



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 14, 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 Herman at 6:33 p.m.

1. ROLL CALL

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

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

2. APPROVAL OF AGENDA

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE APRIL 14, 2004, AGENDA, SECONDED BY COMMISSIONER MOSS. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

3. APPROVAL OF MINUTES

A. February 25, 2004, regular meeting

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE FEBRUARY 25, 2004, MEETING MINUTES, SECONDED BY COMMISSIONER MOSS. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER SANDERS.

B. March 10, 2004, regular meeting

COMMISSIONER LOKKEN MADE A MOTION TO ACCEPT THE MARCH 10, 2004, MEETING MINUTES, SECONDED BY COMMISSIONER MOSS.

Chair Herman stated that when summary approvals are used for public hearing items, it should be included in the minutes that the Chair asked for any comments from the public and the commissioners prior to the summary approval.

COMMISSIONER LOKKEN AMENDED THE MOTION TO INCLUDE CHAIR HERMAN'S CORRECTION TO THE MINUTES, SECOND CONCURRED. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER NEWBERG.

4. PUBLIC COMMENTS

None

5. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment, North Valleys Area Plan administrative changes (CR04-003), changing the boundary of the North Valleys Area Plan to reflect a previously approved change to the Reno-Stead Corridor Joint Plan (Sky Vista Parcel E); changing the land use designation from General Rural to Low Density Suburban on a ±7.8 acre parcel located 2 miles northeast of the Golden Valley off ramp of U.S. 395; and changing the land use designation from General Rural to Medium Density Suburban on a ±613.86 acre parcel located northeast of Village Parkway and Mid Springs Drive, within the Woodland Village Subdivision in Cold Springs.

Connie Anderson, Regional Planner, was present to answer any questions regarding this proposed amendment.

[The public hearing was opened.]

Chair Herman asked if there was anyone from the public with input on this item. There were no requests to speak.

Chair Herman asked if any of the commissioners had any questions or input on this item. There were no comments from the commissioners.

[The public hearing was closed.]

Chair Herman asked for a summary approval based on the recommendation and the findings made in the staff report.

COMMISSIONER MATTINA MADE A MOTION TO FIND THE ADMINISTRATIVE CHANGES TO NORTH VALLEYS AREA PLAN AMENDMENTS TO THE WASHOE COUNTY COMPREHENSIVE PLAN TO BE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER NEWBERG. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. 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.

Randy Baxley, Senior Regional Planner, stated that one issue identified in the staff report has to do with a comment letter received by the City of Sparks from the Washoe County School District regarding capacity of the elementary school that would serve this subdivision. Staff did contact a planner from the Washoe County School District to discuss this issue. The planner indicated that a new elementary school to serve this area is at the top of the priority list for construction projects. Construction of the new elementary school is scheduled for the year 2006.

Mr. Baxley stated that the Spanish Springs Citizens' Advisory Board (CAB) identified several areas of concern regarding traffic during their November 12, 2003, meeting and forwarded those comments to Washoe County. Comments from the Washoe County cooperative planning subcommittee were transmitted to the City of Sparks cooperative planning process. A report from the City of Sparks Planning Commission staff indicated that the developer was working with the Regional Transportation Commission (RTC) to clarify the project's location and access issues. The RTC transmitted a letter to the City of Sparks with three important points. First, the traffic report had recently been approved through the impact fee process. Second, the latest RTC model showed that a variation to the traffic report did not show any significant effect on the regional roads close to the development. Third, the revised traffic report by the developer is no longer necessary. The City of Sparks Planning Commission and City Council made findings stating that the traffic generated by the proposed development would not over-tax existing roadways in the area.

Mr. Baxley stated that Regional Planning staff looked at the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Plan (RTIP). The RTIP shows that intersection improvements for La Posada Dr. and Pyramid Hwy. are scheduled for fiscal years (FY) 2004 and 2005. In addition, several other projects are identified in the 2030 RTP that relate to Vista Blvd. and La Posada Dr.

Mr. Baxley stated that Regional Planning staff believes that this proposal meets the requirements for conformance with the Regional Plan and recommends that the RPC make a determination of conformance, based on the findings in the staff report.

[The public hearing was opened.]

