



GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Advisory Neighborhood Commission 2E

Representing the communities of Burleith, Georgetown, and Hillandale

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August 31, 2022

Mr. Ernest Chrappah  
Director  
Department of Consumer and Regulatory Affairs  
1100 4th Street SW  
Washington, DC 20024  
[Ernest.Chrappah@dc.gov](mailto:Ernest.Chrappah@dc.gov)

Mr. Matthew LeGrant  
Zoning Administrator  
Department of Consumer and Regulatory Affairs  
1100 4th Street SW  
Washington, DC 20024  
[matthew.legrant@dc.gov](mailto:matthew.legrant@dc.gov)

### RE: Zoning Classification of 3147 Dumbarton Street NW

Dear Director Chrappah and Mr. LeGrant,

On August 29, 2022 ANC 2E held its regularly scheduled public meeting, which was properly noticed and attended by six commissioners, constituting a quorum. At this meeting the Commission adopted the following resolution by a vote of (6-0-0) with regard to the above-referenced matter:

WHEREAS, until October 2021, DC Chicken & Gyro operated an establishment at 3147 Dumbarton Street NW that was principally used for the sale of food for delivery to customers off the business' premises. That being the case, DC Chicken & Gyro was either a "Food Delivery Service" or a "Fast Food Restaurant" as those terms are defined in the Zoning Code of 2016,

WHEREAS, 3147 Dumbarton Street NW (the "premises") is located in the MU-4 zone, but is immediately adjacent to the R-20 zone,

WHEREAS, neither a Fast Food Restaurant nor a Food Delivery Service is a matter of right use in the MU-4 Zone,

#### COMMISSIONERS:

Kishan Putta, District 1    Jenny Mitchell, District 2    Rick Murphy, District 3  
Lisa Palmer, District 5    Gwendolyn Lohse, District 6  
Elizabeth Miller, District 7

WHEREAS, the operations DC Chicken & Gyro conducted at the premises had a severely negative impact on the peace, order, and quiet of the adjoining residential neighborhood because the establishment attracted large numbers of third-party delivery drivers who transited the street and congregated with their vehicles in the residential areas of Dumbarton Street NW until well into the wee hours of the morning,

WHEREAS, the owner of 3147 Dumbarton Street NW is currently renovating the premises and has informed neighbors that he intends to operate a business similar or identical to the business previously operated by DC Chicken & Gyro once the renovation is complete,

WHEREAS, the Department of Consumer and Regulatory Affairs (DCRA) has ordered the removal of restaurant equipment from the premises, with the result being that once the premises are renovated, they will be suitable only for the operation of a "Prepared Food Shop" or a "Food Delivery Service", as those terms are used in the Zoning Code,

WHEREAS, given the location, size, and configuration of the premises, ANC 2E is concerned that the principal use of the renovated premises will be for the production of prepared foods for delivery to customers located off the business premises, and would, therefore, be a "Food Delivery Service" that would cause severe and unreasonable disruption in the surrounding residential neighborhood, and

WHEREAS, as previously noted, a Food Delivery Service is not a matter of right use in the MU-4 zone.

THEREFORE, BE IT RESOLVED that ANC 2E respectfully requests that DCRA's Zoning Administrator carefully examines the use that the owner of 3147 Dumbarton Street NW intends for the newly renovated premises and, if appropriate, requires the owner to apply for the zoning relief required for operation of a Food Delivery Service in the MU-4 zone before a certificate of occupancy or a business license is issued.

Commissioner Rick Murphy ([2E03@anc.dc.gov](mailto:2E03@anc.dc.gov)) is the Commission's representative in this matter.

Respectfully submitted,

A handwritten signature in blue ink that reads "Richard G. Murphy, Jr." in a cursive script.

Rick Murphy  
Chair, ANC 2E