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**Clutch Coffee Bar
5300 Coconut Creek Parkway
REVISED Special Exception Justification Statement**

Clutch Coffee (“Petitioner”) hereby submits this application for special exception approval to operate a drive-thru coffee shop in the City of Margate. Petitioner respectfully requests approval, as this application not only complies with all applicable code requirements but also supports underlying principles of the City’s Comprehensive Plan such as reuse of vacant structures, business development, and expansion of service and product offerings for the citizens of Margate.

Petitioner has leased the +/- 0.4 acre parcel generally located on the south side of Coconut Creek Parkway between North State Road 7 and Lakeside Road (Folio No. 484231150016) (“Property”) in the City of Margate (“City”). The Property has a future land use designation of TOC, Transit Oriented Corridor and is zoned TOC-G, Transit-Oriented Corridor-Gateway. The Property is currently developed with a small building that previously operated as a drive-thru bank. The building is currently unoccupied and has been vacant for over two years, but it is important to note the City previously approved a drive-thru use at this location via special exception approval.

Petitioner is a new, creative, highly successful coffee shop with original locations in North Carolina. If this special exception application is approved, it would be Petitioner’s first location in the state of Florida. Petitioner’s concept focuses on drive-thru sales of freshly-brewed coffee drinks, made-to-order smoothie and juice drinks, and popular baked goods. With the use of technology and efficient operations, Petitioner is able to process and deliver orders to customers more quickly than their larger competitors, garnering a large and loyal customer base at their existing locations.

With this application, Petitioner intends to bring its popular concept to the City of Margate. The plan is to reactivate and renovate the existing drive-thru structure and site. As such, Petitioner is proposing small changes to the Property, such as repainting the building, altering the interior space, and cleaning up the landscaping and paved areas.

Per Section 8.4(A) of the City’s Code of Ordinances (“Code”), restaurants are a permitted use in the TOC-G zoning district. Additionally, drive-thru facilities are authorized upon a finding by the City Commission that a special exception is warranted. In order to grant special exception approval, the City Commission must find that the criteria enumerated in Section 31-54 of the City’s Code have been met. Petitioner will demonstrate that the special exception request to allow a drive through facility in the TOC-G zoning district meets the following criteria:

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 drive-thru coffee shop is consistent with the purposes, goals, objectives, and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances. Comprehensive Plan Goal 1 states, *“Ensure that the Character and Location of Land Uses Maximize the Potential for Economic Benefit and the Enjoyment of Natural and Man-Made Resources by Citizens while Minimizing the Threat to Health, Safety, and Welfare posed by Hazards, Nuisances, Incompatible Land Uses, and Environmental Degradation.”*

The proposal calls for the reuse of a previously approved drive-thru facility within an established shopping center. Thus, the project creates new jobs, creates new business for the City, incrementally improves the quality of life for residents, and eliminates a shuttered structure, all while avoiding environmental degradation, development of new strip centers, and creation of new traffic. As shown on the plans submitted with this Petition, the special exception complies with the Margate Code of Ordinances.

Furthermore, the proposed use is consistent with Objectives 4, 5 and 6. Objective 4 states *“Future development and redevelopment activities shall be directed to appropriate locations as designed on the Future Land Use Map, consistent with sound planning principals, natural limitations, and the goals, objectives, and policies contained within this plan, consistent with the requirements of S.163.3202(1) Florida Statutes.”*

Objective 5 states *“Land development regulations shall ensure that future land uses will only be permitted provided that the accommodation is demonstrated for soils, topography and natural resources and the availability of facilities concurrently with the impact of new development or redevelopment.”*

Objective 6 states *“Land use and economic incentives will be implemented which will revitalize blighted areas identified within the plan.”*

The application is consistent with Objective 4 as the proposed location is ideal for a drive-thru coffee shop and reuses an existing, vacant structure. The application is consistent with Objective 5 in that no substantial additional impact on existing facilities greater than previously created by the drive thru bank is anticipated by the new project. The application is also consistent with Objective 6 as the reuse of a vacant structure helps deter blight and promote redevelopment.

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

The establishment, maintenance or operation of the drive through facility will not be detrimental to or endanger the public health, safety or general welfare. A drive through facility was previously active on the property as an accessory to a bank. As currently constructed, the configuration of the parking lot and driveways support the safe and efficient operation of a drive-thru facility. The drive-thru portion of the property features clear entrance and exit points in optimal locations for easy ingress/egress for customers.

- 3. The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.**

As stated above, this would be the first Clutch Coffee in Florida. Therefore, there should not be concern about proliferation of this use. Moreover, the maintenance and operation of the proposed use is in the City's best interest because the site features that are necessary to operate a drive-thru facility already exist on the Property. Due to the existing drive thru features, little additional construction will be necessary to activate the Property. Conversely, a proposed use without a drive-thru component may require extensive remodeling of the building's exterior which may impact the operation and access to the surrounding uses. Moreover, allowing the existing structure to remain vacant is deleterious to the City's interests. It is in the City's best interest to approve the special exception for the drive-thru use in order to embrace the existing site features on the Property and minimize impacts to the surrounding uses. Furthermore, the City has the opportunity to support a small business venture while also providing the local community with a new coffee experience. It is important to note, as well, that the City currently does not have a drive-thru coffee shop in the vicinity of the proposed use.

