

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the November 3, 2022 Meeting**

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, November 3, 2022, in the Community Center Robert “Bob” Crowell Boardroom, 851 East William Street, Carson City, Nevada.

#### **PRESENT:**

Mayor Lori Bagwell  
Supervisor Stacey Giomi, Ward 1  
Supervisor Maurice White, Ward 2  
Supervisor Stan Jones, Ward 3  
Supervisor Lisa Schuette, Ward 4

#### **STAFF:**

Nancy Paulson, City Manager  
Stephanie Hicks, Deputy City Manager  
Todd Reese, Senior Deputy District Attorney  
Tamar Warren, Senior Deputy Clerk

**NOTE:** A recording of these proceedings, the Board’s agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk’s Office, during regular business hours. All meeting minutes are available for review at: <https://www.carson.org/minutes>.

#### **1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE**

(8:30:33) – Mayor Bagwell called the meeting to order at 8:30 a.m. Ms. Warren called roll and noted the presence of a quorum. Hope Crossing Community Church Pastor Nick Emery provided the invocation. At Mayor Bagwell’s request, Chief Deputy Assessor Kimberly Adams led the Pledge of Allegiance.

#### **5. PUBLIC COMMENT**

(8:34:09) – Mayor Bagwell entertained public comments and announced that item 23.A would not be heard during this meeting because none of the applicants were able to attend the meeting. She also stated that the cable television live broadcast was not available at this time and that Charter Communications was working on the issue.

(8:34:54) – William “Scott” Hoen encouraged members of the public to “go out and vote.” He also introduced himself as a candidate for the position of Carson City Clerk-Recorder and referenced a direct mail piece he had received regarding “real estate fraud, one of the fastest growing cybercrimes in America.” Mr. Hoen encouraged homeowners in Carson City to register for the City’s Property Notification Alert System and register their homes to receive alerts when “anything is recorded against their particular property.” He encouraged all homeowners to enroll and be automatically notified of any recording activity against their properties through the City’s website or by visiting [www.titlealert.net](http://www.titlealert.net). Mayor Bagwell noted that the URL was also featured on the City’s website.

#### **6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – OCTOBER 6, 2022**

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(8:37:44) – Mayor Bagwell introduced the item and indicated that she had provided two corrections earlier. She also entertained comments, corrections, or a motion.

**(8:37:56) – Supervisor Giomi moved to approve the minutes of the October 6, 2022 Board of Supervisors meeting as amended. The motion was seconded by Supervisor Jones and carried 5-0-0.**

#### **7. SPECIAL PRESENTATIONS**

##### **7.A PRESENTATION OF A PROCLAMATION TO RECOGNIZE THE WEEK OF NOVEMBER 7-13, 2022 IN SUPPORT OF OPERATION GREEN LIGHT FOR VETERANS.**

(8:38:36) – Mayor Bagwell introduced the item and invited the veterans present in the room to join her as she read into the record a proclamation, incorporated into the record, supporting Operation Green Light for Veterans during the week of November 7-13, 2022 and invited the community members to participate in placing a green light outside their residences and businesses. Veteran and Supervisor Jones also congratulated the veterans who joined the Board for a commemorative photograph.

##### **7.B PRESENTATION OF A PROCLAMATION RECOGNIZING THE WEEK OF NOVEMBER 13-19, 2022 AS NEVADA FLOOD AWARENESS WEEK.**

(8:44:26) – Mayor Bagwell invited the Public Works Department Staff to join the Board as she read into the record a proclamation, incorporated into the record, to recognize November 13-19, 2022 as Flood Awareness Week. Floodplain Manager Robb Fellows stressed the importance of awareness and preparedness for floods and Public Works Director Darren Schulz recognized Mr. Fellows' dedication for over 30 years to living in, recreating in, and protecting the Carson Watershed. He also noted that Mr. Fellows planned to retire early next year and thanked him for his service to the City.

#### **CONSENT AGENDA**

(8:50:24) – Mayor Bagwell introduced the item and inquired whether the Board or members of the public wished to pull items from the Consent Agenda; however, none were forthcoming. She then entertained a motion.

**(8:50:36) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 8.B, 9.A, 10.A, 11.A, 12.A, and 13.A as presented. Supervisor Jones seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (5-0-0)</b>
<b>MOVER:</b>	Supervisor Giomi
<b>SECONDER:</b>	Supervisor Jones
<b>AYES:</b>	Supervisors Giomi, Jones, Schuette, White, and Mayor Bagwell
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

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**8. ASSESSOR**

**8.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR PARTIAL REMOVAL OF REAL PROPERTY TAXES FOR FISCAL YEAR ("FY") 2022/2023 FROM ASSESSOR'S PARCEL NUMBER ("APN") 010-281-41 (SEC 9, T14N, R20E NE4 SE4), PER NRS 361.055 IN THE AMOUNT OF \$195.76, AND AUTHORIZATION FOR A REFUND OF TAXES IN THE AMOUNT OF \$195.76.**

**8.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR REMOVAL OF REAL PROPERTY TAXES IN THE AMOUNT OF \$499.80 FROM THE REAL PROPERTY TAX ROLL AND AN ADJUSTMENT IN PENALTIES AND INTEREST IN THE AMOUNT OF \$17.49 FOR FISCAL YEAR ("FY") 2022/2023 FOR THE PROPERTY LOCATED ON SEAN DRIVE (COMMON AREA), ASSESSOR'S PARCEL NUMBER ("APN") 009-603-14, PER NRS 361.765 FOR A TOTAL OF \$517.29.**

**9. COMMUNITY DEVELOPMENT**

**9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF HEATHER FERRIS, AICP, PLANNING MANAGER, AS A HEARING EXAMINER UNDER CARSON CITY MUNICIPAL CODE ("CCMC") 18.02.052 TO REVIEW ADMINISTRATIVE PERMITS RECEIVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.**

