

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	20410 N. Frederick Rd., Germantown	Meeting Date:	4/5/2017
Resource:	Cider Barrell <i>Master Plan Site #19/33</i>	Report Date:	3/29/2017
Applicant:	Stringtown Investments, LLC (Brandi Edinger, Agent)	Public Notice:	3/22/2017
Review:	HAWP	Tax Credit:	Partial
Case Number:	19/33-17A	Staff:	Michael Kyne
PROPOSAL: Alterations to doors and windows and other alterations			

STAFF RECOMMENDATION

Staff recommends that the HPC **approve with conditions** the HAWP application.

1. Details will be submitted for all proposed windows and doors, with final review and approval delegated to staff.
2. The proposed soffits will be wood with aluminum vents.
3. Material specifications will be submitted for the proposed through-the-wall exhaust fan.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Master Plan Site
STYLE: Roadside Architecture
DATE: 1926

Excerpt from *Places from the Past*:

19/33 Cider Barrel

The Cider Barrel is a well-loved local landmark and a distinctive example of roadside architecture. Andrew Baker built the structure in 1926 as a retail outlet for his cider and fresh apples. The Cider Barrel first became a favorite place for refreshment in the early days of automobile tourism. Baker was a prominent Germantown entrepreneur who spearheaded the move to build the Germantown Bank (1922) and served as one of its first trustees. Baker owned a large house and farm on Liberty Mill Road (near Liberty Heights Court) with an apple orchard (next to the Germantown Elementary School, north side). Residents recalled autumns when dozens of farmers with 4-horse team wagons loaded with apples were waiting in line at the cider press located behind Baker's house. The Cider Barrel provided the retail outlet for both the cider and for Baker's own fresh apples.

The barrel is actually a partial cylinder applied to the front of a one-story front-gable building. A

The barrel is actually a partial cylinder applied to the front of a one-story front-gable building. A bracketed hood shelters an inset counter opening in the barrel façade. Horizontal stripes capping the head and base of the barrel lend a Streamline Moderne effect accentuated by an adjacent curved c1931 apple stand (right) hidden behind a sliding door. The Cider Barrel today remains a thriving business

Staff notes: The preceding text is from 2001. The Cider Barrel closed in 2003, and it has been vacant since.

PROPOSAL

The applicant proposes the following work items at the subject property:

- Install a half glass door in the currently boarded-up door opening on the rear elevation.
- Replace the existing door on the left elevation with a half glass door.
- Replace the existing door on the right elevation with a half glass door.
- Install a sliding glass window in the currently boarded-up window opening on the barrel's façade.
- Repair rotten wood in-kind.
- Install vented vinyl soffits under the eaves on the left and right elevations.
- Install a new through-the-wall exhaust fan on the right elevation.

APPLICABLE GUIDELINES

In accordance with section 1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) ("Regulations"), in developing its decision when reviewing a Historic Area Work Permit application for an undertaking at a Master Plan site the Commission uses section 24A-8 of the Montgomery County Code ("Chapter 24A"), the *Secretary of the Interior's Standards and Guidelines for Rehabilitation* ("Standards"), and pertinent guidance in applicable master plans. [Note: where guidance in an applicable master plan is inconsistent with the Standards, the master plan guidance shall take precedence (section 1.5(b) of the Regulations).] The pertinent information in these documents, incorporated in their entirety by reference herein, is outlined below.

Sec. 24A-8. Same-Criteria for issuance.

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic

resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

(3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

(4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or

(5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; [emphasis added] or

(6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.

(d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (*Ord. No. 9-4, § 1; Ord. No. 11-59*)

Secretary of Interior's Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” Because the property is a Master Plan Site, the Commission’s focus in reviewing the proposal should be the *Secretary of the Interior’s Standards for Rehabilitation*. The *Standards* are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The Cider Barrel, a significant example of roadside architecture in Montgomery County, was active for nearly 77 years, before closing its doors in 2003. Since that time, the building has been vacant and has faced threats from development and plans to move it from its original location. In 2012, the Cider Barrel made Preservation Maryland's 2012 Most Endangered List.

Staff is conceptually supportive of the applicant's proposal. In accordance with the *Standards* and preservation best practices, the applicant's proposal to convert the Cider Barrel into a pastry shop will allow the building to be used for its historic purpose as a roadside food vendor.

Staff did note several discrepancies in reviewing the applicant's submission, and additional information will be required before the HAWP can be formally approved, but staff suggests that the applicant can resolve these issues at the staff level. Specifically, staff noted the following:

- In the submitted plans and elevations, a window opening is depicted on the rear elevation under the cross gable, and it is noted that a new window will be installed in this location. However, the captioned photographs state that the boarded-up opening is a door, and the interior photographs seem to support this. It states that a new half glass door will be installed in this location for utility purposes. The captioned photographs are dated March 17, 2017, whereas the plans and elevations are dated to January 1, 2017, which leads staff to believe that the photographs accurately reflect the current proposal.

Staff is supportive of either a new window or door in this location, as the location has clearly been boarded-up. Although the interior photographs suggest that a door was in this location, either a door or window would be appropriate, as neither would require the removal of historic materials. The proposed alteration is on the rear elevation, where it is not visible from the public right-of-way of Frederick Road, and, in accordance with the *Standards*, will not remove features that characterize the property.

- Material specifications have not been provided for the proposed replacement half glass doors. The door to be replaced on the right elevation appears to be a non-historic 6-panel door, and the door on the rear (discussed above) will be installed within a currently boarded-up opening. The alterations will not remove character-defining features or detract from the subject property.

It is unclear whether the door on the left elevation is historic. The door appears to be a wooden Dutch door constructed from vertical boards. Staff requests additional information regarding this

door. If it can be determined that the existing door is non-historic or is deteriorated and unfit for business operations, staff supports replacement.

- The submitted plans and elevations note that vented vinyl soffits will be installed under the eaves on the left and right elevations, as required. The left and right elevations of are visible from the public right-of-way of Frederick Road and will be highly-visible to any patrons of the applicant's proposed business. Staff suggests that wooden soffits with aluminum vents would be more appropriate, with less potential to detract from the subject property.
- Material specifications have not been submitted for the proposed sliding window on the barrel's façade. Although staff finds that a sliding window is certainly appropriate in the proposed location, specifications should be submitted to ensure that the proposed materials are of a high quality, given the high degree of visibility of the proposed alteration.
- Specifications have not been provided for the proposed through-the-wall exhaust fan on the right-elevation. Staff supports the installation of the fan, finding it to be a relatively minor, utilitarian feature on a secondary elevation, but requests additional information before formally approving the HAWP application.

The Germantown Historical Society, who have been stewards of the Cider Barrel and have actively fought to ensure its preservation, previously reviewed the applicant's proposal. In their comments dated March 14, 2017, the Historical Society voiced full support for the applicant's proposal.

After full and fair consideration of the applicant's submission staff finds the proposal as being consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, having found the proposal is consistent with the *Secretary of the Interior's Standards for Rehabilitation* outlined above.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve with the conditions on Circle 1** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation;

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: Pastrychk@gmail.com Contact Person: Brandi Edinger
Daytime Phone No.: 443-517-8187
Tax Account No.: _____
Name of Property Owner: _____ Daytime Phone No.: _____
Address: 18623 Sage Way Germantown MD 20874
Street Number City State Zip Code
Contractor: Long Design Build Phone No.: 240-801-0418
Contractor Registration No.: MHIC# 111637
Agent for Owner: Keith Long Daytime Phone No.: 240-801-0418

LOCATION OF BUILDING/PREMISE

House Number: 20410 Street: North Frederick Ave.
Town/City: Germantown Nearest Cross Street: Oxbridge Drive @ route 355
Lot: _____ Block: _____ Subdivision: _____
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

☒ Construct ☐ Extend ☒ Alter/Renovate
☐ Move ☒ Install ☐ Wreck/Raze
☐ Revision ☒ Repair ☐ Revocable

CHECK ALL APPLICABLE:

☐ A/C ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed
☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family
☐ Fence/Wall (complete Section 4) ☐ Other: _____

1B. Construction cost estimate: \$ _____

1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 ☐ WSSC 02 ☐ Septic 03 ☐ Other: _____

2B. Type of water supply: 01 ☐ WSSC 02 ☐ Well 03 ☐ Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

☐ On party line/property line ☐ Entirely on land of owner ☐ On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Brandi A. Edinger
Signature of owner or authorized agent

03/16/2017
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

793086

6

To whom this may concern,

These are the changes that currently need to be made to the exterior of the building. I am also sending you a copy of the proposed building design as prepared by my contractor. This shows both exterior and interior alterations and renovations. If you have any questions or I did not address something properly, please let me know so I can do so appropriately.

Thank you for your time,

Brandi A. Edinger

Cider Barrel 03/17/2017

Photo #1:

I would like to put a white, half glass door on the back of the building. This is for utility purposes (etc. daily trash removal). As you can see, there was once a cut out that has been boarded up. I would position the door in the same location.

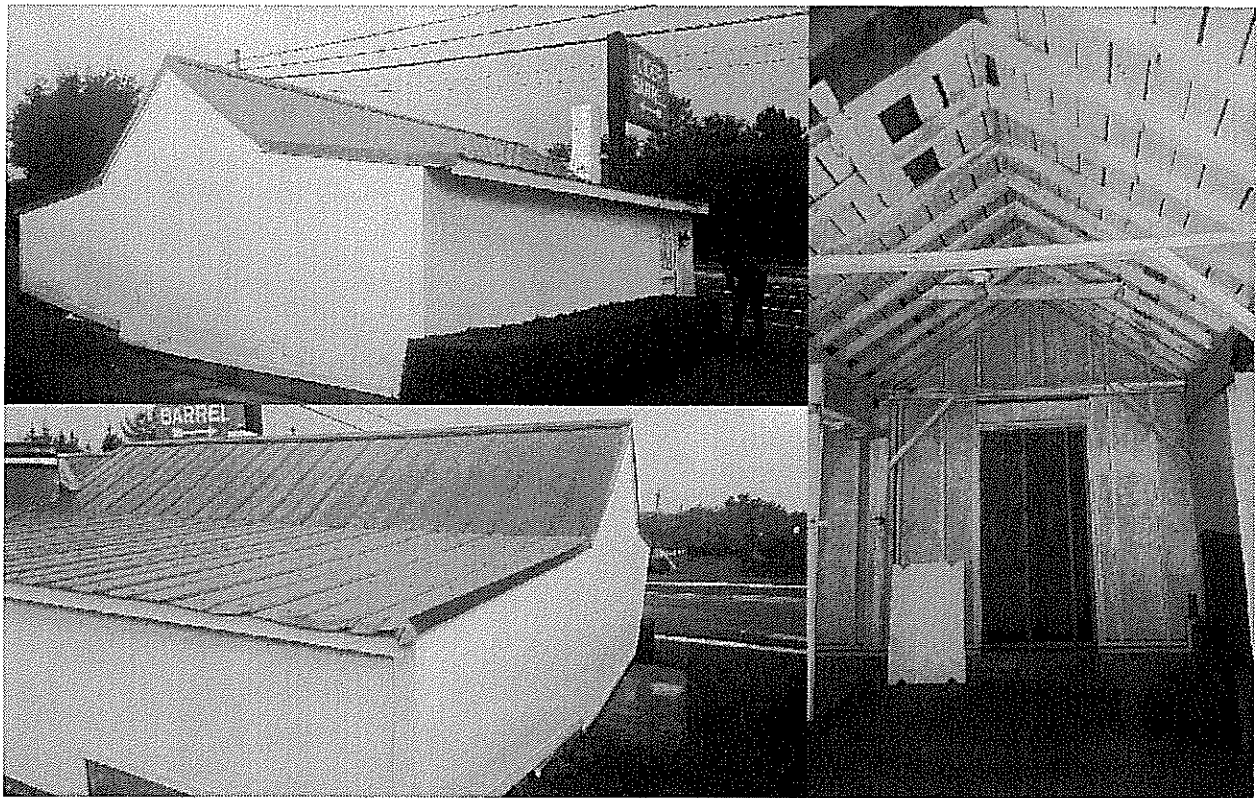


Photo #2

I would like to change this door to a white, half glass door (see pic B). This will allow for natural lighting as well as match the current theme/décor of the Cider Barrel.



Pic B

(this door would be painted white to coincide with the rustic style of the Cider Barrel)



Photo #3

I would like to replace the current white plywood in the “window” of the actual barrel with a sliding glass window. This will allow natural light to enter the building as well as allow for any (seasonal) window service.

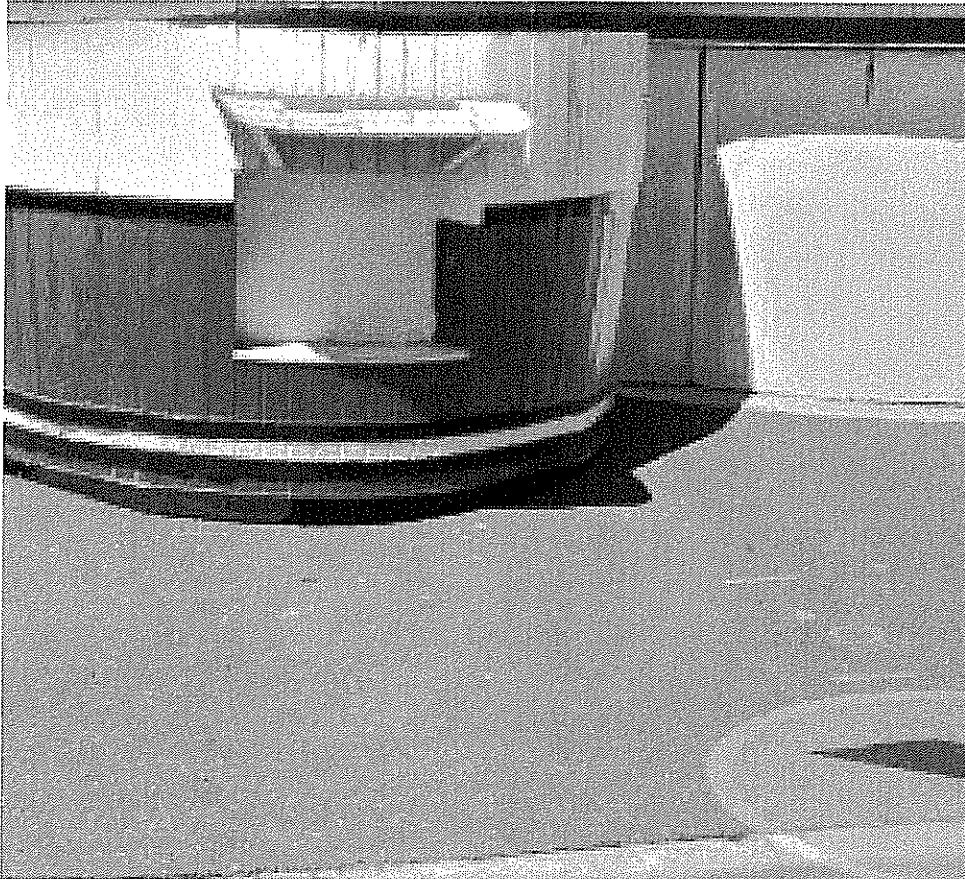


Photo #4

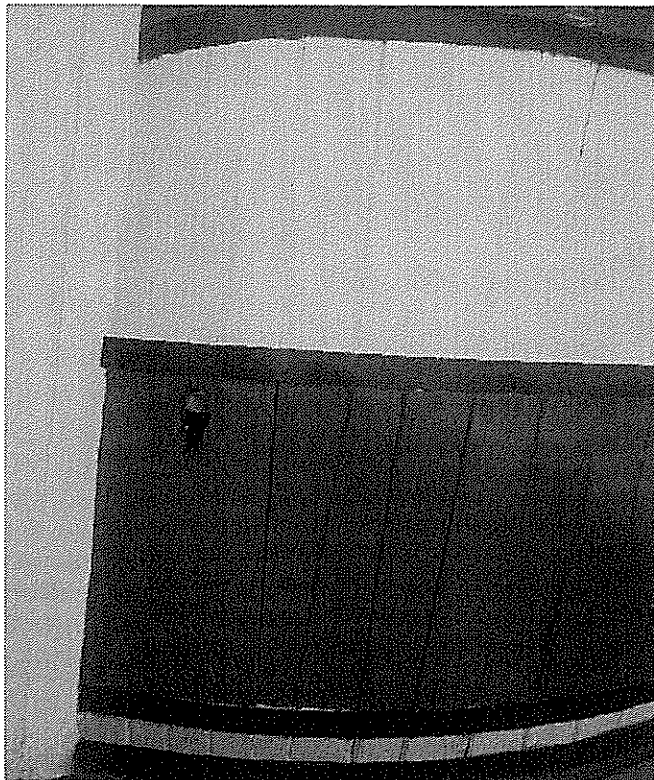
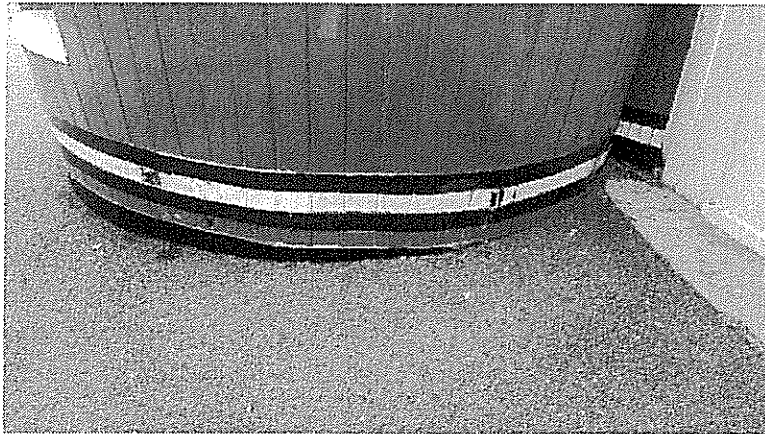
This will be the entrance into the Cider Barrel (counter service). I would like to replace the current wooden door with a white, half glass door (same as pic B above).

