

December 14, 2022

VIA EMAILED PDF

Allison Prince, Esq.
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Re: 1800 M Street NW Square 140, Lot 95

Dear Ms. Prince:

The purpose of this letter is to follow up on the discussion I had with you regarding the maximum permitted height for a building on the above site. I understand that a Columbia Property Trust entity owns the building which is located in the D-6 zone. As we discussed, the building fronts on both 18th and M Streets NW and is separated from Connecticut Avenue by a federal reservation known as Reservation 150.

As shown in the attached plat, the Property has frontage on Connecticut Avenue NW for purposes of determining the maximum building height. Under the Height Act, when a property confronts a public reservation, the maximum permitted height may be determined by the widest street across the reservation from the property. This determination is consistent with the District of Columbia Circuit Court decision in *Stanley Company of America v. Tobriner*, 298 F.2d 318 (D.C. Cir. 1961), which addressed the issue of whether the Warner Theatre building has frontage on Pennsylvania Avenue NW. In that case, the court agreed that the building has frontage on Pennsylvania Avenue despite an intervening public park and noted the physical relationship between the avenue and theatre property, which the court found “to be clearly in the line of a well nigh unobstructed view from the Avenue as well as in close proximity thereto” 298 F.2d at 321. Here, the Property has a clear line of sight to Connecticut Avenue NW across the reservation.

The maximum building height is that allowed by the 1910 Height Act and buildings that are permitted a height of 130 feet are permitted an FAR of 10.0 (or more with density credits). We discussed that 1800 M is permitted a height of 130 feet because it confronts Connecticut Avenue, NW which has a width of 130 feet as shown on the plat attached as **Exhibit A**. Please let me know if you have any further questions.

Sincerely, *Matthew Le Grant*
Matthew Le Grant
Zoning Administrator

Attachment: Exhibit A – Map of Property

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a “final writing”, as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator’s review. Therefore, this letter does **NOT** vest an application for zoning or other Department of Building approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to the Department of Building.

File: Det Let re 1800 M St NW to Prince 12-14-22

Exhibit A

