



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
Mark Sullivan
Dave Ziegler, Director

MINUTES

Regional Planning Commission (RPC) REGULAR MEETING MONDAY, 6:30 P.M., October 25, 2004

The Regional Planning Commission met in regular session in the Regional Transportation Commission Board Room, 2050 Villanova Drive, 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, Marvin Moss, Jim Newberg, Steve Rogers, and Mark Sullivan. Commissioners absent were: Oscar Sanders.

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

2. APPROVAL OF AGENDA

Dave Ziegler, Director of Regional Planning, stated that Washoe County requested that agenda item 5.B be continued to the November 10, 2004, RPC meeting. Mr. Ziegler suggested addressing that agenda item first if a continuance is likely to be granted.

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE OCTOBER 25, 2004, AGENDA, WITH THE SUGGESTED CHANGE, SECONDED BY COMMISSIONER LOKKEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

3. APPROVAL OF MINUTES

A. September 22, 2004, regular meeting

COMMISSIONER MOSS MADE A MOTION TO APPROVE THE SEPTEMBER 22, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER LOKKEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

5. BUSINESS OF THE DAY

B. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment (South Valleys Area Plan), St. James' Resort (CR04-025), changing the land use designation from Tourist Commercial and General Rural to Medium Density Suburban, Medium Density Rural and General Rural, on a ±526 acre site located at the southwest corner of US 395 and Pagni Lane in the southern portion of Pleasant Valley.

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

[The public hearing was closed.]

COMMISSIONER MATTINA MADE A MOTION TO CONTINUE THIS ITEM UNTIL THE NOVEMBER 10 RPC MEETING, SECONDED BY COMMISSIONER LOKKEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

4. PUBLIC COMMENTS

None

5. BUSINESS OF THE DAY

A. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks Master Plan amendment and Project of Regional Significance, Copper Canyon Commerce and Technology Park (CR04-021), 1) changing the land use designation from Open Space/Rural Reserve to Emerging Employment Center, Mixed Use, Estate Density Residential, Low Density Residential, Low Medium Density Residential, Medium Density Residential, High Density Residential, Tourist Commercial, Office Professional, Business Park, Public Facility and Open Space; and 2) a Project of Regional Significance for: a) residential development in excess of 625 dwelling units; b) traffic generation in excess of 6,250 average daily trips; c) water usage in excess of 625 acre feet per year; d) sewage generation in excess of 187,500 gallons per day; e) employment in excess of 938 employees; and f) construction of an electric substation. The proposal is on ±1,226.5 acres located north of Interstate 80, east of Vista Boulevard, and south of the D'Andrea Planned Development.

Commissioner Sullivan disclosed that the applicant contacted him. Commissioner Sullivan stated that he told the applicant that he would reacquaint himself with this item.

Connie Anderson, Regional Planner, stated that the RPC had a workshop on this item on October 13, 2004. The Sparks Planning Commission recommended approval of the request on June 5, 2003. The Sparks City Council approved the amendment on May 10, 2004. Ms. Anderson stated that Regional Planning staff does not have any significant concerns with regard to the conformance review policies for a master plan amendment and a project of regional significance. Regional Planning staff is recommending that the RPC find the Copper Canyon Commerce and Technology Park in conformance with the goals and policies of the Regional Plan, based on the findings listed in the staff report.

Ms. Anderson stated that Commissioner Herman expressed a desire at the workshop for some data on reverse commutes. Ms. Anderson stated that Jack Lorbeer, Regional Transportation Commission (RTC), researched a project approximately the same size as Copper Canyon regarding internal capture. The result was about a seven percent rate. Reverse commute data for this area is not currently available.

[The public hearing was opened.]

Bill Thomas, Summit Engineering, stated that each of the findings required for a project of regional significance can be made. Mr. Thomas stated that he is in agreement with the conclusions of the staff report. There was a consideration when the 2002 Regional Plan was developed about how this property might be treated. If there was a regional desire for this property to remain undeveloped, it would have been put in the development constraints area. The indication from the region is that this is an appropriate action on this property.

Richard Hobbs stated that this is the wrong place for this project. This area is designated as open space in the Regional Open Space Plan which was endorsed by resolution in 1994. Mr. Hobbs spoke about the requirements in the NRS regarding financing acquisition.

Gary Smith stated that he is opposed to this project based on issues related to fiscal impact, schools, traffic, and open space.

Lori Wray expressed concern regarding the size of this project and the impact it would have on the quality of life for the existing residents.

