

STAFF REPORT

Date: April 9, 2025

To: Mayor and City Council

Through: Jackie Bryant, City Manager

Subject: Staff Report (For Possible Action): Case No. LDC25-00031 (J Resort Festival Grounds) - Appeal of the Planning Commission's decision to approve a request for a conditional use permit to allow "Amusement or Recreation, Outside" and "Live Entertainment" land uses to facilitate outdoor festivals, concerts, recreation, and events. The ±4.5-acre site is located on seven parcels generally located south of Third Street, east of Ralston Street, and west of North Arlington Avenue. The site is located in the Mixed-Use Downtown Entertainment District (MD-ED) zone and has a Master Plan land use designation of Downtown Mixed-Use (DT-MU). [Ward 1]

From: Leah Piccotti, Associate Planner

Department: Development Services - Planning

Summary:

This is a public hearing to consider an appeal of the Planning Commission's approval of a conditional use permit to establish an outdoor festival/event area with live entertainment within the Mixed-Use Downtown Entertainment District (MD-ED) zone. The proposed outdoor event space has capacity for a maximum of 15,000 patrons. Outdoor live entertainment is allowed by right until 10:00 p.m. Approval of this application will allow for: 1) the establishment of an outdoor recreational venue; and 2) outdoor live entertainment until 11:00 p.m. on Fridays and Saturdays and to allow live entertainment for two events per year until 12:15 a.m.

Staff analysis focused on compatibility and noise, safety and security, potential impacts to City services, and supporting policies of the Master Plan. This request was extensively analyzed by all departments in the City including Planning, Engineering, Public Works, Business Licensing, Reno Police Department, and Reno Fire Department. A special event/activity permit will be required for every event, allowing Staff to review the proposed event, allocate resources, and mitigate any impacts. The applicant has worked diligently with Staff to resolve all concerns. The Planning Commission unanimously approved of this request.

Appeals of the Planning Commission's decision (**Exhibit A**) have been filed by Smart Growth

Reno (Magali Rivera and Rick Heroux), and by the applicant, Reno Real Estate Development, LLC, and are generally summarized below:

- Smart Growth Reno (Magali Rivera and Rick Heroux), appealed noting traffic, parking, and noise that will adversely affect health, enjoyment, and property in Downtown.
- Reno Real Estate Development, LLC the applicant, appealed in order to preserve its rights to judicial review.

Alignment with Strategic Plan:

Economic and Community Development

Previous Council Action:

The Neon Line Development Agreement was adopted by Council on October 27, 2021. This agreement outlines financial incentives and custom development standards (streetlights, signage, etc.) for development within the Neon Line plan area. The agreement does not supersede requirements for discretionary review within the plan area (e.g. conditional use permit, site plan review, etc.). Additional entitlements to allow live entertainment and outdoor recreation uses are required.

Background:

A detailed project analysis is provided in the attached Planning Commission staff report (**Exhibit B**). The Planning Commission discussion is summarized in the following points:

Overall, the Planning Commission expressed support for the project. Noise, the acoustic study, orientation of the stage related to residential uses, traffic, parking, safety, security, public enforcement, city resources, the local economy, residential adjacency standards, and the history of Downtown were discussed during the meeting.

The request was unanimously approved by the Planning Commission with seven in favor, none opposed, and none absent.

Draft minutes from the February 19, 2025, Planning Commission public hearing and general public comment forms are attached (**Exhibit C**). Thirty-one comments on this item were made during general public comment and 34 public comments were made during the public hearing. Overall, 60 people provided 65 public comments. Of the 60, 37 were in favor, 22 were in opposition, and one was neutral. Those in favor cited benefits to local youth, families, businesses, and non-profit organizations, improvements to the area safety, revitalization, and the activation of Downtown. Those in opposition cited concerns related to noise, traffic, parking, safety, and public resources.

Financial Implications:

None.

Legal Implications:

Legal review completed for compliance with City procedures and Nevada law.

Recommendation:

Staff recommends Council review the letters of appeal and Planning Commission action and affirm the Planning Commission's decision.

Proposed Motion:

Below are proposed motions with the findings for affirmation, modification, and reversal of the Planning Commission decision.

Motion to Affirm Planning Commission Decision

(Denying the appeal and approving the conditional use permit)

Regarding the appeal of LDC25-00031 (J Resort Festival Grounds), 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 appeal. The City Clerk is instructed to prepare and file an order.

Motion to Modify Planning Commission Decision

(Affirming the appeal and modifying the conditions of the conditional use permit)

Regarding the appeal of LDC25-00031 (J Resort Festival Grounds), 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

(Affirming the appeal, reversing the Planning Commission decision, and deny the conditional use permit)

Regarding the appeal of LDC25-00031 (J Resort Festival Grounds), 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.

Attachments:

Exhibit A – Appeals

Exhibit B – Planning Commission Packet

Exhibit C – General Public Comments & Draft Planning Commission Minutes