



REGIONAL PLANNING COMMISSION

MEMBERS
William Weber, Chair
Kendall Mattina, Vice-chair
Scott Barnes
Tom Lean
Christy Magers
Jim Newberg
Dennis Romeo
Dian VanderWell
Kevin Weiske
Rosanna Coombes, Director

MINUTES
REGIONAL PLANNING COMMISSION (RPC)
Regular Meeting
Wednesday, April 9, 2008, 6:30 p.m.

The Regional Planning Commission (RPC) 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 William Weber at 6:30 p.m.

1. ROLL CALL

The clerk called the roll and the following Commissioners were present: William Weber, Kendall Mattina, Jackie Peterson for Scott Barnes, Tom Lean, Christy Magers, Jim Newberg, Dian VanderWell, and Kevin Weiske. Commissioners absent: Dennis Romeo.

Truckee Meadows Regional Planning Agency (TMRPA) staff present: Rosanna Coombes, Director; Norman Azevedo, Legal Counsel; Patricia Rogers; Paige Menicucci, and Sienna Reid.

2. APPROVAL OF THE AGENDA

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

3. APPROVAL OF MINUTES

A. February 13, 2008

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE FEBRUARY 13, 2008, MINUTES, SECONDED BY COMMISSIONER NEWERG. THE MOTION CARRIED WITH FIVE (5) IN FAVOR AND THREE (3) ABSTENTIONS BY COMMISSIONERS MAGERS, PETERSON AND VANDERWELL.

B. March 12, 2008

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE MARCH 12, 2008, MINUTES, SECONDED BY COMMISSIONER WEISKE. THE MOTION CARRIED WITH FIVE (5) IN FAVOR AND THREE (3) ABSTENTIONS BY COMMISSIONERS PETERSON, VANDERWELL AND WEBER.

4. PUBLIC COMMENT

None

5. CONSENT AGENDA

- A. PUBLIC HEARING – Regional Plan Conformance Review – City of Sparks Master Plan amendment, City of Sparks (CR08-004) – to amend the Master Plan land use designation for approximately 136 acres included into the City of Sparks’ Sphere of Influence from Washoe County land use assignments to City of Sparks land use assignments based on the existing Washoe County Designation for: a parcel approximately 40 acres in size generally located west of the Tierra Del Sol planned development, south of the extension of Grasswood Drive, northeast of the North Kiley Ranch planned development and generally east of Peralta Way from General Rural/Medium Density Rural (GR/MDR) to Rural (R); two 10.13 acre parcels (totaling 20.26 acres in size) generally located north of the Upper Highlands at Cimarron East planned development, north of the terminus of La Posada Drive from Agriculture/General Rural (A5/GR) to Rural (R); 27 parcels approximately 11 acres in size generally located near the intersection of El Rancho and Moorpark Court from Medium Density Suburban (MDS) to Estate Density Residential (1-3 du per acre); one parcel with an existing public utility (water tank) approximately 4 acres in size generally located south of the terminus of Weems Way from Medium Density Suburban (MDS)/General Rural (GR) to Public Facility (PF); and, 76 parcels approximately 61 acres in size generally located south of McCarran Boulevard, west of Sullivan Lane, and north of Wedekind Road from Single Family Residential to Estate Density Residential (1-3 du per acre).
- B. PUBLIC HEARING – Regional Plan Conformance Review – Reno Master Plan amendment, Country Club Acres Neighborhood Plan (CR08-005) – to amend the City of Reno Master Plan to add the Country Club Acres Neighborhood Plan; and, to amend the City of Reno Master Plan from Mixed-Residential to Special Planning Area (Country Club Acres Neighborhood Plan) on +82.0 acres generally located south of West Plumb Lane, north of Mountain View Drive, west of Lakeside Drive, and east of Plumas Street.
- C. PUBLIC HEARING – Regional Plan Conformance Review – Reno Master Plan amendment, Historic Plan (CR08-005) – to amend the City of Reno Master Plan to add the Historic Plan, including the Powning Conservation District; and to amend the City of Reno Master Plan to update the Cultural Resources section of the Policy Plan.

Chair Weber asked if there was anyone in the audience that wanted to speak regarding any of the consent items. There were no requests to speak.

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

6. DIRECTOR, MEMBER, AND LEGAL COUNSEL INFORMATION ITEMS

A. Director's reports:

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

Rosanna Coombes, Director of Regional Planning, reviewed agenda items scheduled for tomorrow's RPGB meeting.

