



# REGIONAL PLANNING COMMISSION

**MEMBERS**  
Jim Newberg, Chair  
Florence 'Marge' Frandsen, Vice-Chair  
Scott Barnes  
Todd Brabbin  
Christy Magers  
Kendall Mattina  
Marvin Moss  
Dennis Romeo  
William Weber

**MINUTES**  
**Regional Planning Commission (RPC)**  
**REGULAR MEETING**  
**Wednesday, 6:45 P.M., May 10, 2006**

The Regional Planning Commission met in regular session in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada and conducted the following business:

The meeting was called to order by Chair Lokken at 6:45 p.m.

## **1. ROLL CALL**

The clerk called the roll and the following Commissioners were present: Fred Lokken, Todd Brabbin, Florence 'Marge' Frandsen, Kendall Mattina, Scott Barnes for Marvin Moss, Jim Newberg, Dennis Romeo, Steve Rogers, and William Weber. Commissioners absent: Marvin Moss.

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Randy Baxley, TMRPA; Rosanna Coombes, TMRPA; Lora Richards, TMRPA; Paige Menicucci, TMRPA, and Patty Rogers; TMRPA.

Chair Lokken welcomed the two newest members Todd Brabbin and Dennis Romeo as new Representatives of the City of Reno on the Regional Planning Commission.

## **2. APPROVAL OF AGENDA**

Chair Lokken stated that the agenda would be re-ordered under business of the day in that item 7A would become item B and A will become B.

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE RPC AGENDA, AS RE-ORDERED SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

## **3. APPROVAL OF MINUTES**

**A. November 9, 2005**

**B. March 8, 2006**

COMMISSIONER ROGERS MADE A MOTION TO APPROVE MEETING MINUTES OF NOVEMBER 9, 2005, SECONDED BY COMMISSIONER MATTINA.

THE MOTION CARRIED WITH FIVE (5) IN FAVOR AND THREE (3) ABSTENTIONS; SCOTT BARNES, TODD BRABBIN AND DENNIS ROMEO.

COMMISSIONER MATTINA MADE A MOTION TO APPROVE MEETING MINUTES OF MARCH 8, 2006.

THE MOTION CARRIED WITH FIVE (5) IN FAVOR AND THREE ABSTENTIONS; COMMISSIONERS BARNES, BRABBIN AND ROMEO.

#### **4. PUBLIC COMMENT**

John Rhodes, resident and property owner in Steamboat Valley stated that he is one of twenty landowners who have submitted requests for their properties to be included in a change of jurisdiction from Washoe County to Reno. He also pointed out that another 35 acres that he owns is now currently in the unincorporated TMSA and does not want it to be removed from the TMSA. He suggested there needs to be a provision for some procedure by which these 20 people have consideration for their requests.

#### **5. ELECTION OF OFFICERS**

A. Election of vice-chair.

COMMISSIONER ROGERS MADE A MOTION TO ELECT COMMISSIONER JIM NEWBERG FOR THE VICE CHAIR, REPRESENTING THE CITY OF RENO, THE MOTION CARRIED UNANIMOUSLY.

#### **6. CONSENT CALENDAR**

A. PUBLIC HEARING – Regional Conformance Review – City of Sparks Master Plan amendment, 185 East Nugget (CR06-013), changing the land use designation from Tourist Commercial to Industrial on  $\pm 1.19$  acres located at 185 East Nugget Avenue.

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE CONSENT CALENDAR, SECONDED BY COMMISSIONER FRANSEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

#### **7. BUSINESS OF THE DAY**

A. PUBLIC HEARING – Regional Plan Conformance Review – City of Reno Master Plan Amendment and Project of Regional Significance, Carmella Ranch Estates (CR06-012). 1) changing the Southeast Truckee Meadows Specific Plan land use designations from Low Density Suburban - .5 du/ac, Low Density Suburban – 1 du/ac, and Parks and Recreation to Medium Density Suburban – 2.5 du/ac; and 2) a Project of Regional Significance for a sewage generation of more than 187,500 gallons per day. The  $\pm 329$  acre site is located adjacent to Damonte Ranch to the north, Curti Ranch to the west, and Virginia Foothills and Brown Elementary School to the south.

Randy Baxley, Senior Planner's comments centered around the Regional Plan conformance review staff report on page 169. The Regional Planning staff recommended a determination of conformance based on the findings in the staff report.

*[The public hearing was opened.]*

Gary Grunwell from Hidden Valley stated that he had a problem with the Butler Ranch Proposal. After which, Mr. Grunwell realized that he had spoken at the wrong time.

