Christopher H. Collins
202.457.7841
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Wilkes Artis

Chartered
Attorneys at Law

Suite 300, 1666 K Street, NW
Washington, DC 20006-2803
202.457.7800
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December 21, 2000

DISTRICT OF COLUMBIA
2000 DEC 21 P 4:57

Ms. Sheri Pruitt
Office of Zoning
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Application No. 16494 of Exxon Corporation
5515 South Dakota Avenue, N.E.

Dear Ms. Pruitt:

Enclosed is a letter to the Board requesting a modification of plans in the above-referenced matter. The case was originally heard in October of 1999, and involved one special exception. The original filing fee was $4,000. Enclosed is a check for $800, to cover the cost of this modification. This filing fee is 20% of the original filing fee, pursuant to 11 DCMR § 3180.1(f).

If you have any questions, please give me a call.

Respectfully submitted,

WILKES ARTIS, CHARTERED

By: _____
Christopher H. Collins

CHC:ljo

cc: Bhoopendra Prakash
Greg DeMarzo

#220179/01006101

BZA
Case No. 16494
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO.16494
EXHIBIT NO.26

Christopher H. Collins
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Chartered
Attorneys at Law

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Washington, DC 20006-2803
202.457.7800
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December 21, 2000

Sheila Cross Reid, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Application No. 16494 of Exxon Corporation
5515 South Dakota Avenue, N.E.
Request for Modification of Plans

Dear Chairperson Reid and Members of the Board:

Pursuant to 11 DCMR § 3129, Exxon Mobil Corporation, successor to Exxon Corporation, respectfully requests approval for modification of the approved plans for the above-referenced project. In summary, the modifications include a modest increase in the dimensions of the convenience store on the subject property.[1] A new single-pole Exxon I.D. sign will replace the current dual pole sign, at a lower height and smaller width. Other changes include an additional parking space at the front of the convenience store, and a modification of the northernmost driveway entrance from a width of 50 feet to 40 feet, which is more consistent with DCDPW standards. The plan also has been revised pursuant to the condition of the Board to move the public telephone to the front of the convenience store, rather than adjacent to the parking spaces at the southeast corner of the site. The public telephone will be installed inside the convenience store, to provide all-weather protection and greater ability to monitor its use.

The original plan was for a Tiger Mart, using the standard Exxon design of a flat-roofed building with metal paneling. Exxon Mobil has recently determined to adopt the On The Run convenience store design used by the former Mobil Oil Company prior to the merger of the two companies. The new building design will be a hipped-roof masonry building. The original building footprint measured 85'4" by 40'3". The new building dimensions are 85'4" by 46'. The new single-pole Exxon sign will also be used.

Enclosed is the BZA Order, as well as a complete set of the BZA-approved plans, dated June 1999 (yellow highlight). Also enclosed is a set of the revised plans, dated December, 2000 (orange highlight), showing the proposed modifications. Based upon the above, the applicant believes that the request is consistent with the standard for

[1] A convenience store is a matter-of-right use in the C-2-A zone. However, approval of this modification is necessary because the approval of the application included approval of the plans, pursuant to 11 DCMR Section 3125.7.

modifications set forth in Section 3129.7 of the Zoning Regulations. That is, the proposal is "limited to minor modifications that do not change the material facts the Board relied upon in approving the application."

The Applicant respectfully requests a waiver of Section 3129.3, to allow this request to be considered more than six months after the final date of the final order approving the application. Since the time of the merger of Exxon and Mobil, the new company has determined to use Mobil's On The Run design for all of its convenience stores, rather than continue with the Exxon Tiger Mart design. The canopy and the new single-pole design for the I.D. sign will continue to have the Exxon name, while the convenience store will use the store design and name used by the former Mobil chain. This determination was only recently made by the new company, and this will be the first of the new designs in the District of Columbia. Denial of this waiver request would mean that the company could not implement its new company-wide design at this site. Granting this waiver request will not adversely affect any party to this case.

For the above reasons, Exxon Mobil Corporation respectfully requests approval of this modification of plans.

