Block C of the Johns Hopkins University Belward Campus subdivision and Belward Campus Drive ("TCC Site Plan", "Application", "Project", "Proposal").

The Property is located within the LSC Belward District of the 2010 *Great Seneca Science Corridor Master Plan* ("GSSC Master Plan" or "Master Plan"). The LSC Belward District is recommended to be developed as a research campus with a limited amount of employee housing and includes dedicated right-of-way for a transitway.

The Overall Site, including the Subject Property, was previously used for agricultural uses, and is comprised of open field areas and stream valleys. There is one existing access point onto the Overall Site, via a driveway from Darnestown Road, that provides access to the approximately 10-acre historic Belward farmstead. The Overall Site's historic Belward Farm includes the 1891 farmhouse, barns, and outbuildings. A 6.98-acre environmental setting was established for the historic properties by the 1996 Preliminary Plan approval.

The Belward historic resource sits on the southern portion of the Overall Property but is not part of this TCC Site Plan application.

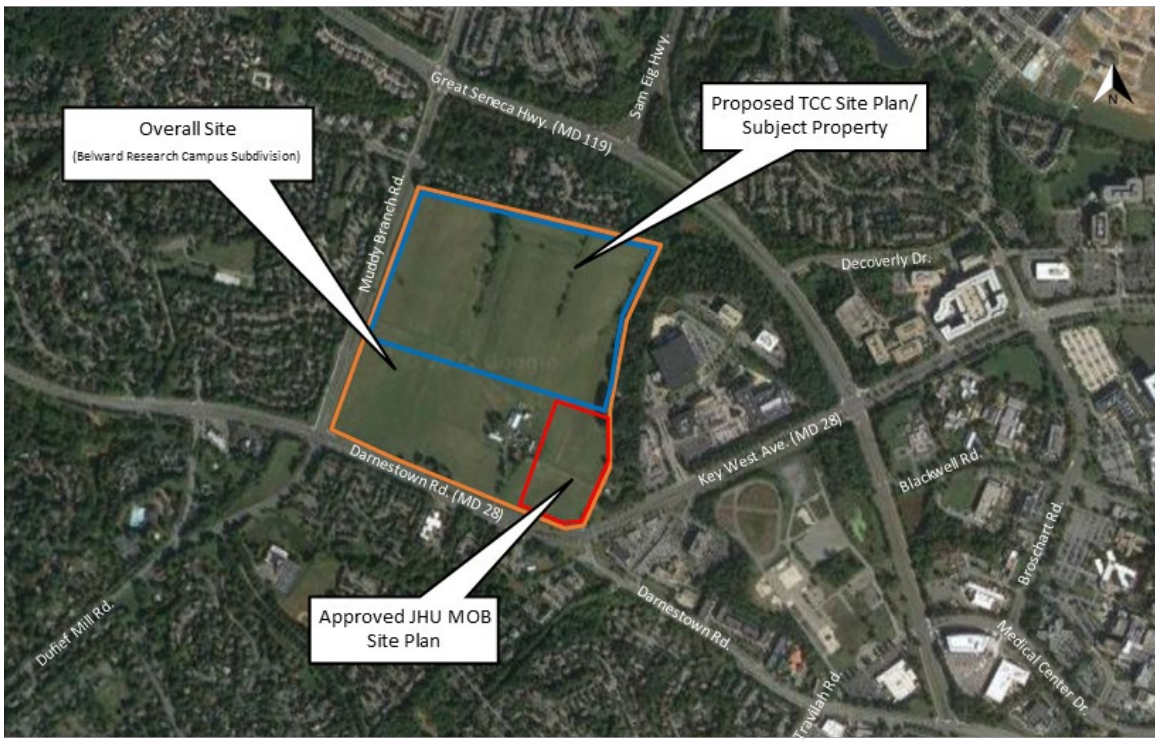

Figure 3: Overall Site, Approved JHU MOB Site, and the Subject Property (outlined in Blue)

Figure 4: Subject Property (outlined in Blue)

SECTION 4: PROJECT DESCRIPTION

PREVIOUS APPROVALS

Natural Resource Inventory/ Forest Stand Delineation No. 419962470

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for the Overall Site on June 17, 1996.

A Preliminary Forest Conservation Plan approved for the original 138 acres on November 6, 1996, was amended to conform to the new road and lot layouts being proposed in Preliminary Plan Amendment No. 11996110A.

Concept Plan

The 2010 GSSC Master Plan requires the largest property owners (sites comprised of 20 acres or more) located at proposed CCT stations to submit a Concept Plan with the first Preliminary Plan Application to "address the Plan's guidelines, including the CCT location, the highest densities and height at transit, preservation of the historic property and views of the farmstead, creation of a local street network and the LSC Loop Trail, the open space system, neighborhood buffers, and connections from surrounding residential neighborhoods (pg. 45)." Accordingly, a Concept Plan for the Subject Property was reviewed as part of Preliminary Plan No. 11996110A.

The Overall Site has been subject to several Planning Board regulatory reviews and approvals since 1997. Together, these approvals currently allow for the potential development of the Overall Site with a maximum of 1,410,000 square feet of development.

Preliminary Plan

On March 6, 1997, the Planning Board approved Preliminary Plan No. 119961100 for up to 1.8 million square feet of office and R&D use with a density of 0.3 FAR in the R&D Zone on a 138-acre tract of land. The eastern portion of the Belward Research Campus, with access from Key West Avenue, was sold and developed and is now home to Automated Precision, Inc., Novavax, GlaxoSmithKline, and Nutricia. The remaining 107 acres is undeveloped.

In 2001, the Planning Board approved an amendment to the Initial Preliminary Plan. On September 23, 2010, the Planning Board granted an extension of the validity period of the adequate public facilities approval period from the original Preliminary Plan.

An Amended Preliminary Plan, designated No. 11996110A, was approved by the Planning Board on November 2, 2011, for the redevelopment of the Overall Site with up to 1,410,000 square feet of development, subject to conditions enumerated in Resolution MCPB No. 11-72. The Amended Preliminary Plan also revised the previously approved lot (creating two (2) recorded parcels on the

Property (Parcel A and Parcel B)) and roadway configuration as shown below in Figure 5. As stated in the approved and amended Preliminary Plan No. 119961100, the Project will be served by adequate public facilities (APF), including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

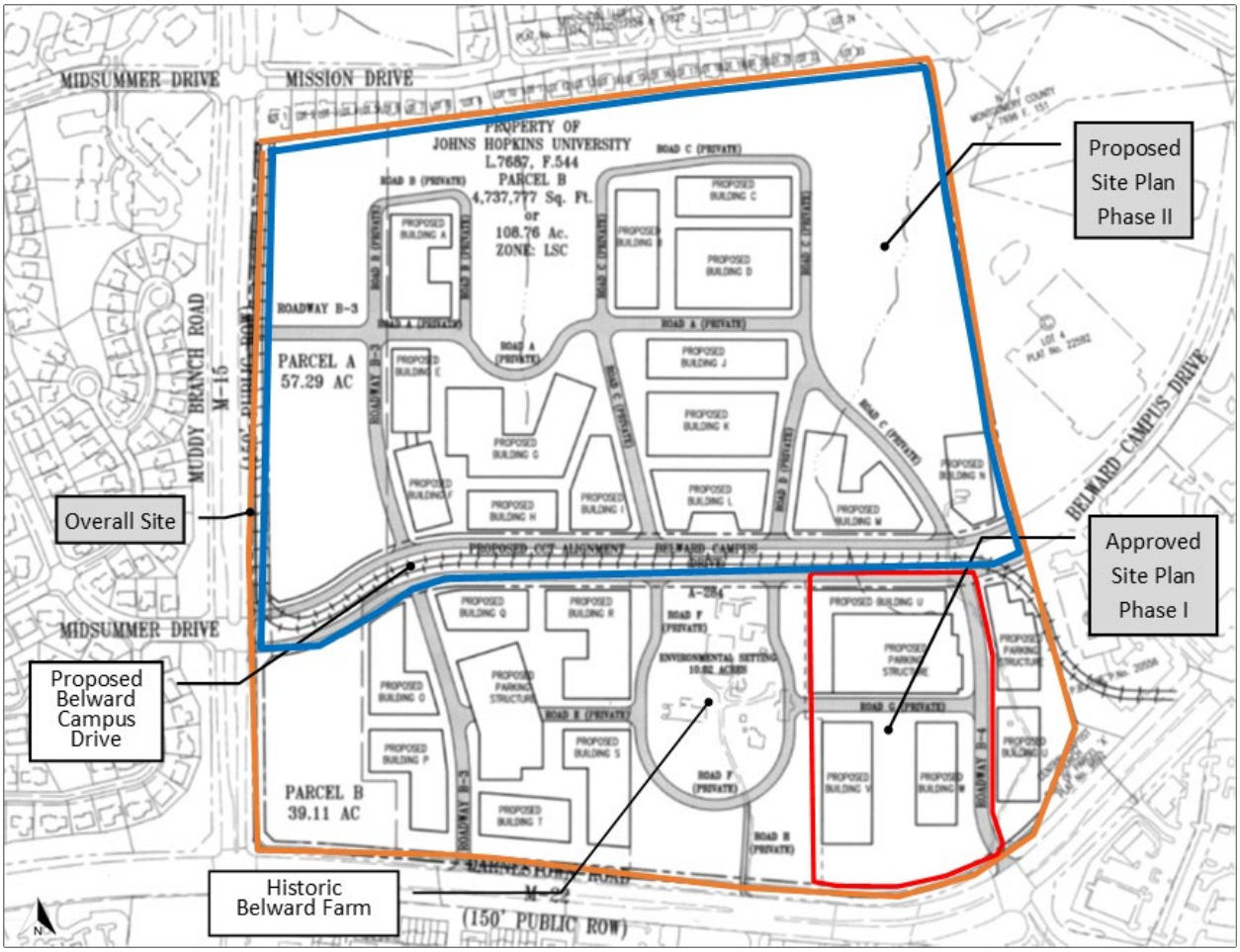

Figure 5: Approved Amended Preliminary Plan No. 11996110A

An Adequate Public Facilities (APF) validity period requires that all building permits for buildings on the recorded lots must be secured within the APF validity period established in the Resolution/Opinion. As stated in Condition No. 37 of the Amended Preliminary Plan No. 11996110A, approved in November 2011, the Adequate Public Facilities (APF) validity period for the remaining 1,410,000 square feet of R&D use is subject to the phasing schedule as follows:

- Building permits for 200,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2024.
- Building permits for of the next 500,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2026.

- Building permits for of the last 710,000 SF of the remaining 1,410,000 SF of development must be issued before April 6, 2031.

Collectively, the validity periods applied to individual phases reflect the prior Planning Board approval for an extension (2010), the subsequent Preliminary Plan Amendment (2011), and an additional 6 years via 4 years granted automatically by County Council recession extensions and an additional 2 years via a County Council Covid-19 extension.

Johns Hopkins Medical Office Building Site Plan No. 820210120

Located at 9951 Key West Avenue, the Johns Hopkins Medical Office Building (MOB) Site Plan No. 820210120 was the first application to implement a portion of Amended Preliminary Plan No. 11996110A for the Overall Site including the Final Forest Conservation Plan. The JHU MOB Site Plan application consists of a tract area of 11.18 acres and is known as Parcel B, Block C.

The JHU MOB Site Plan was approved by the Planning Board per MCPB Resolution No. 21-110 to redevelop a portion of the Overall Site with a 126,200-square foot medical office building with a maximum height of 80 feet, with surface parking, open spaces, lighting, landscaping, and other amenities. The Project will provide outpatient services in an ambulatory setting, such as imaging, radiation oncology, medical oncology, primary care, specialty care, ambulatory surgery, infusion, as well as a laboratory and pharmacy. The Project's building will have two points of access that include a main entry with a highly visible drop off area with canopy, as well as a lower entry in the building's rear that is intended to serve as a dedicated entrance for patients. The JHU MOB Site Plan will also construct a portion of master-planned Road B-4 that will eventually connect Darnestown Road to the future Belward Campus Drive. Pedestrian access is accommodated by constructing the Darnestown Road Promenade along the Darnestown Road frontage. Public use space is spready across the Property including in a farm plaza/garden area, the Darnestown Promenade and plaza with amenities, a garden area and seating, with views of the Belward farmhouse and outbuildings, and a private garden for patients.

