COMMISSION ACTION

NCPC File No. 6363

NATIONAL INSTITUTES OF HEALTH
BUILDING 33 AND PARKING GARAGE
PRELIMINIARY SITE AND BUILDING PLANS, FINAL FOUNDATION PLANS
Bethesda, Maryland

Submission by the Department of Health and Human Services

September 4, 2003

Commission Action Requested by Applicant

Approval of preliminary site and building plans and final foundation plans pursuant to Section 5 of the National Capital Planning Act (40 U.S.C. § 8722(b)(1)).

Commission Action

The Commission:

- Approves the preliminary site and building plans, and final foundation plans, for Building 33 and the structured parking garage in the northeast corner of the National Institutes of Health (NIH) Bethesda campus, as shown on NCPC Map File No. 3101.20(38.00)41221.

- Recommends that prior to submission of final site and building plans, NIH:

    - Complete the Building 33 Risk Assessment and provide final design details showing proposed building hardening and building perimeter security.

    - Provide a simulation showing how the garage will be illuminated at night.

    - Provide material samples and details showing the appearance, construction and function of the aluminum garage screen.

Deborah B. Young
Secretary to the National Capital Planning Commission

S T A F F R E C O M M E N D A T I O N

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Submitted by the Department of Health and Human Services

August 28, 2003

Abstract

The National Institutes of Health (NIH) has submitted preliminary site and building plans, and final foundation plans, for a proposed laboratory building (Building 33) and parking garage at its suburban Bethesda Campus along Wisconsin Avenue in Montgomery County, Maryland. The lab and parking garage will be located in the northeast corner of the campus in an area currently devoted to surface parking lots. A lab and parking garage were identified in the 1995 NIH master plan for this area of the campus.

The lab is being constructed for the National Institute of Allergy and Infectious Disease (NIAID), the Institute which has led the nation's biomedical research efforts on emerging infectious diseases. The President has mandated that the Institute expand its biodefense research agenda in order to protect civilians from deadly infectious diseases, whether they emerge naturally or by deliberate release. There is significant concern within the community over the safety of the lab facility, which will contain both Biosafety Level 2 and 3 laboratories and will study such agents as anthrax and the West Nile Virus. NIH has responded to community concerns by creating a Building 33 Risk and Hazard Assessment group which is studying potential threats to the building and making recommendations to mitigate the risk associated with the research performed in the building. A confidential preliminary briefing has been issued on their findings; a final report is expected prior to final site and building plan approval later this fall.

Although a number of setbacks constrain the location of the new lab and parking garage, staff believes that the result is a well designed building complex which includes an active pedestrian plaza. Prior to submission of final site and building plans NIH should continue to study ways to mitigate views of the large parking garage, especially from Cedar Lane, and integrate security features into the lab building and site in a sensitive and unobtrusive way.

Commission Action Requested by Applicant

Approval of preliminary site and building plans and final foundation plans pursuant to Section 5 of the National Capital Planning Act (40 U.S.C. § 8722(b)(1)).

Executive Director's Recommendation

The Commission:

Approves the preliminary site and building plans, and final foundation plans, for Building 33 and the structured parking garage in the northeast corner of the NIH Bethesda campus, as shown on NCPC Map File No. 3101.20(38.00)41221;

Recommends that prior to submission of final site and building plans, NIH:

- Complete the Building 33 Risk Assessment and provide final design details showing proposed building hardening and building perimeter security.
- Provide a simulation showing how the garage will be illuminated at night.
- Provide material samples and details showing the appearance, construction and function of the aluminum garage screen.

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PROJECT DESCRIPTION

The National Institutes of Health has submitted preliminary site and building plans, and final foundation plans, for a new laboratory building (Building 33) and a structured parking garage at its Bethesda, Maryland campus. The new lab and parking garage will be located in the northeast quadrant of the campus, in an area currently occupied by a number of surface parking lots. The new National Institute of Allergy and Infectious Diseases (NIAID) laboratory building will allow NIH to support its growing biodefense research agenda.

The Commission is reviewing the project pursuant to Section 5(a) of the National Capital Planning Act of 1952, which requires NIH to advise and consult with the Commission. The Commission's role is to provide planning advice and guidance.