This photo also shows the rotted wood at the bottom right of the structure. I would need to replace this with wood siding.

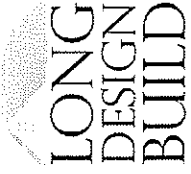


Photo #5

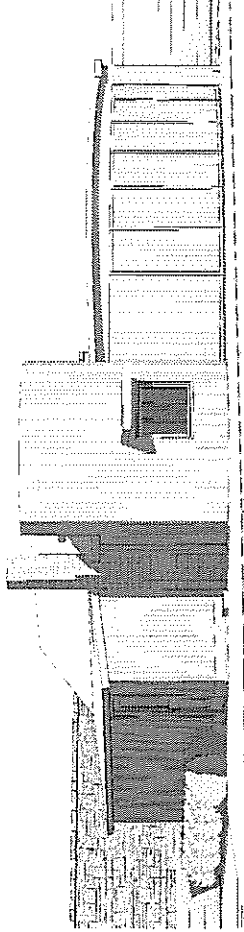
This is a photo of the damages to the actual barrel itself. There is rotted wood and holes that need to be patched and painted to the current colors. Any material needing to be added or replaced would be done using the same material that the barrel is currently made out of (wood).



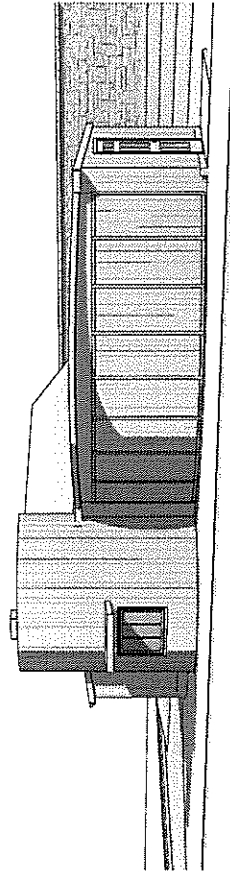
The Cider Barrel
 Wright Residence
 8320 Sharon Drive
 Frederick, Maryland 21704
 Frederick County



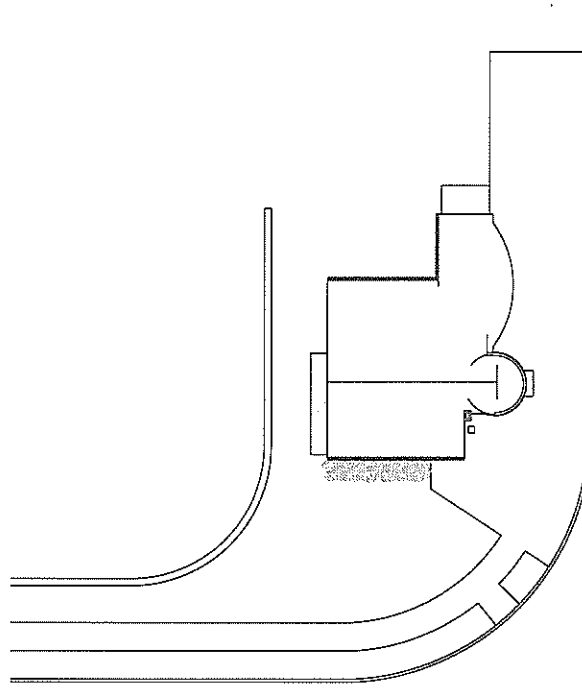
117 Tulip Drive
 Gaithersburg, Maryland 20877
 LongDesignBuild.com
 240-801-0418
 MHIC# 111637



③ Front View A



② 3D View 1



① Architectural Site
 1" = 10'-0"

Project Name
 Cider Barrel

Project Address:
 20410 North Frederick Avenue
 Germantown, Maryland 20876

Date:
 1/1/17

Revision:

Preliminary Plans

Sheet Title:
 Cover Sheet

Sheet Number:

A-0.1

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Project Name
Cider Barrel

Project Address:
20410 North Frederick Avenue
Germantown, Maryland 20876

Date:
1/1/17

Revision:

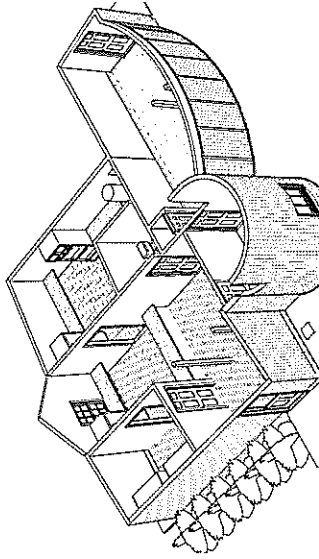
Preliminary Plans

Sheet Title:
3D Views

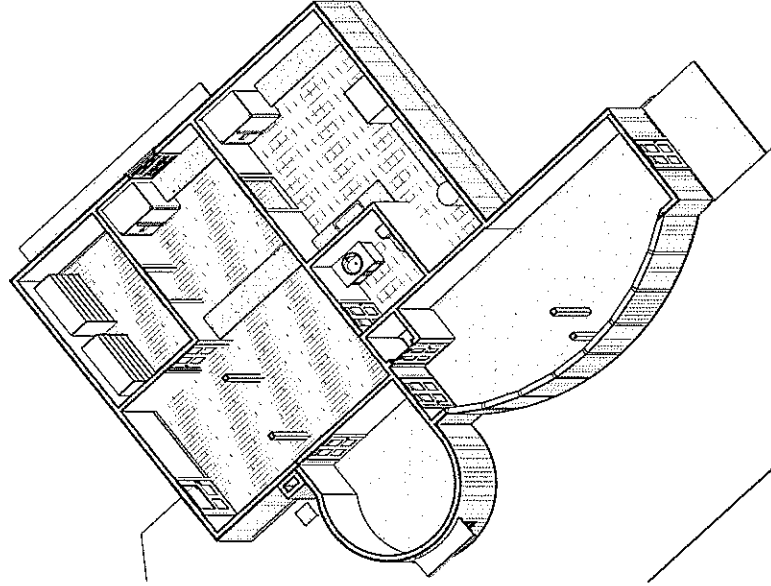
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A-0.2

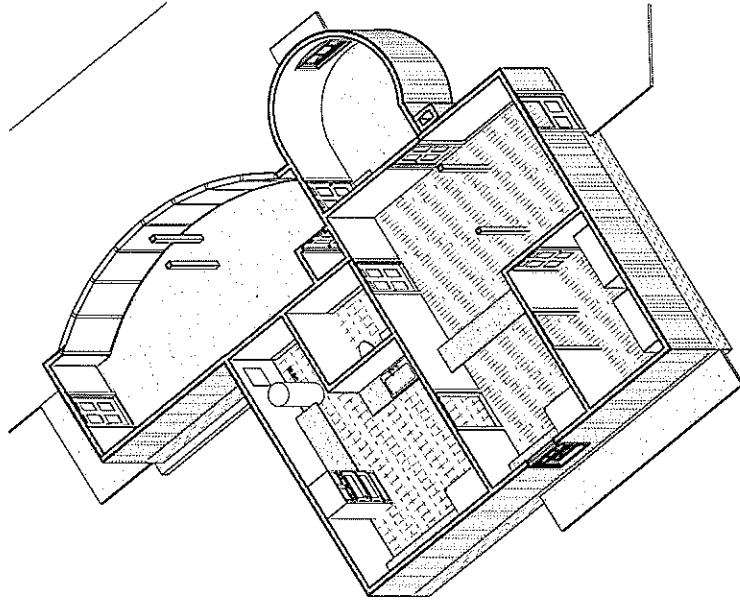
COPYRIGHT 2017



③ Front View B



① Cut First Floor



② Cut First Floor Copy 2

Professional Certification:
I, the undersigned, being a duly
licensed professional engineer, have
prepared or approved by me, and that I am
a duly licensed professional engineer under
the laws of the State of Maryland
License # 4326 Expiration Date:

Project Name

Cider Barrel

Project Address:

20410 North Frederick Avenue
Germanstown, Maryland 20876

Date: 1/1/17

Revision:

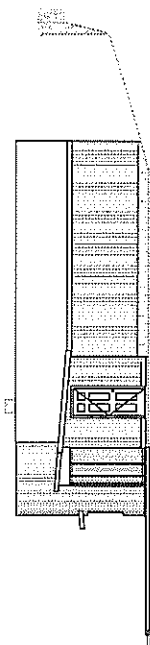
Preliminary Plans

Sheet Title:

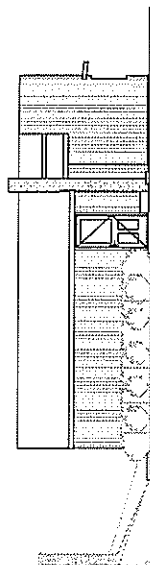
Existing / Demo
Plans

Sheet Number:

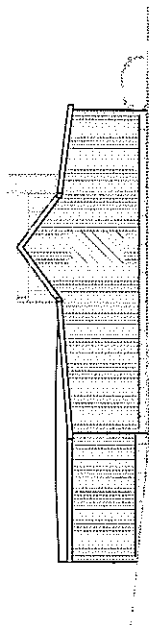
A-0.3



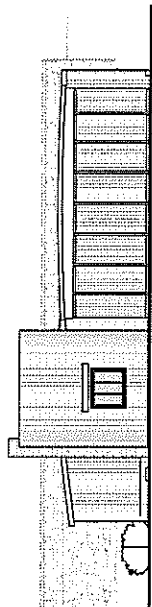
⑤ Existing Right Side Elevation
3/16" = 1'-0"



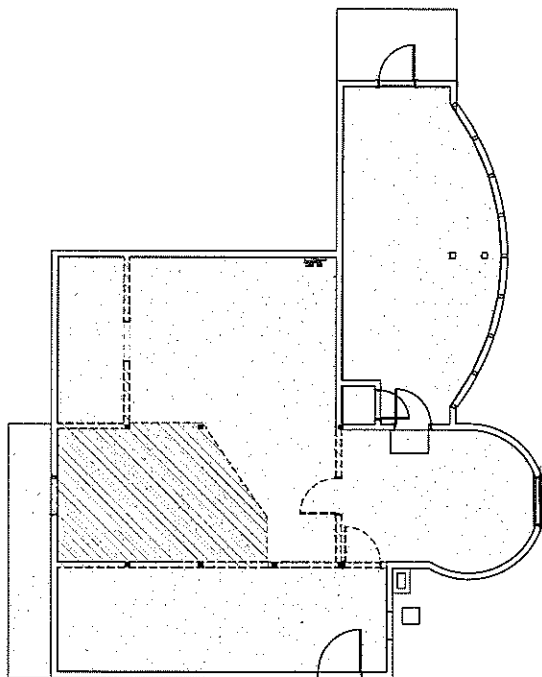
③ Existing Left Side Elevation
3/16" = 1'-0"



④ Existing Rear Elevation
3/16" = 1'-0"



② Existing Front Elevation
3/16" = 1'-0"



① Existing First Floor
1/4" = 1'-0"



117 Tulip Drive
Gaithersburg, Maryland 20877
LongDesignBuild.com
240-801-0418
MHIC# 111637

Project Name
Cider Barrel

Project Address:
20410 North Frederick Avenue
Gaithersburg, Maryland 20876

Date:
1/11/17

Revision:

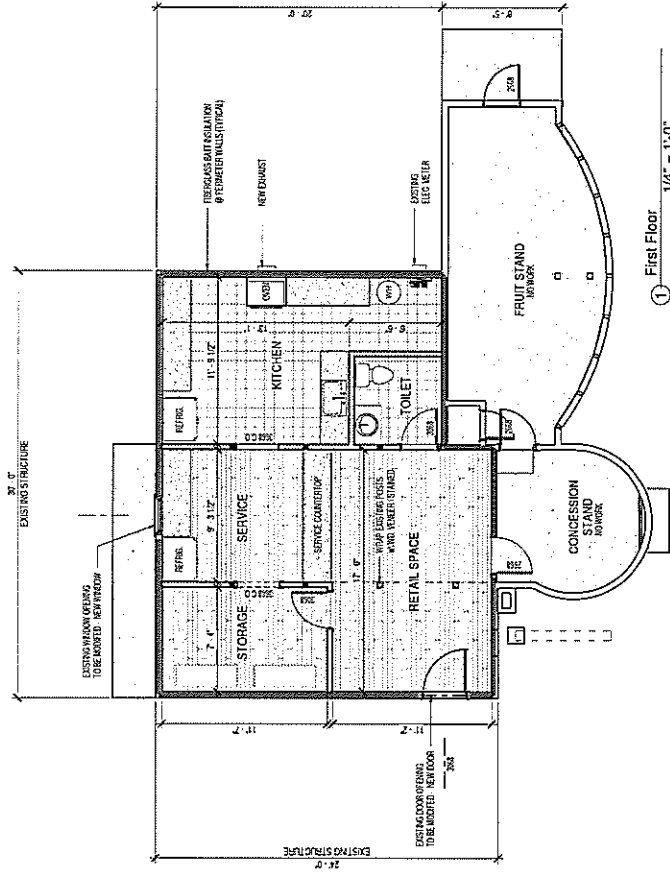
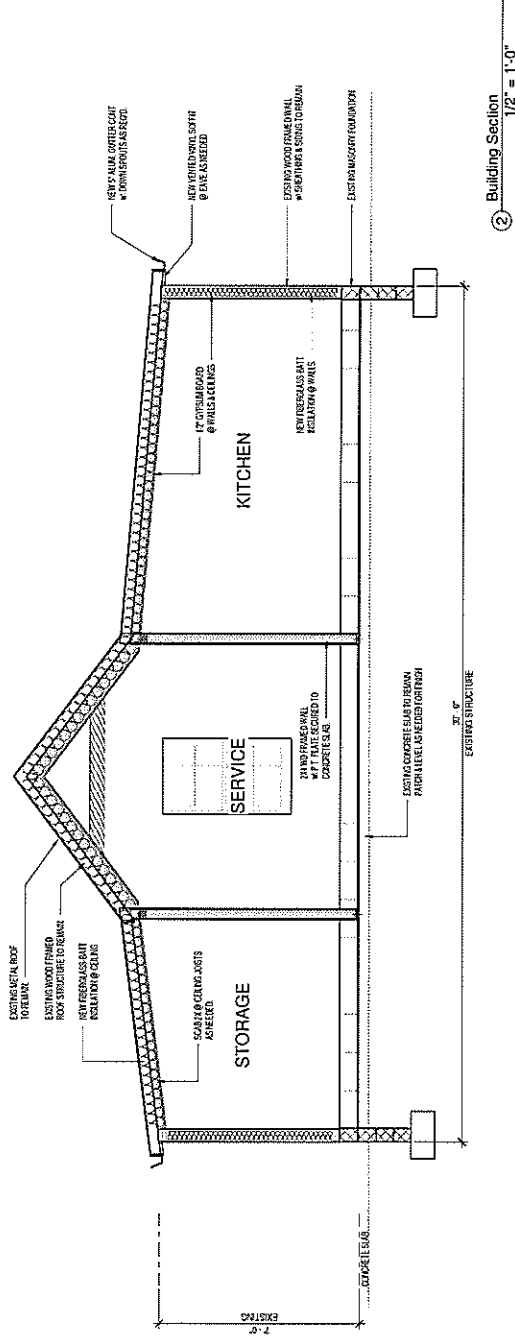
Preliminary Plans

