



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of February 23, 2008

DATE: February 8, 2008

SUBJECT: U-2951-98-1 USE PERMIT REVIEW for food delivery service at 2602 Columbia Pike (RPC #32-603-007)

Applicant:

Domino's Pizza
Michael Bozarth, Assistant Comptroller

By:

William Barnes Lawson, Jr., Attorney
6045 Wilson Boulevard, Suite 100
Arlington, Virginia 22205

C.M. RECOMMENDATION:

Renew, subject to all previously approved conditions, with no further scheduled review.

ISSUES: This is a review of the use permit for a food delivery business, and no issues have been identified.

SUMMARY: This Domino's Pizza food delivery use has operated at the subject location since February 2000. The use is compatible with adjacent retail and service uses, and is in compliance with approved use permit conditions. Therefore, staff recommends renewal of the food delivery use, subject to all previously approved conditions, with no further scheduled review.

BACKGROUND: The applicant relocated a Domino's Pizza delivery service from 2500 Columbia Pike to 2602 Columbia Pike and received approval for a use permit allowing food delivery at the subject site in February 1999. The County Board continued the use permit in February 2000 and February 2003, with a County Board review in five (5) years.

DISCUSSION: Domino's Pizza operates from 11 a.m. to 1 a.m. Sundays through Thursdays, and 11 a.m. to 2 a.m. on Fridays and Saturdays. The restaurant typically has a total of five (5) staff on site and three (3) drivers at peak delivery times. The restaurant shares the on-site parking lot with a laundromat and check cashing business also located on this site. The lot has eight (8) parking spaces dedicated for the restaurant's use which is sufficient parking to accommodate the restaurant's staff and walk-in patrons.

County Manager: _____

Staff: Rasheda DuPree McKinney, DCPHD, Planning Division

PLA-4889

Since the last County Board review (February 8, 2003):

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

Community Code Enforcement, Police Department, and Fire Marshal's Office: These offices have not reported any concerns regarding the continuation of this use.

Civic Association: The subject site is located within the Columbia Heights Civic Association and Columbia Pike Revitalization Organization boundaries. As of the date of this report, neither organization had responded to staff's request for comments on this use permit review.

CONCLUSION: The food delivery use operates in compliance with the approved use permit conditions. The Domino's Pizza store is well maintained and is in compliance with County regulations. The food delivery use is compatible with other retail and service uses in this vicinity. Staff has not received any complaints associated with this business. Therefore, staff recommends renewal of the food delivery use, subject to all previously approved conditions, with no further scheduled review.

PREVIOUS COUNTY BOARD ACTIONS:

August 13, 1983	Denied a use permit request (U-2388-83-1) for the purpose of operating a public garage
October 1, 1988	Deferred use permit request (U-2595-88-2) for a restaurant with a drive-through window.
November 19, 1988	Denied use permit request (U-2595-88-2) for a restaurant with a drive-through window.
October 12, 1991	Approved use permit (U-2715-91-3) for live entertainment in an existing restaurant from 7:00 p.m. to 11:00 p.m., Mondays through Saturdays, subject to conditions with a review in three (3) months.
January 18, 1992	Renewed use permit (U-2715-91-3) for live entertainment in an existing restaurant with a review in two (2) months.
March 7, 1992	Discontinued use permit (U-2715-91-3) for live entertainment.
December 12, 1992	Deferred to January 16, 1993 use permit (U-2756-92-4) for live entertainment (comedian) in an existing restaurant from 8:00 p.m. to 10:00 p.m. one night per month.
January 16, 1993	Approved use permit (U-2756-92-4) for live entertainment , including a comedian and piano player, in an existing restaurant, Mondays through Sundays, one week per month, from 7:00 p.m. to 10:00 p.m., with conditions and a review in six (6) months.
July 27, 1993	Renewed use permit (U-2756-92-4) for live entertainment with a review on one (1) year.
July 9, 1994	Renewed use permit (U-2756-92-4) for live entertainment with a review in three (3) years.
February 6, 1999	Approved use permit (U-2951-98-1) for operation of a food delivery service for one (1) year.

February 12, 2000

Continued use permit (U-2951-98-1) for operation of a food delivery service, subject to all previous conditions, with a review in three (3) years (February 2003).

February 8, 2003

Continue use permit (U-2951-98-1) for food delivery service, with a review in five (5) years (February 2008).

Approved Conditions:

1. The applicant shall develop a delivery and driver safety training plan, which sets forth the contents of the course, identifies standards for compliance and identifies other elements of the plan. The exception for this use is justified in part because the applicant has represented that the use will make deliveries only by vehicles using the commercial frontages and streets to the maximum extent possible.
2. The applicant agrees that the hours of operation of the food delivery service shall be limited to between the hours of 11:00 a.m. to 1:00 a.m., Sundays through Thursdays, and 11:00 a.m. to 2:00 a.m., Fridays through Saturdays.
3. The applicant shall prepare a landscape plan, which shall include additional planting in the landscape islands including hedges. The landscape plan shall be submitted to the Board of Directors of the Arlington Village - A Townhouse Condominium for their review. The location and the screening of the trash dumpster shall be an element of the landscape plan. The plan shall include the location of an outside trash receptacle near the entrance on Columbia Pike. The plan shall show the removal of an existing deck and shall include a maintenance plan for the on-site landscaping. The landscaping plan shall be approved by the County Manager or his designee prior to the issuance of a Building Permit.
4. The trash dumpster shall be screened from public view by a solid wood screening fence. The applicant shall perform daily trash pick up of the site except on major holidays.
5. If the applicant plans to use the existing free-standing pylon sign on the site, the pylon sign shall be replaced with a monument-style sign.
6. 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.
7. The applicant shall identify a liaison that shall be available to respond to and/or direct citizen concerns. The name and telephone number of the liaison shall be submitted to the Committee, the Arlington Village - A Townhouse Condominium and the County's Zoning Office prior to issuance of a Certificate of Occupancy.