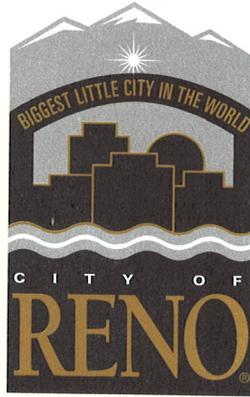


*Nathan Gilbert, AICP, Principal Planner
Development Services Department
P. O. Box 1900
Reno, NV 89505
(775) 334-2698*



September 20, 2023

Chhabra Stores, LLC
c/o Amitoj Chhabra
1400 E. Peckham Ln, Ste. A
Reno, NV 89502

Re: Minor Conditional Use Permit Case No. MUP24-00003 (Drams and Smoke)
APN: 025-524-08
Ward: 3

Dear Applicant:

The Development Services Department has completed the review of your request for a minor conditional use permit to allow for packaged alcohol sales accessory to a general retail store. The ±1.62 acre site is located southeast of the corner of East Peckham Lane and Neil Road (1400 East Peckham Lane, Suite E). The site is zoned Mixed-Use Urban (MU) and has a Master Plan land use designation of Suburban Mixed-Use (SMU). Based on the materials you have submitted, as modified in the conditions of approval, the project conforms to the findings as required by the Reno Municipal Code (RMC) 18.08.604(e), and is not expected to have an adverse impact on the area. The administrator hereby approves the requested Minor Conditional Use Permit, Case No. MUP24-00003, subject to the following conditions:

All conditions shall be met to the satisfaction of Development Services 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 have all conditions of approval implemented and obtain an approved business license within 18 months of the date of approval of the minor conditional use permit application and maintain the validity of that permit or business license, or the minor conditional use permit approval shall be null and void.

3. Prior to the issuance of any building permit 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 or business license application 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. Hours of operation shall be limited to between 6:00 a.m. and 10:00 p.m.
6. Outdoor storage of merchandise, boxes, and other materials is prohibited.
7. A height marker shall be placed at each exit to enable witnesses to a crime to estimate the height of the perpetrator.
8. A detector shall be placed at each entrance of the business open to the public to alert the sales clerk, other store personnel, and customers of the entrance or exit of any customer or other person.
9. Prior to the issuance of a business license, the applicant shall have video surveillance cameras installed that allow sales clerks or other employees to monitor interior and exterior activities. These cameras shall always be recording during hours that the business is open to the public. The data collected by the cameras shall be stored for at least 24 hours.
10. Prior to the issuance of a business license, a minimum of one sign is to 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, automatic teller machines, and calling card vending machines, which are located on or within three horizontal feet of the window shall not exceed twenty-five percent (25%) of the area of any window or door glass.

Summary: The applicant has requested to establish packaged alcohol retail sales accessory to a tobacco retailer on the southeast corner of Neil Road and Peckham Lane (**Exhibit A**). A minor conditional use permit is required when an accessory packaged alcohol retail use is established within 500 feet of residentially zoned property. The project site abuts property zoned Multi-Family Residential – 30 units per acre (MF-30). Key issues identified for this request are: 1) compatibility with surrounding uses, and 2) public safety. These issues are adequately mitigated based on the proposed business operation and the included conditions of approval.

Analysis:

Business Operation: The applicant proposes establishing a tobacco retailer at this location which is an allowed use. The accessory packaged alcohol retail component only encompasses 227 square feet of the establishment, or 13 percent, and alcohol products are not directly accessible by customers as they are located behind a counter (**Exhibit B**). The applicant proposes to operate the business between the hours of 10:00 a.m. and 8:00 p.m. **Condition No. 5** limits the hours of operation between 6:00 a.m. and 10:00 p.m. nightly.

Per Reno Municipal Code Section 18.03.405(n), retail floor space dedicated to the sale of fresh or frozen, perishable foods must be provided equal to 10 percent of the floor space of the accessory packaged alcohol use. The applicant has provided an area for this purpose on the site plan.

Compatibility with Surrounding Uses: In the immediate vicinity of the project site there are a number of commercial and single-family townhouse uses. Properties to the north are zoned Mixed-Use Urban (MU) and MF-30. To the west and south, properties are zoned MF-30. To the east there is vacant property zoned MU. A survey was submitted with this application of surrounding uses that may be adversely impacted by the establishment of a packaged alcohol retail use (**Exhibit C**). Other than the residentially zoned property in the vicinity, no other sensitive uses were identified. As this is an accessory use incidental to a primary retail use in this suite, it is not anticipated that there will be any compatibility issues.

