

## **Special Exception Justification Narrative – Dunkin Donuts Drive-Through**

Royal Palm Plaza Investment, LLC, (“Applicant”), owns the property located at 7300 Royal Palm Boulevard in the City of Margate, Florida (“City”). The property is located at the intersection of Royal Palm Boulevard and NW 73<sup>rd</sup> Avenue and can further be identified by Broward County folio number 4841-26-01-2580 (“Property”). Currently on the Property is an existing shopping center with eleven (11) units that has been in operation since 2006. Dunkin Donuts (“Tenant”) is the tenant located at the eastern end of the shopping center structure and the Applicant is proposing the addition of a Dunkin Donuts drive-through window on the east side of the building (“Proposed Development”).

Dunkin Donuts is the largest coffee and donut franchise in America with over 8,500 locations. They have been providing premium beverages and breakfast foods for over 60 years. The Tenant has expressed concern over the effects of competing breakfast establishments that are able to provide a drive-through option to the customer. The Applicant is proposing to provide the drive-through to effectively service customers whose fast paced lifestyle is better suited to the convenience of drive-through options. The drive-through window will be placed along the east side of the building with the menu board located at the rear eastern face of the building to allow for proper site circulation and minimize the aesthetic impact on the shopping plaza. The zoning for the Property is B-1 Neighborhood Business which allows for drive-through use as a special exception as stated in Section 21.3(B) of the Code.

Therefore, the Applicant seeks a special exception use approval from the provisions of the Code to allow for a drive-through use at the Property. The Applicant satisfies the special exception use approval conditions in Section 22.10 of the Code as follows:

### **1. The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.**

The proposed use furthers the goals, objectives, and policies of the Comprehensive Plan as follows:

- The Proposed Development will further the goal of commercial properties creating a net gain to local government.
- The Proposed Development will satisfy the provision of the B-1 zoning district to provide goods and services to adjacent residential areas while concentrating commercial developments in nodes along arterial and collector streets.

- Pursuant to Objective 2, Policy 2.2 Commercial, Industrial and other non-residential land use plan designations shall be located in a manner which facilitates their serving, but does not adversely impact existing and designated residential areas. As stated above the Property is located within the B-1 and will serve existing residential areas.
- Pursuant to Objective 11, the Proposed Development will discourage urban sprawl and encourage a separation of urban and rural land uses by directing development in to areas where necessary regional and community facilities and services exist. The Applicant proposes the addition of a drive-through use to the existing Dunkin Donuts to maximize the use of the established shopping center while discouraging urban sprawl. The proposed drive-through use will be developed at an existing shopping center with adequate regional and community facilities and services.

**2. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**

No aspect of the establishment, maintenance, or operation of the Proposed Development will have detrimental effects on the public health, safety, or general welfare. The Property is surrounded by compatible commercial business uses within the existing shopping center plaza including restaurants, computer store, drug store, and a convenience store among other things. The Proposed Development is adjacent to residential uses in accordance with the B-1 Neighborhood Business zoning district. The addition of a drive-through associated with this use will not have any detrimental effects on the living or working conditions in the neighborhood.

Approving the special exception request will allow for the improved operation of the existing Dunkin Donuts, which will help improve property values and promote safer streets by virtue of the increased activity in the plaza. As shown on the site plan, the site circulation will allow for efficient movement throughout the shopping plaza and will conceal the drive-through reservoir area in the rear of the building. Significant landscaping exists at the rear of the property to hide the vehicles entering the drive-through from the view of adjacent residential properties. The plan for the Proposed Development will comply with all provisions of the Code and will effectively serve the coffee and breakfast needs of the surrounding neighborhoods, residents and visitors in the City.

**3. The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.**

The Property is compatible with the indigenous environment and supports the community character with properties similar to that of the surrounding neighborhood. The property is located within the City's B-1 Neighborhood Business zoning district.

Pursuant to the City's Code of Ordinances ("Code") Section 21.2, this zoning district is primarily intended to provide goods and services to neighboring residential areas. The Proposed Development will offer convenient coffee and breakfast food services to more efficiently meet the needs of the surrounding neighborhoods.

The Property is located adjacent to another existing shopping center and the design of the proposed plan of development will be consistent with the orientation, location, and features of the existing buildings. The appearance and harmony of the buildings with nearby developments will be maintained as well as appropriate site circulation. The existing development is a contemporary design with neutral colors that blend and are compatible with the existing surrounding tenants located through-out the shopping center site.

**4. Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the City's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.**

The Proposed Development will not significantly increase the current demand on utilities, roadway capacity, drainage, or other public facilities such as police, fire and emergency services. The demand generated by the established shopping plaza currently meets the City's adopted levels of service standards and the expected demand will remain at or below the adopted level of service standards with the development of this special exception.