Chair Lokken invited public comment regarding Carmella Ranch; at this time, no further public comment was given.

COMMISSIONER FRANDBEN MADE A MOTION THAT THE CITY OF RENO MASTER PLAN REGARDING CARMELLA RANCH ESTATES WAS FOUND TO BE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT. SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

COMMISSIONER MATTINA MADE A MOTION TO FIND CARMELLA RANCH ESTATES IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN BASED ON FACTS AND FINDINGS IN THE STAFF REPORT. SECONDED BY COMMISSIONER BARNES. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- B. PUBLIC HEARING – Regional Plan Conformance Review – Consideration and final action on objection submitted by the City of Reno pursuant to subsection 5 of NRS 278.0282 on the Regional Planning Commission (RPC) determination of nonconformance (February 22, 2006) regarding proposed Reno Master Plan Amendment and Project of Regional Significance, Butler Ranch North (CR06-002), 1) changing the master plan land use from Single Family Residential and Mixed Residential to Special Planning Area; and 2) a Project of Regional Significance for: a) a project of more than 625 housing units; b) water demand in excess of 625 acre-feet/year; c) sewage generation of more than 187,500 gallons per day; and d) traffic in excess of 6,250 average daily trips. The ±393 acre site is located south of Mira Loma Drive and east of Rio Poco Road. *(continued from April 12, 2006)*

Randy Baxley, Senior Planner discussed the procedural considerations of Reno's letter of objection, found on page 45, of the staff report. Mr. Baxley then pointed out an error on page 46, paragraph 1 at the bottom of the page, specifically the end of the paragraph after the semi-colon that starts with "specifically with respect to..." should be deleted.

Chad Wilkinson, Associate Planner from the City of Reno stated that on February 22, 2006 the Regional Planning Commission determined that the proposed Master Plan Amendment did not conform to the Regional Plan. He then said that an objection has been filed and went over the reasons for denial. On March 2, 2006 an action letter presents a detailed response to each of the reasons for denial. The main reasons for denial pertained mainly to flood issues, which Mr. Wilkinson said that all issues had solutions and that the amendment was in conformance with the Regional Plan. Mr. Wilkinson

requested that the Regional Planning Commission reverse their previous determination and find the amendment and the project of regional significance in conformance with the Regional Plan.

Chair Lokken asked Mr. Wilkinson when the land was annexed by the City of Reno. Mr. Wilkinson answered that one parcel was annexed in 1989 and the other was in 1975.

Commissioner Weber asked Mr. Wilkinson if the City of Reno was in concurrence with the changes referred to in a letter from Mr. Urban, a flood control manager from the county.

Mr. Wilkinson deferred the question to Denny Peters, Engineer of the City of Reno. Mr. Peters stated that the City of Reno was, in fact, in agreement with the aforementioned letter.

Randy Baxley reviewed the background that on February 22<sup>nd</sup> the Regional Planning Commission denied the proposed master plan amendment. On April 3<sup>rd</sup> the Regional Planning Agency received a letter of objection from the City of Reno. The City of Reno made a recommendation of determination of conformance with the regional plan.

*[Chair Lokken opened up the Public Hearing]*

Commissioner Todd Brabbin had disclosures. He told Chair Lokken that he had a meeting with Inter-West Advertising and Public Relations and IW Strategies, as well as Wood-Rodgers.

Commissioner Dennis Romeo also had disclosures that he had met with representatives of homeowners groups in the affected areas; Marge Frandsen had disclosures regarding neighborhood meetings she had attended regarding flood control of the South East Truckee Meadows.

Commissioner William Weber disclosed that although he owned a Lennar home, he felt comfortable in discussing these issues.

Gary Duhan, of Lennar Homes wanted to file additional detail regarding flood issues. He showed a PowerPoint presentation depicting how Lennar Homes would safeguard flood issues. In the Butler Ranch North Community, the current plan is for 1700+ homes. Lennar Homes is proposing a revised Master Plan of 1550 homes. Mr. Duhan depicted flood information regarding the mitigation to achieve compliance with the Regional Plan. They proposed detention areas, including wetlands, open space and detention areas, which are areas where water can be retained on-site to slow the peak of the floods going downstream.

The Flood Design requires City of Reno and FEMA approval with two primary requirements:

1. No decrease in flood water storage (Regional Water Management Plan Policy 3.1 (b))
2. No net increase in off-site flood water peak flows and volumes.

Mr. Duhan stated that Lennar Homes complies with both requirements and that it actually exceeds the hundred year flood standard requirement. He said that his flood plan design was prepared by experts after extensive study of the Truckee River Flood Project Model.

