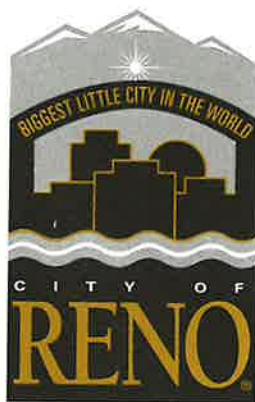


Nathan Gilbert, AICP
Principal Planner
Development Services Department
P. O. Box 1900
Reno, NV 89505
(775) 334-2698



February 23, 2024

DHC Ventures, LLC
150 North Arlington Avenue
Reno, NV 89501

Re: ADM24-00021 (Minor Modification to Playfield 76 MUP)

Dear Applicant,

Per Reno Municipal Code (RMC) 18.08.307 (f) "Post Decision Actions and Limitations," the Administrator may approve minor changes to an existing approval at the request of the applicant. Following the Administrator's original August 12, 2022 approval (**Attachment A**), an application was received for a minor modification to remove Condition No. 11 of MUP23-00002 relating to fencing of the adjacent parcel. After consultation with the Code Enforcement Division, the Administrator has determined that the following modification is consistent with applicable approval criteria in Reno Municipal Code (RMC 18.08.304(e) and 18.08.307(f) 1) and is not expected to have an adverse impact on the area. Therefore, this request for a minor modification to delete Condition No. 11 of MUP23-00002 is **approved** by the Administrator as noted below:

- ~~11. Prior to the issuance of the cabaret license the adjacent parking lot (APN 011-043-03) shall be fenced along N. Arlington Avenue and along Roff Way with partial fencing on W. 2nd Street allowing open access to the entrance and exit. Fencing shall not be solid and shall be constructed of a material conducive to the neighboring properties. Vision into the parking lot shall be maintained.~~

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.

You must attach a copy of this letter with Attachment A (the original MUP23-00002 approval) with application for any building permit or business license on the site.

Sincerely,

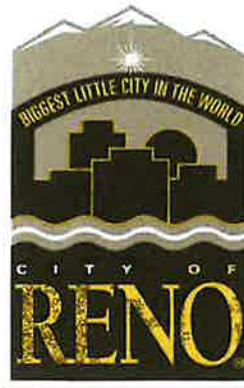
A handwritten signature in black ink, appearing to read "Nathan Gilbert", with a long horizontal flourish extending to the right.

Nathan Gilbert, AICP, Principal Planner
Development Services Department

Xc: J & S Holding Company
200 Court Street
Reno, NV 89501

Mikki Huntsman, City Clerk
Leah Brock, Development Services Department

Jason Garcia-LoBue, MPA
Planning Manager
Development Services Department
P. O. Box 1900
Reno, NV 89505
(775) 334-4267



August 12, 2022

DHC Ventures, LLC
150 N. Arlington Avenue
Reno, NV 89501

Re: Minor Conditional Use Permit Case No. MUP23-00002 (Playfield 76)
APN: 011-043-02
Ward: 5

Dear Applicant:

The Development Services Department has completed the review of your request for a minor conditional use permit to allow a live entertainment venue within an existing restaurant with alcohol service in the Mixed-Use Downtown Riverwalk District (MD-RD). The subject site has a Master Plan land use designation of Downtown Mixed-Use (DT-MU). 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 (MUP), Case No. MUP23-00002, 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 business license and/or building permit is reviewed.
2. The owner or developer shall apply for a cabaret business license within 18 months of the date of approval of the minor conditional use permit application

and maintain the validity of that permit, or the minor conditional use permit approval shall be null and void.

