



MINUTES

Regular Meeting

Reno City Planning Commission

Wednesday, March 16, 2022 • 6:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Commissioners			
Kathleen Taylor, Chair 326-8859			
Alex Velto, Vice Chair	326-8858	Mark Johnson	326-8864
J.D. Drakulich	326-8861	Arthur Munoz	326-8862
Peter Gower	326-8860	Silvia Villanueva	326-8863

1 Pledge of Allegiance

Commissioner Villanueva led the Pledge of Allegiance.

2 Roll Call

Attendee Name	Title	Status	Arrived
Kathleen Taylor	Chair	Present	
J.D. Drakulich	Commissioner	Present	
Peter Gower	Commissioner	Present	
Mark Johnson	Commissioner	Present	
Arthur Munoz	Commissioner	Present	
Alex Velto	Commissioner	Present	
Silvia Villanueva	Commissioner	Present	

The meeting was called to order at 6:01 PM.

3 Public Comment

No request to speak forms or voicemails were received for this item. Correspondence was received for the tree ordinance and future agenda items. All were forwarded to the Planning Commission and staff and have been entered into the record.

Item 3 - Correspondence Received for 03.16.22 mtg - *Presented/Distributed at Meeting*

4 Approval of Minutes (For Possible Action)

4.1 Reno City Planning Commission - Regular - Feb 16, 2022 5:30 PM (For Possible Action)

It was moved by Commissioner Gower, seconded by Commissioner Velto, to approve

the meeting minutes. The motion carried unanimously with seven (7) commissioners present.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Peter Gower, Commissioner
SECONDER:	Alex Velto, Commissioner
AYES:	Taylor, Drakulich, Gower, Johnson, Munoz, Velto, Villanueva

5 Public Hearings

5.1 Staff Report (For Possible Action): Case No. LDC22-00049 (North Valleys Commerce Center) - A request has been made for a conditional use permit to allow for 24-hour operations for an existing ±8,500 square foot portion of a ±154,440 square foot warehouse and distribution facility located in the Mixed-Use Suburban (MS) zoning district. The ±14.26 acre site is located north of the intersection between North Virginia Street and Seneca Drive. The site has a Master Plan land use designations of Industrial (I) and Suburban Mixed-Use (SMU). **[Ward 4] 6:05 PM**

Mike Railey, Christy Corporation, gave an overview of the project.

Leah Brock, Assistant Planner, presented the staff report. The proposed use was presented to the Ward 4 Neighborhood Advisory Board (NAB) on February 17, 2022, and staff has not received any comments. Staff recommends approval.

Disclosures: familiar with the site, visited site

Public comment:

None

Questions:

Ms. Brock confirmed for Commissioner Villanueva that the property to the east of this site is not owned by the applicant and it is currently a residential use.

Mr. Railey confirmed for Commissioner Villanueva that noticing did go out to the neighboring properties and there has been no objection from the adjoining property owners.

Discussion:

Commissioner Villanueva stated if there was opposition from the neighbor she would be

opposed to this.

It was moved by Commissioner Velto, seconded by Commissioner Drakulich, in the case of LDC22-00049 (North Valleys Commerce Center), based upon compliance with the applicable findings, to approve the conditional use permit, subject to conditions listed in the staff report. Motion carried unanimously with seven (7) commissioners present.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alex Velto, Commissioner
SECONDER:	J.D. Drakulich, Commissioner
AYES:	Taylor, Drakulich, Gower, Johnson, Munoz, Velto, Villanueva

5.2 Staff Report (For Possible Action): Case No. LDC22-00052 (Pecetti Ranch Townhomes) - A request has been made for: 1) a tentative map to develop a 79 lot single-family attached townhome subdivision and associated common area; 2) a conditional use permit to allow more than 20 single-family attached dwellings; 3) alternative equivalent compliance to vary from interior residential street tree requirements; and 4) a major deviation to vary from enhanced adjacency setback standards. The ±6.3 acre site is located on the north side of Gateway Drive, ±425 feet southeast of its intersection with Offenhauser Drive. The site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is zoned Multi-family 30 units per acre (MF-30) and PUD – South Meadows I & II. [Ward 2] 6:17 PM

Dave Snelgrove, CFA, gave an overview of the project.

