



March 10, 2017

Spike Duque
Greenleaf Enterprises, Inc.
PO Box 50370
Sparks, NV 89436

RE: PCN17-0007 - An Administrative Review request to allow for the establishment of a Medical Marijuana dispensary on a site 0.67 acres in size in the I (Industrial) zoning district located at 1730 Glendale Avenue, Sparks, NV

Dear Mr. Duque:

On March 8, 2017, the Plan Review Committee of the Sparks Community Services Department reviewed your administrative review application to allow for the above referenced project. During the Plan Review meeting, the following items were discussed:

- By Zoning Code, the maximum allowable for public access is 2,500 sq. ft.
- Provision of a letter requesting approval of the relocation in a public hearing by City Council
- Provision of the provisional certificate from Nevada Division of Public and Behavioral Health for the dispensary.
- Update survey showing relationship between the uses and distances on the survey.
- Discussion about distance of front door to possible Nevada State licensed substance abuse treatment center. A letter was provided by applicant's attorney determining the business on Hymer is not a Nevada licensed substance abuse treatment center.

In reviewing the Greenleaf Medical Marijuana dispensary, the project fulfills the following Goals and / or policies of the Sparks Comprehensive Plan. This project maintains the area South of I-80 as a commercial use (Policy MG2). The dispensary is a re-use of a vacant building which facilitates infill and redevelopment (Goal MG4). The dispensary provides for a new business in Sparks complying with Goal EV1 by growing an existing business and diversify Sparks' economy.

Following careful consideration by the Plan Review Committee, your application for this project was approved subject to the 7 conditions of approval on the attached tabulation. If you wish to appeal this decision or any condition, you may appeal to the City Council within 10 days from the date of this letter. To do so, please contact the City Clerk's Office.

You may not conduct or establish the use for which this application was approved until you have received your Administrative Review Permit. If you have any questions concerning this application, please contact me at 775-353-7878 or via email kmelby@cityofspark.us.

Sincerely,

A handwritten signature in blue ink that reads "Karen L. Melby".

Karen L. Melby, AICP
Development Services Manager

CC: File
Angela Fuss, CFA, Inc, 1150 Corporate Blvd., Reno, NV 89502

Enclosures: Conditions of approval for PCN17-0007/AR17-0007 and SMC 20.03.025

City of Sparks | Community Services Department | 431 Prater Way, Sparks, Nevada 89431

Conditions of Approval
PCN17-0007/AR17-0007
Greenleaf Enterprises, Inc.

1. APPROVAL:

THE PERMIT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIAL CHANGES SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR AS AN AMENDMENT TO THIS ADMINISTRATIVE REVIEW.

2. EXPIRATION DATE:

THE ADMINISTRATIVE REVIEW SHALL EXPIRE EIGHTEEN (18) MONTHS FROM THE DATE OF THIS LETTER PURSUANT TO SPARKS MUNICIPAL CODE 20.03.025(19).

3. ARCHITECTURE:

THE ARCHITECTURAL PLANS SHALL COMPLY WITH PLANS AS SUBMITTED, BE CONSISTENT WITH THE EXISTING BUILDING AND MUST BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

4. STATE OF NEVADA CERTIFICATION OR REGISTRATION:

SHOULD THE APPLICANT LOSE THEIR STATE OF NEVADA CERTIFICATION OR REGISTRATION, THIS ADMINISTRATIVE REVIEW WILL BE REVOKED.

5. BUSINESS LICENSE:

THE APPLICANT SHALL COMPLY WITH ALL THE REQUIREMENTS OF THE SPARKS MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO ISSUANCE OF THE BUSINESS LICENSE OR AMENDMENT TO THE BUSINESS LICENSE AND SHALL MAINTAIN COMPLIANCE THROUGH THE LIFE OF THE FACILITY.

6. SECURITY LIGHTING:


THE EXTERIOR SECURITY LIGHTING SHALL HAVE FULL SHIELDING WITH DOWNWARD ANGLING TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT.

