



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of April 24, 2010

DATE: April 6, 2010

SUBJECT: U-3243-10-1 USE PERMIT of Homemade Pizza Co. for food delivery service for a carry-out operation located at 4514 Lee Highway (RPC #07-003-008).

Applicant:

Robert Surman, VP of Architecture and Development
HomeMade Pizza Company
1046 West Kinzie, Suite 300
Chicago, Illinois 60642

C.M. RECOMMENDATION:

Approve the use permit request for a food delivery service subject to the conditions of the staff report with an administrative review in six (6) months (October 2010), and a County Board review in one (1) year (April 2011).

ISSUES: This is a request for a food delivery service for carry-out pizza operation. The president of the Waverly Hills Civic Association has expressed opposition to the applicant's proposal.

SUMMARY: This is a request for use permit for a food delivery service use for Homemade Pizza, Inc., which is located in the Lee Heights shopping center. The applicant expects to make approximately 2 – 4 deliveries each week night and approximately 8 – 10 deliveries on weekend nights. The anticipated delivery service "trip volume" is significantly less than other delivery services in the County, many of which count on deliveries for the majority of their total revenue. Based on the experiences of other stores in Northern Virginia, the applicant expects deliveries to total only 10% of revenue for the store. The president of the Waverly Hills Civic Association is concerned that the delivery trips associated with the proposed use will result in potential safety impacts. Staff does not anticipate impacts as a result of this proposal, as the use is fairly small based on the number of daily trips expected (and compared to similar uses in the County), and the fact that drivers will have direct access to arterial roads. In addition, the applicant has agreed to conditions to mitigate any potential impacts associated with increased traffic and driver conduct. This use permit request was deferred from the March County Board meeting to allow the applicant additional time to work with the Waverly Hills Civic Association, but no agreement was reached. Staff is recommending a short administrative review to monitor the operation.

County Manager: BMD/GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division
Jennifer Fioretti, DES, Transportation Planning

43.

PLA-5550

Therefore, staff recommends approval of the use permit subject to the conditions of the staff report, with an administrative review in six (6) months and a County Board review in one (1) year (April 2011).

BACKGROUND: The Homemade Pizza Company is proposing a delivery service for their Arlington store. The following is additional information about the property and site.

Site: The property is located in the Lee Heights Shopping Center, which is bound by Lee Highway to the north, North Woodrow Street to the west, and North Woodstock Street to the east.

Zoning: “C-2” Service Commercial Community Business Districts. The proposed use is classified as “carry-out establishment”

General Land Use Plan Designation: “Service Commercial” (Personal and business services. Generally one to four stories, with special provisions within the Columbia Pike Special Revitalization District).

Neighborhood: The property is located within the Waverly Hills Civic Association. The president of the Waverly Hills Civic Association has expressed concern to staff about the potential for adverse impacts as a result of the proposed use. See discussion below for additional details regarding community concern.

DISCUSSION: The applicant, Homemade Pizza Co., is requesting a use permit for a food delivery service. Homemade Pizza is a Chicago-based company that specializes in preparing unbaked pizza, salads, and sweets for customers to cook in their own homes. As no food is consumed on the premises, Homemade Pizza functions as a carry-out establishment and contains no seats for customers. The company owns all of its stores directly and does not franchise.

The Arlington store occupies approximately 900 square feet of space in the Lee Heights shopping center, which is located on Lee Highway at the intersection of Old Dominion Drive and Lorcom Lane. The applicant is proposing a delivery service utilizing a maximum of two (2) vehicles which will be parked in spaces in the employee lot behind the shopping center when not in use. The applicant has indicated that deliveries will be made to residential addresses within a 1.5-mile radius of the store (see attached map). Based on the experience of other Homemade Pizza stores in Northern Virginia, the applicant estimates that the deliveries will make up approximately 10% of total revenue for the store, which according to the applicant translates to approximately 2 - 4 deliveries per day Monday through Thursday, and approximately 8 – 10 deliveries per day on the weekends.