Nathan Gilbert, Senior Planner, presented the staff report.

Disclosures: familiar with site, visited site, spoke with applicant

Public Comment:

None

Questions:

Mr. Snelgrove confirmed for Commissioner Villanueva that the plans meet the primary and secondary access requirements. He pointed out the access locations on a map and noted the emergency access will be gated.

Mr. Snelgrove explained for Commissioner Velto how moving the location of the access will open up the visibility from the road quite a bit.

Mr. Gilbert explained for Chair Taylor the reasoning for Condition No. 5. Because of the lot configuration they are proposing three foot driveway access to the garages to avoid creating illegal parking situations.

Discussion:

Commissioner Johnson noted we don't see a lot of alternative equivalent compliance and major deviation items. He commended the applicant and staff for the way they have worked through them.

It was moved by Commissioner Munoz, seconded by Commissioner Johnson, in the case of LDC22-00052 (Pecetti Ranch Townhomes), based upon compliance with the applicable findings, to approve the tentative map, conditional use permit, alternative equivalent compliance, and major deviation, subject to conditions listed in the staff report. Motion carried unanimously with seven (7) commissioners present.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur Munoz, Commissioner
SECONDER:	Mark Johnson, Commissioner
AYES:	Taylor, Drakulich, Gower, Johnson, Munoz, Velto, Villanueva

5.3 Staff Report (For Possible Action): Case No. LDC22-00038 (Jacobs Glow Plaza and Festival Area) – A request has been made 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 ±2.32 acre site is located on seven parcels generally located south of West 4th Street, east of Washington Street, and ±200 feet west of Ralston Street. The site is zoned Mixed-Use Downtown – Northwest Quadrant (MD-NWQ) and has the Downtown Mixed-Use (DT-MU) Master Plan land use designation. **[Ward 1]** 6:46 PM

Commissioner Johnson read a disclosure for the record. He does not intend to recuse himself from this item. A copy of the disclosure is on file.

Garrett Gordon with Lewis Roca, representing Jacobs Entertainment, gave an overview of the project.

Nathan Gilbert, Senior Planner, presented the staff report. Staff recommends approval subject to all conditions as proposed in the staff report.

Disclosures: met with the developer, walked the area, read and received emails, spoke with applicant's representative, visited the site, met with the applicant, Commissioner Taylor watched Ward 1 NAB meeting

Public Comment:

Gary Cecil, member of the Ward 5 NAB, expressed concerns and discussed the need to mitigate impacts. He also suggested requiring an annual public review of the requested permit.

Art Rangel discussed the need for master plan implementation tools. The master plan encourages residential in the downtown area yet there are no noise or parking standards.

Ivy Antonowitsch expressed concerns regarding noise issues and discussed the need for a noise ordinance.

Voicemail message from Art Rangel was forwarded to the Commission and included in the record.

Questions:

Commissioner Velto noted the staff presentation mentioned there have already been 200 special activity permits issued for the site. He asked for information on calls for service during the events with special activity permits.

Mr. Gilbert stated he does not have data on calls for service but there were code enforcement complaints from the condominiums to the north related to some of the summer events.

Commissioner Velto asked for information regarding any trends noticed regarding complaints during the events.

Ryan Connelly, Lt, RPD, stated they received calls for service about excessive noise during the large event there with a live band during Street Vibrations. They received two or three calls each night they were there from the apartments to the north. He confirmed for Commissioner Velto that is common for events downtown. They get similar complaints from areas around the Aces Stadium when they hold events. Those events were permitted events.

Commissioner Velto noted the site capacity is around 6,700 and asked what the logic is for having a right up to 2,000 and not higher given the site capacity.

Mr. Gilbert explained they tried to find a median for a reasonable threshold for activities that would not require a special activity permit and 2,000 happened to be the number submitted in the application as a typical event. That seemed like a reasonable number based on staff's review.

