

MEMORANDUM

DATE: July 14, 2006
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
Michael Ma, Supervisor *Ma*
Development Review Division
FROM: Robert A. Kronenberg *RAN*
Development Review Division
(301) 495-2187



REVIEW TYPE: **Site Plan Review**
CASE #: **820060380**
PROJECT NAME: 8021 Georgia Avenue
APPLYING FOR: Approval of 210 multi-family dwelling units, including 27 MPDUs on 1.88 gross acres
REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance

ZONE: CBD-1
LOCATION: Located in the northwest quadrant of the intersection with Georgia Avenue (MD 97) and Burlington Avenue (MD 410)
MASTER PLAN: Silver Spring CBD Master Plan
APPLICANT: WMATA by Cypress Realty Investments, LLC
FILING DATE: April 19, 2006
HEARING DATE: July 27, 2006

STAFF RECOMMENDATION: Approval of Site Plan 820060380 for 210 multi-family dwelling units, including 27 MPDUs, on 1.88 gross acres. All site development elements as shown on 8021 Georgia Avenue plans stamped by the M-NCPPC on May 31, 2006, shall be required except as modified by the following conditions:

1. Project Plan Conformance
The proposed development shall comply with the conditions of approval for Project Plan #920060020.
2. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan #120060020.

3. Site and Building Design
 - a. Maintain a minimum 2-stories (20 feet) above the ground plane for the proposed building along the Burlington Avenue frontage.
 - b. All transformers, whether existing or proposed, shall be located underground.
 - c. Provide an alternative paving treatment for the island that separates the loading area and access to the garage along Stoddard Place.
 - d. Retaining walls and seat walls shall not exceed 30" height.
4. Landscaping
 - a. Provide the standard Silver Spring Streetscape except as modified along the Burlington Avenue frontage in terms of clear area for pedestrian circulation.
 - b. Provide the location, size and material of the proposed art element on the
5. Lighting
 - a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential development.
 - b. All light fixtures shall be full cut-off fixtures.
 - c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
 - d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county or state roads.
 - e. Provide two additional light fixtures along Stoddard Place.
 - f. The up-lighting for the free standing art component, the water feature and the ornamental trees shall be allowed lateral flexibility within a foot of the approved site plans to permit final movement, location and design.
6. Pedestrian Circulation

The streetscape shall provide a minimum of 6-foot clear area from the edge of the tree pit to the edge of the building at ground level or to the planter areas in front of the building.
7. Recreation Facilities
 - a. The Applicant shall provide four (4) picnic/sitting areas (10 benches), an indoor community space, an indoor exercise room and swimming pool.
 - b. Provide the square footage requirements for all of the applicable proposed recreational elements and demonstrate that each element is in conformance with the approved M-NCPPC Recreation Guidelines. The square footage for the recreation facilities shall be provided on a separate recreation facilities plan.
8. Moderately Priced Dwelling Units (MPDUs)
 - a. The Applicant shall provide 27 Moderately Priced Dwelling Units (or 12.5% of the total number of units) within the building, consistent with Chapter 25A.
 - b. The MPDU agreement shall be executed prior to the release of the first building permit.
 - c. If all of the required MPDUs are not provided within the proposed building, an amendment to the subject site plan shall be filed by the Applicant and approved by the Planning Board prior to issuance of any building permit.
9. Fire and Rescue

The Applicant shall comply with the conditions of approval from the Fire Marshall in the memorandum dated May 22, 2006 [Appendix A]:
10. Transportation

The applicant shall comply with the following conditions of approval from M-NCPPC-Transportation Planning in the memorandum dated July 13, 2006 [Appendix A]:

- a. Coordinate with the Montgomery County Departments of Public Works and Transportation (DPWT), Fire Marshall and the Department of Permitting Services (DPS) to ensure an appropriate design results from the reclassification of Stoddard Place as an alleyway.
- b. Lengthen and improve the existing centerline median along Burlington Avenue (MD 410), inclusive of a pedestrian refuge within the median for improved pedestrian safety and access across MD 410 as required by State Highway Administration (SHA). This improvement shall be complete prior to issuance of any use and occupancy permit.
- c. Reconfigure and extend the southwestern corner of the site at the intersection of Burlington Avenue and Georgia Avenue for improved pedestrian circulation and access across both Georgia Avenue (US 29) to the west and Burlington Avenue (MD410) to the south, if permitted by SHA. This improvement shall be completed before any use an occupancy permit is issued.
- d. Enter into a traffic mitigation agreement (TMA) to participate in the Silver Spring Transportation Management District (TMD).
- e. Applicant shall satisfy any additional conditions established by SHA and Department of Public Works and Transportation (DPWT) prior to approval of the certified site plan.

11. Noise Impacts

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated July 14, 2006 [Appendix A]:

- a. The Builder shall comply with all acoustical performance recommendations from the Polysonics Noise Report (*Phase I- Transportation Noise Analysis – 8021 Georgia Avenue*) dated May 31, 2006, which demonstrates methods to achieve an interior noise level of 45 dBA Ldn or less for the residential units.
 - 1) An acoustical consultant shall provide a detailed analysis of the final building shell to determine exactly what modifications are necessary to achieve no greater than a 45 dBA Ldn interior noise level.
 - 2) The builder must agree in writing to comply with the Polysonics recommendations provided in Appendix A of the this report and attached with the Environmental Planning memorandum of July 14, 2006. Such acceptance letter shall be provided to MNCPPC Environmental Planning prior to issuance of any building permits.”

12. Historic Preservation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning:

- a. A permanent, historical exhibit about the building and its architect, Arthur Heaton, shall be created and installed by the applicant in a portion of the lobby of the building. The Silver Spring Historical Society will assist in providing historical text and archival information for this exhibit.
- b. An early dry cleaning machine, currently in the building's basement, will be retrieved and restored and put to use in an exhibit at the building, or at another appropriate location to be reviewed by historic preservation planning staff and the community.

- c. Metal panels on the front (Georgia Avenue) facade of the northernmost building shall be retained. These panels were a clothing drop-off for the original dry cleaning function of the building.

13. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated October 11, 2006 [Appendix A].

14. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 1st building permit that Applicant's recorded Condominium Association Documents incorporate by reference the Covenant.

15. Maintenance Responsibility

Initially, the applicant, and subsequently, within ninety days of formation, the Condominium Association shall become a member and enter into an agreement with the Silver Spring Urban District for the purpose of maintaining the on-site public open spaces, including the public art, seating areas, landscaping and lighting and participating in community events.

16. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of certified site plan. The Development Program shall include a phasing schedule as follows:

- a. All site features associated with each building as defined by the site plan dated May 31, 2006 shall be installed prior to occupancy of the units, but no later than twelve (12) months after the occupancy of the first unit for each building, whichever comes first. Applicant shall provide the use and occupancy permits to M-NCPPC staff in order to inspect the site for streetscape within the respective street rights-of-way, including the street trees, street lights and pavers, as well as construction of the public plaza and art, on-site landscaping, lighting, recreation and paver materials.
- b. Street tree planting and landscaping for the building shall progress as construction of the building is completed, but no later than six months after completion of the building.
- c. The recreation facilities located within the building shall be installed prior to occupancy for the first unit of the building. The seating areas located around the perimeter of the building shall be installed upon completion of the building.
- d. The traffic mitigation agreement (TMA) shall be signed and executed by all parties prior to approval of the certified site plan.
- e. Landscaping associated with the building shall be completed as construction of each facility is completed.
- f. The acceptance letter from Polysonics as referenced in the memorandum from M-NCPPC-Environmental Planning that outlines the interior noise levels and impacts shall be provided to MNCPPC Environmental Planning prior to issuance of any building permits.
- g. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- h. Phasing of dedications, stormwater management, sediment/erosion control, public use space, streetscape, recreation, community paths, trip mitigation or other features.

- i. The \$140,000 contribution toward the Park Improvement Fund shall be received by the M-NCPPC prior to the release of the first building permit.

17. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of certified site plan.

18. Certified Site Plan

Prior to approval of the certified site plan the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Limits of disturbance.
- c. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- d. Environmental setting protecting the historic resource or site.
- e. Provide the details, including the location, size and material of the proposed art element, on the site and landscape plans.
- f. Details of the proposed benches and seating areas.
- g. Details of the proposed water feature.
- h. Label the top wall and bottom wall elevations for all seat wall areas and retaining walls.

