



Board of Adjustment Staff Report

Meeting Date: June 5, 2014

Subject: Special Use Permit Case Number SB14-009
Applicant(s): Kevin Drake (Alibi Ale Works)
Agenda Item Number: 8.F.
Project Summary: To permit the use of a commercial building as a craft brewery with a tasting room at 204 E. Enterprise, Incline Village, NV
Recommendation: Approval with Conditions
Prepared by: Eva M. Krause - AICP, Planner
Planning and Development Division
Washoe County Community Services Department
Phone: 775.328.3796
E-Mail: ekrause@washoecounty.us

Description

Special Use Permit Case Number SB14-009 (Alibi Ale Works) – To permit the use of a commercial building as a craft brewery and tasting room at 204 E. Enterprise Street, Incline Village.

- Applicant: Kevin Drake
- Property Owner: Steve Feinberg
- Location: 204 E. Enterprise Street, Incline Village
- Assessor's Parcel Number: 132-222-18
- Parcel Size: ±0.228
- Master Plan Category: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Tahoe, Incline Village Commercial Community Plan
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 15, T16E, R18N, MDM, Washoe

Staff Report Contents

Description 1
Special Use Permit 3
Vicinity Map..... 4
Project Evaluation 4
Site Plan..... 5
Floor Plan..... 7
Sign Design..... 8
Incline Village/Crystal Bay Citizen Advisory Board 8
Reviewing Agencies..... 8
Recommendation 10
Motion 10
Appeal Process..... 11

Exhibits Contents

Conditions of Approval..... Exhibit A
Citizen Advisory Board Minutes Exhibit B
Incline Village General Improvement District Exhibit C
Health District Exhibit D
Public Notice Exhibit E
Project Application Exhibit F

Special Use Permit

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Special Use Permit, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as "*Operational Conditions.*" These conditions must be continually complied with for the life of the business or project.

The Conditions of Approval for Special Use Permit Case Number. SB14-009 are attached to this staff report and will be included with the Action Order.



Vicinity Map

Project Evaluation

The existing 6,975 square-foot structure was built on a 10,000 square-foot parcel in 1965, and is classified as a service garage by the Assessor's Office. The building was last used as a Napa Auto Parts Store and SOS Auto Repair. The property is zoned General Commercial, but the Community Plan identifies the property and surrounding area as Industrial. The surrounding uses are boat storage, auto repair shops, a mixed-use development (both commercial and residential) and the Main Fire Station 11. This area is very active during the day, but except for the fire station, most of the businesses close at 5:00 p.m. and several are closed on weekends.

The applicant is proposing to use 2,975 square-feet of the building for the manufacturing of craft beer. The use type is classified as food and kindred products, which requires a special use permit when located in the Incline Village Commercial Community Plan area. The remaining 4,000 square-feet of the building is leased by the boat storage business next door.



Site Plan

The subject property has six parking spaces located in the public right-of-way which was legal when the property was developed. The property is now a legal non-conforming development. The Code allows the development to change from one conforming use to another conforming use as long as the parking requirement is met with the existing parking.

Section 110.904.35 Nonconforming Development. A nonconforming development shall be subject to the provisions of this section. Existing conforming buildings or uses whose off-street parking and loading do not conform to the provisions of this Development Code may be expanded or have facilities added, and one conforming use may be changed to another, provided that the requirements for off-street parking and loading spaces are complied with in accordance with Article 410.

The applicant is proposing to locate two employee parking spaces in front of the loading dock. The Code requires six parking spaces for the tasting room, and one for each employee during peak operating hours. The proposed plan conforms to the current parking requirement for the use.

The main concern in this area is parking. The auto garages, boat storage facilities and fire station have some off-street parking, but there is a lot of on-street parking between 8:00 a.m. and 5:00 p.m. on weekdays. The brewery operates with a staff of two, so additional parking is not required. By locating employee parking in front of the loading area, staff can move their vehicles when delivery and distribution trucks are on site, rather than trying to find the owner of a private vehicle. The loading area will be used for delivery and distribution trucks during the day.

In addition to the brewery operation, approximately 600 square-feet of the building will be used as a tasting room, which is open to the public in the afternoon. No cooking facilities are proposed. In order to minimize parking and traffic impacts, the brewery operations will take place during the early morning and afternoon, and the tasting room will be open in the late afternoon during the week. On weekends the tasting room may open at noon.



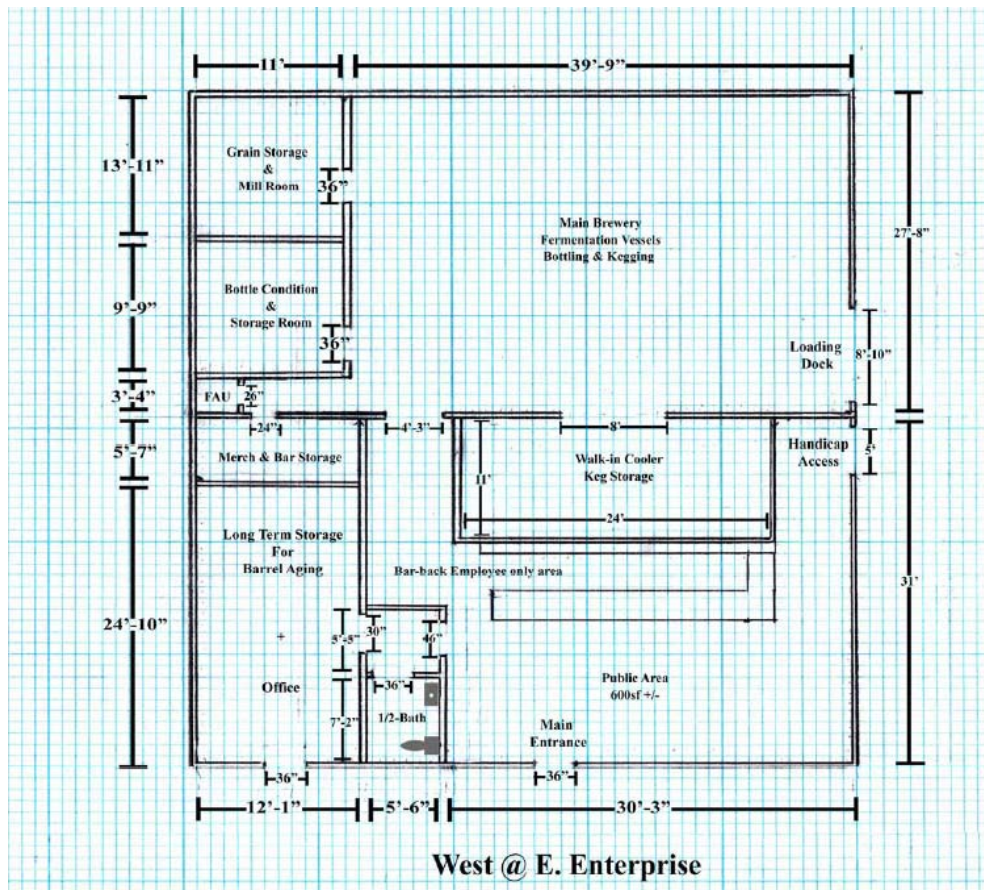
View from Oriel Street

The front of the building encroaches into the public right-of-way and is built to both side property lines. There is a ten-foot setback from the rear of the property. Because the building encumbers most of the site, there is no place to locate landscaping.