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

Patricia Rogers, Government Relations-Community Outreach Representative, briefly reviewed the annual reporting process and identified the entities that have submitted reports.

COMMISSIONER MATTINA MADE A MOTION TO ACCEPT THE INDIVIDUAL ANNUAL REPORTS THAT ARE CONTAINED IN APPENDIX C AS SUBMITTED, SECONDED BY COMMISSIONER PETERSON. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

C. Legal counsel's report

- 1) Status report regarding an appeal to the Regional Planning Governing Board submitted by the City of Reno pursuant to subsection 3 of NRS 278.0278 regarding the Regional Planning Commission's determination of non-conformance (March 12, 2008) on a proposed project of regional significance, South Meadows PUD Amendment Planning Units K & L (CR08-001).

Norm Azevedo, Legal Counsel, stated that the appeal filed by the City of Reno will be entertained tomorrow at the RPGB meeting. The RPGB can reverse, modify or affirm the RPC's decision.

Commissioner Newberg asked if the RPGB would have the option of sending this item back to the RPC. Mr. Azevedo responded that it is a possibility.

Commissioner Newberg asked if it would be sent back to the RPC if the RPGB makes a finding of conformance. Mr. Azevedo responded that the RPGB can make a finding of conformance on its own and not send it back to the RPC.

Chair Weber asked if this would take a super majority of the RPGB. Mr. Azevedo responded that it would take a majority of the quorum present.

- 2) Status report regarding a petition for writ of mandate or judicial review regarding the Regional Planning Commission's determination of conformance (February 13, 2008) of the City of Reno's Master Plan (CR07-035) filed in the Second Judicial District Court by Rancho Haven Residents for Sensible Growth, Sandy McGill, Erik Holland, Progressive Leadership Alliance of Nevada, Citizens for Cold Springs, Frank Schenk adv. Regional Planning [sic] Commission, Truckee Meadows Regional Planning Agency (CV08-00611) on March 10, 2008.

Mr. Azevedo stated that he filed a statement of Intent to Participate and will be filing the Record on Appeal. Mr. Azevedo stated that he will ask the RPGB for authority to file motions to dismiss the RPC as the body being sued.

Chair Weber asked if it was appropriate that he was served. Mr. Azevedo responded that as a matter of law, if you are suing a political body, the Chair is served. Mr. Azevedo also stated that by statute, the only body that can be sued is the RPGB. Mr. Azevedo stated that this topic will be addressed with the Court in the motion to dismiss.

7. REQUESTS FOR AND POSSIBLE ACTION ON FUTURE AGENDA ITEMS

A. Review of tentative calendar of agenda items.

Ms. Coombes recommended that the April 23 RPC meeting be cancelled. Ms. Coombes reviewed tentative agenda items for the May 14 RPC meeting.

Chair Weber asked if the RPC members were comfortable with cancelling the second meeting in April. It was decided to cancel the April 23, RPC meeting.

8. WRITTEN CORRESPONDENCE

None

9. ADJOURNMENT

Commissioner Newberg noted the members of the public in the audience and asked why they were in attendance.

A member of the audience stated that they were concerned about the Sparks Master Plan. Ms. Coombes stated that the conformance review of the entire Sparks Master Plan is tentatively scheduled for the May 14 RPC meeting.

The member of the audience asked if it was not noted under Agenda Item 5. Ms. Coombes responded that amendments to a portion of the plan were called earlier. Chair Weber stated that the public hearing on that item was opened and that he did ask if anyone wanted to come forward to speak on any of the consent agenda items.

Chair Weber stated that since there was some confusion, at the advice of counsel, the consent agenda will be re-opened for 5.A only.

Another member of the audience asked when Agenda Item 5.B would come up again. Chair Weber stated that it was also called earlier but that he will re-open that as well.

