GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman for
Director

DATE: April 16, 2003

SUBJECT: BZA Application 17005

APPLICATION
The Studio Theatre, Inc., the applicant, is requesting variance and special exception approvals to allow expansion of the existing theatre use in the building located at 1501 14th Street (Square 241 Lot 830) into two adjacent buildings on properties located at 1507 and 1509 14th Street (Square 241 Lots 834 & 835) pursuant to Sections 774.1, 2001.3 (b)(2) and 3103, and Sections 411.11, 1903.4 and 3104 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning,

SUMMARY RECOMMENDATION
The Office of Planning recommends approval of:

- A variance from the rear yard requirement under Section 774.1 to allow construction of a 1- and 2-story addition in the northeast corner of the consolidated building;
- A variance from the prohibition under Section 2001.3 (b)(2) to extend the nonconforming rear wall of the consolidated building; and
- A special exception under Sections 411.11 for three roof structures and a rooftop enclosure of different materials.

However, OP cannot support a special exception from the requirements under Section 1903.4 at this time because the proposed alternative does not sufficiently satisfy the applicable standard under Section 1906.1(c). Specifically, the applicant's proposal to cover approximately 17% of ground floor streetwall with patterned translucent glass windows and lobby doors, instead of providing the display windows and glass doors over 50% of this area as required, will result in this aspect of the architectural concept detracting from the urban design features of the immediate vicinity. The applicant is currently refining their proposal in light of OP's concern.

OP will file a supplemental report if an acceptable redesign is achieved before the public hearing.

BZA
Case No. 17005
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO. 17005
EXHIBIT NO. 31

SITE AND AREA DESCRIPTION

The subject three adjacent properties total approximately 0.40-acre (17,325 square feet) along the east side of 14th Street, N.W., immediately northeast of the P Street, N.W. intersection. Corner lot 830 (1501 14th Street) is developed with a 23,867 square foot 2-story masonry building (with a mezzanine level) constructed in the 1920's this is occupied by the applicant with first and second floor theatres (Mead and Milton) totaling 366 seats, an accessory deli, and theatre offices. Adjacent lot 834 (1507 14th Street) is developed with an 8,122 square-foot 2-story masonry building constructed in 1920, and occupied by an auto repair garage and towing service. Interior lot 835 (1509 14th Street, N.W.) is developed with a 4-story 16,866 square foot masonry and concrete building constructed in 1922, and formerly occupied by a lighting fixture retail store and warehouse. The properties abut an alley 10 feet wide extending north from P Street, are zoned C-3-A and Uptown Arts-Mixed Use (Arts) Overlay District, and are within the Greater 14th Street Historic District. According to District land records, the applicant owns all three properties. The Historic Preservation Review Board (HPRB) has also designated these properties as contributing to the historic district.

Development in the vicinity mostly consists of vacant properties, a vacant building, and a 3-story masonry building occupied by a restaurant to the north; 1-3 story masonry buildings occupied by a variety of commercial uses to the south and west, across P and 14th Streets, N.W.; and masonry 3-4 story row dwellings to the east across the alley. Properties to the north, south and west are also zoned C-3-A/Arts, while properties east of the alley are zoned R-5-B (refer to Exhibit 1).

APPLICANT'S PROPOSAL

The Studio Theatre, Inc., would like to expand the existing "legitimate theatre" use into the two adjacent buildings. Proposed renovation and expansion would provide:

- In the building at 1507 14th Street, N.W.: on the ground floor, a new main lobby with vestibule and grand stair, ticket office, "call center" area, and new dressing rooms for the current Mead Theatre in the building at 1501 14th Street; an upper lobby, shop for fabricating theatre props, and mechanical control room on the second floor; a 2-story atrium and a vestibule on a new third floor; and a mechanical room on a new partial fourth floor; and
- In the building at 1509 14th Street, N.W.: on the ground floor, a new 200-seat theatre space by removing a portion of the second floor, a "green" (actor waiting) room, kitchen/laundry area, and trash and general storage areas; dressing rooms and a scene shop on the second floor; three studios, a kitchen/vending area, conservatory, lounge and storage area on the third floor; and two more studios and storage space on the fourth floor.

Existing elevators would serve three floors of the building at 1507 14th Street, and all four floors of the building at 1509 14th Street. Corridors and doors will link the interior spaces in all three buildings.