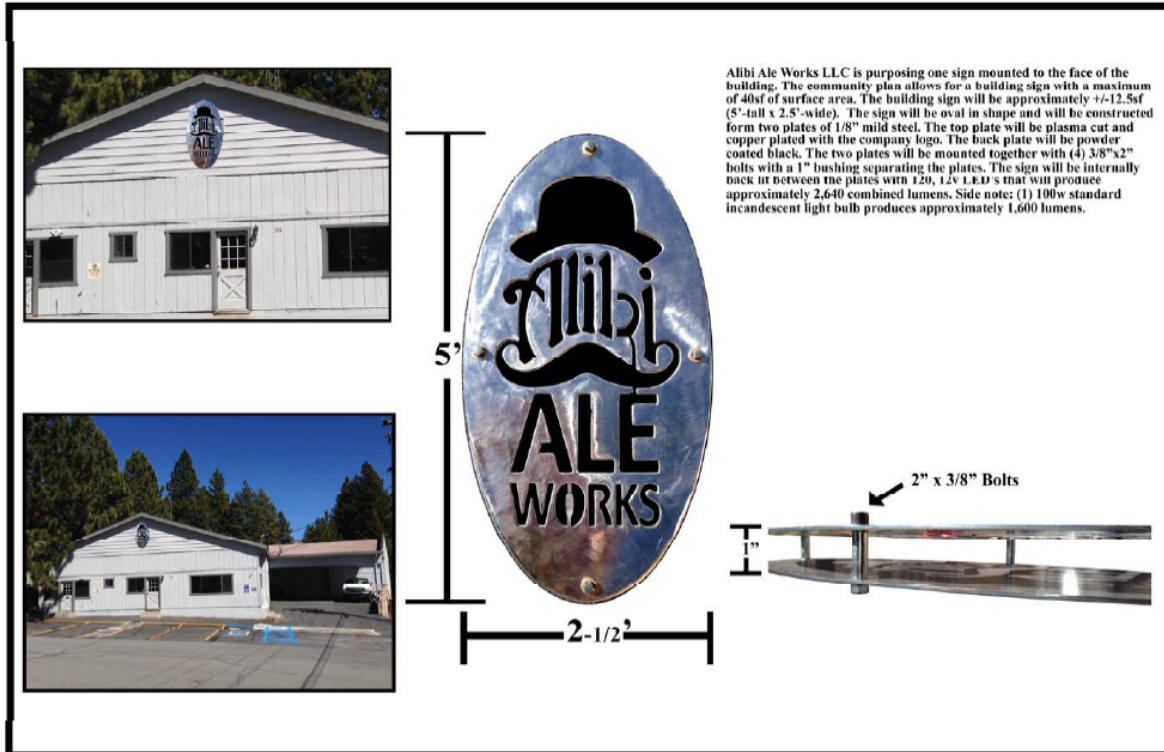
There are trees along the north side yard, which appear to be on the property line. The trees buffer the mixed-use structure next door from the brewery.

The previous businesses have left stacks of tires and auto parts in the rear yard. Staff has included as a Condition of Approval, that all the debris be removed and properly disposed of. The applicant has stated that in the future they intend to hold special events related to promotion of their product. Staff is recommending that before this is permitted, the applicant will prepare a site plan and parking plan to address the needs of the event. Staff will review the plan based on the standards set in the Development Code for a temporary use. Once an approved plan is on file, the applicant could use the same plan for similar-sized events and would not have to reapply for each event.

While there will be tenant improvements on the interior of the building, the only exterior change proposed is the addition of a new sign.



Floor Plan



Sign Design

Incline Village/Crystal Bay Citizen Advisory Board

The proposed project was presented by the applicant at the Incline Village/Crystal Bay Citizen Advisory Board meeting on May 6, 2014. The summary of the discussion is attached as Exhibit C. The following issues were discussed during the meeting:

- Parking
- Smell
- Neighbor's concerns
- Public safety

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Planning and Development Division
 - Engineering and Capital Projects Division
 - Building and Safety Division
- Washoe County Health District

- Vector-Borne Diseases Division
- Environmental Health Division
- Air Quality
- Incline Village General Improvement District
- North Lake Tahoe Fire Protection District
- Washoe County Sheriff
- Tahoe Regional Planning Agency

Five out of the ten above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

- Planning and Development addressed the hours of operation, conditions for special events and imposed operational conditions that will be in effect for the life of the project.
Contact: Eva Krause, 775.328.3796, ekrause@washoecounty.us
- Health District, Environmental Health Division requires plans and health permits.
Contact: James English, 775.328.2610, jenglish@washoecounty.us
- Incline Village General Improvement District requires stamped plans detailing all water and sewer connections.
Contact: Tim Buxton, 775.832.1246, tim_buxton@ivgid.org
- Sheriff reviewed the applications and had no comments or conditions.
Contact: Captain Duane Meyer, 775.328.3353, dmeyer@washoecounty.us
- Engineering and Capital Projects reviewed the applications and had no comments or conditions.
Contact: Leo Vesely, 775.325.8032, lvesely@washoecounty.us

Staff Comment on Required Findings

Section 110.810.30 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan, the Tahoe Area Plan and the Incline Village Commercial Area Plan.

Staff Comment: The Incline Village Commercial Area Plan permits “Food and Kindred Products – manufacturing establishments producing or processing food or beverages for human consumption and certain related products for distribution within the region.”

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: The area is developed with all necessary infrastructures. While not zoned industrial, the property and the surrounding area is identified as industrial. The primary use proposed for the existing building in beverage manufacturing, with as ancillary tasting room that is open to the public.

3. Site Suitability. That the site is physically suitable for a Craft Brewery with a tasting room, and for the intensity of such a development.

Staff Comment: There is an existing building that was formally an auto repair and supply facility. The proposed change in use is less intensive and creates less daytime traffic and parking needs.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: The area is within walking distance from higher density residential developments. The property to the north of the site is mixed-use. There is a driveway and a row of mature trees between the properties. The entrances to the building and the loading dock are on the west (street frontage) and south side of the building. The use is compatible with the other commercial uses surrounding the property.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There are no military installations in the area.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number SB14-009 is being recommended for approval with conditions. Staff offers the following motion for the Board’s consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number SB14-009 for Kevin Drake (Alibi Ale Works), having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a Craft Brewery with a tasting room, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Kevin Drake

Property Owner: Steve Feinberg

Staff Report xc: Tim Buxton, IVGID; Jim English, Health Department; Don Jepson, Building and Safety

EXHIBIT A



Conditions of Approval

Special Use Permit Case Number SB14-009

The project approved under Special Use Permit Case Number SB14-009 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on June 5, 2014. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Operational Conditions are subject to review by the Planning and Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning and Development Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some “Conditions of Approval” are referred to as “Operational Conditions.” These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development Division