Campus location

The Bethesda campus of NIH is located on a 322-acre site in Montgomery County, Maryland. Approximately 18,000 employees work on the campus. It is bounded by Cedar Lane and the Bethesda Fire Station to the north, Wisconsin Avenue to the east, Old Georgetown Road to the west, and residential neighborhoods to the south. The Medical Center Metro station, a red line station, is located southwest of South Drive and Wisconsin Avenue. In the immediate vicinity of the NIH campus is the National Naval Medical Center across Wisconsin Avenue; Suburban Hospital and low-density commercial uses across Old Georgetown Road; and, residential uses such as single-family homes and apartments across Cedar Lane and adjoining the campus to the

south. The NIH campus is similar to a large University campus, with rolling hills and landscaping typical of central Maryland.

Development Program

Applicant: Department of Health and Human Services
Architect: CUH2A
Cost: $186 million has been appropriated for the project
Schedule: Completion date of summer 2004 for garage, fall 2005 for lab

Building Program

The proposed laboratory is being constructed for the National Institute of Allergy and Infectious Diseases (NIAID), a component of NIH that conducts and supports research to understand, treat and ultimately prevent the myriad infectious, immunologic and allergic diseases that threaten hundreds of millions of people worldwide. The Institute has been mandated by President Bush to play a leading role in the nation's effort to protect civilians from deadly infectious diseases, whether they emerge naturally, or from deliberate release in a bioterrorist attack.

The proposed laboratory at NIH's Bethesda campus is intended to build upon existing infrastructure and expertise already at the campus. Because NIAID's intramural program is large and complex, scientists with different areas of expertise are located at different NIH sites and the laboratory will be one of a few new facilities intended to comply with the President's mandate. (NIH is also constructing a new facility at their Rocky Mountain Laboratory site in Montana and is constructing an integrated research facility at Fort Detrick, Maryland, to be used in collaboration with the Army.)

A parking garage will be constructed adjacent to the laboratory and will accommodate the parking spaces lost due to the construction of the laboratory and the garage.

Laboratory Biosafety Level

The proposed laboratory facility will incorporate laboratories, offices, conference rooms, animal quarters, mechanical space and waste handling areas. The individual laboratories within the facility are classified as Biosafety Level 2 and 3 labs (BSL-2 and BSL-3). There are four laboratory biosafety levels, ranging from: BSL-1 (educational labs where strains of viable microorganisms not known to cause disease in healthy adults are studied) to BSL-4 (research labs where dangerous or exotic agents that have a high risk of life-threatening disease for which there is no available vaccine or therapy, such as the Ebola virus, are studied). The NIH Bethesda campus already has a number of extant BSL-2 and BSL-3 labs and one small high containment lab (BSL-3 plus). The majority of labs at NIH are classified as BSL-2 labs; and only approximately 7,600 square feet is currently developed to BSL-3 laboratory space. Research in all biosafety labs is carried out in accordance with the Centers for Disease Control (CDC)-established guidelines and practices intended to ensure safety, both for lab workers and for the surrounding community. The specific types of agents that will be studied at the new facility include Anthrax, bacterial vaccines, respiratory viral pathogens, immunology of infectious

diseases, poxviruses, tuberculosis, tularemia, enteric pathogens, vector-borne flaviviruses, and West Nile Virus.

Building Site and Constraints

Building 33 and the structured parking garage will be located in the northeast quadrant of the Bethesda campus. The proposed building site is occupied primarily by surface parking lots, and there are significant grade changes over the site. There is a streambed to the east of the lab site and a drainage swale to the north, from which the grade rises gradually toward Cedar Lane and Wisconsin Avenue. Building 31C is located to the west of the laboratory site and Building 6B is located to the south, and there are significant grade changes between the lab site and both of these existing buildings. The parking garage site slopes gradually downwards from the laboratory site from west to east approximately 20 feet.

NIH has identified a number of setbacks, primarily related to security, that impact the siting and location of the lab and garage, including:

- A 250-foot residential buffer from the campus boundary around perimeter of site (in this case from Cedar Lane and Wisconsin Avenue).
- A 250-foot buffer between the lab building and the nearest uninspected vehicle.
- A 100-foot blast setback from the nearest point of uncontrolled pedestrian access.
- A 100-foot setback from internal roadways.
- A 100-foot setback between occupied vehicles and parking structures.

Laboratory Design Details

The laboratory facility would contain 79,000 net square feet (nsf) of space in four levels, including a basement level, with an interstitial (intermediate) floor at each level, and a penthouse. Roughly 14,000 nsf of the building will be dedicated to BSL-3 labs (18%) and approximately 28,000 nsf (35%) will be devoted to BSL-2 labs. The partially depressed basement level of the facility will contain six loading docks, the vivarium, service uses such as a mailroom and security office, and mechanical space. The first floor will contain the main building entrance and security area. BSL-3 laboratories will be located in the center core, flanked by BSL-2 laboratories and offices on the exterior window walls, conference rooms and the cyber-library. The second and third floors are nearly identical to the first floor, although they lack the entrance and security area. The penthouse will house the majority of the HVAC mechanical equipment, which includes all supply air handlers servicing the different systems in the building.

