

HAWP & Preliminary Consultation
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7719 Wisconsin Ave., Bethesda	Meeting Date:	9/22/2021
Resource:	Individually Listed Master Plan Site Bethesda Theater #35/14-04	Report Date:	9/15/2021
Applicant:	Bob Biroonak	Public Notice:	9/8/2021
Review:	HAWP and Preliminary Consultation	Staff:	Dan Bruechert
Case No:	963243	Tax Credit:	n/a
Proposal:	Sign Alterations		

STAFF RECOMMENDATION

Staff recommends the HPC:

- 1) Approve the HAWP for the marquee; and,
- 2) As part of the Preliminary Consultation review instruct the applicant to make revisions based on HPC feedback and return for a HAWP for the neon sign

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individually Listed Master Plan (*Bethesda Theater #35/14-04*)
STYLE: Art Moderne/Art Deco
DATE: 1938

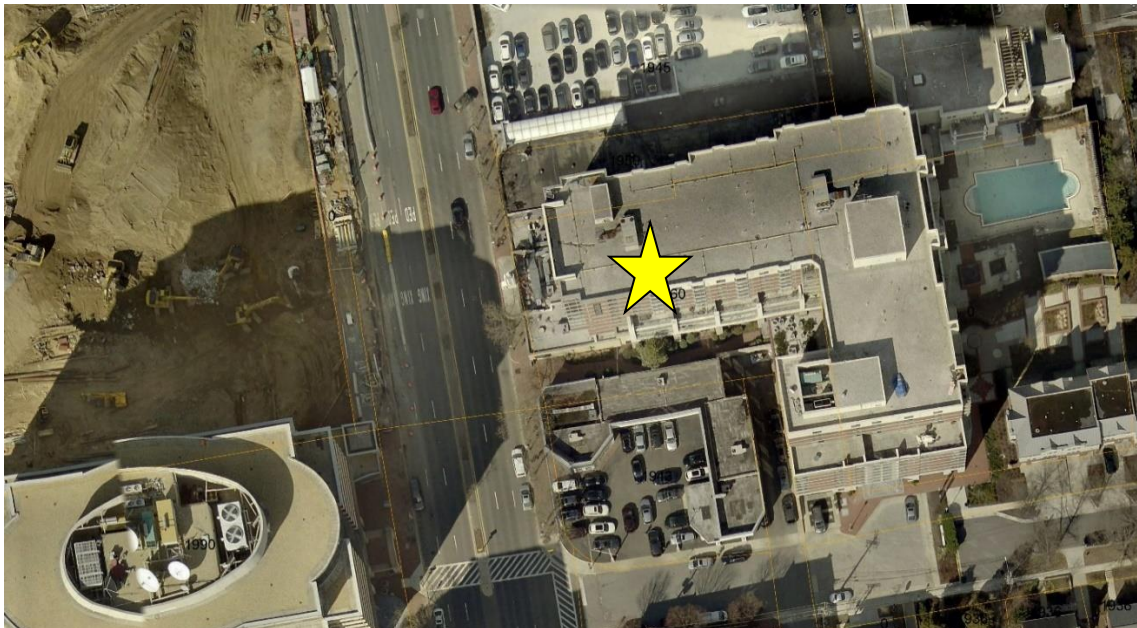


Figure 1: The Bethesda Theater retains its historic marquee, sign, and entrance, but has been significantly altered.

From Places from the Past:

“John Eberson, a nationally noted theater architect, designed this modernistic movie theater in 1938. Its distinctive tower, marquee, and banded brick façade are characteristic of this style of architecture. Like the Silver Theatre (1938), in Silver Spring, also an Eberson design, the Bethesda Theatre is a fine example of streamlined Moderne styling with Art Deco detailing. The sleek mechanical curves of the marquee, tower, and detailing reflect the dynamic industrial and technological advances of the period. Both buildings employ blond brick with linear bands of black brick and have an aluminum and glass marquee. While the Bethesda Theatre was planned as part of a larger shopping complex, the project was downsized with only single flanking stores, yet it included a free 500-car parking lot. The 1,000 seat theater provided state of-the-art facilities, including a high fidelity sound system, the latest projection equipment, and air conditioning.”



Figure 2: Original marquee and sign from the 1938 theater opening. (photo from cinematreasures.org)

The theater, owned and operated by Sydney Lust, was likely named after the adjacent Westboro section of Bethesda where residential development started in late 1936. Lust owned several theaters in Washington D.C before expanding to the Maryland suburbs with the Boro/Bethesda Theater in Bethesda, the Milo in Rockville, the Cameo in Mount Ranier, the Arcade Theater in Hyattsville, and the Marlboro Theater in Upper Marlboro. Staff has been unable to determine the reason behind the name change, but a September

16, 1939 notice in the Washington Evening Star referred to the theater as the “Bethesda Theater formerly the Boro.”

The 1986 Master Plan designation for the Bethesda Theater identifies the significant architectural features of the building including “the marquee, distinctive marquee tower and the complex’s banded brick facades as well as preserve primary views of the marquee and tower from the street.”

PROPOSAL

For the HAWP, the applicant proposes to remove the existing back-lit marquee with incandescent bulbs and install a new LED marquee.

For the Preliminary Consultation, the applicant proposes to remove the neon light tubes from the “BETHESDA” sign and install rope LED lighting in its place.

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-8

- (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 ensure 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; or
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

Secretary of the Interior’s Standards for Rehabilitation:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that has acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall 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

For the HAWP, the applicant proposes removing the existing back-lit marquee and the bands of incandescent light bulbs and install a new LED marquee in matching dimensions. The proposal is similar to the alteration at the Silver Theater (8619 Colesville Road), also designed by John Eberston, as part of the Silver Spring Shopping Center redevelopment project (see below).¹

¹ The Maryland Historical Trust holds a façade easement on the Silver Spring Shopping Center and their easement committee reviewed and approved the sign alteration, prior to the HPC approving a HAWP in 2003.



Figure 3: Original marquee and sign at the Silver Theater c.1938.