7. PUBLIC HEARING FOR RELOCATION:

PER NRS 453A.350 SECTION 26.5, THE APPROVAL OF THIS ADMINISTRATIVE REVIEW IS CONTINGENT UPON THE APPROVAL BY THE CITY COUNCIL IN A PUBLIC HEARING FOR THE RELOCATION OF THE OPERATION OF A DISPENSARY FROM 1825 FREEPORT BOULEVARD TO 1730 GLENDALE AVENUE IN SPARKS, NEVADA.

Section 20.03.025 Medical Marijuana Dispensary

⇔ **Use Category: Public/Civic/Institutional – Medical**

 *The Nevada State law governing medical marijuana dispensaries limits the number permitted to operate in the City of Sparks. The City's intent is to maintain sufficient distance between dispensaries to facilitate access for patients. If the City receives multiple applications for dispensaries, it will take into account the respective locations of the proposed facilities.*

A. Applicability

This section applies to any Medical Marijuana Dispensary.

B. **Administrative Review** is required.

C. Standards

1. In the I (Industrial) zoning district, medical marijuana dispensaries shall only be located in buildings for which public access point to be used in conjunction with the medical marijuana dispensary is readily visible from the arterial upon which it is situated. Some portion of the parcel on which the medical marijuana dispensary is to be located must be within 1,000 feet measured from the center of the following intersections: McCarran Boulevard and Glendale Boulevard; McCarran Boulevard and Greg Street; and Rock Boulevard and Glendale Avenue.
2. The applicant must receive an administrative review approval for this use prior to establishment and issuance of a business license.
3. Medical marijuana dispensaries shall not be located within 1,000 feet of a Nevada licensed substance abuse treatment center measured from the front door of the dispensary to the closest property line.
4. The medical marijuana dispensary must comply with the location criteria listed in Nevada State laws.
5. A medical marijuana dispensary may not apply for major deviation to reduce the minimum separation distances.
6. The maximum size of patient access area of a medical marijuana dispensary shall be 2,500 square feet. Patient access area is defined as the portion of the dispensary building accessible to persons with a medical marijuana card.
7. The medical marijuana dispensary must comply with the operating standards in Nevada State laws and Regulations of the Division.

8. The medical marijuana dispensary shall be located within a building complying with regulations in Nevada State laws and Regulations of the Division.
9. The medical marijuana dispensary shall be located in a permanent building that meets City of Sparks building and fire codes for a commercial building, and shall not be located in a manufactured or mobile home, trailer, cargo container, motor vehicle or similar personal property.
10. The dispensary must provide for secure delivery of medical marijuana and products to the establishment, to the approval of City.
11. Loading and unloading of medical marijuana or items associated with operations shall only occur between the hours of 7:00 a.m. and 6:00 p.m.
12. A medical marijuana dispensary shall not be open to the public before or after the hours of:
 - a. Located in "C2" or "MUD(MU-C)" zoning – 8:00 a.m. to 9:00 p.m.
 - b. Located in "I" zoning – 8:00 a.m. to 7:00 p.m.
13. Drive-through windows are not permitted.
14. The medical marijuana dispensary shall have a single secure customer entrance to the approval of City.
15. Medical marijuana remnants, medical marijuana-infused products, bi-products, and other waste material shall be disposed of in a safe, sanitary and secure manner, in a location and manner approved by the Division and subject to City approval.
16. The applicant must provide a written public safety plan, subject to City approval.
17. No medical marijuana shall be smoked, eaten or otherwise consumed on the premises of the medical marijuana dispensary. There shall be no outdoor seating area, vending machines nor loitering on the property.
18. No medical marijuana shall be displayed or kept in a medical dispensary so as to be visible from the outside of the premises.
19. An approved administrative review shall expire in eighteen (18) months from the date of issuance of the registration certificate issued by the Division if it is not fully operational.
20. In the event, a medical marijuana dispensary loses their state of Nevada certification or registration, the Administrative Review shall become null and void.
21. If a marijuana dispensary is closing, the manager of the establishment must notify the City of Sparks of the closing at least 15 days before the closure.