

Today I come before you to speak as a real estate Broker with over 40 years of involvement in the development business and a past 10-year Washoe County Board of Equalization member.

I speak in opposition to the proposed Regulatory Zoning Amendment requesting 18 acres of GGID property currently zoned Medium Density Suburban to be changed to 12 acres of High Density Suburban. Seven (7) lots to the acre or nine (9) units per acre for apartments or mobile home parks, two (2) acres of Industrial, and four (4) acres of Neighborhood Commercial.

The Gerlach General Improvement District (GGID) is **NOT** in the development business but rather what they have been chartered to do since its creation on March 5, 1974, such as providing water, sewer, and recreation services. Nowhere in the Charter does it state that the GGID can develop land.

However, what the GGID can do as identified in section (k) of said charter is....

“To sell or lease any land rights of way, easement, property or material acquired by the District; and to sell real property pursuant to this subsection to the highest bidder at public auction after five days’ notice given by publication.”

With the very submission of the GGID’s application it is not abiding by its own clear written charter.

From a development point of view the core of a community is that of high density and the further away from the core the density decreases. This is also standard urban planning throughout the country.

According to the Washoe County Master Plan High Desert Area Plan’s Character Statement – **“Future development in Gerlach should match existing high density suburban land use in the already developed**

**center of town and transition to medium density suburban land us
along the periphery of town.”**

Washoe County Planning and Commission has already identified how the Gerlach community can be developed, and no further changes should be granted.

Attached to my public comment is my resume along with the GGID Ordinance.

Thank you.

John Krolick, Owner/Broker
Alpine Realty International

MAY 13 3 38 PM '74

H.K. BROWN, CLERK

BY D. Lewis

1.612

SUMMARY: An Ordinance creating the Gerlach General Improvement District.

BILL NO. 375

ORDINANCE NO. 225

AN ORDINANCE CREATING THE GERLACH GENERAL IMPROVEMENT DISTRICT FOR THE PURPOSE OF FURNISHING ELECTRIC LIGHT AND POWER, EXTERMINATION AND ABATEMENT OF MOSQUITOES, FLIES, OTHER INSECTS, RATS, AND LIVER FLUKE OR FASCIOLA HEPATICA, FURNISHING PUBLIC CEMETERY FACILITIES OR SERVICES, FURNISHING SWIMMING POOL FACILITES, FURNISHING TELEVISION FACILITIES, FURNISHING STREET AND ALLEY FACILITIES, FURNISHING CURB, GUTTER, AND SIDEWALK FACILITIES, FURNISHING SIDEWALK FACILITIES, FURNISHING STORM DRAINAGE FACILITIES, FURNISHING SANITARY SEWER FACILITIES, FURNISHING STREET LIGHTING FACILITIES, FURNISHING GARBAGE AND REFUSE COLLECTION AND DISPOSAL FACILITIES, FURNISHING RECREATION FACILITIES, FURNISHING WATER FACILITIES AND FURNISHING FENCING FACILITIES.

WHEREAS, on the 15th day of January, 1974, this Board adopted an Ordinance entitled "An Ordinance Initiating Proceedings For The Organization Of The Gerlach General Improvement District Proposed For Furnishing Electric Light And Power, Extermination And Abatement Of Mosquitoes, Flies, Other Insects, Rats, And Liver Fluke Or Fasciola Hepatica, Furnishing Public Cemetery Facilities Or Services, Furnishing Swimming Pool Facilities, Furnishing Television Facilities, Furnishing Street And Alley Facilities, Furnishing Curb, Gutter, and Sidewalk Facilities, Furnishing Sidewalk Facilities, Furnishing Storm Drainage Facilities, Furnishing Sanitary Sewer Facilities, Furnishing Street Lighting Facilities, Furnishing Garbage And Refuse Collection And Disposal Facilities, Furnishing Recreation Facilities, Furnishing Water Facilities and Furnishing Fencing Facilities; And Providing For Publication And Notice Of Hearing and Hearing On The Creation Of The District," wherein said Board initiated proceedings for the creation of the Gerlach General Improvement District (hereinafter referred to as the "District") in accordance with Chapter 318 of the Nevada Revised Statutes and provided for the publication of notice of an organizational hearing on the creation of said District; and

