

AGENDA ITEM #3(B)  
June 9, 2015

**ACTION to WAIVE  
PUBLIC HEARING**

**MEMORANDUM**

June 5, 2015

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst 

SUBJECT: **ACTION:** Waiver of Public Hearing on Declaration of No Further Need:  
Disposition of 19330 Mateny Hill Road, Germantown, Maryland (AKA  
Germantown Historic Bank)

On March 12, 2015, the Executive transmitted to the County Council a summary of the material terms for the sale of the Historic Germantown Bank to the Germantown Historical Society for \$1. The Germantown Historical Society is accepting this property "as is" with three exceptions (county will remove electric service meters for parking lot lights, repair and clean a drain in the parking lot, and complete a survey to establish property boundaries) and will maintain their current operations at the building. The Executive requested the Council approve the disposition at less than fair market value based on the fact that the building is in need of many repairs and the Germantown Historical Society is willing to undertake this challenge while continuing to provide historical preservation services to the community. The March 12, 2015 memo is attached at © 1-2.

The Council did not have any questions or comments on the material terms. The April 7, 2015 memo from the Council President to the County Executive saying this is attached at © 3.

On May 4, 2015, the Executive transmitted Executive Order 35-15, Declaration of No Further Need related to 19330 Mateny Hill Road, Germantown, (AKA Germantown Bank). Executive Regulation 35-15 was advertised in the County Register for 30 days starting on March 1, 2015. It is attached at © 4-6.

The Council President asked Council staff to ask Councilmembers if they agree that the Council should waive the public hearing. At the time of this memo, no Councilmember had requested a public hearing be held. Approval of this item is the Council's action to waive the public hearing.

Agenda Item #3(C) on today's agenda introduces a resolution to approve the Declaration of No Further Need. Action is tentatively scheduled for June 23, 2015.

Attached at © 7-8 are letters of support for this disposition.



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

March 12, 2015

To: George Leventhal  
Council President

From: Isiah Leggett   
County Executive

Subject: Material Terms – 19330 Mateny Hill Road, Germantown  
(AKA Historical Germantown Bank) Disposition

The purpose of this memorandum is to provide the material terms of the disposition County property located at 19330 Mateny Hill Road, Germantown, Maryland (aka the "Historic Germantown Bank"). The property was built in the early 1900s and was deeded to Montgomery County in 1983 by Suburban Bank. The property is within the Germantown Historic District, as established in the 1989 Germantown Master Plan. Other than establishing the property's presence in the historic district, there are no specific recommendations for the property in the Germantown Master Plan.

The Germantown Historical Society (GHS) is a local not-for-profit organization that has leased the building since 2003 as its headquarters and uses the building for office space, storage space, archive space, museum displays and public meeting space. The GHS also provides benefits to the community such as education about local history, providing local historical information and preserving local historic sites. Recently the Department of General Services (DGS) determined that the amount of repairs and upkeep of the facilities are too extensive to maintain without substantial financial input from the County. DGS therefore performed a reuse analysis for the purpose of making recommendations to me about the useful status of this property. That analysis resulted in a determination that the property is not needed by any County Department, Agency or County affiliated Department or Agency.

Following the reuse analysis, a Request for Proposals was issued to the public on June 13, 2014 and the GHS was selected as the winning proposal. The GHS has proposed a plan to acquire the property for the purpose of maintaining their current operations in the facility. Their offer is for less than fair market value based on the fact that the property is in need of many repairs. As the current Tenant GHS is fully aware of the challenges this property presents and they are willing to undertake that challenge while continuing to offer historical preservation services to the Community.

George Leventhal  
March 12, 2015  
Page 2

DGS has recommended that the property should be disposed of for less than the fair market value that was established by the April 2014 appraisal because of the extensive repairs that would be required to obtain full fair market value on the open market. The GHS offer includes a plan to put money toward repairs and maintenance of the structure, to accept the property in an "as is" condition with a few exceptions such as:

- 1) County to remove the electric service meters for parking lot lights from the east side of the building;
- 2) County has already made repairs and cleaning to the drain in the parking lot that affects drainage into the basement of the building; and
- 3) County to conduct a survey to establish the property boundaries as a determinate of what property is being disposed.

The GHS is a compatible owner for this property because the small size of the building and property has been appropriate for their operations, their operations are consistent with the current R-200 zoning, their hours and practice of operations are compatible with the surrounding active MARC parking lot because they have limited daytime program hours that create few if any conflicts for MARC parking during the work week, and the location within an historic district that would otherwise impact redevelopment opportunities of other owners is compatible with the GHS mission and goals.

