



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name:	Independent Gas Station Operators Alliance		
Address:	c/o Manatt Phelps & Phillips, 700 12th St NW (Wton DC)		
Phone No(s):	202-585-6566	E Mail:	
I hereby request to appear and participate as a party in Case No.:		18395	
Signature:			Date: 8/23/12
Will you appear as a(n):	☐ Proponent	☒ Opponent	Will you appear through legal counsel? ☒ Yes ☐ No

If yes, please enter the name and address of such legal counsel.

Name:	John Ray, Esq. Manatt, Phelps & Phillips		
Address:	700 12th Street NW, Washington DC 20005		
Phone No(s):	202-585-6565	E Mail:	jray@manatt.com

WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the person's behalf; (See additional information attached)
2. A summary of the testimony of each witness (Zoning Commission only);
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts (Zoning Commission only); and
4. The total amount of time being requested to present your case (Zoning Commission only).

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board? (See additional document attached) for #1-6)
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

CASE NO. 18395
EXHIBIT NO. 26

Person vs. Party in a Proceeding

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, submit a Motion for Reconsideration or Rehearing, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

INSTRUCTIONS

Any request for party status as provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, not less than fourteen (14) days prior to the date set for the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W., Ste. 200 S, Washington, D.C. 20001
(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

Independent Gas Station Operators Alliance
(8/27/2012)

<u>Name</u>	<u>Distance from Costco Site</u>	<u>Business Name</u>	<u>Business Address</u>	<u>City</u>	<u>ST</u>	<u>Zip</u>	<u>Type of Business</u>	<u>Brand</u>
1 Husen Qasim	0.3	RNS Food Mart	2300 South Dakota Ave, NE	Wton	DC	20018	Gasoline & Convenience Store	Shell
2 Derege Asamwane	0.9	Denya Incorporated	3200 Bladensburg	Wton	DC	20018	Gasoline & Convenience Items	Shell
3 Reddi Hassen	1.1	Elbo , Inc,	2210 Bladensburg Road	Wton	DC	20018	Gasoline & Convenience Store	Crown
4 Moustafa Sadeqh*	1.3	Bladensburg Exxon	1925 BLADENSBURG ROAD NE	Wton	DC	20002	Gasoline & Convenience Store	Exxon
5 Tesfit Kiflu	1.7	Parkway Shell	1765 New York Ave	Wton	DC	20002	Gasoline & Convenience Store	Shell
6 Jamil Mussa	1.8	J&M , LLC	1601 New York Ave	Wton	DC	20002	Gasoline & Convenience Store	Shell
7 Mehuria Aname	1.8	J&M , LLC	1601 New York Ave	Wton	DC	20002	Gasoline & Convenience Store	Shell
8 Alex Anenla	1.8	Rhode Island Shell	1830 Rhode Island Ave, NE	Wton	DC	20018	Gasoline & Auto Service Repair	Shell