The footprint of the lab facility will measure roughly 155 feet by 250 feet and the height of the building will be approximately 118 feet from the loading area to the top of the penthouse and 97 feet elsewhere around the building where only three stories are above grade. The building will be clad with a variety of materials, including brick, glass curtain wall, metal panels and a perforated metal screen. The penthouse will be clad with metal panels, and a metal screen and louver system will obscure the mechanical equipment. Eight exhaust stacks will project from the penthouse. The main entrance will be a glass volume with a metal clad canopy.

A variety of tree types will be planted around the new laboratory, with a greater concentration of vegetation planted on the steep hill in front of the loading area to screen this area from East Drive.

Courtyard Details

A pedestrian courtyard will be constructed between the new laboratory building and existing buildings 31C and 6B as an employee amenity. The courtyard will step up from North Drive where there will be a vehicular drop-off area. A terraced planter will be located in front of the courtyard and the lab to soften and differentiate this edge of the site. Within the courtyard there will be a combination of paved and tree-covered lawn areas, and seating walls and terraced areas will be provided for pedestrians. The decorative paving in front of Building 31C will also double as an accessible fire lane. Walkways within the courtyard will connect this portion of the campus to the rest of the campus. Planting in the courtyard will consist of a combination of flowering trees, shade trees and large ornamental trees and groundcover.

Parking Garage and Access Details

The proposed structured parking garage will contain 1,230 parking spaces in seven-and-a-half levels. Because of grade changes on the site, one-and-a-half levels of the garage are below the main entrance. The building footprint measures approximately 138 feet by 575 feet and the height will measure between 66 feet on the Cedar Lane elevation and 68 feet next to North Drive. The area north of the garage, which is presently paved, will be landscaped over the future underground stormwater management system for the entire campus. The design of the parking garage is intended to be compatible with the new lab building as well as other parking garages on campus. The garage structure will be constructed of cast concrete and the north elevation, which is set back 250 feet from Cedar Lane, will have an aluminum screen applied for the majority of its length to add visual interest and partially screen the parking. The elevation facing Wisconsin Avenue has been developed with a glass enclosed stair and precast vertical spandrels. The west elevation, which is internal to the campus, will have an aluminum screen similar to the screen on the Cedar Lane elevation. The south facing elevation across North Drive from Building 33 relates to the lab by responding to its orientation, character and materials – it will have an aluminum screen wall, an aluminum and glass curtainwall, and precast vertical spandrels.

Plantings are proposed between the garage and Cedar Lane in and around the underground stormwater management system. The plants will be a blend of native Maryland vegetation in the form of groves and groupings of trees. There will be a variety of tree canopies – small canopy, flowering trees and evergreens.

The construction of the laboratory and the parking garage will impact five surface parking lots and parallel parking spaces along East Drive, resulting in a loss of approximately 935 spaces. Another 453 surface spaces will be lost within roughly two years as a result of the construction of the proposed Commercial Vehicle Inspection Facility off of Wisconsin Avenue. The new garage will provide parking for employees of the new lab, as well as employees housed in other buildings in this quadrant of the campus

The proposed parking garage is part of NIH's overall transportation and parking program for the campus, which will eventually replace most surface parking lots with structured garages. The proposed garage will ultimately result in a net loss of over 130 parking spaces for the campus. The resultant number of parking spaces on the campus is consistent with the 1992 Memorandum of Understanding between NIH, M-NCPPC and NCPC on peak hour trip generation limits and the Commission's Comprehensive Plan parking ratio of one space for every two employees, or 1:0.5 (NIH is currently in compliance with the 1992 MOU with a parking ratio of 1:0.45).

There are two additional proposed transportation improvements shown on the lab and garage site plan but which are under separate contract – the extension of North Drive next to the Clinical Center and the new northeast corner entrance to the campus off of Wisconsin Avenue. Both projects are expected to be completed by the time the new lab and garage open.

Employees

NIH estimates that approximately 242 employees will be housed in the new building. However, the total number of employees on the NIH campus will be within the maximum level of employment (18,000) established in the 1995 Master Plan.

