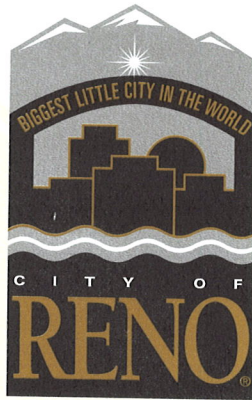


Mike Railey, Planning Manager
Development Services Department
P. O. Box 1900
Reno, NV 89505
(775) 393-1047



November 09, 2023

Harpreet Singh
555 Margrave Drive
Reno, NV 89502

Re: Minor Conditional Use Permit Case No. MUP24-00008 (Lavi Smoke & Food Mart 2)
APN: 400-140-04
Ward: 1

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 ±1.9 acre site is located due north of the northeast corner of South McCarran Boulevard and West Fourth Street. The site is zoned Specific Plan District (SPD) 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. MUP24-00008, 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. The gross floor area for the display and sale of packaged alcoholic beverages, including packaged beer and wine, shall not exceed 49% of the total floor area in accordance with RMC Chapter 18.09 Article 3 "Accessory Uses".
6. Hours of operation shall be limited to between 9:00 a.m. and 10:00 p.m. nightly.
7. Outdoor storage of merchandise, boxes and other materials is prohibited.
8. A height marker shall be placed at each exit to enable witnesses to a crime to estimate the height of the perpetrator.
9. A detector shall be placed at each entrance of the business open to the public to alert the cashier, other store personnel, and customers of the entrance or exit of any customer or other person.
10. Prior to the issuance of a business license, the applicant shall have video surveillance cameras installed that allow cashiers or other employees to monitor interior and exterior activities. These cameras shall always be recording during which the business is open to the public. The data collected by the cameras shall be stored for at least 24 hours.
11. 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.
12. 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 sales accessory to a tobacco retailer (general retail) located in a commercial strip mall due north of the northeast corner of West Fourth Street and South McCarran Boulevard (**Exhibit A**). Per RMC Section 18.03.405(n), 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 is within 500 feet of property zoned Multi-Family Residential – 14 units per acre (MF-14). Key issues identified for

this request are: 1) business operation and public safety and 2) compatibility with surrounding uses. These issues are adequately mitigated by the included conditions of approval.

Analysis:

Business Operation and Public Safety: The primary use of the subject site is as a tobacco retailer. When packaged alcohol sales is accessory to a primary use, the total gross floor area for the display and sale of packaged alcoholic beverages, including packaged beer and wine, shall not exceed 49% of the total floor area per the requirements of RMC Chapter 18.09 Article 3 “Accessory Uses” (**Condition No. 5**). To meet this requirement, the applicant has submitted a floor plan with this application indicating that the packaged alcohol retail component will only encompass approximately 200 square feet of the tenant space which is estimated to be approximately 1,080 square feet (**Exhibit B**). Additionally, the applicant proposes to operate the business between the hours of 9:00 a.m. and 10:00 p.m. which should reduce any public safety concerns associated with the operation of the business (**Condition No. 6**). Crime Prevention Through Environmental Design (CPTED) standards are also included (**Condition No.’s 7-12**) to further promote public safety.

Per RMC Section 18.03.405(n), retail floor area dedicated to the sale of fresh or frozen, perishable foods must be provided equal to ten percent (10%) of the floor space (excluding floor area dedicated to storage, offices, restrooms, hallways, or otherwise not accessible by the public); however, an exemption to this requirement is made when fresh or frozen perishable food options are located within ¼ mile of site. While the proposed use does include limited food offerings, there is a convenience store which offers both fresh and frozen perishable food offerings within the overall commercial center, satisfying the requirements of RMC 18.03.405(n).

Compatibility with Surrounding Uses: The subject site and the properties to the north, south, and east of the subject site are located within the Monte Vista Village Specific Plan District (SPD) while the property located across South McCarran Boulevard to the west is zoned General Commercial (GC); however, within 500 feet of the subject site is property zoned Multi-Family Residential – 14 units per acre (MF-14) which necessitates the approval of a minor conditional use permit application. 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.

