



REGIONAL PLANNING COMMISSION

MEMBERS

Terry K. Herman, Chair
Florence 'Marge' Frandsen, Vice-Chair
Fred Lokken
Kendall Mattina
Marvin Moss
Jim Newberg
Steve Rogers
Oscar Sanders
Mark Sullivan
Dave Ziegler, Director

MINUTES

Regional Planning Commission (RPC) REGULAR MEETING WEDNESDAY, 6:30 P.M., April 28, 2004

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

The meeting was called to order by Chair Frandsen at 6:30 p.m.

1. ROLL CALL

The clerk called the roll and the following Commissioners were present: Marge Frandsen, Fred Lokken, Kendall Mattina, Marvin Moss, Jim Newberg, Steve Rogers, Oscar Sanders, and Mark Sullivan. Commissioners absent were: Terry Herman.

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Randy Baxley, TMRPA; Rosanna Coombes, TMRPA; and Connie Anderson, TMRPA.

2. APPROVAL OF AGENDA

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE APRIL 28, 2004, AGENDA, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

3. PUBLIC COMMENTS

Cathy Brandhorst expressed concern regarding miscellaneous topics.

4. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks Master Plan amendment, Upper Highlands at Cimarron East (CR04-004), changing the land use designation from Open Space/Rural to Estates Density Residential on a ±297 acre site generally located east of the Highlands at Cimarron East development and southeast of the current terminus of La Posada Drive (continued from April 14, 2004).

Dave Ziegler, Director of Regional Planning, stated that there is a written request from Margaret Powell stating that the City of Sparks is requesting that this item be continued due to the complexity of the

issues and the inability to get consultants and other agency representatives to the April 28, 2004, meeting.

COMMISSIONER ROGERS MADE A MOTION TO CONTINUE THE UPPER HIGHLANDS AND CIMARRON EAST (CR04-004) CONFORMANCE REVIEW TO THE NEXT RPC MEETING, SECONDED BY COMMISSIONER NEWBERG.

Chair Frandsen stated that it appears this item will go to a continuance and informed those who submitted cards for public testimony that they will have the opportunity to discuss their concerns this evening as well as on the evening that the RPC will hear the conformance review.

[The public hearing was opened.]

Chair Frandsen read written comments from Barbara and Robert Dorr stating that they are opposed to the amendment.

Chair Frandsen read written comments from Waneda Martin stating that she is opposed to the amendment.

John Bradbury stated that before the Upper Highlands was presented to the Spanish Springs CAB, it was thought that Vista Blvd. would be extended through to La Posada. This would suggest that some people living in the Cimarron area could use Vista Blvd. part of the time to reach into the other areas and alleviate some of the traffic on Pyramid Hwy. and the intersection of La Posada and Pyramid Hwy. Mr. Bradbury found out this would not happen and that the traffic would meander through the new subdivision to get to Vista Blvd. Mr. Bradbury stated that he does not believe that the developer and the City of Sparks understood the real concern about the traffic issue from the Spanish Springs CAB and apologized for the poor communication. Mr. Bradbury suggested that another count be done concerning traffic on La Posada and stated that he hopes the RPC will encourage the Regional Transportation Commission (RTC) to get on a fast track for this intersection.

[The public hearing was closed.]

Chair Frandsen stated that there is a motion on the floor to continue this item to the May 12, 2004, RPC meeting.

Commissioner Sullivan asked if there would be a time certain for this item or just the May 12 meeting. Mr. Ziegler responded that it has been the practice of the Regional Planning Agency (RPA) to place continued items at the top of the agenda. If more than one item is continued, they will be listed on the agenda in the order that they are continued.

THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. PUBLIC HEARING - Conformance with the provisions of the Regional Plan and the settlement agreement in District Court Case No. CV02-03469 for City of Reno zoning map amendments and Mortensen/Garson Development Standards Handbook (CR04-007), including: (1) zoning map amendment from SPD (specific plan district) and HC (hotel casino) to HC, IC (industrial commercial), AC (arterial commercial), NC (neighborhood commercial), PF (public facility), LLR-1 (large lot residential - 1 acre), SF-15 (single family residential - 15,000 square feet), SF-9 (single family residential -

9,000 square feet), SF-6 (single family residential - 6,000 square feet), MF-14 (multi-family - 14 units/acre), and OS (open space); (2) amendment to the Reno zoning code creating a new overlay district entitled "Mortensen/Garson Overlay District"; and (3) Mortensen/Garson development Standards Handbook. The ±2,724 acre site is located on the north and south sides of Interstate 80 between the Garson Road and Verdi interchanges. The proposed development of this site is a project of regional significance.

Mr. Ziegler stated that there is written correspondence in the meeting packet from the City of Reno requesting continuance on this item. The reason stated is that some of the City of Reno representatives on the RPC and Reno management staff will be out of town at the national planning conference and will not be able to be here tonight.

COMMISSIONER MOSS MADE A MOTION TO CONTINUE THIS ITEM TO THE MAY 26, 2004, RPC MEETING, SECONDED BY COMMISSIONER LOKKEN.

Commissioner Moss stated that the motion was made for the May 26 meeting because he will not be available at the May 12 meeting and a substitute would not have the background of those attending tonight's meeting who will be hearing discussion and comments from a lot of people.

[The public hearing was opened.]

Cathy Brandhorst stated that the hotel casino should stay in a commercial area and not be anywhere near a residential area.

B. Dummett commented on the vision statement regarding responsible growth management and preservation of natural landscape and asked the RPC to keep that in mind when looking at Verdi and the development being proposed.

Chair Frandsen read written comments from Rubye Nichols stating her objection to the effect on wildlife, water supply, traffic on 80, not enough acres for parks, and only 10 acres for a school.

Parky May stated that there is a perception of lack of community involvement in public activities. There has now been two agenda items with public testimony continued to later dates. This is detrimental to the process of having the community involved in the process.

Kim Toulouse referred to the staff report evaluation which states that the survey done to identify listed species occurrence was only performed on the lands making up Planning Area One. The survey results submitted with the development application included a letter from the U.S. Fish and Wildlife Service (USFWS) which included a list of additional animal and plant species of concern, which the USFWS developed with information from the State. Mr. Toulouse stated that andesite buckwheat is on the Bureau of Land Management (BLM) list and the Nevada Natural Heritage list as a species of concern and a sensitive species. The Development Standards Handbook (DSH) does not address that plant or other additional plants that are species of concern. There is a small reference in the DSH to wildlife corridors but there are no outlined wildlife corridors on the maps. There has been discussion about those wildlife corridors being in drainage areas. If you look at the drainage areas, they do not lead to useable space for wildlife species. This development is taking place on some of the last vestiges of

premiere deer winter range in the entire Carson Range. Wildlife is important and has not been adequately addressed in the DSH.

Brian Kelly stated that it looks like everyone is in attendance and questioned the request for an extension. Mr. Ziegler responded that the RPC Chair, Terry Herman, is absent tonight.

Mr. Kelly stated that the staff report is one of the most complete dealings with this issue that he have seen thus far. Mr. Kelly agreed with the staff report regarding traffic and stated that 5,300 daily trips may be too much for the highway system that exists in Verdi today. Mr. Kelly also expressed concern regarding the possibility of Cabellas coming to Verdi with an additional 30,000 trips.

Kristen McCormack asked where all the new kids in Verdi will be able to play sports.

Cheryl Maher stated that when the residents bought homes in Verdi, it was not in anticipation of what the development was going to bring, but rather an appreciation of the quality of life. Ms. Maher complimented Mr. Baxley on the staff report and stated that it is really starting to synthesize what some of the issues are on this development. Ms. Maher stated that she is not against development but it must conform with the Regional Plan and fit the character of Verdi. Ms. Maher expressed concern with developments in windy canyons where wildfires are a danger. Ms. Maher asked the RPC to please reduce saturation, increase minimum lot size, mandate substantial open space and river access for wildlife, heed the school district's projected need for facilities, and require all access improvements to be in place before any commercial or residential development takes place.