SUMMARY

The property is zoned CBD-1 and is located within the Ripley/South Silver Spring Overlay Zone. The Applicant filed a concurrent Project Plan (#920060020) and Preliminary Plan application #120060020, which was heard by the Planning Board on May 6, 2006. The property is currently owned by WMATA and was formerly the location of the National Institute of Dyers and Cleaners.

Historic Preservation and Legacy Open Space

Arthur Heaton, a leading Washington architect, designed the National Institute of Dyers and Cleaners building. The original design of the building was completed in 1926 and is listed as a Local Atlas Historical Resource. The Silver Spring Historical Society is in support of the adaptive reuse of Buildings 'A' and 'B', located on Georgia Avenue and the integration of the proposed building with the historic structures. The proposal also satisfies the intent of the Legacy Open Space Program by preserving the building façade without using public funds.

Public Use Space and Amenities

Amenities and facilities proposed include expansion of the streetscape on the state roads, historic preservation, and on-site landscaping treatments. The proposal is meeting the 20 percent public use space requirement and extending off-site streetscape improvements on Georgia Avenue and Burlington Avenue. The proposal includes an art element incorporating documentation of the historic aspects of the site and buildings. The sculptural art element will be located in the front of the site between existing buildings A and B. The Applicant is also contributing funds toward the M-NCPPC Park Improvement fund to offset public use space requirements.

Community Outreach

The Applicant presented the proposed development to various civic and community groups and adjacent property owners during the project plan phase including: the Silver Spring Historical Society; the Commercial and Economic Development (CED) Subcommittee of the Silver Spring Citizens Advisory Board, the Silver Spring Urban District Advisory Board, the Silver Spring Chamber of Commerce and the East Silver Spring Citizens Association. Potential concerns discussed during the presentation by the Applicant and various groups included the building program, preservation of the historic character of the building, adequate public facilities, traffic congestion and location and quality of the public use space.

During the public hearing, testimony was given by adjacent property owners and tenants of the property on the north side of Stoddard Place. The concerns raised concerned the loss of parking spaces as a result of the new development, access into the site from Stoddard Place, and parking for the business owners during the construction of the building.

ISSUES PERTINENT TO STAFF REVIEW

Issues addressed during the project plan review included road improvements to Burlington Avenue and Stoddard Place, as well as the re-classification of Stoddard Place from a public right-of-way to a public alley. Other issues addressed during the review period included the streetscape improvements to the state roads, parking, pedestrian circulation, and vehicular circulation in and out of the site.

The following issues were discussed during the Project Plan Review and further addressed and/or resolved with Site Plan:

1. Parking for local businesses directly impacted by the development during the construction of the project.

The adjacent businesses have expressed concerns over the potential loss of parking during the construction of the site. Metered parking presently exists along Georgia Avenue and parallel parking exists on both sides of Stoddard Place. The north side of Stoddard Place includes parallel parking, as well as head-in parking for the tenant in the southwest corner of the existing building. The owner of the building currently parks in the rear of the building, adjacent to the WMATA right-of-way. An additional surface parking lot exists on the north side of the existing building with direct access from Georgia Avenue for the other tenants.

The accessibility and maintenance of Stoddard Place was discussed during the project plan phase, with respect to the increased amount of traffic that will be generated and future competition of parking spaces for the businesses. The Applicant was required to meet with the adjacent tenant to discuss access, parking along Stoddard Place, and access conflicts that will arise from patrons of the local merchants and construction vehicles.

Applicant's Proposal (or Position)

Prior to the site plan hearing, the Applicant met with the adjacent property owner and tenant to discuss access, parking along Stoddard Place, and access conflicts that will arise between patrons of the local merchants and construction vehicles.

The Applicant must ensure proper access for construction equipment and to address safety requirements. The Applicant is willing to work with the tenant during construction to maintain the existing parking spaces; however, cannot guarantee the use of the spaces if there is a conflict with Montgomery County for permitting and fire safety.

Community Position

The adjacent tenants of the property to the north of Stoddard Place have expressed concerns over the lack of parking for customers during business hours. The concerns will be exacerbated by the new residences for the proposed building, especially with a primary entrance and exit from Stoddard Place where current customers park.

Staff Analysis/Position

Stoddard Place will serve as a full vehicular movement access for the site, with provision for both resident and service vehicles. Staff requests that the applicant install sidewalks along the site frontage of Stoddard Place to allow for improved pedestrian access. As the dimensions of Stoddard Place do not meet the minimum standards for Business Streets or Primary Residential Streets, staff also asks that the applicant work with personnel from DPWT and from Fire and Rescue Services to ensure adequate provision for emergency vehicles.

- 2. Coordination with the Department of Public Works and Transportation to consider expanding the existing routes for VanGo and extending the operating times during the week and weekends.**

During the project plan phase, Staff identified a need to discuss alternate routes and extension of the existing VanGo shuttle service for local businesses in the south Silver Spring area. With respect to this proposal, VanGo service currently operates on a one-way loop of Silver Spring with stops on the west side of Georgia Avenue and the intersection of Silver Spring Avenue, and near the intersection of East-West Highway and Georgia Avenue. Both stops are on the west side of Georgia Avenue.

VanGo is operated by Ride-On and does not anticipate expanding hours or alternative routes to service the east side of Georgia Avenue near the location of the subject property.

- 3. Ingress and egress for the site as it relates to access from Burlington Avenue.**

The Planning Board heard arguments outlining this advantages and disadvantages of having the access on Burlington Avenue and concluded that a right in ingress only access on Burlington Avenue will improve traffic circulation. However, the Board recognized the need for the access to be right in, ingress only for safety reasons recommended by the Maryland State Highway Administration. The proposed point of access from Burlington would serve as an alternate entrance for the parking garage in addition to the full access proposed from Stoddard Place. The Planning Board also requested Staff to work with the Applicant to establish a modified streetscape that conforms to the proposed vehicular and pedestrian circulation.

Applicants Position

The Applicant is proposing a right-in (ingress only) driveway and deceleration lane from Burlington Avenue and a full service access driveway from Stoddard Place into the parking garage. A deceleration lane and raised diverter island is proposed for the access from Burlington Avenue. The final design of this access must be reviewed and approved by the Maryland SHA. The Applicant proposed a change to the building design that would allow a 2-story clearance above the walkway in two separate locations to accommodate a wider sidewalk. The Applicant is proposing the standard Silver Spring streetscape on the east side of the access into the site with tree pits, paving and a 6-foot-wide minimum clear area for pedestrian circulation. The

west side of the access point is modified to include street trees in lawn panels with the wider sidewalk between the lawn and building.

Staff Analysis/Position

SHA conceptually agreed to the alternative access and deceleration lane on Burlington Avenue, provided certain design criteria were met, including safe sight distance, adequate lane widths and turning radii. The resulting design reconfigured the frontage along Burlington Avenue to provide for sidewalks, streetscape and access. The alternative must be compliant with SHA design standards, streetscape standards and pedestrian circulation. The clear area of the streetscape for continuous pedestrian circulation was minimized in certain areas along Burlington Avenue to accommodate the proposed building design, deceleration lane improvements and streetscape. The modified streetscape is unobstructed and is conducive with the ground floor access and entries along the Burlington Avenue frontage. The pedestrian circulation will remain consistent from the bridge (eastern perimeter) to the intersection with Georgia Avenue.

4. Coordination with the Applicant and local businesses to consider a shared use parking arrangement within the proposed garage.