The Final Forest Conservation Plan associated with the Overall Site, and amended with the JHU MOB Site Plan, has now been converted into Forest Conservation Plan No. F20230020.

Subdivision Record Plat No. 220220080

The Overall Site presently consists of a single recorded lot with 107.2674 acres (4,672,570 square feet) that is known as Parcel B, Block C, The Johns Hopkins University Belward Research Campus subdivision. JHU has filed a subdivision record plat application to resubdivide existing Parcel B, Block C into Parcels A and B, Block C and dedicate land to Montgomery County for the future extension of Belward Campus Drive to Muddy Branch Road. Parcel A is to be located north of Belward Campus Drive, with Parcel B located to the south. As explained in more detail in the Proposal below, this Phase

II Site Plan is limited to the northern portion of the Overall Site and includes future Parcel A and future Belward Campus Drive. This plat is pending approval.

PROPOSAL

Johns Hopkins University ("JHU") is the current property owner of the 107-acre Overall Site. The Applicant, Trammell Crow Company ("TCC"), has entered a long-term ground lease for development on the northern 66.5 acres and related off-site infrastructure improvements and, thus, has been provided authorization by JHU to submit this Site Plan Application.

The Subject Application ("TCC Site Plan") is the second Site Plan implementing a portion of Amended Preliminary Plan No. 11996110A for the Overall Site.

The Applicant seeks approval to implement the existing Preliminary Plan approval, as amended, to utilize up to 751,000 square feet of combined Research and Development (R&D)[6] use and General Office[7] use and up to 6,000 square feet for an Eating and Drinking Establishment use.

The Application proposes the construction of three (3) buildings for research and development, biotechnology offices, and related labs and a commercial pavilion that totals up to 757,000[8] square feet of gross floor area that is above grade. The buildings will be supported by three (3) structured parking garages and on-street parking for the commercial use. Below is the proposed break-down of the overall gross floor area and maximum height by each building:

- Building A1 (R&D/Office) with 265,392 square feet of gross floor area and up to 150 feet (excluding 40,000 square feet of cellar space);
- Building A2 (R&D/Office) with 192,656 square feet of gross floor area and up to 110 feet (excluding 38,000 square feet of cellar space);
- Building A4 (R&D/Office) with 298,228 square feet of gross floor area and up to 100 feet (excluding 48,000 square feet of cellar space);
- Commercial (Eating and Drinking) Building with 6,000 square feet of gross floor area and up to 30 feet excluding 12,000 square feet of cellar space).

[6] Research and Development means the study, research, and experimentation in one or more scientific fields such as life sciences, biomedical research, communications, chemistry, computer science, electronics, medicine, and physics. Research and Development also includes the development of prototypes and the marketing of resultant products and related activities, including administrative offices, educational facilities, libraries, and data services, and the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of products.
[7] Up to 302,800 square feet of the total GFA may be General Office. Per 2004 Zoning Code Section 59-C-5.21, Allowable Uses: In the LSC zone, no more than 40 percent of the gross floor area may be for general office use.
[8] The maximum gross floor areas of the individual office buildings may change; however, the overall maximum density is 757,000 square feet.

The proposed R&D, labs, and office buildings and the commercial pavilion will be located north of the proposed Belward Campus Drive, which provides a major west/east master-planned roadway connection and bisects the 107-acre Overall Site. The Application proposes that the commercial use is centrally located on the northern portion of the Subject Property and accessible from surrounding roads and the proposed open space areas. Both the at-grade and the cellar-grade commercial entrances would have direct access from the sidewalk for the public. The full potential of the commercial pavilion is envisioned with the full-build out of the 66-acre Property which includes additional buildings that are not being approved at this time. Due to the timing of favorable market conditions and the commercial building construction in this phase, the Applicant may provide a publicly accessible open lawn in this area. As conditioned, in the interim until feasible construction, the commercial building area must be graded and seeded and hardscape materials, including but not limited to seating and tables, must be provided to assist with activation.

Figure 6: Annotated TCC Site Plan

The Project includes a combined total of 138,000 square feet of below grade space which includes 126,000 square feet of R&D and Office cellar space and 12,000 square feet of commercial cellar space that is excluded from the definition of gross floor area[9] (GFA) under Section 59.1.4.2.

Per Section 59.1.4.2 of the current Zoning Code, cellar space is defined as the portion of a building below the first-floor joists of which at least half of the clear ceiling height is below the average elevation of the finished grade along the perimeter of the building. Across the three buildings, the cellar space is proposed for tenant storage, a vivarium, fitness centers for employees, and electrical/mechanical rooms. Proposed Building A1 includes a cellar level café/coffee bar and lounge space and does not count toward retail GFA. During building permit review, the Montgomery County Department of Permitting Services (MCDPS) will evaluate the Applicant's construction documents and ensure that the Applicant is permitted to build only the GFA and cellar area that meets the zoning code definition up to the maximum approved by the Planning Board.

With four (4) levels of parking, Garage P1 and Garage P1 Expansion will serve primarily Buildings A1 and A2 in this phase of construction. With five (5) levels of parking, Garage P2 will serve primarily Building A4. Additional buildings and structured garages are contemplated for future phases as described in more detail under the Phasing section below.

The TCC Site Plan Application proposes an accessory security pavilion/guard shack and fencing with various access gates associated primarily with Building A2, based on the security needs of a future tenant. As conditioned, the accessory security pavilion and perimeter fencing as shown on the Site Plan, in association primarily with Building A2 and improvements interior to Road C, shall only be constructed if leases are entered into between the Applicant (Lessee or their Designee) and with a tenant that requires these security elements. The Applicant is seeking flexibility and will therefore, submit a Minor Site Plan Amendment for any future changes of the approved location of the security pavilion, perimeter fence and gate, and/or the type of fencing transparency and materials.

The Application will construct the master-planned Urban Green and a portion of the Muddy Branch Park – both to be Privately Owned Public Space (POPS) with covenants granting public access. The portion of the TCC Site Plan with the Muddy Branch Park ("the Park") is illustrated on the Site Plan as

[9] Gross Floor Area (GFA) is defined as: The sum of the gross horizontal areas of all floors of all buildings on a tract, measured from exterior faces of exterior walls and from the center line of walls separating buildings. The term "gross floor area" shall include basements, elevator shafts and stairwells at each floor, floor space used for mechanical equipment with structural headroom of 6 feet, 6 inches or more, except as exempted in the LSC and Industrial zones; floor space in an attic with structural headroom of 6 feet, 6 inches or more (regardless of whether a floor has been installed); and interior balconies and mezzanines. The term "gross floor area" does not include mechanical equipment on rooftops, cellars, unenclosed steps, balconies, and porches; parking; in the LSC and Industrial zones, floor space used for mechanical equipment; etc.

the northern portion and southern portion of the Park. The Application also includes vehicular and pedestrian improvements, utilities, landscaping, lighting, stormwater management facilities, grading, and site preparation of future building sites.

CONSTRUCTION PHASING

As shown in Figure 6, three (3) R&D/labs/office buildings, one (1) commercial building, and three (3) structured garages are anticipated in the TCC Site Plan. New roads in this phase include proposed Road A, Road B-3, Road C, a portion of Road D, Belward Campus Drive, and the remaining B-4 Road connection associated with the JHU MOB site. Additional improvements are along the existing Muddy Branch Road frontage for Parcel A. Where applicable, right-of-way dedication will occur at the time of record plat.

The Applicant currently plans to develop all three buildings concurrently; however, phases may occur in any order or may be combined.

Additional future phases contemplate up to four (4) buildings and three (3) structured parking garages. As illustrated in Figure 7, future phases include proposed Buildings A3, A5, A6, and A7, P1 garage expansion, P3 garage, and the completion of Road D. Future Building A7 and the completion of Road D will require a future FFCP Amendment for the abandonment of an existing Forest Conservation Easement. The limits of disturbance (LOD) and staging area must not be extended to this portion of the Site.

The Applicant proposes to develop the master planned public use spaces north of Belward Campus Drive abutting the Muddy Branch Road on a phased basis that correlates to the construction of the first three buildings (A1, A2, and A4) under this Application.

The remainder of Muddy Branch Park, south of Belward Campus Drive, would be delivered in future Site Plans for development west of the historic farmhouse.

Additional details about the programming of the Park are provided in subsequent sections of this report.

Figure 7: Annotated Site Plan with Future Buildings north of Belward Campus Drive

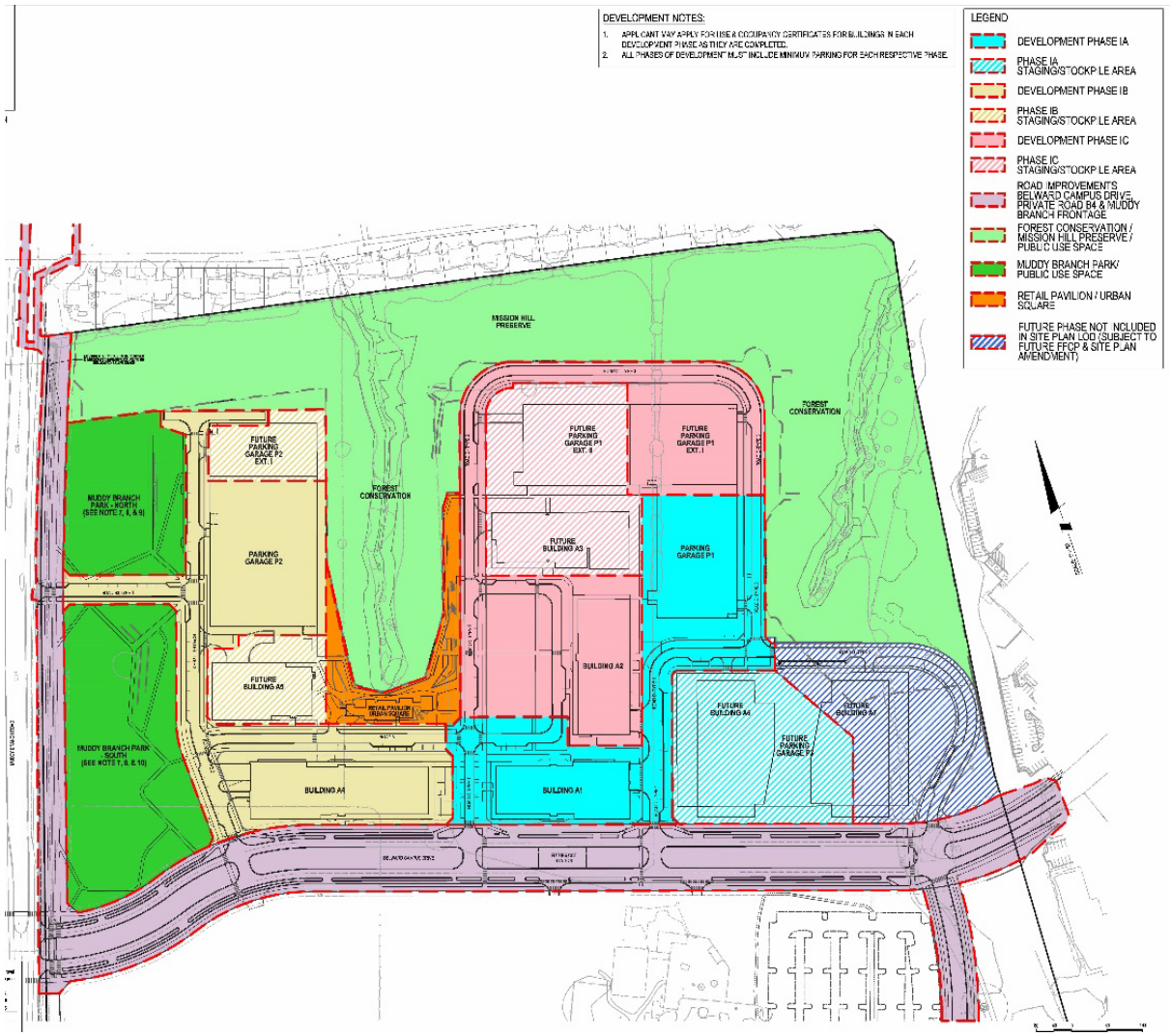

Figure 8: Proposed Phasing Plan for Full Build-Out

Future Construction

Looking beyond the current TCC Site Application for three (3) buildings, the Applicant envisions fully building-out the Project across ten (10) phases in the future, as shown in Figure 8. However, the phases may occur in any order or may be combined, based on approval status and infrastructure requirements. The Applicant proposes separate subphases of development and construction within the Phase II Site Plan.