Christy Magers, Spanish Springs CAB, distributed copies of a letter from the Chair of the Spanish Springs CAB. The Spanish Springs CAB does not feel that the developer was responsive to some of the questions that have been asked. In particular, the developer has not responded to questions regarding the large disparity in the ratio of dwelling units to peak hour trips in the traffic study. Ms. Magers referred to page 51 of the meeting packet and stated that the traffic consultant's analysis regarding percentages of traffic coming to the project from different streets does not add up to 100%. The Pyramid Hwy./La Posada Dr. intersection was a level service E in December 2003. In just two months, the level service has changed to F. It is imperative that this intersection is fixed in FY 04-05. Ms. Magers expressed concern that the project to widen sections of Vista Blvd. and La Posada Dr. is not scheduled until between FY 07 and 12.

Chair Herman asked Ms. Magers for a more precise citation regarding the Pyramid Hwy./La Posada Dr. intersection. Ms. Magers responded that there is a 112 second wait at that intersection. The next closest wait period at an intersection in the area is an 80 second wait.

Chair Herman asked if that information comes from RTC studies. Ms. Megers responded that is correct.

Commissioner Newberg asked if the 112 second wait was timed from the time traffic stops to the time traffic leaves the stop point. Ms. Megers responded that her understanding is that is the amount of time you would have to wait at the signal before being able to go through the intersection. Commissioner Frandsen agreed with Ms. Megers' response.

Commissioner Newberg asked for clarification of the concern regarding the project to widen Vista Blvd. and La Posada Dr. Ms. Megers responded that according to the report, Vista Blvd. and La Posada Dr. would both need to be widened to accommodate the additional traffic from the project. According to the RTC schedule, the earliest that could occur is 2007 and the latest is 2012. That is a significant period of time to wait.

Ms. Megers stated that the ratios in the traffic study need to be explained. Commissioner Newberg asked if that is regarding the ratios from 183 peak a.m. trips to 251 homes. Ms. Megers responded that is correct and pointed out that the ratio for Donovan is 450 homes and 441 peak a.m. trips.

Chair Herman disclosed that the next request to speak is from his brother, Dan Herman. Chair Herman stated that he heard from his brother that people from the Spanish Springs CAB would be at this meeting.

Dan Herman, Spanish Springs Resident, stated that the Pyramid Hwy./La Posada Dr. intersection is a big problem. This proposed development will only make the problem worse. Mr. Herman expressed concern regarding the dwelling unit density being assigned to this project and asked for assurances that the developer will stick to .85 dwelling unit per acre.

Ted Erkan, Wood Rogers, Inc., stated that he represents the developer. While there are 183 a.m. peak hour trips against 251 lots, there are also 246 p.m. peak hour trips. The ratio of one to one actually exists in the p.m. peak hour trips. Mr. Erkan reviewed figure 2 of the draft traffic report, which was provided to the Spanish Springs CAB, in response to Ms. Megers' question regarding percentages of traffic coming to the project from different streets. The percentages do add up to 100% in figure 2 of the traffic report. Mr. Erkan stated that the La Posada Dr. and Vista Blvd. roadway improvements are not being driven by this project alone. There are a number of projects in the area that are driving these widenings. Mr. Erkan agreed that the Pyramid Hwy./La Posada Dr. intersection does fall to a level service E and stated that this project does not change the level service at that intersection. Mr. Erkan stated that the developer has provided assurance that they will stay at the .85 dwelling units per acre as represented in the application. The assurance for that is in the PD Handbook. If somebody wanted to change that, they would have to go through the entire process of a zone change with the City of Sparks and be heard in public hearings.

Commissioner Frandsen asked for clarification of a statement on page 49 of the meeting packet regarding a fiscal analysis included in the application. Mr. Erkan responded that the fiscal analysis

includes an estimate of \$963,977 in excess revenue generated by virtue of property taxes versus the cost of services to the project.

Commissioner Sanders stated that the real concern regarding the ratios is with 50% of the traffic from the project going out La Posada and 34% via Wingfield Springs to Vista Blvd. Commissioner Sanders asked where the other 16% goes. Mr. Erkan responded that those are things that are actually analyzed. Figure 2 of the traffic report has 34% of the traffic approaching the project on Vista Blvd., 10% approaching from Eagle Canyon Drive, 50% approaching from Pyramid Hwy. and 5% approaching La Posada Dr. from the north on Pyramid Hwy. The remaining 1% actually originates from the Wingfield area and would approach from Compello. Mr. Erkan stated that 100% of the approach scenarios are documented.