Respectfully submitted,

WILKES ARTIS, CHARTERED

By: 
Christopher H. Collins

CHC:ljo

cc: A. M. Mustafa, Chairperson,
Advisory Neighborhood Commission 4B (by hand)
Greg DeMarzo (by mail)
Bhoopendra Prakash (by mail)

#220174/01006101

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16494 Exxon Corporation, pursuant to 11 DCMR 3108.1 **(new 3104.1)** for a special exception under Section 706 to allow the expansion of a gasoline service station with a convenience store on a site in a C-2-A District at premises 5515 South Dakota Avenue, N.E. (Square 3760 Lots 812 and 814).

HEARING DATE: **October 13, 1999**
DECISION DATE: **October 13, 1999**

SUMMARY ORDER

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commissions (ANC) 4B, 5A, and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 4B. ANC 4B, which is automatically a party to this application did not submit a written statement in support of the application.

As directed by 11 DCMR 3324.2 **(new 3119.2),** the Board required the applicant to satisfy the burden of proving the elements, which are necessary to establish the case for a special exception pursuant to 11 DCMR Section 706. No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108 **(new 3104.1)** that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application be **GRANTED, SUBJECT** to the following **CONDITION**:

1. The applicant shall install one telephone booth in front of the convenience store.

Pursuant to 11 DCMR 3301.1 **(new 3101.6)** the Board has determined to waive the requirement of 11 DCMR 3331.3 **(new 3125.3)** that findings of fact and conclusions of law accompany the order of the Board. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3 – 0 (Jerry Gilreath, Robert Sockwell, and Sheila Cross Reid to grant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
DIRECTOR

FINAL DATE OF ORDER: NOV - 2 1999

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3125.9, "NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBSECTION 3125.6."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

Smp/Jkn/16494

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16494

As Director of the Office of Zoning, I certify and attest that on NOV - 2 1999 a copy of the decision entered on that date in this matter was mailed first class, postage prepaid to each party in this case, and who is listed below:

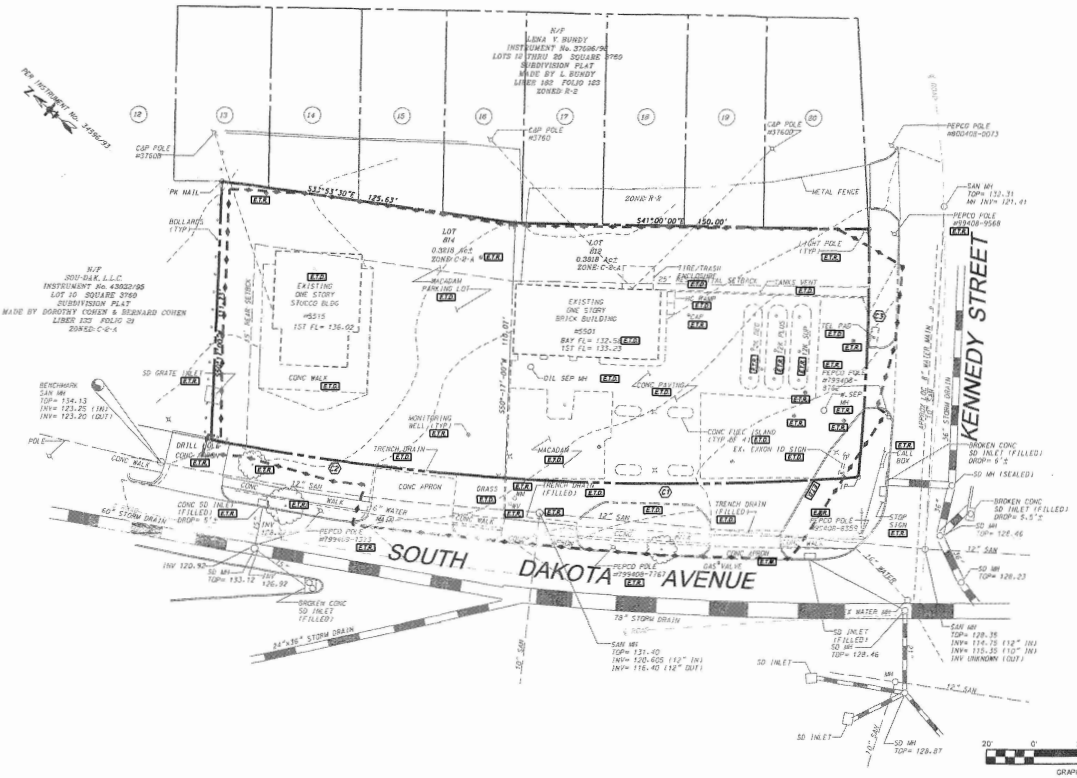
Christopher H. Collins, Esquire
Wilkes, Artis,Hedrick & Lane, Chartered
1666 K Street, N.W., Suite 1100
Washington, D.C. 20006

