

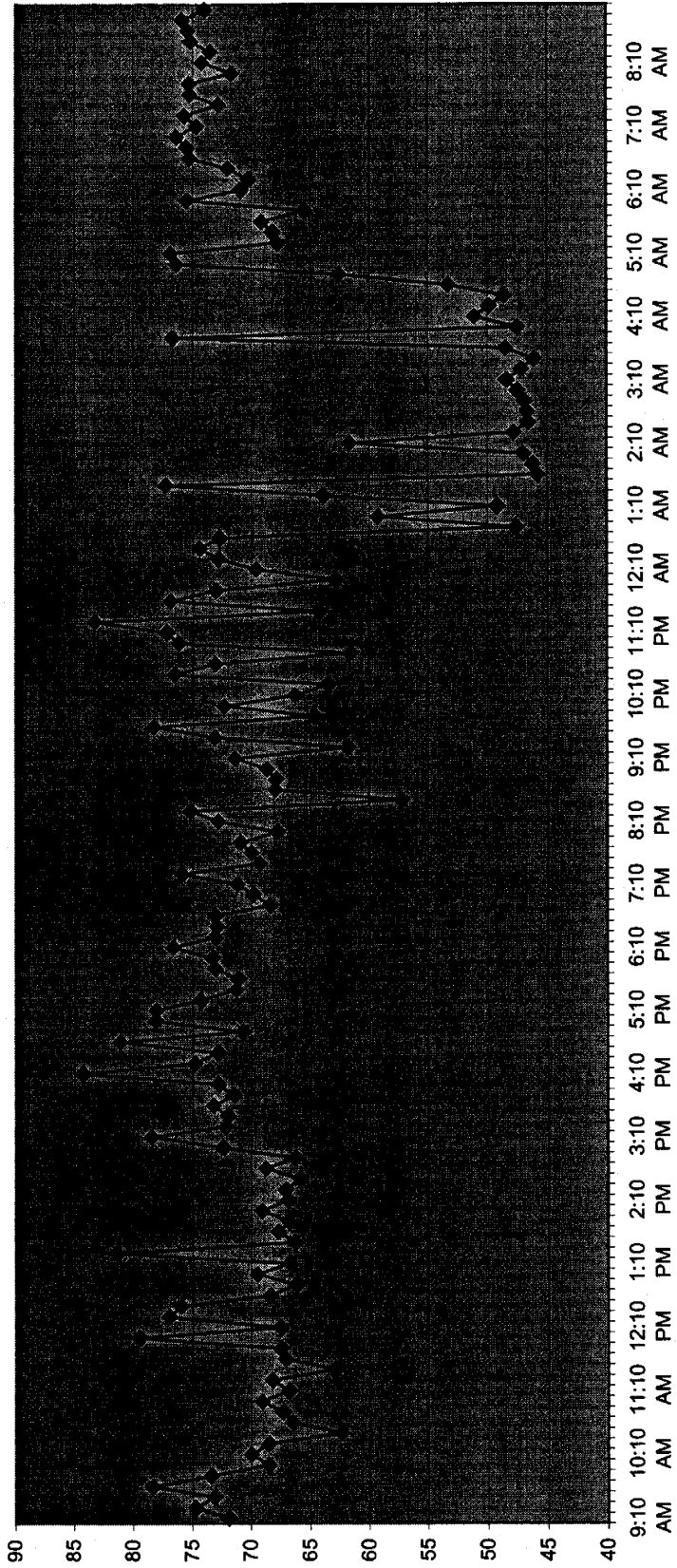
standards for Type I Sound Level Meters. The meter was calibrated prior to the measurement survey, traceable to National Institute of Standards and Technology (NIST).

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.