Commissioner Sanders stated that the big concern is the traffic generated on the way out in the morning. Mr. Erkan responded that they are relatively the same. The p.m. peak is always the larger peak with single family residential areas.

Commissioner Sanders stated that where the level service is really hurt is in the morning trying to turn left on Pyramid Hwy. Mr. Erkan responded that is correct for the reverse trying to turn right on Pyramid Hwy. as well.

Chair Herman stated that there was a complaint from the Spanish Springs CAB regarding the commitment on behalf of the developer's representative to come back and explain the traffic study relative to their questions. Chair Herman asked Mr. Erkan if he would like to comment on this issue. Mr. Erkan responded that they went through the traffic report in detail at the Spanish Springs CAB meeting and answered many questions. Mr. Erkan stated that he was contacted by one of the Spanish Springs CAB members (first name Rosie) and spent 30 to 40 minutes on the phone going over questions regarding the RTC and when things get done and peak hours. Mr. Erkan stated that he was not contacted after that conversation. Mr. Erkan stated that he assumed she went back to the other members of her board to discuss what they had discussed.

[The public hearing was closed.]

Commissioner Lokken stated that his project seems small and that the trigger that brought it to regional planning is the Cooperative Planning Area. The number of trips generated with the number of units being constructed would be substantially below any regional threshold.

Mr. Baxley stated that the reason this item is before the RPC for conformance review is that it involves a master plan amendment.

Commissioner Lokken asked for confirmation that through the cooperative planning process, Washoe County reviewed this and has signed off based on its participation in cooperative planning. Mr. Baxley stated that the application was submitted to Washoe County. A Washoe County Planning Commission subcommittee reviewed this and a set of comments was transmitted back to the City of Sparks for consideration and incorporation into the process.

Commissioner Lokken stated that a letter from the RTC, dated March 1, 2004, says there is no need for a revision of the traffic report. Mr. Baxley responded that is correct.

Commissioner Sanders stated that he is confused by some of the language in the staff report from the City of Sparks regarding no regional plan being in place for the Jobs/Housing balance.

Dave Ziegler, Director of Regional Planning, stated that there is a criteria in the cooperative planning criteria for all three local governments that is reproduced at the bottom of page 46 in the meeting packet. That criteria states that there shall be an amendment of the impact on the desired population, housing and employment distribution, articulated in the Regional Plan Policy 1.2.1. The criteria also states that the model for this review shall be developed and maintained by the Regional Planning Agency (RPA) in cooperation with local governments and affected entities. Mr. Ziegler stated that Sparks responded that the regional model is not in place but that the fiscal analysis was provided. Mr. Ziegler stated that the RPA has developed a model. Regional Planning staff met with the planning staffs of Sparks, Reno and Washoe County last week to review the model. In future staff reports of this nature, there will be an analysis based on that model.

Commissioner Sanders referred to the eight items listed as priorities for regional development in Policy 1.2.2 on page 35 of the meeting packet. Commissioner Sanders stated that this project is not related to any of those eight items. Mr. Ziegler responded that the interpretation of Policy 1.2.2 has been a subject of rather intense discussion and debate since the adoption of the Regional Plan almost two years ago. The fact that infrastructure is being provided and services are being extended to an area that falls under priority number 8 of Policy 1.2.2 is not a conformance review problem, based on the precedent established on Military Road. Mr. Ziegler stated that the way Policy 1.2.2 will be able to be implemented is primarily through working with the Regional Water Planning Commission (RWPC) and the RTC.

Commissioner Sanders stated that Washoe County's review found that this project is in conformance with the interim water policies. Commissioner Sanders questioned how this project complies with the interim water policies when there is an import export deficit in that area.

Margaret Powell, City of Sparks Planner, stated that regarding Policy 1.2.1 and the discussion about the impact on the desired population, housing and employment distribution, there was not a model established at that time. It is still under review. Ms. Powell stated that this project is ranked under priority number 8 in Policy 1.2.2 because it is in the Truckee Meadows Service Area (TMSA). Ms. Powell stated that Sparks is a municipal water service area.

