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Chick-Fil-A at Village Shoppes of Coconut Creek

Special Land Use Justification & Narrative

Chick-Fil-A, Inc. (“CFA”) is currently proposing to develop a +/- 4,151 square foot single story Chick-Fil-A restaurant including drive through facilities on a +/- 1.09 acre pad (“CFA Pad”) within the Village Shoppes of Coconut Creek shopping center located at 4690 N. State Road 7, which is generally located on the northeast corner of Wiles Road and N. State Road 7 (“Shopping Center”) in the City of Coconut Creek (“City”). The Shopping Center is zoned PCD, Planned Commerce District, and the underlying land use is Commercial. The CFA Pad is currently a vacant pad located within the boundaries of the Shopping Center. The Shopping Center consists of +/- 53,756 square feet of mixed uses located on a +/- 6 acre parcel identified by the Broward County Property Appraiser as Folio No. 484218150010 and governed by the Village Shoppes of Coconut Creek Planned Commerce District (“PCD”) as approved by the City Commission on August 23, 2007 via Ordinance No. 2007-011. The Shopping Center is adjacent to a Chevron gas station identified by the Broward County Property Appraiser as Folio No. 484218100010. Pursuant to the PCD, the CFA Pad was previously designated for a bank with four (4) drive-through lanes and a bypass lane. CFA is now requesting Special Land Use approval to allow for the aforementioned Chick-Fil-A restaurant with an associated drive-through facility. The CFA Pad and the Shopping Center will share parking.

An analysis of the parking supply and parking demand has been performed considering the existing hourly parking demand of the Shopping Center, the projected demand associated with the currently vacant retail space, and the projected hourly demand of the proposed Chick-fil-A (based upon the hourly parking demands at the Deerfield Beach Chick-fil-A). The results of this “time-of-day” parking indicate that the Shopping Center will have an adequate parking supply to accommodate the proposed Chick-fil-A and the subject Shopping Center at full occupancy.

The parking supply for the proposed Chick-fil-A is 49 parking spaces. This parking supply for the proposed Chick-fil-A is expected to be adequate to meet the peak demand with additional parking spaces available for the remainder of the Shopping Center. It is also noted that the proposed Chick-fil-A will have a building area of +/- 4,151 square feet. Of this area, +/- 1,951 square feet will be considered “customer service area” while the remaining +/- 2,200 square feet will be considered “non-customer service area”. Of particular interest to this analysis is the fact that less than half of the building area will be considered “customer service area”.

The resulting parking supply for the Shopping Center (including the proposed Chick-fil-A) will be 236 parking spaces. At full occupancy, this Shopping Center and the proposed Chick-fil-A are

projected to exhibit a peak parking demand of 230 parking spaces. As a result, the subject Shopping Center is expected to have an adequate parking supply during the peak periods.

Pursuant to Section 13-355(c)(3)(i) – PCD, Planned Commerce District Generally of the City’s Land Development Code (“Code”), drive-through facilities require special land use approval to ensure proper location and stacking capability. Further, Section 13-35 – Special Land Use of the Code provides the standards for special land use approval. As discussed in greater detail below, the proposed drive-through facility complies with Section 13-35. In particular, CFA will demonstrate the following: that the proposed Chick-Fil-A restaurant drive-through facility (1) will be in harmony with nearby uses permitted under Article III of Chapter 13; (2) will use will be in harmony with nearby existing uses; (3) will be reasonably compatible with surrounding and adjacent uses in its function, its hours of operation, the type and amount of traffic to be generated, the building size and setbacks, and its relationships to the land values; (4) will be in the best interests of the city, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity; (5) will contribute to the economic stability of the community; (6) will not decrease public benefit or increase undesirable impacts other than those resulting from use of the site as permitted by right under Article III of this chapter or some other special land use permitted on the site; (7) will not result in more intensive development than what is approved by the land use element of the comprehensive plan; and (8) will be consistent with goals, objectives, and policies of the comprehensive plan.

Further, CFA will demonstrate the following: that the proposed Chick-Fil-A drive-through facility (1) will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right; (2) will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right; (3) will not require extension or enlargement of the thoroughfare system at a higher net public cost than would result from a development permitted by right; (4) will not require enlargement or alteration of utility facilities, drainage systems, and other utility systems other than what would result from a development permitted by right; (5) will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right; and (6) will be compatible with the overall intensity and scale of uses on the site and is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.

(1) The proposed drive-through special land use will be in harmony with nearby uses permitted under Article III of Chapter 13.