Building 33 Risk Assessment

NIH initiated a Building 33 Hazard and Risk Assessment for the lab at the request of the Community Liaison Council (CLC) to identify potential hazards or threats to the facility and to recommend prevention and mitigation measures. (The Building 33 Risk Assessment group is evaluating the laboratory in its proposed location and is not exploring alternative locations for the facility.) Three members of the CLC are on the steering committee as well as various NIH officials representing science, planning, safety, and health. Physical and structural security experts have also been consulted.

NCPC staff received a confidential briefing paper on the preliminary results of the Building 33 Hazard and Risk Assessment. The document describes the process for identifying and prioritizing the potential threats to the facility and evaluated the "worst case scenario" public health risk which will be studied in the building – Anthrax. The preliminary report contains specific:

- Biosecurity protection principles.
- Personnel reliability recommendations.
- Specific physical security recommendations.
- Information technology security recommendations.
- Material control and accountability recommendations.
- Material transfer security recommendations.
- Program management recommendations.
- Physical security features to be designed into the laboratory building and site.

NIH will submit the group's final report along with the final site and building plan submission materials for the lab and garage later this fall.

CONSULTATION

Community Liaison Council and Community Issues

The Community Liaison Council (CLC), comprised of NIH representatives, citizen associations and local government, meets monthly at NIH. The CLC has discussed the proposed biohazard laboratory on a number of occasions and the project is controversial within the community. Much of the concern centers around locating this facility on the Bethesda campus. As a result, NIH initiated a risk assessment of the laboratory. Three members of the CLC are members of the Risk Assessment Steering Committee.

Montgomery County Planning Board

The Montgomery County Planning Board (M-NCPPC) reviewed the preliminary project plans for Building 33 and the adjacent parking garage at its July 21, 2003 meeting, and forwarded the following comments to NCPC (the Board also held a community forum on July 1 to hear community comments on the proposed facility):

1. Community Impacts:

   A. NIH must provide sufficient information to NCPC to assess the risks associated with building the project at this location in Bethesda.

   NIH Response:
   NIH provided NCPC a confidential copy of what is being called the "Preliminary Results of NIH Building 33 Hazard and Risk Assessments." The report includes information on possible threat scenarios and measures to counter these threats, tables from the Building 33 Hazard Assessment, and a list of security features proposed to be incorporated in the design of the new building. NIH will provide additional Risk Assessment information to NCPC later this fall after the Steering Committee, which has been established at the request of NIH's Community Liaison Council to guide preparation of the Assessment, has completed its work.

   B. Complete the risk assessment findings before preliminary approval by NCPC of the Research Laboratory (Building 33).

   NIH Response:
   As agreed with NCPC, NIH will provide preliminary information from the Building 33 Risk Assessment with its preliminary site and building plan and final foundation plan submission.

   C. Reduce the size and height of the parking structure and provide additional mitigation to its visual impact.

NIH Response:
The footprint and height of the parking garage are driven by the garage's parking program, which is in large measure based on the need to replace parking that will be lost with the construction of the proposed Building 33/Garage project. Although there will be some additional parking provided over and above those spaces lost in the immediate area of the Building 33 site, these spaces will account for additional lost parking that will be removed when the future Commercial Vehicle Inspection Facility is constructed on parking lots located along Wisconsin Avenue just east of proposed Building 33. NIH has tried to minimize the visibility of the proposed parking garage as viewed from Cedar Lane and Wisconsin Avenue but is willing to consider additional mitigation measures to lessen the visual impact of the parking garage as MCPB has recommended.

D. Screen views of the loading dock and parking facilities from Wisconsin Avenue and Cedar Lane.

NIH Response:
The elevation of the loading dock area on the east side of Building 33 is below the elevation of East Drive, which is the main approach to the building. This will help greatly in reducing the visibility of the loading area to motorists as they approach the lab from the south. In addition, landscaping and a wall will help screen views of the docks from surrounding on-campus areas. Keep in mind that the loading docks are over 400 feet from the southbound lanes of Wisconsin Avenue and are obscured by a small line of trees that border the NIH Stream in this portion of the campus. (The NIH Stream is located between Wisconsin Avenue and Building 33 on the east side of the site.) Because of the placement of the loading docks at the southeast corner of Building 33, they will not be visible from Cedar Lane.

As noted in the NIH response to Item 1.c above, NIH is willing to consider additional measures to reduce the visibility of the parking garage from Cedar Lane and Wisconsin Avenue and welcomes MCPB's or NCPC's suggestions on how this might be done while maintaining the established program.

E. Incorporate this project into the NIH Master Plan Update.

NIH Response:
The project will be incorporated into the NIH Master Plan Update.