This project involves a subdivision to consolidate all three lots, and expanding the overall structure to occupy the entire parcel by:

- Extending the recessed ground floor façade in the rear of the building at 1507 14th Street to the alley (the current rear property line) in order to accommodate the ground level call center area, and add a second floor in the rear for the prop shop; and
- Continuing the existing 1-story extension in the southeast corner of the building at 1509 14th Street to the north along the same alley to the northern property line in order to accommodate kitchen/laundry, trash and other storage areas on the ground floor, and add a second floor for the scene shop (refer to Exhibits 2-4).

New mechanical equipment would be installed on second floor roofs of both rear additions. A continuous wall would visually and acoustically screen this equipment from residences across the alley. No vehicle parking area is current provided on-site, and none is proposed as part of this project.

EXISTING ZONING AND RELIEF REQUESTED

The subject properties are zoned C-2-A/Arts. Section 721.6 (b) of the Zoning Regulations allows a Theater use (including a movie theatre) in this zoning district as a matter of right. For the purpose of addressing zoning requirements, the applicant declared the southern property boundary along P Street the "front" of the consolidated parcel, thus making the rear property line the current northern boundary of the Square 241 Lot 835. The property is also subject to the following provisions:

Standard	C-3-A/Arts Requirement	Existing (combined)	Proposed	Required Relief
Lot Area	N/A	17,325 s.f.[1]	Same	N/A
Lot Width	N/A	105 feet [1]	Same	N/A
Floor Area	N/A	48,855 s.f. [1]	53,732 s.f. [2]	N/A
Floor Area Ratio	4.0 (residential/total) 2.5 (other)	2.82	3.10	N/A
Height, Building	75 feet (no limit on floors)	17-42 feet	32-42 feet	N/A
Lot Occupancy (max.)	100%	97%	100%	N/A
Wall Area Percentage in Display Windows	50%	24.8%	16.8%	Special Exception
Number of Roof Structures	1	2	3	Special Exception
Roof Structures of Different Heights	Not allowed	2	3(+) [3]	Special Exception
Rear Yard	12 feet (min.)	0-34 feet [4]	0 feet	Variance
Side Yard	0 feet	0-4 feet	0 feet	N/A

[1] Combined lot area and width according to D.C. Land Records
[2] Applicant's (revised) Zoning Computation Sheet dated February 12, 2003
[3] Three separate roof structures and screen enclosing mechanical equipment atop additions to eastern wall
[4] In the consolidated configuration, the rear yard varies from 0 feet to 33.6 feet in the northeast corner.

Standard	C-3-A/Arts Requirement	Existing (combined)	Proposed	Required Relief
Parking (on-site)	1 space/10 seats	0 space	10 spaces [5]	Variance

It should also be noted that:

- Under Section 1901.1, buildings fronting certain streets including 14th and P Streets, N.W., that are equal or greater than 50 feet in width and not occupied by an apartment house, multiple dwelling or hotel, must reserve 50% or more of the ground level for retail and service uses listed in Section 1907, or arts and related uses listed in Section 1908. The proposed "legitimate theatre" use, which will occupy 100% of the ground floor, is listed as a Preferred Arts Use under Section 1908.
- Requirements of the Arts Overlay District apply to buildings where alterations within a 24- month would equal or exceed 75% of the accessed evaluation. That applicant anticipates that this proposal will meet this standard.
- Under Section 1903.4, "not less than 50% of the surface area of the streetwall at the ground level … that fronts on a pedestrian street shall be devoted to display windows and to entrances to commercial uses …" The current plan would only provide 18.2% of glass or entrance on the ground level streetwall along 14th Street.
- Although these buildings are designated "contributing" and eligible for a parking waiver under Section 2100.5, Sections 2100.6 and 2100.7 require that parking be provided if the addition or additions increase the intensity of use greater than 25%. The new 200-seat theatre space would increase the on-site seating capacity by 55%.

This review indicates that this request requires the following:

- A variance from the rear yard requirement to allow the 1- and 2-story addition to the northeast corner of the consolidated building;
- A variance to allow extension of an "existing, nonconforming aspect of the structure …" since the new "rear" wall along the northern property line does not currently meet the rear yard requirement;
- A variance from the parking requirement;
- A special exception for multiple roof structures; and
- A special exception because less than 50% of the ground level streetwall will be covered with openings or display windows.

The following justification is provided for the requested variance relief in the revised Statement of the Applicant dated April 8, 2004:

- Variances from the rear yard requirement (Section 774.1) and the provision against extension of a nonconforming structure (Section 2001.3 [b][2]):

[5] Based on the proposed 200-seat theater in the building located at 1509 14th Street, N.W.

