

Advisory Neighborhood Commission 3F
Minutes November 15, 1999

1. CALL TO ORDER

The meeting was called to order at 7:45pm by the Chair Doug Mitchell. Commissioners Bardin, Maudlin, Fitzgerald, Perry, Kogan and Heinrich were present.

The agenda was approved.

2. ANNOUNCEMENTS

Commissioner Kogan reported on the progress of city-planted trees in the ANC. He said the funding for the project has been approved. He said volunteers were needed to take note of where trees need to be planted, or replaced on the East side of Connecticut Avenue.

Commissioner Bardin reported on the progress at the Van Ness Giant Food Store. He said there was some new carpeting, improvements to the lighting, a suggestion box and hundreds of new items.

Commissioner Heinrich urged residents to attend the Citizen's Summit on Saturday, November 20 at the Convention Center.

3. POLICE REPORT

Officer R.L. Brown of the 2nd District gave the report on crime activity in the ANC.

Commissioner Perry asked the Officer why residents never saw the patrol officer assigned to the intersection of Van Ness and Connecticut Ave. She said the road work in that area was causing many problems, one being cars illegally parked. She asked for enforcement of traffic laws in the area. Officer Brown suggested Commissioner Perry contact Lt. Eaves.

4. OPEN FORUM

Sarah Barnett, a resident, presented 7 suggestions for traffic signage with a petition containing 10 signatures (see attached).

A resident asked about the status of the planned condo development at Albemarle and Nebraska. Chairman Mitchell said the developer would come before the ANC to present any plans.

5. SPEAKER

Commissioner Linda Softli of Census 2000 discussed the importance of an accurate census count for the residents of the community. She said that many considerations including funding for projects were contingent on census statistics. She said Census 2000 was hiring staff for the effort and directed commissioners and residents to literature about the census.

6. REGULAR BUSINESS

A. EXXON Station

Residents presented a list of complaints about the renovations of the Exxon station at 5030 Connecticut Avenue (see attached). Rachael Egan, a spokesperson for the residents, said the lighting of the station yard is so intense her living room and bedrooms are flooded with light all night and she is disturbed at all hours day and night by the noise of a vacuum and air hose. Gloria Murillo, a resident whose property shares an alley with the station said the intense lights on the back of the building are like flood lights shining directly into her bedrooms, living room, and kitchen. She said during the process of the renovations the construction crew littered the alley with trash and when she complained to them they told her that is what she should expect as it was a construction site. She said the construction routinely started before 7am. When Ms. Murillo

complained about the intensity of the lights one of the workers suggested she get a gun and shoot the lights out. Residents and Commissioners commented in depth on the inappropriateness, intrusiveness and incompatibility of the overall design. It was noted that the design and scale of the signage, the intensity of the lighting, and overall look of the station would be suitable only on a highway and that these factors made the station totally incompatible with the surrounding businesses and ambiance of the neighborhood. Commissioner Bardin pointed out that Connecticut Avenue is a gracious boulevard and gateway to the city and the Exxon station, which is a highway scale station in an urban residential neighborhood, is incongruent with this look and mars the feel and look of the Avenue. Residents pointed out that the bright lights running the length of the building at the back of the station served no advertising purpose and are extremely disturbing to the residence across the alley from the station. An Exxon representative said the portion of the logo and lighting at the back of the building would be removed and other lights in the back area would be redirected to point down. Residents objected to the addition of a Jerry's Pizza Sub Shop. Residents requested the intensity of the over-all lighting be lowered and that the vacuum and air hose be relocated and fitted with mufflers (see attached).

Commissioner Bardin asked Ms. Levine, Exxon representative, for a copy of the building permit and final construction plans for the renovations of the station at 5030 Connecticut Avenue and for EXXON'S proposed renovation at Connecticut and Porter Street. He also wanted a written copy of the proposals for change to the renovations (per this meeting with ANC 3F and residents) for the station at 5030 Connecticut Ave.

Commissioner Perry said she was on the ANC in November 1997 when Exxon presented its renovation plans for the Station at 5030 Connecticut Ave. She said Exxon did not do renovations in accordance with the plans that were presented and approved by the ANC at that time, There was never a mention at the November 1997 meeting of a Jerry's Sub Shop.

