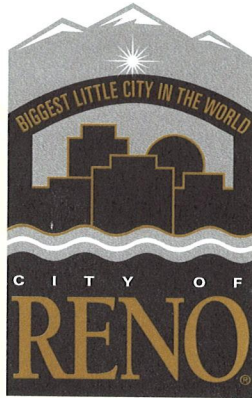


Angela Fuss, AICP, Assistant Director
Development Services Department
P. O. Box 1900
Reno, NV 89505
(775) 399-3843



June 13, 2023

Revised Decision Letter

1546 7th Street, LLC
2716 Ocean Park Avenue, Suite 1055
Santa Monica, CA 90405

Subject: LDC16-00060 (Record Street Brewing Co.)
APN No. 007-313-21

Dear Applicant:

At the regular meeting of the Planning Commission on May 4, 2016, the Planning Commission approved your request for a special use permit to allow: (1) a nightclub; and (2) an architecturally integrated wall sign. The ±14,000 square foot site is located on the southwest corner of East 4th Street and Record Street within the Mixed Use/Downtown Reno Regional Center/Wells Avenue District (MU/DRRC/WELLS) zone. The site has a Master Plan Land Use designation of Special Planning Area/Downtown Reno Regional Center/Wells Avenue District. **Based on the materials submitted and with the requested modification to Conditions 8, 10 and 11, the project conforms to the findings as required by the Reno Municipal Code (RMC) 18.08.307(f) (Modifications or Amendment of Approval). This revised decision letter updates the May 5, 2016 decision letter for LDC16-00060.**

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 all building permits for the project within 18 months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.
3. 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.

4. Prior to the approval of any building permit and/or a business license, the applicant shall attach a copy of the final approval letter.
5. Nightclub activities shall not begin before 11:00 a.m. and shall conclude by 2:00 a.m. and are allowed seven days a week.
6. Noise associated with the nightclub shall not exceed 65 decibels at the exterior of the building.
7. Prior to the issuance of a building permit, the applicant shall submit plans that demonstrate the trash enclosure is incorporated into the building in a manner that it will not be visible from East 4th Street.
8. ~~Prior to the issuance of a building permit or business license for the nightclub, a reciprocal parking agreement for the required 16 parking spaces associated with this use shall be recorded and submitted to the City of Reno Community Development Department. Terms of the parking agreement shall be established for the life of the special use permit. Any change to the terms or location for off-site parking associated with this condition shall be submitted to City staff at least 30 days prior to the effective date of the change and recorded.~~
9. Prior to the issuance of a building permit, plans shall be approved for the off-site parking lot located at 401 East 4th Street. Plans shall include parking lot lighting, striping and landscaping. Said improvements shall be verified by staff as completed prior to issuance of a certificate of occupancy or business license, as applicable.
10. Prior to the issuance of a building permit, plans shall be approved to include a minimum 100 square feet of landscape area within the outdoor patio area. ~~A street tree shall be installed on Record Street to the approval of the Urban Forester.~~
11. Prior to the issuance of a building permit, plans shall be approved that include ~~an open view~~ fence plan to enclose the outdoor patio area.
12. The historic "Alpine" sign may be re-installed on the building without alteration. The applicant shall comply with sign standards contained in Reno Municipal Code including letter height and allowable sign area.
13. Prior to the issuance of a building permit or business license, the applicant shall provide a security plan that: a) provides a queuing plan for nightclub events; b) includes a detailed plan that will monitor business access to ensure loitering does not occur; and c) to install interior and exterior surveillance and site lighting to the

approval of the Community Development and Police Departments. The operator shall be responsible to continuously maintain and enforce this plan for the life of this Special Use Permit.

14. Prior to the issuance of a building permit, the applicant shall provide plans to remove and replace any unused driveways on Record Street with curb, gutter, sidewalk and street trees consistent with the Public Works Design Manual and Reno Municipal Code (RMC), Title 18. Plans shall include driveways to serve the trash enclosure and delivery door. The proposed driveways shall include appropriate "no parking" signs.
15. Prior to the issuance of a building permit, the applicant shall have plans for all public improvements approved by the Community Development Department and shall obtain associated encroachment and excavation permits.
16. Prior to the issuance of a building permit, the applicant shall demonstrate accessible and ADA compliant pedestrian routes from adjacent public right-of-way to the on-site buildings.