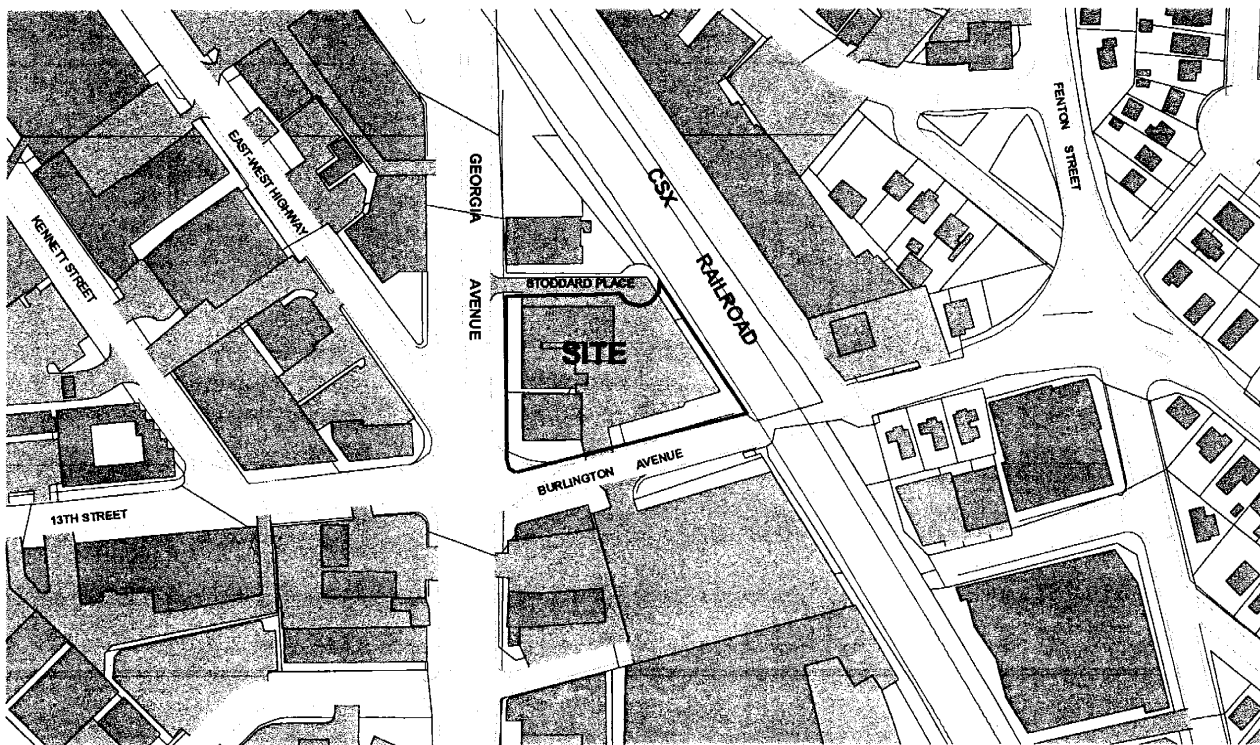
The adjacent businesses have expressed concerns over the potential loss of parking as a result of the impact of the proposed development and potential re-classification of Stoddard Place. Presently, the local merchants, workers and patrons park in spaces on Stoddard Place that may be removed with the Stoddard Place revisions and design revisions. Many of the business owners, tenants, workers and patrons also use metered spaces along Georgia Avenue.

Applicants Position

The Applicant is presently proposing 200 parking spaces for the 210 dwelling units within the proposed parking structure and cannot accommodate additional parking spaces within the garage for adjacent businesses. The Applicant has met with the tenant on the north side of Stoddard Place to discuss the potential loss of parking, both temporarily and on a permanent basis. As noted in the Applicants letter dated June 14, 2006 (Appendix B), the Applicant is attempting to mitigate the loss of temporary parking during the construction phasing and address the concerns for her parking spaces after construction.

PROJECT DESCRIPTION: Surrounding Vicinity

The 1.88-acre site is on the east side of Georgia Avenue (US 29) north of its intersection with Burlington Avenue/ East-West Highway (MD 410). The property is bounded by Georgia Avenue to the west, Burlington Avenue to the south and Stoddard Place to the north. The properties to the north of Stoddard Place consist of 1-story specialty retail shops including an alchemy store, hair salon and notary and office in the rear. The properties across Georgia Avenue consist of a mix of auto-related shops and commercial retail establishments, including Mayorga Coffee Factory, a tire center and Crisfield Restaurant. Further to the west is a combination of recent residential and mixed-use developments along East-West Highway, Blair Mill Road, Newell Street and 13th Street. The properties are a mix of CBD-1 and CBD-2; with the higher density projects located closer to the railroad tracks.

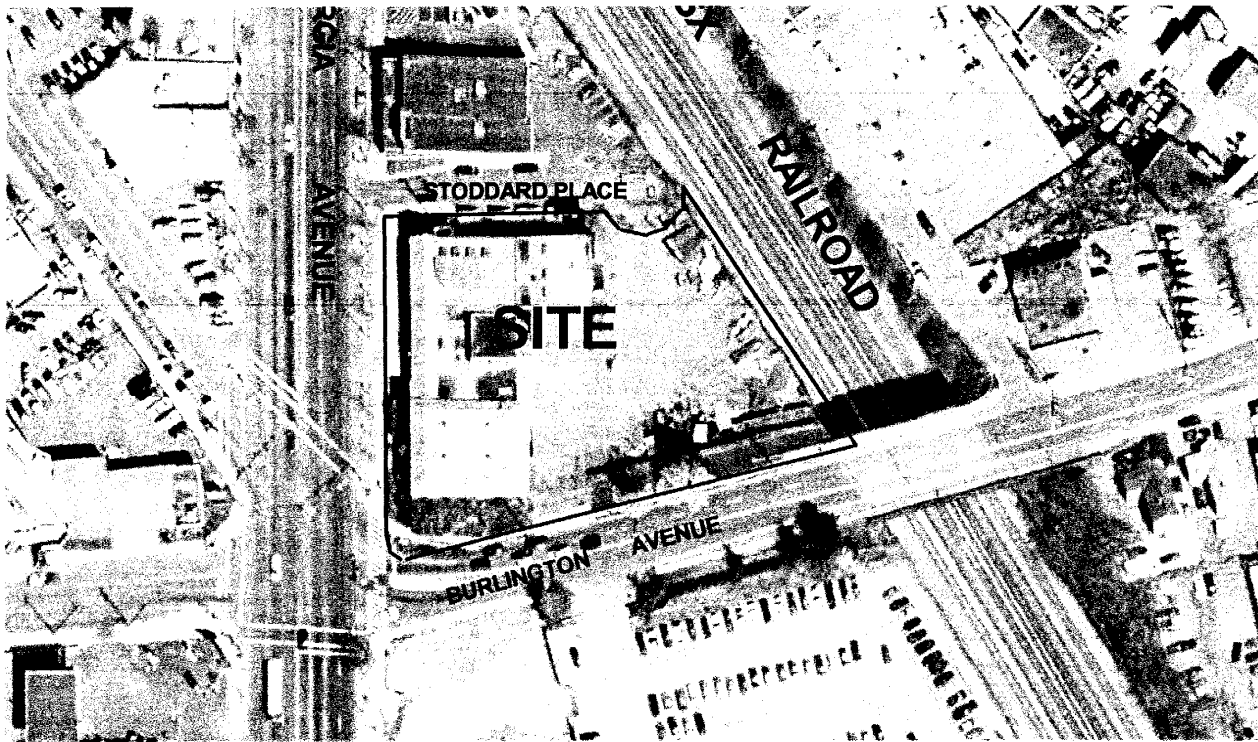


PROJECT DESCRIPTION: Site and immediate vicinity

The subject property is located at 8021 Georgia Avenue and is the former location of the National Institute of Dyers and Cleaners. The original buildings (Buildings 'A' and 'B') are situated along the Georgia Avenue frontage and at the intersection with Burlington Avenue. The buildings range in size from 1 to 2-stories and align with Stoddard Place to the north. The eastern rear of the site contains bituminous paving serving as a parking lot and staging area for WMATA. The parking lot has two entrances into the site: one from a concrete apron on Burlington Avenue; and the other at the terminus of Stoddard Place.

