

1/25/95  
19/13-1 MD 118 & Wisteria, Germantn.  
(Madeline V. Waters House) PREL, CONS.

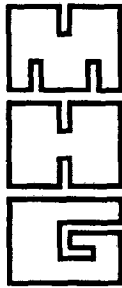
(703) 481-5900  
FAX 481-5901



**Theodore D. Britt, P.E.**  
Vice President

**TRI-TEK ENGINEERING**  
690 Center Street, Suite 300  
Herndon, Virginia 22070-5003

**CIVIL ▲ ENVIRONMENTAL ▲ LAND PLANNING**



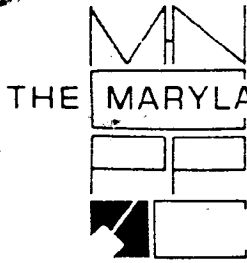
John Sekerak, Jr., ASLA, AICP

**Macris, Hendricks  
and Glascock, P.A.**

9220 Wightman Road, Suite 120  
Gaithersburg, MD 20879-1226

Office: (301) 670-0840  
Fax: (301) 948-0693

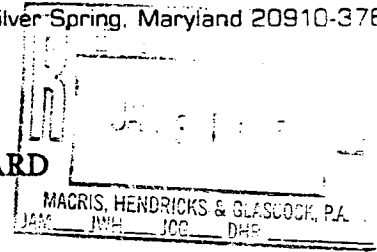
**Engineers • Surveyors • Planners**



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

MONTGOMERY COUNTY PLANNING BOARD

OPINION



---

Project Plan Review No. 9-94002  
Project: NTW in Germantown

---

Date Mailed: 1/27/95

Action: (Motion was made by Commissioner Richardson, seconded by Commissioner Holmes, with a vote of 4-0, Commissioners Richardson, Holmes, Baptiste, and Chairman Hussmann voting for and no Commissioners voting against. Commissioner Aron was absent.

On August, 31, 1994, Macris, Hendricks and Glascock submitted a request for a 11,138 square foot retail building in the RMX-2 Zone located in Germantown.

On November 1, 1994, the Planning Board approved the applicant's request to extend the review period to January 31, 1995. On January 26, 1995 the Project Plan 9-94002 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 on the testimony and evidence presented by the staff and on the staff report hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

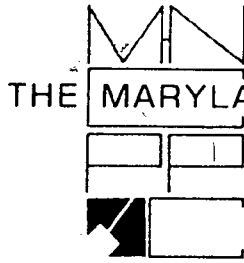
1. The Project Plan No. 9-94002 meets all the purposes and requirements of the RMX-2 Zone.
2. The Project Plan No. 9-94002 conforms to the Germantown Master Plan, the Germantown Town Center Design Study and the Germantown Streetscape Plan, as conditioned by the Board.
3. The Project Plan No. 9-94002 maintains compatibility with the adjacent properties.
4. The Project Plan No. 9-94002 will not overburden existing or proposed public services.
5. The Project Plan No. 9-94002 will be more desirable than a standard form of development, as conditioned by the Board.

The Montgomery County Planning Board approves Project Plan No. 9-94002 with a total of 11,138 square feet of retail use and an FAR of 0.13. The Montgomery County Planning Board approves Project Plan 9-94002 subject to the following conditions:

1. Additional Amenities  
Expand the pedestrian amenities within the proposed Wisteria Drive linear park by providing a minimum of 4 separate seating areas within the park furnished with at least 8 wood benches, special paving, upgraded landscaping and inclusion of the historic plaque in order to establish a usable park. Upgraded streetscape should include at least 12 shade trees at 3" to 3 1/2" caliper in size.
2. Pedestrian Access Improvements  
Provide a sidewalk and upgraded landscaping with shade trees from the intersection of Main Street and Wisteria Drive into the site in order to accommodate pedestrian access to the project and provide a small area of on-site amenity.
3. Public Dedication  
Dedicate the Right of Way of Main Street Extended and provide streetscape in accordance with the Germantown Town Center Design Study. Planning Board to review requirements for participating in improvements to Main Street Extended across the frontage of the site as part of its action on Preliminary Plan 1-90069. At that time the Board will determine if the vehicular circulation system for Phases I and II is designed to provide an efficient, safe, and convenient transportation system.
4. Historic Site Approval  
Receive approval from the Historic Preservation Commission of the proposed historic feature and architecture prior to approving a site plan application.
5. Maintenance, Management and Security Agreement  
Provide maintenance, management and security of all on-site public use areas and maintenance and management of off-site public use areas until such time, if any, that a future Maintenance District is established.
6. Signage and Lighting  
Provide a detail signage and lighting plan at the time of site plan review which provides for low level, monumental signage in accordance with the approved Germantown Streetscape Plan.

7. Final Grading and Landscaping

Prior to site plan submittal, provide a final grading and landscape plan with necessary slope easements in order to accommodate a 10 foot setback for sidewalks along Relocated Rt. 118 and sufficient space to achieve a double row of shade trees in accordance with the Germantown Town Center Design Study. This condition must be coordinated with MCDOT and the plans for Relocated Rt. 118 to also address the need for a swale along Rt. 118 with stormwater runoff from the site.



MC  
Item #16  
1/26/95

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

January 19, 1995

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Karen Kumm Morris, Coordinator  
Design, Zoning and Preservation

SUBJECT: Project Plan No. 9-94002  
National Tire Wholesale at Germantown

---

**ADDITIONAL CONDITIONS OF APPROVAL**

7. Prior to site plan submittal, provide a final grading and landscape plan with necessary slope easements in order to accommodate a 10 foot setback for the sidewalk along Relocated Rt. 118 and sufficient space to achieve a double row of shade trees in accordance with the Germantown Town Center Design Study. This condition must be coordinated with MCDOT and the plans for Relocated Rt. 118 to also address the need for a swale along RT. 118 with stormwater runoff from the site.

**Staff Findings**

In further discussions with MCDOT, it is apparent that the sidewalk and double row of street trees called for in the approved Germantown Town Center Design Study can not be achieved given the current roadway plans. The roadway plans for Rt. 118 currently show a 5 foot sidewalk within 4 feet of the curb which cannot be planted with street trees in accordance with design standards. More horizontal area is needed to permit street trees to be planted and to separate pedestrians from this high speed roadway.

Additional horizontal area can be achieved by eliminating a proposed swale within the ROW and instead have stormwater carried by an on-site drainage system, by extending slopes into the NTW property or by lowering elevations of the proposed NTW building pad. This horizontal area within the ROW can be achieved without affecting the layout of the proposed project. In preliminary discussions with the applicant, there did not appear to be a problem with this condition.

**NATIONAL TIRE WHOLESALE  
AT  
GERMANTOWN**

**STAFF REPORT**

**PROJECT PLAN NO. 9-94002**

**January 12, 1995**

**The Maryland - National Capital Park and Planning Commission**



**TABLE OF CONTENTS**

	Page
<b>A. <u>STAFF RECOMMENDATIONS</u></b> .....	1
<b>B. <u>PROJECT DESCRIPTION AND SUMMARY OF ISSUES</u></b> .....	2
Project Description .....	2
Location .....	2
Site Description .....	2
Proposed Uses, Circulation and Layout .....	3
Development Schedule .....	3
Summary of Issues .....	3
<b>C. <u>FINDINGS</u></b> .....	4
#1 - Meets purposes and requirements of the RMX zone .....	4
#2 - Conforms to the Master Plan .....	7
#3 - Compatible with the neighborhood .....	8
#4 - Will not overburden public services .....	8
#5 - Is more efficient and desirable than Standard Method .....	8
#6 - Provision of MPDU .....	10
#7 - Development under more than one lot .....	10
<b>D. <u>ATTACHMENTS</u></b>	



January 13, 1995

TO: Montgomery County Planning Board

FROM: Karen Kumm-Morris  
Design, Zoning, and Preservation Division

SUBJECT: Project Plan No: 9-94002  
National Tire Wholesale at Germantown

**A. STAFF RECOMMENDATIONS**

Staff has reviewed the proposed Project Plan #9-94002, and recommends **APPROVAL SUBJECT TO CONDITIONS** as follows:

1. Additional Amenities  
Expand the pedestrian amenities within the proposed Wisteria Drive linear park by providing a minimum of 4 seating areas within the park furnished with at least 8 wood benches, special paving, upgraded landscaping and inclusion of the historic plaque in order to establish a usable park. Upgraded streetscape should include at least 12 shade trees at 3" to 3 1/2" caliper in size.
2. Pedestrian Access Improvements  
Provide a sidewalk and upgraded landscaping with shade trees from the intersection of Main Street and Wisteria Drive into the site in order to accommodate pedestrian access to the project and provide a small area of on-site amenity .
3. Public Dedication  
Dedicate the Right of Way of Main Street Extended and provide streetscape in accordance with the Germantown Town Center Design Study.
4. Historic Site Approval  
Receive approval from the Historic Preservation Commission of the proposed historic feature and architecture prior to submitting a site plan application.

5. Maintenance, Management and Security Agreement

Provide maintenance, management and security of all on-site and off-site public use areas until such time, if any, that a future Maintenance District is established.

6. Signage and Lighting

Provide a detail signage and lighting plan at the time of site plan review which provides for low level, monumental signage in accordance with the approved Germantown Streetscape Plan.

## **B. PROJECT DESCRIPTION AND SUMMARY OF ISSUES**

### Project Description

The proposed Project Plan, 9-94002, is for a retail tire sales center on a 1.99 acre site located at the southwest corner of the intersection of Wisteria Drive and MD Rt. 118 in Germantown. The site is an historic property designated on the Master Plan known as the Madeline V. Waters House, although no foundations remain of the original house. The plan proposes a single story retail store, 11,138 sf. in size, with driveway access from Wisteria Drive.

The applicant is applying for the optional method under the RMX- 2 Zone. The site has a base zone of R-200 and is recommended in the Germantown Master Plan for the RMX-2 Zone. The RMX- 2 Zone enables the applicant to provide commercial development in exchange for providing an acceptable level of public facilities and amenities.

The applicant is proposing the following public facilities and amenities:

1. An off-site, linear park area within the ROW of Wisteria Drive developed with one seating area and a historic plaque commemorating the site as the former location of the Madeline Waters Residence.
2. Green space in addition to the minimum required.

### Location

The site is located in the TC-5 area of Germantown's Town Center within the southwest quadrant of the intersection of MD 118 and Wisteria Drive. Directly across Wisteria Drive to the north is the Sugar Load Shopping Center in the Town Sector Zone with two free standing buildings, a Shell gas station and fast food restaurant fronting Wisteria Drive. To east, lies the undeveloped right of way for Rt. 118. To the south, lies RMX zoned parcels developed with a storage facility. To the west, also in the RMX Zone stands the Poole residence which is located over 200 ft. from the common property line. (See Figure 1, Vicinity Map)

### Site Description

The site is rectangular in shape with scattered trees around the perimeter. The Waters Residence once stood in the center of the property but burned down in 1986. Nothing remains of the foundations. The property is situated on a knoll, a high point in the vicinity, and the ground slopes gradually down in all directions. MD 118 will be extended along the eastern edge of the site at approximately 14 feet lower than the proposed grading pad for the tire center. The resulting embankment occurs primarily within the ROW and no access to the site is allowed by the State Highway Administration. Scattered mature trees are found on the property but are not in good condition.

### Proposed Uses, Circulation and Layout

The plan proposes a one-story tire center which offers tire sales and a range of related automotive services. The structure is located in the middle of the site with parking around the perimeter and a single driveway access in alignment with the driveway for the adjacent Sugarloaf Shopping Center. The driveway at this location will be a temporary one until such time that the full width of Main Street Extended is dedicated and constructed. The proposal includes construction of the future intersection's northeast corner at the ultimate radius and grade. The front of the building is oriented towards Wisteria Drive. (See Figure 2, Proposed Land Use Plan and Figure 3, Detail of Proposed Linear Park. )

### Development Schedule

The proposed project will be constructed in a single construction phase along with the temporary driveway, the linear park within the ROW of Wisteria Drive and all associated on-site landscaping. Further dedication and construction of Main Street Extended will be achieved as other properties in the TC-5 area propose development.

### Summary of Issues

Staff has reviewed the proposed project and finds the proposal lacking in adequate public use space, streetscape improvements and pedestrian access to the site. Staff recommends approval of the project plan subject to conditions which resolve these issues.. The proposed project represents the beginning of development within the TC-5 area of the Germantown Town Center. It is important that it be developed in a manner consistent with the Planing Board approved Germantown Town Center Design Study which called for a public park to be provided in this area. Staff recommends that the proposed linear park be developed with sufficient seating areas so as to be perceived as a park and used as such. Provision of expanded seating areas also will provide a more appropriate setting for the historic commemoration of the property. Provision of upgraded streetscaping along Wisteria Drive and Main Street Extended will enhance the gateway character of the project and encourage pedestrian activity.

## C. FINDINGS

Sections 59-D-2.41 and 59-D-2.42 of the Zoning Ordinance establish the findings which must be made by the Board and provide the basis for consideration of the Optional Method of Development. In accordance therewith, staff makes the following findings:

**Finding #1: Staff finds that the proposed Project Plan meets all the purposes and requirements of the RMX -2 Zone as conditioned in the recommendations.**

### Purposes of the RMX Zones

The optional method in the RMX Zone is intended to achieve "mixed use development comprised of planned retail centers and residential uses, at appropriate locations in the County. This method of development is a means to encourage development in accordance with recommendations and guidelines of approved and adopted master plans. Approval of this optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in the zone." (Sec.59-C-10.3)

The standard method RMX-2 Zone only allows for residential uses developed at an R-200 cluster or MPDU development density. Therefore, in order to provide commercial uses in this zone, an applicant must apply for the optional method and provide adequate public facilities and amenities.

### Conformance with Purposes and Development Standards of the Zone

The proposed project plan conforms to the purposes of the zone in that the proposed use, an automotive center, is recommended in the approved master plan. The Germantown Master Plan calls for a mixed-use comparison retail, automotive, and business service area for the TC-5 area of the Town Center. The small size of the parcel, 1.99 ac., is not sufficient in size to require a mix of uses as intended in the master plan. Staff anticipates that the mix of uses will be achieved as future development within the TC-5 area proceeds.

Staff finds that the proposed plan conforms to all the required development standards for the RMX-2 Zone as follows:

Project Plan Data Table

---

Item	Permitted/Required	Proposed
Lot Size	1.99 ac. (86,884 sf.)	1.99 ac. (86,884 sf.)
FAR	.5	.13
Building Area	43,442 sf.	11,138 sf.
Building Setbacks		
from streets	25 ft.	25 ft.
from abutting commercial property	25 ft.	+ 25 ft.
Green Space	13,032 sf. (15%)	13,032 (15% minimum)
Public Facilities and Amenities		
On-site	Not specified	26,968 s.f. (Additional green space)
Off-site	Not specified	+3,960 sf. (linear park)
Parking	48 spaces (3.3 sp/1000 sf.)	54 spaces

Note: Sec. 59-C-10.39 (c) specifically states that road improvements and other capital costs that are required for adequate public facilities do not count as public facilities and amenities.

---

**Finding #2: Staff finds that the proposed Project Plan conforms to the Germantown Master Plan and will be consistent with the Germantown Town Center Design Study as conditioned for approval.**

Land Use Proposal

The proposed plan conforms to the vision of the Master Plan for TC-5 by providing an automotive retail service center which will meet the needs of the community. Although the site is not assembled with other RMX properties which would have allowed a larger coordinated mixed use development to occur, assemblage is not a requirement of the zone or the master plan.

The Germantown Town Center Design Study approved by the Planning Board envisioned a public park of this site and the extension of Main Street to serve the interior properties and connect to the main boulevard through TC-5. (See Figure 4, Streetscape Framework and Figure 5, Pedestrian Circulation, Germantown Town Center Design Study.) A public park at this location will form a visual gateway into the TC-5 area and provide a gathering place within the community. Since public funds are not designated for park acquisition, staff has attempted to achieve a smaller park space within the public ROW of Wisteria Drive that will be public, accessible, and desirable. The proposed plan, however, does not achieve a desirable level of park development in that adequate public seating within upgraded seating areas is not provided. In order to be consistent with the approved Germantown Town Center Design Study, staff recommends a condition of approval that expands the amount of public seating and upgraded features of the proposed linear park.

The approved Design Study also calls for the extension of Main Street on the western end of the site and a series of new public streets within the TC-5 area. These streets will be included in the future amendment to the Germantown Master Plan. The applicant is dedicating the ROW as called for in the Design Study but has not agreed to provide construction funds to build their share of the street. This is a requirement of the preliminary plan #1-90069.

The proposed alignment of Main Street Extended may require minor shifting if required by MCDOT in order to meet design standards. M-NCPPC staff finds the proposed alignment acceptable with minor adjustments as may be required by MCDOT. It is important that the road be allowed to shift over towards the west across the site in order to achieve desirable lot depths for commercial parcels south of the site.

The proposal, as conditioned, will be consistent with the Planning Board approved Germantown Streetscape Plan which restates the streetscape provisions of the Germantown Town Center Design Study. The proposed plan will provide an upgraded streetscape along Wisteria Drive offering a double row of shade trees to create a setting for the park. No streetscape is proposed for Main Street Extended nor for Rt. 118. Since construction of Main Street Extended is a requirement of the preliminary plan, sidewalk and street trees should also be required along



the lot frontage of the site. However, staff does not require that streetscaping also be provided along Rt. 118 given the size of the proposed project. The roadway plans for Rt. 118 unfortunately do not have streetscape provided. Staff recommends that the Planning Board send a letter to MCDOT requesting that any revisions to Rt. 118 include provisions for streetscaping in accordance with the Germantown Town Center Design Study.

**Finding #3: Staff finds that the Project Plan will be compatible with the neighborhood due to its location, size, intensity, design, operational characteristics, and staging.**

The proposed one-story retail tire center is compatible with the existing neighborhood as well as with the future development of TC-5 as envisioned in the master plan. The existing storage facility located to the south stands approximately 80 feet from the southwest corner of the site and will not be affected by the extension of Main Street. The Poole Residence which is located on the adjacent property to the west is over 200 ft. from the property line. The project has been designed to accommodate the future extension of Main Street. A second driveway access is contemplated when Main Street is constructed. With respect to staging, the proposal to construct all features of the plan in one stage is desirable especially the provision for the public park.

**Finding #4: The proposed Project Plan will not overburden the existing or proposed public facilities.**

The proposed plan does not generate more than 22 pm peak hour trips and, therefore, does not significantly impact the level of service in nearby intersections. The level of generated traffic trips is well below the 50 pm peak hour trip level which triggers Local Area Transportation Review. The site is located in the Germantown Town Center Policy Area where there is sufficient employment staging ceiling to accommodate the subject development.

**Finding #5: The proposed Project Plan, as conditioned, will be more efficient and desirable than the standard method of development.**

The standard method in the RMX-2 Zone results in residential development of the site under R-200 cluster or MPDU standards. The optional method provisions allow for the commercial uses in exchange for adequate public amenities and facilities (Sec.59-C-10.3). The ordinance also stipulates that public facilities and amenities do not include road improvements or other capital projects as required by the adequate public facilities ordinance (Sec.59-C-10.3.9).

Staff finds the proposed public use space is inadequate in amenity. The proposed plan provides only one seating area within the ROW of Wisteria Drive and several benches located along the sidewalk adjacent to the street. Upgraded landscaping and a precast stone-like wall is also proposed within this area to help define the area and separate it from the tire center. Expansion of the park into the site is restricted due to an existing AT&T easement that runs the

length of the lot frontage. (See Figure 3, Proposed Detail of Linear Park.)

The proposal will not encourage public use of the park because there is little opportunity to sit in furnished seating areas. In fact, the proposed park will not even be perceived as such by the public because it will appear only as a visual feature not as a usable space. The need for pedestrian space within the auto-dominated environment of suburban retail centers has been voiced by the community and is a requirement of the Germantown Town Center Design Study. The applicant also recognizes the need to provide their customers with a place to sit and wait for service although the proposal falls short from achieving a desirable setting.

Staff recommends that at least 4 seating areas with special pavement and wood benches be provided along Wisteria Drive under an alee of trees to help provide shade and definition of the space. Visibility of the tire center can be assured by placement of the shade trees. Staff recommends that at least 12 shade trees be provided in double rows with larger caliper sizes than typically achieved by standard method development.

On-site, further landscape development of the northwest corner and pedestrian access at the driveway entrance should be required. A pedestrian sidewalk connection is essential if customers to the tire center are encouraged to walk to the linear park or to the services within Sugarloaf Shopping Center. Upgraded landscaping should be provided in order to create an attractive entrance to the project incorporating signage, lighting and shade trees. This will increase the on-site amenity of the project as well as create an attractive entry feature for the development.

The project does propose 26,968 s.f. of additional green space above the minimum of 15% required in the zone. Most of this area is located around the perimeter of the site and is not usable pedestrian space. The proposed afforestation cannot be counted as additional amenity in that it is required under the standard method.

It should be noted that the subject site is an historic site, shown on the Locational Atlas and Index of Historic Sites. As such, the applicant must obtain approval from the Historic Preservation Commission for the commemorative historic feature and the proposed architecture of the retail building. As proposed the designated historic feature and setting is not acceptable to the historic preservation staff because it does not provide a desirable setting for contemplating the history of the site. (See Attachment A, memorandum from Historic Preservation Staff.) Staff's recommendations to expand the seating areas and create more of a park-like setting would satisfy the Historic Preservation Staff's concerns although the Historic Preservation Commission must still approve the plans. Staff recommends that the project receive HPC approval for a preliminary consultation prior to submitting for site plan review.

**Finding #6: The Project Plan does not include Moderately Priced Dwelling Units.**

The MPDU requirement does not apply for this project given that no residential units are proposed. The RMX-2 zone requires residential units for sites over 30 acres in size.

**Finding #7: The Project Plan does not include more than one lot under common ownership.**

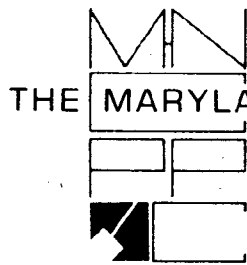
Project plans with more than one lot have certain requirements. This is not applicable.

### **List of Attachments**

- A. Memorandum from David Berg, Historic Preservation Staff, January 11, 1995.
- B. Letter from Rick Brush, MCDEP, June 30, 1994.
- C. Memorandum from Ki Kim, Transportation Staff, January 6, 1995.

### **List of Figures**

- 1. Vicinity Map
- 2. Proposed Land Use Plan
- 3. Detail of Proposed Linear Park
- 4. Streetscape Framework, Germantown Town Center Design Study
- 5. Pedestrian Circulation, Germantown Town Center Design Study



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

MEMORANDUM

To: Karen Kumm-Morris

From: David Berg, Historic Preservation Planner *DCB*

Date: January 11, 1995

Subject: National Tire Warehouse revised Project Plan # 9-94002 (dated January 5, 1995) for Germantown site which is also Historic Preservation Master Plan site # 19/13-1 (Madeline V. Waters Property).

---

Preservation staff is generally receptive to the concept of the NTW proposal which includes a linear park along Wisteria Drive. However, staff finds the present plan problematic in the following areas:

- 1) The proposed historic feature is too small. The historic commemorative area should be larger and in fact be the focal point of the linear park.
- 2) Staff feels that a location (for the historic component) along Wisteria Drive, closer to the pedestrian traffic of Main Street extended is more appropriate than a location near MD route 118.
- 3) A detailed plan showing the location of park features including landscaping, location of sitting areas, location of commemorative plaque will be required.
- 4) Preservation staff will need a detailed elevation drawing showing the design and materials of the commemorative area. The proposed commemorative plaque should be at eye level.
- 5) The current proposal does not have the appearance of being a park. Staff would need an assurance that adequate visual separation would be maintained between the commemorative park and the retail establishment by using appropriate distancing and landscaping. This separation is important to create a peaceful setting consistent with the historicity of the site.



# Montgomery County Government

June 30, 1994

Mr. Doug Sievers  
Macris, Hendricks, & Glasscock, P.A.  
9220 Wightman Road, Site 120  
Gaithersburg, MD 20879

Re: Stormwater Management **Waiver** Request for  
K&T Development  
Preliminary Plan #: 1-90069  
SM File #: 1-90069  
Tract Size/Zone: 2 Ac/RMX-2  
Total Waiver Area: 2 Ac  
Tax Plate: EU342  
Parcel: 858  
Liber/Folio: 8864/290  
Montg. Co. Grid: 13-B1021

Dear Mr. Sievers:

Your waiver reaffirmation has been evaluated by the staff of the Division of Water Resources Management in coordination with the Environmental Planning staff of the M-NCP&PC.

Based upon Section 2.A.2.b. of Executive Regulation 5-90, a conditional waiver of on-site water quantity (flow rate) is hereby granted. The condition which must be met is to connect the proposed storm drain to the existing storm drain system in Wisteria Drive. The storm drain plans must be coordinated with MCDOT. Water quality control must be provided onsite. The onsite design to comply with this condition must be shown on the original sediment control plan prior to the acceptance for review by this office. A copy of this letter must appear on the sediment control plan.

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 stormwater management/sediment control review process.

Any divergence from the information provided to this office or additional information received during the development process, may constitute grounds to rescind or amend any waiver actions taken; and to reevaluate the site for on-site stormwater management provision. A separate waiver request shall be required when there are subsequent additions, extensions, or modifications to this development; or a change in the above Executive Regulation that may affect this development.

If you have any questions regarding these actions, please feel free to contact Blair Lough at (301)217-6314.

Sincerely,

Richard R. Brush, Manager  
Division of Water Resources Management  
Permitting & Plan Review Section

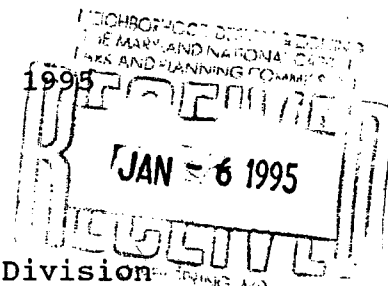
RRB:een:WA190069

cc: J. Davis  
N. Baig  
SM File #1-90069  
SM Log # 94-119



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

January 6, 1995

MEMORANDUM

TO: Karen Kumm-Morris, Coordinator  
Design, Zoning, and Preservation Division

FROM: Ki H. Kim, Transportation Planner *KHK*  
Transportation Planning Division

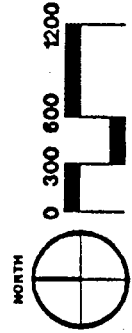
SUBJECT: Project Plan #9-94002  
National Tire Warehouse (NTW) at  
MD 118 and Wisteria Drive  
Germantown

-----

Based on the information provided by the applicant, the proposed NTW development will generate approximately 14 trips during the AM peak hour and approximately 22 trips during the PM peak hour. These anticipated peak-hour trips do not require a Local Area Transportation Review for the proposed development. Also, the site is located in the Germantown Town Center Policy Area where there is sufficient employment staging ceiling capacity (3,910 jobs as of December 12, 1994) available to accommodate the subject development. Staff, therefore, finds that there is adequate transportation capacity to support the NTW development proposed under the subject project plan.

KHK:plb\ppNTW

Figure 1 - Vicinity Map



*Subject Site*

TOWN CENTER ANALYSIS AREAS



Figure 1a - Vicinity Map

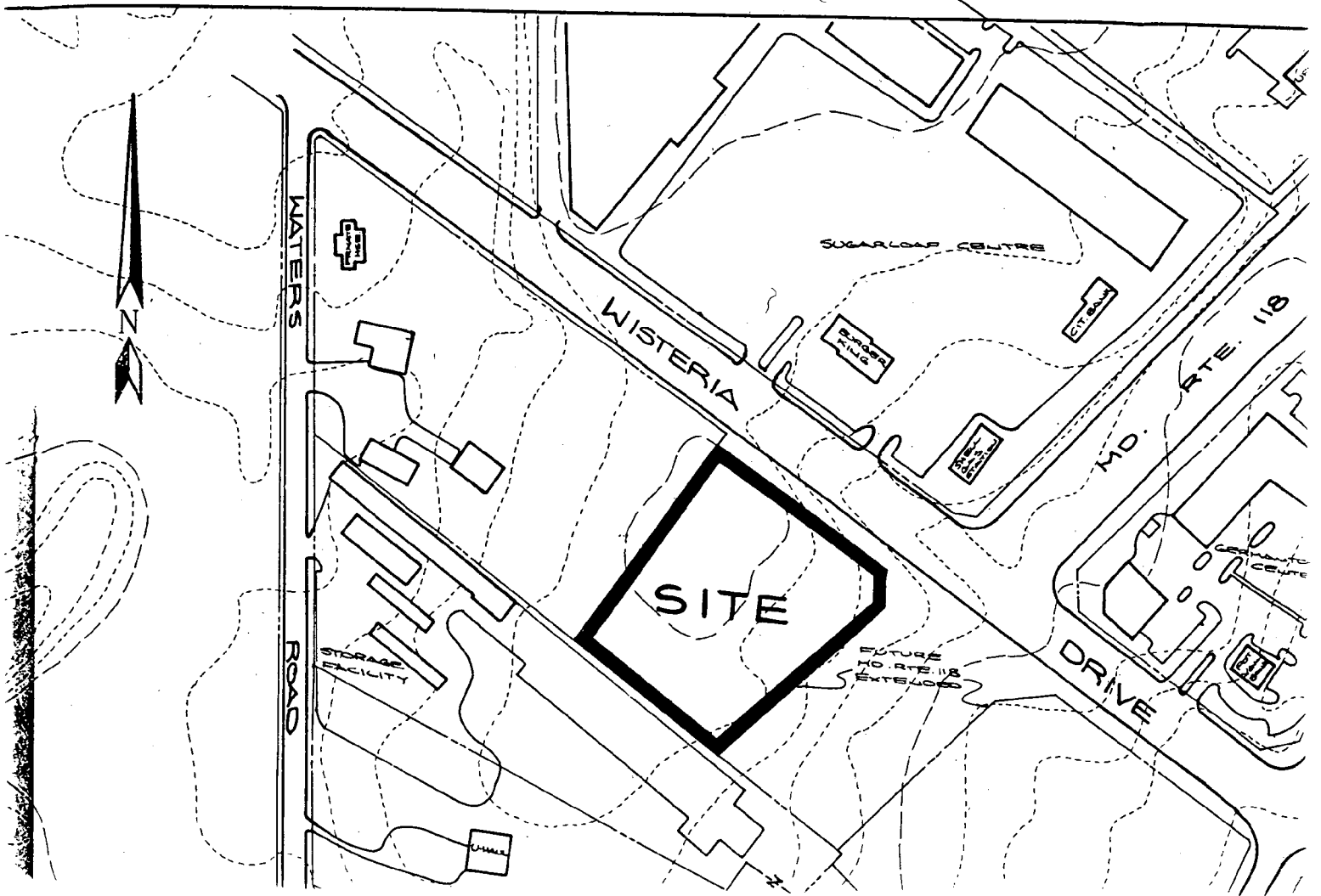


Figure 2 - Proposed Land Use Plan

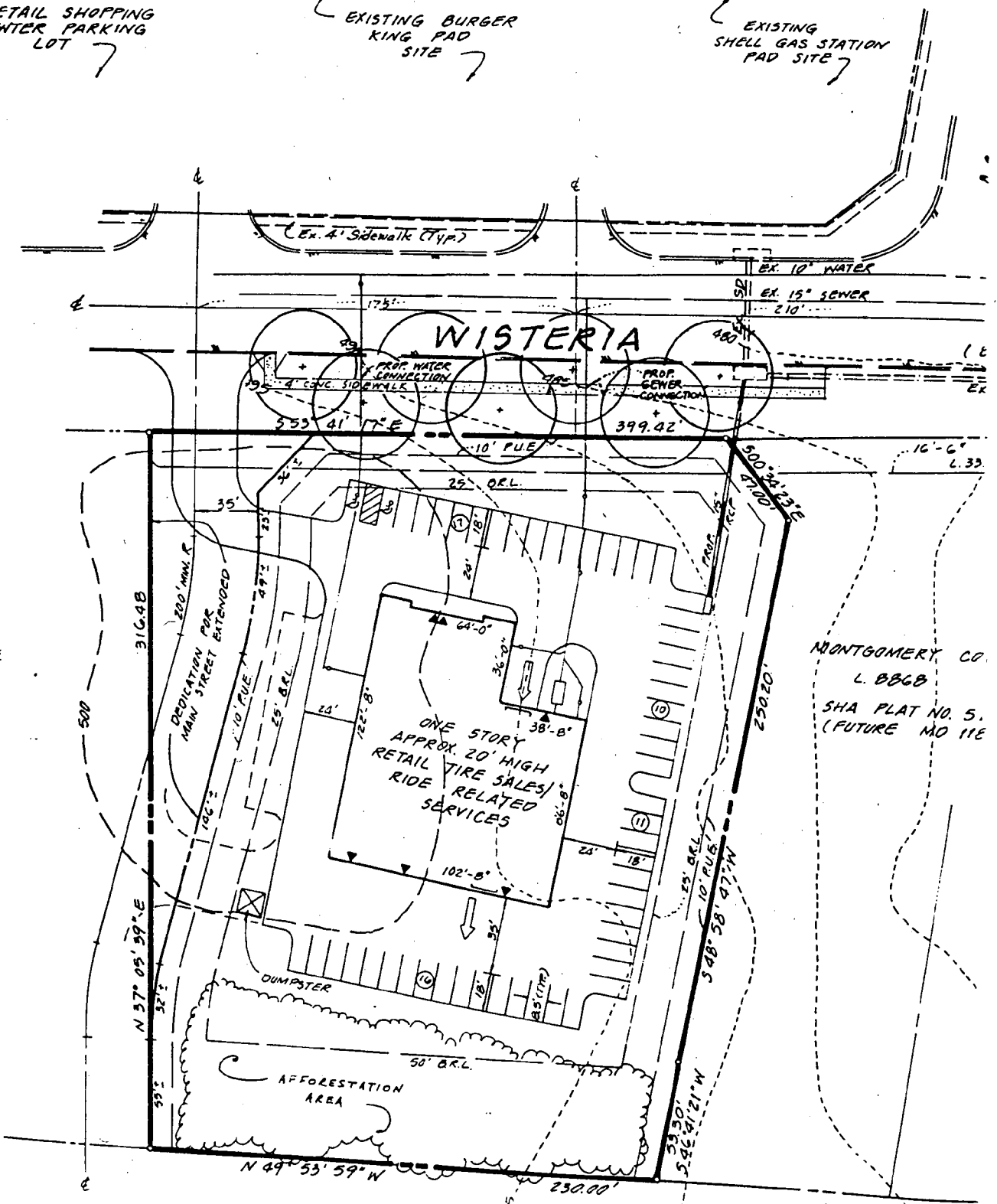
NORTH GERMANTOWN  
P.B. 138 PLAT NO. 15940

