



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

MCPB No. 21-069
Site Plan No. 820180240
White Oak Town Center
Date of Hearing: July 29, 2021

AUG 11 2021

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, on July 26, 2018, BDC Spectrum II, LLC ("Applicant") filed an application for approval of a standard method site plan for 105,000 square feet of retail/office use on 6.98 acres of land on CR-1.0, C-0.75, R-0.75, H-75 zoned land, located at 12345 Columbia Pike, in the northeast quadrant of the intersection of Prosperity Drive and Industrial Parkway ("Subject Property"), in the 2014 *White Oak Science Gateway Master Plan* ("Master Plan") area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820180240, White Oak Town Center ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 19, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 29, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application, subject to certain conditions, by the vote certified below.

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No 820180240 for up to 105,000 square feet of commercial use on the Subject Property, subject to the following conditions:¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 105,000 square feet of commercial development on the Subject Property.

2. Height

The development is limited to a maximum height of 40 feet, as measured from the building height measuring point(s), as illustrated on the Certified Site Plan. Each building will have its own building height measuring point.

Open Space, Facilities and Amenities

3. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 29,206 square feet of public open space (10% of the Site Area) on-site.
- b) Any changes to the public open space as shown on the Certified Site Plan, as a result of modifications to the stormwater management plan, will require an amendment to the Site Plan.
- c) Prior to the issuance of the final use and occupancy certificate for Building B, all public open space areas on the Subject Property must be completed.

4. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to paths, benches, and other landscape elements

Site Plan

5. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets Arch-01 through Arch-06 of the submitted architectural drawings, as determined by M-NCPPC Staff.
- b) The Sign/Clock Tower is subject to the approval of a sign variance by the Sign Review Board. If the Sign/Clock Tower is substantially different from the concept

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.

shown on the Certified Site Plan, as determined by Staff, the Applicant must amend the Certified Site Plan.

6. Lighting

- a) Prior to 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 Backlight, Uplight, and Glare (BUG)-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

Environment

7. Forest Conservation & Tree Save

The Applicant must comply with the conditions of the approved Final Forest Conservation Plan No. 820180240.

- a) 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.
- b) The Applicant must comply with all tree protection and tree save measures shown on the approved 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.
- c) The Limits of Disturbance (LOD) on the Final Forest Conservation Plan must be consistent with the LOD on the Sediment and Erosion Control Plans.
- d) No clearing or grading may occur prior to receiving approval of the Sediment and Erosion Control Plan.
- e) Prior to the start of any clearing or grading for this development Application, the Applicant must receive approval of a Certificate of Compliance to use an off-site forest mitigation bank for mitigation credit as shown on the Final Forest Conservation Plan submitted with the Certified Preliminary Plan or by making a fee in lieu payment if no mitigation credits are available.

- f) If a forest conservation bank is used, the Certificate of Compliance must be recorded in the Montgomery County Land Records prior to any clearing or grading occurring on the Property.
- g) The Final Forest Conservation Plan must be amended to reflect any additional disturbance required during the permitting process.

Transportation & Circulation

8. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 4 long-term and 12 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit, location and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one bicycle repair station, located adjacent to long-term bicycle parking.

9. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated June 11, 2021, 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 Site Plan approval.

10. Department of Permitting Services-Right-of-Way

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated May 24, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in that agency's memorandum, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any above grade building permit (but not prior to the issuance of demolition, rough grading, work in the rights of way, and off-site construction and associated sediment control and ROW permits), 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 59.7.3.4.K.4 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, site furniture, Sign/Clock Tower, boardwalk, pavilion, trash enclosures, retaining walls, fences, railings, pergolas, private driveways and sidewalks, and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any above grade building permit 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.

12. Development Program

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

13. 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, agency approval letters, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "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."
- d) Add the detail and location of the bicycle repair station.
- e) Modify data table to reflect development standards approved by the Planning Board.
- f) Ensure consistency of all details and layout between Site and Landscape plans.
- g) Revise Public Open Space to meet all requirements of Section 59.6.3.6. Only 5% of public open space may be used for outdoor café areas and all public open space must be a minimum of 15 feet wide.