**10. FINANCE**

**10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH OCTOBER 21, 2022, PER NRS 251.030 AND NRS 354.290.**

**11. HEALTH & HUMAN SERVICES**

**11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF THE COVID-19 IMMUNIZATION ROUND 3 SUBGRANT FROM THE STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH ("STATE"), IN THE AMOUNT OF \$417,586 REIMBURSED IN FISCAL YEAR ("FY") 2023, EFFECTIVE JULY 1, 2022, THROUGH JUNE 30, 2023**

**12. PARKS RECREATION, AND OPEN SPACE**

**12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A LIMITED INDEMNITY AGREEMENT ("AGREEMENT") BETWEEN CARSON CITY AND GREENLAW CARSON CITY OWNERS, LLC ("INDEMNITOR") AS REQUIRED BY THE AMENDED EASEMENT, GRANT OF LIMITED PARKING RIGHTS AND RECOGNITION OF**

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**COLLATERAL AGREEMENTS ("AMENDED EASEMENT") DATED DECEMBER 20, 2001 AND RECORDED IN THE OFFICIAL RECORDS OF CARSON CITY, NEVADA AS FILE NO. 271522, WHICH PROVIDES FOR INDEMNITOR'S LIMITED USE OF A PORTION OF CITY PARKING SPACES AT GOVERNOR'S FIELD AND LIMITED INDEMNIFICATION OF CITY IN THE AMOUNT OF \$2,000,000, AND TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT.**

**13. SHERIFF**

**13.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE AWARD OF A GRANT FROM THE FISCAL YEAR ("FY") 2020 U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, ("BJA") NORTHERN AND MIDDLE STATES RURAL LAW ENFORCEMENT TRAINING AND TECHNICAL ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$57,743.99, EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2023, AND AUTHORIZATION FOR THE SHERIFF TO SIGN THE GRANT AGREEMENT.**

**END OF CONSENT AGENDA**

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**14. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME**

No items were pulled from the Consent Agenda.

**15. RECESS AS THE BOARD OF SUPERVISORS**

(8:51:23) – Mayor Bagwell recessed the Board of Supervisors' meeting.

**LIQUOR AND ENTERTAINMENT BOARD**

**16. CALL TO ORDER & ROLL CALL - LIQUOR AND ENTERTAINMENT BOARD**

(8:51:32) – Chairperson Bagwell called the meeting to order at 8:51 a.m. Roll was called and a quorum consisting of Chairperson Bagwell, Member Furlong, Member Giomi, Member Jones, Member Schuette, and Member White was present.

**17. PUBLIC COMMENT**

(8:51:50) – Chairperson Bagwell entertained public comments; however, none were forthcoming.

**18. FOR POSSIBLE ACTION: APPROVAL OF MINUTES - APRIL 7, 2022**

(8:52:02) – Chairperson Bagwell introduced the item and entertained comments/corrections and when none were forthcoming, a motion.

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**(8:52:10) – Member Giomi moved to approve the minutes of the April 7, 2022 Liquor and Entertainment Board meeting. Member Jones seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Member Giomi
<b>SECONDER:</b>	Member Jones
<b>AYES:</b>	Members Giomi, Furlong, Jones, Schuette, White, and Chair Bagwell
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

## **19. COMMUNITY DEVELOPMENT**

**19.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF HEATHER FERRIS, AICP, PLANNING MANAGER, AS A LIQUOR LICENSE HEARINGS OFFICER.**

**(8:52:29) – Chairperson Bagwell introduced the item and entertained Board and/or public comments; however, none were forthcoming. She also entertained a motion.**

**(8:53:04) – Member Schuette moved to appoint Heather Ferris as a [Liquor License] Hearings Officer. Member Giomi seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Member Schuette
<b>SECONDER:</b>	Member Giomi
<b>AYES:</b>	Members Giomi, Furlong, Jones, Schuette, White, and Chair Bagwell
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

## **20. PUBLIC COMMENT**

**(8:53:38) – Chairperson Bagwell entertained final public comments; however, none were forthcoming.**

## **21. FOR POSSIBLE ACTION: TO ADJOURN AS THE LIQUOR AND ENTERTAINMENT BOARD**

**(8:53:50) – Chairperson Bagwell adjourned the Liquor and Entertainment Board meeting at 8:53 a.m.**

## **22. RECONVENE AS THE BOARD OF SUPERVISORS**

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(8:53:54) – Mayor Bagwell reconvened the Board of Supervisors meeting. A quorum was still present.

#### **23. CITY MANAGER**

##### **23.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF ONE MEMBER TO THE CARSON CITY OPEN SPACE ADVISORY COMMITTEE FOR A PARTIAL TERM THAT WILL EXPIRE IN JANUARY 2024.**

This item was not discussed, per Mayor Bagwell's announcement during public comment.

#### **24. FINANCE**

##### **24.A PUBLIC HEARING: FOR DISCUSSION ONLY: PUBLIC HEARING REGARDING THE PROPOSED ISSUANCE BY CARSON CITY, NEVADA OF ITS GENERAL OBLIGATION (LIMITED TAX) INFRASTRUCTURE SALES TAX BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,550,000 FOR THE PURPOSE OF ACQUIRING, ESTABLISHING, CONSTRUCTING, EXPANDING, IMPROVING AND EQUIPPING CERTAIN INFRASTRUCTURE PROJECTS AND PAYING THE RELATED ISSUANCE COSTS.**

(8:54:13) – Mayor Bagwell introduced the item. Chief Financial Officer (CFO) Sheri Russell-Benabou referenced the Staff Report and supporting documentation, incorporated into the record, and offered to respond to questions. Mayor Bagwell was informed that per the information received from the Bond Counsel, the interest rate would still be within the projected five percent, even with the 90-day waiting period which started immediately. This item was not agendized for action,

(8:56:24) – Ms. Sullivan noted that the applicant for items 25.A and 25.B was not yet present, and Mayor Bagwell recommended moving on to item 25.C.