The Shopping Center is currently zoned PCD and is governed by the Village Shoppes of Coconut Creek Planned Commerce District as approved by the City Commission on August 23, 2007 via Ordinance No. 2007-011. The Shopping Center will remain zoned PCD which is consistent and compatible with adjacent PCD, PUD and B-2 zoning designations and consistent with the proposed development plan and permitted uses approved for the PCD by the City Commission. Specifically, the PCD approved restaurant use on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. The CFA Pad was

previously designated for a bank with four (4) drive-through lanes and a bypass lane. CFA is now requesting to reduce the previously proposed drive-through facility, as shown on the approved PCD, to allow for the aforementioned development of a Chick-Fil-A restaurant with two (2) drive-through stacking lanes providing for a substantial stacking capacity of approximately twenty-four (24) vehicles.

(2) The proposed drive-through special land use will use will be in harmony with nearby existing uses.

The Shopping Center is currently zoned PCD and is governed by the Village Shoppes of Coconut Creek Planned Commerce District as approved by the City Commission on August 23, 2007 via Ordinance No. 2007-011. The Shopping Center will remain zoned PCD which is consistent and compatible with adjacent PCD, PUD and B-2 zoning designations and consistent with the proposed development plan and permitted uses approved for the PCD by the City Commission. The CFA Pad was previously designated for a bank with four (4) drive-through lanes and a bypass lane. CFA is now requesting to reduce the previously proposed drive-through facility, as shown on the approved PCD, to allow for the aforementioned development of a Chick-Fil-A restaurant with two (2) drive-through stacking lanes providing for a substantial stacking capacity of approximately twenty-four (24) vehicles. As discussed in detail above, the parking supply for the Shopping Center (including the proposed Chick-fil-A) will be 236 parking spaces. At full occupancy, the Shopping Center and the proposed Chick-fil-A are projected to exhibit a peak parking demand of 230 parking spaces. As a result, the subject Shopping Center is expected to have an adequate parking supply during the peak periods.

(3) The proposed drive-through special land use will be reasonably compatible with surrounding and adjacent uses in its function, its hours of operation, the type and amount of traffic to be generated, the building size and setbacks, and its relationships to the land values.

Pursuant to the PCD, the CFA Pad was originally designed to contain four (4) drive-through lanes and a bypass lane with stacking for approximately ten (10) vehicles, which was approved by the City Commission. The proposed Chick-Fil-A provides a much more modern and efficient design which contains two (2) stacking lanes but accommodates a substantial stacking capacity of approximately twenty-four (24) vehicles. Therefore, the proposed drive-through facility is even more compatible with the surrounding and adjacent Shopping Center uses when compared to the previously approved bank use pursuant to the PCD. Pursuant to the analysis of the parking supply and parking demand that considered the existing hourly parking demand of the Shopping Center, the projected demand associated with the currently vacant retail space, and the projected hourly demand of the proposed Chick-fil-A (based upon the hourly parking demands at the Deerfield Beach Chick-fil-A), the Shopping Center will have an adequate parking supply to accommodate the proposed Chick-fil-A and the subject Shopping Center at full occupancy.

(4) The proposed drive-through special land use will be in the best interests of the city, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity.

The proposed Chick-Fil-A restaurant and the associated drive-through facility will only enhance the dining options for adjacent property owners and Chick-Fil-A has proven to be a welcome asset to the communities they serve. The proposed drive-through special land use will be in the best interests of the city, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity as the CFA Pad is currently vacant and underutilized. Further, the CFA Pad was previously approved for a drive-through facility pursuant to the PCD.

(5) The proposed drive-through special land use will contribute to the economic stability of the community.

The CFA Pad is currently vacant and underutilized. The proposed Chick-Fil-A restaurant and the associated drive-through facility will create additional jobs for the community and place a vacant property on the City's tax roll which will contribute to the economic stability of the community.

(6) The proposed drive-through special land use will not decrease public benefit or increase undesirable impacts other than those resulting from use of the site as permitted by right under Article III of chapter 13 or some other special land use permitted on the site.

The Shopping Center is currently zoned PCD and is governed by the Village Shoppes of Coconut Creek Planned Commerce District as approved by the City Commission on August 23, 2007 via Ordinance No. 2007-011. The Shopping Center will remain zoned PCD which is consistent and compatible with adjacent PCD, PUD and B-2 zoning designations and consistent with the proposed development plan and permitted uses approved for the PCD by the City Commission. The CFA Pad was previously designated for a bank with four (4) drive-through lanes and a bypass lane. CFA is now requesting to reduce the previously proposed drive-through facility, as shown on the approved PCD, to allow for the aforementioned development of a Chick-Fil-A restaurant with two (2) drive-through stacking lanes providing for a substantial stacking capacity of approximately twenty-four (24) vehicles. Chick-Fil-A is a well-liked restaurant and the public will benefit greatly from its presence in the Shopping Center and in the Coconut Creek community. Further, the proposed drive-through stacking capacity and the results of the parking analysis demonstrate that the proposed drive-through special land use will not decrease public benefit or increase undesirable impacts.

