



Staff Report

File #: LN-165

PLANNING AND ZONING BOARD

Meeting Date: October 27, 2021

CHICK-FIL-A DRIVE-THRU MODIFICATION

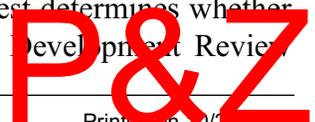
Request: Minor Administrative Adjustment
P&Z# 21-16500001
Owner: The David R Wellens revocable trust U/A
Project Location: 2250 N Federal Highway
Folio Number: 484330450010
Land Use Designation: Commercial
Zoning District: B-3 (General Business)
Commission District: 1
Agent: Jenny Baez (954-814-8468)
Project Planner: Lauren Gratzer (954-545-7792 / Lauren.Gratzer@copbfl.com)

Summary:

The following is a brief summary of information on the subject property. This project was initially advertised to be heard at the September 22, 2021 Planning and Zoning Board meeting. The applicant originally requested Major Administrative Adjustment approval for a 14% reduction of the required parking spaces. The request was from the provision of § 155.5102.D.1: Minimum Number of Off-Street Parking Spaces, in order to provide a total of 25 off-street parking spaces rather than 29 parking spaces as required by the Code at the time of the 2008 site plan approval, a reduction of four parking spaces. This original request was postponed until the October 27, 2021 Planning and Zoning Board Meeting.

In the interim, the applicant has amended the request from a reduction of four parking spaces to a reduction of two parking spaces in order to provide 26 parking spaces rather than the required 28 parking spaces required by today's current Code (a 10% reduction). This amendment changed the type of Administrative Adjustment request from a Major to a Minor. A Minor Administrative Adjustment is the correct application type for any property requesting a parking reduction that is less than 10% (development within the AOD overlay district or a brownfield site can be reduced by 20% as a Minor).

Administrative Adjustments may be requested to the standards identified in Table 155.2421.B.1, Allowable Administrative Adjustments , up to the limit set forth in the table for the type of standard, the type of Administrative Adjustment (Major or Minor), and the zoning district within which the adjustment is requested. The percentage of the adjustment an applicant is requesting and the location of the request determines whether it is a Major or Minor. A Major Administrative Adjustment is first reviewed by the Development Review



Committee (DRC) based on the application review standards of Code section 155.2421.E.1. Following the DRC, the application is moved forward to be presented at the Planning and Zoning Board (PZB) for a final decision. In contrast, the Minor Administrative Adjustment is reviewed by Development Services Staff based on the application review standards of Code section 155.2421.E.2 and the final decision is determined by the Development Services Director. The full Table 155.2421.B.1 has been enclosed as Exhibit “A” for reference.

TABLE 155.2421.B.1: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS			
Standard	Maximum Allowable Extent of Adjustment		
	Minor Administrative Adjustment (All Zoning Districts)		Major Administrative Adjustment (AOD, TO, CRAO, and Non-Residential Districts)
	Development Within Atlantic Boulevard Overlay District or Redevelopment of Brownfield Site Within Designated Brownfield Area	Other Development	
Minimum or maximum number of off-street parking or loading spaces	20%	10%	40%

The discrepancy on the minimum required number of parking spaces was found when reviewing the parking calculations of the proposed site plan. The original Major Administrative Adjustment request was based on the 2008 Code requirements of the last previously approved site plan, which required one space per 50 square feet of customer service area. However, since this 2008 site plan approval the required parking calculations for a restaurant have been revised to require one space per four persons of maximum occupancy capacity of customer service area(s), per Table 155.5102.D.1: Minimum Number of Off-Street Parking Spaces. This change resulted in a minimum of 28 parking spaces rather than the minimum of 29 parking spaces under the 2008 Code.

A Minor Administrative Adjustment is applicable to a final decision by the Development Services Director. In consideration of the applicant’s original submittal that would have been determined by the Planning and Zoning Board, Staff has brought this change in request back to the Board for their comments, concerns, and discussion. However, due to the change of application type, the Planning and Zoning Board may not provide a final determination of approval or denial for this item.

The applicant’s justification narrative for the request is attached to this report as Exhibit “B”. Additionally, the approved 2008 site plan has been attached as Exhibit “C” and the September 2021 Planning and Zoning Board staff report for this item is attached to this report as Exhibit “D” for reference.

The property is located just south of NE 23rd Street (AKA: E Copans Road) and west of N Federal Highway.



TABLE 155.2421.B.1: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS			
STANDARD	MAXIMUM ALLOWABLE EXTENT OF ADJUSTMENT		
	MINOR ADMINISTRATIVE ADJUSTMENT (ALL ZONING DISTRICTS)		MAJOR ADMINISTRATIVE ADJUSTMENT (AOD, TO, CRAO, AND NON-RESIDENTIAL DISTRICTS)
	DEVELOPMENT WITHIN ATLANTIC BOULEVARD OVERLAY DISTRICT OR REDEVELOPMENT OF BROWNFIELD SITE WITHIN DESIGNATED BROWNFIELD AREA	OTHER DEVELOPMENT	
Minimum yard setback or minimum lot width	30%	20%	40%
Maximum lot coverage	n/a	20%	40%
Minimum pervious area of lot or minimum pervious area of required front yard	30%	20%	40%
Maximum yard encroachment	30%	20%	40%
TO: Maximum block length and perimeter	N/A	N/A	10%
TO: Front property line access: 1 per 250 feet	10%	10%	15%
TO: Minimum lot depth and width	N/A	N/A	10%
TO: Floor plat size above 5th floor	10%	10%	15%
TO: Ground floor active use liner minimum depth (20-feet)	10%	10%	20%
TO: Maximum building length of 300-feet	10%	10%	20%
TO: Active use required on secondary streets in the core and center	10%	10%	20%
TO: Active use required on tertiary streets in the core and center	20%	20%	30%
TO/EOD: Minimum open space size of 4,800 SF (not applicable to density bonus provision)	N/A	N/A	20%
Minimum stacking lane distance	20%	10%	30%
Minimum or maximum number of off-street parking or loading spaces	20%	10%	40%

TABLE 155.2421.B.1: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS			
STANDARD	MAXIMUM ALLOWABLE EXTENT OF ADJUSTMENT		
	MINOR ADMINISTRATIVE ADJUSTMENT (ALL ZONING DISTRICTS)		MAJOR ADMINISTRATIVE ADJUSTMENT (AOD, TO, CRAO, AND NON-RESIDENTIAL DISTRICTS)
	DEVELOPMENT WITHIN ATLANTIC BOULEVARD OVERLAY DISTRICT OR REDEVELOPMENT OF BROWNFIELD SITE WITHIN DESIGNATED BROWNFIELD AREA	OTHER DEVELOPMENT	
Maximum percentage of shared or valet or tandem off-street parking spaces	20%	10%	30%
Minimum walking distance between shared or off-site parking spaces and pedestrian entrances of buildings they serve	20%	10%	30%
Minimum number of off-street bicycle spaces	20%	10%	30%
Minimum height of vegetation at planting	20%	10%	30%
Minimum number of site landscaping plantings	20%	10%	30%
Minimum vehicular use area perimeter landscaping strip width, plant height, or plant spacing	20%	10%	30%
Minimum vehicular use area landscaped median width	20%	10%	30%
Minimum landscaping area width between vehicular use areas and buildings	20%	10%	30%
Minimum spacing of building base shrubs	20%	10%	30%
Minimum perimeter buffer width or planting rate	20%	10%	30%
Minimum street tree planting rate or spacing	20%	10%	30%
Minimum screening height	1 ft	1 ft	3 ft
Maximum fence or wall height	1 ft	1 ft	3 ft

TABLE 155.2421.B.1: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS

STANDARD	MAXIMUM ALLOWABLE EXTENT OF ADJUSTMENT		
	MINOR ADMINISTRATIVE ADJUSTMENT (ALL ZONING DISTRICTS)		MAJOR ADMINISTRATIVE ADJUSTMENT (AOD, TO, CRAO, AND NON-RESIDENTIAL DISTRICTS)
	DEVELOPMENT WITHIN ATLANTIC BOULEVARD OVERLAY DISTRICT OR REDEVELOPMENT OF BROWNFIELD SITE WITHIN DESIGNATED BROWNFIELD AREA	OTHER DEVELOPMENT	
Maximum lighting height	10%	5%	20%
Minimum or maximum illumination level	10%	5%	20%
Maximum multifamily building size	10%	5%	20%
Maximum percentage of street frontage occupied by off-street parking beside a building	10%	5%	20%
Maximum percentage of large retail establishment off-street parking located between building and street it faces	10%	5%	20%

Law Offices
COKER & FEINER
1404 South Andrews Avenue
Fort Lauderdale, FL 33316-1840

Telephone: (954) 761-3636
Facsimile: (954) 761-1818

Richard G. Coker, Jr., P.A.
Rod A. Feiner
Kathryn R. Coker

rgcoker@coker-feiner.com
rafeiner@coker-feiner.com
krcoker@coker-feiner.com

MEMORANDUM

To: David Record, Development Services Director
Jennifer Gomes, Asst. Development Services Director
Lauren Gratzner, Planner

From: Rod A. Feiner, Esq. 