Lt Connelly stated that 2,000 was in the original permit and that coincides with the number they look at and review when they receive these permits.

Commissioner Velto asked about the proposal for sound monitoring equipment and how that works.

Mr. Gilbert explained the monitoring equipment would be located on all project perimeters to monitor sound levels.

Cindy Gil-Blanco, Senior Code Enforcement Officer, explained how audio equipment is used at the Eddy. They become aware of noise issues from complaints and after reviewing complaints and recordings from sound monitoring equipment, they will send a courtesy letter or warning to the venue and start monitoring the events themselves. She also confirmed for Commissioner Velto that they could revoke the permit if they don't comply with the sound requirements.

Commissioner Velto stated he is generally concerned with the decibel levels in this area. There is a major roadway and train in the area and he asked how they prevent the sound monitors from picking up other existing noise.

Ms. Gil-Blanco explained they have their own sound meters and would go out to the site and take an ambient reading during the event. This is done after getting a complaint so it is not necessarily pro-active but reactive.

Commissioner Velto asked about decibel levels allowed at other venues in the Reno-Sparks area that have live music.

Ms. Gil-Blanco stated she is not familiar with those allowed levels.

Commissioner Velto noted the public comment suggestion to require an annual review and asked if the Commission has required something similar.

Mr. Gilbert stated the only entitlement he is aware of is the Eddy. That came back for three or four years for review. Staff does not recommend that. This is an entitlement for the land and not the developer and we want to make sure the conditions are appropriate.

Mr. Gilbert confirmed for Commissioner Drakulich there is no sound standard in the code. It is only applicable to residential zoning districts. There are residential occupancies which is a gray area in code. Staff's approach was to stay consistent with special event permits. The conditions as recommended are based on special activity policy.

Commissioner Drakulich asked what they can expect in terms of complaints from residents in the area if the proposed conditions are approved.

Mr. Gilbert stated that is difficult to say. There have been over 200 events on the site with a handful of registered complaints that staff is aware of.

Mr. Gilbert explained for Commissioner Villanueva the difference between a privilege license and entitlement.

Commissioner Drakulich asked about the applicant's acoustics study.

Mr. Gordon discussed the acoustics study and stated they will do their best to comply with the decibel limit. Sparks does not have decibel levels for any events and their staff has said it would be difficult to enforce. City Council just amended their zoning code and did not make any change to residential adjacency standards for zoning. There are no decibel level caps in the zoning code for mixed use areas.

Luke Saxelby, Saxelby Acoustics, discussed the data collected and the sound model created for a typical event with a sound output average of 90 decibels at 100 feet from the stage.

Commissioner Drakulich requested a more in depth explanation of Table 2 showing an ambient sound peak of 82 decibels with no events going on.

Mr. Saxelby explained the information included in Table 2. One of the monitoring sites collected continuous monitoring data over several days and gives a better idea of the whole picture. They are predicting that with an event of 90 decibels at 100 feet from the stage, the Onyx would see 78 decibels on average.

Commissioner Munoz asked if trees or walls could be used on the property to help knock down some of the sound.

Mr. Saxelby explained it would not be practical to use a wall as a sound barrier. With wall height restrictions, it would only protect a ground floor. Trees don't have sound

reducing benefit so we don't assume any decibel reduction from trees.

Chair Taylor stated the site is already out of compliance with the noise limit with no amplified sound events going on.

Mr. Saxelby explained the average versus maximum sound measurements in the study. The limit being applied to the project is based on the average noise and not the peak noise. He confirmed there were peak noise readings above 80 decibels with no events going on.

(Commissioner Munoz left the meeting at 8:11 p.m. and returned at 8:13 p.m.)

Mr. Gilbert confirmed for Chair Taylor that as conditioned, the amplified sound would stop at 10:00 p.m. every day.

Chair Taylor asked if staff would be okay with removing the condition for a limit of 75 decibels.

