



Date: March 14, 2019
To: City Of Colorado Springs
Land Use Review Division
Planning & Community Development Department
Attn: Michael Schultz, Principal Planner
Project: Switchback Coffee
Location: 330,332 N Institute St.
Colorado Springs, CO 80910

Switchback Coffee - VARIANCE REQUEST

Project Statement:

Switchback Coffee is operating a coffee shop and roaster out of an existing, non-conforming building that does not fit City Zoning requirements. This application is to bring the building and its uses into compliance with City Zoning codes.

We are requesting a variance to the required off-street parking requirements, due to the existing building placement and site development that is to remain unchanged. The variance request is to allow for 0 off-street parking spaces where 23 are required.

Justification: Listed below are the City Planning Department’s review criteria for a Nonuse Variance Request for the parking requirement.

- Responses below are noted in *italics*

1. **Extraordinary or Exceptional Conditions**

- a. The physical conditions of the property shall not be conditions general to the neighborhood or surrounding properties.
 - b. The unique physical conditions of the property may be its size, shape, location, topography, soils; or,
 - c. The unique physical conditions of the property may be the size or location of existing structures on the property if such structures are not self-imposed conditions; or
 - d. The unique physical conditions may be certain on-site or off site environmental features which may positively or negatively affect the property in question, including but not limited to, adjacent land uses, traffic, noise, views and location of significant natural, architectural, or historic features.
- *Existing structure on the property is non-conforming in its use as a business. It has historically been used as a business and yet has no site provision for parking. The property is located in a residential neighborhood and was previously zoned R2.*
 - *The intent of this application is to bring the existing, non-conforming building and site into compliance with City Zoning and code compliance.*

2. **No Reasonable Use**

- a. The demonstrated extraordinary or exceptional physical conditions of the property must directly relate to the inability to reasonably use the property in conformance with the applicable zoning ordinance regulations.
- b. The concept of less reasonable use may be considered if a neighborhood standard exists and if it is demonstrated that the property in question has a less reasonable use by comparison with proximate and similar properties in the same zoning district.
- c. The purchase price of the property, the desire for greater economic return on investment or mere inconvenience do not constitute, by themselves, evidence of no reasonable use.

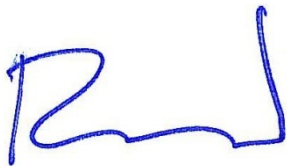
- d. Self-imposed conditions such as prior voluntary rezoning, platting, or building in violation of City codes and ordinances do not constitute evidence of no reasonable use.
- e. Knowledge or lack of knowledge, of zoning restrictions and physical site constraints at the time the property is purchased is immaterial to evidence of no reasonable use of the property.
 - *The physical conditions of the property have been established as a business use for decades in the neighborhood, and the property has never had the capacity for off-street parking.*
 - *As a corner lot, it would be unreasonable or impossible to provide code-compliant parking stalls at all, let alone in the numbers required by the proposed uses in the building.*

3. **No Adverse Impact**

- a. The granting of a variance shall not be detrimental to public health, safety and welfare or injurious to surrounding properties.
- b. The granting of a variance shall not be inconsistent with any plans adopted by the City.
- c. The granting of a variance shall not weaken the general purpose of the Zoning Ordinance or its regulations.
- d. The variance, if granted, shall only be to the extent necessary to afford a reasonable use of property.
 - *The proposed variance will not be detrimental to the area and/or City, as part of a vibrant, healthy neighborhood, local businesses such as coffee shops enhance our City. As a corner business located centrally in the City, it cannot be expected that off-street parking requirements be met as they might be in other suburban sites.*
 - *The functions that are to take place at the subject property actually improve public health, safety and welfare. Local gathering places like this enhance life and community.*
 - *The proposed variance will not weaken the purpose of the Zoning Ordinance. Unfortunately, the City of Colorado Springs does not currently have a zone that allows and/or promotes small business in residential zones. This submittal is attempting to bring a historic commercial building more closely into alignment with City codes.*

Taking into account the location and condition of the property and the benefits of small, local businesses as part of healthy neighborhoods, we request the City grant this non-use variance.

Respectfully,
Echo Architecture, LLC.



by _____

Ryan Lloyd
Architect