1. The following conditions are requirements of the Planning and Development Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Eva Krause, 775.328.3796, ekrause@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The applicant shall obtain a change of occupancy (use) approval from Washoe County Building and Safety Division, prior to commencement of business operation.
- c. The applicant shall obtain a building permit for Tenant Improvements within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits.
- d. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- e. The applicant shall remove and properly dispose of all debris (tires, auto parts and any other discarded materials) from the property prior to obtaining a business license.
- f. The following **Operational Conditions** shall be required for the life of the business:
 1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 2. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.
 3. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
 4. All trash and waste products shall be secured to prevent access to bears.
 5. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with

the Planning and Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

6. Hours of Operations:
 - o Manufacturing operations shall be permitted at any time that the tasting room is closed.
 - o Tasting Room hours shall be between noon and midnight.
 - o No deliveries or pick-up (shipping and loading) are allowed when the tasting room is open.
7. Special Events:
 - o Prior to holding the first special event where 20 or more people are invited, or the event is advertized to the public, a site plan shall be prepared and presented to the satisfaction of the Director of Planning and Development. Such site plan shall indicate the location of any permanent uses and structures on the parcel, the temporary use and any temporary structures, all vehicular access points proposed for the temporary use, the location of all required parking, and the location of adequate restroom facilities for the temporary use. The site plan shall be valid for similar size events. As special events increase in attendance the applicant shall submit a revised plan for approval, prior to hosting the event.
 - o Special events shall not exceed the occupancy load of 40 people indoors.
 - o Sound (including music) for outdoor events shall not be amplified after 8 p.m. and shall not exceed the TRPA community plan standards of 65 dba at the property lines between 7 p.m. to 7 a.m.
 - o Outdoor events are permitted between the hours of noon and 10:00 p.m. on weekends and legal holidays, and between 5:00 p.m. and 10:00 p.m. on weekdays.
 - o After all outdoor events the business owner shall be responsible for clean-up of any litter generated by the event, in the surrounding area.

Washoe County District Health Department

2. The following conditions are requirements of the District Health Department, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.

Contact Name – James English, 775.328.2610, jenglish@washoecounty.us

- a. The applicant shall submit plans for tenant improvements.

- b. The applicant shall apply for and receive all necessary operational permits from the Health District prior to opening. .

Incline Village General Improvement District

3. The following conditions are requirements of the Incline Village General Improvement District, which shall be responsible for determining compliance with these conditions.

Contact Name – Tim Buxton, 775.832.1246, tim_buxton@ivgid.org

- a. The applicant shall submit plans stamped by a Nevada State Engineer, to the Washoe County Building and Safety Division. The plans shall detail all water and sewer utility connection points. All water and sewer connection points shall comply with IVGID ordinance and Nevada State Law for potable water and wastewater discharge.

*** End of Conditions ***

Excerpt from Draft Minutes of the May 6 Incline Village/Crystal Bay CAB Meeting

B. Special Use Permit Case Number SB14-009 (Alibi Ale Works) – To permit the use of a commercial building as a crafty brewery and tasting room at 204 E. Enterprise Street, Incline Village. Assessor's Parcel Number: 132-222-18. Staff representative: Eva Krause, AICP, Planner, Washoe County Community Services Department, Planning and Development Division. Phone: 775- 328- 3796; email: EKrause@washoecounty.us. Tentative Meeting Date: Board of Adjustment, June 5, 2014. (This item was for information only and no action was taken by the CAB).

Rich Romo & Kevin Drake spoke about opening a Craft Brewery at the old NAPA building. Brewery will be for distributions and a small tasting room 500-600 feet with limited hours, and not serving food. The permit doesn't allow for manufacturing, but for industrial uses only. They will do basic façade improvements, but not changing the space. Opening July/August.

Chairman Alexander asked if there are any comments from the public.

Comments and Discussion:

- Deborah Nicholas asked about sufficient parking per the County codes. Kevin said they have 6 parking spots, plus 4 for loading. Adequate parking for small tasting room.
- DC Larabie asked if there will be any issues with residential area. Kevin said most everyone is excited; not open late, mellow place to taste. Kevin said it's a different model; integrate into the community.
- Svata Trossin asked if there will be a smell. Kevin said there might be a mild smell; he said they aren't brewing large amounts like other large breweries. Rich said it smells like sweet oatmeal.
- Mark Alexander asked about safety and concerns from the community. Kevin said they are taking the necessary precaution to make sure spills/floods don't get into the drain – make sure it won't affect the water and they met with Fire Marshall already.

With no further comments or discussion, Chairman Alexander closed item B.



Development Review Status Sheet

Date: 5-6-14

Attention: Eva Krause
Washoe County Department of Community Development
PO Box 11130, Reno NV 89520

RE: Special Use Permit Case Number SB 14-009
APN: 132-222-18
Service Address: 204 East Enterprise Street
Incline Village NV 89451
Owner: Steve Feinberg

Phone:	Fax:	Email:
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Mailing Address: 204 E. Enterprise Street Incline Village Nevada

Request: **Special Use Permit Case Number SB14-009 (Alibi Ale Works)** – To permit the use of a commercial building as a craft brewery and tasting room at 204 E. Enterprise Street, Incline Village.

- Applicant: Kevin Drake
- Property Owner: Steve Feinberg
- Location: 204 E. Enterprise Street, Incline Village
- Assessor's Parcel Number(s): 132-222-18
- Parcel Size: ±0.228
- Master Plan Category: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Tahoe, Incline Village Commercial Community Plan
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 15, T16E, R18N, MDM,
Washoe County, NV
- Staff: Eva Krause, AICP, Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3796

IVGID Comments: IVGID requires the submittal of Nevada Stamped Engineering plans to the Washoe County Building Department detailing all water and sewer utility connections points. All water and sewer connections points must comply with IVGID ordinance and Nevada State Law for Potable water and wastewater discharge.

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.

Note: Send information to the case planner as prescribed on the memo from Dawn or the Washoe County Development. TLB

From: English, James J.
Sent: Sunday, May 04, 2014 4:44 PM
To: Krause, Eva
Cc: English, James J.
Subject: SUP - SB14-009: Alibi Ale Works

The Washoe County Health District Environmental Health Services Division has reviewed the above referenced application. This agency has no objections to this project. This agency has the following conditions:

1. Submit plans for the proposed tenant improvements at the proposed location.
2. Apply for and receive all necessary operational permits from the Health District and other regulatory agencies prior to opening for business.

If you have any questions regarding these conditions please contact me at jenglish@washoecounty.us.

Regards,

James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

Public Notice

A public notification is required to be mailed to at least 30 separate property owners within a minimum 500 foot radius of the subject property at least 10 days before the public hearing date. Public notification for Special Use Permit Case No. SB14-009 was mailed to 62 separate property owners within a 500 foot radius of the subject property.



Public Notice Map

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application:			
Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
For Office Use Only			
Date Received: Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	



Special Use Permit Application Supplemental Information

1. What is the type of project being requested?

Alibi Ale Works is a start up craft brewery owned by long time North Lake Tahoe locals Kevin Drake and Richard Romo. Alibi Ale Works will produce and package beer primarily for sale through beverage distributors throughout the Tahoe Basin, Truckee and Reno area. The brewery will include a small tasting room where patrons can purchase branded merchandise, sample Alibi beers and purchase growlers (1/2 gallon refillable containers) of beer for take-out during late afternoon and early evening hours.

