

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

August 5, 2025

MCPB No. 25-094
Site Plan Amendment No. 82001012H
Traville Parcel N
Date of Hearing: July 31, 2025

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014, including the zoning then in effect; and

WHEREAS, on March 22, 2001, the Planning Board, by Resolution MCPB No. 149993, approved Site Plan No. 820010120 for 1,030,000 square feet of Research and Development (R&D) land use, with a certified site plan including an implementation phasing schedule consisting of Phase I (500,000 square feet on Parcel M), Phase IA and Phase 2 (530,000 square feet to be built on Parcel N), and an impervious limitation restricted to 18.6 acres established by a Final Water Quality Plan on 49.98 acres of Mixed Use Neighborhood (MXN) zoned-land, located on Darnestown Road, 500 feet east of Travilah Road including Parcel M and N ("Subject Property"), and in the 2010 Great Seneca Science Corridor Master Plan ("Master Plan") area; and

WHEREAS, on May 22, 2003, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82001012A, for the construction of a temporary parking facility, which was to remain for two to three years in accordance with the future development of the Human Genome Sciences Parcels M & N on the Subject Property; and

WHEREAS, on September 28, 2006, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82001012B (MCPB No. 06-106), for modifications to the Site Plan Enforcement Agreement to extend the use of the temporary parking facility until November 2008 for the Universities of Maryland students; and

WHEREAS, on September 10, 2010, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82001012C (MCPB No. 11-74), to

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Approved as to
Legal Sufficiency: /s/ Allison Myers
M-NCPPC Legal Department

construct Building D, a 125,000 square foot development in accordance with Phase IA (project was never constructed) on the Subject Property; and

WHEREAS, on January 25, 2021, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82001012D (MCPB No. 21-073), to build up to 200,000 square feet of research and development use and a 562-space garage on Parcel N within the Subject Property; and

WHEREAS, on May 18, 2022, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82001012E (MCPB No. 22-045), to increase the height of Building A from 100 to 105 feet, construct a new building, Building B, containing up to 265,000 square feet of Research and Development use and construct a new 622-space parking garage on Parcel N of the Subject Property; and

WHEREAS, an amendment to the previously approved site plan designated Site Plan No. 82001012F was withdrawn by the Applicant; and

WHEREAS, on May 31, 2024, the Planning Director approved an amendment to the previously approved site plan, designated Site Plan No. 82001012G, to install a bike shelter and modify impervious surface areas; and

WHEREAS, on April 2, 2025, ARE-Maryland No. 49, LLC (“Applicant”) filed an application for approval of an amendment to the previously approved site plan to reconfigure the Great Seneca Highway and Darnestown Road intersection and extend Great Seneca Highway into the property as a private road on the Subject Property; and

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 82001012H, Traville Parcel N (“Site Plan,” “Amendment,” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20250540; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 21, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 31, 2025 the Planning Board held a public hearing on the Application and voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan Amendment No. 82001012H to reconfigure the Great Seneca Highway and Darnestown Road intersection and extend Great Seneca Highway into the property as a private road by modifying and adding the following conditions:¹

MODIFIED CONDITIONS

Open Space, Facilities and Amenities

3. Green, Facilities, and Amenities

d) Before July 30, 2032, the Applicant must:

- i) Obtain approval of a site plan amendment for the public use open space located in the northeast corner of the Site that is consistent with the Conceptual “Traville Open Space” plan dated June 7, 2024. The public use open space must include the master planned bikeway that connects Darnestown Road with Traville Gateway Drive.
- ii) Construct the public use open space as approved in the site plan amendment. The Public Open Space must include the master plan bikeway improvement that connects Darnestown Road with Traville Gateway Drive.
- iii) Construct the Great Seneca Highway connection as shown on the Certified Site Plan.

Environment

6. Water Quality

- i) The development must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) Preliminary/Final Water Quality Plan approval letter dated May 21, 2024.
- j) The total impervious surface on Parcel M and Parcel N (the Subject Property), and Outlot O is limited to 16.95 acres within the Piney Branch SPA, as shown on the Impervious Surface Plan as shown on Sheet C1.01. Overall impervious cap for Parcel M, N and Outlot O remains at 18.6 acres.

7. 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 dated May 21, 2024 and incorporates them as

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

conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of the Site Plan Amendment approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

12. Right of Way

- k) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right-of-Way in its letter dated May 23, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of the Site Plan Amendment approval.

13. 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 July 10, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of the Site Plan Amendment approval.

