

## Chicken Salad Chick Drive-Thru

## STAFF REPORT

**Petition Number:** 2020-0003 CU

**Resolution No.:** R2021-11

**Owner/Applicant:** Action Business Group  
 324 SW 16<sup>th</sup> Street  
 Belle Glade, FL 33430

**Agent:** Steve Pawlyk  
 Sexton Engineering Associates  
 110 Ponce de Leon Street  
 Suite 100  
 Royal Palm Beach, FL 33411

**Site Address:** 12792 Forest Hill Boulevard

**PCN(s):** 73-41-44-03-20-003-0040

**Future Land Use Designation:**  
 Community Commercial

**Zoning Designation:**  
 Agricultural Residential/Special Exception /Planned Unit  
 Development/ (AR/SE/PUD)

**Acreage:** 0.72

**Request:** A Conditional Use approval to allow a drive-thru lane at an existing restaurant outparcel known as Parcel C4 (aka Chicken Salad Chick) within the Pines of Wellington Tract C Replat (aka Wellington Commons Mall).

**Project Manager:**  
 Kelly Ferraiolo, Senior Planner  
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**Location Map:**



Adjacent Property	FLUM	Zoning
North	Community Commercial	AR/SE/PUD
South	Community Commercial	AR/SE/PUD
East	Community Commercial	AR/SE/PUD
West	Community Commercial	AR/SE/PUD

**Boards, Committees, and Council:**

	Notice Date	Meeting Date	Vote
PZAB	3/31/2021	4/14/2021	Pending
Council (1 <sup>st</sup> )	3/31/2021	4/27/2021	Pending

**Site History and Current Request:**

The subject site (Parcel C4) is within the Wellington Commons Mall (Exhibit A – Wellington Commons Mall Site Plan) located on the southeast corner of Forest Hill Boulevard and Wellington Trace. The Mall was approved by Palm Beach County in 1986. The project consists of the main “mall” building (Parcel C1), two (2) multi-story professional buildings (Parcel C2 and C5), a fast food restaurant with drive-thru outparcel (aka Checkers, Parcel C3), a bank with drive-thru outparcel (Suntrust), and an restaurant outparcel (fka Boston Market, Parcel C4). Various amendments have been made for the site since County approval. Most recently in 2019, the owner of the Wellington Commons Mall, Wellington Mall LTD, replatted the site to subdivide each building into separate parcels.

The subject site was built in 1993 and was previously occupied by Boston Market which vacated the building in 2018. The applicant purchased the outparcel building in September 2020 after the property was replatted. The applicant is requesting a conditional use approval to allow a drive-thru lane as a part of the proposed Chicken Salad Chick restaurant (Exhibit B – Chicken Salad Chick Proposed Site Plan and Exhibit C – Chicken Salad Chick Proposed Landscape Plan). Per Section 6.2.3.E of Wellington’s Land Development Regulation (LDR), a drive-thru lane may be incorporated into a restaurant use as a Conditional Use, approved by Council, and shall follow design requirements as provided for within Article 7.

**Analysis:**

A request for a Conditional Use must meet all standards for approvals pursuant to Section 5.3.7 of Wellington’s Land Development Regulations (LDR) and the Development Review Manual (DRM). The following standards have been analyzed:

**1. Consistent with the Comprehensive Plan:** This Conditional Use to allow a restaurant with an accessory drive-thru lane is consistent with Objective 1.2, Policies 1.1.1 and 1.3.6 of the Land Use Element of the Comprehensive Plan:

**Policy 1.1.1 of the Land Use Element** The intensity of the site has not increased as no square additional footage has been requested. The new use of the site generates fewer than 20 additional peak hour trips with the change of use from Fast Food Restaurant without Drive-Thru to Fast Food Restaurant with Drive-Thru (Exhibit D – Traffic Approval Letter). The additional trips are minimal and meets the Traffic Performance Standards of Wellington and Palm Beach County.

**Objective 1.2 of the Land Use Element** Based on the submittal provided and staff’s analysis, there are adequate capacities including water, sewer, traffic etc. services provided for within the Wellington Commons Mall for the proposed use. No additional square footage is being requested as the building is existing with sewer and water already accounted for. The request is only for the addition of the drive-thru lane accessory use.

**Policy 1.3.6 of the Land Use Element** The site provides connectivity to the adjacent right-of-way of Forest Hill Boulevard which is one of Wellington’s major arterial roadways. There is also a bus stop location directly across the street from the restaurant which provides additional pedestrian access.

