

City of Coconut Creek

InterOffice Memorandum

To: Planning and Zoning Board

Date: September 12, 2018

From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable Development

Subject: Wendy's Drive Thru
Special Land Use

Applicant/Agent:	Craig McDonald, Corporate Property Services
Owner:	Daniel Federspiel, Ramco / Coral Creek, LLC
Requested Action/Description:	Special Land Use
Location:	Southeast corner of Johnson Road and SR7/US441 At Coral Creek Shops
Legal Description:	A portion of Tract A, "Sawgrass Park of Commerce Commercial Section "B", according to the Plat thereof, as recorded in Plat Book 144, Page 33, of the Public Records of Broward County, Florida.
Size:	0.846+/- Acres
Existing Zoning:	B-3, Community Shopping (PCD, Planned Commerce District – as proposed)
Existing Use:	Commercial
Future Land Use Plan Designation:	Industrial
Platted:	Sawgrass Park of Commerce Commercial Section "B"
Plat Restriction:	120,000 square feet of commercial use.

Requested Action:

The applicant, Craig McDonald, Corporate Property Services, on behalf of the owner, Daniel Federspiel, Ramco / Coral Creek LLC, is requesting a special land use approval to permit a drive-thru at a proposed Wendy's restaurant to be located at the Coral Creek Shops plaza generally located at the southeast corner of Johnson Road and State Road 7 (US441) in accordance with Section 13-35, Special Land Use, of the City of Coconut Creek Land Development Code.

Project Description:

The subject property is generally located at the southeast corner of State Road 7 and Johnson Road within the Sawgrass Park of Commerce Commercial Section "B" plat. The applicant, Craig McDonald, Corporate Property Services, is requesting a special land use approval for the construction of a 2,605 square foot Wendy's fast food restaurant with drive-thru and outdoor dining at the site commonly known as Coral Creek Shops

As part of the Wendy's restaurant, the applicant proposes a drive-thru lane that wraps around the building with window style food pick-up facing the plaza and away from State Road 7. Pursuant to City Code, any facility with a drive thru requires a special lane use. The applicant is not proposing modifications to driveway accesses or circulation to the overall plaza.

Other existing plaza tenants include Publix, GNC, Advance Auto Parts, Allstate Insurance, small medical offices and other retail establishments. Outparcels along State Road 7 include Chase Bank, Mobil Gas Station and Bank of America.

Public Involvement:

Per Section 13-35 (c), property owners within 500 feet of the subject property were notified by mail of the special land use request and invited to attend the Planning and Zoning Board meeting. Fifty-one (51) notices were mailed by the City on August 29th, 2018. To date, staff has not received any public inquiries related to the project.

In addition to the above code required public notices, as part of the application review process, the applicant was required to perform community outreach in an effort to provide project information to neighboring property owners and neighborhood associations as well as hear and address concerns and issues raised through this process. The applicant has submitted a Community Outreach Summary for this project, which is included as part of the agenda backup for this application

Analysis and Findings:

Per Section 13-35 (f) and (g) of the City Land Development Code, the Planning and Zoning Board and City Commission must find that a special land use meets the general and specific standards based on competent and substantial evidence. Listed below are these standards and the applicant's verbatim responses.

GENERAL STANDARDS (Section 13-35f)

1. The proposed special land use will be in harmony with nearby uses permitted under Article III of the Land Development Code.

RESPONSE: The subject site, as well as property directly abutting this outparcel, are currently zoned B-3 Community Shopping District, and has an Industrial Future Land Use designation. Please note that the gas station parcel is zoned B-2. Based on Article III of the Coconut Creek Land Development Code, "The purpose of the B-3 Community Shopping District is to provide for a broad range of office and retail uses." The Shops at Coral Creek has applied to rezone its entire development to a PCD (Planned Commercial Development). The PCD Document provides a list of development standards that will allow for the proposed Wendy's to meet the intent of the Land Development Code. The proposed fast food restaurant use, which is retail/commercial in nature, will be in harmony with the existing and permitted uses of the PCD zoning district.

2. The proposed special land use will be in harmony with nearby existing uses.

RESPONSE: The development pattern along State Road 7 corridor is generally commercial in nature and predominately a developed area. The Coral Creek Shops is also developed with existing commercial uses and does not directly abut any residentially zoned property. As such, the introduction of another commercial use, a Wendy's 2,605 square foot fast food restaurant, will complement the existing development pattern of the area and will be in harmony with nearby uses. The rezoning to a PCD includes a PCD Document that provides a list of development standards that will allow for the proposed Wendy's to meet the intent of the Land Development Code and be in harmony with the nearby existing uses.

