



# REGIONAL PLANNING COMMISSION

## MEMBERS

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

## MINUTES

### Regional Planning Commission (RPC) REGULAR MEETING WEDNESDAY, 6:30 P.M., April 13, 2005

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 Frandsen at 6:30 p.m.

#### 1. ROLL CALL

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

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Randy Baxley, TMRPA; Connie Anderson, TMRPA; Patricia Rogers, TMRPA; and Lora Richards, TMRPA.

#### 2. APPROVAL OF AGENDA

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE APRIL 13, 2005, RPC AGENDA, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

#### 3. APPROVAL OF MINUTES

A. March 9, 2005, regular meeting

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE MARCH 9, 2005, REGULAR RPC MEETING MINUTES, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER PETERSON.

#### 4. PUBLIC COMMENT

None

#### 5. BUSINESS OF THE DAY

- A. Consideration of, and possible action on, RPC Resolution 05-03, resolution of appreciation for the services of Mark Sullivan as a member of the Regional Planning Commission.

Dave Ziegler, Director of Regional Planning, read the resolution of appreciation for the services of Mark Sullivan as a member of the RPC.

COMMISSIONER ROGERS MADE A MOTION TO ACCEPT RPC RESOLUTION 05-03, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. PUBLIC HEARING - Regional Plan Conformance Review - Sparks Master Plan amendment, Yone Summers (CR05-014), changing the land use designation from Office Professional to Public Facility on  $\pm 3.4$  acres generally located east of I Street and north of East Prater Way (near the intersection of I and East Prater) in the City of Sparks.

Chair Frandsen asked the commissioners if they had any questions or comments for Regional Planning staff on this amendment. There were no comments.

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

*[The public hearing was closed.]*

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE YONE SUMMERS 2003 TRUST AMENDMENT TO THE SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- C. PUBLIC HEARING - Regional Plan Conformance Review - Sparks Master Plan amendment, Trend Development, LLC (CR05-012), changing the land use designation from Medium Density Residential to High Density Residential on  $\pm 9.8$  acres generally located north of I Street, west of 15th Street and east and south of Rock Boulevard.

Chair Frandsen asked the commissioners if they had any questions or comments for Regional Planning staff on this amendment. There were no comments.

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

*[The public hearing was closed.]*

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE TREND DEVELOPMENT, LLC, AMENDMENT TO THE SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- D. PUBLIC HEARING - Regional Plan Conformance Review - Sparks Master Plan amendment, RAMJ LLC/Gerbus (CR05-013), changing the land use designation from

General Commercial to High Density Residential on ±7.8 acres generally located at the northeast corner of McCarran Boulevard and El Rancho Drive.

Chair Frandsen asked the commissioners if they had any questions or comments for Regional Planning staff on this amendment. There were no comments.

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

*[The public hearing was closed.]*

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE RAMJ LLC/GERBUS AMENDMENT TO THE CITY OF SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- E. PUBLIC HEARING - Regional Plan Conformance Review - Reno Master Plan (TMRPA 02-018a) - review and consideration of possible revisions to a) the RPC's conformance determination of April 9, 2003, and b) to the revised Regional Plan conformance schedule approved March 10, 2004, for completing amendments necessary to maintain the Reno master plan in conformance with the Regional Plan.

Randy Baxley, Senior Planner, stated that over the past five months, the City of Reno has submitted several letters to the Truckee Meadows Regional Planning Agency (TMRPA) outlining how various amendments identified as being necessary for full conformance of the Reno Master Plan are being addressed. The City of Reno sent an additional letter to the TMRPA dated November 24, 2004, discussing reasons why Reno would not be able to meet the approved deadlines for completion of various amendments and suggesting new deadlines.

Fred Turnier, City of Reno Planning Manager, stated that he is available to answer any questions members of the RPC may have.

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

*[The public hearing was closed.]*

Mr. Baxley stated that Regional Planning staff recommends that the RPC accept receipt of the letters from the City of Reno and direct staff to include them in the ongoing tracking of conformance for the City of Reno Master Plan. In recognition of the resource and staff constraints the City of Reno has been under, and based on assurances that the City of Reno will address the conformance of the master plan with the Regional Plan, Regional Planning staff would not object to an alteration of the conformance schedule, based on the November 28 letter from the City of Reno.