A.M. Mustafa, Chairperson
Advisory Neighborhood Commission (ANC) 4B
4th District Police Headquarters
6856 Eastern Avenue, N.W., Suite 314
Washington, D.C. 20012

Attested By: _____
JERRILY R. KRESS, FAIA
Director

Attest 16494/JKN

CURVE TABLE					
CURVE	RADIUS	ARC	TANGENT	CHORD	CHD BEARING	DELTA
C1	1046.00'	134.81'	67.50'	134.72'	N41°46'34"W	07°23'02"
C2	1046.09'	125.35'	62.95'	125.46'	N34°38'45"W	06°52'36"
C3	1015.00'	107.11'	53.60'	107.06'	S50°23'54"W	06°02'46"



LEGEND

- GUY WIRE
- SIGN
- POWER POLE
- LIGHT POLE
- TRAVERSE POINT
- MONITORING WELL
- DECIDUOUS TREE
- WATER VALVE

(EFA) EXISTING TO BE MODIFIED
(EDB) EXISTING TO BE DEMOLISHED
(EFA) EXISTING TO REMAIN

BZA
Case No. 16494
Exhibit No. 26-A

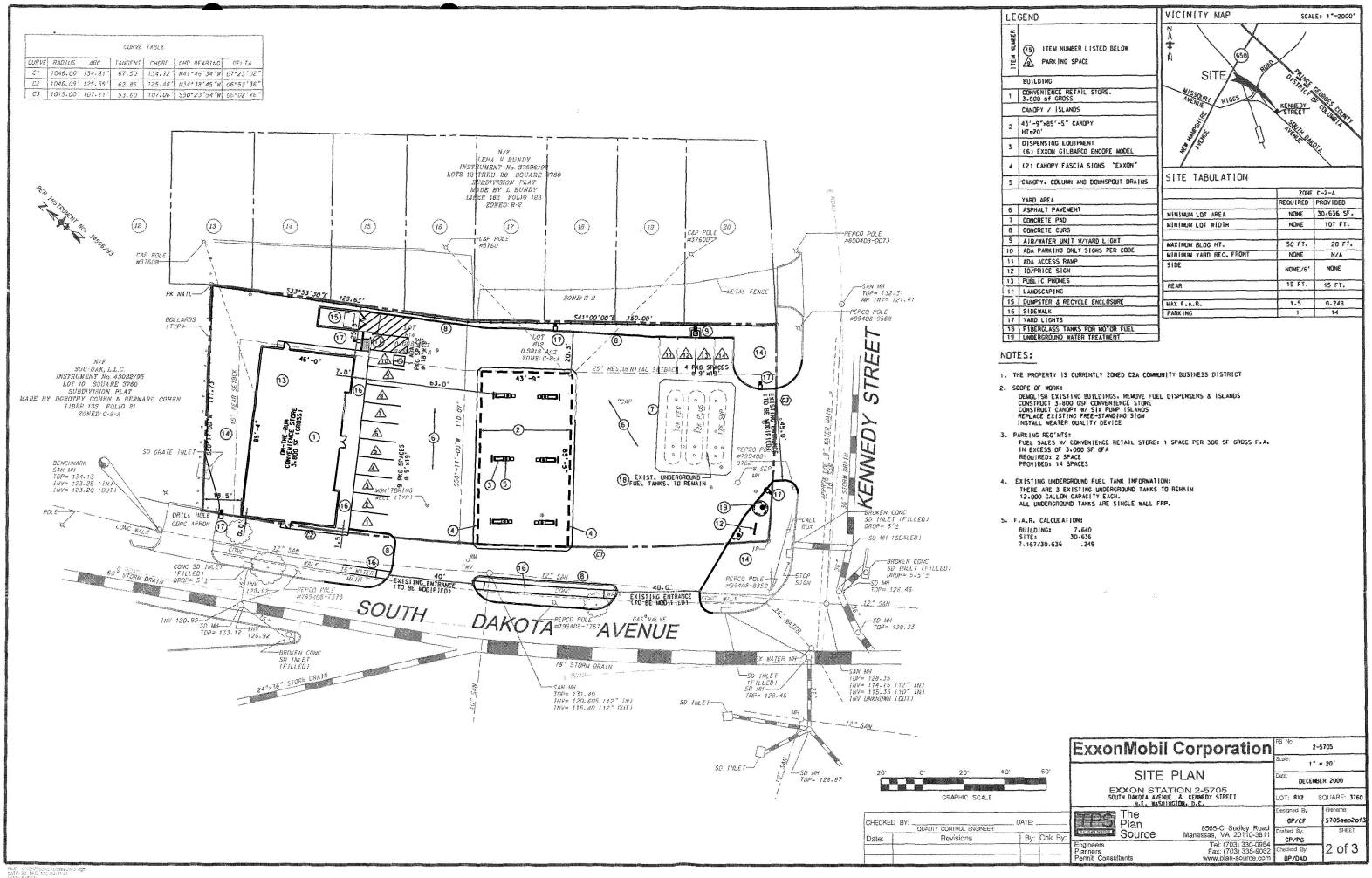
CHECKED BY: _____ QUALITY CONTROL ENGINEER	DATE: _____
Date:	Revisions	By:	Chk By:

ExxonMobil Corporation

EXISTING CONDITIONS AND DEMOLITION PLAN
EXXON STATION 2-5705
SOUTH DAKOTA AVENUE & KENNEDY STREET N.E. WASHINGTON, D.C.

RS No:	2-5705
Scale:	1" = 20'
Date:	DEC 2000
LOT: 812	SQUARE: 3760
Designed By:	GP/CF
Filename:	5705sep1of3
Drafted By:	GP/CF
Checked By:	BP/DAD
SHEET	1 of 3

The Plan Source
8565-C Sudley Road
Manassas, VA 20110-3811
Engineers
Planners
Permit Consultants
Tel: (703) 330-0954
Fax: (703) 335-9062
www.plan-source.com



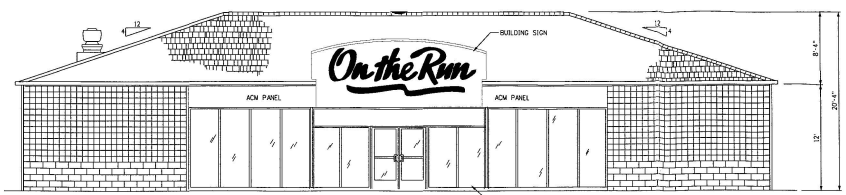
ExxonMobil Corporation

SITE PLAN

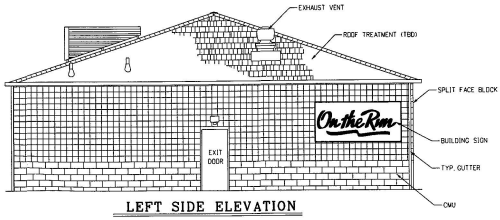
EXXON STATION 2-5705
SOUTH DAKOTA AVENUE & KENNEDY STREET
N.E., WASHINGTON, D.C.