Master Plan Conformance: The project site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is located within a Neighborhood Center and adjacent to a suburban corridor 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 departments. 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,



Mike Railey, AICP, Planning Manager
Development Services Department

Re: MUP24-00008 (Lavi Smoke and Food Mart 2)
Page 6

xc: Kirk Bengtson
1037 Village Lane
Chico, CA 95926

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

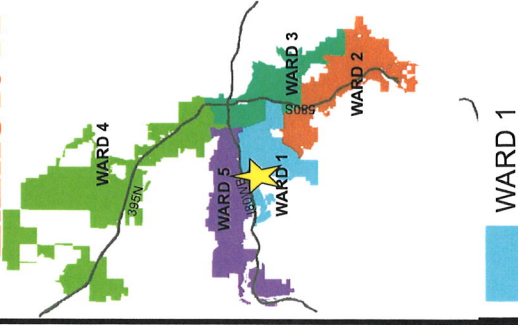
AREA MAP

MUP24-00008

(Lavi Smoke and
Food Mart 2)

Subject Site ► 

Exhibit A



The information herein
is approximate and
is intended for display
purposes only.
Date: October 2023
Scale: 1 inch = 500 feet

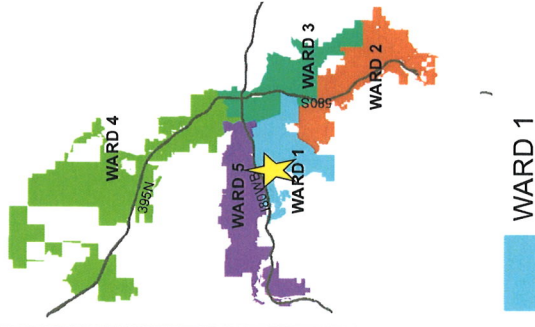


VICINITY MAP

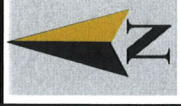
MUP24-00008

(Lavi Smoke and Food Mart 2)

Subject Site ► 



Development
Services
Department



The information herein
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purposes only.

Date: October 2023

Scale: 1 inch = 250 feet



ZONING MAP







MUP24-00008

(Lavi Smoke and Food Mart 2)

