

**PLANNING COMMISSION
STAFF REPORT**

Date: May 1, 2024

To: Reno City Planning Commission

Subject: **Staff Report (For Possible Action): Case No. LDC24-00048 (Lakeside Crossing Chevron) - A request has been made for a conditional use permit to allow an existing convenience store, gas station, and deli to operate between the hours of 11:00 p.m. and 6:00 a.m. The ± 0.84 acre site is located ± 190 feet south of the intersection of West Moana Lane and Lakeside Drive. The site is within the Neighborhood Commercial (NC) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU).**

From: Heather Taylor, Assistant Planner

Ward #: 2

Case No.: LDC24-00028 (Lakeside Crossing Chevron)

Applicant: Rob Cashell

Request: **Conditional Use Permit:** To allow operations between the hours of 11:00 p.m. and 6:00 a.m.

APN: 024-281-07

Location: See Vicinity Maps (**Exhibit A**)

Proposed Motion: Based upon compliance with the applicable findings, I move to approve the conditional use permit, subject to conditions.

Summary: The subject site is an ± 0.84 acre parcel within an established commercial center located at the southeast corner of West Moana Lane and Lakeside Drive. The proposed conditional use permit would allow the established convenience store and gas station business to operate 24-hours per day. The business is under new ownership and wishes to expand existing operating hours. Other business operations are not proposed to be changed at this time. The key issues related to this request include: 1) compatibility with surrounding uses; and 2) safety and security.

Background: The overall commercial center was established by a special use permit in 1986 (Case No. 54-87 / Lakeside Crossing). The convenience store/gas station was established by a subsequent special use permit in 1992 (Case No. 54-87 / Lakeside Crossing/Store & Gas Station). The business has been continuously operating since the 1992 approval.

Analysis:

Compatibility with Surrounding Uses: The subject site is surrounded by a variety of zoning districts but is generally within an established commercial area. There is Neighborhood Commercial (NC) zoning to the east, Professional Office (PO) to the south, and General Commercial (GC) to the north. There is a mix of uses adjacent to the site, including general retail, restaurants, general personal service, and general office. There is a sole parcel zoned Single Family Residential – 3 units per acre (SF-3) directly west. This parcel has been developed as a childcare facility and does not currently include a residential use. The nearest residential property line is approximately 300 feet southeast of the convenience store and accessed via Warren Way.

There is another convenience store located north of the West Moana Lane/Lakeside Drive intersection that operates 24-hours but does not include fuel pumps. The nearest convenience store with fuel pumps is approximately a half mile east, but does not operate past 11:00 p.m. Since there are limited 24-hour uses and no residential developments in the vicinity, it does not appear that 24-hour operations proposed with this request will be detrimental to the area. It will add a missing component for patrons that work non-standard hours.

To further mitigate any potential conflicts related to noise between 11:00 p.m. and 6:00 a.m., **Condition No. 5** has been added to prohibit any amplified music or video advertisements at the fuel pumps or under the canopy.

Safety and Security: The building design includes a primary front entrance facing Lakeside Drive which is comprised mostly of windows, as well as a rear entrance. The rear entrance will be locked during overnight hours for security purposes (**Condition 6**). The site has existing security lighting that will stay in place. There are also existing security cameras. **Condition No. 7** ensures the cameras are in working order and will be continuously maintained. Crime Prevention Through Environmental Design Standards (CPTED) are also included (**Conditions No. 8 - 10**) to further promote public safety with extended hours of operation.

Master Plan Conformance: The subject site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is located within an Outer Neighborhood and along a Suburban Corridor per the Structure Plan Framework of the Reno Master Plan. As proposed, the project is in conformance with the SMU Master Plan land use designation and the following Master Plan policies:

- C-SC.1: Overall Mix
- C-SC.3: Activity-Generating Uses
- C-SC.15: Development Identity
- N-ON.2: Neighborhood Centers

Public and Stakeholder Engagement: The project was reviewed by various City divisions and partner agencies and no noted concerns were received. A courtesy notice was sent out to surrounding property owners upon initial submission of the project. Staff received one public comment and one phone call with concerns regarding overnight safety and security for surrounding businesses. The applicant presented the project to the Ward 2 Neighborhood Advisory Board (NAB) on April 16, 2024. Any future comments will be forwarded to the Planning Commission as they are received.