Date: October 20, 2021

Subject: Chick-Fil-A
Address: 2250 N. Federal Highway
Request for Minor Administrative Adjustment

General Background Applicable to All Criteria

Paul S Wellens Revocable Trust and David Wellens Revocable Trust (collectively referred to as "Petitioner") is the owner of the +/- 0.88 acre parcel located at 2250 N. Federal Highway, which is generally located on the east side of N. Federal Highway approximately one hundred thirty five feet (135') south of NE 23rd street ("Property") in the City of Pompano Beach ("City"). The Property has a future land use designation of Commercial and is zoned B-3, General Business. The Property is currently developed with a +/- 3,876 square foot building that has been operating as a Chick-Fil-A restaurant ("Chick-Fil-A") since 2010. The existing Chick-Fil-A is accessed through a shared 2-way drive aisle with the parcel to the south.

Customers of the Chick-Fil-A restaurant can park in any of the twenty-eight (28) parking spaces located on the north side of the shared drive-aisle, within the Property, or can utilize the single drive-thru lane to order and collect their food. When the Property was initially developed Chick-Fil-A did not experience the same level of demand and success that is seen today. As such, many of the efficiencies that are considered when developing a new store were not accounted for in the initial design and development. For example, Chick-Fil-A is now known for its drive thru

P&Z

PZ21-1650001

10/27/21

speed (averaging under one (1) minute from the time a customer places their order to pick-up) and utilizing a double lane drive-thru system for ordering. In addition, the design for a new store generally has stacking provided to accommodate thirty (30) or more vehicles at a given time without impacting adjacent drive-aisles.

This site was developed with single drive-thru lane. At the time of initial development this was sufficient to accommodate the drive-thru traffic for the restaurant without any impact on the adjacent properties. However, as mentioned previously, Chick-Fil-A has recently seen a surge in popularity and, due to the COVID-19 Pandemic, the drive-thru element of the use is being utilized much more than the restaurant. Thus, the current configuration of the drive-thru lane does not adequately meet the demands of this Chick-Fil-A location. As a result, vehicles attempting to utilize the drive-thru service have been overflowing into the shared drive aisle and obstructing circulation through the parking areas as well as to the businesses located on the parcel to the south. In an effort to improve the circulation and alleviate the stacking issue Petitioner is proposing to reconfigure the drive-thru to add a second lane for ordering, thereby allowing more cars to be stacked in the drive-thru lanes and out of the drive-aisles. However, the reconfiguration of the existing parking and circulation areas to accommodate a second drive-thru lane will result in the loss of two (2) of the required parking spaces. As a result, where the existing Chick-Fil-A requires twenty-eight (28) parking spaces only twenty six (26) parking spaces are proposed.

Request

Petitioner is respectfully requesting a minor administrative adjustment to allow a reduction in the amount of code required parking from twenty-eight (28) parking spaces to twenty six (26) parking spaces.

Specific Criteria

(a) The requested Administrative Adjustment is not inconsistent with the character of development in the surrounding area and will not result in incompatible uses.

The minor administrative adjustment is not inconsistent with the character of development in the surrounding area. The subject site is Zoned B-3 Commercial and a restaurant with drive thru lane is permitted in this Zoning District. In addition, Federal Highway is a commercial corridor where a restaurant is ideally located. Furthermore, the existing Chick-Fil-A restaurant has been developed in accordance with the plans and permits that were approved for the Property over ten (10) years ago. The character of the development is thus consistent with the surrounding area and it cannot be deemed an incompatible use when the use is permitted as a matter of right in the Zoning District.

In addition to the above, the minor administrative adjustment to allow less than the amount of Code required parking makes sense for this particular use. In recent years, and especially due to the COVID-19 Pandemic, the restaurant has seen a tremendous increase in drive-thru traffic with a corresponding decrease in the use of the dining room. In fact, for almost 2 years the dining room has been closed due to the COVID-19 Pandemic. Even if the dining room were to re-open

P&Z

PZ21-1650001

10/27/21

the customer preference is for a drive-thru order and pickup. The requested minor administrative adjustment will allow the drive-thru to function more efficiently and better process the vehicles which are already queuing on site without the creation of any corresponding parking issues as there is actually a current excess of needed parking on the site.

(b) Any adverse impacts resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.

Any adverse impacts resulting from the minor administrative adjustment will be mitigated to the maximum extent practicable. In fact, the whole reason for the minor administrative adjustment is to mitigate adverse impacts.

As mentioned previously, in recent years Chick-Fil-A has seen a tremendous increase in demand. When the Property was initially developed Chick-Fil-A did not experience the same level of demand and success that is occurring today. The proposed minor administrative adjustment will improve the circulation in the drive-thru and alleviate the stacking issue. The proposed reconfiguration of the drive-thru adds a second lane for ordering, thereby allowing more cars to be stacked in the drive-thru and out of the drive-aisles, and also creates a waiting area/escape lane for vehicles which order large or complex orders. This enables the drive-thru to function with greater speed thereby resolving the stacking issue.

In addition, while Chick-Fil-A is not proposing a shared parking agreement under the Code, it has contracted with a nearby parcel owner in order to secure twelve (12) parking spaces solely for the use of employee parking. As such, Chick-Fil-A employees will not be utilizing the parking spaces on the Property which results in a corresponding decrease in demand for on-site parking. The Code presumes that employees will park in the provided off street parking spaces. The twenty six (26) parking spaces will remain available to customers and will more than adequately meet the off-street parking demand for this restaurant. This is especially the case as Chick-Fil-A has seen a decrease in the use of its indoor dining restaurant.

(b) The Administrative Adjustment is of a technical nature (i.e. relief from a dimensional or design standard) and is either:

- 1. Required to compensate for some usual aspect of the development site or the proposed development that is not shared by landowners generally; or*
- 2. The proposed adjustment will provide an alternative which will achieve the purposes of the requirement through clearly superior design; or*
- 3. Proposed to protect sensitive natural resources or save healthy existing trees.*

The proposed minor administrative adjustment is of a technical nature, requesting 26 off-street parking spaces when 28 off-street parking spaces would be required.

In addition, the proposed minor administrative adjustment provides an alternative which achieves the purposes of the requirement through clearly superior design. In particular, Chick-Fil-A is

P&Z

PZ21-1650001

10/27/21

proposing a modification to its drive-thru lane which will improve circulation through the drive-thru and alleviate the stacking issues which are currently being experienced at the site. The modifications which are proposed for the drive-thru are thus a clearly superior design to what is now existing and the design compensates for the unusually high demand which the drive-thru at this restaurant is experiencing.

Additionally, while demand for the drive-thru has increased Chick-Fil-A has experienced a decrease in use of the restaurant and many customers now solely use the drive-thru and no longer enter the restaurant. Thus, exchanging two required parking spaces for a drive-thru which improves circulation and which will also alleviate the stacking issues is a superior design which directly addresses the ability of the site to function properly.

Finally, the proposed site plan protects healthy and existing trees. Chick-Fil-A is not seeking to encroach into the mature tree canopy with its proposed drive-thru lane modifications. An alternative plan would have resulted in healthy and existing trees being sought for removal and the minor administrative adjustment preserves these existing, healthy, trees.

(d) The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.