See attached SUP Application Summary Packet for additional information.

2. What currently developed portions of the property or existing structures are going to be used with this permit?

The property is approximately 10,000 square feet with approximately 6,975 of total building floor area, which is divided into two separate units. Alibi Ale Works will be located in Suite A (front unit, 2975 square feet), which was formerly occupied by Napa Auto Parts. The attached unit, Suite B (back unit, 4000 square feet) was formerly occupied by SOS Auto Repair and is currently used for storage by the neighboring business, Crystal Bay Marine. Alibi Ale Works has a lease option on Suite B and will be taking over the lease of that unit in late spring 2015 in order to add additional manufacturing and storage space.

Of the 2975 square feet of floor area that will be occupied by Alibi Ale Works, approximately 600 square feet will be used for the tasting room and the remaining area (approximately 2375 square feet) will be used for manufacturing (brewing, packaging and storage).

Refer to attached building diagram for additional information.

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

Improvements proposed as part of this project are nearly all to the interior of the building. Such improvements include installation of a walk-in cooler, floor drains, additional ventilation and minor modifications to existing natural gas and electrical connections.

The only improvement proposed for the exterior of the building is the addition of a sign (see attached Signage Plan). No structural modifications or changes to existing lighting or landscaping are proposed. Stormwater BMPs have already been installed at the property and certified by TRPA.



Interior improvements are expected to begin in early May 2014 and be completed by July 2014. Signage improvements will be completed in late June or early July.

4. What is the intended phasing schedule for the construction and completion of the project?

Interior improvements are expected to begin in early May 2014 and be completed by July 2014. Signage improvements will be completed in late June or early July.

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The building has high capacity utilities (triple phase power, large gas line) and high ceilings, which are well-suited for a brewing/manufacturing business. The building has two commercial roll-up doors (one in each unit) and a large driveway with a covered loading bay for year-round loading/unloading. The building also has an adequate number of existing parking spaces for the uses we are proposing.

Since the property is located near the commercial center of Incline Village, we anticipate that most visitors to the tasting room will swing by on their way to or from other nearby destinations, such as shopping, dining, skiing or beach activities. It is also a short bike ride or walk from several large residential neighborhoods along Village Boulevard.

6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?

Alibi Ale Works will help diversify the Incline Village/North Tahoe economy by becoming one of very few manufacturing businesses focusing on the production of artisan goods in the North Lake Tahoe area. We will offer the community an opportunity to see and experience the process of brewing beer and the ability to sample the finished products under the same roof. Additionally, we intend to build partnerships with community organizations and create fundraising opportunities for a variety of worthy causes. Lastly, our proposed change of use will eliminate a long-standing parking deficit at this property.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

Since we are moving into an existing building (not new construction) and eliminating a long-term parking deficit, we do not expect to create any negative impacts on adjacent properties. During the course of construction while we are renovating the interior of the building, we will adhere to all building permit conditions in an effort to mitigate any noise or other potentially negative impacts on adjacent properties.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

We recognize that our parking is adequate yet limited. We would be willing to commit to limiting all truck traffic (pickups and deliveries) to hours when the tasting room is not operating, so that truck traffic does not create any employee parking conflicts.



9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

Six (6) improved spaces are provided for customer parking, including one handicapped space. Two additional parking spaces are provided for owners/employees within our driveway. Refer to the attached site plan for the locations and arrangement of these parking spaces. Overall, our proposed change of use will eliminate a long-standing parking deficit of six (6) spaces at this property.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

No changes in landscaping are proposed.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

Please refer to the attached Signage Plan for a description and scaled rendering of our proposed signage.

The building currently has a two motion-triggered, downward-facing flood lights pointed toward the parking area on the west side of the building. This provides adequate lighting to illuminate the parking area. No changes to the existing lighting are being proposed as part of this project.

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

No

13. Community Sewer and Water Service?

Yes



Alibi Ale Works LLC

Owners: Kevin Drake and Richard Romo

204 East Enterprise Street, Incline Village, Nevada, 89451

Washoe County, APN: 132-222-18

Special Use Permit Request Summary

Special Use Permit Request

We are requesting a Special Use Permit to allow Alibi Ale Works, a start-up craft brewery, to operate under the primary use of “Food and Kindred Products” (TRPA definition; “Custom Manufacturing” in Washoe County), which is listed as a Special Use in the general list of permissible uses within the Incline Village Commercial Community Plan (herein referred to as the “Community Plan”). The brewery’s onsite tasting room would be an accessory use classified as an “Eating and Drinking Place,” which is an Allowed Use in the Community Plan. This property is within an Industrial Service Area on the land use concept plan and is not within Special Areas #1, #2 or #3.

Existing Site Conditions

The subject parcel is located on East Enterprise Street, approximately 800 feet southwest of the intersection of Village Boulevard and North Lake Tahoe Boulevard/State Highway 28. The property is relatively flat and includes six parking spaces and a driveway with a covered loading bay. The property is approximately 10,000 square feet with approximately 6,975 of building floor area, which is divided into two separate units. The most recent approved uses at the property included a Napa Auto Parts retail store and SOS Auto Repair. The surrounding uses in this area are predominantly heavy commercial, such as boat storage and auto repair, with a few retail and residential uses.

Project Description

Alibi Ale Works is a start-up craft brewery created by long time North Lake Tahoe locals Kevin Drake and Richard Romo. Alibi Ale Works will produce and package beer primarily for sale through beverage distributors throughout the Tahoe Basin, Truckee and Reno area. The brewery will include a small tasting room where patrons can purchase branded merchandise, sample Alibi beers and purchase growlers (1/2 gallon refillable containers) of beer for take-out during late afternoon and early evening hours.

Alibi Ale Works aspires to be Lake Tahoe’s first packaging brewery. Rather than operating an onsite restaurant, Alibi will focus on supplying high-quality beer to restaurants, bars and bottle shops throughout the region. By focusing on off-site sales, Alibi Ale Works will quickly establish a strong presence throughout the region as the locally-made brand that locals and visitors alike can be proud of.

Proposed Uses and Floor Areas

The property is approximately 10,000 square feet with approximately 6,975 of total building floor area, which is divided into two separate units. Alibi Ale Works will be located in Suite A (front unit, 2975 square feet), which was formerly occupied by Napa Auto Parts. The attached unit, Suite B (back unit, 4000 square feet) was formerly



occupied by SOS Auto Repair and is currently used for storage by the neighboring business, Crystal Bay Marine. Alibi Ale Works has a lease option on Suite B and will be taking over the lease of that unit in late spring 2015 in order to add additional storage space.

Of the 2975 square feet of floor area that will be occupied by Alibi Ale Works, approximately 600 square feet will be used for the tasting room and the remaining area (approximately 2375 square feet) will be used for manufacturing (brewing, packaging and storage).

Business Operations

Alibi Ale Works is first and foremost a packaging brewery. Brewing and packaging operations will typically be conducted during normal weekday, daytime hours. The tasting room will typically operate during weekday evenings and late afternoons on weekends. For operational reasons, the tasting room will rarely operate during times when brewing and packaging are being conducted. Alibi will host occasional seasonal events with special release beers and music, which may include use of the covered outdoor loading bay when weather is conducive. Freight deliveries and pickups will be scheduled during normal brewing hours (weekday/daytime) and will not conflict with tasting room operations and events.