3. Prior to the issuance of the cabaret license, the applicant shall attach a copy of this approval letter. The approval letter shall accompany a narrative provided by the applicant that describes how the requested permit addresses each of the conditions of approval herein.
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. Prior to the issuance of the cabaret license, the applicant shall provide a security plan subject to the satisfaction of the Administrator.
6. All live music events will be restricted to age twenty-one (21) and over.
7. Prior to the issuance of the cabaret license, a surveillance system shall be installed with a ten (10) day recall period.
8. Prior to the issuance of the cabaret license, an outside ashtray shall be placed, cleaned, and maintained by the proprietor on a daily basis and all adjacent sidewalks, curbs, and gutters shall be cleaned prior to closing and all litter and debris removed at closing.
9. Prior to the issuance of the cabaret license, signage shall be posted encouraging patrons to maintain a polite disposition upon leaving the premises.
10. Any queue line extending outside shall be orderly and maintained using stanchion control devices. One (1) hour prior to live entertainment, stanchions shall be erected sufficient to control the queue line from blocking the public right of way.
11. Prior to the issuance of the cabaret license, the adjacent parking lot (APN 011-043-03) shall be fenced along N. Arlington Avenue and along Roff Way with partial fencing on W. 2nd Street allowing open access to the entrance and exit.

Fencing shall not be solid and shall be constructed of a material conducive to the neighboring properties. Vision into the parking lot shall be maintained.

12. Prior to the issuance of the cabaret license, the parking lot shall be posted with the following signage: *No Trespassing/Loitering*.
13. Security staff shall regularly patrol the immediate exterior of the building and parking lot at least every half hour and the parking lot shall be maintained in a sanitary manner, and cleaned after closing.
14. Operational noise levels, including intermittent noise, shall not exceed sixty-five (65) decibels at the exterior of the building.
15. Doors and windows of the property shall be closed during any event with amplified sound and between 10:00 p.m. and 8:00 a.m. This includes the vestibule remaining closed at all times except for patron ingress and egress.

Summary: The subject ±0.122 acre site is located on the east side of N. Arlington Avenue approximately 190 feet south of the intersection with W. 2nd Street (**Exhibit A**). The subject site was developed in 1966 with a 4,805 square foot building. A restaurant with alcohol service/bar has operated continuously onsite since 2010. In 2019, the applicant purchased the business and rebranded under the name Playfield 76. Approval of this request will allow for the establishment of a live entertainment venue and the issuance of a cabaret license within the MD-RD zone. The key issue identified is compatibility with surrounding residential uses and safety outside of the establishment and in the adjacent parking area. With the included Conditions of Approval the key issues will be properly mitigated.

Background: Prior to Playfield 76 opening in 2019, the Imperial Bar and Lounge operated as a bar with a cabaret license for nine years. Under previous zoning code live entertainment was an allowed use. When Playfield 76 obtained their business license in 2019 they did not obtain a cabaret license for live entertainment. Notes under the business license state “Customer downgraded from prior owner’s cabaret license R100066Q. New applicants must cease cabaret activity effective February 1, 2019.”

Analysis:

Compatibility with Surrounding Uses: The proposed use of the parcel as a live entertainment venue is consistent with surrounding uses including bars, restaurants, motels and retail. Adjacent

to the south side of the site is the Arlington Towers. Lower level uses include offices, personal services, a coffee shop, two bars, and a hookah lounge. The upper-levels are comprised of 125 residential condominiums.

General Code Compliance: A live entertainment venue is permitted within the MD-RD zone with the approval of a MUP. Playfield 76 is an existing restaurant and bar. Indoor uses located in the Mixed-Use Downtown (MD-) districts, greater than 300 feet from residentially zoned property, allow for 24 hour operation. Playfield 76 hours of operation are from 4:00 p.m. to 12:00 a.m. Sunday through Thursday and 4:00 p.m. to 2:00 a.m. Friday and Saturday.

Since opening in 2019, the City of Reno Community Services and Safety Team (CSAST) has conducted night-time inspections during special events due to complaints from the residential neighbors. In reviewing the subject application City of Reno Code Enforcement cited concerns including the windows and vestibule doors typically being left open allowing entertainment noise to spill out, the adjacent unsecured parking lot allows for foot traffic through the lot, and patrons will loiter in the parking lot, at times spilling out to the public right of way and the queue line has been observed blocking the sidewalk. Staff recommends the following conditions to bring the use into compliance and mitigate concerns cited by Code Enforcement.

A security plan shall be required including the following **(Condition No. 5)** information:

- number of security staff (minimum: one (1) security staff per fifty (50) patrons and one (1) security supervisor for every five (5) subordinate security staff),
- identification/attire for all security staff,
- training for security staff,
- maintenance and security protocol for the adjacent parking area
- a plan for the placement and control of the queueing line
- a plan for events allowing patrons under the age of twenty-one (21) indicating how staff intends to remove underage patrons after the event,
- ejection protocol for unruly/disruptive patrons,
- a crime plan in the event of a criminal activity occurring,
- an evacuation plan in the event of an emergency, and
- a closing plan for each night of operation.