#### **25. COMMUNITY DEVELOPMENT – PLANNING**

(10:46:37) – Mayor Bagwell introduced items 25.A and 25.B, which would indicate that both items would be discussed concurrently; however, they would be acted upon separately. Planning Manager Heather Ferris introduced the subject property and reviewed the Staff Reports with the accompanying documents which are incorporated into the record. Ms. Ferris noted that the Planning Commission had been able to make the three findings in the affirmative and had recommended approval [by a vote of 6-1-0] of the Zoning Map Amendment (item 25.A). She stated that the Commission had also recommended approval of the Tentative Subdivision Map (item 25.B) [by a vote of 6-1-0], based on the findings included in the staff report and subject to the conditions of approval. Ms. Ferris noted that applicant representative John Krmpotic was available to respond to questions.

(10:53:04) – Supervisor Giomi inquired about parking and wished to understand the parking restrictions that might arise from having 20-foot driveways. Mr. Krmpotic informed Supervisor Giomi that an 18-foot-long Yukon XL would fit in the driveway. Mayor Bagwell entertained public comments; however, none were

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forthcoming. She thanked Mr. Krmpotic for working with the Planning Commission and the community in advance to address their issues. Supervisor White thanked the applicant for his work; however, he explained that he would not be supporting the items because he did not believe it was appropriate to make zoning changes outside the Master Plan review. Mayor Bagwell clarified for the record that the project met the Master Plan. She also acknowledged the receipt of several emails as public comment and invited Development Engineering Senior Project Manager Stephen Pottéy to respond to the water pressure inquiries by Bob and Marinka Willig. Mr. Pottéy explained that the subject property was in a different pressure zone and would not be affected by any pressure issues. Supervisor Giomi requested reaching out to the Willigs and alleviate their concerns. Mayor Bagwell entertained appropriate motions for the items below.

**25.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FROM KP INVESTORS, LLC (“APPLICANT”) TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE ZONING MAP TO CHANGE THE ZONING FROM SINGLE-FAMILY 12,000 (“SF12”) TO SINGLE-FAMILY 6,000 (“SF6”), FOR AN 8.41-ACRE PARCEL LOCATED AT 1051 N ORMSBY BLVD., ASSESSOR’S PARCEL NUMBER (“APN”) 001-241-14.**

(11:03:02) – Supervisor Jones moved to introduce, on first reading, Bill No. 123. Supervisor Giomi seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-1-0)</b>
<b>MOVER:</b>	Supervisor Jones
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Giomi, Jones, Schuette, and Mayor Bagwell
<b>NAYS:</b>	Supervisor White
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**25.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FROM JOHN KRMPOTIC (“APPLICANT”) FOR A TENTATIVE SUBDIVISION MAP (SUB-2022-0375) KNOWN AS ASH CANYON SF TO CREATE 41 SINGLE-FAMILY RESIDENTIAL LOTS ON AN 8.41-ACRE PARCEL ZONED SINGLE-FAMILY 12,000 (“SF12”), LOCATED AT 1051 N ORMSBY BLVD., ASSESSOR’S PARCEL NUMBER (“APN”) 001-241-14.**

(11:03:34) – Supervisor Jones moved to approve the tentative subdivision map as presented. Supervisor Giomi seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-1-0)</b>
<b>MOVER:</b>	Supervisor Jones
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Giomi, Jones, Schuette, and Mayor Bagwell
<b>NAYS:</b>	Supervisor White
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

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**25.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FROM ANDERSEN-COLARD RANCH ENTERPRISES, LLC (“APPLICANT”) CONCERNING A TENTATIVE SUBDIVISION MAP (SUB-2022-0374) KNOWN AS ANDERSEN RANCH WEST, TO CREATE 61 SINGLE-FAMILY RESIDENTIAL LOTS AND A 50.33-ACRE REMAINDER PARCEL WITH AN EXISTING RESIDENCE ON AN ±80.53 ACRE SITE ZONED SINGLE FAMILY 1 ACRE (“SF1A”) AND SINGLE FAMILY 12,000 SQUARE FEET (“SF12”), LOCATED WEST OF ORMSBY BOULEVARD AND NORTH OF KINGS CANYON ROAD, ASSESSOR’S PARCEL NUMBERS (“APNS”) 009-012-20 AND -21.**

(8:57:09) – Mayor Bagwell introduced the item. Associate Planner Heather Manzo presented the Staff Report and the accompanying documentation, which are incorporated into the record. She highlighted that during its September 28, 2022 meeting, the Planning Commission had recommended denial of the request by a 6-1 vote based on their inability to make Findings 6, 8, and 11. Ms. Manzo explained that the applicant had provided a revised plan, incorporated into the record, to address the Planning Commission’s concerns. She noted that regarding Finding No. 8, they had proposed eliminating one of the two Ormsby Boulevard access points and aligning the other with the southern access point of the Ash Canyon Project. Ms. Manzo stated that the applicant planned to present, and that Fire Department and Public Works representatives were also available to answer the Board’s questions.