Figure 4: Updated Silver Theater marquee c. 2018.

In discussions with Staff, the applicant expressed concerns with the required ongoing maintenance and cost associated with running the incandescent light display. The applicant also pointed out that since Wisconsin Ave. was widened, changing the display requires working in a travel lane, increasing the chance of injury. The LED marquee would allow the applicant to program the sign without having to occupy a lane of Wisconsin Ave.

Staff finds that the existing marquee has likely reached the end of its lifespan and that many historic theaters, both large and small, have replaced their marquee with LEDs (see above) without detracting from the historic character of the building. Staff also finds that the existing sign has been modified from its original appearance as the Boro Theater (see Fig. 2), so it has lost some of its integrity; both design and materials. A close examination of the photos of the Bethesda theater shows that originally there were two rows of incandescent bulbs at the top and bottom of the marquee. The bulbs were covered or removed while the building operated as the Cinema 'n Drafthouse (see Fig. 5) and were re-introduced in its most recent rehabilitation (Fig 6.).



Figure 5: c.1990 image of the Bethesda Theater before the surrounding development.



Figure 6: 2013 photo from Bethesda Magazine showing the current appearance.

Staff finds that in a more conservative application of the Standards, the Maryland Historical Trust's Easement Committee also found installing a LED marquee was not out of character with the historic character theater. The Silver Spring Theater sign maintained two bands of incandescent bulbs along the bottom and top of the marquee (see Fig. 4). Staff finds that the same approach should be taken in this instance. The bands of incandescent lights are character defining features and while the marquee can be altered, those bulbs should remain. Staff recommends the HPC approve the HAWP under 24A-8(b)(2), (3), and (6).

Replacement Lettering

At this time, the applicant only proposes to replace the existing marquee. Sometime in the future, the applicant would like to remove the neon from the “BETHESDA” blade sign and install LED rope lighting in its place. The applicant indicates that the blade sign is experiencing many of the same problems as the marquee, namely, increased maintenance costs and high electric bills as water infiltrates the sign and the wiring degrades with time. In place of the neon tubes, the applicant proposes to install rope LEDs that are designed to be bendable and replicate the appearance of neon lights. Other features and materials of the blade sign will be replaced if they are determined to have significantly deteriorated. The LEDs will run more efficiently than the neon and will have a much longer lifespan.

To Staff’s knowledge, this is the first proposed use of these rope LEDs on a designated historic property in the County. The applicant provided examples of the material with the application materials. Based on the sample images, Staff finds that rope LEDs have a similar appearance to neon and it appears to be as flexible as neon tubes, however, Staff does not find that this information provided satisfies the applicant’s burden to demonstrate the material is a compatible substitute for the historic. Staff recommends the HPC require the applicant to provide a sample of the material for Staff and the HPC to evaluate in-person either at the Preliminary Consultation or with a HAWP application. The applicant could also identify a location where the rope LEDs have been installed so that Staff and the HPC can evaluate the material in the field.

Staff believes that the HPC can expect to see more proposals to change neon, fluorescent, and incandescent bulbs to LEDs in the future. The technology makes LEDs cheaper to purchase, cheaper to operate, and will require less maintenance than the older technology. Staff requests the HPC provide feedback to the applicant about the proposed LED rope lights and identify additional materials that would be required to effectively evaluate a HAWP in the future.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application; under the Criteria for Issuance in Chapter 24A-8(b)(2), (3), and (6), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the 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 an electronic set 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 fdan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# 953213
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Bob Biroonak

E-mail: Bob@artdispalyco.com

Address: 401 Hampton Park Blvd

City: Capitol Heights, MD Zip: 20743

Daytime Phone: 240-778-9809

Tax Account No.: 07 03426605

AGENT/CONTACT (if applicable):

Name: Art Display Company

E-mail: Bob@artdisplayco.com

Address: 401 Hampton Park Blvd

City: Capitol Heights Zip: 20743

Daytime Phone: 240-765-1400

Contractor Registration No.: 16656760

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name _____
X No/Individual Site Name Bethesda Blues LLC

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 7719 Street: Wisconsin Ave,

Town/City: Bethesda, MD 20814 Nearest Cross Street: Middleton Lane

Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|---|--|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input checked="" type="checkbox"/> Other: <u>Signage</u> |

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

[Signature]
Signature of owner or authorized agent

8/16/2021

Date

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address Bethesda Blues and Jazz Supper Club 7719 Wisconsin Ave Bethesda, Maryland 20814 240-330-4500	Owner's Agent's mailing address Bob Bironak 401 Hampton Park Blvd Capitol Heights, Maryland 20743 240-778-9809
Adjacent and confronting Property Owners mailing addresses	

Adjacent and Confronting Properties:

Bethesda MD, 20814

7719 Wisconsin Avenue

7701 Wisconsin Avenue

7735 Wisconsin Avenue

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

The theater opened its doors in 1938 as the Boro Theatre, featuring the latest in audio/visual technology.

Ticket prices were 35 cents for regular admission and 20 cents for matinees. After the first year, it was renamed the Bethesda Theatre and remained in business until the early 1980s when it was converted to a restaurant/movie theater and re-opened as the Bethesda Cinema & Drafthouse.

The facility was opened in 2007 as an Off-Broadway theater, but closed after a year.

In January 2012, Brown bought the property with a group of Founding Club Members — area businessmen and women who were attracted to Brown's vision to create a world-class Blues and Jazz Supper Club. Brown is the founder of BBB Realty Investments, LLC. He has been recognized as "Realtor of the Year" by the Maryland and DC Association of Realtors and honored by the National Council on the Aging as its "Community Leader of the Year."

Even though he is one of the few in his family who is not a professional musician, he is thrilled with entering the world of music.

"I saw this beautiful building with a 400-car parking garage attached, and I just knew that this would be the place to bring jazz and blues to Bethesda, my home town. Very few places in Bethesda can hold 500 people." Brown's father, John W. Brown made his living as a jazz drummer — and still

performs in the D.C. area. His brother, jazz pianist Larry Brown leads the Wammie Award-winning Larry Brown Quintet —

a jazz group which has performed at The Kennedy Center, Blues Alley, The Meyerhof and other jazz venues in the area.