Additional conditions recommended to mitigate concerns include:

- All live music events will be restricted to age twenty-one (21) and over **(Condition No. 6).**

- A surveillance system shall be installed with a ten (10) day recall period (**Condition No. 7**).
- An outside ashtray shall be placed, cleaned and maintained by the proprietor on a daily basis (**Condition No. 8**).
- Signage shall be posted encouraging patrons to maintain a polite disposition upon leaving the premises (**Condition No. 9**).
- Any queue line extending outside shall be orderly and maintained using stanchion control devices. One (1) hour prior to live entertainment, stanchions shall be erected sufficient to control the queue line from blocking the public right of way (**Condition No. 10**).

Parking Area: The unsecured parking lot allows for foot traffic through the lot, and patrons have been observed loitering in the parking lot, at times spilling out to the public right of way. **Condition No. 11** requires the parking lot be fenced to limit foot traffic and to control the flow of traffic in and out of the lot. This fencing shall not be solid and shall be constructed of a material conducive to the neighboring properties. Vision into the parking lot shall be maintained and cease the flow of “cut-through” by pedestrians, scooters, and general loitering. The parking lot shall be posted with the following signage: No Trespassing/Loitering (**Condition No. 12**). Security staff shall regularly patrol the immediate exterior of the building and parking lot at least every half hour and the parking lot shall be maintained in a sanitary manner, and cleaned after closing (**Condition No. 13**).

Public and Stakeholder Engagement: The proposed project was reviewed by various City divisions and partner agencies. Code Enforcement noted the concerns identified above and recommended Conditions No 5. through Condition No. 15 which are consistent with downtown live entertainment permits previously issued.

A public notice was sent out to all property owners within 750 feet of the project. Staff received five (5) written comments with three (3) in support and two (2) in opposition (**Exhibit C**). The main concerns expressed by the surrounding property owners are related to noise which can be mitigated. **Condition No. 14**. Requires that operational noise levels, including intermittent noise, shall not exceed sixty-five (65) decibels at the exterior of the building and **Condition No. 15** requires that doors and windows of the property be closed during any events with amplified sound and between the hours of 10:00 p.m. and 8:00 a.m. This includes the vestibule remaining closed at all times except for patron ingress and egress

Master Plan Conformance: The subject site has a Master Plan land use designation of Downtown Mixed-Use (DT-MU) and is within the Mixed-Use Area 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.

- City Wide Policy 1.2C: Existing Businesses
- City Wide Policy 1.2G: Business Retention and Attraction
- City Wide Policy 3.2B: Public Spaces
- City Wide Policy 3.2C: Pedestrian Realm
- City Wide Policy 4.4A: Walkable Centers
- City Wide Policy 4.4D: Mix of Uses

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,



Jason Garcia-LoBue, MPA, Planning Manager
Development Services Department

MUP23-00002 (Playfield 76) – LNB

xc: J & S Holding Co
200 Court Street
Reno, NV 89501

Re: MUP23-00002 (Playfield 76)

Page 8

Leah Brock, Development Services Department

Mikki Huntsman, City Clerk


Bob Flores, Building and Safety Manager

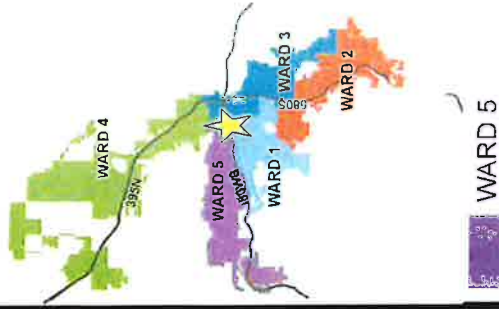
Michael Mischel, P.E., Engineering Manager

AREA MAP

MUP23-00002

(Playfield 76)

