

Planning Commission Public Comment

The public comment form has a new entry from the public.

Planning Commission Meeting Date	2025-02-19
Agenda Item or Case Number	LDC25-00031
Position	In Opposition
Comments	Additional approval of this type of operator would significantly impact the security of public users of the downtown area.
Email Address	peggyarnello@gmail.com
Name of Commentor	Peggy Arnello
Address	255 North Sierra street Reno
Phone Number	(530) 412-1454

Submitted: 1/8/2025 6:06:33 PM

These comments were submitted on behalf of: (self if blank)

Leah Piccotti

From: Cali Shy
Sent: Wednesday, January 8, 2025 10:41 AM
To: Carter Williams; Leah Piccotti
Cc: Planning Tech
Subject: FW: LDC25-00027 and LDC25-00031

Cali Shy
(She/Her/Hers)
Planning Technician
Development Services
775-393-1039 (O)
ShyC@Reno.Gov
1 E. First St., Reno, NV 89505

Reno.Gov | Connect with us:
Please be advised that my working hours are as follows:
Mon-Thurs - 7:00 am to 5:30 pm

-----Original Message-----

From: peggy arnello <peggy.arnello@att.net>
Sent: Wednesday, January 8, 2025 9:53 AM
To: Reno Planning Commission <RenoPlanningCommission@reno.gov>
Subject: LDC25-00027 and LDC25-00031

Members of the planning commission,

As a Reno downtown resident I am very concerned about the applications of the West Commercial Row live entertainment and the J Resort festival grounds that will potentially significantly impact the already diminished security of the Reno Downtown area.

Peggy Arnello
Peggy's iPhone

Leah Piccotti

From: Cali Shy
Sent: Wednesday, January 8, 2025 9:25 AM
To: Leah Piccotti; Carter Williams
Cc: Planning Tech; Michelle Fournier
Subject: FW: LDC25-00027 and LDC25-00031

Cali Shy
(She/Her/Hers)
Planning Technician
Development Services
775-393-1039 (O)
ShyC@Reno.Gov
1 E. First St., Reno, NV 89505

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Please be advised that my working hours are as follows:
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-----Original Message-----

From: Patrick Arnello <patrickarnello@gmail.com>
Sent: Wednesday, January 8, 2025 9:23 AM
To: Reno Planning Commission <RenoPlanningCommission@reno.gov>
Subject: LDC25-00027 and LDC25-00031

Respected members of the Reno planning commission

I am sending you this correspondence to address my concerns about both the west commercial row live entertainment and the J Resort Festival Grounds applications.

Based on the disorderly conduct, drunkenness in public, under aged drinking, prostitution, stabbing, shootings, murders I observe daily on Second street between West and Sierra streets I am deeply concerned about opening our downtown to more of the same behaviors.

Patrick Arnello
(downtown Reno resident)
Sent from Patrick Arnello's iPad

Development Review Public Comment

The public comment form has a new entry from the public.

Case Number	LDC25-00031
Position	In Opposition
Comments	<p>For some time now, the west end of downtown looks like it's been steamrollered; with the vacant swaths of land, and large, flat, private event spaces being the order of the day. This all makes me think J is wanting to look like the biggest business in downtown simply by topographic prominence. Getting interest back into downtown is not by way of spaces used only off and on throughout the year. We should be focusing on building up and better incorporating this area into our downtown core, looking at new mid and high-rise developments, bringing in more diverse businesses to occupy spaces, and giving serious consideration to housing in the area, especially in regards to density and affordable housing options. Instead of the expanse of plazas and parking lots, we should instead look for new and varied approaches on how to revitalize this neighborhood. I am sure, given more strategies and ideas, the city AND J can work together and find some new paths forward. And I hold out hope we can see a much brighter, creative, and interesting plan for the west end than what we are seeing.</p>
Email Address	griffinbr1031@gmail.com

Name of Commentor	Griffin Burke-Ruhl
Phone Number	

Submitted: 1/3/2025 9:10:32 PM

These comments were submitted on behalf of: (self if blank)

Planning Commission Public Comment

The public comment form has a new entry from the public.