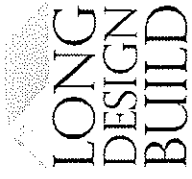
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Plans

Sheet Number:

A-1.0

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240-801-0418
MHC# 111637

Project Name
Cider Barrel

Project Address:
20410 North Frederick Avenue
Germantown, Maryland 20876

Date:
1/1/17

Revision:

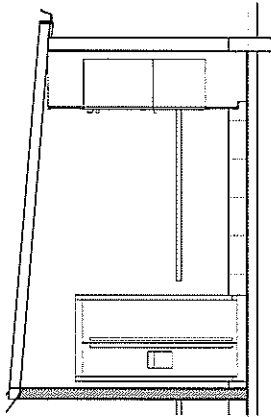
Preliminary Plans

Sheet Title:
Plans

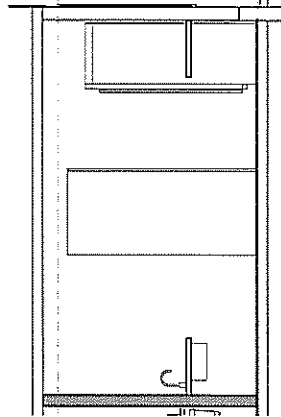
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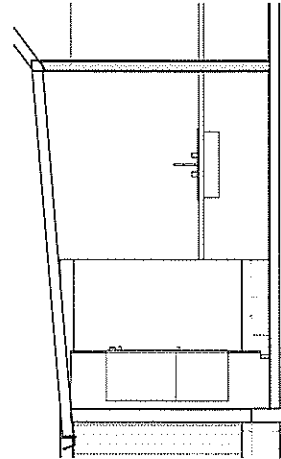
COPYRIGHT 2017



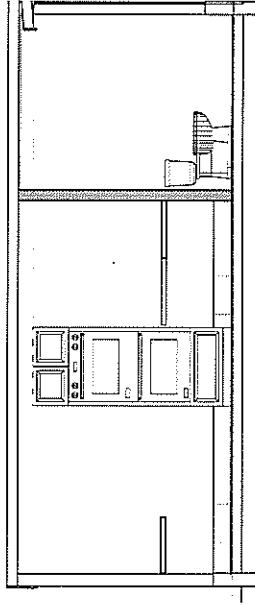
④ Elevation 1 - c
1/2" = 1'-0"



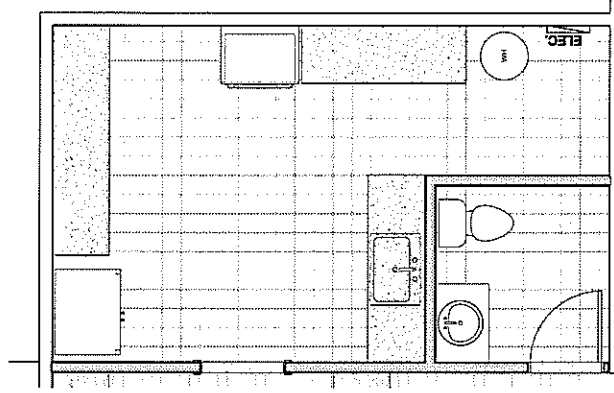
③ Elevation 1 - b
1/2" = 1'-0"



② Elevation 1 - a
1/2" = 1'-0"

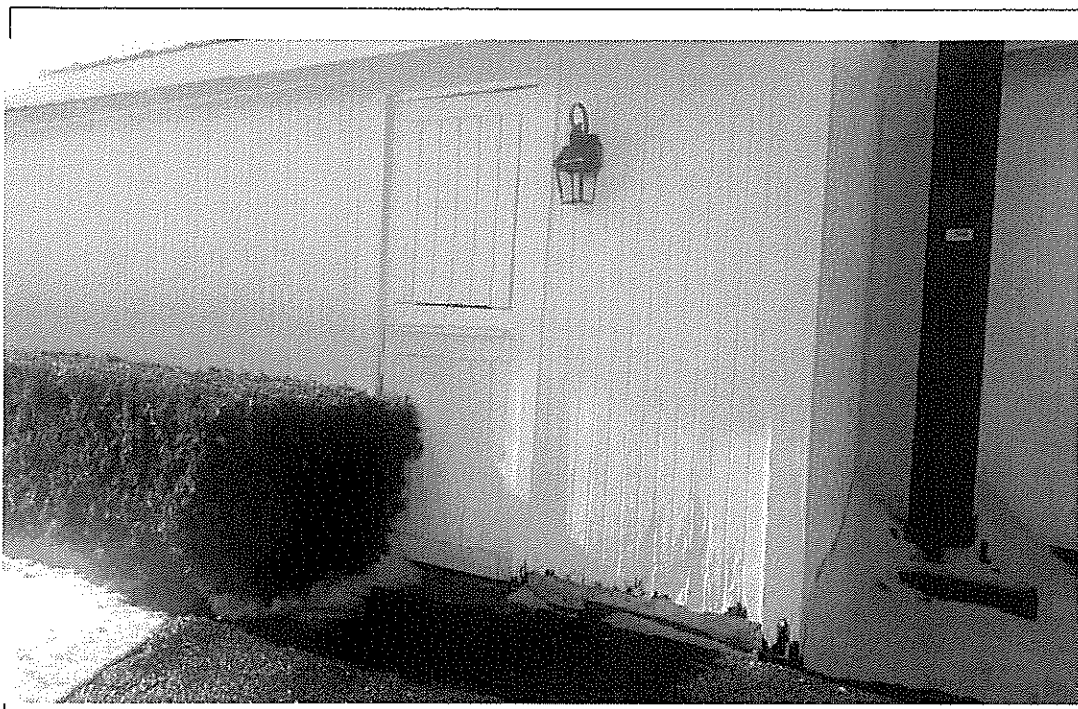


⑤ Elevation 1 - d
1/2" = 1'-0"

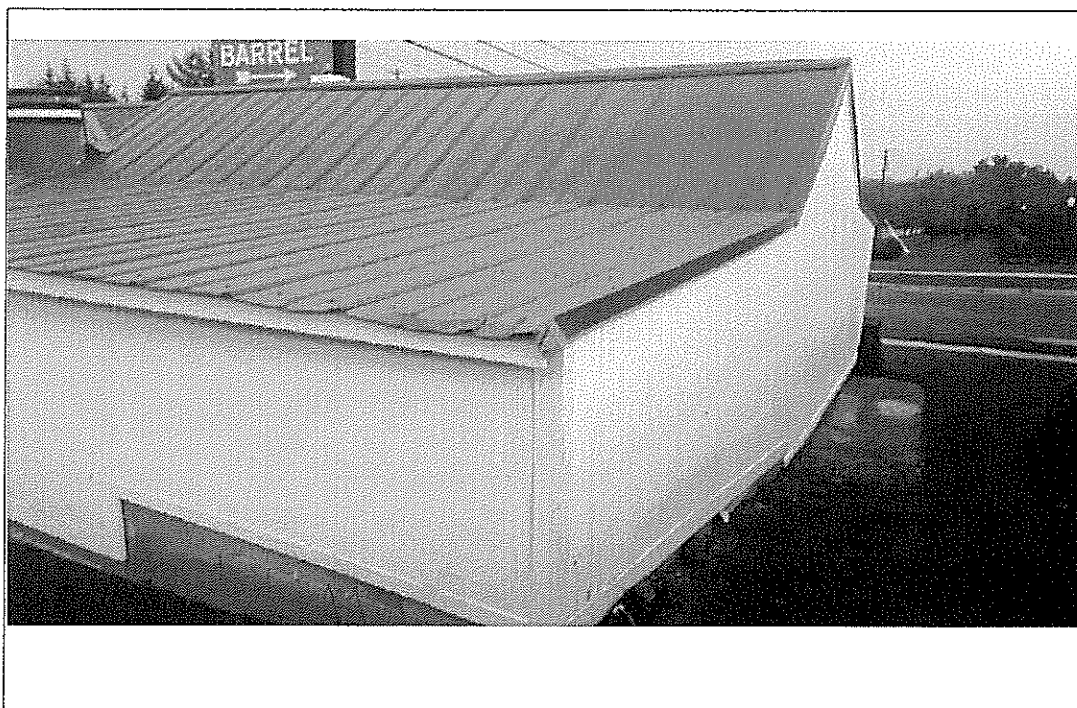


① First Floor - Callout 1
1/2" = 1'-0"

Existing Property Condition Photographs (duplicate as needed)



Detail: _____



Detail: _____

Applicant: Brandi Edinger (Cider Barrel)

Page: __



Germantown Historical Society

P.O. Box 475

Germantown, MD 20875

germantownmdhistory.org

March 14, 2017

Montgomery County Historic Preservation Commission
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910

Re: Cider Barrel (19/33), Germantown

Dear Commissioners,

The Germantown Historical Society would like to endorse the plans of Brandi Edinger to convert the historic Cider Barrel into a pastry shop. We have reviewed the plans and it is our opinion that the plans will not harm the historicity of the building.

The Cider Barrel (on the Maryland Historic Trust "Endangered List") has been sitting vacant for more than 10 years. It is under threat of moving by the ULI "Strategies for the Development of the Germantown Business District," and the proposed Rt. 355 widening alternative of the "Bus Rapid Transit System." It is extremely important that this wonderful example of vernacular Roadside Novelty Architecture be kept by the roadside. In order to protect this structure it needs to be used. With the size of the building, the parking above with a handicap ramp leading to the door, the Pastry shop will be a wonderful use with minimal alterations.

Sincerely,

Susan Soderberg, President
Germantown Historical Society

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address Brandi Edinger 18623 Sage Way Germantown, MD 20874	Owner's Agent's mailing address Long Design Build 117 Tulip Drive Gaithersburg, MD 20877
Adjacent and confronting Property Owners mailing addresses	



Item # 8
November 20, 2003

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board



MEMORANDUM

DATE: November 14, 2003
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief
Michael Ma, Supervisor *Ma*
Development Review Division
FROM: Robert A. Kronenberg, RLA *R.A.K.*
Planning Department Staff
(301) 495-2187

REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 316 multi-family dwelling units, including 173 TDR's and 48 MPDU's, on 17.69 acres
PROJECT NAME: Cider Barrel Property
CASE #: 8-04003
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance
ZONE: R-60/TDR-15 and C-5
LOCATION: Southeast intersection of Frederick Road (MD 355) and Germantown Road (Route 118)
MASTER PLAN: Germantown
APPLICANT: Stringtown Investments, L.C.
FILING DATE: August 8, 2003
HEARING DATE: November 20, 2003

STAFF RECOMMENDATION FOR SITE PLAN: Approval of 316 multi-family dwellings including 173 TDR's and 48 MPDU's, on 17.69 acres with the following conditions:

1. Signature Set
Prior to signature set approval of the site/landscape plans the following revisions shall be made and/or information provided, subject to staff review and approval:

- a. Show all easements, Limits of Disturbance, Right-of-Way's, Forest Conservation Areas and Stormwater Management Parcels, HOA Parcels, development program inspection schedule, numbers and dates of approval on the drawing;
 - b. Provide location and details of the proposed 8-foot wide asphalt path parallel to MD Rte 355;
 - c. Provide location and details of the proposed 5-foot wide concrete lead-in walk from the 8-foot wide path to the development;
 - d. Provide lead-in 5-foot wide sidewalk from Cider Barrel Drive to buildings 19 and 20;
 - e. Provide an internal painted pedestrian crosswalk on private street from Oxbridge Drive to pool, clubhouse and multi-age play area;
 - f. Provide access to the multi-age play area from the sidewalks;
 - g. Lighting Plan to provide the following:
 - 1) All light fixtures shall be full cut-off fixtures;
 - 2) Deflectors to be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties;
 - 3) Illumination levels not to exceed 0.5 footcandles (fc) at any property line abutting county roads;
 - h. Landscape Plan to provide the following:
 - 1) Provide evergreen shrubs in the islands adjacent to the garage units;
 - 2) Provide ivy or approved equivalent on east side of masonry walls, if appropriate. Type of plant material to be approved by M-NCPPC staff at signature set of site plans;
 - 3) Multi-age play area to be fenced and landscaped on boundaries adjacent to parking and buildings. Details of the fence and landscaping provided to be reviewed and approved at signature set of site plans;
2. Site Plan Enforcement Agreement
- Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
- a. Development Program to include a phasing schedule as follows:
 1. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 2. Coordination of each section of the development and roads;
 3. Phasing of dedications, stormwater management, sediment and erosion control, forest conservation or other features;
 4. Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the buildings adjacent to those streets.
 5. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - b. No clearing or grading prior to M-NCPPC approval of final forest conservation plans.

3. TDR's

Prior to recording of plats, the applicant shall provide verification of the availability of the required 173 transferable development rights (TDR's) for the proposed development.

4. Stormwater Management

Applicant shall conform to the conditions of the MCDPS stormwater management concept approval dated April 22, 2003 [Appendix A].

5. Forest Conservation

- a. Compliance with the conditions of approval from M-NCPPC-environmental Planning Division dated November 13, 2003 for the final forest conservation plan [Appendix A]. The applicant must satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit;
- b. Category I forest conservation easements to be placed over environmental buffers and forest planting areas. Easements to be shown on record plats;
- c. No stormwater management structures are permitted in the stream valley buffer;
- d. Applicant to install a split-rail (2-rail) wood fence with appropriate forest conservation signs on the west side of units 18-23 at the forest conservation easement boundary after reforestation plant material is installed.