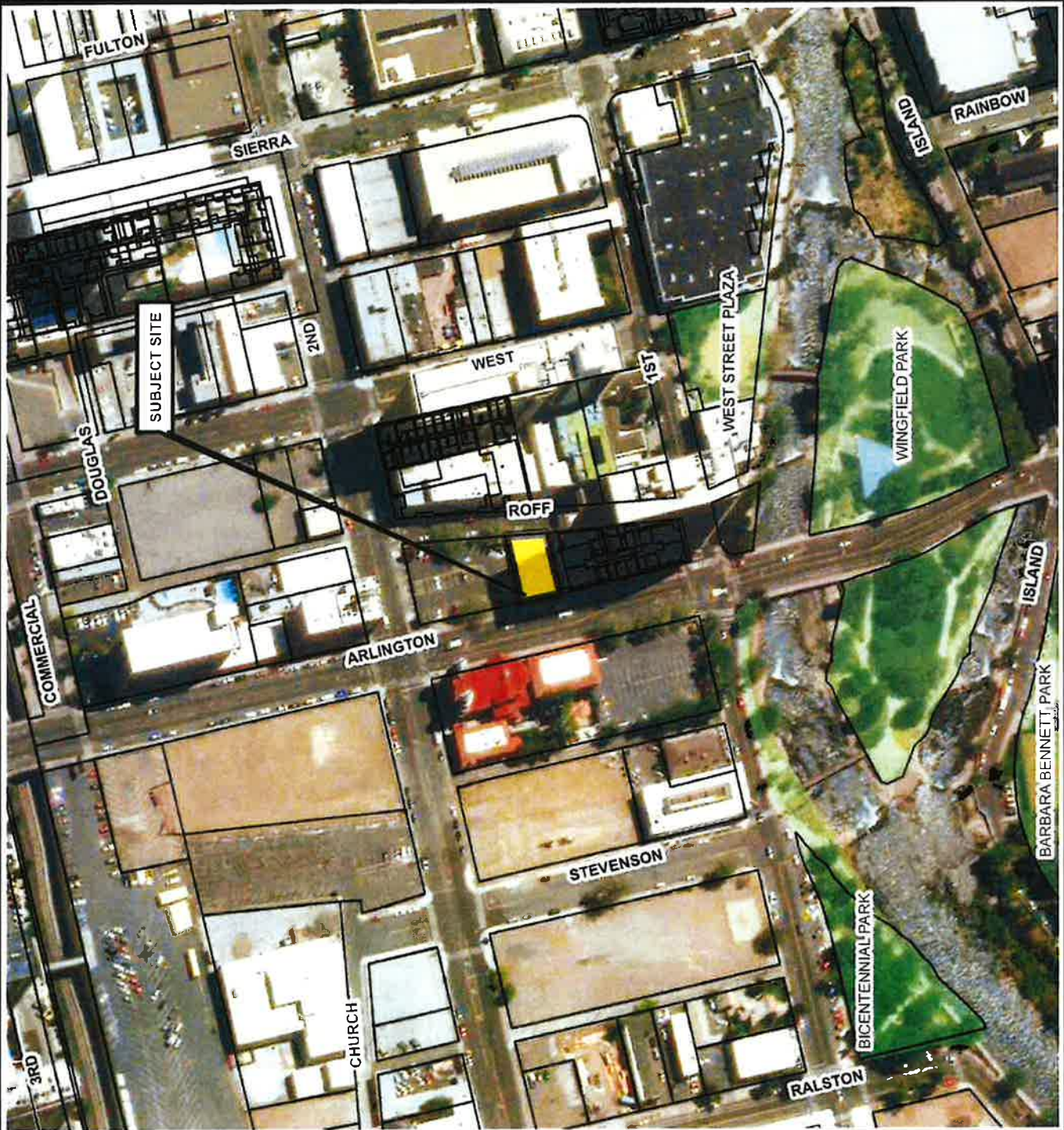
Subject Site ► 



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

Date: July 2022


Scale: 1 inch = 200 feet

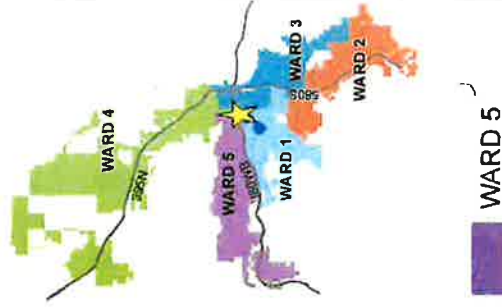


VICINITY MAP

MUP23-00002

(Playfield 76)