Larry Brown is the director of Entertainment for the Bethesda Blues and Jazz Club and performs with the Bethesda Blues and Jazz Orchestra.

There are many new developments is undertaking around downtown Bethesda. The signage on the building is depleting and in need of upgrade and facelift to a modern look. The electrical consumption for the sign is over \$4,000.00 when everything is in working condition.

The existing marquee and signage are too expensive to maintain. Now with the new technology is time to upgrade to better and effective power-saving eco-friendly signage.

Description of Work Proposed: Please give an overview of the work to be undertaken:

Refacing existing marquee to electronic message center. Updating all of the existing tower neon and channel letters with new technology LED lighting.

Work Item 1: Marquee Sign

Description of Current Condition:



Proposed Work:



Work Item 2: Channel letters and Neon lighting

Description of Current Condition:



Proposed Work:



Work Item 3: _____

Description of Current Condition:

Proposed Work:

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Exc avation/Land scaing	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

SIGN PERMIT APPLICATION

Application Date: 8/11/2021

Application No: 963243
AP Type: SIGN
Customer No: 1287214

Comments

Refacing existing marquee sign with electronic message board

Affidavit Acknowledgement

The Property Owner is the Primary applicant
This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 7719 WISCONSIN AVE
BETHESDA, MD 20814

Othercontact Art Display (Primary)

Sign Permit Details

Use Code SIGNIL
Work Type INSTAL
On Building Wall Y
Sign Message marquee changable message board
Length In (Feet) 4
Length In (Inches) 5
Width In (Feet) 41
Height In (Feet) 26
Height In (Inches) 5
Sign Area 184
Number of Faces 1
Building Frontage 94
Lot Width 94
Total Area 184



Bethesda Blues and Jazz Supper Club

August 11, 2021

To whom may concern,

We are given permission to Bob Biroonak of Art Display apply for all necessary permits to reface and repair our existing signs.

We agree that the electronic message board content only can be changed once every 24 hours and that sign will not have any moving or flashing content per Montgomery County sign ordinance.

Best Regards,

Earl Ciccel

Earl Ciccel

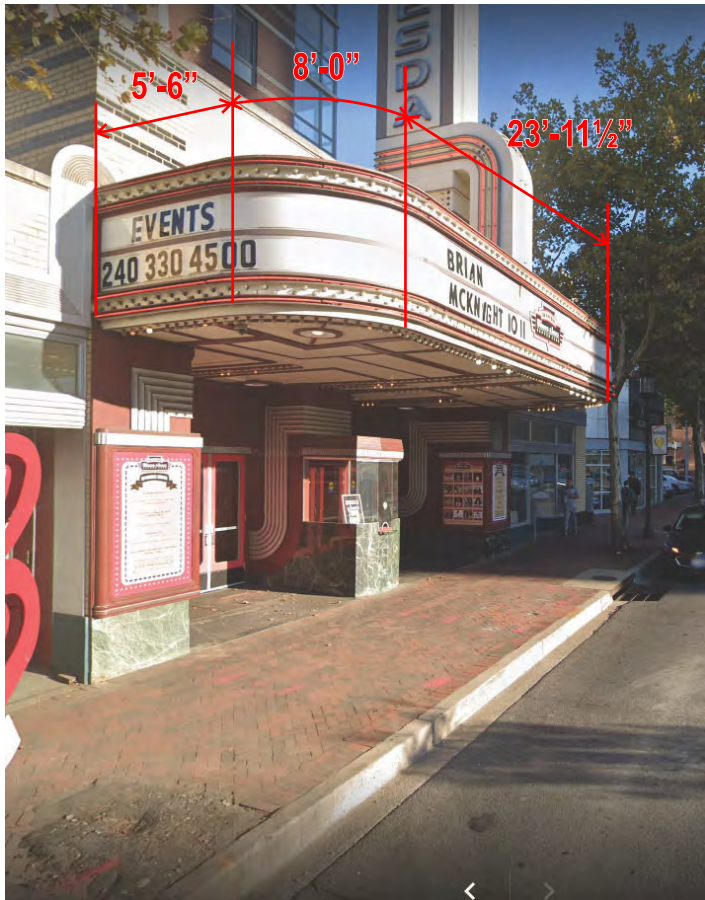
4ad8bf64c56983eb
Digitally signed by 4ad8bf64c56983eb
DN: cn=4ad8bf64c56983eb
I agree to the terms outlined by
the placement of my signature on this
document.
Content Info: Earl Ciccel
Date: 2021.08.11 15:34:45-0400'