Planning Commission Meeting Date	2025-01-13
Agenda Item or Case Number	LDC25-00031
Position	In Opposition
Comments	<p>I am opposed to this permit due to the fact that there is already the exact same type of entertainment literally blocks away at the Glow Plaza. There is no diversity in the area. This is simply the same type of entertainment, only much larger and louder creating more problems such as parking, traffic flow, noise increases, etc. All residents and businesses located in the W Second Street, Third Street, Sierra Street, and W Second Street block are constantly being bombarded by excessive music day and night and at different decibels. The Montage, for example, sits in the crosshairs of it all. We hear music from the ReTRAC area, Shim's Tavern, 1 UP Bar, West Second Street Bar and the Glow Plaza. This new application for MORE music is entirely unnecessary and redundant. Enough with the music venues.</p>
Email Address	kbgame69@gmail.com

Name of Commentor	Kirsten Burlingame
Address	255 N Sierra St Reno Nv 89501
Phone Number	7752771524

Submitted: 1/10/2025 11:24:36 PM

These comments were submitted on behalf of: (self if blank)

FOR THE PUBLIC RECORD

February 1, 2025

255 North Sierra Street
Unit 1818
Reno, Nevada 89501

City of Reno
Development Services Department
1 East 1st Street, 2nd Floor
P.O. Box 1900
Reno, Nevada 89505

**Re: Case Number LDC25-00031 (J Resort Festival Grounds) - Application
for a Conditional Use Permit**

As a resident who lives one block from the proposed festival grounds site at issue in this application, I fully support a vibrant and growing Downtown Reno that includes a healthy mix of residential and business properties providing entertainment and commerce for all to enjoy. However, I am filing these comments in opposition to the application of Reno Real Estate Development LLC, a/k/a J Resort, for a conditional use permit to allow “Amusement or Recreation, Outside” and “Live Entertainment” for “outdoor festivals, concerts, recreation, and events,” including beyond 10:00 p.m., Sunday through Saturday, at its site located south of Third Street, north of Second Street, east of Ralston Street, and west of North Arlington Avenue. The application fails to meet findings required for the City of Reno to issue such conditional use permit. The requested relief is completely incompatible with the surrounding residential and hotel developments and is extremely detrimental to public health, safety, and welfare. For the reasons discussed below, the application of Reno Real Estate Development LLC, a/k/a J Resort, for a conditional use permit must be denied in its entirety.

**1. The Conditional Use Permit Fails to Meet the Findings Required Under RMC
Section 18.08.605(e)(2).**

Pursuant to RMC § 18.08.605(e), certain findings are required to be made by the City of Reno before it may grant a conditional use permit. Among these findings, a “proposed land use and project design [must be] compatible with surrounding development.” RMC § 18.08.605(e)(2). *See also* RMC § 18.08.605(a) (“The conditional use permit procedure provides a mechanism for the City to evaluate proposed land uses that have unique or widely varying operating characteristics or unusual features” and “is intended to ensure compatibility with surrounding areas and that adequate mitigation is provided for anticipated impacts.”) The site proposed for J Resort’s festival grounds at issue in its application is located south of Third Street, north of Second Street, east of Ralston Street, and west of North Arlington Avenue.

As shown in the chart below, the proposed festival grounds site is surrounded by and in close proximity to multiple properties within two blocks that house more than 1,600 residents and hotel guests:

Residential/Hotel Property	Number of Residents/Residential Units
Townsite Motel (Apartments) 250 West Commercial Row	14 Residential Units
Worldmark Reno 250 North Arlington Avenue	63 Guest Units
3rd Street Flats 303 West 3rd Street	94 Residential Units
West Street Flats Reno 232 West Street	54 Residential Units
The Montage Condominium 255 North Sierra Street	376 Residential Units
Siegel Suites Senator Apartments 136 West 2nd Street	77 Residential Units
Olympic Apartment Hotel 195 West 2nd Street	20 Residential Units
Residences at Riverwalk Towers Condominium 200 West 2nd Street	125 Residential Units
Arlington Towers 100 North Arlington Avenue	194 Residential Units
Siegel Suites El Cortez Apartments 239 West 2nd Street	110 Residential Units
245 North Arlington Apartments 245 North Arlington Avenue	60 Residential Units
Mod at Riverwalk II Apartments 344 West 2nd Street	69 Residential Units
Gibson Apartments 441 West 2nd Street	24 Residential Units
Rental Property (House) 220, 222, 224 and 226 Ralston Street	4 Residential Units
Eden Tower Apartments 147 Ralston Street	34 Residential Units
Apartments 150 Ralston Street	11 Residential Units
128R Apartments 128 Ralston Street	12 Residential Units
Whitewater Park Apartments 100 Ralston Street	12 Residential Units
Truckee River Terrace Apartments 501 West 1st Street	104 Residential Units
Rental Property (House) 429 West 1st Street	2 Residential Units
Mod at Riverwalk Apartments 339 West 1st Street	48 Residential Units
Plaza Resort Club Hotel 121 West Street	103 Guest Units

Total Residential/Guest Units Affected: 1,610*

* This is a conservative estimate of the number of residents and hotel guests that may be adversely impacted by any noise emanating from the J Resort's proposed festival grounds. The data is based on properties located no more than two blocks from the J Resort's proposed festival site and does not take into account residential and hotel properties located farther away that may also be negatively affected by the level of noise resulting from events held at this property, particularly after 10:00 p.m., if a conditional use permit is granted. In addition, it does not take into consideration that many of these units house more than one individual, increasing the number of residents and guests that will be adversely impacted by the proposed festival grounds. Any unaccounted vacancies at these properties are more than offset by individual units housing more than one person.

Although the applicant notes that “adjacent properties” include “lodging” and “residential,” (see Master Application of Reno Real Estate Development LLC, Item A.3: Application Forms, Project Details, Adjacent Properties, December 23, 2024), the applicant fails to specifically identify these residential and lodging properties and the more than 1,600 residents and hotel guests within a two-block area that will be most impacted by the conditional use permit if granted. In fact, the applicant’s Acoustical Study completely ignores the noise-related impacts on residents of the largest properties listed in the chart above, including the Montage Condominium, the Residences at Riverwalk Towers Condominium, Arlington Towers, and the 3rd Street Flats. Also, the acoustical study prepared by ECORP Consulting, Inc. that was submitted by the applicant as part of its application admits that the proposed festival grounds site “is surrounded primarily by hotels/resorts and residential land uses.” *Emphasis added.* See Downtown Reno Festival Grounds Acoustical Study (“Acoustical Study”), ECORP Consulting, Inc., December 4, 2024, page 1. The noise that will emanate from the proposed festival grounds property, including during the late night (after 10:00 p.m.), if a conditional use permit is granted to allow live entertainment outdoors until 11:00 p.m. Sundays through Thursdays and until 12:00 midnight on Fridays and Saturdays, would severely impact residents and guests who reside at these nearby properties and possibly those occupying other properties located further away in the surrounding area, depending on the volume of the noise. It would prevent homeowners and renters from the quiet enjoyment of their homes; more importantly, it would severely disrupt the sleep of these residents and hotel guests. Based on this fact alone, the proposed land use and live entertainment plans for J Resort’s proposed festival grounds property is totally and unequivocally **incompatible** with these “surrounding development[s].”

2. The Conditional Use Permit Fails to Meet the Findings Required Under RMC Section 18.08.605(e)(6).

Furthermore, RMC § 18.08.605(e)(6) requires that before a conditional use permit is granted, the City of Reno is required to find that “[t]he granting of the conditional use permit will not be materially detrimental to the public health, safety, or welfare []” and that “[t]he factors to be considered in evaluating [an] application shall include: . . . nuisance resulting from noise [or] . . . vibration, [and a]ny hazard to persons and property.” As previously stated, the proposed outdoor live entertainment as sought under the conditional use permit application would deprive residents and hotel guests of the surrounding properties of their sleep due to loud music and vibration resulting from loud music. J Resort’s application even admits that the noise levels would “exceed the ambient noise levels of the surrounding area . . .” and “include noise impacts after 9 pm.” See Master Application of Reno Real Estate Development LLC, Item A.3: Application Forms, Project Analysis, 2. Acoustical Analysis, December 23, 2024.