Parking Demand

Existing Conditions

The most recent, approved uses at the property include a Napa Auto Parts retail store and an SOS Auto Repair shop. The parking demand under these existing uses is twelve (12) parking spaces. With six (6) existing parking spaces provided, the current parking deficit is six (6) spaces.

Proposed Conditions

Under the proposed project, there will no longer be a parking deficit. Based upon the previously described use areas for Alibi Ale Works, the parking demand under proposed conditions would be eight (8) spaces, a reduction of 33% compared to the previous use. Six (6) parking spaces are already provided for customers, and two (2) employee parking spaces are provided in Alibi's driveway and loading bay. Furthermore, there will be minimal overlap between brewing staff and tasting room staff, since brewing operations will typically take place during weekday daytime hours and the tasting room will operate during late afternoon/early evening hours focused around the weekends. The number of available parking spaces is therefore adequate for the proposed use. In addition, six (6) bicycle parking spaces are planned to be added on the west side of the building.



Business	Existing Use	Parking Ratio(s)	Conditions	Spaces Required
Napa Auto Parts	Retail Sales – Specialty Stores	3/1000sf 1/employee during peak shift	+/- 1100sf of retail 3 employees during peak shift	6
Napa Auto Parts	Wholesaling, Storage and Distribution	1/employee during peak shift	Same employees working in retail area	0
SOS Auto Repair	Automotive Repair	3/service bay 1/employee during peak shift	1 service bay 3 employees peak shift	6
Existing Use Parking Demand				12
Net Parking Deficit				-6

Business	Proposed Use	Parking Ratio(s)	Conditions	Spaces Required
Alibi Ale Works	Eating and Drinking Establishments	10/1000sf 1/employee during peak shift	+/- 600sf of retail 2 employees during peak shift	8
Alibi Ale Works	Wholesaling, Storage and Distribution	1/employee during peak shift	Brewers and bartenders shifts do not overlap	0
CB Marine	Wholesaling, Storage and Distribution	3/service bay 1/employee during peak shift	Storage only; no employees; owner parks at his property next door	0
Proposed Use Parking Demand				8
Net Parking Deficit				0

Signage

Alibi Ale Works LLC is proposing one sign mounted to the face of the building. The Community Plan allows for a building sign with a maximum of 40sf of surface area. The building sign will be approximately +/-12.5sf (5 ft tall x 2.5 ft wide). The sign will be oval in shape and will be constructed from two plates of 1/8 inch steel. The top plate will be plasma cut and copper plated with the company logo. The back plate will be powder coated black. The two plates will be mounted together with 2 inch bolts with 1 inch bushings separating the plates. The sign will be internally lit between the plates with 120, 12-volt LED's that will produce approximately 2,640 combined lumens. For reference, one 100-watt standard incandescent light bulb produces 1,600 lumens.

See attached exhibit for a scaled rendering of the sign mounted on the building.

Lighting

The building currently has a two motion-triggered, downward-facing flood lights pointed toward the parking area on the west side of the building. This provides adequate lighting to illuminate the parking area. No changes to the existing lighting are being proposed as part of this project.

Landscaping

There is currently one small built-in planter box along the south side of the building. There is currently no landscaping on the west side of the building, which faces the East Enterprise Street. No changes to the existing landscaping are being proposed as part of this project.