- h) Remove the trash enclosure from open space calculations.
- i) Provide all relevant details for the boardwalk and pavilion in the central bioretention facility.
- j) Label car-share and electric parking spaces.
- k) Provide 8 motorcycle parking spaces.
- l) Provide all details for landscape elements and site furniture.
- m) Revise the Final Forest Conservation Plan to include all offsite disturbance.
- n) Provide accessible sidewalk curb ramps and markings for all legs of the Industrial Parkway/Prosperity Drive intersection to ensure its compliance with ADA best practices.
- o) Provide accessible sidewalk curb ramps and markings for site access points from Prosperity Drive and pedestrian routes through the central public open space.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of White Oak Town Center Site Plan No. 820180240, 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 and findings of its Staff as presented at the hearing and as 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:

1. *The development satisfies any previous approval that applies to the site.*

The development is consistent with Preliminary Plan No. 120150100, which is being reviewed concurrently with this Site Plan.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable; the Property was not associated with any development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable; the zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 6.98 acres zoned CR-1.0, C-0.75, R-0.75, H-75. The Application satisfies the applicable development standards as shown in the following data table:

Table 1 – Data Table: CR-1.0, C-0.75, R-.075, H-75 Zone

Chapter 59	Development Standard	Permitted/ Required	Approved
	Tract Area (sf)	n/a	303,993 square feet
	Dedication (Industrial Parkway)	n/a	9,982 square feet
	Dedication (Prosperity Drive)	n/a	2,204 square feet
	Net Lot Area	n/a	291,807 square feet
4.5.3.C.1	Open Space	10% (29,181 square feet)	10% (29,206 square feet)
4.5.3.C.2	Lot and Density		
	Density		
	Commercial	C-0.75 FAR (227,995 square feet)	C-0.345 FAR (105,000 square feet)
	Residential	R-0.75 FAR (227,995 square feet)	R-0.0 FAR (0 square feet)
	Total Density	CR-1.0 FAR (303,993 square feet)	0.345 FAR (105,000 square feet)
4.5.3.C.3	Placement		
	Front setback	0'	0'
	Side Setback	0'	25'
	Rear Setback	0'	0'
	Front Street Build-to Area	70% within 20 ft	100% within 20 ft
	Side Street Build-to Area	35% within 20 ft	100% within 20 ft
4.5.3.C.4	Height	75 ft	40 ft
4.5.4.C.5	Form		
	Transparency		
	Ground story, front (Industrial Parkway)	40% (min)	56.0%
	Ground story, side/rear (Prosperity Drive)	25% (min)	61.8%
	Upper story, front (Industrial Parkway)	20% (min)	34.2%
	Upper story, side/rear (Prosperity Drive)	20% (min)	35.3%

b. General Requirements

i. *Site Access*

As conditioned, the development provides safe, adequate, and efficient circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists and integrates the Project into the surrounding area. While Chapter 59.6.1.4.E stipulates that corner lots should only be accessed by a single driveway situated on the lowest volume roadway, the Applicant is proposing three points of access to the Property. The access on Industrial Parkway is provided via a shared driveway ("spine road") on the adjacent lot, covered by an access easement. The two driveways located on the outlot on Prosperity Drive are subject to 59.6.1.4.E.

In order to allow two access points from Prosperity Drive, the Planning Board made a determination under Section 59.6.8.1 that this arrangement meets an alternative method of compliance. The Planning Board has determined that the alternative design:

A. *Satisfies the intent of the applicable Division;*

The intent of Section 6.1.1 is to ensure safe and convenient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face and to reduce traffic congestion. In this case, the second entrance is to provide a loading area for trucks primarily associated with the grocery store. The site geometry and requirement to allow for potential future MDSHA improvements does not allow for the separation of truck and passenger car traffic on the Property. The separation of delivery truck traffic from passenger car circulation will create a safer environment for pedestrians and cyclists. Pedestrians access the retail establishments by crossing internal driveways, which will have reduced truck traffic because of the second access point. Also, the turn radius for the passenger car entrance is reduced to 25 feet, which is safer for pedestrians than the 40 feet radius required for large delivery trucks. The Planning Board has determined that the two access points meet the intent of 59.6.1.1.

B. *modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints;*

The two access points on Prosperity Drive are spaced approximately 260 feet apart, on a frontage of approximately 600 feet. The spacing of the driveways is within the allowed parameters of 59.6.1.4.D, which allow for two driveways per 300 feet of site frontage. The only modification of the site access is due to the Property's corner location. The Planning Board has determined that the provision of a second access point on a corner lot is the minimal modification of standards, due to the site geometry and need for potential future MDSHA improvements.

C. *Provide necessary mitigation alleviating any adverse impacts;*
 The two access points provide crossing for both pedestrians and cyclists. The Planning Board has determined that the proposed design mitigates adverse impacts from having two access points.

D. *Be in the public interest.*

The Planning Board has determined that having two access points on this corner lot is in the public interest due to the increase in pedestrian and cyclist safety from the separation from passenger cars.

ii. *Parking, Queuing, and Loading*

Parking, queuing, and loading will be provided in an adequate, safe, and efficient manner. As demonstrated in Table 2, the Site Plan provides an adequate number of parking, queuing, and loading spaces for the planned uses.

