Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D
P.O. Box 40846
Palisades Station
Washington, D.C. 20016

July 17, 2001

Ms. Sherri Pruitt
Secretary, Board of Zoning Adjustment
441 4th Street NW
Washington DC 20001

Subject: BZA # 16747 - HAIR ZONE Salon, 5108 MacArthur Blvd, N.W.

Dear Ms. Pruitt:

Advisory Neighborhood Commission 3D held its regularly scheduled monthly meeting on Wednesday, July 11, 2001 at Sibley Memorial Hospital's Ernst Auditorium. Proper notice of this meeting was given at least seven days in advance in a local newspaper, by postings throughout the neighborhood, by fax and by telephone to the community. A quorum (4) was present at all times during the meeting.

One of the items on our agenda dealt with The HAIR ZONE Salon which is proposing an addition to the rear of an existing party-wall service establishment located at 5108 MacArthur Blvd., NW (Lot 809, Square 1418). It will be a one-story masonry structure with two basement levels making up the 16-foot change in grade from MacArthur Blvd. to the rear. The addition will be used to expand hair and skin care services, and to provide new manicure and pedicure services. There will also be a tenant space at the lowest level with a separate entrance to be used for a dog grooming business. The zoning district for the property is C-1.

ANC 3D heard testimony from Mark Binstead, the architect for the applicant, who provided illustrative drawings, photographs and a model. We also received a petition of support signed by several commercial neighbors. In addition, several commissioners visited the site before the meeting. The Commission concluded that the proposed addition would not be visible from the street or from any residential or commercial buildings in the area except for a few rental apartments in a neighboring building. No commercial or residential neighbors expressed any objection to the proposal.

BZA
Case No. 16747
Exhibit No. 21

Board of Zoning Adjustment
District of Columbia
CASE NO.16747
EXHIBIT NO.21

ANC 3D voted unanimously (6-0-0) to support the three variances to the Zoning Regulations for the addition to the HAIR ZONE: Rear Yard (Section 774.1), Nonconforming Structures Devoted to Conforming Uses (Section 2001.3), and Off-Street Parking Requirements (Section 2101.1).

Rear Yard

The proposed addition will eliminate the existing rear yard, while Section 774.1 calls for a minimum 20' rear yard. The ANC found that additions to the building immediately to the south, 5104 MacArthur Blvd., have previously eliminated rear yards to the south and west of the proposed construction, making the HAIR ZONE rear yard residual courtyard space. Open space of the type provided for by groups of adjoining rear yards is no longer possible behind the property. Filling in the HAIR ZONE rear yard will not block any neighboring windows or openings, as the adjoining masonry walls have no penetrations. The ANC is satisfied that access to neighboring rear entrances or established rights of way will not be affected.

Nonconforming Structures Devoted to Conforming Uses

The Nonconforming Structures variance concerns Floor Area Ratio, because the existing HAIR ZONE building was determined to already exceed the allowable F.A.R. of 1.0. Indeed, this 1928 building was nonconforming the moment the current F.A.R. regulations took effect. The sloping site results in the basement levels emerging from grade at the rear and counting significantly toward F.A.R. area. Any expansion of nonconforming F.A.R. is restricted by Section 2001.3.

The ANC found that the HAIR ZONE building, expanded as proposed to F.A.R. 2.30, would exceed the allowable F.A.R. for the site solely on the basis of its basement levels. These levels contribute to the F.A.R. calculation because of the topography, but the party-wall construction and neighboring additions described above combine to make the basement levels invisible from MacArthur Blvd. and residential properties to the west. The ANC supports granting the applicant additional F.A.R. because the building will remain a single story at the street elevation, and there is no significant impact to the neighborhood presented by the lower levels.

Off-Street Parking Requirements

Any addition to the HAIR ZONE would result in a total gross floor area, including cellar space, above the threshold for required off-street parking (3000 SF). While the building once contained a rear garage, the ANC found that vehicle access to the rear of this building and its neighbors has long ago been eliminated by additions to a neighboring building.

Few retail structures in the Palisades neighborhood provide off-street parking unless they are part of a larger development or have rare alley access. Several restaurants in view of HAIR ZONE with little or no off-street parking have far greater occupant loads and peak business hours after residents return home from work. It is expected that the HAIR ZONE and its retail tenant will total only about 5 or 6 customers at any one time. Fortunately, there is ample street parking during normal business hours from 9:00 to 5:00. Most customer parking is found on the residential side streets and is limited to two hours, very adequate for HAIR ZONE customers. In addition, the HAIR ZONE is seeking the return of parking meters outside its doors on MacArthur Blvd., an effort supported by the ANC. The owner and other service providers in the HAIR ZONE building have dutifully parked for many years several blocks away where parking is unrestricted.

ANC 3D asks that you give "great weight" to our recommendations as required by DC law by approving the three variances requested by the HAIR ZONE.

Sincerely,

Eleanor Roberts Lewis

Eleanor Roberts Lewis (bpm)
Chair, ANC3D