Mr. Gilbert stated that staff's recommendation is to carry forward the city policy regarding special events.

Chair Taylor asked for confirmation that if an event becomes a nuisance or disturbance, it can be pulled to come before the approving body to be stopped.

Mr. Gilbert stated it may be difficult to enforce without set parameters. With quantifiable measures in the conditions, yes.

Chair Taylor asked if there is a threshold number of event attendees where the applicant would have to provide additional services for security to supplement what is provided by the City.

Mr. Gilbert stated that as conditioned they would need to have a security plan for all of their operations. Larger events may need a more robust security plan and that is addressed in the recommended conditions of approval.

Lt Connelly explained for Commissioner Villanueva some of the factors that are considered by the City when granting a special use or event permit. He also confirmed that criteria is presented for review whether or not they staff the event.

Commissioner Villanueva asked if staff would agree this is essentially a blank check for the applicant to have any event they want with a non-existent review process.

Mr. Gilbert stated that is a concern. Typically events under the threshold of 2,000 attendees would not trigger City services. It is staff's recommendation that events over that threshold maintain the special activity permit to review.

Mr. Gordon responded to questions from Commissioner Gower regarding noise considerations. With regard to their proposed conditions, they are not asking to change any decibel level conditions. They are asking for an extra hour for amplified noise up until 11:00 p.m. on Fridays and Saturdays. With regard to noise mitigations, that was considered when they designed the stage orientation.

Commissioner Gower asked about considerations for notifying people of the larger events that would not have sound limits.

Mr. Gordon explained that for the larger events the special activity approval process will take place. He also explained that another of their suggestions for a modified condition is to require the applicant to post the Glow Plaza website address on one of their signs at the site where people can go and see what events will be coming.

Commissioner Gower referenced findings in terms of compatibility and asked what consideration have been given to ensuring this site contributes to downtown year round even when there are no events.

Mr. Gordon stated this proposal accentuates what is already there. The Glow Plaza is open year round and it could be used not only by the applicant but by community organizations as well.

Commissioner Velto asked the applicant's representative to explain the reasoning for their proposed condition modifications.

Mr. Gordon explained that the original parking study identified occupancy at 2,000. They did an updated study and review of the business plan and confirmed that 3,700 could be accommodated with parking. The applicant is asking that be the benchmark between no special activity permits and special activity permits. They are not asking that to be allowed by right. They would have to confirm that increase is supported by a downtown traffic study. There is no intent to bypass reimbursement for City services whether or not a special activity permit needs to be pulled. Mr. Gordon also explained the reasoning for requesting amplified music until 11:00 p.m. on Friday and Saturday

Mr. Gordon confirmed for Commissioner Munoz that maximum capacity allowed for the events that would require a special activity permit would be 6,742 as allowed per the fire

code.

Loren Chilson, Headway Transportation, reviewed traffic study results in response to questions from Commissioner Munoz regarding available parking in the area. He also confirmed that his opinion is that parking is not a concern.

Mr. Gordon confirmed for Commissioner Villanueva that last year they completed the Glow Plaza and started with smaller events. He explained the reason for this request now is due to their financial investment.

Mr. Gordon explained for Commissioner Johnson the plans for queuing, occupancy control and pedestrian access. They will queue on their land outside of the public right-of-way. One of the conditions includes a requirement to have onsite security and to monitor and record onsite attendance for all activities to ensure occupancy is not exceeded. He confirmed their intention to provide adequate access for entrance and exit to the east, west, and north to minimize the use of the gates to the south.

Commissioner Johnson noted the applicant's presentation indicates this project supports mostly arts and culture based Master Plan priorities. Master Plan recommendations for the northwest quadrant of downtown and for the urban corridor recommend a minimum floor area ratio for development and an open festival ground does not meet those at all.

Mr. Gordon stated they are not asking for any deviation from floor area ratio requirements. He also stated that from a legal perspective they are required to be in substantial conformance with the master plan.

