

LDC24-00029

Reno Axe Conditional Use Permit Appeal

*Reno City Council
March 27, 2024*

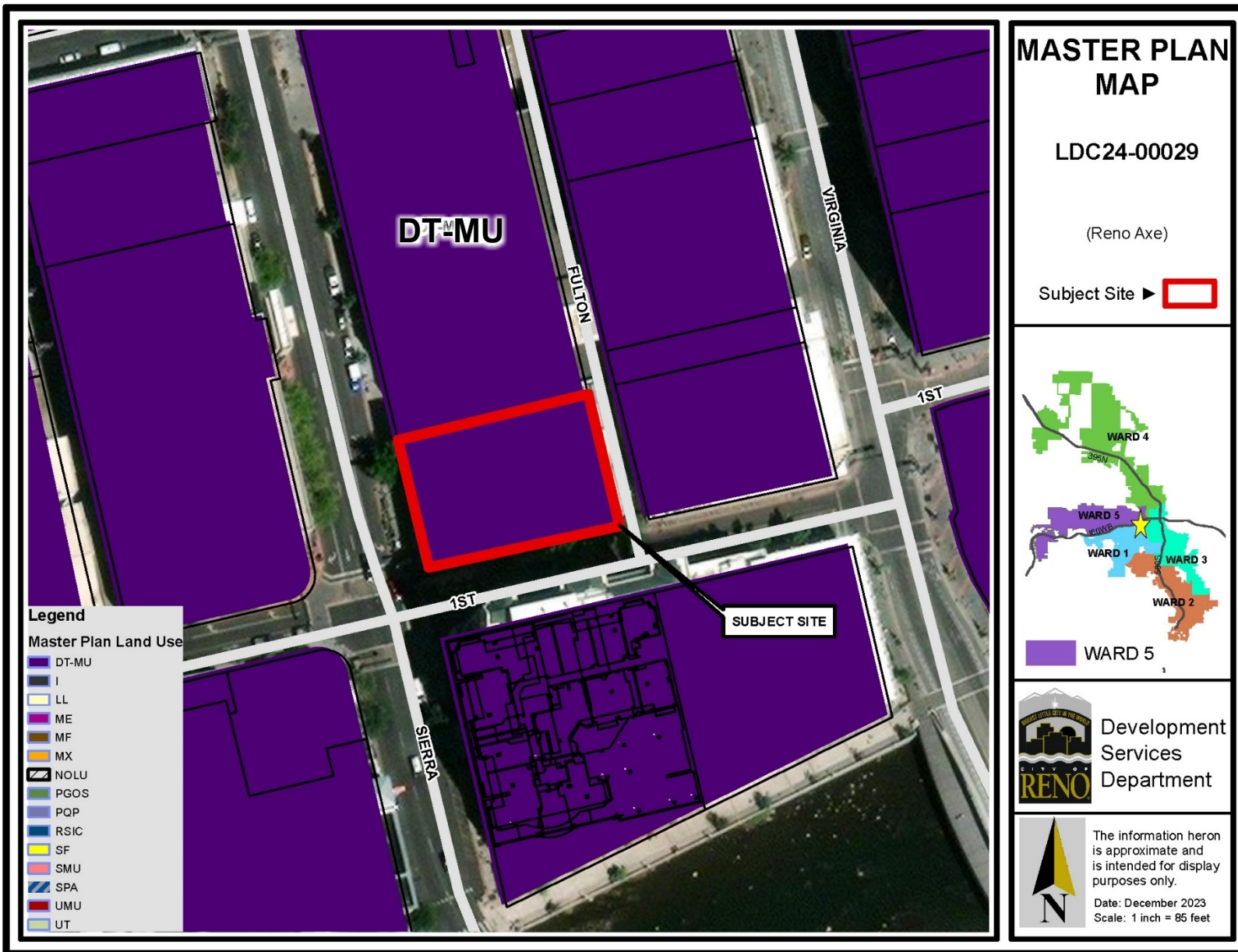


C I T Y O F
RENO

Project Information



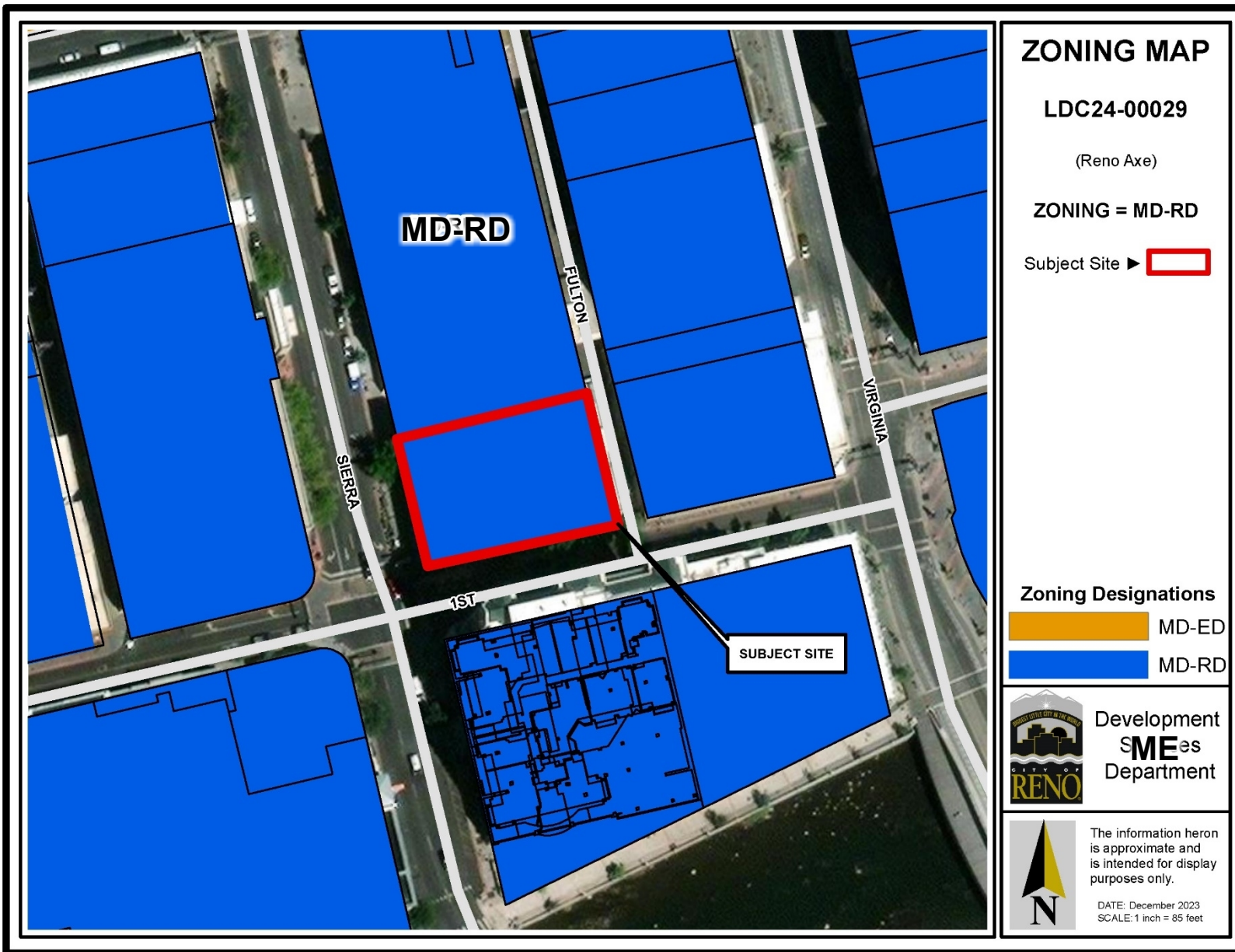
- **Site Size:**
± 0.32 acre site
- **Conditional Use Permit request**
to hold live entertainment events between 11:00 p.m. and 3:00 a.m. on specific days in the basement



Master Plan

Downtown Mixed-Use (DT-MU)

- 1.2C: Existing Businesses
- 3.1C: Tourism and Entertainment
- 3.2A: Public Safety
- C-UC.5: Activity Generating Uses



Zoning District

Mixed-Use Downtown – Riverwalk District

- Bar is allowed for 24-hours by-right
- Live entertainment is allowed by-right
- Live entertainment after 11:00 p.m. requires a CUP