The proposed minor administrative adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands and will not pose a danger to public health or safety. To the contrary, the minor administrative adjustment will allow for the reconfiguration of the drive-thru area in order to alleviate current issues associated with the overflow of vehicles utilizing the drive-thru service into the stacking lanes. While employees currently work to move vehicles as quickly as they can through the drive-thru area, with multiple people taking orders at car windows well outside of the drive-thru area if needed (this plan of operation will continue), the additional drive-thru lane will allow for greater stacking within the service area preventing the overflow of vehicles into the shared drive-aisle that commonly occurs today.

Chick-Fil-A employees will still be present to take orders for multiple customers at a time in order to ensure customers experience the drive-thru efficiencies they've come to expect. In addition, Chick-Fil-A will continue to use order runners to bring orders to the vehicles in the drive-thru lane which will alleviate congestion at the drive-thru pickup window which will decrease the stacking in the drive-thru lane.

All of what is being proposed is designed to improve the convenient and enjoyable use of adjacent lands while alleviating any potential danger to public health or safety. While the reconfiguration does result in the loss of two (2) parking spaces the loss of such parking spaces will not have any impact on adjacent parcels as Chick-Fil-A sees the majority of its business through the drive-thru. The twenty six (26) parking spaces provided will be sufficient to serve the off-street parking requirements of this use.

Further, while Chick-Fil-A is not proposing a shared parking agreement under the Code, it has contracted with a nearby parcel owner in order to secure twelve (12) parking spaces solely for the use of employee parking. As such, Chick-Fil-A employees will not be utilizing the parking

P&Z

PZ21-1650001

10/27/21

spaces on the Property, thereby further decreasing the demand for these spaces. The twenty six (26) spaces will remain available to customers and is expected to more than adequately meet the demand for this restaurant.

e. The Administrative Adjustment is supporting an objective from the General Purpose statements of the base zoning district where located in Section 155.3201, 155.3301, 155.4301 or within a Purpose statement of a Special Base Zoning District, a Planned Development Zoning District or an Overlay Zoning District.

The minor administrative adjustment supports an objective from Section 155.3301.¹ The proposed modification will strengthen the city's economic base as it will allow for the existing Chick-Fil-A to improve circulation through the drive-thru and alleviate the stacking issue while still providing employment opportunities for residents. In addition, the proposed minor administrative adjustment ensures that a suitable environment is being created to protect from adverse incompatible uses. The minor administrative adjustment allows for the reconfiguration of the drive-thru area in order to alleviate current issues associated with the overflow of vehicles utilizing the drive-thru service into the stacking lanes. The change to the drive-thru will allow for greater stacking within the service area preventing the overflow of vehicles into the shared drive-aisle that commonly occurs today.

The minor administrative adjustment advances the goals of the Code to the same or higher degree than the subject standard. The B-3, general business, district is intended to accommodate a diverse range of moderate-intensity retail, service, office, recreation/entertainment, visitor accommodation, and institutional uses that serve the residents and businesses in the community at large (including restaurant uses). The Property is developed with a restaurant use that meets this intent of the B-3 zoning district. Further, the purposes of Section 155.5102. *Off-Street Parking and Loading* is, in part, to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. The minor administrative adjustment allows for an alternative solution to address the parking deficiency from the strict Code requirements while addressing a much needed improvement based on the demands of this particular restaurant use.

f. The Administrative Adjustment is consistent with the comprehensive plan.

The administrative adjustment is consistent with the comprehensive plan. The Property has a future land use designation of commercial which allows for a variety of business uses, including restaurants. The administrative adjustment will allow for the existing commercial use to improve operations on the Property and reduce current impacts to adjacent parcels. The administrative adjustment further the goals, policies and objectives of the Comprehensive Plan as follows:

- Policy 01.04.02 – *The City shall amend its land development regulations to reduce parking requirements for commercial uses along major corridors where it can be shown that pedestrian and transit amenities are provided, shared parking is provided, or sufficient public parking is nearby.* The Property is located along a major corridor (N. Federal Highway) with public transit stops in the immediate vicinity. The Petitioner has

¹ This is the only Section one of the listed Code Sections which is applicable to this property and project.

also entered into a private agreement with a nearby property owner which allows twelve (12) parking spaces to be used offsite for their employees so that the twenty five (25) parking spaces on site can be used exclusively by customers.

- Policy 01.07.05 – *Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the Code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.* As noted above, Petitioner has also entered into a private agreement with a nearby property owner which allows twelve (12) parking spaces to be used offsite for their employees so that the twenty five (25) parking spaces on site can be used exclusively by customers.
- Policy 01.07.09 – *Through ongoing updates to the land development regulations revise parking codes and design criteria to include incentives for mass transit use and other transportation alternatives that don't require parking spaces.* The Property is located along a major corridor (N. Federal Highway) with public transit stops in the immediate vicinity.
- Policy 01.07.10 – *Through ongoing updates to the land development regulations revised parking codes to allow for parking space credit for onsite accommodations for transportation options that do not require parking.* The Property is located in close proximity to the public transit system.

In addition, the administrative adjustment advances the goals of the Code to the same or higher degree than the subject standard. The B-3, general business, district is intended to accommodate a diverse range of moderate-intensity retail, service, office, recreation/entertainment, visitor accommodation, and institutional uses that serve the residents and businesses in the community at large (including restaurant uses). The Property is developed with a restaurant use that meets this intent of the B-3 zoning district. Further, the purposes of Section 155.5102. *Off-Street Parking and Loading* is, in part, to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. The minor administrative adjustment allows for an alternative solution to address the parking deficiency from the strict Code requirements while addressing a much needed improvement for the drive thru lane based on the demands of this particular restaurant use.

The existing Chick-Fil-A restaurant has been developed in accordance with the plans and permits approved for the Property over ten (10) years ago. Although unforeseen at the time, Chick-Fil-A has become so successful over the years that the demand for their food has sky-rocketed. While some patrons choose to be seated inside the restaurant to enjoy their food, the majority of Chick-Fil-A customers decide to use the drive-thru service. Over the year, Chick-Fil-A has created unparalleled efficiencies in their drive-thru service, with customers obtaining their food, on average, less than one (1) minute after ordering. These efficiencies allow Chick-Fil-A to move vehicles through their drive-thru areas at a high rate of speed. Unfortunately, the older locations, such as the restaurant operating on the Property, have not been designed to meet the current needs and efficiencies. This has resulted in vehicles to overflow from the drive-thru lanes into the drive aisle that is shared with the parcel immediately south of the Property, creating issues for customers attempting to reach the businesses to the south. Petitioner has been working

P&Z

PZ21-1650001

10/27/21

closely with City staff in order to create a solution that addresses the existing issues and concerns from neighboring property owners, while ensuring additional problems will not be created. By adding a second drive-thru lane, vehicles that are currently stacked into the shared drive aisle can be accommodated in a separate drive-thru lane on the Property. While the reconfiguration results in the loss of four (4) parking spaces, Petitioner has worked to ensure adequate parking will remain on-site for customers by contracting with a nearby property owner for employee parking.

While the Chick-Fil-A restaurant has been developed in accordance with development standards in effect at the time of the approval, and any approved site plans and permits, Petitioner understands the concerns raised by the adjacent owner, and is working to be a good neighbor and alleviate an issue that was not anticipated at the time of approval. Petitioner has recognized the concerns of the neighboring businesses and has been working closely with City staff in order to develop a plan to address these concerns. Although the resulting plan will reduce parking by four (4) spaces, it will ultimately be a major benefit, not just to Chick-Fil-A, but to the neighboring property owner and businesses that are currently experiencing negative impacts from the high demands of the drive-thru service. As such, the administrative adjustment will provide a major benefit to other businesses and its customers that will sufficiently compensate for the reduction in four (4) parking spaces.

Should you have any questions or require supplemental information related to the above requested administrative adjustment, please do not hesitate to contact me.