Recommended Conditions of Approval: All conditions shall be met to the satisfaction of Development Services staff, unless otherwise noted.

1. The project shall comply with all applicable City codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials, and City codes, City Codes shall prevail. Where not specifically addressed in the application, City codes in effect at the time the application is submitted, shall prevail.
2. The applicant shall apply for all building permits for the project within 18 months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.
3. Prior to the issuance of any building permit or business license associated with the request, the applicant shall attach a copy of the final approval letter. The approval letter shall accompany a narrative provided by the applicant that describes how the requested permit addresses each of the approved conditions of approval.
4. The applicant, developer, builder, property owner, or business proprietor, as applicable, shall continuously maintain a copy of this approval letter on the project site during the construction and operation of the project/business. The approval letter shall be posted or made readily available upon demand by City staff.
5. No amplified music or video advertising shall occur at the gas pumps or under the fuel canopy between the hours of 11:00 p.m. and 6:00 a.m.
6. The rear door to the building shall be locked and closed to the public from 11:00 p.m. to 6:00 a.m.
7. Prior to the issuance of a business license with extended hours of operation, the applicant shall have video surveillance cameras installed that allow cashiers or other employees to monitor interior and exterior activities. These cameras shall always be recording when the business is open to the public. The data collected by the cameras shall be stored for at least 24 hours.

8. A height marker shall be placed at each exit to enable witnesses to a crime to estimate the height of a perpetrator.
9. A detector shall be placed at each entrance of the business open to the public to alert the cashier, other store personnel, and customers of the entrance or exit of any customer or other person.
10. Prior to the issuance of a business license with extended hours of operation, a sign shall be installed in a conspicuous location stating that the premises is under active video surveillance.
11. The total area of opaque objects, including but not limited to items such as signs, displays, coolers, merchandise, and automatic teller machines, which are located on or within three horizontal feet of the window shall not exceed 25% of the area of any window or door glass.

Findings:

General Findings: In order to review any application, the Planning Commission shall find the following:

- 1) Consistency with the Reno Master Plan. The proposed development shall be consistent with the Reno Master Plan. The decision-making authority:
 - a. Shall weigh competing plan goals, policies, and strategies; and
 - b. May approve and application that provides a public benefit even if the development is contrary to some of the foals, policies, or strategies in the Reno Master Plan.
- 2) Compliance with Title 18. The proposed development shall comply with all applicable standards in this Title, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.
- 3) Mitigates Traffic Impacts. The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.
- 4) Provides Safe Environment. The project provides a safe environment for pedestrians and people on bicycles.
- 5) Rational Phasing Plan. If the application involves phases, each phase of the proposed development contains all of the required streets, utilities, landscaping, open space, and other improvements that are required to serve or otherwise accompany the completed phases of the project, and shall not depend on subsequent phases for those improvements.

Conditional Use Permit: In addition to meeting the criteria in Section 18.08.304(e), Approval Criteria Applicable to all Applications, the following findings shall be made prior to granting a conditional use permit:

1. The proposed location of the use is in accordance with the objectives of this Title and the purpose of the zoning district in which the site is located;
2. The proposed land use and project design is compatible with surrounding development;
3. The proposed land use and project design is consistent with applicable development standards;
4. Public services and facilities are available to serve the project, or will be provided with development;
5. The characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area; and
6. The granting of the conditional use permit will not be materially detrimental to the public health, safety, or welfare. The factors to be considered in evaluating this application shall include:
 - a. Property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or illumination; and
 - b. Any hazard to persons and property.

Attachments:

- **Exhibit A – Case Maps**
- **Exhibit B – Public Comment**