Stormwater management continues to be provided as part of the already built site, and any site modifications requested will not negatively affect the existing conditions ability to alleviate flooding and ground water pollution. Therefore, the aesthetics and maintainability of the landscaping will not be compromised. All existing drainage will remain in place.

**5. Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.**

As reflected on site plan, there is proper ingress and egress to the Property to allow for the servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency. The access points for the Property have not been modified from the existing vehicular access. The internal circulation of the Property has been modified by creating the drive-through entrance between the two structures in the shopping plaza and circulating behind the subject property building towards the east end of the site. A full loop circulation has been designed to match that of the parking lot to improve traffic flow.

As for pedestrian flow, the Proposed Development will have little to no impact on the established pedestrian walkways entering the Property by sidewalk from adjacent neighborhoods or safe pedestrian mobility within the site. The addition of the drive-through will slow traffic towards the center of the site and improve the safety of pedestrian navigation between parking and store fronts and between the two retail buildings in the shopping center.

- 6. There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with City standards to the greatest extent possible.**

As indicated on the site plan, the location of parking provides easy and safe access to the uses on the Property. The existing site contains adequate parking and loading space which will be maintained with the addition of the drive-through use. In addition, the location of the drive-through will not adversely interfere with parking, internal traffic safety or traffic flow. The drive-through will be located along the east side of the existing building and will maintain the buffer yard and landscape area already provided on the site. A wall and heavy landscaping materials exist between the structure and the adjacent residential uses to the rear of the building. The Proposed Development provides ample reservoir areas in accordance with Section 33.11 of the Code. The proposed development plan provides for safe and easily navigable circulation of the site which will not negatively impact the traffic flow or parking.

- 7. The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties**

The establishment of this drive-through use will not impede the development of surrounding properties. The Property is currently operating as a shopping plaza within a larger site that includes another retail plaza building. The Dunkin Donuts tenant occupies the eastern most unit of the subject building and the addition of the drive-through use will not impact the ability to develop surrounding properties. The increased efficiency and attraction offered by the drive-through use will allow for more successful operation of the Dunkin Donuts store which only serves to increase surrounding property values.

- 8. The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.**

The current Property setbacks and buffers meet the Code requirements and the plaza integrates general amenities that preserve the harmony and compatibility of the site internally and externally with the surrounding uses. A dividing wall and significant

landscaping exists at the rear of the Property adjacent to residential uses. The landscaping and masonry wall in the rear of the building shall be bolstered in a method agreeable to the City in order to provide ample barrier to any possible noise or light pollution that may result from the associated use. As a result, the impact of any noise, lights, fumes or other potential nuisances will be sufficiently controlled.

Currently, the Property is in accordance with the City's landscape Code, and the Applicant's landscape plan demonstrates landscaping that maintains the Code's requirements with an emphasis on the preservation of existing trees and landscaping buffers currently in place. The Property's landscaping along Royal Palm Boulevard and NW 73<sup>rd</sup> Avenue is consistent and contiguous to the surrounding landscaping of neighboring sites. As mentioned previously, a significant landscape buffer along the rear of the property will be maintained to control any noise, lights, fumes, or other perceived nuisances that may result.

**9. The City Commission finds that the granting of the application will be in the best interest of the City.**

The Dunkin Donuts currently operating at this location provides premium beverages and breakfast foods to residents and visitors of the City. The successful operation of this use provides revenue to the City and improves surrounding property values. Current consumer trends favor the quick and convenient service provided by a drive-through. The Dunkin Donuts drive-through service will offer a convenient option for those travelling along Royal Palm Boulevard and those living in neighborhoods located near to the intersection of Royal Palm Boulevard and Rock Island Road.

The proposed use is in compliance with the goals and objectives of the B-1 zoning and commercial land use of the Property as outlined in the Code and Comprehensive Plan. Approval of this special exception would allow Dunkin Donuts to provide quick service to customers from the comfort of their vehicles. The drive-through addition is expected to attract new customers and allow for more efficient service overall. Dunkin Donuts operates thousands of locations nationwide with many of them containing a drive-through element so the company is in tune with the requirements of efficiently serving customers in a drive-through setting. The presence of a convenient Dunkin Donuts drive-through will satisfy the needs of surrounding neighborhoods and those travelling along Royal Palm Boulevard. The Proposed Development is expected to benefit the City through increased tax revenue while providing more convenient service to nearby residents, locals and visitors to the City. It is in the best interest of the City to approve the Dunkin Donuts drive-through use as a special exception at this location.