Commissioner Mattina asked if the Spanish Springs CAB and residents were notified when this project was reviewed by the City of Sparks Planning Commission and Sparks City Council. Ms. Powell responded that the way the cooperative planning process is designed in the settlement agreement is that the CAB comments would be funneled through the Washoe County Planning Commission, Washoe County staff and through the Board of County Supervisors as it came to the City of Sparks. Ms. Powell stated that Washoe County's comments were incorporated. There is a specific comment included that the Community Development Department of Washoe County found the project in compliance with our cooperative planning criteria. When this came to the Sparks Planning Commission for annexation and rezoning, the notice was completed as required through the settlement agreement. Normal noticing for master plan amendments was completed when it went through the Sparks Planning Commission and City Council.

Commissioner Mattina stated that she did not remember anybody from the Spanish Springs CAB attending that Sparks Planning Commission meeting. Ms. Powell agreed but would have to look at the record to be sure.

Commissioner Frandsen referred to Policy 1.2.4 regarding infrastructure and asked how the infrastructure is being funded. Ms. Powell responded that this project will be incorporated into the impact fee system in the Spanish Springs area.

Chair Herman asked if the improvements to connect this subdivision with Vista Blvd. are in the City of Sparks jurisdiction or the RTC jurisdiction. Ms. Powell responded that it is in the City of Sparks jurisdiction because they do not meet the threshold for a regional road.

Chair Herman stated that we are setting a precedent for high growth areas. Chair Herman asked if it is on the record that the City of Sparks entertained these issues regarding cooperative planning raised by Washoe County. Rob Pyzel, City of Sparks Planning Manager, responded that those issues were addressed by the City of Sparks.

Chair Herman asked if that is on record in the minutes of the meeting. Mr. Pizone responded that it is on record in the minutes.

Ms. Powell stated that at the time of the subcommittee meeting they did not have the analysis of the water criteria. The subcommittee was given an opportunity to review those criteria and Washoe County staff provided the opportunity to have another meeting to discuss them. The subcommittee choose not to meet again.

Commissioner Moss referred to page 53 of the meeting packet and stated that the Washoe County Department of Water Resources found this proposal to be in conformance with the Interim Water Policies. There is also a letter from the RTC which indicates that there is no great problem with the traffic as they see it.

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE UPPER HIGHLANDS AT CIMARRON EAST AMENDMENT TO THE SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE THREE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION FAILED WITH FOUR (4) IN FAVOR AND FOUR (4) OPPOSITIONS BY COMMISSIONERS FRANDSEN, NEWBERG, ROGERS AND SANDERS.

Commissioner Lokken stated that he does not understand the no vote for a project of this size. The County has approved 5,000 homes, a high school, a middle school, a shopping center and has created 65,000 trips a day, which is the traffic problem. There should be a motion to reconsider the vote on this item. The Sparks Planning Commission staff report indicates that the County accepts the decision. There is confirmation that there are no issues with water. There is a plan in place to address traffic. This decision is in defiance of staff recommendation and information processed by the City of Sparks, Washoe County and the RTC.

Chair Herman stated that the Nevada Revised Statute (NRS) requires that the commissioners that voted against this motion provide a basis for the vote against. Chair Herman asked that they site a specific planning criteria.

Commissioner Sanders stated that he does not think the application is complete in resolving how it conforms to all of the policies. "I believe that there is a -- the provision of services, although those are conceptual models, I don't believe that there is enough evidence in the staff report that it meets those findings." Commissioner Sanders stated that he is not saying necessarily that without additional improvements and other things that this project would add to the problems or that this would not be an appropriate project for this site or this land use. Those things are not in place at this time. Making a decision to move this project forward at this time would be against the policies of the Regional Plan.

Chair Herman asked Commissioner Sanders if he is speaking to the master plan amendment specifically. Commissioner Sanders responded that is correct.

Commissioner Newberg stated that there is not significant infrastructure in place to go ahead with the project. *"As far as the master plan, can't come up with a good reason for that."*

Chair Herman asked Commissioner Newberg if he is speaking to item 4 in Policy 4.1.3 of the Regional Plan regarding availability, timing and phasing of infrastructure. Commissioner Newberg responded that is correct.

Commissioner Frandsen agreed with the previous comments and stated that her concern with this is related specifically to traffic and the availability of infrastructure.

Commissioner Rogers agreed with his fellow commissioners and expressed concern regarding the traffic analysis. Pyramid Hwy. is almost maxed out at any time of the day. Commissioner Rogers also expressed concern with the infrastructure regarding water. There has not been a positive recharge in the region.