ZONING = SPD

Subject Site ► 

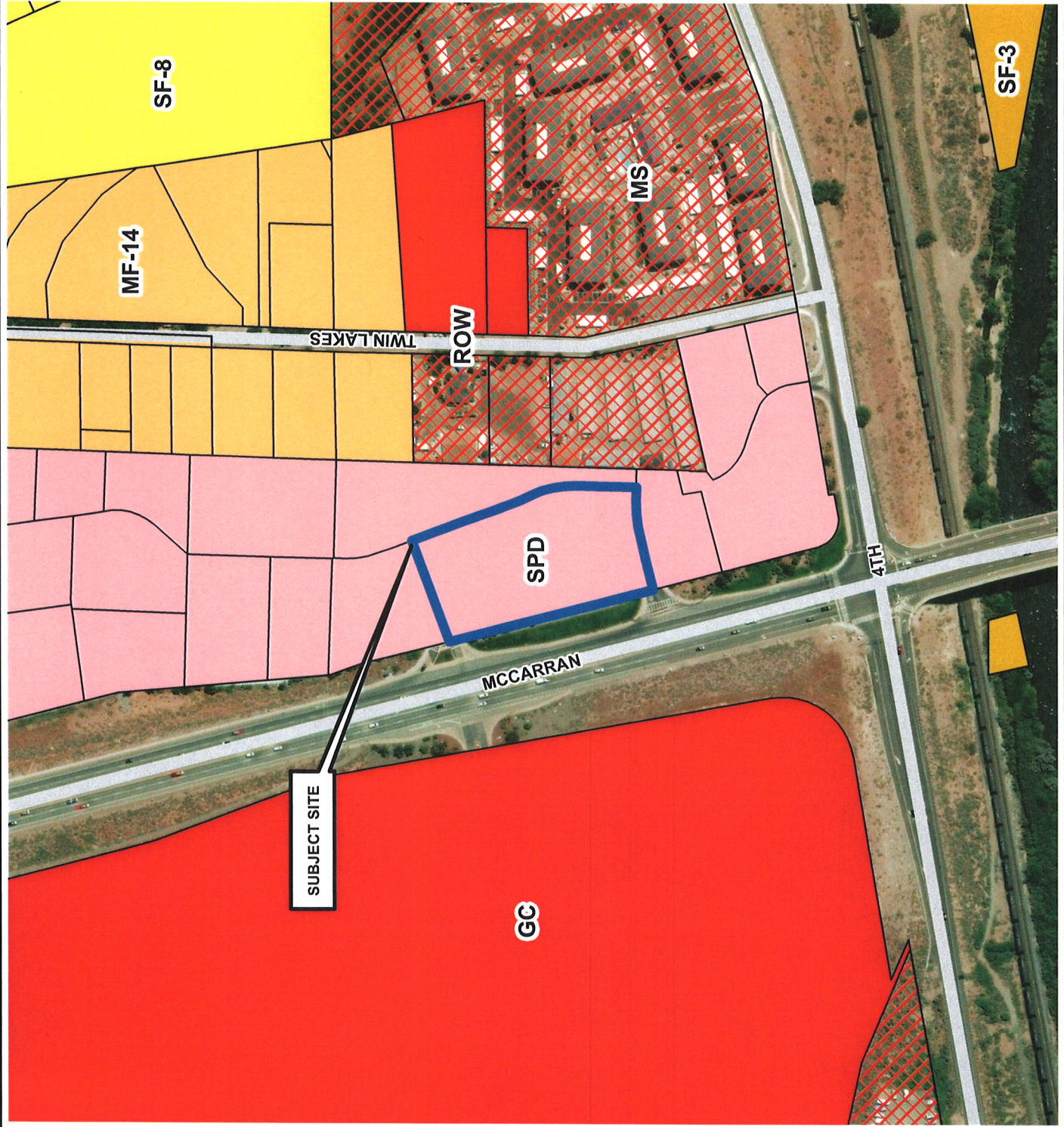
Zoning Designations

| | |
|---|-------|
|  | SF-3 |
|  | SF-8 |
|  | MF-14 |
|  | MS |
|  | GC |
|  | SPD |



The information heron is approximate and is intended for display purposes only.