He stated that the planning approvals should occur first before the Regional Planning Commission and the City of Reno, and second should be approved by FEMA.

*[Chair Lokken, opened the public comment.]*

Gary Grunwell stated that during the most recent flood, he had approximately six to seven thousand dollars worth of debris that came downstream to his residence. The debris included tree trunks and was costly to clean up. Mr. Grunwell maintains that a flood problem still exists.

Neil Upchurch, of 2980 Middle Court Cove was also concerned about flood issues and asked the Commission not to approve item 7A.

Valerie Anderson stated that learned of another point significant to this project. There is a new development North of Hidden Valley in which  $\frac{3}{4}$  of the homes are in a class action suit against the developer due to water problems. She stated that those homes had standing water in their crawl spaces and that fill had been used in the development of the area. These homes were in a 500 year flood plane zone and the Butler Ranch homes are in a 100 year flood plane zone, so Ms. Anderson is therefore concerned about the same problems occurring in the Butler Ranch area.

Kimberly Rhodemeyer referred to a document that she read before the Regional Planning Commission on December 1<sup>st</sup>, entitled, "Presentation on Truckee Meadows Floods." She stated that Donner Springs and the East Mira Loma areas can flood from both the North and the South. She stated that one city council member has ignored flood issues and stated at city council meetings that it is people's own fault for building on a flood plane, and that he would never have bought there. Ms. Rhodemeyer stated that as citizens, we assume that all mitigation has been met if an area has been approved by the Reno City Council. Ms. Rhodemeyer expressed doubts as to whether the flood issues have been handled correctly.

John Phillips, President of Heron's Landing Homeowner's Association stated that the Presidents of the Homeowner's Associations have put together a petition before the Corp of Engineers addressing 17 issues that need to be resolved before a permit will be granted. He then showed pictures on the overhead screen of Mira Loma. The issue with flood volumes comes from the backup of the Truckee River. Mr. Phillips stated that he would be happy to address any questions regarding the petition, which is on pages 95-135 of the packet.

Chuck Jones stated that he was shocked by the Lennar representatives and that he was left with the impression that the proposed development would have to go back to the drawing board instead of forging ahead with development plans. He stated that nine Homeowner's Associations, about three thousand homes, are opposed to the new Lennar development because it will have an impact on the existing residents. Some topics of concern he expressed were the 30 year flood event and the existence of arsenic in the soil. He stated that if the dirt was not clean, it would not be safe for the residents. He asked the Commission to deny the approval of the new development.

Franco Corivelli stated that this project has impacted many in the Truckee Meadows, especially pertaining to flooding and traffic issues. He stated many homes did not get flooded, but were only safe from flooding by one inch. He urged the Commissioners to

stick to the zoning that is currently in place (1050 homes) and not to zone the area for 1500 homes.

Chair Lokken stated that there were two written submissions from Bill Meacham and Jan Pederson which stated that they were against the Lennar Development. He then closed the Public Hearing which included comments of interested parties as they pertained to item 7A. This concluded step # 3 in the process and went on to step #4.

Chad Wilkinson, Associate Planner for the City of Reno stated that he did not have any final statements, but was available for any questions.

Chair Lokken then moved to item number five – Deliberation and possible motions.

Commissioner Mattina requested to speak to someone from the City of Reno, at which point she asked if the roads would be mitigated sufficiently to handle the traffic issues. Denny Peters, Engineer for the City of Reno stated that the project would in fact mitigate traffic issues, and wetland issues. He then deferred Commissioner Mattina's wetland questions to Gary Duhan of Lennar Homes. Mr. Duhan stated that they were currently in the process of filing a 404-B application, with a wetlands specialist and that they were going to make sure that they cover every single base.

Commissioner Frandsen requested that Derek Morse discuss the cumulative impacts on traffic issues. Mr. Morris is the Deputy Executive Director of the Regional Transportation commission. Mr. Morris discussed the cumulative traffic impacts on this development and other potential developments. He said in all their analyses, they tried the worst-case scenarios for right of way dedications in order to assess potential problems. Mr. Morris stated that this project and others will affect the community, but that this development will have a small impact on traffic issues.

Commissioner Frandsen stated that impact fees are a problem because impact fees are not necessarily used for a particular project; they are spread out and may not be used on the actual area. She then asked Mr. Morris what impacts the Mira Loma Road will have on flood storage, flood volumes, etc.

Mr. Morris answered that he does not foresee an increase in flood issue problems regarding Mira Loma Road.

Commissioner Steve Rogers had questions for the developer regarding earthquake and fault issues. He expressed concern about the history of the area, which has over sixty seismic events, which have occurred.