The approved Phase I Site Plan (JHU MOB Site Plan) submitted by JHU (the owner) was approved for the 126,200 gross square foot health care and surgery facility on the 11.18-acre portion of proposed Parcel B. This Phase II Site Plan submitted by the Applicant (the lessee – Trammell Crow Company) seeks approval for 757,000 square feet of development. Combined, these two developments will result in the allocation of a total gross floor area of 883,200 square feet on the Overall Site. This proposed density will be within the maximum density of 1,410,000 square feet permitted for the

Overall Site by Preliminary Plan No. 11996110A and would leave a remaining total of 526,800 square feet for future development.

Additional future regulatory applications are necessary for future build out of the remainder of the Overall Site north of future Belward Campus Drive which is currently estimated at an additional 805,000 square feet of floor area, for a total of up to 1,560,000 square feet.

Therefore, future development beyond 526,800 square feet will require staging capacity to be made available under the Master Plan, a new Adequacy of Public Facilities evaluation, and an amendment to Preliminary Plan No. 11996110A (to allow up to a maximum density of 4,737,777 square feet of gross floor area or 1.0 FAR).

BUILDING/ARCHITECTURE

The TCC Site Plan Application states that the proposed R&D buildings are envisioned to be a contemporary expression that draws inspiration from the material palate of the Belward historic farm, located to the south of the Subject Property, with light metal panels, white fiber cement panels and glass. The buildings, as illustrated in Figure 9 through Figure 11, will also have balconies to provide a connection with nature. With respect to the (3) three proposed structured garages, the Applicant will provide the required screening elements to maintain and preserve attractive views from the neighboring residential properties.

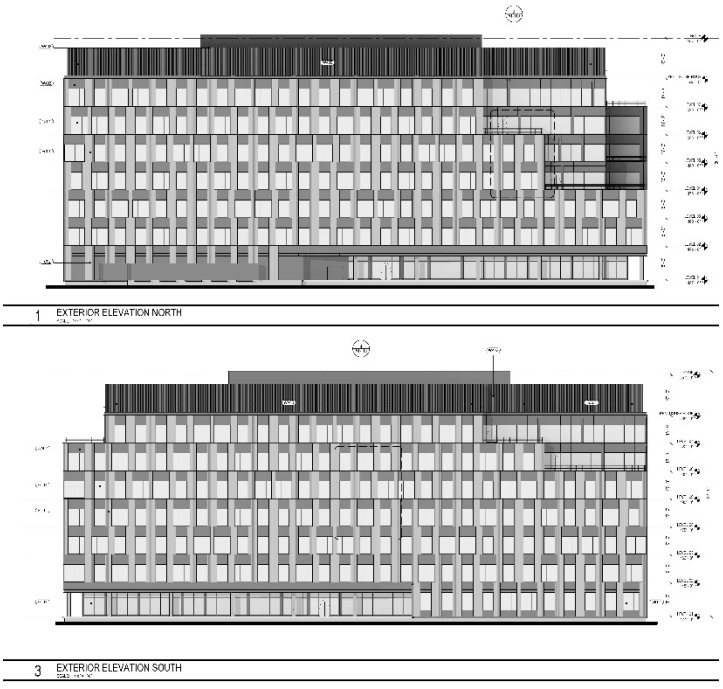

Figure 9: North & South Architectural Elevations for Proposed Building A1

Figure 10: Illustrative of Proposed Commercial Pavilion with Vegetated Roof (foreground) and Proposed Building A4 Elevation (background)

Figure 11: Illustrative of Banks Family historic Farmstead (foreground) and Proposed Buildings (background)

OPEN SPACE

Per the GSSC Master Plan and the previously approved Preliminary Plan No. 11996110A, the full buildout of the Overall Site, or Belward Tract, must include a minimum of 20% of the Site Area (or

839,800 square feet) for public use space[10]. In the JHU Medical Office Building Site Plan No. 820210120, roughly 9% of the 20% or 75,851 square feet of open space was approved. The remainder of the overall 20% public use space was conditioned to be delivered in future Site Plan phase(s).

The TCC Site Plan Application proposes to deliver 1,162,025 square feet towards the public use space requirement (Figure 12), which includes the 200-foot Mission Hills buffer to the north and stream valley buffer areas on the Site, and forest conservation areas.

Figure 12: Proposed Public Use Space

[10] The Applicant is providing Public Use Space based on requirements for building types within the LSC zone per Section 59-C-5.32 of the Zoning Code in effect on October 29, 2014 and based on a recommendation of public use space within the Master Plan. Per the Approved Preliminary Plan, the public use space calculation is based on 20% of Net Tract Area not Gross Tract Area.

Figure 13: View from the 200-foot-wide Mission Hills Preserve, looking South towards Building A4

As confirmed in the Preliminary Plan approval, the proposed buildings and open space on the Site are intended to respect the abutting residential neighborhood and the Mission Hills buffer, protect the existing stream valley buffer resource, and honor the historical significance of the Belward farmstead and Banks family home on the south side of the proposed Belward Campus Drive. Additionally, the site situate has always informed the buildings, roads, and open space placement as the land has significant grade variation which requires accommodation. The Project proposes to develop a portion of the Site with the Muddy Branch Park ("the Park") (illustrated on the Site Plan as the northern portion and southern portion of the Park).

Some of the key characteristics of the Park design include:

- Flexible spaces for the community and campus to use
- Active recreation integrated into the agrarian landscape
- Programmed space in graded areas for active recreation
- Activation of slopes with views and stormwater management

This master-planned 14-acre-park will be constructed in several phases, starting the initial two phases with 6.86 acres associated with this TCC Site Plan. The Park will be a Privately Owned Public Space

(POPS) and is conditioned to have a covenant granting public use. Pathways and master-planned trails are proposed along the perimeter of the Park including the Life Sciences Center Loop (LSC) Trail (*discussed further under pedestrian/bicycle improvements*).

The Application prioritizes the design of the required public use space based on site topography, viewsheds, and recommendations for activation and placemaking. Several features and programmed areas include flexible lawn areas, benches and terraced seating, passive recreation areas, internal pedestrian pathways including an internal loop, a dedicated rectangular athletic field, picnic seating areas some of which should be sheltered, and substantial planting buffers along the western and eastern sides.

In addition to the Muddy Branch Park, the Site Plan proposes the construction of the master-planned Urban Green (minimum of 0.54 acres) and various interconnected open spaces throughout the Site.

Additional open space is anticipated in future applications for the area south of Belward Campus Drive.

TRANSPORTATION

The TCC Site Plan Application includes vehicular and pedestrian improvements as required per the Preliminary Plan Amendment No. 11996110A and the Master Plan. The Application proposes to construct the master-planned Belward Campus Drive and frontage improvements along existing Muddy Branch Road. Belward Campus Drive is proposed as a public road with a width of 150 feet that will bisect the Overall Site, providing an east-west connection between Muddy Branch Road and Johns Hopkins Drive for vehicles and pedestrians. Belward Campus Drive also includes various median breaks to facilitate safe and efficient pedestrian and bicycle travel between the areas north and south of the road, while also creating opportunities for the road network to expand southwards (west of the of the historic farm). The Application also provides space for a future public transit station at the intersection of proposed Belward Campus Drive and a proposed private internal road located to the north of Belward Farm to address applicable Master Plan recommendations. The final design of will include protected intersections for bicycles along intersecting roads along Belward Campus Drive as well as at all intersecting roads along the Subject Property's Muddy Branch Road street frontage.

Additional proposed roadways include Road A, Road B-3, portions of Road B-4 (off-site on the JHU MOB Site), Road C, and portions of Road D. Future Site Plan approval will be necessary to complete the remainder of Road D on the Subject Property. As conditioned in the Preliminary Plan Amendment, the Applicant is proposing to provide a public use easement for the right-of-way for business district street B-3 and B-4 and the boundary of the easements must be shown on the record plat.

The Application is also proposing two (2) new traffic signals and related pedestrian improvements to facilitate safe circulation at the Muddy Branch Road and Belward Campus Drive intersection and Key West (MD 28) and John Hopkins Drive/PSTA Site intersection.

The proposed road network includes stormwater management facilities and appropriate right-of-way cross sections to address non-motorized improvements such as sidewalks, bicycle facilities, and the signature Life Sciences Center (LSC) Loop Trail which is a 3.5-mile pedestrian and cycling trail that will eventually connect into other trails. There is an existing five-foot-wide concrete sidewalk along the Property's Muddy Branch Road frontage. The Applicant proposes improvements to the Muddy Branch Road frontage that would replace the existing sidewalk with the two-way-separated bicycle lane to be buffered from a new segment of the Life Sciences Center (LSC) Loop Trail that ties into the stretch also proposed along Belward Campus Drive.

In addition to the public and private roads, the Site Plan includes walking trails that will link to the forest conservation easement areas. The proposed pedestrian connections reflect the Master Plan's recommendations for the LSC Loop and other natural surface trails that will link to the forest conservation easement areas, other areas of the campus, and the surrounding street network. The Plan also proposes pedestrian connections through each of the buildings via the lobbies. Together, these private streets will provide internal connections for the future biotechnology offices and related uses, as well as within the Overall Site.

This Site Plan does not include approval for any roadways shown in future phases, including the extension of Road D and additional roads south of Belward Campus Drive.

Although the Applicant requested a design waiver to Section 50.4.3.E.2.g., "Horizontal Alignment" of the Subdivision Regulations for Belward Campus Drive, staff does not recommend that the Planning Board grant the waiver. This waiver would specifically allow Belward Campus Drive to be constructed without a minimum 100' tangent section between two adjacent reverse curves. MCDOT does not support the proposed waiver and stated that constructing the roadway without a tangent section would result in an unsafe roadway. Specifically, the section in question is located on a significant slope with negative superelevation generating concerns about run-off the road crashes, particularly in the westbound direction, which is downhill following a long flat and straight segment. As a result, the Certified Site Plan must reflect a revised roadway design that complies with County road design standards. Site Plan elements affected by this correction may require additional amendments to the Plan.

ENVIRONMENT

A Final Forest Conservation Plan (FFCP) was submitted and approved for the entire Belward Farm property with Site Plan 820210120. FFCP No. F20230020, which is being reviewed concurrently with Site Plan 820220250, amends FFCP 820210120 and fulfills the Chapter 22A requirements for the for the current site plan. The amended FFCP proposes 25.95 acres of forest clearing, with 3.85 acres retained, and a forest mitigation requirement of 36.70 acres. Additional details are outlined in Section 5 of this Report.

STORMWATER MANAGEMENT

The Application includes environmental site design ("ESD") techniques that will filter and retain stormwater on-site such via the use of (16) storm filter storm pods, (47) planter boxes, and (23) micro bioretention. Plantings approved by MCDPS will also be used in ESD's to the greatest extent practicable. The Applicant submitted a stormwater concept to MCDPS which was reviewed and approved with conditions on February 28, 2023.

SECTION 5: SITE PLAN 820220250 FINDINGS AND ANALYSIS

Section 59.7.7.1.B.1 of the 2014 Zoning Ordinance states that:

> *"Any development plan, schematic development plan, diagrammatic plan, concept plan, project plan, sketch plan, preliminary plan, record plat, site plan, special exception, variance, or building permit filed or approved before October 30, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014, unless an applicant elects to be reviewed under the property's current zoning. […] The approval of any of these applications or amendments to these applications under Section 7.7.1.B.1 will allow the applicant to proceed through any other required application or step in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014."*

The Application complies with this section and accordingly, the Applicant seeks approval of the Site Plan under the standards of Section 59-C-5.3 of the Zoning Ordinance in effect on October 29, 2014.