P&Z

PZ21-16500001

10/27/21

Exhibit "C"

NOTICE: EXISTING UTILITY LOCATIONS
 PRIOR TO EXCAVATION AND INSTALLATION OF ANY UNDERGROUND UTILITY, STORM DRAINAGE FACILITIES, GRADING & PAVING, AND OTHER RELATED CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL CONTACT THE LOCAL UTILITY LOCATING COMPANY. THE CONTRACTOR SHALL ALSO BE REQUIRED TO COORDINATE DIRECTLY (AS NECESSARY) WITH EACH APPLICABLE UTILITY AGENCY FOR APPROPRIATE FIELD LOCATION MARKING. THE CONTRACTOR SHALL BE RESPONSIBLE TO ASSURE THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED & MARKED TO PERFORM THE WORK IN A SAFE MANNER WITHOUT DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO EXISTING UTILITIES DURING CONSTRUCTION.
 THE CONTRACTOR SHALL VERIFY THE LOCATION, DIAMETER, PIPE MATERIAL, AND ELEVATION OF EXISTING UTILITIES AND STRUCTURES, AS APPLICABLE, PRIOR TO CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

NOTICE: PEDESTRIAN SAFETY
 THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO SEPARATE EACH WORK AREA FROM PEDESTRIAN TRAFFIC AND TO INSURE SAFE PEDESTRIAN PASSAGE AT ALL TIMES.
 THE CONTRACTOR SHALL ALSO UTILIZE SAFE WALKING SIGNS, BARRIERS, AND OTHER RELATED MEASURES, AS NECESSARY. THE CONTRACTOR SHALL CONDUCT A SAFETY WALK WITH THE PROJECT MANAGER PERIODICALLY THROUGH THE PROJECT TO IDENTIFY CONCERNS AND ADVISE TO POSTER SAFELY CONCERN AND ADVISE OF ACTIVE WORK AREAS.

AREA SUMMARY: CHICK-FIL-A PARCEL		PROPOSED AREA TABULATION	
EXISTING AREA TABULATION		IMPROVING AREA	
IMPROVING AREA		BUILDING PAD	0.09 ACRES (15,816 S.F.) (11.00)
BUILDING PAD	0.10 ACRES (4,082 S.F.) (11.00)	ASPHALT PAVEMENT & CONCRETE	0.09 ACRES (13,720 S.F.) (10.00)
ASPHALT PAVEMENT, CONCRETE	0.07 ACRES (12,090 S.F.) (8.80)	VEHICULAR USE AREA	0.53 ACRES (12,717 S.F.) (19.50)
VEHICULAR USE AREA	0.57 ACRES (12,433 S.F.) (18.00)	TOTAL AREA	0.701 ACRES (150,313 S.F.) (178.50)
TOTAL AREA	0.731 ACRES (171,375 S.F.) (182.00)	PREVIOUS AREA	
PERVIOUS AREA		EXTERIOR LANDSCAPE AREA	0.11 ACRES (4,576 S.F.) (12.10)
EXTERIOR LANDSCAPE AREA	0.08 ACRES (3,477 S.F.) (8.80)	INTERIOR LANDSCAPE AREA	0.08 ACRES (3,640 S.F.) (8.80)
INTERIOR LANDSCAPE AREA	0.08 ACRES (3,477 S.F.) (8.80)	TOTAL AREA	0.192 ACRES (82,116 S.F.) (100.50)
TOTAL AREA	0.152 ACRES (6,954 S.F.) (17.60)	TOTAL AREA	0.883 ACRES (19,529 S.F.)
		*% OF VEHICULAR USE AREA IS LANDSCAPING.	SEE INTERIOR LANDSCAPE AREA

FOR SITE PLAN NOTES SEE DRAWING NO. C-5.2

SITE PLAN DESIGN NOTES & KEY PLAN

- 1 DIRECTIONAL ARROW
- 2 DRIVE-THRU GRAPHICS
- 3 STOP LINE GRAPHIC
- 4 PAINTED HANDICAP PARKING SYMBOL
- 5 DIRECTIONAL SIGNAGE (REFER TO SIGN PACKAGE FOR MORE DETAILS)
- ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION.
 - 5A) STOP SIGN
 - 5B) HANDICAP SIGN
 - 5C) "PEDESTRIAN CROSSING"
 - 5D) STOP/EXIT ONLY SIGN
 - 5E) DO NOT ENTER
- 6 STANDARD PARKING STALL (10'X18') WITH 2" OVERHANG
- 7 SIDEWALK HANDICAP RAMP
- 8 HANDICAP RAMP w/ FLARED SIDES
- 9 RETURNED CURB HANDICAP RAMP
- 10 TRUNCATED DOMES
- 11 TYPICAL CONCRETE SIDEWALK
- 12 SIDEWALK WITH CURB & GUTTER
- 13 DRIVE THRU PLAN
- 14 DRIVE-THRU ISOMETRIC
- 15 ROLLOVER MOUNTABLE CURB
- 16 LANDSCAPE & IRRIGATION PROTECTOR
- 17 CONCRETE CURB AND GUTTER
- 18 WHEEL STOP (YELLOW)
- 19 SERVICE LINE CLEANOUT
- 20 TYPICAL LIGHT POLE BASE
- 20A) REFUSE ENCLOSURE FOUNDATION (REFER TO ARCH. DETAILS)
- 21 BOLLARD POST
- 22 TYPICAL PAVEMENT SECTION
- 23 TRANSVERSE & LONGITUDINAL CONTRACTION JOINT
- 24 TRANSVERSE & LONGITUDINAL DOWLED CONST. JOINT
- 25 CONCRETE APRON @ TRASH ENCLOSURE
- 26 CONCRETE PAVING @ DRIVE THRU LANE
- 27 HANDRAIL ELEVATION
- 28 TYPICAL ADA RAMP AND HANDRAIL
- 29 EXPANSION JOINT
- 30 CONTRACTION JOINT
- 31 FLAGPOLE (SEE SIGN PACKAGE)
- EXC SERIES 25 FOOT FLAG POLE PACKAGE, BY APPROVED VENDORS; THE FLAG COMPANY OR ATLAS FLAG.
- 32 TRANSFORMER (SEE ELECTRICAL PLANS)
- 33 REFUSE/STORAGE BUILDING (SEE ARCHITECT PLANS)
- 34 GREASE TRAP (SEE SHEET PS-1.0 AND C-5.0)
- 35 CHICK-FIL-A MONUMENT SIGN (REFER TO SIGN PACKAGE)
- 36 PRE-SELL MENUBOARD (REFER TO SIGN PACKAGE)
- 37 MENU BOARD & CANOPY ORDERING STATION (REFER TO SIGN PACKAGE)
- 38 CHICK-FIL-A "ENTER" SIGN (REFER TO SIGN PACKAGE)
- 39 CHICK-FIL-A "EXIT" SIGN (REFER TO SIGN PACKAGE)
- 40 TRANSFORMER PAD

PARKING REQUIREMENTS

PARKING RATIO = 1 SPACE PER 50 S.F. OF BUILDING SIZE=1429 S.F. OF CUSTOMER AREA
TOTAL SPACES REQUIRED = 29
 STANDARD SPACES PROVIDED = 27
 HANDICAP SPACES PROVIDED = 2
TOTAL SPACES PROVIDED = 29 OCT 27 2008

0812000034



5200 Buffington Rd.
 Atlanta, GA 30319-2998
 CONTACT: SARA THOMPSON
 (404) 765-2557

Revisions:

Mark Date By
 △
 △

Mark Date By
 △

Mark Date By
 △



PBSJ
 5645 New Northside Blvd
 Jacksonville, FL 32216
 CONTACT: TERRY ROSE, P.E.