(9:03:38) – Development Engineering Senior Project Manager Stephen Pottéy addressed the following concerns raised by members of the public: Federal Emergency Management Agency (FEMA) flood zone, drainage, the potential increase in stormwater runoff, and water pressure. He acknowledged the existence of a FEMA flood zone that affects the subject subdivision, which must meet the Carson City Municipal Code (CCMC) requirement regarding developments in flood zones and be approved by FEMA. Mr. Pottéy noted that stormwater runoff is also subject to CCMC requirements and that the decrease in water pressure is experienced in the area during “peak irrigation times,” however, the pressure zones for the two new subdivisions would be controlled by valves that regulate the water pressure. Ms. Manzo informed Supervisor White “to the south of the proposed subdivision and to the north of the half-street improvements on Kings Canyon” Staff has recommended Condition No. 20 (incorporated in the Staff Report) to read:

*“Prior to the approval of any site improvement permit or final subdivision map, the applicant shall demonstrate that a deed restriction has been recorded limiting the density of the remainder parcel. Based on the current allowable density of the overall subject site, as determined by the zoning districts, the maximum allowable remaining density for the ±50.33-acre remainder parcel shall be limited to 71 residential units. This limitation and associated deed restriction shall be noted on the final map.”*

(9:10:16) – Supervisor Jones believed that “Washington Street should be extended into the project.” Mr. Pottéy also informed Supervisor Jones that the Washington Street to Winnie Lane extension would not happen for 10 years. Attorney Mark Forsberg, representing property owners Dennis and Kim Collard, explained to Supervisor Jones that the developers had “every intention of complying with every requirement there is for dust control and other things.” Ms. Manzo explained that the construction hours specified in Condition No. 9 are already incorporated into the CCMC.

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(9:13:13) – Supervisor Giomi expressed concern about traffic and believed that most of the drivers would take Ormsby Boulevard instead of backtracking. He preferred better connectivity and the extension of Washington Street. He believed that each developer was looking into the traffic issues independently and wished to see the City’s traffic engineer evaluate them collectively. Mr. Pottéy clarified that “in the event that the neighboring subdivision is also approved, their traffic impact study does have to be updated to include that traffic,” including the existing Anderson Ranch development. Supervisor Giomi also noted that to him CCMC Chapter 17.10 meant developed common open space, not earmarked for development and with deed restrictions, which was the case with this development.

(9:19:20) – Supervisor Schuette agreed with Supervisor Giomi’s comments and inquired whether the modifications brought forward by the developer should be returned to the Planning Commission. She also believed that the developer’s response did not address all the concerns brought forward in the Planning Commission meeting. Mr. Forsberg noted that the Planning Commission had already made its decision.

(9:21:53) – Mayor Bagwell was also concerned that no open space component plan had been provided by the developer; however, it was being used to transfer density and did see the application of the CCMC Chapter 17.10’s benefit. She noted that the 50 acres did not explain “what this project brings that meets the 17.10 spirit.” Mr. Forsberg believed that the trail system surrounding the entire subdivision benefited the City. He believed that the focus of the Board had been on the Purpose section of the CCMC 17.10: *[The purpose of this chapter is to set forth regulations to permit variation of lot size, including density transfer (cluster) subdivisions, in order to preserve or provide open space, protect natural, cultural and scenic resources, achieve a more efficient use of land, minimize road building and encourage stable, cohesive neighborhoods offering a mix of housing types.]* had been the focus of the interpretation and to add other requirements “would be the kind of thing that exceeds your discretion, I think.” Mr. Forsberg believed that his clients “have met every single item set forth in the ordinance,” adding that he believed “Open Space” could mean public or private open space. He noted that the 50 acres designated as open space were intended by the property owners “to preserve the heritage portion of the ranch in perpetuity.” Mr. Forsberg also stated that years ago the owners had approached the City to designate the particular open space as an easement, but the City had been “disinterested.” He attributed the resistance of the public to their wishes of preserving the land “as it is” which, he believed, is not an option as the property was already zoned, and no density was being added to the parcels, per the deed restriction.

(9:31:55) – Mayor Bagwell indicated that the Board was “allowed to determine whether or not the development meets the components as we see them,” adding that the Board had taken its role “very seriously” as they had read all the documentation and had approved other developments. The Mayor explained, “I don’t know that I can say that this project meets what I think are all the opportunities and constraints for the common open space, appropriate access points, and analysis of those points based upon existing and proposed streets and highways and site opportunities and constraints.” She complimented the Staff for all their work and noted that the Board does not “rubber stamp” all the Staff recommendations. Mayor Bagwell suggested that the applicant extend the date deadlines and send the proposal back to the Planning Commission (since they had not seen the revised proposal) and give Mr. Forsberg time to work with the public and the alignment of the streets. Mr. Forsberg believed that they had addressed the Planning Commission’s concern that there was “no way out of the 50-acre parcel if Kings Canyon were inaccessible for some reason.” He also disagreed that [CCMC] 17.10 “gives any board the discretion to insist upon conditions that aren’t set forth in the Ordinance,” adding that they were now hearing vague requests “that there be more. What more? What is the standard that we’re to meet?” He stated

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that there were concerns about traffic should the streets be aligned during the Planning Commission meeting. Mr. Forsberg indicated they were giving up 31 home spaces in the 50-acre parcel.

(9:40:01) – Supervisor Jones inquired about changing the project egress and connecting Washington Street to the project. Mr. Forsberg believed that it would cause complaints from the residents; however, he was willing to discuss it with his team. Mayor Bagwell reiterated her recommendation to return the proposed revision to the Planning Commission and noted that “they work extremely hard to get to a ‘yes’,” adding that their role is to ensure it’s “a good project.” Mr. Forsberg believed that the revisions have resolved the issues raised by the Planning Commission; however, Mayor Bagwell noted that the Planning Commission had not seen their revised plan. She also noted that by returning to the Planning Commission the applicant did not have to pay the fees again should their request be denied by the Board. Mr. Forsberg believed “we’re shooting at an ever-shifting target. Your expression of what you think this ordinance means, means that we can go back to the Planning Commission and we can come to this Board and you can tell us again we don’t agree with your interpretation of 17.10 and we don’t agree with what our staff told us and what their staff told me, our team, that we had met the requirements of 17.10. So, what is our target? What is it that we have to do to satisfy you? We have no idea. As you’ve just said, we don’t know what will satisfy the Planning Commission. All we can do is come back to you and say: the things they brought up, we fixed them.” Mayor Bagwell explained that the City had a standard review process, and it must be cleared by the other City departments.