6. Noise Attenuation

Prior to issuance of any building permits, the applicant shall comply with the following conditions to attenuate noise from MD 118 and Frederick Road (MD 355):

- a. Location of noise mitigation techniques to attenuate forecasted noise levels to no more than 60 dBA Ldn for the outdoor back yard area of homes and areas of common outdoor activity to be located as shown in the Traffic Noise Analysis dated October 17, 2003;
- b. Details of noise mitigation techniques used to attenuate forecasted exterior noise levels to be approved by M-NCPPC staff;
- c. Certification from an acoustical engineer that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The builder commits to construct the units in accordance with the design specifications identified in the October 17, 2003 Traffic Noise Analysis. Any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation;
- d. The builder certifies that interior noise levels, for homes constructed within the 60 dBA Ldn noise contour, after construction is complete and before home occupancy that the interior noise levels do not exceed 45 dBA Ldn.
- e. For all residential dwelling units to be constructed within the 60 dBA Ldn unmitigated noise contour, the applicant/developer/builder shall disclose in writing to all prospective purchasers that are located within an area that will be impacted by future highway noise. Such notification will be accomplished by inclusion of this information in all sales contracts, brochures and promotional documents, including the Illustrative Site Plan(s) on display within any sales related office(s), as well as in Homeowner Association Documents, and by inclusion on all subdivision and site plans, and with all Deeds of Conveyance.
- f. Site Plan will show six separate garage units on the east side of the property adjacent to MD route 355 for noise mitigation. Applicant to provide and construct a

- 5'-3" masonry wall, or equivalent as approved by M-NCPPC staff, between garage units;
- g. Applicant to conduct an outdoor-to-indoor analysis for impacted units after construction and will present verification of noise levels to staff prior to occupancy.
7. Transportation Planning
- a. Applicant to coordinate with MCDPW&T-Division of Transit Services for the construction of a bus shelter along MD 355 and MD 118. If necessary, applicant shall file for all applicable state highway permits;
- b. Applicant shall comply with the following conditions from MD-SHA memorandum dated September 16, 2003 [Appendix A]:
1. Provide the traffic analysis supporting the proposed length of the MD 118 East Bound right turn lane;
 2. Confirm that 12' through lanes and 15' curb lanes will be provided along MD 118 and MD 355;
 3. Modify the existing median along MD 118 to preclude left turning vehicles into Cider Barrel Drive.
- b. Applicant to comply with the following conditions from M-NCPPC Transportation Planning memo dated April 24, 2003 [Appendix B]:
1. Total development under this site plan application is limited to the following uses and density: 250 dwelling units
 2. As a condition of site access, construct the outside lanes of Little Seneca Parkway (A302) through the property as a two-lane divided arterial road including a five-foot sidewalk on the south side, an eight-foot bike path on the north side, street trees, and grading for a future four-lane roadway, and construct the full four-lane divided cross-section for 500 feet including a left-turn lane approaching the intersection of Frederick Road (MD 355).
 3. Provide improvements to Frederick Road (MD 355) at Little Seneca Parkway (A-302) as required by the Maryland State Highway Administration, eg., a deceleration lane and an acceleration lane.
8. Historic Preservation
- Applicant to comply with the following conditions from the M-NCPPC-Historic Preservation Section Memorandum dated September 6, 2003 [Appendix A]:
- a. Applicant to install signs at designated parking spaces behind the Cider Barrel (Master Planned Historic Site #19/33) for seasonal patrons of the retail establishment. Details of the signs to be placed on the site Plan and reviewed and approved by M-NCPPC Historic Preservation staff. The location of the parking spaces will be visible through signs placed on MD Route 355. Applicant to coordinate with MD-SHA and MC-DPWT for location of signs;
- b. Applicant to install a (6') six-foot tall chain link fence around the Cider Barrel prior to construction. A note to this effect shall be placed on the Site Plan;
- c. Applicant to remove the existing driveway for the Cider Barrel during construction.
10. Moderately Priced Dwelling Units (MPDU's)
- Applicant to provide (48) forty-eight (155 of the total number of proposed units) Moderately Priced Dwelling Units (MPDU's) on the site.

Summary of Issues:

During the course of Site Plan review and discussion, staff and the applicant reviewed the building location, access to and from the site, internal and perimeter screening, lighting distribution, noise mitigation along MD 118 and 355 as well as preservation of environmentally sensitive areas. The plan was revised to accommodate additional planting adjacent to the proposed public utility easement parallel to the major roadways. Noise mitigation and attenuation was also reviewed in detail to mitigate noise levels above 60 dBA Ldn for outdoor and common open space levels and interior building levels of 45 dBA Ldn. The plan depicts the detached garages on the perimeter of the parking lots adjacent to MD 118 and 355 and connecting masonry walls to provide the required attenuation.

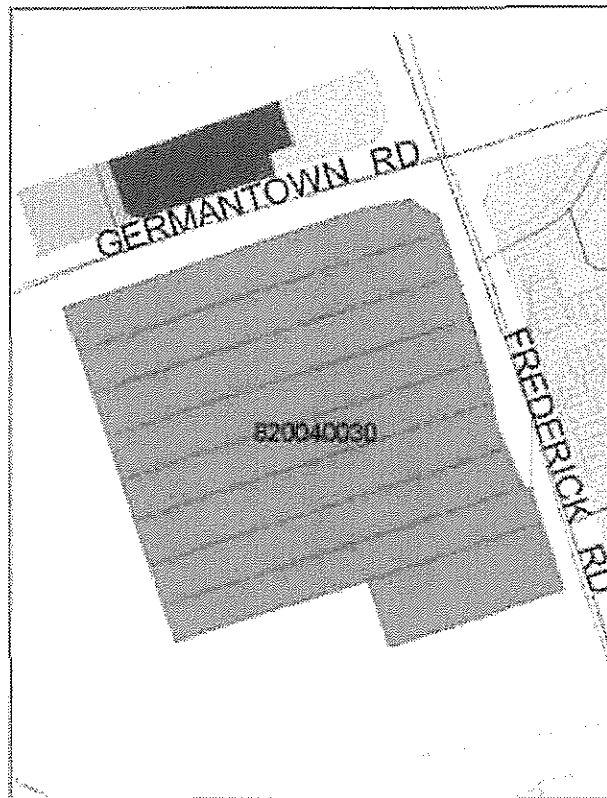
Pedestrian access was reviewed for internal circulation associated with the development as well as access to the existing public roads. An 8-foot asphalt bike path is proposed along the frontage of the property within the right-of-way for MD 355. The bike path will meander near the entrance at Oxbridge Drive so as not to impact the existing Cider Barrel. A lead-in 5-foot sidewalk is also proposed from the bike path to the site near the clubhouse and existing Cider Barrel to provide more efficient pedestrian circulation to the units and the seasonal use of the retail use. Internally, 5-foot wide sidewalks are proposed adjacent to the parking areas with lead-in sidewalks to all of the units. In addition, an internal pedestrian system is proposed to incorporate pedestrian activity between the units and link the clusters of buildings in a neighborhood pattern. The pathway is connected by pedestrian plazas integrating landscaping and lighting throughout. Each plaza area contains seating to promote pedestrian circulation and interaction.

Landscape and lighting was reviewed for conformance to the zoning requirements and buffer requirements for residential units to common open spaces and recreational areas. Street trees have been incorporated on the public streets in conformance with county standards and shade trees have been proposed throughout the internal driveways. Buffer planting has also been proposed around the perimeter of the site as well as screening of site elements from the public roads.

PROJECT DESCRIPTION: Surrounding Vicinity

The property is located in the southwest quadrant of MD Route 355 and MD Route 118. Present access into the property is a gravel road from MD Route 355, approximately 800 feet from the intersection of MD Route 118. The existing intersection of the two major roads is signalized. The site proposes two access points: one from MD Route 118 directly in line with the median break; and another entrance on MD Route 355 directly lined up with Oxbridge Drive on the east side of Route 355. The property directly to the south is in the planning stages for townhomes as a transition to the multi-family development.

The property to the west is owned by Montgomery College-Germantown Campus [Plat book 521, Page 29], and zoned R-60. The property to the north, directly across Route 355 is the Mary Boland subdivision [Site Plans #8-97006 and #8-99012] containing a retail establishment, car wash and gas station. The property is zoned R-200/TDR. The property directly to the east of the site across MD Route 355 is the Brandermill subdivision containing numerous townhomes. Zoning for this site is RT-12.5.



PROJECT DESCRIPTION: Site Description

The site consists of an existing mobile home park at the southwest intersection of Germantown Road (MD Route 118) and Frederick Road (MD Route 355). The western edge of the property contains an intermittent stream with the subsequent and associated stream valley buffer. The site is not forested, although it contains numerous specimen trees situated throughout the existing park. The original Cider Barrel is a master plan individually designated historic site (# 99/33) and located at the southeastern boundary adjacent to MD Route 355. In the past, the Cider Barrel was an active market for local fruit and vegetables. A gravel area for parking currently accommodates patrons during seasonal periods.

The site has a prominent knoll at the southeast boundary of the property, with the predominant slope falling east to west. The elevation change drops from 30-40 feet, with the most dramatic elevation changes near the stream valley buffer. The development will take advantage of the consistent elevation changes for two levels of buildings.



PROJECT DESCRIPTION: Proposal

The applicant, Stringtown Investments, L.C., Inc. proposes to construct 316 multi-family apartment dwelling units, of which 48 will be MPDU's and 173 will be TDR's. The site contains 17.69 acres and is zoned R-60/TDR-15 and C-5. The MPDU units will be dispersed throughout the property to create a greater mix of unit styles and widths. The C-5 zoning contains the existing Cider Barrel, a historic structure (Atlas Site #19/33) to be preserved for seasonal retail use. The entire development is situated north and east of an intermittent stream and associated stream valley buffer.

There are two primary access points to the site: one from MD 118 and one from MD 355. Both access points will be full turning movements into and out of the site, with the exception of left turning vehicles into the site from west bound traffic on MD 118. The applicant is required to provide road and lane improvements along the south side of MD 118 and west side of MD Route 355, adjacent to the property boundary. Part of the road improvements will include modifying the existing median on MD Route 118 to preclude left turning vehicles into Cider Barrel Drive.

Vehicular access on the property will consist of construction of two segments of public roads; Cider Barrel Drive and Oxbridge Drive. Cider Barrel Drive is a master planned 70-foot right-of-way, primary road running north and south on the property. The alignment is consistent with the 1989 Germantown Master Plan, which will connect with MD Route 355 through the adjacent properties and subdivisions to the south. Oxbridge Drive is also a primary residential 70-foot right-of-way connecting MD Route 355 to Cider Barrel Drive. The section of road where Oxbridge Drive and Cider Barrel Drive will connect is not owned by the present applicant, and will be constructed by the applicant for the property to the south presently being subdivided for townhouses. The internal private drive on the east side of Cider Barrel Drive is a loop road providing access and parking for the apartment units from Cider Barrel Drive and Oxbridge Drive. Surface parking and garage units are interspersed throughout the property. The majority of the garage units are located on the perimeter of the site adjacent to MD 118 and 355 to provide attenuation for noise. The access on the west side of Cider Barrel Drive is a single entrance and exit paralleling the public road and providing access and parking for buildings 18-23. The private drives are 20 feet wide throughout the site.

Pedestrian access consists of 5-foot wide sidewalks along both sides of Cider Barrel Drive and Oxbridge Drive. The sidewalks will be separated by a planted ten-foot green strip from the curb line. The applicant is also proposing to reconstruct the sidewalk on MD 118 and 355 in conjunction with the road and lanes improvements requested by the county and state. An 8-foot asphalt bike path is proposed along the frontage of the property within the right-of-way for MD Route 355. The bike path will meander near the entrance at Oxbridge Drive so as not to impact the existing Cider Barrel. A lead-in 5-foot sidewalk is also proposed from the bike path to the site near the clubhouse and existing Cider Barrel to provide more efficient pedestrian circulation to the units and the seasonal use of the retail use. Internally, 5-foot wide sidewalks are proposed adjacent to the parking areas with lead-in sidewalks to all of the units. In addition, an internal pedestrian system is proposed to incorporate pedestrian activity between the units and link the clusters of units in a neighborhood pattern. The pathway is connected by pedestrian plazas

integrating landscaping and lighting throughout. Each plaza area contains seating to promote pedestrian circulation and interaction.

Landscape and lighting for the site consists of street trees on the public roads spaced at 50-feet in accordance with county standards. The interior parking islands will contain shade trees and the parking areas adjacent to the garage units will contain evergreen shrubs. Landscaping, including trees and shrubs are being proposed to lessen the visual buffer and impact of the retaining wall along the west side of Cider Barrel Drive. The internal pedestrian system and plaza areas will include a mix of shade trees, ornamental and evergreen trees along with a variety of shrub masses to demarcate the seating areas. A fence and additional screening from the pool area and adjacent sidewalks adjacent to the parking will separate the multi-age play area. The play area is located at the western edge of the pool and clubhouse providing a central area for all the recreational facilities at the entrance to the site. The play area consists of a combined multi-aged play structure, play pods, swings, rockers and seating for users of the area. The surface material for the play area will consist of wood chips, preferably micro-engineered to accommodate accessible users.

The applicant is proposing to locate the garage units to attenuate noise along MD 118 and 355 and construct 5-foot masonry walls as a buffer to help mitigate noise. The apartment units will also provide noise mitigation to buildings and common open space interior to the site. The noise analysis indicates that good design and quality materials will reduce the interior noise level to 45 dBA Ldn.

Forest Conservation requirements are being satisfied through on-site retention of the forested area and reforestation adjacent to the existing forest on the western boundary. A total of five specimen trees are being protected within the forest save area. A split-rail fence will also be installed by the applicant behind units 18-23 to protect the reforestation material from maintenance and abuse from machinery.

Open space and green area requirements are being met on the site with 50 percent of site dedicated to green area. The proposed green areas consist of forest conservation areas, stormwater management, landscaped islands and open green areas within the site. A stormwater management concept was approved by the Montgomery County Department of Permitting Services on April 23, 2003.



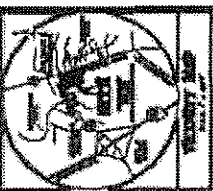
CIDER BARREL PROPERTY

SITE PLAN

LANDSCAPE, RECREATION & LIGHTING PLAN

LOTS 1 & 2, AND PARCEL "A"

8-04003

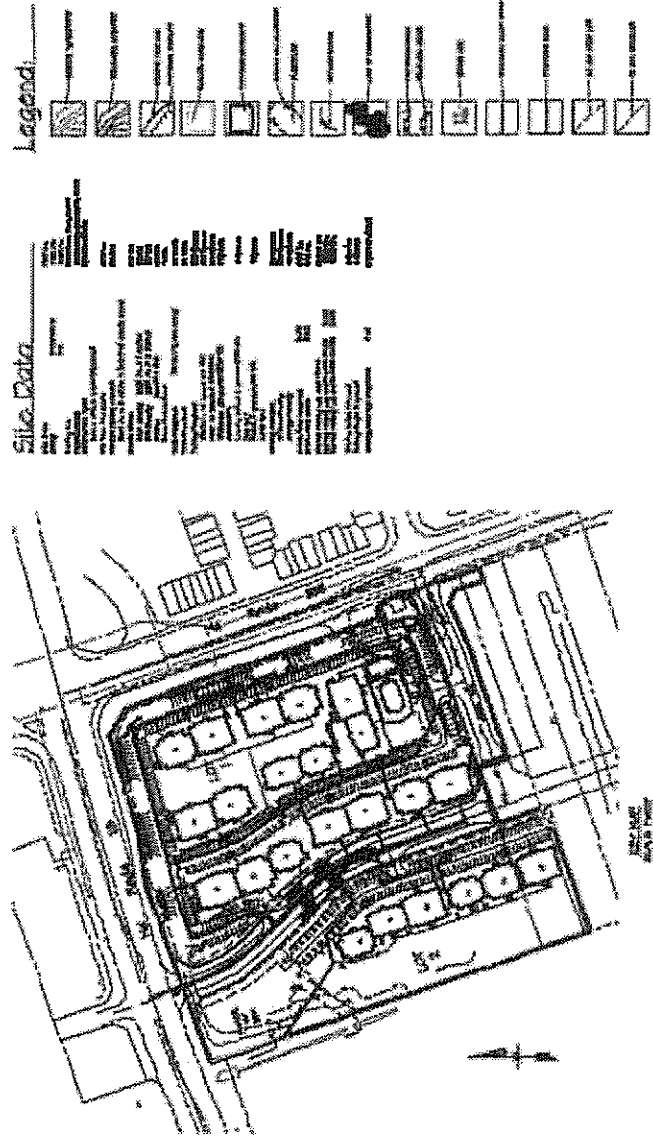


General Notes:

- 1. All dimensions are in feet and inches.
- 2. All dimensions are to the centerline of the structure.
- 3. All dimensions are to the outside of the structure.
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- 10. All dimensions are to the inside of the structure.