RMX - Z

RETAIL SHOPPING  
CENTER PARKING  
LOT 7

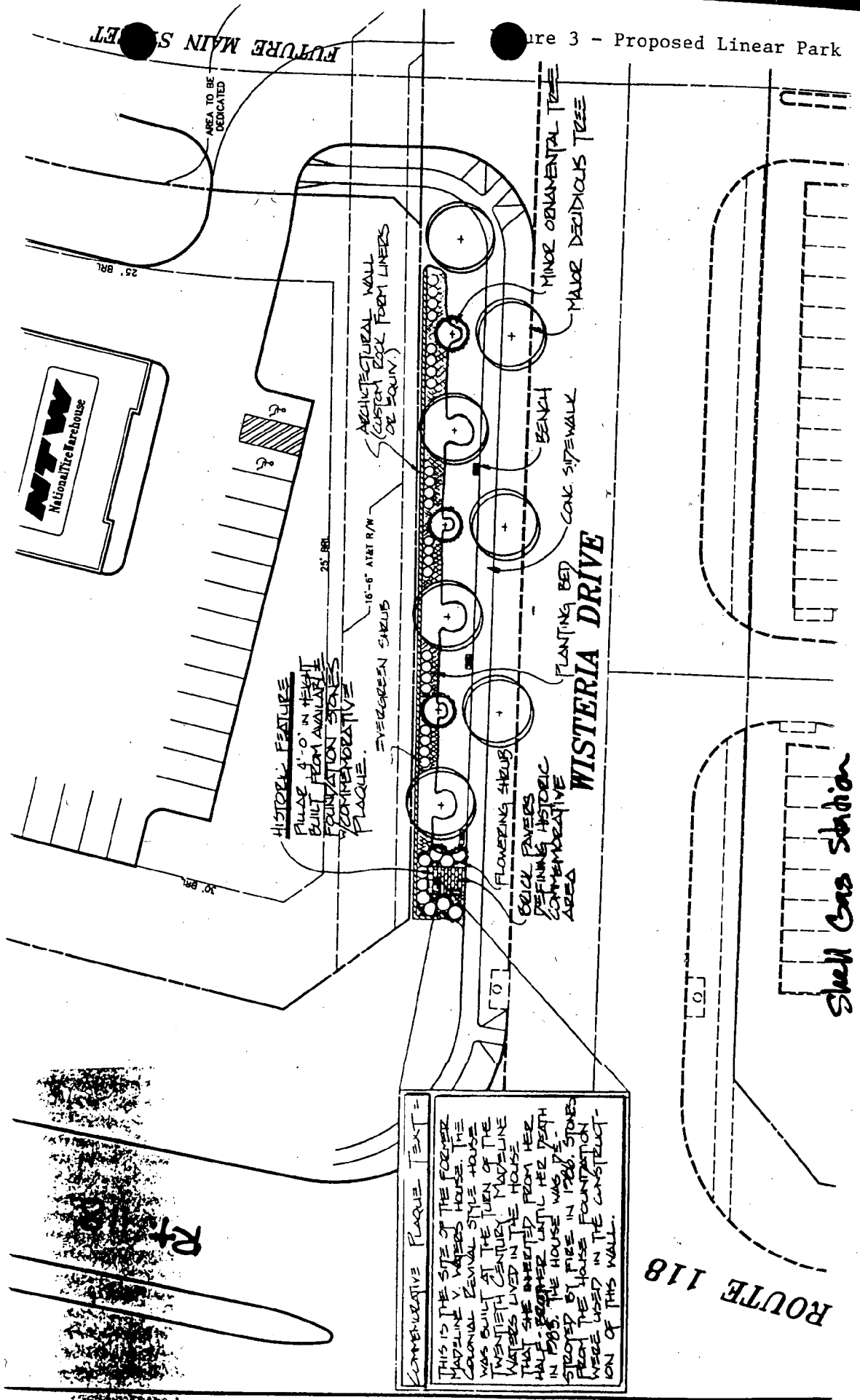
EXISTING BURGER  
KING PAD  
SITE

EXISTING  
SHELL GAS STATION  
PAD SITE



WILLOREO E.  
F.473

MONTGOMERY CO.  
L. 8868  
SHA PLAT NO. 5.  
(FUTURE MO 11E)



FUTURE MAIN STREET

AREA TO BE DEDICATED

**NFW**  
National Fire Warehouse

**HISTORICAL FEATURE**  
PILLAR 9'-0" IN HEIGHT  
BUILT FROM AVAILABLE  
FOUNDATION STONES  
COMMEMORATIVE  
PLAQUE

ARCHITECTURAL WALL  
(CUSTOM ROCK FORM LINERS  
OR EQUIV.)

EVERGREEN SHRUBS

16'-6" AT 18" R/M

25' BRL

25' BRL

BRICK PAVERS  
DEFINING HISTORIC  
COMMEMORATIVE  
AREA

FLOWERING SHRUBS

PLANTING BED

**WISTERIA DRIVE**

CONC. SIDEWALK

BENCH

MINOR ORNAMENTAL TREE

MAJOR DECIDUOUS TREE

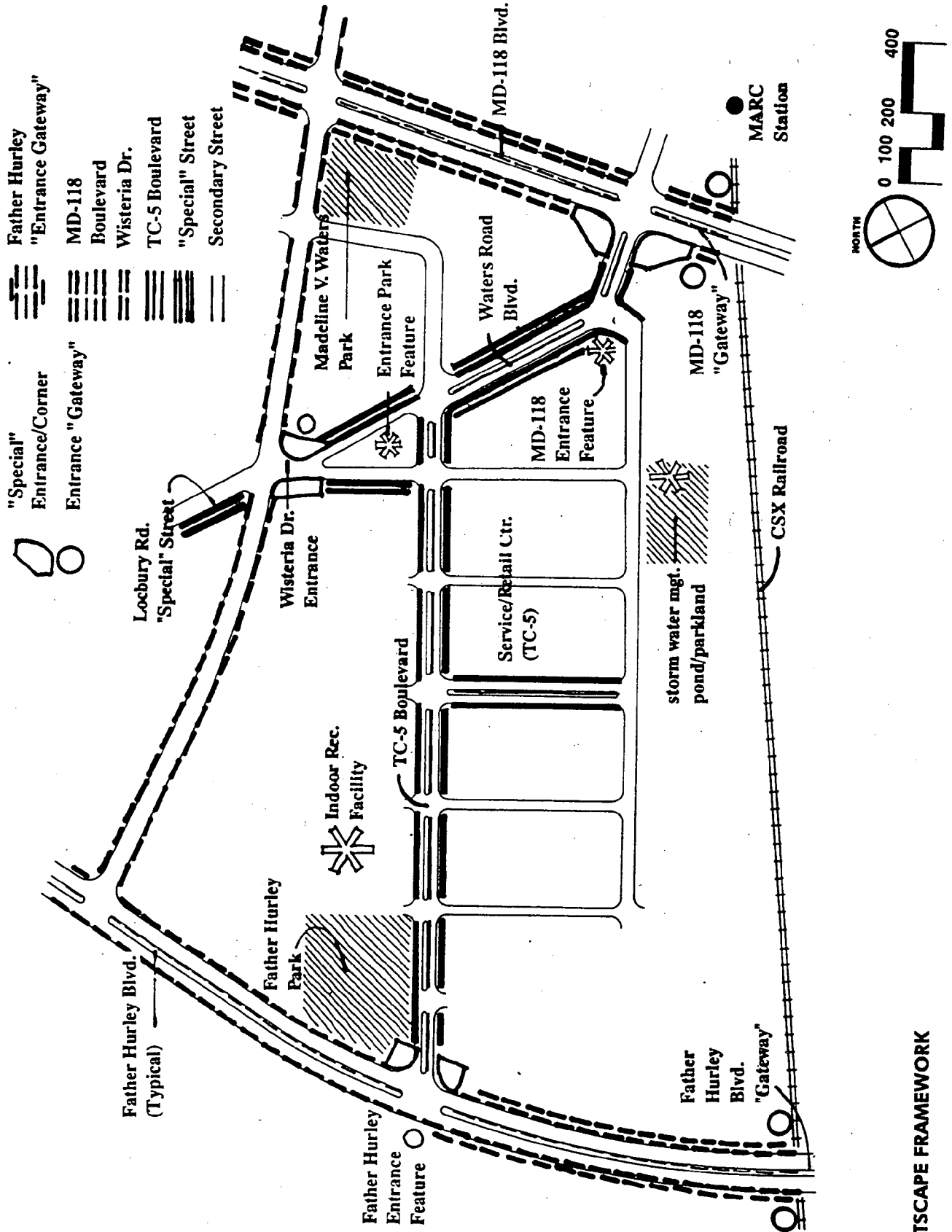
Shell Gas Station

ROUTE 118

**COMMEMORATIVE PLAQUE TEXT**  
THIS IS THE SITE OF THE FORMER  
MADYLENE V. WATERS HOUSE. THE  
COLONIAL REVIVAL STYLE HOUSE  
WAS BUILT AT THE TURN OF THE  
TWENTIETH CENTURY. MADYLENE  
WATERS LIVED IN THE HOUSE  
THAT SHE INHERITED FROM HER  
MOTHER UNTIL HER DEATH  
IN 1935. THE HOUSE WAS DE-  
STROYED BY FIRE IN 1968. STONES  
FROM THE HOUSE FOUNDATION  
WERE USED IN THE CONSTRUCT-  
ION OF THIS WALL.

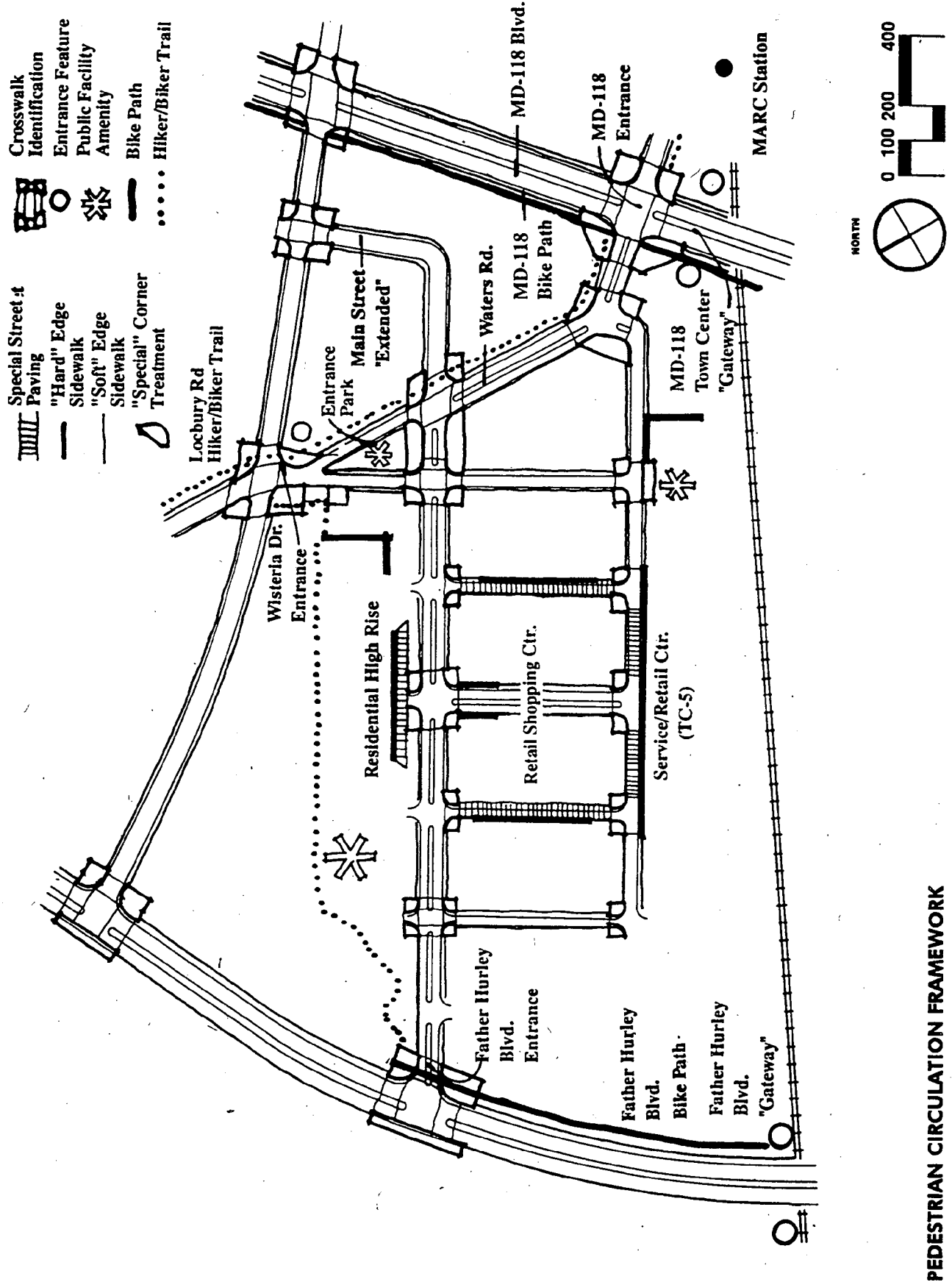
R+

Figure 4



STREETSCAPE FRAMEWORK

Figure 5



PEDESTRIAN CIRCULATION FRAMEWORK

# Road issue stalls plans for Germantown tire store

by James Eppard  
Staff Writer

A debate over what role a tire retail store should play in the Germantown Town Center's long-term scheme may cause the store's owners to look elsewhere.

County planning staff has recommended that National Tire Warehouse fund "Main Street," the conceptual avenue through the proposed Germantown Town Center. But NTW representatives say the recommendations are not "practical" or "legally justified."

In a Jan. 18 letter to Graham Norton, director of the Montgomery County Department of Transportation, NTW said, "This imposition would potentially result in abandonment of this proposed facility."

NTW has proposed building an 11,138-square-foot tire center on a 2-acre parcel at the southwest corner of the realigned Route 118-Wisteria Drive intersection. The plans include building a self-contained tire store in the middle of the parcel and dedicating a small portion of the property along Wisteria for a historical park.

The proposed park will include 10 to 12 trees, benches and an illustrative plaque commemorating the Madeline V. Waters house, which used to sit on the property before an arson fire destroyed it in 1986.

The plan has unanimous sup-

port from the Germantown Citizens Association board members, in part because the plans are sensitive to the property's history. The county planning staff also recommended approval of the site to the county Planning Board, but with some conditions.

The stipulation that has stalled the board's decision on the project's preliminary plans calls for NTW to dedicate a 10,000-square-foot right of way along their property for the proposed Main Street. As conceived, the road would begin near the NTW access on Wisteria, across from Sugarloaf Shopping Center, and extend northwest to Father Hurley Boulevard. The road will be the main access to the proposed retail shopping center.

NTW doubts the road will ever be built and contends that if it is built, it will benefit other retailers in the town center not them.

NTW also took issue with staff recommendations that NTW should build a portion of Main Street or agree to be assessed the cost of it when it is built.

"We don't need Main Street," Robert Harris, legal counsel for NTW, told the planning board Thursday. "We don't think the road will ever happen."

Harris said NTW would agree to the road dedication, but not to the funding. "We are prepared to do that. But to require us to pay

for it, if it is ever built, is just unreasonable," Harris said.

NTW representatives also reluctantly agreed to a string of conditions levied by the Historical Preservation Commission. The commission is arguing for more park trees and bushes and a say in how the store's architecture and

color schemes are designed. Brian Long, chairman of Citizens For A Town Center, reinforced the significance of NTW's appearance in the community.

"We're going to look closely at these first projects and architecture is going to be very important," Long said. He reassured

NTW representatives that the building would be visible above the proposed park's trees and insisted, "Give us a great building to look at."

The board deferred its decision on NTW's preliminary plans until the Main Street issue is resolved.

## The ICC split

SS GAZETTE OPINION - 2/1/95

The Intercountry Connector was as hot an issue during the November election as any other issue facing eastern Montgomery County. The community is deeply split between those who want the it built and those who do not.

Thankfully, however, the disagreement has not sunk to the sad level as in Poolesville, where the issue of whether or not to allow an Arabic school to be built has triggered vandalism and ugly acts of war between neighbors in that community.

What is happening in Poolesville should serve as a warning to those on either side of the ICC issue. We advise all parties to keep their perspective. There are so many factors involved that complicate the issue. But let's stick to the real issues. It helps no one when either side tries to oversimplify the issue with surveys or make it more difficult by fighting about who gets more newsletter ink or newspaper coverage.

The survey results that have been bandied about need to be taken with a grain of salt. Do not be too impressed by those that talk of the 85 percent

who want the road built. A lot of people would answer affirmatively when asked if they wanted world peace, but the real question might be, "Do you think it is possible?" The same goes for the ICC. The question should be phrased: Is it possible to build the ICC and answer all environmental concerns?

While we feel the survey oversimplifies the issue, we think those who will set about to print their own newsletter are complicating the issue. County residents know that there is a big contingent of people who oppose construction of the roadway. Publishing a newsletter to state that is surely a waste of time and energy that could go into research or lobbying efforts or other, more constructive, approaches to solving the problem.

We urge both sides to stay on the high road and disagree with each other with respect for the other position. It appears we have lost some of the ability to do that. We hope residents and business people of the eastern county can show the people of Poolesville how you are supposed to conduct yourself in a difference of opinion.

Clare

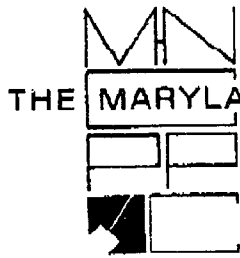
CC  
HLM  
BB  
MPS  
POP  
RDR

# News Clippings

February 1995

VOLUME 3

A service of the  
Montgomery County Planning Board  
Community Relations Office



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

FROM: Development Review Division - M-NCPPC

NAME: NTW-Germantown  
Project Plan No. 9-94002  
FILE NO.: Prelim. Plan 1-90069

Enclosed please find the information checked below. This material will be discussed at the Development Review Committee meeting of April 10, 1995 (no meeting scheduled if blank).

- New preliminary plan application with supporting material as appropriate
- Supporting material for previously reviewed preliminary plan
- Revised preliminary plan drawing
- New pre-preliminary plan application
- Comments due by \_\_\_\_\_

*\* - THIS ITEM WILL BE DISCUSSED AFTER REGULAR MEETING*

*Approved - 2:45 P.M.*



NTW--GERMANTOWN  
(PROJECT PLAN 9-94002, PRELIMINARY PLAN 1-90069)  
DEVELOPMENT REVIEW COMMITTEE MEETING  
APRIL 10, 1995

**I. LINEAR PARK**

- A. Location and Dimensions as Shown on Approved Project Plan
- B. Provide 4 Separate Meeting Areas Each with 2 Benches and Special Paving
- C. Simulated Stone Retaining Wall Along Property Line
- D. Sidewalk Along Wisteria Drive
- E. Sidewalk from Wisteria Drive, Along South Side of Main Street Extended and Along NTW Driveway to Parking Lot
- F. Double Row of Shade Trees (12), 3 1/2 Inch Caliper Along Wisteria Drive (7 Along Curb, 40 Feet on Center, and 5 in Second Row)
- G. Trees Along Walk into NTW Site
- H. Shrubs/Ground Plantings Along Retaining Wall
- I. Relocate Historic Marker to Seating Area Midway Along Wisteria Drive
- J. Maintenance, Management and Security Provided by NTW for On-Site Public Use Areas and Maintenance/Management for Off-Site Public Use Area Until Maintenance District Established

**II. MAIN STREET (SEE JANUARY 20, 1995 MC-DOT LETTER)**

**III. HISTORIC PRESERVATION**

- A. Construct Historic Pillar 6 Feet Tall and Affix Placque at Eye Level (approximately 4-5 Feet) (See Drawings)
- B. Relocate Historic Marker/Seating Area to a Point Midway Along Wisteria Drive

- C. **Historic Marker/Seating Area to Equal Other Three in Size, Special Paving and Benches**
- D. **Revise Language of Plaque Pursuant to Germantown Historical Society Request**
- E. **Building Materials**

**IV. TO BE DONE**

**A. Transportation**

- 1. **Horizontal alignment and conceptual profile study for Main Street**
- 2. **Site Distances Evaluation Certification form for Wisteria Drive intersection for MC-DOT approval (Note MC-DOT will reclassify Wisteria Drive)**
- 3. **Coordinate plan with construction drawings for relocated MD 118 and provide slope easements to accommodate proposed MD 118 grading including a 10 foot setback for sidewalks along relocated MD 118, sufficient space for a double row of shade trees, and a possible swale for stormwater runoff**
- 4. **Off-street loading and on-site circulation confirmation by MC-DOT**

**B. Other**

- 1. **Provide detailed signage and lighting plan at time of site plan review**

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

CABLE ADDRESS: WILAN  
TELECOPIER: 301-658-3978

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D. C.

WRITER'S DIRECT DIAL:

March 31, 1995

BY MESSENGER

Mr. A. Malcolm Shaneman  
Maryland-National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: NTW -- Germantown  
(Project Plan No. 9-94002 and  
Preliminary Plan 1-90069)

Dear Malcolm:

Thank you for organizing the meeting at 2:45 p.m. on April 10, 1995, with the Development Review Division, Urban Design and Historic Preservation Staff, representatives from Montgomery County Department of Transportation ("MC-DOT") and representatives from any other interested agencies. As we have discussed, the meeting will enable us to resolve several outstanding issues in connection with this Project Plan and Preliminary Plan. In order to facilitate the meeting, we have identified those outstanding issues and have outlined the issues on which agreement has already been reached. In addition, we have enclosed a copy of the previously prepared Project Plan and a detailed plan for the proposed linear park. Please note that this Plan does not reflect the potential revisions we hope to confirm at the April 10th meeting.

I. BACKGROUND

Project Plan 9-94002 was approved by the Planning Board at its hearing on January 26, 1995. At the same time, the Board agreed to postpone its decision on the Preliminary Plan to allow Staff, MC-DOT and NTW to resolve the issue of Main Street.

NTW and the M-NCPPC Staff have reached agreement on the majority of the issues involving the Project Plan and the Preliminary Plan and at this time, there are only three outstanding issues which need to be finalized. These issues are Main Street, the linear park and the historic preservation requirements. NTW needs to resolve these issues at this time in order to determine whether to proceed with a final Site Plan and the acquisition of the property given the potential impact on the

Mr. A. Malcolm Shaneman

March 31, 1995

Page 2

cost of developing the site and on the operation of its tire store.

## II. OUTSTANDING ISSUES

### A. Main Street

As you recall, MC-DOT Staff initially raised the issue of right of way dedication and funding for Main Street Extended at the initial DRC meeting last fall. In response to that request, NTW contemplated dedication of right of way for the new road but questioned the propriety of any obligation to fund it given: (1) the status of the road with respect to the Germantown Master Plan; (2) the absence of need for the road with respect to the NTW operation; (3) the uncertainty as to the future construction of the remainder of Main Street; and (4) various other reasons.

Just prior to the Project Plan hearing, MC-DOT proposed and NTW accepted a solution that would provide for NTW to dedicate the right of way and fund its pro rata share of the road. Specifically, the approval of MC-DOT, as reflected in MC-DOT's January 20, 1995 letter, provided for NTW to provide the dedication of Main Street Extended from Wisteria Drive through the limits of its property and full width construction of Main Street Extended between Wisteria Drive and the permanent driveway apron for the NTW site, as shown on the attached Project Plan. This agreement also reflects the obligation of NTW to construct curbs and gutters, sidewalks, storm drainage and appurtenances and street trees between Wisteria Drive and the permanent driveway apron but contemplates no installation of curbs and gutters, storm drains, sidewalks or street trees beyond that point at this time. The obligations for those remaining improvements will then become the pro rata obligation of the adjoining properties and the other properties to the rear of the NTW site which will be the principal beneficiaries of the extended road. The agreement was based on a number of factors including the fact that NTW was dedicating the majority of the right of way for this road, the limited benefit of the road to NTW and the estimated cost of constructing Main Street to the full width along a portion of the alignment.

Unfortunately, although MC-DOT and NTW had reached agreement on this point, we were late in informing M-NCPPC Staff of the

Mr. A. Malcolm Shaneman  
March 31, 1995  
Page 3

resolution and Staff was unprepared to accept it at the time of the Project Plan hearing in January.

NTW remains prepared to perform the obligations outlined in MC-DOT's letter with respect to the roadway, thereby ensuring the dedication for Main Street Extended and immediate funding of a pro rata share for the road. We believe this solution best responds to the interests of MC-DOT, M-NCPPC and our client. NTW seeks confirmation of this agreement from M-NCPPC Staff.

Also with respect to Main Street issues, we understand that MC-DOT has agreed to the location of the proposed driveway apron near the intersection of Main Street Extended and Wisteria Drive. In response to MC-DOT's request, NTW is also prepared to develop site distance evaluations for the proposed intersection of Wisteria Drive and horizontal alignment/conceptual profile studies for Main Street between Wisteria Drive and a point 500 feet to the south. These studies would be completed before action on the Site Plan occurs.

B. Linear Park Amenity Features

Condition No. 1 of the Planning Board's Project Plan Opinion calls for the provision of 4 separate seating areas within the Wisteria Drive linear park furnished with a total of 8 wooden benches, special paving, landscaping, an historic plaque and 12 shade trees of at least 3" to 3 1/2" caliper. NTW is in the process of revising the Project Plan to reflect these provisions and will be submitting the revised Project Plan to you prior to April 10. NTW seeks final confirmation that the revised amenity package satisfies its requirements in terms of the park amenities so that it may prepare final design plans for the park and complete its acquisition of the property with the knowledge of its obligations concerning the park.

C. Historic Preservation Design Issues

The Historic Preservation Staff set forth five recommendations in its January report to the Historic Preservation Commission. In accordance with these recommendations, NTW would construct the proposed historic pillar to a height of 6 feet and affix the commemorative plaque at eye level, between 4 and 5 feet. In response to the Staff's concern that the historic commemorative area was too close to the intersection of Wisteria Drive and Route 118 extended, the historic area would be relocated closer to the center of the

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Mr. A. Malcolm Shaneman

March 31, 1995

Page 4

---

property. It would also be equal in size to the other areas of special paving in the linear park. In addition, NTW would revise the wording of the plaque to reflect the language recommended by the Germantown Historical Society. NTW would provide staff with details regarding the design of the plaque prior to filing for the Historic Area Work Permit. NTW must review this redesigned park amenity with Historic Preservation Staff to confirm its agreement.

Finally, in its report, the Historic Preservation Staff notes that although it does not review paint colors it may review siding materials. NTW would like the opportunity to discuss this issue with Historic Preservation Staff at the April 10th meeting, with the hope that a mutually acceptable solution can be reached.

III. RESOLVED ISSUES

A. Pedestrian Access Improvements

As provided by Condition No. 2 of the Planning Board Opinion, NTW would provide a sidewalk and upgraded landscaping with shade trees from the intersection of the proposed Main Street extended and Wisteria Drive into its site.

B. Maintenance, Management and Security Agreement

Pursuant to Condition No. 5, NTW would provide the requisite agreements.

C. Grades and Easements

In accordance with Condition No. 7, prior to Site Plan submittal, NTW would provide a final grading and landscaping plan indicating the necessary slope easements to accommodate a 10 foot setback for sidewalks along Relocated Route 118 and sufficient space to achieve a double row of shade trees. NTW intends to coordinate this effort with MC-DOT in order to address the need for a swale along Route 118 with stormwater runoff from the site.

D. Location of Driveway

As the Project Plan indicates and as agreed to by MC-DOT, the driveway is to be permanently located approximately 65 to 70 feet from the existing curb line of Wisteria Drive.

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Mr. A. Malcolm Shaneman

March 31, 1995

Page 5

IV. CONCLUSION

It is our intention that the Main Street, linear park and historic preservation design issues will be resolved during our discussions on April 10th so that NTW may proceed with its site acquisition, Site Plan preparations and ultimately, its intended development plans to establish an NTW facility in Germantown.

As mentioned, we will forward the revised Project Plan to you as soon as possible once it is finalized.

Cordially yours,



Robert R. Harris



Patricia A. Harris

RRH/PAH:ae  
Enclosures

E:\10943001\LTRDRC.PAH

WILKES, ARTIS, HEDRICK & LANE  
CHARTERED

DISTRIBUTION LIST:

Mr. Joseph Y. Cheung  
Mr. Gregory M. Leck  
Mr. Steve Federline  
Mr. Gregory Cooke  
Ms. Flor Cascio  
Mr. Robert Thompson  
Mr. William Hamilton  
Ms. Nancy Thomas  
Mr. E. L. James  
Mr. Gene Ellicott  
Mr. Alan Soukup  
Mr. Gene Vongunten  
Ms. Janice Turpin  
Mr. Bernard Tetreault  
Mr. Stanley Wills  
Mr. Eric B. Larsen  
Mr. Edgar Gonzalez  
Mr. James Taylor  
Mr. Charlie Loehr  
Mr. Thomas G. Kennedy  
Ms. Gwen Marcus  
Ms. Robin Ziek  
Ms. Karen Kumm Morris  
Ms. Brooke Farquhar



ABLE ADDRESS: WILAN  
TELECOPIER: 301-856-3978

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D.C.

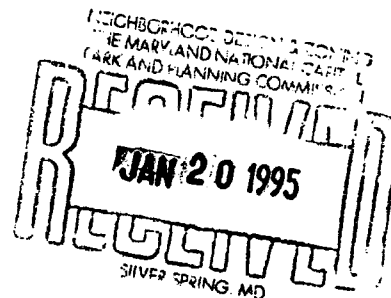
WRITER'S DIRECT DIAL:

(301) 215-6613

January 20, 1995

HAND DELIVERY

Mr. William Hussman, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland



Re: National Tire Warehouse at Germantown  
Project Plan No. 9-94002  
Preliminary Plan No. 1-90069

Dear Mr. Hussman:

On behalf of the Applicant, National Tire Warehouse ("NTW"), and in an effort to facilitate your understanding at the hearing, we have prepared the following comments regarding the above-referenced Project Plan and related Preliminary Plan.

I. PROJECT PLAN

Since the original Project Plan was filed on August 31, 1994, the Plan has undergone a lengthy review process at the staff level, which has included numerous meetings with Urban Design Staff, Historic Preservation Staff and the Montgomery County Department of Transportation ("MC-DOT") Staff. In response to the concerns expressed during this process, and prior to the preparation of the Staff Report, the Project Plan was revised several times with the hope of establishing a Plan which satisfied Staff's concerns. These various revisions were made to address the issues raised with respect to site design, open space, access to the site, historic preservation, landscaping, reforestation and the amenity package.