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

The proposed drive-thru use is compatible with the existing natural environment and community character of the properties within the immediate neighborhood because a drive-thru facility was previously approved, constructed, and active on the Property. Additionally, the overall shopping center is surrounded by residential communities and can enhance community character by serving as a point of interest, specifically for commuting residents looking for an efficient means to purchase a beverage. The new concept of a drive-thru specialty coffee bar will revitalize the shopping plaza and draw new consumers to the surrounding commercial area.

- 5. 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 use change from a “Financial Institution” to a “Drive-Through Only Coffee Shop” has a marginal increase in regards to potable water and sanitary sewer demand; however, the increase is not significant enough to adversely affect the existing system. As the building and site layout are not substantially changing with this proposed project, existing drainage conditions, and police, fire and emergency services demand will be consistent if not less due to the nature of the proposed use in comparison to a bank. The size of the structure alone indicates it will not be able to substantially increase demands on adopted levels of service. The change of the use of this existing structure from a drive-thru bank to a drive-thru coffee shop in which minimal food preparation will take place will not significantly increase demand on public facilities.

- 6. 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.**

Adequate measures exist to provide ingress and egress to the proposed use for both vehicles and pedestrians, in a manner that minimizes traffic congestion. As previously mentioned, the Property is already designed to support a drive-thru use. The existing drive-thru lanes and traffic patterns will be maintained and, in some respects, reduced as one of the drive-thru lanes will be closed.

Additionally, Petitioner has developed a streamlined ordering process that quickly and efficiently moves cars through the drive-thru lanes. Petitioner’s standard total wait time in their existing locations is less than their larger competitors allowing Petitioner to serve customers quickly and keep traffic moving. Petitioner will operate during normal business hours, with peak times in the morning, which is compatible with the surrounding uses which may experience peak times later in the day. Accordingly, the use will not produce a significantly greater amount of traffic.

A traffic statement has been provided that shows an estimated 996 daily vehicle trips; however, it is important to note that the proposed land use (i.e. a drive-thru coffee shop with no indoor seating) generates very few primary trips but instead derives the overwhelming majority of its trips from vehicles already on the nearby/ adjacent roadway network. When considering these “pass-by-trip” characteristics for this land use, the net new external vehicle trips are estimated to consist of 110 daily vehicle trips, 18 AM peak hour vehicle trips, and 5 PM peak hour vehicle trips.

- 7. 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.**

The plans call for use of the existing parking and loading areas which were previously approved by the City. Loading and unloading of merchandise to the establishment is typically scheduled at 5:00 a.m. for Clutch Coffee, which is not during hours of operation. Per the attached parking statement there are four standard parking spaces and one ADA parking space which are expected to be used by employees only as this is a drive-thru only commercial building. Clutch Coffee

Stores are typically staffed with two employees at once. Thus, there should no issue with parking and loading adequacy.

The site has four spaces and is party to a cross-parking agreement with the shopping center in the event additional parking is required.

8. 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.

Included with this submittal is a letter from Honey Bryan, Senior Director and Real Estate Broker Associate for Colliers International South Florida, LLC. She has over 30 years of experience in the South Florida commercial real estate industry. Her letter provides information regarding the positive impacts the proposed coffee shop with a drive-thru use will have on the surrounding properties. Her letter states, “[B]ringing new customers into the shopping center which then are more likely to shop at the other inline stores. This adds value to the shopping center and helps the other tenants. In addition, as coffee shops such as Clutch Coffee do not sell alcohol and are not open late, in my experience I have not seen a coffee shop negatively impact a nearby residential neighborhood. If anything, new drive-thru concepts such as Clutch Coffee have a positive impact on residential property values by signaling to buyers that the area has interest from new businesses and a variety of neighborhood-serving uses. More generally, a new business such as Clutch Coffee positively impacts the City as it creates new jobs and brings in business tax fees, permit fees, increased property taxes, and sales tax revenue.”

9. 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 proposed coffee shop only receives small deliveries twice per day, once early in the morning and once around noon. The coffee shop will have entirely drive-thru operations. Employees will prepare drinks, snacks, and smoothies inside the structure and hand them to customers through the drive-thru window. Thus, the operations of the business will not visually impact adjacent properties. With regard the disposal of solid waste, trash is taken to the dumpster one or two times per day, always at closing and occasionally during normal business hours.

10. The city commission finds that the granting of the application will be in the best interest of the city.

Granting this application is in the best interest of the City as it allows for the introduction of a new business and service to the City and the reuse of an existing building. Petitioner respectfully requests approval of this special exception.