President

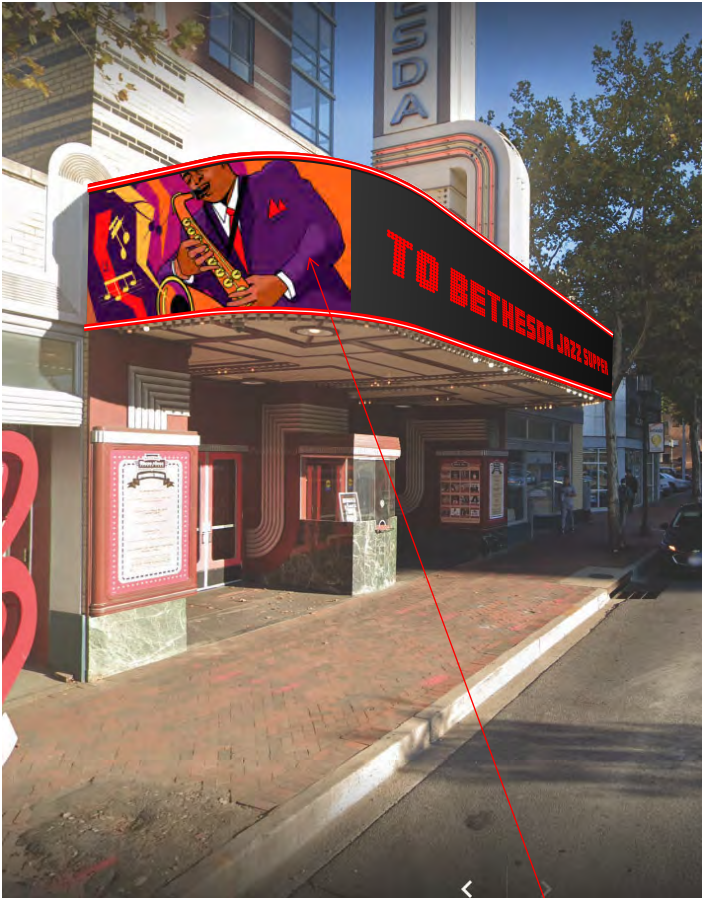
Bethesda Blues and Jazz Supper Club

7719 Wisconsin Ave
Bethesda, Maryland 20814
240-330-4500

Existing conditions



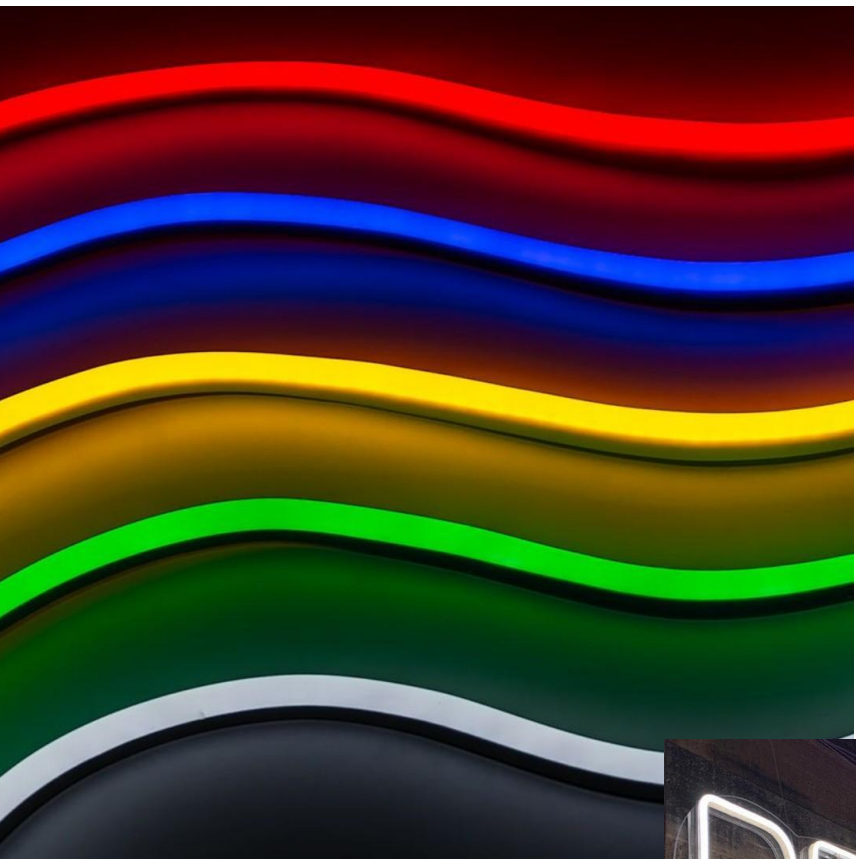
Proposed



Full Color LED
Electronic Message
Board

Faux Neon LED
lighting top and bottom

Sample Work



Specifications

1. Full color LED message board to be wrapped around both sides and front of the existing canopy.
2. Fabricated "C" channels to be painted P2.
3. White LED.

NOTE: field check is required before production.

Colors & finishes

- P1. Black
- P2. Red PMS 485C

1 LED board - Left Sid View

Scale: 3/16" = 1'-0"

2 LED board - Front View

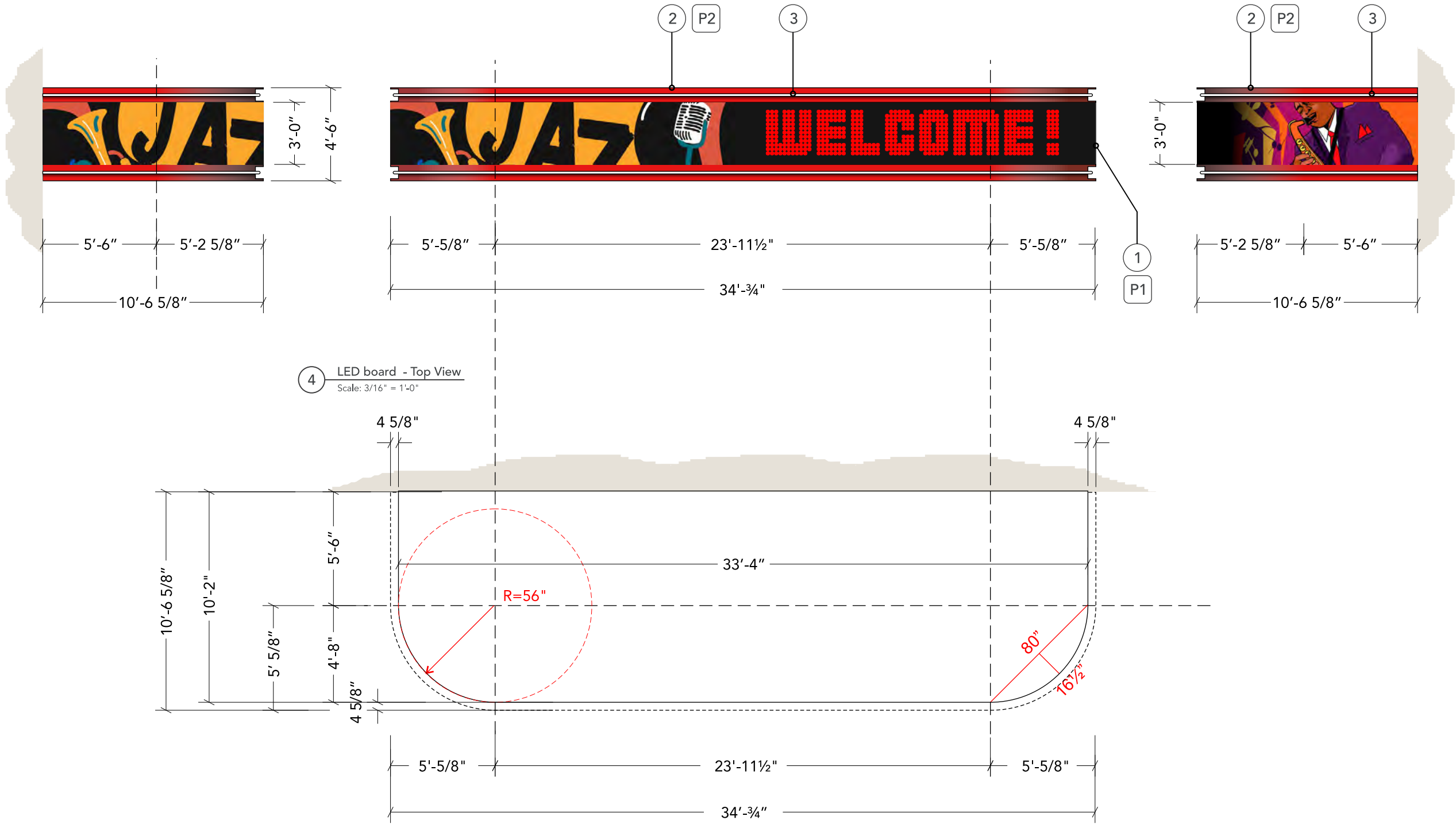
Scale: 3/16" = 1'-0"

