

Narrative Report for Non-Use Variance Application

Project: Dutch Bros Coffee Shop

Location: 1802 E Platte Ave, Colorado Springs, Colorado

Applicant: Dutch Bros

Date: October 8th, 2024

Introduction

This narrative report is submitted in support of a non-use variance application for the Dutch Bros Coffee Shop project at 1802 E Platte Ave, Colorado Springs, CO 80909. The request seeks approval for two variances: (1) a 2-foot parking setback along Union Blvd, in lieu of the 20-foot setback along Union Blvd where no parking is allowed per Colorado Springs Municipal Code Section 7.4.201C (Table 7.4.c); and (2) a 2-foot landscape setback along Union Blvd, where a 25-foot landscape setback is required per Section 7.4.905(B). These variances are essential to address the unique physical constraints of the sites limited access due to its proximity to a major intersection. The proposed adjustments will allow for more efficient vehicle circulation and on-site queuing, thereby reducing traffic congestion on Union Blvd and enhancing public safety. In addition, we are committed to providing compensatory landscaping elsewhere on the site to mitigate the reduction in the landscape setback. This compensatory landscape will ensure that the aesthetic and environmental benefits of the required landscaping are still realized, despite the reduced setback. We respectfully submit this request based on the exceptional circumstances of the property, and we believe that the proposed variances will result in a well-functioning, safe, and visually appealing development that aligns with the goals of the City of Colorado Springs.

1. The application complies with any standards for the use in Part 7.3.3 (use-specific standards).

Response: The proposed Dutch Bros Coffee Shop project at 1802 E Platte Ave involves the continued use of an existing building, which will remain unchanged and in its current location. There are no planned modifications or relocations of the building, ensuring compliance with all applicable use-specific standards outlined in Part 7.3.3 of the Colorado Springs Zoning Code. These standards govern the development and operation of drive-thru establishments within the zone district and are intended to ensure compatibility with surrounding uses and minimize potential impacts on traffic and adjacent properties.

Key areas of compliance include:

- **Site Design and Layout:** The site is configured to optimize traffic flow and minimize potential conflicts with surrounding streets. The proposed variance to reduce the setback along Union Blvd is a necessary adjustment that will enhance on-site vehicle queuing, thereby reducing the likelihood of traffic congestion on Union Blvd.

- **Access and Circulation:** In accordance with recommendations from the City Engineer, the site's access points are limited to one ingress-only access along Union Blvd. This design decision aligns with the use-specific standards, which prioritize safe and efficient access to drive-thru facilities.
- **Parking and Queuing:** The project includes adequate parking spaces and a drive-thru queuing area that complies with the minimum requirements. The requested variance will allow for an increase in on-site queuing capacity, further enhancing compliance with the standards and reducing any potential adverse effects on the public right-of-way.
- **Landscaping and Screening:** The landscaping plan will meet all relevant standards, and compensatory landscaping will be provided to address the reduction in the front landscape setback, ensuring that the site remains visually appealing and compatible with surrounding properties. Additional supplemental planting of two (2) Shumard Red Oak, six (6) Eastern Redbud, three (3) Baker's Spruce, sixteen (16) Manzanita, eleven (11) Tammy Juniper, and thirteen (13) Miscanthus has been added throughout site. All proposed sod has been removed.
- **Operational Standards:** The operation of the Dutch Bros Coffee Shop will adhere to all applicable standards, including hours of operation, lighting, and noise control, ensuring that the establishment remains a positive addition to the community.

In conclusion, the Dutch Bros Coffee Shop project has been carefully planned to comply with all relevant standards in Part 7.3.3, maintaining its status as a functional, community-friendly development with no changes to the existing building.

2. The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district.

Response: The property is uniquely constrained by its proximity to the intersection of E Platte Ave and Union Blvd, which significantly limits access options. City Engineer, Zakar Alazzeah, emphasized this constraint in email correspondence dated December 18, 2021, stating, "limit access points to one access along Union as ingress only." Furthermore, in a follow-up correspondence on June 3, 2024, Zakar Alazzeah acknowledged the potential challenges with left-in traffic from Union Blvd and indicated that future safety concerns might necessitate further restrictions.

These physical conditions are exceptional compared to nearby properties within the same zone district, where access points are not similarly restricted by intersection proximity. The extraordinary limitation on ingress directly affects the layout and design of the site, requiring relief from the standard setback to ensure functional access and circulation.