A. Conditions of Approval

Since receipt of the Staff Report, we have continued to evaluate the Staff's requests and are pleased to advise you that, as indicated on the enclosed plan, we are in agreement with Conditions of Approval 1 through 6 set forth in the Staff Report as follows:

Mr. William Hussman, Chairman  
January 20, 1995  
Page 2

Condition No. 1. Additional Amenities

Consistent with the Staff Report, the Applicant agrees to expand the pedestrian amenities to include 4 seating areas within the park furnished with eight wood benches. In addition, the Applicant agrees to provide special paving, upgraded landscaping (as set forth on the enclosed plan) and inclusion of the historic plaque.

Recognizing the need for an upgraded streetscape, the Applicant agrees to provide 10 shade trees at the 3" to 3 1/2" caliper recommended by Staff.

Condition No. 2. Pedestrian Access Improvements

As indicated by the enclosed plan and the revision sheet, the Applicant agrees to provide a sidewalk from the intersection of Main Street and Wisteria Drive parallel to the access driveway in order to accommodate pedestrian access to the project.

Condition No. 3. Public Dedication

As discussed in more detail below in connection with the Preliminary Plan, the Applicant will dedicate approximately 10,000 square feet for the Main Street Extended right-of-way.

Condition No. 4. Historic Site Approval

The Applicant agrees with Staff's recommendation with respect to obtaining the necessary Historic Preservation Commission ("HPC") approvals for the historic component of the project, but would recommend that the condition be revised in order to allow the Site Plan application to be filed prior to the HPC's final approval, with the understanding that approval of the Site Plan will not occur until after the HPC has finally approved the proposal. The Preliminary Consultation before the HPC is scheduled for January 25, 1995 and final approval before the HPC is anticipated for February 22, 1995. The Applicant strongly opposes the Staff's suggestion that the HPC shall approve the proposed architecture of the retail building (Staff Report Page 9). The Applicant notes the unique situation in this instance given that the designation of the site was based on the historic house which no longer exists. [The HPC's review should be limited to the linear park and the historic amenity.]

Mr. William Hussman, Chairman  
January 20, 1995  
Page 3

Condition No. 5. Maintenance and Management Agreements

Consistent with the Staff report, the Applicant agrees to provide maintenance and management of all on-site and off-site public use areas until such time, if any, that a future Maintenance District is established. The Applicant opposes any condition which would require NTW to be responsible for security in the off-site public use areas. As public space in the right-of-way, it is expected that this area will be secured by the police.

Condition No. 6. Signage and Lighting

As recommended by the Staff Report, the Applicant intends to provide a detailed signage and lighting plan at the time of site plan review.

B. Public Facility and Amenity Features

The amenity package is a major feature of the proposed Project Plan and the Applicant strongly believes that the revised amenity features outlined in this letter exceed the requirements of the optional method of development. In considering the Project Plan, the Board should be mindful of these features:

- Linear Park -- 4 seating areas, 8 wood benches, special paving, upgraded landscaping to include double row of shade trees and precast stone wall.
- Historic Component -- Historic monument, plaque and photographic image.
- Excess Green Space and Open Space -- The Project Plan provides an excess of approximately 27,000 square feet of green space. At the same time, the proposal greatly underutilizes the available density -- 30,000 square feet of density remains unused.
- Pedestrian Access Way to Site.
- Dedication of Right-of-Way -- Approximately 10,000 square feet to be dedicated.

Mr. William Hussman, Chairman  
January 20, 1995  
Page 4

- o Construction of Main Street From Driveway to Wisteria Drive (Note - this is not required for adequate public facilities and counts as public facilities and amenities under the zoning ordinance).
- C. Clarification of Staff Report

Finally, the Applicant would like to clarify two aspects of the Staff Report in order to avoid any future misunderstanding. First, the square footage of the linear park (Staff Report page 6) as measured from the property line to back of curb is approximately 6,000 square feet. Second, the Staff Report (page 4) provides that the proposed driveway is a temporary one until such time that Main Street is constructed. It is NTW's intention that the driveway will permanently remain in the proposed location and will not be relocated.

## II. PRELIMINARY PLAN

In regard to the Conditions of Approval in connection with the Preliminary Plan, NTW opposes any requirement related to the funding or construction of Main Street. The basis for the Applicant's opposition is explained in detail in the attached January 18, 1995 letter to Graham Norton, and summarized as follows:

### A. Questionable Nature of the Road

The proposed Main Street is not a Master Planned Road, is not included in the 1989 Germantown Master Plan, and has never been approved by the Montgomery County Council under the Master Plan process. The concept of Main Street is only contained in a Town Center Design Study prepared by M-NCPPC staff as an illustrative concept for the Town Center area.

### B. NTW Has No Need for the Proposed Road

A critical aspect that needs to be kept in mind is that the public facilities for the proposed project are adequate and Main Street provides no additional capacity. NTW enjoys adequate access to the site as a result of its Wisteria Drive frontage and, therefore, does not need Main Street for access or for transportation capacity.

Mr. William Hussman, Chairman  
January 20, 1995  
Page 5

C. If Any Need Exists for the Road, It is for the Benefit of Other Properties

NTW would in no way benefit from the construction of Main Street. All of the properties which abut the proposed Main Street presently have other means of access. Therefore, the only benefit of the road would be in providing a second means of access to those properties north and west of NTW.

D. Unreasonable Additional Burden on Very Small Project With Other Demands

The cost of the road construction when added to the costs of the other requirements including the right-of-way dedication, amenity features and impact fees would result in contributions by NTW to the public equal to nearly one-half of the value of the property.

E. No Legal Basis Exists

Nothing in the County's Subdivision Regulations or Chapter 49 of the Montgomery County Code (the Road Code) justifies the requirement for the dedication and construction of this road, which, as noted above, is not required for the development of the subject site.

In addition, the Supreme Court's recent decision in Dolan v. City of Tigard, 114 S. Ct. 2309 (1994), limits a jurisdiction's authority to impose restrictive requirements in connection with the development of a property. In this instance where the cost of the required contributions amounts to almost one-half the value of the property, it is clear that Dolan is being exceeded.

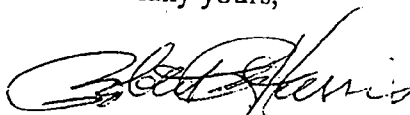
Based on the reasons set forth above and as agreed by the Department of Transportation, NTW agrees to dedicate the right-of-way and construct the initial section of the roadway from Wisteria Drive to the right-of-way line for Wisteria Drive as well as that portion of the roadway which will serve as the driveway to the NTW lot as shown on the Project Plan. NTW opposes any requirement to fund other road improvements.

WILKES, ARTIS, HEDRICK & LANE  
CHARTERED

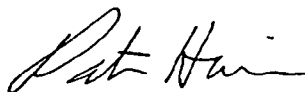
Mr. William Hussman, Chairman  
January 20, 1995  
Page 6

Thank you for your consideration of this matter.

Cordially yours,



Robert R. Harris



Patricia A. Harris

Encl.

cc: The Honorable Patricia Baptiste  
The Honorable Davis Richardson  
The Honorable Ruthann Aron  
The Honorable Arthur Holmes

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: MD Route 118 & Wisteria Drive, Germantown Meeting Date: 1/25/95

Resource: Former site Madeline V. Waters House, Master Plan Site #19/13-1 Review: Preliminary Consultation

Case Number: Not Applicable Tax Credit: No

Public Notice: 1/11/95 Report Date: 1/18/95

Applicant: National Tire Warehouse Staff: David Berg

PROPOSAL: Construction of retail store and historic site commemorative park. RECOMMEND: **Further Study**

---

BACKGROUND

The applicant's 1.99 acre lot is the former site of the Madeline V. Waters House, a Colonial Revival structure built around 1900. Horace Waters, the original resident of the house, was a prominent figure in the Germantown community who owned the general store in Old Germantown. Although the house succumbed to arson on April 1, 1986, the site retains its historical importance as the former site of an architecturally significant house owned by a prominent local citizen important to the history and development of Germantown.

The applicant proposes to construct a 11,138 square foot retail sales center on the site of the former Madeline V. Waters House. The proposed structure would be located in the approximate center of the lot with slightly more open space to the rear (southwest) of the building.

As part of the site development, the applicant proposes to construct a linear park with a "Historic Commemorative Area" including a Commemorative Plaque. The plaque is to have text explaining the historic significance of the site, and a photographic etching of the house.

STAFF DISCUSSION

In addition to an eventual HAWP application, the proposed retail use requires the approval of a Project Plan under the Optional Method of development in an RMX-2 zone. The Standard Method of development would probably yield four single family detached residences. To justify the retail use proposed, the applicant must explain how and why the Optional Method of development would benefit the public and thus be preferable to the Standard Method. The proposed "Historic Commemorative Area" and the linear park are attempts to provide

public amenities that would justify the optional use.

The proposed site is isolated from any other historic resources in the Germantown area and is virtually surrounded by commercial buildings. Also, the historic house that once occupied the site is now gone. Although the Commission does have jurisdiction over the design of the proposed structure, staff discussion will therefore focus on the design of the linear park and "Historic Commemorative Area".

**ISSUES:**

- 1) Design, size, and location of "Historic Commemorative Area":
  - o **Staff feels that the design, size, and location of the Historic Component are inadequate. The historic park area should be the focal point of the amenities along Wisteria Drive to emphasize the historic nature of the site.**
    - A) **The proposed size of this area which is defined by brick pavers is about 12' square. There is another park amenity at the northeast corner of the site at the opposite end of Wisteria Drive. This park area is about 19' x 16'. Staff feels that the historic area is too small and should be enlarged to at least the size of the other proposed park.**
    - B) **The proposed pillar is too low to the ground, being only 4' in height. The plaque is approximately in the center of the pillar and is therefore at about waist level or lower. Staff feels that the pillar should be more substantial in order to become a focus of the park, and that the plaque should be closer to eye level (between 4 and 5 feet high) to better accommodate readers.**
    - C) **The proposed location of the Historic Commemorative Area is about 15' from the curb of Wisteria Drive near the intersection of MD route 118 and Wisteria Drive. Staff recommends that the location of the Commemorative Area be moved farther from the intersection (closer to the center of Wisteria Drive) if it is to be only 15' from the curbside. Isolation from the noise and bustle of the street would create a more peaceful setting consistent with the historic setting.**

2) Design and wording of the Commemorative Plaque:

Preservation staff has received two different versions of the wording and design of the commemorative plaque. The latest version dated January 16, 1995 does not show the actual design of the plaque (ie. the location of the text and photo-engraving of the house). This latest version also has shorter text that does not adequately state the historic significance of the Waters family or the site.



- The previous version, dated January 6, 1995 is somewhat better, stating that the Waters family was the oldest family of European descent in the Germantown area, but does not explain the significance of the Waters family and the site in relation to the history of the region. **It is staff's opinion that the currently proposed plaque is inadequate in design and wording. NTW's designers have not consulted with staff on wording and design specifics and are encouraged to do so before submitting final plans for the HAWP application.**
- o

3) Design of the retail structure:

The Commission must also review the proposed new construction on this site. The proposed retail structure would be an 18' 8" high structure of about 71' x 74' with a total square footage of about 11,138. The building is a standard NTW design consisting of concrete masonry units. The front facade would have signs advertising brand name tires and the warehouse itself. There would also be a service center garage door on the front elevation. The sides of the building will be solid masonry units with no fenestration. The rear elevation will have a garage door, and 3 other entrances with no windows.

Staff has had conversations with Brian Long, chairman of the Germantown Citizens Advisory Group concerning the design of the structure. Mr. Long has voiced concerns about the block-like design of the structure. He, and many other Germantown residents feel that due to the high visibility of the site and its historic location, the building should be more sympathetic to the history of the area by using stone or wood in the facade design.

Staff feels that although the use of more historic building materials would probably enhance the quality of the structure, the proposed design will not detract from the historic setting provided it is sufficiently separated from the Commemorative Park with distance and landscaping.

- o **Although the Commission does not review paint colors of proposals, it does review siding materials. Staff points out that National Tire Warehouse has used other colors and materials on their buildings in Montgomery County. Specifically, the NTW building on East-West highway in Silver Spring is surfaced with a grey stucco. Staff feels that a facade similar to this may be more appropriate for the site.**

STAFF RECOMMENDATION

Staff recommends that the Commission advise the applicant to conduct **further study** and revise the proposal based on the preceding staff discussion.

## I. INTRODUCTION

National Tire Warehouse (NTW) proposes a retail tire sales center on a 1.99 acre site located at the southwest corner of the intersection of Wisteria Drive and Maryland Route 118 in Germantown. The site is currently vacant and is severed from the remainder of the property to which it was originally connected by the right-of-way for Maryland Route 118. Route 118 is being relocated to the south and east of the site. The subject site and the surrounding properties are zoned RMX-2 and have been planned for retail use by the 1989 Germantown Master Plan. Such retail uses require approval of a Project Plan under the Optional Method of Development provided for in the RMX-2 zone. This statement and the attached exhibits describe the proposed development, its consistency with the RMX-2 zoning standards and its compliance with the provisions of the Germantown Master Plan.

### A. Executive Summary

- Tract Area: 1.9946 Acres
- Zone: RMX-2 (Optional Method)
- Water & Sewer Categories: 3
- Planning Area: 19, Germantown and Vicinity
- Transportation Policy Area: Germantown Town Center
- Number of Proposed Lots: 1
- Proposed Use: Retail (Tire Sales/Ride Related Services)
- Proposed Gross Floor Area: 11,138 s.f.
- Parking Spaces:
  - Required = 11,138 s.f. @ 3.3/1000 = 37 spaces
  - + 11 employees @ 1/emp. = 11 spaces
  - 
  - Total Required = 48 spaces
  - Total Provided = 54 spaces
- Intensity: Maximum = 0.50 FAR  
Provided = 0.13 FAR
- Minimum green area or outside amenity area:
  - Required = 15% (11,728 s.f.)
  - Provided = appx. 50% (appx. 40,000 s.f.)
- Watershed: Great Seneca Creek (Class I)

- Stormwater Management: Waiver renewal request pending
- The site is the location of the former Waters House (demolished) which was previously designated for preservation (site 19/13-1D).
- Servicing utility companies:
  - Water and sewer: WSSC
  - Electric: PEPCO
  - Natural gas: Washington Gas
  - Telephone: Bell Atlantic
  - Cable: Montgomery Cable

**B. Description of Applicant**

NTW was founded in the Washington metropolitan area in 1971 as a tire retailer with an appeal toward mid-to-upscale markets. As it grew beyond the Washington area, it was acquired by Western Auto which, in turn, was later acquired by Sears Roebuck & Company. In addition to offering a full range of tires, NTW provides ride related services including alignments, brakes, shocks and struts, custom wheels, tire balancing and suspension service.

NTW's successful concept is based on the operation of clean, high-tech, upscale retail stores. In determining the location for an NTW facility, the company considers a number of important components. After a review of the upper county area of Montgomery County, NTW identified the subject site as the ideal location for the newest NTW facility. Consistent with NTW's criteria, the site offers a suburban location in the center of primary and secondary trade areas which contain more than 100,000 people within a 3 mile radius and 200,000 people within a 5 mile suburban area.

Another important criteria, and one which makes the subject site so desirable, relates to the location of neighboring retail facilities. The business strategy of NTW requires a location in or near a regional shopping area with high-volume traffic patterns. In this sense, NTW will help support the other Town Center retailers. A common practice among NTW customers is for the individual to drop his or her vehicle at an NTW facility and while the vehicle is being serviced, patronize the neighboring stores. It is important to note that the typical service time is approximately one hour. NTW does not permit customers to leave their cars unattended overnight. Also, truck delivery of stock items typically occurs about once a week. The preferable time of delivery is non-peak hours so that the NTW employees can assist in the unloading.

The following chapters of this Project Plan text; together with the accompanying maps and plans, provide the necessary contents of a Project Plan as indicated in Section 59-D-2.12 of the Montgomery County Zoning Ordinance. Also, Chapter V offers evidence in support of the certain specific findings by the Planning Board required for approval as indicated in Section 59-D-2.42.

APPENDIX D

Adjoining and Confronting  
Property Owners  
List

Martin & M.E. Poole  
19621 Waters Road  
Germantown, MD 20874

Paul E. McGee  
17808 Cashell Road  
Rockville, MD 20853

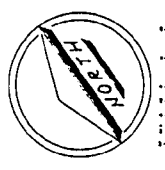
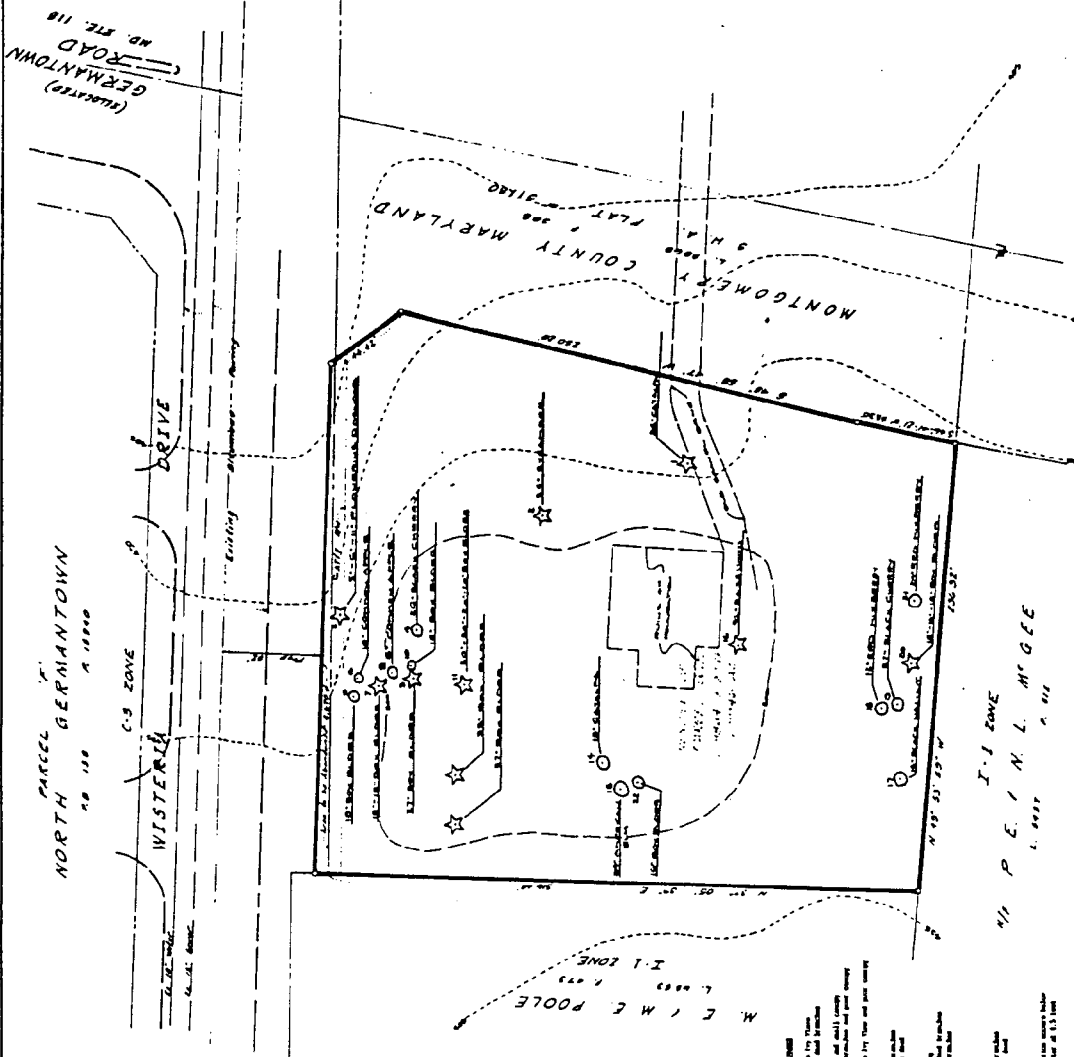
Fred K. & M.P. Huie  
7845 E. Sage Drive  
Scottsdale, AZ 85250

Mr. Jim Quinn  
Commercial Real Estate  
Chevy Chase F.S.B.  
8401 Connecticut Avenue  
Chevy Chase, MD 20815

Sugarloaf Center Ltd. Part.  
12933 Wisteria Drive  
Germantown, MD 20874

Phillip D. Keller, et al  
100 Lexington Drive  
Silver Spring, MD 20901

Montgomery County  
101 Monroe Street  
Rockville, MD 20850



**GENERAL NOTES**

1. Boundary has been obtained from GNR survey prepared by John N. McQueen dated May, 1982.
2. Easements from M.C.P.R.C. 200 include shall include easements in relation to the Green Stream Drain / Storm Plan by Kilde Consultants.
3. Existing water / sewer capacity 4.5 / 4.5 respectively.
4. Existing: Existing - Streets (as indicated on drawings)
5. New Foundations: Existing - Foundations - 1800 sq ft. Existing - Foundations - 2000 sq ft.
6. Proposed lot: 2000 sq ft.
7. Parking: Foundations: Existing - Foundations - 180 sq ft. Existing - Foundations - 180 sq ft.
8. Information concerning zoning for this site has previously been approved on Oct. 17, 1988. This plan complies with the requirements of that zoning.
9. The well on this site is 175' from the boundary with the adjacent lot.
10. An existing 400 year floodplain will be on this site.
11. The site, being on the Water Table, located on Map of the M.C.P.R.C. Southern Allegheny River District is part of the 100' Floodplain.
12. The site proposes abutting E. 17th St. at Wisteria Drive.

THE SURVEYOR HAS REVIEWED THIS PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL SURVEYING ACT.

**APPROVED**

WESLEY W. WILSON  
 Surveyor  
 10/14/90

**TAX MAP 20 541** W.E.S.G. 257 NW 13

**NATURAL RESOURCE INVENTORY FOREST STAND**

**HIT DEVELOPMENT PROPERTY**

**South GERMANTOWN**

**25 ELECTION DISTRICT**  
 HANTON COUNTY, MARYLAND

Macris, Hendricks and Gluscock, P.A.  
 Engineers - Planners - Surveyors

13010 0810

Drawn: JCS  
 Date: 10/14/90  
 Scale: 1" = 400'

**OWNERS / APPLICANTS**

W.P.E. / N.L. McQueen  
 418 East Diamond Ave.  
 Germantown, MD 20874  
 (301) 268-1855

**NATURAL RESOURCE INVENTORY FOREST STAND UTILIZATION**

I, WESLEY W. WILSON, a duly licensed Professional Surveyor in the State of Maryland, do hereby certify that the information herein is correct and true to the best of my knowledge and belief, and that I am duly qualified to perform the duties of a Professional Surveyor.

DATE: 10/14/90

WESLEY W. WILSON  
 Surveyor

**SURVEYOR'S CERTIFICATE**

I, WESLEY W. WILSON, a duly licensed Professional Surveyor in the State of Maryland, do hereby certify that the information herein is correct and true to the best of my knowledge and belief, and that I am duly qualified to perform the duties of a Professional Surveyor.

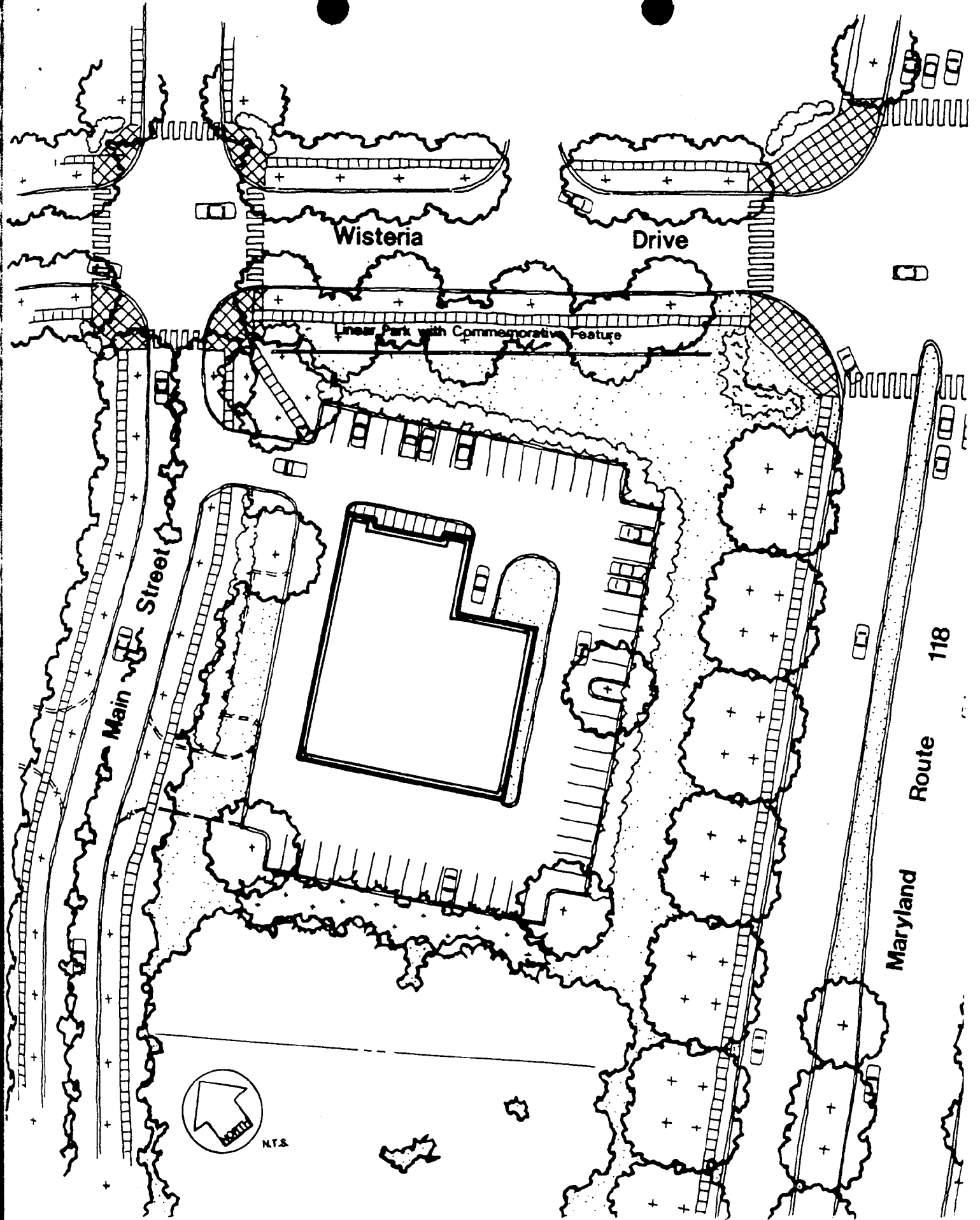
DATE: 10/14/90

WESLEY W. WILSON  
 Surveyor

**EXISTING UTILITIES**

NO.	DESCRIPTION	DATE
1	Water	1982
2	Sanitary Sewer	1982
3	Storm Sewer	1982
4	Electric	1982
5	Gas	1982
6	Telephone	1982
7	Other	1982
8	Other	1982
9	Other	1982
10	Other	1982
11	Other	1982
12	Other	1982
13	Other	1982
14	Other	1982
15	Other	1982
16	Other	1982
17	Other	1982
18	Other	1982
19	Other	1982
20	Other	1982

# Illustrative Concept Plan







This is the site of the former Madeline V. Waters House. The Waters family settled in the area in the late 1700's and is the oldest family of European descent in Germantown. The Colonial Revival style home was designed by the architect \_\_\_\_\_

\_\_\_\_\_ and built at the turn of the twentieth century. Madeline Waters lived in the house that she inherited from her half-brother, Lloyd Dorsey, until her death in 1983. The house was destroyed by fire in 1986. Stones from the original house foundation were used in the construction of this wall.



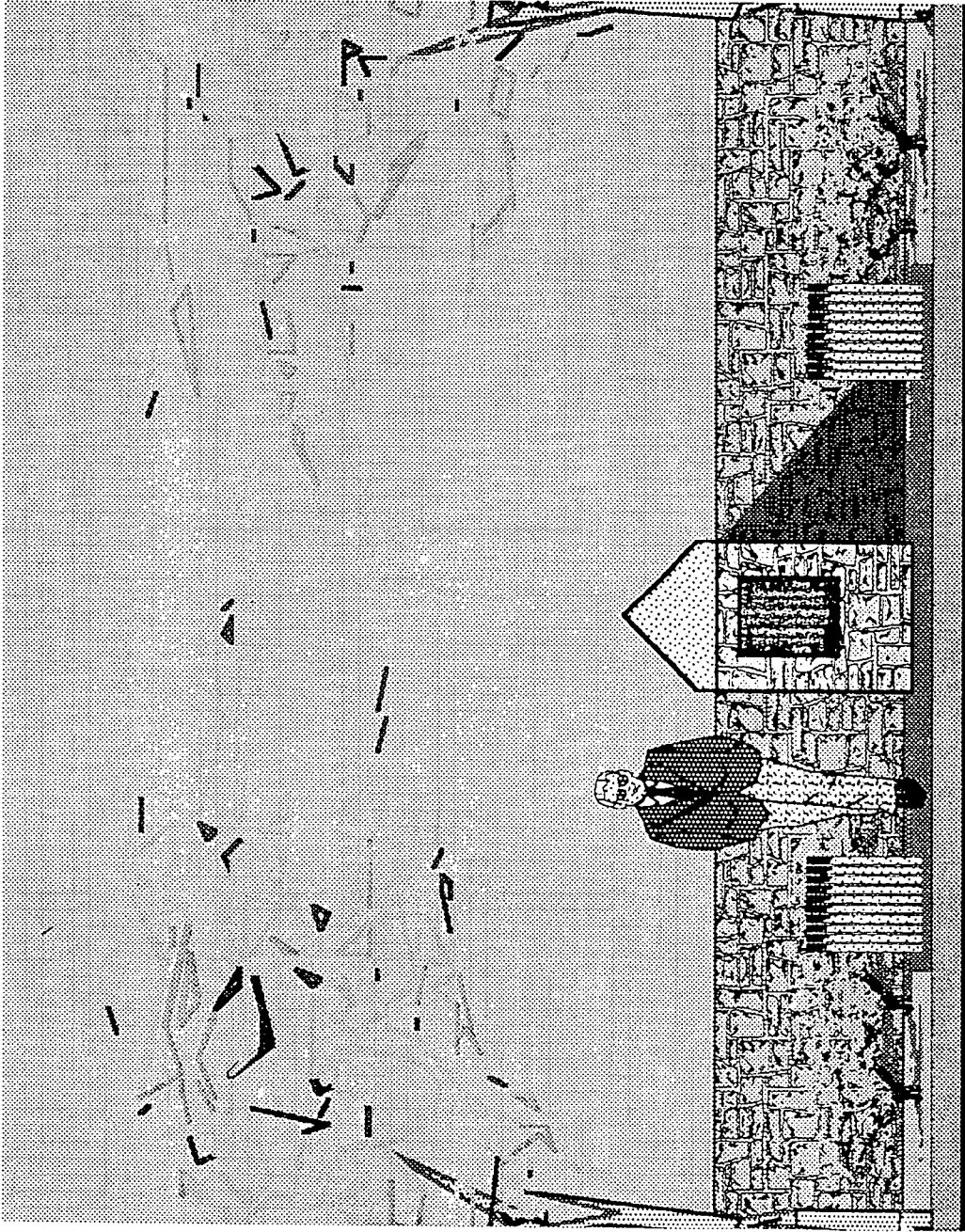
The Madeline V. Waters House

Earlier Version of Text

→ Earlier Version of Text ←

**Commemorative Plaque Concept**

(Actual Size Appx. 16" x 21" )