Rob Pyzel, Planning Manager for the City of Sparks, stated that he supports the recommendation of Regional Planning staff. All of the issues mentioned tonight have been addressed and can be found in the minutes of both the City Council meeting and the Planning Commission meetings for this item.

Commissioner Sullivan asked about a school site within the Copper Canyon project. Mr. Pyzel responded that Ms. Mayes has identified that there is no site within the Copper Canyon project that would suit the school district's needs.

Commissioner Sullivan stated that it appears that all the residential areas will be built up front with other types of uses coming in afterwards. Mr. Pyzel responded that the applicant made a commitment at the City Council meeting to revise their phasing program between the tentative approval and the final approval in order to address some of the concerns regarding the fact that the phasing program showed the majority of the residential being constructed in the front part of the project.

Commissioner Sullivan asked about the discrepancy between the staff report and the RTC 2030 Plan regarding the timing for traffic improvements. Mr. Pyzel stated that the staff report is correct in stating that these improvements seem to be occurring as the Spanish Springs Valley develops out. This project will speed those improvements being installed along Vista Blvd.

Commissioner Sullivan asked Mr. Pyzel how he defines jobs/housing balance. Mr. Pyzel stated that this project includes not only retail commercial but the business park uses and the professional office uses in an attempt to pull traffic away from I-80 and US 395 interchange. Those types of land uses encourage the development of those types of facilities.

Commissioner Sullivan asked if the intent is to try to avoid people from Sparks having to work south, not to draw people from the south up to Sparks. Mr. Pyzel responded that is correct. At the same time, the opportunity is provided to purchase a house or rent an apartment within the project itself.

Commissioner Mattina asked Mr. Pyzel when this project first began. Mr. Pyzel responded that it began in 1995.

Commissioner Mattina asked Mr. Pyzel if he is aware of any private or public financial engine to be developed to purchase this land to retain it as open space. Mr. Pyzel responded no. A presentation was made to the County Commissioners in 2002. After hearing what the project was and how much open space was associated with the project, the County Commissioners turned down a plea from a member of the public to provide a funding mechanism or to allocate some funding towards acquiring the property. The current project has home owners' and property owners' associations for the development maintaining the open space areas.

Commissioner Mattina stated that the land along the face of the hillside is not untouched land. Mr. Pyzel responded that is true. The handbook proposes to attempt to mitigate visual impacts to the best ability they have on the site. Each of the projects will come back through an individual entitlement process. Even the final approval will not give them the ability to initiate development right away.

Commissioner Mattina stated that some of the developments will be hidden behind hills. Mr. Pyzel responded that is correct.

Commissioner Mattina stated that a lot of the development will be a stepped pad rather than just slices into the mountain side to try to mitigate the cut and fill slopes they are supposed to have. Mr. Pyzel responded that is correct. The handbook states that the parking lots and buildings will be tiered.

[The public hearing was closed.]

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE COPPER CANYON COMMERCE AND TECHNOLOGY 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.

Commissioner Lokken stated that he appreciates Commissioner Sullivan's questions. The City of Sparks has done their job in discussing, dialoguing, and answering the questions that have been raised. There is a valid answer for the questions that have been raised. It is privately held land and is not slated to be put into open space. This is a quality proposal.

Commissioner Rogers stated that he will support the motion.

Commissioner Moss discussed how the growth and changes in neighborhoods impact schools. There is still room for growth in the schools in this area.

Commissioner Sullivan expressed concern regarding infrastructure and the provision of public services. Commissioner Sullivan stated that he can not find that the facility plans support this approval. Commissioner Sullivan also expressed concern regarding a lack of adequate residential land with regard to the anticipated number of employees.

Chair Frandsen asked Mr. Thomas if low impact development will be used for proposed projects in this area. Mr. Thomas responded yes. It is more in keeping with the character of the open space to keep maintenance roads and trails as natural as possible.

Chair Frandsen stated that she hopes the City of Sparks and other areas will come on board in incorporating some of these standards in their developments.

Commissioner Rogers asked if there have been any letters of intent for investors to come into this project. Mr. Thomas stated that there are people ready to move into the project.

THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER SULLIVAN.

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE COPPER CANYON COMMERCE AND TECHNOLOGY PROJECT OF REGIONAL SIGNIFICANCE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER SULLIVAN.

Chair Frandsen called a five-minute recess at 7:35 p.m.

Chair Frandsen called the meeting back to order at 7:40 p.m.