(9:48:45) – Supervisor White noted that per the Assessor’s website, historically taxes had been paid for Single Family One Acre zoning. Ms. Manzo clarified that “the southern part of the property is split-zoned.” She also explained that the Assessor’s map did not show the split zoning; however, the maps in the supporting documentation were correct. She stated that the two parcels that were part of the overall site and the entire 80 acres had the potential to be developed as 132 units. Supervisor Giomi objected to Mr. Forsberg’s comment that “everyone wants to see [the land] as an open field.” He noted that the public’s objection is about the density. He also did not believe that CCMC 17.10 was met and that it was a well-thought-out development.

(9:54:51) – Applicant representative Dave Snelgrove introduced himself as the Planning and Right-of-Way Manager for CFA, Inc. and reviewed the project map, incorporated into the record. He believed that the property owners planned to continue the ranching activity. He reviewed the proposed open space area and believed it would meet the Purpose section of CCMC 17.10. He highlighted the connectivity of the Mountain Street trails to the public lands as the “tradeoff” to the City. Mr. Snelgrove cited CCMC 17.10.046 noting that it listed the code requirements of the volume of minimum open space and pointed out on the map that they had met and exceeded the code requirements. He also noted that they were trying to be responsive to the Planning Commission’s comments with the provided redesign, including appropriate traffic calming measures. Mr. Forsberg clarified that they had modified their traffic study after consulting (and sharing the cost) with the neighboring Ash Canyon development project (items 25.A and 25.B). He also requested a recess after public comments to have a discussion with his client. Mayor Bagwell entertained public comments.

(10:06:011) – Paul Longshore introduced himself as a West Washington Street resident and thanked the Board for their service. Mr. Longshore noted that they had invested in beautifying their home with the knowledge that it was in the Single Family One Acre zoning. He did not object to the development but was concerned about the high-density project. He urged the Board not to vote against the decision of the Planning Commission.

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(10:09:40) – Brian Ferenz introduced himself as a resident living on the “northwest corner of this development.” Mr. Ferenz believed that “the developer got it completely wrong when he said we’ve met every line of the open space letter of the law.” He commended the Board for asking questions and believed it was the Board’s job to “maintain its [open space] purpose and intent.” Mr. Ferenz believed that the developer was “changing the zoning” and was certain that most drivers would utilize the shortest distance, including his neighborhood.

(10:14:01) – Joe Lachew introduced himself as a Carson City resident since 1962 and recommended “coving” which he described as an open area with homes around the open space. He provided drawings to the Board as a recommendation, and he wished to ensure promoting hiking and bicycling as promotable activities associated with the Lincoln Highway.

(10:17:20) – Jeff Foltz agreed with the Board to return the item to the Planning Commission, acknowledging that the Board correctly had relied on the expertise of the Commission. He believed the project “should not be done in a hurry” and encouraged the applicant to take the time to do “a proper redesign,” noting that they had only addressed one of the Commission’s concerns.

(10:19:00) – Heather Coe explained that her family owned many properties in the area. She had attended the Planning Commission meeting and relayed conversations with many residents who were opposed to the project. She encouraged the Board to adhere to the Master Plan, adding that the residents wished to see the neighborhood safe and consistent. She recalled the difficulty of exiting the area after the Waterfall Fire and after area school events. She was also in favor of returning the item to the Planning Commission for a recommendation.

(10:22:15) – There were no additional public comments. Per the applicant’s earlier request, Mayor Bagwell recessed the meeting.

(10:33:10) – Mayor Bagwell reconvened the meeting. A quorum was still present.

(10:33:23) – Mr. Forsberg explained that after conferring with his client and “out of respect for the process” they would agree to return the item to the Planning Commission.

(10:34:02) – Supervisor White recommended upholding the Planning Commission’s denial of the project as it did not “fit the letter of the law that [CCMC] 17 provides. It says that in 17.10.020 that common open space is to be designed to be integral to the project.” He was unclear about what the developer intended to do with the open space as they had mentioned keeping it open space or possibly developing it later. Mayor Bagwell and Supervisor Schuette were in favor of returning the item to the Planning Commission. The Mayor also encouraged the developer to specify the use of the open space or work with the Open Space Department to look at opportunities that the City might have. Mr. Reese noted that a motion referring the item back to the Planning Commission would be necessary. Mayor Bagwell entertained a motion.

**(10:40:05) – Supervisor White moved to deny the Tentative Subdivision Map. Supervisor Giomi seconded the motion.** Supervisor Schuette cited the emergency evacuation issues stating she would vote against the motion.

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the November 3, 2022 Meeting**

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<b>RESULT:</b>	<b>FAILED (2-3-0)</b>
<b>MOVER:</b>	Supervisor White
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Giomi and White
<b>NAYS:</b>	Supervisors Jones, Schuette, and Mayor Bagwell
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**(10:45:35) – Mayor Bagwell moved to refer this application back to the Planning Commission at the concurrence of the applicant. Supervisor Schuette seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (4-1-0)</b>
<b>MOVER:</b>	Mayor Bagwell
<b>SECONDER:</b>	Supervisor Schuette
<b>AYES:</b>	Supervisors Giomi, Jones, Schuette, and Mayor Bagwell
<b>NAYS:</b>	Supervisor White
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

## **26. BOARD OF SUPERVISORS**

### **NON-ACTION ITEMS.**

#### **FUTURE AGENDA ITEMS**

#### **STATUS REVIEW OF PROJECTS**

#### **INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS**

#### **CORRESPONDENCE TO THE BOARD OF SUPERVISORS**

#### **STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD**

#### **STAFF COMMENTS AND STATUS REPORT**

**(11:04:12) – Mayor Bagwell entertained Board and Staff comments. Ms. Paulson thanked the election workers including City Staff and the volunteers, noting that “everything seems to be running smoothly.”**

**(11:04:50) – Supervisor Giomi thanked the Parks and Recreation staff for the great Boonanza event, calling it “spooktacular” and “one of the premier events in town.” He also thanked all the businesses that supported the event. Additionally, Supervisor Giomi praised Public Works, Muscle Powered, Waste Management, and all the volunteers for the cleanup after the Nevada Day Parade, noting that “the next day it looked like nothing happened.” He also believed “this year was the busiest Nevada Day in a long time.” Mayor Bagwell commented that it was a safe one as well, and without any arrests related to Nevada Day.**

**CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL**

**CARSON CITY BOARD OF SUPERVISORS**  
**Minutes of the November 3, 2022 Meeting**  
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(11:06:42) – Mayor Bagwell indicated the closed session would take place after adjournment (item 28).