I have considered the reuse recommendations made by DGS and I have determined that there is no further public need for 19330 Mateny Hill Road Germantown, Maryland (aka Germantown Historical Bank) and find that this property is appropriate for Disposition. As required under §11B-45 of the Montgomery County Code, I have authorized the issuance of an Executive Order declaring that County owned or controlled real property is no longer needed for public use. Attached Executive Order 35-15 will be published in the March 2015 County Register for the required 30 day public notice and comment period.

I hope this information is helpful. Please contact Greg Ossont, Deputy Director, Department of General Services if you have any questions.

IL:rbp

Attachment: Executive Order 35-15

cc: Ramona Bell-Pearson, Assistant Chief Admin. Officer  
Greg Ossont, Deputy Director, DGS  
Ronnie Warner, Redevelopment Manager DGS



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

MEMORANDUM

April 7, 2015

TO: Isiah Leggett, County Executive

FROM: George Leventhal, Council President *George Leventhal*

SUBJECT: Material Terms for Disposition of the Historic Germantown Bank

The Council has received your March 12, 2015 memorandum transmitting the material terms for the disposition of 19330 Mateny Hill Road (Historic Germantown Bank) by selling it for \$1 to the Germantown Historical Society. The Council understands that, with the three exceptions you cite, they will accept the property "as is" and will maintain their current operations at the building.

At this time the Council does not have any comments or questions.

We look forward to receiving your recommended Declaration of No Further Need.

C: Councilmembers  
Linda Lauer  
Greg Ossont, Department of General Services  
Ramona Bell-Pearson, Assistant CAO



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

May 4, 2015

TO: George Leventhal, President  
Montgomery County Council

FROM: Isiah Leggett   
County Executive

SUBJECT: Executive Order 35-15 – Declaration of No Further Need related to  
19330 Mateny Hill Road Germantown, Maryland aka “Historical Germantown  
Bank”

On March 12, 2015, the material terms related to a proposed disposition of property located at 19330 Mateny Hill Road, in Germantown Maryland was submitted to Council. Additionally, Executive Order 35-15 was advertised in the *County Register* for a period of 30 days commencing on March 1, 2015.

Following the submission of material terms, Executive Staff has received no Council questions related to this planned disposition and the advertisement period has now closed in the *County Register*.

Attached please find Executive Order 35-15 which has now completed the required advertisement period in the *County Register* to give notice of my intent to proceed with the disposition of the “Historical Germantown Bank” and declaring it as no longer needed for public use. There have been no public comments received from the *County Register* advertisement. This disposition is now ready for Council consideration and approval.

I hope this information is helpful. If you have any questions, please feel free to contact me directly or speak with Greg Ossont at 240-777-6192 or at [Greg.Ossont@montgomerycountymd.gov](mailto:Greg.Ossont@montgomerycountymd.gov).

Attachment

cc: Linda McMillan, Sr. Legislative Analysis  
Greg Ossont, Deputy Director DGS  
Ramona Bell-Pearson, ACAO

COPY



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Declaration of No Further Public Need for County Property at 19330 Mateny Hill Road, Germantown, Maryland (AKA Germantown Bank)	Executive Order No. 35-15	Subject Suffix ORE
Department: Department of General Services	Department No. ORE	Effective Date 2/25/15

### BACKGROUND

**WHEREAS**, the property located at 19330 Mateny Hill Road, Germantown, Maryland (aka the "Historic Germantown Bank") was built in the early 1900s. The property was deeded to Montgomery County in 1983 by Suburban Bank. The property is within the Germantown Historic District, as established in the 1989 Germantown Master Plan. Other than establishing the property's presence in the historic district, there are no specific recommendations for the property in the Germantown Master Plan; and

**WHEREAS**, the Germantown Historical Society (GHS), a local not-for-profit organization, has leased the building since 2003 and uses the building for office, storage, archive space, museum displays and public meeting space. GHS also provides benefits to the community such as educating members of the community about local history, providing local historical information and providing information about preserving local historic sites; and

**WHEREAS**, when the amount of repairs and upkeep of the building was found to be extensive, a reuse analysis was performed by the Department of General Services ("DGS"), resulting in a determination that the property is not needed by any County Department, Agency or County affiliated Department or Agency; and

**WHEREAS**, in response to a Request for Reuse Proposals issued to the public on June 13, 2014, GHS proposed a plan to acquire the property and make certain repairs to the building so that they can continue their current operations in the building; and

**WHEREAS**, in light of the extensive repairs to be undertaken by GHS and in consideration of the community benefits offered by GHS, DGS has recommended to the County Executive that the property should be sold to GHS for less than the fair market value that was established by the April 2014 appraisal; and

**WHEREAS**, the GHS offer includes a plan to accept the property in an "as is" condition with a few exceptions such as: County to remove the electric service meters for parking lot lights from the east side of the building, County to fix the drain in the parking lot that affects drainage into the basement of the building, and County to conduct a survey to define the property to be disposed as part of the sale; and