9 Hossein Kazemzadeh	2.2	24 Hour M&H, Inc.	1201 Bladensburg Road	Wton	DC	20002	Gasoline & Auto Service Repair	BP
10 Tebebe Bebahih	2.2	TJ Auto Repair	1201 Bladensburg Road	Wton	DC	20002	Auto Service Repair Business	BP
11 Semhar Gebrekidan	2.6	Semhar Enterprises, Inc.	814 Bladensburg Road	Wton	DC	20002	Gasoline & Convenience Items	Mobil
12 Kombi Mboma	2.8		1396 Florida Avenue	Wton	DC	20002	Auto Service Repair Business	BP
13 Bahaeldin Nourelheda	2.8		1396 Florida Avenue	Wton	DC	20002	Gasoline & Convenience Items	BP
14 Yodit Hailmalchel	2.9		1950 Benning Road	Wton	DC	20002	Gasoline & Convenience Items	Crown
15 Stephen Bota	3.1		420 Rhode Island Avenue	Wton	DC	20001	Gasoline & Convenience Store	Valero
16 Hossein Kazemzadeh	3.2	24 Hour M&H, Inc.	306 Rhode Island Avenue	Wton	DC	20002	Gasoline & Convenience Items	BP
17 Tony Ahmad*	3.2	Minnesota Exxon	4100 HUNT PLACE	Wton	DC	20019	Gasoline & Auto Service Repair	Exxon
18 Hossein Kazemzadeh	3.3	24 Hour M&H, Inc.	45 Florida Avenue	Wton	DC	20002	Gasoline & Convenience Items	Crown
19 Stephen Bota	3.4		22 Florida Avenue	Wton	DC	20002	Gasoline & Convenience Items	Valero
20 Petros Kiflu	3.8	KAG, Inc,	3355 Benning Rd, NE	Wton	DC	20019	Gasoline & Convenience Store	Shell
21 Tony Ahmad*	4	East Capitol Exxon	4501 BENNING ROAD NE	Wton	DC	20019	Gasoline & Convenience Items	Exxon
22 Sahle Mariam Berhanu*	0.3		2350 South Dakota Ave, NE	Wton	DC	20018	Gasoline & Convenience Store	Shell
23 Marva McGregor	1.3	New York Avenue Exxon	2230 NEW YORK AVE	Wton	DC	20002	Gasoline & 7-11 Convenience Store	Exxon
24 Merhite	1.5		3101 Rhode Island Ave, NE	7-11 Wton	DC	20018	Gasoline & 7-11 Convenience Store	Shell
25 Genet Egeabher	2.1	A&B Auto Care	1301 Bladensburg Road NE	Wton	DC	20002	Gasoline & Auto Service Repair	Valero
26 Eduardo Valcarce	2.7	Brookland Service Station, LLC	1020 MICHIGAN AVENUE NE	Wton	DC	20017	Gasoline & Auto Service Repair	Exxon
27 Ghezal Ghebregziabher	2.8		925 Brentwood Road NE	Wton	DC	20018	Gasoline & Convenience Store	Valero
28 Yun Oa	3.1	YJO, Inc.	4975 South Dakota	Wton	DC	20017	Convenience Store	n/a
29 Mohammad Arif	3.2	Stadium Exxon	2651 BENNING ROAD NE	Wton	DC	20002	Gasoline & Auto Service Repair	Exxon
30 Mekonnen Abraham	3.6	South Dakota Exxon	5501 S DAKOTA AVENUE NE	Wton	DC	20011	Gasoline & Convenience Store	Exxon
31 Tesfaldet Khasay	3.6	Shell Gas & C-Store, LLC	4321 Nannie Helen Burroughs Ave, NE	Wton	DC	20019	Gasoline & Convenience Store	Shell
32 Wosen Argaw	3.9	WA, Inc.	3830 Minnesota Ave, NE	Wton	DC	20019	Gasoline & Convenience Store	Shell
33 Eddie Obiorah	4	Deson Incorporated	4519 Benning Road	Wton	DC	20019	Gasoline & Auto Service Repair	Valero
34 Eddie Obiorah	4.1	Deson Incorporated	3710 Minnesota Avenue NE	Wton	DC	20019	Gasoline & Convenience Store	Valero
			1230 New York	Wton	DC	20002	Gasoline & Convenience Store	Crown

