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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: September 28, 2010

SUBJECT: BZA Case No. 18109, Strand Theater (Square 5196, Lots 801,805)

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends approval of the variance request to renovate the historic Strand Theater and combine it with an adjacent building, for relief from the following:

- ❖ § 771 - Floor area ratio (1.0 permitted, 1.45 proposed)
- ❖ § 2001.3 - Addition to an existing non-conforming structure

OP also recommends approval of the special exception request, for relief from the off-street parking requirements found in § 2120.6, because the expansion of the existing historic structure is more than 50%.

**II. AREA AND SITE DESCRIPTION**

Address:	5127-31 Nannie Helen Burroughs Avenue, NE
Legal Description:	Square 5196, Lots 801 & 805
Ward:	7
Lot Characteristics:	10,495 square foot rectangular lot, adjacent to a 15' wide public alley; located at the southwest corner of Nannie Helen Burroughs Avenue and Division Street NE
Existing Development:	Historic Strand Theater and two-story commercial structure
Zoning:	C-1 – Low-density commercial
Adjacent Properties:	North: 4-story mixed-use building and 1-story commercial building; East: BP gas station; West and South: 1-story retail and commercial buildings.
Surrounding Neighborhood Character:	Low to moderate density commercial buildings and residential and institutional uses. R-5-B zone to the southwest and an R-2 zone to the north and east. Institutional uses include several churches along Nannie Helen Burroughs, Ballou High School to the east, and Marvin Gaye Park to the south.

BOARD OF ZONING ADJUSTMENT
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EXHIBIT NO. 26

Board of Zoning Adjustment

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III. APPLICATION IN BRIEF:

Washington Metropolitan Community Development Corporation and the District of Columbia, property owners, have requested zoning relief to (1) renovate the existing Strand Theater building, (2) join it with the adjacent two-story structure to the west, and (3) construct a two-story side addition to this building. The proposed construction would be located at the corner of Nannie Helen Burroughs Avenue and Division Streets NE. The renovated building would include ground floor retail, combined upper level office space, and a community meeting space in the cellar of the adjacent building. Three off-street parking spaces would be provided at the rear of the lot, to be accessed from the alley.

IV. REQUESTED RELIEF

The applicants request variance relief from floor area ratio and nonconforming structure regulations to allow the expansion of an existing nonconforming building. The applicants also request special exception relief from off-street parking requirements for this historic structure since the proposed addition would exceed 50% of the current floor area, resulting in a requirement for 7 additional parking spaces.

Table 1 –Zoning Analysis of the Project

Standard	C-1 Requirement	Existing Property	Proposed Construction	Relief Required
Floor Area Ratio	1.0	1.19	1.45	Yes
Lot Coverage	100%	73.3%	89.4%	No
Building Height	40' stories	32'	32'	No
Rear Yard	20'	46.7'	28.06'	No
Parking	7 spaces	0 spaces	3 spaces	Yes

**estimate based on application drawings*

V. OFFICE OF PLANNING ANALYSIS

An analysis of the project against the relevant variance criteria is provided below. The requested variance relief must satisfy the following criteria for area variances:

1. Is the property unique due to:
 - a. Exceptional narrowness, shallowness, or shape at the time of original zoning regulation adoption,
 - b. Exceptional topographical conditions, or
 - c. Other extraordinary or exceptional situation?

The property is an irregular-shaped corner lot that is improved with a historic two-story structure. The Strand Theater building, constructed in 1928, was designated as a historic landmark in 2008. The existing building exceeds lot occupancy for the C-1-zone and does not have any off-street parking spaces. The adjacent structure to the east, while not a landmark, is contemporary to the Strand building. The adjacent lot is 38' wide and the existing structure is approximately 25' wide, leaving a gap in the existing commercial frontage on Nannie Helen Burroughs Avenue NE.



View of adjacent structure(s) to the west

As a result, the exceptional situation derives from the property's existing improvements, the historic nature of the building, and the need to bring the property up to current building code standards for occupancy.

2. Does the uniqueness, in combination with the zoning regulations, result in peculiar and exceptional practical difficulties to the owner?

The 1958 Zoning Regulations created limitations on floor area ratio that were more restrictive than the existing development, constructed in 1928. In addition, the existing building was designated as a historic landmark in 2008, which prohibits new additions that would impact its historic integrity. Therefore, an expansion of the building would be not allowed without zoning relief due its nonconforming status and changes to building massing would also not be allowed due to its historic status.