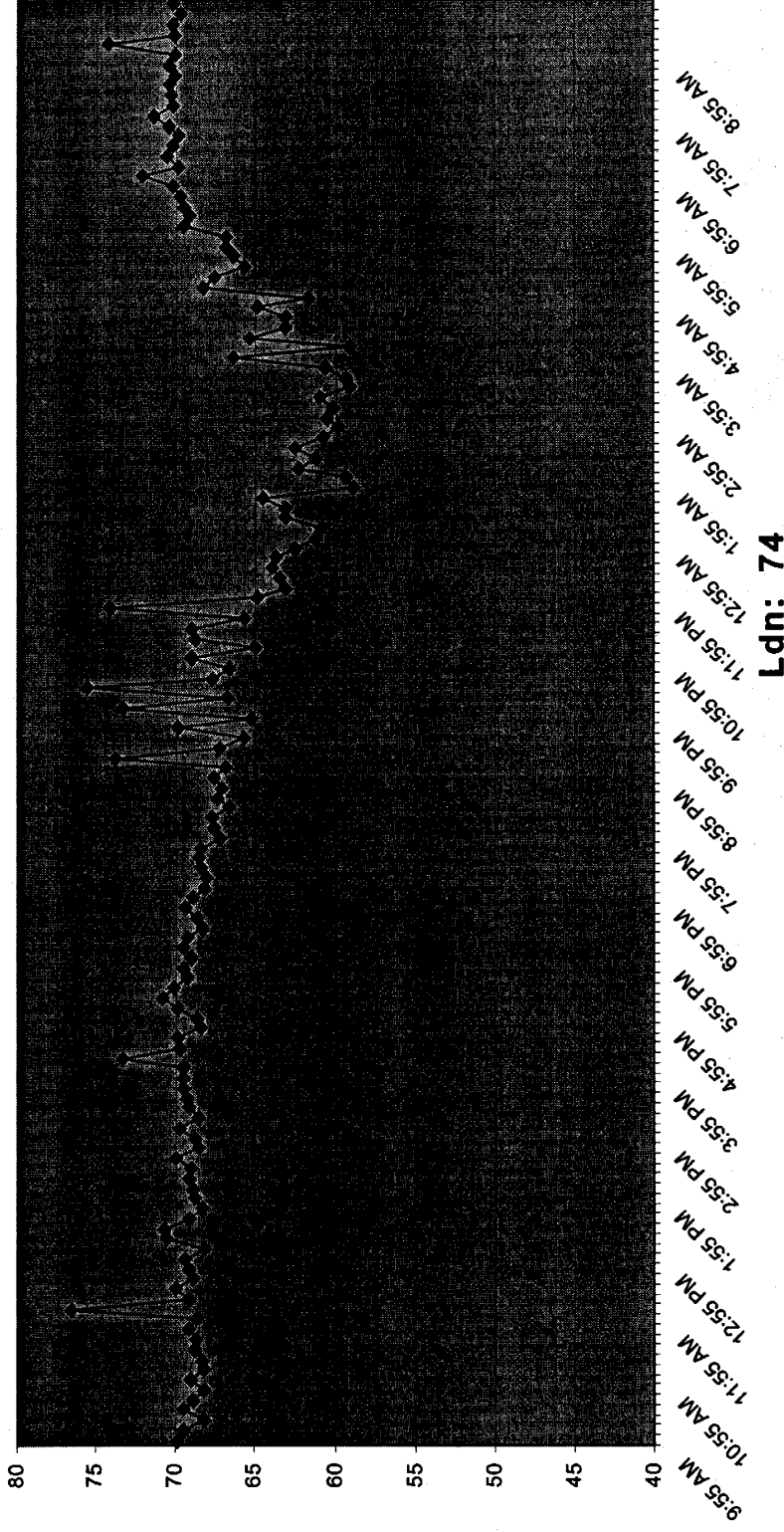
Unmitigated railway noise contours calculated by the noise measurement survey results will be combined with future unmitigated noise contours for Georgia Avenue and Burlington Avenue to determine the overall transportation noise impact to the site. Please note that these noise contours are unmitigated 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.