Norman Azevedo, Legal Counsel, suggested that the representatives for the City of Sparks state whether they are clear as to what portions of their plan were found to be in non-conformance.

Mr. Pyzel asked what more information, other than the Washoe County Department of Water Resources information regarding water and the RTC letter regarding traffic, would the RPC members like to see.

Commissioner Mattina asked why there is a question from this body stating that they don't feel that water is appropriately being addressed when there is assurance from the Department of Water Resources and from Truckee Meadows Water Authority (TMWA) stating that they are going to be providing water. Chair Herman responded that the commissioners that voted against this amendment gave references relative to planning and the Regional Plan criteria.

Ms. Powell stated that she is unclear as to what needs to be brought back to the RPC to provide the information necessary to alleviate the concerns.

Commissioner Newberg stated that a lot of clarification needs to be provided regarding traffic. The traffic study that is provided by the developer and by the City had some conflicts.

Ms. Powell asked for clarification regarding the conflicts. Commissioner Newberg stated that in order to make a good decision on this the traffic report information should be clarified on a road map.

Ms. Powell asked for clarification that Commissioner Newberg's request is for a map and further explanation on the traffic report from a traffic engineer. Commissioner Newberg responded yes.

Mr. Pyzel asked for further clarified that Commissioner Newberg is requesting that a traffic engineer or traffic planner from the RTC come to the RPC to explain the traffic report. Commissioner Newberg responded that a map would be a lot better than just a large overview. Ms. Powell stated that they can provide some of that information.

Commissioner Sanders stated that the issue he was specifically speaking to is that this application does not meet the requirements of Policy 1.2.4 in that it does not meet size and capacity of public facilities. A level service F at an intersection is a big issue as well as capacity on that roadway. It has been proven and given in testimony that it does not meet capacity. It will not meet the capacity needs in time, if this project is approved now. La Posada is a City of Sparks road, not an RTC road. We do have the letter from RTC, and you are correct in what they said as far as capacities on the other regional roadways. La Posada does not meet the requirements and findings that need to be met in this policy. Those requirements would include signalization improvements at La Posada and Pyramid Hwy. both on the left-hand turn movements from La Posada to Pyramid Hwy. as well as right-hand turn movements from Pyramid Hwy. onto La Posada. Commissioner Sanders stated that he does not have any concerns regarding water. Commissioner Sanders stated that he would like to see more information in the staff reports regarding the interim water policies and how the plan complies with them.

Ms. Powell stated that the analysis for interim water criteria was attached to the staff report and forwarded to regional.

Mr. Pyzel asked if Commissioner Sanders would like a member from the RTC staff to come in and explain how the phasing of improvements for roadway capacities are done and how the developments come on-line. Commissioner Sanders responded that might be helpful. Commissioner Sanders stated that what he really needs to see to make the findings is how those improvements will come on-line as this project goes to build-out. This project will be built before the improvements take place so the level of service will continue to go down.

Ms. Powell stated that it sounds like there needs to be some discussion on how the regional road impact fee program works. Ms. Powell offered to work with Regional Planning staff to get that information to the RPC members.

Commissioner Frandsen stated that her concern falls under Policy 4.1.3 subparagraph 5 regarding cumulative and indirect effects of the plan. There is confusion as to how exactly the traffic flows and if it will go through the neighborhoods. The map discussed earlier will help clear up that confusion. Commissioner Frandsen stated that she does not have any specific comments regarding the water issue.

Commissioner Lokken stated that he is surprised by the action tonight. Since serving on this board in 1997, this is the first time there has been discussions of staffing, turn lane traffic flow and requesting neighborhood traffic flow plans. Historically, the RPC has respected the experts. Tonight we see precedent being established. In essence, this will allow what is supposed to occur at the entity level to

now become a level of regional concern. This is being done over an extremely small project. We are hearing that the RPC is the expert tonight and can make decisions regarding the capacity of roadways and the ability of the purveyors to provide water. The RPC may have taken an action tonight that has established a moratorium on any development in any area that is near capacity or perceived by this group as being over capacity in either traffic or water.

Commissioner Sanders did not agree that the RPC has necessarily done that. There are other options. Based on the things heard here, one option is a possible motion to continue this item and revisit it after more information has been provided.

