



City Manager's Office

MEMORANDUM

DATE: 11/21/2022

TO: Doug Thornley, City Manager

THROUGH: Chris Pingree, Development Services Director

FROM: Angela Fuss, Assistant Development Services Director

SUBJECT: **Metro Market – Privileged Business License**

This memo has been prepared to provide City Council with the legislative history of the Metro Market property located at 595 Booth Street. On April 5, 2012, the Planning Commission approved the request for a special use permit (LDC12-00034) to allow for 1) a convenience store within an existing building located in the Neighborhood Commercial (NC) zoning district and; 2) a commercial development within 300 feet of a secondary school.

Seven conditions of approval were included with the decision letter, including the requirement that the applicant to apply for a business license within 18 months from the date of the final approval and continuously maintain the validity of that permit, or the approval was to be null and void.

Reno Municipal Code (RMC) has several code sections that the Planning Department utilizes when one use goes away and a new owner takes over the previous use.

RMC 18.01.402(d) – Change of Ownership or Tenancy

Changes in ownership, tenancy, or management of property with an existing nonconformity may occur, but such nonconformities shall continue to be subject to the standards of this article.

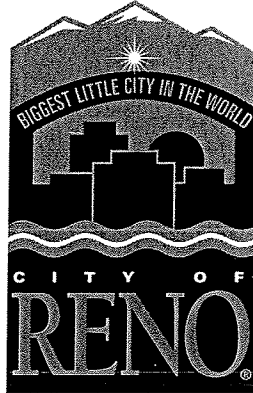
RMC 18.01.403(f)(1) – Abandonment or Discontinuance of Nonconforming Use

A nonconforming use that is abandoned or discontinued for a period of one year or more may only be resumed with a conditional use permit reviewed by the Planning Commission.

In the case of the Metro Market, the previous owner, Idlewild Market LLC, maintained a valid business license until the market closed in July of 2022. The new owner, Metro Market, was issued a new business license in November of 2022. Metro Market is still required to follow the conditions of approval from the original special use permit and maintain an active business license.



*Claudia C. Hanson, AICP
Planning and Engineering Manager
Community Development Department
P. O. Box 1900
Reno, NV 89505
(775) 334-2381*



April 6, 2012

Adam Khan
2861 Sunline Drive
Reno, NV. 89523

Subject: LDC12-00034 (Idlewild Market)
Owner: Idlewild SW Inc
APN No. 010-201-01

Dear Applicant:

At the regular meeting of the Planning Commission on April 5, 2012, the Planning Commission approved your request for a special use permit to allow for: 1) a convenience store within an existing building located in the NC (Neighborhood Commercial) zone and; 2) a commercial development within 300 feet of a secondary school. The project is proposed in an existing building on a ±.28 acre parcel located on the southwest corner of the intersection of Foster Drive and Booth Street (595 Booth Street).

Your approved request is subject to the following conditions:

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 applicant shall apply for a business license for the project within 18 months from the date of final approval, and continuously maintain the validity of that permit, or this approval shall be null and void.
3. Prior to issuance of any business license, the applicant shall attach a copy of the final approval letter recorded by the Washoe County Recorder's Office.
4. The applicant, developer, builder, property or business owner, 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 readily available upon demand by City staff.
5. Prior to issuance of a business license the applicant shall install a "right turn only" sign at the driveway onto Foster Drive.

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6. Prior to issuance of a business license, the applicant shall modify onsite lighting to conform with "dark sky" standards.
7. No sales of "adult material" that would otherwise be allowed under the provisions of RMC 18.08.202(b)(1)b, as amended, or simulated drug paraphernalia as defined in the draft ordinance attached as Exhibit C of the April 5, 2012 staff report shall be sold in any convenience store entitled through this approval.

The decision of the Planning Commission may be appealed by completing an appeal form and filing it with the City Clerk and paying any fee within ten (10) days of the date of the meeting at which the decision was made. The City Clerk shall set the appeal for public hearing before the City Council and mail a notice of the hearing to the appellant and all others who were mailed a notice of the hearing of the Planning Commission. Appeals may be filed by any person who is aggrieved by the decision. The City Council may affirm, reverse, or modify the decision.

In the absence of an appeal, no building permit may be issued until this letter has been on file with the City Clerk for ten (10) days.

You must attach a copy of this letter to your application for a building/sign permit.

Sincerely,



Claudia C. Hanson, AICP, Planning and Engineering Manager
Community Development Department

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xc: Idlewild SW Inc
2861 Sunline Drive
Reno, NV 89523

Sadiq Patankar
237 S. Sierra Street
Reno, NV. 89501

Lynnette Jones, City Clerk
William J. Gall, P.E., Senior Civil Engineer
Gary Warren, Washoe County Tax Assessor