- Uniqueness: These properties are developed with existing buildings that, on two lots, occupy 100% of the property. These buildings date from the 1920's and have been designated as contributing to the historic district.
- Extraordinary and exceptional conditions: The HPRB review required that more "animated" interior spaces on the first and second floors be visible from 14th Street. This resulted in second floor prop and scene shops planned for the western wall (street side) being relocated to the eastern wall (rear). Locating these shops on the second floor of the building located 1507 14th Street meets the operational requirements of theater spaces in adjacent buildings at 1501 and 1509 14th Street, N.W. Ground floor area underneath the shops was then "filled in" with new call center, ticket offices and other uses typically located on theatre ground floors.
- Practical Difficulty: Expansion into the (new) rear yard is necessary to provide sufficient space for the relocated scene and prop shops, and sufficient roof area for the required mechanical equipment. There is also evidence (a wall stub along the northern boundary) that the 1-story extension behind the building located at 1509 14th Street previously occupied the entire (current) rear yard.
- Impacts on surrounding properties: Proposed additions would not result in loss of air or light to adjacent properties, and would provide the benefit of enclosing the trash handling system, thus eliminating the need for an outdoor dumpster.

The statement concludes that both variances can be granted without substantial detriment to the public good, and without impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and map.

Parking

The application does not include a request for a parking variance. However the applicant does indicate that one-quarter to one-half of current patrons arrive by vehicle, and that this pattern is expected to continue. The applicant's Statement indicates that formal and informal relationships with area retailers allow the theatre to share available parking resources, and the applicant provides information about mass transit options on its web site for attendees. Discussion are underway with the District of Columbia Department of Transportation about the theater's participation in an "entertainment bus route" between Washington Metropolitan Transit Authority (WMATA) Rail Stations serving Woodley Park/National Zoo/Adams Morgan and the U Street, N.W.

The statement also includes the following analysis for the requested special exceptions:

- Special Exception for three roof structures and enclosures with different materials: Briefly, the applicant will retain two existing roof structures of different height, remove exposed mechanical equipment, and add another enclosure for mechanical equipment atop the building located at 1509 14th Street. The height of the new enclosure will varying, although the roof slopes from south to north, the top of the enclosure will remain level. As a result, existing and planned enclosures will (continue to) be of different heights.

In addition, walls will be placed atop the additions to the eastern walls of the buildings located at 1507 and 1509 14th Street to screen multiple pieces of mechanical equipment required to serve interior spaces. The required 1:1 ratio between the wall height and set back from the rear property line will be maintained, however the applicant requests to be allowed to vary wall materials in front of the exterior windows (possibly changing the a wire mesh) in order to preserve the exterior views from building interior.

The proposed changes are necessary to provide required life and safety measures, to enhance the overall architecture, and to allow interior spaces to maintain a view to the building exterior. The enclosures would not impact the air and light available to adjacent properties, and none of the structures are "likely to be visible from at-grade vantage points."

- Special Exception from the display window requirement: This special exception is subject to the criteria under Section 1906.1 of the Zoning Regulations. The statement provides the following with regard to these criteria:

1906.1 Exceptions from the requirements of the ARTS District shall only be permitted if granted by the Board of Zoning Adjustment after public hearing, based on the following criteria;

(a) *The use(s), buildings(s) or feature(s) at the size, intensity and locations(s) proposed, will substantially advance the stated purposed of the ARTS Overlay District and will not adversely affect neighborhood property or (be) detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area;* This project more than doubles the area's legitimate theatre use from 25,000 to 53,000 square feet in accordance with one of the stated purposes of the Arts Overlay District of encouraging entertainment and other "preferred" uses including legitimate theatre. The availability of light and air to neighboring properties would not be affected.

(b) Exceptional circumstances affecting the property make compliance with the requirements of this chapter difficult or impossible, or the development provides alternative public benefits, in lieu of the excepted uses or features, that are of compatible value to the public in achieving the purposes of this Chapter and the Comprehensive Plan; The required percentage cannot be met due to existing conditions such as the replacement of display windows in the building located at 1501 14th Street prior to adoption of the Arts Overlay District and conversion of the properties to the theatre use.

(c) The architectural design concept of this project will enhance the urban design features of the immediate vicinity in which it is located; Provided, that if a historic district or historic landmark is involved, the Board shall refer the application to the State Historic Preservation Officer for review and report; The overall architectural design "enhances the design features of

the immediate vicinity" and has been reviewed and approved by the Advisory Neighborhood Commission, Logan Circle Community Association, Historic Preservation Review Board, and State Historic Preservation Office staff. The staff report is provided in Exhibit 6 for the Board's reference.