- C. PUBLIC HEARING - Regional Plan Conformance Review - City of Reno Master Plan amendment, Plumb Lane Crossing (CR04-041): 1) adopting the Plumb Lane Crossing plan as an element of the South Virginia Corridor TOD Corridor Plan; and 2) changing the land use designation from Mixed Residential and Urban Residential/Commercial to Special Planning Area (SPA) for the area covered by the Plumb Lane Crossing plan, and an area of ±26.7 acres, generally located west of South Virginia Street, south of Hillcrest Drive, north of Cadillac Street, and east of Virginia Lake.

Randy Baxley, Senior Regional Planner, stated that Regional Planning staff has not identified any significant concerns with this proposal. Regional Planning staff recommends a finding of conformance, based on the findings in the staff report.

Commissioner Newberg asked about the status of the exceptions that are required for the Reno Master Plan to be in conformance with the Regional Plan. Mr. Baxley responded that the side-by-side comparison report provided in the last RPC meeting packet will be kept up-to-date and will be presented to the RPC every couple of months.

Commissioner Mattina asked why some of the privately owned property is included as part of the corridor redevelopment plan. Mr. Baxley responded that a number of the buildings along Hillcrest Drive are ripe for redevelopment. Mr. Baxley also stated that this is not a particular project before the RPC. It is identifying how this area should develop in the future.

Commissioner Mattina asked about property owners that may not want to be developed. John Hester, City of Reno, stated that the people who have an option on some of that property are negotiating with other property owners. They are looking at properties all along Hillcrest, most of which are not

residential. Mr. Hester also stated that just because the property is included in the corridor does not mean that it has to be redeveloped.

Commissioner Herman asked Mr. Hester to explain the Clarion template for TOD corridors. Mr. Hester stated that Clarion said that instead of trying to do the whole corridor, each station area should be addressed one at a time. The corridor has basically been planned when that is done.

Commissioner Sullivan asked about the areas in between these station areas. Mr. Hester responded that the idea is that most of the intense development occurs in the station areas with the ability for pedestrians to move between the station areas.

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

[The public hearing was closed.]

COMMISSIONER NEWBERG MADE A MOTION TO FIND THE PLUMB LANE CROSSING AMENDMENT TO THE RENO MASTER PLAN TO BE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER LOKKEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

[Commissioner Rogers left at 7:53 p.m.]

- D. Status report and possible direction to staff regarding proposed update of the Regional Transportation Commission's 2030 Plan and required conformance review by the RPC.

Dave Ziegler, Director of Regional Planning, stated that the RTC's plan at the moment is to take action in order to satisfy the federal requirements and make it clear that this does not satisfy the regional requirements for conformance review, which would occur later. If any changes are required as a result of the conformance review, they would have to be incorporated into the plan and submitted to the federal government as plan amendments.

Commissioner Lokken stated that this issue was raised during the update process leading to the May 2002 Regional Plan. This agency was trying to be helpful, supportive, and clear regarding the importance of the RTC plan's conformity with the Regional Plan per NRS. Commissioner Lokken stated that he is disappointed and at a loss as to why this happened.

Chair Frandsen stated that she participated in the Citizen Steering Committee that was asked to approve the update to the RTC 2030 Plan. That was done reluctantly by some of the members of that committee because the complete plan was not before the committee. Also, some of the chapters were not available for review prior to the meeting where the committee was asked to give a recommendation.

Commissioner Herman asked Derek Morse if he would like to respond to some of these issues. Derek Morse, Deputy Executive Director of the RTC, stated that he is aware that the RTC 2030 Plan serves two purposes. If an updated plan is not provided to the federal government by November 28, 2004, the current plan will lapse. The desire of the RTC is to get the update to federal government and then bring the plan to the RPC as a component of the Regional Plan. Mr. Morse stated that it would have been ideal to complete the update sequentially. That is not the position the RTC finds itself in at this time.

Commissioner Herman stated that the RTC should not wait to schedule a conformance review until after the federal government has responded to the update. A conformance review should be scheduled with the RPC as soon as the document is done. If an amendment to the plan is needed, it can be brought back as an amendment to that conformance review. The RPC should have an opportunity to see that conformance review as timely as possible. Mr. Morse stated that a conformance review can be scheduled with the RPC on what is sent to the federal government or the RTC can wait until the federal government has provided comments and then bring it to the RPC.

