

Public Hearing for Dutch Bros Ustick and Eagle (H-2022-0077) by Andrew Bowman, Barghausen Consulting Engineers, Inc., located at the four (4) lots at the southwest corner of N. Eagle Rd. and E. Ustick Rd. intersection.

- A. Request: Conditional Use Permit for a new 1,154 square foot, dual drive-through Dutch Bros. coffee restaurant on approximately 1.2 acres of land in the C-G zoning district.
- B. Request: Development Agreement Modification to allow the requested drive-through use by updating the overall concept plan of the approved Development Agreement (Inst. #2019-121599).

Seal: At this time I would like to continue File No. H-2022-0077 for Dutch Bros Ustick and Eagle and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. Happy New Year to all of you. Glad to be back here. Excited about all the community members in attendance tonight as well. It looks like it's going to be a pretty quiet evening tonight, so -- you get stuck with me tonight. I'm covering both Sonya and Stacy's projects, as they are out enjoying a vacation and just getting a much needed evening for Sonya, so she can -- she was at City Council and it was a long hearing, so I told her I would take Sagarra Canyon for her as well. So, first item on your agenda -- this was continued from the December 15th hearing because of a noticing issue and so it's -- it's back before you. That discrepancy has been corrected and so the applications before you this evening is a conditional use permit and a development agreement modification. As you all know, the development -- because there is an associated development agreement modification with this conditional use permit, you are a recommending body on the conditional use permit tonight. So, you will be making a recommendation to Council to accompany that DA modification. So, this application is contingent upon DA -- excuse me -- Council approving the development agreement modification. The site consists of 1.2 acres of land, currently zoned C-G in the city and it's located at the southwest corner of North Eagle Road and East Ustick Road. Let you know the applicant was in front of Council a year -- about six months ago on a DA modification and that one was denied and so that's what's predicated this new DA mod and, then, also this conditional use permit. That was one of the recommendations from City Council is they had a hard time justifying approving a concept plan with a drive-through on it without having the associated CUP to go along with it to see if it actually works on the site and that's why you see both of them concurrent tonight. I -- I think the Commission is very familiar with this corner as well. There has been quite a few development applications on it recently. So, the applicant is here tonight to talk about a restaurant with an associated drive through. So, it's a Dutch Bros, which is that coffee kiosk there. It's 1,100 square feet. You can see here it's -- it's right -- right at the intersection of the roadway here. Access is provided from a private street that is currently constructed. Cross-access was also provided to the property to the south. Currently this is the only access -- well, except for the access out to Eagle that is provided from the public street, this is the access -- the primary access into this development. As you know

there are specific use standards that go along with drive-through uses. Staff has analyzed those in conformance with the submitted application. We find that the site does conform to the drive-through standards as stated in the UDC. I know some of the concerns that we hear with drive-throughs is where those escape lanes fall and in this particular case, because this drive-through is over a hundred feet they are required to provide that escape lane, but if you notice here the escape lane is really at the same point as you exit out of the drive-through. Now, the code doesn't speak to where that escape lane should land, so in -- in our recommended -- or as part of our recommendation we have analyzed it, we feel like it could still function and we still have recommended approval of this application. So, the applicant did provide a landscape plan associated with this development. During our pre-application meetings with the applicant we wanted to make sure, because this is a prominent corner, that if we did have a drive-through with a substantial amount of asphalt we wanted to make sure that additional landscaping or berming was done along the street to -- to minimize the impacts of car stacking as they waited to -- to get their coffee order. So, the plan here -- you can see there is some additional landscaping that is showing. We have also conditioned the applicant to provide an additional screening and landscaping as well as part of what you see here in this landscape plan. So, they need to do a little bit more and staff will look at that with the certificate of zoning compliance and the design review application. That will follow after the proceedings tonight -- or after City Council acts on the application. So, here are the proposed elevations. Again, these will be required to comply with the city's design standards. Pretty typical elevations to the -- their new prototype. If you have had a chance to go by the Costco site you probably see the same -- same model or the same building elevations up there as well. So, I had a chance to look at the public record before the hearing tonight, did not see any written testimony on the subject application. Again, staff is recommending approval with the conditions in the staff report and with that I will stand for any questions you may have.

Seal: Okay. Thank you, Bill. At this time would the applicant like to come forward? Good evening, Sir. Please state your name and address for the record and the floor is all yours.