Consolidation of the historic building with the adjacent property to the west could facilitate its redevelopment, albeit with additional constraints. Any proposed building expansion would require that the buildings meet current code requirements and necessary building core improvements. While they could conceivably be accommodated within the footprint of the historic building, they would likely have to be located along its west wall, which would limit the ability to connect the two buildings and prevent the creation of a continuous retail space. In addition, the adjacent building to the west is only 25' wide, which would not easily accommodate core elements (stairs, elevator, mechanical rooms, handicapped accessible restrooms), proposed retail storefront windows, and access to the second floor office uses. Therefore, it would be practically difficult for the owner to restore the building, create a functional retail space, and accommodate all of the building needs within the existing footprint of the two structures.

3. Does granting the variance result in a substantial detriment to the public good or will it substantially impair the intent, purpose, and integrity of the zone plan?

The requested variances to floor area ratio and nonconforming structure requirements could be granted without substantial impact to the Zoning Regulations or public good. While the proposal would increase the overall FAR of the joined lots, the existing historic structure would be preserved and the proposed addition would mainly provide space for shared mechanical functions that could not practically be located within the existing buildings. The proposed addition would close an existing gap in the street wall along Nannie Helen Burroughs and has been designed to maintain the character and scale of the existing buildings. The C-1 zone permits retail and office uses as of right and the proposed development would meet all other requirements of the zone. The public would benefit from the restoration of a dilapidated historic building, the provision of neighborhood serving commercial uses, and a new community meeting space. Finally, the proposal would not detract from character of the historic structure by locating essential building elements in an adjacent building and combining two complementary structures to create more functional and usable spaces.

Special Exception Criteria

The applicant requests zoning relief to allow a total of 3 parking spaces whereas 7 are required, per the requirements and criteria found in § 2120.6, listed below:

2120.6 The Board of Zoning Adjustment may grant relief from all or part of the parking requirements of this section if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking will

result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. The Board shall grant only the amount of relief needed to alleviate the difficulty proved. The applicant shall also demonstrate compliance with the general special exception standard set forth in § 3104 and shall address each of the following criteria as part of its presentation to the Board:

- (a) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;*
- (b) Amount of traffic congestion existing and/or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;*
- (c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and*
- (d) Proximity to public transportation, particularly Metrorail stations, and availability of either public transportation service in the area, or a ride sharing program approved by the District of Columbia Department of Transportation.*

The historic structure occupies 99% of its lot and the property currently has no off-street parking spaces. Since changes to the building massing would not be permitted, there are no additional opportunities to provide off-street parking spaces on this lot. As a result, the only area available for adding parking spaces is at the rear of the adjacent lot, which has an existing width of 38'. While this width could technically accommodate four standard sized parking spaces, none would meet the required width for an accessible parking space.

As such, the applicants have proposed to accommodate two standard parking spaces and one accessible parking space at the rear of the lot. The proposed parking area would be accessed from a public alley and would not be visible from the street, helping to maintain the historic integrity and appearance of the Strand building.



View of rear of lots from public alley

The proposed improvements would result in a total of 7,930 square feet of ground floor retail space and 4,579 square feet of second floor office space. The applicant anticipates the ground retail space would be occupied by neighborhood-serving uses (e.g. drug store, restaurant) or several smaller retail tenants. The upper level space would likely be occupied by medical or dental offices. At this time, the applicant has not provided additional information regarding any potential traffic congestion impacts of the proposed use or the number of clients, customers, or employees that are anticipated to occupy the use at a given time. OP would defer to DDOT for a technical analysis of the proposed use and its impact on local traffic congestion in the area. The applicant has indicated the site is located within a mile of three Metrorail stations and is served by Metrobuses on both Nannie Helen Burroughs (U8) and Division Street (W4).

The requested zoning relief should not adversely impact neighboring properties as it would increase the number of parking spaces on site and locate them at the rear of the lot, adjacent to a paved, 15'

wide, public alley. The special exception request, should it be granted, would also be in keeping with the general intent and purpose of the Zoning Regulations in that it would allow the redevelopment of an historic building and add ground floor retail space along an underutilized commercial corridor.

VI. HISTORIC PRESERVATION REVIEW

The Historic Preservation Office (HPO) recommended concept approval of the request in October 2009 (see Attachment 3). On October 22, 2009, the Historic Preservation Review Board granted concept approval for the proposed renovation, subdivision, and new construction.