Commissioner Mattina stated that the information being sought is still in conflict with the information that has been provided by staffs and by the experts from the RTC and the water purveyors. More specific information is being requested that has already been reviewed and approved. The RPC is looking at not approving anything beyond this from now on. The next time there is a road that is at or exceeds capacity, the RPC is not going to allow the building of any project until that road is expanded. The RTC will not expand the roads if the RPC allows no more building.

Commissioner Sanders stated that if the roadways do not have capacity, what business does the RPC have approving further development in areas that have real bad problems, until they can meet the capacity. Commissioner Sanders stated that he would like to hear what the rest of the commission thinks on this. Maybe the RPC will be setting precedent that it becomes a moratorium on building until those capacity needs are met. On one hand, the people that live in those congested areas would probably appreciate that. On the fiscal analysis side of it, it is probably not a good thing economically.

Commissioner Lokken stated that the applicant pointed out that the project will generate a half million dollars in road improvement fees. Under the current road impact fee structure, the applicant can not dedicate fees to the specific lane improvements. Commissioner Lokken felt that what Commissioner Sanders is suggesting is that we no longer accept the face value advice of the RTC, County staff, Sparks staff, and those related to the interim water policies. The RTC is saying they have plans to improve the capacity situations on La Posada. The build-out on this project is eight to ten years. The RTC is saying it is doing lane improvements by 2006, which is clearly just when the project is getting started. This is going to create a completely different situation about how we deal with every project that comes forward because almost all of our roads, according to the 2030 plan, are at capacity.

Commissioner Frandsen stated that since she began her term on this board, she has heard over and over again the complaint that the RPC appears to be a rubber stamp commission. It is our responsibility as Regional Planning Commissioners to address any questions we have regarding the conformity of a project. Unfortunately, all the right questions are not always asked at the entity level. It appears that this is the body where some of the things that may have been missed at the entity level should be brought to the forefront to be discussed.

Commissioner Moss stated that it is somewhat bothersome that the integrity of the planning commissions is being questioned. Commissioner Moss stated that maybe the minutes of the meetings that took place regarding this item are needed to see if these issues were discussed and resolved. If the issues were resolved at the local level, we should not be resolving them at this level again.

Commissioner Sanders stated that the one issue on this application that is the most concerning is the intersection at La Posada and Pyramid Hwy. degrading from a level service E to level service F. At the time that the Sparks Planning Commission and the Sparks City Council saw this proposal, the intersection was at a service level E. The changes that are occurring in that area are the big concern. Commissioner Sanders stated that he is not saying these other agencies are not providing information they need to be. It just seems that there could have been more information in the staff report on these critical issues.

Chair Herman stated that we are here tonight to review a City of Sparks master plan amendment. There are growth problems and synchronizing infrastructure with growth. The support from respective service providers indicate how we are prepared to deal with that growth. Chair Herman stated that the responsibility for good communication with the Spanish Springs CAB goes both ways. Chair Herman stated that he voted in favor of this proposal because it is a small application relative to master plan amendment that coincides with the 2002 Regional Plan. This area is within the sphere of influence (SOI). It is designated within the relative growth. We need to make sure that the infrastructure improvements coincide with that growth. Chair Herman stated that he believes there is enough to support that. Chair Herman felt that it would be fine to continue this item so that we can get more information.

COMMISSIONER SANDERS MADE A MOTION TO CONTINUE CASE CR04-004 TO THE NEXT REGULARLY SCHEDULED RPC MEETING, SECONDED BY COMMISSIONER FRANSEN.

Commissioner Moss requested confirmation that this motion is in order. The motion on this item that has already been passed needs to be rescinded first.

Commissioner Lokken requested a recess.

[Chair Herman called a recess at 8:00 p.m.] [Chair Herman called the meeting back to order at 8:04 p.m.]

COMMISSIONER SANDERS REMOVED HIS ORIGINAL MOTION TO CONTINUE FROM THE TABLE SECOND CONCURRED.

COMMISSIONER SANDERS MADE A MOTION TO RECONSIDER THE EARLIER VOTE ON CASE CR04-004, SECONDED BY COMMISSIONER LOKKEN.

Commissioner Lokken asked if it is out of order for him to second this motion.