3 LED board - Right Sid View

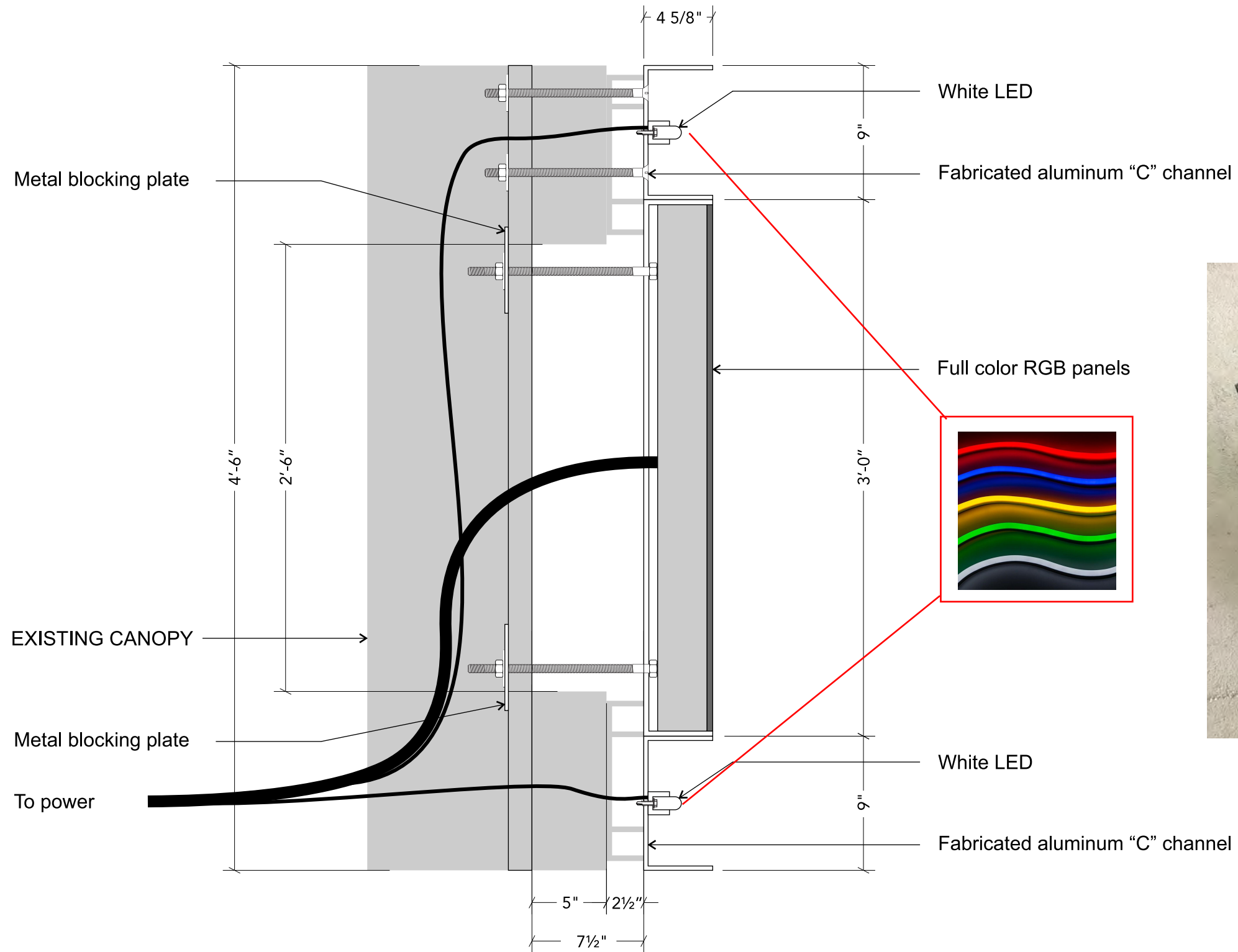
Scale: 3/16" = 1'-0"