The Acoustical Study submitted by the applicant states that “[n]oise levels above 45 dBA at night can disrupt sleep.” Acoustical Study at 3. The study asserts that “[e]nvironmental noise levels are generally considered low when the CNEL [Community Noise Equivalent Level] is below 60 dBA, moderate in the 60- to 70-dBA range, and high above 70 dBA.” *Id.* The study found that “noise levels resulting from events at the [proposed festival grounds] are projected to range from 70.2 to 77.8 dBA Leq at the noise receptors in the immediate vicinity of the [proposed festival grounds].” *Id.* at 7. As is commonly acknowledged, sleep is one of the most basic human rights and sleep disruption and deprivation is a commonly used form of torture. All

residents and hotel guests in the City of Reno deserve that basic right to enjoy a good night's sleep. Denying any human the ability to sleep peacefully uninterrupted in his or her own home or hotel room is a gross violation of their basic human rights and should never be allowed under any circumstances by the City of Reno. Moreover, medical studies have shown that there are serious health risks associated with lack of sleep, including an increased risk of high blood pressure, obesity, heart attack, and stroke. Denial of sleep also leads to a reduction in alertness and cognitive abilities.

Furthermore, the Acoustical Study submitted by the applicant utilizes an incorrect weighted scale to measure the sonic impact of big booming and bumping bass noise that will result from some of the musical concerts that will most likely take place at the proposed festival grounds when amplified to an excessively high level. As with this application, at the annual Glow Plaza conditional use permit review before the Reno City Council in November 2024, the sound readings presented by Ms. Angela Fuss were all on the A weighted scale. This is an incorrect scale for measuring the true sonic impact of big booming bass amplified noise actually "felt" by surrounding residents and hotel guests. As Mr. Gary Cecil provided on the public record at the December 4, 2024, City Council meeting, because the Glow Plaza sound readings were not on the C scale, one cannot make any inference that the noise was not excessively loud and disturbing to surrounding residents and hotel guests. In addition, any complaints to be lodged with Reno Direct regarding the Glow Plaza's and presumably the proposed festival grounds' excessive noise would most likely result in Reno Direct operators telling callers that because the RMC allows no upper noise limits in Downtown Reno, no noise-related complaints could be entertained.

Finally, the Acoustical Study submitted by the applicant states that "[n]oise in the community has often been cited as a health problem . . . in terms of inhibiting general well-being and contributing to undue stress and annoyance." Acoustical Study at 3. It goes on to acknowledge that "[t]he health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination." *Id.* This admission hardly comports with the applicant's assurances that the festival grounds will "contribute [to] the enjoyment and quality of life of residents and visitors," . . . "enhance a high quality of life," . . . "provide for the enjoyment of downtown residents, visitors and workers," and "benefit the surrounding uses." *See* Letter of Garrett D. Gordon to the City of Reno Development Services Department, December 23, 2024, at 5-6. Instead, allowing excessively loud, outside noise and its resulting adverse effects on human sleep will degrade rather than enhance the quality of life for residents and hotel guests in the surrounding area. The noise that will emanate from J Resort's proposed festival grounds if granted a conditional use permit would pose a substantial "hazard to persons" due to its disruption of nearby residents' and hotel guests' sleep and the resulting potential severe impacts to their health. Based on these facts alone, the conditional use permit requested by Reno Real Estate Development LLC, a/k/a J Resort should be denied without conditions.