The president of the Waverly Hills Civic Association has expressed concern to staff regarding the applicant’s request. Specifically, the concerns have to do with the potential for delivery vehicles to run stop signs, to double park on neighborhood streets, and to speed on neighborhood streets. Staff does not anticipate there will be issues associated with the concerns referenced above, as the proposed use is a relatively small component of the business and thus will result in a

negligible increase in vehicle trips to the street network. Homemade Pizza expects approximately 10% of their revenue to come from delivery, whereas other food delivery services in the County make between 70% and 100% of their revenue from deliveries. Furthermore, Homemade Pizza is requesting to make use of a maximum of two (2) dedicated delivery vehicles, whereas other food delivery operations such as Pizza Hut employ nine (9) to fourteen delivery vehicles during certain hours. Another feature of Homemade Pizza's business that distinguishes it from other food delivery services in the County is that the food being delivered is uncooked; whereas other delivery service uses in the County need to deliver hot food in a timely manner, which provides an incentive for drivers to speed, Homemade Pizza's service would not be concerned with making sure the pizza is hot on arrival.

In addition to the relatively small number of vehicle trips associated with the proposal, the site is accessible from major roads. The site has direct access to Lee Highway (Route 29), which is classified by the Master Transportation Plan (MTP) as a Type C Primarily Commercial Center arterial street. It is also within one block of Old Dominion Drive, which is classified by the MTP as a Type D Primarily Garden Apartment and Townhouse Neighborhood Arterial Street; and Lorcom Lane and Glebe Road (Route 120), both of which are Type C Primarily Commercial Center arterial streets. The site's access to arterial streets provides a range of delivery travel options that enables the driver to maximize route efficiency thus reducing overall vehicle miles traveled and to minimize direct impact to the residential street network. The bulk of single-family residences in the Waverly Hills Community are located some distance from the site; citizens would have little contact with Homemade Pizza delivery vehicles unless deliveries were made specifically to that area.

Finally, the applicant has agreed to standard conditions to mitigate driver conduct that have been successful with delivery service uses elsewhere in the County. As noted in Condition #2, the applicant would be obligated to develop a delivery driver safety plan to be approved by the County Manager in which all delivery drivers would be required to complete before being permitted to make deliveries. The developer would also be required to develop a delivery routing plan which would include maps for delivery vehicles and identify delivery routes that minimize vehicle miles traveled and cut-through traffic through the neighborhood. This would also be approved by the County manager prior to the start of the delivery operation. In addition, staff is recommending an administrative review in six (6) months to monitor the operation and respond to any issues.

The president of the Waverly Hills Civic Association also mentioned concerns about increased pollution as a result of the delivery service, and the desire for the applicant to provide zero-emissions vehicles for drivers. The applicant has not agreed to this as drivers would be providing their personal vehicles for delivery. The County has not required any other delivery operation in Arlington to provide these types of vehicles.

CONCLUSION: The applicant is proposing a delivery service for a carry-out establishment located in the Lee Heights shopping center. The applicant estimates that only approximately 10% of total store revenue will come from the delivery service. No adverse impacts are anticipated as a result of this use. The site is located some distance from single-family residences

and has direct access onto arterial streets. Also, the proposed delivery service would result in far fewer vehicle trips than other delivery services that operate in Arlington County. The president of the Waverly Hills Civic Association has indicated that there are concerns with the applicant's proposal mainly pertaining to driver conduct. Staff does not anticipate this concern to be an issue as the applicant has agreed to conditions that would mitigate the potential for drivers to cause safety problems. This request was deferred from the March County Board meeting to allow the applicant time to work with the community to address their concerns; however, no agreement was reached. Staff recommends a short administrative review to monitor the delivery service's operation. Therefore, staff recommends approval of the use permit subject to the conditions of the staff report, with an administrative review in six (6) months and a County Board review in one (1) year (April 2011).

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 11:00 a.m. to 10:00 p.m. Monday through Thursday, and 11:00 a.m. to Midnight Friday, Saturday, Sunday, and the following federal holidays: Memorial Day, Independence Day, Labor Day, and News Years Day.
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 must conduct in-store and on-site business operations so as not to adversely impact adjacent properties through excessive noise, improper trash bin usage, objectionable odors, and inappropriate delivery vehicle and supply truck driver activities. The applicant shall develop, implement and file with the Zoning Administrator a plan to ensure that operational problems are resolved immediately. This plan shall include, but is not limited to problems related to excessive noise, inappropriate driving behavior and late night/early morning supply deliveries. The effectiveness of this plan in eliminating operational problems shall determine whether the use permit is continued at the one (1) year review.
4. The applicant agrees that the maximum number of delivery automobiles that may be used in the business at any one time is two (2) vehicles.
5. The applicant agrees that the delivery vehicles will not be parked on the street.

6. The applicant agrees not to distribute flyers in quantity to any apartment buildings.
7. 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 Waverly Hills Civic Association and the Zoning Administrator.