Subject Site ► 



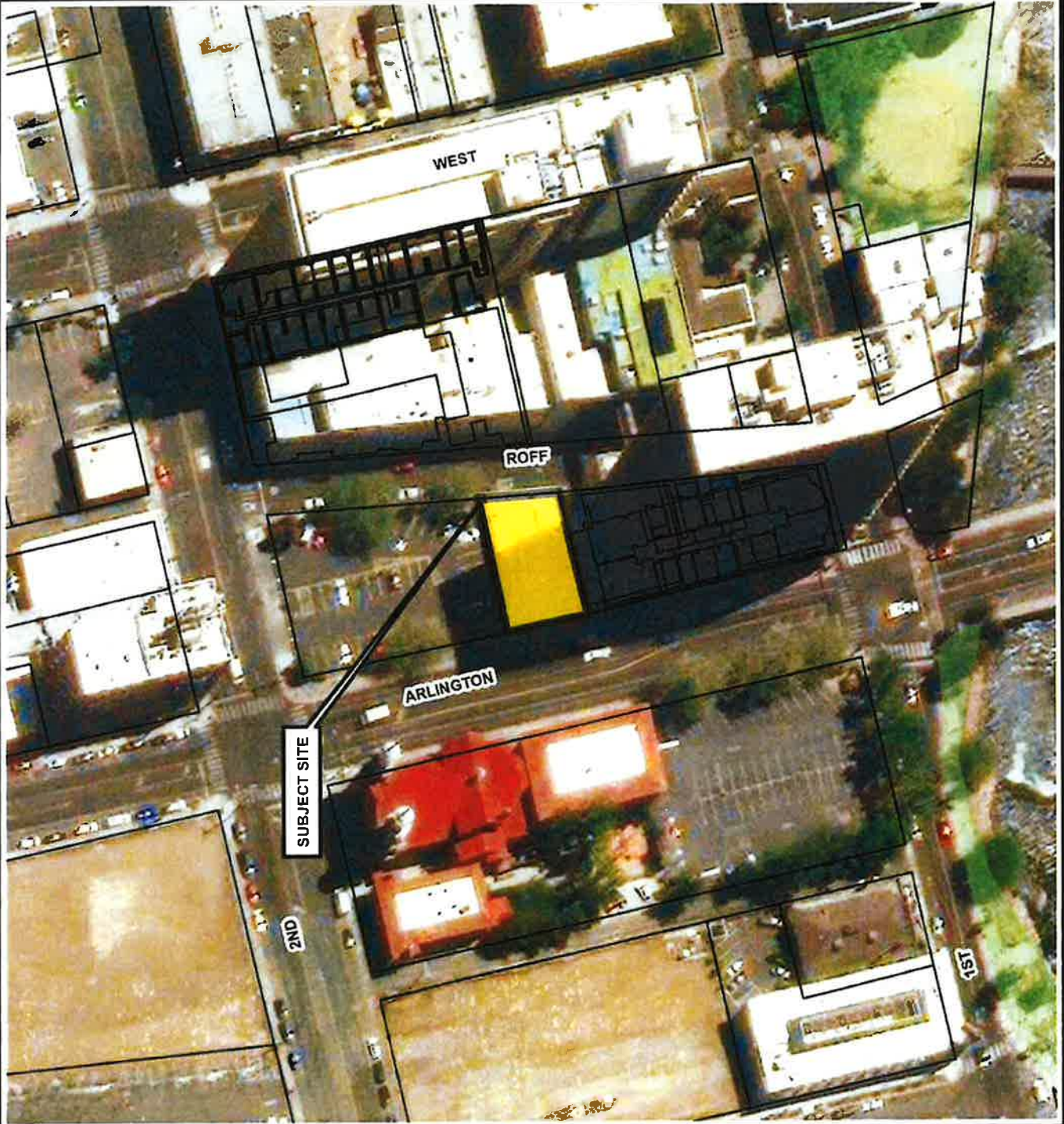
Development
Services
Department



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

Date: July 2022

Scale: 1 inch = 100 feet



ZONING MAP

MUP23-00002

(Playfield 76)

