



ARLINGTON COUNTY, VIRGINIA

| |
|--|
| County Board Agenda Item Meeting of November 15, 2008 |
|--|

DATE: October 29, 2008

SUBJECT: U-3137-05-1 USE PERMIT REVIEW for food delivery service at 2626 N. Pershing Dr. (Vocelli Pizza) (RPC #18-056-004)

Applicant:

Shahzad N. Kiani
15483 Leeds Hill Way
Woodbridge, Virginia 22191

C. M. RECOMMENDATION:

Renew the food delivery service use, subject to all previously approved conditions, with an administrative review in one (1) year, and with a County Board review in three (3) years (November 2011).

ISSUES: This is a review of a food delivery service, and no issues have been identified.

SUMMARY: On November 15, 2005, the County Board approved a use permit for a food delivery service for a Vocelli Pizza franchise at 2626 N. Pershing Drive. The use is in compliance with the approved use permit conditions, and staff has not received any complaints or concerns about this use. Therefore, staff recommends renewal of the use permit for a food delivery use, subject to all previously approved conditions, with an administrative review in one (1) year, and with a County Board review in three (3) years (November 2011).

BACKGROUND: The food delivery use permit was approved in November 2005, and has not been reviewed since then. There has been no history of concerns raised about this use since the original approval. The original approval called for a County Board review in one (1) year, which would have been November 2006, however the use permit was not placed on that agenda. Staff only recently discovered the error.

DISCUSSION: The applicant is approved for food delivery by vehicle from 11 a.m. to 1 a.m. seven days a week. No more than three drivers are allowed to work simultaneously. The applicant has been found to be in compliance with the conditions of approval.

| |
|-----------------------|
| County Manager: _____ |
|-----------------------|

| |
|--------------------------------------|
| Staff: Peter Schulz, DCPHD, Planning |
|--------------------------------------|

| |
|----------|
| PLA-5126 |
|----------|

Since the original approval (November 2005):

Use Permit Conditions: The food delivery service is in compliance with the approved use permit conditions.

Community Code Enforcement: The Community Code Enforcement office has not reported any concerns regarding the renewal of this use.

Fire Marshal's Office: The Fire Marshal's Office has not reported any concerns regarding the renewal of this use.

Police Department: The Police Department has not reported any concerns regarding the renewal of this use.

Neighborhood: The site is located within the boundaries of the Lyon Park Civic Association. As of the date of this report, the civic association has not responded to staff's request for comments on this renewal.

CONCLUSION: The applicant has been compliant with all conditions of approval since the original approval in 2005. Therefore, staff recommends renewal of the use permit for a food delivery service, subject to all previously approved conditions, with an administrative review in one (1) year (November 2009) and with a County Board review in three (3) years (November 2011).

PREVIOUS COUNTY BOARD ACTIONS:

November 15, 2005

Approved a use permit for a food delivery service with a County Board review in one year (November 2006)

Approved Conditions:

1. The applicant (applicant shall mean the applicant, owner and all successors and assigns) agrees that the hours of operation of the food delivery service (using an automobile) shall be limited to Sunday through Saturday, 11 a.m. to 1 a.m. The applicant agrees that at all other times, food can be delivered only by foot or by bicycle.
2. The applicant agrees to develop and implement a delivery and driver safety plan and to obtain the County Manager's approval of such a plan before any food delivery service can begin. The plan shall include at a minimum: identification of a driver safety course, completion of which will be required of all drivers employed by the applicant before they begin delivery service; a routing plan including maps for delivery vehicles, which will show entry and exit routes from the site; and an outline of the contents of the course. The applicant understands and acknowledges that the County Board has found the exception for this use to be justified only because the applicant has represented that the use will make deliveries by vehicles using only the commercial frontages and streets to the maximum extent possible.
3. The applicant agrees that the delivery vehicles will not be parked on the street when not in use for delivery. The maximum number of delivery automobiles that may be used in the business at any one time is three (3).
4. The applicant agrees not to distribute flyers in quantity to any apartment buildings.
5. The applicant agrees to identify an on-site liaison who shall be available during all hours of operation to receive and respond to community concerns. The name and telephone number of the liaison shall be sent to the President of the Lyon Park Citizens Association and the Zoning Administrator.