Public Safety: The Reno Police Department identified that there are an elevated number of calls to service in the vicinity of the project for loitering and unwanted subjects. Staff has implemented several conditions that mirror that of the Downtown Safe Scape standards as they relate to enhanced security and natural surveillance. **Condition No. 6** prohibits merchandise to be displayed outdoors. **Condition No. 7** requires that a height marker be installed at the building entrances to support witnesses in identifying subjects. **Condition No. 8** requires that entry detectors be placed at all public entrances and exits to alert employees and customers of people entering the premises. **Condition Nos. 9 and 10** require the installation of security cameras and signage to notify the public that the property is monitored by security cameras. Lastly, **Condition No. 11** requires that natural surveillance and visibility is maintained by not allowing the presence of objects or fully opaque window decals to block more than 25% of transparent windows and doors. With these conditions of approval and in consultation with the Reno Police Department, the approval of this project is not anticipated to be in detriment to public safety in the area.

Master Plan Conformance: The project site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is located within a Mixed Use Area per the Structure Plan Framework of the Reno Master Plan. As proposed, and with the included conditions, the project is substantially in conformance with the SMU Master Plan land use designation.

Public and Stakeholder Engagement: The proposed project was reviewed by various City divisions and partner agencies and concerns were identified by the Reno Police Department.

Conditions of approval related to natural surveillance and visibility have been implemented with this approval to address their concerns. A public notice was sent out to all property owners within 750 feet of the project and no public comment was received.

Legal Requirements:

RMC 18.08.304(e) Approval Criteria Applicable to all Applications
RMC 18.08.604(e) Minor Conditional Use Permit - Findings

General Review Criteria and Considerations:

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 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.

Minor 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 minor 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 minor 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.

Appeal of Administrative Decision: This administrative decision may be appealed to the City Council by the applicant, the Mayor or a City Council Member, or any person who is "aggrieved" by the action or inaction. An appeal (together with fees) must be filed with the City Clerk within ten business days starting on the day after written notice of the action is filed with the City Clerk. The City Clerk's Office is located on the 2nd floor of Reno City Hall located at One East First Street, Reno, NV.

This approval letter has not been issued in lieu of a permit. You are responsible for obtaining the appropriate permits associated with this project and a copy of this letter must be attached to the application.

Sincerely,



Nathan Gilbert, AICP, Principal Planner
Development Services Department

Re: MUP24-00003 (Drams and Smoke)
Page 6

xc: Peckham L.L.C.
Attn: Kabul Singh
107 E. McKnight Way
Grass Valley, CA 95949

Argentum Law
Attn: Jeff Donato
6047 S. Fort Apache Rd Ste 130
Las Vegas, NV 89148

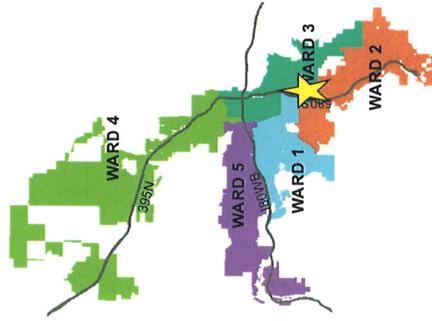
Mikki Huntsman, City Clerk
Bob Flores, Building and Safety Manager
Michael Mischel, P.E., Engineering Manager

VICINITY MAP

MUP24-00003

(Drams and Smoke)

Subject Site ▶



WARD 3



The information hereon is approximate and is intended for display purposes only.
Date: August 2023
Scale: 1 inch = 175 feet



EXHIBIT A



ZONING MAP

MUP24-00003

(Drams and Smoke)

ZONING = MU

Subject Site ► 

Zoning Designations

-  MF-30
-  MU
-  ME



The information hereon is approximate and is intended for display purposes only.
DATE: August 2023
SCALE: 1 inch = 175 feet