Recreation Calculations:

Item	Area	Volume	Weight	Value
1. Grass	1000	1000	1000	1000
2. Trees	1000	1000	1000	1000
3. Shrubs	1000	1000	1000	1000
4. Flowers	1000	1000	1000	1000
5. Fertilizer	1000	1000	1000	1000
6. Water	1000	1000	1000	1000
7. Soil	1000	1000	1000	1000
8. Sand	1000	1000	1000	1000
9. Gravel	1000	1000	1000	1000
10. Cement	1000	1000	1000	1000



Site Data

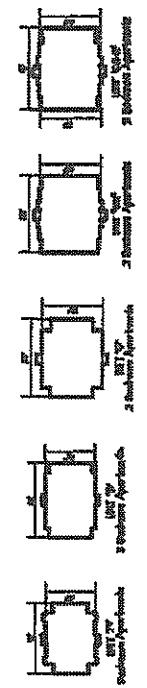
Item	Value
1. Total Area	1000
2. Building Area	1000
3. Parking Area	1000
4. Landscaping Area	1000
5. Fertilizer Area	1000
6. Water Area	1000
7. Soil Area	1000
8. Sand Area	1000
9. Gravel Area	1000
10. Cement Area	1000

Legend

1. Grass	2. Trees	3. Shrubs	4. Flowers	5. Fertilizer	6. Water	7. Soil	8. Sand	9. Gravel	10. Cement
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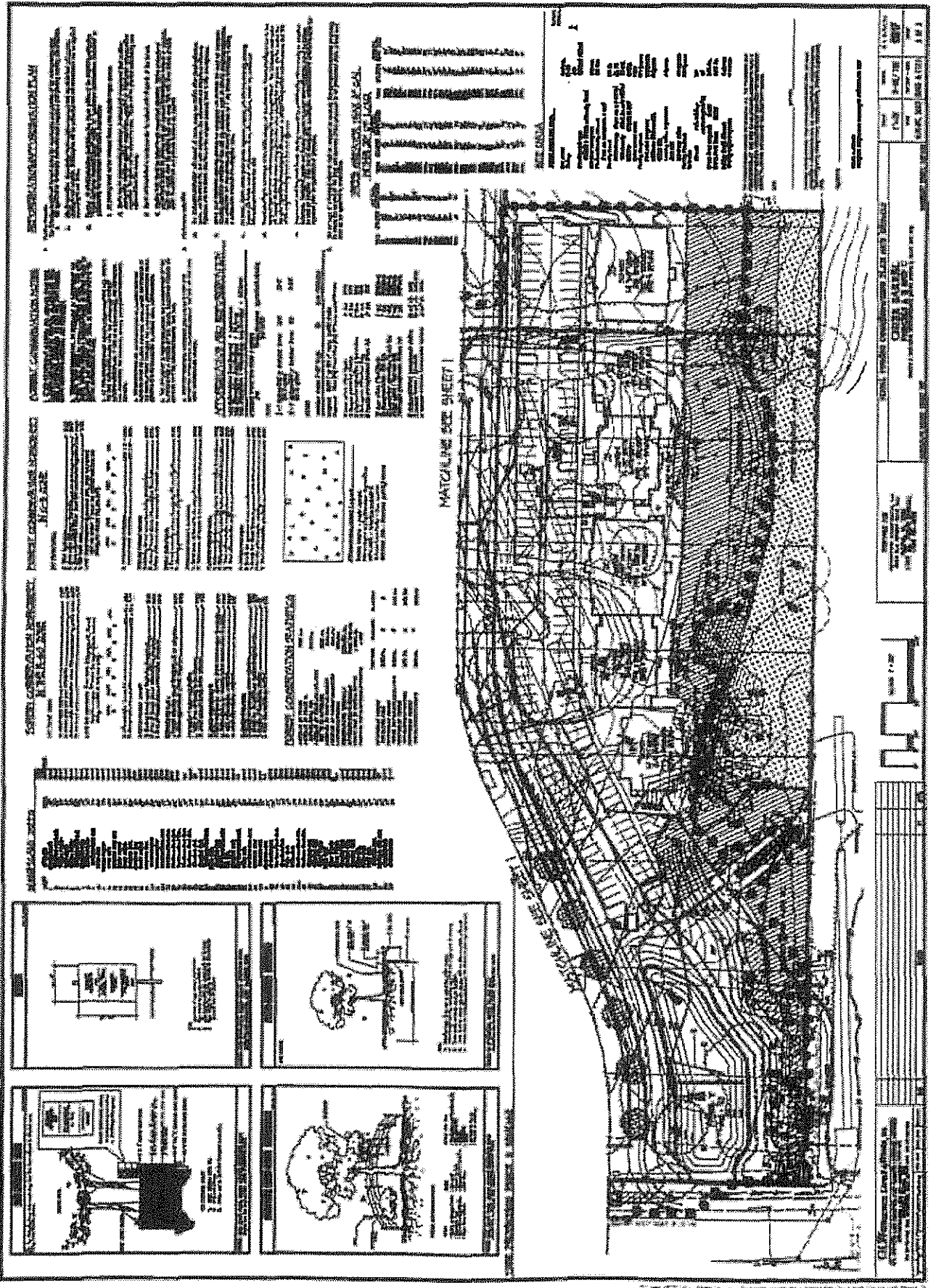
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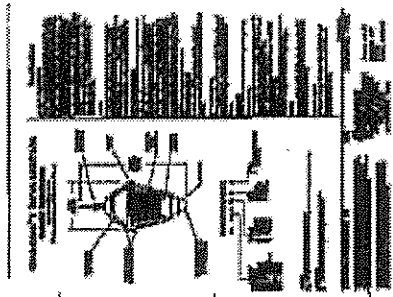
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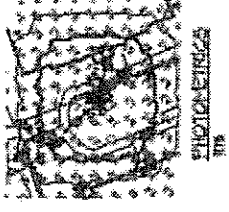
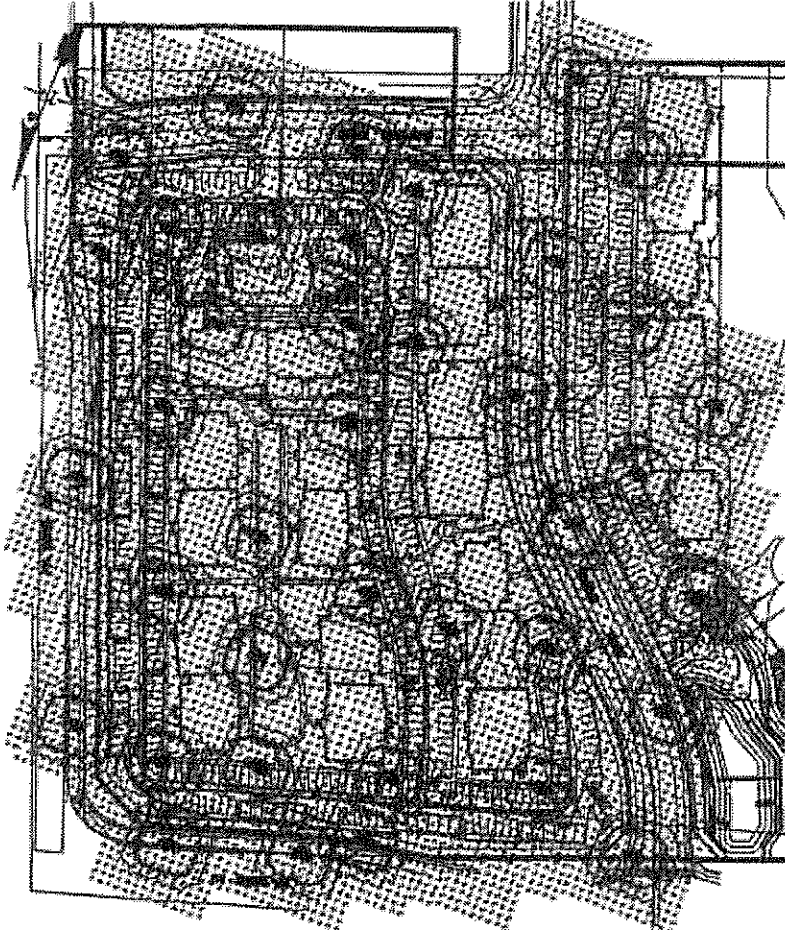
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City	1000 1000 1000
State	1000 1000 1000
Zip	1000 1000 1000
Scale	1" = 10'
Date	1000 1000 1000
Drawn By	1000 1000 1000
Checked By	1000 1000 1000
Approved By	1000 1000 1000
Professional Engineer Seal	1000 1000 1000

[illegible]





ILLUMINATION DATA

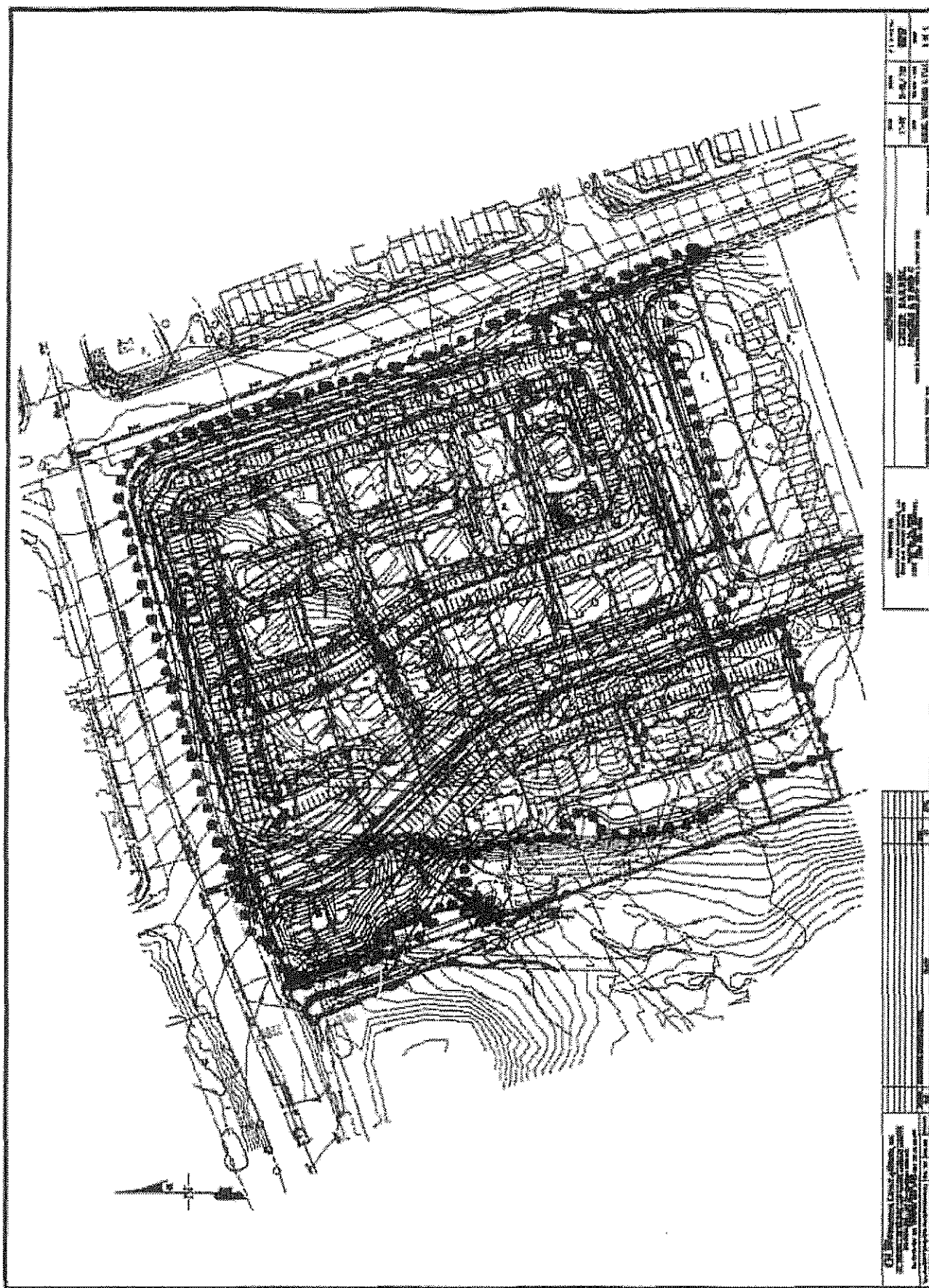


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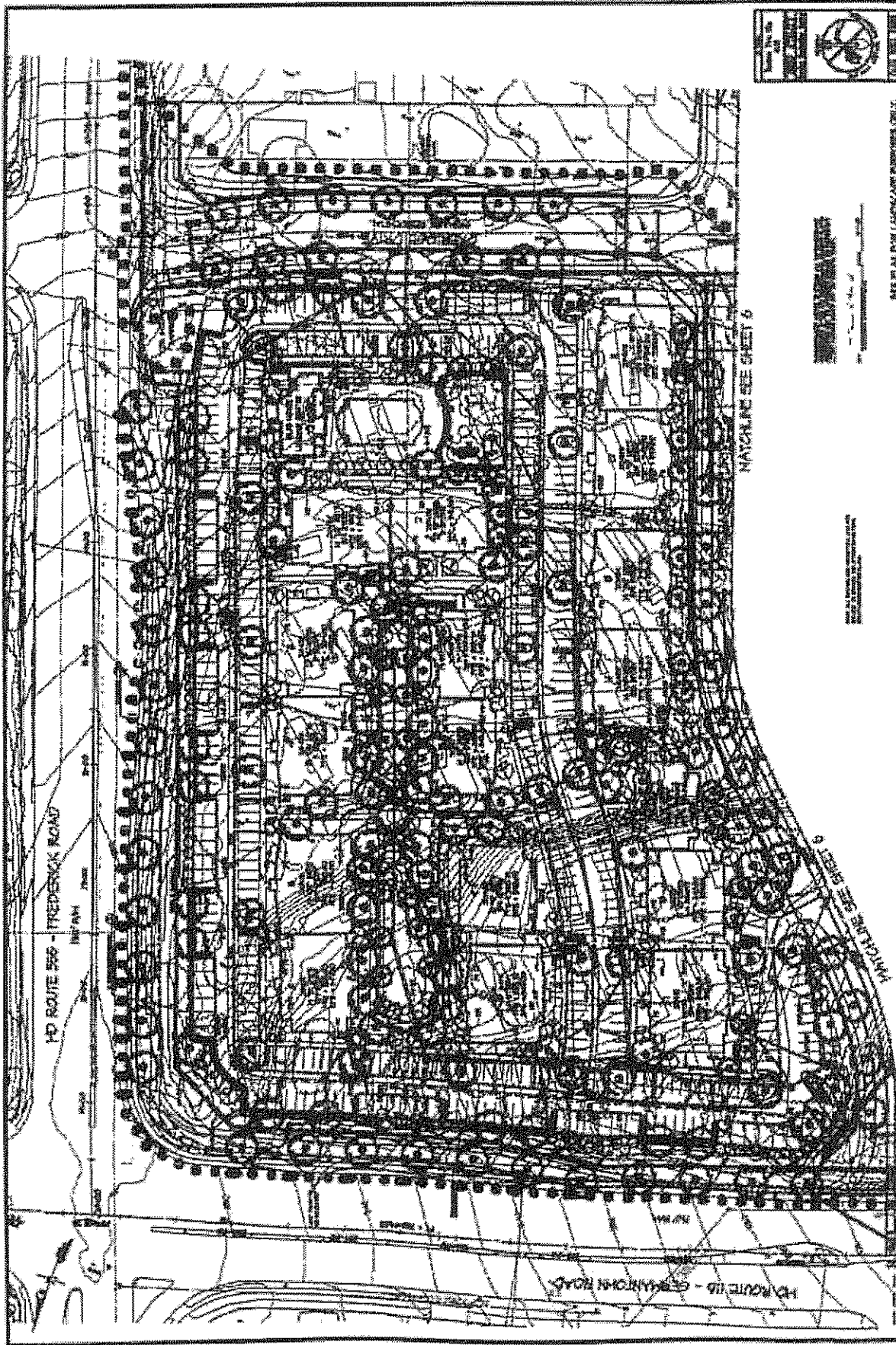