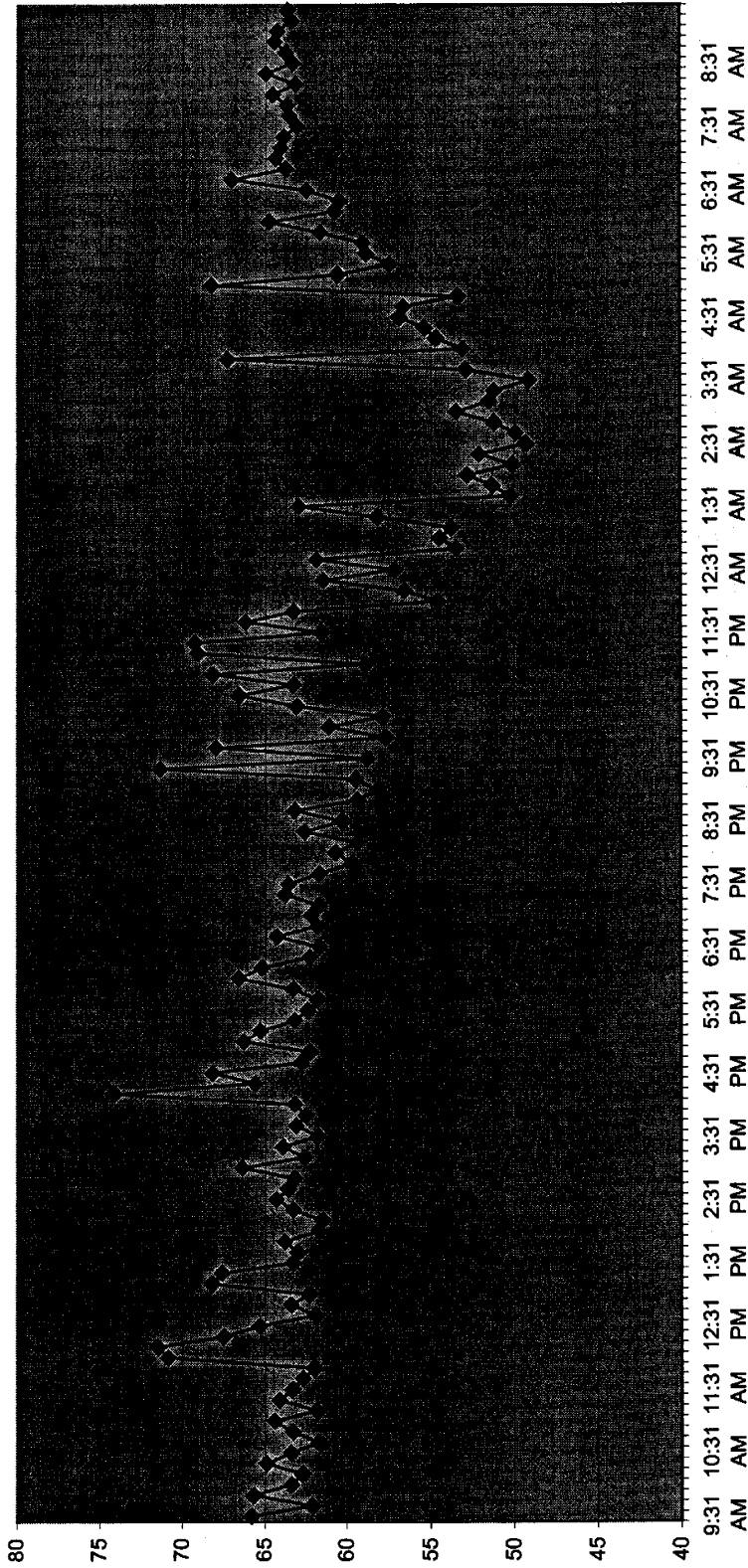
Measurement Location	L_{dn}
M2 (50 feet from thru lanes of Georgia Avenue)	74 dBA
M3 (50 feet from curb of Burlington Avenue)	69 dBA

M2
May 26/27, 2006



8021 Georgia Ave.
Roof top
West Side

M3
May 26/27, 2006



Ldn: 69

**8021 Georgia Ave.
East West Highway
South Side**

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

Future Traffic Noise Levels

Georgia Avenue in the vicinity of the 8021 site, is presently a 4-lane roadway that intersects a two lane plus two turn lanes intersection at Burlington Avenue. Future traffic increases in this area were included.

The future traffic volume was estimated to increase by 33% in 2025 resulting in a 1 dBA increase of the existing noise levels. The following roadway information was used to analyze future traffic noise levels for Georgia and Burlington Avenue:

Parameter	Future Georgia Avenue
Estimated Speed Limit	Intersection/35mph
Forecasted ADT (2025)	50,556 vehicles per day
Nighttime Traffic	15%
Percent Autos	97%
Percent Med Trucks	2%
Percent Hvy Trucks	1%

Parameter	Future Burlington Avenue
Estimated Speed Limit	Intersection/25mph
Forecasted ADT (2025)	20,156 vehicles per day
Nighttime Traffic	15%
Percent Autos	98%
Percent Med Trucks	1%
Percent Hvy Trucks	1%

Existing topographical and proposed grading information, as well as the locations of the future structures was obtained from site plans dated May, 2005.

Contours are based on measurement and hard site condition. With the railway noise contours, these roadway noise contours are unmitigated and do not consider the

effects of proposed buildings, trees, or structures on the property. The roadway noise contours will be used in conjunction with the railway noise contours to determine the combined unmitigated transportation noise impact to the 8021 Georgia Avenue site.

OVERALL FUTURE TRANSPORTATION NOISE IMPACT

Unmitigated noise levels from the Railroad and future traffic volumes on Georgia and Burlington Avenues were combined to produce overall unmitigated noise contours for the 8021 Georgia Avenue site. Please note that since sound levels are based upon a logarithmic scale, the combining of railway and roadway noise must be performed according to logarithmic addition. The resultant overall unmitigated transportation noise contours for the property are delineated on the enclosed site plan.