DATE: October 2023
SCALE: 1 inch = 250 feet

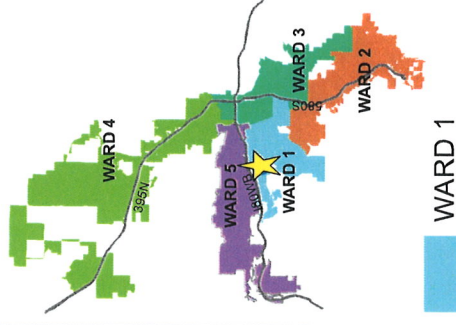


MASTER PLAN MAP

MUP24-00008

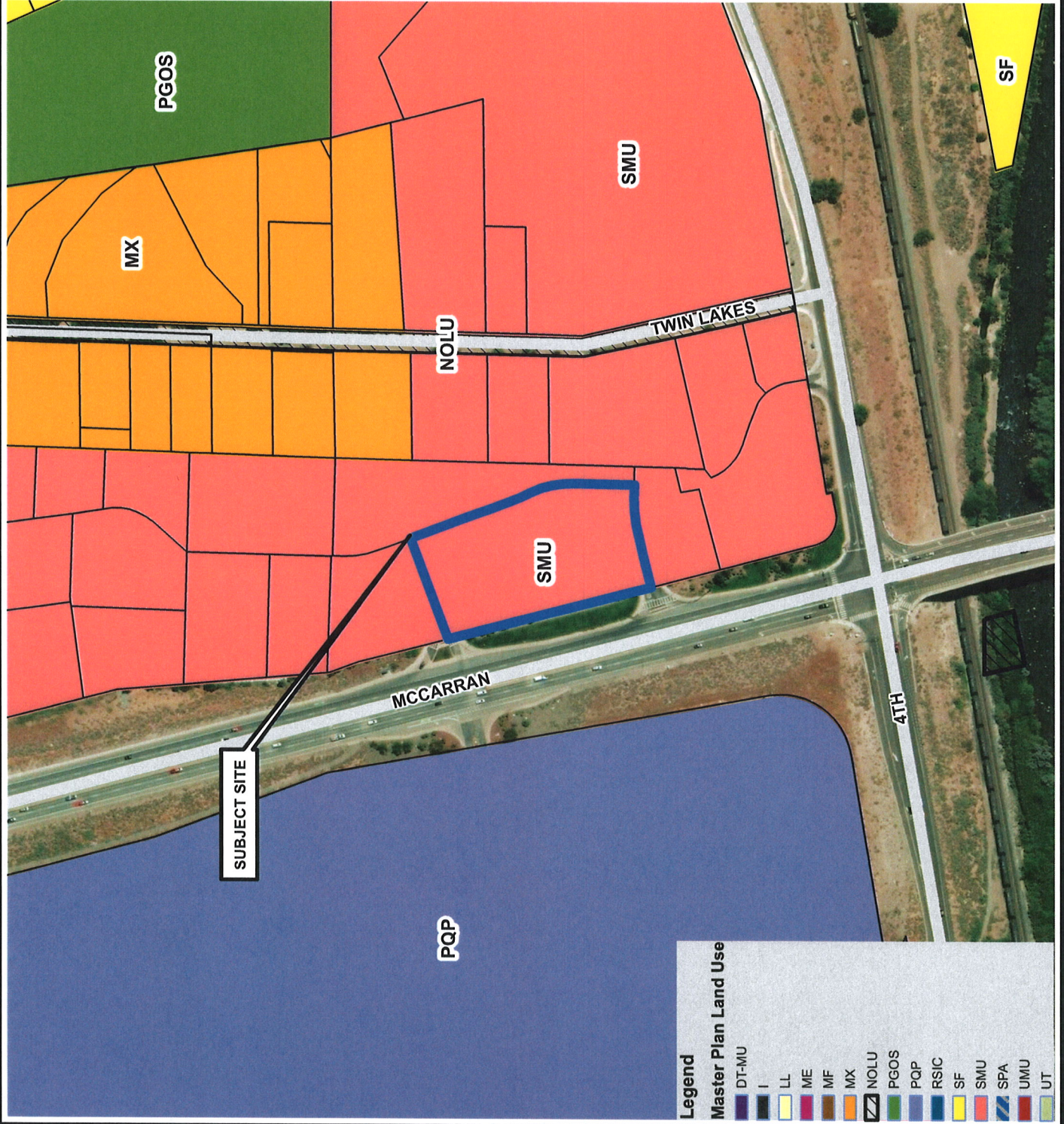
(Lavi Smoke and
Food Mart 2)

Subject Site ► 



The information hereon
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purposes only.