COMMISSIONER LOKKEN MADE A MOTION TO ACCEPT THE LETTERS REPRESENTING REVISIONS TO RENO'S CONFORMANCE DETERMINATION, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

COMMISSIONER LOKKEN MADE A MOTION TO ACCEPT THE REVISED SCHEDULE AS SUBMITTED BY THE CITY OF RENO, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- F. PUBLIC HEARING - Consideration and possible adoption of RPC Resolution 05-04, recommending a Regional Plan amendment that would incorporate the overhead portions of the alignment of Sierra Pacific Power Company's proposed Tracy-to-Silver Lake powerline in the corridor map of the Regional Utility Corridor Report (RUCR).

Mr. Baxley stated that on March 23, 2005, the RPC voted to initiate consideration of a Regional Plan amendment to amend the Regional Utility Corridor Map of the RUCR to identify a new regional utility corridor corresponding to the proposed route of the overhead portions of the Tracy-to-Silver Lake transmission line. The proposed corridor is not a solid, continuous line because the underground portions of the route do not fall under the provisions of the RUCR. Transmission lines can not be placed overhead in the areas not shown as a corridor on the RUCR map without an amendment of the RUCR.

Norm Azevedo, Legal Counsel, stated that Mr. Frankovich's letter to the RPC dated April 12, 2005, addresses a variety of issues primarily focusing on the notice requirement delineated in the RUCR. Mr. Azevedo stated that it would be appropriate to have Mr. Bennett tell the RPC what notification requirements SPPCO did go through during the process so there is a clear record on that.

Bill Bennett, SPPCO, stated that there were many notifications throughout this process. The BLM process started out in July 2002 and there were four open houses on different dates in August. Mr. Bennett stated that he produced a list with 300 to 400 names of people that needed to get notices. BLM produced another list with a huge amount of people to notify. Local agencies and municipalities that could be affected by the proposed action were invited to be cooperating agencies. Because of comments that came back from all the open houses, six different alternatives were formulated. The total notification requirements within 750 feet of each of those proposed routes was about 4,000 people that would get notices in that BLM process. Notification was also in all the local newspapers on a continuing basis. Because it was a BLM process, the Federal Register represented the dates of the open houses and the interactions we had with the public. We are visiting the CABs and NABs during the public process. By the time we reached the public process, we probably issued around 30,000 notices.

Mr. Baxley reviewed the proposed corridor route and stated that overhead powerlines can only be placed in the identified corridor areas. Where there is no identified corridor, the powerline would have to be placed underground. These correspond to the conditions that were placed on the approval by Washoe County. Regional Planning staff recommends adoption of RPC Resolution 05-04.

*[The public hearing was opened.]*

Pam Lambert asked if there would be any protections for the non-corridor status of the underground sections.

Lori Burke stated that Valley Road Sub to Rusty Spike is also underground and asked if that should be eliminated as a corridor.

Dan Herman stated that this is an excellent compromise for the community and stated that he hopes that the RPC adopts this as recommended by staff.

*[The public hearing was closed.]*

Chair Frandsen asked that the questions from the public be addressed.

Mr. Baxley stated that overhead powerlines will not be allowed where there is no utility corridor. Mr. Ziegler stated that Regional Planning staff will check into the question regarding the Rusty Spike corridor and come back with a cleanup amendment at a later date, if needed.

Commissioner Herman disclosed that Dan Herman is his brother and that he has no financial interests in his property in Spanish Springs.

COMMISSIONER MATTINA MADE A MOTION TO ADOPT RPC RESOLUTION 05-04, RECOMMENDING APPROVAL OF A REGIONAL PLAN AMENDMENT TO INCORPORATE THE OVERHEAD PORTION OF THE ALIGNMENT OF SIERRA PACIFIC POWER COMPANY'S PROPOSED TRACY-TO-SILVER LAKE POWERLINE INTO THE CORRIDOR MAP OF THE REGIONAL UTILITY CORRIDOR REPORT, SECONDED BY COMMISSIONER NEWBERG. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- G. WORKSHOP on proposed Regional Plan amendments and pending Regional Plan conformance review for the update of the Spanish Springs Area Plan element of the Washoe County Comprehensive Plan.