PREVIOUS COUNTY BOARD ACTIONS:

March 13, 2010

Deferred U-3243-10-1 for a food delivery service for one (1) month to the April 2010 County Board meeting.

HOMEMADE PIZZA CO

PROPOSED DELIVERY AREA
4514 LEE HIGHWAY, ARLINGTON, VA



1.5 MILE RADIUS DELIVERY AREA FOR
HOMEMADE PIZZA CO. STORE LOCATED AT LEE HEIGHTS SHOPPING CENTER

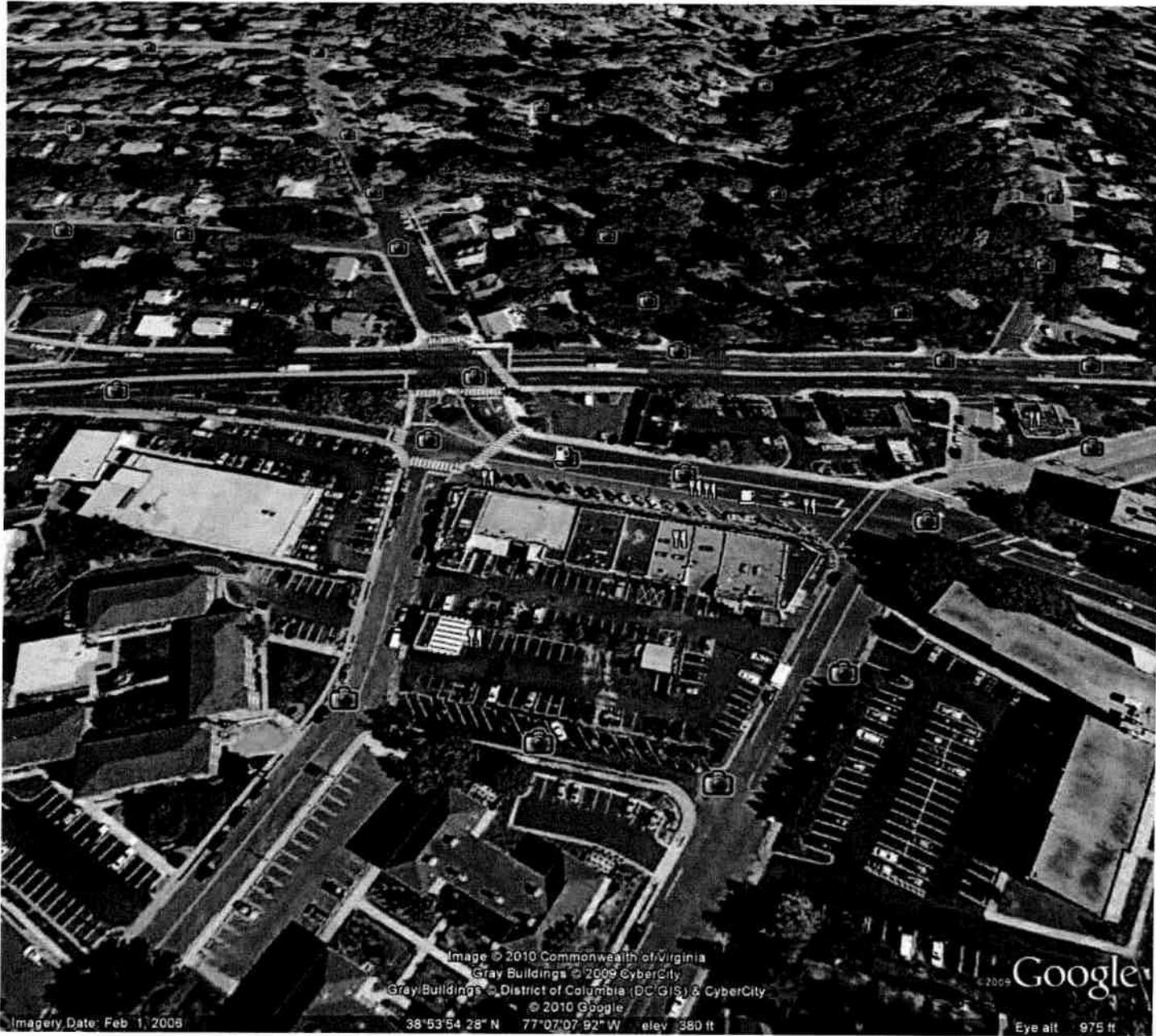


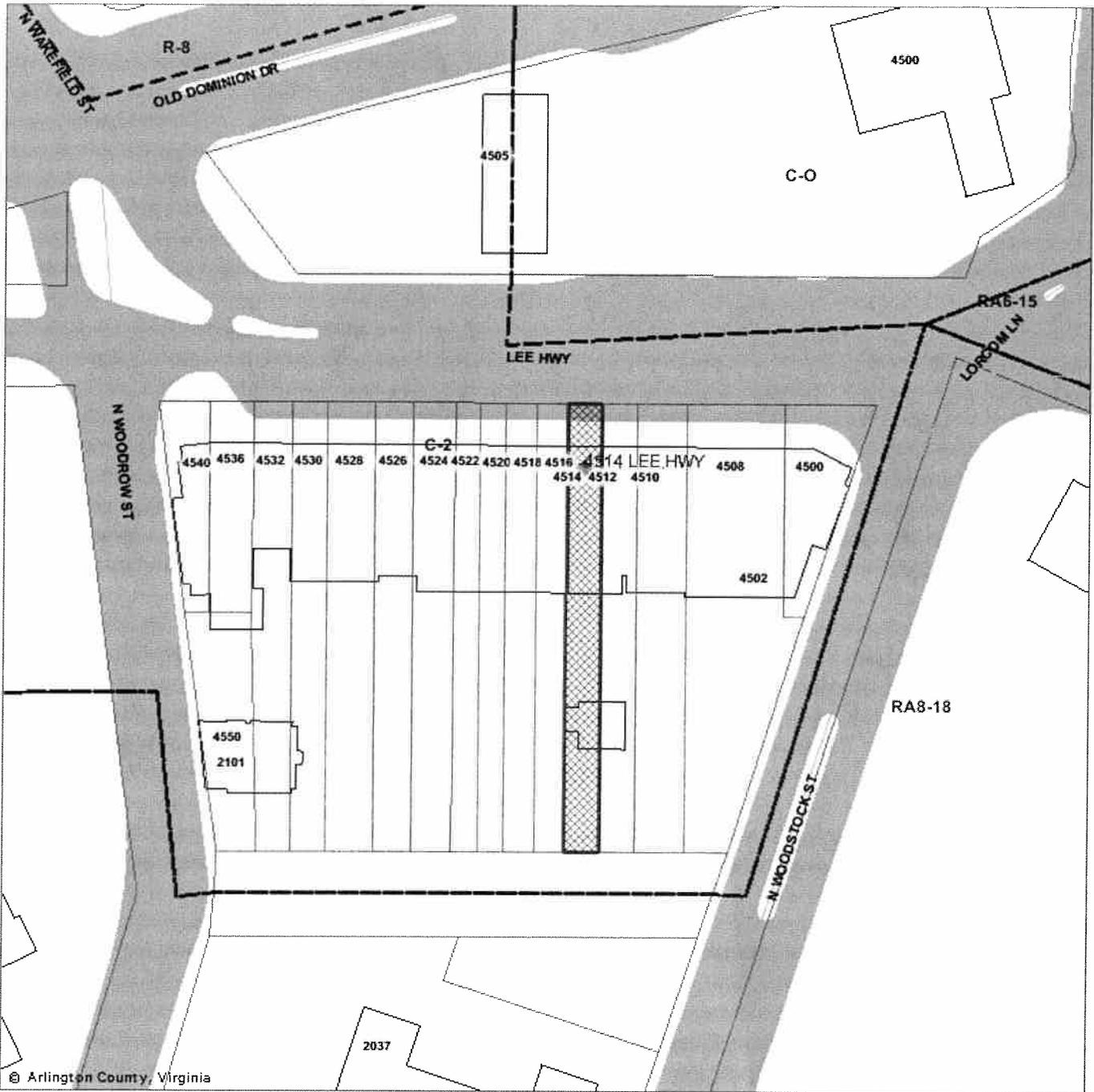
Image © 2010 Commonwealth of Virginia
Gray Buildings © 2009 CyberCity
Gray Buildings © District of Columbia (DCGIS) & CyberCity
© 2010 Google

Google

Imagery Date: Feb 1, 2005

38°53'54.28" N 77°07'07.92" W elev 380 ft

Eye alt 975 ft



U-3243-10-1
4514 Lee Highway
RPC #07-003-008

Note: These maps are for property location assistance only.
 They may not represent the latest survey and other information.



Not To Scale