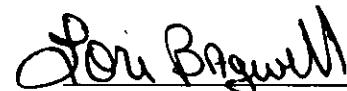
**27. PUBLIC COMMENT**

(11:06:51) – Mayor Bagwell entertained final public comments. Mr. Longshore thanked the Board for their service and thanked Supervisor White for “sticking to the zoning.” He regretted that Carson City was getting “densely populated” and urged the Board “to keep doing what you’re doing but stick to the zoning.”

**28. FOR POSSIBLE ACTION: TO ADJOURN**

(11:07:52) – Mayor Bagwell adjourned the meeting at 11:07 a.m.

The Minutes of the November 3, 2022 Carson City Board of Supervisors meeting are so approved on this 1<sup>st</sup> day of December 2022.



LORI BAGWELL, Mayor

ATTEST:



Aubrey Rowlatt  
AUBREY ROWLATT, Clerk-Recorder

## LATE MATERIAL

Item #: Public Comment  
Meeting Date: 11/03/22

**From:** [Abigail Johnson](#)  
**To:** [Public Comment](#); [Alexis Philippi](#); [Lori Bagwell](#); [Stacey Giomi](#); [Stan Jones](#); [Maurice White](#); [Lisa Schuette](#)  
**Subject:** Andersen Ranch West on Nov 3, 2022 agenda  
**Date:** Wednesday, October 26, 2022 1:28:36 PM

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To the members of the Carson City Board of Supervisors:

I am Abigail Johnson. I live at 1983 Maison Way at the corner of Maison and Pardini. My property backs up to the Andersen Ranch field.

I was pleased and surprised when I learned that the Planning Commission had voted to reject the Andersen Ranch West plan as presented. The Planning Commission meeting room was packed and the many people who spoke raised a variety of valid concerns including but not limited to the zoning change. I hope you will read a transcript of the meeting and consider the comments made at the Planning Commission meeting.

I am unable to attend the November 3 hearing, so I'm preparing these comments before seeing the agenda item or supporting attachments.

**Condition 9 - Construction hours:** After listening to the testimony of homeowners who live adjacent to the Andersen East project, I have the following comments and a request based on their experience. Condition 9 currently allows construction to occur 7 days a week beginning at 7 am (7-7 M-F; 7-5 Sat and Sun). This is not appropriate for an infill project. If the bare land were at the edge of town, not surrounded by homes, it might be reasonable. But for an infill project, the concerns of the residents should be heard and addressed, and the hours of operation adjusted. The Andersen Ranch East neighbors have been subject to uncontrolled dust, pest issues, foundation cracks, and noise from which there is no reprieve, in their own homes. If you do approve Andersen Ranch West, I urge you to amend the hours of construction to weekdays only with a 5 pm cutoff. Let's learn from Andersen Ranch East and improve the planning, permitting and conditions process to protect and respect neighboring residents and property owners. **Infill developments which are adjacent to homes should have restricted hours to ensure some relief for existing homeowners.**

**Minimize light pollution:** At the Planning Commission meeting, I spoke about the importance of dark skies, reducing light pollution to enable viewing of stars and planets. Here is the website for information about dark skies. <https://www.darksky.org/>. As you may know, the

neighborhood adjacent to Anderson Ranch West on the west side of Ormsby Blvd does not have street lights which enhances viewing of the night sky. We consider it an amenity to be able to see the stars at night with less light pollution. In addition, with the Jack Davis Observatory at WNC not far away, preserving dark skies and minimizing light pollution should be a priority for the City. **The proposed development should not have street lights in order to fit in with neighborhoods west of Ormsby Blvd.**

Many helpful comments were made by members of the public and members of the Planning Commission concerning **egress from the proposed development in case of wildfire as well as the configuration of the street exits in relation to Ormsby Blvd.** I encourage this board to do a thorough review of that testimony and related written comments. Please ensure that departments are working together and that there is an understanding of how road extensions and intersections will work, not just for Andersen West but in relation to the entire transportation system, including in emergencies.

The staff report that the Planning Commission considered did not address consultation with the school district or school capacity. That is a deficiency in the process and the report, and information that should be considered by the Planning Commission and the Board of Supervisors.

I share many of the concerns raised at the Planning Commission meeting. And I remain skeptical that the flooding and drainage issues are adequately addressed. I have raised the concerns above to add to the discussion and make sure that all members of the Board of Supervisors consider these important concerns while reviewing the project.

Thank you for your consideration of my comments.