Mr. Baxley stated that the purpose of this workshop is to provide the RPC with information regarding the proposed update to the Spanish Springs Area Plan (SSAP), to discuss the three proposed amendments to the Regional Plan that are proposed along with this area plan update, and to discuss the process that staff will be looking at in terms of evaluating those proposed amendments and for the conformance review for the plan itself.

The SSAP update was endorsed by the Washoe County Planning Commission and adopted by the Board of Washoe County Commissioners. The City of Sparks filed an appeal of the Board of Washoe County Commissioners adoption of the SSAP update. On March 23, 2005, legal counsel for the TMRPA advised the RPC that Reno, Sparks, and Washoe County had agreed to a stay of the appeal pending the outcome of the conformance review and processing of the proposed Regional Plan amendments.

Mr. Baxley reviewed the three proposed amendments and stated that Regional Planning staff will present the RPC with more detail regarding a range of options for consideration in the April 27th staff report.

Commissioner Herman asked if when looking at the expansion of the Truckee Meadows Services Area (TMSA), was it looked at also from the perspective of reverse thinking such as why not do it against the natural boundaries. Mr. Baxley responded that once the first question is answered in terms of is it appropriate to look at expanding the TMSA now, one of the issues that will be looked at is if this is the

appropriate location to expand the TMSA. What we are trying to do in this process is lay groundwork on how we will look at any future proposed expansion of the TMSA.

Chair Frandsen asked if anyone from Sparks or Washoe County would like to have any input in this process.

Margaret Powell, Sparks City Planner, stated that the concern when Sparks filed the appeal was that we had not seen analysis to address many issues. Ms. Powell concurred with the areas of analysis to focus on identified by Mr. Baxley. Ms. Powell stated that she did receive findings relevant to the article 822 from Mr. Young. Ms. Powell stated that she understands that there was a lot of citizen input and discussion but there is not much empirical analysis or data provided that would allow her to say this will or will not affect the City of Sparks. Ms. Powell expresses concern that it appears that Regional Planning will be doing the analysis rather than the applicant.

Bob Sader, Representing HAWCO Properties, stated that the infrastructure is already at the door of each of the two pieces of property under consideration for TMSA expansion. Of the land uses being considered in this plan, the subdivision zoning is already mostly built out. The two new areas of proposed TMSA expansion are very developable land and is a logical extension. It is the correct time because there is probably only five years of housing left. Regarding the proposed Neighborhood Commercial development, the change in this plan is the addition of approximately 70 acres of Neighborhood Commercial zoning. There is already 15 acres of General Commercial that is zoned in that area and that is being down zoned to Neighborhood Commercial. Mr. Sader suggested for consideration that the County part of the Spanish Springs Valley does not fit the concept of the County as a rural area. The question is if not Neighborhood Commercial, then what. This seems like a logical extension for the area.

Eric Young, Washoe County, stated that this amendment represents an actual decrease in the amount of residential potential. That is because the area of the new Neighborhood Commercial and the area just to the north of it have been removed from the ability to have 300 units per acre. Mr. Young stated that they have done a very good job in trying to address the issue of jobs/housing balance. The implementation of this plan is really going to be the only true way to know if it will have a positive effect. Some of the other analysis that is requested actually was done and is referred to in the analysis of article 822. There is a true downstream issue in Spanish Springs. One of the reasons we did the SSAP first is because of a true public safety issue of getting the north Spanish Springs flood retention area completed.

Public Comment - John Bradbury talked about flood issues and stated that we need to protect our communities and Sparks. Mr. Bradbury talked about travel on Pyramid Hwy and the need for neighborhood services. Mr. Bradbury asked for the RPC's support in this plan.