ILLUSTRATIVE ELEVATION  
LINEAR PARK HISTORIC FEATURE

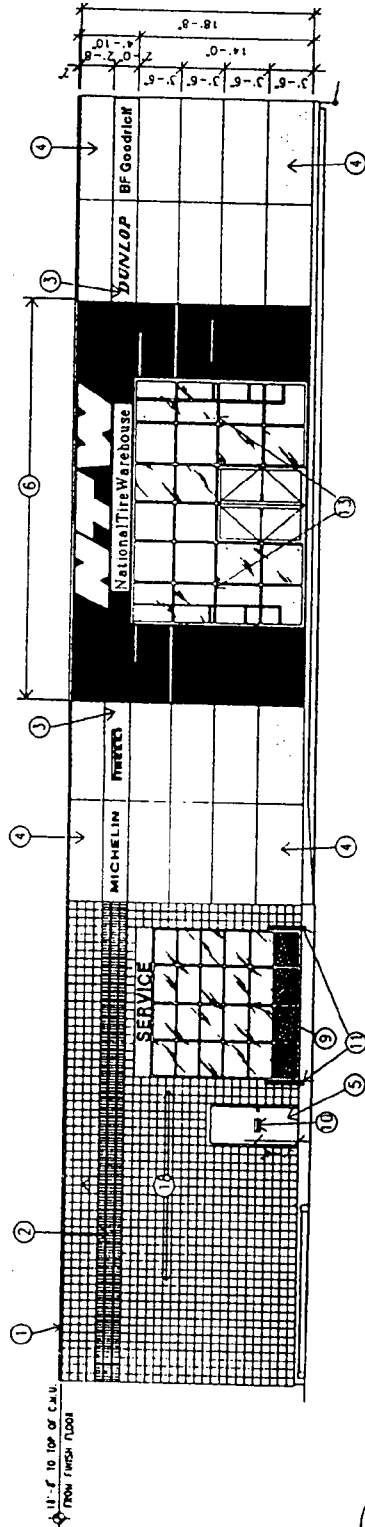
January 17, 1995

NTW

HERRING & TROWBRIDGE ARCHITECTS  
ARCHITECTURE • PLANNING • INTERIORS • GRAPHICS

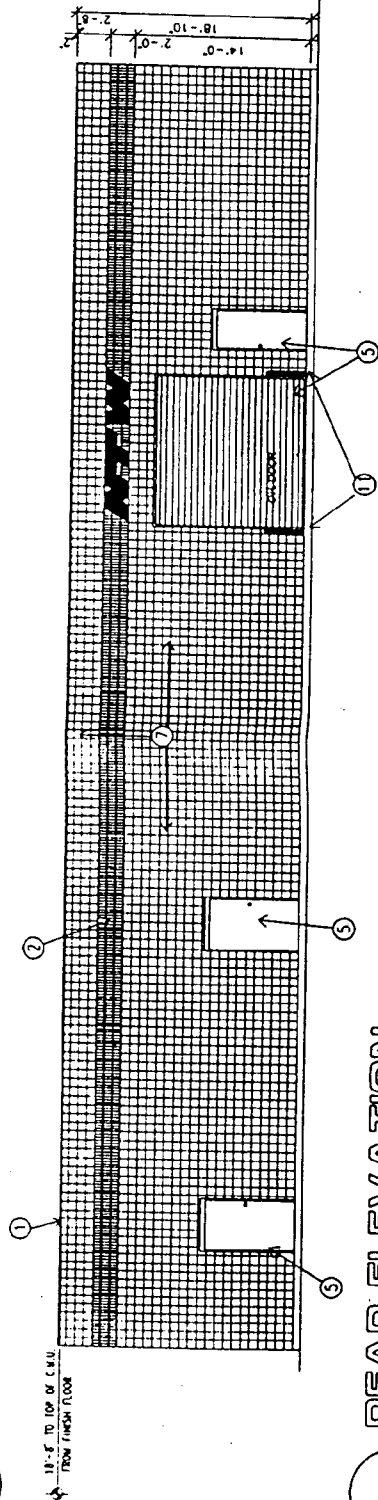
GERMANTOWN, MARYLAND

TRI-TEK ENGINEERING, P.C.  
CIVIL • ENVIRONMENTAL • LAND PLANNING



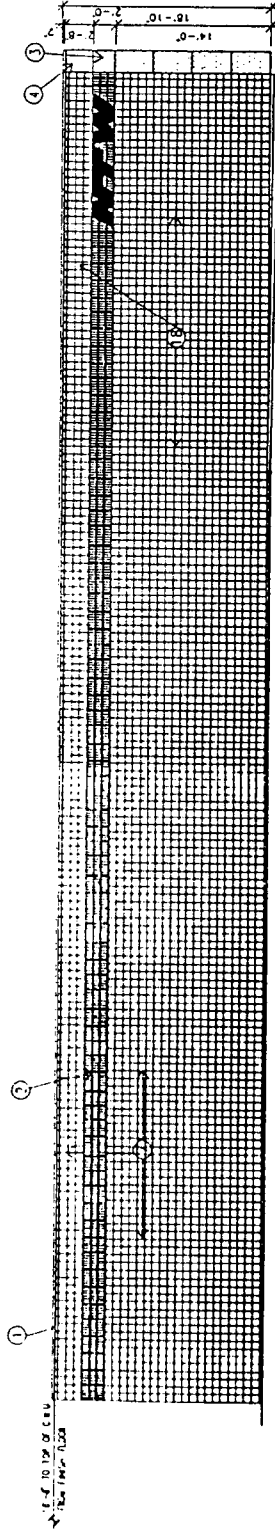
1 FRONT ELEVATION

SCALE: 1/8"=1'-0"



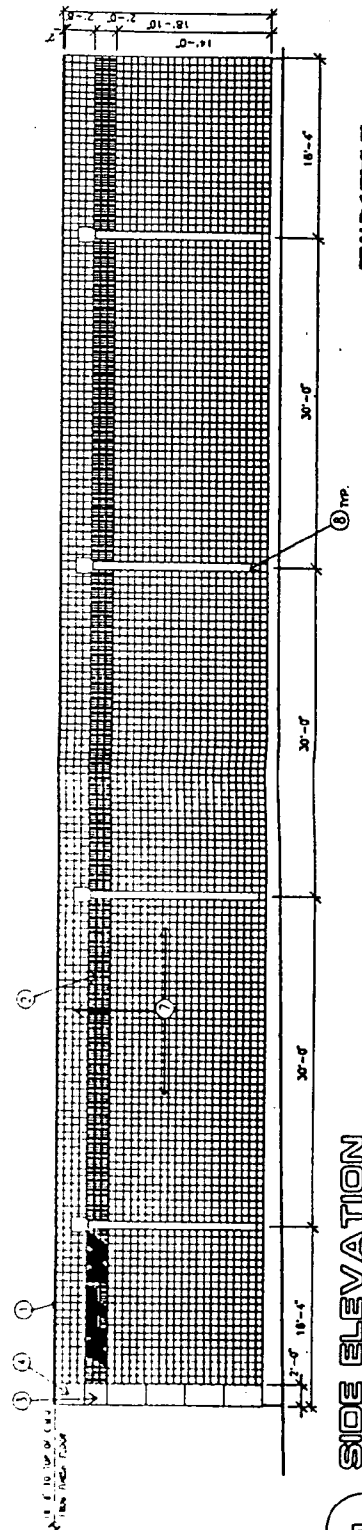
2 REAR ELEVATION

SCALE: 1/8"=1'-0"



SCALE 1/8"=1'-0"

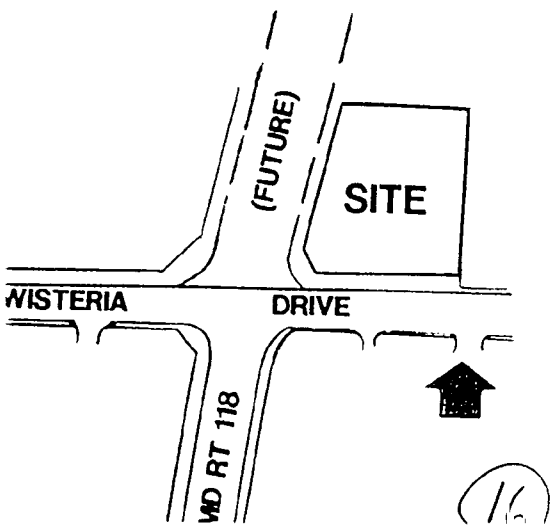
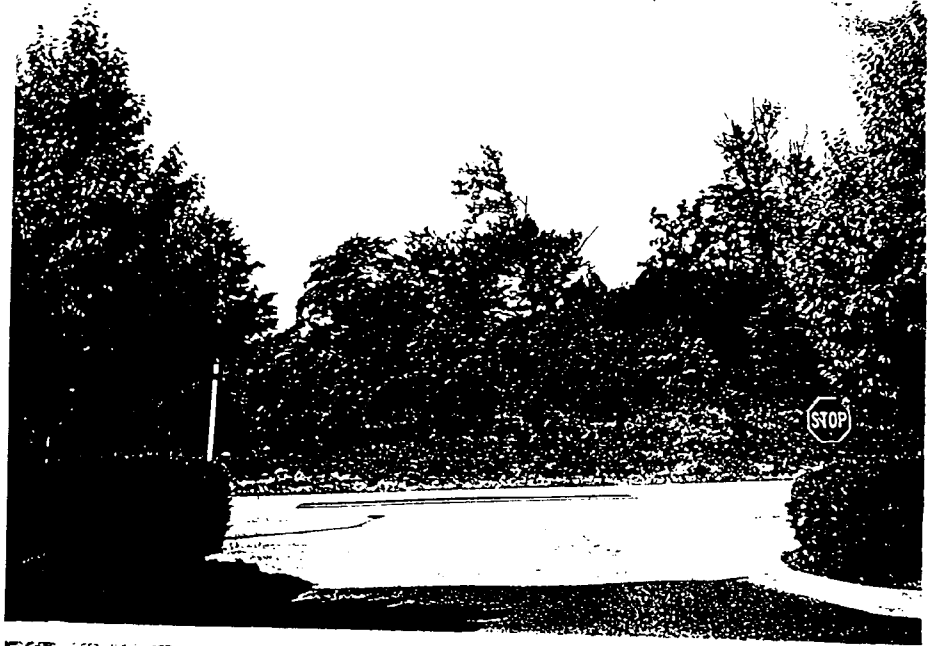
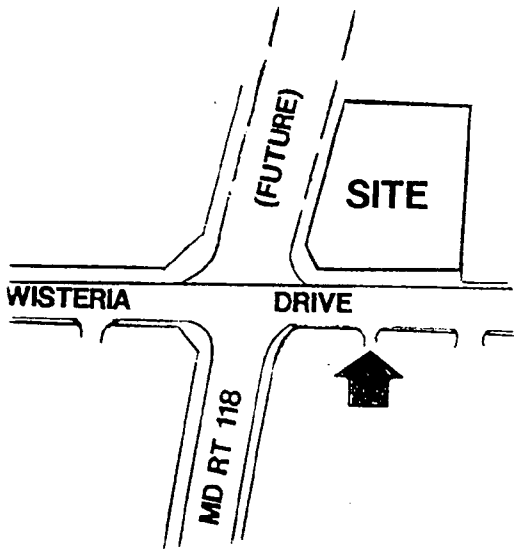
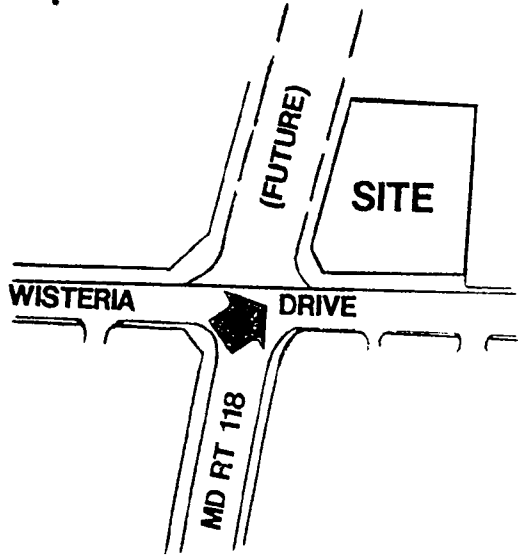
3 SIDE ELEVATION

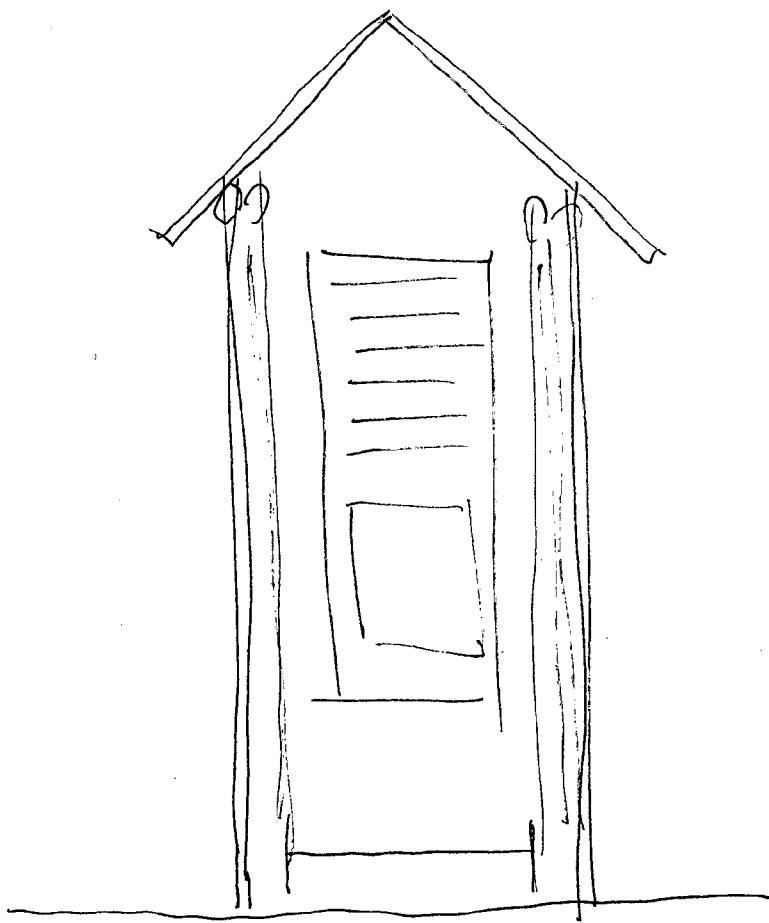


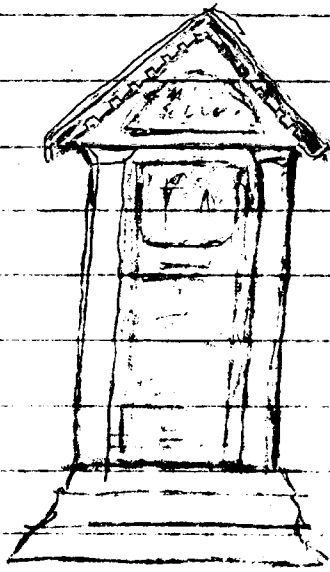
SCALE 1/8"=1'-0"

4 SIDE ELEVATION

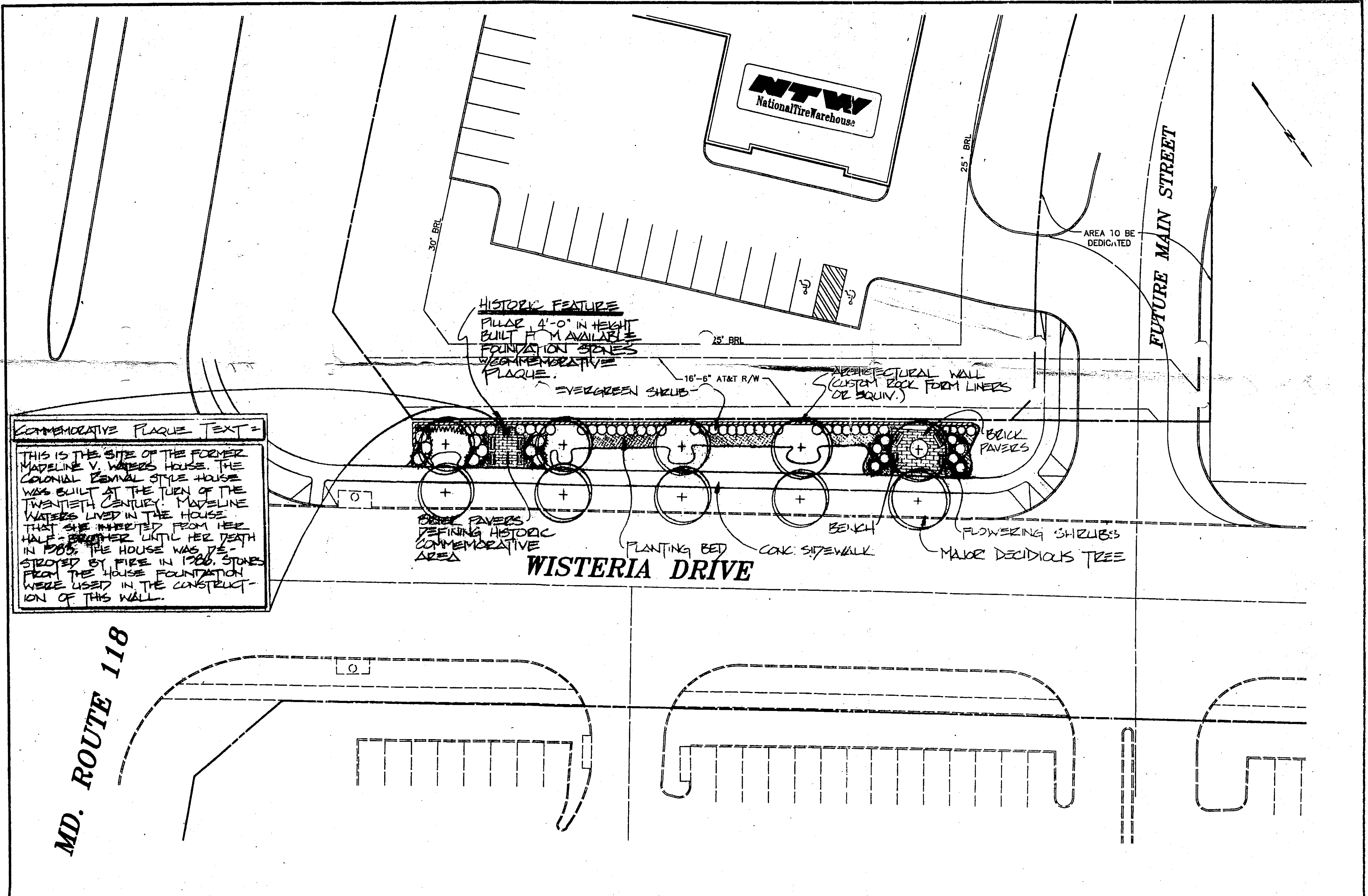
# Site Photographs











**COMMEMORATIVE PLAQUE TEXT**

THIS IS THE SITE OF THE FORMER  
MADELINE V. WATERS HOUSE. THE  
COLONIAL FEDERAL STYLE HOUSE  
WAS BUILT AT THE TURN OF THE  
TWENTIETH CENTURY. MADELINE  
WATERS LIVED IN THE HOUSE  
THAT SHE INHERITED FROM HER  
HALF-SISTER UNTIL HER DEATH  
IN 1955. THE HOUSE WAS DE-  
STROYED BY FIRE IN 1986. STONES  
FROM THE HOUSE FOUNDATION  
WERE USED IN THE CONSTRUCTION  
OF THIS WALL.

**TRI-TEK ENGINEERING**  
CIVIL & ENVIRONMENTAL & LAND PLANNING  
a professional corporation  
690 Center Street, Suite 200  
Herndon, Virginia 22070-5003 (703) 461-5900

**CONCEPTUAL PLAN**  
**NTW**  
GERMANTOWN, MARYLAND

DATE: JANUARY 17, 1995      SCALE: 1"=20'

0 10 0 20  
SCALE      FEET

CABLE ADDRESS: WILAN  
TELECOPIER: 301-656-3978

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D.C.

WRITER'S DIRECT DIAL:

(301) 215-6613

January 6, 1995

Mr. David Berg  
Historic Preservation Staff  
Maryland National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

**Re: National Tire Warehouse  
Historic Preservation Commission Preliminary  
Consultation Materials (Project Plan # 9-94002)**

Dear David:

As you are aware, National Tire Warehouse (NTW) is in the process of obtaining Project Plan approval in order to locate an NTW facility on the site located at the corner of Wisteria Drive and Route 118 Extended in Germantown. The subject property is the site of the former Madeline V. Waters house and is designated in the Germantown Master Plan as a historic site.

In connection with obtaining the necessary approvals from the Historic Preservation Commission, enclosed please find two copies of the following materials for the Preliminary Consultation scheduled for January 25, 1995:

1. Site Plan of the Subject Property;
2. Natural Resources Inventory of the Subject Property;
3. Photographs of the Subject Property;
4. Elevations of the Building;
5. Linear Park Concept Plan, including Historic Component;  
and
6. Narrative of the Commemorative Plaque. The bronze plaque will be approximately 16 inches by 21 inches in size and will be approximately  $\frac{1}{4}$  inch thick. The descriptive wording and the etching of the photographic image will be raised approximately  $\frac{1}{4}$  of an inch.

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Mr. David Berg  
January 6, 1995  
Page 2

Please do not hesitate to call if you have any questions regarding this information. We look forward to working with you on this matter.

Sincerely,



Patricia A. Harris

PAH/ewd

cc: Mr. Steve Larkin  
Mr. Ted Britt  
Mr. John Sekerak  
Robert Harris, Esq.

10943001

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

CABLE ADDRESS: WILAN  
TELECOPIER: 301-658-3978

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D.C.

WRITER'S DIRECT DIAL:

(301) 215-6613

January 4, 1995

**BY HAND DELIVERY**

Urban Design Division  
Maryland National Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

Re: **NTW Project Plan #9-94002**

Dear Karen:

Enclosed please find five copies of the revised Project Plan for the NTW site in Germantown. In order to facilitate the Planning Board's review of the Project Plan, we have revised the original statement to reflect NTW's current proposal.

This revised statement responds to the concerns that M-NCPPC staff and the Montgomery County Department of Transportation ("MCDOT") expressed in our numerous meetings regarding the original Project Plan filed in August, 1994. More specifically, the revised Project Plan addresses the concerns regarding the design and amenity components of the project, including the proposed pocket plaza, access to the site and the landscaping along Wisteria Drive. In addition, the revised Project Plan responds to the desires expressed by M-NCPPC staff for a linear park along Wisteria Drive.

In brief, the revised Project Plan contains the following changes:

1. **Main Street Extended**

Main Street Extended has been realigned to respond to the concerns of the Montgomery County Department of Transportation ("MCDOT").

2. **Linear Park**

The revised Project Plan includes a linear park along the Wisteria Drive frontage of the property, located in the County right-of-way. The linear park includes a historic

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Ms. Karen Kumm  
January 4, 1995  
Page 2

component to commemorate the site as the former location of the Madeline V. Waters house. The pocket plaza located at the corner of Wisteria Drive and Route 118 Extended has been eliminated in response to the concerns of M-NCPPC staff and MCDOT regarding the pocket plaza's proximity to Route 118 and the interference presented by the existing location of the AT&T easement.

3. Access

In order to address the traffic and access concerns expressed by M-NCPPC and MCDOT in regard to potential congestion at the corner of Wisteria Drive and Route 118 Extended, the revised Project Plan proposes access to the property at the northern portion of the property, off of Main Street Extended. The revised Project Plan eliminates the originally proposed driveway located toward the center of the site off of Wisteria Drive.

We believe that these modifications have resulted in an improved Project Plan and are grateful for the assistance and input that M-NCPPC staff and MCDOT staff provided during this process. We look forward to the Planning Board's consideration of the Project Plan as well as the Preliminary Plan on January 26, 1995.

If you have any questions, please do not hesitate to contact me.

Sincerely,



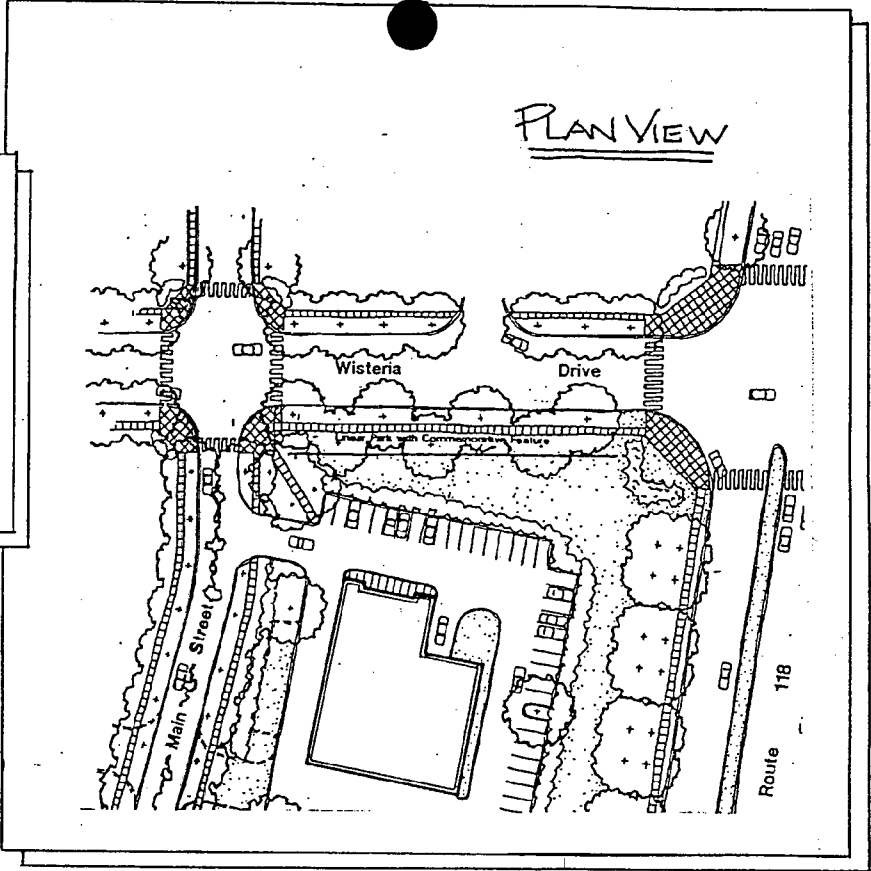
Patricia A. Harris

cc: Mr. David Berg  
Mr. Jim Taylor  
Mr. Malcolm Shaneman

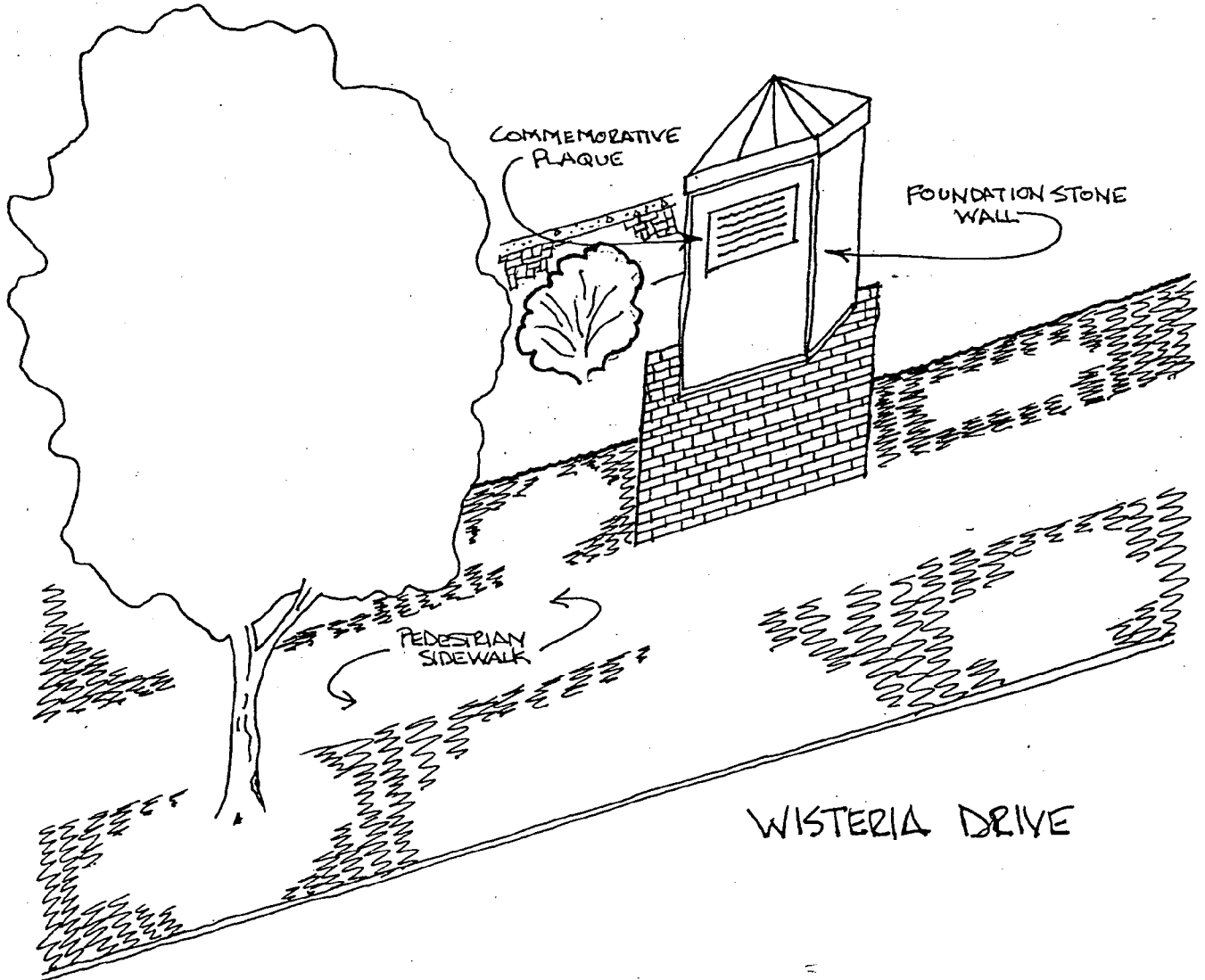
COMMEMORATIVE PLAQUE TEXT

THIS IS THE SITE OF THE FORMER MADELINE V. WATERS'S HOUSE. THE COLONIAL REVIVAL STYLE HOUSE WAS BUILT AT THE TURN OF THE TWENTIETH CENTURY. MADELINE WATERS LIVED IN THE HOUSE THAT SHE INHERITED FROM HER HALF-BROTHER UNTIL HER DEATH IN 1983. THE HOUSE WAS DESTROYED BY FIRE IN 1986. STONES FROM THE HOUSE FOUNDATION WERE USED IN THE CONSTRUCTION OF THIS WALL.

PLAN VIEW



CONCEPT SKETCH

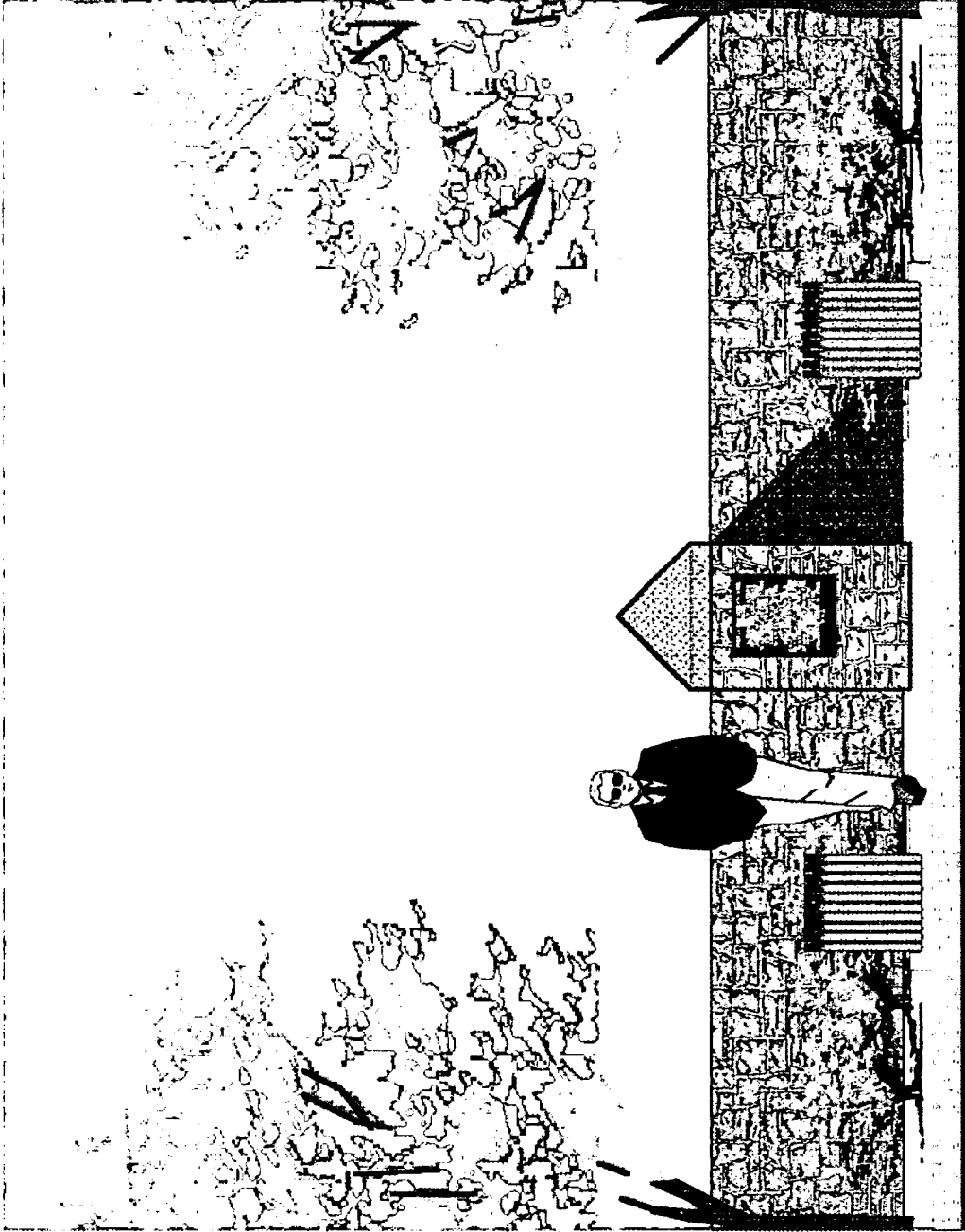


This is the site of the former Madeline V. Waters House. The Waters family settled in the area in the late 1700's and is the oldest family of European descent in Germantown. The Colonial Revival style home was designed by the architect \_\_\_\_\_ and built at



the turn of the twentieth century. Madeline Waters lived in the house that she inherited from her half-brother, Lloyd Dorsey, until her death in 1983. The house was destroyed by fire in 1986. Stones from the original house foundation were used in the construction of this wall.

