

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:16 PM
To: 'anc6a@yahoo.com'; 6A@anc.dc.gov; '6A06@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Gove and Commissioner Hammer.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the ANC 6A meeting scheduled for July 9. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:19 PM
To: 4E@anc.dc.gov; '4e02@anc.doc.gov'; '4e03@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Micone and Commissioner Barry.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the ANC 4E meeting scheduled for July 28. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:21 PM
To: 4B@anc.dc.gov; '4b02@anc.dc.gov'; '4b01@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Christian and Commissioner Payton.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the ANC 4B meeting scheduled for July 27. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:23 PM
To: ANC 6B Office (ANC 6B); Pastore, Samuel (SMD 6B05); Hughes, Karen (6B09)
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Pastore and Commissioner Hughes.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the ANC 6B meeting scheduled for July 14. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:26 PM
To: 7D@anc.dc.gov; Alcorn, Brian (SMD 7D08); '7d06@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Alcorn and Commissioner Pacheco.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the ANC 7D meeting scheduled for July 14. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:31 PM
To: 1E@anc.dc.gov; '1e06@anc.dc.gov'; 1E07@anc.dc.gov
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants -- CORRECTED
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Jacobson and Commissioner Footer.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the 1E meeting scheduled for July 22. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:33 PM
To: 4C@anc.dc.gov; '4c03@anc.dc.gov'; '4c02@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Warburton and Commissioner Kirby.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the 4C meeting scheduled for July 8. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:36 PM
To: ANC 5C Office (ANC 5C); Hicks Delgado, Tequia (SMD 5C03); '5c02@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Hicks Delgado and Commissioner Francis.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the 5C meeting scheduled for July 9. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila (WAS - X72583)

From: Batties, Leila (WAS - X72583)
Sent: Tuesday, June 23, 2026 2:38 PM
To: '8c@anc.dc.gov'; '8c07@anc.dc.gov'; '8c03@anc.dc.gov'
Cc: Williams, Madeline S (WAS - X75741)
Subject: RE: ZC Case No. 25-16 / Petition to Amend Zoning Regulations Related to Existing Fast Food Restaurants
Attachments: ZC Case No. 25-16 Letter to ANC.pdf; Proposed Text Amendments - Attachment to ANC Letter(540363628.1).pdf

Good afternoon, Commissioner Adofo and Commissioner Cleckley.

Please see the attached letter and proposed amendments to the Zoning Regulations in support of the petition filed by McDonald's Corporation (ZC Case No. 25-16). The petition seeks to amend the Zoning Regulations in order to permit existing fast-food establishments with drive-throughs to rebuild or expand upon special exception approval by the BZA.

If you are interested, I would be happy to provide more details on the petition at the 8C meeting scheduled for July 8. Please confirm by responding to this email or calling me directly at (202) 419-2583. Thank you for your considerate attention to this matter.

Best Regards,

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone +1.202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Holland & Knight

800 17th Street N.W., Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Leila M. Jackson Batties
+1 202-419-2583 | Leila.Batties@hklaw.com

June 23, 2026

**RE: Zoning Commission Case No. 25-16 / McDonald's Corporation
Petition to Amend Zoning Regulations to Permit Fast-Food Establishments
with Existing Drive-Throughs as Special Exceptions**

Dear Commissioner:

This fall, the Zoning Commission is expected to consider ZC Case No. 25-16, a proposal to amend the Zoning Regulations in order to permit existing fast-food establishments in certain zones to rebuild or expand their facilities through special exception approval by the Board of Zoning Adjustment.

Currently, the affected zone districts do not permit drive-thrus as a matter of right. As a result, fast-food establishments seeking to modernize their facilities face an unnecessarily burdensome entitlement process. In two recent cases, this process took over ten years—prolonging the existence of outdated facilities and delaying meaningful improvements that would benefit the surrounding community.

Allowing existing fast-food restaurants with drive-thrus to rebuild or expand through a special exception—rather than requiring the property to be upzoned—is a sensible approach for two important reasons:

- **Addressing Community Concerns About Upzoning.** In the two cases referenced above, community stakeholders supported rebuilding the existing fast-food restaurants but expressed concern that upzoning the parcels could allow higher-density development as a matter of right in the future. The proposed special exception pathway directly addresses this concern by enabling facility improvements without changing the underlying zoning.
- **Encouraging Modernization and Community Reinvestment.** Many fast-food restaurants have been long-term community stakeholders—employing neighborhood residents, serving as gathering spaces, and supporting local programs. A more efficient entitlement process for upgraded facilities will encourage reinvestment in the community, enhance the experience for employees and customers alike, and contribute to improved neighborhood aesthetics.

According to the Office of Planning, the proposed text amendment would enable the rebuilding or expansion of establishments at the following locations:

- 2334/2328 Georgia Avenue, NW
- 3900 Georgia Avenue, NW
- 7425 Georgia Avenue, NW
- 5200 Georgia Avenue, NW
- 3200 Bladensburg Road, NE
- 1539 Pennsylvania Avenue, NE
- 1401 Maryland Avenue, NE
- 1635 Benning Road, NE
- 601 Malcolm X Avenue, SE

A copy of the proposed amendments to the Zoning Regulations is attached for your reference.