Site Plan Findings

In accordance with Section 59-D-3.4I of the Zoning Ordinance in effect on October 29, 2014, the following Necessary Findings must be satisfied:

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.***

   Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the Subject Property or the Overall Site.

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.***

   Under the 2004 Zoning Ordinance, the Life Sciences Center (LSC) Zone is one of several Industrial Zones. The primary purpose of the LSC Zone is to promote research, academic, and clinical facilities that advance the life sciences, health care services, and applied technologies. The proposed uses are allowed in the LSC Zone and the Site Plan fulfills the purposes of the zone and the Application complies with the LSC Zone development standards per Section 59-C-5.3 of the Zoning Ordinance in effect on October 29, 2014. The Proposal was reviewed for compliance with the dimensional requirements as applicable per the Zoning Ordinance standards and requirements of the LSC zone in effect on May 17, 2010. As shown in Table 1, the proposed development will meet all the dimensional requirements for area, frontage, width, and setbacks in the zones and accommodate the proposed use.

Table 1: Development Standards in the LSC Zone (prior to October 30, 2014)

	Required/Permitted	Proposed
Site		
Gross Tract Area	N/A	107.27 acres
Net Lot Area (Entire Site)	N/A	4,672,681.2 square feet
Net Lot Area (Phase II – TCC Site Plan)	N/A	66.52 acres 2,897,168 square feet
Off-Site		71,998 square feet (1.65 acres)
Dedications		329,678 square feet (7.57 acres)
Net Lot Area (Phase II – TCC Site Plan)		57.30 acres 2495,942 square feet
Maximum Density of Development (Overall Site per Preliminary Plan approval) ***Sec. 59-C-5.321***	1.0/ 4,737,777 square feet	0.30/ 1,4140,000 square feet
Maximum Density of Development (TCC Site Plan) *Sec. 59-C-5.321*		757,000 square feet (0.54 FAR)
R&D & Office		751,000 square feet
Commercial (Eating & Drinking)		6,000 square feet
Public Use Space (min.) *Sec. 59-C-5.32*	839,800 square feet / 20%[11] (% of Overall Site)	1,162,025 square feet[12] (26.67 acres) (Subject Property)
Lot Coverage (max.)	N/A	320,536 sf./ 12.8%
Lot Dimensions (min.)		
Building Height (max.) *Sec. 59-C-5.31*	50 ft. to 150 ft.	100 to 150 feet
Building A1		150 feet
Building A2		110 feet
Building A4		100 feet
Commercial Pavilion		30 feet
Principal Building Setbacks (min.)		
Front setback from public street	N/A	± 12 feet
Side street setback	N/A	± 375 feet
Side setback	N/A	± 406 feet
Rear setback	N/A	± 327 feet
Accessory Building Height (max.)		20 feet
Accessory Building Setbacks (min.)		
Front setback, behind front building line	N/A	± 215 feet
Side street setback	N/A	± 1,018 feet
Side setback	N/A	± 1,071 feet
Rear setback	N/A	± 1,000 feet

[11] Per Preliminary Plan Amendment A No. 11996110A public use space is based on Net Tract Area.
[12] Not including the public use space previously approved in the JHU MOB Site.

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

The layout of the development north of Belward Campus Drive and the proposed R&D buildings are in substantial conformance with the character of the Life Science Center envisioned by the GSSC Master Plan.

The public use spaces, landscaping, street trees, lighting, and other site amenities adequately and efficiently address the needs of the uses and the recommendations of the Master Plan. The Site Plan also considers the location of future buildings, parking structures, and the remainder of Muddy Branch Park to produce efficient circulation throughout the Site.

Public Use Space and Site Amenities

The Applicant is providing Public Use Space based on requirements for building types within the LSC zone per Section 59-C-5.32 of the Zoning Code in effect on October 29, 2014 and based on a recommendation of public use space within the Master Plan. The proposed public use space spreads across the Subject Property and will feature new trees that yield environmental benefits and new amenities for passive and contemplative activities. Site amenities such as benches are included within the public use spaces which should be centrally located within the given space and accessible to the broader surrounding community.

As conditioned, a covenant that grants public access to the Muddy Branch Park and Urban Green must be recorded. Public use areas that also overlap forest conservation areas must be protected within a forest conservation easement with public access.

Building Massing and Architecture

In keeping with the character of the surrounding neighborhood, architectural plans for the Subject Property address key features such as building placement, building fenestration, prominent entryways, and buffered pedestrian walkways. Along Belward Campus Drive and other roads, the buildings have been pulled up to the street. From an architectural standpoint, the position of the proposed buildings on the Subject Property, its massing, and material articulations are all designed to complement the Belward farmhouse and outbuildings, as well as the remaining portions of the Overall Site.

Transportation and Circulation

Local Area Transportation Review

Preliminary Plan No. 11996110A amended the original approval for the campus master plan, modifying the originally requested density. As part of the previous approval the Planning Board approved a total density of 1,800,000 square feet, including a maximum of 126,200 gross square feet (117,140 net square feet) for a surgery and outpatient building on the area to the southeast of the Subject Site Plan application. The Subject Application remains within the previously approved density, as amended, for the Johns Hopkins Belward Research Campus; therefore, no additional transportation analysis is required. The proposed trip generation for this Project for three (3) R&D/office buildings is not expected to exceed the trips from the original approval. Future Site Plan applications that exceed the approved density will require additional traffic analysis and a new APF finding for transportation.

Vehicular Access and Circulation

Proposed vehicular access for the three (3) proposed buildings will be provided via a network of new public and private roads. These roads extend from the existing Muddy Branch Road along the western edge of the Property towards the central portion of the Site.

Belward Campus Drive is the primary west to east spine that will provide connectivity into the abutting developments and life science/medical uses to the east of the Overall Site. Additionally, the construction of the remaining portion of Private Road B-4 will achieve connectivity and access points from Darnestown Road, moving northwards through the Site.

The required off-street parking will be provided within multi-level structured garages (P1, P1 extended, and P2) as recommended by the Master Plan.

The structured garages with adequate screening, in this phase and additional structures in future Site Plans, are intended to provide adequate parking without dominating the streetscape. The Project is in line with the general site access requirements such as reducing conflicts between vehicular and non-motorized travel along proposed public and private roads and allowing vehicles to safely enter and exit proposed on-street and garage parking areas.

Additionally, the final submitted Site Plan shows a modified alignment for proposed Road A which provides a more direct street grid and a secondary west-to-east connection that parallels Belward Campus Drive. By eliminating the previous sweeping curve, Private Road A now provides a safer design, reduces the block length, and promotes convenient pedestrian activity.

Parking, Queuing, and Loading

Vehicular Parking and Loading

The intent of the vehicle and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner. The total number of parking spaces in the proposed surface parking areas meet the requirement per the current 2014 Zoning Ordinance by providing a total of 2,005 off-street vehicle spaces across three (3) structured garages.

Table 2: Required Parking and Loading

Parking[13] *(Sec. 59-6.2.4)*	**Required/Permitted**	**Proposed**
Standard Vehicle Spaces **R&D** Min. 1 space per 1,000 sf. GFA; Max. 3 spaces per 1,000 sf. GFA		
P1 for Bldg. A1 (266,450 sf.)	266 (min.); 800 (max)	697 spaces
P1 Exp. for Bldg. A2 (191,600 sf.)	192 (min.); 575 (max.)	547 spaces
P2 for Bldg. A4 (292,950 sf.)	293 (min.); 879 (max.)	761 spaces
Commercial (eating & drinking)		
Min. 4 spaces per 1,000 sf. patron space; Max. 12 spaces per 1,000 sf. patron space	24 (min.) 72 (max.)	35 spaces (on-street) (74 total for on-street)
Motorcycle Spaces		41 spaces
Car Sharing Spaces		5 spaces
Electric Vehicle Spaces 1 for every 100 parking spaces		21 spaces
Loading (office) 25,001 – 250,000 sf. (Bldgs. A1 & A2) 250,001 – 500,000 sf. (Bldg. A4)	1 space 2 spaces	4 spaces (Bldg. A1) 3 spaces (Bldg. A2) 4 spaces (Bldg. A4)
Bicycle Parking Life Science R&D – 1 per 5,000 sf. of GFA Commercial - 1 per 10,000 sf. of GFA	R&D/Office – 100 spaces (85% long-term) Commercial – 1 space (15% long-term)	15 short-term; 85 long-term 15 short-term

The off-street parking provided is appropriate for the nature of the use and intensity and is easily accessible from the abutting roads. Additionally, the Site Plan represents the goal of the Master Plan to provide parking within structured garages to support more compact development that shifts away from an auto-oriented design. Additional parking structures are

[13] According to Section 7.7.1.B.3.b of the current Zoning Ordinance, "An applicant may apply to amend the parking requirements of a previously approved application (listed in Section 7.7.1.B.1 or 7.7.1.B.2) in a manner that satisfies the parking requirements of Section 6.2.3 and Section 6.2.4."

anticipated in future phases, on some open areas to be graded and seeded in the interim, to support additional development on the northern parcel.

The Applicant also proposes a total of 74 on-street vehicle parking spaces throughout the Site along the private roads to support short-term usage and the commercial pavilion.

Off-street loading docks are proposed near the intersection of Belward Campus Drive and Road B3 for Building A4 and along Road D for Building A2.

Both loading areas meets requirements set forth in Section 59-E-1.4 of the Zoning Ordinance in effect on October 29, 2014. As conditioned, for building A4, the Applicant must provide details of the exact location and treatment of screening materials for the loading area along Road B3 for Staff approval.

As conditioned, the Applicant must provide additional tree plantings at the adjacent corner of the Park that will help provide additional screening between park users and the highly visible loading area on Road B3.

Bicycle Parking

The Site Plan is subject to Section 59.6.2.4.C and Section 59.6.2.6. of the 2014 Zoning Ordinance for long-term and short-term bicycle parking. The Property requires 85 long-term bike spaces which will be located within structured parking garages and 30 short-term bike spaces which will be dispersed throughout the Site and located in a highly visible areas at building entrances and. Future Site Plan(s) must include additional required bicycle parking.

Pedestrian and Bike Access and Circulation

Currently, there are bicycle and pedestrian accommodations along the existing section of Darnestown Road. The 2018 Bicycle Master Plan identifies a sidepath along the Applicant's western frontage of Muddy Branch Road. The Applicant is proposing to construct the ten-foot wide LSC Loop Trail, two-way separated bicycle lanes, and street buffer along the Property's Muddy Branch Road frontage. These facilities will also extend through Belward Campus Drive. The extension of the bicycle lane and Loop Trail south of Belward Campus Drive to Darnestown Road under future phases. Conventional striped bike lanes which are currently located along Darnestown Road will be maintained.

Per the Bicycle Master Plan, separated bikeways are the default facility for new Business Streets in the LSC Zone on streets that do not have specific recommendations and therefore, are recommended along both sides of the streets. The Bicycle Master Plan identifies separated bikeways along both sides of Decoverly Drive Extended and will be built in conjunction with the future construction of the roadway as part of future phases.

Walking paths and pedestrian crossings are proposed throughout the Site to facilitate safe travel via walking and to board high frequency transit.

The Application proposes to construct sidewalks along all new roads, sidepaths along the Muddy Branch Road frontage, and walking paths throughout Muddy Branch Park. These improvements will dovetail into future sidewalks and walking paths improvements anticipated south of Belward Campus Drive.

Transit

The Subject Property is serviced by Montgomery County Ride On with existing bus stops located within a ½ mile of the property along Darnestown Road and Muddy Branch Road. The nearest public transit routes are as follows:

- Ride On Route 56 operates along Darnestown Road providing service between the Lakeforest Mall Transit Center, the NIST, and the Rockville Metrorail Station.
- Ride On Route 67 operates along Muddy Branch Road providing service between the Traville Transit Center, Muddy Branch Shopping Center, and Shady Grove Metrorail Station.