**WHEREAS**, GHS is a compatible owner because their operations are consistent with the current R-200 zoning, they have limited daytime program hours that create few, if any, conflicts with the neighboring MARC park and ride lot, and the location of the building within an historic district, that would otherwise impact redevelopment opportunities of other owners, is compatible with the GHS mission and goals; and

COPY



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Declaration of No Further Public Need for County Property at 19330 Mateny Hill Road, Germantown, Maryland (AKA Germantown Bank)	Executive Order No. 35-15	Subject Suffix ORE
Department: Department of General Services	Department No. ORE	Effective Date 2/25/15

**WHEREAS**, the County Executive has considered the reuse recommendations and has determined that there is no further public need for 19330 Mateny Hill Road Germantown, Maryland(aka Germantown Bank) and finds that it is appropriate for Disposition to GHS; and

**WHEREAS**, as required under §11B-45 of the Montgomery County Code, the County Executive must issue an Executive Order declaring that County owned or controlled real property is no longer needed for public use.

### ACTION

In consideration of the above recitals, the County Executive declares that there is no further public need for 19330 Mateny Hill Road, at Germantown, Maryland, and hereby directs the Department of General Services to take all steps necessary to dispose of the property in the manner described in this Executive Order.

Approved as to Form and Legality  
Office of the County Attorney

APPROVED

By: *[Signature]*  
Date: 2/25/15

*[Signature]*  
Ramona Bell-Pearson  
Assistant Chief Administrative Officer

Distribution:  
County Council  
County Attorney  
Department of General Services

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# MONTGOMERY PRESERVATION

Post Office Box 4661  
Rockville, MD 20849-4661

Web: [www.montgomerypreservation.org](http://www.montgomerypreservation.org)  
Email: [mpi@montgomerypreservation.org](mailto:mpi@montgomerypreservation.org)

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To Promote the Preservation, Protection and Enjoyment of Montgomery County's Rich Architectural Heritage and Historic Landscapes

March 13, 2015

Montgomery County Council  
Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850

Re: Proposal for purchase of the historic  
Germantown Bank Building by the  
Germantown Historical Society

Dear Council President Leventhal and Members of the County Council:

Montgomery Preservation, Inc. (MPI) enthusiastically supports the proposal of the Germantown Historical Society for the purchase of the historic Germantown Bank Building from Montgomery County government. MPI is a non-profit county-wide organization that since 1984 has actively encouraged and defended preservation efforts in communities throughout Montgomery County.

Germantown Historical Society (GHS) will be the ideal entity to care for this historic building now and into the future. GHS has shown continuous concern for the Germantown Bank for a quarter of a century and has proven its ability to be a responsible tenant there for a decade, fulfilling its requirements to maintain the building while serving the local community. It has worked with County government in good faith and raised funds for improvements to this handsome historic resource.

GHS serves the community and greater Montgomery County well by providing public meeting space and a local museum, with a solid record since 1990 of public programs, preservation advocacy, and outreach projects. We believe the GHS proposal is realistic as well as optimistic for a solid future.

Should Montgomery County grant reuse of the Germantown Bank Building to the Germantown Historical Society, it will be MPI's pleasure to aid GHS in repairing and maintaining this building through endorsement of grant applications, support in dealing with government institutions, and offering advice.

Sincerely,



Eileen McGuckian, president  
Montgomery Preservation, Inc.

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LU & ZONING

2015 JUN -3 AM 8:46

VY

Montgomery County Council  
Council Office Building  
100 Maryland Avenue, 5<sup>th</sup> floor  
Rockville, MD 20850

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

**Re: Proposal for purchase of the Historic Germantown Bank Building by the Germantown Historical Society**

Dear County Council – We are writing to support the proposal of the Germantown Historical Society (GHS) to purchase of the Historic Germantown Bank Building in Germantown, Maryland from Montgomery County for \$1.

The GHS has been an asset to the local community since its formation in 1990 through its museum, public programs, and advocacy/outreach projects in the community. As new residents in Germantown, we have enjoyed learning about the history of the area through the publications and events sponsored by the GHS. It would be very appropriate for the GHS to own the Germantown Bank Building. Given their active role in historic preservation, the GHS will undoubtedly take excellent care of this historic building. The GHS has been a good tenant of the Historic Germantown Bank Building since 2003, fulfilling its requirements to maintain the building and serving the local community, and will be continuing to serve the community through the museum and outreach programs.

Sincerely,



Jill Bradbury, PhD



Brian Florence, PhD

**Brian Florence & Jill Bradbury**  
13605 Andyke Place  
GERMANTOWN, MD 20874