(7) The proposed drive-through special land use will not result in more intensive development than what is approved by the land use element of the comprehensive plan.

The Shopping Center is currently zoned PCD and is governed by the Village Shoppes of Coconut Creek Planned Commerce District as approved by the City Commission on August 23, 2007 via Ordinance No. 2007-011. The Shopping Center will remain zoned PCD which is consistent and compatible with adjacent PCD, PUD and B-2 zoning designations and consistent with the proposed development plan and permitted uses approved for the PCD by the City Commission. The CFA Pad was previously designated for a bank with four (4) drive-through lanes and a bypass lane. CFA is now requesting to reduce the previously proposed drive-through facility, as shown on the approved PCD, to allow for the aforementioned development of a Chick-Fil-A restaurant with two (2) drive-through stacking lanes providing for a substantial stacking capacity of approximately twenty-four (24) vehicles.

(8) The proposed drive-through special land use will be consistent with goals, objectives, and policies of the comprehensive plan.

The PCD was previously determined to be in compliance with the City's Comprehensive Plan as evidenced by the City Commission's approval of the PCD on August 23, 2007. Further, the PCD approved restaurant use within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. As such, the PCD Amendment/Rezoning is not contrary to the Comprehensive Plan.

Additionally, competent substantial evidence supports the City's approval of the requested Chick-Fil-A restaurant drive-through special land use as follows:

(1) The proposed drive-through use will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right.

The PCD was previously determined to be in compliance with the City's Comprehensive Plan, Code and required levels of services as evidenced by the City Commission's approval of the PCD on August 23, 2007. Further, the PCD approved restaurant use within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. The Chick-Fil-A drive-through use will not alter the existing uses currently developed within the Shopping Center and previously approved by the PCD except that the previously proposed bank use, with four (4) drive-through stacking lanes and a bypass lane, will now be restaurant use, with two (2) drive-through stacking lanes providing more than double the stacking capacity of the previously proposed bank for greater efficiency and traffic circulation (both internal and external to the site). Therefore, the proposed drive-through use will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right.

(2) The proposed drive-through use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right.

The PCD was previously determined to be in compliance with the City's Comprehensive Plan, Code and required levels of services as evidenced by the City Commission's approval of the PCD on August 23, 2007. Further, the PCD approved restaurant use within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. The Chick-Fil-A drive-through use will not alter the existing uses currently developed within the Shopping Center and previously approved by the PCD except that the previously proposed bank use, with four (4) drive-through stacking lanes and a bypass lane, will now be restaurant use, with two (2) drive-through stacking lanes providing more than double the stacking capacity of the previously proposed bank for greater efficiency and traffic circulation (both internal and external to the site). The parking analysis determined that the resulting parking supply for the Shopping Center (including the proposed Chick-fil-A) will be 236 parking spaces. Therefore, the proposed drive-through will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right. Further, at full occupancy, this Shopping Center and the proposed Chick-fil-A are projected to exhibit a peak parking demand of 230 parking spaces. As a result, the subject Shopping Center is expected to have an adequate parking supply during the peak periods.

(3) The proposed drive-through use will not require extension or enlargement of the thoroughfare system at a higher net public cost than would result from a development permitted by right.

The proposed drive-through use is consistent with the previously approved PCD and therefore will not require extension or enlargement of the thoroughfare system at a higher net public cost than would result from a development permitted by right.

(4) The proposed drive-through use will not require enlargement or alteration of utility facilities, drainage systems, and other utility systems other than what would result from a development permitted by right.

The proposed drive-through use is consistent with the previously approved PCD and therefore will not require enlargement or alteration of utility facilities, drainage systems, and other utility systems other than what would result from a development permitted by right.

(5) The proposed drive-through use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right.

The Shopping Center is substantially developed and built out. Further, the PCD approved restaurant use and a drive-through within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. The Chick-Fil-A drive-through use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right.

(6) The proposed drive-through use will be compatible with the overall intensity and scale of uses on the site and is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.

The PCD was previously determined to be in compliance with the City's Comprehensive Plan, Code and required levels of services as evidenced by the City Commission's approval of the PCD on August 23, 2007. Further, the PCD approved restaurant use and drive-through use within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. The Chick-Fil-A drive-through use will not alter the existing uses currently developed within the Shopping Center and previously approved by the PCD except that the previously proposed bank use, with four (4) drive-through stacking lanes and a bypass lane, will now be restaurant use, with two (2) drive-through stacking lanes providing more than double the stacking capacity of the previously proposed bank for greater efficiency and traffic circulation (both internal and external to the site). Therefore, the proposed drive-through use is compatible with the overall intensity and scale of uses on the site and is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.