



Allison C. Prince
aprice@goulstonstorrs.com
(202) 721-1106 (tel)

Lawrence Ferris
lferris@goulstonstorrs.com
(202) 721-1135 (tel)

February 7, 2020

Anthony Hood, Chair
D.C. Zoning Commission
Office of Zoning
441 4th Street, N.W., Suite 200-S
Washington, DC 20001

Re: **Z.C. Case No. 19-23 – Application of Wells REIT II 80 M Street LLC for Design Review for 80 M Street SE (Square 699, Lot 28) – Opposition to Motion to Postpone Decision**

Dear Chair Hood and Members of the Commission:

On behalf of Wells REIT II 80 M Street LLC (the “**Applicant**”), we hereby oppose the motion filed this afternoon by Advisory Neighborhood Commission (“**ANC**”) 6D to postpone the Commission’s decision on this application.

At the Zoning Commission meeting on January 27, 2020, the Applicant was asked to provide the Commission with a light study to demonstrate that there are no adverse spill-over light impacts from the proposed two-story addition. The Applicant was also asked to confer with the District Department of Energy and the Environment (“**DOEE**”) to further study the feasibility of installing solar panels on the roof, which have now been added to the plans.

After the Zoning Commission meeting, the Applicant reached out to the ANC to provide an update on the status of the case, the Zoning Commission’s additional requests, including the light study, and the relevant filing and decision dates. The Applicant then filed the requested materials on the February 3rd deadline, served the ANC with the submission via email that day, provided a detailed explanation of the light study in response to a question from an ANC Commissioner, and coordinated with one of the Velocity residents who testified at the hearing to arrange a call with him and the two other Velocity residents at the hearing (only one of the residents participated on the call) to discuss the submission including light study. We also shared the submission including the light study with the President of the Velocity Condominium Association, who in turn shared the submission with his board. We spoke to the Board President

on February 6th, and indicated that he received no formal or informal objection from the Board regarding the submission. No further meetings were requested.

The light study clearly showed a negligible impact, if any, on the units in the Velocity. However, since one of the three residents who testified expressed concerns about privacy in addition to his concerns about spill-over light, we studied the potential ways to address his concern and have committed to installing programmable blinds in the northern offices of the addition. Further, all offices on the northern side of the entire building will be on light sensors. We believe this is a good faith effort to address the Velocity resident's concern.

We have had several meetings about this project, most recently the meeting that was attended by approximately 40 residents of the Velocity. The ANC has considered this application at two separate meetings in addition to a business meeting. Since the Zoning Commission's last meeting on January 27, 2020, we have reached out to the ANC, the Velocity Board President, and the residents who testified at the hearing.

We remain committed to an ongoing collaborative relationship with the ANC, the residents of the Velocity, and any other interested members of the community. We will continue to address any concerns as they arise but believe the record is complete for a decision by this Commission. Accordingly, we would greatly appreciate your consideration of the application at the public meeting on February 10th, as scheduled.

Please feel free to contact Allison at (202) 721-1106 or Lawrence at (202) 721-1135 if you have any questions regarding the above.

Sincerely,

 Allison C. Prince (WLF)

Allison C. Prince



Lawrence Ferris

Enclosures

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document were delivered via email on February 7, 2020.

Elisa Vitale
Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024
Elisa.vitale@dc.gov

Aaron Zimmerman
District Department of Transportation
55 M Street, SE, 4th Floor
Washington, DC 20003
Aaron.zimmerman@dc.gov

ANC 6D
1101 4th Street, SW, #W130
Washington, DC 20024
6d@anc.dc.gov

Anna Forgie, ANC 6D02
28 K Street SE
Washington, DC 20003
6D02@anc.dc.gov



Lawrence Ferris