Cary Chisolm, of Wood-Rodgers, representing Lennar Homes stated that the preliminary analysis of the area has not brought up any need for concern and that as developers; they are required to do a geomorphic study of the land. They said that their results have shown that the area is developable.

Commissioner Scott Barnes then had questions regarding hydraulics and hydrology. He queried the developer to determine if they were planning on increasing the storage capacity for storm water.

Mark Euken, representing Wood-Rodgers answered Commissioner Barnes stating that although they are retaining more run-off water than is generated from the project, that the

flood characteristics would be improved and that the Butler Ranch project would align with Heron's Landing. He stated that he does not expect to encounter ground water. Mr. Euken stated that the developers are trying to obtain FEMA approval to remove the project areas from the flood plain.

Commissioner Steve Rogers requested to speak to a civil engineer to have him elaborate on the 17 items that the Corp of Engineers wanted the developers to answer. Cary Chisolm responded by saying that the majority of the items were a basis of alternatives such as, what else can be done; but he did not have specific answers.

Gary Duhan, of Lennar Homes then stated that although he did not have specifics either, that the process of offering alternatives for the 17 items was part of the standard required alternatives analysis that is required by federal law.

Commissioner Frandsen asked Mr. Duhan how extensive the developer's study was to which Mr. Duhan replied that their development team has been expanded so every concern can be addressed.

Commissioner Jim Newberg then asked Mr. Duhan about the 72 hours of water storage that the developers had said were going to be in place, and how that storage would affect the upstream areas such as the Double Diamond / Damonte Ranch area.

Mr. Duhan stated that it wouldn't cause a backup and that the water will be contained in retention ponds. To which Commissioner Newberg replied that he understood that the retention ponds were upstream.

When Commissioner Frandsen asked Mr. Duhan if dams were part of the project, he told her that they were not and that all the proposed homes will be below the dam. There was some discussion regarding the channeling of water through dams and hydrology designs to restrict the water flows.

Commissioner William Weber stated that the developer has the highest rating of all national developers and that we ought to trust that they know what they are doing in regards to all the issues brought up.

Chair Lokken questioned Legal Counsel, Norman Azevedo on two points. 1) He stated that the Regional Planning Commission cannot require an applicant to have to talk about. And 2) Regarding FEMA issue, Chair Lokken asked whether its timing was relevant at this point.

Norman Azevedo, Legal Counsel requested a one minute recess to respond to Chair Lokken's queries.

[1 minute recess]

[Return from break]

Norman Azevedo responded to Chair Fred Lokken's questions by stating that the Regional Management Water Plan has a standard set forth therein that would best be discussed by David Ziegler.

Mr. Azevedo stated that as far as the FEMA issue goes, when a conformance review is made, there is a finding entered that they will comply with Federal Law. Mr. Azevedo

believes, after hearing the developer's statements that they intend to comply with Federal Law.

David Ziegler, Director of Regional Planning stated that his staff concurs that a land use regulatory body couldn't require an applicant to address a flood problem created on someone else's property and wouldn't pass the rational nexus test. As far as the conformance review, the main thing his staff is looking at is that the Master Plan amendment needs to be consistent with the Regional Water Management plan. The relevant Policy 3.1.B in the Regional Water Plan states that the project must have no increase to the volume of the 100 year runoff at the boundary of the property and that the Regional Planning Agency has a letter from Mr. Urban stating that point, which is what he is basing his recommendation on.

Chair Lokken then reminded all present that they were involved in an appeal process referred to pages 44-47 which consolidates the issues to consider.

Commissioner Dennis Romeo said that Lennar, Wood-Rodgers and the project team has done a good job answering questions. He added, however, that as a planning commissioner regarding the flooding mitigation, he was not willing to risk the 3000 existing homes. He expressed his doubts as to whether the applicants have done all their homework, especially regarding traffic issues. Therefore, Commissioner Romeo stated that he would be upholding the RPC's determination of February 22<sup>nd</sup> on this issue.

Commissioner Mattina then commented on the presentation made earlier on infill, and that she had been to meetings regarding sprawl and the need for infill. She stated that this was an infill project and that she was confident that the flood problems would be mitigated and therefore, she stated that she was going to support finding this in conformance with the regional plan.

Commissioner Weber agreed with Commissioner Mattina citing that if we hire experts to assess areas and we don't take their advice, we are making a big mistake. He then stated that if Mr. Urban and the private hydrologists were satisfied, then he too would support the project.