5. CONSENT AGENDA

- A. PUBLIC HEARING – Regional Plan Conformance Review – City of Sparks Master Plan amendment, City of Sparks (CR08-004) – to amend the Master Plan land use designation for approximately 136 acres included into the City of Sparks’ Sphere of Influence from Washoe County land use assignments to City of Sparks land use assignments based on the existing Washoe County Designation for: a parcel approximately 40 acres in size generally located west of the Tierra Del Sol planned development, south of the extension of Grasswood Drive, northeast of the North Kiley Ranch planned development and generally east of Peralta Way from General Rural/Medium Density Rural (GR/MDR) to Rural (R); two 10.13 acre parcels (totaling 20.26 acres in size) generally located north of the Upper Highlands at Cimarron East planned development, north of the terminus of La Posada Drive from Agriculture/General Rural (A5/GR) to Rural (R); 27 parcels approximately 11 acres in size generally located near the intersection of El Rancho and Moorpark Court from Medium Density Suburban (MDS) to Estate Density Residential (1-3 du per acre); one parcel with an existing public utility (water tank) approximately 4 acres in size generally located south of the terminus of Weems Way from Medium Density Suburban (MDS)/General Rural (GR) to Public Facility (PF); and, 76 parcels approximately 61 acres in size generally located south of McCarran Boulevard, west of Sullivan Lane, and north of Wedekind Road from Single Family Residential to Estate Density Residential (1-3 du per acre).

[The public hearing was opened.]

Jerry Cruitt stated that he commented to the Sparks Planning Commission that he does not know what the current zoning is in the area and that his understanding is that there is no zoning. Mr. Cruitt stated that at that time, the Sparks Planning Commission voted not to pass on a master plan amendment. Mr. Cruitt expressed concern that this is a first step toward a very high density in an area that is currently very rural. Mr. Cruitt asked what the next action is on this. Chair Weber responded that as far as Regional Planning it is finished.

Mr. Cruitt expressed concern regarding zoning changes mentioned in the planning report done by the staff of the City of Sparks. Chair Weber recommended that Mr. Cruitt contact the City of Sparks staff.

Commissioner Mattina stated that these are almost island areas within the City of Sparks and we have voted to bring them into the City. They are currently not without zoning. They have appropriate land use that is considered a county land use. When we change that land use designation it changes to a comparable city land use. Mr. Cruitt responded that he understands that but right now there is no zoning. Commissioner Mattina stated that when it actually takes place, it will have a comparable city zoning on it.

Danny McNeilly stated that nobody has told them anything about this meeting and that nobody in that area wants the proposed zoning. Mr. McNeilly also expressed concern regarding water issues.

[The public hearing was closed.]

Mr. Azevedo recommended that the RPC vote again on this agenda item after hearing the public testimony.

Commissioner Mattina stated that there are no individual changes being made to private ownership on private land and that they have all their personal property rights.

COMMISSIONER MATTINA MADE A MOTION TO APPROVE CR08-004, SECONDED BY COMMISSIONER LEAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. PUBLIC HEARING – Regional Plan Conformance Review – Reno Master Plan amendment, Country Club Acres Neighborhood Plan (CR08-005) – to amend the City of Reno Master Plan to add the Country Club Acres Neighborhood Plan; and, to amend the City of Reno Master Plan from Mixed-Residential to Special Planning Area (Country Club Acres Neighborhood Plan) on ±82.0 acres generally located south of West Plumb Lane, north of Mountain View Drive, west of Lakeside Drive, and east of Plumas Street.

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

[The public hearing was closed.]

COMMISSIONER LEAN MADE A MOTION TO FIND THE COUNTRY CLUB ACRES NEIGHBORHOOD PLAN AMENDMENT TO THE RENO MASTER PLAN IN CONFORMANCE WITH THE 2007 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.

Chair Weber apologized to the people in the audience if they were confused about the way the RPC meetings are run and encouraged them in the future to interact with their individual jurisdictions.

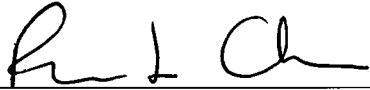
A member of the audience expressed concern regarding notifications. Chair Weber stated that he had a chance to speak on this matter before the vote and that he would have to take up the issue of notification with the City of Sparks.

Mr. McNeilly expressed frustration from the audience regarding notifications.

COMMISSIONER LEAN MADE A MOTION TO ADJOURN AT 7:00 P.M., SECONDED BY COMMISSIONER MAGERS. THE MOTION PASSED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

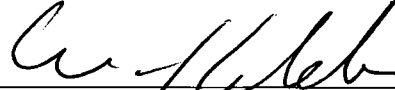
Respectfully submitted by Christine Birmingham.

Reviewed by:



Rosanna Coombes, Director
Truckee Meadows Regional Planning Agency

Approved by:



William Weber, Chair
Regional Planning Commission

APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON
5/14, 2008.