OUTDOOR NOISE IMPACT

According to the Montgomery County noise code, the 8021 Georgia Avenue site must achieve 65 dBA L_{dn} noise levels for outdoor activity areas. The outdoor limits apply to the pool. The results of the analysis indicate that (unmitigated) the pool area exceeds the 65 dBA L_{dn} impact. However the pool is at the center of the site and is well shielded by the surrounding structures on all sides. The pool area will meet the outdoor noise requirements.

INDOOR NOISE IMPACT

Montgomery County noise code requires residential interior noise levels to meet 45 dBA L_{dn} levels. A residential unit of good quality construction in today's market will

reduce noise levels as high as 65 dBA to a recommended level of 45 dBA without modification. From noise levels measured at the site, the east side of the structures adjacent to the railroad will be up to 79 dBA L_{dn} , the west side along Georgia Avenue will be up to 75 L_{dn} and the south side along Burlington Avenue will be up to 70 L_{dn} .

When levels rise above 65 dBA, concern arises over maintaining the required interior noise level. For levels between 70-80 dBA, building elements exhibiting the following acoustical ratings may be necessary:

TRAIN Noise

ROADWAY Traffic Noise

Building Element	Estimated STC Rating for 75-80 dBA Impact	Estimated STC Rating for 70-75 dBA Impact
Walls	56 STC Masonry	56 STC Masonry
Windows	42 STC*	38 STC*
Doors		35 STC

*Windows comprise upto 30% of the exterior surface of any room

Building Element	Estimated STC Rating for 75-80 dBA Impact	Estimated STC Rating for 70-75 dBA Impact
Walls	56 STC Masonry	56 STC Masonry
Windows	40 STC*	36 STC*
Doors		33 STC

*Windows and glass doors should not comprise more than 20% of the exterior surface of any room.

It is recommended that a building shell analysis for impacted living units be performed when architectural plans become available to determine exactly what modifications are necessary to insure interior noise level requirements.

VIBRATION IMPACT

In addition to noise impact to residential buildings, vibration transmitted through the ground from the tracks was analyzed by the structural engineer. From the proposed site plan, and the silt/clay subsoil, the structural engineer reports there will be no significant impact.

RESULTS AND CONCLUSION

In conclusion, the following bullets address the major acoustical points of this project:

- Outdoor recreational area, such as the pool, will be impacted by future unmitigated noise levels exceeding the required 65 dBA L_{dn} levels per Montgomery County noise code. However the pool is located at the center of the site and is surrounded with structures providing shielding to meet the required noise level
- Noise levels measured and calculated at each building facade, will be located within the 65 dBA L_{dn} noise impact zone. The highest levels, 79dBA L_{dn} , will impact the east side next to the tracks.
- Required interior noise levels of 45 dBA L_{dn} can be achieved with modified windows (at least 1" thick window systems), doors, and masonry wall constructions as necessary for impacted units.
- Vibration transmitted through the ground from the tracks will not significantly impact the structures due to the clay/silt sub-soil.

Railway Train Events – May 25-26, 2006

No.	Time	Type	No. of Engines	No. of Cars	Direction Direction	Estimated Speed (mph)
1	8:59 AM	Freight	2	53	Westbound	20-30
2	9:01 AM	Freight	2	53	Westbound	20-30
3	9:39 AM	Freight	3	70	Eastbound	30
4	9:42 AM	Freight	3	70	Eastbound	30
5	12:05 PM	Freight	2	30	Eastbound	25
6	12:15 PM	Freight	2	35	Westbound	20
7	12:30 PM	AmTrack	2	9	Eastbound	35
8	12:31 PM	Freight	3	59	Eastbound	25
9	1:19 PM	Freight	2	67	Westbound	20
10	1:22 PM	Freight	2	56	Eastbound	25
11	3:00 PM	Freight	2	49	Eastbound	20
12	3:40 PM	MARC	1	7	Westbound	40
13	4:04 PM	MARC	1	2?	----	----
14	4:17 PM	MARC	1	6	Westbound	35
15	4:27 PM	MARC	1	9	Westbound	35
16	4:39 PM	MARC	1	6	Westbound	40
17	5:08 PM	MARC	1	7	Westbound	35
18	5:16 PM	MARC	1	7	Westbound	35
19	5:17 PM	Freight	2	63	Westbound	25
20	5:22 PM	MARC	1	9	Westbound	35
21	5:45 PM	MARC	1	7	Eastbound	30
22	6:12 PM	MARC	1	4	Westbound	35
23	6:43 PM	MARC	1	7	Westbound	35
24	7:21 PM	Freight	2	79	Eastbound	25
25	7:23 PM	Freight	2	60	Westbound	25
26	7:25 PM	MARC	1	6	Westbound	35
27	8:25 PM	Freight	1	73	Eastbound	30
28	9:42 PM	Freight	3	40	Eastbound	25
29	10:04 PM	AmTrack	2	21	Eastbound	35
30	10:34 PM	Freight	2	70	Westbound	10
31	10:45 PM	Freight	2	30	Eastbound	25
32	10:59 PM	Freight	3	59	Eastbound	15
33	11:17 PM	Freight	2	40	Eastbound	25
34	11:24 PM	Freight	2	29	Eastbound	25
35	11:39 PM	Freight	2	56	Westbound	25
36	12:26 AM	Freight	2	60	Westbound	25
37	12:40 AM	Freight	----	40	Eastbound	----
38	1:23 AM	Freight	----	52	Westbound	----
39	2:00 AM	Freight	2	0	Eastbound	40
	4:45 AM	Track	Maintenance			