Marjorie Collins, a Commissioner of ANC 3F when Exxon gave its November 1997 presentation, said Exxon never mentioned the addition of a sandwich shop and the renovations that have taken place at 5030 Connecticut are not in keeping with the plans as presented to the commission and residents by Exxon.

PARTIAL LIST OF REMEDIES AGREED TO BY EXXON AT NOVEMBER MEETING

1. lower wattage of lights of canopy over pumps
2. remove logo and lights on building at rear - screen lights in back so they shine down and lower wattage
3. move air hose and vacuum, and muffle
4. trucks - no AM deliveries or pickups
5. addition of no parking signs and barriers
6. advertising frames on side of building removed
7. landscaping on Nebraska - work with ANC to get trees planted on public space

Commissioner Mitchell asked that Exxon attend the January Meeting of ANC 3F.

B. Retail Service Station Amendment Act 1999 - Bill 13-409

Commissioner Bardin said Bill 13-409 proposed by Councilmember Allen would impose a moratorium on reconstruction of filling stations until 2003. Commissioner Bardin asked that ANC 3F go on record supporting Bill 13-409. Commissioner Bardin moved to generally support Bill 13-409 and authorize a commissioner to testify at the hearing on the bill on December 9. Commissioner Perry seconded the motion. The motion passed 4-0-3. Commissioner Bardin was authorized to represent the ANC at the hearing.

C. Albemarle Street Marking

Commissioner Maudlin reported residents have been concerned about the speed of the cut through traffic on Albemarle Street from Nebraska to Connecticut Avenues. ANC 3F had recommended that traffic calming

measures be provided for Albemarle Street. DPW provided Commissioner Maudlin with drawings and a proposal of what they would do for traffic calming measures. Commissioner Maudlin proposed and Commissioner Kogan seconded a resolution approving traffic calming measures proposed by DPW for Albemarle Street (see attached). The motion passed 7-0-0

D. 4512 28th Street

Mr. George Clark, neighbor of 4512 28th Street, said he and other neighbors have complained to DCRA about the construction at 4512 28th Street not being in compliance with DC building code. He said that the building is a four story house, which is in violation of DC code (a basement is considered as a story if it extends more than four feet above grade). He said the contractor at the recommendation of DCRA built a berm to conform the basement to code. He said that the house is still being advertised as a four story house. He said the house is too big for the lot. The side yards are less than the 6 foot minimum. He said there are many properties in the neighborhood that are being bought and torn down and that DCRA is encouraging contractors to get around building codes rather than comply with the law. Mr. Patrick Brown, attorney for the owner of 4512 28th Street, said that the house is being built within DC building regulations. Commissioner Kogan said the ANC would wait to get a notice from BZA concerning this project and would work with Mr. Clark and Mr. Brown to stay apprised.

E. ANC Reform Legislation

Commissioner Bardin moved and Commissioner Maudlin seconded that ANC 3F support the proposed ANC Reform Legislation, which is going into hearing on November 22. The motion passed 6-0-0.

F. ANC 3F Annual Report

Commissioner Bardin moved and Commissioner Kogan seconded to adopt ANC 3F Annual Report. Motion passed 6-0-0.

7. COMMITTEE REPORTS

Update on DC Appropriations Act, Daschle Rider, In-State Tuition Bill

Commissioner Bardin gave a report on the DC Appropriations Act, Daschle Rider and In-State Tuition Bill.

8. The minutes of the October 18, 1999 meeting were approved.

9. The monthly financial report was approved.

10. Commissioner Mitchell said he intends to resign as Chair and Commissioner Bardin would be acting chair until ANC 3F elects its officers at its January 2000 meeting.

11. Commissioner Kogan said the ANC would have more money in 2000 than in 1999 assuming the allotment from the DC Government was the same.

The next meeting of ANC 3F will be on January 10, 2000.

The meeting was adjourned at 11:45pm.

Respectfully submitted,

Duane Fitzgerald, Secretary, ANC3F