3. The Conditional Use Permit Fails to Meet the Findings Required Under RMC Section 18.08.605(e)(4).

Before issuing a conditional use permit, the City of Reno must find that “[p]ublic services and facilities are available to serve the project, or will be provided with development.” RMC § 18.08.605(e)(4). *See also* RMC § 18.08.605(a) (“The conditional use permit procedure . . . is intended to ensure . . . that adequate mitigation is provided for anticipated impacts.”). However, the City of Reno currently lacks sufficient code enforcement officials and does not have enough police personnel to monitor and respond to any resident complaints in the event the proposed live entertainment causes a noise and/or vibration-related nuisance, traffic-related issues, or an increase in crime. Only one code enforcement official serves downtown Reno, and that individual is generally not available in the late evening (the times proposed for live, outdoor entertainment under the conditional use permit in question). Also, telephone calls to police result in no action because the police regard noise emanating from within a business to be a code enforcement issue and not a police issue. In addition, as Reno Police Chief Kathryn Nance has admitted on numerous occasions, the Reno Police Department does not have enough police personnel or equipment to respond to all resident calls, especially for noise-related complaints. Also, telephone calls to Reno Direct either go unanswered or the caller is told that “someone” may be sent to investigate but that rarely, if ever, happens. The more than 1,600 residents and hotel guests in the properties surrounding the proposed J Resort festival grounds property would have no recourse in the event of noise/vibration, vehicular traffic, or crime complaints related to that property and the City would provide no “adequate mitigation” for any “anticipated impacts.” As a result, a finding that “[p]ublic services and facilities are available to serve the project, or will be provided with development[]” cannot be made. This is another, among numerous, reasons why this conditional use permit application should be denied in its entirety. Moreover, until such time as the City of Reno has the budgetary resources to fund adequate code enforcement officials during the night and early morning hours and police personnel, especially after 10:00 p.m., to effectively monitor and address noise-related issues, particularly those emanating from outdoor entertainment venues, the City should give serious consideration to enacting a complete moratorium on granting any additional conditional use permits to any businesses, including the proposed J Resort festival grounds.

4. The Conditional Use Permit Fails to Meet the Findings Required Under RMC Section 18.08.605(e)(5).

Also, RMC § 18.08.605(e)(5) requires that a finding be made that “[t]he characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area.” As stated above, the types of use most commonly permitted in the areas closest to the proposed festival grounds are either residential buildings or hotels with guests. These properties house humans who require a certain amount of sleep to basically function in their daily lives.

The applicant notes that because a conditional use permit was granted for its Glow Plaza outdoor entertainment space, precedent exists to grant a similar conditional use permit for its proposed Second Street festival grounds. However, there are striking differences between the two properties. Whereas the Glow Plaza is primarily surrounded by commercial properties,

including the J Resort itself and restaurants, casinos, and rental properties owned by J Resort, the proposed Second Street festival grounds are primarily surrounded by residential and hotel properties. *See Downtown Reno Festival Grounds Acoustical Study* (“Acoustical Study”), ECORP Consulting, Inc., December 4, 2024, page 1. The land uses immediately north of the railroad tracks in downtown Reno are substantially used for commercial purposes, while land uses south of the railroad tracks are substantially residential or hotel properties. The previous grant of a conditional use permit for J Resort’s Glow Plaza therefore provides no precedent for granting a similar conditional use permit for its proposed Second Street festival grounds.

5. Promoting a Vibrant and Healthy Downtown Reno.

The applicant states that its proposed festival grounds are “redeveloping an underutilized surface parking lot into a valuable community amenity and entertainment destination” and that “[t]he Festival Grounds will revitalize an underutilized lot and provide a live music and entertainment venue” Letter of Garrett D. Gordon to the City of Reno Development Services Department, December 23, 2024, at 6. The applicant fails to mention that the property is an “underutilized surface parking lot” because the applicant chose to demolish existing low-income housing that previously stood on that site. If the applicant wanted to really add a “valuable community amenity” and “revitalize an underutilized lot,” it would be far more beneficial to the City of Reno and the downtown neighborhood to build additional housing, which is in extremely short supply, on that site rather than another underutilized entertainment space that will be used intermittently throughout the year but sit primarily empty for most of the time. Reno desperately needs more housing; it already has plenty of underutilized outdoor spaces, particularly in downtown (*i.e.*, City Hall plaza, the Glow Plaza, Wingfield Park, West Street Plaza, the acres of empty parking spaces surrounding the J Resort, etc.). Allowing the proposed J Resort Festival Grounds and its alter-ego, the Glow Plaza, to sit unused for long periods throughout the year is unfortunately an example of the City of Reno allowing a land use that does not benefit Downtown and its residents. We already have entertainment spaces in spades; housing is what we desperately need downtown. If the City of Reno truly wants a vibrant and healthy downtown, it must encourage the construction of more housing, which will promote a sizeable and stable population that supports local downtown businesses, resulting in a healthy mix of commercial and residential uses. It should not grant conditional use permits that only encourage the creation of additional rarely used, empty entertainment spaces that result in a “ghost town” downtown Monday through Thursday and a Wild West, free-for-all party zone on the weekends that only results in a less stable living environment for its downtown residents.