(d) *Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise and objectionable traffic conditions;* This provision was listed as not applicable.

No reference was made to subsection 1906.1 (e) concerning imposition of additional requirements by the Board of Zoning Adjustment. Based on this analysis, the statement concludes that these special exceptions can be granted without substantial detriment to the public and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

ANALYSIS

Section 3103.2 grants the Board of Zoning Appeals (BZA) the power to grant variances from regulations set forth under the Zoning Act.

The needed zoning relief consists of "area" variances to construct additions into the rear yard, and to not provide on-site parking spaces. Circumstances surrounding each request must be "unique" and the usual application of the referenced zoning regulations would have to result in "peculiar and extraordinary practical difficulties."

Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps."

A special exception from roof structure and consistent material limitations is subject to standards under Section 411.11. The special exception from Arts Overlay District requirements is subject to the provisions of Section 1906.1.

Compliance with Section 3103.2

Variances for Expansion into the Rear Yard and of a Nonconforming Structure

OP staff concurs with the analysis in the Statement of the Applicant concerning the project's uniqueness (noting that this request also involves consolidation of three buildings and lots), exceptional conditions, practical difficulty and potential impact on adjacent properties. Therefore, staff determined that variances from the rear yard requirement, and from the prohibition to extend a nonconforming aspect of the consolidated building, can be granted without substantial impairment of the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map.

Variance from the Parking Requirement
No justification has been provided for a parking variance or any evidence to satisfy Section 1901.5. OP has encouraged the applicant to provide evidence for this issue.

Compliance with Section 411.11:
The special exception for the number of roof structures and varying enclosure heights is subject to the following requirements:

> "Where impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable, the Board of Zoning Adjustment shall be empowered to approve the location, design, number, and all other aspects of such structure regulated under §§ 411.3 through 411.6, even if such structures do not meet the normal setback requirements of §§ 400.7, 530.4, 630.4, 770.6, 840.3, or 930.3, when applicable, and to approve the materials of enclosing construction used if not in accordance with §§ 411.3 and 411.5; Provided that the intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely."

OP staff concurs with the analysis provided in the Statement of the Applicant, finding that this proposal would not materially impair the light and air of adjacent buildings

Compliance with Section 3104.1:
Based on the results under Section 411.11, it appears that this proposal will be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Map, and will not tend to adversely affect the use of the neighboring properties.

Compliance with Section 1906.1
OP staff largely concurs with the analysis provided by the applicant. However, staff is concerned about one aspect of the conceptual architectural design. The proposal includes placing 16.8% of glass windows and door in the ground floor streetwall, instead of the required 50% of glass display windows and entrances, and extending the pattern of large anonymous features established on the current theatre building at 1901 14th Street. Continuation of the current theme largely oriented to passing vehicles would actually *reduce* the vitality of the existing and former garage and retail store, and not provide much visual interest and excitement for pedestrians. Furthermore, this use would occupy over 200 linear feet along 14th Street after consolidation, over one-third of the square frontage. Various phases of the Condominiums at 14th Street development opposite this site and across the street promise additional ground floor retail and office uses. It is important that any alternative to the existing regulations along the subject frontage continue contributing to the excitement of the 14th Street corridor during in the daytime and other periods when the theater is closed. In light of this concern, staff thinks this aspect of the architectural design concept falls short of meeting at the standard under subsection 1906.1 (c), and does not adequately "meet the design features of the immediate(burgeoning) community."

State Historic Preservation Office (SHPO) staff agreed in their report to the Historic Preservation Review Board (refer the Exhibit 6):

> " ... closing up the open storefront at 1509 (14th Street) is an easily avoidable mistake, and that the treatment of covering over an open storefront is an alteration that is inconsistent with the historic character of this building, and with the Uptown Arts Zoning Overlay District (which requires that not less than 50% of a building be devoted to display windows and entrances, and that windows have clear glass). Creating a display window with as little as a four foot depth would be sufficient to establish an interesting and enlivening presence on the street that could be used to advertise the Studio's current and upcoming productions. To the staff's knowledge, the Board has never allowed an open storefront of an historic building to be entirely covered over, but instead has consistently worked to encourage that closed-up and long-removed storefronts be opened up or reconstructed."

Compliance with Section 3104.1:
Based on the results under Section 1906.1, staff determined that the proposed display area would not be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Map, and could adversely impact the use of the neighboring properties.

Based on these comments, OP believes that a solution can be reached that will leave the theater with workable interior spaces and meet the intent of the Arts Overlay. OP and SHPO staff will continue to work with the applicant on this issue.