* Executive Committee

August 26, 2012

Board of Zoning Adjustment
441 4th Street NW
Second Floor, Suite 200-S
Washington, DC 20001

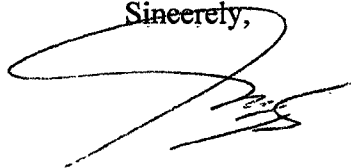
Re: BZA Case 18395

Dear Board Members:

On behalf of the Independent Gas Station Operators Alliance, this letter is to authorize the law firm of Manatt, Phelps & Phillips, LLP to act as our authorized agent(s) regarding the party status request for BZA Case #18395 regarding the construction of a gas station at 2441 Market Street, NE, Washington, DC 20018 in SSL 4327-5.

The Independent Gas Station Operators Alliance consists of 29 small and independent gas station operators who operate a total of 34 retail service stations in the District of Columbia.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Sadegh', with a large, sweeping loop at the beginning.

Independent Gas Station Operators Alliance
Moustafa Sadegh

INDEPENDENT GAS STATION OPERATORS ALLIANCE

LIST OF PROPOSED WITNESSES

BZA CASE NO.: 18395

SEPTEMBER 11, 2012

<u>No.</u>	<u>Name</u>	<u>Distance</u> <u>from Costco</u>	<u>Business Address</u>	<u>City</u>	<u>State</u>	<u>zip</u>	<u>Type of Business</u>
1	Husen Qasim	0.3	2300 South Dakota Ave, NE	Washington	DC	20018	Gasoline & Convenience Store
2	Derege Asamwane	0.9	3200 Bladensburg	Washington	DC	20018	Gasoline & Convenience Items
3	Reddi Hassen	1.1	2210 Bladensburg Road	Washington	DC	20018	Gasoline & Convenience Store
4	Moustafa Sadegh	1.3	1925 BLADENSBURG ROAD NE	Washington	DC	20002	Gasoline & Convenience Store
5	Tesfit Kiflu	1.7	1765 New York Ave	Washington	DC	20002	Gasoline & Convenience Store
6	Jamil Mussa	1.8	1601 New York Ave	Washington	DC	20002	Gasoline & Convenience Store
7	Mehuria Aname	1.8	1601 New York Ave	Washington	DC	20002	Gasoline & Convenience Store
8	Alex Anenia	1.8	1830 Rhode Island Ave, NE	Washington	DC	20018	Gasoline & Auto Service Repair
9	Hossein Kazemzadeh	2.2	1201 Bladensburg Road	Washington	DC	20002	Gasoline & Auto Service Repair
10	Tebebe Bebabih	2.2	1201 Bladensburg Road	Washington	DC	20002	Auto Service Repair Business
11	Semhar Gebrekidan	2.6	814 Bladensburg Road	Washington	DC	20002	Gasoline & Convenience Items
12	Komba Mboma	2.8	1396 Florida Avenue	Washington	DC	20002	Auto Service Repair Business
13	Bahaeldin Nourelheda	2.8	1396 Florida Avenue	Washington	DC	20002	Gasoline & Convenience Items
14	Yodit Hailmaichel	2.9	1950 Benning Road	Washington	DC	20002	Gasoline & Convenience items
15	Stephen Bota	3.1	420 Rhode Island Avenue	Washington	DC	20001	Gasoline & Convenience Store
	- Hossein Kazemzadeh	3.2	306 Rhode Island Avenue	Washington	DC	20002	Gasoline & Convenience Items
16	Tony Ahmad	3.2	4100 HUNT PLACE	Washington	DC	20019	Gasoline & Auto Service Repair
	- Hossein Kazemzadeh	3.3	45 Florida Avenue	Washington	DC	20002	Gasoline & Convenience items
	- Stephen Bota	3.4	22 Florida Avenue	Washington	DC	20002	Gasoline & Convenience Items
17	Petros Kiflu	3.8	3355 Benning Rd, NE	Washington	DC	20019	Gasoline & Convenience Store
	- Tony Ahmad	4	4501 BENNING ROAD NE	Washington	DC	20019	Gasoline & Convenience items
18	Sahle Mariam Berhanu	0.3	2350 South Dakota Ave, NE	Washington	DC	20018	Gasoline & Convenience Store
19	Marva McGregor	1.3	2230 NEW YORK AVE	Washington	DC	20002	Gasoline & 7-11 Convenience Store
20	Merhite	1.5	3101 Rhode Island Ave, NE	Washington	DC	20018	Gasoline & 7-11 Convenience Store
21	Genet Egeabher	2.1	1301 Bladensburg Road NE	Washington	DC	20002	Gasoline & Auto Service Repair
22	Eduardo Valcarce	2.7	1020 MICHIGAN AVENUE NE	Washington	DC	20017	Gasoline & Auto Service Repair
23	Ghezai Ghebregziabher	2.8	925 Brentwood Road NE	Washington	DC	20018	Gasoline & Convenience Store
24	Yun Oa	3.1	4975 South Dakota	Washington	DC	20017	Convenience Store
25	Mohammad Arif	3.2	2651 BENNING ROAD NE	Washington	DC	20002	Gasoline & Auto Service Repair
26	Mekonnen Abraham	3.6	5501 S DAKOTA AVENUE NE	Washington	DC	20011	Gasoline & Convenience Store

INDEPENDENT GAS STATION OPERATORS ALLIANCE

LIST OF PROPOSED WITNESSES

BZA CASE NO.: 18395

SEPTEMBER 11, 2012

27 Tesfaldet Khasay	3.6	4321 Nannie Helen Burroughs Ave, NE	Washington	DC	20019	Gasoline & Convenience Store
28 Wosen Argaw	3.9	3830 Minnesota Ave, NE	Washington	DC	20019	Gasoline & Convenience Store
29 Eddie Obiorah	4	4519 Benning Road	Washington	DC	20019	Gasoline & Auto Service Repair
- Eddie Obiorah	4.1	3710 Minnesota Avenue NE	Washington	DC	20019	Gasoline & Convenience Store

30 Traffic Consultant - Expert Witness (To be confirmed)

To:	Chairperson Lloyd Jordan and Members D.C. Board of Zoning Adjustment
From:	John Ray Jennifer Sincavage Counsel to the Independent Gas Station Operators Alliance
Date:	August 28, 2012
Subject:	Statement in Support of the Independent Gas Station Operators Alliance's Request for Party Status in Opposition in Case No. 18395

This preliminary statement is submitted in support of the Independent Gas Station Operators Alliance's request for party status in opposition in Case No. 18395, pursuant to 11 D.C.M.R. 3106.2(e), and as an attachment to Form 140.