Chair Lokken concurred with Commissioners Weber and Mattina. He stated that in terms of the open space, the county does not have this area on their open space map. On the issue of traffic, he stated that the RTC has stated that they can do the project as the City of Reno has reviewed it. On the issue of flood, Chair Lokken stated that it is important to understand that the developer is going to mitigate any flood issues pertaining to their project, and that they shouldn't be held responsible for prior mistakes made by other entities. He cited that we had expert testimony from the developer stating that this project would improve the flood situation. Therefore, Chair Lokken gave his support to the project.

Commissioner Mattina cited examples of improvement in the valleys in which there were no flooding issues because of improvements that were made in Spanish Springs, Wingfield Springs, Kylie Ranch and Double Diamond.

Commissioner Frandsen commented that she would not be supporting the project because she agreed with Commissioner Romeo on his stance, and was doubtful that all the things Commissioner Mattina stated would actually come to pass in the current project. She

said that if the developers of the Butler Ranch area were to downsize their project to 1050 homes, it would be more compatible with the surrounding area.

COMMISSIONER WEBER MADE A MOTION TO FIND THE BUTLER RANCH AMENDMENT TO THE RENO MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL MASTER PLAN BASED ON THE FINDINGS LISTED IN THE STAFF REPORT.

COMMISSIONER MATTINA SECONDED THE MOTION.

Chair Lokken reminded the commission that this motion would require an affirmative vote of at least six members in order to pass.

THOSE IN FAVOR WERE COMMISSIONERS MATTINA, BARNES, WEBER, BRABBIN AND LOKKEN. THOSE OPPOSED WERE COMMISSIONERS, NEWBERG, ROMEO, ROGERS, AND FRANDBEN. WITH NINE COMMISSIONERS PRESENT, THE MOTION FAILED.

Chair Lokken then stated that we would move on to item 7C.

- C. Review of testimony received, discussion, and direction to staff on proposed amendments to the 2002 Truckee Meadows Regional Plan, including amendments proposed jointly by Reno, Sparks, and Washoe County pursuant to the settlement agreement in the matter of Reno's annexation program (August 23, 2005), as follows:
  - i. Amendments to all Regional Plan maps, revising the boundaries of the Truckee Meadows Service Areas (TMSA), the Development Constraints Area (DCA), joint planning areas, cooperative planning areas, spheres of influence of the cities of Reno and Sparks, and adding future services areas;
  - ii. Policy amendments regarding the composition of the TMSA, coordination of land use and infrastructure planning, and proposed State and federal legislation; and
  - iii. Policy amendments to provide additional flexibility in the size, location, and intensity of residential and non-residential uses in unincorporated areas within the TMSA

[Commissioner Weber left at 8:35pm as he stated he wasn't feeling well.]

Director of Regional Planning, Dave Ziegler stated that the agenda item was a review of testimony, discussion and direction to staff on proposed regional plan amendments including amendments submitted jointly by Reno, Sparks and Washoe County. He then reviewed the chronology of events as a result of the workshop held on May 1<sup>st</sup>. He then went over the public input that was received and wanted to work with the commission on moving forward; both procedurally and substantively.

Member Ziegler then discussed an update on the individual property owner requests for map amendments. He showed the commission maps of the Sunny Hills area, labeled #21 and the Ballardini Ranch area, labeled #22. He stated that in the Ballardini Ranch area,

there had been a request to include 600 acres in the TMSA. Dave Ziegler then concluded his comments and turned the time back to Chairman Lokken.

*[The Public Comment was opened]*

John Hester, Community Development Director for the City of Reno recommended that the staff be directed to prepare amendments regarding items on page 200 of the packet as well as the amendments on page 207 and 208, labeled group 1.

Frank Schenk stated that the citizens of Cold Springs are against future annexations and that many people in Cold Springs feel that they have no say because Cold Springs is considered "County" and it is the City of Reno that approves annexations. Mr. Schenk also asked why we were considering revising the 2002 plan, when the 2007 plan is only months away. Mr. Schenk also expressed that the workshops were productive in his opinion.

Buzz Harris, AGC representing 350 Contractors. Mr. Harris stated he attended the workshops, but did not agree with the notes depicting what went on at the workshops. Mr. Harris also said that he has looked at planning in some of the local communities here in Reno, such as Caughlin Ranch in which highways were built and the community was planned for future needs. He stated that here is an opportunity with this Regional Plan to look to the future and take care of needs we have now.

Maddy Shipman, citizen, stated that the walk around workshop was good. She stated that there are policy and planning issues that need consideration. She felt that we need more workshops to discuss in-depth some of these issues:

- 1) Winnemucca Ranch placements
- 2) Criteria to be utilized to determine what properties will be included in, or excluded from the TMSA
- 3) What is the effect of collapsing the TMSA and the SOI together?
- 4) What do the words Resource Constrained mean, if you are not going to be planning towards those constraints.
- 5) What are the compelling reasons for backing away from the Regional Plan language encouraging infill?
- 6) Concurrency and what it means in the real world.