**2. Consistent with Article 6 of the LDR (Supplementary Regulations):** The application meets the requirements set forth in Section 6.2.3.E. of Wellington’s LDR providing standards for restaurant with a drive-thru lane as an accessory use. The design of the drive-thru met all requirements set forth in Article 7 of the LDR. The drive-thru lane does not face the public right-of-way so no additional screening was required, however, the applicant has provided additional landscaping throughout the site and along the right-of-way buffer to enhance the site as landscape was lacking.

**3. Compatibility with Adjacent Properties:** The additional drive-thru lane is a compatible use with the surrounding area and the uses that exist on site. The outparcel is surrounded on all sides by commercial uses including a bank with a drive-thru to the south and another fast food restaurant

with a drive-thru to the north. Wellington Plaza, which is west of the outparcel, has four (4) buildings that have an accessory drive-thru lane associated with the use. The site is not visible to any residential land uses.

**4. Design minimizes adverse impacts:** The addition of the drive-thru lane requires reconfiguration of the site and parking that was originally approved for the outparcel. Parking spaces were reduced by five (5) spaces to accommodate the drive-thru lane and the loading zone. The outparcel still meets all parking requirements and provides for an additional seven (7) spaces then Article 7 requires for the use.

Additional landscape has been added to the landscape islands, around the footprint of the building, along the right-of-way buffer, and within the drive-thru lane to enhance the exterior of the site. Architectural Review Board approval will be required for all external improvements to the building (Exhibit E – Proposed Exterior Elevations). The proposed elevations modernize the 28-year old building while still incorporating elements of the existing plaza.

**5. Adequate public facilities:** Adequate potable water, sanitary sewer, solid waste, and stormwater management, to accommodate this request as the building is already existing. The request is only for the drive-thru lane accessory use.

**6. Design and environment impacts:** There are no adverse impacts to the natural environment expected to occur as a result of this proposed Conditional Use request.

**7. Development pattern:** The Wellington Commons Mall site began construction in 1986. The existing outparcel was constructed in 1993 with no drive-thru lane but with adequate space around the building to construct a drive-thru lane for the future. The proposed request to build a single lane drive-thru on a property that has adequate room and is already used as a fast food restaurant is logical development pattern.

The development characteristic of this request complies with the LDR. A concurrency equivalency determination and more detailed review is required as part of the Site Plan Amendment process for the proposed Conditional Use. The site plan was reviewed and approved by Development Review Manager for compliance with relevant standards of Wellington's Codes.

**8. Consistent with neighborhood plans:** The proposed use at the existing commercial site is not regulated by a neighborhood plan.

### **Summary:**

Based on the findings, consistency with Wellington's Comprehensive Plan and Land Development Regulations, the Planning and Zoning Division recommends approval of R2021-011 (Petition 2020-0003 CU) a Conditional Use to allow a restaurant to have a drive-thru lane as an accessory use within Parcel C4 (aka Chicken Salad Chick) of the Pines of Wellington Tract C Replat (aka Wellington Commons Mall) with the following conditions of approval:

1. All deliveries shall be scheduled before or after business hours, but between the hours of 7:00 am and 10:00 pm, in order to not disrupt or block the drive-thru lane. (PLANNING AND ZONING)

**PLANNING, ZONING AND ADJUSTMENT BOARD**

Planning and Zoning Division

April 14, 2021



2. A Land Development Permit, issued by the Village of Wellington Engineering Department, is required prior to any earthwork or construction taking place. (ENGINEERING)
3. Architectural Review Board approval is required for modifications to the exterior elevations and for any technical deviation requests for signage prior to issuance of building permits. (PLANNING)
4. Separate permits for the additional landscaping, exterior modification, and signage is required. All landscaping shall be installed throughout the site prior to use of the drive-thru lane. (PLANNING)
5. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be completely screened from view on all sides in a manner consistent with the color, character and architectural style of the building. (PLANNING)
6. If a larger water meter and/or fire line than currently exists on the property is required, capacity fees for the increased amount will be assessed in accordance with the adopted capacity fees at that time. (UTILITIES)
7. Any required modifications to the public water or sewer system will require a Utility permit in accordance with Village Utility Standards. (UTILITIES)



**List of Exhibits:**

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|-----------|---|
| Exhibit A | Wellington Commons Mall Site Plan           |
| Exhibit B | Chicken Salad Chick Proposed Site Plan      |
| Exhibit C | Chicken Salad Chick Proposed Landscape Plan |
| Exhibit D | Traffic Approval                            |
| Exhibit E | Proposed Exterior Elevations                |
| Exhibit F | Justification Statement                     |