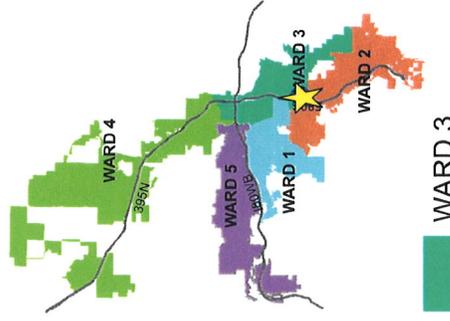


MASTER PLAN MAP

MUP24-00003

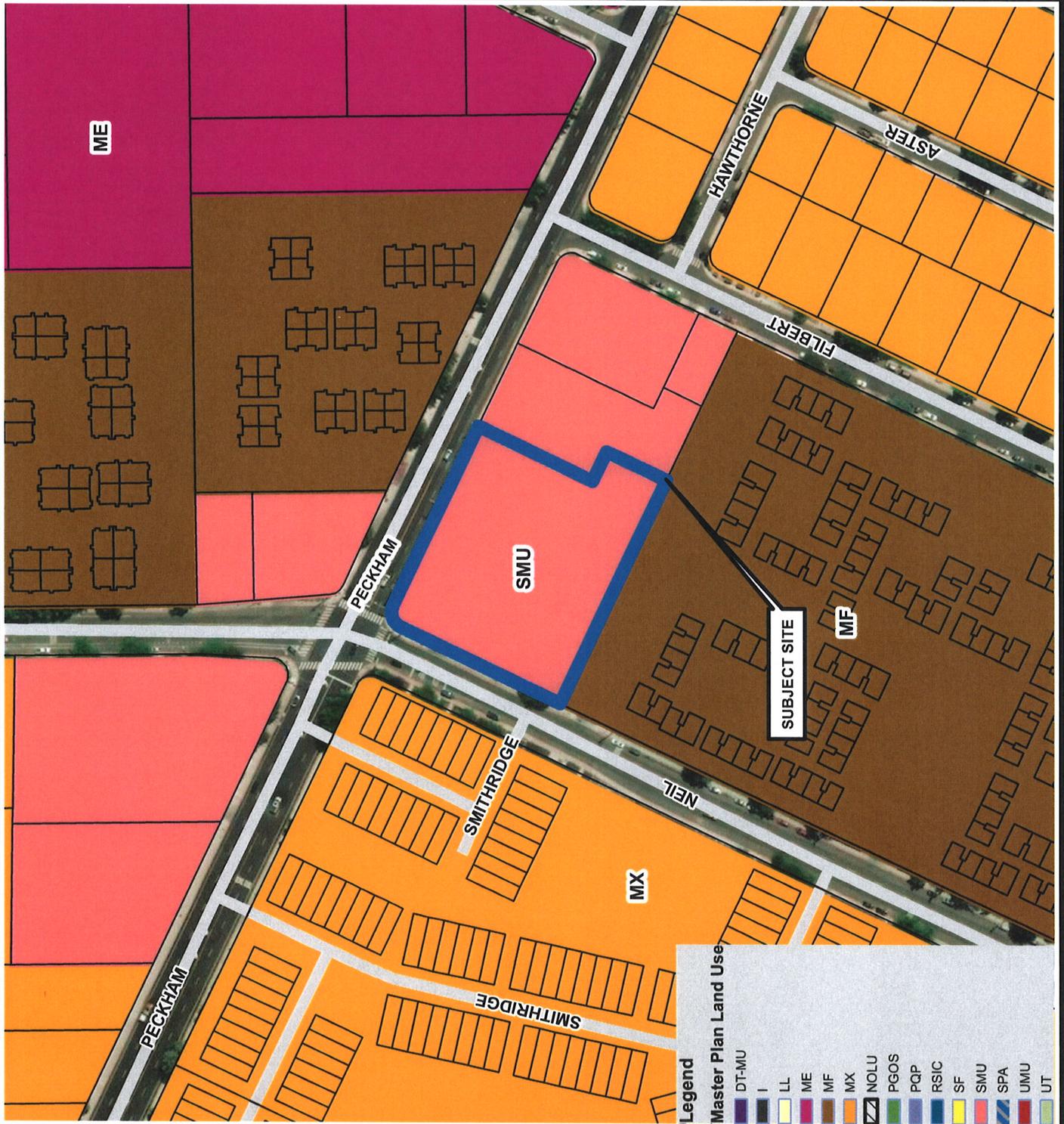
(Drams and Smoke)

