

City of Coconut Creek

InterOffice Memorandum

To: Planning and Zoning Board
From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable Development
Date: September 12, 2018
Subject: Chick-Fil-A
Special Land Use

Applicant/Agent: Bill Pfeffer, Bowman Consulting

Owner: Dagmar Rivera, Village Shoppes of Coconut Creek Investments, LLC

Requested Action/Description: Special Land Use

Location: 4670 State Road 7

Legal Description: Tract B of the Alexander Young Plat, according to the Plat thereof, as recorded in Plat Book 164, Page 10, of the Public Records of Broward County, Florida & Tracts A, A-1, and B-1 of Spear Plat, according to the Plat thereof, as recorded in Plat Book 170, Page 82, of the Public Records of Broward County, Florida

Size: 6.13 +/- Acres

Existing Zoning: PCD, Planned Commerce District

Existing Use: PCD, Planned Commerce District

Future Land Use Plan Designation: EC, Employment Center

Platted: Alexander-Young Plat & Spear Plat

Plat Restriction: (Alexander Young Plat) One service station use on Tracts A and A-1 and 14,679 square feet of office use on Tract B.
(Spear Plat) Tract A and B are restricted to 45,000 square feet of commercial use and 3,500 square feet of office use.

Requested Action:

The applicant, Bill Pfeffer, Bowman Consulting, on behalf of the owner, Dagmar Rivera, Village Shoppes of Coconut Creek Investments, LLC, is requesting a special land use approval to permit a Chick-Fil-A fast food restaurant with a dual drive-thru lane at the Village Shoppes of Coconut Creek Plaza. The subject property is located at 4670 State Road 7(US 441).

Project Description:

The applicant is requesting a special land use approval for the construction of a 4,151 square foot Chick-Fil-A (CFA) fast food restaurant with a dual drive-thru lane at 4670 State Road 7. The applicant proposes to operate the restaurant Monday through Saturday and remain closed on Sundays.

As part of the CFA restaurant, the applicant proposes to construct a dual drive-thru lane that wraps around a portion of the building and faces the plaza then tapers into a single lane for window food pick-up facing State Road 7. Pursuant to City Code, any facility with a drive thru requires a special land use.

Existing long term tenants include Santo's and Pasquale's restaurants, Passport Preschool and Sprint. On April 8th, 2015, the Planning and Zoning Board approved a Special Land Use request for the Embaixada Church to occupy approximately 12,500 square feet of plaza space. Since then the church has downsized and now occupies approximately 5,963 +/- square feet.

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. Two-hundred and ninety nine (299) 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 code required public notices and 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 Meeting report for this project, which is included as part of the agenda backup for this application. Key efforts resulting from their outreach include a meeting held at the onsite child day care facility at 5876 Wiles Road, which was intended to provide a forum for residents but was open to the public. The Community Meeting was held on August 21st, 2018 at 6:00 pm.

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.

(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 242 parking spaces. At full occupancy, the Shopping Center and the proposed Chick-fil-A are projected to exhibit a peak parking demand of 241 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 242 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 241 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.

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