VII. AGENCY COMMENTS

DDOT: OP has not been informed of any transportation related concerns regarding the project. The applicant has been in contact with DDOT staff and plans to meet with them in advance of the public hearing to discuss the project in greater detail.

VIII. COMMUNITY COMMENTS

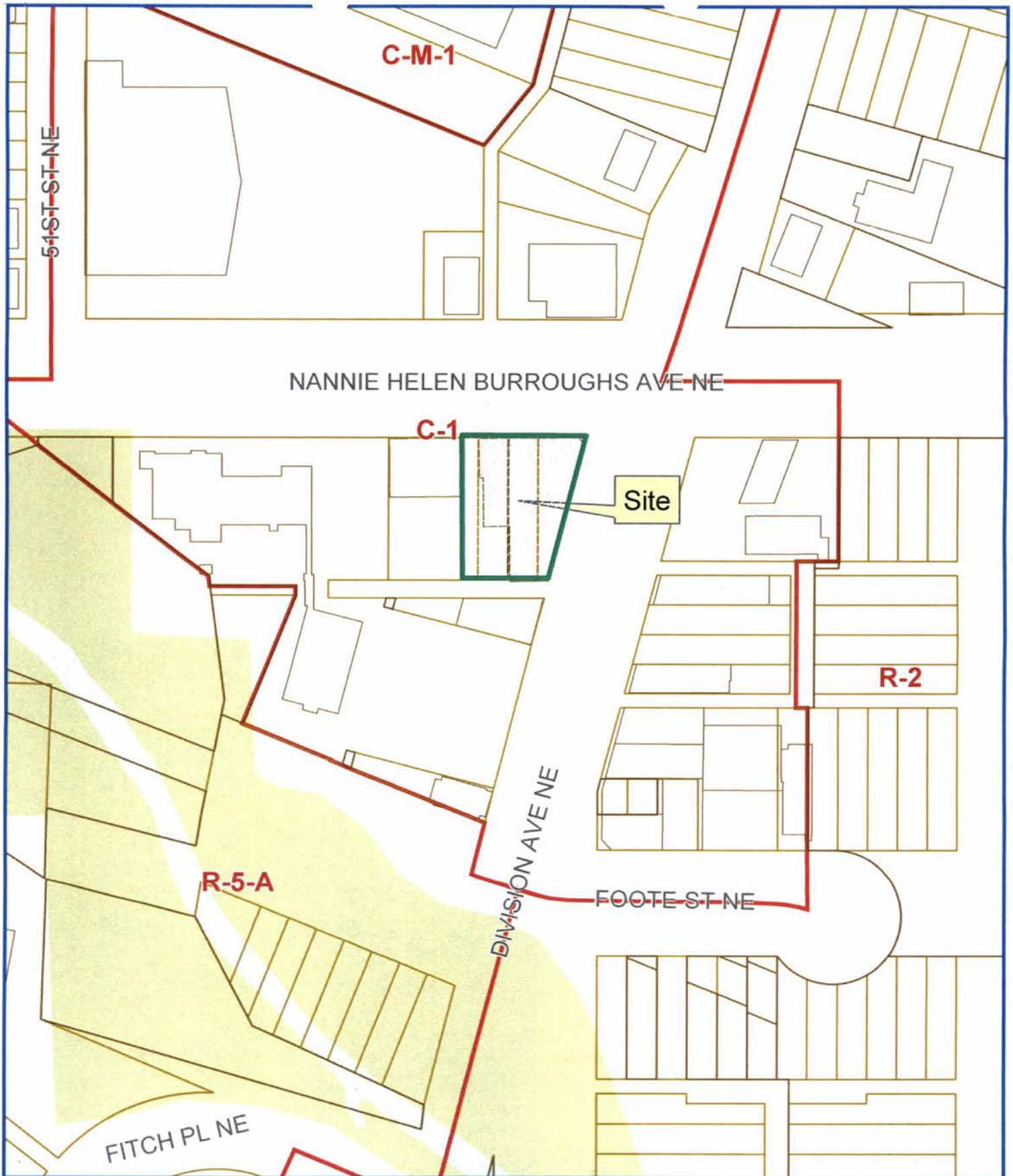
ANC 7C discussed the request at their September 9, 2010 meeting, and the applicant has indicated the project received a favorable recommendation at that time.