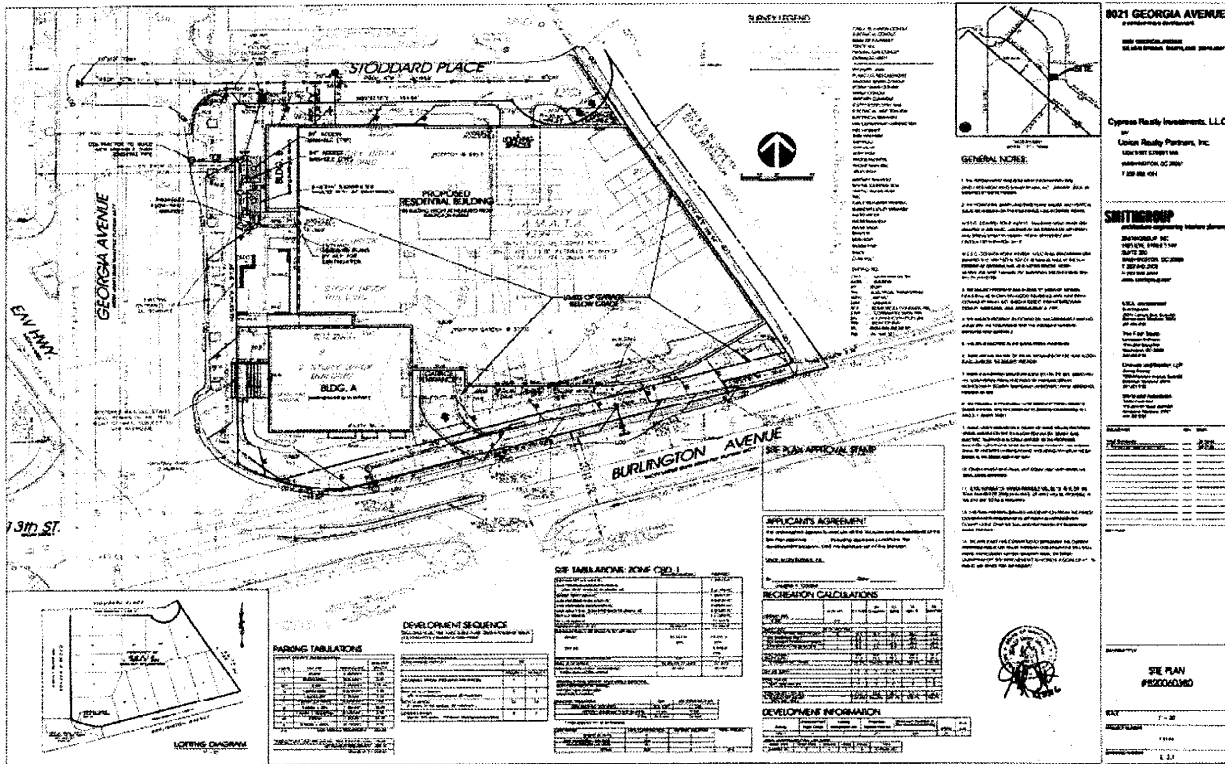
The site along Georgia Avenue contains a planted island that separates the northbound thru-lanes from metered parking area in front of the building. Stairs providing access into the 2-story building presently extend into the Georgia Avenue right-of-way. Transformers on platforms are situated at the intersection of Stoddard Place with Georgia Avenue near the 1-story building. Stoddard Place is a 28-foot-wide paved road with sidewalks and parallel parking on portions of both sides of the road.

Overhead wires exist along the northern portion of Burlington Avenue along with a mixture of trees and shrubs. A 10-foot-high chain link fence encircles the entire perimeter of the site. A three-foot-high wall separates the parking lot and the railroad tracks on the eastern property line and the elevation change is approximately 25-30 feet from the parking area to the base of the tracks. The site falls in grade by approximately 22 feet from the southeast corner of Burlington Avenue to the intersection of Stoddard Place and Georgia Avenue.



PROJECT DESCRIPTION: Proposal

The 8021 Georgia Avenue development consolidates numerous properties into one buildable lot that is comprised of approximately 313,000 gross square feet of residential development. The development proposes 210 multi-family dwelling units, including 27 MPDUs and public use space on 1.88 gross acres in south Silver Spring.



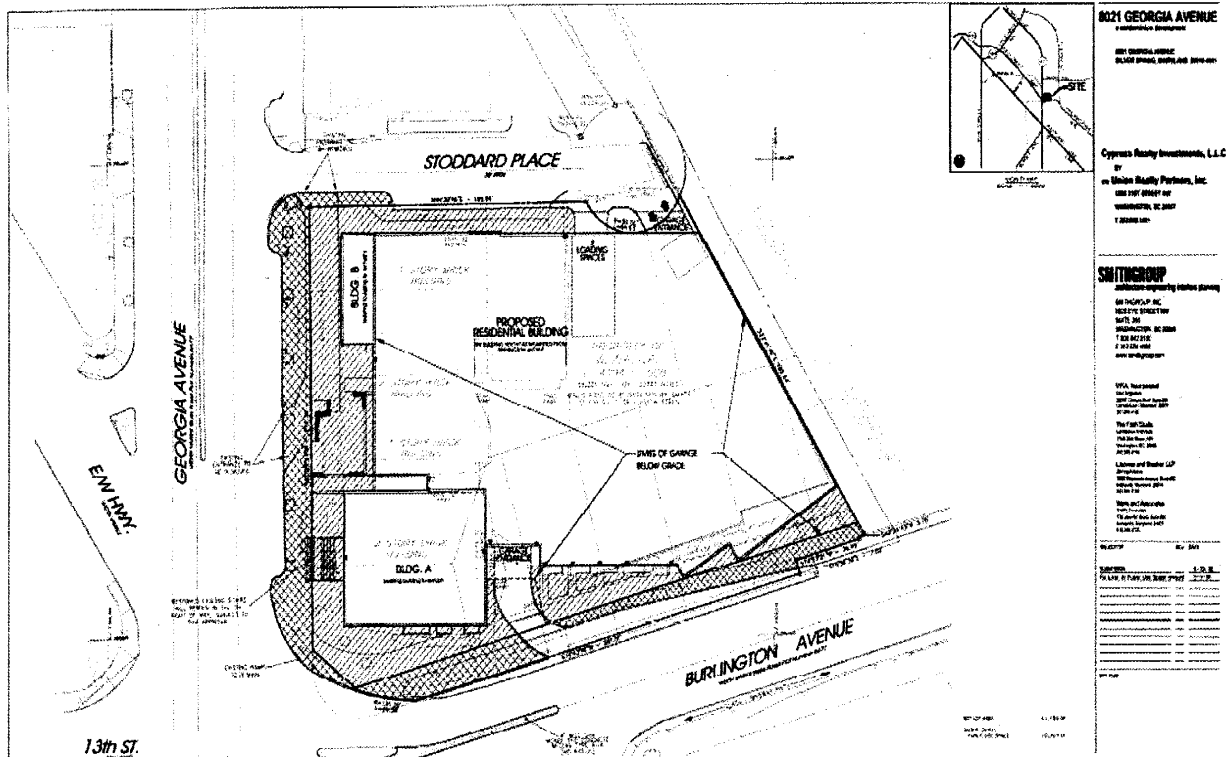
The proposal envisions three separate building segments, integrated into one residential development situated atop a 3-level parking structure that spans the majority of the site. The building design incorporates an existing historic resource, designed by Arthur Heaton, which intends to preserve the entirety of Building 'A', located at the intersection of Burlington Avenue and Georgia Avenue, and portions of Building 'B', located at the intersection of Georgia Avenue and Stoddard Place. The proposed building will be recessed from the existing structures to avoid competition with the existing buildings and effectively transition the bulk of the proposed development behind the preserved structures. The proposed development transitions in height to a maximum of 90 feet, as permitted in the CBD-1 Zone.



The proposed building design also incorporates ground floor entrances for the first floor units facing Burlington Avenue. The units facing Georgia Avenue will enter through a main stairway and lobby directly from Georgia Avenue.

The on-site public use space consists of an expansion of the streetscape on Burlington and Georgia Avenues along the property boundaries. Additional public use space also incorporates areas in front of the existing and proposed building to highlight the preservation of the historic structures, integrated with seating areas for public enjoyment.

The site plan is consistent with the location and amount proposed with the project plan. The Applicant is proposing the minimum requirement of 20.0% of the net lot and an additional 13% of off-site streetscape improvements within the rights-of-way of Georgia Avenue and Burlington Avenue. In addition to the public use space, amenities and off-site improvements, the applicant proposes to make a contribution to the M-NCPPC toward parkland acquisitions or improvements in the Silver Spring CBD in the amount of \$140,000. The contribution is proposed as a supplement to the minimum public use space provided on the site and in the fronting property rights-of-way. The contribution is based upon a percentage of public use space being provided for residential projects within the CBD utilizing the optional method of development. The contribution is calculated by taking a percentage of the net lot area that should be incorporated by this project and multiplying an amount per linear square foot that is applied to the cost of streetscape improvements.



Streetscape improvements to Georgia Avenue will be in conformance with the Silver Spring Streetscape (April 1992) technical manual, and will consist of the standard street trees in tree pits, pavers for pedestrian connectivity and street lights. Burlington Avenue consists of a

modified streetscape consisting of trees within lawn panels as well as trees within the standard tree pits with less clear area between the tree pits and building in two separate locations.