WHEREAS, as appears from the affidavit of publication on file in the Office of the Washoe County Clerk, a copy of said Ordinance was published by title, together with a separate statement to the effect that typewritten copies of the Ordinance were available for inspection at the Office of the Washoe County Clerk by all interested persons, together with the names of the County Commissioners voting for its passage, in the Reno Evening Gazette, a newspaper of general circulation printed and published in the County of Washoe, and being the newspaper which is most likely to give notice to persons interested therein, at least once a week for a period of two weeks before said Ordinance became effective; and

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WHEREAS, as appears from the affidavit of mailing on file in the Office of the Washoe County Clerk, a copy of which is attached hereto as Exhibit "B" said Clerk mailed said written notice to all property owners within the proposed District of the intention of the Board of Washoe County Commissioners to establish said District, including the name, statement of purposes, general description and time and place of the hearing on the creation of said District; and

WHEREAS, all interested persons who appeared at said hearing were given an opportunity to be heard and were fully heard, and written communications were fully considered; and

WHEREAS, at or before the time fixed in the aforesaid Initiating Ordinance for the hearing on the organization of the District and in the aforesaid Notice of said hearing, no written protests were filed with the Washoe County Clerk against the formation of said District by taxpaying electors within the area that will comprise said District as shown in Exhibit "A", and this Board has determined that said written protests constitute zero (0%) percent of the taxpaying electors within the proposed District; and

WHEREAS, the matter of the creation of the District came on regularly for hearing before this Board at the hour of 1:30 o'clock P.M., on the 15th day of February, 1974, in the auditorium of the Washoe County Administration Building, 1205 Mill Street, Reno, Nevada, being the time and place fixed for said hearing in the aforesaid Initiating Ordinance and Notice of Intention to create said District; and

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WHEREAS, after said hearing and after considering all information presented in this matter the Board has determined that the creation of the proposed District is required by public convenience and necessity and is economically sound and feasible; and

WHEREAS, no changes are necessary to make these proceedings fair and equitable;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA, DO ORDAIN:

1. The Gerlach General Improvement District is hereby created and established.
2. The general description of the boundaries of the proposed District are the coterminous exterior boundaries of the composite and consolidated area consisting of several parcels of land described in Exhibit "A" hereto attached and by reference made a part hereof.
3. The general purposes for which the District is proposed to be formed are:
 - (a) To acquire, either by purchase, condemnation or other legal means, all lands, rights and other property

necessary for the construction, use and supply, operation, maintenance, repair and improvement of the works of the District, including without limitation the plant, works, system, facilities or properties, together with all parts thereof, the appurtenances thereto, including contract rights, used and useful primarily for the production, transmission or distribution of electric energy to or for the public for any purpose, works constructed and being constructed by private owners, and all other works and appurtenances, either within or without the State of Nevada.

(b) To furnish, deliver and sell to the public, and to any municipality and to the State and any public institution, heat, light and power service and any other service, commodity or facility which may be produced or furnished in connection therewith.

(c) To take all necessary or proper steps for the extermination of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica either in the District or in territory not in the District but so situated with respect to the District that mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica from such territory migrate or are caused to be carried into the District.

(d) Subject to the paramount control of the County or any city in which the District has jurisdiction, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica either in the District or in territory not in the District but so situated with respect to the District that mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica from such territory migrate or are caused to be carried into the District.

(e) If necessary or proper, in the furtherance of the objects of Chapter 318 of the Nevada Revised Statutes, to build, construct, repair and maintain necessary dikes, levees, cuts, channels, canals or ditches upon any land, and to acquire by purchase, condemnation or by other lawful means, in the name of the District, any lands, rights-of-way, easements, property or material necessary for any of those purposes.

