



Public Comment Received for:

Item 4: 3707 State St.

(PLN2021-00093)

Name of Sender	Distributed prior to hearing	Distributed after the hearing
1. Ronda Hobbs	x	

Public Comment #1

From: [Ronda](#)
To: [Community Development ABRsecretary](#)
Subject: ABR Concept Review - May 31, 2022
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Attachments: [ABR 5-31 comments.pdf](#)

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EXTERNAL

Attached please find my comments re. 3707 State Street, Item #4 on the ABR 5-31-22 agenda
Regards,
Ronda Hobbs

ABR, Tuesday, May 31, 2022

Item #4 - 3707 State Street (PLN2021-00093)

The current Chick-fil-A expansion project currently under review by the ABR violates multiple criteria of the Upper State Street Area Design Guidelines. This project is too large for the small lot on which it is located, worsens traffic on a main artery of the city and most importantly, is an illegal expansion of a drive-through.

In 1960 an application was submitted to develop a new and used car lot at the current site of Chick-fil-A, but this application was denied. The city replied that the project was "detrimental" and that it "would not be in the best community interest". Unfortunately, Chick-fil-A's new proposed project is taking on the appearance of a used car lot (see image below). Furthermore, this project is actually less desirable than the previously rejected car lot. Unlike a car lot, this project, with the 1,500+ meals they serve each day, brings a continuous stream of cars, pollution, congestion, and potential for accidents, all subjects of concern in the Upper State Street Area Design Guidelines. And once this abundance of cars arrives at their destination, roughly 2/3's do not park, but sit with their engines idling while they wait, a further affront to our struggling environment.



South – West Elevation showing 4 lanes of traffic plus 1 row of parked cars.
Proposed number of drive-through lanes will triple.

This project has become increasingly car centric with each iteration. It started with one drive-through lane, last year it increased to 2 drive-through lanes, and now it proposes 3 drive-through lanes plus an additional "thru lane" and a row of parked cars, all jammed into the side lot of Chick-fil-A. The area for cars will increase nearly 2 1/2 times, from 2,403 sq ft to 5,735 sq ft, the stack in the drive-through lanes nearly triples from 8 to 22, while the patio area, the trees and the vegetation will all decrease. This project needs to restore a balance between cars and open space. It promotes and encourages increased usage of cars while what our world desperately needs is less.

The Upper State Street Area Design Guidelines include a Compatibility Analysis (Chapter V, 5-4). The first criterion reads:

Compliance with City Charter and Municipal Code

Does the project fully comply with all applicable City Charter and Municipal Code requirements?

The answer to this question is a resounding "No!" This project is clearly in violation of SBMC 30.185.160 which states "New or expanded drive-through facilities are prohibited." This ordinance is not ambiguous and does not require a learned legal opinion for an abstruse legal clarification. If a sit-down restaurant wants to expand, they add more seating. If a drive-through wants to expand, they add more drive-through lanes. Chick-fil-A wants to triple their drive-through lanes which decidedly is a prohibited expansion.

Our municipal code is clear in its prohibition of expanded drive-throughs. The ordinance is straightforward and requires no additional interpretation. This project is not merely placing temporary traffic cones in a parking lot. It involves grading, removal/relocation of 5 mature trees and an unlawful expansion of the driveway apron to accommodate the proposed intensification of use. What Chick-fil-A proposes is, without question, an unlawful expansion.

Just as the car lot was deemed "detrimental" in 1960, this project should be deemed unlawful and detrimental and be denied as well.