The Master Plan envisioned the now obsolete alignment of the Corridor Cities Transitway (CCT) planned along the northern frontage of the Subject Property, with the route planned to provide service along Decoverly Drive Extended (Belward Campus Drive). The 2022 Corridor Forward: I-270 Transit Plan envisioned a future bus rapid transit stop planned along Decoverly Drive Extended, adjacent to the historic Belward Farm.

Through compliance with requested plan amendments via the conditions of approval, the Site Plan will provide safe, well-integrated parking, vehicular and pedestrian circulation patterns, open spaces, site amenities and building massing/architecture.

General Landscaping and Outdoor Lighting

Section 59-E.2.6 and Section 59-E.2.7 of the Zoning Ordinance in effect on October 29, 2014 provides minimum standards for quantity, size, location, and installation of landscaping and outdoor lighting on private property. The proposed landscaping and lighting satisfy all applicable design guidelines and streetscape standards. All proposed trees and plant materials meet the minimum required caliper and height at the time of planting, and some of the site landscaping elements contribute to stormwater management measures (where approved by MCDPS). The Application proposes light fixtures throughout the Site in the form of streetlighting and pedestrian scale lighting. The Site Plan does not show details for wall packs mounted on any of the buildings and as conditioned should be shown at the time of certification. As conditioned, additional adjustments must be made prior to certification of the Site Plan to ensure lighting levels adequately illuminate the sidewalks, walkways, and

bikeways. Plan revisions at the time of certification must also address adequate lighting of bicycle facilities as outlined in the 2018 Bicycle Design Toolkit.

Following design requirements for lighting, the shielded light fixtures are appropriately spaced and oriented to reduce light glare. Overall, with conditions of approval addressed, the proposed Site Plan will meet the intent of these general development requirements and will not have adverse impacts on the existing community character but will enhance safety through adequate illumination within the Site.

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

The proposed development is in substantial conformance with the recommendations of the GSSC Master Plan as well as compatible with the adjacent and confronting uses and pending developments.

Master Plan Compliance

The Site Plan substantially conforms to the recommendations within the 2010 Great Seneca Science Corridor Master Plan ("Master Plan"), as outlined below for various areas of emphasis. Further, as development implemented through a previously approved and valid Preliminary Plan with a valid determination of adequate public facilities, the Project is not subject to the Master Plan's staging requirements since the 3.7 million square feet of development in the pipeline is not subject to the Plan's staging requirements unless a project's Preliminary Plan expires.

Land Use

The GSSC Master Plan lays out both general recommendations for the plan area and specific recommendations for the Belward Site. Generally, the Master Plan provides a blueprint for the future that will transform the Life Sciences Center (LSC) into a vibrant place served by transit and enhanced by activating uses, open spaces, and amenities. The Subject Property is within the Belward Farm District. Below is a relevant passage describing the Master Plan's intent for this district:

LSC Belward: A New Science and Research Community (pg. 42)

> *"This Plan recommends increased density on the Belward property (1.0 FAR), served and supported by a CCT transit station. The Plan recommends that both the 107-acre undeveloped Belward property as well as the developed, eastern portion, be rezoned from the R&D Zone to the revised LSC Zone to allow higher densities and height focused at the CCT station. Development on the Belward property may include housing for the employees and/or visiting researchers. Plan recommendations allow a concentrated and compact form of development for Belward that is centered around transit. This*

denser building pattern (with structured parking) creates opportunities for an extensive open space system. Previous plans for Belward were a conventional suburban office park model with sprawling, low-density, auto-dependent development, vast amounts of surface parking lots, and few community amenities intended for use by residents or workers not on the Belward campus. Compatible transitions and buffers for the adjacent single-family neighborhoods are critical".

Per the Master Plan recommendation, the Overall Site was previously rezoned to the Life Sciences Center (LSC) zoning district, one of the County's several employment zones that permit non-residential uses including office, technology, and general commercial uses with limited residential use at varying densities and heights. The Site Plan includes non-residential uses that will be centered around activated open spaces and pedestrian, bicycle, and transit improvements that carry over onto the Overall Site. Remaining areas for substantial buildout include areas to the north and south of Belward Campus Drive, including the approved surface parking lot associated with the JHU Medical Office Building. As future R&D, labs, and biotechnology, development unfolds, the Belward open space network will continue to expand, and the edges of the Overall Site will have non-motorized facilities that provide connectivity to adjacent sites that are either existing or to be constructed. As the Overall Site, including the Subject Application Site, progresses towards maximizing its full development potential, a more compact layout can be realized. At this stage, the Site Plan substantially conforms to the vision of the 2010 Great Seneca Science Corridor Master Plan ("Master Plan") and contemplates major elements of the plan vision, while also complying with the requirements of the zoning district.

Further, this Site Plan provides clarification of the Master Plan and Amended Preliminary Plan approval regarding the anticipation of commercial use (eating/drinking establishment) on the Subject Property that are within the existing trip generation of the existing Adequate Public Facility (APF) finding for transportation. The proposed commercial use must not exceed the previous level of anticipated person trips under the existing approved density. The Amended Preliminary Plan Resolution MCPB No. 11-72 findings also notes that "Retail, service, and restaurant uses will be needed within these buildings to accommodate the needs of employees and visitors." The Master Plan contemplated an interaction between activated open spaces and commercial offerings within the Belward District by stating that the "Urban Square at the CCT Station is envisioned as a hub of daily activity with space for special events and gatherings and some community retail for the convenience of CCT riders, workers, and area residents." (page 43). Therefore, the proposed commercial pavilion for eating/drinking aims to bring the Plan's vision into fruition.

Density and Building Height

The Subject Application density and building heights are consistent with the GSSC Master Plan's recommendations. The proposed principal use R&D buildings range in height between

a maximum of 100 feet and 150 feet, which is within the 150-foot height limit and the Project's overall density is within the Master Plan's density recommendations. The proposed structured parking garages have also been designed to work with the Property's grade to minimize heights.

Open Space and Pathways

The GSSC Master Plan recommends a series of open spaces provided in new development projects to provide recreational facilities, open spaces, and trail connections that shape the public realm and to serve existing and future employees and residents.

The Master Plan's open space intent for the Belward District is as follows (page 43):

> *"The open space system for the Belward District includes an extensive network of passive and active recreation linked by an internal path system with connections to the LSC Loop and the surrounding communities. By concentrating density in a compact form (with a limited amount of taller buildings and parking garages), substantial amounts of open space can be created. Placing parks and open spaces around the edges of Belward provides compatible transitions and buffers for the adjacent single-family neighborhoods".*

The GSSC Master Plan states that "*redeveloped sites must provide at least 20 percent of the net tract area as public use space.*" Additionally, the Master Plan states that the open space system will include: 1) an extensive open space network on the Belward property with a variety of passive, active, and cultural experiences; 2) the completion of the Muddy Branch Trail Corridor along the western edge of the Belward property; 3) Mission Hills Preserve will create a 200-foot-wide buffer between the rear property line of the nearest Mission Hills homes and any buildings on the northern side of Belward; and 4) a 100-foot-wide stream buffer on either side of the two tributaries of the Muddy Branch.

The 2010 Master Plan lists the following areas within the Belward District to be public open spaces:

- LSC Loop
- Stream buffers that may include natural surface trails
- Belward Farm environmental setting
- Urban square at the CCT station

The Site Plan must comply with the Preliminary Plan for 14.87 acres towards the Muddy Branch Park. In accordance with the Master Plan requirements and conditions of the Preliminary Plan, the redevelopment of the 107-acre Belward tract must provide a minimum of 20%, or 839,800 square feet, of the Overall Site for public use space (shown previously in Figure 12). The JHU MOB Site Plan No. 820210120 approval included roughly 9% of the 20% or 75,851 square feet of public use space. The Subject Application includes 1,162,025 square feet

(26.67 acres) of on-site public use space north of Belward Campus Drive that includes the overlapping protected Forest Conservation Areas, the stream valley buffer area, the 200-foot-wide Mission Hills preserve, and the Muddy Branch Park with amenities.

The GSSC Master Plan recommends that an Urban Square is located at the CCT station to serve as a hub of daily activity and for special events (pg. 43-46). Given the recommendations of the Master Plan for the LSC Belward District, public use space on the Property should include the Urban Green (shown previously in Figure 6) that was relocated from its conceptual location along Belward Campus Drive to the front of Building A2 on Road C. While proposed for construction with this Application, the Site Plan does not include the proposed Urban Green within the calculation of the public use space. However, the minimum 20% is being exceeded to address substantial conformance. As conditioned, the proposed Urban Green must be available for public use via a covenant granting public access.

The remainder of master-plan recommended public use space, including the extension of the Darnestown Road Promenade, the southern portion of Muddy Branch Park below Belward Campus Drive, and areas associated with the historic farm setting, will be delivered in future Site Plan phases.

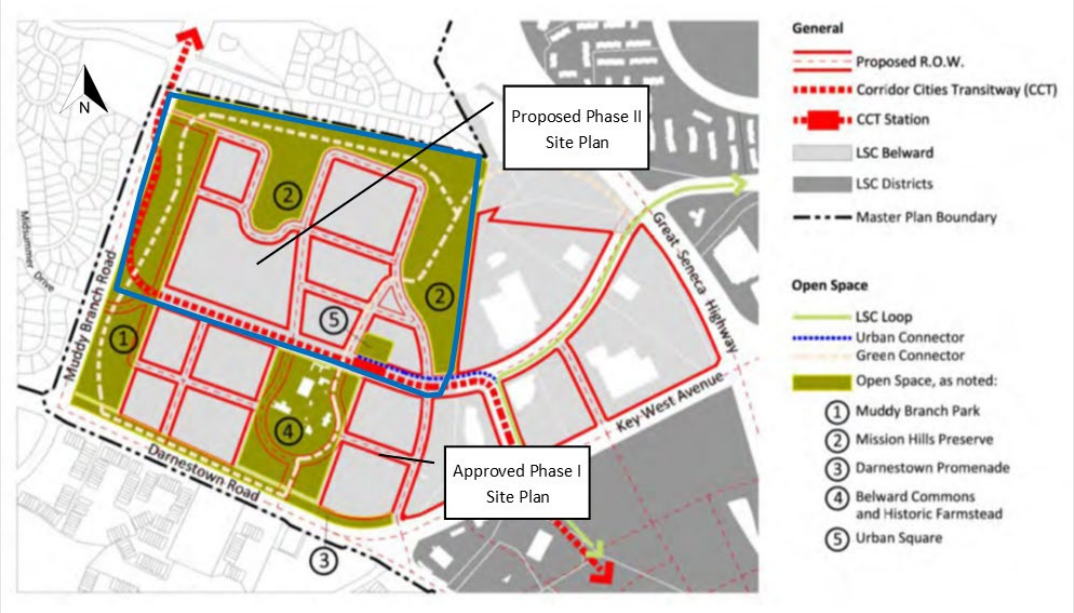

Figure 14: GSSC Master Plan Open Space Recommendation for Belward Tract

The Applicant coordinated with the Staff of the Park Planning and Stewardship Division of Montgomery Parks on the programming of the Muddy Branch Park which will determine how it's used by the surrounding community. Based on the intent of the Master Plan (pgs. 42-46), the Muddy Branch Park:

- Should be used for active and passive recreation, including informal and organized playing areas and tree-lined edges at the perimeter.
- Could have one rectangular field for active recreation provided in this area.
- The park should be designed to create a sense of place and destination for existing and future residents with attractive amenities such as gardens, walking paths, and water features.
- The landmark tree in this area should be a focal point in the design of the park and open space.
- Needs to be substantially completed before building permits are issued for more than 25% of the total development allowed on the Property.