Commissioner Lokken stated that the RPC can be a positive part of the solution. There are a lot of areas in the country that have regional transportation plans. The idea is where they work together and where the process has gone through the regional planning process, the federal government has seen that as a strength in the application. It may be seen as a liability if the federal government were to ask the status and be told that it is either moving parallel or it has not gone to regional planning yet. Part of the solution may be to begin a dialogue with the legislature through the Regional Planning Governing Board (RPGGB). Mr. Morse stated that the RTC has worked very closely with the staff of the RPC in a very cooperative relationship. As far as whether or not there is a conformity finding with the Regional Plan, the federal government has told the RTC quite clearly that is not an issue for them. They see the document only as fulfilling the requirements of the code of federal regulations and not in its dual role in terms of being part of the Regional Plan. Mr. Morse stated that the RTC does see the document as serving two very important functions and is working to coordinate those two functions.

- E. Discussion and possible approval of notice of intent to amend the Regional Planning Commission bylaws regarding posting of agendas.

Mr. Ziegler stated that the posting requirements for the RPC meeting agendas contained in the bylaws are more stringent than the requirements of the Open Meeting Law. There is also a new portion of the NRS that says that if a public body maintains an internet website, it must post supplemental notice of all meetings on the website. Mr. Ziegler stated that if the RPC is interested in bringing the RPC bylaws into conformance with the Open Meeting Law, action can be taken tonight to give notice of the intent to amend the bylaws. Final action would then be taken at the next RPC meeting.

COMMISSIONER SULLIVAN MADE A MOTION TO POST A NOTICE OF INTENT TO AMEND THE RPC'S BYLAWS TO REFLECT STAFF'S RECOMMENDATION, SECONDED BY COMMISSIONER LOKKEN.

Commissioner Moss asked how many agendas are currently being distributed. Mr. Ziegler responded that between 150 and 200 copies of each agenda are distributed.

Commissioner Lokken asked if there is an agency obligation to send out those agendas. Mr. Ziegler responded that there is an obligation to send them. It is also required by law that the mailing list be revisited every six months.

Chair Frandsen suggested sending a notice with the agendas asking that an email address be provided. Mr. Ziegler responded that he will look into that.

Commissioner Herman asked which three locations would no longer have an agenda posted. Mr. Ziegler responded that the agenda would no longer be posted at the Washoe County Main Library, Washoe County Courthouse, and the RTC planning office.

Commissioner Herman stated that the Washoe County Main Library and the Washoe County Courthouse should continue to have the agendas posted.

Commissioner Sullivan stated that the motion is just to file a notice of intent to amend the bylaws.

Norm Azevedo, Legal Counsel, stated that the first decision is whether or not the RPC will entertain this idea. If so, that would give everybody interested in the changing of bylaws the opportunity to participate in the process.

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

6. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

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

Mr. Ziegler stated that the RPGB will not meet in October. Mr. Ziegler reviewed tentative agenda items for the November 18 RPGB meeting.

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

1. District Court orders and appearances regarding the Regional Plan settlement agreement (October 17, 2002) and related issues, including but not limited to the water purveyor issues in the Verdi area

Mr. Azevedo stated that there has been no decision on this issue.

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

Mr. Azevedo stated that this matter appears to be resolved at this time.

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 a settlement process will take place on this issue.

4. Washoe County's appeal of the Regional Planning Commission's determination of 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)

Mr. Azevedo stated that he is in the process of preparing the record on appeal.

C. Report on legislative MOU and conceptual legislation for 2005 session.

Mr. Ziegler submitted the written report for this item beginning on page 111 of the meeting packet.

Commissioner Moss expressed appreciation for what Regional Planning staff is doing on this item.

Commissioner Sullivan commented that just the topics are listed and not the actual language of the BDRs. Mr. Ziegler responded that is true. The language of the BDRs is not known until the BDR is introduced.

- D. Report on Growth Management Task Force/Community Partnership and process for conducting the update of the Regional Plan.

Mr. Ziegler stated that the group interested in the growth management task force continues to meet. Staff from the various public agencies attend these meetings as support people. The group continues to try to work out the strategy for selecting a core group and also for funding the process. Regarding the 2007 update of the Regional Plan, the RPC did establish an interim committee to work with staff on tentative process options for the update. Mr. Ziegler stated that he hopes to convene a meeting of the interim committee before the next RPC meeting.

7. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

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

Mr. Ziegler reviewed tentative agenda items for the November and December 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

Florence 'Marge' Frandsen, Chair

Truckee Meadows Regional Planning Agency

Regional Planning Commission

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