Public Comment - Melissa Lindell, Matrix Engineering/Barker Coleman, stated that a lot of time and effort went into this plan and she is supportive of the three amendments and would like to see this plan move forward. The expansion of the TMSA was reviewed very carefully. The two properties included in the proposed extension of the TMSA were included because they are adjacent to existing development that is nearing completion, they have the infrastructure available, and they are appropriate for this low density development right now.

Commissioner Lokken stated that there is no logical reason to have to update the specific area plan to address the flood problem. The flood problem began 15 years ago when the County started development out there and put itself in defiance of state law that requires that it not add to the flood runoff. Commissioner Lokken stated that he was expecting that there would be some discussion in the area plan on how to address the planning mistakes that have been made. The area plan should be explaining how issues regarding traffic, flood control, failing water systems, and failing septic systems are going to be fixed. Commissioner Lokken stated that the next update of the Regional Plan should include criteria for determining when the TMSA should be expanded. Commissioner Lokken stated that it seems that the area plan advised an increase in intensity and activity that is in conflict with the vision and the mission that it establishes in the beginning of the area plan. Commissioner Lokken stated that we have heard from the County that for any expansion of an SOI or for any absorption or annexation of an SOI there should be a strong financial argument for that to occur. Commissioner Lokken stated that he sees no financial argument for this intensification. Commissioner Lokken stated that he is extremely curious about the revenue generated by the proposed increased number of units versus the costs for the County and for that area to provide those services. Commissioner Lokken stated that if the analysis for the area plan exists, it does not exist in terms of the materials submitted to the RPC. Application for water, transportation, and schools is discussed only conceptually in the report. Commissioner Lokken stated that this area has outgrown suburban intensity. It is an area that would be a very likely area for a dialogue on annexation, if there were not as many planning problems there. That is the dilemma because we are trying to talk then about an unincorporated development and maintenance of a lifestyle that will in fact result in greater intensification, greater traffic, greater water demands, all of the things that normally are the argument in terms of the logical and cost effective extension of services that would be discussed within the context of annexation.

## **6. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS**

### **A. Director's report:**

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

Mr. Ziegler stated that the RPGB did not meet in March due to the lack of a quorum. Mr. Ziegler reviewed agenda items for the April 14 RPGB meeting.

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

- 1) 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 this item is still in the settlement process and that the possibility of reaching a settlement as opposed to further litigation looks promising.

- 2) Nevada Supreme Court Case No. 37947 (Bushey/Busi).

Mr. Azevedo stated that there has been no decision from the Supreme Court on this case.

- 3) City of Sparks appeal to the Regional Planning Governing Board regarding Washoe County's adoption of the updated Spanish Springs Area Plan.

Mr. Azevedo stated that this item is still stayed pending the conformance review of the SSAP.

C. Report on selected bills and resolutions of the 2005 session of Nevada's legislature.

Mr. Ziegler stated that there are four measures at this time that could have a direct effect on the TMRPA and/or the Regional Plan. The RPGB Legislative Committee met and considered measures AB 231, AB 247, AB 425, and AB 400 this morning. Mr. Ziegler reviewed the RPGB's Legislative Committee's direction to Regional Planning staff regarding these measures.

Commissioner Lokken complimented Regional Planning staff on the quality of work done for this Legislative Report.

D. Report on Truckee Meadows Growth Task Force.

Mr. Ziegler reviewed actions taken at the Task Force meeting on April 7. The Task Force asked Regional Planning staff to be ready on April 21 to make a presentation on the Regional Plan.

**7. REQUESTS FOR AND POSSIBLE ACTION ON FUTURE AGENDA ITEMS**

A. Review of tentative agenda items for April and May.

B. Review of 12-month calendar of projected RPC and RPGB actions.

Mr. Ziegler reviewed agenda items for the April 27 and May 11 RPC meetings.

**8. WRITTEN CORRESPONDENCE**

None

**9. PUBLIC COMMENT**

None

**10. ADJOURNMENT**

Chair Frandsen adjourned the meeting at 8:25 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

\_\_\_\_\_  
Dave Ziegler, Director

Truckee Meadows Regional Planning Agency

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Florence 'Marge' Frandsen, Chair

Regional Planning Commission

**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON \_\_\_\_\_,  
2005.**