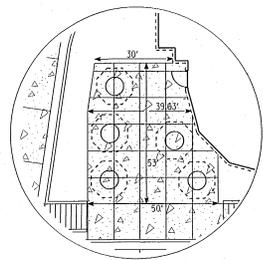
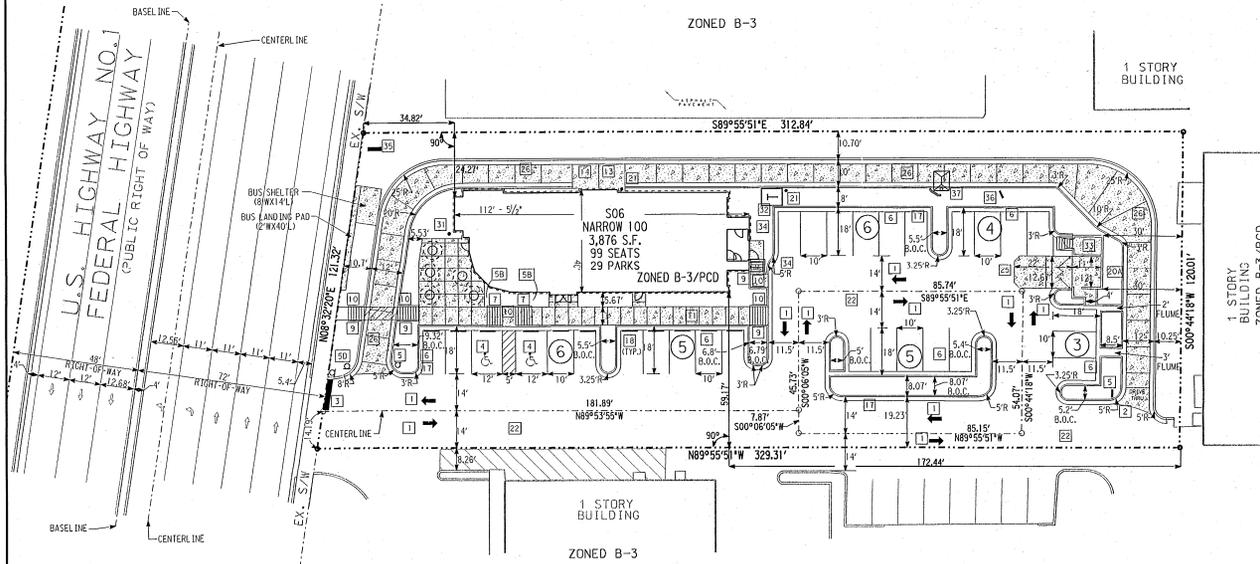
STORE
CHICK-FIL-A
 506-NARROW
 FEDERAL HWY.
 POMPANO BEACH, FL
 33062

SHEET TITLE
SITE PLAN

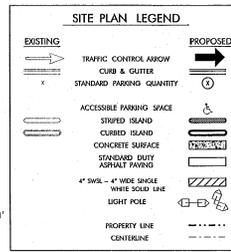
□ Preliminary
 □ Submittal
 □ For Construction

Job No.: 100201145
 Store: 2483
 Date: 07-10-08
 Drawn By: ATC
 Checked By: TMR

Sheet



OUTDOOR SEATING AREA DETAIL



P&Z

PZ21-1650001



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-165

PLANNING AND ZONING BOARD

Meeting Date: September 22, 2021

CHICK-FIL-A DRIVE-THRU MODIFICATION

Request: Major Administrative Adjustment
P&Z# 21-16500001
Owner: The David R Wellens revocable trust U/A
Project Location: 2250 N Federal Highway
Folio Number: 484330450010
Land Use Designation: Commercial
Zoning District: B-3 (General Business)
Commission District: 1
Agent: Jenny Baez (954-814-8468)
Project Planner: Lauren Gratzer (954-545-7792 / Lauren.Gratzer@copbfl.com)

Summary:

The following is a brief summary of information on the subject property. The applicant is requesting Major Administrative Adjustment approval for a 14% reduction of the required parking spaces. The request is from the provision of § 155.5102.D.1: Minimum Number of Off-Street Parking Spaces, in order to provide a total of 25 off-street parking spaces rather than 29 parking spaces as required by code, a reduction of four parking spaces. The maximum allowance for a reduction to the required parking spaces via a Major Administrative Adjustment is 40%. The applicant's justification narrative for the request is attached to this report as Exhibit "A". This application is not being submitted in conjunction with any other Planning and Zoning application.

The property is located just south of NE 23rd Street (AKA: E Copans Road) and east of N Federal Highway.

ADMINISTRATIVE ADJUSTMENT REVIEW STANDARDS

A Major Administrative Adjustment shall be approved only on a finding that there is competent substantial evidence in the record that both the limitations in [Table 155.2421.B.1](#), Allowable Administrative Adjustments, are met and that the Administrative Adjustment:

- a. Achieves the intent of the subject standard to the same or a higher degree than the subject standard;

The purpose and intent of Code Section 155.5102.Off-Street Parking and Loading is to provide for adequate off-street parking and loading while allowing the flexibility needed to accommodate alternative solutions. The standards are also intended to achieve city policies of supporting development and redevelopment of transit-oriented development and commercial corridors, accommodating appropriate infill development, and encouraging pedestrian-oriented development while avoiding excessive paved surface areas, promoting low impact development, and safeguarding historic resources.

The applicant’s request achieves the intent of this Code section by nature of being in close proximity to a public bus stop. Additionally it is noted that the applicant has initiated a shared parking agreement with the neighboring property to the south, located at 2200 N Federal Highway, on a year-by-year basis. The Chick-Fil-A employees shall utilize 12 parking spaces at the above mentioned location, allowing the on-site parking spaces to be used by customers only. The applicant has been working closely with staff to ensure all parking and landscaping Code requirements are adequately addressed on site.

- b. Is consistent with the comprehensive plan and advances the goals of this Code to the same or a higher degree than the subject standard;

The applicant has provided competent substantial evidence that supports the request and is consistent with the comprehensive plan and advances the goals and policies of this Code contained therein:

Policy 01.04.02 *The City of Pompano Beach shall amend its land development regulations to reduce parking requirements for residential and commercial uses along major corridors where it can be shown that pedestrian and transit amenities are provided, shared parking is provided, or sufficient public parking is nearby.*

Policy 01.07.05 *Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the zoning code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.*

Policy 01.14.01 *The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.*



- c. Imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code;

The request imposes no greater impacts on adjacent lands than would occur through compliance with the specific code. The requested 14% parking reduction allows for the existing drive thru to be expanded in size and therefore provide additional space for the stacking of the cars using the drive thru. This additional stacking space will aid in alleviating the overflow of vehicles that impede on the adjacent properties and roadways.

- d. Provides one or more of the following public benefits to an extent sufficient to compensate for the requested modification of standards:

1. Deed-restricted workforce and/or affordable housing;
2. Permanent conservation of natural areas or lands;
3. Preservation of protected trees in addition to that required by this Code's tree preservation standards;
4. Protection against flood damage in addition to that required by the floodplain management requirements in Chapter 152 (Buildings) of the Code of Ordinances;
5. Permanent protection of scenic views;
6. Public parks and recreational facilities;
7. Public trails and trail linkages;
8. Public art;
9. Cultural or historic facilities deeded to the city or qualified not-for-profit agencies; or
10. Other benefits approved by the P&Z

The applicant's narrative suggests implementation of the requested parking reduction would benefit both the adjacent property owners and the patrons of Chick-Fil-A by reducing the overflow of vehicles waiting to enter the subject property, blocking adjacent properties and roadways, as well as allowing easier flow through the subject property. This benefit may fall under option ten, "other benefits approved by the Planning and Zoning Board".

DEPARTMENT RECOMMENDATION

Pursuant to §155.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. Should the Board find that the application has provided competent, substantial evidence to satisfy the review standards for Major Administrative Adjustment approval, the Development Services Department recommends approval of the Major Administrative Adjustment subject to the following conditions:

1. Standard Conditions of Approval and/or Specifications required prior to Building Permit / Zoning Compliance Permit issuance:
 - a. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this administrative adjustment.
 - b. Substantial compliance with the plans, as submitted with this application.



