

Administrative Deviation

Culver's – Lehigh Acres

2511 Lee Blvd. Lehigh Acres, 33971

I. Written Narrative

The proposed project includes construction of an additional drive-thru lane and menu board to the existing Culver's Quick Serve Restaurant located at the intersection of 1st Street W and Lee Boulevard in Lee County. An Administrative Deviation for the additional drive-thru lane is required per Lee County's Land Development Code Section 34-2021 which states, "*Stacking lanes to accommodate ten cars per service lane, with a minimum of five spaces preceding the menu board.*" The proposed site plan includes two side-by-side service lanes which allows for three (3) spaces per lane preceding the menu boards, as opposed to the five (5) required. However, the total stacking preceding the menu board will be increased from five (5) spaces to six (6) spaces total with the construction of the second drive-thru lane.

The subject property is in the Wal-Mart Lehigh Acres Commercial Planned Development (CPD) (most recently modified by resolution Z-22-011). The improvements will improve circulation on-site by reducing queuing lengths and will remain consistent with the intent of the current land use and Lee Plan. The proposed improvements will not change the use of the site and are intended to improve the customer and public experience.

As indicated on the site plan, the proposed project will remove four parking spaces to accommodate the proposed second drive-thru lane. Many Culver's restaurants throughout the country (including this location) have experienced an increase in drive-thru traffic and less lobby patrons in this post-COVID world. With the increase in drive-thru traffic, Culver's is requesting to create an additional drive-thru lane to ensure efficiencies and reduce queuing times.

The only landscape change, as a result of the request, is a slight reshaping of the two existing islands with a total reduction in impervious surface area of 91 square feet and the addition of bicycle parking. All other buffers and required landscaping will remain untouched.

II. Schedule of Deviations and Justification

The proposed project seeks a deviation from Lee County Land Development Code (LDC) Section 34-2021(d) "*Restaurants: Stacking lanes to accommodate ten cars per service lane, with a minimum of five spaces preceding the menu board.*" The proposed improvements are consistent with the approved Master Concept Plan (MCP) and development parameters, exclusive of the stated deviation from the Land Development Code (LDC). The request is minor in nature as the majority of the existing design of the site will remain unchanged. As a result of the request, only two landscape islands will be slightly reshaped with the impervious surface area decreasing by 91 square feet.

Due to the physical restraints of the existing Culver's restaurant, the proposed side-by-side drive-thru allows for three (3) spaces per lane preceding the menu boards, as opposed to the code required five (5) spaces. The unique shape of the parcel and orientation of the existing building limits the space on site to accommodate required queuing for the drive-thru. To alleviate this restraint, the proposed project is seeking approval of an additional drive-thru lane and menu board, thereby increasing the amount of existing queuing spaces.

The total stacking preceding the menu board will be increased from five (5) spaces to six (6) spaces total with the construction of the second drive-thru lane. As proposed and indicated on the site plan, each drive-thru lane will accommodate the stacking of three vehicles before the menu board. Although requesting a deviation from the LDC, it is reasonable to conclude that the intent of this request for relief is aligned with the intent of the code. Both the code and this request work to provide adequate stacking on-site so as to enable efficient vehicular flow throughout the development. This is best achieved through the addition of a second drive-thru lane and associated menu board.

III. Lee Plan Compliance Analysis

The proposed project meets the following Lee Plan Objectives and Policies:

Future Land Use Element Policy 1.1.3

The Central Urban future land use category can best be characterized as the “urban core” of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services.

The proposed project is in the Central Urban Future Land Use designation and meets this policy by providing additional stacking spaces to accommodate the traffic and vehicle volume that is present in the “urban core” of the County.

Future Land Use Element Objective 2.1

Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The proposed project meets this policy by proposing to improve the existing development by accommodating more drive-thru customers. By improving the existing development where services are already in place, energy and materials can be conserved.

Future Land Use Element Policy 6.1.11

Encourage the upgrading or revitalization of deteriorating commercial areas, but prohibit the expansion or replacement of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store-front renewal, sign control, and the provision of common parking areas and consolidated access.

The proposed improvements to the existing commercial development are compatible with the surrounding land uses and will enhance the access and vehicular flow through the site. Therefore, the proposed project meets the intent of this policy and will not have an adverse impact on surrounding uses.

Future Land Use Element Policy 34.2.2

Maintain development standards for commercial developments to be designed as to support a walkable, multimodal community with transportation facilities that provide for the needs of pedestrians, cyclists, transit riders, and drivers by providing:

- a) Interconnection of adjacent commercial uses in order to minimize vehicular access points on primary road corridors;

- b) Parking at the rear of the developments;
- c) Pedestrian connections such as sidewalks, trails, crosswalks, walkways and entrances, signalized and or lighted crossings, shade, and other pedestrian elements;
- d) Bike facilities such as bike racks, bike lanes, and bike ways;
- e) Transit resources such as shelters, well serviced transit lines, and intermodal connection facilities;
- f) Improved network connections to Tice Street; and
- g) Intersection improvements along Palm Beach Boulevard, Ortiz Avenue, and Tice Street

The proposed site improvements include the addition of bike racks, thereby meeting (d) of this policy. The proposed improvements further meet this policy by improving the vehicular stacking on-site, which will help alleviate access issues for pedestrians and bikers who may have had to navigate around the vehicle stacking previously.