2. Transportation and Parking Impacts on the Environment:

A. A campus-wide conceptual Forest Conservation Plan (FCP) should be submitted to M-NCPPC along with the update to the NIH Master Plan, and reviewed by the M-NCPPC environmental staff. This plan should address reforestation in priority area including unforested portions of the stream valley buffer as part of the NIH Master Plan Update.

NIH Response:
NIH filed some time ago a draft campus Tree Conservation Plan with the Maryland Department of Natural Resources. This was based on information in the 1995 Campus Master Plan. It is our intent to update this conservation plan as part of the 2003 Master Plan Update. According to staff in our Division of Environmental Protection, who is responsible for complying with the Maryland Forest Conservation Act, the Tree Conservation Plan, once approved, will satisfy the State's Forest Conservation Plan requirement.

The updated Tree Conservation Plan that will be submitted to the State will include NIH's afforestation plans, our tree replacement policy, which is based on a "no net tree loss" approach, our tree inspection and maintenance program, an inventory of existing trees on the campus with diameters of six inches or greater at breast height, and our stream restoration program, which involves planting new trees in our stream valley buffers. The Master Plan Update and Tree Conservation Plan will contain additional updated maps of trees and vegetation on campus as well.

NIH would be pleased to arrange a meeting with M-NCPPC Environmental staff to discuss the tree conservation measures in use on the Bethesda campus as well as our Tree Conservation Plan.

B. A Tree Save Plan should be provided for the area of Building 33, the parking garage and the service drive adjacent to Wisconsin Avenue. This plan should specify tree preservation measures for the specimen and champion trees in this area.

NIH Response:
NIH has not prepared a "Tree Save Plan," as such, for the Building 33 project. We have, however, prepared an Existing Trees Plan and a Site Planting Plan that we believe provide the information MCPB is seeking. The Existing Trees Plan indicates existing trees-to-remain, existing trees-to-be-removed, and existing trees-to-be-relocated. The Site Planting Plan identifies new trees to be added to the site with the construction of the Building 33 project. The Planting Plan also identifies tree protection measures that will be in use on the site during construction. The Champion Tree located in the new North Drive entrance area will not be affected by the proposed project. If requested, NIH will provide M-NCPPC and NCPC additional information on measures it intends to take to preserve this tree and any other specimen trees in the area.

C. Where feasible, all existing and proposed impervious surfaces, except North Drive, should be removed from within the 125-foot stream valley buffer required by *Environmental Guidelines*. The proposed parking garage and the access drive next to Wisconsin Avenue should be reconfigured outside of the environmental buffer.

NIH Response:
It is simply not feasible to remove all existing and proposed impervious surfaces from the 125-foot stream valley buffer along the NIH Stream. There are roadways, walkways, and surface parking areas within the County's recommended 125-foot stream valley buffer that have been in place for many years and which must remain to provide required access, vehicular and pedestrian, to the campus. These include East Drive, which is a major vehicular access route into this portion of the campus and which provides access to the planned building and its loading docks, portions of surface parking lots along Wisconsin Avenue, and various sidewalk and pathway segments that form the pedestrian circulation network in the northeast corner of the campus.

NIH will, as it has in the past, continue to comply with all State environmental requirements, including the stormwater management, erosion and sediment control, forest conservation, and stream buffer requirements of Maryland's Department of the Environment and Department of Natural Resources. The setback from the stream valley shown on the preliminary site and building plan submission satisfies the Maryland State stream valley buffer standard.

3. Transportation and Parking:

   A. Coordinate with the Maryland State Highway Administration and the Montgomery County Department of Public Works and Transportation for the newly proposed access to the site from MD 355.

NIH Response:
NIH has had several meetings with Maryland State Highway Administration representatives to review NIH's plans for the new North Drive entrance lane on Wisconsin Avenue, along with other improvements to the campus entrances that could impact off-campus traffic. These discussions are ongoing and are part of the State's review of the NIH Perimeter Security plan project, which includes changes to all of the campus' vehicle entrances. We expect to receive approval from the State for the North Drive entrance shortly. Nevertheless, and as we indicated at the July 21st MCPB meeting, NIH agrees it would be helpful if NIH staff could meet jointly with County transportation staff and SHA transportation officials to discuss the various roadway improvements, intersection changes, and other transportation proposals that each of us are proposing in the Bethesda area.

   B. Provide a circulation plan showing all existing and proposed points of ingress and egress along Wisconsin Avenue (MD 355).

NIH Response:
NIH will provide such a circulation plan with its final submission.