POLYSONICS CORP.

No.	Time	Type	No. of Engines	No. of Cars	Direction of Travel	Estimated Speed (mph)
40	4:55 AM	MARC	1	7	Westbound	35
41	5:05 AM	MARC	1	6	Westbound	40
42	5:25 AM	MARC	1	9	Eastbound	35
43	5:40 AM	MARC	1	7	Westbound	40
44	5:58 AM	AmTrack	2	13	Westbound	25
45	6:04 AM	MARC	1	4	Westbound	30
46	6:19 AM	MARC	1	7	Eastbound	30
47	7:15 AM	MARC	1	9	Westbound	35
48	8:00 AM	MARC	1	3	Eastbound	40
49	8:40 AM	MARC	1	3	Eastbound	40

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

APPENDIX
DEFINITION OF ENVIRONMENTAL NOISE TERMS

- * Acoustics - the science of sound
- * Ambient Noise - a composite of all background noises
- * A-weighted Sound Level (dBA) - the sound level in decibels using a frequency filter similar to human hearing
- * Decibel (dB) - a logarithmic scale of sound level
- * Diffraction - the change in direction of a sound wave around an object
- * Direct Sound - sound that is emitted from the noise source, not including any reflected sound
- * Level Day-Night (L_{dn}) - the energy equivalent A-weighted continuous sound level compared to a 24-hour varying noise level, with a 10 dBA penalty added to nighttime noise levels between 10 p.m. and 7 a.m.
- * L_{eq} - The average of the sound pressure levels (dBA) measured during some specified time period. In this case, the standard is 1 hour.
- * L_{max} - The maximum sound pressure level measured during some given time period.
- * L_{min} - The minimum sound pressure level measured during some given time period.
- * L_{90} - The noise level exceeded 90% of the time period measured. Generally considered the ambient or background noise level of a location.
- * Masking - covering one sound with another sound
- * Noise - unwanted sound
- * Reflected Sound - sound that has been bounced off of sound-reflecting surfaces

DEFINITION OF ENVIRONMENTAL NOISE TERMS (CONT'D)

- * Sound Pressure Level (SPL) or (L_p) - the average (RMS) pressure level of sound waves at a particular point equal to 20 times the log of the measured RMS pressure divided by the reference pressure which is 20 micropascals

$$SPL = 20 \log \frac{SPL}{SPL \text{ (reference)}}$$

- * Sound Transmission Class (STC) - a rating system for noise reduction through partitions
- * Vibration - the oscillation of a medium or an object



June 22, 2006

MEMORANDUM

TO: Robert Kronenberg, RLA, Planner Coordinator
Development Review Division

FROM: Glenn Kreger, Team Leader, Silver Spring/Takoma Park Team *GK*
Community-Based Planning Division

SUBJECT: Site Plan Review No. 820060380
8021 Georgia Avenue

The Community-Based Planning staff has reviewed the above referenced Site Plan for conformance with the Silver Spring Central Business District and Vicinity Sector Plan (Approved February 2000). The subject property is located on the east side of Georgia Avenue, north of Burlington Avenue, in Silver Spring. Community-Based Planning recommends the approval of this Site Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan:

1. Dedicate additional street right-of-way for Burlington Avenue equal to 40 feet measured from the centerline of the existing street.
2. Provide streetscape improvements on Georgia Avenue and Burlington Avenue in accordance with the *Silver Spring Streetscape* technical manual.
3. Enter into an agreement with the Silver Spring Urban District for maintenance of all or some of the streetscape improvements.
4. Augment the proposed Public Use Space with a significant financial contribution to park acquisition and development within the CBD.

ZONING AND LAND USE:

The 51,135 square foot subject property is zoned CBD-1 (Central Business District, 1.0). 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, per County Council Resolution 14-600. The property is on the Locational Atlas of Historic Sites in Montgomery County. The buildings on the site were designed by Arthur Heaton. They formerly housed the National Association of Dyers and Cleaners and were utilized most recently by WMATA for plant maintenance.