Special Use Permit Justification and Conclusion

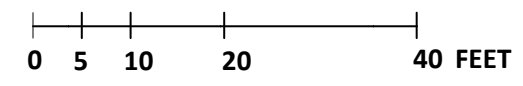
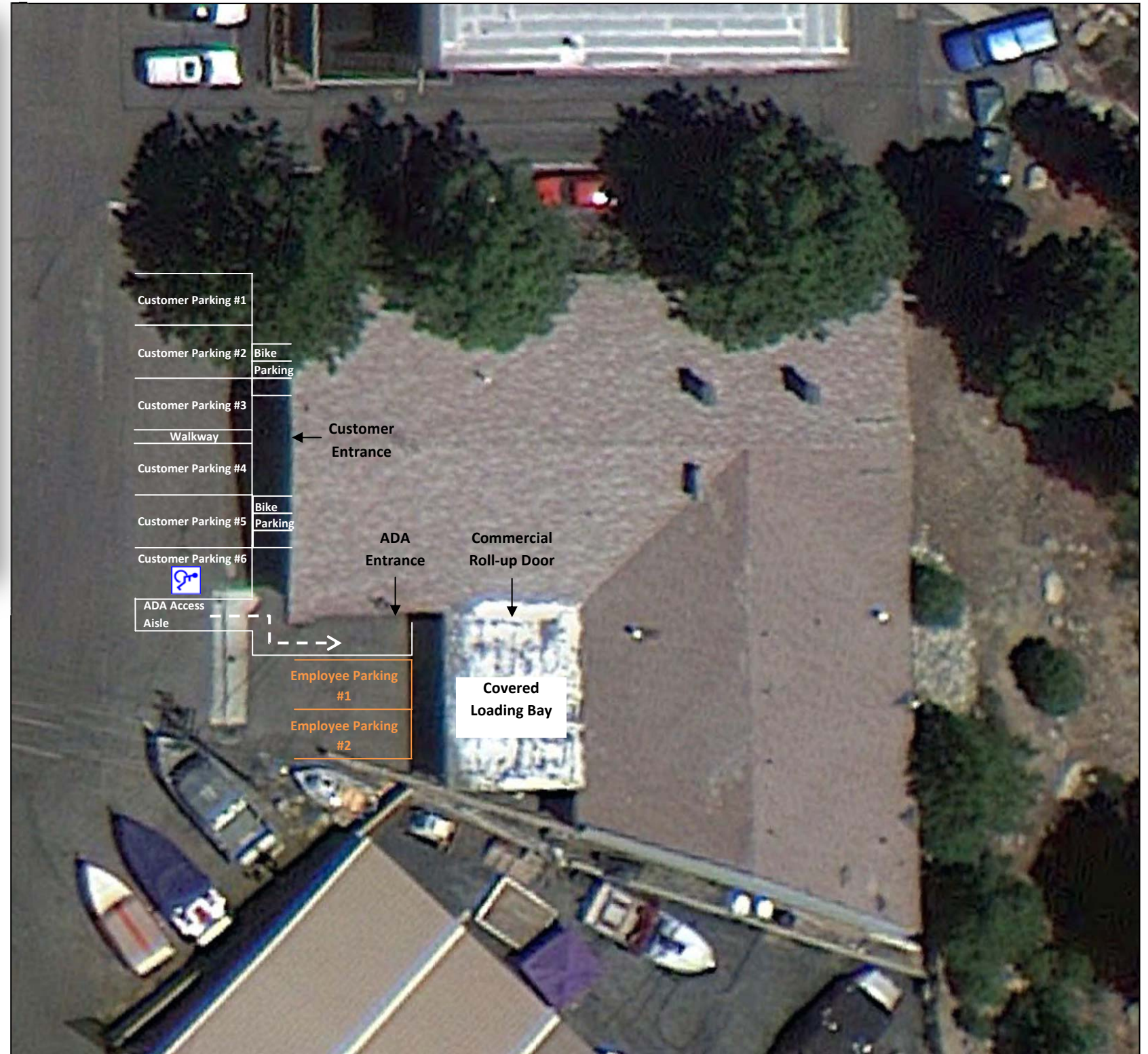
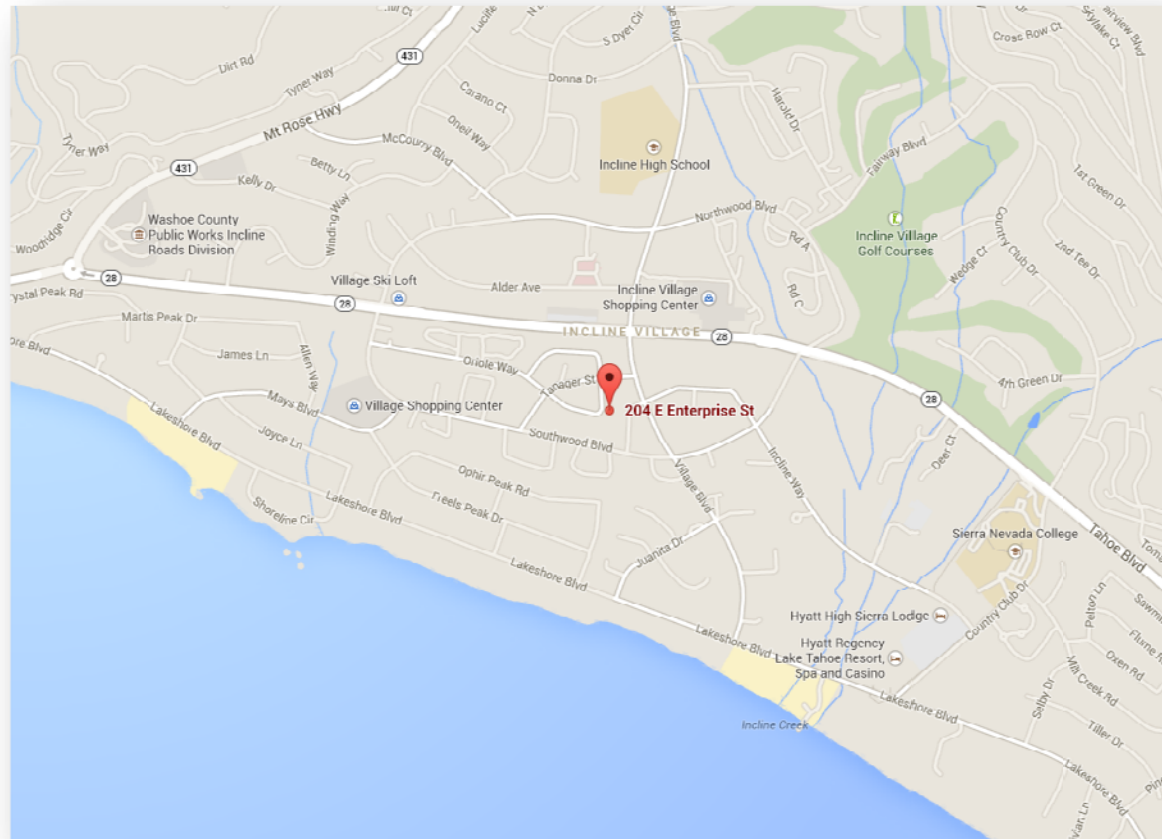
We are requesting a Special Use Permit to allow Alibi Ale Works, a start-up craft brewery, to operate under the primary use of "Food and Kindred Products" (TRPA definition; "Custom Manufacturing" in Washoe County), which



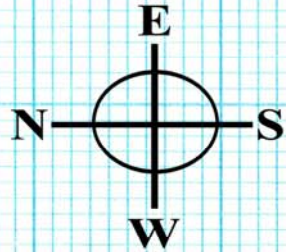
is listed as a Special Use in the general list of permissible uses within the Community Plan. The proposed manufacturing use is consistent with the land use vision described in the Community Plan, as the property is located in an area designated as an Industrial Service Area. The tasting room will be an asset to the local residents and visiting tourists in Incline Village and North Lake Tahoe, providing access to locally produced artisan goods. This change of use will reduce parking demand from the previous use and is a more appropriate use of the property, given the number of parking spaces provided. Lastly, we believe that this change of use to a small brewery is directly aligned with the "Vision for the Future" section in the Community Plan, which highlights "...creating a more complete tourist destination area..." and "...creating stable, long-term economic health for Incline Village/Crystal Bay."

Alibi Ale Works Site Plan

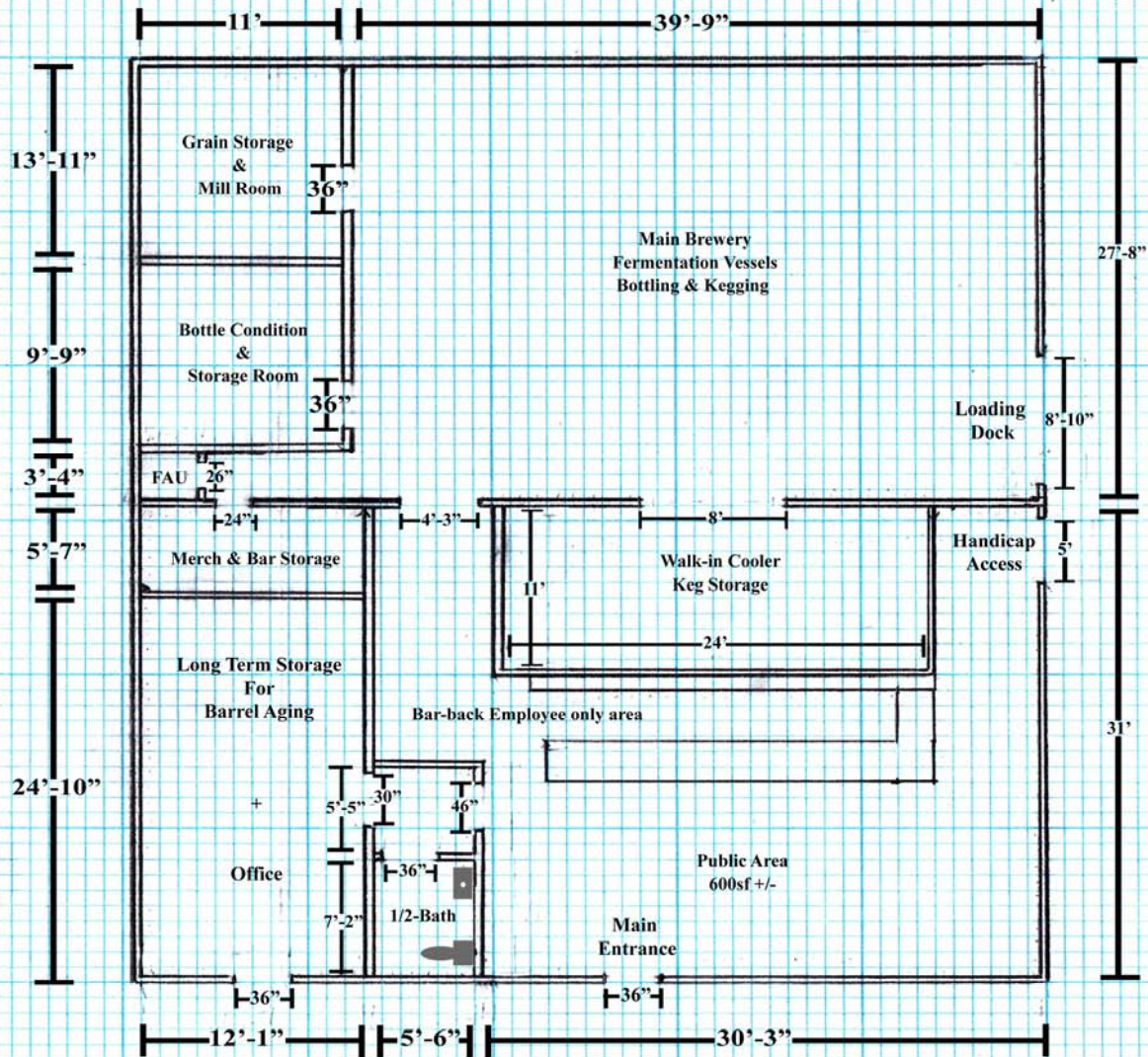
204 East Enterprise St. Incline Village, NV, 89451, APN: 132-222-18



