

July 25, 2023

Cary Kadlecek, Esq.  
Goulston & Storrs PC  
[ckadlecek@goulstonstorrs.com](mailto:ckadlecek@goulstonstorrs.com)

Re: 515 Morse Street NE (Sq. 3590, Lot 6) – Confirmation of PDRM (#23-Z-PDRM-00093)

Dear Cary Kadelecek:

This letter confirms our discussion during the PDRM on May 22, 2023 that a licensed marijuana dispensary is a permitted use under zoning and is permitted to be located at the above-referenced address (515 Morse Street NE).

First, with respect the use under zoning, the subject property is zoned PDR-1. Per Subtitle U § 801.1(x), retail is a matter of right use in this zone. For purposes of zoning, a marijuana dispensary falls within the definition of the “retail” use category under Subtitle B § 200.2(bb) as an establishment that engages “primarily in the on-site sale of goods, wares, or merchandise directly to the consumer.” Further, other licensed marijuana dispensaries are permitted as a matter of right retail use in other locations where retail use is matter of right (e.g., 1710 Rhode Island Avenue NW; 1115 U Street NW).

Second, with respect to the location under 22-C DCMR § 5201.1, a licensed marijuana dispensary cannot be located within 300 feet of a preschool, primary or secondary school, or recreation center. As shown on the attached map prepared by a licensed surveyor, the proposed location at 515 Morse Street NE is located more than 300 feet from the closest school or recreation center.

Please let me know if you have any further questions.

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

Attachments –  
Map showing 300 foot radius compliance

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 515 Morse St to Kadlecek 7-25-23