Abigail Johnson

**From:** [atophelps@yahoo.com](mailto:atophelps@yahoo.com)  
**To:** [Public Comment](#)  
**Subject:** roll over curbs/mats  
**Date:** Tuesday, November 1, 2022 11:54:56 AM

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My wife and I have lived combined 25 years at 1536 Evan Street beginning in 1997. We have an RV parking area on the east side of our garage. The prior owner next door built a fence in the utility easement violating our prescriptive easement rights to enter our RV. That forced us to put planks in the gutter to drive straight out and in. She sold the property and the new owner rents out the individual four bedrooms as a boarding house. He has the utilities in his name but his residence is in the bay area. He has other projects going on in the area and uses the garage to store materials and tools. Therefore, there have been numerous incidents of him, construction crews, and tenants parking and blocking our RV area due to their lack of parking. Nothing like having a trip to see an out of town child and being stuck in your own driveway for days. After five kids, we decided we could afford to finish the RV part of our driveway. We were told we had to do a roll over curb. The problem was my RV jacks were dragging over the roll over curb. We decided to buy rubber mats that we saw in all the new housing developments in Reno, Sparks, Spanish Springs and now Carson City. We put those down and added a orange cone in order to prevent a misunderstanding. I'm handicapped with partial paralysis on my right side. It's difficult and a risk of falling if I can't get assistance to handle the mats. A neighbor down the street, who is a construction boss, out of town a lot, assisted in putting them together and setting them in place. That being said, we've had these for almost two years. I have video of the owner next door running out in the street recently and waving the street sweeper over from the new housing development on the Lompa Ranch project, moving my mats, and having him sweeping just that area. I also have video of him late at night stealing the cone and flipping the mats up on the sidewalk. Yes, I filed police reports. After the recent incident, I called the street maintenance supervisor and left a message asking that they don't do that again not knowing it was against city ordinance for the mats to stay in the gutter. There are various kinds are all over town. Apparently, the street maintenance supervisor called code enforcement and here we are. As soon as I complied, the people next door started parking there two days ago. We had to call code enforcement. I'm asking that the city ordinance be changed to allow the rubber driveway mats to stay in place making the roll over curbs more accessible for the elderly and handicapped. Thank You for your consideration.

Dann and Cathy Armstrong

**From:** [atophelps@yahoo.com](mailto:atophelps@yahoo.com)  
**To:** [Public Comment](#)  
**Subject:** FW: Proof /Mats  
**Date:** Tuesday, November 1, 2022 12:04:13 PM  
**Attachments:** [Untitled attachment 00912.txt](#)

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This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

After removing the mats two days ago.

-----Original Message-----

From: Dan Armstrong <[atophelps@yahoo.com](mailto:atophelps@yahoo.com)>  
Sent: Tuesday, November 1, 2022 9:19 AM  
To: Dan Armstrong <[atophelps@yahoo.com](mailto:atophelps@yahoo.com)>  
Subject: Proof

If mats along with cone are utilized it's preventable





**From:** [MARK](#)  
**To:** [Public Comment](#)  
**Subject:** New developments  
**Date:** Tuesday, November 1, 2022 2:58:26 PM

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We do NOT have enough water for these future developments.  
There should be bans on lawns for any current developments. We are in a drought. No new developments should be authorized.

Get [Outlook for iOS](#)

Mark Girard

**From:** [Brian Smith](#)  
**To:** [Public Comment](#)  
**Subject:** The rezoning and future development of the former Goni property at 1051 N Ormsby Blvd.  
**Date:** Tuesday, November 1, 2022 9:14:27 PM

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Hello,

My name is Brian Smith and I live at 811 N Ormsby Blvd. and have for 33 years, I had the honor of living next door to Louise and Bill Goni for most of these years before their passing.

Bill, a former Carson City Planning Commissioner, was a huge proponent of open space, He once told me he had his property zoned for 1/3-acre parcels because he felt that was the best fit for the future growth of the westside of Carson City.

If approved; it will be a shame that Bill's vision and ideals for this property are going by the wayside.

The following are my concerns with this development:

"

Since Carson City Fire Department had an issue with accessibility to the development. Has anyone addressed whether Waste Management's large trucks will be able service these homes? Are these lots going to be for sale or built on by the developer?

Are they going to be custom homes or track homes, all alike all in a row?

Is this a development that is following the current trend of developers, across the country, being built as" for rent homes only"?

Approximately 98% of the homes on the northside of Washington Street, from Ormsby Blvd. to Mountain St., are single story homes. The proposed smaller lots for development are going to be mostly two story homes, This will be creating a wall for most of the surrounding homes to look at.

With the Anderson Ranch East Project under construction, wouldn't it be in the best interest of our community to let that finish before approving any more development on the westside? With that project done, then the actual impact it has on our water, sewer and traffic flow will be known.

It just seems like there is too much happening too fast.

Thank you for your time.

Respectfully,  
Brian Smith

**From:** [Brian Smith](#)  
**To:** [johnk@klsdesigngroup.com](mailto:johnk@klsdesigngroup.com)  
**Cc:** [Public.Comment@carson.org](mailto:Public.Comment@carson.org)  
**Subject:** The propose development of the property at 1051 N Ormsby Blvd.  
**Date:** Tuesday, November 1, 2022 10:26:41 PM

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Dear Sir:

My name is Brian Smith and I live at 811 N Ormsby Blvd. and have for 33 years.

I am writing to you with a request for you and the developer to give consideration to, if your project is approved as currently planned

There are three homes on the southern end of your property going east from N Ormsby Blvd. to Bunker Hill, which are all on 1/2-acre parcels. I am requesting that the lots adjacent to these three homes be 1/3-acre lots. This would allow for a transitional buffer to the smaller lots that are proposed. This would also allow for a little more privacy, of which is the reason we live on 1/2-acre parcels.

Thank you for your consideration.

Respectfully,  
Brian Smith

**From:** [Roger Trott](#)  
**To:** [Public Comment](#)  
**Subject:** Andersen Ranch West Comments for Board of Supervisors 11/3/22 Meeting  
**Date:** Wednesday, November 2, 2022 8:58:23 AM

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To Whom it May Concern:

We live in the Long Ranch area, and like many of our neighbors, we have significant concerns about this project and its probable impacts on the rural nature of our environment. In particular, we're concerned about the cumulative impacts of potentially adding at least 300 homes (Andersen Ranch, Andersen Ranch West, Ash Canyon) to the upper Westside over a short period of time. This area has seen little change over the past 25 years, and this rapid growth would have a major impact on neighborhood/community cohesion, our existing culture and environment, traffic congestion and safety, schools, and flooding potential.