4 LED board - Top View

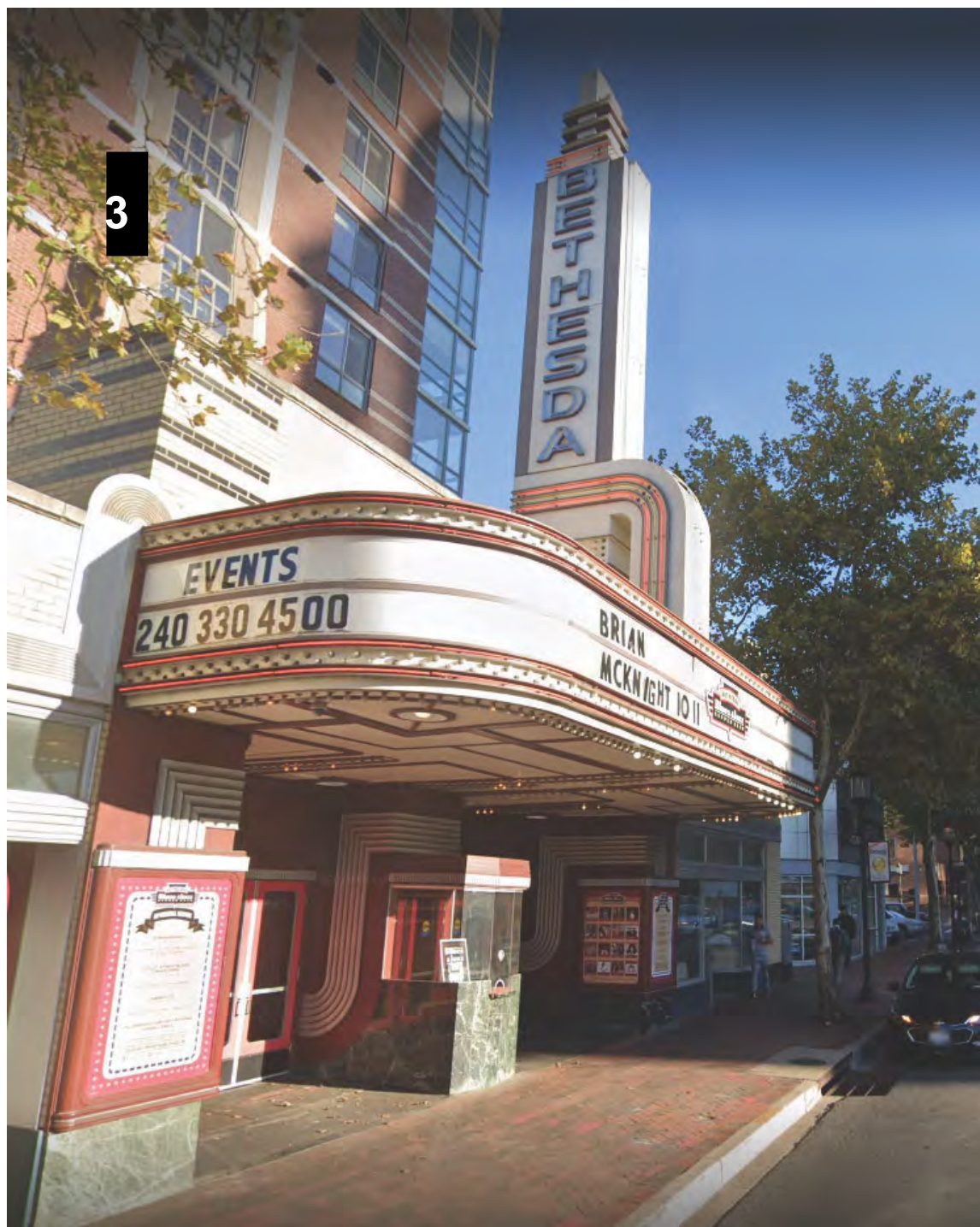
Scale: 3/16" = 1'-0"



