

Testimony for BZA case #18722, Andrew Keegan Theatre Company
David Alpert, 1769 Church St NW

Dear Chairman Jordan and members of the Board,

I own a row house at 1769 Church St, NW, on the same block as the Andrew Keegan Theatre Company. I can see the theater from my front windows. I would like to strongly encourage you to grant the theater's petition for a zoning variance

This theater is a tremendous asset to our block and our neighborhood. Few DC residents are privileged to enjoy an excellent theater virtually right on their front stoops. The Keegan produces enjoyable, popular, and high-quality theatrical productions which we have enjoyed on many occasions.

The Keegan has never caused any negative impacts for us. There is not a lot of noise that comes from the audiences. To the extent that audience members are walking down our block and talking loudly, which isn't particularly common, this is no different from what people patronizing businesses on nearby 17th Street do, and is all, in my view, a part of being in the city.

Every neighbor I have spoken to is very enthusiastic about the Keegan's proposed renovation and expansion, which will, among other things, provide larger lobby space so that people can better congregate indoors before shows.

We are very happy the Keegan Theater is here and only hope that it continues to grow and prosper and continue producing theatrical performances for a long, long time.

Therefore, speaking to the prong of the variance test that granting the application would be "without substantial detriment to the public good," I feel very strongly that this variance would not be detrimental to the public good. Rather, it would be of substantial detriment if you denied this application. To force an existing, beloved theater to shut down or curtail its operations would greatly diminish the public good.

I would also like to add that, as part of the Comprehensive Zoning Regulations Review (or "zoning update"), ZC case #08-06A, I have encouraged the DC Office of Planning and Zoning Commission to consider changing the standard in cases such as this one from a variance to a less burdensome special exception.

I referred to 2 specific examples of why a special exception is more appropriate: this case and #18471, the application of the Universalist National Memorial Church at 1810 16th Street, NW to allow theatrical performance by the Spooky Action Theater group. This Board granted that variance as well by finding that the church would suffer financial hardship otherwise. I am glad that you found that, and hope you will also agree in the Keegan's case, but I do not believe that hardship should even be a necessary condition.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18722
EXHIBIT NO. 20

RECEIVED
D C OFFICE OF PLANNING
2014 JAN 16 AM 9:47
Board of Zoning Adjustment
District of Columbia
CASE NO. 18722
EXHIBIT NO. 20

Theaters are an asset to the community, not a burden, provided they can work with immediate neighbors to mitigate impacts. When, in our zoning regulations, we wish to generally allow a thing as long as it does not unduly affect neighbors, we use a special exception standard. I believe that should apply to just cases such as this. Regardless of "exceptional practical difficulties or exceptional and undue hardship," having institutions such as the Keegan close by improves our enjoyment of our neighborhoods, and such organizations deserve the ability to more easily locate in districts like the R-5.

I recognize that you, the Board of Zoning Adjustment, are not in a position to decide what the regulations should be, and are not passing judgment on the wisdom of the regulation as written. I expect that the Keegan will have no trouble demonstrating that it meets the legal requirements for a variance, but if for some reason you find yourselves on the fence about any interpretation of the regulations as they apply to their case, I hope you will keep in mind that perhaps if this case were arising in the near future, the Keegan would not even have to meet this test at all.

I hope you will speedily grant the Keegan's application so this treasured neighborhood asset can continue and thrive. Thank you for your time and attention.

A handwritten signature in black ink that reads "David Alpert". The script is fluid and cursive, with the first letters of "David" and "Alpert" being capitalized and prominent.

David Alpert
Founder and editor-in-chief
Greater Greater Washington