C. Eliminate or relocate further south the proposed access drive and stacking lane near the intersection of Wisconsin Avenue and Cedar Lane to allow for future improvements to the intersection.

NIH Response:
See Item I.a. above. Also, NIH is aware of the County's proposal in the Bethesda-Chevy Chase Master Plan for intersection improvements and a possible new grade-separated interchange at Cedar Lane and Wisconsin Avenue. It is our understanding that definitive designs for these intersection improvements and/or possible interchange have not been developed. In the absence of more definitive information, we do not believe it is advisable to eliminate NIH's North Drive access drive. As noted above, Maryland SHA is in the process of reviewing changes to North Drive and should SHA determine that the proposed access drive could result in traffic tie-ups, it will be adjusted accordingly.

D. Conform to the 1992 Memorandum of Understanding between the M-NCPPC, The Department of Public Works and Transportation, and the NIH on the number of employees and the parking space ratio.

NIH Response:
NIH currently is in compliance with the 1992 Memorandum of Understanding between the MNCPPC, NCPC, and NIH and Building 33 would not result in NIH violating this agreement. The 2002 employment level for the campus was 17,982 and our most recent census information suggests that this level may have actually dropped slightly over the first half of this year. We have 8,175 existing parking spaces on the campus, which results in an employee-parking ratio of 1:0.45. This is below the allowable Comprehensive Plan 1:0.5 ratio.

E. Maintain parking supply on campus that does not exceed .5 spaces per employee.

NIH Response:
The current parking ratio (1:0.45) does not exceed the 1:0.5 ratio established by the Comprehensive Plan.

F. Provide an easement of 40 feet from the centerline of Cedar Lane to reflect the 80-foot right-of-way recommended in the Bethesda-Chevy Chase Master Plan.

NIH Response:
NIH cannot respond to this request at this time. In our view, any additional easements that NIH might consider granting the County along either Cedar Lane or Wisconsin Avenue should be discussed in the context of larger NIH master planning concerns. We do not believe that the review of plans for Building 33 is dependent on such easements.

G. Provide an easement of 60 feet from the centerline of Wisconsin Avenue to reflect the 120-foot right-of-way recommended in the Bethesda-Chevy Chase Master Plan.

NIH Response:
The response for 3F applies to this question as well.

4. Include in the 2003 Master Plan Update the Visitor's Center and Truck Inspection Station so that further impacts to the Bethesda community, environment and transportation can be evaluated in a comprehensive manner.

NIH Response:
NIH will include the visitor's center and truck inspection station in the NIH 2003 Master Plan Update.

EVALUATION

Staff recommends approval of the preliminary site and building plans, and final foundation plans, for the NIAID laboratory and parking garage in the northeast corner of the NIH campus in Bethesda, Maryland. Staff met with NIH on a number of occasions on the proposed facility and many recommendations made by staff have been integrated into the preliminary plans for the two facilities. The proposed lab is well designed and the courtyard will be an amenity to employees in this quadrant. Staff looks forward to seeing additional design details on the lab when final building plans are submitted, in particular, how efforts to harden the facility and limit vehicular access around the building can be integrated into the site and building without adverse effects to the campus. While the structured parking garage is large, its massing is successfully broken down by changes in grade and through variation of materials and surfaces. One significant benefit of the garage will be the removal of a vast amount of surface parking in this area. NIH should provide material samples and details showing the appearance, construction and function of the aluminum garage screen, as well as a night simulation so that the visibility of the structure can be evaluated.

While it is somewhat unusual for the Commission to give approval to final foundation plans at a preliminary design level, it is not unprecedented. NIH has requested final foundation approval in order to begin the lengthy process of site preparation in advance of final approval. NIH has also recently initiated the construction of the underground stormwater management system, which has resulted in the loss of a number of parking spaces. NIH is cognizant that final foundation approval by the Commission does not ensure approval of the final site and building plans.

There is significant concern within the surrounding community as to the safety of the proposed laboratory and this evaluation will address some of these specific concerns in greater detail. Furthermore, the Montgomery County Planning Board (MCPB) also provided their comments and concerns to the Commission as a result of their July 21, 2003 meeting, which will also be discussed below.

Previous Commission Action – Perimeter Security Project

The Commission, at its meeting on December 5, 2002, **tabled** consideration of the preliminary and final site and building plans for the perimeter security enhancement project until NIH; assesses if it is possible to provide security in a less intrusive way; looks at alternative ways of providing access through the facility for area residents; and provides an assessment of the threat levels at their various buildings. Shortly thereafter, NIH made the determination that the agency had sufficiently consulted with the Commission as required under Section 5 of the Planning Act and that the project would proceed. The perimeter security project is currently underway and will be fully implemented by the time Building 33 and the parking garage are completed.