The Applicant is proposing two points of access: a right-in driveway and deceleration lane from Burlington Avenue and a full service access driveway onto Stoddard Place. Stoddard Place also incorporates access into the loading area for deliveries. A deceleration lane and raised diverter island is proposed for the access onto Burlington Avenue. Parking consists of 200 spaces for the 210 dwelling units, included within a 1-level below-grade and 2-level above-grade parking garage accessed from Stoddard Place.

PROJECT DESCRIPTION: Prior Approvals

Project Plan

Project Plan 920060020 was approved on May 4, 2006 for 210 multi-family dwelling units, including 27 MPDUs in the CBD-1 Zone.

Preliminary Plan

Preliminary Plan 120060080 was approved on May 4, 2006 for 210 multi-family dwelling units, including 27 MPDUs in the CBD-1 Zone.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE FOR CBD-2 ZONE

	Zoning Ord. Development Standards	Approved with Project Plan Amendment 920060020	Proposed for for Approval Site Plan 820060380
Gross Tract Area (sf./ac.):	22,000 (0.51 ac.)	82,077 (1.88 ac.)	82,077 (1.88 ac.)
Prior Dedication (ac.):	Not applicable	0.54529	0.54529
Proposed Dedication (ac.):	Not applicable	0.09281	0.09281
Area to be Retained by WMATA (sf.):	Not applicable	0.61749	0.61749
Area to be Dedicated to WMATA (sf.):	Not applicable	0.07220	0.07220
Net Lot Area (ac.):	Not specified	1.17392	1.17392
Net Lot Area (sf.):	Not specified	51,135	51,135
Max. Density:			
Residential Density (du/ac.):	125	111	111
Total Number of Units:	235	210	210
Floor Area Ratio (FAR): (s.f.)	Not applicable when using d.u./ac.	3.82 (313,466)	3.82 (313,466)
MPDUs (%): (number of units)	12.5 27	12.5 27	12.5 27
Max. Building Height (ft.):	90	90 (as measured From Burlington Avenue)	90 (as measured From Burlington Avenue, elevation 355.0 at top of curb)
Number of Floors:	Not specified	9	9
Min. Setbacks (ft.): <u>Existing Structures</u> Building 'A'	Not specified in CBD	18 from Georgia Avenue 8 from Burl. Avenue	18 from Georgia Avenue 8 from Burl. Avenue

Building 'B'	Not specified in CBD	17 from Georgia Avenue 12 from Stodd. Place	17 from Georgia Avenue 12 from Stoddard Place
<u>Proposed Structure</u> Burlington Avenue	Not specified in CBD	0	0
Stoddard Place	Not specified in CBD	0	0
Rear (CSX tracks)	Not specified in CBD	0	0
On-site Public Use Space (%/sf):	10,227 (20%)	10,227 (20%)	10,227 (20%)
Off-site Public Use Space (sf):	Not specified		6,648 (13%)
Total On and Off-Site Public Use Space (sf):	Not specified		16,875 (33 %)
Parking (number of spaces):			
Parking:			
Residential Uses (Mkt. Rate)			
1 BR/Studio @ 1.00 sp./unit (7 x 1.00)	7 spaces		
1 BR @ 1.25 sp./unit (138 x 1.25)	173spaces		
2 BR @ 1.50 sp./unit (38 x 1.50)	57 spaces		
Residential Uses (MPDUs)			
1 BR/Studio @ 0.50 sp./unit (1 x 0.50)	1 spaces		
1 BR @ 0.625 sp./unit (20 x 0.625)	13 spaces		
2 BR @ 0.75 sp./unit (6 x 0.75)	5 spaces		
(10% credit for residential in CBD 256 x .10 = 25)			
Total parking spaces required by the Zoning Ordinance for residential uses: (256 – 25 = 231)	231 spaces		
Total min. parking spaces provided on-site:		200 spaces	200 spaces

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
Demand Points					
Demand per 100 d.u.					
<u>High-Rise (210)</u>	8.40	8.40	8.40	161.70	96.60
Total Required Points	8.40	8.40	8.40	161.70	96.60
Housing type:	High Rise (>5 story)				
Supply Points					
4 Sitting Areas (10 benches)	10.0	10.0	15.0	50.0	20.0
Swimming Pool (1)	0.50	1.70	1.70	40.40	14.50
Indoor Community Space (1)	0.80	1.30	2.50	48.50	38.60
<u>Indoor Fitness Facility (1)</u>	0.00	0.80	0.80	32.30	14.50
Total Supply Points	11.30	13.80	20.00	171.20	87.60
Percent of Demand	135%	164%	238%	106%	91%

ANALYSIS:

Conformance to Master Plan

The approved CBD Sector Plan recommends the CBD-1 zoning for this site, which was applied through the Sectional Map Amendment (SMA) adopted July 18, 2000, consistent to County Council Resolution 14-600. The property is within the Ripley/South Silver Spring Overlay Zone, which provides for flexibility of development standards to encourage innovative design solutions.

The proposed mixed-use development is comprised of 210 residential units with a private structured parking structure. High-rise multi-family units are permitted uses under the CBD-1 Zone. The proposal will be implemented under the optional method of development. The maximum density allowed on this site is 125 dwelling units per acre or 235 dwelling units.

The minimum required public use space for this project is 10,227 square feet (20% of the net lot). The applicant is proposing 10,227 square feet of public use space and amenities provided on-site and an additional 6,648 square feet of off-site streetscape improvements within the respective fronting public rights-of-way. In total, the applicant proposes 16,875 square feet of on-site public use space, amenities and off-site improvements or 33.00 % of the net lot area. In addition to the public use space, amenities and off-site improvements, the applicant proposes to make a contribution to the M-NCPPC toward park land acquisitions or improvements in the Silver Spring CBD in the amount of \$140,000.

Sector Plan Conformance:

The Silver Spring Central Business District and Vicinity Sector Plan, approved by the County Council on February 1, 2000, outlines six themes, which articulate the shared goals and vision

for a revitalized Silver Spring. Three of these themes (i.e., a residential downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed project. The Sector Plan does not specifically identify this site as a potential housing site; however, housing opportunities are encouraged in the CBD to contribute toward revitalization efforts. This project is being developed under the optional method of development and proposes new opportunities for landscaped public open spaces, public art and streetscapes. This project encourages the development of active urban streets by providing building entrances along the public streets and easily accessible public spaces with public art components as activity generators. This proposal improves the quality of the pedestrian environment by providing the optional method streetscape treatment and other amenities along Georgia Avenue and Burlington Avenue.

The Silver Spring CBD Sector Plan also includes an objective for reuse, preservation and integration of existing structures into new development in order to preserve Silver Spring's history. The proposal is an impressive example of adaptive reuse and it satisfies the intent of the Legacy Open Space Program by preserving the building façade without encumbering public funds.

Local Area Transportation Review

The 8021 Georgia Avenue development submitted an LATR traffic study in accordance with M-NCPPC policies stated in the LATR Guidelines adopted in July of 2004. The proposed 210 high-rise condominium units are estimated to generate 71 additional trips during the AM and PM weekday peak periods of travel. The estimated trips were performed at the higher rate of 235 dwelling units, which is the maximum number of units permitted in the zone.

Three signalized intersections adjacent to the development were selected for analysis: Georgia Avenue (US 29) at Sligo Avenue, Georgia Avenue (US 29) at East-West Highway (MD 410)/Burlington Avenue/13th Street, and Burlington Avenue/Philadelphia Avenue at Fenton Street. In addition, the intersections not signalized of Stoddard Place and Georgia Avenue (US 29) was also studied. All intersections are determined to operate below the 1,800 CLV threshold. The proposed development satisfies the requirements of LATR.

Noise Impacts

This site is significantly affected by the combined impact of four major transportation noise sources: 1) traffic noise from Georgia Avenue; 2) traffic noise from Burlington Avenue (East/West Highway- Rte 410); 3) METRO noise; and 4) railroad noise. The combined effect is as high a noise level as is experienced anywhere in the County. Strict compliance with the noise consultant's noise and follow-up building shell analysis is critical to providing an acceptable interior noise environment for the residential units.

FINDINGS: For Site Plan Review

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan;*

If amended in accordance with recommended conditions, the proposed development is consistent with the approved Project Plan (920060020) in land use, density, location, building height and development guidelines.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the CBD-1 Zone as demonstrated in the project Data Table on page 15.