The proposed mixed-use development program is comprised of 210 high-rise residential units, including 27 MPDUs. Eight of the dwelling units will be located in historic buildings to be preserved on site. Although it might be desirable along Georgia Avenue, no ground floor retail is proposed. The proposed residential use is permitted and conforms to the intent of the CBD-1 Zone. The proposal will be implemented under the optional method of development. The project proposes a density of 111 dwelling units/acre which is less than the permitted maximum of 125 dwelling units/acre allowed under the CBD-1 Zone. The density proposed for approval is calculated on a gross site area of 1.88422 acres, which includes the lot area, proposed area to be dedicated for street right-of-way and prior dedications.

The minimum required on-site public use space for this project is 10,227 square feet (20 percent of the net lot). The applicant proposes the minimum 10,227 square feet of on-site public use space. The applicant is also proposing 6,648 square feet of off-site streetscape improvements. The combined on-site public use space, amenities and off-site improvements is 16,875 square feet or 33.0 percent of the net lot area. This is relatively low compared to similar projects; consequently, the applicant has also offered a significant financial contribution to off-site park improvements.

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. The proposed project addresses primarily the "residential downtown" theme. Since there is no ground floor retail, it does not contribute to the "commercial downtown" theme and it makes only a modest contribution to the "green downtown" theme. The project will contribute to the "pedestrian friendly" theme if it provides the recommended streetscaping along *both* Georgia Avenue and Burlington Avenue. (A sidewalk that narrows to 6' clear provides marginal pedestrian accommodation within the CBD.) The proposed project also makes an important contribution to the preservation of historic structures in the downtown and effects required environmental remediation in the process.

- A. **Sector Plan Bikeways:** The Sector Plan recommends a Class I (off-road) shared use path along Burlington Avenue. This will be provided along the south side of the street by Montgomery College as part of the Cultural Arts Center project.
- B. **Sector Plan Street Rights-of-Way:** The Sector Plan recommends a right-of-way width of 80 feet for Burlington Avenue. Staff recommends additional street right-of-way dedication for Cameron Street equal to 40 feet measured from the centerline of the existing street. Georgia Avenue is recommended for a 125-foot right-of-way. The existing right-of-way along the project frontage is 65 feet measured from centerline; consequently, no additional dedication is required.

C. **Streetscape:** The applicant proposes to improve Georgia Avenue along the property frontage with streetscape using the Type B treatment recommended in the *Silver Spring Streetscape* technical manual with modifications needed to accommodate the existing historic buildings. In addition to the frontage along Georgia Avenue, the applicant should be required to provide the Type B streetscape treatment along Burlington Avenue. The most recent plans do *not* reflect the recommended improvements along Burlington Avenue.

The staff recommends that the applicant enter into an agreement with the Silver Spring Urban District for the maintenance of all or some of the streetscape improvements.

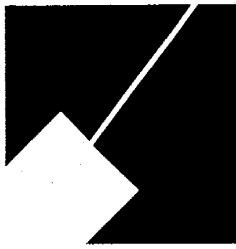
COMMUNITY OUTREACH:

The applicant notes that they have briefed the following organizations regarding the proposed project:

April 12, 2005	Silver Spring Historical Society
September 12, 2005	Commercial and Economic Development Committee of the Silver Spring Citizens Advisory Board
September 15, 2005	Silver Spring Urban District Advisory Board
September 19, 2005	Silver Spring Historical Society
November 15, 2005	Greater Silver Spring Chamber of Commerce
December 19, 2005	East Silver Spring Citizens Association

The Eastern Village Co-housing Neighborhood Liaison Committee has written to the M-NCPPC to encourage the inclusion of street-level retail uses.

GK:tv: N:/dept/divcp/kreger/8021 Georgia site plan memo.doc



July 13, 2006

MEMORANDUM

TO: Robert Kronenberg, RLA, Planner/Coordinator
Development Review Division

FROM: Shahriar Etemadi, Supervisor
Transportation Planning

SUBJECT: Site Plan # 8-20060380
8021 Georgia Avenue Development
Silver Spring Central Business District

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the proposed site plan for the 8021 Georgia Avenue development in downtown Silver Spring.