Discussion:

Commissioner Gower stated weighing the policies of the Master Plan was a primary consideration for him and the compatibility of the use relative to the design. He looks closely at the master plan policies and one of the goals is to increase the density of residential units and intensity of mixed uses downtown. Some of the policies point heavily to arts and culture and diversifying outdoor recreation spaces so this is a competing policy scenario. Bringing the vibrancy back to downtown was a key theme heard during the Master Plan update process in addition to sustainability and housing affordability. This proposal aligns with the revitalization and arts and culture entertainment theme. The noise consideration is a concern. Staff and the applicant have done a good job studying it and proposing conditions that address some of those concerns.

Commissioner Velto agreed with Commissioner Gower regarding weighing competing

Master Plan policies. This is a good opportunity to tap into the arts and culture focus. This product has been successful in other markets. With regard to the sound issue, his only concern is that we are setting them up for failure given how it is monitored. He is skeptical that the existing noise surrounding this project isn't going to exceed the decibel limit proposed by staff. He would be amenable to either getting rid of it or setting a higher number because 24-hour mixed use zones are not subject to residential noise standards. The conditions of approval proposed by the applicant are reasonable.

(Commissioner Gower left the meeting at 8:58 p.m. and returned at 9:00 p.m.)

Commissioner Munoz stated this project is needed in the area and is way overdue. The conditions the applicant is asking for are not unreasonable. He would support Commissioner Velto's recommendation to raise the limit of 75 decibels closer to 85 decibels.

Commissioner Villanueva stated granting a privileged license that runs with the land is very key to this discussion and it is premature to do that. She is not against this, she just wants to see how things play out. She does not see anything wrong with having the applicant continue requesting permits like they have done the last year. Safety and security is an issue. Non venue patrons loitering around the property is a concern. It is not enough for the applicant to say they are unwilling to wait because of their investment.

Commissioner Drakulich agreed with Commissioners Munoz and Velto. He wants to see this be a success. He questioned what kind of success they would have if we cap the decibels. The events are free and are not ticketed events so when it comes to queuing it won't be an issue and it sounds like they will have it handled with the fire department for the larger events. He supports all the modified conditions and would be willing to support eliminating the decibel level cap.

Commissioner Johnson stated when it is active it's great but the reasons for looking at some of the Master Plan recommendations about a greater variety of uses is because from a city development standpoint, that is how you make sure something is active 365 days a year, especially in a 24-hour town. Everything we entitle stays with the land, not with the applicant. Under this scenario we are looking at something that proposes allowing up to 3,700 people with potentially little limits on their decibels. If there is another operator or a change in the person booking events, all of these conditions would still apply. This as an excellent space when it's active but what will it look like when it's not active. It could be just an open site that is not active during the day when there are no events and we would be allowing that to continue in perpetuity with this approval.

Chair Taylor noted that this agenda item has more Master Plan conforming attributes

listed in the staff report than either of the other two agenda items we heard tonight. When she visited the site she heard noise from people swearing up and down the street that was way above 80 decibels. Something like this will not stop that activity but if we bring more people downtown and it becomes more vibrant we are going to be pushing away from that. She agreed with the comments regarding setting ourselves up for failure with regard to the decibel limits. She expressed concern with the time restrictions and would be open to 11:00 p.m. on the weekends.

Commissioner Villanueva stated that other than during the summer this space will be vacant. It's great for what will be happening during the peak periods but the rest of the year when it will be vacant is a concern. An event space is wonderful but she does not think they need a privilege license and an entitlement to do it until they earn the privilege.

Commissioner Munoz stated if it was a blank piece of concrete with a wall around it then he would agree it is not something that is needed down there. What the applicant is showing and planning feels like an open space or a park.

Commissioner Villanueva asked what happens if this is granted and the applicant decides that they are not going to do what they have proposed.

Mr. Gilbert explained they would have 18 months to commence activity or the entitlement would expire. The applicant does have site improvement building permits in for City review currently.