Heather Singer wanted to thank the members of the RPC for holding the May 1<sup>st</sup> public workshop. She feels that the issues should be rolled into the 2007 plan and she expressed her hope that more workshops would be held to resolve issues. She stated that she felt compromises could be made between developers and those trying to save the land from development. She urged the commissioners not to rush into decisions that would compromise smart growth.

Arlo Stockham, Project Planner for Winnemucca Ranch stated that he would like the commission to seriously consider amendments and schedule a vote on them regarding the landmark settlement agreement between Reno, Sparks and Washoe County. He stated that the agreement deserves consideration. Mr. Stockham felt that the workshop was fairly misleading and filtered through staff. He stated that he would like to see a direct transcript of the workshop, because he felt that what was said was not captured in the notes for that workshop. Mr. Stockham stated that the Winnemucca Ranch development is following the Smart Growth plan and is necessary for good growth patterns. He urged the commission to seriously consider and vote on the amendments.

Sandra McGill, representing Rancho Haven residents for sensible planning attended the workshop on May 1<sup>st</sup> and found it valuable. She asked the commission to help protect rural areas and open spaces.

Mike Britton from the Carpenter's Union stated that planning shouldn't be an excuse for inactivity. He agreed that there was bias in the report of the workshop. He said that the larger 1 acre and 5 acre parcels, most people will not be able to afford. He stated that there was really nothing wrong with the plan and that the only problem was stalling to prevent future growth.

Randy Keene was not available for comment.

Stephen Haley, 2006 Association of Realtor's President stated that he supported going forward with the Regional Plan and ending the litigation that is costing a lot of tax dollars. He stressed the importance of affordable housing and density. He stated that density is the only answer, and that remote density was the only way. He said that infill wouldn't work and that higher density would mean schools, affordable housing, and a good quality of life. Mr. Haley stated that that was the way for us to plan for our youth to stay here in the town of Reno.

Tina Nappe thanked the commission for workshop stating there was a need for more workshops so the public can participate in policies affecting them. She would like to see Winnemucca Ranch provide a workshop for the public and stated that she liked what Mr. Propst said in his presentation. She stated that the annexation process does not provide her with a plan, that the public needs to be provided with more information.

Gary Schmidt, a 35 year resident of Washoe County, unincorporated, who lives in Gerlach (Main Street America) and is a candidate for County Commissioner in District 5 stated that he supported the public participation in workshops. He felt that Winnemucca Ranch, which is planned to become 8700 acres with 8700 homes, was not in any way going to resemble a dude ranch. He would prefer the concept of 40 acre parcels at Winnemucca Ranch.

**COMMISSIONER NEWBERG MADE A MOTION TO EXTEND THE MEETING. SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANANOUSLY WITH EIGHT (8) MEMBERS PRESENT.**

Amy Maza liked the workshops and stated that we needed to do some of the things Luther Propst talked about in his presentation. She then said that people don't want Winnemucca Ranch and don't need developer driven planning.

Chair Lokken read from a comment card from Pat McAlinden, who wrote that amendments of this magnitude should be included in the 2007 update.

There were other written comment cards on which the following names were written:

Angel Dela Rosa, Mike Rodrick, Felix Martinez, Donald Schafer, Michael Witt, Miles Grey, Cherie Wiederholt, and Jessica Wledphott, who all indicated that they were in favor of the amendments to the regional plan.

Kendall Mattina stated that she had some questions and responses to the public comments. Regarding the impact fees to take care of cost of growth for people who have moved here she stated that impact fees cannot be that high and that we cannot charge impact fees for the amount of money it would cost for people to move here.

Commissioner Mattina stated that not everybody wants to live in the city and that if Winnemucca Ranch wasn't a consideration, there wouldn't be such uproar.

Commissioner Mattina then said that there have been six workshops, but that is stalling the process because we haven't heard anything new. Developers have the money and expertise for development, such as housing projects and infrastructure that average citizens would not normally have. She stated that we needed to go forward.

Jim Newberg stated that he completely agreed with Commissioner Mattina. He then stated that he had a question regarding the amendments to the plan. He wanted to know if the amendments were made, which would include group 1 and group 2, how would we address group three which would include the 20 items for inclusion in TMSA?

Director, Dave Ziegler stated that a ranking or evaluation process would need to be put together and that each item would need to be considered.

