

October 28, 2016

VIA IZIS

Chairman Anthony Hood  
District of Columbia Zoning Commission  
441 4<sup>th</sup> Street NW, Suite 200S  
Washington, DC 20001

Re: DC United, Z.C. Case No. 16-02 – Applicant’s Opposition to Party Status  
Application from Near Buzzard Point Residential Advisory Committee

Dear Chairman Hood and Members of the Commission:

DC United (the “Applicant”) hereby opposes the granting of party status in the above-referenced case to the Near Buzzard Point Residential Advisory Committee (“NeRAC”). NeRAC filed its party status application on October 19, 2016 (Exhibit 24 in the record), but it did not serve a copy of the application on the Applicant or file an affidavit of service, as required in §§ Z-404.8 and Z-404.9. The Applicant did not become aware of the party status application until October 21, 2016, when it checked the Zoning Commission record. Accordingly, this opposition to party status is being filed within seven days after the Applicant became aware of the application, consistent with § Z-404.9, so the Applicant requests that the Commission accept it into the record.

The Commission should deny party status to NeRAC because it does not satisfy the criteria set forth in § Z-404.1(h). In particular, NeRAC members are not “likely to be more significantly, distinctively, or uniquely affected” by the proposed stadium for two primary reasons.

First, none of NeRAC’s members live within 200 feet of the subject property. The list of property owners within 200 feet of the subject property (Exhibit 1G in the record) shows that none of the properties are residential. Thus, there are no residential property owners or tenants within 200 feet of the subject property, so NeRAC members would not be more significantly affected by the proposed stadium due to proximity.

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Second, NeRAC members do not have concerns that are unique to them or distinct from other residents in the general vicinity of proposed stadium. The Applicant understands and is sensitive to NeRAC's concerns about quality of life impacts, but these concerns are not unique to them or greater than other residents in the Capitol Gateway or Southwest Waterfront neighborhoods. Accordingly, NeRAC's members will not be affected uniquely or differently by the proposed stadium.

For the foregoing reasons, the Applicant requests that the Commission deny party status to NeRAC since the proposed stadium will not have a distinct effect on its members.

Sincerely,

/s/ Phil Feola  
Phil T. Feola

/s/ Cary Kadlecek  
Cary R. Kadlecek

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 28, 2016 copies of the foregoing Opposition to Party Status were delivered via email to the following:

Elisa Vitale  
D.C. Office of Planning  
elisa.vitale@dc.gov

Advisory Neighborhood Commission 6D  
office@anc6d.org



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Cary Kadlecek