1 LED board - Left Sid View
Scale: 1½" = 1'-0"



Full color RGB panels corner module

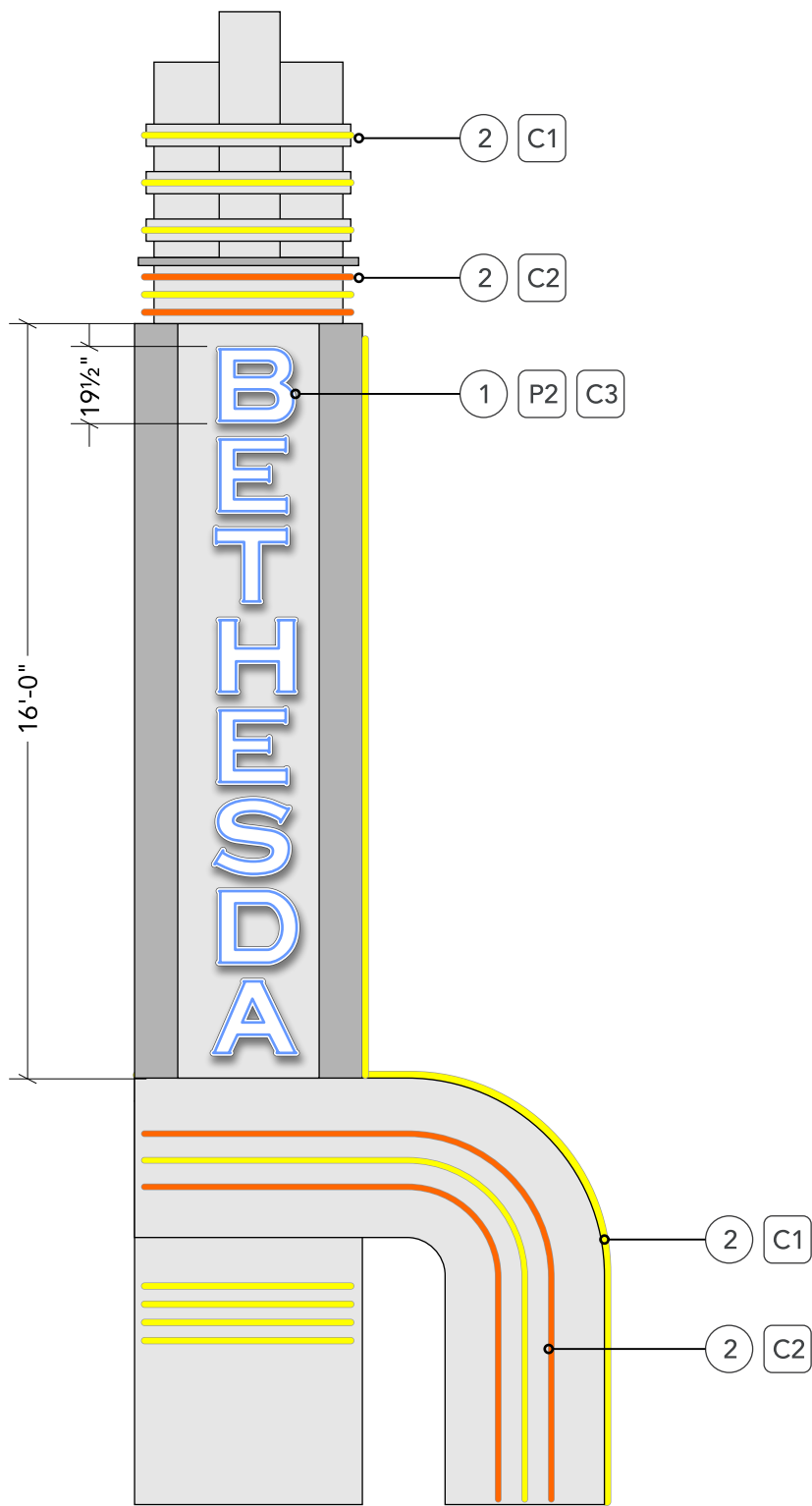


Existing conditions

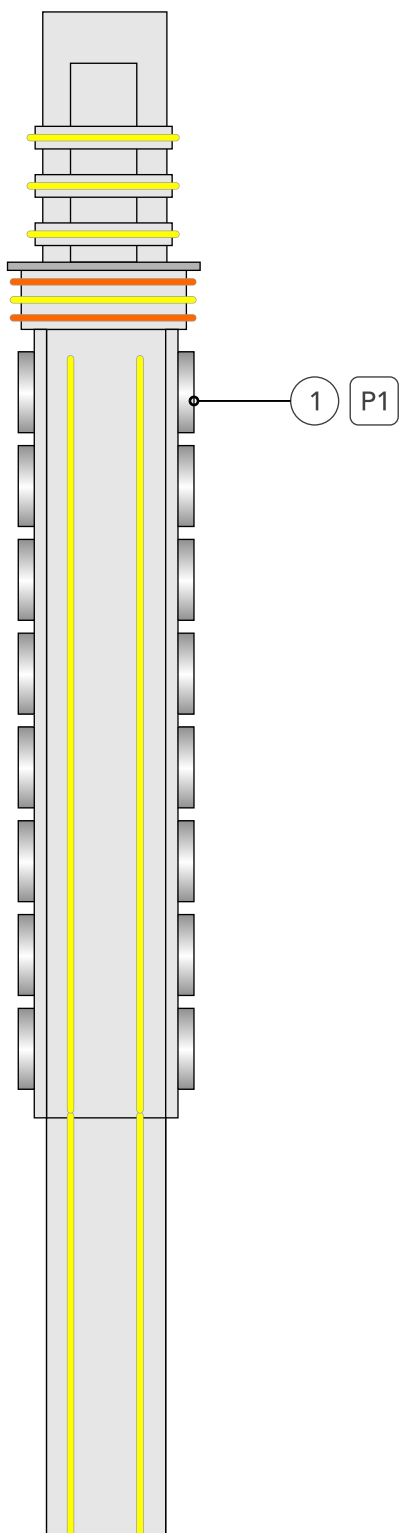


Proposed

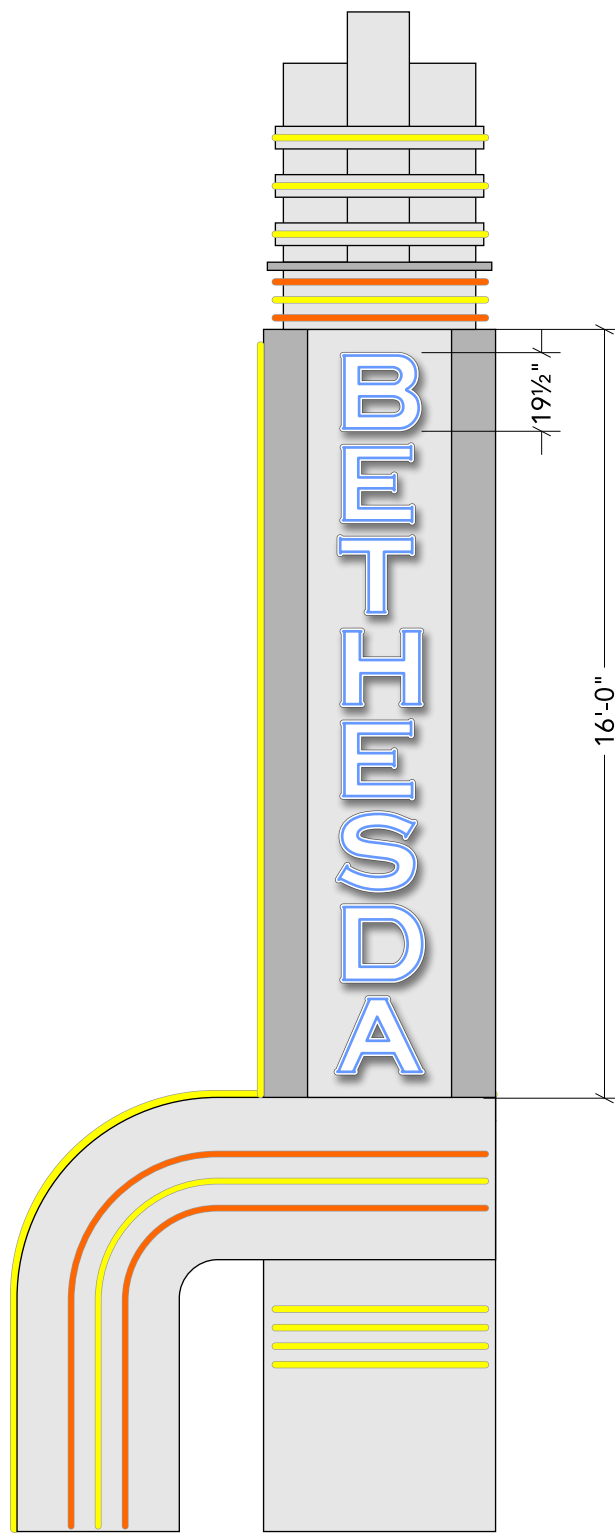
1 Channel letters - Side A
Scale: ¼" = 1'-0"