Commissioner Dennis Romeo agreed with Commissioner Mattina and Commissioner Newberg. He stated that he agreed with the comments that were made stating that growth was inevitable and that there would be a shortage of housing in the western United States. He then stated that Winnemucca Ranch follows Mr. Propst's concept to the "T". He stated his opinion that urban sprawl was a trailer house on ten acres with a septic tank, and a well; not a planned community with roads and utilities, and places to work, shop and stay. He stated that if Winnemucca Ranch has to be under the influence of the City of Reno, so be it. He stated that the atmosphere between the three governing entities in the area now is probably the best it has ever been. He then expressed his support of moving forward on all amendments.

Chair Fred Lokken stated that he was struck with an urgency. He stated that they've never considered amendments during the year they were doing the update. He said that if you move ahead with the amendments, and they are adopted, then what do you do with them in conjunction with the update? He said that both are being done concurrently. He then said that as far as concurrency relating to the amendments goes, there is a lot of clarification that needs to occur. He stated that working on the amendments is delaying the process. He said that they haven't appealed because they have been told there's an urgency. Chair Lokken stated that we already have an approved existing plan of twenty five years of development with a approved "not-built" list, in which there are 40,000 approved units, in which there are years of available land inventory ready to be developed. Chair Lokken stated that is important to listen to the public, that there was

nothing anti-growth about this commission and that they made a decision that the best planning would occur by the Technical Advisory Committee, and as such, they have time to produce a quality plan.

Marge Frandsen stated that she didn't understand the sense of urgency and that all these issues could be rolled into the 2007 update. She expressed doubts as to Winnemucca Ranch being a self sufficient community. She told the commission that the Judge said there were no time constraints. Therefore, Commissioner Frandsen stated that she felt they should take the time necessary to do things properly.

Commissioner Mattina disagreed with Commissioner Frandsen stating this staff never said there was a time constrain; that the Regional Governing board had said that there were time constraints. She also asked the question that if we have 25 years of approved but not built inventories, why are we approving any new building?

Chair Lokken stated that in proposing the future service areas, what staff is going to be available?

Steve Rogers agreed with Commissioners Frandsen and Lokken and stated that he didn't know what the rush was in getting things all taken care of right away. He stated that he had concerns about Winnemucca Ranch regarding transportation issues and impacts.

Commissioner Brabbin agreed with Commissioners Romeo and Mattina and stated that everyone had brought up good concerns, but he urged the commission to take some time to do it right.

**KENDALL MATTINA MADE A MOTION THAT RPC FORWARD FOR APPROVAL TO THE GOVERNING BOARD THE AMENDMENTS PRESENTED BY THE CITY OF SPARKS, RENO AND WASHOE COUNTY, INCLUDING THE POLICIES AND GOALS LISTED BY JOHN HESTER TODAY; POLICY 1, POLICY 2, PAGES 200, 207, AND 208, GROUP 1, UNDER SUMMARY OF PROPOSED REGIONAL PLAN AMENDMENTS.**

**COMMISSIONER ROMEO SECONDED THE MOTION.**

Dave Ziegler expressed that he had a question on the motion. He wanted to know if it was the intent for the staff to prepare the resolution, or not.

Kendall Mattina responded in the affirmative.

Dave Ziegler stated that he would need to schedule it.

Kendall Mattina stated that she wanted to make sure that the resolution included the items Mr. Hester discussed including concurrency and the page 200, 207 and 208, Group 1, Group 2 issues.

Commissioner Newberg asked how they were planning on addressing Group 3.

Commissioner Mattina responded that she thought that Group 3 was independent of the others and should be kept separate.

Commissioner Marge Frandsen asked the legal opinion of Norman Azevedo as to whether or not the prioritization of the people who have asked for either inclusion or exclusion was part of this whole scenario.

Mr. Azevedo stated that it could be done in two separate motions.

COMMISSIONER MATTINA RESTATED THE MOTION, FOR CLARITY, STATING THAT THEY WERE DIRECTING STAFF TO PREPARE A RESOLUTION TO VOTE ON IN THE FUTURE, INCLUDING THE ITEMS LISTED BY JOHN HESTER IN THE CITY OF RENO TONIGHT THAT ARE IDENTIFIED ON PAGE 200, 207 AND 208.

THE MOTION RESULTED IN 3 OPPOSED, COMMISSIONER ROGERS, FRANSDEN AND NEWBERG, AND 4 IN FAVOR, COMMISSIONERS BARNES, MATTINA, BRABBIN AND LOKKEN.

Commissioner Mattina questioned Dave Ziegler on what he thought needed to be done regarding the 21 pieces of property that want to be included in the TMSA. She then asked if there were any that chose to be excluded.