Wecker: Yes. Nick Wecker. Senior planner with Barghausen Consulting Engineers. We are the civil engineering consultant for Dutch Bros and address 18215 72nd Avenue South, Kent, Washington. And, like I said, we are -- I'm -- I'm here as a senior planner with Barghausen representing Dutch Bros this evening and this application -- to walk you through our proposal and the changes that have been made since -- in the last six months since the last hearing. And so like -- like Bill outlined, this is the corner that we are looking at, Ustick and Eagle Road. Previously the proposal that was denied was -- one of the concerns from the Commission was that there was going to be three drive-throughs on the site. We have eliminated one of those drive-throughs at the northwest corner. That's just going to be a standalone multi-tenant retail building, 4,700 square feet, no drive-through proposed. Of course the Jamba Juice was approved previously, that drive-through, and that -- that's been constructed, as well as the American Family Care Building D at the southeast corner. That's been constructed as well. And so part of our proposal here tonight is to seek approval for a conditional use permit in addition to the DA modification for allowing an additional drive-through at the northeast corner, which would

be an 1,100 square foot Dutch Bros coffee. We would have a 500 square -- or 500 linear feet of queuing through two drive-through lanes. Be similar model to what we see today at Ten Mile and Chinden, the -- the Costco location, which is their new prototype in comparison to like the Linder location, some of the other ones that have the drive through -- one on each side of the building. This would have one -- one -- one single window and two lanes. It allows for additional queuing. It also allows for more efficient operations for the runner, which is the employee that works outside the Dutch Bros building and will actually go from vehicle to vehicle with a handheld device to take orders from each customer. That places the order in the kitchen and, then, that allows the order to be made quicker so that cars are going in and out of the queue faster. So, as a result of that it minimizes the amount of queuing that is -- that is needed and minimizes the potential for spillover and so that's kind of what the new -- that's the new prototype, that's the purpose of it and that's the similar model that we are proposing here as well. It will still have the runner system where there is three or four employees outside taking orders from each customer as they enter the lane. We also have 14 dedicated parking spaces in front of the Dutch Bros for employees and customer walk-ups, because there is actually -- there is a walk-up window on the north side of the building with a patio space that will have some seating and a walk-up pedestrian walkway from Ustick. Here is the original concept site plan for the development agreement prepared by Kimley Horn originally. It was a -- this is the other -- second half of the property to the south that shows a regional commercial center. Recently, understanding that there is an apartment that was approved at this location, which will substantially reduce the -- the traffic considerations for this corner, I think by approximately half is what the traffic consultant estimates as a result of replacing the previously proposed regional commercial center. So, including that in here as well as -- that's kind of the second half of the master development that's going on here at this corner. And, then, this shows the original concept development agreement for our northwest corner that shows the pads. Of course, like I mentioned, Pad 4 and Pad 3 is -- is constructed. Pad 1 and Pad 2 is what's being proposed for -- for modification tonight. Pad 2 would become Dutch Bros. Pad 1 would be the 4,700 square foot multi-tenant retail with -- with no drive-through. Our detailed site plan here -- this -- this site plan here shows the patio space a little bit more clearly and more detailed than -- than the first rendering in here. It shows a fairly large patio space that's going to be oriented to the street corner. It will be setback a little ways, but it will also have access to the right of way and a short screen wall or hedge that, like Bill said, we will work with staff to design those details and that's also the side where the customer walk-up window is. So, the customers -- or -- or pedestrians will be able to enter that walk-up area without having to cross the drive-through lanes if they are coming from the -- from the right of way. This site plan also shows 26 vehicles within the -- within the queue. Here is a comparison exhibit with the other locations in Meridian. We understand there was concern previously with how Dutch Bros is going to handle potential spillover kind in relation to what these sites have -- have experienced over the years. Some of these sites are much tighter in terms of their -- their queuing lanes that are provided. A lot of these examples are -- also show queuing right off of a -- the right of way, too, and so this exhibit here is meant to show kind of a visual comparison of the length of queuing that's provided at these existing locations under the older model where there is one drive through on each side of the building. So, we have the Overland location that had 155 -- or has 155 linear feet of