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman

Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott

Christina Bilenki
Lauren G. Odom
Nicole Jaeger
Rachael Bond Palmer

August 6, 2021

Chick-Fil-A - 2250 N. Federal Highway
Major Administrative Adjustment

Paul S Wellens Revocable Trust and David Wellens Revocable Trust (collectively referred to as "Petitioner") is the owner of the +/- 0.88 acre parcel located at 2250 N. Federal Highway, which is generally located on the east side of N. Federal Highway approximately one hundred thirty five feet (135') south of NE 23rd street ("Property") in the City of Pompano Beach ("City"). The Property has a future land use designation of Commercial and is zoned B-3, General Business. The Property is currently developed with a +/- 3,876 square foot building that has been operating as a Chick-Fil-A restaurant ("Chick-Fil-A") since 2010. The existing Chick-Fil-A is accessed through a shared 2-way drive aisle with the parcel to the south. Customers can park in any of the twenty nine (29) parking spaces located on the north side of the shared drive-aisle, within the Property, or can utilize the single drive-thru lane to order and collect their food. When the Property was initially developed, Chick-Fil-A did not experience the same level of demand and success that is seen today. As such, many of the efficiencies that are considered when developing a new store were not accounted for when the Property was initially developed. For example, Chick-Fil-A is now known for their drive-thru speed averaging under one (1) minute from the time a customer places their order to pick-up, utilizing a double drive-thru system with two (2) lanes for ordering. Stacking is often provided to accommodate thirty (30) or more vehicles at a given time without impacting adjacent drive-aisles. In contrast, the site was developed with single drive-thru lane that does not adequately meet the demands of this Chick-Fil-A location. As a result, vehicles attempting to utilize the drive-thru service have been overflowing into the shared drive aisle and obstructing circulation through the parking areas and to the businesses located on the parcel to the south. In an effort to improve the circulation and alleviate the stacking issue, Petitioner is proposing to reconfigure the drive-thru to add a second lane for ordering, thereby allowing more cars to be stacked in the drive-thru and out of the drive-aisles. However, the reconfiguration of the existing parking and circulation areas to accommodate a second drive-thru lane will result in the loss of four (4) parking spaces. As a result, where the existing Chick-Fil-A requires twenty-nine (29) parking spaces, only twenty five (25) will be provided. In order to address the parking deficiency, Petitioner is respectfully requesting a major administrative adjustment as follows:

Major Administrative Adjustment to allow a fourteen percent (14%) reduction in parking from twenty nine (29) parking spaces to twenty five (25) parking spaces.

In support of the major administrative adjustment, petitioner will demonstrate compliance with the criteria in Section 155.2421.E.I.A. of the City's Zoning Code ("Code") as follows: (a) achieves the intent of the subject standard to the same or a higher degree than the subject standard; (b) is consistent with the comprehensive plan and advances the goals of this Code to the same or a higher degree than the subject

standard; (c) imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code; and (d) provides one or more of the public benefits to an extent sufficient to compensate for the requested modification standards (x. other benefits approved by the P&Z).

(a) Achieves the intent of the subject standard to the same or a higher degree than the subject standard.

The administrative adjustment achieves the intent of the subject standard to the same or higher degree. The intent of Section 155.5102. *Off-Street Parking and Loading* is, in part, is to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. As noted above, Petitioner is requesting an administrative adjustment to reduce the parking spaces required for the Chick-Fil-A by four (4) spaces in order to alleviate an ongoing issue with vehicles utilizing the drive-thru service stacking into the shared drive aisle and preventing vehicles from adequately accessing the parking and circulation areas for the businesses to the south. More specifically, the existing Chick-Fil-A is accessed through a shared 2-way drive aisle with the parcel to the south. Customers can park in any of the twenty nine (29) parking spaces located on the north side of the shared drive-aisle, within the Property, or can utilize the single drive-thru lane to order and collect their food. When the Property was initially developed, Chick-Fil-A did not experience the same level of demand and success that is seen today. As such, many of the efficiencies that are considered when developing a new store were not accounted for when the Property was initially developed. For example, Chick-Fil-A is now known for their drive-thru speed averaging under one (1) minute from the time a customer places their order to pick-up, utilizing a double drive-thru system with two (2) lanes for ordering. Stacking is often provided to accommodate thirty (30) or more vehicles at a given time without impacting adjacent drive-aisles. In contrast, the site was developed with single drive-thru lane that does not adequately meet the demands of this Chick-Fil-A location. As a result, vehicles attempting to utilize the drive-thru service have been overflowing into the shared drive aisle and obstructing circulation through the parking areas and to the businesses located on the parcel to the south. In an effort to improve the circulation and alleviate the stacking issue, Petitioner is proposing to reconfigure the drive-thru to add a second lane for ordering, thereby allowing more cars to be stacked in the drive-thru and out of the drive-aisles. However, the reconfiguration of the existing parking and circulation areas to accommodate a second drive-thru lane will result in the loss of four (4) parking spaces. As a result, where the existing Chick-Fil-A requires twenty-nine (29) parking spaces, only twenty five (25) will be provided. Although Petitioner is requesting a reduction of four (4) parking spaces from Code requirements, they have contracted with a nearby parcel owner in order to secure twelve (12) parking spaces off-site for employees to park. As such, Chick-Fil-A employees will not be utilizing the parking spaces on the Property, thereby decreasing demand for these spaces. The remaining twenty five (25) spaces will remain available to customers and is expected to adequately meet the demand for this restaurant. As such, the administrative adjustment achieves the intent of the subject standards.

(b) Is consistent with the comprehensive plan and advances the goals of this Code to the same or a higher degree than the subject standard.

The administrative adjustment is consistent with the comprehensive plan. The Property has a future land use designation of commercial which allows for a variety of business uses, including restaurants. The administrative adjustment will allow for the existing commercial use to improve operations on the Property and reduce current impacts to adjacent parcels. The administrative adjustment further the goals, policies and objectives of the Comprehensive Plan as follows:

- Policy 01.04.02 – *The City shall amend its land development regulations to reduce parking requirements for commercial uses along major corridors where it can be shown that pedestrian and transit amenities are provided, shared parking is provided, or sufficient public parking is nearby.* The Property is located along a major corridor (N. Federal Highway) with public transit stops in the immediate vicinity. The Petitioner has also entered into a private agreement with a nearby property owner which allows twelve (12) parking spaces to be used offsite for their employees so that the twenty five (25) parking spaces on site can be used exclusively by customers.
- Policy 01.07.05 – *Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the Code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.* As noted above, Petitioner has also entered into a private agreement with a nearby property owner which allows twelve (12) parking spaces to be used offsite for their employees so that the twenty five (25) parking spaces on site can be used exclusively by customers.
- Policy 01.07.09 – *Through ongoing updates to the land development regulations revise parking codes and design criteria to include incentives for mass transit use and other transportation alternatives that don't require parking spaces.* The Property is located along a major corridor (N. Federal Highway) with public transit stops in the immediate vicinity.
- Policy 01.07.10 – *Through ongoing updates to the land development regulations revised parking codes to allow for parking space credit for onsite accommodations for transportation options that do not require parking.* The Property is located in close proximity to the public transit system.

In addition, the administrative adjustment advances the goals of the Code to the same or higher degree than the subject standard. The B-3, general business, district is intended to accommodate a diverse range of moderate-intensity retail, service, office, recreation/entertainment, visitor accommodation, and institutional uses that serve the residents and businesses in the community at large (including restaurant uses). The Property is developed with a restaurant use that meets this intent of the B-3 zoning district. Further, the purposes of Section 155.5102. *Off-Street Parking and Loading* is, in part, to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. The administrative adjustment allows for an alternative solution to address the parking deficiency from the strict Code requirements while addressing a much needed improvement based on the demands of this particular restaurant use.

(c) Imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code.

The proposed Administrative Adjustment imposes no greater impacts on adjacent lands. In contrast, it will allow for the reconfiguration of the drive-thru area in order to alleviate current issues associated with the overflow of vehicles utilizing the drive-thru service into the stacking lanes. While employees currently work to move vehicles as quickly as they can through the drive-thru area, with multiple people taking orders at car windows well outside of the drive-thru area if needed, the additional drive-thru lane will allow for greater stacking within the service area, preventing the overflow of vehicles into the shared drive-aisle that commonly occurs today. Chick-Fil-A employees will still be present to take orders for multiple customers at a time in order to ensure customers experience the drive-thru efficiencies they've come to expect. While the reconfiguration results in the loss of four (4) parking spaces, it will not impact a greater impact on adjacent parcels as Chick-Fil-A sees the majority of its business through the drive-thru service. The twenty five (25) spaces provided is anticipated to be sufficient to serve the needs of its customers. Further, while the parking requirements noted in the City's Code factor in parking for employees, Petitioner contracts with a nearby property owner in order to allow to utilize twelve (12) parking spaces offsite for employees. As such, employees will not utilize the parking spaces provided on site and they will be reserved for customers only. This ensures there will be adequate parking on the Property for customers so that there are no impacts to adjacent lands, while alleviating an existing impact to the parcel to the south.