Date: October 2023
Scale: 1 inch = 250 feet

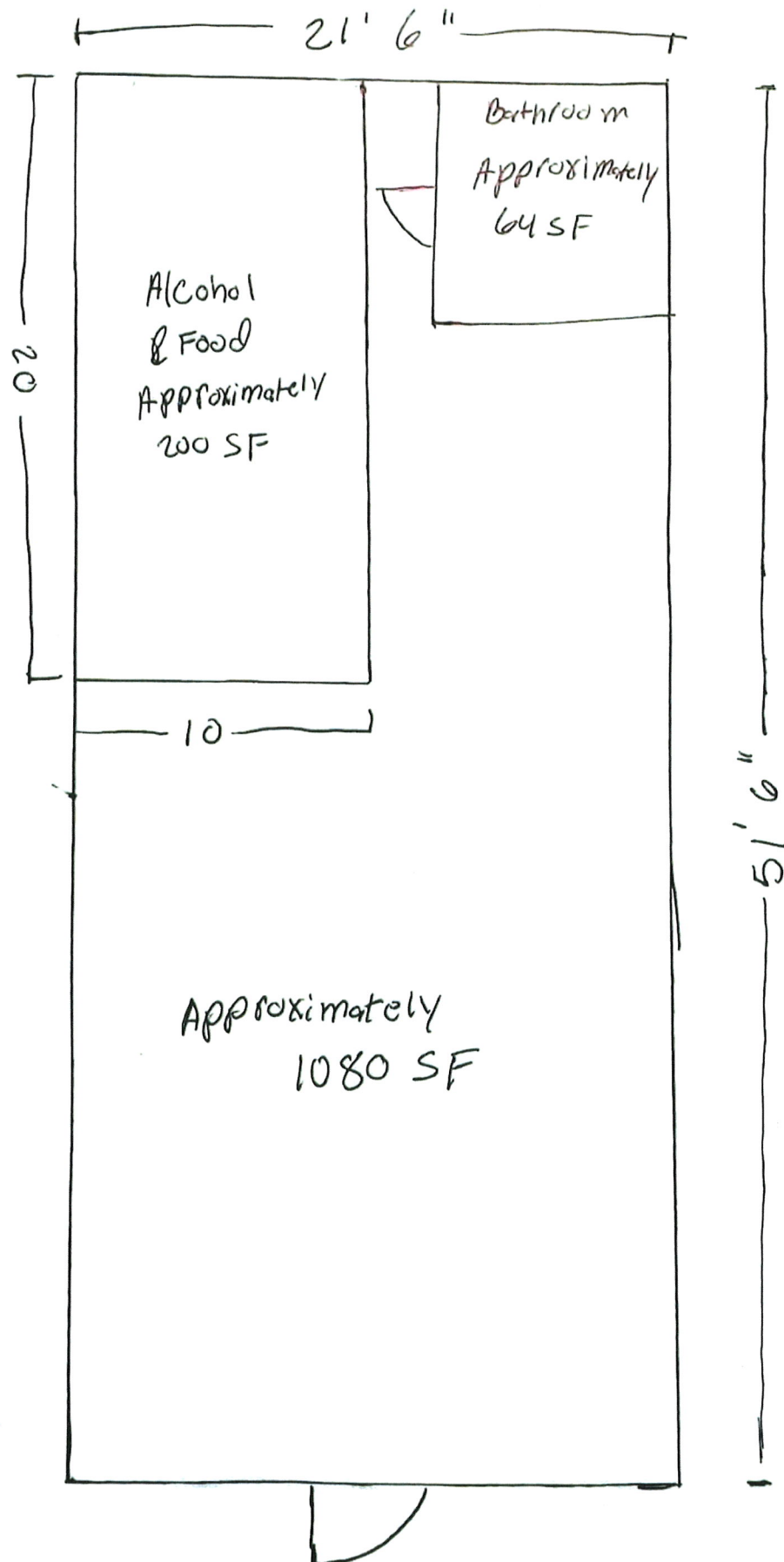


Legend

Master Plan Land Use

| | | | | | | | | | | | | | | |
|-------|---|----|----|----|----|------|------|-----|------|----|-----|-----|-----|----|
| DT-MU | I | LL | ME | MF | MX | NOLU | PGOS | PGP | RSIC | SF | SMU | SPA | UMU | UT |
|-------|---|----|----|----|----|------|------|-----|------|----|-----|-----|-----|----|

Exhibit B



Area of the building is approximately 1080 SF.

