



City Manager's Office

MEMORANDUM

DATE: March 2, 2023

TO: Honorable Mayor and City Council

THROUGH: Doug Thornley, City Manager Approved Electronically

FROM: Alex Woodley, Director of Parking & Code Enforcement
Ashley Turney, Chief Innovation and Experience Officer
Chris Pingree, Director of Development Services
Angela Fuss, Assistant Director of Development Services

SUBJECT: Dutch Bros. Coffee Drive through Operations at 4555 South Virginia Street

Code Enforcement has received multiple complaints regarding the Dutch Bros. drive through operations located at 4555 South Virginia Street from the Reno Police Department, residents, Ward 2 NAB, and Council member Duerr.

The business is located at the corner of Kumle Lane and S. Virginia Street. As vehicles travel south bound on Virginia Street., they turn right onto Kumle Lane to access Dutch Bros. on the north side of Kumle Lane. This frequently creates a backup of traffic on Kumle Lane and on the southbound right lane of Virginia Street. This circumstance is a traffic hazard as other vehicles traveling north or south on Virginia Street that need to turn into Kumle Lane are required to drive around the queue line of cars waiting to enter Dutch Bros.

The issue first came to Code Enforcement's attention in 2020 when the Director personally observed a long line, and issued a courtesy letter to Dutch Bros. LLC on July 9, 2020. Code Enforcement was not able to establish a consistent problem. Unfortunately, after several months the problem got worse as Code Enforcement started receiving several complaints and opened the first case on January 5, 2021. Since then, we have addressed six different cases. Although some efforts have been made by Dutch Bros. to mitigate the violation, the problem persists, resulting in an on-going traffic safety risk for pedestrians and the traveling public.

As of today, Code Enforcement has issued \$9,350.00 in citations. The company has paid \$4,218.00 of that total. It has been evident that the citations have not been effective and Code Enforcement has escalated to pursuing the revocation of the Special Use Permit (LDC16-00002).

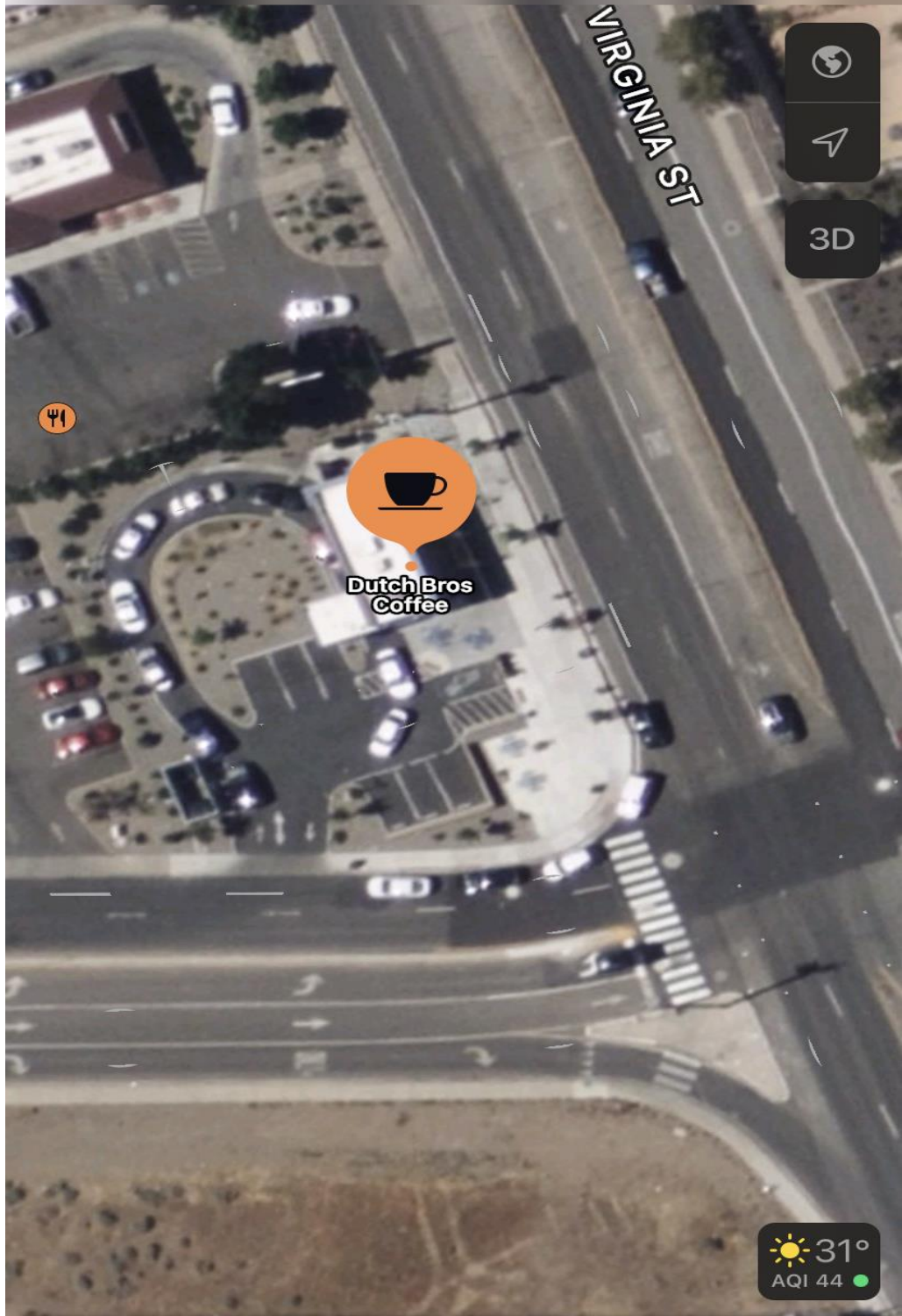
On March 1, 2023, the Assistant Director of Development Services issued a “Special Use Permit (SUP) Revocation Notice” for violation of condition #10 in their SUP, which specifies that:

Prior to the issuance of a building permit, the applicant shall develop an action plan to mitigate potential stacking on City right-of-way and have plans to install signs prohibiting stacking on City right-of-way approved by the Community Development Department. Failure to prevent stacking on City right-of-way shall be considered a violation of this condition and is cause for revocation of the Special Use Permit.

Code Enforcement has been collaborating with Development Services and the City Attorney’s Office to present our case before the Reno Planning Commission on Wednesday April 5, 2023 in accordance with Reno Municipal Code 18.08.307(d). It is Code Enforcement’s recommendation to revoke the Special Use Permit, specifically, restricting the use of the drive through. Please see photos attached.



10:32



Dutch Bros
Coffee

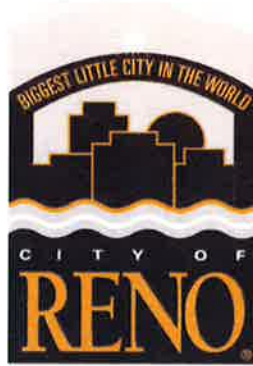
☀️ 31°
AQI 44

Dutch Bros Coffee

Cafe & Coffee Shop · [Reno, Nevada](#)



Angela Fuss, AICP, Assistant Director
Development Services Department
P.O. Box 1900
Reno, NV 89505
(775) 399-3843



February 29, 2023

BB Holdings NV LLC
PO Box 1929
Grants Pass, OR 97528

**Re: 4555 S. Virginia Street – Dutch Brothers Special Use Permit Revocation
(LDC16-00002)**

Dear Sir or Madam,

On October 22, 2015, the Reno Planning Commission approved the request for a Special Use Permit (LDC16-00002) at 4555 S. Virginia Street to:

1. Construct an ±810 square foot coffee shop with a drive-through facility; and
2. Allow for a reduction of the required minimum floor area ratio

A copy of the approval and associated Conditions of Approval is attached. Condition #10 specifies that:

Prior to the issuance of a building permit, the applicant shall develop an action plan to mitigate potential stacking on City right-of-way and have plans to install signs prohibiting stacking on City right-of-way approved by the Community Development Department. Failure to prevent stacking on City right-of-way shall be considered a violation of this condition and is cause for revocation of the Special Use Permit.

City of Reno Code Enforcement continues to receive complaints regarding vehicles illegally stacking on Kumle Lane and South Virginia Street. To date, the City has issued 12 citations since 2015, which includes 7 citations in the last 12 months. The stacking on City right-of-way presents an unreasonable, on-going traffic safety risk for pedestrians and the traveling public, and must be abated immediately.

Because Dutch Brothers has failed to prevent stacking on City right-of-way, this letter serves as formal notice that the City intends to consider whether sufficient cause exists to revoke Special Use Permit (LDC16-00002,) in accordance with Reno Municipal Code 18.08.307(d) and Condition #10. Please be advised that the Reno Planning Commission will conduct the public

hearing on Wednesday, April 5, 2023 at 6:00 p.m. at Reno City Hall, 1 East First Street, Reno, Nevada. You are welcome to attend; have an attorney or other representative of your choosing present; present written evidence; present witnesses; and, provide testimony.

If you have any documentary evidence you want the Planning Commission to consider, please submit it to me at fussa@reno.gov on or before March 29, 2023. If you have any questions regarding the contents of this letter, I can be reached at 775-399-3843 or by e-mail at your convenience. Thank you in advance for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Angela Fuss". The signature is written in a cursive style with a large initial "A".

Angela Fuss, AICP, Assistant Director
Development Services Department

xc: Dutch Brothers
4555 S. Virginia Street
Reno, NV 89502

Letter - Dutch Brothers SUP Revocation Letter