RECOMMENDATION

Transportation Planning staff recommends approval of the above referenced site plan with the following conditions as part of the APF test for transportation requirements related to Local Area Transportation Review (LATR):

1. The site plan shall be limited to a maximum of 235 high-rise residential units.
2. Applicant shall dedicate additional right-of-way along Burlington Avenue (MD 410) to equal 40 feet as measured from the centerline.
3. The access point proposed on Burlington Avenue (MD 410) shall be limited to right in ingress only.
4. Applicant shall be responsible for lengthening and improving 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. This improvement shall be complete before any use and occupancy permit is issued.
5. Applicant shall be responsible for reconfiguration and extension of 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 (MD 410) to the south. This improvement shall be completed before any use and occupancy permit is issued.

6. Applicant coordinates with the Montgomery County Departments of Public Works and Transportation (DPWT), Fire and Rescue Services/Office of Code Enforcement and Permitting Services to insure an appropriate design results from the reclassification of Stoddard Place as an alleyway prior to issuance of any building permit.
7. Applicant enters into a traffic mitigation agreement to participate in the Silver Spring Transportation Management District. The agreement must be signed and executed by all parties prior to the approval of certified site plan.
8. Applicant to satisfy any additional conditions established by Maryland State Highway Administration (SHA) and DPWT prior to the approval of certified site plan.

DISCUSSION

Site Location, Access, Circulation, and Parking

The site is located on 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 site is currently occupied by buildings designated as historic and is subject to all applicable restrictions. The proposed development includes up to 235 high-rise residential condominiums with all parking needs met on-site by means of an underground parking garage. The garage will be provided with a full movement access from Stoddard Place and an ingress only access from Burlington Avenue (MD 410).

On-site pedestrian circulation is provided by sidewalks along northbound Georgia Avenue, the north side of Burlington Avenue and along the southern side of Stoddard Place. The site will provide improved pedestrian access across Burlington Avenue southward towards the recently expanded Montgomery College campus. The centerline median on Burlington Avenue will be extended and include a pedestrian refuge. In addition, the south westernmost corner of the site will be reconfigured to allow for a larger landing area and improved visibility at the intersection of Georgia Avenue with East-West Highway.

Access form Burlington Avenue

Staff has recommended applicant to remove the access points on Burlington Avenue at the time of project and preliminary plans process for the reasons of increasing the safety of pedestrian and vehicular operation on Burlington Avenue. The Planning Board heard arguments on advantage and disadvantage 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 that was recommended by the Maryland State Highway Administration.

Stoddard Place Access

Stoddard Place is currently a cul-de-sac of right-of-way width of 30 feet. It is not a classified master planned street and as such, would require a minimum of 60 feet right-of-way to comply with DPWT Business Street standards. Due to the close proximity of the existing buildings on-site to the roadway, Stoddard Place cannot be widened without the removal of one of the historical structures. Therefore, the applicant has requested that Stoddard Place be reclassified as an alleyway to allow for less stringent design standards. DPWT has agreed to reclassify Stoddard Place as an alleyway.

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.

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 235 high-rise condominium units are estimated to generate 71 additional trips during the AM and PM weekday peak periods of travel.

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 unsignalized intersection of Stoddard Place and Georgia Avenue (US 29) was also studied. All intersections are determined to operate below the 1,800 CLV threshold. Therefore, the proposed development will meet the requirements of LATR. The following table shows the CLV analysis results for the studied intersections:

<u>Roadway Intersection</u>	<u>Current CLV levels (AM / PM)</u>	<u>Background CLV levels (AM / PM)</u>	<u>Projected Future CLV (AM / PM)</u>
Georgia Ave (US 29)/ Sligo Ave	872/1,029	909/1,067	910/1,074
Georgia Ave (US 29)/ East-West Highway (MD 410)	1372/1,256	1,526/1,413	1546/1,429
Philadelphia Ave/ Burlington Ave/Fenton Street	1,253/1,093	1,346/1,205	1,351/1,228
Georgia Avenue (US 29)/Stoddard Place	381/631	398/642	432/670

Master Plan Roadways and Bikeways

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. The applicant has 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.

Pedestrian Access

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.

SE:gw

mno to Kronenberg re 8021 Georgia Ave revised April

APPENDIX B

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

JUL 12 2006

July 11, 2006

Stephen Z. Kaufman
301.961.5156
skaufman@linowes-law.com
Erin E. Girard
301.961.5153
egirard@linowes-law.com

Mr. Robert Kronenberg
Maryland- National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: 8021 Georgia Avenue; Temporary Parking Plan for Stoddard Place

Dear Robert:

On behalf of our client, Cypress Realty Investments, LLC ("Cypress"), contract purchaser of 8021 Georgia, and in satisfaction of Condition 11(d) of Project Plan No. 920060020, the purpose of this letter is to provide you with Cypress' "temporary parking plan for adjacent businesses to address concerns for parking during construction of the proposed development."