### The Madeline V. Waters House



ILLUSTRATIVE ELEVATION  
LINEAR PARK HISTORIC FEATURE

January 17, 1995

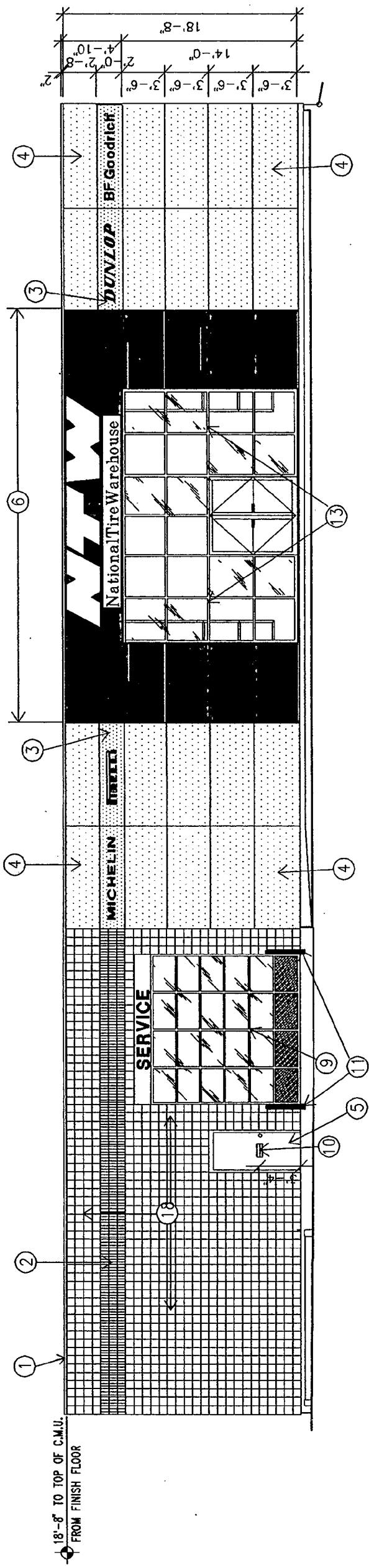
NTW

HERRING & TROWBRIDGE ARCHITECTS  
ARCHITECTURE • PLANNING • INTERIORS • GRAPHICS

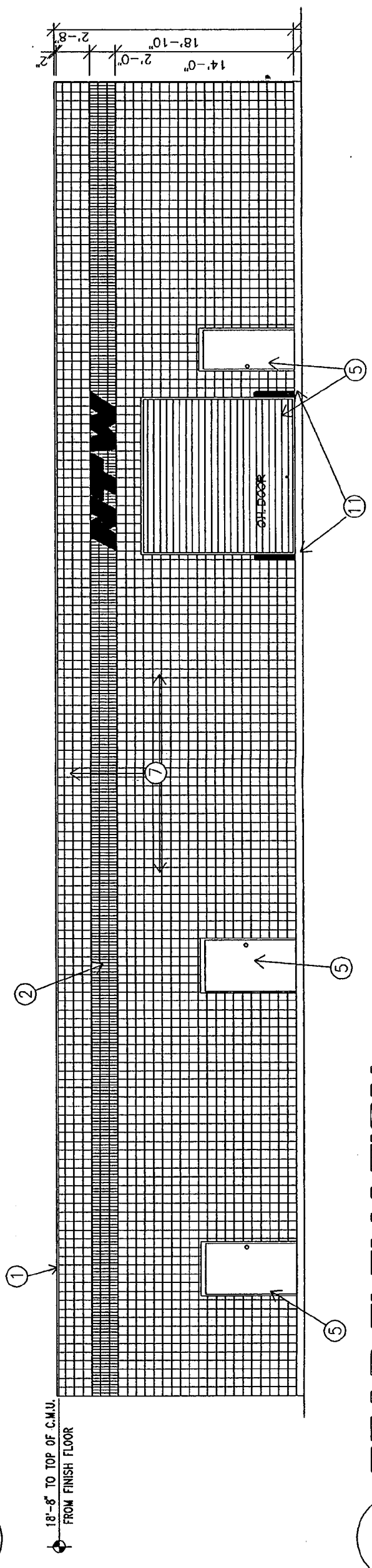
GERMANTOWN, MARYLAND

TRI - TEK ENGINEERING, P. C  
CIVIL • ENVIRONMENTAL • LAND PLANNING

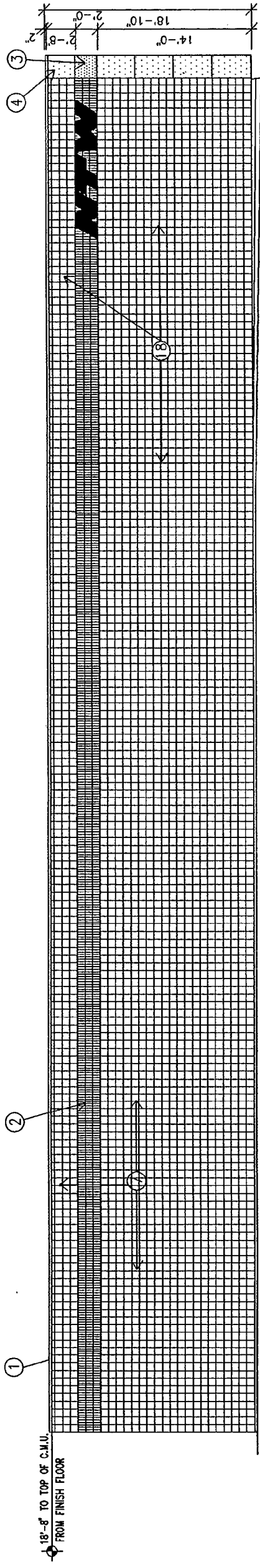




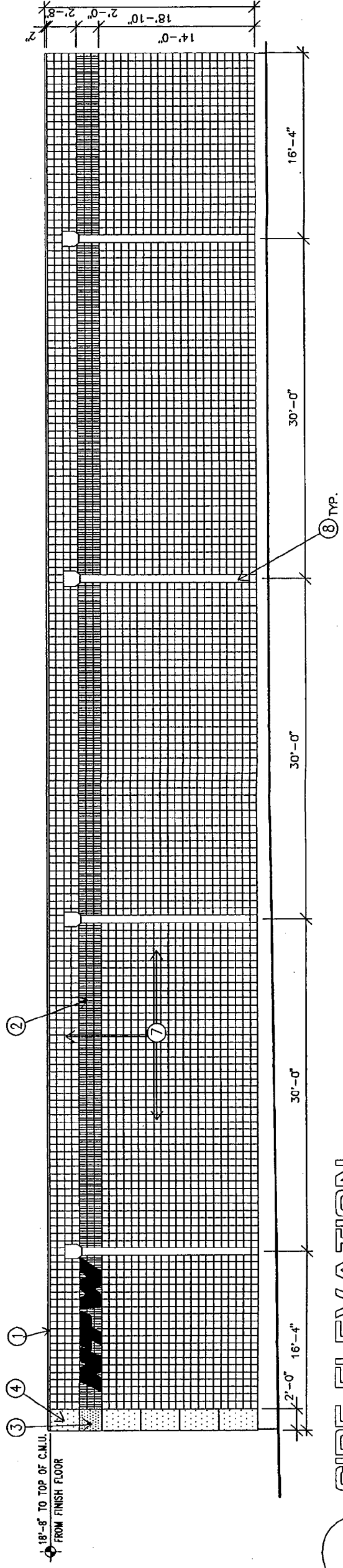
1 FRONT ELEVATION SCALE: 1/8"=1'-0"



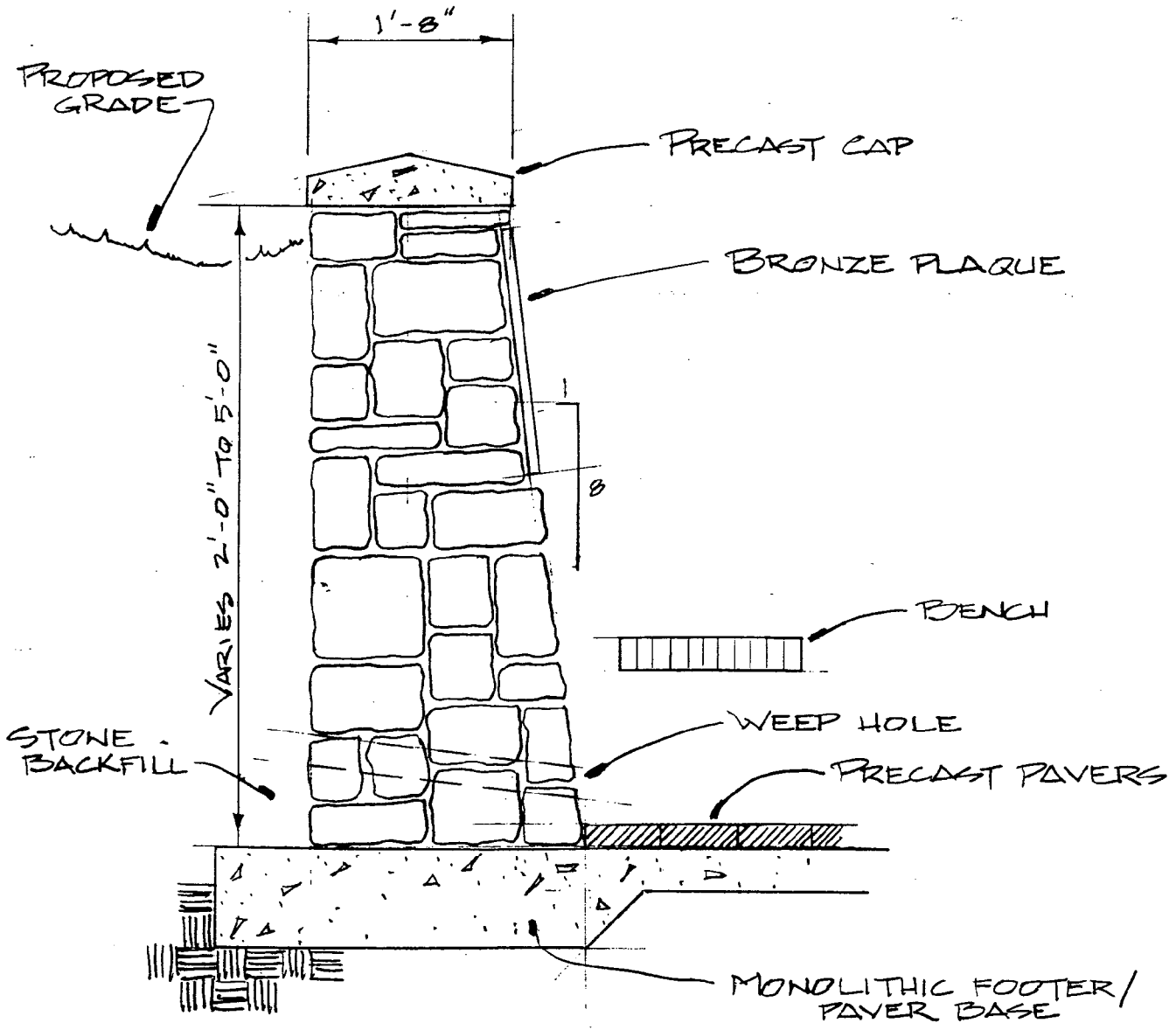
2 REAR ELEVATION SCALE: 1/8"=1'-0"



3 SIDE ELEVATION  
SCALE: 1/8"=1'-0"



4 SIDE ELEVATION  
SCALE: 1/8"=1'-0"



**Stone Wall Detail**  
Section

Scale: 3/4 = 1'

This is the site of the former Madeline V. Waters House. The Waters family settled in the area in the late 1700's and is the oldest family of European descent in Germantown. The Colonial Revival style home was designed by the architect \_\_\_\_\_ and built at

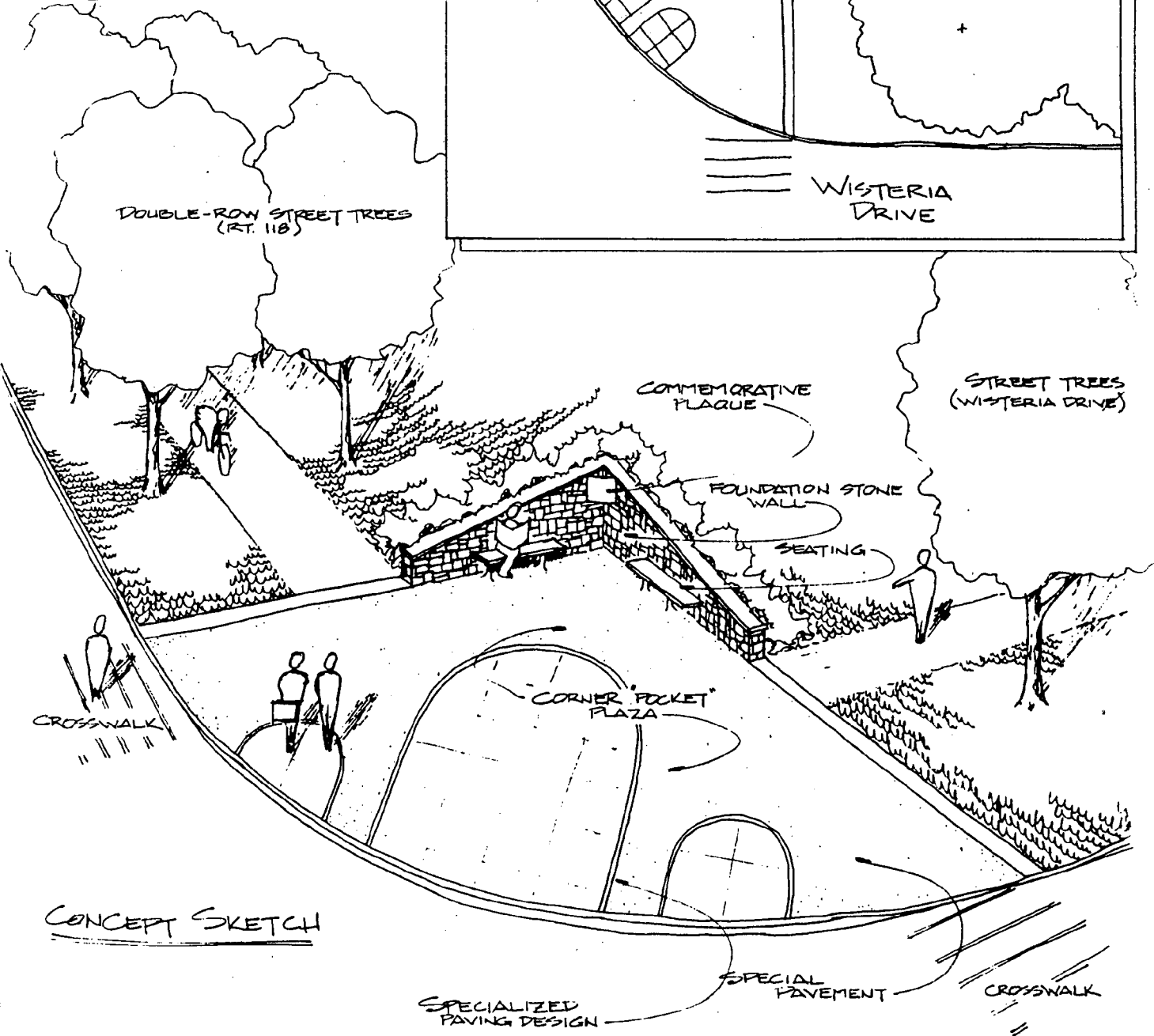
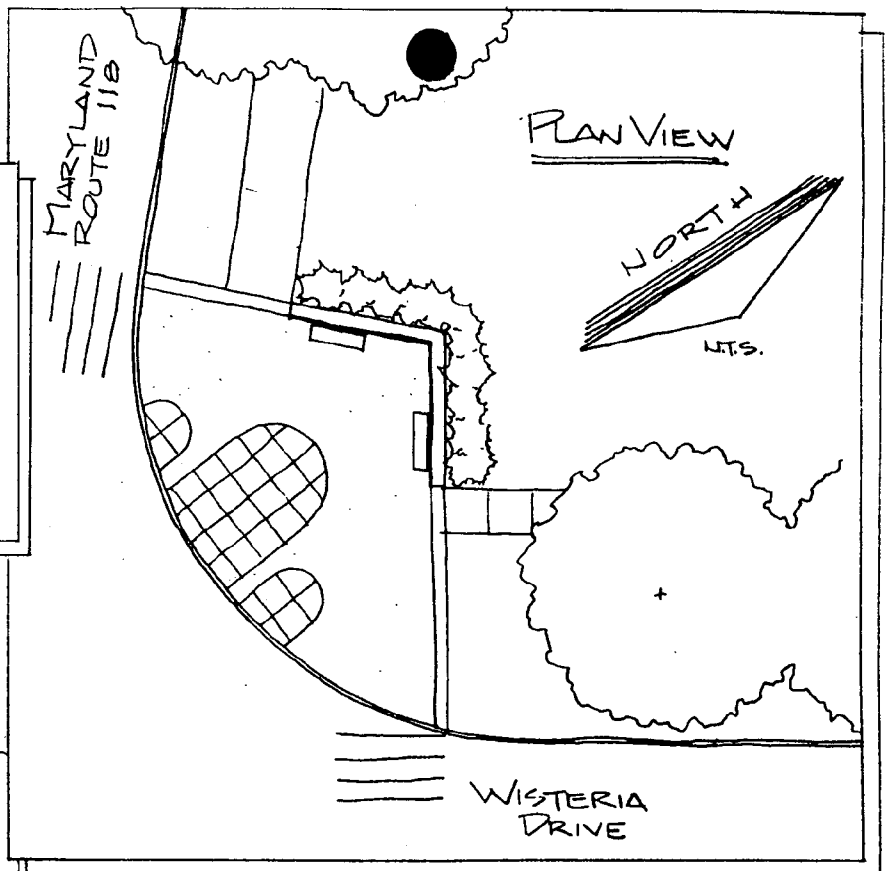


the turn of the twentieth century. Madeline Waters lived in the house that she inherited from her half-brother, Lloyd Dorsey, until her death in 1983. The house was destroyed by fire in 1986. Stones from the original house foundation were used in the construction of this wall.

### The Madeline V. Waters House

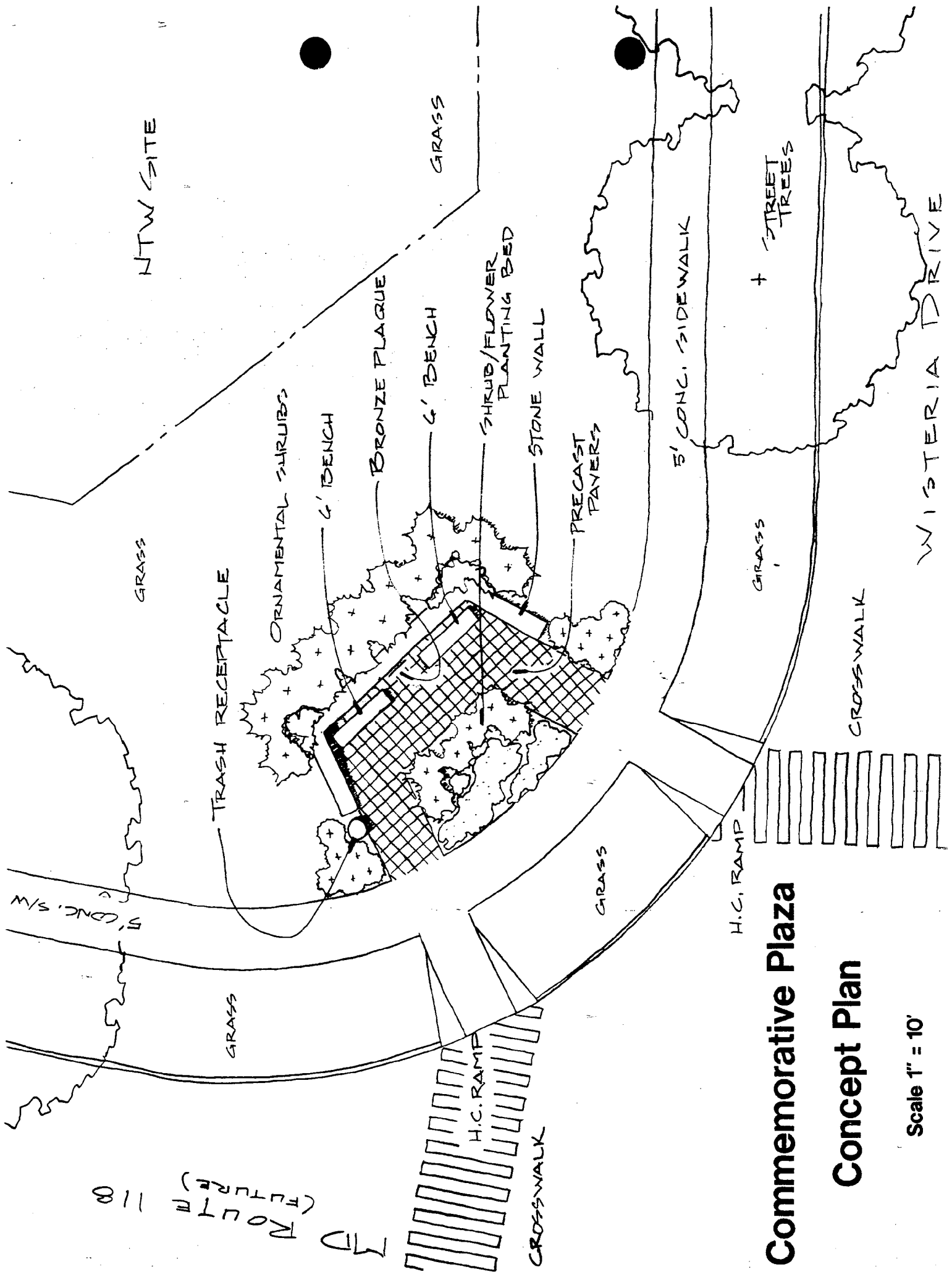
COMMEMORATIVE PLAQUE TEXT

THIS IS THE SITE OF THE FORMER MADELINE V. WATERS HOUSE. THE COLONIAL REVIVAL STYLE HOUSE WAS BUILT AT THE TURN OF THE TWENTIETH CENTURY. MADELINE WATERS LIVED IN THE HOUSE THAT SHE INHERITED FROM HER HALF-BROTHER UNTIL HER DEATH IN 1983. THE HOUSE WAS DESTROYED BY FIRE IN 1986. STONES FROM THE HOUSE FOUNDATION WERE USED IN THE CONSTRUCTION OF THIS WALL.



CONCEPT SKETCH

**The Madeline V. Waters House Commemorative Plaza**



ROUTE 118  
(FUTURE)

# Commemorative Plaza Concept Plan

Scale 1" = 10'

Montgomery County Planning Board  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD

Jan 22, 1995

TESTIMONY OF THE GERMANTOWN HISTORICAL SOCIETY ON THE NATIONAL TIRE  
WAREHOUSE PROPOSAL FOR THE MADELINE WATERS HOUSE SITE

The appearance of the structure and the landscaping of the ground is of concern to the Germantown Historical Society (GHS) because the property in question is only one block away from historic structures in the old town of Germantown and because it is located in what will in the future be the center of our town. The structure will be high on a hill, 15 feet above the roadway, overlooking the Sugarloaf shopping center. Being so visible the structure will set a precedent for future structures in the area.

Since the Germantown Master Plan retains the property as historic, even though the original building was destroyed, any structure built on the site must acknowledge that historical significance. The GHS believes that this means that the plaque recognizing the historical importance of the site must dominate the site and take visual precedence over any structure or signage for any business located on the site.

For these reasons we make the following requests:

1. The building be constructed of wood painted white or surfaced with stucco, surrounded by plants, trees, shrubs popular in the 1890s.
2. The building and surrounding parking area be lower than the existing ground level, ie: surrounded be an earth berm on the north, east and south.
3. Any signage for the business be confined to the entrance or building wall and not include any neon lighting. Any signs within visibility of the plaque must be smaller than and lower than the plaque. There can be no signs in the "Historic Commemorative Park."
4. GHS agrees with HPC staff that the Commemorative Park area should be larger, have seating (4 benches), and be centered between Rt. 118 and Main Street Extended.
5. The pillar containing the plaque should be 10 feet tall and made of wood painted white. It should be in a form that reflects the palladian window which dominated the center front of the Madeline Waters House, with Eastlake style pillars on either side. The plaque itself should be 3' x 2' and should be made of vandal-resistant material.
- 6 We have included here a suggestion for the wording on the plaque.
7. The GHS is also concerned with the park area located behind the NTW building. This must be developed as soon as possible for, left wild it is a magnet for trash and crime. This park should contain trees and shrubs typical of a Victorian garden park, with winding paths, not grid patterns.

Susan Soderberg, President

### WATERS HOUSE

This is the site of the Madeline V. Waters House, a Revival Style house completed in 1902 by Lloyd Dorsey, step-son of Horace Waters and half-brother of Madeline Waters. The Horace Waters family lived in the house until Madeline Waters and her nephew, Herbert Dorsey Waters, the last occupants, moved to nursing homes around 1980. Horace Waters owned the General Store in Old Germantown and was murdered during a robbery at his store in 1932.

The Waters family is the oldest family of European descent to have settled in this area -- three brothers, William, Basil and Zachariah Waters established plantations in what is now Germantown in the 1790s. The Horace Waters line is descended from William Waters.

The elegant house had the symmetry and refinement of detail typical of Classical Revival architecture of the late Victorian era and was the largest and most elaborate house in Germantown in the early 20th century. It was destroyed by arson April 1, 1986.



# IRONSITES™



COORDINATING BENCH &  
TRASH RECEPTACLE

*Continuous contours and gentle curves define the BETHESDA SERIES in a new approach to matching site amenities.*

Heavy 3/8" thick solid steel bars are formed and welded to define a profile. That profile constitutes the essential structural element in all the BETHESDA SERIES products. It provides enormous strength. It affords great flexibility in altering sizes and shapes while maintaining great product integrity.

The BETHESDA SERIES receptacles are available in two capacities and three heights. The S-42 and the shorter S-424 both offer 32-gallon capacity. The S-35 offers 24-gallon capacity. Each includes a standard tapered inner lid, or the optional raised domes (S-2 for 32-gallon size and S-1 for 24-gallon size), or low-profile domes with self-closing doors (DS-32 or DS-24).

The S-20 matching ash-urn is available, with construction similar to the BETHESDA SERIES receptacles. Optional inlaid stainless steel ash trays are available for the S-1 and S-2 tops.

Each bench includes a rigid steel center brace and a tubular steel cross brace which joins the arms to each other almost invisibly. These benches are provided with low-profile, vandal-resistant fasteners.

BETHESDA SERIES benches and receptacles are provided with levelling feet. They are designed to be free-standing or easily surface-mounted.

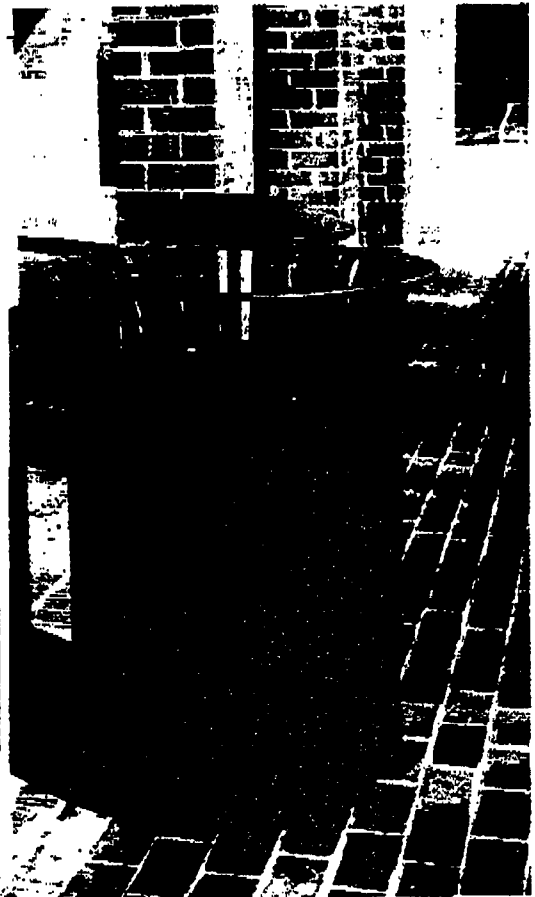
BETHESDA SERIES benches and receptacles are shipped in standard dark bronze powder-coated finish. Other colors are available on request.



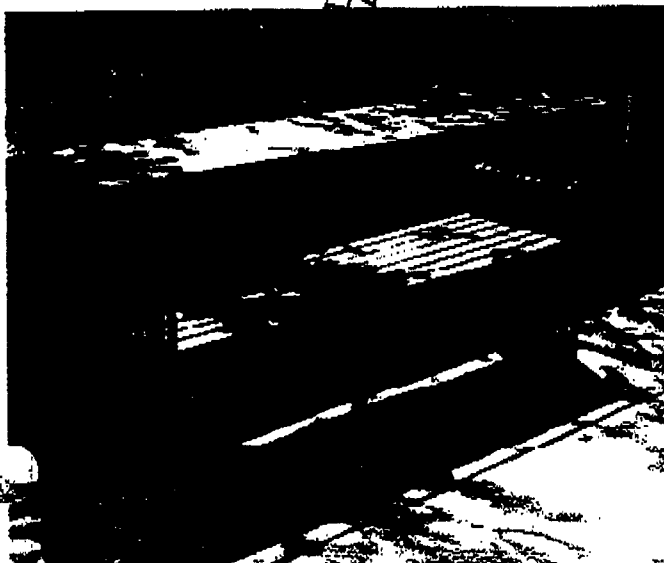
Model S-42: With standard tapered lid.



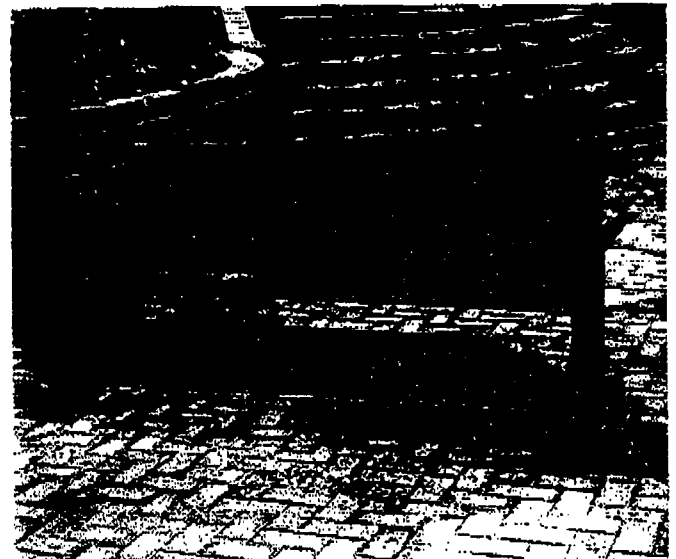
Model S-424: With optional DS-32 steel dome top.



Model S-42: With optional S-2 spun steel dome.



Model S-7: A backless bench with integral, curved armrests... utilizing 7 2 X 3 slats.



Model S-13: An extremely comfortable, reverse-contoured bench with integral curved armrests... utilizing 13 2 X 3 slats.

# Site Photographs





# Site Photographs



HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: MD Route 118 & Wisteria Drive, Germantown Meeting Date: 10/12/94  
Resource: Former site Madeline V. Waters house Master Plan Site # (19/13-1) Preliminary Consultation  
Case Number: Not Applicable Tax Credit: No  
Public Notice: 9/28/94 Report Date: 10/5/94  
Applicant: National Tire Warehouse Staff: David Berg  
PROPOSAL: Construction of retail store and historic site commemorative plaza RECOMMEND: Further study and historic site commemorative plaza

---

BACKGROUND

The applicant's 1.99 acre lot is the former site of the Madeline V. Waters house, a Colonial Revival structure built around 1900. Horace Waters, the original resident of the house, was a prominent figure in the Germantown community who owned the general store in Old Germantown. Although the house succumbed to arson on April 1, 1986, the site retains its historical importance as the former site of an architecturally significant house owned by a prominent local citizen important to the history and development of Germantown.

