

**PLANNING COMMISSION  
STAFF REPORT**

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**Date:** December 7, 2023

**To:** Reno City Planning Commission

**Subject:** **Staff Report (For Possible Action): Case No. LDC24-00019 (Starbucks Lighting Major Deviation):** A request has been made for a major deviation to exceed the 100,000 lumens per acre site lighting standard by less than 50 percent. The ±0.97-acre site is located west of Summit Sierra Boulevard, ±607 feet northeast of its intersection with Herz Boulevard. The site is zoned Mixed-Use Suburban (MS) and has a Master Plan land use designation of Suburban Mixed-Use (SMU).

**From:** Leah Piccotti, Associate Planner

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**Ward #:** 2

**Case No.:** LDC24-00019 (Starbucks Lighting Major Deviation)

**Applicant:** Jonathon Wall

**APN:** 142-392-01 & 142-390-06

**Request:** **Major Deviation:** To exceed the 100,000 lumens per acre site lighting standard by less than 50 percent.

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

**Proposed Motion:** Based upon compliance with the applicable findings, I move to approve the major deviation, subject to the conditions listed in the staff report.

**Summary:** The applicant has requested a major deviation to increase the allowed 100,000 lumen per acre lighting output level by 37,008 lumens (±37%) resulting in 137,008 lumens for the ±0.97-acre site to meet the franchise development standards. Approval of the major deviation will allow for additional on-site lighting for a restaurant/coffee shop with a drive-through facility. The key issues related to this request are general site design, and compatibility with surrounding uses and structures. With all the recommended conditions of approval, the increased lighting appears to address the applicable findings. Staff recommends approval, subject to all conditions listed in this staff report.

**Background:** A minor conditional use permit was approved in June of 2023 to allow for the development of a food service, drive-through facility in conjunction with a proposed coffee shop (**Exhibit B**). During review of the building permits it was determined that the proposed lumens exceed the allowed lighting standards. The applicant met with Staff and determined that a major deviation would be required to allow for a  $\pm 37\%$  increase in the allowed lumens.

**Analysis:**

**General Site Design and Operation:** A single  $\pm 2,463$  square foot building is proposed with a converging dual-lane to single-lane drive-through facility (**Exhibit C**). The design of the proposed facility has space for 17 to 20 vehicles depending on the distance between queued vehicles. The approved hours of operation are from 6:00 a.m. to 10:00 p.m. daily and include standard drive-through order and pickup lane restaurant equipment and staffing, as needed by the tenant.

The lighting schedule is shown on the photometric plan (**Exhibit D**). The three light fixtures with the highest lumen output (18,320 per light) are located between the drive-through and the entrance to the eight-stall parking lot, above the ADA parking and the building entrance, and above the trash receptacle. The proposed building is located centrally in the shopping center parking lot, adjacent to a public right-of-way, and approximately  $\pm 250$  feet from the nearest building. Additional lighting will provide safe and visible pathways for both pedestrians and cyclists.

**Compatibility with Surrounding Development:** The site is located interior to the Summit Reno Mall which has a mix of restaurants, retail, and entertainment uses. The nearest residential use is a multi-family complex located approximately  $\pm 600$  feet west of the site. Reno Municipal Code section 18.04.1304 requires that all lighting be fully shielded and extinguished between the hours of 10:00 p.m. and 6:00 a.m. Given the internal location of the site, the deviation appears appropriate for the site and the proposed use.

**Public Services:** No noted concerns were received from either the Reno Fire Department or Reno Police Department in regard to this request. The closest fire station is Station 12 located at 1190 Steamboat Parkway. The current response time from Station 12 is seven minutes.

**Master Plan Conformance:** The project site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is located within a Suburban Corridor and Neighborhood Center per the Structure Plan Framework of the Reno Master Plan. The proposed increase in lighting will meet the public safety and aesthetic needs of the existing shopping center without compromising the environmental quality of adjacent neighborhoods. As proposed and with the recommended conditions, the project is in substantial conformance with the Master Plan land use designation and the following applicable Master Plan goals and policies:

- GP 5.1A: Balanced Modes
- C-SC.9: Pedestrian Realm
- CNC-G: Lighting

**Public and Stakeholder Engagement:** The project was reviewed by various City divisions and partner agencies. Courtesy notices and hearing notices were sent out to surrounding property owners and no comments have been received. Additionally, the project was presented to the Ward 2 Neighborhood Advisory Board on November 21, 2023. As of this writing no comments were received. Any future comments will be forwarded to the Planning Commission.

**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 in effect at the time the application is submitted, shall prevail.
2. The owner or developer shall apply for a building permit for the entire project within 18 months of the date of approval of the major deviation application and maintain the validity of that permit, or the major deviation approval shall be null and void.
3. Prior to the issuance of any building permit, the applicant shall attach a copy of the final approval letter. The approval letter shall accompany a narrative 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 project approval letter shall be posted or made readily available upon demand by City staff.

**Findings:**

**General Review Criteria and Considerations:** The decision-making body shall review all development applications for compliance with the applicable general review criteria stated below.

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- 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.

**Major Deviation:** 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 major deviation:

- (1) Granting the major deviation will not significantly impact nearby property;
- (2) Project changes enabled by the major deviation enhance the overall design of the project, operations of the project or the public benefits resulting from the project;
- (3) Granting of the major deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located; and
- (4) Granting the major deviation will not be materially detrimental to the public health, safety, or welfare.

**Attachments:**

**Exhibit A** – Case Maps

**Exhibit B** – Decision Letter (MUP23-00016)

**Exhibit C** – Site Plan

**Exhibit D** – Photometric Plan with Proposed Lighting