COMPREHENSIVE PLAN
The Comprehensive Plan Generalized Land Use Map designates this area for a mixture of Moderate Density residential, characterized by row houses and garden apartments as predominant uses, and Moderate Density commercial, characterized by shopping and service areas that provide a broad range of goods and services as predominant uses (chain stores, grocery stores, and personal service establishments may be present). The Land Use Element of the Comprehensive Plan established the following policies for the Uptown Arts Treatment Area under Section 1130.2:

"(a) Promote the historic character of the area, and develop design criteria toward the achievement of that character;
(b) Promote and encourage the presence of the arts;
(c) Encourage, promote, preserve, protect, and display the area's entertainment, arts, and architectural history; ...
(e) Encourage the establishment, enhancement, and maintenance of ethnic cultural facilities and street level retail and neighborhood service uses, including restaurants, which also support office and professional uses; ...
(k) Address the many narrow commercial sites that exist in the area to encourage suitable scale and massing; ...
(o) Encourage the retention of historic buildings."

Ward 2 Objectives for Preservation and Historic Features under Section 1319 include the following:

"(a) To designate buildings and areas in Ward 2 meriting historic landmark or historic district protection;"...
(b) To preserve and reuse historic landmarks and buildings in historic areas in Ward 2;
(c) To preserve the design quality of historic and special streets and places in Ward 2; ..."

The Ward 2 Objective for Arts, Cultural and Educational Use under Section 1335.1 is "To develop an overall combination of existing and new arts, cultural and educational facilities in Ward 2 in order to make the ward a special cultural and educational center." Actions in support of this objective under Section 1336.1 include:

" ...
(c) Encourage existing and new arts activities along 14th Street between Thomas Circle and U Street in an effort to link the arts facilities along the U Street corridor in Ward 1 to the Howard Theater at 7th Street;
(d) Encourage existing and new arts and cultural facilities and activities in the Dupont Circle, Logan Circle and the 14th Street Uptown Arts District areas, linking with arts and cultural institutions in Ward 1; ..."

COMMUNITY COMMENTS
On March 5, 2003, Advisory Neighborhood Commission (ANC) 2F voted 5-0 to recommend approval of this request with a quorum present (refer to Exhibit 5).

AGENCY COMMENTS
On December 19, 2002, the Historic Preservation Review Board reviewed and approved this proposal in concept, delegating final design review to theSHPO staffof The State Historic Preservation Office (refer to Exhibit 6).

Copies of the application were also referred to the Fire and Police Departments, and Departments of Public Works and Transportation for comment. No other comments have been received.

RECOMMENDATION
The Office of Planning recommends approval of:

- A variance from the rear yard requirement to allow construction of a 2-story addition in the northeast corner of the consolidated building;
- A variance to allow extension of the (existing) nonconforming rear wall; and
- A special exception for several roof structures of different heights and changes in materials in a screen wall.

However, OP cannot support a special exception from the Arts Overlay District requirements for planned display windows and entrances at this time because the proposed alternative does not

sufficiently satisfy the applicable standard under Section 1906.1(c). The proposal to cover approximately 17% of ground floor streetwall with patterned translucent glass windows and lobby doors, instead of providing the display windows and glass doors over 50% of this area as required, will result in this aspect of the architectural concept *detracting* from the urban design features of the immediate vicinity.

The applicant is currently refining their proposal in light of OP's concern. Staff may file a supplemental report based on the result.

AA/afj

Attachments:

Exhibit 1 Aerial Including Zoning
Exhibit 2 D.C. Surveyor's Plats dated January 29, 2003 (edited)
Exhibit 3 D.C. Surveyor's Plats dated January 2, 2003 (edited)
Exhibit 4 D.C. Surveyor's Plats dated January 2, 2003 (edited)
Exhibit 5 Letter from Advisory Neighborhood Commission 2F to Geoffrey H. Griffis, Chairman, D.C. Board of Zoning Adjustment dated March 16, 2003 DC
Exhibit 6 Historic Preservation Review Board Staff Report and Recommendation (1501-1507-1509 14th Street, N.W.) dated December 19, 2002



Feature Key

- Zoning Boundaries
- Square Index
- Condominiums at 14 Street Project (Development Parcels A, B & C)

Board of Zoning Adjustment
Application No. #17005

DC Office of Planning
March 12, 2003

Scale 1:1500

25 0 25 50 75 100 Feet

Exhibit 2

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., 1-22, 2023

Plat for Building Permit of: SQ-2022-07820

Scale: 1 inch = 20 feet Recorded in Book: ATT Page: 2017

Receipt No. 22-91

Furnished to: ZILL Electric

Surveyor, D.C.