The applicant proposes to construct a 11,138 square foot, one story retail sales center on the site of the former Madeline Waters House. The proposed structure would be located in the approximate center of the lot with slightly more open space to the rear (southwest) of the building. At the rear, the applicant proposes to provide an open space amenity called the "Waters Garden naturalized area."

As part of the site development, the applicant proposes to construct a "Commemorative Plaza" commemorating the site of the Madeline V. Waters house. The proposed plaza would be at the corner of Wisteria Drive and the future extension of MD route 118. The plaza would feature a stone wall built with stones taken from the foundation of the Waters house and would have two park benches for pedestrians. The wall would display a bronze plaque containing historical information and a photographic etching of the Madeline V. Waters house. The proposed plaza would be located immediately off of the sidewalk about 15' from the curb of the intersection.

STAFF DISCUSSION

In addition to a HAWP application, the proposed retail use requires the approval of a Project Plan under the Optional Method of Development in an RMX-2 zone. The Standard Method of Development would probably yield four single family detached residences. To justify the retail use proposed, the applicant must explain how and why the Optional Method of development would benefit the public and thus be preferable to the Standard Method. The proposed "Commemorative Plaza," the general landscaping, and the "Waters Garden" are the applicant's attempts to provide public amenities that would justify the optional use.

The project is scheduled for evaluation by the Development Review Committee on October 11, and is tentatively scheduled for the November 11, Planning Board Agenda. Because there are zoning and preservation issues involved in this review, the staff of Design Zoning and Preservation has worked together to isolate the issues they feel are important.

Staff is receptive to the general design of the "Commemorative Plaza" but feels that it is too close to the road; its proposed location is approximately 15' from the curb of the MD 118 - Wisteria Road intersection. Staff feels that the value of such an historic site commemorative lies not just in its ability to impart historic information to a pedestrian observer, but also in its ability to give the person a sense of the historic place. Imparting this sense or feeling is partially achieved by creating a more peaceful surrounding that is isolated from the busy street. Isolation from the noise and bustle of the street gives the observer a chance to imagine a more pastoral setting consistent with the historic setting while reading the commemorative plaque. In the near future, traffic at this intersection will greatly increase and the plaza will not have the peaceful feeling compatible with the historic setting at its currently proposed location.

The current proposal sets the rear of the building approximately 70' from the southwest building restriction line. Staff suggests that the building be set back at least another 30' in order to afford more open space at the front of the lot. This added open space could be used to set the "Commemorative Plaza" in further from the street. The added space would also afford the opportunity to create a small public park at the front of the property. This park would create a public amenity that would better justify the use of the Optional Method of development. The creation of a park would also help achieve a more peaceful setting appropriate to the historic theme of the "Commemorative Plaza."

The plaza is set on the eastern corner of the lot which is the lowest point on the lot. The ground is about 12' lower at this corner than at the eastern edge of the proposed building site. This height difference creates a visual separation from the retail

store. This separation should be maintained in the final proposal.

Although the proposed 1/4 acre "Waters Garden" area behind the structure is primarily wooded, it is relatively isolated from public use due to its location at the rear of a retail store. Any trees that would be lost by setting the building back more could be made up for by trees planted at the front of the property. Possibly, the parking spaces could be re-arranged to minimize the loss of these trees.

#### STAFF RECOMMENDATIONS

Staff recommends that the Commission direct the applicant to revise the proposal to include the following:

- 1) The proposed building should be set back an additional 30' from Wisteria Drive.
- 2) The "Commemorative Plaza" should be set back more by moving it West by approximately 20'. The same approximate orientation of the plaza (facing West) should be maintained in order to use the contour of the lot to maintain a visual distance from the retail store.
- 3) The space obtained by increasing the front setback should be used to create a small park or park-like setting. The "Commemorative Plaza" should be the focal point of this park.

## I. INTRODUCTION

National Tire Warehouse (NTW) proposes a retail tire sales center on a 1.99 acre site located at the southwest corner of the intersection of Wisteria Drive and Maryland Route 118 in Germantown. The site is currently vacant and is severed from the remainder of the property to which it was originally connected by the right-of-way for Maryland Route 118. Route 118 is being relocated to the south and east of the site. The subject site and the surrounding properties are zoned RMX-2 and have been planned for retail use by the 1989 Germantown Master Plan. Such retail uses require approval of a Project Plan under the Optional Method of Development provided for in the RMX-2 zone. This statement and the attached exhibits describe the proposed development, its consistency with the RMX-2 zoning standards and its compliance with the provisions of the Germantown Master Plan.

### A. Executive Summary

- Tract Area: 1.9946 Acres
- Zone: RMX-2 (Optional Method)
- Water & Sewer Categories: 3
- Planning Area: 19, Germantown and Vicinity
- Transportation Policy Area: Germantown Town Center
- Number of Proposed Lots: 1
- Proposed Use: Retail (Tire Sales/Ride Related Services)
- Proposed Gross Floor Area: 11,138 s.f.
- Parking Spaces:
  - Required = 11,138 s.f. @ 3.3/1000 = 37 spaces
  - + 11 employees @ 1/emp. = 11 spaces
  - 
  - Total Required = 48 spaces
  - Total Provided = 49 spaces
- Intensity: Maximum = 0.50 FAR  
Provided = 0.13 FAR
- Minimum green area or outside amenity area:
  - Required = 15% (11,728 s.f.)
  - Provided = appx. 50% (appx. 40,000 s.f.)
- Watershed: Great Seneca Creek (Class I)



- Stormwater Management: Waiver renewal request pending
- The site is the location of the former Waters House (demolished) which was previously designated for preservation (site 19/13-1D).
- Servicing utility companies:
  - Water and sewer: WSSC
  - Electric: PEPCO
  - Natural gas: Washington Gas
  - Telephone: Bell Atlantic
  - Cable: Montgomery Cable

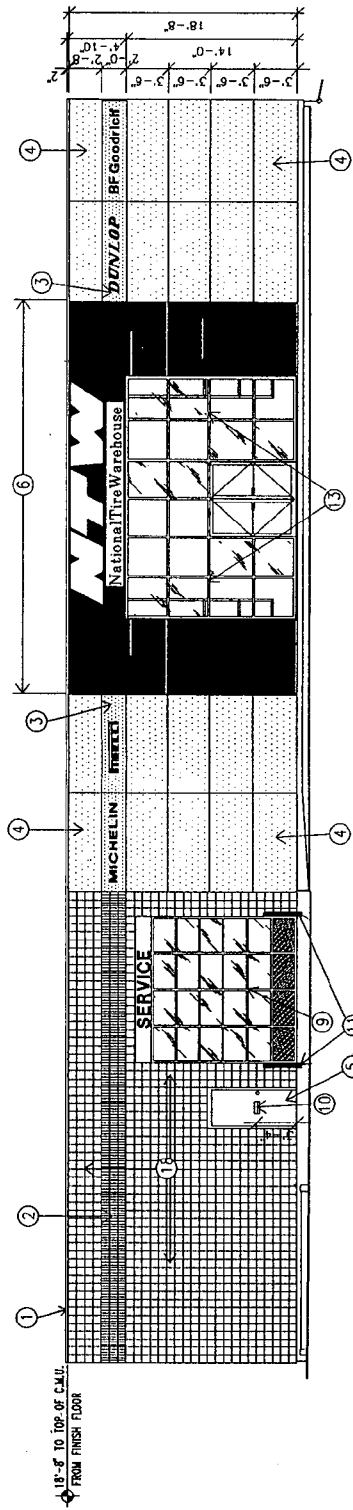
#### B. Description of Applicant

NTW was founded in the Washington metropolitan area in 1971 as a tire retailer with an appeal toward mid-to-upscale markets. As it grew beyond the Washington area, it was acquired by Western Auto which, in turn, was later acquired by Sears Roebuck & Company. In addition to offering a full range of tires, NTW provides ride related services including alignments, brakes, shocks and struts, custom wheels, tire balancing and suspension service.

NTW's successful concept is based on the operation of clean, high-tech, upscale retail stores. In determining the location for an NTW facility, the company considers a number of important components. After a review of the upper county area of Montgomery County, NTW identified the subject site as the ideal location for the newest NTW facility. Consistent with NTW's criteria, the site offers a suburban location in the center of primary and secondary trade areas which contain more than 100,000 people within a 3 mile radius and 200,000 people within a 5 mile suburban area.

Another important criteria, and one which makes the subject site so desirable, relates to the location of neighboring retail facilities. The business strategy of NTW requires a location in or near a regional shopping area with high-volume traffic patterns. In this sense, NTW will help support the other Town Center retailers. A common practice among NTW customers is for the individual to drop his or her vehicle at an NTW facility and while the vehicle is being serviced, patronize the neighboring stores. It is important to note that the typical service time is approximately one hour. NTW does not permit customers to leave their cars unattended overnight. Also, truck delivery of stock items typically occurs about once a week. The preferable time of delivery is non-peak hours so that the NTW employees can assist in the unloading.

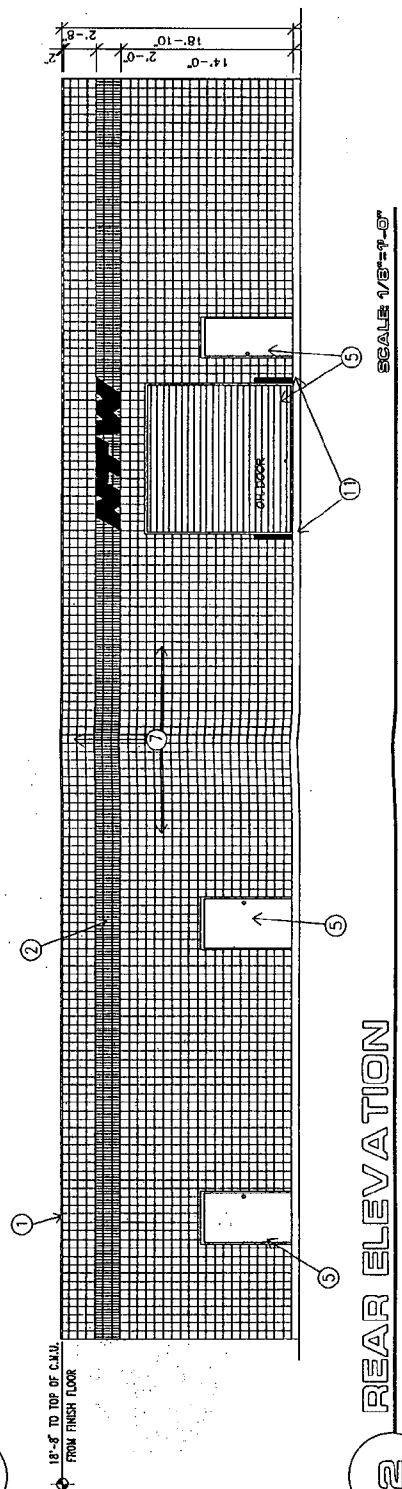




SCALE 1/8"=1'-0"

FRONT ELEVATION

1

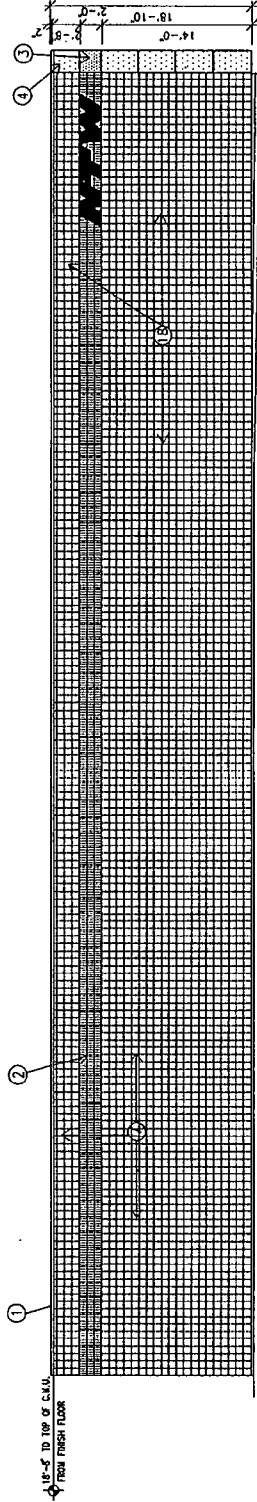


SCALE 1/8"=1'-0"

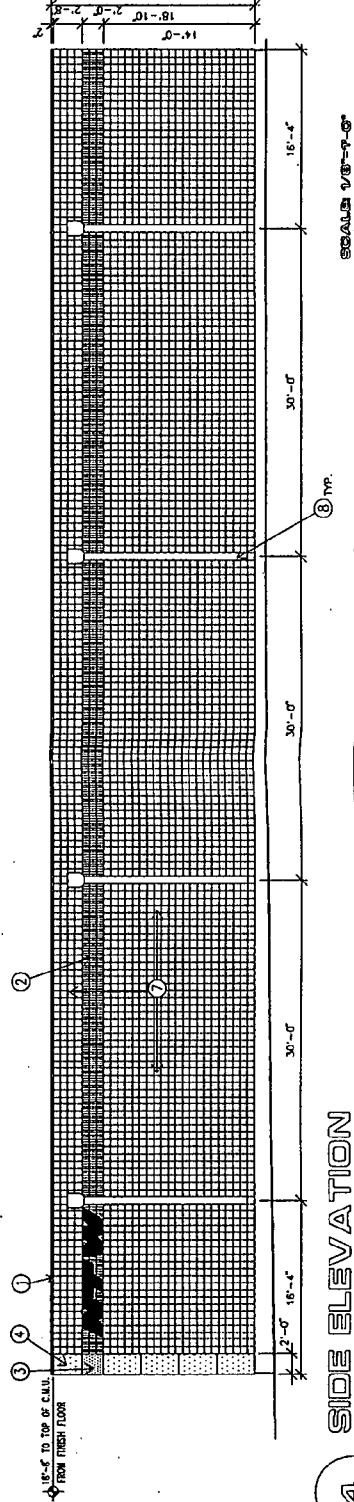
REAR ELEVATION

2

6



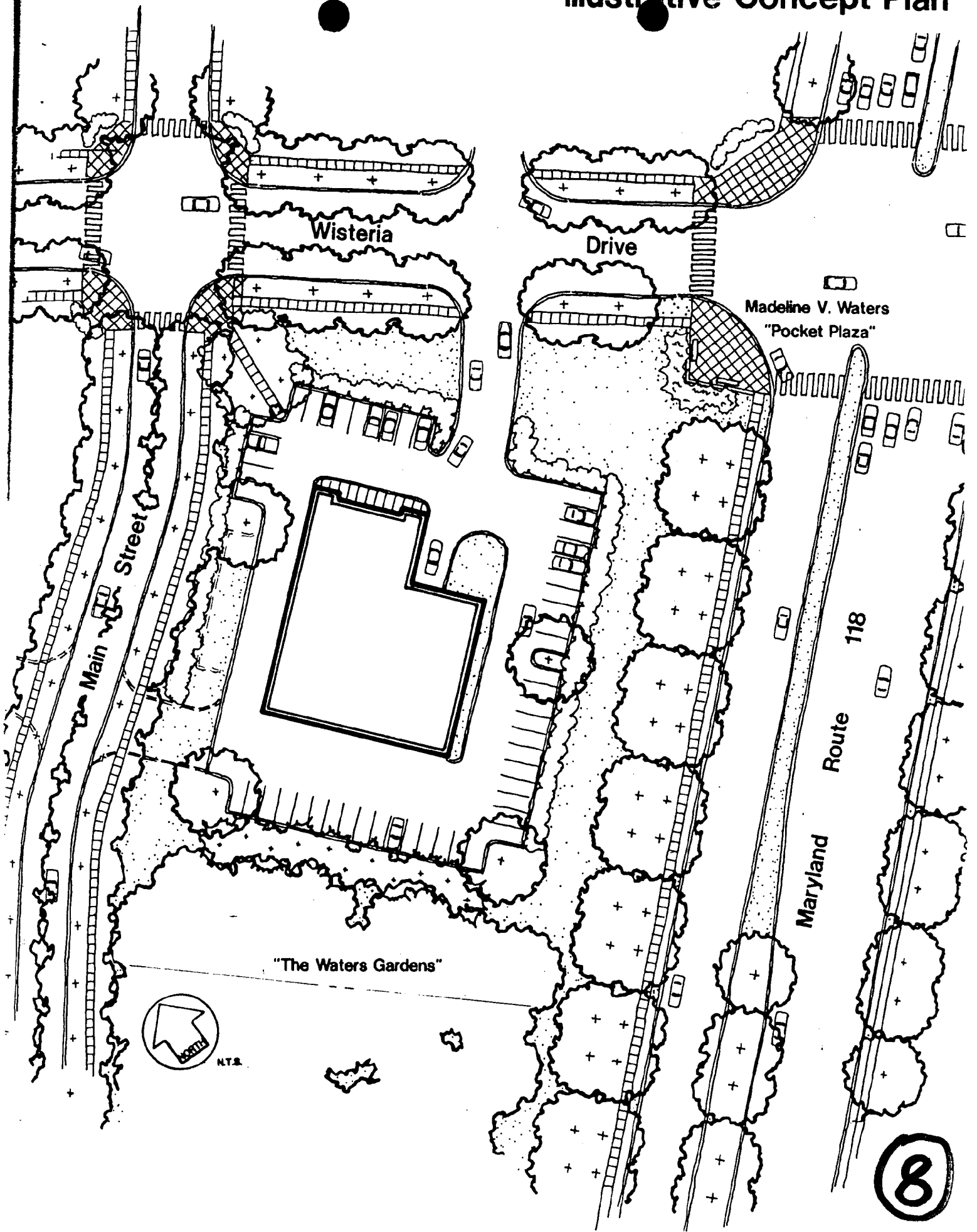
3 SIDE ELEVATION SCALE: 1/8"=1'-0"

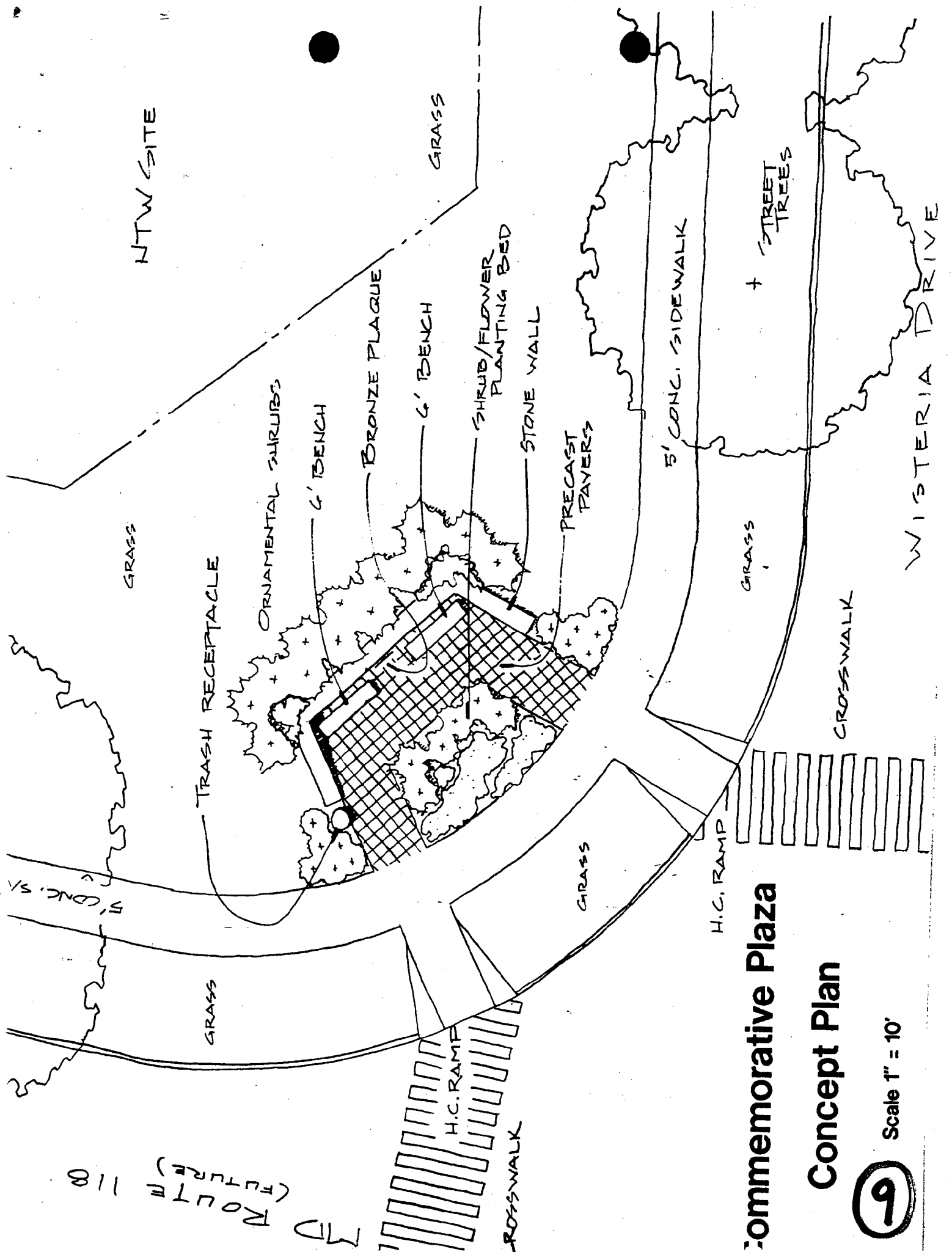


4 SIDE ELEVATION SCALE: 1/8"=1'-0"

7

# Illustrative Concept Plan





NTW SITE

GRASS

GRASS

TRASH RECEPTACLE

ORNAMENTAL SHRUBS

6' BENCH

BRONZE PLAQUE

6' BENCH

SHRUB/FLOWER PLANTING BED

STONE WALL

PRECAST PAVERS

5' CONC. SIDEWALK

GRASS

STREET TREES

CROSSWALK

WISTERIA DRIVE

GRASS

GRASS

H.C. RAMP

H.C. RAMP

CROSSWALK

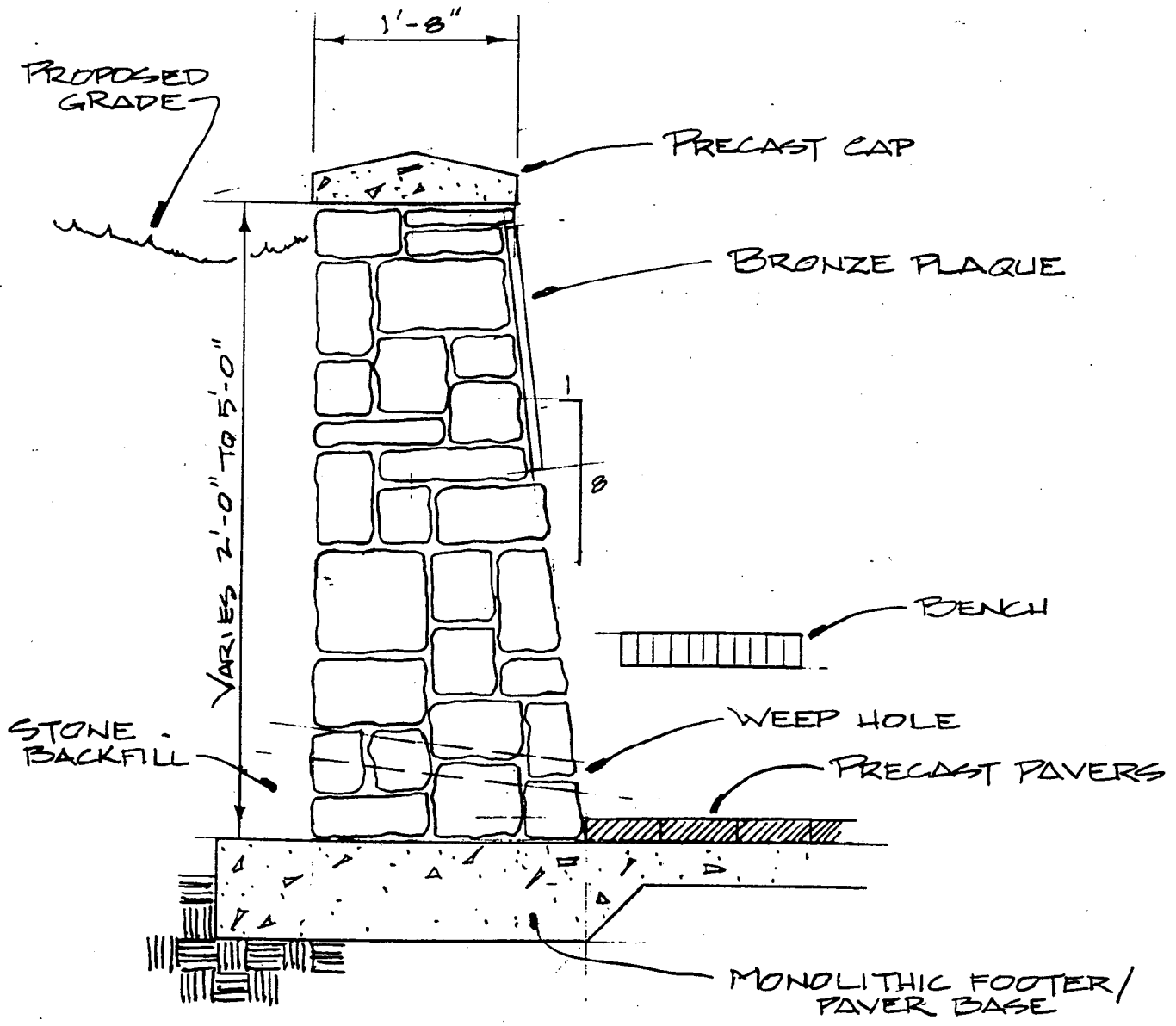
# Commemorative Plaza

## Concept Plan



Scale 1" = 10'

ROUTE 118 (FUTURE)




**Stone Wall Detail**  
 Section

Scale: 3/4" = 1'

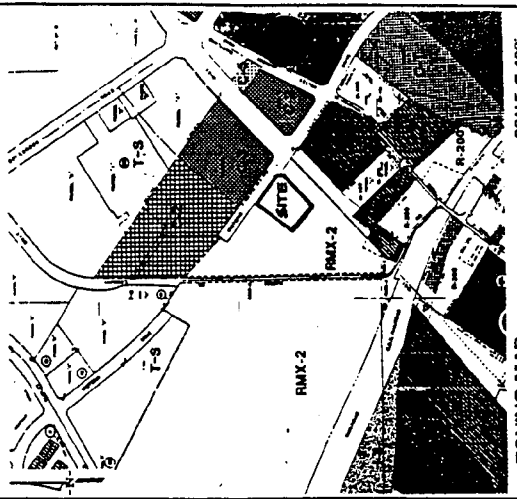
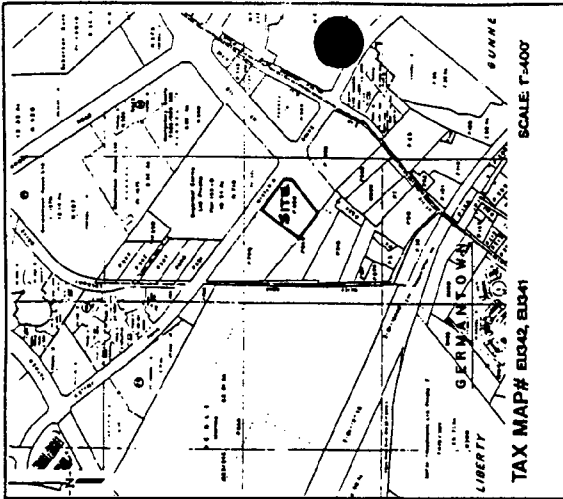
This is the site of the former Madeline V. Waters House. The Waters family settled in the area in the late 1700's and is the oldest family of European descent in Germantown. The Colonial Revival style home was designed by the architect \_\_\_\_\_

\_\_\_\_\_ and built at the turn of the twentieth century. Madeline Waters lived in the house that she inherited from her half-brother, Lloyd Dorsey, until her death in 1983. The house was destroyed by fire in 1986. Stones from the original house foundation were used in the construction of this wall.



The Madeline V. Waters House





**ZONING MAP**  
SCALE T-400

**SURROUNDING AREA MAP**  
**K & T DEVELOPMENT PROPERTY**

RECORD OF LIEB ASS. MAP IN  
THE GREEN DISTRICT  
ANNAPOLIS COUNTY, MARYLAND

Macrie, Hendricks and Glascock, P.A.  
Engineers - Planners - Surveyors  
Suite 120  
9720 Washington Road  
Lanham, MD 21086

Drawn	1/1/80
Checked	1/1/80
Scale	1" = 400'
Job No.	88-040
Sheet	1 of 1

13061610 0840



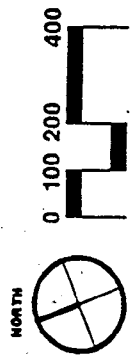
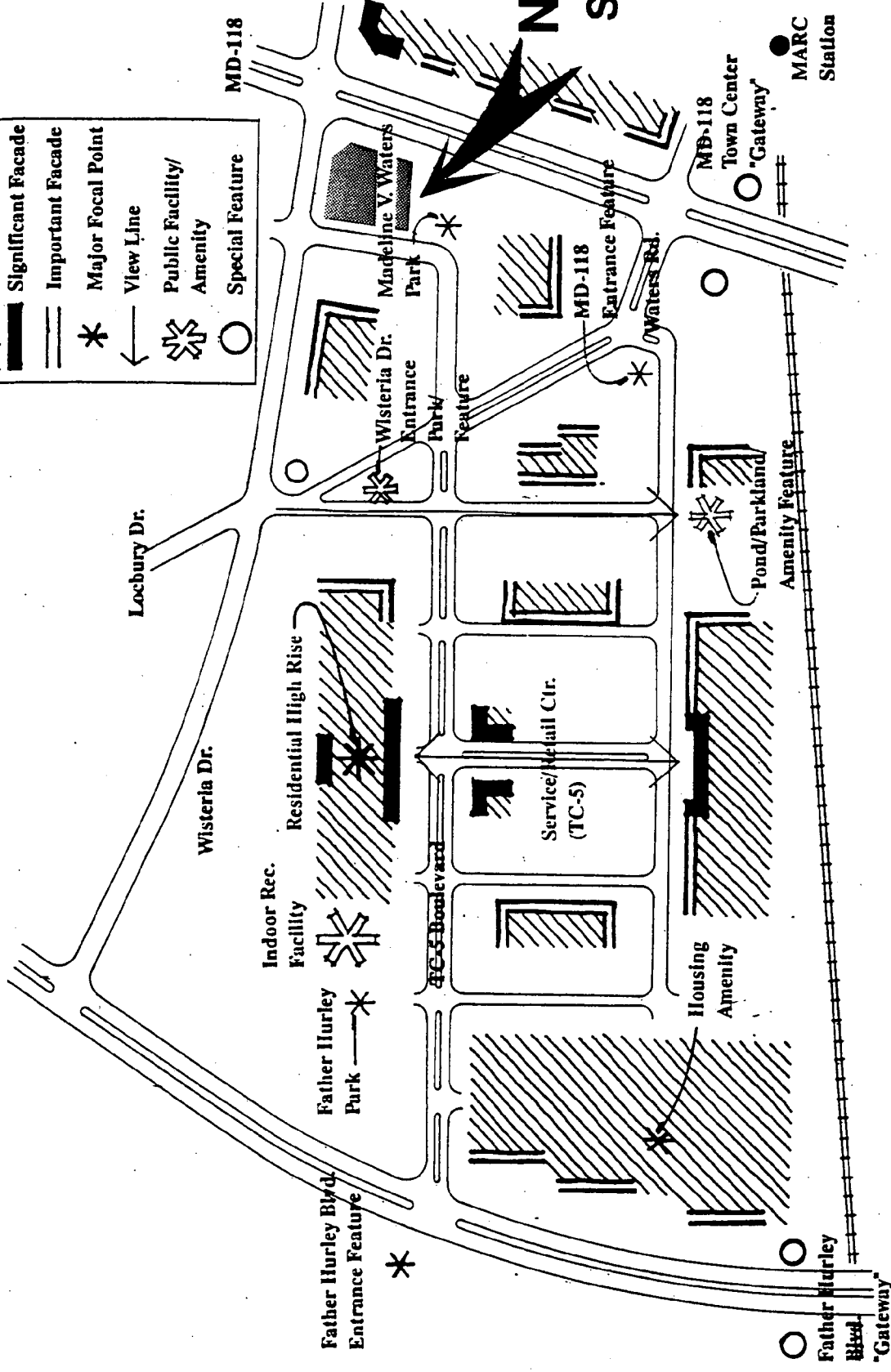
**VICINITY MAP**  
SCALE 1" = 2,000'  
COPYRIGHT © 1978 BY MARYLAND, INC.  
PERMITTED USE BY CONTRACTORS

13



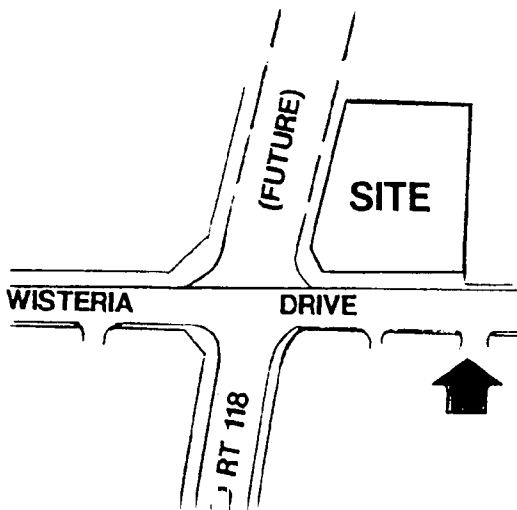
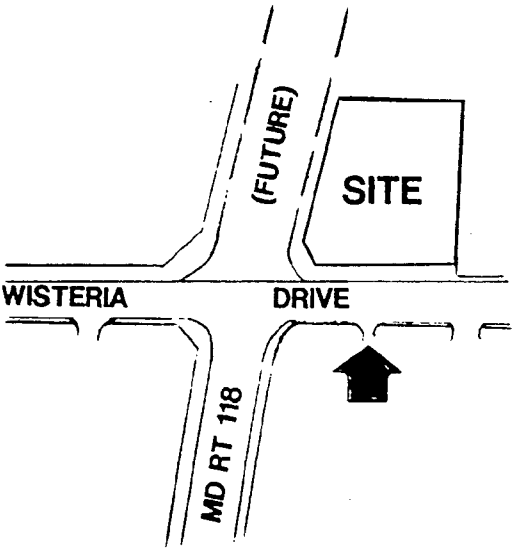
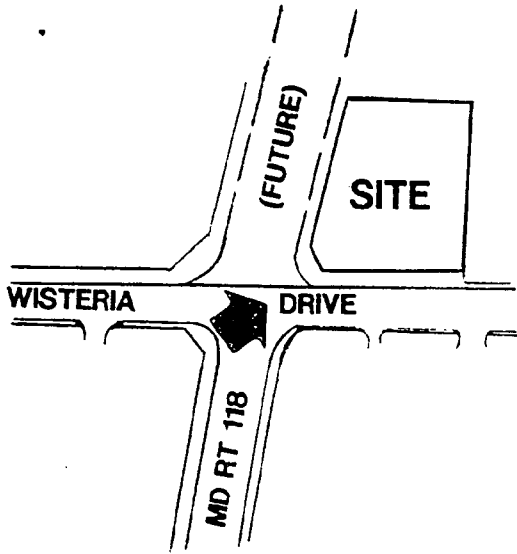
# NTW SITE

	Building Zone
	Significant Facade
	Important Facade
	Major Focal Point
	View Line
	Public Facility/Amenity
	Special Feature



BUILDING ENVELOPE

# Site Photographs



WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D.C.