JS/ayj

Arlova Jackson, Project Manager

Attachments:

1. Location map
2. Aerial photograph
3. HPO Staff Report



BZA 18109 - 5127-31 Nannie Helen Burroughs NE

Exhibit 1 - Location Map

Legend

	Zoning Districts		Buildings
	Tax Lots		DC Parks
	Record Lots		Water

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.



DC Office of Planning



BZA 18109 - 5127-31 Nannie Helen Burroughs NE
Exhibit 2 - Aerial Photo (2008)



This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.
Oblique imagery © Pictometry International

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**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Landmark/District:	The Strand Theater	() Agenda (x) Consent
Address:	5129-5131 Nannie Helen Burroughs Avenue, NE	(x) Alterations
Meeting Date:	October 22, 2009	(x) Subdivision
Case Number:	09-431	(x) Addition
		(x) New Construction
Staff Reviewer:	Tim Dennée	(x) Concept

The applicant, Ronnie McGhee (of R. McGhee and Associates), agent and architect for owner the Washington Metropolitan Community Development Corporation, requests the Board's conceptual review of a proposal to combine the landmark theater lot with two smaller lots to the west; to demolish all but the façade of the undesignated building immediately to the west of the theater; to construct a new, two-story structure on the vacant lot farthest west; to combine all of the structures internally, demolishing much of the theater's west wall to do so; to perform some nonstructural demolition within the theater; and to make other alterations to the theater, including largely restoring the exterior.

The 1928 Strand Theater was designated in June 2008, principally for being the first purpose-built theater in Washington located east of the Anacostia River, and the first there to serve African Americans. A fairly stripped-down version of Renaissance Revival, it has been further stripped by the ravages of time, losing its entrance canopy, fluted pilasters, original windows and doors, and nearly all of the interior features and finishes. It does, however, retain the large rooftop sign.

The theater exterior

The intention of the exterior work is to bring the outside of the building more or less back to its appearance *circa* 1949, from which time we have some photographic evidence. The entrances would be restored (with a canopy somewhat shallower than the original), and the window and storefront openings and sign boxes largely brought back to what they were. Large openings at ground level in the east wall—now blocked up with concrete masonry units—would be reopened. Most of these are not original openings, but date to the 1960s/1970s. Replacing them with storefront windows would be an improvement, as long as these are well detailed. A couple of additional windows at the second story in the east wall would take the place of former air conditioning vent openings, so although they are not original, they are sufficiently compatible considering the building's current state, and they are justifiable alterations to render the upper story suitable to tenants.

The roof sign would be retained and refurbished, but it is not clear yet whether its lighting would again be made operational.

The one area in which the exterior project could be improved—indeed, should be improved—is rebuilding projecting show windows in the openings flanking the shop entrance at the northeast corner of the theater according to the historic photographic evidence.¹ The primary façade would look odd with large storefront windows in the plane of the walls, and restoring a bay on the east side would be an appropriate distinction from the storefront-type windows to be placed in the presently blocked openings.

Demolition

There is to be significant demolition of partitions and stairs within the theater, but as these are nonstructural, the work falls outside the purview of the law. Similarly, the demolition of most of the building next door is not an issue, because the building, although a contemporary of the theater, is not designated. That building's façade, however, will be largely restored with a new storefront and windows.

The most important demolition issue is that of much of the west side wall of the theater, intended to connect the theater space to the building next door. The brick piers would be retained, of course, to continue to support the theater, but the brick walls between would be removed. In light of the commercial program of the complex; the fact that the interior of the theater has very little integrity of finishes; and the fact that the other three walls and the roof and floor framing would remain, as would the line and piers of the west wall, the proposal seems sufficiently compatible and reasonable to revitalize the building and area.

Subdivision and new construction

The little, two-story brick entrance piece to be added to the west end of the complex does not even touch the theater, but its compatibility is required because that property will be joined to the theater lot. Its design will undergo further development, of course, but it harmoniously combines the modest brick front and parapet of the older, adjacent structures with a lightly framed projection at the second story, a modern move but evocative, too, of commercial show windows.

The only significant physical consequence of the subdivision to consolidate all of the lots is the demolition of much of the theater's west wall to connect the buildings. As this consolidation of properties may be necessary to make the rehabilitation successful, it should be supported.

The staff recommends that the Board approve the proposal in concept, with the condition that the storefront openings on either side of the corner entrance be restored with appropriate projecting bays, and that further review be delegated to staff.

¹ The applicant has indicated an interest in seeking federal rehabilitation tax credits, so the better the exterior restoration, the more likely that such credits could be forthcoming.