

**PLANNING COMMISSION
STAFF REPORT**

Date: December 7, 2023

To: Reno City Planning Commission

Subject: **Staff Report (For Possible Action): Case No. LDC24-00021 (Over Ice Beverages LLC) - A request has been made for a conditional use permit to establish a warehouse and distribution use within an existing industrial building. The ±2.01 acre site is located on the southwest corner of Riggins Court and Tyrone Road. The site is within the Mixed-Use Urban (MU) zoning district and has a Master Plan land use designation of Mixed-Employment (ME).**

From: Carter Williams, Assistant Planner

Ward #: 2

Case No.: LDC24-00021 (Over Ice Beverages LLC)

Applicant: Over Ice Beverages, LLC

APN: 025-552-09

Request: **Conditional Use Permit:** To establish a warehouse and distribution use within an existing industrial building.

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

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

Summary: The project site is a ±3,268 square foot tenant space within a larger ±2.01-acre site located on the southwest corner of Riggins Court and Tyrone Road. The proposed conditional use permit would allow a warehouse and distribution use in an existing industrial building located within the Mixed-Use Urban (MU) zoning district. Over Ice Beverages, LLC intends to store empty bottles and alcoholic beverage products ready for wholesale distribution at this facility. The bottling and packaging process occurs at other facilities. The key issue analyzed with this report is compatibility with surrounding uses.

Analysis:

Compatibility with Surrounding Uses: The applicant proposes to occupy an existing tenant space within an industrial building originally built in 1984 (**Exhibit B**). The previous use within the suite appears to have been a fitness center. The properties to the north, west, and south of the subject site are zoned MU, while the properties to the east are zoned Mixed-Use Airport (MA). The area is predominantly characterized by industrial and commercial development, though there is a small pocket of single-family residential to the southeast and a condominium development to the west. Although the overall site abuts the condominiums, this building is separated from this development by another warehouse building. This area was originally a residential neighborhood prior to the establishment of the airport and has gradually transitioned to more industrial type uses due to its airport proximity.

The applicant proposes limited truck drop-offs and pickups at a rate of once or twice per week at peak operation. The hours of operation proposed are between 8:00 a.m. and 5:00 p.m. Due to the residential uses in the immediate proximity, **Condition No. 5** is proposed to limit hours of truck arrivals, departures, and on-site movement to between the hours of 6:00 a.m. and 10:00 p.m. Truck idling is also prohibited.

Based on the specific suite's proximity to residential, the limited operating characteristics, and the surrounding light industrial and commercial type uses, it is not anticipated there will be impacts on surrounding uses.

Master Plan Conformance: The subject site has a Master Plan land use designation of Mixed-Employment (ME) and is in a convergence area between Industrial/Logistics Area, Airport Transportation, and Outer Neighborhoods per the Structure Plan Framework of the Reno Master Plan. As proposed, and with the recommended conditions, the project is in conformance with the ME Master Plan land use designation and the following applicable Master Plan goals and policies:

- 1.1B: Community Development
- EA-ILA.1: Overall Mix
- EA-ILA.6: Truck Traffic
- EA-ATA.1: Airport Compatible Uses

Public and Stakeholder Engagement: No concerns were identified from the external agency comments that were received for this application. The applicant presented the project at the Ward 2 Neighborhood Advisory Board (NAB) meeting on November 21, 2023. Concerns regarding procedures on unloading and loading impacts and traffic were raised at the meeting. Based on the limited number of proposed trips, and the previous gym use that would have had a greater number of trips, staff believes these concerns are adequately mitigated. A courtesy notice was sent out to

surrounding property owners upon initial submission of the project and no comments were received. 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 Department 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 business license for the project within 18 months of the date of approval of the conditional use permit review application and maintain the validity of that permit, or the conditional use permit approval shall be null and void.
3. Prior to the issuance of any business license, the applicant shall attach a copy of the final approval letter. The approval letter shall accompany a narrative that describes how the requested license 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.
5. Truck arrival, departures, and on-site movement shall be limited to between the hours of 6:00 a.m. and 10:00 p.m. Unloading and loading activities of enclosed containers previously docked at a sealed dock door, or pulled entirely within the interior of the building, are permitted beyond these restricted hours. Truck idling is prohibited on the site. Prior to the issuance of a building permit, the applicant shall have plans approved demonstrating that signs shall be installed between the overhead doors informing vehicle operators that idling shall be prohibited.

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.

- (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 an application that provides a public benefit even if the development is contrary to some of the goals, 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 – Building Elevations