Table 2 – Parking

Parking	Spaces Required	Spaces Provided
Commercial Vehicle Parking Retail/Service (105,000 square feet)	368 min/630 max	405 spaces
Commercial Bicycle Parking (105,000 square feet)	11 min/50 max	4 long term; 12 short term

All parking is provided on surface parking lots. The parking lot between Buildings A and B includes 300 parking spaces, while the parking lot to the north of Building A provides 68 parking spaces.

Thirty-seven (37) parking spaces are provided on the adjacent property along the “spine road”

iii. *Open Space*

The development is required to provide 10% (29,180 square feet) public open space on the Property. The Applicant will provide 29,206 square feet of public open space. The open space includes two seating areas and a plaza for visitors to the shopping center and provides a variety of experiences. There is also a central open space in the center of the parking lot that includes a boardwalk and pavilion over a bioretention facility. This area will serve as a shaded oasis in the parking lot and will provide an interesting pedestrian experience while connecting Building A and Building B.

All other elements of the Project provide adequate landscaping and lighting, as well as other site amenities, to ensure that these facilities will be safe, adequate, and efficient for adjacent residents and visitors. The Project will include streetscaping improvements along both Prosperity Drive and Industrial Parkway, with street trees, open space with amenities, and lighting.

iv. *Signage*

While the Sign/Clock Tower is subject to the approval of a sign variance by the Sign Review Board, the full details will be included on the Certified Site Plan. The Clock Tower/Sign is 50 feet tall and the footprint at the base is 18 feet by 12 feet and will enclose a garbage dumpster serving Building B. The section with the clock is slightly smaller, as it is set back from the edges. The clock face appears on the north and south sides.

The Applicant has been working on the overall sign concept plan for the Sign Review Board. That plan will show the rectangular signage locations/sizes for all the buildings. The sign concept plan will be included with the Certified Site Plan.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

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

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on July 6, 2021. The plan will meet stormwater management requirements through the use of micro bioretention facilities. A storm drain conveyance study must be approved by Montgomery County Department of Permitting Services prior to issuance of permits for construction of buildings (meaning for foundation-to-grade, and above ground)

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Applicant has submitted a Final Forest Conservation Plan (FFCP) with the Preliminary Plan. While there is no forest on the Subject Property, there is a forest conservation requirement based on the Property area and land use. The forest conservation requirements of 1.29 acres will be met in an off-site mitigation bank or by fee-in-lieu payment if no banks are available. The FFCP shows the development and all disturbance necessary for development. As submitted the plan complies with Chapter 22A, Forest Conservation.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

Parking, circulation, building massing, open spaces, and site amenities will be safe and well-integrated into the development.

Parking and Circulation

The Applicant is providing surface parking between the structures on either side of the site. External drive aisles range between 24 and 27 feet wide. Internal drive aisles range from 20 to 24 feet wide. The Planning Board typically prefers narrow drive aisles to the greatest extent possible; however, the Applicant's loading needs require wider aisles in some locations. Because wider aisles allow higher speeds, the Applicant limited curb radii to the greatest extent possible. In locations anticipated for truck turning, the Applicant is also providing a mountable curb with five-foot wide radii.

The Applicant is providing three vehicular access points to serve the development. Two access points are from Prosperity Drive. Both access points extend over the outlot of reserved space and would need to be relocated or removed in the event a future interchange was ever constructed by the Maryland State Highway Administration. A third access point is located off Industrial Parkway on the adjacent lot. This access extends a driveway through the adjacent lot, which

currently functions—and will continue to function—as a shared driveway providing vehicular access to multiple tenants to the south.

Per Chapter 59. 6.1.4.E, corner lots should only be accessed by a single driveway situated on the lowest volume roadway. From a technical viewpoint, the access on Industrial Parkway is provided via a shared driveway on an adjacent lot; as such, the Applicant benefits from the access but does not have the authority to remove it. The Applicant will secure an easement to allow use of the driveway from the adjacent owner, which will be reflected on the record plat. The two driveways located on the outlot on Prosperity Drive are subject to 59.6.1.4.E. The Applicant is providing alternative compliance for this site, as detailed in Finding No.4. The driveway to the north functions as a “back-of-house” connection between Prosperity Drive and the shared driveway on the adjacent lot. This driveway will facilitate employee parking and truck loading for a planned grocery tenant on site. Removal of the driveway would necessitate the relocation of employee parking and loading into the main parking area, which would impact the central walkway and stormwater retention area. Additionally, curb cuts on the main driveways would need to be widened to accommodate trucks, which would not be ideal as tighter curb radii can slow vehicles entering the site.

Building Massing

The buildings have been massed and oriented in order to fit the context of the Property at the corner of Industrial Parkway and Prosperity Road. The surrounding land uses are industrial and commercial. This Project will set the tone and standard for future redevelopment in the area.