Diane McCormack stated that developers have a right to develop their land and turn a profit. Residents also have a right to expect that the development be compatible with the environment and consistent with the Regional Master Plan under which they purchased their homes. Instead of one dwelling per acre, the developer wants to bring apartments, condos, and 7.2 houses per acre. This is a fragile environment that is habitat for a dwindling mule deer population. This rural infrastructure was never planned or designed to accommodate high volume traffic. US 40 is designated as a two lane rural highway. There are plans to reclassify it as moderate access arterial after a few minor improvements are made. This road will be given a new name without fixing the problems that the increased traffic will bring. New production wells will have a negative impact on vulnerable domestic wells. The groundwater resources are severely limited in yield and production in the Verdi and Mogul areas. The existing schools are already overcrowded. These imminent problems would be greatly mitigated if the developer was awarded 1,008 units instead of 3,000. The developer has not been able to objectively justify the higher numbers.

Commissioner Moss asked if there are time limits involved for hearing this conformance review. Mr. Ziegler responded that on a conformance review of this nature, there is a 60-day period in which the RPC has to act. It has been a practice to waive the 60-day rule with the permission of the applicant. There have been conversations to the effect that the City of Reno and the property owners do not object to the continuance.

Chair Frandsen asked the representatives for the City of Reno and the property owners if they would like to address the issue of continuing this conformance review.

Bill Thomas, Summit Engineering Corp., stated that he represents the property owners and they will consent to a waiver of the 60-day requirement with the understanding that the conformance review will be scheduled for May 26, 2004.

Claudia Hanson, City of Reno Planner, stated that the City of Reno is also fine with waiving the 60-day requirement.

Commissioner Lokken stated that the RPC normally adheres to the three-minute rule in the by-laws and noted that is not being used tonight. Commissioner Lokken asked if that is permissible. Norm Azevedo recommended that the RPC remain consistent with the by-laws as well as past practice.

Peter Millar stated that he is supportive of all measures that will preserve some kind of rural character. There should be a responsibility to get clear and complete information to the people as it evolves. Mr. Millar stated that the developer should be required to prove positive effect rather than the residents having to prove negative effect.

Chair Frandsen asked Mr. Ziegler to let the audience know how they can get information in reference to projects that come before the RPC. Mr. Ziegler responded that Nevada has very stringent public record laws. Every piece of information that the Regional Planning Agency (RPA) provides to the Regional Planning Commissioners is a public record. The agendas can be accessed on the RPA website. Copies of staff reports can be obtained from the RPA after they have been released to the planning commissioners.

Chair Frandsen read written comments from Frank Palermo stating marked underestimate of park acreage. Expect 7,500 plus residents. National average should allow about 5 per acre not 9 to 15 per acre.

Andrea Manor expressed concern that there is not as much involvement from the people in the Verdi area as there used to be.

Chair Frandsen read written comments from Marilyn Johnson stating concern about traffic on and off crowded schools, quality of water and rural loss.

Chair Frandsen read written comments from Melinda Ragan stating water rights for private wells, wildlife endangerment, encroachment and traffic increase.

Chair Frandsen read written comments from Marisa Miller stating opposition to the adoption of the Mortensen/Garson DSH.

Chair Frandsen read written comments from Mary Johnson stating concern about overcrowding, water issues, traffic and animals. Less home development would be best with larger lots.

Chair Frandsen read written comments from Dawne Spoon stating concern about well water and traffic. Please do not let developers go ahead without issues being addressed first.

Chair Frandsen read written comments from Cheryl Zotter stating desire to not let Verdi turn into another city. Residents are concerned about traffic, water quality and crowding.

Chair Frandsen read written comments from Terri Turner stating opposition to the density plans in Verdi. Concerned about wells, wildlife, and traffic. Not opposed to some growth with limited condition.

Chair Frandsen read written comments from Edwin Durand stating that Mogul and Verdi are being overrun by Reno in violation of the general plan. This is an act of development that gives no concern to traffic, water or future safety of Washoe County citizens.

Chair Frandsen read written comments from Madelaine Durand stating opposition to the proposed development in Verdi. If these projects go through, we will be on water rationing.

Chair Frandsen read written comments from Alexander Evans stating conditional support for the revised staff report with input from interested Verdi resident groups.