Dave Ziegler stated that there were some that have been excluded from the TMSA who would like to be retained in the TMSA, and that there were others that would like to be added to the TMSA. He went on to say that there were still others that don't fall into one of those two categories. He stated that there needs to be some rational basis as to whether they should be added or not. He mentioned that the notice should be given for the entities that would need to be removed from the TMSA in a timely manner via a letter in the mail. He stated that about 100 people will be given that notice and that a process will be in place for those wanting to be added to the TMSA.

Margaret Powell, City Planner for the City of Sparks stated that if you ask the same request, you will get the same answer.

KENDALL MATTINA MADE A MOTION TO DIRECT THE FOUR STAFFS TO COME TOGETHER TO DETERMINE CRITERIA REGARDING INCLUSION IN OR EXCLUSION FROM THE TMSA.

COMMISSIONER ROMEO SECONDED THE MOTION. VOTING WAS UNANIMOUS WITH (8) MEMBERS PRESENT.

Dave Ziegler had a question regarding the timing; wanting to know when all of it was to be due back. He stated that he needed time for placement of the required advertisement, which needs to be ten days prior to the meeting and that he could feasibly have it back by the first RPC meeting in June. He stated that in that answer, he would not be addressing the issues in Group 3, and wasn't sure how long it would take his staff to get the Group 3 recommendations together.

Commissioner Mattina asked Mr. Ziegler if a second meeting in the month of June would work better for the TMRPA.

Dave Ziegler stated that he would appreciate a little more time to get everything together.

Commissioner Newberg stated that August or September would be fine for the Group 3 issues.

Dave Ziegler stated that the TAC process would continue to meet and go forward with the issues.

**8. Director, Members, and Legal Counsel Information Items**

Rosanna Coombes stated that she would be happy to answer questions on the Staff Report, Page 209.

A. Director's reports:

1. Report on actions and agendas of the Regional Planning Governing Board

Dave Ziegler said there was a written staff report on page 211 on the Governing Board Meeting on April 13<sup>th</sup>, and what will happen at the May 11<sup>th</sup> meeting.

2. Report on Truckee Meadows Growth Task Force

Mr. Ziegler stated the the Truckee Meadows Growth Task Force continues to meet. He mentioned that they are trying to secure funding for Smart Growth Funding. He made reference to the written staff report on Page 213.

3. Consideration and possible acceptance of individual annual reports submitted by local governments and affected entities pursuant to subsection 1 of NRS 278.0286.

Patty Rogers from Regional Planning addressed item 8.A.3 stating that on Page 216 of the staff report it is recommended that the RPC consider and accept the annual reports included in appendix one of the meeting packet. She stated that there was also a list of additional reports that the agency has not yet received.

COMMISSIONER MATTINA MADE A MOTION THAT THE COMMISSION ACCEPTS THE ANNUAL REPORTS THAT HAVE BEEN SUBMITTED TO STAFF AT THIS POINT IN TIME.

THE MOTION WAS SECONDED BY COMMISSIONER NEWBERG, THE MOTION CARRIED UNANIMOUSLY WITH (8) MEMBERS PRESENT.

B. Legal counsel's report

1. Status report and possible direction to staff on Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan and related settlement agreement dated August 23, 2005.
2. Status report on Washoe County's request to initiate a possible amendment of the Truckee Meadows Regional Plan pursuant to paragraph A.1 of the settlement agreement (October 17, 2002), to roll back Reno's sphere of influence in the vicinity of St. James's resort and Pleasant Valley
3. Status report on *Voters for Sensible Growth, et al. vs. RPGB et al.*, amended petition for writ of prohibition or, alternatively, mandamus

Norman Azevedo, legal counsel, stated that with respect to the litigation pending in Judge Kosach's court, that he had a filing due on the 19<sup>th</sup> to address the governing board. He stated that he would make the filing appropriately and would provide a copy to the planning commission.

**9. Requests for and possible action on future agenda items**

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Dave Ziegler stated that there was a written staff report on page 257. He said that for the May 24<sup>th</sup> meeting he would have some resolutions and conformance reviews including the Downtown Reno Center Plan and will provide an update on Regional Plan issues. He stated that on Page 252 there was a written report.

Chair Lokken stated that there was no written correspondence.

THE MEETING WAS ADJOURNED AT 10:15pm

Respectfully submitted by Angela Smith.

Reviewed by:

Approved by:

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Rosanna Coombes, Interim Director

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Jim Newberg, Chair

Truckee Meadows Regional Planning Agency

Regional Planning Commission

**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON \_\_\_\_\_, 2006.**