The Site Plan proposes that the park is framed by street trees and that various outdoor spaces be programmed with seating and dining to encourage activation via employees at and visitors to this campus. The Application proposes that a rectangular field as recommended by the Master Plan. The Park Planning and Stewardship Division has requested a field dimension of 165 feet by 260 to provide the most versatile field for a variety of uses and users and to fully meet the master-plan recommendation. The Applicant is providing a reduced sized field (140 feet by 230 feet) due to the various grading challenges on the Site. However, there may be additional room to shift the field to the south and make it larger and move some of the currently proposed amenities/spaces to the north section where the field currently is shown. The Plan also contemplates zones within the Park that have active and passive recreational opportunities. As conditioned, the Site Plan must provide a field with a minimum dimension of 140 feet by 230 feet or greater based on the final Park design and grading.

The Master Plan envisioned a then existing specimen tree to be a focal point in the design of the Park. Unfortunately, the landmark tree in this area of the Belward campus has died. A condition of approval requests that the final Park programming include a focal point in the design that commemorates the Black Gum tree which was uniquely recognizable and had a long-standing presence on the campus.

Typically, new parkland and associated amenities are expected to be delivered with adjacent buildings. In terms of substantial completion mentioned in the Master Plan, this Site Plan is conditioned to provide at least 25% completion of the new Park based on the Overall Site's full zoning capacity (4,737,777 square feet of gross floor area) versus the approved density in the Preliminary Plan approval (1,410,000 square feet).

Interconnected with the open spaces, the Application also implements the beginning of new non-motorized systems with the construction of portions of the LSC Loop Trail, the ten-foot-wide sidepath, buffered bicycle lanes, and 10- to 12-foot-sidewalks. Additional open space and trail improvements envisioned for the southern portion of the Overall Site will be delivered in the future, including the continuation of the Darnestown Road Promenade.

Additionally, the entire Mission Hills Preserve (7.01 acres) will be afforested as shown on the Certified Final Forest Conservation Plan as previously conditioned and discussed under the findings for Chapter 22A, Forest Conservation.

The Master Plan also calls for an open campus, whereas the Applicant has proposed a plan for the possibility of a secure section of the Property. Staff has worked with the Applicant to balance the needs of future tenants along with the vision of the Master Plan to have an open campus where buildings define the street and open spaces are publicly accessible. As conditioned, the proposed accessory security pavilion and Clearvu perimeter fencing primarily associated with Building A2 and improvements interior to Road C, shall only be constructed if leases are entered into between the Applicant (or their Designee) and with a tenant that requires these security elements. No fences shall be placed around the 0.54 acres of the master-planned Urban Green designated for public access or open spaces recommended by the Master Plan for public use.

Environment

The GSSC Master Plan provides broad environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions.

Resource Protection and Preservation

The GSSC Master Plan recommends ways to restore environmental functions in the Life Sciences Center as it undergoes redevelopment. To preserve and enhance natural resources and their associated functions, the Plan calls for the following:

- Creates a local street network that avoids impact to natural resource areas as much as possible (see page 53).
- Recommends that facility plans for any new roads minimize impacts to existing resources.
- Recommends creation of the Life Sciences Center Loop (pg. 32). Existing natural resource areas are preserved through the Planning Board's Environmental Guidelines and connected by the LSC Loop Trail.
- Where possible, use required forest and tree planting to enhance and expand existing resources.

The Plan proposes a road network that avoids major impacts to the stream valley buffer areas on the Site. Additionally, the Site Plan proposes to construct portions of the LSC Loop Trail. Through the Forest Conservation Plan, afforestation requirements will enable additional tree plantings that will be protected and eventually yield long-term environmental benefits.

Stream Buffer and Water Quality

To protect water quality, the Master Plan recommendations include the following:

- Site design and construction options that minimize imperviousness, such as reduced parking requirements and the use of structured parking.
- Recommends the use of bioswales, planter beds, rain gardens, pervious pavement, the incorporation of non-paved areas into open spaces, and similar techniques included in Environmental Site Design.
- The use of vegetated roofs and walls and increasing tree canopy.
- Landscaping with native plants that are adapted to grow in our area.

These goals are met by combining forest conservation requirements with street trees and landscaping plantings which includes native species. The Site Plan also proposes to incorporate Environmental Site Design to the maximum extent practical with the use of micro-bioretention areas and other techniques to assist with filtering and retaining water on-site. The Site Plan aims to meets the intent of the Forest Conservation law, the Environmental Guidelines, and the GSSC Master Plan.

Additionally, the Applicant is pursuing sustainable features to enhance the development to further the Master Plan's recommendations, such as on-site stormwater management via bioswales and other elements. A solar array on Garage P1 and P1 Extension is proposed to address Site energy. However, the roofs of the proposed buildings will have extensive mechanical and electrical equipment that impedes the provision of green roofs. The Master Plan recommends the use of light-reflecting roof surfaces where green roofs cannot be used. As conditioned, the Planning Department strongly encourages a close examination of various development programs in future Site Plan applications to address ways to prominently integrate sustainability with the building design.

Further, to protect water quality, page 27 of the Master Plan states the "The Belward Campus, with its specialized institutional use and protection of existing natural resources, should have minimum canopy coverage of 30 percent. These goals should be met by combining forest conservation requirements with street tree plantings and landscaping plantings (see page 86). Public and private open space areas should strive for a minimum of 25 percent canopy coverage. Surface parking areas should meet or exceed 30 percent canopy coverage."

As conditioned, the Applicant must revise its Site Plan to quantify tree canopy coverage proposed in this Application. Additional, tree canopy coverage calculations would be expected in the future applications south of Belward Campus Drive.

Housing

The current Application does not include any residential uses. However, any future phases of development for the Overall Site with residential uses must address requirements of the Master Plan and the Chapter 25A of the County Code.

Historic Property

The Master Plan has four specific recommendations regarding Belward Farm:

- Preserve views of the farmstead, to the extent practicable, from Darnestown Road and residential neighborhoods to the south and west, consistent with other Master Plan objectives for this site.
- Step new buildings down to 60 feet (four stories) adjacent to the Belward Farm.
- Use the site, including the house and barns, for recreational, educational, social, or cultural uses that complement the community and new development.
- Preserve open space and mature trees surrounding the farmstead. Retain an environmental setting large enough to convey the agricultural character of the historic resource, between 10 and 12 acres.

The Project proposes to maintain significant views of the Farm. The Project's construction of the 150-foot-wide Belward Campus Drive and the proposed buildings that will line this new road will create an appropriate transition between the Belward farmhouse and outbuildings and offer views into the adjacent historic environmental setting. The expansion of the Belward Farm tract will occur under future applications.

Master Planned Roadways

The proposed Site Plan adequately addresses the recommendations to improve existing road frontages and construct new roadways associated with the development.

Typically, site plans adhere to the road alignments and access points approved within a preliminary plan. The proposed Site Plan moderately deviates from the illustrative street grid of the approved Preliminary Plan Amendment and Concept Plan. Generally, the proposed private road network alignment north of Belward Campus Drive aims to follow the conceptual alignment envisioned with earlier approvals. Presently, Proposed Road A is positioned lower on the Subject Property, which allows the road to avoid greater impacts to the stream valley buffer area. The Preliminary Plan also showed proposed Road B wrapping around a building and running parallel to the Mission Hills Preserve. Instead of adding additional roadway pavement along this buffer area, a turn-around has been provided to meet fire access requirements, while preserving the natural feeling of the Preserve.

Condition No. 17 of the Amended Preliminary Resolution MCPB No. 11-72 states that for Roads B-3 and B-4, the final extent, delineation, and alignment of these roads shall be determined at the time of the relevant site plan. Condition No. 20, future site plans must determine the extent and timing of construction of the internal private roads necessary to support the

development proposed by the relevant Site Plan. The proposed internal roads as shown are found in conformance with the existing approval, avoid sensitive areas, and meet the intent of safe, adequate, and efficient circulation, while also addressing environmental regulations.

Muddy Branch Road: Muddy Branch Road is designated as a six-lane major highway, M-15, with a recommended 150-foot right-of-way and a dual bikeway (bike lanes and a share use path on the east side), DB-24 from Darnestown Road to Belward Campus Drive, and is recommended as a 170-foot right-of-way and a dual bikeway, DB- 24, from Belward Campus Drive to Great Seneca Highway. The required right-of way is shown on the Preliminary Plan and improvements from the Property line to the centerline area included in the Site Plan, which include the bikeway and the LSC Loop Trail. The Project is also installing protected intersection design at all intersecting streets along the Subject Property's Muddy Branch Road street frontage.

Belward Campus Drive: Listed as Decoverly Drive Extended in the Master Plan, this is a four-lane-arterial, A-284, with a recommended 150-foot right-of-way that includes the roadway, a shared use path, SP-66/LB-7, and the CCT. The required right-of-way is shown on the Preliminary Plan. The Applicant proposes to reduce the master-plan recommended median of 50-feet-wide to 48-feet-wide to accommodate the additional width needed for stormwater management under the proposed sidewalk and tree lawn. This reduction was found acceptable to MCDOT. The median will still allow for a future transitway which meets the intent of the provision of the median.

Road B-3: Identified as a business district street, B-3, is recommended as a two-lane 70-foot right-of-way. The right-of-way will be placed in a public use and access easement as shown on the Preliminary Plan.

Extension of Private Road B-4: Private Road B-4 (identified as Road C in the *Great Seneca Science Corridor Master Plan*) is a planned Business District Street with a planned right-of-way width of 70-feet. As shown in Figure 15, it is prioritized in the *Great Seneca Science Corridor Master Plan* as a means of facilitating the construction of new multimodal connections to support the street grid network within the LSC Belward district to the east, with walkable access to high frequency transit. The proposed construction of Private Road B-4 is identified in the Master Plan on the Subject Property, from the Darnestown Road and Key West Avenue intersection, northwards to the planned Private Road B-4 and Belward Campus Drive intersection (Arterial (Planned) with planned BRT A-284 in Figure 15). The remaining portion of the road to connect with Belward Campus Drive will be constructed as part of this Application.

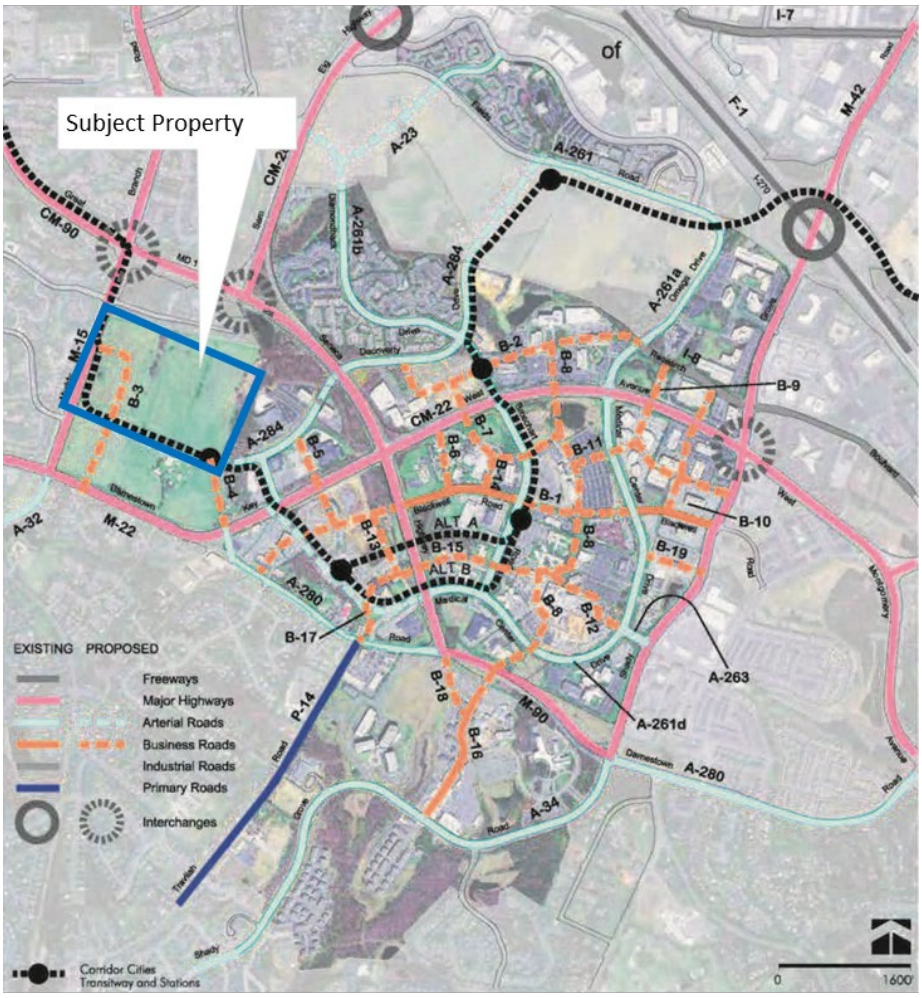

Figure 15: Life Sciences Center Circulation with planned street grid network and CCT (GSSC Master Plan excerpt)

At the time of this Staff Report, MCDOT and DPS have identified several changes that must be revised and addressed for the proposed roadways. As listed in the conditions of approval in both agency letters, the Applicant is required to address a variety of outstanding items such as the design of the protected bicycle intersections, two reverse curves shown without a tangent in-between per Chapter 550.4.3.E.2.g, relocated sidewalks within the right-of-way or placed in an easement, and reduction of curb radii.