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

- a. **Buildings**

The proposal envisions three separate building segments, integrated into one residential development situated atop a 3-level parking structure that spans the majority of the site. The building design incorporates an existing historic resource and blends a modern architectural approach to accent prominent features of the restored building and avoid competition with the preserved structures. The building program is intended to preserve the entirety of Building 'A', located at the intersection of Burlington Avenue and Georgia Avenue, and portions of Building 'B', located at the intersection of Georgia Avenue and Stoddard Place. Components of each existing structure will be preserved and restored to reflect the original design by Arthur Heaton, including the staircase into Building 'A' and southern façade of Building 'B'. The proposed building will be recessed from the existing structures to avoid competition with the existing buildings and effectively transition the bulk of the proposed development behind the preserved structures. The proposed building mass corresponds directly to the existing buildings on Georgia Avenue (Buildings 'A' and 'B'), transitioning up to the proposed development for a maximum of 90 feet.

The Applicant is utilizing a number of techniques to respect the historic context of Arthur Heaton's design, including the same masonry materials on the base of the structure, color of materials to complement the existing materials on the building and a continuous horizontal plane that responds to the roofline of the existing buildings. All of the techniques integrate the history of the site and accent the architecture of the historic buildings.

b. Open Spaces

The site plan application is proposing 10,227 square feet of public use space and amenities provided on-site which equals the minimum requirement of 20.0% of the net lot. The applicant is also proposing an additional 6,648 square feet of off-site streetscape improvements within the rights-of-way of Georgia Avenue and Burlington Avenue, as well as modified streetscape improvements within the Stoddard Place right-of-way. In total, the applicant proposes 16,875 square feet of on-site public use space and off-site improvements or 33.00% of the net lot area. In addition to the public use space, amenities and off-site improvements, the applicant proposes to make a contribution to the M-NCPPC toward park land acquisitions or improvements in the Silver Spring CBD in the amount of \$140,000. The contribution is proposed as a supplement to the minimum public use space provided on the site and in the fronting property rights-of-way. The contribution is based upon a percentage of public use space being provided for residential projects within the CBD utilizing the optional method of development. The contribution is calculated by taking a percentage of the net lot area that should be incorporated by this project and multiplying an amount per linear square foot that is applied to the cost of streetscape improvements.

c. Landscaping and Lighting

The proposed landscaping and lighting is safe, adequate and efficient.

The proposed landscaping on the site consists of the standard Silver Spring streetscape of Zelkovas in tree pits and brick pavers within the Georgia Avenue right-of-way. The Zelkovas are existing trees to remain. The modified streetscape along the Burlington Avenue right-of-way consists of three London Plane trees in lawn panels at the southwestern intersection and then transitions to the standard London Plane trees in tree pits with pavers east from the vehicular ingress to the location of the bridge. Foundation planting is proposed on all fronts of the building, combined with seating areas and planter areas. Ornamental trees, shrubs and groundcover are integral to the foundation planting.

The lighting plan consists of the standard Washington Globe fixtures along the street frontages of Burlington Avenue, Georgia Avenue and Stoddard Place since these are all public rights-of-way and need to conform to the standard Silver Spring Streetscape Guidelines. Accent lighting is proposed within the planter areas, at the base of the art element and at the base of the proposed water feature.

d. Recreation

Recreation demand and supply is shown in the recreation calculations table on page 17 of this report and consists primarily of outdoor picnic/sitting areas and

the pedestrian walkways. The recreation amenities shall be in conformance with the M-NCPPC Recreation Guidelines.

A separate Recreation Facilities sheet will be provided with the Certified Site Plan outlining the specific recreation elements, their locations and square footage requirements.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

Georgia Avenue is a major highway with 125 feet of right-of-way in the vicinity of the site. Burlington Avenue (MD 410) is a state arterial roadway of recommended 80 feet of right-of-way. During the preliminary plan of subdivision, the applicant agreed to dedicate right-of-way to provide 40 feet from the centerline of Burlington Avenue to insure compliance with the Sector Plan. Stoddard Place is a Business Street of substandard width of 30 feet of right-of-way. Due to the historic buildings located on the site, the applicant cannot dedicate right-of-way to provide the recommended minimum right-of-way for a standard Business Street cross section. The applicant proposes instead that Stoddard Place be reclassified an alleyway of width 30 feet, thereby enabling its current dimensions to remain unchanged.

All adjacent intersections have marked pedestrian crosswalks. The three signalized intersections reviewed for the LATR study have adequate crossing times and clearly marked crosswalks for pedestrians. The proposed development will connect to the existing network of pedestrian facilities in this area of downtown Silver Spring.

The Applicant is proposing two points of access: a right-in driveway and deceleration lane from Burlington Avenue and a full service access driveway onto Stoddard Place. Stoddard Place also incorporates access into the loading area for deliveries. A deceleration lane and raised diverter island is proposed for the access onto Burlington Avenue. Access must be reviewed and approved by the Maryland SHA since Burlington is a state road. Parking consists of 200 spaces included within a 1-level below-grade and 2-level above-grade parking garage accessed from Stoddard Place.

The Applicant has submitted a draft Traffic Mitigation Agreement (TMA) with the Montgomery County Planning Board and Montgomery County Department of Public Works and Transportation (DPW&T) to participate in the Silver Spring Transportation Management District. The Traffic Mitigation Agreement shall be signed and executed prior to release of the building permit.

A Class I (off-road) bikeway is proposed on the south side of Burlington Avenue with the future development of Montgomery College and as part of the Cultural Arts Center.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed residential use is compatible with the surrounding neighborhood and potential development within the Georgia Avenue (MD 97) and Burlington Avenue (MD 410) corridors. The renovations to the existing buildings on Georgia Avenue are in scale with the surrounding development and are sympathetic to the surrounding community. The proposed residential component creates a backdrop that is representative of the historic structure and emphasizes the intensity of the development toward the railroad tracks. The height and mass of the buildings from Georgia Avenue are less intense to avoid competition with the historic structures. The proposed structure is recessed from the existing buildings to visually promote the restoration efforts and ensure the integrity of the existing architecture with the proposed structure.

The buildings have been sensitively designed to ensure compatibility with the surrounding development and the general neighborhood. The existing buildings fronting on Georgia Avenue will not be modified to increase the height, only restored to prominence of the original design. The buildings transition in height from the existing height to 90 feet, as permitted by the zone.

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.*

This plan is exempt from forest conservation requirements per NRI/FSD #4-05265E for Small Property. A Tree Save Plan is not required for this property.

The proposed stormwater management concept consists of on-site quality control through the use of a Stormfilter. On site recharge is not provided for redevelopment projects. Channel protection requirements have been waived.

APPENDICES

- A. Memoranda from agencies
- B. Letters from the Applicant

APPENDIX A



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

June 26, 2006

Mr. William Landfair
VIKA, Inc.
20251 Century Boulevard
Suite 400
Germantown, Maryland 20874

Re: Montgomery County
8021 Georgia Avenue
File # 8-20060380
MD 410 @ US 29

Dear Mr. Landfair:

The State Highway Administration (SHA) received your submission of the site plan, road sections, architectural plans and landscape architecture plans on June 6, 2006. We offer the following comments:

The primary access to the proposed residential building will be existing Stoddard Place Drive. A secondary access point will be a right-in only entrance on Burlington Avenue (MD 410). Previous proposals to convert the existing full movement MD 410 entrance to egress only, then a right-in/right-out entrance were ultimately **not** supported by SHA primarily because minimum sight distance requirements could **not** be met. The currently proposed access arrangements are acceptable to SHA. See our March 21, 2006 letter to VIKA, Inc. for further explanation.

