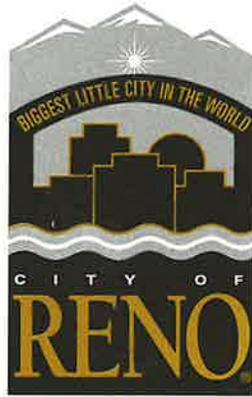


Nathan Gilbert, AICP, MCRP
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October 30, 2023

MRMJ, LLC
489 E. Plumb Lane
Reno, NV 89502

Re: Minor Conditional Use Permit Case No. MUP24-00007 (Mi Pueblito Envios
Packaged Alcohol Sales)
APN: 013-462-14
Ward: 3

Dear Applicant:

The Development Services Department has completed the review of your request for a minor conditional use permit to allow for package alcohol sales accessory to the primary use of a convenience store, adjacent to a residential zoning district. The use is proposed within an existing suite at the ±1.71 acre Plumb Lane Plaza commercial center located on the northwest corner of East Plumb Lane and Wrondel Way. The subject site is located in the General Commercial (GC) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU) **(Exhibit A)**. Based on the materials 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. MUP24-00007, 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 apply for a business license or building permit for the entire project 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. A minimum of five percent of the retail floor space shall be dedicated to the sale of fresh or frozen perishable foods.
6. The display and sale of package alcoholic beverages, including package wine and beer, shall not exceed 25 percent of the total floor area.

Summary: The subject site is located within an existing commercial center, Plumb Lane Plaza, surrounded by a mix of low impact commercial and residential uses. Approval of this request will allow the applicant to sell packaged alcohol adjacent to a residentially zoned property. Key issues analyzed for this request are: 1) compatibility with surrounding uses; and 2) public safety. Staff can make all the findings and, with the included conditions of approval, the key issues will be properly mitigated.

Analysis:

Business Operation: The business operates as a convenience store that sells specialty dry and canned goods, over-the-counter medications, soft drinks, toiletries, sweets, and snacks. In addition to retail merchandise, the business also provides check cashing services. The floor plan (**Exhibit B**) provided demonstrates that five percent of the retail floor area is dedicated to the sale of perishable foods and one percent is proposed to be dedicated to the sale of packaged alcohol. Per Reno Municipal Code (RMC) Section 18.03.405(n), the sale of accessory packaged alcohol requires ten percent of the retail floor space to be dedicated to the sale of fresh or frozen perishable foods. The minimum square footage dedicated to fresh or frozen food sales may be modified if it can be determined that there are fresh or frozen perishable food options within ¼ mile of the site.

The applicant's lease agreement limits the amount of perishable food they are allowed to sell because there is a mini-market and four restaurants located in the same shopping center, all within 200 feet of the front door. Since there are several food options onsite, the percentage of required perishable foods has been reduced. A minimum of five percent of the retail floor space shall be dedicated to the sale of fresh or frozen perishable foods (**Condition No. 5**).

The RMC definition of Accessory Package Alcohol Sales allows for the display and sale of package alcoholic beverages, including package wine and beer, up to 49 percent of the total floor area. Since the sale of perishable food is restricted at this business, the display and sale of package alcoholic beverages, including package wine and beer, shall not exceed 25 percent of the total floor area (**Condition No. 6**).

Compatibility with Surrounding Uses: A convenience store with accessory packaged alcohol sales is compatible and consistent with other uses in the area. Uses in the existing commercial center include retail stores, personal services, offices, and four restaurants. Two of the existing restaurants serve alcohol. To the west is a large retail store. Across Plumb Lane are restaurants, offices and an auto repair business. To the east are single family residences located in a single-family residential (SF-8) zoning district and to the north is an apartment complex in a multi-family residential (MF-30) zoning district.

The convenience store operates between the of hours of 9:00 a.m. and 8:00 p.m. Monday through Saturday, and 11:00 a.m. to 6:00 p.m. on Sunday. With these hours of operation and the packaged alcohol sales limited to 25 percent of the retail floor area, this use is not anticipated to cause impacts to the surrounding area. Since the subject site is developed with the existing center, and adjacent to a variety of commercial uses, the proposed use is compatible with existing surrounding land uses and development.

Public Safety: The Reno Police Department reviewed the application and had two recommendations. It was recommended that the packaged alcohol not be in close proximity to the door due to the potential for theft, and that natural surveillance be increased by reducing window coverings or advertisements. In consultation with the Reno Police Department, the approval of this project is not anticipated to be a 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 the Central Neighborhoods per the Structure Plan Framework of the Reno Master Plan. As proposed with the recommended conditions, the project is in conformance with the following applicable Master Plan goals and policies.

- Guiding Principle 1.2C: Existing Businesses
- Guiding Principle 4.4A: Walkable Centers
- Guiding Principle 4.4D: Mix of Uses

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 decision being issued. 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.

Re: MUP24-00007 (Mi Pueblito Envios Packaged Alcohol Sales)
Page 6

Sincerely,



Nathan Gilbert, Principal Planner
Development Services Department

MUP24-00007 (Mi Pueblito Envios Packaged Alcohol Sales) – LNP

xc: Plumb Lane Plaza Assocaites
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Reno, NV 89511

Aubrey Powell
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Mikki Huntsman, City Clerk
Bob Flores, Building and Safety Manager
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