CABLE ADDRESS: WILAN  
TELECOPIER: 301-656-3078

WRITER'S DIRECT DIAL:  
(301) 215-6613

September 1, 1994

**BY HAND DELIVERY**

Ms. Gwen Marcus  
Maryland National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

Re: **National Tire Warehouse Development Proposal**

Dear Gwen:

Thank you for taking the time to review the historic component of the development proposal for the proposed National Tire Warehouse site in Germantown. As promised, enclosed please find a copy of the Project Plan Application.

We believe that the proposed Madeline V. Waters commemorative plaza is an appropriate response to the historic component of the property. In addition to the proposal, you suggested that we consider including a visual component, such as a photographic image, in conjunction with the commemorative plaque. I conveyed this suggestion to the NTW representative and we will look into this additional component further and will be able to provide you with any details at the preliminary consultation with the Historic Preservation Commission.

Our meeting with Susan Soderberg yesterday went very well and she, like you, was receptive to our treatment of the historic component and also asked that we consider including a photographic image. In addition, she will assist us in developing the appropriate language for the plaque.

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Ms. Gwen Marcus  
September 1, 1994  
Page 2

Thank you again for your help and I look forward to working with you on this matter.

Sincerely,



Patricia A. Harris

PAH/ewd  
Enclosure

cc: Mr. Ted Britt (w/o enc.)  
Robert Harris, Esq. (w/o enc.)

MACRIS, HENDRICKS & GLASCOTT P.A.  
 9220 Wightman Road Suite 120  
 GAITHERSBURG, MD 20879-1226

LETTER OF TRANSMITTAL

(301) 670-0840  
 FAX (301) 948-0693

DATE	8/18/94	JOB NO.	85-136-11
ATTENTION	GWEN MARKUS		
RE:	NTW PROJECT PLAN		

TO MNCPPC  
HISTORIC PRESERVATION

WE ARE SENDING YOU  Attached  Under separate cover via \_\_\_\_\_ the following items:

- Shop drawings
- Prints
- Plans
- Samples
- Specifications
- Copy of letter
- Change order
- \_\_\_\_\_

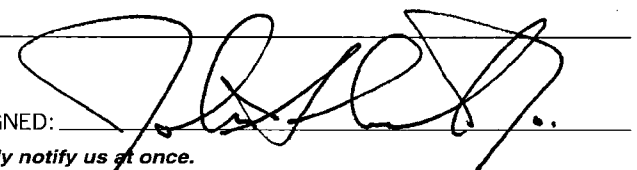
COPIES	DATE	NO.	DESCRIPTION
1	8/15		PROJECT PLAN TEXT & PLAN - DRAFT

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review and comment
- FOR BIDS DUE \_\_\_\_\_ 19 \_\_\_\_\_
- Approved as submitted
- Approved as noted
- Returned for corrections
- \_\_\_\_\_
- Resubmit \_\_\_\_\_ copies for approval
- Submit \_\_\_\_\_ copies for distribution
- Return \_\_\_\_\_ corrected prints
- PRINTS RETURNED AFTER LOAN TO US

REMARKS THIS TEXT IS AN ADVANCE COPY FOR YOUR  
REVIEW/INFORMATION PRIOR TO THE PROJECT PLAN  
PRE-APPLICATION MEETING SCHEDULED FOR THE 22<sup>ND</sup>.

COPY TO JOHN CARROLL

SIGNED: 

**DESIGN, ZONING, AND PRESERVATION DIVISION**

September 14, 1994

**NAME:** Historic Preservation Section

**ATTENTION:** Gwen Marcus

**REFERENCE**

Project Plan: 9-94002 Preliminary Plan: 1-90069

Zone: RMX-2

Project: NTW at Germantown

Location: N.W. quadrant of Wisteria Drive and MD 118, Germantown

**SCHEDULE**

10/11/94 (Tuesday) Development Review Committee

11/3/94 (Thursday) Tentative Planning Board Agenda

**ACTION**

1. \_\_\_\_\_ Information                      2. Review & Comment by 10/11/94  
3. \_\_\_\_\_ Other

**ENCLOSURES**

Copies

**RESPONSE**

1. \_\_\_\_\_ No Comment                      2. \_\_\_\_\_ Comments Attached/  
Separate Cover

3. \_\_\_\_\_ Comments as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DESIGN, ZONING AND PRESERVATION DIVISION CONTACT:**

Karen Kumm Morris  
(301) 495-4570

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ATTORNEYS AT LAW

3 BETHESDA METRO CENTER

SUITE 800

BETHESDA, MARYLAND 20814-5329

(301) 654-7800

ANNAPOLIS, MARYLAND  
FAIRFAX, VIRGINIA  
WASHINGTON, D. C.

CABLE ADDRESS: WILAN  
TELECOPIER: 301-658-3978

WRITER'S DIRECT DIAL:

(301) 215-6613

September 21, 1994

Mr. David Berg  
Historic Preservation Staff  
Maryland National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

**Re: National Tire Warehouse  
Historic Preservation Commission Preliminary  
Consultation Materials (Project Plan # 9-94002)**

Dear David:

As you are aware, National Tire Warehouse (NTW) is in the process of obtaining Project Plan approval in order to locate an NTW facility on the site located at the corner of Wisteria Drive and Route 118 Extended in Germantown. The subject property is the site of the former Madeline V. Waters house and is designated in the Germantown Master Plan as a historic site.

In connection with obtaining the necessary approvals from the Historic Preservation Commission, enclosed please find two copies of the following materials for the Preliminary Consultation scheduled for October 12, 1994:

1. Site Plan of the Subject Property;
2. Photographs of the Subject Property;
3. Elevations of the Building.
4. Pocket Plaza Concept Plan, including stone wall detail and information regarding the benches and trash receptacle; and
5. Narrative of the Commemorative Plaque. The bronze plaque will be approximately 16 inches by 21 inches in size and will be approximately  $\frac{1}{2}$  inch thick. The descriptive wording and the etching of the photographic image will be raised approximately  $\frac{1}{4}$  of an inch.

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

Mr. David Berg  
September 21, 1994  
Page 2

Please do not hesitate to call if you have any questions regarding this information. We look forward to working with you on this matter.

Sincerely,



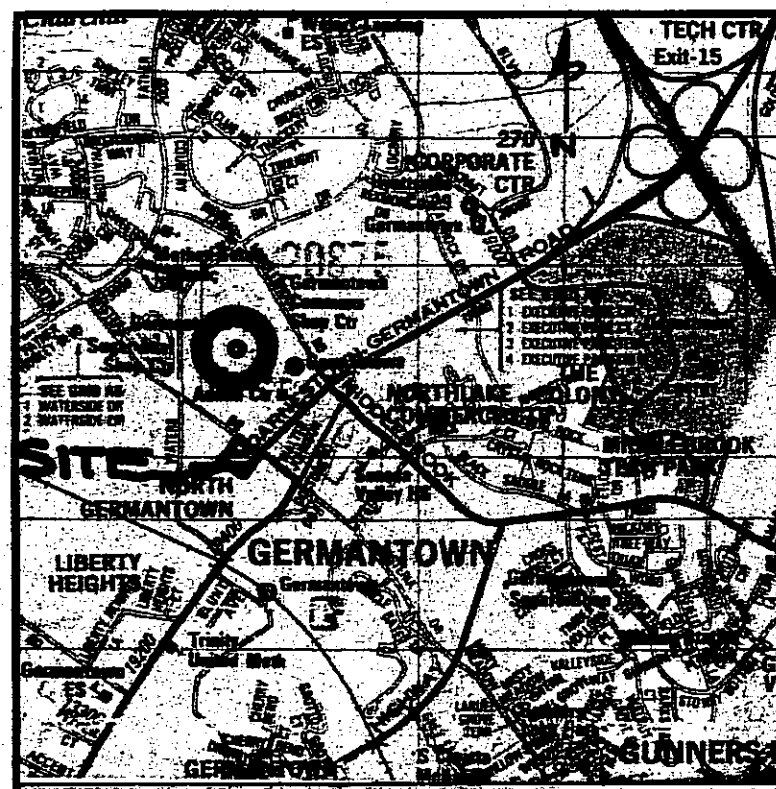
Patricia A. Harris

PAH/ewd

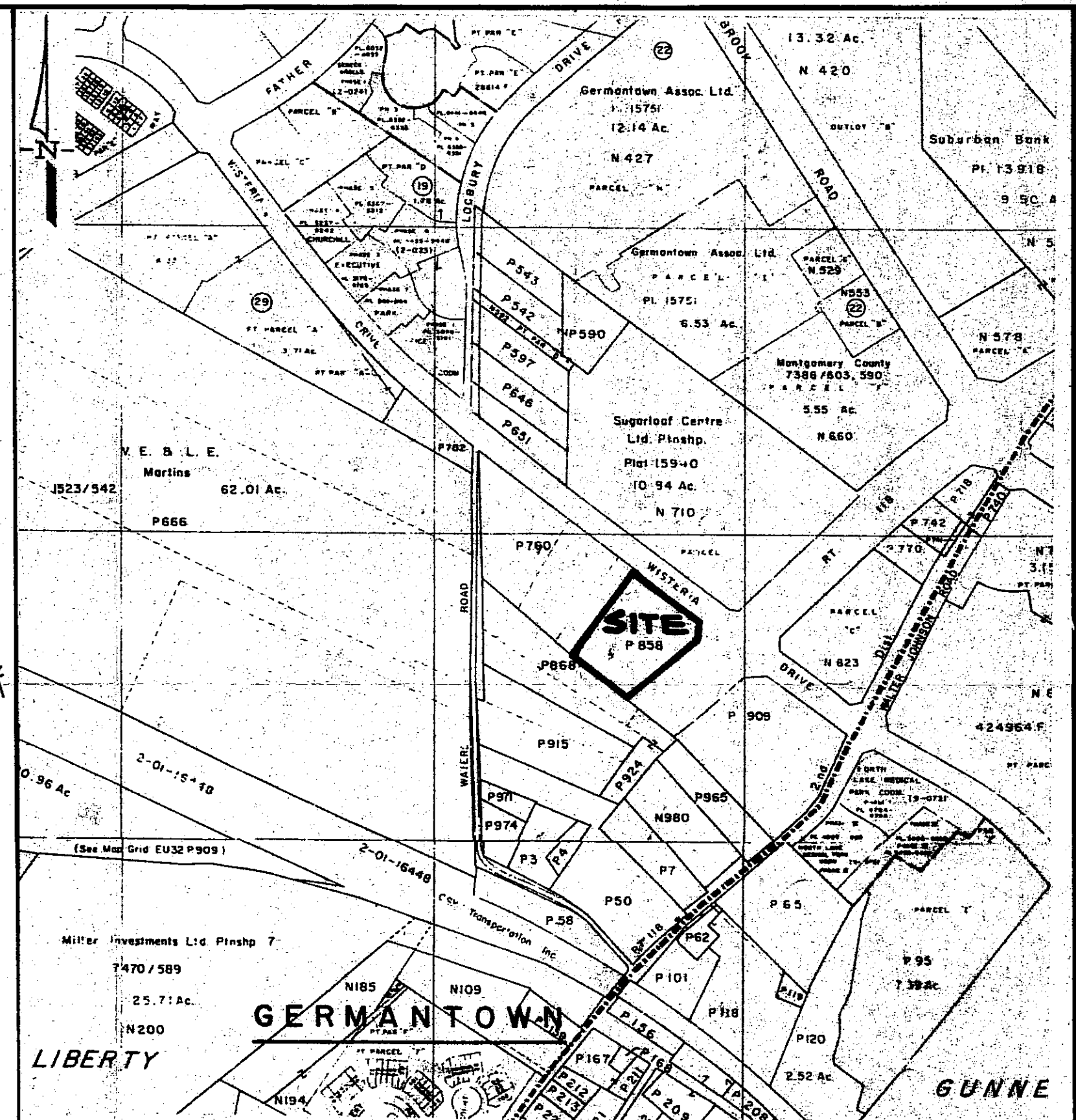
cc: Mr. Steve Larkin  
Mr. Ted Britt  
Mr. John Sekerak  
Robert Harris, Esq.

10943001

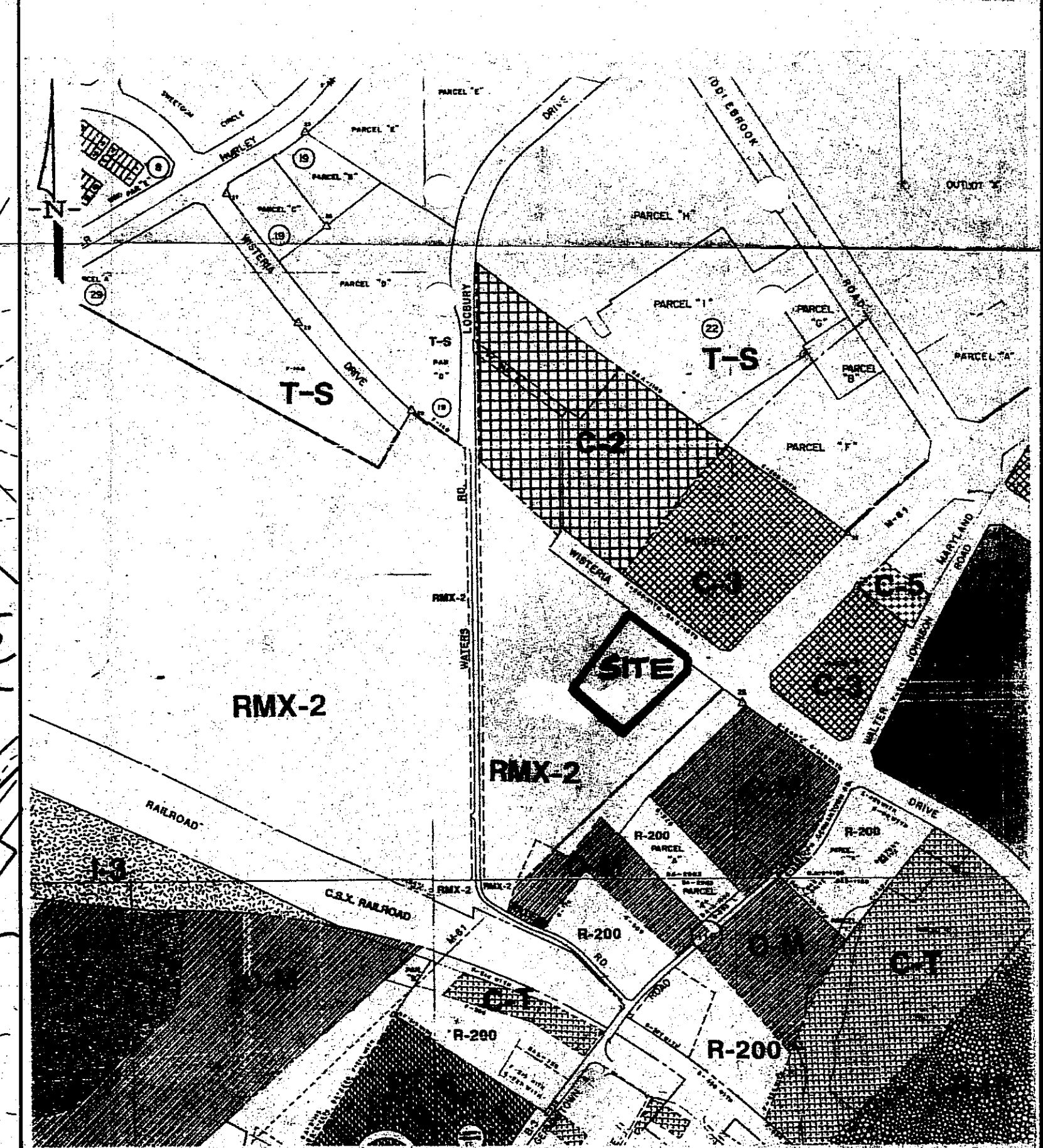




VICINITY MAP  
SCALE 1" = 2,000'  
COPYRIGHT © 2002 BY ADC OF ALEXANDRIA, INC.  
PERMITTED USE NO. 20192133



TAX MAP# EU342, EU341 SCALE 1"=400'

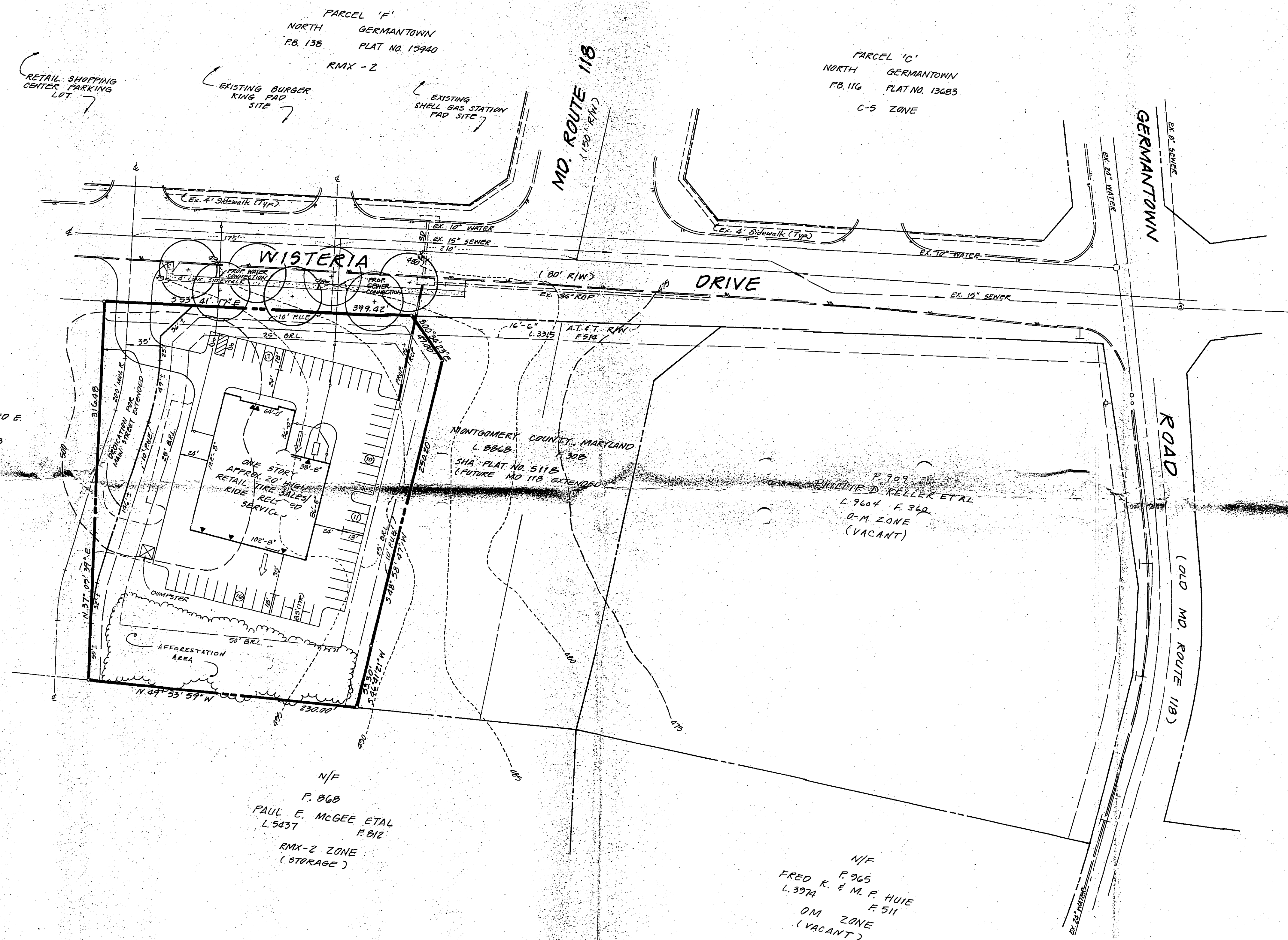
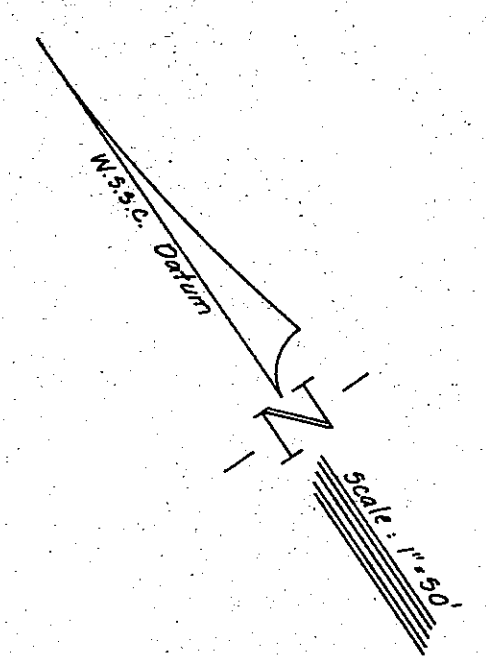
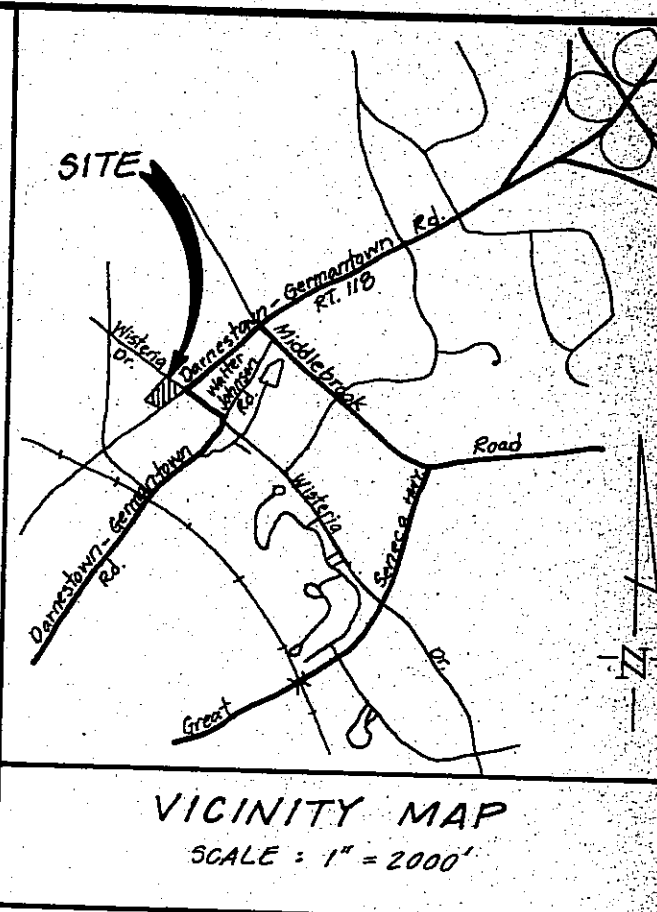


ZONING MAP SCALE 1"=400'

**SURROUNDING AREA MAP**  
**K & T DEVELOPMENT PROPERTY**  
 RESIDUE OF LIBER 8864, FOLIO 290  
 2<sup>ND</sup> ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

	<b>Macris, Hendricks and Glascock, P.A.</b> Engineers • Planners • Surveyors Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879 (301)670-0840		Designed L.O.	Drawn GREG
	Date 8/31/04	Scale 1"=100'	Job No. 05-132	Sheet 1 of 1





**NOTES**

- Tract Area: 1.9946 Acres
- Zone: RMX - 2 (Optional Method)
- Water & Sewer Categories: 3
- Planning Area: 19, Germantown and Vicinity
- Transportation Policy Area: Germantown Town Center
- Number of Proposed Lots: 1
- Boundary information from a Boundary Survey by John H. McGovern, dated May, 1989.
- Topographic information from MNCPPC Map Number 124.
- Proposed Used: Retail (Tire Sales)
- Proposed GPA: 11,138 S.F.
- Parking Spaces:  
 Required = 11,138 s.f. @ 3.3/1000 = 37 spaces  
 + 11 employees @ 1/emp. = 11 spaces  
 Total Required = 48 spaces  
 Total Provided = 54 spaces
- Intensity: Maximum = 0.250 FAR  
 Provided = 0.13 FAR
- Green Area: Required = 15% (11,728 s.f.)  
 Provided = 50%
- Watershed: Great Seneca Creek (Cl. I)
- Stormwater Management: Waiver request renewal pending

The site is the location of the former Waters House (demolished)

Utility companies:  
 Water and sewer: WSSC  
 Electric: PEPCO  
 Natural gas: Washington Gas  
 Telephone: Bell Atlantic  
 Cable: Montgomery Cable

**OPEN SPACE/OUTSIDE AMENITY SCHEDULE**

Gross tract area = 1.99 ac.  
 Dedication to public use = 0.20 ac. (Main Street r/w)  
 Net tract area = 1.79 ac.

Green area provided = appx. 0.93 ac. (52% of net tract area)  
 Minimum green area or outside amenity area required = 15%

Afforestation area (appx. 13,000 s.f.)

Amenity area (appx. 9,000 s.f.)  
 - Linear park with historic site commemorative feature  
 - Wisteria Drive street trees  
 - Wisteria Drive sidewalk

**SURVEYOR'S CERTIFICATE**

I hereby certify that the boundary shown hereon is correct based on existing deeds and plats recorded among the Land Records of Montgomery County, Maryland, subject to change upon completion of a final survey. Topography from sources noted hereon.