3. **The proposed special land use must 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 value.**

RESPONSE: The development blueprint in this area is commercial. The Wendy's hours of operation are proposed from 9:00 am to 1:00 am, seven days a week. This is typical of the State Road 7 commercial corridor. Wendy's is not open for breakfast, so traffic generation during the morning rush hour will not be impacted. Wendy's has developed a functional site layout, complimenting the existing setback pattern established along State Road 7, and within the development parameters established by the proposed PCD. In an effort to appropriately develop this 0.846 acres site, the proposed restaurant will be 2,605 square feet. The proposed rezoning to PCD will allow for the shopping center to continuously develop in a manner that is compatible with the surrounding uses.

The overall retail property is characterized by numerous access points to the surrounding roadway network. When considering cross-access with the retail property immediately to the south, Coral Creek Shops has two (2) right-turn in / right-turn out only driveways on State Road 7, three (3) driveway connections along Regency Lakes Boulevard. The benefit of this extensive access is that the traffic to and from the site is greatly dispersed rather than being concentrated at one or two primary access locations.

The subject Wendy's site is located immediately north of the northernmost driveway on State Road 7. This location will afford most of Wendy's primary patrons (as opposed to secondary patrons that are in in the shopping center for other primary trips purposes) direct and convenient access without circulating through the remainder of the site. This is especially true for pass-by trips which will account for approximately 50% of their traffic. And, a majority of this pass-by traffic will be derived directly from State Road 7.

4. **The proposed 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.**

RESPONSE: As a result of today's hectic lifestyles, current market demands necessitate convenient and economical places to eat. Fast food restaurants today are being developed to meet the changing needs of society. The new Wendy's restaurant will meet this demand for surrounding residents, as well as those who work in the area. The subject parcel functions as a rarely used parking lot. Wendy's is proposing to construct a 2,605 square foot fast food restaurant with a drive-thru and outdoor seating on this vacant parcel. The overall site will be greatly improved in terms of how it functions and visually appears. In addition, Wendy's is proposing an outdoor patio area for the residents of Coconut creek and Wendy's customers to be able to enjoy a wonderful meal in the tropical South Florida outdoor atmosphere. Therefore, the proposed Wendy's will be in the best interests of the City and a substantial improvement to the community.

5. **The proposed special land use will contribute to the economic stability of the community.**

RESPONSE: The proposed establishment will offer employment opportunities for the residents of Coconut Creek, as well as increase the tax base for the City.

6. **The proposed 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 the Land Development Code or some other special land use permitted on the site.**

RESPONSE: The subject parcel currently functions as a rarely used parking lot. The proposed architecture will consist of Wendy's new contemporary building elevations, along

with interior improvements which include modern décor and comfortable furniture. Wendy's is proposing an outdoor patio area, in order to support the objective to create an inviting and lasting impression for their customers. This patio area will be enclosed with a decorative fence and will have a collection of three picnic style tables, which will be located adjacent to the west side of the restaurant. A total of 12 seats will be provided within this outside seating area. The landscape buffer and landscape materials will be upgraded from the existing conditions, in addition, a trellis and outdoor seating will be provided along the pedestrian connection from the sidewalk on State Road 7 to the shopping center. Adverse lighting overspill onto adjacent parcels will not occur, since the photometric levels will comply with City code. These site improvements will certainly not decrease public benefit, nor increase undesirable impacts on the surrounding area.

7. The proposed special land use will not result in more intensive development than what is approved by the land use element of the Comprehensive Plan.

RESPONSE: This Coral Creek Shops has an Industrial Future Land Use designation. Broward County Planning Council previously determined that based on the timing of the Plat approval and the designation of the property as an employment center by the City, the commercial uses were allowed. The proposed fast food restaurant use is compatible with the plan of this land use element of the Comprehensive Plan.

8. The proposed special land use will be consistent with goals, objectives, and policies of the Comprehensive Plan.

RESPONSE: The goal of the Comprehensive Plan is to provide for a varied and diverse mix of commercial opportunities to serve the residents of the City of Coconut Creek. This new restaurant will provide a convenient and economical place to dine, which is consistent with the Comprehensive Plan.

