District of Columbia
Office of Planning

MEMORANDUM

TO: Board of Zoning Adjustment for the District of Columbia

FROM: Philip Y. A. Isaiah, Development Review Specialist
MBR Maxine Brown-Roberts, Associate Director, Development Review

DATE: October 9, 2026

SUBJECT: BZA Case 21503, Request for special exception relief to permit a fast-food establishment use in a one-story commercial building in the MU-4 zone at 7800 Alaska Ave, NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Fast food establishment. Subtitle U § 513.1(e) pursuant to Subtitle X § 901.2

II. LOCATION AND SITE DESCRIPTION

Address	7800 Alaska Avenue, NW
Applicant	Jemal's Gateway DC, LLC, and Emerald Wings, LLC Representation: Sullivan & Barros, LLP
Legal Description	Square 2960, Lot 818
Ward, ANC	Ward 4; ANC 4A
Zone	MU-4 and R-1B (See Attachment 1)
Historic District	N/A
Lot Characteristics	The irregularly-shaped 87,522 sq ft subject property is bounded to the northeast by Eastern Avenue, to the east by Georgia Avenue and Alaska Avenue, NW, to the south by Kalmia Road, and to the west by an alley and private property. Approximately 56% of the lot is zoned MU-4 and 44% of the lot toward the property's center is zoned R-1B. The portion of the building subject to this application is located fully within the MU-4 zone.
Existing Development	The subject property is developed with t one-story commercial buildings, a smaller building on the northern end of the lot and a larger one on the western edge of the lot with a surface parking lot located in the center of the lot at the rear of the larger building. The southernmost portion of the larger building contains the commercial space subject to this application.

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Adjacent Properties	The lots to the east and southeast are developed with a mixture of one and two-story commercial buildings surrounded by surface parking. These properties are also zoned MU-4, except for Lot 810, which MU-10 (IZ+). The lots to the west contain single-unit dwellings in the R-1B zone.
Surrounding Neighborhood Character	The neighborhood fronts on Georgia Avenue, a commercial corridor, typified by legacy commercial buildings, surrounded by surface parking facing Georgia Avenue, with residential uses located along the side streets at lower densities.
Proposed Development	The applicant proposes a fast-food, eating and drinking establishment use in the subject property's southernmost retail space. The fast food establishment would operate from 10:00 am to 3:00 am daily and would contain 34 seats in the dining room with no outdoor seating. The applicant intends to operate the use with about 4-8 employees on site at any one time. No external construction is proposed to accommodate the use. Trash and grease traps from the fast food establishment will be stored inside the building and collected by private contractor via the alley.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – MU-4	Regulation	Existing[1]	Proposed[1]	Relief
Density G § 201.1	1.5 FAR (Non-Res.)	Not provided	No Change	None Requested
Height G § 203.2	50 ft. max.	< 50 feet	No Change	None Requested
Rear Yard G § 207.6	15 ft. min.	> 15 feet	No Change	None Requested
Side Yard G § 208	None required	0 ft.	No Change	None Requested
Lot Occupancy G § 210	60%	Not provided	No Change	None Requested
Vehicular Parking C § 701	1.33 per 1,000 sq. ft. in excess of 3,000 sq. ft. (Thus, 0 spaces required)	Not provided	No Change	None Requested
Use Provisions U § 513.1(e)	**Fast Food by special exception.**	**N/A**	**Fast Food Establishment**	**Special Exception Requested**

[1]As provided by the applicant.

IV. OFFICE OF PLANNING ANALYSIS

Subtitle U § 513 SPECIAL EXCEPTION USES (MU-USE GROUP E)

513.1 The following uses shall be permitted if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9 and subject to the applicable conditions for each use below:

(e) ***Fast food establishments*** *or food delivery service eating and drinking establishments in any of the MU-4 zones, subject to the following conditions:*

(1) If the use is a single tenant in a detached building:

a. No part of the lot on which the use is located shall be within twenty-five (25 ft.) of a R, RF, or RA zone, unless separated therefrom by a street or alley; and

b. If any lot line of the lot abuts an alley containing a zone district boundary line for a residential zone, a continuous brick wall at least six feet (6 ft.) high and twelve inches (12 in.) thick shall be constructed and maintained on the lot along the length of that lot line. The brick wall shall not be required in the case of a building that extends for the full width of its lot;

The use is not a single tenant in a detached building. This standard is not applicable.

(2) Any refuse dumpster use by the establishment shall be housed in a three (3)-sided enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face or be within ten feet (10 ft.) of a R, RF, or RA zone;

The proposal is to retain all trash in the building in a trash room in lieu of a walled outdoor location. Therefore, this requirement is met.

(3) The use shall not include a drive-through;

No drive-through is proposed. This standard is met.

(4) The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions;

The sole customer entrance to the fast-food use would face Alaska and Georgia Avenues and no changes to the building or existing surface parking at the rear is proposed. No alcohol will be served, and trash and grease will be stored fully inside the subject building with exhaust above the roofline. Further, no exterior amplified speakers are proposed. As such, the proposed fast-food establishment

is not anticipated to become objectionable to neighboring properties. This standard is met.

(5) The use shall provide sufficient off-street parking, but not less than that required by Subtitle C, Chapter 7 to accommodate the needs of patrons and employees;

The vehicular parking requirement only applies if the use is greater than 3,000 sq. ft. in gross floor area. The bicycle parking requirement only applies if the use is greater than 4,000 sq. ft. The subject use would be 1,873 sq. ft. in gross floor area. As such, no parking is required, meeting this standard; however, it should be noted that an existing surface parking lot is located behind the use that is shared with the neighboring tenants.

(6) The use shall be located and designed so as to create no dangerous or otherwise objectionable traffic conditions; and
No modifications to existing traffic circulation is proposed under this application.

(7) The Board of Zoning Adjustment may impose conditions pertaining to design, screening, lighting, soundproofing, off-street parking spaces, signs, method and hours of trash collection, or any other matter necessary to protect adjacent or nearby property;

OP does not recommend special treatment.

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The intent of the MU-4 zone is to provide low to moderate density shopping and business needs for segments outside of the central core of the District with access to main roadways. The fast-food establishment would be located as part of a one-story commercial building along Georgia Avenue near other business and residences, which meets the intent of the Zoning Regulations.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

Neighboring property is unlikely to be adversely affected by the proposed fast-food establishment. Trash and grease will be stored inside the building, and the ventilation system will be located above the roofline of the building. This standard is met.

(c) Will meet such special conditions as may be specified in this title.

The subject application meets the standards contained in Subtitle U § 513.1 (e) as noted above.

V. OTHER DISTRICT AGENCIES

No comments from other District agencies have been supplied to the record at the time of submission of this report.

VI. ADVISORY NEIGHBORHOOD COMMISSION

No comments from ANC 4C have been supplied to the record at this report's submission.

VII. COMMUNITY COMMENTS TO DATE

No public comments have been supplied to the record at this report's submission.

Attachment 1 – Location Map

Attachment 1: Location Map