Open Spaces and Site Amenities

The Project will provide 29,206 square feet of open space, or 10% of the site area, meeting the requirement of 10%. The amenities provided on the Site Plan are appropriate for a commercial development. These spaces will significantly improve the pedestrian experience and shopping environment on the Property.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Planning Board finds the Site Plan to be in substantial conformance with the 2014 *White Oak Science Gateway Master Plan* (“Master Plan”). The Subject Property falls within the Life Sciences/FDA Village Center, in an area referred to as “Blocks 1,2 – Tech Road and Industrial Parkway at US29”. The Project is in substantial conformance with both the general goals and recommendations of the Master Plan, as well as those that are specific to the Property. Master Plan goals are further expanded on in the Design Guidelines.

Blocks 1, 2 – Tech Road and Industrial Parkway at US 29

Mixed-use zoning at this location will encourage a combination of commercial, residential, and retail uses within a compact walkable center.

The Project provides commercial development in a walkable design and sets up the redevelopment of this block with the “spine road”. The Applicant is constructing sidepaths along both Prosperity Drive and Industrial Parkway, which will also increase walkability.

Several large parcels in Montgomery Industrial Park have been acquired by a local development company, including nearly 20 acres in the block bounded by Old Columbia Pike, Industrial Parkway, and Tech Road and a 25-acre parcel at the end of Tech Road. The 20-acre site is a highly visible location along US 29, as well as a gateway to this node between two primary roads. Redevelopment of this entire block, including the former APWU building, would be a significant improvement and would complement the Westech Village Corner project, across Tech Road from this site.

The Project is proposing to redevelop a vacant property that is sitting at a prominent corner in the Master Plan area and is providing needed commercial services to the surrounding area.

These areas could redevelop with either all residential or all commercial but are more likely to become mixed-use with residential above retail, which the proposed CR Zone will accommodate.

The Project is a commercial development, which meets the Master Plan goal.

The circulation network should include extending Industrial Parkway through Site 2 and connecting it with FDA Boulevard to form a “main street” through this area. The redevelopment of this Property is the first step in turning Industrial Parkway into a “main street”. Building B will be located along Industrial Parkway, with no setback and doors from small-scale commercial establishments opening directly onto the sidepath. This will help activate the street and the new streetscape will provide for a more comfortable pedestrian environment.

Redevelopment of key properties should create a gateway to the area at US29 that integrates a possible BRT station.

The Project creates a gateway through the development of a Sign/Clock Tower, accent wall, and landscaping, announcing the arrival into White Oak. This visual statement will serve as a landmark in the community - a visual exclamation point. The Sign/Clock Tower is subject to the approval of a sign variance by the Sign Review Board because of the size and height of the Sign/Clock Tower. In this case,

the Sign/Clock Tower serves the additional purpose of a gateway, not just as traditional commercial signage.

Development should improve pedestrian areas along Tech Road and Industrial Parkway.

The pedestrian experience will be more comfortable along Industrial Parkway. The new sidepath and streetscape will encourage pedestrian movement. Currently, there is no separation between the sidewalk and curb. The new streetscape provides a wider sidepath and an eight-foot lawn panel with street trees. Additionally, the removal of the free right at the intersection of Industrial Parkway and Prosperity Drive will create a safer pedestrian crossing

Sector/Master-Planned Roadway and Bikeway

The Property is adjacent to two master-planned roadways. The 2018 Master Plan of Highways and Transitways (MPOHT) calls for a 100-foot right-of-way for Industrial Parkway with four travel lanes. The master-planned right-of-way width today is approximately 78 feet and includes two lanes. The 2018 Bicycle Master Plan calls for separated bike lanes (one-way) on both sides of the street. The County's LATIP includes Industrial Parkway within its Local Area Transportation Improvement Program (LATIP—see section below) project portfolio, which in some cases necessitates additional right-of-way beyond the MPOHT to accommodate programmed turn lanes. Following coordination with the Montgomery County Department of Transportation, the Applicant has agreed to dedicate 60-feet from centerline to accommodate the intent of both the LATIP program and the MPOHT. The Applicant and MCDOT agreed that a sidepath is a more appropriate and flexible facility for the site's anticipated users, and as such, the proposed separated bicycle lanes were replaced with a sidepath.

The Site Plan substantially conforms to the 2014 *White Oak Science Gateway Master Plan*, the 2018 *Bicycle Master Plan*, and the 2018 *Master Plan of Highways and Transitways*.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

As established by the approval of Preliminary Plan No. 120150100, the development will be served by adequate public services and facilities.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Property is compatible with existing adjacent developments. The Project adheres to the height and density of the Property's zone and with the recommendations contained in the Master Plan. The Project redevelops a Property that has been vacant for more than a decade and will bring needed commercial services to the White Oak area.

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 § 59-7.3.4.H; 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 'AUG 11 2021 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Verma, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, July 29, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board