Master Planned Bikeways

As recommended by the 2010 Great Seneca Science Corridor Master Plan and 2018 Bicycle Master Plan, separated bicycle lanes are planned for Belward Campus Drive, which is consistent with the Downtown Boulevard standards within the approved Complete Streets Design Guide. As shown in Figure 16, the Applicant will construct the master-planned bicycle lanes and associated green buffers from vehicular traffic. The bicycle lanes will measure a minimum of 6.5-feet-wide and will be placed within the public right-of-way, adjacent to tree

panels and the 10-foot-wide LSC Loop Trail on the south side and the 10-foot-wide sidewalk on the north side.

Additionally, the Muddy Branch Trail Corridor and a countywide bikeway connection (DB-24 will be provided along the Subject Property's Muddy Branch Road frontage. Therefore, the proposed Site Plan is in substantial conformance with the GSSC Master Plan and Bicycle Plan.

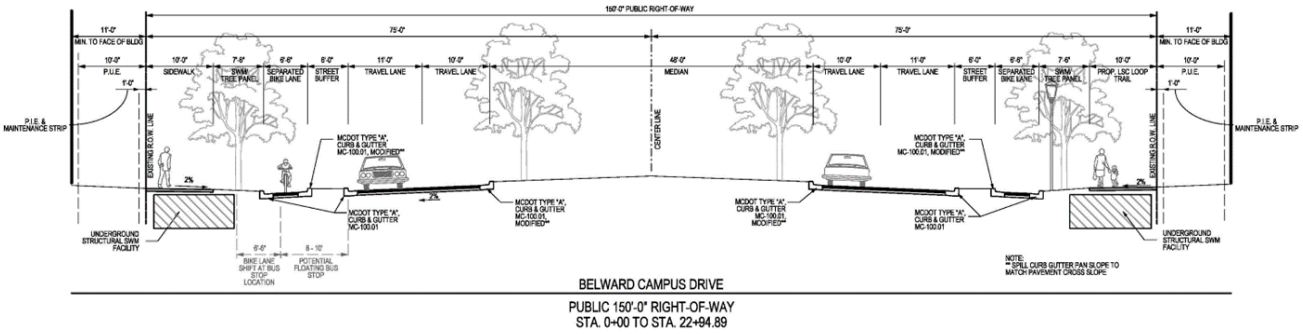

Figure 16: Proposed Road Cross-Section for Belward Campus Drive

Existing and Proposed Adjacent Development

The proposed R&D, office, and commercial uses are compatible with existing uses in nearby developments. The Subject Property is close to numerous health care facilities, including Adventist HealthCare Shady Grove Medical Center, the National Cancer Institute, and other medical office buildings offering outpatient treatment in an ambulatory setting.

The principal use of this TCC Site Plan Application is consistent with the various health and research related uses in proximity. Further, the use is separated from nearby residential areas by wide roadways and substantial dense green buffers.

The proposed TCC Site Plan provides compatibility with existing neighboring properties and highways by establishing a human scale relationship between the buildings and their streets. The Project also sets buildings across the 150-foot-wide right-of-way for Belward Campus Drive to preserve expansive views of the existing Belward Farm and environmental setting to establish a compatible relationship with the farm's existing structures.

The proposed layout of the first three (3) R&D/office buildings and structured garages establish a compatible relationship with the abutting Belward Farm by taking advantage of the Subject Property's sloping grade to reduce the appearance of bulk and mass.

Additionally, the Project will be physically separated from the confronting residential uses to the west by the added right-of-way width that account for the two-way-bike lane, LSC Loop Trail, and substantial tree panel along the length of the Muddy Branch Road frontage.

Compatibility will be achieved via multi-modal connections between the Phase I Property (JHU MOB Site Plan), this current phase (TCC Site Plan), and future development phases. The Site Plan includes a remaining portion of the master planned Private Road B-4. This completed segment of Private Road B-4 will create a new north/south connection between Key West Avenue/Darnestown Road (MD 28) and the future Belward Campus Drive and include additional segments of sidewalk. Additionally, this Site Plan Application initiates the Muddy Branch Park recommendations that will continue to expand south with subsequent Applications.

The Project is compatible with approved adjacent development and pending developments. Approved development in proximity includes the former Public Safety Training Academy (PSTA) Site to the southeast of the Subject Property. Connectivity between the Subject Application and the PSTA Site is confirmed in the GSSC Master Plan as stated: "*The LSC Loop will link activity centers and community facilities, including the planned high school on the Crown Farm (in the City of Gaithersburg), the historic Belward Farm, and the [PSTA] civic green and retail center on LSC West"*. The Site Plan includes pathways that will eventually tie into the broader LSC Loop Trail alignment. Therefore, the proposes uses within the Site Plan at Belward Campus is compatible with existing and approved or pending adjacent development.

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.

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

The Stormwater Management Section of the Montgomery County Department of Permitting Services (MCDPS) issued a letter accepting the stormwater management concept dated February 28, 2023 (SM File No. 239332). Stormwater management will be implemented through an environmental site design (ESD) plan that includes storm filter storm pods, planter boxes, and micro bioretention areas.

ii. Chapter 22A, Forest Conservation

<u>Environmental Guidelines</u>

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for this Site on June 17, 1996. The Site contains two intermittent streams, one in the north center of the Site with an environmental buffer of approximately 3.5 acres, and one in the northeast part of the property with an environmental buffer of approximately 3.7 acres. Wetlands and their buffers occur on site within the boundaries of the environmental buffers. The Site contains no 100-year floodplains, or known habitats of rare, threatened,

and endangered species. The property drains to the Muddy Branch watershed, which is not in a Special Protection Area or Primary Management Area. Muddy Branch is a Maryland State Use Class I-P stream. No structures are proposed for construction within the environmental buffers. The submitted plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

Previous Forest Conservation Plan Approvals

A Preliminary Forest Conservation Plan (PFCP) was approved as a part of the review and approval of Preliminary Plan No. 119961100 and amended with Preliminary Plan Amendment No. 11996110A. The net tract area for the PFCP and amendment is 138.15 acres, including approximately 30 acres already developed east of the Belward Farm. The Preliminary Forest Conservation Plan showed 29.8 acres of existing forest. PFCP Amendment No. 11996110A, allowed 25.13 acres of forest clearing resulting in a forest mitigation requirement of 34.37 acres. Most of the forest clearing has already occurred during the development of the eastern 30 acres of the original site.

Final Forest Conservation Plan (FFCP) No. 820210120 was approved with Site Plan No. 820210120 for the JHU Medical Office Building (JHU MOB Site Plan), and covered the entire Belward Site, as required by the conditions of approval for PFCP No. 11996110A. FFCP No. 820210120 included off-site disturbance that increased the net tract area to 140.13 acres. The FFCP allowed 25.95 acres of forest clearing, with 3.85 acres of forest to be retained, and resulted in a forest mitigation requirement of 36.53 acres. This mitigation was to be provided through 17.67 acres of on-site afforestation and 18.86 acres of offsite forest banking credits.

Final Forest Conservation Plan

FFCP No. F20230020, which is the plan currently submitted by JHU as the Applicant for review and approval concurrently with Site Plan No. 820220250 (TCC Site Plan), adds additional off-site disturbance that increases the net tract area to 140.77 acres. This FFCP continues to propose 25.95 acres of forest clearing and 3.85 acres of forest retention, with a slight increase in the forest mitigation requirement to 36.70 acres due to the increased net tract. The Applicant proposes to fulfill the mitigation requirement through 18.67 acres of on-site afforestation and 18.03 acres of off-site forest banking credit. As proposed, the Belward property will end up with 2.57 acres of preserved forest in existing forest conservation easements in the already-developed eastern portion of the property, plus 1.28 acres of preserved forest and 18.67 acres of planted forest in easements in the currently developing portion of the site. All forest planted or retained for forest conservation credit must be protected by recording a Category I Forest Conservation Easement.

Implementation of the forest conservation mitigation is being phased as indicated in the recommended conditions of approval.

The 2010 *Great Seneca Science Corridor Master Plan* included a requirement to create a 200-foot forested buffer (the "Mission Hills Preserve") along the northern Belward property boundary to protect the Mission Hills single-family residential development. The conditions of approval for the amended Preliminary Forest Conservation Plan (No. 11996110A) therefore prioritized the planting of the Mission Hills Preserve with the approval of the first site plan on the site. FFCP No. 820210120 attempted to achieve this by requiring that the Mission Hills Preserve be planted within two planting seasons following the release of the first sediment control permit associated with the first site plan. However, since the approval of the first site plan (JHU MOB Site Plan), market conditions have changed, and the Applicant has decided to delay construction until market conditions become more favorable. It is therefore uncertain when the sediment control permit associated with the first site plan will be released, which in turn makes it uncertain when the Mission Hills Preserve will be planted. To rectify this and fulfill the intention to create the Mission Hills Preserve at the beginning of development on the Site, F20230020 amends the conditions of approval pertaining to the timing of mitigation to link the planting requirements to the first, second and third sediment control permits on the Site regardless of which site plan they are associated with. Therefore, whichever project pulls the first sediment control permit will be responsible for planting the Mission Hills Buffer.

This FFCP includes abandonment of a 0.09-acre portion of an existing Category I Forest Conservation Easement at the northeast corner of the property, because it is within an area designated for frontage improvements along Muddy Branch Road. The easement area being removed is being replaced at 1:1 on-site within the expanded easement incorporating the Mission Hills Preserve and stream valley buffer areas, so no additional mitigation is required for the abandonment. This has been reflected in the calculations for the total forest retained, forest cleared, and afforestation and reforestation requirements for the FFCP.

Variance

Forest Conservation Variance

Section 22A-12(b) (3) of County code identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An Applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Code. The Code requires no impact to trees that: measure 30 inches dbh or greater; are part of an historic site or designated with

an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

Variance Request

The Applicant submitted a variance request on February 20, 2023, because the plan would create an impact to the CRZ of twelve (12) trees that are considered high priority for retention under Section 22A-12(b) of the County code. Eight (8) of these trees will be removed; the other four (4) trees will be impacted but retained (Figure 17). A copy of the variance request letter, specifying the amount of critical root zone disturbance for the trees to be saved, is appended to this Staff Report (Attachment B).

Variance Justification:

The GSSC Master Plan recommendations and zoning have identified the Johns Hopkins Belward Farm property primarily for research and development and medical uses. The Master Plan also includes substantial services and infrastructure for this Property, including Master Plan roads, right-of-way for the proposed Corridor Cities Transitway and the LSC Loop trail, and park and recreation facilities. While much of the existing Site is unforested, several specimen trees occur along the eastern entrance driveway and within existing forest areas on the eastern side of the property. The master planned Belward Campus Drive, the extension of Private Road B-4, required frontage improvements and utilities, and the grading to accommodate them will impact twelve specimen trees. Denying the variance request would interfere with efficient development of the Property, provision of required street grids, and the infrastructure needed to support the development. The proposed use of the Property for a medical office building, life science industry development, and the required Master Plan facilities, is significant and reasonable. The Planning Board has granted a variance to other applicants facing similar challenges in development. Based on this information, a variance can be considered.