SHA concurred with the revised traffic impact study in an October 20, 2005 letter to Mr. Shahriar Etemadi. The proposed site plan addresses some of our March 21st comments and is generally acceptable. **This office has no objection to inclusion of the above referenced development on the next available Planning Board meeting agenda providing the following comments are addressed to SHA's satisfaction:**

- As requested in our March 21st letter, the required median extension has been added to the site plan. Please add one sign post near the end of the monolithic median that includes the following signs. In the westbound direction, both the keep right R4-7PR and R4-7 signs are necessary. In the eastbound direction, both the R3-2L no left-turn symbol sign and R3-4 no u-turn symbol sign are needed.
- The Georgia Avenue and Burlington Avenue road sections are acceptable. These typical sections must be added to one of the construction drawing sheets.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

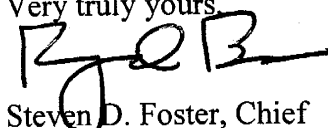
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

Mr. William Landfair
Page Two

- Our March 21st letter requested submission of a storm sewer analysis. An existing storm sewer capacity report prepared by VIKA, Inc. was received on April 14th. Our hydraulic reviewer completed his review of this report on May 24th and offers the attached ten (10) comments.
- The proposed area of right-of-way dedication along MD 410 appears acceptable. As stated in our March 21, 2006 letter, truncations and right-of-way dedications must be platted using SHA standards. Hard copies of these plats must be submitted to SHA for review and final plat issuance. Please contact Mr. Dan Andrews of the Plats and Surveys Division at 410-545-8975 for additional information. You may also e-mail Mr. Andrews at dandrews@sha.state.md.us.
- It is our understanding that some M-NCPPC staff is considering the reduction of existing pavement in the northeast corner of the Georgia Avenue @ Burlington Avenue intersection to facilitate a better pedestrian and streetscape environment. Conceptually, SHA concurs with such a proposal. SHA withholds final approval until a revised site plan and/or streetscape plan showing these modifications is submitted for review and comment. Both these streets are state maintained roads.
- The required work within MD 410 and US 29 rights-of-way is subject to the terms and conditions of an access permit, which must be received from this office.

If you have any questions, please contact Ray Burns at 410-545-5592 or our toll free number in Maryland only 1-800-876-4742.

Very truly yours,


for Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb
Attachment

cc: Ms. Catherine Conlon / MNCPPC
Mr. Scott James / MNCPPC
Mr. Robert Kronenberg / MNCPPC
Mr. Shahriar Etemadi / M-NCPPC
Mr. Gregory Leck / Montgomery County DPW&T
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Ted Beeghly *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*

MARYLAND STATE HIGHWAY ADMINISTRATION
ENGINEERING ACCESS PERMITS DIVISION
707 North Calvert Street
Baltimore, Maryland 21202

Date: May 24, 2006

RECEIVED

2006 MAY 25 P 3:02

ENGINEERING ACCESS
PERMITS DIVISION

MEMORANDUM

TO: Mr. Steven D. Foster, Chief
Engineering Access Permits Division

ATTN: Mr. Raymond Burns

FROM: Hydraulic Reviewer *Rick Schmuff*

SUBJECT: Montgomery County
Route Number: US 29 (at MD 410), Mile Point: 0.18
8021 Georgia Avenue
Hydraulic File No. 06-AP-MO-007

We have reviewed the subject project's materials received on April 21, 2006 and offer the following comments:

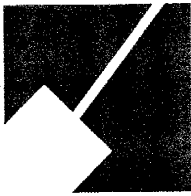
1. Please provide documentation of the local agency's review and approval of both stormwater management and erosion/sediment control designs.
2. Please ensure that the plans reflect all proposed work within the SHA right-of-way – including proposed curb/gutter, proposed pavement, and drainage structures (both existing and proposed).
3. Please provide supporting gutter spread computations for proposed structure D-8. As per SHA drainage design criteria, the maximum allowable spread is 8 feet (based upon the 2-year frequency storm). And the maximum allowable flow across entrances is 1.0 cfs (2-year storm) – i.e., the bypass flow from D-8. Assuming that structure Ex-7 is completely blocked (i.e., 100% bypass), provide spread analyses for E-8 and E-4 – verifying that the existing throat openings can handle the increased gutter flow – i.e., 85% interception rate for the 2-year storm.
4. From the site plan, it appears that the curb will be replaced in the area of existing inlet E-6. Please clarify what will happen to the existing structure and piping – specifying whether a new structure will be required. If E-6 is to be converted into a junction box, please provide a special detail showing the proposed top slab – and its ability to support traffic loading.
5. Please provide storm drain profiles for all proposed pipes within the SHA right-of-way – plotting the 25-year hydraulic gradient. As per SHA drainage design criteria, the gradient cannot surcharge any structures within the state right-of-way. *[If the 25-year hydraulic gradient cannot be determined for the existing system, it would be acceptable to begin the grading assuming the top of a downstream structure.]*
6. Please provide flow line elevations along the proposed curb (including the bump-outs) - to confirm that no localized sumps will be created.
7. For the proposed pipe from D-8 to D-7, please verify (on profile) that at least 9 inches of clearance will be maintained between the outside diameter of pipe and the bottom of the pavement section (for the entrance ramp).

8. For all proposed drainage structures within the SHA right-of-way, please reference the appropriate SHA detail within a drainage structure schedule.
9. On the post-development drainage area map, please correct the scale to show 1" = 50' (rather than 1" = 20').
10. Please provide supporting computations for the discharge from D-1 to Ex-4. This additional flow must be included within the analysis of the existing system from Ex-4 to Ex-3 – and the other downstream structures.

Further review will be withheld until the above comments have been addressed. Please reference the above hydraulic file number on future submissions and provide a **written point-by-point response** to the comments. Please contact Joel Magram of RJM at 410-730-1001 if you have any questions or comments.

RS/JR/JSM/RJM/06APMO007

cc: Karuna Pujara, SHA HHD
Nadine Piontka, Montgomery County Department of Permitting Services
Vika, Inc. (attn: Jeffery Amateau)
File




**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Robert Kronenberg, Development Review

FROM: Stephen D. Federline, AICP, Supervisor, CountyWide Environmental Planning 

DATE: July 14, 2006

SUBJECT: Site Plan #820060380: **8021 GEORGIA AVENUE**

The Environmental Planning staff has reviewed the site plan referenced above. Staff recommends approval of the plans with the following condition:

- 1) The Builder shall comply with all acoustical performance recommendations from the Polysonics Noise Report (*Phase I- Transportation Noise Analysis – 8021 Georgia Avenue*) dated May 31, 2006, which demonstrates methods to achieve an interior noise level of 45 dBA Ldn or less for the residential units.
 - a) An acoustical consultant shall provide a detailed analysis of the final building shell to determine exactly what modifications are necessary to achieve no greater than a 45 dBA Ldn interior noise level.
 - b) The builder must agree in writing to comply with the Polysonics recommendations cited above. Such acceptance letter shall be provided to MNCPPC Environmental Planning prior to issuance of any building permits.”

Discussion

NOISE IMPACT

This site is significantly affected by the combined impact of four major transportation noise sources: 1) traffic noise from Georgia Avenue; 2) traffic noise from Burlington Avenue (East/West Highway- Rte 410); 3) METRO noise; and 4) railroad noise. The combined effect is as high a noise level as is experienced anywhere in the County. Strict compliance with the noise consultant's noise and follow-up building shell analysis is critical to providing an acceptable interior noise environment for the residential units.

FOREST CONSERVATION

This plan is exempt from forest conservation requirements per NRI/FSD #4-05265E for Small Property. A Tree Save Plan is not required for this property.

SDF:sdf:g:evelyndrc/ep806038naisepbsdf



POLYSONICS CORP.

ACOUSTICS AND TECHNOLOGY CONSULTING

www.polysonics-corp.com

PHASE I

TRANSPORTATION NOISE
ANALYSIS

8021 GEORGIA AVENUE

Montgomery County

Report #6299

31 May 2006

Prepared for: Union Realty Trust

Prepared by: George Spano
Senior Consultant

EXECUTIVE SUMMARY

Polysonics has completed a transportation noise analysis for the 8021 Georgia Avenue site in order to determine the railway noise impact from the CSX/Metro railroads, and from traffic noise impact from Georgia Avenue (Route 29) and Burlington Avenue (Route 410). Railway and traffic noise measurements, forecasted traffic volumes and proposed site plan information were utilized to determine future unmitigated noise contours for the site. Polysonics understands the Montgomery County noise code to be 65 dBA L_{dn} for outdoor recreational activity areas and 45 dBA L_{dn} inside residential living units.

The outdoor recreational area, the pool, at the 8021 Georgia Avenue site will be impacted by future unmitigated noise levels exceeding the required 65 dBA L_{dn} levels per Montgomery County guidelines. However, the pool will be at the center of the site and will benefit from significant shielding offered by surrounding proposed and existing buildings, which will reduce noise impact to acceptable levels.

From noise levels measured and calculated at building facades, all proposed buildings on the property will be located within the future unmitigated 65 dBA L_{dn} noise impact zone. The highest levels, 79 dBA L_{dn} , will impact the east side next to the railroad tracks. The west side of the buildings will be impacted by 75 dBA from Georgia Avenue and the south side of the buildings, 70 dBA from Burlington Avenue. Required interior noise levels of 45 dBA L_{dn} can be achieved with modified heavy minimum 1" thick windows, doors, and masonry walls with the proper Sound Transmission Class Ratings.