THIS PLAN IS FOR LIGHTING PURPOSES ONLY

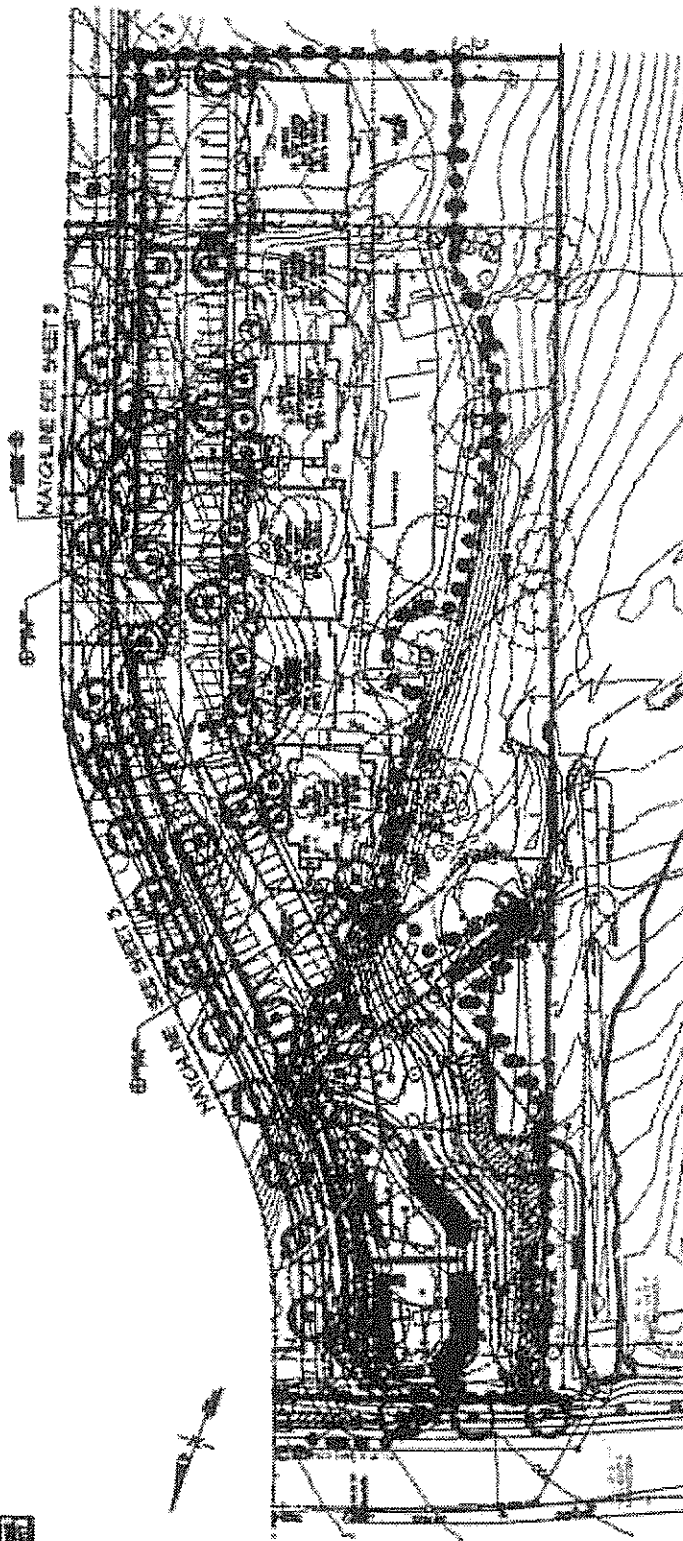
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PROJECT LOCATION 100-100-100-100 PROJECT DATE 100-100-100-100		PROJECT APPROVER 100-100-100-100 PROJECT DATE 100-100-100-100	



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11. Title		12. Date		13. Scale		14. Author		15. Check	
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THIS PLAN FOR CONSTRUCTION PURPOSES ONLY. SEE SHEET 1 OF 4 FOR CONSTRUCTION DETAILS.			
PROJECT: [Name] CLIENT: [Name] ADDRESS: [Address]		SHEET: 1 OF 4 TOTAL SHEETS: 4	
MATCHLINE SEE SHEET 5			
MATCHLINE SEE SHEET 6			



THIS PLAN FOR LANDSCAPE PURPOSES ONLY
SEE SHEET 1 OF 4 FOR LINES AND DETAILS

DATE: 10/10/00
BY: [Signature]

THIS PLAN FOR LANDSCAPE PURPOSES ONLY
SEE SHEET 1 OF 4 FOR LINES AND DETAILS

NO.	DATE	BY	CHKD.	APP'D.
1	10/10/00	[Signature]	[Signature]	[Signature]

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BY: [Signature]

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BY: [Signature]

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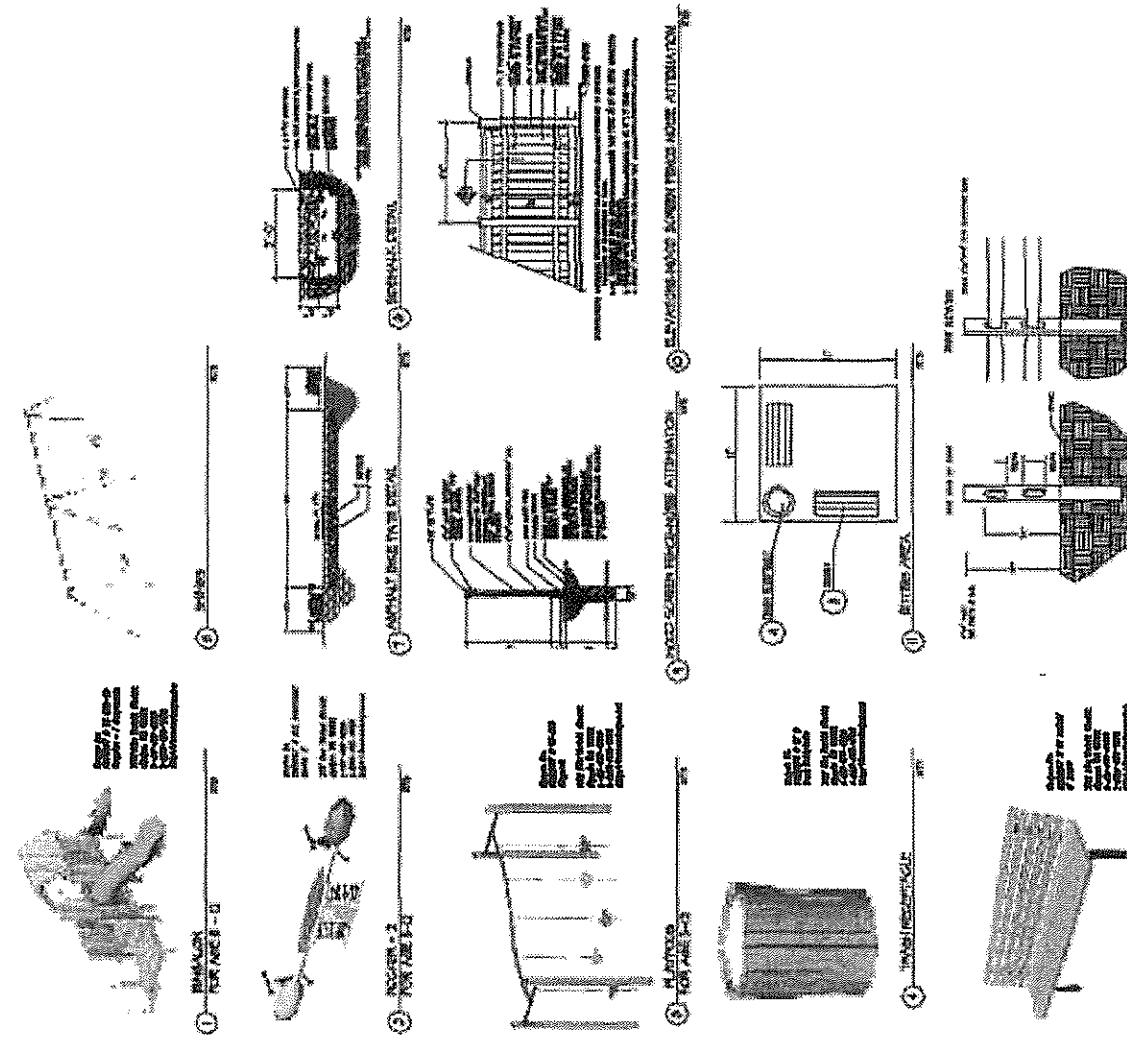
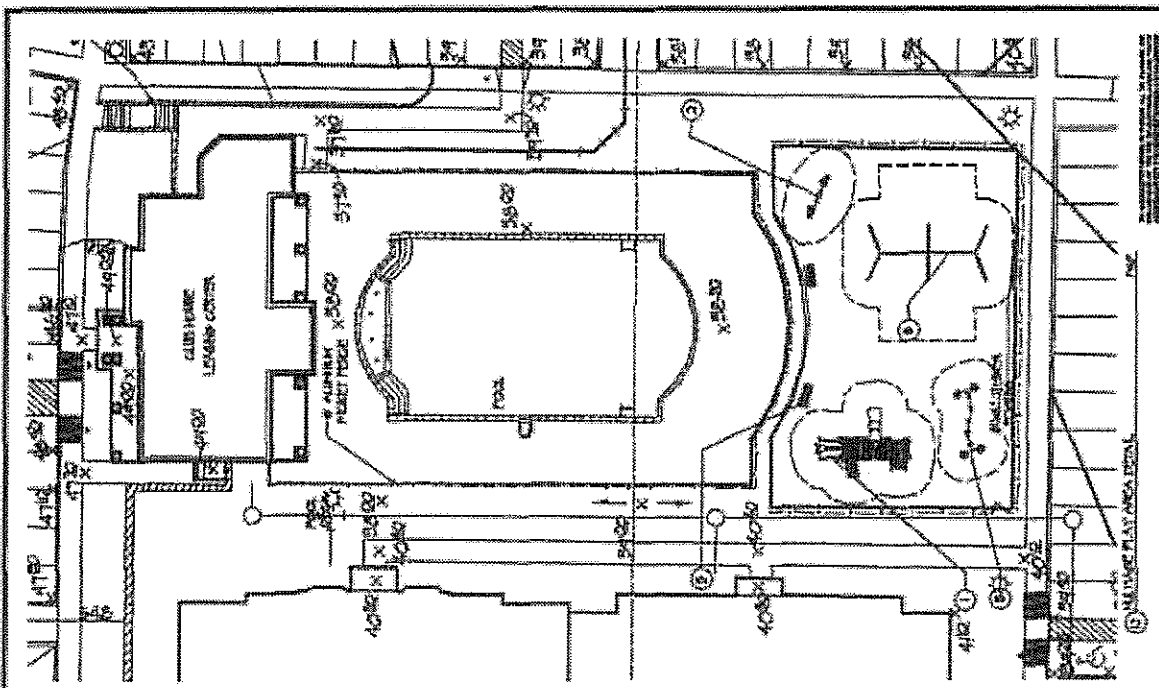
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姓名	性别	出生年月	民族	籍贯	学历	学位	职称	工作单位	联系电话	电子邮箱
张明	男	1985-03-15	汉族	江苏南京	本科		助理工程师	南京理工大学	13800138000	zhangming@njust.edu.cn
李华	女	1990-07-22	汉族	浙江杭州	硕士	工学硕士	讲师	浙江大学	15888888888	lihua@zju.edu.cn
王强	男	1978-11-08	汉族	山东青岛	本科		工程师	海信集团	13966666666	wangqiang@hisense.com
陈伟	男	1982-05-10	汉族	广东广州	本科		助理研究员	中国科学院广州地球化学研究所	13555555555	chenwei@gig.ac.cn
赵敏	女	1988-09-01	汉族	湖北武汉	硕士	理学硕士	副教授	武汉大学	13600000000	zhaomin@whu.edu.cn
孙磊	男	1992-12-18	汉族	四川成都	本科		实习研究员	四川大学	13777777777	sunlei@sc.cn
周涛	男	1980-04-25	汉族	河南郑州	本科		高级工程师	华为技术有限公司	13999999999	zhoutao@huawei.com
吴昊	男	1987-06-12	汉族	安徽合肥	硕士	工学硕士	讲师	安徽大学	13811111111	wuhao@ahu.edu.cn
郑宇	男	1983-08-05	汉族	福建厦门	本科		工程师	厦门航空	13922222222	zhengyu@xiamenair.com
徐洋	男	1989-02-28	汉族	广西桂林	硕士	理学硕士	助理研究员	中国科学院桂林岩溶地质研究所	13533333333	xuyang@gig.ac.cn
黄磊	男	1986-10-14	汉族	湖南长沙	本科		助理工程师	三一重工	13944444444	huanglei@sany.com
林娜	女	1991-01-03	汉族	江西九江	本科		实习研究员	中国科学院南昌应用地球化学研究所	13555555555	linana@gig.ac.cn
周伟	男	1984-07-19	汉族	四川成都	硕士	工学硕士	副教授	电子科技大学	13666666666	zhouwei@uestc.edu.cn
吴昊	男	1987-03-07	汉族	广东深圳	本科		工程师	腾讯公司	13977777777	wuhao@tencent.com
郑宇	男	1989-11-24	汉族	浙江杭州	硕士	理学硕士	助理研究员	中国科学院杭州应用地球化学研究所	13588888888	zhengyu@gig.ac.cn
徐洋	男	1992-05-16	汉族	湖北武汉	本科		实习研究员	武汉大学	13799999999	xuyang@whu.edu.cn
黄磊	男	1985-09-09	汉族	山东青岛	本科		助理工程师	海信集团	13900000000	huanglei@hisense.com
林娜	女	1990-12-02	汉族	广西桂林	硕士	理学硕士	助理研究员	中国科学院桂林岩溶地质研究所	13511111111	linana@gig.ac.cn
周伟	男	1983-04-11	汉族	四川成都	本科		工程师	四川大学	13622222222	zhouwei@sc.cn
吴昊	男	1988-08-27	汉族	安徽合肥	硕士	工学硕士	讲师	安徽大学	13933333333	wuhao@ahu.edu.cn
郑宇	男	1991-02-13	汉族	福建厦门	本科		实习研究员	中国科学院厦门应用地球化学研究所	13544444444	zhengyu@gig.ac.cn
徐洋	男	1986-06-04	汉族	江西九江	本科		助理工程师	中航工业	13955555555	xuyang@avic.com
黄磊	男	1989-10-20	汉族	湖南长沙	硕士	理学硕士	助理研究员	中国科学院长沙应用地球化学研究所	13566666666	huanglei@gig.ac.cn
林娜	女	1992-03-08	汉族	浙江杭州	本科		实习研究员	中国科学院杭州应用地球化学研究所	13777777777	linana@gig.ac.cn
周伟	男	1984-07-26	汉族	四川成都	本科		工程师	电子科技大学	13688888888	zhouwei@uestc.edu.cn
吴昊	男	1987-11-17	汉族	广东深圳	硕士	工学硕士	讲师	腾讯公司	13999999999	wuhao@tencent.com
郑宇	男	1990-05-05	汉族	广西桂林	本科		助理研究员	中国科学院桂林岩溶地质研究所	13500000000	zhengyu@gig.ac.cn
徐洋	男	1985-09-23	汉族	湖北武汉	硕士	理学硕士	助理研究员	武汉大学	13911111111	xuyang@whu.edu.cn
黄磊	男	1988-01-10	汉族	山东青岛	本科		助理工程师	海信集团	13622222222	huanglei@hisense.com
林娜	女	1991-05-28	汉族	广西桂林	硕士	理学硕士	助理研究员	中国科学院桂林岩溶地质研究所	13933333333	linana@gig.ac.cn
周伟	男	1983-12-14	汉族	四川成都	本科		工程师	四川大学	13644444444	zhouwei@sc.cn
吴昊	男	1986-04-02	汉族	安徽合肥	硕士	工学硕士	讲师	安徽大学	13955555555	wuhao@ahu.edu.cn
郑宇	男	1989-08-19	汉族	福建厦门	本科		实习研究员	中国科学院厦门应用地球化学研究所	13566666666	zhengyu@gig.ac.cn
徐洋	男	1992-02-07	汉族	江西九江	本科		助理工程师	中航工业	13977777777	xuyang@avic.com
黄磊	男	1985-06-25	汉族	湖南长沙	硕士	理学硕士	助理研究员	中国科学院长沙应用地球化学研究所	13588888888	huanglei@gig.ac.cn
林娜	女	1990-10-13	汉族	浙江杭州	本科					

考工記云：凡一器者，聚材以成之。聚材之法，必先辨其材之性，然後用之。

Figure 1

[illegible]



PROJECT NAME CHURCH HALL		SHEET NO. 1
DRAWN BY J. H. HARRIS	CHECKED BY J. H. HARRIS	DATE 10-15-58
SCALE 1/4" = 1'-0"		TOTAL SHEETS 1
PROJECT LOCATION 1000 N. 10TH ST. SPOKANE, ID.		
PROJECT DESCRIPTION RENOVATION OF CHURCH HALL		
PROJECT NO. 1000		
SHEET NO. 1		
DATE 10-15-58		

PROJECT DESCRIPTION: Prior Approvals

The Preliminary Plan (#1-03057) was approved on June 5, 2003 and was approved for 316 dwelling units, including 173 TDR's and 48 MPDU's. The Preliminary Plan is being revised concurrently with this site plan to include a land swap with the adjacent property owner. The acreage from the original plan remains the same. The revision is for a more improved access from Route 355. The conditions are attached as Appendix C.