May 13, 1994  
 Date  
 Douglas H. Rupp III  
 Professional Land Surveyor  
 Md. Reg. No. 10712

Revisions: 1-4-95 Relocated entrance drive JES  
 8-25-94 Moved building toward main street. 403

**OWNERS / APPLICANTS**

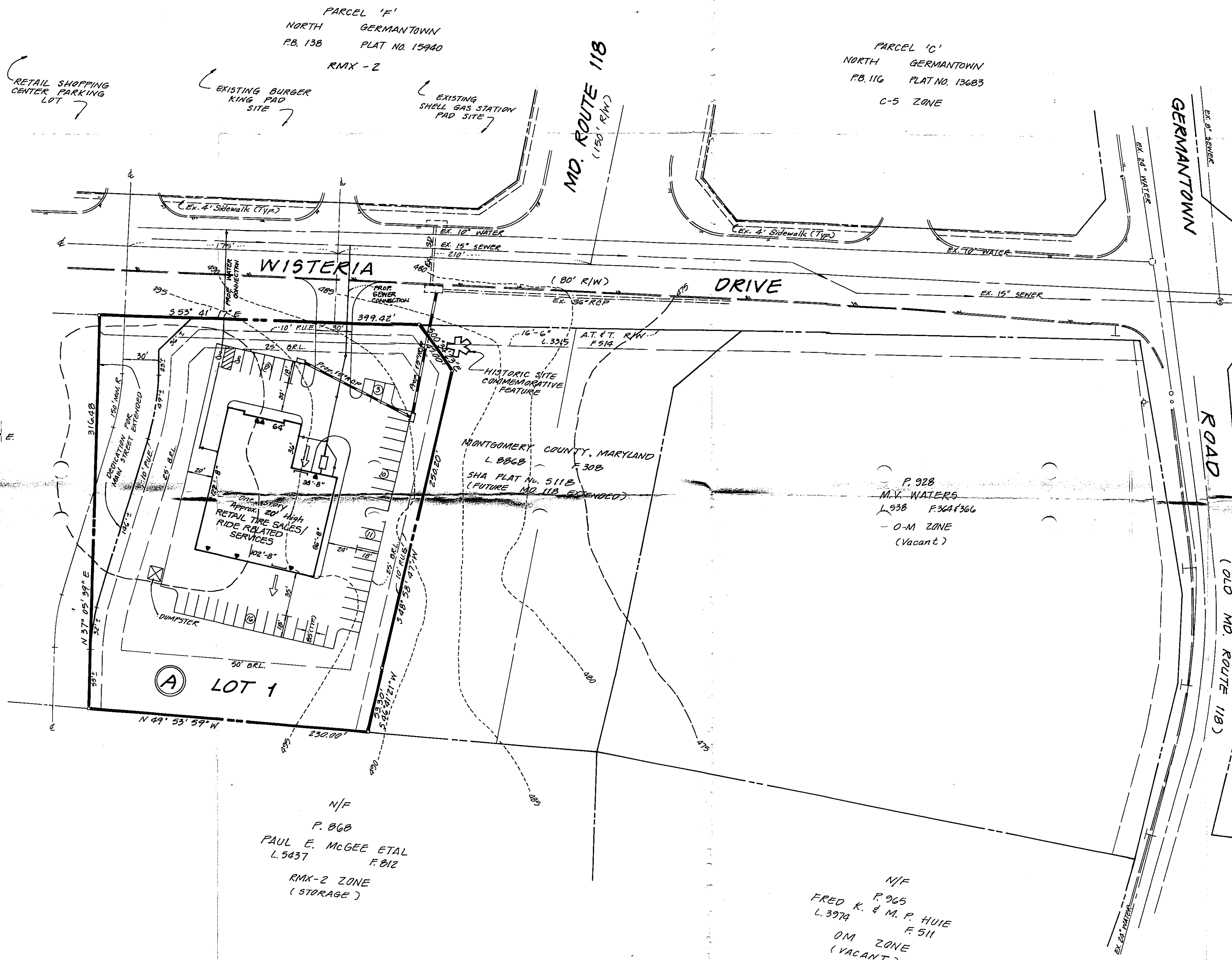
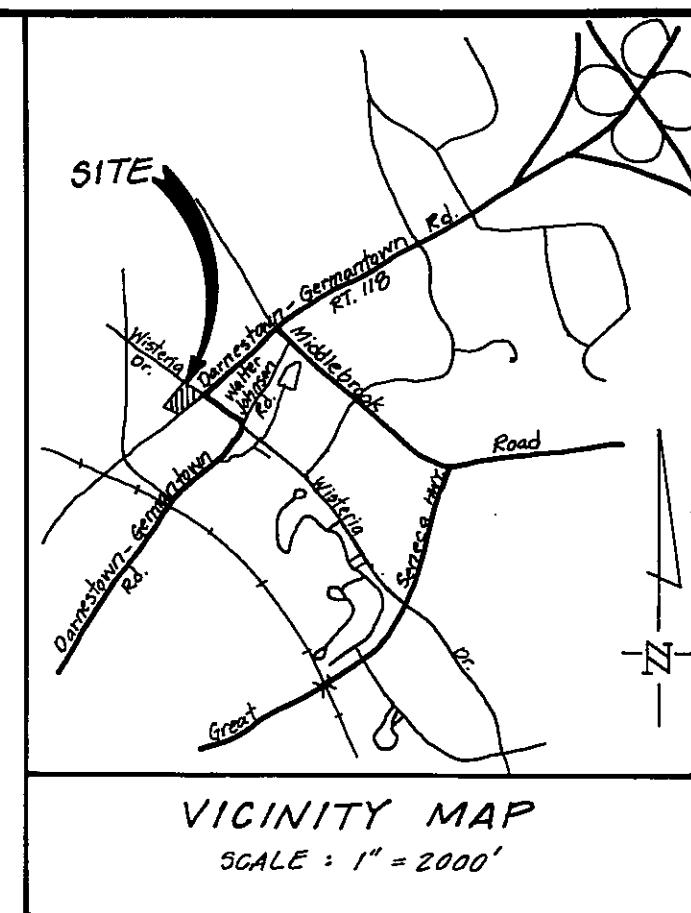
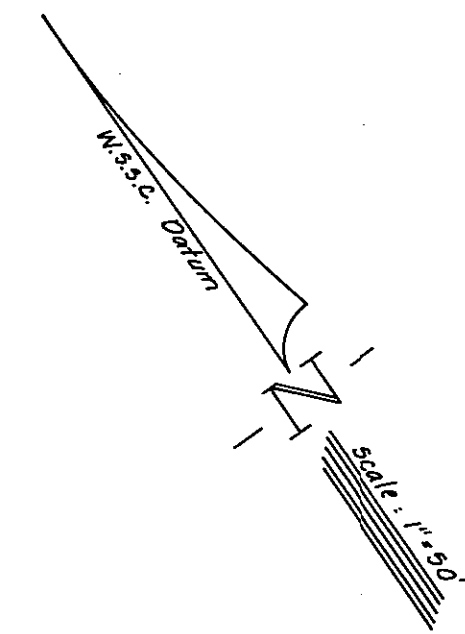
Dennis Keller  
 % Keller Bros. Inc.  
 1011 Colesville Rd.  
 Silver Spring, Md. 20901  
 (301) 593-5555

W. K. Trunnell, Jr.  
 % Congressional Electric, Inc.  
 415 East Diamond Ave.  
 Gaithersburg, Md 20877  
 (301) 869-6634

TM EU 342 W.S.S.C. GRID 227 NW 13  
**PROJECT PLAN**  
**LAND USE PLAN**  
**K & T DEVELOPMENT PROPERTY** MHG  
 RESIDUE OF LIBER 8864, FOLIO 290  
 2<sup>ND</sup> ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 MAR 31 1995

<b>Macris, Hendricks and Glascock, P.A.</b> Engineers • Planners • Surveyors	Designed JES	Drawn CW
	Date 8/31/94	Scale 1" = 50'
	Job No 85-136	Sheet 1 of 1
	(301)670-0840	Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879





- NOTES**
- Tract Area: 1.9946 Acres
  - Zone: RMX - 2 (Optional Method)
  - Water & Sewer Categories: 3
  - Planning Area: 19, Germentown and Vicinity
  - Transportation Policy Area: Germentown Town Center
  - Number of Proposed Lots: 1
  - Boundary information from a Boundary Survey by John H. McGovern, dated May, 1989.
  - Topographic information from MNCPPC Map Number 124.
  - Proposed Used: Retail (Tire Sales)
  - Proposed GFA: 11,138 S.F.
  - Parking Spaces:  
 Required = 11,138 s.f. @ 3.3/1000 = 37 spaces  
 + 11 employees @ 1/emp. = 11 spaces  
 Total Required = 48 spaces  
 Total Provided = 48 spaces
  - Intensity: Maximum = 0.50 FAR  
 Provided = 0.13 FAR
  - Green Area: Required = 15% (11,728 s.f.)  
 Provided = 57% (44,435 s.f.)
  - Watershed: Great Seneca Creek (C-5 S I)
  - Stormwater Management: Waiver request renewal pending
  - This site is the location of the former Waters House (abolished) and is within the Germentown Historic District (site 19-B)
  - Servicing utility companies:  
 Water and sewer: WSCC  
 Electric: PEPCO  
 Natural gas: Washington Gas  
 Telephone: Bell Atlantic  
 Cable: Montgomery Cable

**SURVEYOR'S CERTIFICATE**  
 I hereby certify that the boundary shown hereon is correct based on existing deeds and plats recorded among the Land Records of Montgomery County, Maryland, subject to change upon completion of a final survey. Topography from sources noted herein.

May 13, 1994  
 Date

Douglas H. Riggs, III  
 Professional Land Surveyor  
 Md. Reg. No. 10712

**OWNERS / APPLICANTS**

Dennis Keller  
 % Keller Bros. Inc.  
 1011 Colesville Rd.  
 Silver Spring, Md. 20901  
 (301) 593-5555

W.R. Trunnell, Jr.  
 % Congressional Electric, Inc.  
 415 East Diamond Ave.  
 Gaithersburg, Md 20877  
 (301) 869-6634

TM EU 342 W.55.C. GRID 227 NW 13

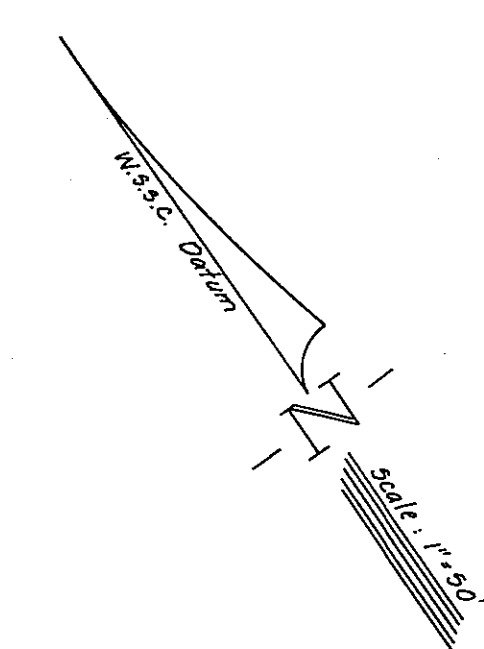
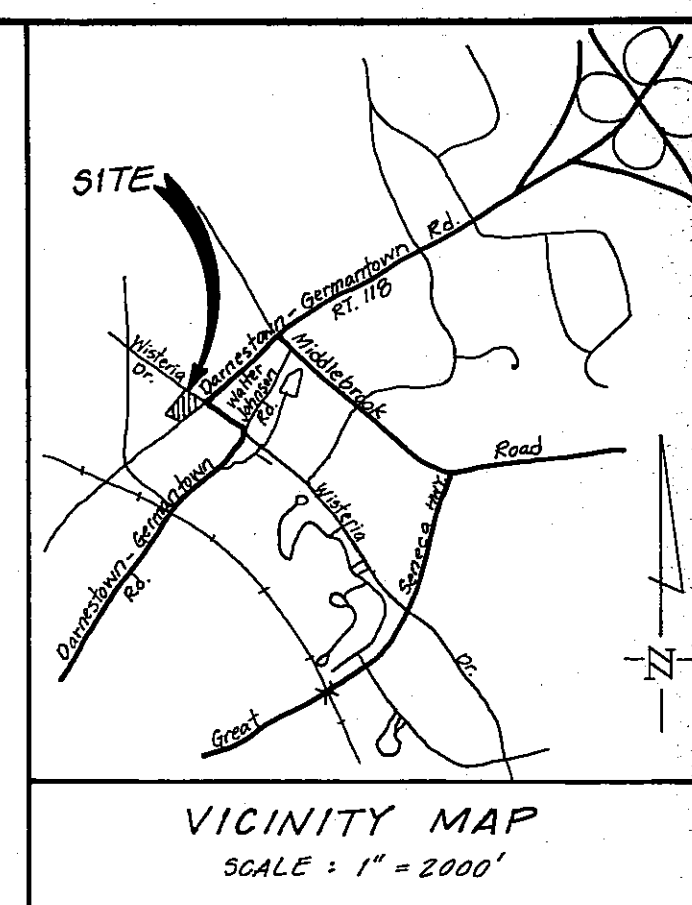
**PROJECT PLAN  
 LAND USE PLAN**

**K & T DEVELOPMENT PROPERTY**

RESIDUE OF LIBER 8864, FOLIO 290

2<sup>ND</sup> ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

	<b>Macris, Hendricks and Glascock, P.A.</b>		Designed JES	Drawn CW
	Engineers • Planners • Surveyors		Date 8/15/94	Scale 1"=50'
	Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879		Job No. 85-136	Sheet L of L
	(301)670-0840			

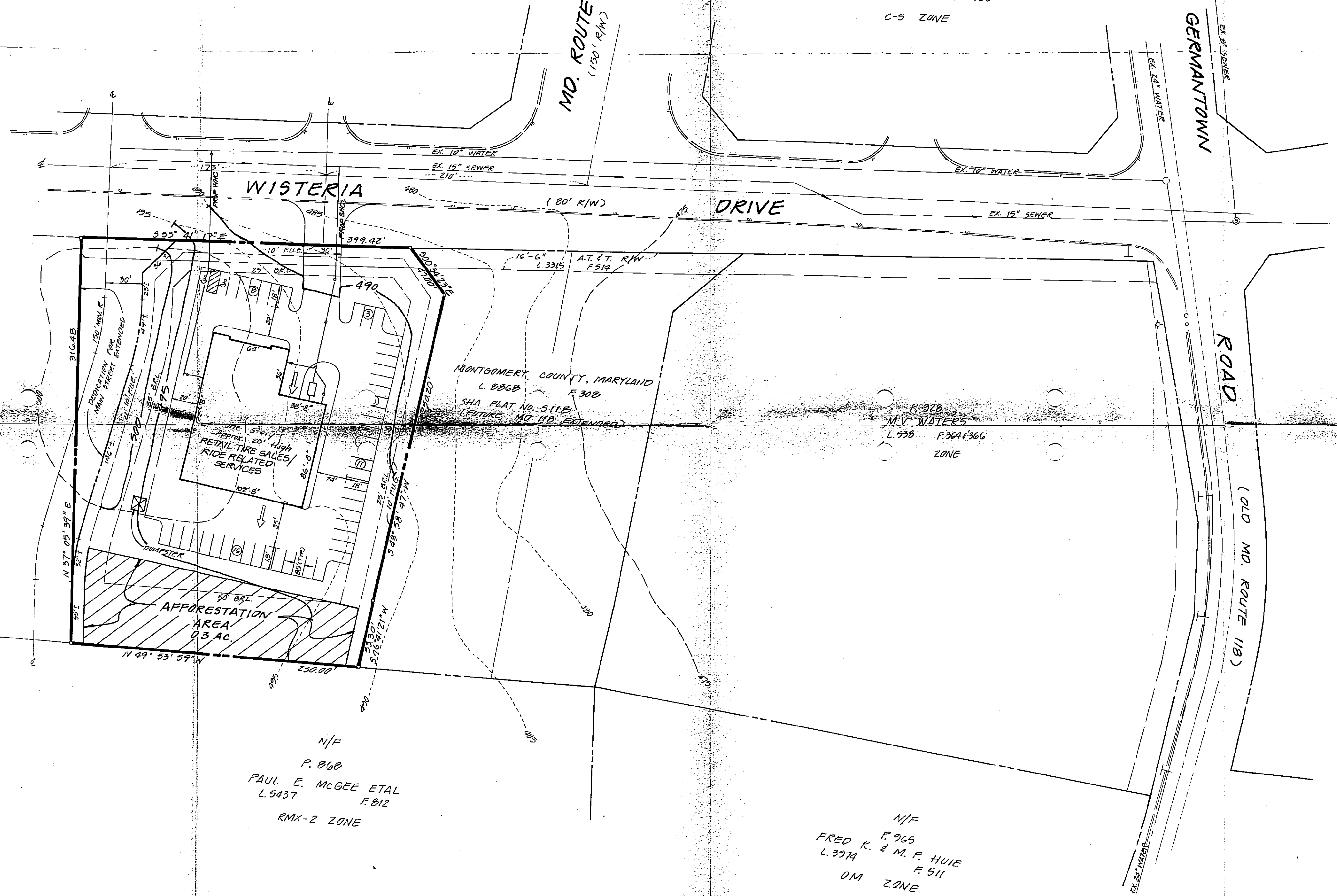


PARCEL 'F'  
NORTH GERMANTOWN  
P.B. 138 PLAT NO. 15940  
RMX - 2

PARCEL 'C'  
NORTH GERMANTOWN  
P.B. 116 PLAT NO. 13683  
C-5 ZONE

MD. ROUTE 118  
(150' R/W)

GERMANTOWN



N/F  
MARTIN E. & MILDRED E. POOLE  
L. 6553 F. 473  
RMX - 2

MONTGOMERY COUNTY, MARYLAND  
L. 886B F. 308  
SHA PLAT NO. 511B  
(LEGURE MD. 118 EXTENDED)

N/V WATERS  
L. 538 F. 364 F. 366  
ZONE

N/F  
P. 868  
PAUL E. MCGEE ETAL  
L. 5437  
RMX-2 ZONE

N/F  
FRED K. & M. P. HUIE  
L. 397A F. 511  
OM ZONE

**NOTES**

- Tract Area: 1.9946 Acres
- Zone: RMX - 2 (Optional Method)
- Water & Sewer Categories: 3
- Planning Area: 19, Germantown and Vicinity
- Transportation Policy Area: Germantown Town Center
- Number of Proposed Lots: 1
- Boundary information from a Boundary Survey by John H. McGovern, dated May, 1989.
- Topographic information from MNCPPC Map Number 124.
- Proposed Used: Retail (Tire Sales)
- Proposed GFA: 11,138 S.F.
- Parking Spaces:  
Required = 11,138 s.f. @ 3.3/1000 = 37 spaces  
+ 11 employees @ 1/emp. = 11 spaces  
Total Required = 48 spaces  
Total Provided = 49 spaces
- Intensity: Maximum = 0.50 FAR  
Provided = 0.13 FAR
- Green Area: Required = 15% (11,728 s.f.)  
Provided = 50%
- Watershed: Great Seneca Creek (C) (I)
- Stormwater Management: Waiver request renewal pending

Forest Conservation Worksheet<sup>1,2</sup> Figure 9

A.	TOTAL AREA OF TRACT: 2.0 acres
B.	AREA WITHIN 100 YEAR FLOODPLAIN: 0.00 ac. O.A. or Use Based version: 0.00 acres
C.	AREA OF LAND TO BE USED FOR AGRICULTURE: 0.00 acres
D.	AREA WITHIN ROW/SEWERAGEMENT FOR WHICH WSSC OR MCDOT/SHA WILL BE RESPONSIBLE: 0.00 acres
E.	NET TRACT AREA (A-B-C-D): 2.00 acres
F.	LAND USE CATEGORY: From Table 21 of 11-2000 - U-19
G.	AFFORESTATION THRESHOLD (A from Table 21 of 11-2000): 0.20 acres
H.	CONSERVATION THRESHOLD (A from Table 21 of 11-2000): 0.20 acres
I.	EXISTING FOREST COVER: 0.00 acres
J.	FOREST COVER ABOVE AFFORESTATION THRESHOLD (I-G): 0.00 acres
K.	FOREST COVER ABOVE CONSERVATION THRESHOLD (I-H): 0.00 acres

**CALCULATION OF BREAK-EVEN POINT (Forested acres to be saved for no planting requirements):**

L. IF K < 0 AND I < G, BREAK-EVEN POINT EQUALS I: 0.00 acres  
IF I < 0, THERE IS NO BREAK-EVEN POINT AND AFFORESTATION PLANTING IS REQUIRED. REFER TO P. BELOW

M. FOREST COVER TO BE RETAINED: 0.00 acres  
IF K > 0, BREAK-EVEN POINT EQUALS (K x 20%) + H: 0.00 acres

**CALCULATION OF AFFORESTATION REQUIREMENT:**

P. AFFORESTATION REQUIREMENT: G - I = 0.20 acres

**CALCULATION OF REFORESTATION REQUIREMENT:**

Q. AREA OF FOREST ABOVE CONSERVATION THRESHOLD TO BE CLEARED: 0.00 acres  
IF Q > 0, USE R & S. USE R: 0.00 acres  
R. AREA OF FOREST BELOW CONSERVATION THRESHOLD TO BE CLEARED (R-Q): 0.00 acres  
S. FORESTED AREA ABOVE CONSERVATION THRESHOLD TO BE SAVED (R-H): 0.00 acres  
T. PLANTING REQUIRED FOR CLEARING ABOVE THRESHOLD: Q x X = 0.00 acres  
U. CREDIT FOR FOREST SAVED ABOVE CONSERVATION THRESHOLD: R x Z = 0.00 acres  
V. TOTAL REFORESTATION REQUIREMENT: T + U - V = 0.00 acres

**TOTAL PLANTING REQUIREMENT:**

X. AFFORESTATION AND REFORESTATION: P + W = 0.20 acres  
Y. CREDIT FOR TREES AND LANDSCAPING: 0.00 acres  
Z. TOTAL FOREST PLANTING REQUIREMENT: X - Y = 0.20 acres

<sup>1</sup> Use 0 for all negative numbers that result from the calculations.  
<sup>2</sup> See Appendix A - Glossary, for definition of terms.  
<sup>3</sup> Refer to Section III.B.1 of this manual for detailed explanation. All areas which are appropriate for establishing forest cover must be utilized before credit may be taken for trees and landscaping.

**SURVEYOR'S CERTIFICATE**

I hereby certify that the boundary shown hereon is correct based on existing deeds and plats recorded among the Land Records of Montgomery County, Maryland, subject to change upon completion of a final survey. Topography from sources noted hereon.

Date: \_\_\_\_\_  
Douglas H. Eligs, III  
Professional Land Surveyor  
Md. Reg. No. 10712

**OWNERS / APPLICANTS**

Dennis Keller % Keller Bros. Inc. 1011 Colesville Rd. Silver Spring, Md. 20901 (301) 593 - 5555	W. K. Trunnell, Jr. % Congressional Electric, Inc. 415 East Diamond Ave. Gaithersburg, Md 20877 (301) 869 - 6634
---	--

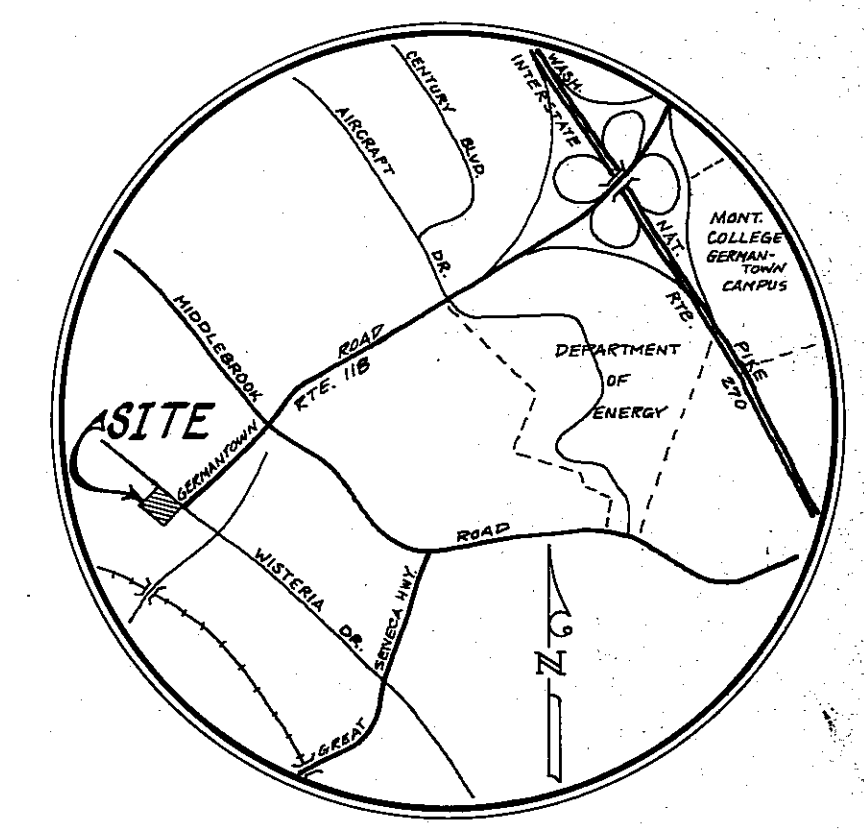
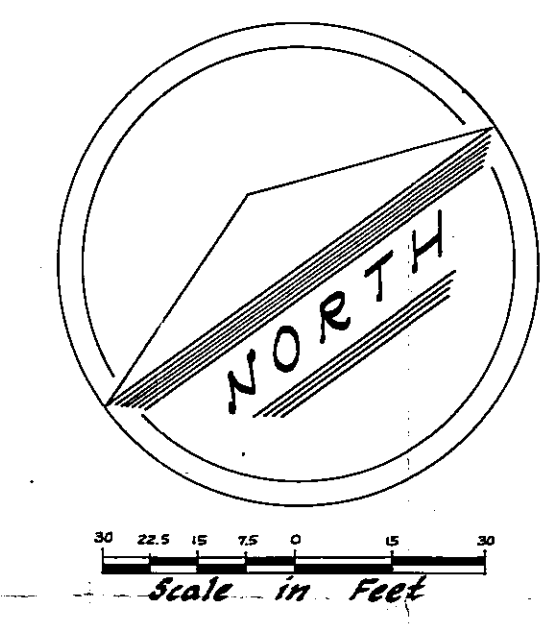
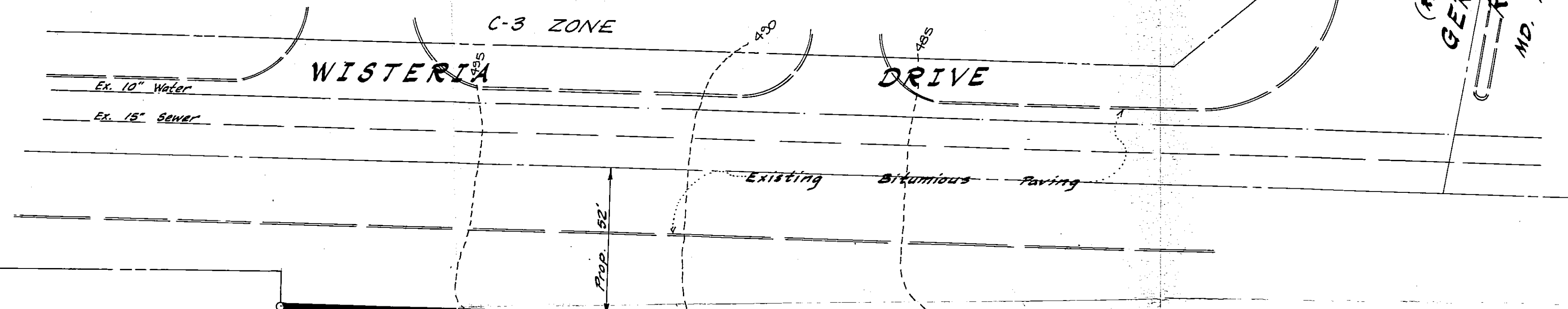
TM EU 342 W.S.S.C. GRID 227 NW 13  
PRELIMINARY FOREST CONSERVATION PLAN  
**K & T DEVELOPMENT PROPERTY**  
RESIDUE OF LIBER 8864, FOLIO 290  
2<sup>ND</sup> ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

	<b>Macris, Hendricks and Glascock, P.A.</b>		Designed JES	Drawn CW
	Engineers • Planners • Surveyors		Date 5/13/94	Scale 1" = 50'
	Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879		Job No. 89-130	Sheet 1 of 1
	(301)670-0840			

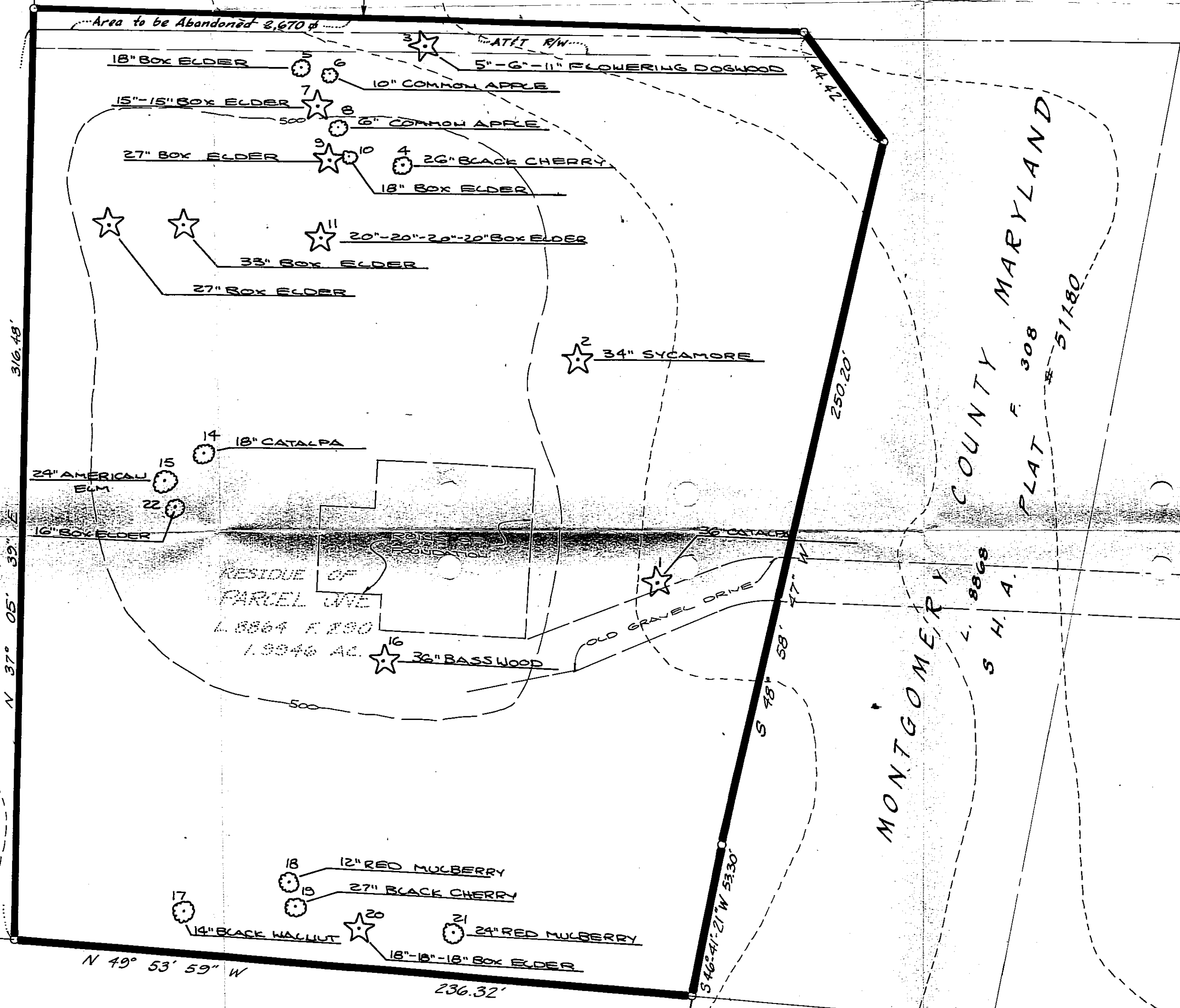


PARCEL 'F'  
NORTH GERMANTOWN

P.B. 138 P. 15940



VICINITY MAP  
Scale: 1" = 2,000'



GENERAL NOTES

- Boundary has been obtained from field surveys prepared by John H. Mc Govern dated May, 1989.
- Topography from M.N.C.P.&P.C. 200 scale, sheet 124. Improvements in Wisteria Dr. from Storm Drain & Paving Plan by Kilde Consultants.
- Existing Water & Sewer Category: W-3 & S-1 respectively.
- Zoning: Existing - RMX-2 (Residential mixed use development - Specimen Center)
- Area Tabulations:  
Residue of Parcel One = 1.9946 AC.  
Proposed abandonment Area = .06 AC ±  
Total Lot Area = 2.0546 AC ±
- Proposed Use: 30,910 sq ft of retail.
- Parking Tabulations: Required - 5 spaces, 0 ft = 155 spaces  
Provided = 106 spaces
- As shown on the map, the site has been previously approved on Oct. 12, 1988. This plan requests the reaffirmation of that waiver.
- The soil on this site is 17B (Occoquan channel loam) as shown on sheet 12 of the Montgomery Co. Soil Survey.
- No wetlands or 100 year floodplain exist on this site.
- This site, known as the Waters Estate, located on Map No 7 of the M.N.C.P.&P.C. Locational Atlas of Historical Sites and is part of site 19-B, Germantown Historic District.
- This plan proposes abandoning 2,670 sq ft of Wisteria Drive.

SPECIMEN & SIGNIFICANT TREES

ID	COMMON NAME	SIZE	BOTANICAL NAME	CONDITION/REMARKS
1.	*Northern Catalpa	36"	Catalpa speciosa	Fair - Poison Ivy Vines
2.	*Sycamore	34"	Platanus occidentalis	Poor - Major dead branches
3.	*Flowering Dogwood	5'-6"-11"	Cornus florida	Good
4.	*Black Cherry	26"	Prunus serotina	Poor - Vines and small canopy
5.	*Box Elder	18"	Acer negundo	Poor - Dead branches and poor canopy
6.	*Common Apple	10"	Pyrus malus	Good
7.	*Box Elder	15"-15"	Acer negundo	Poor - Poison Ivy Vine and poor canopy
8.	*Common Apple	9"	Pyrus malus	Good
9.	*Box Elder	27"	Acer negundo	Fair
10.	*Box Elder	18"	Acer negundo	Poor - Dead branches
11.	*Box Elder	20"-20"-20"-20"	Acer negundo	Poor - Mostly dead
12.	*Box Elder	33"	Acer negundo	Fair
13.	*Box Elder	27"	Acer negundo	Fair
14.	*Northern Catalpa	18"	Catalpa speciosa	Fair - Leaning
15.	*American Elm	24"	Ulmus americana	Good - Some dead branches
16.	*American Basswood	36"	Tilia americana	Poor - Dead branches
17.	*Black Walnut	14"	Juglans nigra	Good
18.	*Red Mulberry	12"	Morus rubra	Fair
19.	*Black Cherry	27"	Prunus serotina	Good
20.	*Box Elder	18"-18"-18"	Acer negundo	Fair
21.	*Red Mulberry	24"	Morus rubra	Poor - Dead branches
22.	*Box Elder	16"	Acer negundo	Poor - Mostly dead

Note: Diameters are given for each trunk of multiple trunked trees when truncation occurs below 4.5 feet. If major truncation occurs above 4.5 feet only the trunk diameter at 4.5 feet is given. \* indicates specimen trees.

SURVEYOR'S CERTIFICATE

I hereby certify that the boundary shown hereon has been taken from a boundary survey prepared by John H. Mc Govern dated May, 1986, and is subject to change upon completion of a final survey.

01/26/90 Date  
John R. Witmer  
Registered Professional Land Surveyor  
Maryland Registered #10668

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

2/3/94 DATE  
John Douglas Sievers  
RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD DEPT. OF NATURAL RESOURCES

APPROVED

NRVSD No. 4-94123  
Pamela R. Rowe 2/25/94  
SIGNATURE

TAX MAP EU 342 W.S.B.C. 227 NW 13  
NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION PLAN  
K & T. DEVELOPMENT PROPERTY  
NORTH PARCEL - PARCEL 858  
GERMANTOWN  
2ND ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

OWNERS / APPLICANTS

Dennis Keller  
% Keller Bros. Inc.  
10111 COLESVILLE RD  
Silver Spring, Md. 20901  
(301) 593-5555

W. K. Trunnell, Jr.  
% Congressional Electric, Inc.  
415 East Diamond Ave.  
Gaithersburg, Md. 20877  
(301) 869-6634

	Macris, Hendricks and Glascock, P.A.		
	Engineers • Planners • Surveyors		
	Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879		
	(301) 670-0840		
Designed	J.O.S.	Drawn	W.S.M.
Date	2/1/94	Scale	1" = 30'
Job No.	65-156-999	Sheet	1 of 1

1-90065