Laboratory Safety, Location and Design

There are significant concerns within the Bethesda community about the safety of the proposed laboratory. As a result, NIH formed the Building 33 Hazard and Risk Assessment Steering Committee, which is looking at potential threats to the lab and ways to mitigate the identified threats. The confidential preliminary findings have been provided to NCPC staff and the Commission will be briefed during the closed Executive Session meeting on September 4, 2003. The findings describe potential threats to the facility, and make specific recommendations to ensure the safety of NIH employees and those in the surrounding community. These recommendations are intended to both effectively manage employees and visitors within the facility, and harden and secure the structure itself.

Some have expressed a concern that the building's location on the perimeter of the campus makes it more vulnerable and have asked whether it would be more appropriately located in the center of the campus. NIH has explained that at the present time there are no available sites within the interior of the campus for such a facility because the interior of the campus is occupied by existing buildings. Given the lack of funding to find replacement space for these uses, and the need to meet the President's goals for biodefense research within a reasonable time frame, the proposed location for the lab facility – which was envisioned in the 1995 Master Plan – is the most appropriate.

The Montgomery County Planning Board also asked that views to the loading dock be screened from Wisconsin Avenue. Staff is confident that a number of existing and proposed site and building features will make this area nearly invisible. First, the loading dock is located over 400 feet from Wisconsin Avenue. Second, there is existing and proposed landscaping within this distance which will significantly screen the facility. Third, the elevation of the loading dock is below the elevation of the nearest adjacent internal roadway, East Drive.

Staff finds the design of the lab building to be well developed and characteristic of the modern laboratory architecture on the NIH campus in recent years. While staff understands the need to physically secure the lab building – by means of hardening the structure and securing the site's perimeter – it will be particularly important to design security features in such a way that seeks an appropriate balance between providing secure environments and maintaining openness within this campus-like setting.

Parking Garage Size and Aesthetics

At one of the early consultation meetings with NIH and their consultants, staff expressed concern about the size and mass of the parking garage structure. While NIH was able to slightly alter the buildings footprint, the agency stated that a number of setback constraints impacted the size and massing of the proposed facility – the most significant being the need to be outside of the agreed upon 250-foot residential buffer around the entire campus perimeter and the need to provide a 100-foot setback between the parking garage and the lab. Furthermore, NIH intends to accommodate the all of the existing surface parking spaces in the new garage (935 spaces), as well as other surface parking along Wisconsin Avenue with the new facility (for an ultimate net loss in parking on the campus). The amount of parking in the garage is consistent with the number spaces identified in the 1995 Master Plan. Fortunately, the new garage will result in over 100 feet in additional greenspace along Cedar Lane where surface parking lots are now located. This is consistent with the Comprehensive Plan recommendation that federal land be used as efficiently as possible and that parking be located in structured parking garages to the extent possible.

Over the last few months, NIH has continued to refine the design of the garage, integrating different materials and an aluminum screen which will help to screen the parking levels, particularly along the Cedar Lane elevation. Still, there is concern, expressed by the Maryland Planning Board, about the size and height of the parking structure and the need to provide additional mitigation to reduce its visual impact. Staff concurs that the size and the height of the garage are largely set; however, NIH should provide a simulation showing how the garage will be illuminated at night; and material samples and details showing the appearance, construction and function of the aluminum garage screen.

Environmental Issues

The Montgomery County Planning Board brought up a number of environmental issues during their review of the preliminary plans for Building 33 and the parking garage. They center on the need for a Forest Conservation Plan, a Tree Save Plan and the need to remove all existing and proposed impervious surfaces, except North Drive, from within the 125-foot stream valley buffer.

Because NIH must comply with state regulations rather than county regulations, there are instances where the county regulations are more onerous and NIH is unable to meet the County's request. NIH has filed a Forest Conservation Plan and will file an updated Tree Conservation Plan with the State of Maryland. These documents are also being included as part of the 2003 Master Plan Update for the campus. NIH intends to take a "no net loss" approach to the trees on the campus. Specifically for Building 33, NIH prepared an existing trees plan and site planting plan which show trees to remain, trees to be removed, existing trees to be relocated and proposed new trees and this has been submitted to the County.