ZONING = MD-RD

Subject Site ► 

Zoning Designations

 MD-ED

 MD-RD

 MD-PD

 Development
Services
Department

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

DATE: July 2022
SCALE: 1 inch = 100 feet

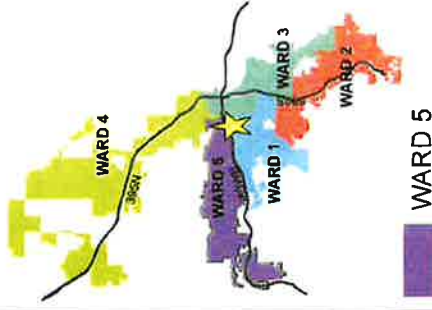


MASTER PLAN MAP

MUP23-00002

(Playfield 76)

Subject Site ►



WARD 5



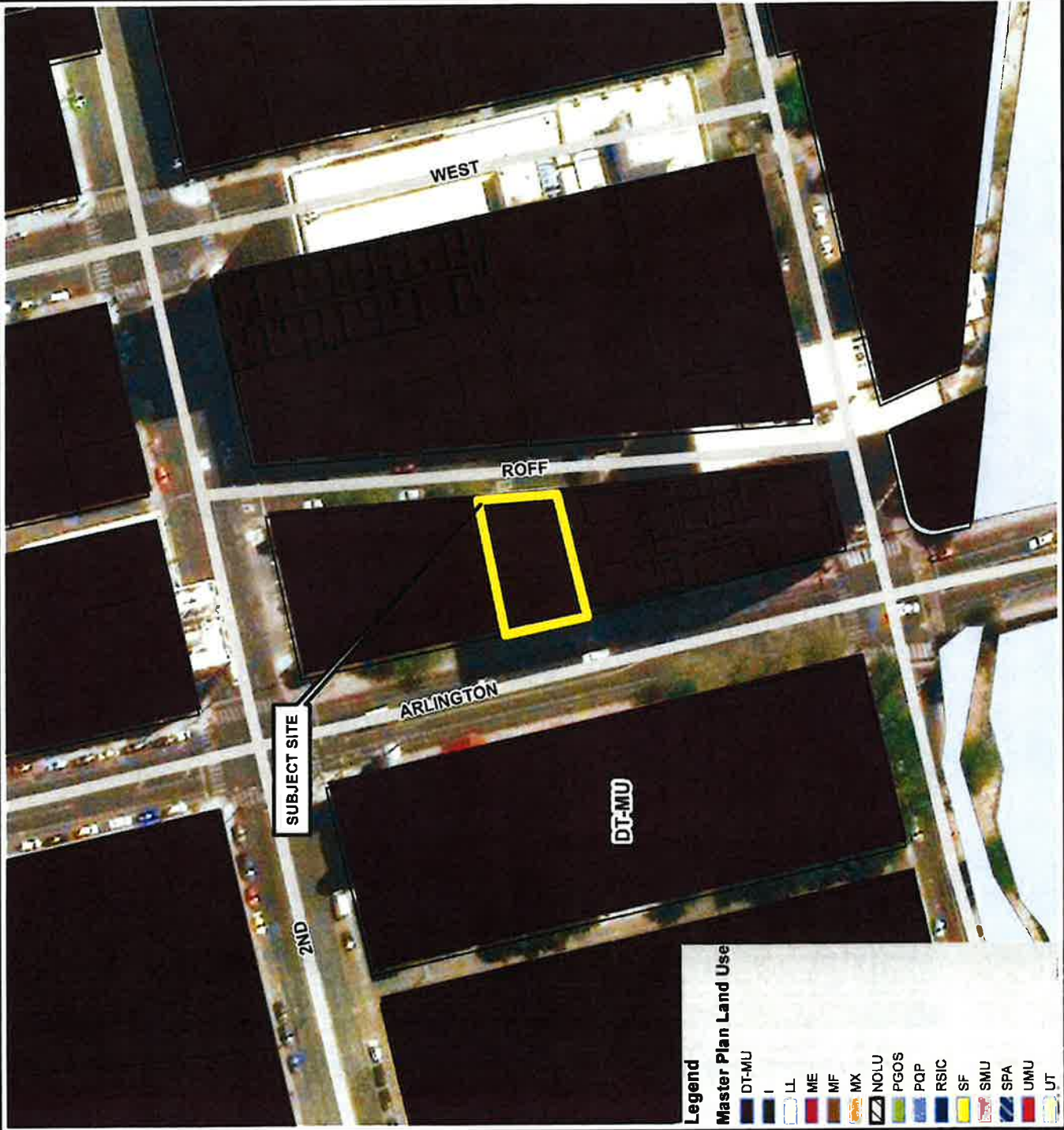
Development
Services
Department



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

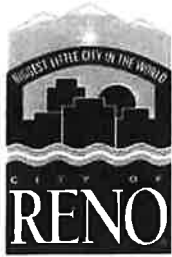
Date: July 2022

Scale: 1 inch = 100 feet



Legend Master Plan Land Use

- DT-MU
- I
- LL
- ME
- MIF
- MX
- NOLU
- PGOS
- PQP
- RSIC
- SF
- SMU
- SPA
- UMU
- UT



Code Enforcement

MEMORANDUM

Date: July 21, 2022
To: Leah Brock
From: Emilio Lozada, Code Enforcement Officer
Subject: MUP23-00002 Application Review

Code Enforcement has reviewed the following application and offers the following comments and/or conditions:

Background information:

There have been night time visits to the property during special events, CSAST, and due to complaints and the property tends to have the windows and vestibule doors open. With the windows and vestibule open, entertainment noise proliferates out. The unsecure parking lot allows for foot traffic through the lot, and patrons will loiter in the parking lot, at times spilling out to the public right of way. The queue line has also been observed to block the sidewalk.

Recommendations:

The primary concerns for this permit include the residential adjacency noise, the history with the parking lot adjacent to and controlled by the applicant and the issues that have occurred during past inspections. Our recommendations follow most downtown live entertainment permits previously issued.

Operational noise levels, including intermittent noise, shall not exceed sixty-five (65) decibels at the exterior of the building.

Doors and windows of the property shall be closed during any nightclub operations and between 10:00 p.m. and 8:00 a.m. This includes the vestibule remaining closed at all times except for patron ingress and egress.