PARTY STATUS CRITERIA

- 1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Board?**

The Independent Gas Station Operators Alliance ("IGSOA") is a coalition of twenty-nine (29) gasoline service station operators who operate a total of thirty-four (34) gasoline service stations in the District of Columbia. As we demonstrate below, the interests of all 29 operators will be significantly and negatively impacted should the District of Columbia Board of Zoning Adjustment ("BZA") grant the relief requested by Costco Wholesale Corporation ("Costco") in this matter. As such, the interests of the 29 operators fit squarely within the BZA's test for determining party status.

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2. What legal interest does the person have in the property?

The IGSOA is made up of 29 gasoline service station operators in the District with varying forms of ownership and control. Six operators are classified as “lease dealers” which means the dealer owns the business, and a major or regional oil company or a distributor owns the land and building (*i.e.*, gas station) and leases it to the dealer. Twenty-one operators are classified as “commission agents” which means the operator rents the land and building where the gas station is located from the oil company or distributor, and is permitted to retain a certain percentage of the profits. The remaining two operators are “service bay tenants” which means they lease the service bay (*i.e.*, where auto repair is done at a gasoline service station) from the oil company or distributor who owns the land and building where the gas station is located.

3. What is the distance between the person’s property and the property that is the subject of the application before the Board?

A listing of the 29 IGSOA gasoline service station operators and the proximity of their gasoline stations to the proposed site of Costco’s gasoline service station is attached. *See* List of Proposed Witnesses.

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4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Board is approved?

In 2004, the D.C. City Council passed the Retail Service Station Amendment Act of 2005 (B-15-0914) making permanent a longstanding moratorium on the conversion of full service stations in the District to “non-full service stations” or “gas-n-gos.” See DC Council LIMS Page, Search for L15-297, <http://dcclims1.dccouncil.us/lims/searchbylegislation.aspx>. The moratorium (which began in 1977) and the resulting 2004 legislation grew out of the Council’s concern that the number of full service stations in the District was rapidly decreasing. The new law served to advance three “important public policies”: 1) to protect the remaining full service stations in the District in order to ensure continued “access to full automotive services” for residents; 2) to “encourage local, small and disadvantaged businesses”; and 3) to “promote competition”. Councilmember Phil Mendelson, *Report on Bill 15-914, the “Retail Service Station Amendment Act of 2004”* at 6 (Oct. 27, 2010). It is evident that the D.C. City Council saw an important need in protecting the viability and presence of full service stations in the District. Of the 29 gasoline service station operators that make up IGSOA, nine are full service station operators. Approval of Costco’s zoning exception request will significantly undermine all three aims of this important piece of legislation.

First, the IGSOA gasoline service station operators will experience significant economic hardship should the Board approve Costco’s request to construct a gasoline service station at

Chairperson Lloyd Jordan and Members
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2441 Market Street, N.E. As the only Costco in the District, residents will likely travel from all areas of the City to take advantage of the affordability and convenience of Costco's products—which are sold in bulk and at wholesale prices. Given its proximity to a planned Shopper's Food Warehouse and Marshalls in the same shopping center, consumers will be afforded a type of "one-stop shopping," further increasing the likelihood that they will travel to Costco's location. If Costco is permitted to construct a gasoline service station, it is probable that customers will also choose to re-fuel while shopping due to the convenience—business they would otherwise give to their local gasoline service stations.

Thus, it is not only likely, but a given that the presence of a Costco gasoline station will decrease revenue to these independent gasoline service station operators. As the percentage of gasoline sold by mega-wholesalers like Costco, Wal-Mart and Sam's Club continues to grow across the country, the survival of independent gasoline station operators has increasingly been threatened. *See C-Stores Losing Gasoline Customers to Other Outlets*, The Washington Post, June 2, 2010; Douglass, Elizabeth, *Neighborhood Station on Empty: Changing economics of the fuel and auto repair industries force many retail sites to close. A proprietor in Glendale quits after four decades*, L.A. Times, Dec. 24, 2005.