Subject Site 



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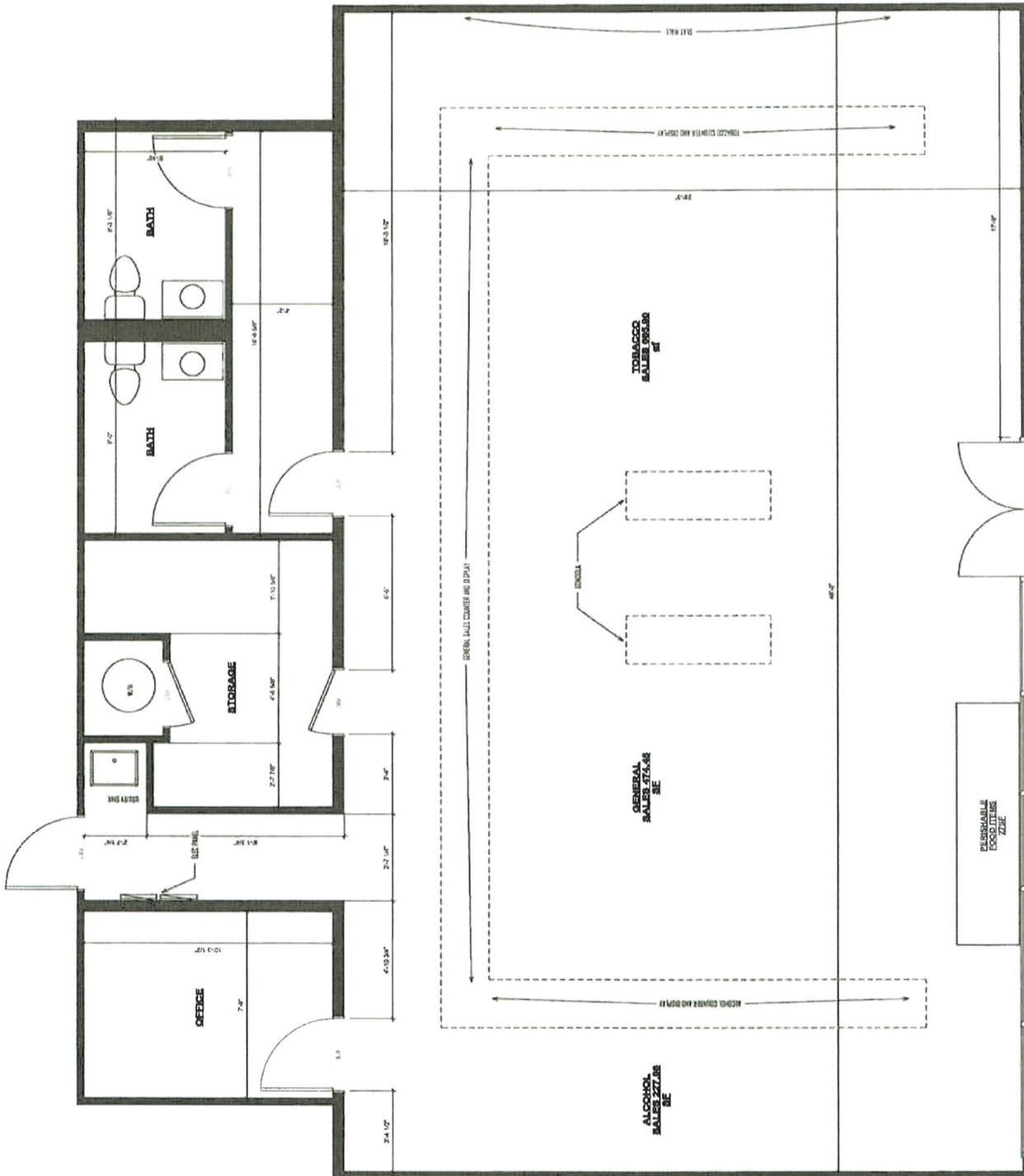


Legend

Master Plan Land Use

DT-MU	I	LL	ME	MF	MX	NOLU	PGOS	PQP	RSIC	SF	SMU	SPA	UMU	UT
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EXHIBIT B



Floor Plan
SCALE: 1/8" = 1'-0"