Table 3: Protected Trees to be Impacted

Tree Number	Species	DBH Inches	% CRZ Impacts	Status
1	White Pine (*Pinus strobus*)	31.4”	34%	Good condition.
62	White Oak (*Quercus alba*)	40.4”	3%	Poor condition.
63	White Oak (*Quercus alba*)	39.4”	15%	Good condition.
64	White Oak (*Quercus alba*)	40.7”	27%	Good condition.

Specimen Trees to be Disturbed but Retained

Three trees, Nos. 62, 63 and 64, will be impacted by grading necessary to construct master-planned Belward Campus Drive and its associated frontage. Tree No. 62 will sustain 3 percent (3%) CRZ disturbance, Tree No. 63 will have 15 percent (15%) of its CRZ disturbed, and Tree No. 64 with have 27% of its CRZ disturbed. Tree No. 1 is on private property at the northwest corner of the Belward property. This tree will have up to 34 percent (34%) of its CRZ impacted by construction of a force main sewer line running along Muddy Branch Road. As much of the area within the LOD for the sewer is already in Muddy Branch Road, staff expects the actual CRZ impact to be less than 34%, because very few tree roots are likely to be under the existing pavement. With proper tree protection measures implemented, staff believes these trees can be preserved.

Table 4: Protected Trees to be Removed

Tree No.	Species	DBH Inches	% CRZ Impacts	Status
67	White Oak (*Quercus alba*)	32.0”	53%	Good condition.
68	White Oak (*Quercus alba)*	30.5”	88%	Good condition.
74	White Oak (*Quercus alba*)	31.6”	96%	Good condition.
75	White Oak (*Quercus alba*)	30.1”	100%	Good condition.
77	White Oak (*Quercus alba*)	39.7”	100%	Good condition.
78	White Oak (*Quercus alba*)	35.6”	99%	Fair condition.
98	Black Walnut (*Juglans nigra*)	32.0”	100%	Good condition.
109	Blackgum (*Nyssa sylvatica*)	46.6”	100%	Dead.

Specimen Trees Proposed for Removal

Specific justification for trees that must be removed was provided in the variance request letter. A summary of that justification cited in the variance request is included below:

- Trees No. 68, 75 and 98 are within the alignment of master-planned Belward Campus Drive. The road alignment cannot reasonably be realigned to save these trees.

- Trees No. 74, 77 and 78 are within the alignment for the extension of Private Road B-4 where it connects to Belward Campus Drive. The intersection point is fixed by the existing alignment of Private Road B-4 to the south and the master-planned right-of-way for Belward Campus Drive and cannot reasonably be changed to save these trees.

- Tree No. 67 lies along the northern edge of the alignment for master-planned Belward Campus Drive and the accompanying sidewalk. Fifty-three percent (53%) of the tree's CRZ will be disturbed by the construction and grading. The tree cannot survive this much impact and should be approved for removal.

- Tree No. 109 lies in the middle of the area planned for the construction of Muddy Branch Park. This was once an iconic blackgum tree that was recommended for retention within the park area, but the tree is now dead and should be removed.

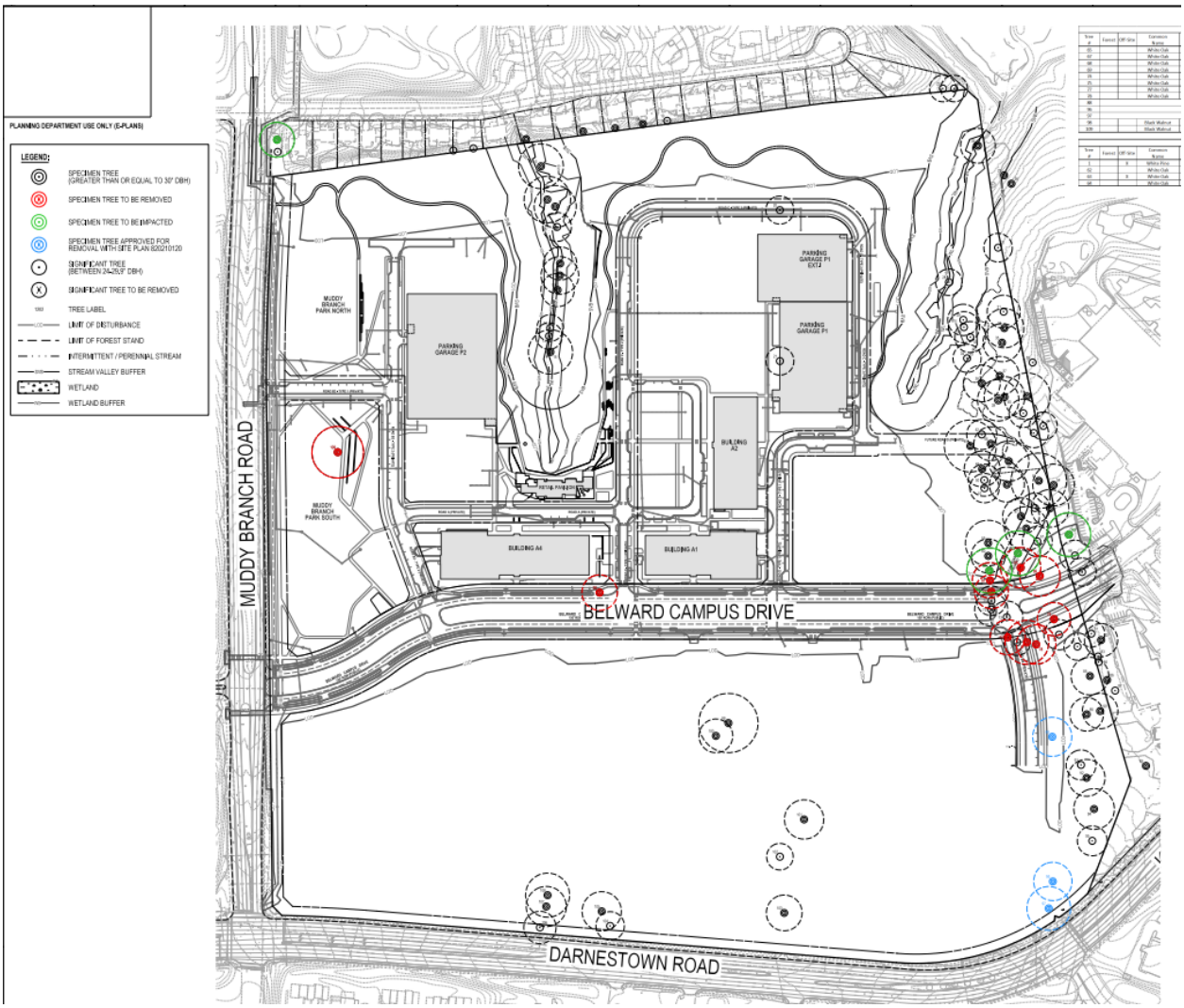

Figure 17: Variance Tree Exhibit

Section 22A-21 of the County code sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. Staff has made the following determinations that granting the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

   Impacts to specimen trees are a result of the Master Plan and zoning recommendations for the site, especially the requirement to provide master-planned Belward Campus Drive and its connection to Private Road B-4, as well as for infrastructure needed to support the development. Staff has determined that the impacts to the trees subject to the variance requirement cannot be avoided. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

   The requested variance is not based on conditions or circumstances which are the result of actions by the applicant, but on required plan elements.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

   The requested variance is not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

   The Variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being impacted are not located within a stream buffer, wetland, or a special protection area. Additional trees will be planted on the Subject Property as part of the forest conservation requirements.

Mitigation for Trees Subject to the Variance Provision

There are eight trees proposed for removal in this Variance request resulting in a total of 278.1 inches of DBH being removed. The FCP includes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately one-inch caliper for every four inches removed using trees that are a minimum of three inches caliper in size. This results in a total mitigation of 69.5 inches with an installation of 24 three-inch caliper trees. These planting locations and species of these trees must be shown on the Certified Final Forest Conservation Plan.

Although these trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by the removal of these trees. These mitigation trees must be overstory trees native to the Piedmont Region of Maryland and installed on the Subject Property outside of any rights-of-way and/or utility easements.

<u>Variance Recommendation</u>

Staff recommends approval of the variance.

Final Forest Conservation Plan Recommendation

Staff recommends approval of Final Forest Conservation Plan No. F20230020.

SECTION 6: COMMUNITY OUTREACH

The Applicant advertised and held the required pre-submission public meeting for the surrounding community on May 10, 2022. This meeting was conducted in a virtual format, as permitted by the Planning Department's COVID-19 procedures. The Applicant provided notice for the pre-submission community meeting in accordance with the requirements set forth in the Administrative Procedures for Development Review and the Zoning Ordinance. A total of 37 members of the community and interested stakeholders were in attendance. The Applicant held an additional pre-submission community meeting on September 29, 2022, to provide additional details about the Project.

Some of the concerns and questions raised during the pre-submission public meeting is summarized below:

- What is the impact of traffic on Muddy Branch Road, Darnestown Road, and the surrounding residential area?
    - *Response:* The Overall Site received an APF determination in connection with its approved Preliminary Plan. The APF determination remains valid and is used to confirm the adequacy of public roads to support up to 1.41 million square feet of development on the Overall Site. A traffic statement will be submitted with the future site plans to show that development capacity exists for what has been approved. As part of the TCC Site Plan review, various agencies have evaluated the access points, circulation on-site, and associated impacts, along with compliance with master plans such as the GSSC Master Plan and Bicycle Master Plan.

- How will the Belward farm be affected by the proposed construction?
    - *Response*: The Applicant does not anticipate any impacts to the farm; however, potential impacts will be evaluated, and mitigation determined prior to any construction activity.

- What is the safety level of the Site?
    - *Response*: The Applicant is designing the buildings to achieve Bio-Safety Level 2, which is considered the industry standard.

- Is the Mission Hills preserve buffer zone accessible to the public?
    - *Response*: The Applicant proposes to make the buffer zone accessible and interconnected to the Muddy Branch Park, including walking and bike trails. A pathway shortcut connection from the Preserve to the Mission Hills neighborhood to the north is not proposed.

The complete meeting minutes from the pre-submission presentation is found in the Application materials.

Following the scheduled meeting, presentation materials were made available by email request to the Applicant. The Site Plan Application was available for public review on the Planning Department's website. During the review of the Concept Plan (accepted March 2022) and this TCC Site Plan, Staff received public correspondence as of the date of this Staff Report that included questions and ideas about programming at Muddy Branch Park and at the historic Belward farm, traffic concerns, and support for approval of the project.

The Applicant also provided a presentation to the Great Seneca Science Corridor Master Plan Implementation Advisory Committee (IAC) during their October 18, 2022 and February 28, 2023, meetings which were open to the public. Their most recent questions to the Applicant included a summary of elements that have changed since initial plan iterations, requirements for a traffic study, road connectivity and ownership, and the Muddy Branch Park ownership.

SECTION 7: CONCLUSION

This Application meets all the applicable requirements established in the Montgomery County Code, Chapter 59, the Montgomery County Zoning Ordinance per Section 59.7.7.1.B.1 and 2 and the prior Code in effect on October 29, 2014, found at 59-C-5.3 et seq. of the Zoning Ordinance in effect on October 29, 2014, applicable to the LSC Zone, and Chapter 22A, Forest Conservation Law, and substantially conforms with the recommendations of the applicable Master Plan. This Application has been reviewed by other applicable County agencies, all of which have recommended approval of the application with conditions. Staff recommends approval of this Site Plan No. 820220250 (TCC Site Plan) and the Final Forest Conservation Plan No. F20230020 with the conditions listed at the beginning of the Staff Report.

ATTACHMENTS

Attachment A: Prior Approvals

Attachment B: Variance Request

Attachment C: Agency Letters

Attachment D: Design Waiver Request

Attachment E: Community Correspondence