With Andersen Ranch already in development and Ash Canyon apparently in the approval pipeline, we ask the Board of Supervisors to put off approving any more development on the West Side in the near term. At the very least, additional development should be brought on line gradually so that the community can absorb new residents, and that impacts on neighborhoods, roads, etc. can be assessed before new development is approved.

Beyond these concerns, we have reviewed the staff reports for the Andersen Ranch West proposal and offer the following specific comments for your consideration.

1. The traffic study did not assess potential impacts to Longview Way, including its intersections with Kings Canyon Road and Ash Canyon Road. Two of the proposed Andersen Ranch West subdivision access routes will be entering/exiting from Longview Way. Traffic effects, including safety and congestion effects, on that roadway should be evaluated. This road is regularly used by walkers, runners, bicyclists, and other.
2. The traffic study did not adequately address the permanent cumulative impacts of the three developments on Ormsby Boulevard and West King Streets, particularly in the school zones. While these roads may be considered "underutilized" now, they may not be when traffic from 300 homes is added.
3. Ash Canyon Road is narrow and in poor condition, with crumbling shoulders. Any additional traffic on this road, which will certainly occur with the Andersen Ranch West development, will result in adverse effects on safety and the condition of the roadway. Roadway improvements should be included as a condition of tentative map approval.
4. The traffic study did not adequately address the cumulative effects of construction traffic on local roads. If Andersen Ranch West and Ash Canyon are approved, these developments could overlap with Andersen Ranch construction and overwhelm local roads with heavy construction traffic.
5. Parts of the Andersen Ranch West property are in a 100-year floodplain and partially flood during high rain events. As a result, wetlands may be present on this site. Has a wetland delineation been conducted on the site? If not, one should be conducted prior

to tentative map approval. A Section 404 permit and wetland mitigation may be required by the Army Corps of Engineers prior to development of the site.

6. Conditions for tentative map approval should require the developer/contractor to undertake significant additional measures to control dust from onsite construction. Additionally, Carson City should commit to additional daily monitoring to enforce dust control. Although a dust permit was required for the Andersen Ranch development, we understand that dust, dust palliative drift, and rodents from that development were an ongoing and significant problem for nearby residents. Those of us living in the Long Ranch area do not want to experience similar issues if the Andersen Ranch West project is approved.

We appreciate your consideration of our comments. Thank you for the opportunity to comment on this proposed project.

Respectfully,

Roger Trott & Lisa Rea  
2169 Bristol Place, Carson City

*Late Material  
received @ 8:00 a.m.  
11/03/2022*

**To Board of Supervisors – Carson City Consolidated Municipality dated November 2, 2022  
From Bepsy Strasburg, resident around current Andersen Development on Mountain Street.**

**Please submit this comment to public record of this meeting.**

I support the decision of the Planning Commission to reject the above sub-division known as Andersen Ranch West by applicant Andersen-Colard Ranch Enterprises LLC by a vote of 6-1 for the following reasons:

1. **Using 17:10 Common Open Space Development is not applicable.**  
The purpose of this title is to preserve or provide **open space, protect natural, cultural and scenic resources**, achieve a more efficient use of land, minimize road building and encourage stable, **cohesive neighborhoods offering a mix of housing types**. This is not scenic or cohesive to surrounding neighborhood of 1 Acre homes.
2. **17.10.025 - Density and intensity standards** is vague on key areas which are exploited by developers and owners alike. **Who thinks that gross space used to calculate density and intensity standards should include part of the parcel that is not in the area of development discussed NOW.** Who can predict the future?

The density should not be borrowed from a presumed future development of the 50.33-acre remainder parcel with an existing residence. When the language of Title 17:10 is vague, the Community Development staff needs to rely on a **conservative interpretation**. In their **compliance function**, the staff should not suggest or apply an aggressive interpretation which favors the applicant and not the existing property owners surrounding the development area. Yes, if you increase the parcel size by borrowing from the area outside the development area, you will increase the total number of dwelling units allowed by the underlying zoning district(s). Customer service is important but serving the applicant exclusively is a misapplication of staff resources since serving existing tax payer neighbors is paramount.

3. **17.10.046 - Open Space** states that a minimum of 250 square feet of open space per dwelling unit shall be provided. In the proposed development, we have 150 square feet of private open space (backyard of houses) and 100 square feet of common space. How does this fit the intent or purpose of Title 17:10? Will the public have access to the backyards?

4. The applicant was given the opportunity to revise the tentative plan at the planning commission meeting to solve the single access road from the development to King's Canyon Road but the applicant refused. On October 17<sup>th</sup>, the applicant changed tentative plan but sufficient notice has not been given to surrounding neighbors or Planning Commission to understand the proposed changes.
5. Per my understanding, the traffic study incorporated the Ash Canyon development but it does not include the Andersen Ranch development currently in-progress. The Planning Commission or the Board of Supervisors should not evaluate each project in the same vicinity in isolation of each other, one project approval at a time. All developments impacting surrounding roads such as Ormsby Blvd, West Washington, Ash Canyon Road, King's Canyon Road need to be included in the traffic study. Why did the Community Development not insist on this requirement since they have been negotiating the changes of the Tentative Plan without inclusion of the Planning Commission or the residents?
6. Title 17:10 makes a sham of underlying zoning and affects the property value and enjoyment of nearby neighbors. Buying a house is often the biggest investment in the lives of residents which they wish to give to their families without any detriment. Applying title 17:10 to infill situations, creating open space from retention ponds, common use paths and backyards of houses is a travesty of city zoning and master plan.

**I urge the Board of Supervisors to support the Planning Commission's 6-1 decision to reject this project. All projects are not good projects. Alternatively, return the application to the Planning Commission for review as it is not the function of the Community Development staff to negotiate changes or conditions of approval.**

**Who is looking after the interests of the existing neighbors around the subject development area?**