Staff strongly recommends the parking lot to be fenced to limit foot traffic and to control the flow of traffic in and out of the lot. This fencing does not have to be a six foot conventional wood fence, but should be something conducive to the neighboring properties. Vision into the parking lot should be maintained, but the fencing should stop "cut-through" by pedestrians. "Birds" scooters, and loitering. The existing landscaping does not suffice. The parking lot should be posted with the following signage: No Trespassing/Loitering. Security staff should regularly patrol the immediate exterior of the building and parking lot at least every half hour. The parking lot shall be maintained in a sanitary manner, and it will need to be cleaned after closing.

[Type here]

If a line is required to extend outside of the primary entrance, the night club proprietor should maintain an orderly queue line using stanchion control devices. The stanchions must be sufficient to control the queue line from blocking the public right of way.

One (1) hour prior to live entertainment, stanchions should be erected and be sufficient enough to control the queue line from blocking the public right of way.

Staff recommends that live music events will be twenty-one (21) + only. If the events are to allow underage patrons, there will need to be a security plan indicating how staff intends to remove underage patrons after the event. There should be a security plan and ejection protocol in place for unruly/disruptive patrons. There should be a crime plan in the event of a criminal activity occurring. There should be one (1) security staff per fifty (50) patrons. There is to be a security supervisor for every five (5) subordinate security staff. All security staff shall be attired in a manner to readily identify them as such. Security shall have proper training.

There should be an outside ashtray.

There should be an evacuation plan in the event of an emergency, an exit plan for live performances and a closing plan for each night of operation.

There should be a surveillance system in place with a ten (10) day recall period.

There should be an updated occupant load.

Staff recommends there be signage posted encouraging patrons to maintain a polite disposition upon leaving the premises.

Which Category Describes You	Citizen
Case Number	MUP23-00002
Do you wish to opt-in to receive Reno Connect Development Project email newsletters?	No

Citizen General Public Comment Form

Full Name	Jen Eastwood
Contact Email	jen@foundryideas.com
Contact Phone Number	7757506441
Position	In Support
Leave comments on this case here.	In support

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To generate customized PDFs from Google Forms, download [Document Studio \(video demo\)](#).