In addition to the access restrictions, the existing site layout can only accommodate roughly 7 cars in the drive-thru lane, which is inadequate for the expected customer demand at this Dutch Bros location. To address this, the proposed site plan will increase the drive-thru capacity to accommodate up to 18 cars, ensuring smoother on-site circulation and reducing the risk of cars queuing onto Union Blvd.

This request for increased stacking capacity is based on traffic reports from Dutch Bros locations across the U.S. These reports consistently show that during peak hours, Dutch Bros locations experience queuing of 13 to 16 vehicles. For example, the Reno, NV, and Sacramento, CA locations regularly have maximum queues of 13 to 16 cars during peak demand. We anticipate similar queuing patterns at this location in Colorado Springs, which underscores the need for sufficient stacking capacity.

Location	Time Period	Max Pedestrian Orders per Hour	Transaction Time ³ (s)	Maximum Queue in the Peak Hour
4555 S Virginia St, Reno, NV ¹	AM	13	116	16
	PM	24	140	14
7250 S Virginia St, Reno, NV ¹	AM	6	83	6
	PM	17	94	16
4250 El Camino Ave, Sacramento, CA ²	AM	-	-	13
	PM	-	-	15
Stockton, CA ²	AM	-	-	13
	PM	-	-	7
2348 Sunrise Blvd, Roseville, CA ²	AM	-	-	15
	PM	-	-	13
1201 W. Monte Vista Ave, Turlock, CA ²	AM	-	-	12
	PM	-	-	16

The proposed variance to reduce the setback along Union Blvd will provide the additional queuing capacity required to prevent traffic congestion and improve public safety. Without this variance it is not possible to increase the queue for the facility to address the current demand. Therefore, the physical constraints of the property necessitate relief from the standard setback to ensure safe and effective site circulation and queuing.

3. That the extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone in the absence of relief.

Response: The key hardship for this property is the determination of Union Blvd as the "front" of the property, despite it being restricted to ingress-only access. This designation imposes additional constraints on site design and use, as the front setback requirements significantly limit the available buildable area. Given that Union Blvd serves only as an ingress, this determination does not align with the functional use of the property. The existing building on the site will not be relocated, and it is important to emphasize that moving the building would not resolve the hardship. The real constraint lies in the fact that the site is not permitted to have egress onto Union Blvd, as dictated by the City's Traffic Engineering Department. This ingress-only restriction creates a severe limitation on the site's functionality, independent of where the building is located. Even if the building were to be moved, the hardship would persist due to the restricted access and circulation challenges created by the intersection's proximity and the City's access control requirements.

The extraordinary physical condition—specifically, how the "front" of the property is defined along a street that cannot provide full access—prevents reasonable use without relief. This situation is a direct result of the property's configuration and access limitations, which cannot be resolved by relocating the building. We have worked extensively with the City's Engineering Department, exploring several different site layouts. After careful review and coordination with the city, the current layout was approved by the City's Traffic Engineer and meets both the traffic flow requirements set by the city and the operational needs of Dutch Bros. The proposed variance is necessary to provide sufficient on-site queuing, which will relieve stress on the public right-of-way and ensure the property can be utilized effectively for its intended commercial purpose.

4. That the granting of the Non-Use Variance will not have an adverse impact upon surrounding properties.

Response: Granting the non-use variance will not have an adverse impact on surrounding properties; in fact, it will provide a significant benefit. The current site configuration, constrained by the physical conditions of the property, has led to cars queuing on Union Blvd due to the insufficient on-site queuing space. This situation places undue stress on the public right-of-way (ROW) and has the potential to disrupt traffic flow and safety. By allowing the setback variance, the site will be able to accommodate more vehicles on-site, reducing the likelihood of cars queuing on the main road. This improvement will not only enhance the operational efficiency but will also alleviate the current stress on the public ROW, benefiting the surrounding properties and the broader community. Furthermore, if the property line along Union Blvd were longer, the front of the property would naturally align with Platte Ave, and the proposed project would comply with all zoning requirements without needing a variance. Therefore, the requested relief is a necessary adjustment that ensures the project's success while safeguarding the interests of neighboring properties.

Conclusion

The requested non-use variance is essential for the reasonable development of the Dutch Bros Coffee Shop at 1802 E Platte Ave. The site's unique physical conditions, including its proximity to a major intersection and limited access options, necessitate relief from the standard setback requirements. We respectfully request that the City of Colorado Springs Planning Department and Planning Commission consider the exceptional circumstances of this property and approve the variance application.

Tectonics Design Group, Inc.



Matt K. Rasmussen, P.E.