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Date:	DECEMBER 2000
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Drafted By:	GP/PG
SHEET	2 of 3
Checked By:	BP/DAD

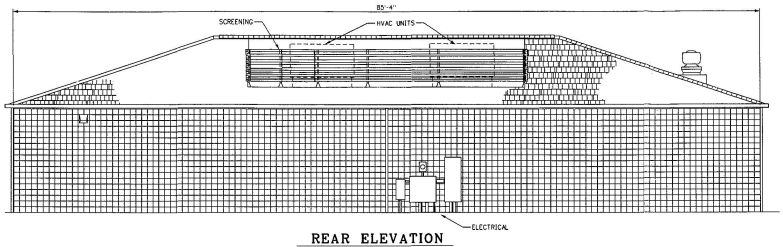
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Fax: (703) 335-8002
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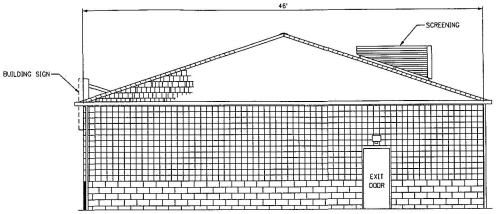
FRONT ELEVATION



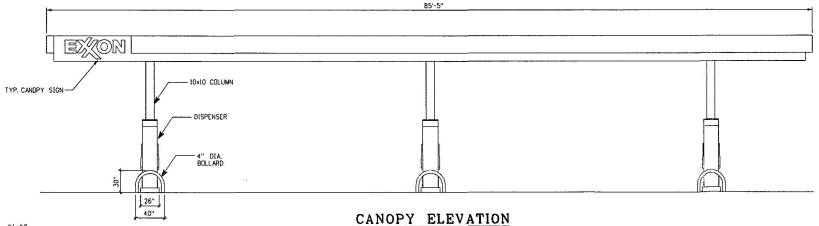
LEFT SIDE ELEVATION



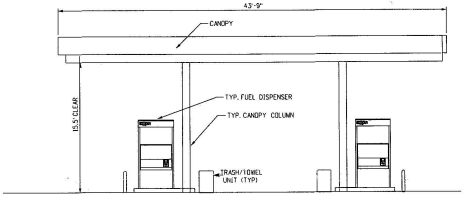
REAR ELEVATION



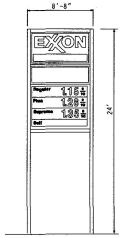
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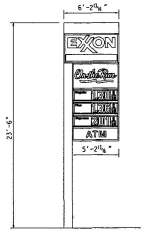
CANOPY ELEVATION



CANOPY ELEVATION



EX. I.D. SIGN



PROPOSED I.D. SIGN



GRAPHIC SCALE
3/32" = 1'-0"

CHECKED BY: _____ DATE: _____
QUALITY CONTROL ENGINEER

Date:	Revisions	By:	Chk By:

ExxonMobil Corporation

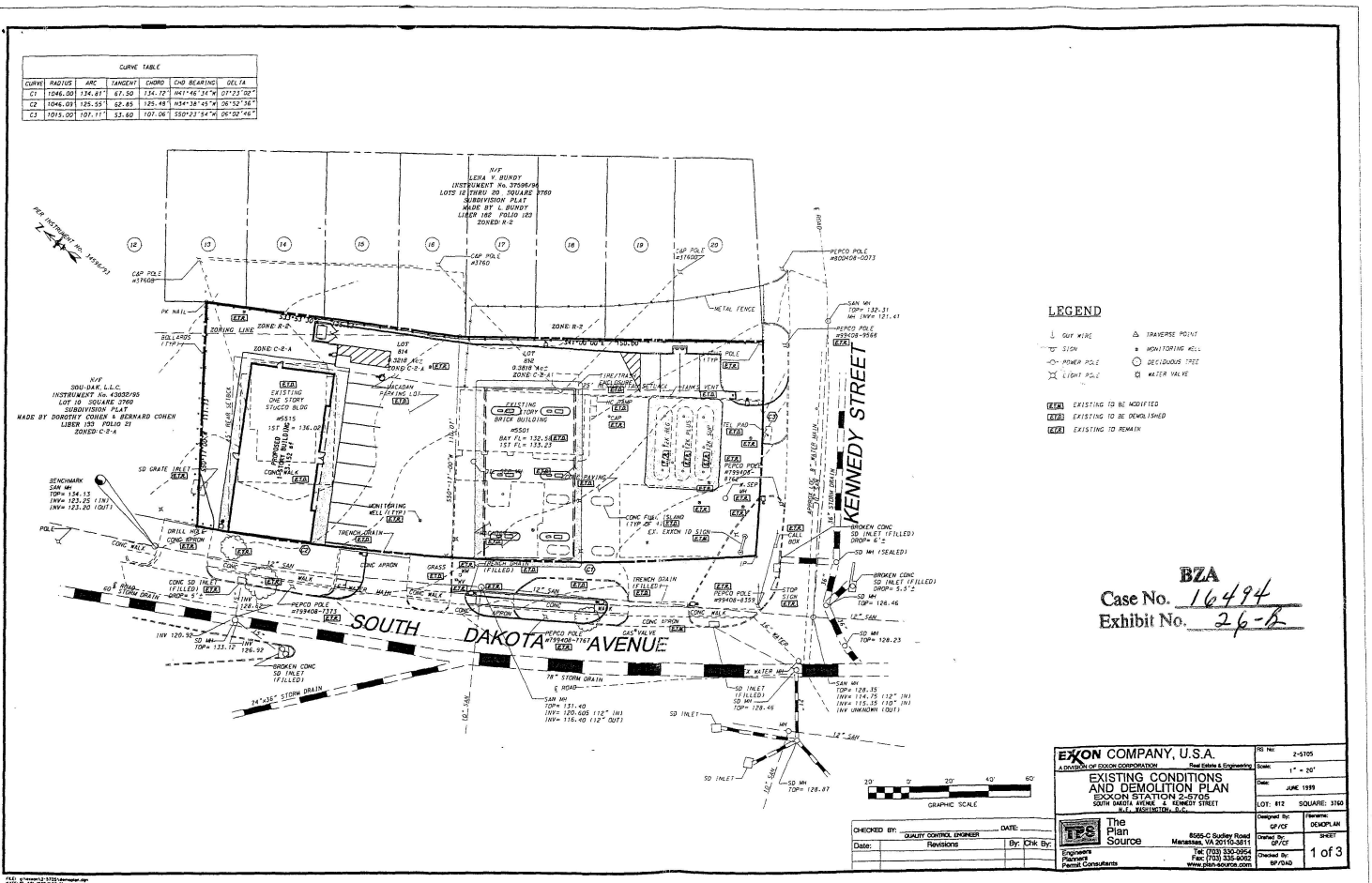
PROPOSED ELEVATIONS

EXXON STATION 2-5705
SOUTH DAKOTA AVENUE & KENNEDY STREET
N.E. WASHINGTON, D.C.