queuing, as compared to over 500 feet for the proposed new Dutch Bros that we are reviewing tonight. The Fairview location 138 feet and Linder 218. You can also see the driveways and proximity to the queuing entrances for these sites that has -- has, you know, created concern and -- and -- and spillover and so our site plan that we are presenting today is -- is -- purpose is to show that that's going to be alleviated and not -- not a concern. And here is our location. But, like I said, we are at 524 feet -- 524 linear feet of queuing, which is multiple of anywhere from two to five times what is existing at -- at some of the older prototype locations in Meridian. It's also the queuing entrance as well off of the primary driveway to the center. Yeah. Thanks for showing that, Bill. Over to the -- to the west. And so even if there are spillover it's not onto the right of way. Also, like I said, there is going to be 26 cars that could fit in this queue. That's the next closest -- other than Chinden and Ten Mile, the next closest for the existing locations is 11. So, we are going from 11 to 26 in this new model, which is also similar to the -- to the Ten Mile and Chinden location, which we have not observed any -- any queuing -- major queuing impacts there. I should also mention the escape lane as well. We will have an escape lane that's striped on here. That also allows customers to exit before they even get to the window. So, when the employee takes and -- takes the order from vehicles, sometimes the car that's third in line might only have one drink and the cars in front might have like four or five drinks to be ordered in the kitchen and so it's a lot quicker to get that third car -- fourth car in line their drink order. That vehicle would be able to exit the escape lane without having to wait for the window. So, that's just another example of how Dutch Bros is able to get cars in and out at a faster rate. Their goal is 30 to 45 seconds, no longer, for a vehicle to sit at that window and they are able to minimize the amount of cars in the queue because cars behind are able to exit via the escape lane without having to go to the window. So, not every customer has to go -- has to get to the window to receive their order. That same model is used at Ten Mile and Chinden as well. And is there any questions?

Seal: Any questions for the applicant? Go right ahead.

Grace: Mr. Chairman. Nick, so the -- for the folks that park and want to walk up or use the patio, will they be crossing the -- the -- the vehicle lanes?

Wecker: Yes. The people that park and want to go to the walk-up window -- we have two striped walkways that they can utilize. The primary one is going to be, you know, the one highlighted there. That's more direct to the patio space and, then, they will be able to access the walk-up window that way and, then, there is a large awning over that -- that walk-up window as well to delineate that -- that space.

Grace: And that's probably not much different than some of the existing locations in Meridian?

Wecker: In -- in Meridian?

Grace: Yeah.

Wecker: I'm trying -- it's -- no, it's not -- it's not much different. I -- it's -- this building is more oriented to the right-of-way than -- than some locations. But the older locations have the drive-through lane on each side of the building, so you are going to cross the lane either -- regardless of where the parking is located, just because you have drive aisles on each side.

Grace: Okay. Thank you.

Seal: Any other questions for the applicant or staff? No? Madam Clerk, do we have anybody signed up to testify?

Hall: No, we do not.

Seal: Just do a quick -- is there anybody online that would like to testify? Please raise your hand. Or if you are in Chambers you can raise your hand and come up. Seeing that we have none -- is there -- if there is anything else you would like to add, otherwise, we will probably close the public testimony portion of it and move on here.

Wecker: No. Nothing more to add. Thank you for your time and consideration.

Seal: All right. Thank you very much. Appreciate it. With that can I get a motion to close the public hearing for File No. H-2022-0077?

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0077. All in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. Who would like to go first? I will -- I will throw in the only two cents that I have is hopefully put in a bike rack. That's only because I ride by there and I love to park my bike there, so --

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: Dutch Bros continues to, you know, build out in our community and it seems like they continue to improve on their design. Having two lanes simultaneously, as opposed to one on either side, they have probably done their homework to see that that could be a better fit for their customers and I like the fact that they have really doubled or even tripled the lanes that they have had with some of their other locations.

Seal: Agree. Anybody else?

Stoddard: I agree with – I was just saying I agree. I think it works pretty smooth flowing, which is nice.

Seal: Yeah. Okay.

Grace: A motion or --

Seal: I will -- I will take a motion at any time.

Grace: Mr. Chairman, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2022-0077 as presented in the staff report for the hearing date of January 5th, 2023.

Stoddard: Second.

Seal: It's been moved and seconded to approve Item No. H-2022-0077 with no modifications. All in favor, please, say aye. No opposed. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.