These messages are not added in the [premium version](#).

8/3/22, 9:04 AM

City of Reno Mail - I received a notice in the mail...



Leah Brock <brockl@reno.gov>

I received a notice in the mail...

1 message

Scott Rahbeck (NC RNO) <Scott.Rahbeck@wholefoods.com>
To: "brockl@reno.gov" <brockl@reno.gov>

Fri, Jul 29, 2022 at 5:15 PM

Hi Leah,

I received a notice in the mail regarding Playfield 76 (MUP23-00002). I own a condo nearby at The Montage (255 N. Sierra St.). I am NOT opposed to allowing "live entertainment." Playfield 76 is a great addition to downtown Reno, and I would love to see them thrive. We need more businesses like them.

Please let me know if you have any questions.

Thank you, and have an awesome weekend! 🍷

Scott Kjar Rahbeck

Whole Body Team Leader

Whole Foods Market Reno

6139 S. Virginia St.

Reno, NV 89502

(775) 852-8023

scott.rahbeck@wholefoods.com



Which Category Describes You Citizen

Case Number MUP23-00002

Do you wish to opt-in to receive Reno Connect Development Project email newsletters? Yes

Citizen General Public Comment Form

Full Name Andrew Riley

Contact Email andrewtriley@gmail.com

Contact Phone Number 4158508522

Position In Support

Leave comments on this case here. I own and live downtown and Playfield 76 is a great neighbor. I support this plan.

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These messages are not added in the [premium version](#).

Which Category Describes You Citizen

Case Number MUP23-00002

Do you wish to opt-in to receive Reno Connect Development Project email newsletters? Yes

Citizen General Public Comment Form

Full Name Teresa L. Cashmore

Contact Email tlcashmore@yahoo.com

Contact Phone Number 17752236523

Position In Opposition

Leave comments on this case here. NO!!

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These messages are not added in the [premium version](#).



Leah Brock <brockl@reno.gov>

MUP23-00002 (Playfield 76) Comment

1 message

Marie Murgolo <mariemurgolo@yahoo.com>
To: "brockl@reno.gov" <brockl@reno.gov>

Mon, Aug 1, 2022 at 12:06 PM

Dear Ms. Brock,

I am writing in response to the Property Owner notification I received regarding the request for live entertainment in an existing restaurant. I have grave concerns about this request. I am an owner and resident of The Riverwalk Towers. Our condo is located on the top floor (16th floor) at the corner of West 2nd Street and West Street. Even though we live on the top floor, the noise from the existing nightclubs is unacceptable (see attached videos). You can imagine what it is like for those living on lower floors.

This disturbance issue was discussed at our board of directors meeting and the issues goes well beyond me with the majority of the 125 units being impacted. One of the main issues is that the nightclub patrons spend a great deal of time on the sidewalks, streets, and parking lots playing loud music, yelling, revving motorcycle and car engines, and riding motorcycles down the sidewalks. These activities continue until about 5:00 am.

I believe that adding a live music venue within walking distance to Tonic and Fusion will multiply and exacerbate these problems. It has gotten to the point that I must rent hotel rooms when I have visitors as our guest room is on the side of the building near Fusion (the greatest contributor to the problem) and the noise makes it impossible to sleep.

Please, I implore you, do not approve the request for live music and please have the city work on the existing disturbance issues relating to the existing venues. I understand this is a complex problem and requires multiple departments working in concert to achieve the desired results of a livable neighborhood. I can see this issue undermining the city's plans for integrating more residential units into downtown. Please do not approve the request and add to the problem before the existing intolerable situation is addressed and resolved.

I attach two videos (taken on different dates) of what we downtown residents must contend with on a regular basis. Make sure your sound volume is turned on so you can fully appreciate our world.

Please let me know if you require further information. I can be reached via return email or at 775-335-9147. Thank you.

Yours sincerely,

Marie Murgolo, PhD.

8/3/22, 9:11 AM

City of Reno Mail - MUP23-00002 (Playfield 76) Comment

Sent from Mail for Windows

2 attachments

 **June 4 Fusion.MOV**
3784K

 **June 26 after 4 am.MOV**
7785K