18. 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:

- l) Submit the Conceptual “Traville Open Space” plan dated June 7, 2024, with 8-foot sidepaths labeled, to Staff.
- m) Show all private road sections/profiles, with minimum six-inch Graded Aggregate Base (GAB) noted, including curb & gutter, apron, and handicap ramp details.

ADDITIONAL CONDITIONS

19. Private Road- Great Seneca Highway Extension

The Applicant must provide Private Road- Great Seneca Highway Extension, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by the Site Plan within the delineated private road area (collectively, the “Private Road”), subject to the following requirements:

- a) The record plat must show the Private Road in a separate parcel.
- b) The Private Road 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 Road.
 - 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 Road and all improvements located within the Private Road, 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 two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). 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 Road is not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Road.
 - iv) The approved sub-grade for the Private Road must be at least six-inch Graded Aggregate Base (GAB).
- c) Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS Site Plan Enforcement Section, certification by a professional engineer licensed in the State of Maryland that the Private Road has 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 Preliminary Plan or a subsequent 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.
- d) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS Site Plan Enforcement Section certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade,

aggregate base, and asphalt, and that the road has been constructed 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.

20. Prior to issuance of the right of way permit, the Applicant must record a plat with the Great Seneca Highway Extension in a private road parcel as shown on the Certified Site Plan.

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

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Traville Parcel N, Site Plan Amendment No. 82001012H, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect.

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

The extension of Great Seneca Highway into the Property will enhance the existing pedestrian, vehicle, and bicycle circulation by providing additional connectivity between Darnestown Road and Traville Gateway Drive. The private road and accompanying sidepath, as conditioned, are consistent with the 2024 *Great Seneca Plan: Connecting Life and Science* (“Great Seneca Plan” or “Plan”) that designates the GSH extension into the Property as a town center street (Road Q) with a 60-foot right-of-way, two planned traffic lanes, and sidepaths on both sides of the road in Table 2 (page 46) of the Great Seneca Plan. The sidepaths through the property are represented graphically on page 40 of the Plan.

Preliminary Plan No. 119970220 approved the internal roads through Parcel N as private, and the GSH extension completes the private vehicle circulation network. The private road and shared use path will be recorded in a platted private road parcel and constructed to public road standards pursuant to prior approvals and Code requirements.

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.*

a. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20250540, which are included in a separately approved resolution and are incorporated herein.

b. Chapter 19, Erosion, Sediment Control, and Stormwater Management

Because this site lies within the Piney Branch Special Protection Area (SPA), approval of a Water Quality Plan is required. The Water Quality Plan approval is shared by the Montgomery County Department of Permitting Services (MCDPS) and the Montgomery County Planning Board. MCDPS is responsible for approving the stormwater management plan for the site. The Montgomery County Planning Board is responsible for determining that impervious areas are minimized in the site design.

While the Piney Branch SPA does not include an imperviousness cap, previous approvals for the Traville development impose a maximum imperviousness cap of 33% for the entire site. The initial requirements were established during the review and approval of LMA G-718. A maximum imperviousness amount was distributed to individual sites throughout the overall Traville development to ensure that the development would remain under the 33% cap. Parcel M and N were combined into one area for purposes of the imperviousness distribution.

The Water Quality Plan for Site Plan No. 820010120 stipulated that these two sites together are restricted to a maximum impervious cover of 18.6 acres. Prior to development of Buildings A and B on Parcel N, the impervious cover on Parcels M and N was 10.06 acres. Site Plan Amendment 82001012D increased the total imperviousness on Parcels M and N to 13.16 acres. Site Plan Amendment No. 82001012E included new buildings and impervious surfaces that increased the total imperviousness to 16.4 acres. The infrastructure approved with the Subject Amendment brings the total imperviousness to 16.95 acres, which is under the maximum impervious cover limit of 18.6 acres. The Planning Board finds that the Applicant has used site design approaches including compact building footprints and the use of structured parking to minimize imperviousness on Parcel N.

MCDPS has authority over the review and approval of the Stormwater Concept Plan, including their portion of the Water Quality Plan analysis and approval. DPS approved a revised Combined Preliminary and Final Water Quality Plan/Site Development Stormwater Management Plan on May 21, 2024. The Preliminary/Final Water Quality Plan proposes to meet required stormwater management goals via micro bioretention.

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

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

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

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(which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution approved and adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley necessarily absent, at its regular meeting held on Thursday, July 31, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board