Mr. Azevedo stated that a motion to reconsider any action taken by the commission must be made by one of the prevailing side. A motion to reconsider may be seconded by any member of the commission.

Mr. Ziegler clarified that this is a motion to reconsider. If this motion passes, a new motion on the matter could be placed on the table.

THE MOTION CARRIED UNANIMOUSLY WITH (8) MEMBERS PRESENT.

COMMISSIONER SANDERS MADE A MOTION TO CONTINUE CASE CR04-004 TO THE NEXT REGULARLY SCHEDULED RPC MEETING, SECONDED BY COMMISSIONER FRANSEN.

Chair Herman stated that this motion could put us in our 60-day review process limitation by NRS and asked if the City of Sparks agrees to waive the time limit if there is a conflict relative to reaching meeting dates. Ms. Powell stated that she has conferred with the applicant and is agreeable as long as there is an identified date this evening. Chair Herman stated that it will be scheduled for the next RPC meeting two weeks from tonight.

Commissioner Rogers stated that he would like to include in the motion that the Spanish Springs CAB get together with the Sparks City Council and the applicant to hammer out any problems they have. Commissioner Lokken stated that it would be inappropriate to include this request in the motion. The appropriate CAB was involved in the process and conferred with its county government. That county government took those concerns and processed them within the agreed to language of the cooperative agreement. The two issues regarding water and traffic that were raised tonight are the only two appropriate issues to be included in the continuance request.

Commissioner Rogers stated that it seemed that the Spanish Springs CAB was left out during the Sparks City Council meeting.

Chair Herman stated that the CAB in Spanish Springs has the opportunity to participate with the interested parties. The Spanish Springs CAB is invited to participate in our next public hearing. Chair Herman encouraged all the parties to try and communicate and work together. The RPC does not have the power to mandate their participation.

Commissioner Lokken stated that he will vote against the continuance. After spending more than an hour discussing this, the RPC should reconsider the request to approve. There are other ways the RPC can take up these issues. They should not be attached to this project.

Commissioner Mattina stated that she will also vote against this motion. Infrastructure was originally brought up in addition to the traffic and water issues and was just dropped. There are policies and structures in place that take care of the level of service of roads. The RPC should be looking at the greater picture and not at this specific intersection that seems to be raising concern.

Commissioner Sanders stated that this project is similar to the straw that broke the camel's back. There are other projects, similar in nature, in Spanish Springs that have been rejected for the same reasons that have been brought up tonight. Singling out this project is unfair. There are some serious concerns here. Commissioner Sanders stated that this is a small project and asked how far the RPC should go before taking a close look at the cumulative effect of all the small projects.

Chair Herman stated that he does not like to see a project singled out. This project meets our criteria overall for a master plan amendment relative to our Regional Plan criteria. Chair Herman stated that he does not have a problem with continuing this for two weeks so that additional information can be provided.

THE MOTION CARRIED WITH SIX (6) IN FAVOR AND TWO (2) OPPOSITIONS BY COMMISSIONER LOKKEN AND MATTINA.

- C. WORKSHOP - Discussion and possible direction to staff on possible revisions to the RPC's resolution 00-01, adopting guidelines for the definition of projects of regional significance.

Mr. Baxley reported that Regional Planning staff met with the planning staffs of the local entities to formulate a draft set of revised guidelines for Projects of Regional Significance (PRS). The Regional Planning staff report, beginning on page 55 of the meeting packet, identifies the proposed changes included in the draft resolution.

Chair Herman referred to the section of the draft resolution regarding guidelines for projects proposed by a public utility. Chair Herman suggested using more concise language to say that the guidelines apply to any party, not just a public utility.

- D. Discussion and possible direction to staff on status of necessary adjustments to City of Reno master plan, pursuant to the RPC's conformance review schedule.

Mr. Baxley reported that Regional Planning staff did meet with the City of Reno staff to set target dates for the remaining items required for full conformance of the City of Reno Master Plan.

Mr. Ziegler stated that there is an issue regarding the appropriate strategy for handling development cases in regional centers and Transit Oriented Development (TOD) corridors in the absence of an adopted center or corridor plan. Since this issue affects all three local jurisdictions, the RPC may wish to agendize the issue for further discussion at a later meeting.