(d) Provides one or more of the public benefits to an extent sufficient to compensate for the requested modification standards (x. other benefits approved by the P&Z).

The existing Chick-Fil-A restaurant has been developed in accordance with the plans and permits approved for the Property over ten (10) years ago. Although unforeseen at the time, Chick-Fil-A has become so successful over the years that the demand for their food has sky-rocketed. While some patrons choose to be seated inside the restaurant to enjoy their food, the majority of Chick-Fil-A customers decide to use the drive-thru service. Over the year, Chick-Fil-A has created unparalleled efficiencies in their drive-thru service, with customers obtaining their food, on average, less than one (1) minute after ordering. These efficiencies allow Chick-Fil-A to move vehicles through their drive-thru areas at a high rate of speed. Unfortunately, the older locations, such as the restaurant operating on the Property, have not been designed to meet the current needs and efficiencies. This has resulted in vehicles to overflow from the drive-thru lanes into the drive aisle that is shared with the parcel immediately south of the Property, creating issues for customers attempting to reach the businesses to the south. Petitioner has been working closely with City staff in order to create a solution that addresses the existing issues and concerns from neighboring property owners, while ensuring additional problems will not be created. By adding a second drive-thru lane, vehicles that are currently stacked into the shared drive aisle can be accommodated in a separate drive-thru lane on the Property. While the reconfiguration results in the loss of four (4) parking spaces, Petitioner has worked to ensure adequate parking will remain on-site for customers by contracting with a nearby property owner for employee parking.

While the Chick-Fil-A restaurant has been developed in accordance with development standards in effect at the time of the approval, and any approved site plans and permits, Petitioner understands the concerns raised by the adjacent owner, and is working to be a good neighbor and alleviate an issue that was not anticipated at the time of approval. Petitioner has recognized the concerns of the neighboring businesses and has been working closely with City staff in order to develop a plan to address these concerns.

Although the resulting plan will reduce parking by four (4) spaces, it will ultimately be a major benefit, not just to Chick-Fil-A, but to the neighboring property owner and businesses that are currently experiencing negative impacts from the high demands of the drive-thru service. As such, the administrative adjustment will provide a major benefit to other businesses and its customers that will sufficiently compensate for the reduction in four (4) parking spaces.

Should you have any questions or require supplemental information related to the above requested administrative adjustment, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CBilenki', with a stylized flourish at the end.

Christina Bilenki, Esq.
Dunay, Miskel & Backman, LLP

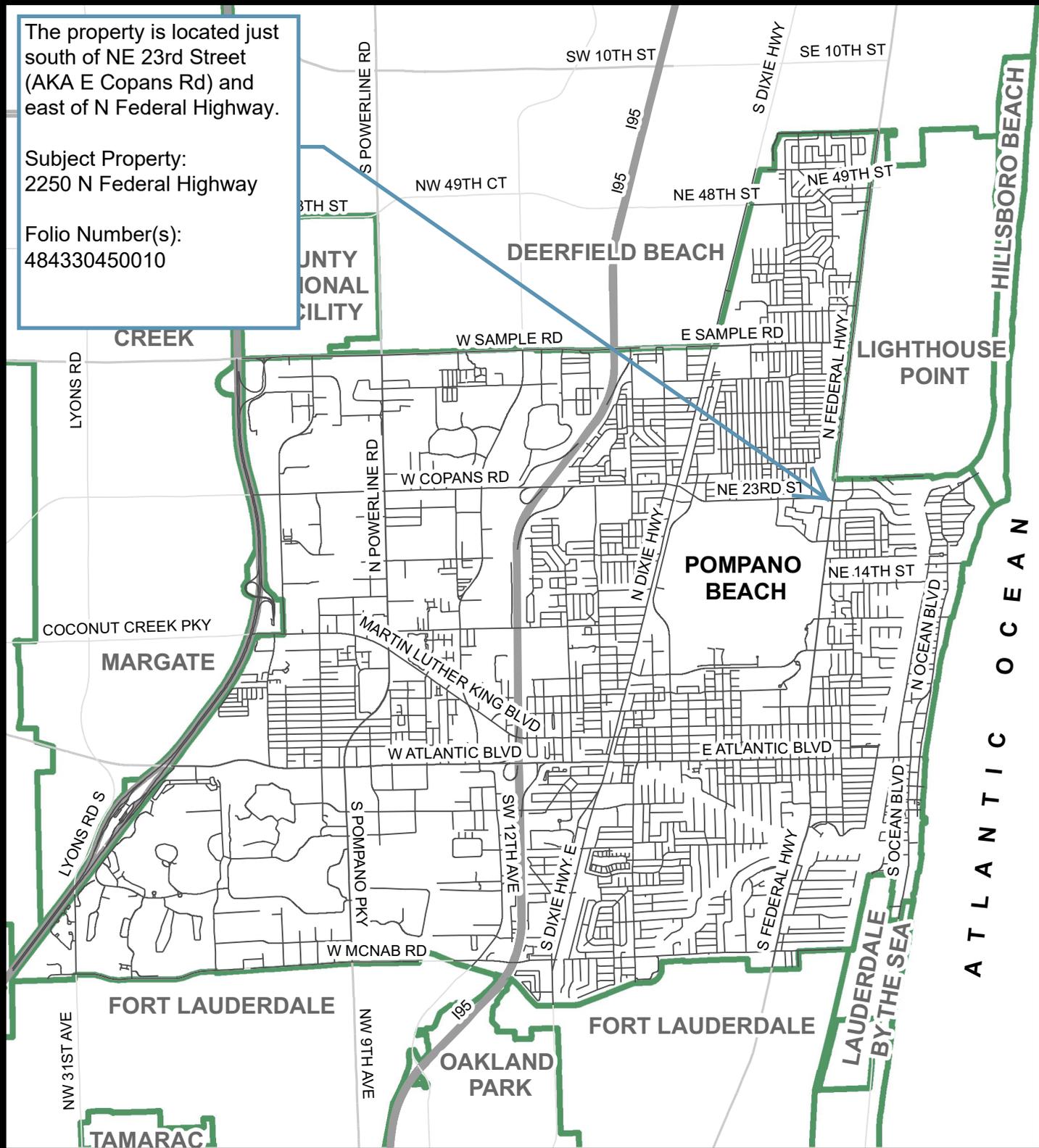
CITY OF POMPANO BEACH LOCATION MAP



The property is located just south of NE 23rd Street (AKA E Copans Rd) and east of N Federal Highway.

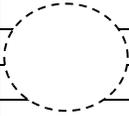
Subject Property:
2250 N Federal Highway

Folio Number(s):
484330450010



1 in = 1 miles

LEGEND

FOR LAND USE PLAN		FOR ZONING MAP	
Symbol	Classification Units/ Acre	Symbol	District
		RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)	RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)	RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)	RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)	RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)		
12	Irregular Density	RD-1	Two- Family Residence
36	Irregular Density		
		RM-7	Multiple-Family Residence 7
*	C Commercial	RM-12	Multiple-Family Residence 12
	CR Commercial Recreation	RM-20	Multiple-Family Residence 20
		RM-30	Multiple-Family Residence 30
I	Industrial	RM-45	Multiple-Family Residence 45
		MH-12	Mobile Home Park
T	Transportation		
		B-1	Limited Business
U	Utilities	B-2	Neighborhood Business
		*	B-3 General Business
CF	Community Facilities	B-4	Heavy Business
		M-1	Marina Business
OR	Recreation & Open Space	CR	Commerical Recreation
W	Water	I-1	General Industrial
		I-1X	Special Industrial
RAC	Regional Activity Center	O-IP	Office Industrial Park
		M-2	Marina Industrial
LAC	Local Activity Center		
		TO	Transit Oriented
DPTOC	Downtown Pompano	PR	Parks & Recreation
	Transit Oriented Corridor	CF	Community Facilities
		PU	Public Utility
ETOC	East Transit Oriented	T	Transportation
	Corridor	BP	Business Parking
		LAC	Local Activity Center
	Number		
		RPUD	Residential Planned Unit Dev.
		PCD	Planned Commercial Development
		PD-TO	Planned Development - Transit Oriented
		PD-I	Planned Development - Infill
		RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
		AOD	Atlantic Boulevard Overlay District
		CRAO	Community Redevelopment Area Overlay
		NCO	Neighborhood Conservation Overlay
		APO	Air Park Overlay
		DP	Downtown Pompano Beach Overlay