The redevelopment of the parcel as a special land use, will not negatively impact the intensity of the existing one story shopping center, in relation to surrounding community. A traffic statement has been completed which documents this fact. In addition, all elements of concurrency will be in compliance, on a overall shopping center basis. There is a mature landscape buffer existing along the perimeter of the shopping center. Wendy's is proposing to supplement the landscape materials within the existing buffer abutting State Road 7 and expand the buffer. Based on the existing building setbacks of the center, the proposed setbacks of the Wendy's building, and the existing perimeter landscape buffers, as well as the proposed special land use (Wendy's), the scale of use and intensity of the overall shopping center will result is a commercial center which is appropriate in nature with the character of the surrounding land uses.

SPECIFIC STANDARDS FOR ALL USES (Section 13-35g)

1. The proposed 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.

RESPONSE: Wendy's is not open for breakfast, so traffic generation during the morning rush hour will not be impacted by this special land use. This is a circumstance which is not always the case with certain other uses permitted by right in the B-3 zoning district. In an effort to appropriately develop this 0.846 acres site, the proposed restaurant will be 2,605 square feet. As such, the impact from this proposed establishment will be minimal. The proposed Wendy's is anticipated to generate 626 new net daily vehicle trips, 54 new net AM peak hour vehicle trips and 43 new net PM peak hour vehicle trips. When considering the likely distribution of project traffic on the adjacent street network, the traffic impacts are considered to be insignificant (ie. Below the 1.0% of the roadway capacity threshold). It should be noted that a portion of the traffic generated by Wendy's will be derived from the other existing uses within the Coral Creek Shops.

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

RESPONSE: The subject site, as well as the properties within the Coral Creek Shops will be rezoned to a PCD. Access to the subject parcel will be provided via several internal shopping center cross access point. Thereby, traffic on local streets in the area should not be impacted by the proposed development. In addition, based on the ITE manual, a fast food restaurant with a drive through window typically has a 49% pass-by rate, as compared to higher destination driven trips generated by other uses permitted by right in the B--3 zoning district. Motorists desiring to access the Wendy's restaurant will do so via State Road 7, rather than local arterial roadways.

It should be noted that a portion of the traffic generated by Wendy's s will be derived from the other existing uses within the Coral Creek Shops.

3. The proposed 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.

RESPONSE: Trip generation from the proposed special land use will be minimal, and comparable to a use permitted in the proposed rezoned PCD area. Therefore, the level of service on surrounding rights-of-way will not be negatively impacted. Therefore, extension or expansion of the surrounding links will not be necessary for the proposed development.

4. The proposed 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.

RESPONSE: Adequate public facilities are currently in place, in order to support proposed Wendy's. The proposed Wendy's 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 use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right.

RESPONSE: Typically, commercial (retail and office) uses, whether permitted by right or a special land use, will have the same demand for public safety services. Therefore, the proposed Wendy's will not demand greater public safety service.

6. If a special land use is combined with other special land uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.

RESPONSE: Special land uses and uses permitted by right have already been established within the Coral Creek Shops. In an effort to appropriately develop this site, the proposed restaurant being constructed is 2,605 square feet. Wendy's has developed a functional site layout, complimenting the existing setback pattern established along state Road 7, while working within the constraints of the existing property dimensions. The existing shopping center landscape buffer has already been established at 12 feet in width, adjacent to State Road 7.

The redevelopment of the Parcel as a special land use, will not negatively impact the intensity of the existing one story shopping center, in relation to surrounding community. A traffic statement has been completed which documents this fact. In addition, all elements of concurrency will be in compliance, on an overall shopping center basis. There is a mature landscape buffer existing along the perimeter of the shopping center. Wendy's is proposed to supplement the landscape materials within the buffer abutting State road 7. Based on the existing building setbacks of the center, the proposed setbacks of the

Wendy's building, and the existing perimeter landscape buffers, as well as the proposed special land use (Wendy's), the scale of use and intensity of the overall shopping center will result is a commercial center which is appropriate in nature with the character of the surrounding land uses.

Staff Recommendation:

City staff has reviewed the application as to consistency with the above referenced standards and finds the Special Land Use request consistent with Section 13-35 "Special Land Use" of the City of Coconut Creek Land Development Code.

However, prior to final approval, the following comments must be addressed:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit.

LA/WSS/ae

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Attachments:

Aerial Photo
DRC Report
Exhibit