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BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application of Washington Drama Society, Inc.
dba The Arena Stage
1101 Sixth Street, SW

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Background:

The Subject Property, Lots 123 and 126 in Square 472, with premises address of 1101 Sixth Street, SW, is improved with the Arena Stage Theater. The Applicant wishes to construct an addition to the existing building in order to improve performing, lobby, circulation and preparation spaces as well as to expand and improve administrative and classroom spaces and mechanical systems. The proposed project also involves the enclosure of parking facilities on the site and the introduction of a small amount of residential space in order to provide temporary accommodation for visiting performers. The Subject Property is zoned W-1.

In order to accomplish the project, the Applicant seeks the following items of variance relief from the Zoning Regulations: (1) variance from the height restriction, §930; (2) variance from the floor area ratio (FAR) requirements, §931; (3) variance from the percentage of lot occupancy restriction, §932; and (4) variance from the rear yard restriction, §933.

Pursuant to §3113.8 of the Zoning Regulations, the Applicant will file its Statement of the Applicant with the Board no fewer than 14 days prior to the public hearing for the present Application. In said Statement, and at the public hearing, the Applicant will provide testimony to meet its burden of proof to obtain the Board's approval of the requested variance relief. Following herein, as required by the Board's application process, is a summary statement indicating how the Applicant will meet said burden of proof.

II. Burden of Proof:

A. Variance Relief

The test for variance relief is three-part: (1) demonstration that a particular piece of property is confronted with some exceptional condition or situation; (2) such that, without the requested variance relief, the strict application of the Zoning Regulations would result in some practical difficulty upon the property owner; and

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(3) that the relief requested can be granted without substantial detriment to the public good or zone plan.

(1) Exceptional Condition or Situation:

The Applicant will demonstrate that the Subject Property is impacted by an exceptional site configuration and street frontage, large size, topography, and improvement with a historic landmark theater building, among others. The Subject Property is an exceptionally large pie-shaped property with prominent frontages along both 6th Street, SW, and Maine Avenue, SW. The Subject Property also has been designated a historic landmark on the District of Columbia Inventory of Historic Sites, presenting numerous design considerations, including maximization of preservation of historic resources and sympathetic new construction.

(2) Resulting Practical Difficulty:

The Applicant will demonstrate that the strict interpretation of the Zoning Regulations will result in a practical difficulty upon the Applicant. The Applicant has significant need to improve and expand the existing landmark theater building in a number of ways. Arena Stage is comprised of two stage areas, the Fichandler and the Kreeger theaters. The Applicant proposes to preserve these structures as part of its redevelopment project. Importantly, among the many improvements needed by these theaters is soundproofing. As currently stands at the Fichandler stage, theater patrons enter directly into the "theatre in the round." There is no foyer or other entry space to buffer the performance area from street noise. The Applicant proposes to essentially encapsulate these historic structures within a larger structure, and in the process, distinguish new construction from old. The proposed new construction will also contain much needed additional and updated space for administrative and classroom use as well as for stage production and patron parking. The new construction will also provide the Applicant opportunity to include residential accommodation for visiting actors and personnel.

This creative combined solution to the historic preservation, noise, and space issues cannot be achieved without relief from the strict application of certain provisions of the Zoning Regulations, as enumerated above. The Applicant must seek variance from the height, building density, rear yard and lot occupancy regulations in order to accomplish this extraordinary effort of encapsulating the existing historic portions of the building and providing the needed improved and additional spaces on this exceptional configured and located site.

(3) No Harm to Public Good or Zone Plan:

The Applicant will demonstrate that the project can be undertaken without harm to the public good and without threat to the integrity of the zone plan. The Application furthers the public interest in that will greatly enhance an already integral arts use. Arena Stage is a vital component to the rejuvenating Southwest Waterfront area. Its enhancement and expansion, as proposed, will serve to further its role as a destination location for citizens throughout the District.

The proposal likewise will further various elements of the District's Comprehensive Plan, including the historic preservation element.