The Plan Source
Engineers
Planners
Permit Consultants

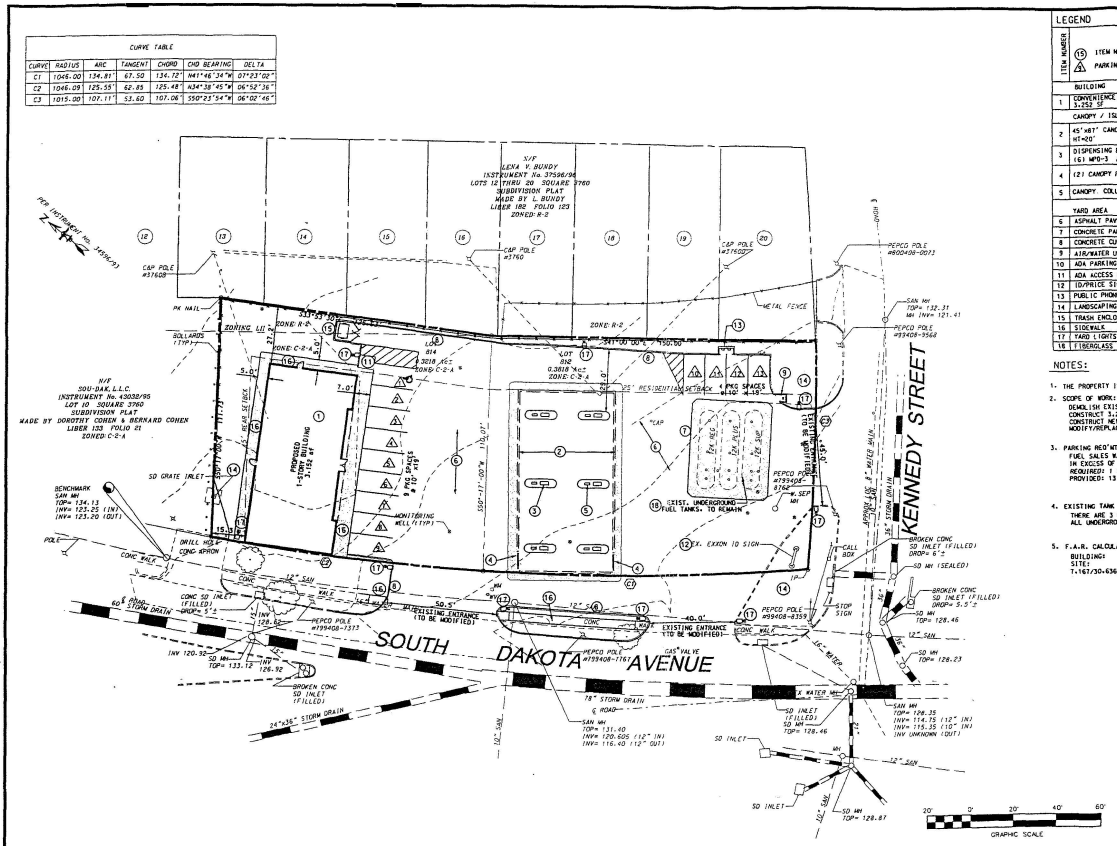
8565-C Sudley Road
Manassas, VA 20110-3811
Tel: (703) 330-0954
Fax: (703) 335-9062
www.plan-source.com

PS No:	2-5705
Scale:	3/32" = 1'-0"
Date:	DEC 2000
LOT: 812	SQUARE: 3760
Designed By:	Filename: 5705EP3OF3
Drafted By:	SHEET
Checked By:	3 OF 3



BZA
Case No. 16494
Exhibit No. 26-E

EXHIBIT E

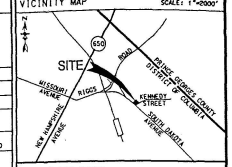


LEGEND

ITEM NUMBER	
15	ITEM NUMBER LISTED BELOW
	PARKING SPACE
	BUILDING
1	CONVENIENCE RETAIL STORE. 3,152 SF
	CANOPY / ISLANDS
2	45'x87' CANOPY HT=20'
3	DISPENSING EQUIPMENT (6) MPD-3 ADVANTAGE SERIES W/CRIND
4	(2) CANOPY FASCIA SIGNS "EXXON"
5	CANOPY COLUMN AND DOWNSPOUT DRAINS
	YARD AREA
6	ASPHALT PAVEMENT
7	CONCRETE PAD
8	CONCRETE CURB
9	AIR/WATER UNIT W/YARD LIGHT
10	ADA PARKING ONLY SIGNS PER CODE
11	ADA ACCESS RAMP
12	ID/PRICE SIGN
13	PUBLIC PHONES
14	LANDSCAPING
15	TRASH ENCLOSURE
16	SIDEWALK
17	YARD LIGHTS
18	FIBERGLASS TANKS FOR MOTOR FUEL

VICINITY MAP

SCALE: 1"=2000'



SITE TABULATION

	ZONE C-2-A REQUIRED	PROVIDED
MINIMUM LOT AREA	NONE	30,636 SF.
MINIMUM LOT WIDTH	NONE	107 FT.
MAXIMUM BLDG HT.	50 FT.	20 FT.
MINIMUM YARD REQ. FRONT	NONE	N/A
SIDE	NONE/6'	NONE
REAR	15 FT.	15.3 FT.
MAX F.A.R.	1.5	0.234
PARKING	1	13

NOTES:

1. THE PROPERTY IS CURRENTLY ZONED C- 2- A COMMUNITY BUSINESS DISTRICT
2. SCOPE OF WORK:
   DEMOLISH EXISTING BUILDINGS, CANOPY AND PUMP ISLANDS
   CONSTRUCT 3,252 SF. CONVENIENCE STORE
   CONSTRUCT NEW CANOPY W/ SIX PUMP ISLANDS
   MODIFY/REPLACE EXISTING FREE-STANDING SIGN
3. PARKING REQ'MTS:
   FUEL SALES W/ CONVENIENCE RETAIL STORE: 1 SPACE PER 300 SF GROSS F.A. IN EXCESS OF 3,000 SF GFA
   REQUIRED: 1 SPACE
   PROVIDED: 13 SPACES
4. EXISTING TANK INFORMATION:
   THERE ARE 3 EXISTING UNDERGROUND TANKS. 12,000 GALLON CAPACITY EACH. ALL UNDERGROUND TANKS ARE SINGLE WALL FRP.
5. F.A.R. CALCULATION:
   BUILDING= 1,167
   SITE: 30,636
   1,167/30,636 = .234

CHECKED BY: _____ QUALITY CONTROL ENGINEER DATE: _____

Date:	Revisions	By:	Chk By:

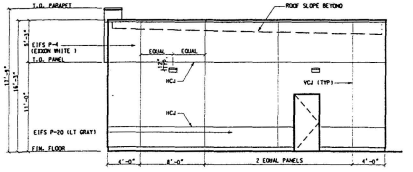
EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION — Real Estate & Engineering

SITE PLAN

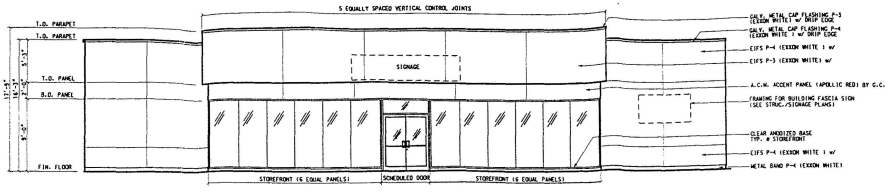
EXXON STATION 2-5705
SOUTH DAKOTA AVENUE & KENNEDY STREET
N.E. WASHINGTON, D.C.

RS No:	2-5705
Scale:	1" = 20'
Date:	JUNE 1999
LOT: 812	SQUARE: 3760
Designed By:	GP/CF
Filename:	SITEPLAN
Drafted By:	GP/PG
Sheet	2 of 3
Checked By:	BP/DAD

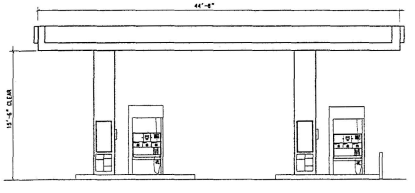
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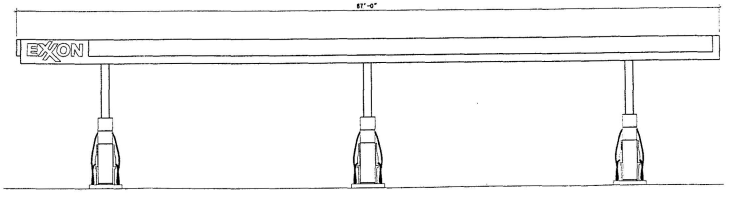
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



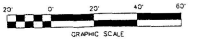
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



SIDE ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



GRAPHIC SCALE

CHECKED BY: _____ QUALITY CONTROL ENGINEER DATE: _____

Date:	Revisions	By: Chk By:

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION — Real Estate & Engineering

PROPOSED ELEVATIONS

EXXON STATION 2-6705
SOUTH DAKOTA AVENUE & KENNEDY STREET
N.E., WASHINGTON, D.C.

TPS The Plan Source
Engineers
Planners
Permit Consultants

8565-C Sudley Road
Manassas, VA 20110-3811
Tel: (703) 330-0954
Fax: (703) 335-9062
www.plan-source.com

RS No:	2-5705
Scale:	1/4"=1'-0"
Date:	JUNE 1999
LOT: 812	SQUARE: 3760
Designed By: GP	Filename: ELEVATIONS
Drafted By: GP	SHEET
Checked By: BP	3 of 3

FILE: g:\exxon\2-6705\elevations.dgn
DATE: 0 Jun 1999 12:00:0
USER: susan