2 Channel letters - Front View
Scale: ¼" = 1'-0"



3 Channel letters - Side B
Scale: ¼" = 1'-0"



Open face channel letters

QTY: (2X) SINGLE-FACED

B

Specifications

1. 4" deep fabricated open face channel letters with interior painted P2. Exterior of the letters to be painted P1.
C3 LED lights to be installed inside of the letters.

2. Rope LED lights as specified.

NOTE: field check is required before production.



example of open face channel letters



rope LED light exampel

Colors & finishes

P1. Metallic Silver



P2. White



C1. Yellow LED



C2. Orange LED



C3. Blue LED



1 Channel letters - Side View
Scale: 1" = 1'-0"

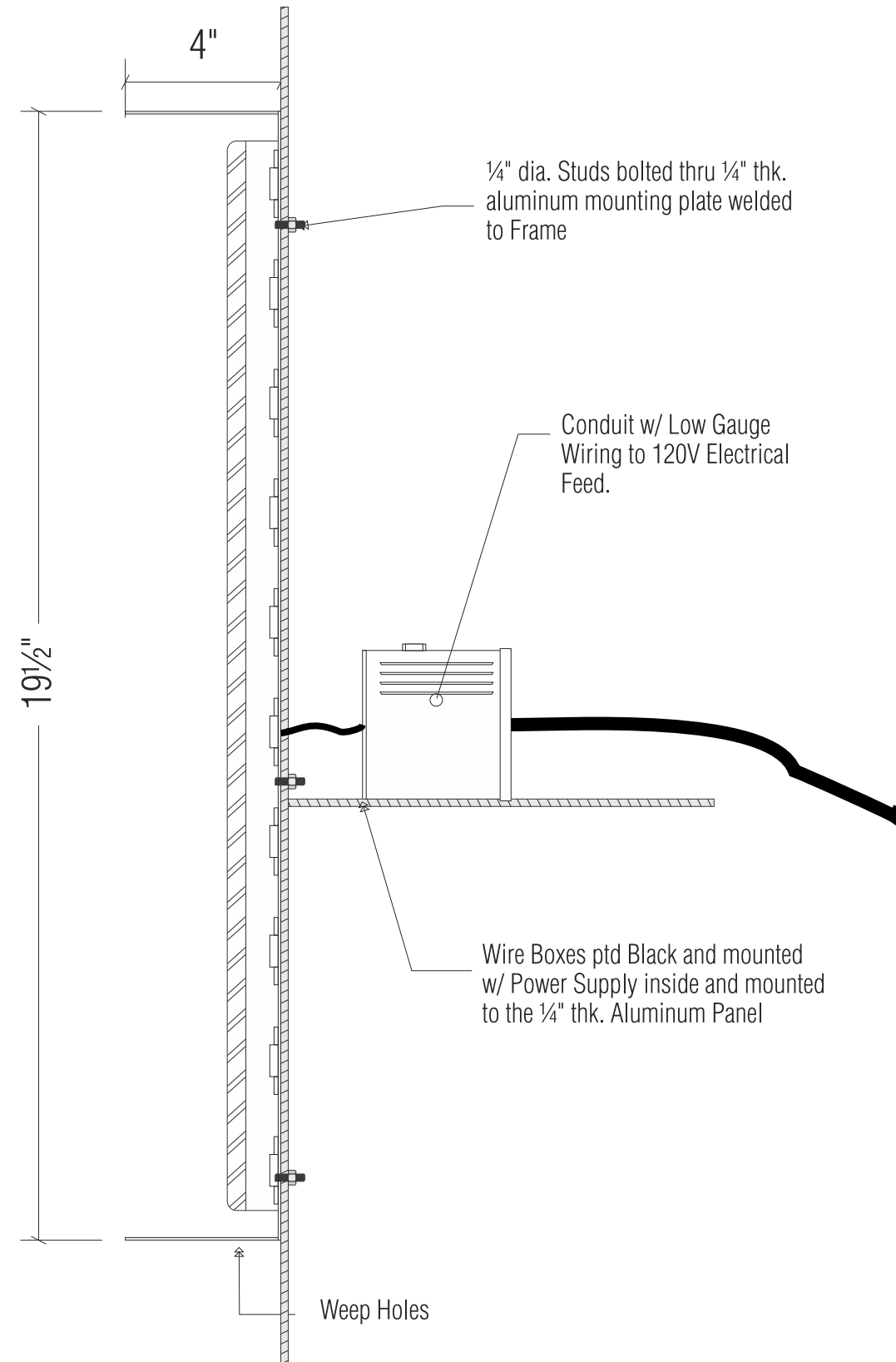


PHOTO OF SAMPLE LETTER

Sample Work





To Whom It May Concern,

Bethesda Blues & Jazz Supper Club was closed for over a year due to COVID 19. We have gone through an expensive, long process to prepare the site for reopening. The theatre required financial help, which was prominent for our reopening. We received a grant to help the theatre reopen, and part of the grant is being used to rehab the existing non-functional marquee sign, which is very important to advertise the upcoming shows for residents living in the area or driving by the theatre. To ensure that we are keeping the same look and size but modernizing the sign, the new scope of work is to replace the outer part of the existing marquee sign and replace it with an electronic full-color message board. The old sign had turned into a safety hazard for our employees trying to put the letters on the marquee and also to the public's safety as the letters would continuously fall off.

Earl Ciccel

Owner Manager
Bethesda Blues & Jazz Supper Club