In conclusion, and for all of the reasons provided above, I respectfully request that the City of Reno deny in its entirety the application of Reno Real Estate Development LLC, a/k/a J Resort for a conditional use permit.

Please let me know if you have any questions or need any further information (kchwdc1@yahoo.com).

Respectfully submitted,

Kenneth C. Hines

Kenneth C. Hines

For the Record
Art Rangel, AICP
255 N. Sierra St. Reno, NV 89501
The Montage

I will be out of town when item (LDC25-00031) J Resort Festival Grounds is heard, but these are my comments before the Planning Commission at the public record.

Areas of Expertise as a Certified City Planner:

Forty years experience In:

- Preparation of Comprehensive General Plans, called Master Plans in Nevada
- Redevelopment
- Economic Development

Mr. Jacobs Reveal your Master Plan

In a Face the State interview on March 4, 2022, Jeff Jacobs publicly stated:

- He thinks the new entry to downtown Reno will be Keystone Blvd.
- In that interview Mr. Jacobs admitted he has a Master Plan for the Neon Line District. He said he is planning “ what could be one of the top 10 urban Amphitheaters in the country” and he was not talking about the Glow Plaza as can be view at the following links.
- https://www.2news.com/video/face-the-state-jacobs-entertainment-part-1/video_d0b7b179-c72d-5d01-ac41-5c2ac27b397a.html
- https://www.2news.com/video/face-the-state-jacobs-entertainment-part-2/video_ca615d11-78eb-5ec9-9bd3-4fa461657356.html
- Pursuant to NRS 278.150, Cities in Nevada have the authority and responsibility to dictate land use within their Master Plans, not the developer.
- ***Commentary: It is well past time we all see Mr. Jacobs master plan, so decision makers and the public get a truer picture of what is planned for the transformation of 20 square blocks of downtown Reno. We should all be asking the following question. “Is Mr. Jacobs master plan consistent with the goals and policies of the City of Reno master plan as required by NRS ?”***

Taken from Chapter 18.08.304

Reno Land Development Code, page 8-7 and 8-8
(e) Approval Criteria Applicable to all Applications

(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.

18.01.304 Relationship to Master Plan

The adoption of this Title is consistent with, compatible with, and furthers the goals, policies, objectives, and programs of the Master Plan. No regulatory decision by an appointed or elected official or any city employee shall be made with respect to any zoning action or use of property under this Title that is not in substantial compliance with the Master Plan as officially adopted or amended.

Commentary: Portions of the Land Development code as currently written do not meet the goals, policies, objectives, and programs of the Master Plan as required by NRS 278.0284 which provides for consistency between the master plan and local ordinances. The Land Use Code as written treats high density residential uses in different zoning districts differently, therefore this finding can not be made.

The following is a definition of the purpose of a Conditional Use Permit, taken from the City's Development Code:

18.08.605 Conditional Use Permit

(a) Purpose

The conditional use permit procedure provides a mechanism for the City to evaluate proposed land uses that have unique or widely varying operating characteristics or unusual features. This procedure is intended to ensure compatibility with surrounding areas and that adequate mitigation is provided for anticipated impacts.

Commentary: The key issue is that the hearing body must make findings that ensure compatibility with surrounding areas

**Required Findings by the Planning Commission
Pursuant to Article 6 Development Permits 18.08.605 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 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 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.