Alibi Ale Works Building Diagram
 204 East Enterprise St., Incline Village, NV 89451, APN: 132-222-18



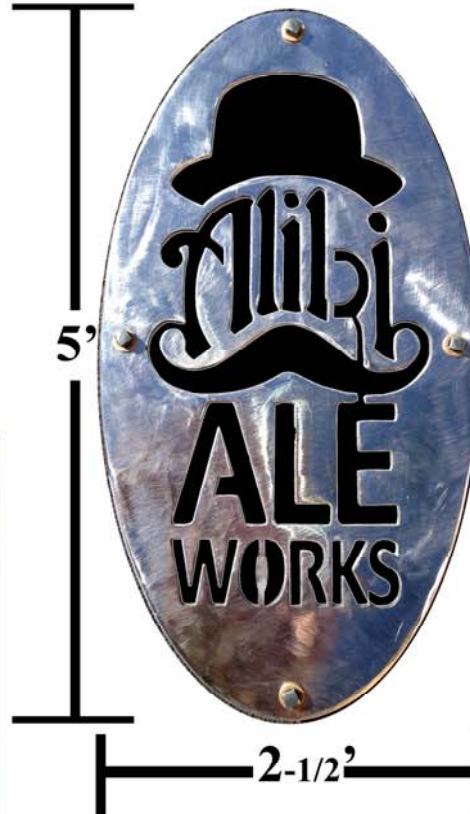
□ = 1sq-ft



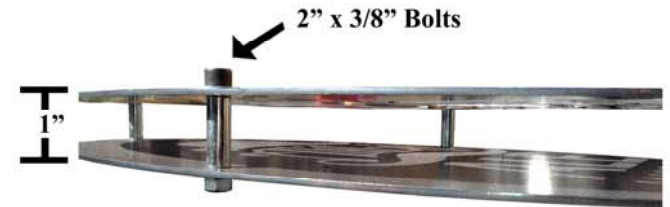
West @ E. Enterprise

Alibi Ale Works Signage Plan

204 East Enterprise St., Incline Village, NV 89451, APN: 132-222-18



Alibi Ale Works LLC is purposing one sign mounted to the face of the building. The community plan allows for a building sign with a maximum of 40sf of surface area. The building sign will be approximately +/-12.5sf (5'-tall x 2.5'-wide). The sign will be oval in shape and will be constructed from two plates of 1/8" mild steel. The top plate will be plasma cut and copper plated with the company logo. The back plate will be powder coated black. The two plates will be mounted together with (4) 3/8"x2" bolts with a 1" bushing separating the plates. The sign will be internally back lit between the plates with 120, 12v LED's that will produce approximately 2,640 combined lumens. Side note: (1) 100w standard incandescent light bulb produces approximately 1,600 lumens.