By:

I hereby certify that all existing improvements shown hereon, and correctly delineated and are correctly plotted; that all proposed buildings or constructions or parts thereof, including covered porches, are correctly dimensioned and plotted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon, the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved. In accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: February 12, 2023

(Signature of owner or his authorized agent)

NOTE: Dimensions for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

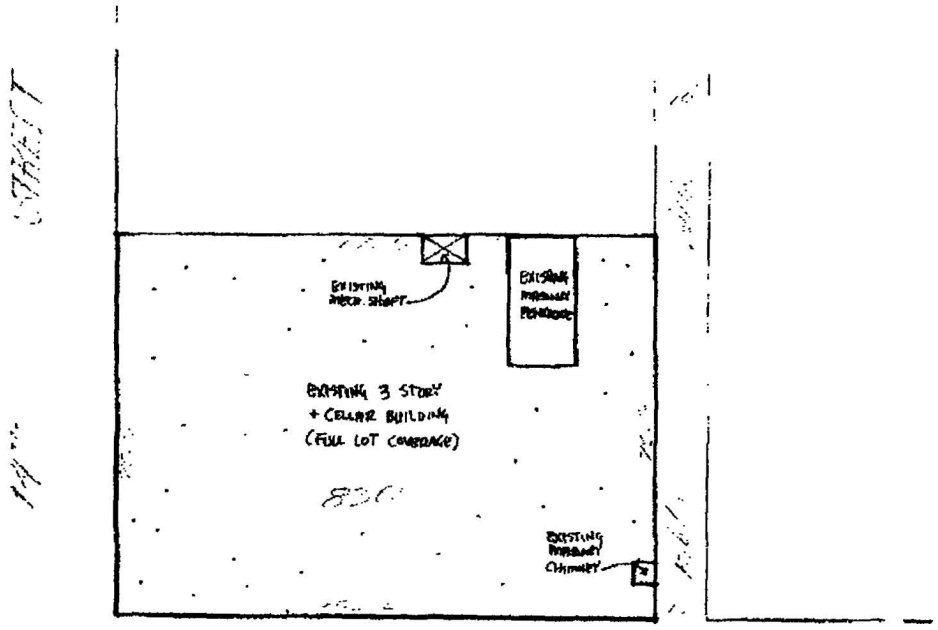


Exhibit 3

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., 1-2, 2008

Plat for Building Permit of: SQ-241 LOT 834

Scale: 1 Inch = 20 feet Recorded in Book A&T Page 115

Receipt No. 2902

Furnished to: B. BONSTRA

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn; and dimensioned accurately to the listed yards on the property lines shown on this platprint that by reason of the proposed improvements to be erected as shown hereon the side of any adjoining lot or premises is not discriminated to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking areas where required by the Zoning Regulations will be restored in accordance with the Zoning Regulations, and that the grade has been correctly shown and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade change exceeding of the lesser of alley grade or private property in excess of 20% for single family dwellings or flats, or in excess of 10% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Surveyor, D.C.

By: DA

Date: February 12, 2008

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessments and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

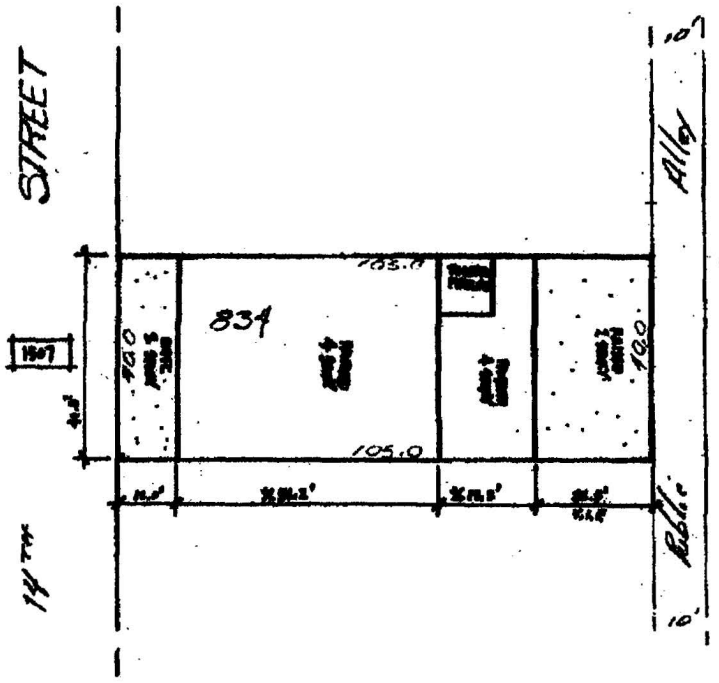


Exhibit 4

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C. 1-2, 2003

Plat for Building Permit of: SQ-241 LOT 835

Scale: 1 inch = 20 feet Recorded in Book A&T Page 115

Receipt No. 2401

Furnished to: C. BONSTRA

Surveyor, D.C.