Hours of Operation

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

10:00 am

11:00 pm

THURSDAY

FRIDAY

SATURDAY

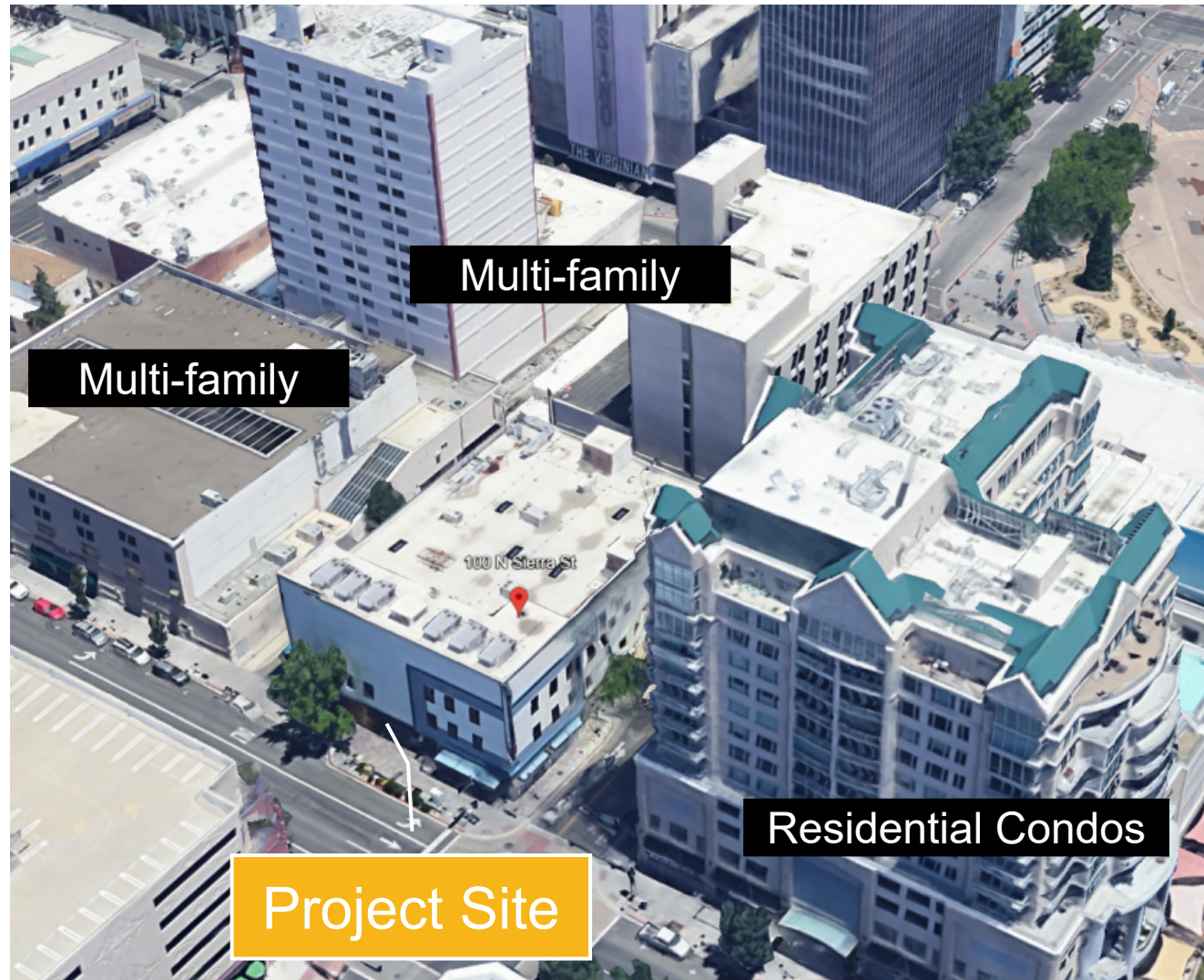
10:00 am

3:00 am the following day

Vicinity Photos



Compatibility with Surrounding Uses



Compatibility is driven by the recommended conditions

- Sound levels restricted to 65 decibels (the sound level of a conversation between two people)
- Live entertainment activity after 11:00 pm must be contained to the basement
- Outdoor speakers are to be restricted after 10:00 pm
- Exterior doors to remain closed after 9:00 pm

Public Safety



- Security plan to be approved by Code Enforcement and the Police Department.
- Minimum security personnel for events
- Video surveillance requirements
- Evacuation plan
- Queues shall be orderly and maintain pedestrian access on the sidewalk

Planning Commission hearing (February 7, 2024)

Planning Commission Vote: Motion to Approve (6 to 1)

- The Planning Commission agreed on the appropriateness of the live entertainment use.
- The one dissenting vote cited concerns for extended hours on Thursday night due to residential proximity.



Appeal Filed (Morton O. Homme II)



The appellant contends that the decision for approval was done without concern for:

1. The potential for intoxicated, disorderly, and loud patrons; and
2. Inadequate police presence downtown.

Conditional Use Permit Findings Recommendation

Findings	Analysis	Staff Review
Consistent with RMC	Proposal is consistent with RMC	✓ Yes
Land use is compatible with surrounding development	Land use is compatible with the recommended conditions	✓ Yes
Consistent with development standards	Meets requirements	✓ Yes
Public services and utilities are available	Adequate services available	✓ Yes
Physical land characteristics are compatible	Live entertainment activities interior to the building and located in the basement	✓ Yes

Motion to **Affirm** Planning Commission Decision

Regarding the appeal of LDC24-00029 (Reno Axe), based on Council's review of the staff report, the record on appeal, and information presented at the public hearing for this appeal, and based on my ability to make all of the findings, I move to AFFIRM approval of the conditional use permit by the Planning Commission and DENY the appeals. The City Clerk is instructed to prepare and file an order.

Motion to **Modify** Planning Commission Decision

Regarding the appeal of LDC24-00029 (Reno Axe), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to AFFIRM the appeal and MODIFY the decision of the Planning Commission as follows _____. As modified, I can make all of the required findings as listed in the staff report, and I move to APPROVE the conditional use permit subject to conditions stated in the Planning Commission decision letter and as modified by City Council. The City Clerk is instructed to prepare and file an order.

*Modifications to the conditions of approval outlined in the Planning Commission staff report are: [List modifications]

Motion to **Reverse** Planning Commission Decision

Regarding the appeal of LDC24-00029 (Reno Axe), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to AFFIRM the appeal, REVERSE the approval of the conditional use permit by the Planning Commission, and directly DENY the conditional use permit, based on the inability to make all the applicable findings. The City Clerk is instructed to prepare and file an order.