MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 7340 Westlake Terrace, Bethesda  
Meeting Date: 1/8/2020

Resource: Master Plan Site #29-16  
Report Date: 12/31/2019

Locust Grove I (Samuel Magruder House)

Applicant: 1788/CAP 10 MD, LLC  
Public Notice: 12/24/2019

Review: HAWP  
Tax Credit: No

Case No: 29/16-20A  
Staff: Dan Bruechert

PROPOSAL: Demolition and New Construction

RECOMMENDATION
Staff recommends the HPC approve the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individually Listed Master Plan Site #29-16 (Samuel Magruder House)
STYLE: Federal
DATE: c.1773 and 1973

From Places from the Past:
“Locust Grove was substantially larger than most houses of its era. William Wirt, who later became U.S. Attorney General, was a boarder at Locust Grove in 1783 and described the house as “a mansion,” being “a large two-story brick house.” Five bays wide, the substantial house features Flemish bond brick, a belt course above the first story, and double end chimneys. As originally built, each floor of the center hall plan had four rooms. Most of the interior woodwork dates from 1890s renovations. A massive stone and brick chimney on the kitchen wing may predate the main block.

Samuel Wade Magruder inherited the land in 1751 and built Locust Grove between 1773 and 1781. Magruder was a significant figure in the political life of the county through the late 1700s. He was lieutenant in the colonial militia in the 1750s, and during the Revolution served first as a captain and later a major in the Maryland militia. Magruder was one of the first justices to sit on the County Court, after Montgomery County was formed, serving from 1777 to 1790. Now located near Montgomery Mall, the house has been converted to commercial use. In 1985, a branch of Chevy Chase Savings and Loan opened on site.”

There is a non-historic bank teller building (c. 1973) 200’ from the Magruder House.
BACKGROUND

The HPC reviewed a preliminary consultation for a proposal to demolish the non-historic bank-teller building and construct a new drive-through building in the same approximate location at the May 7, 2019 HPC meeting.¹

The HPC signaled their support for the non-historic building demolition, however, the HPC had additional questions and recommendations for the proposed new construction and recommended a second preliminary consultation. This scope of this HAWP only extends to the building demolition.

PROPOSAL

The applicant proposes demolishing the c.1973 drive-through building.

APPLICABLE GUIDELINES

Proposed alterations to individual Master Plan Sites are reviewed under Montgomery County Code Chapter 24A (Chapter 24A) and the Secretary of the Interior’s Standards for Rehabilitation. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical,

cultural, or architectural values.

Montgomery County Code, Chapter 24A Historic Resources Preservation

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

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

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;

Secretary of the Interior’s Standards for Rehabilitation

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space, and spatial relationships that characterize a property will be avoided.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportions, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

There are two buildings at the subject property, the 1773 Locust Grove/Samuel Magruder House and a c.1973 drive-through bank teller building. The teller building is located at the corner of Westlake Terrace and Westlake Drive, in the northeast corner of the subject lot. The applicant proposes demolishing this building.

Staff finds that this building does not contribute to the historic character of the Master Plan site and is separated from the historic building by 200’ (two hundred feet) across a parking lot. The removal of the drive-through building will not detract from the historic character of the site and will actually improve the visibility of the Magruder House from the surrounding area. Staff finds the proposal is compatible with 24A-8(b)(1) and (2) and Standards 2, 9, and 10 and recommends approval of this HAWP.

STAFF RECOMMENDATION

Staff recommends that the Commission approve the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1) and (2), having found that the proposal, is consistent with and compatible in character with purposes of Chapter 24A;

and with the Secretary of the Interior’s Standards for Rehabilitation #2, 9, and 10;

and with the general condition that the applicant shall present the 3 permit sets of drawings, if applicable to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits; and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff’s
discretion;

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

Contact Email: Szadeh@1788holdings.com
Contact Person: Sam Zadeh
Daytime Phone No.: 703-589-6821

Tax Account No.: 01804038

Name of Property Owner: 1788 Capitol Blvd, DC
Daytime Phone No.: 703-589-6821

Address: 4421 East-West Highway Bethesda MD 20814

Contractor: RKS Construction Inc.
Phone No.: 240-308-9235

Agent for Owner: Sam Zadeh
Daytime Phone No.: 703-589-6821

LOCATION OF BUILDING PREMISES

House Number: 7340
Street: Westlake Terrace

City: Bethesda

Street: Newland Crossing Street

City: Westlake Drive

Lot: PAR-N-Lakeview Plat Ref. 12342

Block: 6491
Subdivision: N509

PART I: TYPE OF PERMIT ACTIVITY AND USE

1A. CHECK ALL APPLICABLE:

☐ Construct ☐ Extend ☐ Alter/Remodel
☐ Move ☐ Install ☐ Construct/Remodel
☐ Revision ☐ Repair ☐ Remove

1B. Construction cost estimate: $6,800

1C. If this is a revision of a previously approved active permit, see Permit #: N/A

PART II: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS

2A. Type of sewage disposal:

☐ 01 WSSC ☐ 02 Septic ☐ 03 Other:

2B. Type of water supply:

☐ 01 WSSC ☐ 02 Well ☐ 03 Other:

PART III: COMPLETE ONLY IF FENCING OR RETAINING WALL

3A. Height: feet inches

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

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

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

Signature of owner or authorized agent:

Date:

PART IV

Approved:

For Chairperson, Historic Preservation Commission

Disapproved:

Signature:

Date:

Application/Permit No.:

Date Filed:

Date Issued:

SEE REVERSE SIDE FOR INSTRUCTIONS
1. WRITTEN DESCRIPTION OF PROJECT
   a. Description of existing structure(s) and environmental setting, including their historical features and significance:
      "Magnolia House is designated as a Historic Building on this site. In 1980s it was converted to a bank branch, and a drive through structure was added on the east corner of the lot."

   b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:
      "The scope of this project is to demolish the drive through structure, and remove its building which was added in 1980s."

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your lot. Your site plan must include:
   a. the scale, north arrow, and date;
   b. dimensions of all existing and proposed structures; and
   c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS
   You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.
   a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, windows and door openings, and other fixed features of both the existing resource and the proposed work.
   b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, where appropriate, contact. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS
   General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS
   a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
   b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY
   If you are proposing construction adjacent to or within the dripline of any tree 5" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS
   For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lots or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.
**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**

[Owner, Owner’s Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner's mailing address</th>
<th>Owner's Agent's mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td>7340 Westlake Terrace, Bethesda MD 20817</td>
<td></td>
</tr>
<tr>
<td>1780 Cap 10 MD, LLC</td>
<td></td>
</tr>
<tr>
<td>4421 East-West Highway</td>
<td></td>
</tr>
<tr>
<td>Bethesda MD 20814</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Westlake Condominium</strong></td>
</tr>
<tr>
<td>Location &amp; Address: 7420 Westlake Terrace Condo Unit B</td>
</tr>
<tr>
<td>Bethesda MD 20817</td>
</tr>
<tr>
<td>Mailing Address: 7420 Westlake Terrace</td>
</tr>
<tr>
<td>Bethesda MD 20817</td>
</tr>
</tbody>
</table>

- Westlake Spring Condo
- 10320 Westlake Dr.
- Mailing Address: 7420 Westlake Terrace
- Bethesda MD 20817

- Montgomery Mall, LLC
- 10301 Westlake Dr.
- Mailing Address: Suite 301, Dept. T, P.O. Box 130940
- Carlsbad, CA 92013-0940
**ONLY Drive Thru Structure To Be Demolished**

**Historic House To Remain!**
Drive Through/ATM
Building ONLY

TO BE DEMOLISHED!
December 2, 2019

To Whom it May Concern:

Please accept this letter as evidence that Sam H. Zadeh is authorized to execute the Application for Historic Area Work Permit associated with the project located at 7340 Westlake Terrace in Bethesda, Maryland.

By:

1788/CAP 10 MD, LLC
a Delaware limited liability company

1788/CAP 10 Holdings, LLC
a Delaware limited liability company, its sole member

By: 1788/CAP 10 GP, LLC, a Delaware limited liability company, its managing member

By: 1788 Holdings, L.L.C., a Delaware limited liability company, its managing member

By: ____________________________
Name: Larry J. Goodwin
Title: Sole Member

Signature: ________________________
Commission expires: 5/18/22
STATE OF MARYLAND
Department of Assessments and Taxation

I, MICHAEL L. HIGGS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO LIMITED LIABILITY COMPANIES, OR THE RIGHTS OF LIMITED LIABILITY COMPANIES TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT 1788/CAP 10 MD, LLC (Z18752113), REGISTERED APRIL 17, 2018, IS A LIMITED LIABILITY COMPANY EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF DELAWARE, AND THAT THE LIMITED LIABILITY COMPANY IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING TO TRANSACT BUSINESS.


Michael L. Higgs
Director

301 West Preston Street, Baltimore, Maryland 21201
Telephone Baltimore Metro (410) 767-1340 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: A25T8aOSiygzbBPcofAmA
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