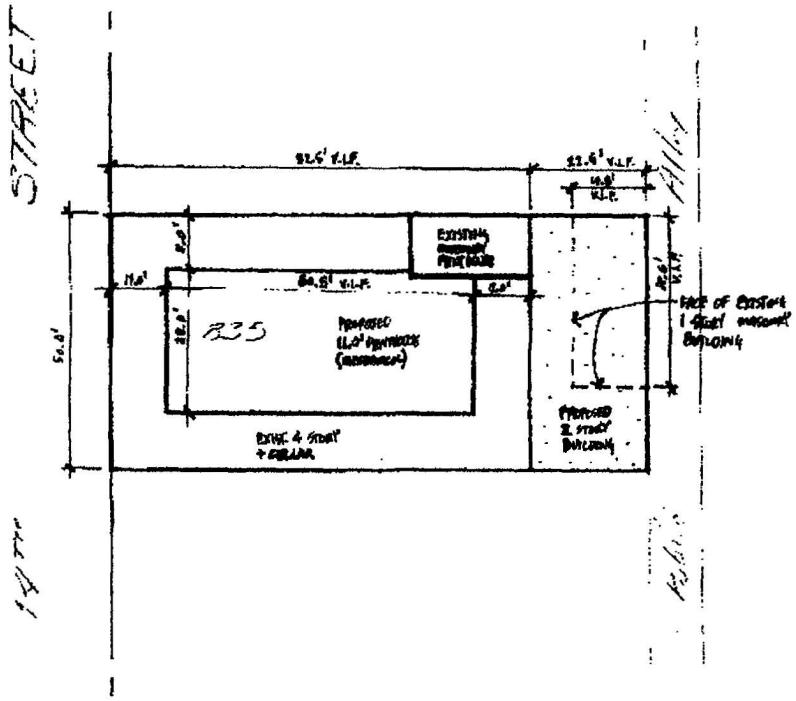
By: ZA

I hereby certify that all existing improvements shown hereon, including accessory structures, are correctly platted; that all proposed building or construction, or additions thereto, including covered porches, are correctly dimensioned and platted hereon and agree with plans accompanying this application; that the foundation plans as shown hereon or drawn and dimensioned accurately to the same scale as the property lines shown on this plat and that by reason of the proposed improvements to be erected as shown hereon, the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area shown hereon as required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the operation of the accessible parking area will not result in a change of grade along centerline of driveway at any point on private property in excess of 20% for single family dwellings or Flats or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: February 12, 2003

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lot or Parcel were obtained from the records of the Department of Finance and Revenue, Assessment Administration and do not necessarily agree with deed description.



ANC 2F ADVISORY NEIGHBORHOOD COMMISSION 2F
Government of the District of Columbia
P.O. Box 9348, Mid-City Station, Washington, D.C. 20005
Telephone: (202) 667-0052 Fax: (202) 667-0053

Commissioners
2F01 Cary Silverman, *Secretary*
2F02 Jim Brandon, *Vice Chair*
2F03 Miriam Trimble
2F04 Helen M. Kramer, *Chair*
2F05 Vacant
2F06 Bob Hinterlong, *Treasurer*

March 16, 2003

Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: BZA Application No. 17005 – The Studio Theatre, Inc.
Application for a Variance and Special Exceptions: Square 241, Lots 830, 834, and 835 (1501, 1507, and 1509 14th Street, N.W.)

Dear Mr. Griffis and Members of the Board:

At its March 5, 2003 meeting, which was publicly advertised and at which a quorum was present, ANC 2F voted 5 - 0 to support the application of The Studio Theatre in the above referenced proceeding for one variance and two special exceptions from the Zoning Regulations, 11 DCMR § 3103.2, to allow for development of The Studio Theatre's contiguous properties at the above-referenced location. These include:

- An area variance from the rear yard requirement of §§ 774.1 and 2001.3(b)(2);
- A special exception to allow more than one roof structure, one of which provides screening walls that would not be of equal height; under § 771.1; and
- A special exception to allow less than 50% of the surface area of the street wall along 14th Street at the ground level to be used for display windows and entrances under § 1903.4.

