

**PLANNING COMMISSION
STAFF REPORT**

Date: October 2, 2024

To: Reno City Planning Commission

Subject: **Staff Report (For Possible Action): Case No. LDC25-00004 (Starbucks Firecreek Crossing) – A request has been made for a Conditional Use Permit to allow for a restaurant with a drive-through facility within 300 feet of a residentially zoned property. The site is located on a portion of a ±17.65-acre parcel (Firecreek Crossing) on the northwest corner of Redfield Parkway and Kietzke Lane (4801 Kietzke Lane). The site is located in the Mixed-Use Urban (MU) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU).**

From: Leah Piccotti, Associate Planner

Ward #: 2

Case No.: LDC25-00004 (Starbucks Firecreek Crossing)

Applicant: GreenbergFarrow Architectural

APN: 024-055-33

Request: **Conditional Use Permit:** To allow for: a restaurant with a drive-through facility within 300 feet of a residentially zoned property.

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 the conditions listed in the staff report.

Summary: The ±0.91 acre project site is located on the northeast corner of the ±17.65 acre parcel within the Firecreek Crossing commercial center. The request includes the interior and exterior remodel of an existing ±3,175 square foot restaurant and an extension of the existing drive-through service lane. Key issues identified in this request are: 1) overall site design; 2) traffic, access, and circulation; and 3) public safety. These issues have been mitigated through the project design, code compliance, and/or the conditions of approval, as further discussed in the analysis below. Staff can make all of the findings and recommends approval of the Conditional Use Permit, subject to the conditions of approval in the staff report.

Background: The site is located within Firecreek Crossing, a ±69.52 acre commercial development approved in the early 1990's under Case No. 22-87/File 17 and Case No. 22-87/File 26. In 1996, a special use permit, Case No. 22-87/File 31 was approved to allow for a drive-through in conjunction with a ±3,155 square foot restaurant. According to City of Reno records, Boston Market operated in this location from 2000 until 2023. Per Reno Municipal Code (RMC), if the use (drive-through facility) is discontinued for a period of one year or more the use may only be resumed with a Conditional Use Permit (CUP), reviewed and approved by the Planning Commission.

Discussion: Under current RMC, accessory drive-through facilities require a CUP in the MU zoning district. The overall shopping center parcel, on which the site is included, is located approximately 220 feet from an apartment complex located in the Multi-Family – 30 units per acre (MF-30) zoning district. The proposed drive-through facility is located approximately 1,250 feet from the MF-30 zoning district.

There is currently a Starbucks located approximately 200 feet northwest of the proposed facility, in the adjacent commercial center. That location will be closed and relocated to this site once the improvements are completed.

Analysis:

General Site Design: The ±17.65-acre parcel is a developed commercial center with seven large retail stores and a parking area. The ±0.91 acre project site is developed with a ±3,155 square foot restaurant building, approximately 18 feet in height, with a drive-through facility (**Exhibit B**). The building is oriented facing south, toward the existing shopping center and parking area. Modifications to the exterior of the building include the integration of varying materials, colors, textures, and architectural embellishments/enhancements as shown in **Exhibit C**.

The shopping center is accessed off Kietzke Lane, via Firecreek Crossing (a private road), to the north of the project site or Redfield Parkway to the south. Vehicles will enter the site through the parking area either from the west or south. The drive-through lane runs south to north along Keitzke Lane and turns east between the building and Firecreek Crossing (road). The drive-through lane exits into the parking area approximately 40 feet from Firecreek Crossing (road). The site is designed with 28 parking spaces including two ADA van accessible spaces. Pedestrian access is provided from the sidewalk on Kietzke Lane to the front door. The proposed development includes landscaping on 34 percent of the project site.

RMC requires a minimum of 100 feet of stacking space behind the kiosk/window where orders are taken and 140 feet of total stacking space behind the window where the payment is made.

Combined the stacking lanes provide a total of approximately 200 feet/10 cars behind the ordering kiosk and a total of approximately 350 feet/17 cars of stacking lanes behind the window where the payment is made.

Landscaping: RMC requires 20 percent of the site to be landscaped. The preliminary landscape plan (**Exhibit D**) indicates the project will include approximately 13,386 square feet (34%) of landscaping and the drive-through lane shall be screened from Kietzke Lane with a combination of evergreen and deciduous trees and a variety of shrubs (**Condition No. 5**).

To accommodate the extension of the existing drive-through, five trees are proposed to be removed from the front yard (18 feet from the property line) along Kietzke Lane. Outside of the front setback, seven additional trees will be removed in the parking area and drive-through. Per RMC, where existing mature, healthy trees, as determined by the Administrator in consultation with the Urban Forester, are removed along public rights-of-way or in the front yard as a result of any construction, they shall be replaced based on the size of the tree, with deciduous trees of a minimum caliper of two and a half inches and evergreen trees with a minimum height of ten feet. The maximum tree penalty for this section is 30 percent. Overall, 12 trees are being removed and shall be replaced, per **Exhibit D (Condition No. 6)**.