The decision of the Planning Commission may be appealed within ten calendar days by filing an appeal form with the Reno City Clerk together with the appropriate fees. The ten day appeal period starts the day after this notice is filed with the City Clerk. If the tenth calendar day is on a holiday or weekend, the filing deadline is extended to the next business day that the City Clerk's Office is open. Appeals may be filed by any person who is aggrieved by the decision. The City Clerk's office is on the 2nd floor of Reno City Hall located at One East First Street, Reno, NV. 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. 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.

This approval letter has not been issued in lieu of a building permit. You are responsible for obtaining the appropriate building permits associated with this project and a copy of this letter must be attached to the application.

Sincerely,



Angela Fuss, AICP, Assistant Director
Development Services Department

Record Street Brewing Co.
RE: LDC16-00060 (Record Street Brewing Co.)
Page 4

xc: Lake Tahoe AleWorX Reno, LLC
1263 Golden Bear Trail
South Lake Tahoe, CA 96150

Hanna Andersson
1309 Grove Street
Carson City, NV 89701

Mikki Huntsman, City Clerk

Master Plan Application – Administrative Determination

Minor Modification (to existing approval)

LAKE TAHOE ALEWORX RENO, LLC

1. Request for minor modification to LDC 16-00060 to remove condition 8 regarding 16 parking space requirement.

In the Reno Municipal Code (RMC) update several years ago, the minimum parking requirement for the downtown zones was removed (see RMC 10.04.705 – Off-Street Parking Requirements provided in Figure 1 below). Applicant is therefore requesting that condition 8 of LDC 16-00060 be removed since the parking requirement for the location is no longer applicable for the Mixed-Use Downtown Entertainment District Zoning.

Figure 1. RMC 18.04.705 – Off-Street Parking Requirements

18.04.705 - Off-Street Parking Requirements



(a) Required Amounts of Parking

- (1) Minimum Table 4-6 Off-Street Parking Requirements, sets forth the minimum required amounts of off-street parking spaces for each specified land use. Minimum parking standards are established by district as defined below.

a. Downtown Parking District

1. The Downtown district applies to all Mixed-Use Downtown (MD-) districts.
2. There is no minimum parking requirement in the Mixed-Use Downtown (MD-) districts.

2. Request for minor modification to LDC 16-00060 to remove street tree installation requirement from condition 10.

Applicant acknowledges that condition number 10 of LDC 16-00060 required that a street tree be installed on Record Street to the approval of the Urban Forester, however it is Applicant's understanding that the prior tenant of the property was granted an exception due to their planned restoration efforts, safety concerns, and the prior removal of such trees by the City of Reno. As demonstrated in **Figure 2** below, two street trees were installed along E. 4th Street since the time of the original application. Further, as shown in **Figure 3**, the sidewalk area along Record Street has been paved and improved with existing impervious surfaces. Additionally, according to the Supplement to the Application for Special Use Permit submitted by Record Street Brewing Co. (prior tenant/licensee) on April 11, 2016:

"It is the intent of the applicant to restore the circa 1929 building to as close to its original state as possible while complying with modern code requirements. Such is the restoration plan that was submitted to the Historic Reno Preservation Society. There is no known original vegetation for the circa 1929 building, and there is no existing exterior plumbing for vegetation on the west side of the building along the alley. In addition, landscaping and vegetation would encroach upon the queueing area along the west side of the building. For these reasons, we

believe that the west side of the building should be exempt from any landscaping or vegetation obligations based upon both existing constraints and grandfathering.

The applicant has been informed by RTC that the entire sidewalk along East 4th Street will be replaced as part of the "4th Street/Prater Way RTC RAPID Transit Project." These plans are being finalized by Wood Rodgers at this time and will be required to meet the same standards as those applicable to applicant. Accordingly, the applicant defers to RTC and Wood Rodgers concerning the restoration and new compliance concerning its East 4th Street landscaping requirements. The applicant will continue to work with RTC and Wood Rodgers to ensure compliance with applicable law.