Special Use Permit SB14-009

**Alibi Ale Works
Food and Kindred
Products**

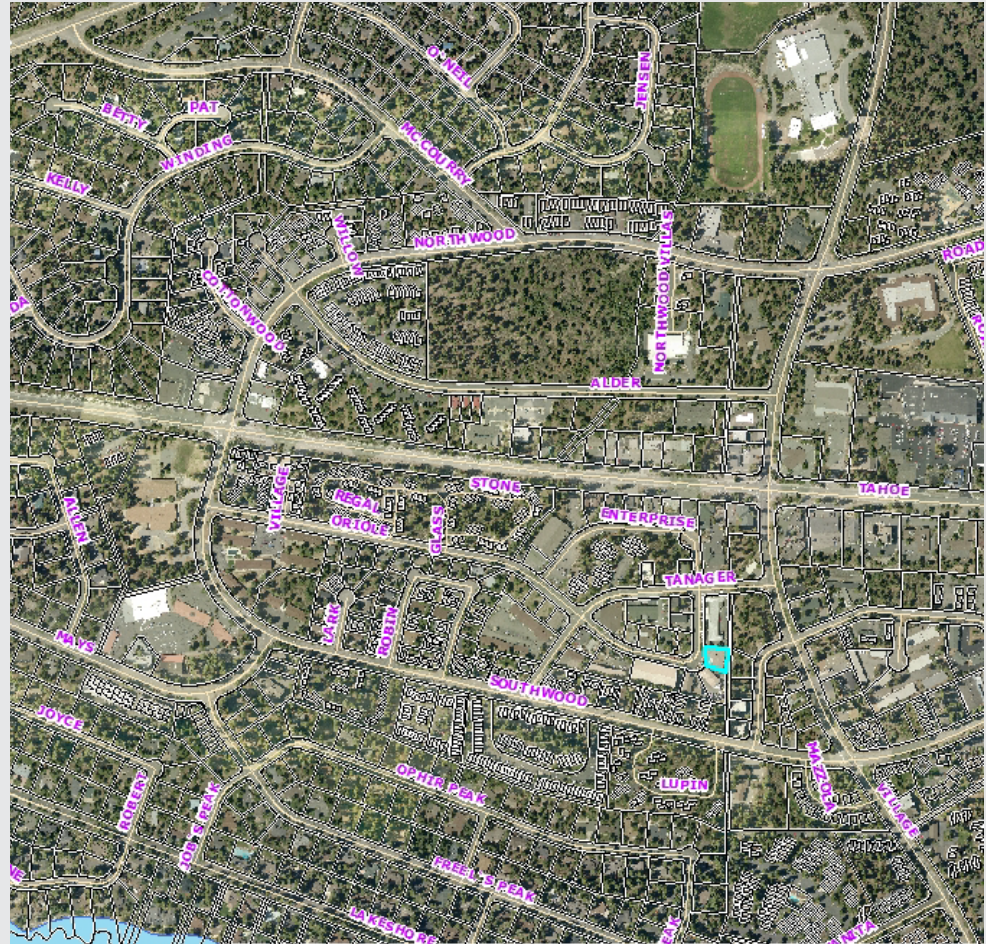
**Washoe County Board
of Adjustment**

June 5, 2014

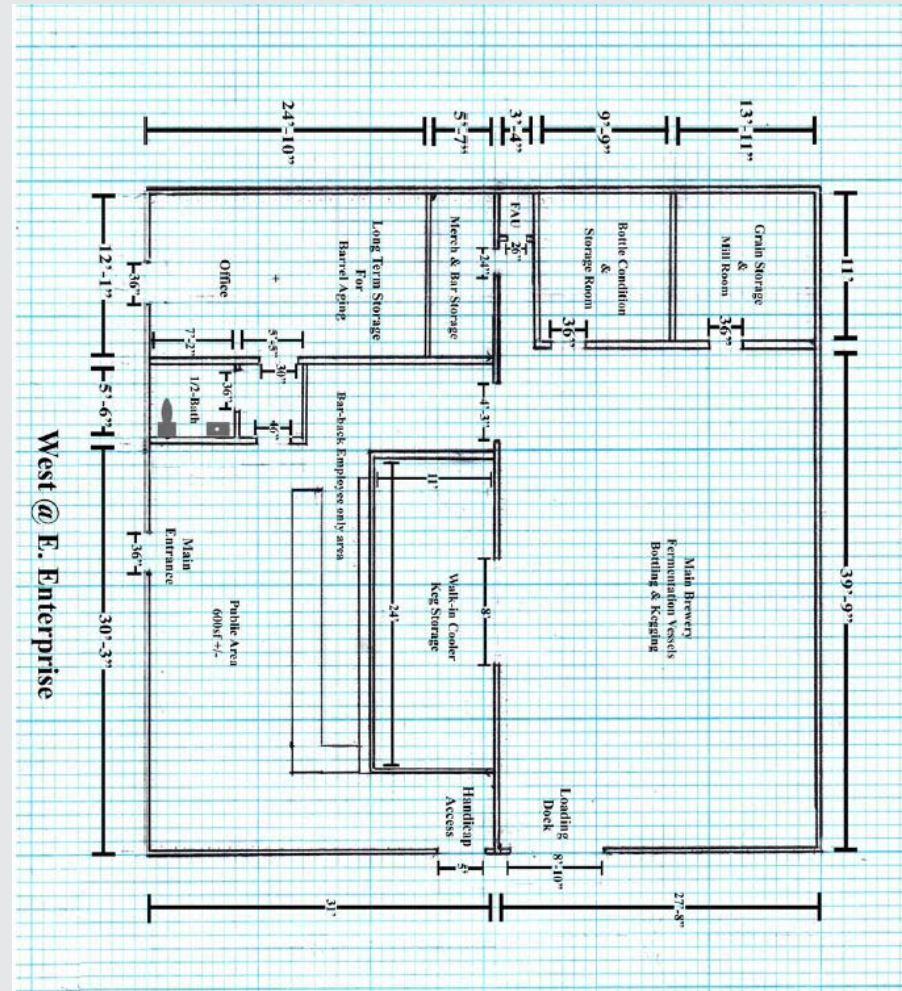


Location Map

- 204 E. Enterprise
- Commercial area
- Boat storage
- Auto repair
- Mixed-use



Site Plan/Floor Plan



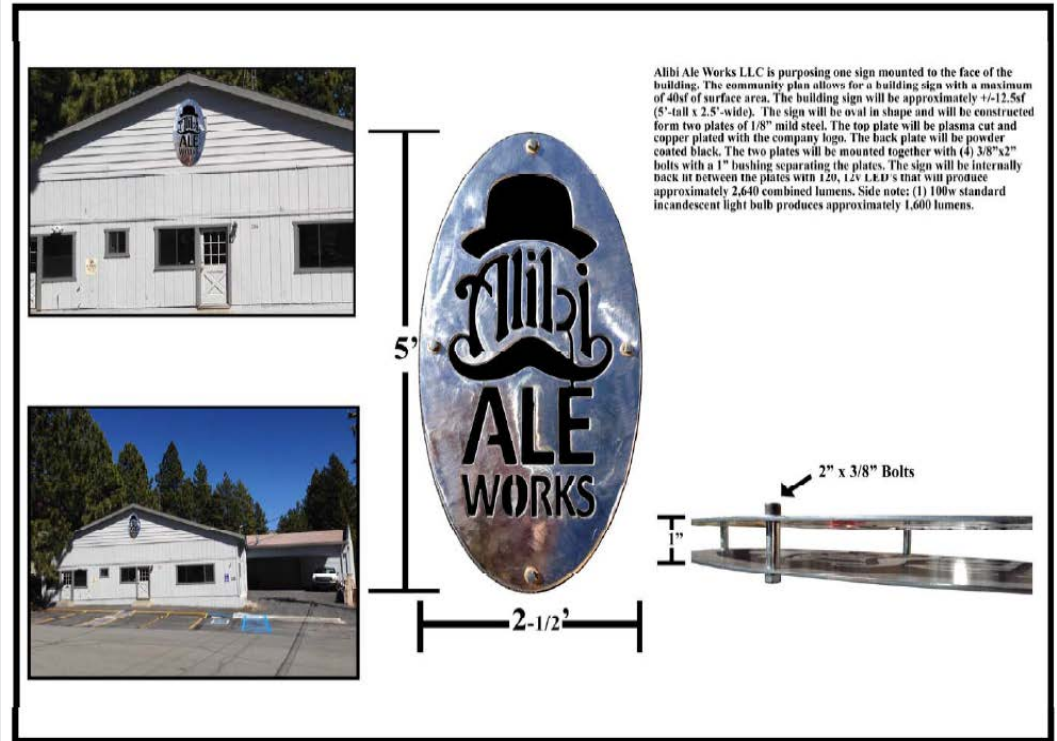
Agency Comments

- **Planning worked with owner to set hours for tasting room and special events**
- **Health requires plans and health permits**
- **Incline Village General Improvement District requires plans showing water and sewer connections**



Elevation and Sign

- No major changes to existing structure
- New sign proposed



Incline Village/Crystal Bay Citizen Advisory Board

- **Is there sufficient parking?**
- **Will it smell?**
- **What do the neighbors think?**
- **What about public safety?**



Findings

1. **Consistency.** That the proposed use is consistent with programs, policies, standards and maps;
2. **Improvements.** There are adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary improvements;
3. **Site Suitability.** The site is physically suitable for small scale manufacturing of Food and Kindred products (Brewery);
4. **Issuance Not Detrimental.** The use will not be significantly detrimental to the public health, safety or welfare or injurious to the property or improvements of adjacent properties;
5. **Effect on a Military Installation.** There are no military installations in the surrounding area.



Conditions of Approval

- **Limit hours that business is open to public**
- **Secure waste from bears**
- **Special Events – parking, noise, hours**
- **Obtain health and building permits**
- **Provide sewer and water connection plans**



Proposed Motion

- ***I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number SB14-009 for Kevin Drake (Alibi Ale Works), having made all five findings in accordance with Washoe County Development Code Section 110.810.30.***