Commissioner Frandsen asked Mr. Ziegler which specific amendments to the City of Reno Master Plan that discussion would include. Mr. Ziegler noted several of the amendment items that relate to regional centers and TOD corridors. Mr. Ziegler also stated that Regional Planning staff has no objection to the schedule Reno has proposed. It would be good to have some discussion on how to handle this issue in the absence of an adopted center or corridor plan.

Chair Herman stated that a workshop on this issue can be agendized and asked Regional Planning staff to bring back some interim planning criteria.

Public Comment - John Hester, City of Reno, stated that the City of Reno has contracted with Clarion Associates, LLC., to develop a best management practices handbook and a template for development of TOD corridor plans. Mr. Hester stated that the models Clarion brings back could be used by the other entities as well. Mr. Hester also suggested that a presentation to the RPC of Clarion's results may help in resolving the issue of handling development cases in the absence of an adopted center or corridor plan.

- E. Presentation on WiNG (Webmasters in Nevada Government).

Patricia Rogers, Community Outreach Assistant, stated that representatives from nearly a dozen public sector organizations worked together to launch a multi-agency website, which is designed to assist citizens in finding information on their community. Ms. Rogers reviewed the list of entities involved in the WiNG group. Each of the founding members has an equal voice in how the site is shaped, including

content, new members, and future offerings. Contributing members are able to enter information throughout the site, but are not part of the decision-making body of the organization. There was no financial impact to any of the agencies as a result of the project, other than staff time. The website is www.yournevada.com and was launched in January 2004.

Commissioner Sanders suggested including Western Nevada Community College, Carson City, Douglas County, Truckee Meadows Water Authority, Carson City School District, and Douglas County School District if they are willing to participate. Ms. Rogers stated that she will contact them.

Chair Herman asked how the website is being promoted. Ms. Rogers responded that some information has been included in packets that have gone out. Each of the entities can promote the website through press releases. There is also a link on the RPA website to this new website.

Commissioner Moss asked if it is possible for the entities to have a link on their websites to this new website. Ms. Rogers responded that is possible.

6. 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.

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 a draft version of his brief is available to those who would like to see the full text. There will be a subsequent revision of this and submission of the brief promptly.

- 2) Consideration of court orders and appearances before the District Court regarding the Regional Plan Settlement Agreement (October 17, 2002) and related issues;

Mr. Azevedo stated that the Beckworth/McMullen agreement has been executed and signed. The Bushey/Busi mediation agreement has also been executed. Mr. Azevedo stated that he requested a directive from the RPGB to talk to the City of Reno and Washoe County on that settlement because there is a provision that requires maintaining the Supreme Court action even though the underlying dispute has been resolved. Mr. Azevedo suggested to the RPGB that an effort be made to resolve any issues without going to the Nevada Supreme Court.

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

Mr. Azevedo stated that Judge Hardesty did take jurisdiction over this case and will make a decision as to whether or not to consolidate it with the settlement litigation.

- 4) Section 11(a) of settlement agreement in Regional Plan-related litigation (October 17, 2002) regarding conversion of areas designated in the Regional Plan as joint planning areas to cooperative planning areas; and

Mr. Azevedo has received comments from the City of Reno, the City of Sparks, and Washoe County. Mr. Azevedo will provide a status report to the court by the April 18th deadline.

- 5) Proposed mediation agreement in RPGB v. County of Washoe et al., Supreme Court case No. 37947, District Court case No. CV 01-00211, also known as the Bushey/Busi matter.

Mr. Azevedo stated that TMWA has requested to participate in the litigation as a party to the settlement agreement.

7. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

Commissioner Lokken asked if there is a way that the RPGB can be prompted to address the issue of the cost of this litigation for each of the entities and the RPA. The taxpayers deserve to know how much has been spent on this since the first lawsuit.

Chair Herman stated that it might also be interesting information for the RPC. Commissioner Lokken stated he would like to know the results but the RPC can not trigger it. Chair Herman agreed.

- A. Review of tentative agenda items for May and June 2004.

Mr. Ziegler reviewed future RPC agenda items.

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

More information on future agenda items is included in the 12-month calendar.

8. WRITTEN CORRESPONDENCE

None

9. PUBLIC COMMENT

None

10. ADJOURNMENT

Chair Herman adjourned the meeting at 9:00 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director

Truckee Meadows Regional Planning Agency

Terry K. Herman, Chair

Regional Planning Commission

REGIONAL PLANNING COMMISSION

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