In regards to the 125-foot stream valley buffer, NIH has indicated that they cannot fully comply with the County's requirements due to the setback requirements that narrowly define the siting and location of the project, and that a portion of the garage will be located in the buffer, as are

several existing roadways and walkways. However, a significant amount of impervious surface parking lots will be removed from the buffer as a result of this project, as well as the future North Drive entrance project.

Future Transportation Improvements

MCPB also recommended that NIH coordinate with the State and County in the development of the future entrance at the northeast corner (North Drive entrance) of the site off of Wisconsin Avenue, and asked that the entrance either be relocated further south or not constructed. The Board also asked for two easements, one from centerline of Cedar Lane and the other from Wisconsin Avenue, which would reflect the right-of-way recommendations in the Bethesda-Chevy Chase Master Plan.

NIH has indicated that they will include the County in their ongoing discussions with the State Highway Administration regarding the details of the proposed new North Drive entrance, and will incorporate the new entrance into the revised master plan. NIH is in the process of working with the Maryland State Highway Administration on the final details of the improvement and indicated that they would participate in a joint meeting between NIH, the County and the State to discuss all of the transportation improvements at the NIH campus.

In reference to the easements requested by the County, NIH has indicated that they would be willing to discuss the granting of the easements, but would rather do so in the context of larger master planning issues rather than in response to the construction of Building 33 and the parking garage.

Staff Recommendation

In spite of the setback requirements that so narrowly define the siting and location of the project, its design is visually interesting and is a coherent part of the modern, industrial-style facilities that have been constructed on the NIH campus in recent years. The new courtyard is a desirable amenity for employees and should bring a new level of vitality to the northeast corner of the campus. In addition, this project will remove a significant amount of paved surface parking from this corner of the campus and residential buffer area. As discussed above, staff recommends that prior to submission of final site and building plans, the Commission recommend that NIH:

- Complete the Building 33 Risk Assessment and provide final design details showing proposed building hardening and building perimeter security.
- Provide a simulation showing how the garage will be illuminated at night.
- Provide material samples and details showing the appearance, construction and function of the aluminum garage screen.

CONFORMANCE

Master Plan

A laboratory and structured parking garage are included in the NIH 1995 Master Plan, approved by the Commission in 1996 and modified in 1999, as shown on NCPC Map File No. 3201.10(05.12)-40699. The plan shows a rough footprint for a lab facility, with an attached structured parking garage facing Wisconsin Avenue, rather than Cedar Lane as currently proposed. Like many federal parking facilities constructed after 1995, the garage has been separated from the facility and will now be a stand alone building for security reasons.

NIH has drafted a revised master plan, which staff has commented on, that will likely be submitted for Commission review in late 2003. The revised master plan will reflect the current footprint of the proposed lab and parking garage, as well as circulation improvements around the entire campus, including the new North Drive entrance. The document will also incorporate the future vehicle inspection station and visitor center along Wisconsin Avenue.

National Historic Preservation Act

NIH initiated Section 106 consultation with the Maryland Historical Trust (MD SHPO) in April, 2003. On May 21, 2003 NIH received a letter from the MD SHPO concurring with their determination of no effect.

National Environmental Policy Act

Pursuant to the regulations implementing the National Environmental Policy Act (NEPA), NIH has determined that the project qualifies as a Categorical Exclusion in accordance with its procedures. The review by NIH updated the earlier analysis under the comprehensive evaluation of the 1995 Master Plan Environmental Impact Statement (EIS) that included the development of a laboratory building at the site location now proposed for Building 33. That EIS concluded in a Record of Decision determination that found no significant adverse environmental effects from the laboratory siting.

The removal of significant areas of surface parking by the development of the consolidated parking structure allows areas of pervious green space to be re-established adjacent to the perimeter buffer areas of NIH. This aspect of the proposal is an important attribute that has been sought by staff to implement goals of the NIH Master Plan and the NIH perimeter buffer. Additional landscape vegetation planted within the pervious open space areas provides important screening of the planned new structures from Wisconsin Avenue (MD Route 355) and adjacent West Cedar Lane.

Federal Capital Improvements Program

The laboratory and structured parking garage were included in the Federal Capital Improvements Program (FCIP), FYs 2003–2008, which was adopted by the Commission on July 11, 2002. Congress has appropriated $186 million for this project.

Comprehensive Plan

The proposal is consistent with the Comprehensive Plan for the National Capital. The Federal Facilities Element designates the installation as a Research, Development and Testing Facility with a medical purpose. The proposed parking garage is also consistent with the Federal Facilities Element which contains the following policy: In the interest of efficient use of the land and in improving the appearance of Federal properties, parking at Federal facilities should be located in structures to the extent practicable.