ANALYSIS: Conformance to the Master Plan

The property falls within the Middlebrook village analysis area (MI-6), which is bordered by Montgomery College to the west, realigned MD 118 to the north and MD 355 to the east and adjoining property to the south. The property also contains the historic Cider Barrel (Atlas Site #19/33).

The Plan recommends single-family attached and multi-family residential uses for the entirety of analysis area MI-6. The Cider Barrel property (approximately 17 acres) is recommended for the R-60/TDR Zone at a density of 15 dwelling units per acre.

The Plan strongly opposes strip retail development along MD 355, with two exceptions; the Cider Barrel seasonal retail and parking for the retail in the commercial zone.

The Master Plan states that "the current pattern of development has created several access points of the western side of MD 355". The Master Plan recommends that a service drive be developed generally parallel to MD 355 in order to consolidate the traffic into two access points with MD 355. The service drive on the site plan extends to MD 118 where it aligns with the access point established for the Burger King restaurant and a nearby car wash. The sole access point to MD 355 is set opposite Oxbridge Drive.

The property operated as the Cider Mobile Home Park until the start of this project. As part of the commencement of this project the applicant was required to submit a plan for alternative arrangements for each resident that was dislocated as a result of the change.

The Cider Barrel was the first of several projects in the pipeline to implement the relocation requirement of the Maryland Annotated Code. The project is using the optional method of development to achieve a density bonus and maximum number of MPDU's on site. The project achieves the TDR receiving area overlay density as well.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

Zoning	R-60/TDR-15 and C-5
C-5	0.40 ac.
R-60/TDR-15	17.29 ac.
Total Site Area (ac.):	17.69 ac.
Floodplain (ac.):	0.13 ac.
Proposed Use:	Multi-family apartments/Retail (Optional Method using TDR's & MPDU's with Density Bonus)

<u>Development Standards</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
Maximum Density Allowed (17.29 x 15 d.u./ac. X 1.22 density bonus)	316	316
Density Shown:	316	316
Base Density: (17.29 ac. X 5 d.u./ac.)		88
TDR Density: (17.29 ac. X 10 d.u./ac.)		173
Moderately-priced DU's included @ 15%		48
Bonus Market Rate:		9
TDR's: (173 d.u./2, multi-family)		87
Building Coverage (%):	25	23
Building Height (ft.):	4stories	4 stories
Parking (ft):		
Apartments (1.5 sp./d.u.)	474	526**
Pool (1 sp./7 occupants)	32	32
Clubhouse (3,500 sf)	9	9
(2.5 sp./1000 sf)		
Leasing Office (750 sf)	4	4
(5 sp./1000 sf)		
Retail (1,290 sf)	7	7
(5 sp./1000 sf)		
Green Area (%):	50	50

*Overall density on site is 316 dwelling units using TDR option

(Base density=88 d.u.'s, TDR density=10 d.u./ac (173 d.u.'s), MPDU's=48 d.u.'s [15%])

**Parking for the apartment units consists of 48 garage spaces and 508 surface parking spaces.

MPDU CALCULATIONS

MPDU's Required (15%)	48 dwelling units
(316 d.u.'s x 15%)	
MPDU's provided	48 dwelling units

TDR CALCULATIONS

Base density (17.29 ac. x 5du/ac)	86 dwelling units
TDR density (17.29ac. x 10 d.u./ac.)	173 dwelling units
TDR's required (173 d.u./2, multi-family)	87 TDR's
TDR's provided	87 TDR's

RECREATION CALCULATIONS

	<u>Tots</u>	<u>children</u>	<u>teens</u>	<u>adults</u>	<u>seniors</u>
<i>Demand Points (Required per 100 d.u.'s)</i>					
Garden Apts (316)	<u>11</u>	<u>14</u>	<u>12</u>	<u>118</u>	<u>16</u>
Total Demands Pts.	34.76	44.24	37.92	372.88	50.56
<i>Supply Points</i>					
<u>On-Site Facilities:</u>					
Pedestrian system	3.47	8.84	7.58	167.79	22.75
Multi-age Playground	9.00	11.00	3.00	7.00	1.00
Swimming Pool	1.73	8.84	7.58	93.22	7.58
Indoor Fitness Fac.	0.00	4.24	3.79	74.57	7.58
Sitting areas (2)	6.00	6.00	9.00	30.00	12.00
<u>Off-Site Facilities:</u>					
Off-Site Total*	<u>12.16</u>	<u>15.48</u>	<u>13.27</u>	<u>130.50</u>	<u>17.69</u>
Total Points	32.36	54.40	44.22	502.86	68.60
Percent of Requirements	93%	123%	116%	134%	135%

*The credit for each off-site facility must not exceed 35% of its supply value for each population category. These numbers reflect that limitation. Credit includes Neelsville Middle School, Clear Spring Park, Montgomery College, James Daly Elementary School, Germantown East Park.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required. Not Applicable.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
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.*

Location of Buildings and Structures

- a. The layout of the units is adequate and efficient. The arrangement of the proposed units in the center of the site has been clustered in a horseshoe arrangement to provide neighborhood identity while protecting the sensitive environmental features. The apartment units have been sited in the center of the site with the parking on the perimeter to take advantage of noise attenuation requirements and central green areas for the buildings.

Elements of the design focus on a buildings fronting on private roads and oriented toward central green spaces. Individual garages, accommodating up to six vehicles have been placed around the perimeter of the parking area adjacent to the major roads.

The existing Cider Barrel will remain in the same location and retain its historic status. Parking spaces will be designated around the structure for seasonal retail use.

- b. **Open Spaces**

The open spaces are generously laid out and provide attractive, efficient and accessible green space for the entire community.

Approximately 8.64 acres of the 17.69-acre site will be retained as open space, including the existed forested area and reforestation area to be protected by a forest conservation easement. The 50 percent green area/open space requirement is being met on-site to comply with the R-60/TDR-15 zone. The majority of the existing forested area to be preserved is within an environmentally sensitive area such as stream valley buffers, wetlands and floodplain. The remaining areas of open space include active and passive recreation areas and stormwater management facilities to compensate for runoff that might be detrimental to the stream valley buffer. The open space parcels that are designated for forest conservation and recreation will be conveyed and maintained by the condo association.

The stormwater management concept is conditionally approved as part of the Special Protection Area Final Water Quality Plan for the proposed development as indicated by the Montgomery County Department of Permitting Services (DPS) letter dated March 19, 2003.

c. Landscaping and Lighting

The landscaping and lighting provides safety and efficiency for residents and visitors in the neighborhood setting.

Landscaping and screening consists of a formal streetscape treatment of tree-lined streets for the public roads serving the community. Cider Barrel Drive and Oxbridge Drive will include a tree-lined streetscape of shade trees as well as the improvements along MD Routes 118 and 355. The eight-foot hike-bike trail will consist of a double row of shade trees along the eastern property line adjacent to MD Route 355. The stormwater management facilities have been screened from view of the public and private road network and consists of specimen trees and forested area to add to the buffer. The screening associated with the recreational amenities on site contains a mix of shade trees, ornamental trees and shrubs for visual enhancement of the users. Fencing will also be provided around the pool area and the play area.

Proposed street lighting for public roads conforms to the Montgomery County guidelines for public roads for type of fixture, spacing, size and height. Proposed lighting for the private roads and alleys conform to the standards as set forth in the INESA guidelines for residential development.

The garage structures and masonry walls on the perimeter of the site serve as noise attenuation. The walls will compliment the façade of the buildings within the site.

d. Recreation.

Recreational amenities are accessible to the public and users of the apartment complex. Recreational facilities have been located in one central area situated around the pool and clubhouse at the entrance to the site from MD Route 355 off of Oxbridge Drive. The multi-age play area will be separated by a fence and additional screening from the pool area and adjacent sidewalks adjacent to the parking. The play area is located at the western edge of the pool and clubhouse providing a central area for all the recreational facilities at the entrance to the site. The play area consists of a combined multi-aged play structure, play pods, swings, rockers and seating for users of the area. The surface material for the play area will consist of wood chips, preferably micro-engineered to accommodate accessible users. The central open space behind the rear of the units provides a visual, spatial and functional use for the users of the site. The internal path system links the amenities and provides for efficient pedestrian circulation within

the site and to the major roadways. The Greenway Trail will be extended along MD Route 355 in association with the road improvements. Off-site credit has been taken for existing facilities in the nearby schools and park properties, permitted by the recreational guidelines.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation in general is adequate, safe and efficient.

Vehicular access on the property will consist of construction of two segments of public roads; Cider Barrel Drive and Oxbridge Drive. Cider Barrel Drive is a master planned 70 foot right-of-way, primary road running north and south on the property. The alignment is consistent with the 1989 Germantown Master Plan, which will connect with MD Route 355 through the adjacent properties and subdivisions to the south. Oxbridge Drive is also a primary residential 70-foot right-of-way connecting MD Route 355 to Cider Barrel Drive. The section of road where Oxbridge Road and Cider Barrel Drive will connect is not owned by the present applicant, and will be constructed by the applicant for the property to the south presently being subdivided for townhouses. The internal private drive on the east side of Cider Barrel Drive is a loop road providing access and parking for the apartment units from Cider Barrel Drive and Oxbridge Road. Surface parking and garage units are interspersed throughout the property. The majority of the garage units are located on the perimeter of the site adjacent to MD Routes 118 and 355 to provide attenuation for noise. The access on the west side of Cider Barrel Drive is a single entrance and exit paralleling the public road and providing access and parking for buildings 18-23. The private drives are 20 feet wide throughout the site.

Pedestrian access consists of 5-foot wide sidewalks along both sides of Cider Barrel Drive and Oxbridge Road. The sidewalks will be separated by a planted ten-foot green strip from the curb line. The applicant is also proposing to reconstruct the sidewalk on MD Route 118 in conjunction with the road and lanes improvements requested by the county and state. An 8-foot asphalt bike path is proposed along the frontage of the property within the right-of-way for MD Route 355. The bike path will meander near the entrance at Oxbridge Drive so as not to impact the existing Cider Barrel. A lead-in 5-foot sidewalk is also proposed from the bike path to the site near the club house and existing Cider Barrel to provide more efficient pedestrian circulation to the units and the seasonal use of the retail use. Internally, 5-foot wide sidewalks are proposed adjacent to the parking areas with lead-in sidewalks to all of the units. In addition, an internal pedestrian system is proposed to incorporate pedestrian activity between the units and link the clusters of units in a neighborhood pattern. The pathway is connected by plazas integrating landscaping and lighting throughout. Each plaza area contains seating to promote pedestrian circulation and interaction.

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

The proposed houses are clustered to take advantage of the existing site conditions, taking advantage of the grades on the site to accommodate three and four story split buildings. The units at the eastern boundary are clustered around a green area leading to the adjacent clusters of buildings. The units at the western property line will back up to the forested area and stream valley buffer. Each structure and use is compatible with other uses and with existing and proposed adjacent development to the south of the property.

The activity associated with the proposed residential community will not cause any negative effect on adjacent residential or institutional uses.

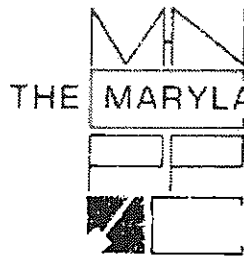
5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

Forest Conservation requirements have been met by the preservation of approximately 0.78 acres of existing forest. Reforestation is provided next to the existing forest to enhance the stream buffer.

A Category I Conservation easement will be placed over the forest conservation and environmental buffer areas, as shown on the final Forest Conservation Plan.

APPENDIX

- A. Memorandums from other Divisions/Agencies
- B. Opinion from Preliminary Plan 1-03057




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

September 6, 2003

MEMORANDUM

TO: Malcolm Shaneman
Richard Weaver
Development Review Division

FROM: Michele Naru, Historic Preservation Planner 
Historic Preservation Section

SUBJECT: Review of Subdivision Plans – DRC Meeting September 8, 2003

We have reviewed the following subdivision plans and found them not to involve any identified historic resources:

7-04002	Bel-Pre Estates
1-04010	Hermitage Park
1-04012	Lopatin Property
1-04007	Notley Acres
7-04001	North Bethesda Town Center
1-04009	Linthicum West Property
8-02032A	Colesville Eckerd Drug Store #6328
1-04008	Glen Echo Heights

The following subdivision plans affect historic or potentially historic properties:

1-04005 Greenacres: A local citizen's group has prepared a nomination to the Historic Preservation Commission for inclusion on the County's *Locational Atlas and Inventory of Historic Sites*. Under the County's Ordinance, Chapter 24A, the HPC is required to hold a public hearing to evaluate the property's eligibility for inclusion on the *Locational Atlas* and is charged with making a recommendation to the Planning Board. The Planning Board makes the final decision for inclusion on the *Locational Atlas*. HPC staff has placed this nomination on its September 24, 2003 public meeting agenda.

1-04006 Lot 1, John Deere Acres: This property is within the boundaries of the Locational Atlas Historic District of Claggettville. Since the proposal is not altering the current parcel boundary, nor generating a substantial alteration to the site, this proposal needs no further review from the Historic Preservation Commission.

1-04004 Willowbrook Elderly Housing: This site contains an archaeological site. Dr. Jim Sorenson, M-NCPPC's archaeologist, is researching the site and will be preparing written comments to the applicants within 10 days.

8-04003 Cider Barrel Property: The Cider Barrel is a Master Plan individually designated historic site. Historic Preservation staff supports the proposed project with conditions. Staff recommends the following conditions:

1. The applicant install signage delineating a minimum of 5 spaces behind the Cider Barrel building to be dedicated parking for Cider Barrel patrons.
2. The parking location will be designated on 355 through the use of signage.
3. A footpath will be installed along the north side of the Barrel for apartment resident access.
4. A 6' high chain link fence will be installed around the building prior to the construction's commencement.
5. Existing driveway for the Cider Barrel is eliminated.

This project will not need any further HPC review, yet staff encourages the applicant to keep the HPC informed through correspondence throughout the project's development.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

April 22, 2003

Robert C. Hubbard
Director

Mr. Brain Lewandowsky, P.E.
Gutshick, Little, and Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866

Re: Stormwater Management **CONCEPT** Request
for Cider Barrel
Preliminary Plan #: 1-03057
SM File #: 207220
Tract Size/Zone: 17.85 acres/R-60 TDR
Total Concept Area: 15.2 acres
Tax Plate: EU63, FU13
Montg. Co. Grid: 9J13
Watershed: Great Seneca Creek

Dear Mr Lewandowsky:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via sand filters along with structural pre-treatment and recharge structures. A waiver is requested for water quantity control requirements.

A **conditional** waiver of on-site water quantity control is hereby granted because the site drains to Mary Boland Regional Pond.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. The proposed sand filter exceeds the County's allowable sizing criteria (i.e. - 10 acres total D.A., with not more than 2 acres of imperviousness). Therefore, the proposed sand filter must be divided into to two separate filters.
2. The sand filter release will be based on a 24 hour draw down rate.
3. The proposed recharge structures must be installed outside of all paved areas. They may only receive roof runoff.
4. The Stormfilter used for D.A. 1 must be sized appropriately. Only pipe or a concrete vault may be used for the additional required volume. Bottomless structures may not be used.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required. Stormwater management fee computations are to be submitted for verification during the sediment control/stormwater management review process.



This letter must appear on the sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Richard Gee at 240-777-6333.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN207220

cc: M. Shaneman
S. Federline
SM File # 207220

QN -waived; Acres: 17.85
QL - on site; Acres: 17.85

EPD Recommendation to Dev Rev Div: Incomplete

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Robert Kronenberg
Development Review Division

SUBJECT: Plan # 8-04003, Name Cider Barrel Property
DRC date: September 8, 2003

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

Plan is incomplete. The following items must be submitted:

1. Noise analysis indicating baseline and future noise conditions and methods to mitigation vehicle traffic noise must be submitted.