CITY OF POMPANO BEACH AERIAL MAP



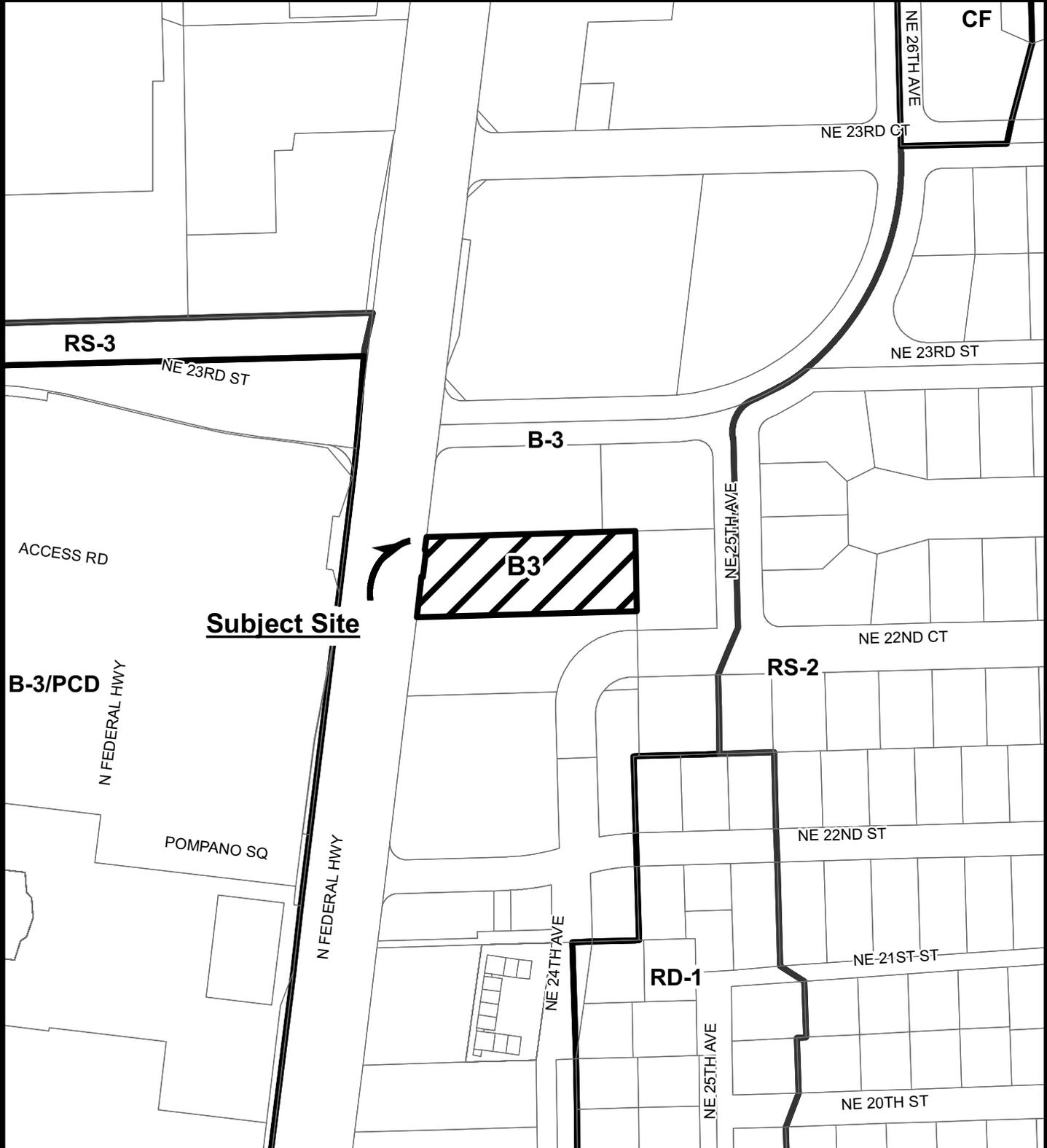
Subject Site

1 in = 208 ft

AERIAL MAP PAGE

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES
P&Z

CITY OF POMPANO BEACH OFFICIAL ZONING MAP

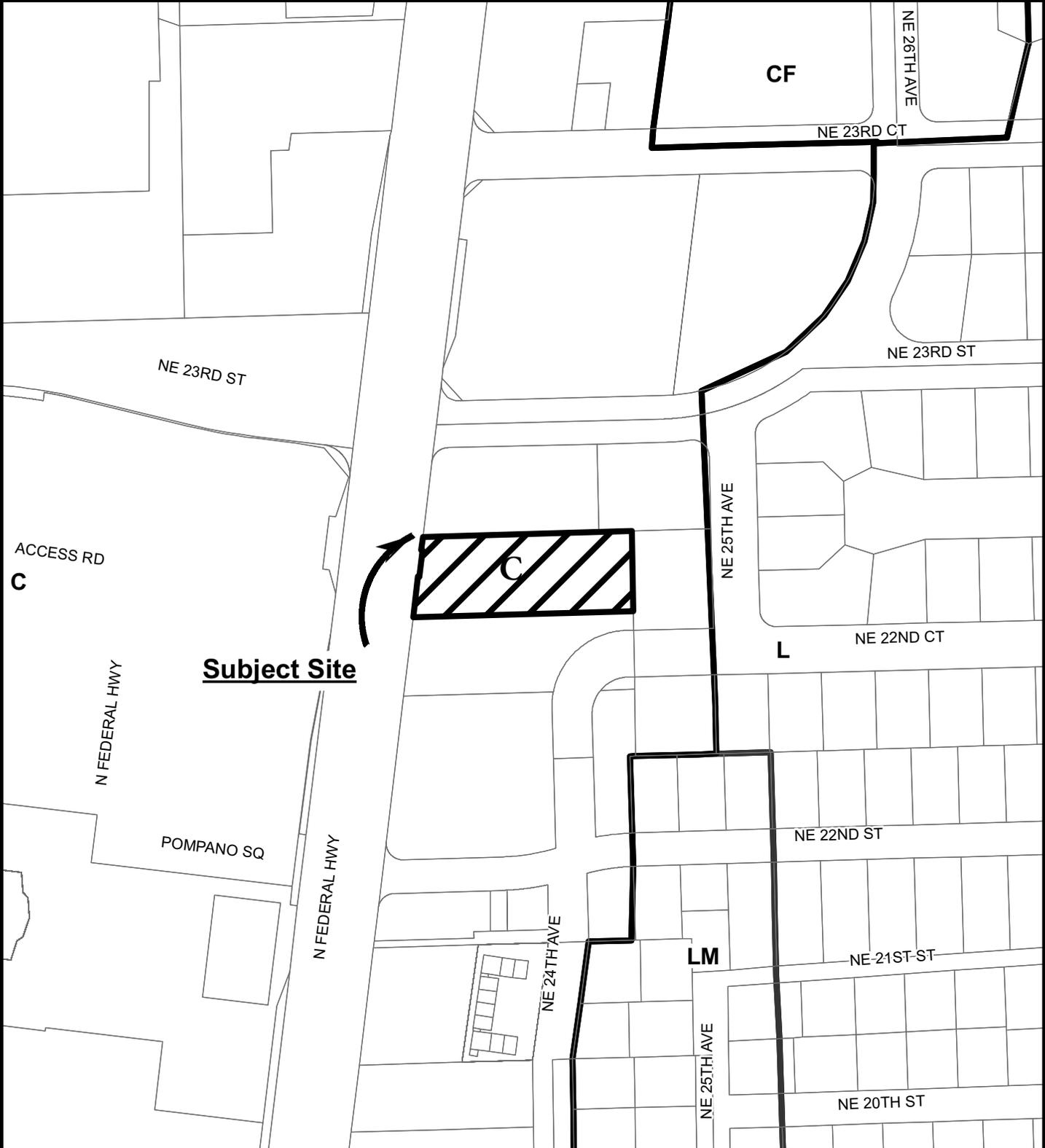


1 in = 208 ft

ZONING MAP PAGE

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES
P&Z

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 208 ft

LAND USE MAP PAGE

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