Because one of these sites falls within your ANC, I welcome the opportunity to present more details on the proposed text amendment at an upcoming ANC meeting. I will reach out to get on the next available meeting agenda. In the meantime, please do not hesitate to contact me directly if you have any questions.

Sincerely,

HOLLAND & KNIGHT

A handwritten signature in black ink that reads "Leila Batties". The script is cursive and fluid, with the first name "Leila" and last name "Batties" clearly distinguishable.

Leila M. Jackson Batties

Attachments (1)

Z.C. CASE NO. 25-16

Proposed Text Amendments

Set forth below are the Petitioner's proposed revisions to Subtitle U of the Zoning Regulations (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text):¹

Amendments to Subtitle H, NEIGHBORHOOD MIXED-USE (NMU) ZONES

CHAPTER 60, USE PERMISSIONS FOR NEIGHBORHOOD MIXED-USE (NMU) ZONES is proposed to be amended as follows:

- 6001.5 In a NMU zone, no drive-through or drive-in operation shall be permitted as a principal or accessory use, **except as an accessory to an eating and drinking establishment approved by special exception, subject to Subtitle H § 6007.1(e)(2)(E).**
- 6007.1 In areas other than designated use areas, the uses in this section 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 conditions applicable to each use as follows:
- (a) ...
 - (e) Eating and drinking establishment uses as follows:
 - (1) ...
 - (2) Fast food establishments or food delivery business shall be permitted, subject to the following conditions:
 - (A) ...
 - (E) The use ~~shall not~~ **may** include a drive-through, **provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;**

Amendments to Subtitle U, USE PERMISSIONS

¹ The changes shown herein reflect only those amendments material to this Petition and do not include conforming or stylistic edits (e.g., renumbering, formatting, or grammatical corrections) that may be required in the final codified text.

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 510, MATTER-OF-RIGHT USES (MU-USE GROUP D) is proposed to be amended as follows:

510.1 The following uses shall be permitted in MU-Use Group D as a matter-of-right subject to any applicable conditions:

(a) . . .

(g) Eating and drinking establishment uses, subject to the following conditions:

(1) A ~~drive-through or~~ drive-in operation and a food delivery service shall not be permitted;

(2) A fast food establishment shall not be permitted as a matter of right in the MU-3 zone except that fast food establishments with no drive-through shall be permitted in Square 5912, Square 3499 (Lot 3), and Square 3664 (Lot 820) as a matter of right; **and**

(3) **A drive-through shall not be permitted, unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;**

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 511, SPECIAL EXCEPTION USES (MU-USE GROUP D) is proposed to be amended as follows:

511.1 The following uses shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the provisions of this section.

(a) . . .

(e) Fast food establishment, subject to the following conditions:

(1) . . .

(4) The use shall not include a drive-through; **unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application, or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;**

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 512, MATTER-OF-RIGHT USES (MU-USE GROUP E) is proposed to be amended as follows:

512.1 The following uses shall be permitted in MU-Use Group E as a matter of right subject to any applicable conditions for each use below.

- (a) ...
- (e) Eating and drinking establishment uses, subject to the following conditions:
 - (1) ...
 - (2) A fast food establishment or food delivery service in all other MU-Use Group E zones, subject to the following conditions:
 - (A) ...
 - (D) The use shall not include a drive-through; unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application; and

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 513, SPECIAL EXCEPTION USES (MU-USE GROUP E) is proposed to be amended as follows:

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:

- (a) ...
- (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) ...
 - (3) The use shall not include a drive-through; unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 514, PROHIBITED USES (MU-USE GROUP E) is proposed to be amended as follows:

514.3 In the MU-4/RC and MU-5A/RC zones, the following uses shall be prohibited:

(a) ...

(l) Drive-through, unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 517, MATTER-OF-RIGHT USES (MU-USE GROUP G) is proposed to be amended as follows:

517.1 The following uses shall be permitted in MU-Use Group G as a matter of right subject to any applicable conditions:

(a) ...

(e) A fast-food restaurant, provided, that if the use includes a drive-through, the drive-through must be approved as a special exception pursuant to Subtitle U § 518.1(t).

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 518, SPECIAL EXCEPTION USES (MU-USE GROUP G) is proposed to be amended as follows:

518.1 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 ease use below:

(a) ...

(t) A fast-food restaurant with a drive-through approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 519, USES NOT PERMITTED (MU-USE GROUP G) is proposed to be amended as follows:

519.1 The following uses shall be specifically prohibited in MU-Use Group G:

(a) . . .

~~(f) — Drive-through operation as either a principal or accessory use;~~

CHAPTER 8, USE PERMISSIONS FOR PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES. § 803, ADDITIONAL USE RESTRICTIONS AND CONDITIONS (PDR) is proposed to be amended as follows:

803.2 Regardless of the permissions, and in addition to any restrictions or conditions of this chapter, the following uses shall not be permitted on any lot located in whole or in part within one hundred feet (100 ft.) of a residential zone:

(a) . . .

(e) Drive-through operation as either a principal or accessory use; unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application;