Commentary: This use is not compatible with surrounding existing and future residential uses. The traffic study is deficient in addressing varies issues. The sound study does not use best practices of “level C sound measurements. The Reno Police department has indicated it does not have sufficient resources. This CUP should be denied. No number of conditions can assure compatibility with surrounding residential uses. Given the applicant’s prior history, regarding the Glow Plaza, approval of this CUP will be materially detrimental to public health, safety and welfare given excessive noise, level C vibration. The traffic study is deficient in addressing true impact.

Following are more specific examples how the required finding can not be made for this use as proposed.

(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;

18.01.304 Relationship to Master Plan

The adoption of this Title is consistent with, compatible with, and furthers the goals, policies, objectives, and programs of the Master Plan. No regulatory decision by an appointed or elected official or any city employee shall be made with respect to any zoning action or use of property under this Title that is not in substantial compliance with the Master Plan as officially adopted or amended.

Commentary: Portions of the Land Development code as currently written do not meet the goals, policies, objectives, and programs of the Master Plan as required by NRS 278.0284 which provides for consistency between the master plan and local ordinances. The Land Use Code as written treats high density residential uses in different zoning districts differently.

(2) The proposed land use and project design is compatible with surrounding development;

Reno Master Plan policy 3.1B: HOUSING OPTIONS in GP 3: Thriving Downtown and University District

“Encourage a variety of housing options at diverse price points to support a more diversified workforce and composition of residents in Downtown—including professionals, service workers, entrepreneurs, students, and retirees among others.”

Article 14 Residential Adjacency

18.04.1401 Purpose

The purpose of this article is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when mixed-use and nonresidential development is located near residential zoning districts.

Commentary: The purpose of this article is clearly to encourage and help protect residential uses. High-rise condos and new apartment buildings allowed and encouraged to be built in the downtown area are clearly residential uses. As a result, residential adjacency standards meet the purpose and intent of this Article. Therefore, this CUP application does not meet these standards.

(3) The proposed land use and project design is consistent with applicable development standards;

18.02.301 MD-ED: Downtown - Entertainment District

Purpose

The MD-ED district is intended to support the most intensive transit-supportive development within the downtown regional center and the region as a whole. The MD-ED district functions as the 24-hour gaming area, as facilitated by the Gaming Overlay District, and includes major hotel-casinos and cultural/entertainment/recreational facilities, as well as retail, restaurants, high-density residential, and urban open spaces. Active uses are focused along Virginia Street, Sierra Street, 2nd Street, Commercial Row, and 4th and 5th Streets.

Commentary: An outdoor entertainment venue with loud bands and up to 15,000 patrons creating traffic LOS F for up to 40 days and nights per year is not compatible with high density residential uses and does not support high density residential Downtown uses.

(4) Public services and facilities are available to serve the project, or will be provided with development;

Commentary: Because the applicant has not provided a master plan and/or a traffic and parking analysis which provides cumulative impacts (other and planned development within the vicinity) from other projects in the development phase, in the pipeline or anticipated, this finding can not be made to determine if public facilities are adequate. There should be a comprehensive analysis of the entire 20 square block Neon Line District to assess its true impacts. In addition, the traffic study neglects impacts on West Street which is the primary ingress and egress to the 380 units of the Montage Condo development, 125 Units of the Riverwalk condos, 193 Units of the Arlington Towers condo development, the Old Bonanza Inn, West Street Market, egress for the Eldorado parking structure and St. Mary's campus as well as the 94 Units of the Third St. Flats apartments.

The Reno Police department has indicated it does not have sufficient resources.

4) Public services and facilities are available to serve the project, or will be provided with development, Continued