The Commission also supports Studio Theatre's request to combine the three existing buildings within a single, unified building to be located on a single lot of record.

It is the view of the Commission that the site is unique in its unusual shape due to the narrowness of the alley running from P to Q Street. The strict application of the rear yard requirement would result in peculiar and exceptional practical difficulty for the Applicant, reduce the size of the already narrow alley, and not benefit the community. Moreover, the combination of the three buildings merits a special exception to permit three separate roofs, at different heights, so as to hide mechanical systems from view. Finally, the Commission agrees that it is unrealistic and unnecessary to strictly apply the 50% display window/entrance requirement in this particular case, given the length of the property and nature of its use.

Thank you for according great weight to our views.

Sincerely,

Helen M. Kramer
Chair

BZA
Case No. 17005
Exhibit No. 24

HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION

Property Address:	**1501-07-09 14th Street, NW**	X	Agenda
Landmark/District:	**14th Street Historic District**		Consent Calendar
		X	Concept Review
Meeting Date:	**December 19, 2002**	X	Alteration
H.P.A. Number:	**02-642**		New Construction
Staff Reviewer:	**Steve Callcott**		Demolition
		X	Subdivision

The applicant, architect Bill Bonstra for the Studio Theater, returns for conceptual design review of a roof addition and alterations involving three buildings in the Greater 14th Street Historic District. The project has been substantially revised in response to the Board's comments at the October meeting, and based on further comments that were offered by several Board members in a meeting with the applicants at the HPO on November 18th.

As before, the project involves three automobile related buildings from the 1920s – the existing three-story Studio Theater building at the corner of 14th and P, a vernacular two-story brick auto repair shop at 1507 14th, and a four-story, limestone-clad, classical revival auto showroom at 1509 14th. The plans have been revised to eliminate some of the repetitive signage and to retain and restore all existing industrial steel windows on 1507 and 1509. In response to questions about the proposed illuminated frosted-glass storefront system, the applicants will be bringing a sample to the meeting for the Board's review.

The biggest change has been to the treatment of the two-story glass atrium proposed on top of 1507. The atrium is intended to serve as a congregation space or "campus" for the classroom and administration spaces on the upper floors of the complex. The interior plan has been revised to include an additional performance space on the fourth floor of 1509, for which the atrium would also serve as the lobby. Accordingly, all four floors of 1507 would now serve as a series of open public spaces linking the two flanking showroom buildings that would house the auditoria, classrooms, and administrative support spaces. In terms of design, the addition has been greatly simplified from the previous angled, multi-light design to reflect an extremely simple and spare geometry that simply relates to the horizontal and vertical lines of the adjacent buildings with as light a new structure as possible. The addition would remain set back approximately 10 feet from the front elevations of the historic buildings, and its floors and frame would be marked by exposed steel channels, with the walls of seamless butt-glazed glass panels. The glass skin would wrap around the visible south side of the addition. A steel frame element would project out to the building line to provide support to an entrance canopy and decorative glass panel fins. The same glass and steel frame vocabulary for the addition would be used for the masonry openings on the first floor, which would be returned to their original proportions.

Like the previous proposal, the placement of the atrium -- set back and sandwiched between the taller buildings on either side -- will allow the historic buildings to remain dominant in the overall composition. The more straightforward rectilinear shape less overtly connects the three

buildings into a single complex, allowing each of the three to read as separate and individual buildings. The revised approach retains all existing historic fabric of each of the three buildings, and the new construction and alterations are kept extremely simple and spare in form and detail. A model of the proposal will be presented at the Board meeting, which will be particularly helpful in evaluating the form of the canopy framework and glass fins.

The staff continues to believe that closing up the open storefront on 1509 is an easily avoidable mistake, and that the treatment of covering over an open storefront is an alteration that is inconsistent with the historic character of this building, and with the Uptown Arts Zoning Overlay District (which requires that not less than 50% of a building be devoted to display windows and entrances, and that windows have clear glass). Creating a display window with as little as a four foot depth would be sufficient to establish an interesting and enlivening presence on the street that could be used to advertise the Studio's current and upcoming productions. To the staff's knowledge, the Board has never allowed an open storefront of an historic building to be entirely covered over, but instead has consistently worked to encourage that closed-up and long-removed storefronts be opened up or reconstructed.

The staff recommends that the Review Board approve the revised proposal, with the exception of the proposal for the storefront at 1509 which should be modified as outlined above, as consistent with the purposes of the preservation act.