The effects of this have already been felt near the District in Beltsville, Maryland. John Born, the operator of a small, independent gasoline service station on Cherry Hill Road, has seen his sales revenues cut in half since the construction of the Beltsville Costco gasoline service

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station; and, he has also experienced negative impacts to his repair bay business. *See* Affidavit of John M. Born dated August 27, 2012 (attached to Preliminary Statement in Opposition to Costco's Application for Special Exception). Sam Aulakh, the operator of a small, independent gasoline service station on Baltimore Avenue, has seen his fuel volumes decrease by forty-six (46) percent since the arrival of the Beltsville Costco gasoline service station, and has concerns about his ability to remain in business. *See* Affidavit of Shahbaz Aulakh dated August 27, 2012 (attached to Preliminary Statement in Opposition to Costco's Application for Special Exception).

A number of important studies have looked at the negative effect that “big box” stores, like Costco, have on small, local businesses. Although these studies have compared retail sales and not gasoline sales, the analysis and probable effects on the local gasoline service stations operated by IGSOA are the same in this matter. Additionally, these studies reveal that the economic impact of Costco’s planned gasoline station will likely be felt well beyond the traditional 200-foot boundary employed by the Board in determining whether to grant or deny party status requests.

- *Mom-and-pop Meet Big-box: Complements Or Substitutes?*, John Haltiwanger, Ron Jarmin, and C.J. Krizan, *Journal of Urban Economics*, 2010 (finding “large, negative effects” for competing retailers within a five-mile radius of the new big box, including a substantial number of store closures, and smaller but still significant impacts on those within a five to ten-mile radius).
- *The Impact of an Urban Wal-Mart Store on Area Businesses*, Julie Davis, David Merriman, Lucia Samayoa, Brian Flanagan, Ron Baiman, and Joe Persky, published by the Center for Urban Research and Learning Loyola University Chicago, December 2009

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(finding that the opening of a Wal-Mart on the West Side of Chicago in 2006 led to the closure of about one-quarter of the businesses within a four-mile radius).

- *Major Flaws Uncovered in Study Claiming Wal-Mart Has Not Harmed Small Businesses*, Stacy Mitchell; Institute for Local Self-Reliance, December 2008 (finding flaws in a study that claimed “mom and pop” businesses were not affected by the presence of a new big box store).
- *The Impact of ‘Big-Box’ Building Materials Stores on Host Towns and Surrounding Counties in a Midwestern State*, Economics Professor Kenneth E. Stone and Extension Program Specialist Georgeanne M. Artz, Iowa State University, 2001 (finding support for the “zero-sum-game theory,” i.e., the theory that retail sales gains generated by big box stores are offset by sales losses at existing, often locally owned, retail stores, not just in the host community, but in smaller towns nearby).
- *What Happened When Wal-Mart Came to Town? A Report on Three Iowa Communities with a Statistical Analysis of Seven Iowa Counties*, Thomas Muller and Elizabeth Humstone, National Trust For Historic Preservation, 1996 (finding that 84 percent of all sales at new big box stores come at the expense of existing businesses within the same county).
- *Competing with the Discount Mass Merchandisers*, Dr. Kenneth Stone, Iowa State University, 1995 (finding that when a company like Wal-Mart opens a giant store, it invariably captures a substantial slice of the retail “pie,” leaving smaller portions for existing businesses, which are then forced to downsize or close).
- *St. Albans, Vermont State Environmental Board Act 250 Decision*, 1994 (the results of a cost/benefit analysis of a proposed Wal-Mart store in St. Albans, Vermont revealed that the presence of the store would cause dozens of existing businesses to close).¹

A Costco gasoline service station will likely drive some or all of the IGSOA operators out of business—decreasing access to full automotive services for residents in the District,

¹ Key studies compiled by the Institute for Local Self-Reliance. Links to the above-cited studies may be found at <http://www.ilsr.org/key-studies-walmart-and-bigbox-retail/#4>.

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discouraging local, small and disadvantaged businesses, and reducing competition—eventually providing Costco with a near monopoly over gasoline sales in the District.

6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public?

The economic impact of a Costco gasoline service station in the District will uniquely affect IGSOA's operators as they will be forced to compete directly with the wholesaler, and, as the above-cited studies and articles reveal, will likely find themselves unable to compete at all. IGSOA should be granted party status in this matter as the significant threat to the continued existence of these operators' stations will not be represented by any other party in this matter. The potential consequences for these gasoline service station operators are not only of importance to the IGSOA, but are consequences which the District itself has recognized as significant. IGSOA will be significantly affected by the zoning relief requested by Costco in a way that no other business or resident in the District will be affected, and deserves a chance to have its interests adequately represented as a party in opposition to this matter before the Board renders its final decision.