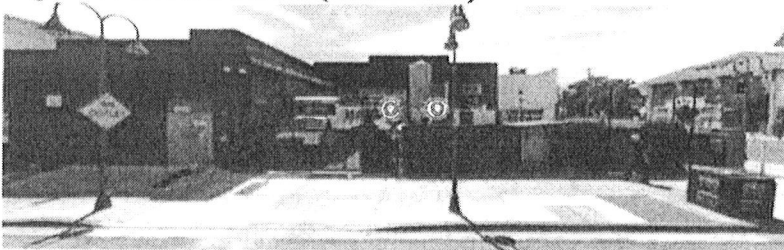
The applicant has been informed by City of Reno police and code enforcement staff that the previously compliant trees located along Record Street were cut down by the City of Reno because they shaded necessary security lighting and were compounding problems in the high-traffic, high-crime area. Of course, it is the applicant's desire for the area to experience a rapid reduction in crime. However, for the safety of the applicant's patrons, no landscaping or vegetation replanting has been planned for the sidewalks or right of ways along Record Street at this time. The applicant has consulted the City of Reno, Urban Forestry Commission, Approved Street Tree Species List (Revised – 2011), for available vegetation options that can be implemented once the crime threat has been mitigated. The issue of security along Record Street is paramount."

Applicant feels that the safety/security concerns expressed by the prior tenant/licensee remain in place today and is requesting that the street tree requirement be removed from condition 10 of LDC 16-00060 until such time that the safety and crime threat has been mitigated in this area.

Figure 2. E. 4th Street (street view)



Figure 3. Record Street (street view)



3. Request for minor modification to LDC 16-00060 to remove “open view” requirement from condition 11 regarding the fence plan to enclose the outdoor patio area.

The property’s previous tenant, Record Street Brewing Company (RSBC), completed the construction of a fence which encloses the outdoor patio area. The fence that was previously constructed by RSBC includes an outer open view fence and interior wooden security fence. Per our correspondence with Reno Development Services Department (see **Figure 4: Email Correspondence Regarding Fence** below), there does not appear to be any specific reason why the condition was written to include the “open view” language, and further, it does not appear that this was proposed or required for safety purposes. As such, Applicant is requesting that the “open view” specification be removed from condition 11.

Figure 4. Email Correspondence Regarding Fence

From: Jeff Foster <fosterj@reno.gov>
Sent: Tuesday, June 6, 2023 11:08 AM
To: Hanna Andersson <hanna.andersson@rop.com>
Cc: Arianna Zamorano <zamoranoa@reno.gov>; Lance Ferrato <ferrato@reno.gov>; gliblancoc@reno.gov <gliblancoc@reno.gov>; Luca Genasci <luca@tahoelifestyle.com>
Subject: Re: R160012Q-APP-2023 (Lake Tahoe AleWorx Reno business license)

Following up on the fence issue, it is not clear where the open view condition came from. The staff report is attached, and this paragraph discusses the fence (it could be that it is what was proposed by the applicant and the planner just conditioned it, key language being “planned to be replaced”):

RMC requires 20% of the site to be landscaped. Most of the site is improved with existing impervious surfaces. On existing sites, RMC Section 18.12.1202 requires additional landscape area in proportion to proposed building expansion. In this case, a 400 square foot expansion is proposed, equal to a three and one half percent increase in building area. Using the formula provided in RMC, the applicant would be required to provide a minimum of 98 square feet of landscape area with this project. Staff worked with the applicant to identify areas where landscaping could be added. The applicant is interested in preserving the structural integrity of the DeLongchamps building and as a result, cannot install landscaping in the area adjacent to the alley to the west. The applicant has provided a site plan showing installation of a street tree on Record Street in addition to providing landscaping within the outdoor patio area. The existing six foot tall chain link fence surrounding the outdoor patio area will be removed and is planned to be replaced with a decorative open view fence enclosure (Conditions 10 and 11).

I don’t see any discussion in the Public Safety section of the staff report that suggests the open view fence was proposed or required for safety purposes.