EPD RECOMMENDATIONS:

Hold for the following Revisions/Additional Information before scheduling for Planning Board:

1. Revise forest conservation plan (see FCP recommendation sheet).
2. An optional method of development is proposed for this site plan. Preliminary review of the final forest conservation plan indicates that the development will meet the afforestation threshold onsite.
3. The SWM in Parcel C near the intersection of MD 118 and Cider Barrel is too close to the stream valley buffer. The toe of the dam slope must be at least 15 feet from the stormwater management facility. History has shown that ponds become larger during the stormwater management review phase and therefore the pond should be moved away from the stream valley buffer to ensure that the toe of the dam slope will be a minimum of 15 feet from the stream valley buffer. If planting area is lost because of encroachment into the stream valley buffer, the application will not comply with Section 22A-12 of the Montgomery County Code.
4. Buildings 18, 19, and 20 are too close to the proposed forest conservation easement area. The small distance, as small as 8 feet, prohibits the planting of canopy trees near the buildings. Please provide more space between the structures and the forest conservation easement to allow for the planting of canopy trees near the edge of the easement area.

SIGNATURE: _____

Mark Pfaff

Environmental Planning Division

DATE: September 4, 2003

cc: Kevin Foster, GLW

Reminder: Address your submissions/revisions to the Reviewer who completed the Comments sheet.
Put the Plan numbers on your cover/transmittal sheets.

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION PLAN RECOMMENDATIONS

TO: Robert Kronenberg
Development Review Division

SUBJECT: Final Forest Conservation Plan # 8-04003
Site Plan Cider Barrel Property
NRI/FSD # 4-03110

The subject Forest Conservation Plan has been reviewed by the Environmental Planning Division to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). The following determination has been made:

SUBMISSION ADEQUACY

Adequate as submitted

RECOMMENDATIONS

Revise according to the comments specified below.

1. An optional method of development is proposed for this site plan. Preliminary review of the final forest conservation plan indicates that the development will meet the afforestation threshold onsite.
2. Please submit the forest conservation plan where 1 inch equals 30 feet and not 1 inch equals 50 feet.
3. The storm water concept plans show stormwater management infrastructure in the forest conservation easement particular near building 18. Please remove from the easement.
4. The plan must be prepared and signed by qualified professional. Please have a qualified professional sign the plan.
5. Survey of trees 8 inches and greater DBH for 25 feet on either side of the limit of disturbance, and delineation of their critical root zones.
6. If off-site location is required, all the items in number 12, plus a map of the proposed planting site showing location, soils, and environmental features which are priority planting areas as stated in Section 108E(2).
7. Permanent protection area boundaries and long-term protection agreement, where appropriate, and building restriction lines.
8. A protection plan which shows:
 - * location of temporary and permanent protection devices which must be installed if clearing, grading, or construction occurs within 30 feet of a retention boundary area
 - Stockpile areas and borrow pits
 - A narrative of stress reduction or other measures which are needed for specific trees such as those in which critical root zone protection is requested.
 - A field inspection schedule pursuant to Section 110
9. Please provide an estimate of the bond needed for financial security.
10. Please submit a copy of the sediment and erosion control plan for this will be needed to compare LODs.
11. In the narrative section 1.5 please note that "All substitutions must be approved by MNCPPC prior to installation".
12. Root pruning may be necessary along all forested edges, however, the goal shall be to protect as much of the critical root zone in the tree retention areas since the area adjacent to it will be reforested.
13. Please show the location of temporary and permanent tree protection fencing.
14. Please remove all landscaping from the forest conservation plan that is shown within SWM parcels. DPS approves landscaping in those areas.

SIGNATURE: 
Mark Pfeiffer
Environmental Planning Division

DATE: September 4, 2003

cc: Kevin Foster, GLW

Reminder: Address your submissions/revisions to the Reviewer who completed the Comments sheet.
Put the Plan numbers on your cover/transmittal sheets.

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153**

Date: September 7, 2003

MEMO TO: Michael Ma, Supervisor
Development Review Committee, MNCPPC

FROM: Blair Lough
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100 yr.Floodplain Review
Site Plan # 8-04003 , Cider Barrel Property
Project Plan # _____ ,
Preliminary Plan # _____ , DPS File # 207220
Subdivision Review Meeting of September 8, 2003

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- ☒ **On-site:** ☐ CPv ☒ WQv ☐ Both
☐ On-site/Joint Use ☒ Central (Regional): waived under 2.a.2.b.
☐ Existing ☒ Concept Approved April 22, 2003
- ☒ **Waiver:** ☒ CPv ☐ WQv ☐ Both
☒ Approved on April 22, 2003
- ☐ Other

Type Proposed:

- ☐ Infiltration ☐ Retention ☒ Surface Detention ☐ Wetland ☐ Sand Filter
☐ Separator Sand Filter ☐ Non Structural Practices ☒ Other Structural pretreatment. Recharge is provided.

FLOODPLAIN STATUS: 100 Year Floodplain On-Site ☒ Yes ☐ No ☐ Possibly

☒ Provide source of the 100Year Floodplain Delineation for DPS approval: GLW approved study of February 13, 2003.

- ☐ Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
☐ Dam Breach Analysis/100 yr.floodplain study: ☐ Approved ☐ Under Review :
☐ 100 yr.floodplain study: ☐ Approved ☐ Under Review :

SUBMISSION ADEQUACY COMMENTS:

- ☐ Adequate as submitted.
☐ Provide verification of Downstream notification .

RECOMMENDATIONS:

- ☐ Approve ☐ as submitted ☐ with conditions (see comments below).
☐ Incomplete; recommend not scheduling for Planning Board at this time.
☐ Hold for additional information. See below
☐ Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01

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



Robert L. Flanagan, Secretary
Walter J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

September 16, 2003

Mr. Malcolm Shaneman
Supervisor Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Montgomery County
MD 355
Cider Barrel Property
File No. 8-04003

Dear Mr. Shaneman:

This office reviewed the submitted site plan and offer the following:

- Please provide the traffic analysis supporting the proposed length of the MD 118 East Bound right turn lane.
- Please confirm that 12' through lanes and 15' curb lanes will be provided along MD 118 and MD 355.
- Modify the existing median along MD 118 to preclude left turning vehicles into Cider Barrel Drive.

If you have any questions, please contact Greg Cooke at 410-545-5595 or out toll free number in Maryland only 1-800-876-4742 (x5595). You may also email him at (gcooke@sha.state.md.us).

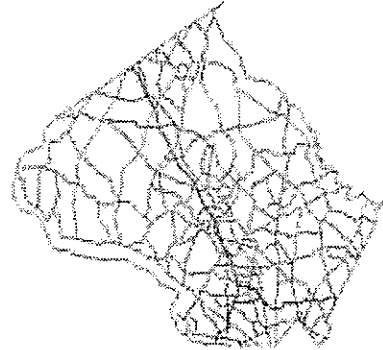
Very truly yours,

A handwritten signature in dark ink, appearing to read "Ken McDonald".
Kenneth A. McDonald Jr., Chief
Engineering Access Permits
Division

cc: Mr. Darrell Mobley (Via E-Mail)
Mr. Robert Kronenberg
Mr. Ronald Welke-MNCPPC
Gutschick Little & Weber

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.261.7165 Statewide Toll Free

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



MEMORANDUM

DATE: November 13, 2003
TO: Robert Kronenberg, Planning Coordinator
Development Review
FROM: Mark Pfefferle, Planning Coordinator *MP*
Environmental Planning Staff
PROJECT NAME: Cider Barrel
CASE #: 8-04003

STAFF RECOMMENDATION:

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

- Compliance with the conditions of approval for the final forest conservation plan. The applicant must satisfy all conditions of the forest conservation plan prior to recording of plat(s) and DPS issuance of sediment and erosion control permit.
- No stormwater structures to be located within the stream valley buffers.
- Certification from an acoustical engineer that the building shell of buildings fronting MD 355 and siding MD 118 have been designed to attenuate exterior noise levels to an interior noise level not to exceed 45 dBA Ldn. The builder commits to construct these units in the acoustical specifications identified by the acoustical engineer in a memo dated October 17, 2003. Any changes that may affect acoustical performance must be approved by the acoustical engineer and reviewed by staff in advance of installation.
- Applicant to conduct an outdoor-to-indoor analysis for impacted units after construction and will present verification of noise levels to staff prior to occupancy.

BACKGROUND:

The 17.69-acre property is located within the Gunners Branch tributary to Great Seneca Creek, a Use I watershed. The site is located at the southwest corner or the intersection of Maryland Routes 355 and 118 in Germantown. Maryland Route 355 borders the site to the east, Route 118 to the site north, Montgomery Community College to the west, and a trailer court to the south. The site previously consisted of a trailer park community. The entire site is heavily

wooded but there is only 0.66 acres of forest onsite. The forest is located along the southwestern property line. The remainder of the site includes numerous specimen trees, which are 24 inches and greater in diameter, and other non-specimen sized trees. The site includes hydric soils, soils with highly erodible soils and steep slopes, wetlands, and a 100-year floodplain. The site slopes east to west, or from Route 355 to the stream valley on the western property edge. The site includes the historic Cider Barrel.

The applicant is proposing to construct 316 garden style apartments, stormwater management facilities, and other necessary infrastructure. The property is zoned R-60 TDR 15.

DISCUSSION

Forest Conservation

The property contains 0.66 of existing forest. In addition, the site is heavily treed with 64 trees 24 inches and greater diameter outside of the existing forest. There are numerous other trees outside of the smaller size outside of the stream valley buffer. The applicant is proposing an optional method of development therefore the forest conservation threshold must be met on site. Since the site has less forest than what is required for afforestation, the applicant is required to preserve all existing forest on-site and replant forest, or tree cover, to meet the afforestation threshold onsite. The applicant will reforest the entire stream valley buffer and an area adjacent to the stream valley buffer. The applicant will also apply tree canopy cover to meet the afforestation requirement onsite. There will be no off-site planting for this site plan.

Environmental Planning staff is requesting the placement of split rail fence, or equivalent, to demark and protect the afforestation area. This will provide clear indication to maintenance staff where mowers are allowed and not allowed.

Environmental Guidelines

The entire stream valley buffer will be included in a Category I forest conservation easement. The applicant is not proposing any encroachment into the stream valley buffer except for necessary utility connections.

Noise

The applicant has prepared a baseline noise analysis for vehicle traffic along Maryland Routes 355 and 118. The baseline analysis, dated August 5, 2003, indicates that the 65 dBA Ldn noise contour line is near the front façade of units fronting MD 355 and through the middle of the proposed parking lot for the sides of units adjacent to MD 118. The 60 dBA Ldn noise contour runs parallel to the 65 dBA Ldn noise contour but interior to the site. The applicant is proposing to locate individual parking garages to help mitigate the noise. Where garages are not located, the applicant will construct a masonry fence to provide exterior noise mitigation. The apartment units will also provide noise mitigation to buildings and common open space interior to the site. The noise analysis indicates that good design and quality materials will reduce the interior noise level to 45 dBA Ldn.



November 12, 2003

TO: Robert Kronenberg, Development Review Division

FROM: Sue Edwards, Community Based Planning Division *Sue*

SUBJECT: Cider Barrel Property (Site Plan #8-04003)

I am supplying language related to the setting of this project along MD 355 and conformance with the 1989 Germantown Master Plan. The Planning Board is scheduled to review the site plan on November 20, 2003.

MD 355 Setting

The section of MD 118 adjoining the subject property is classified as a major highway with an ultimate right of way of 150' as measured from the confronting property boundary with an ultimate configuration of 6 travel lanes. Roadway characteristics depicted in the Master Plan include a 24' planted median, 3 12' travel lanes, a planted panel with 5' sidewalks on both sides. Implementing the site plan will improve the pedestrian and streetscape conditions existing today. This site plan conforms to the intent of the Master Plan for frontage on MD 355.

Conformance with the 1989 Germantown Master Plan

This property falls within Middlebrook Village analysis area (MI-6). The analysis area is bordered by Montgomery College to the west, realigned MD 118 to the north, MD 355 to the east and an adjoining property to the south. The property also contains the historic Cider Barrel (Atlas Site #19/33).

The Plan recommends single-family attached and multi-family residential uses for the entirety of analysis area MI-6. The Cider Barrel property (approximately 17 acres) is recommended for the R-60/TDR Zone at a density of 15 units per acre.

The Plan strongly opposes strip retail development along MD 355, with two exceptions. One of these exceptions is the Cider Barrel fruit stand and parking area that is recommended for the C-4 (Limited Commercial) Zone.

The Master Plan states that "the current pattern of development has created several access points on the western side of MD 355. The Master Plan recommends that a service drive be developed generally parallel to MD 355 in order to consolidate the traffic into two access points with MD 355" (page 75). The service drive depicted in the site plan extends to MD 118 where it aligns with the access point established for the Burger King restaurant and a nearby car wash. The sole access point to MD 355 is set opposite Oxbridge Drive.

The property operated as the Cider Barrel Mobile Home Park until very recently. Maryland Annotated Code, Real Property §8A-1201 requires "When a mobile home park owner submits an application for a change in the land use of a park, the owner shall submit, as part of the application, a plan for alternative arrangements for each resident to be dislocated as a result of the change. (1994, ch 582.)"

The applicant implemented such a plan with the Montgomery County Department of Housing and Community Affairs, hired an on-site director to assist with the relocations, and successfully relocated the former residents. This process was covered by Gazette newspaper articles without sustained opposition of residents being relocated. A similar relocation process is now underway in a second operating mobile home park using the model elements developed by Elm Street.

Conclusion

The Cider Barrel is the first of several projects to implement the relocation requirements of the Maryland Annotated Code. The relocation plan was conducted smoothly with a number of residents occupying a newly-constructed elderly housing development in Germantown. The project used the optional method of development to achieve a density bonus and maximum number of MPDUs. The project achieves the TDR receiving area overlay density.

The proposed development implements the service drive concept contained in the Master Plan. Staff recommends approval with conditions

APPENDIX B



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: July 3, 2003

Action: Approved Staff Recommendation

Motion of Comm. Bryant, seconded by
Comm. Wellington with a vote of 5-0;

Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting
in favor

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-03057

NAME OF PLAN: CIDER BARREL PROPERTY

On 1/23/03, STRINGTOWN INVESTMENTS, L.L.C. submitted an application for the approval of a preliminary plan of subdivision of property in the R-60/TDR-15/C-5 zone. The application proposed to create 2 lots on 17.69 acres of land. The application was designated Preliminary Plan 1-03057. On 6/05/03, Preliminary Plan 1-03057 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-03057 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-03057.

Approval, Including a Waiver Pursuant to Section 59-C-1.395 of the Montgomery County Zoning Ordinance, for the Special Provisions for TDR Development and the Maximum Percentage of Single-Family Attached Units, and Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a maximum of 316 multi-family dwelling units
- 2) The applicant shall provide trip mitigation measures which include providing two bus shelters and two real-time transit information signs and constructing 1,690 feet of sidewalk (including on-site credit). The location of the bus shelters and real-time transit information signs is to be determined by the Montgomery County Department of Public Works and Transportation (DPWT). The sidewalk location(s) shall also be determined by DPWT, the Maryland State Highway Administration (SHA), and the applicant
- 3) The applicant shall construct a five-foot sidewalk on MD 118 across the property frontage
- 4) The applicant shall construct eight-foot asphalt bike path on MD 355 along the property frontage
- 5) The applicant shall provide access and improvements along MD 355 and MD 118 as required by SHA, specifically a deceleration lane on MD 118 and an acceleration lane on MD 355
- 6) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits

- 7) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Germantown Master Plan unless otherwise designated on the preliminary plan
- 8) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Germantown Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition
- 9) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 10) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas
- 11) Compliance with the conditions of approval of the MCDPS stormwater management approval dated, April 22, 2002
- 12) Access and improvements, as required, to be approved by MCDPWT under letter dated May 21, 2003, unless otherwise amended
- 13) Access and improvements as approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 14) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 15) Final approval of the number and location of the dwelling units, on-site parking, site circulation and sidewalks connections will be determined at site plan
- 16) A landscape and lighting plan must be submitted as part of the site plan application for review and approval unless concept grading plan is approved at the time of Site Plan
- 17) Provide a minimum of 87 TDR's and 48 MPDU's pursuant to condition # 15 above
- 18) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 19) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 20) Other necessary easements