- 1.No traffic analysis is provided for the end of the event. The report discusses that this is not required since background traffic is low when the events would end. However, it appears that 15,000 people leaving the event at the same time would impact the city. One can predict vehicle/pedestrian conflicts after the event, especially assuming that many of the departing attendees may be intoxicated by the end of the event. There is no discussion of this in the report.
- 2.2.8 people per vehicle for ride share drop offs seems to be pulled out of thin air. 2.8 people per private vehicle could be reasonable, but assuming this number for ride share vehicle is optimistic and the source for this number is not presented in the report.
- 3.The festival site operator presents the festival flow percentages of arrivals throughout the day. The source of these presumed percentages is not presented in the report. Spreading out the arrival times as presented at the top of page 9 of the report may not be realistic. One can presume any music festival would have popular headlines that would drive more people to attend the event closer to their appearance. One can imagine that popular acts would be scheduled when most of the participants would arrive at the show, perhaps closer to the peak hour arrival time of 6-7p.m., especially for weekday festivals after most folks get off work.
- 4.The report shows several intersections operating at Level of Service (LOS) D thru LOS F. Level of Service F is a failure of the system. The report does not address how long it would take for the system to recover to normal Level of Service or how the traffic mitigations would improve the Level of Service at the failing intersections.
- 5.The J resort should include cumulative traffic impacts, beyond those already mentioned, for other known city events. What would impacts look like during a festival scheduled during Art Town, Hot August Nights, Riverfest, a wine walk or other city events? What other events or amenities is the J Resort planning for the study area during the projected 40 days per year?

The provided Traffic Report is far from complete.

(5) The characteristics of the project as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area; and

Commentary: Approval of this application will be an entitlement running with the property for perpetuity. This outdoor music venue is so incompatible with residential proximity that no conditions can be imposed to make it a viable use while still making it compatible with surrounding residential uses. The city's current licenses procedures for special activity outdoor events seem to work well in controlling noise and traffic after certain hours.

(6) The granting of the 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.**

Commentary: Given the testimony and written comments submitted for the record by adjacent residents, it should be clear that granting of this CUP will be materially detrimental to the public health, safety and welfare to its neighbors relative to noise, vibrations as well as a potential hazard to neighbors and property. The noise study does not use Best Practices criteria of the “C” scale readings, therefore the sound study should be rejected until a proper sound study is conducted. In addition, the traffic study lacks sufficient study and justification.

Taken from 18.08.304 (e) Approval Criteria Applicable to all Applications
(3) Mitigates Traffic Impacts

The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.

Commentary: The Development Agreement approved by the City of Reno allows Jacobs Entertainment to complete piecemeal development within the 20 square block Neon Line District. In the Face the State interview on March 4, 2022 , Mr. Jacobs publicly stated he thinks the new entry to downtown Reno will be Keystone Blvd. This change, along with a proper assessment of the Master Plan Mr. Jacobs admitted he has for the Neon Line District, clearly makes the changes to those 20 square blocks a Project of Regional Significance as defined in NRS 278.02542 and Section 18.08.601 of the Reno Land Development Code.

This means the RTC, Tahoe Meadows Regional Planning and NDOT would have to scrutinize Mr. Jacobs's Master Plan, not just the City of Reno. As a result, this finding can not be made.

Taken from 18.08.304 Review and Action

(e) (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 upon subsequent phases for those improvements.

Commentary: The twenty-year Development agreement submitted to the city does not provide for phasing, yet Mr. Jacobs claims he has a master plan for the Neon Line 20 square block District. A proper phasing plan would provide much needed information to decision makers and the public to assess the true impacts of the transformation of downtown Reno. Therefore, this finding can not be made.

I respectfully request the Planning Commission to
deny the J Resort Festival Grounds CUP
application for all the reason herein listed.

Questions....Comments....Please

While I may not be present at this public hearing, members of our group would be delighted to answer questions you have. We have more to say but don't have time to say it.

Leah Piccotti

From: Art Rangel <arangeleds@gmail.com>
Sent: Friday, January 31, 2025 6:48 PM
To: Leah Piccotti
Subject: Case # LDC25-00031 J Resort Festival Grounds

Hi Leah;

I have one more comment to make on this case for the public record.

Aside from the the comments I made regarding the the lack of findings I think the Planning Commission can make, I will address the issue of a festival ground from an Economic Development/Redevelopment standpoint. The proposed festival ground property is within Redevelopment Project Area 1. As such, in my opinion the city should be seeking to maximize the tax increment which will be generated from projects within that project area. A minimum of a four story building would generate considerable more tax increment than a project with a small stage and bleachers and/or chairs which would not be considered real estate and therefor not be subject to ad valorem tax. Tax increment is based on ad valorem tax and should be of highest priority to a city that is seeking revenue to help fill its \$25 million budget shortfall.