Pedestrian & Bicycle Amenities: ADA-accessible pedestrian routes to the building shall be provided from the sidewalk and bus stop on Kietzke Lane. An ADA-accessible pedestrian crossing is proposed at the entrance to the drive-through. To enhance pedestrian safety and mitigate impacts of drive-through operations, pedestrian crossings shall utilize changes in surface material and include signage identifying their location to vehicular traffic (**Condition No. 7**).

Per RMC, all bicycle parking spaces required shall be located within a building or covered by a roof, awning, or similar shelter structure. No bicycle parking is identified on the site plan. **Condition No. 8** has been added to ensure compliance with RMC.

Hours of operation/construction: The proposed hours of operation are 4:00 a.m. to 11:00 p.m. RMC allows 24-hour operation in the MU zoning district. Given the 1,250-foot proximity from the MF-30 zoning district Staff finds that the extended hours of operation are appropriate in this location and further mitigation is not required.

Roadways/Traffic/Access: The existing fast-food restaurant building with a drive-through is being converted from a Boston Market into a Starbucks coffee shop with no change in building square footage. Starbucks drive-through vehicle queues tend to be longer than average drive-through vehicle queues for fast food restaurants. The proposed development will extend the length of the existing drive-through storage by reconfiguring a portion of the existing parking lot. Should the

vehicle queue ever extended beyond the designated queuing area no City roadways would be affected.

The Firecreek Crossing/parking lot drive aisle intersection shall be striped with diagonal lines and the words “DO NOT BLOCK INTERSECTION.” The eastbound Firecreek Crossing access road shall be striped with dashed white lines and arrows to delineate two entry lanes, as shown in **Exhibit B (Condition No. 9)**.

Utilities: Sanitary sewer will connect to the public sewer system for treatment at the Truckee Meadows Water Reclamation Facility (TMWRF). Electric and gas utilities will be provided by NV Energy and the water utility by Truckee Meadows Water Authority (TMWA).

Flood Hazard/Stormwater Drainage: The project is located in FEMA Flood Zone Shaded X (0.2 percent annual chance of flooding). The existing site is fully paved, and the project development would result in negligible changes to existing impervious area. No additional drainage analysis or storm water retention facilities are being proposed.

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 3, located at 580 West Moana Lane. The current response time from Station 3 is six minutes.

Master Plan Conformance: The subject site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is within the Mixed-Use, Urban Corridor, and Convention Regional Center Areas per the Structure Plan Framework of the Master Plan. The addition of a coffee shop with a drive-through adds to the mix of uses within the center. The site is designed to create a safe and inviting environment for pedestrians. This land use designation is intended to offer a range of commercial, retail, employment, and service-oriented uses to serve adjacent neighborhoods and the broader community. The proposed drive-through food service facility conforms to the characteristics of the designation as outlined in the Master Plan. 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:

- Guiding Principle 1.1B: Community Development
- Guiding Principle 1.5B: Urban Revitalization
- Guiding Principal 2.2A: Priority Locations for Infill and Redevelopment
- Guiding Principle 4.4A: Walkable Centers
- Guiding Principle 4.4D: Mix of Uses
- CNC-G20: Vacant or Obsolete Buildings

Public and Stakeholder Engagement: The proposed project was reviewed by various City divisions and partner agencies and no noted concerns were identified prior to this approval being issued. A public notice was sent out to all property owners within 750 feet of the project. Staff received two public comments. One comment noted concerns regarding the traffic stacking onto Kietzke Lane. The other comment cited too many Starbucks.

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

1. All work involved in constructing and operating a project approved pursuant to Title 18 of Reno Municipal Code shall comply with all plans, reports, renderings, and materials that were submitted or presented as a part of this application. City Codes shall prevail in the event of a conflict between the approved plans and the City Codes in effect when the permit is reviewed.
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 site plan review application and maintain the validity of that permit, or the site plan review approval shall be null and void.
3. Prior to the issuance of any building permit and/or business license, 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/operations of the project/business. This approval letter shall be posted or made readily available upon demand by City staff.
5. Prior to issuance of a building permit, the final landscape plan shall demonstrate a minimum of 34 percent code compliant landscaping the drive-through lane shall be screened from Kietzke Lane with a combination of evergreen and deciduous trees and a variety of shrubs.
6. Prior to the issuance of a building permit, the final landscape plan shall demonstrate that any tree being removed be replaced as shown in **Exhibit D**.
7. Prior to the issuance of a site improvement plan, the applicant shall demonstrate that all pedestrian crossings of drive through lanes and parking areas shall be accessible; utilize

changes in color or surface material to be distinguishable from areas used by vehicles; and include signage indicating the location of the crossing to vehicular and pedestrian traffic.

8. Prior to the issuance of a site improvement plan, the applicant shall demonstrate that covered bicycle parking be installed in compliant with RMC.
9. Prior to the issuance of a site improvement plan, the applicant shall stripe the Firecreek Crossing/parking lot drive aisle intersection with diagonal lines and the words “DO NOT BLOCK INTERSECTION,” add dashed white lines to eastbound Firecreek Crossing to delineate two entry lanes, and add turn arrows (a “through” and a “through-left” to the lanes), as shown in **Exhibit B**.

Findings:

General Review Criteria: 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 and 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 – Site Plan

Exhibit C – Elevations

Exhibit D – Preliminary Landscape Plan