Chair Frandsen read written comments from Howard Thomas stating opposition to the high density housing proposed for Verdi. Do not want to become part of Reno. Opposed to intensive commercial development.

Maurice Palermo stated that the availability and use of water should be the number one issue in this development. After review of the DSH and the staff report, the water resources issue has not been fully addressed in the spirit of the settlement agreement. The requirement to objectively justify the increase in the density for the Verdi area has largely been ignored. Mr. Palermo stated that reading the staff report, a commendable job was done on most of the other issues.

Chair Frandsen read written comments from Carol Thomas stating issues with spot zoning, traffic, post office and school.

Chair Frandsen asked Eric Young if he would like to comment. Eric Young, Washoe County, stated that continuing this conformance review would give everyone time to look at the staff report and think about it a little bit more intently. The staff report is one of the most comprehensive analysis of the project and is a great step forward to the kind of analysis that is needed. Mr. Young stated that he was shocked to see that the recommendation in the staff report is for approval when there are 5 critical issues raised.

[The public hearing was closed.]

Commissioner Sullivan asked if the public hearing was being closed or continued. Mr. Azevedo responded that the motion to continue should be without closing the public hearing, leaving it open for further testimony.

Chair Frandsen stated that the public hearing is being left open.

THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

Chair Frandsen called a three-minute recess.

[Commissioner Sullivan left at 7:35.]

Chair Frandsen called the meeting back to order at 7:37 p.m.

- C. PUBLIC HEARING - Regional Plan Conformance Review - City of Reno Master Plan amendment, Silver Terrace/Moya (CR04-008) - changing the land use designation from industrial to mixed residential on ±47.4 acres located southeast of Moya Boulevard adjacent to where Moya Boulevard curves north and south of Resource Drive in Stead.

Mr. Ziegler stated that there is a written request from the City of Reno to continue this item as well for the same reasons.

COMMISSIONER NEWBERG MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON THE CONFORMANCE REVIEW FOR SILVER TERRACE/MOYA (CR04-008) TO THE MAY 12, 2004, RPC MEETING, SECONDED BY COMMISSIONER MOSS.

[The public hearing was opened.] There were no requests to speak.

[The public hearing was closed.]

THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

5. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

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

Mr. Ziegler reviewed actions taken by the Regional Planning Governing Board (RPGB) at their April 8, 2004, meeting. The RPGB will meet again on May 13, 2004.

- B. Legal counsel's report - Status report and possible direction to staff on:

- 1) Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria;

Mr. Azevedo stated that he filed a brief and is waiting for the reply brief from Washoe County and Sun Valley GID.

- 2) District Court orders and appearances regarding the Regional Plan settlement agreement (October 17, 2002) and related issues;

Mr. Azevedo stated that he received a call from Judge Hardesty's chambers and was directed to be in court at 8:30 a.m. on Monday.

- 3) Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan;

Mr. Azevedo stated that nothing is happening on this litigation and he anticipates getting further direction from the judge on this item Monday morning.

- 4) Section 11(a) of Regional Plan settlement agreement regarding conversion of areas designated in the Regional Plan as joint planning areas to cooperative planning areas.

Mr. Azevedo stated that he filed a status report with the court this afternoon enclosing the comments received from Washoe County and the City of Reno, will provide a copy of the plea to the RPA.

- C. Legislative report on meetings of interim legislative committees and conceptual legislation for 2005 session.

Mr. Ziegler stated that Regional Planning staff did monitor the meetings of the legislative committee on public lands in March. There is a summary of Sparks' handouts on conceptual legislation in the staff report.

6. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

- A. Review of tentative agenda items for July and August 2004.
- B. Review of 12-month calendar of projected RPC actions.

Mr. Ziegler reviewed future RPC agenda items for May 12 and May 26.

7. WRITTEN CORRESPONDENCE

None

8. PUBLIC COMMENT

Cathy Brandhorst expressed concern regarding evictions and eviction notices.

9. ADJOURNMENT

Chair Frandsen adjourned the meeting at 7:47 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director

Terry K. Herman, Chair

Truckee Meadows Regional Planning Agency Regional Planning Commission

**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON _____,
2004.**