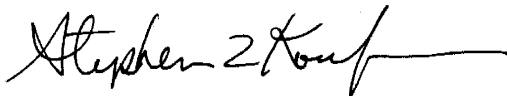
As you are aware, Cypress fully intends to keep Stoddard Place open for ingress and egress during construction of the proposed development and will in no event impact the parking spaces along the north side of Stoddard Place, which we understand are used by the adjacent businesses to the north. However, whether or not the parallel parking spaces on the south side of Stoddard Place will need to be temporarily closed during construction can not be determined until a general contractor has determined the construction staging for the proposed development and whether or not utilization of these spaces will be necessary for staging purposes. Therefore, while best efforts will be made to maintain these spaces for use by adjacent businesses during construction, they may need to be closed temporarily for construction staging purposes. As noted above, however, parking on the north side of Stoddard Place will be available for adjacent businesses throughout the construction period.

We hope you find this information satisfactory. If, however, you have any questions or need any additional information, please feel free to contact us.

Mr. Robert Kronenberg
July 11, 2006
Page 2

Very truly yours,

LINOWES AND BLOCHER LLP



Stephen Z. Kaufman



Erin E. Girard

cc: Douglas Cooper



Union Realty Partners, Inc.

June 14, 2006

Mr. Robert Kronenberg
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

RE: 8021 Georgia Avenue

Dear Robert:

As a follow-up to our Project Plan hearing on May 4, 2006, last week I met with Brenda Smoak, who, as you are aware, testified at the Project Plan hearing regarding parking issues associated with her business, Alchemy, which is one of four tenants of Stoddard LLC, located at 8025 Georgia Avenue, across Stoddard Place from the subject property.

After Ms. Smoak explained to me the nature and typical operations of her business, we discussed the current parking situation on Stoddard Place, the specific parking spaces she and the other three tenants occupy, and the impact our project will have on Stoddard Place and her business both during and after construction. During our meeting, I emphasized our intention to maintain two lanes of traffic on Stoddard Place during construction. I did, however, acknowledge that the 3 parallel parking spaces on the south side of Stoddard Place, closest to our project, may be temporarily displaced during construction. To mitigate her concern regarding the temporary loss of these spaces, I offered to subsidize the cost of 3 parking spaces in the immediate area for 18 months. At present, Ms. Smoak is still considering this offer.

Ms. Smoak also expressed her concern about the impact the 8021 Georgia Avenue redevelopment may have on her business post-construction. While we believe that the 210+ residents in our building would mean more sales activity for her business, a fact which she acknowledges, she continues to believe that, despite the proposed ingress to the project via Burlington, there will still be too much vehicular traffic on Stoddard Place. She therefore encouraged me to continue to pursue with both MSHA and your transportation planning staff concurrence to permit the right-out point of egress onto Burlington as well. While I agreed that a point of ingress to the project from Burlington was our desire as well, I attempted to explain to her the technical issues regarding the site distance on Burlington and the general process of obtaining a lower posted speed limit, without which the possibility of an ingress from Burlington Avenue may be precluded.

While I am not sure that we reached agreement on any of these issues during our meeting, we did commit to continue to dialogue as the project moves forward. I will keep you informed of any future meetings or discussions.

Sincerely,


Douglas A. Cooper
Senior Vice President

cc: Brenda Smoak, Alchemy



CHECKLIST Site Plan / Project Plan Review

Plan # **020060380** Name: **8021 GEORGIA AVENUE**
 Zone: **CBD-1** Tract Area: **1.88 AC** Proposed Use: **RESIDENTIAL**

Number of Units: **210** Square Footage: _____

Development Method: **OPTIONAL** Other: _____

Referral Comments:

M-NCPPC	Staff	Date	Other Agencies	Staff	Date
Transportation	SE	6.13.06	SHA	KB	6.26.06
Environmental	SF	6.14.06	DPS (SWM)	KB	10.11.06
Community Planning	GK	6.22.06	DPS (Traffic)	SN	7.13.06
Historic Planning	MO	_____	Public School	N/C	_____
Park Planning	N/C	_____	Utility	KB	5.8.06
Research/Housing	N/C	_____	Fire & Rescue	JF	5.22.06
			DPW & T	JR	7.12.06

Development Standards / Requirements

- Zoning Requirements
- Development Data Table
- Recreation Calculation
- MPDU Calculation
- TDR Calculation
- Timing/Phasing Conditions
- Building Restriction Lines
- Building Height
- Master Plan Conformance

Prior Approvals

- Development Plan
- Record Plat
- Preliminary Plan
- Prior Site Plan Approvals

Community Input

- Civic Association _____
- Individuals _____

Supervisor Review _____

Chief Review _____