P O L Y S O N I C S C O R P .

Vibration transmitted through the ground to the site from the tracks were not felt in the ground due to the clay/silt soil condition. Vibration was analyzed by the structural engineer and will not have an adverse impact.

RAILWAY NOISE

Noise Measurements

A 24-hour railway noise measurement survey was performed on May 25 and 26, 2006 at the 8021 Georgia Avenue site to determine noise impact from the CSX/Metro Railroad upon the property. The railroad is comprised of four rail lines approximately 15 feet apart with two inside tracks for Metro and two outside tracks for CSX, the total width is approximately 100'. They are located adjacent to the Eastern property line. Sound measurements were made at the location of the proposed building face about 17' from the closest track, placing the microphone approximately 55' from the center of the four tracks. This measurement location is denoted as "M1" on the enclosed site plans.

Please note that the measurement location was chosen to gain an understanding of unmitigated noise impact from railway traffic. This is the unmitigated noise level with no effects of retaining walls or localized topography. The site is elevated from the tracks about 12' with a retaining wall which goes up to the existing parking lot. The microphone was placed on a tripod about 6' above the retaining wall and parking lot.

The instrumentation used for the survey included a Bruel & Kjaer Type 2236 Integrating Sound Level Meter. This instrument is capable of measuring noise levels and calculating statistical results over the time period measured. The unit meets ANSI S1.4

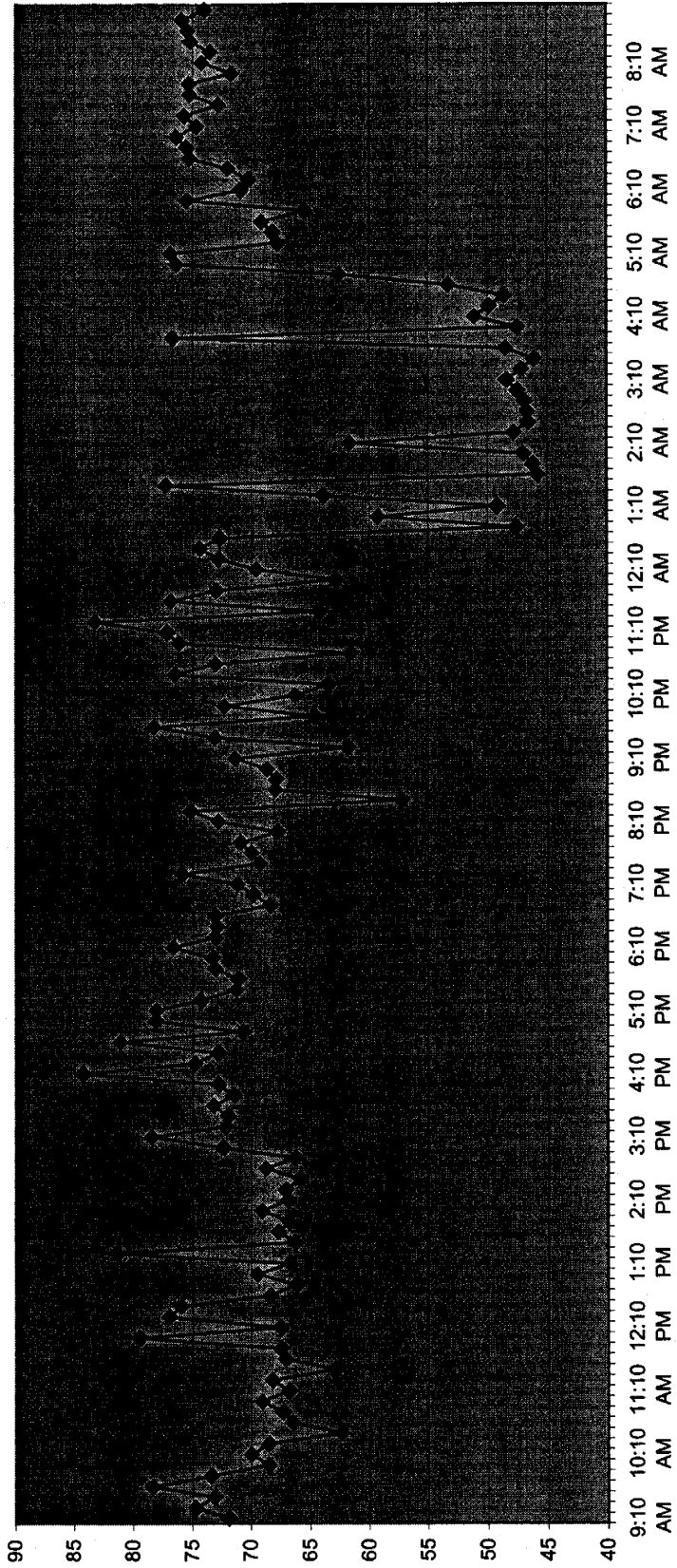
standards for Type I Sound Level Meters. The meter was calibrated prior to the measurement survey, traceable to National Institute of Standards and Technology (NIST).

During the 24-hour survey, 10 minute L_{eq} 's were measured and logged into the instrument. The L_{eq} is the average noise level measured over a given time period; in this case that time period was 10 minutes. The variation in noise levels at the measurement locations have been plotted in the attached graph:

During the 24-hour survey, 25 freight trains and 24 MARC/Amtrak trains were documented to travel past the site. Of these events, 10 freight trains and 8 passenger trains passed by the property during the nighttime hours of 10:00 PM to 7:00 AM. Between 10PM and 12AM, 6 freight trains and one MARC train passed, leaving only 4 freights during the rest of the night. MARC starts early with 7 trains between 5 AM and 8 AM, only one other at 10:04 PM. The table found in the appendix shows characteristics for each train observed, such as the number of engines and railcars, estimated train speed, and direction of travel. Metro also uses the two inside tracks with schedules of 5AM to 12PM Sunday thru Thursday and runs until 2AM on Friday and Saturday. The metro is a light rail more than 10 decibels quieter than the freight and MARC operations, and is normally not a noise issue in residential environments.

Because no grade crossings are located within close proximity to the site, train whistles are not a contributing factor to noise impact on the site. While some distant train whistles could be heard on occasion, noise levels on the property are dominated primarily by noise produced by the engines of locomotives passing by the site.

M1
May 26/27, 2006



Ldn: 79

8021 Georgia Ave.
Train Noise
East Side

The L_{dn} is a 24-hour, time-averaged noise level with a 10-dBA "penalty" added during the nighttime hours of 10:00 PM to 7:00 AM to account for greater human sensitivity to noise at night. The resultant measured L_{dn} at the measurement location is listed in the table below.

Measurement Location	L_{dn}
M1 (55 feet from centerline of rail lines)	79 dBA

Railway Noise Contours

Since forecasted train volumes and future rail conditions are not available, noise impact to the property can only be based upon current conditions. Railway conditions and sound measurements were used in conjunction with site plans, dated 2 May, 2005, to determine noise impact upon the site. The noise contours were calculated based upon actual measurements at the building faces, which are close to the railway traffic. No shielding such as tree and vegetation covered areas where the measurements were taken affected the measurements and these are maximum existing noise conditions. Acoustical modeling is based on the measured noise levels according to hard site conditions.

Typical hard site environments include pavement areas where the receiver is located within 50 feet of the source such as rail noise in the existing parking lot and roadways with pavement, concrete sidewalks and brick buildings.

Because the primary source of railway noise is locomotive engine noise, and the measurements were made close to the track, mitigation from ground effects and the retaining wall is negligible.

Unmitigated railway noise contours calculated by the noise measurement survey results will be combined with future unmitigated noise contours for Georgia Avenue and Burlington Avenue to determine the overall transportation noise impact to the site. Please note that these noise contours are unmitigated and do not consider the effects of proposed buildings, trees, or structures on the property.

ROADWAY NOISE CONTOURS

Two 24 hour noise measurements were also done on May 25 and 26 to determine the existing traffic noise. We measured on the roof of the existing building on the west side nearly 35' high and set back approximately 50' from the thru lanes on Georgia Avenue. We also measured 50' from the curb on Burlington Avenue with a tripod and extension pole approximately 16' above the ground.

Measurement Location	L_{dn}
M2 (50 feet from thru lanes of Georgia Avenue)	74 dBA
M3 (50 feet from curb of Burlington Avenue)	69 dBA