Lt Connelly explained for Chair Taylor that they will make it work whatever the decision is. The difference between 2,000 and 4,000 attendees is not that big, depending on the type of crowd and that is what they look at when reviewing permits. The higher number you allow without the initial review, the more important it is to do a yearly review. The longer the venue is open the more data we will have on calls for service.

It was moved by Commissioner Velto in the case of LDC22-00038 (Jacobs Glow Plaza and Festival Area), based upon compliance with the applicable findings, to approve the conditional use permit, subject to conditions with three modifications: 1) add a condition that occupancy be increased to 3,700 based on amended parking and traffic analysis with a traffic study approved by City Public Works; 2) an amendment to Condition 10 to allow amplified music until 11:00 p.m. on Friday and Saturday; 3) remove the limit on decibels in Conditions 10 and 11 and make the conforming changes that are required to Condition 12. Also add a condition that the website must be listed on a sign so locals are aware of upcoming events.

Mr. Gilbert asked for clarification of the third condition modification.

Commissioner Velto stated the goal is to remove the cap on the decibels permitted for the site.

The motion was seconded by Commissioner Munoz.

Commissioner Gower stated he is not in favor of removing the decibel limit. We need some sort of metric for staff to be able to monitor sound levels to have an understanding of what the sound is.

Commissioner Johnson stated he is not able to support the motion. He was able to make the findings for compatibility with surrounding development until the decibel level was removed.

Commissioner Munoz suggested changing the decibel cap to 85 decibels instead of 75 decibels for the smaller events.

Commissioner Velto stated he does not want to set the applicant up for failure. He asked Commissioner Munoz if changing the decibel cap for smaller events from 75 decibels to 85 decibels is necessary to get him onboard.

Commissioner Munoz stated yes, that would get him onboard.

Commissioner Drakulich agreed. He would like to see no cap but this compromise is fine in light of the comments by Commissioners Gower and Johnson.

Commissioner Velto asked Commissioner Gower if that would resolve his concerns.

Commissioner Gower stated he does not think we have the liberty to throw out decibels. We're not sound engineers. His position is that staff has presented 75 decibels as a benchmark based on information presented in the sound study to use as a metric for understanding and putting some parameters around sound that leaves the site. If we take that benchmark away then we are removing that ability for staff to be able to monitor and enforce sound associated with this site. If staff finds in the future that 75 decibels is too low, then they can come back with a new sound study and go to 85 decibels but we should not be modifying that tonight.

Karl Hall, City Attorney, confirmed for Commissioner Velto that he can modify or amend the motion.

Commissioner Velto modified the motion to include an 85 decibel cap for smaller events.

Commissioner Munoz seconded the motion.

Commissioner Gower requested clarification that the motion includes a cap of 85 decibels.

Commissioner Velto confirmed that is his intent.

Motion carried with four (4) in favor and three (3) oppositions by Commissioners Gower, Johnson, and Villanueva.

Commissioner Drakulich read the appeal process into the record.

RESULT:	APPROVED [4 TO 3]
MOVER:	Alex Velto, Commissioner
SECONDER:	Arthur Munoz, Commissioner
AYES:	Kathleen Taylor, J.D. Drakulich, Arthur Munoz, Alex Velto
NAYS:	Peter Gower, Mark Johnson, Silvia Villanueva

6 Truckee Meadows Regional Planning Liaison Report

Commissioner Johnson reported there will be a meeting next Thursday.

7 Staff Announcements

- 7.1 Report on status of Planning Division projects.
- 7.2 Announcement of upcoming training opportunities.
- 7.3 Report on status of responses to staff direction received at previous meetings.
- 7.4 Report on actions taken by City Council on previous Planning Commission items.
9:29 PM

Jason Garcia-LoBue, Planning Manager, reported that the City received an appeal for the Reno Iron Works project from the SPCA. City Council will hear that on April 13.

The Planning Commission will be holding a tree ordinance workshop on March 28.

8 Commissioner's Suggestions for Future Agenda Items (For Possible Action)

None

9 Public Comment

None

10 Adjournment (For Possible Action)

The meeting was adjourned at 9:30 p.m.