(f) To make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the use or taking of property for dikes, levees, cuts, channels, canals or ditches.

(g) To enter upon without hindrance any lands, within or without the District, for the purpose of inspection to ascertain whether breeding places of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica exist upon such lands.

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(h) To abate public nuisances in accordance with Chapter 318 of the Nevada Revised Statutes.

(i) To ascertain if there has been a compliance with notices to abate the breeding of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica upon such lands.

(j) To treat with oil, other larvicidal material; or other chemicals or other material any breeding places of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica upon such lands.

(k) To sell or lease any land, rights-of-way, easements, property or material acquired by the District; and to sell real property pursuant to this subsection to the highest bidder at public auction after five days' notice given by publication.

(l) To levy annually a general (ad valorem) property tax and additional taxes and to exercise any other powers provided for in subsections 2., 3., 4., 5., 6., and 7, of NRS 318.118.

(m) To maintain a cemetery for the use of all inhabitants of the District, and for that purpose to hold title to property in trust for the District.

(n) To levy annually a general (ad valorem) property tax and such other taxes as authorized in NRS 318.119.

(o) To acquire real property swimming pool improvements, appurtenant shower, locker and other bathhouse facilities, and lighting, filtration and other equipment pertaining thereto, in accordance with the powers conferred on said District in NRS 318.1191.

(p) To acquire television broadcast, transmission and relay improvements, subject to the limitations contained in NRS 318.1192.

(q) To levy special assessments and to fix tolls, rates and other service or use charges as provided for in NRS 318.1192.

(r) To construct, reconstruct or replace fences for the protection of any area within the District and to acquire improvements necessary thereto.

(s) To grade and regrade and to surface and to resurface streets, alleys and public highways, and parts thereof, within the District, with suitable materials, and to acquire street and alley improvements necessary and incidental thereto, as authorized in NRS 318.120.

(t) To improve streets within the District by grading and regrading and by the construction and reconstruction

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of curb, gutter and combined curb and gutter, in combination with sidewalk or otherwise, and to acquire improvements necessary and incidental to the foregoing improvements, including, without limiting the generality thereof, drains, catch basins, valley gutters, driveway inlets and the removal of existing improvements.

(u) To construct, reconstruct, replace or extend sidewalks, adjacent to or in combination with curb and gutter or otherwise, within the District, and to acquire improvements necessary and incidental thereto.

(v) To construct, reconstruct, replace or extend storm sewer and other drainage facilities and improvements necessary and incidental thereto within the District, including, without limiting the generality of the foregoing, the laying of pipes and the erection of catch basins, drains, and necessary inlets and outlets.

(w) To construct, reconstruct, improve, extend or better the sanitary sewer system or any part thereof, including, without limiting the generality of the foregoing, mains, laterals, wyes, tees, meters and collection, treatment and disposal plants.

(x) To sell any product or byproduct of a sanitary sewer system or any part thereof and to acquire the appropriate outlets within or without the District and to extend the sewerlines of the District thereto, subject to the jurisdiction of the Public Service Commission of Nevada.

(y) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for lighting public streets, ways and places, together with the power to contract for providing such facilities and the electrical current necessary therefor, or such current, with any public utility serving the District, at uniform rates and charges established for the utility operator.

(z) To acquire, by purchase or lease, sites for the disposal of garbage and refuse, and to own and operate equipment for the collection and disposal of, and collect and dispose of, garbage and refuse, or to contract, without calling for bids, for the collection and disposal of garbage and refuse from within the District.

(aa) To acquire, construct, reconstruct, improve, extend and better lands, works, systems and facilities for recreation in accordance with the requirements, limitations, and authority of NRS 318.143.

(bb) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for the supply, storage and distribution of water for private

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and public purposes, subject to the jurisdiction of the Public Service Commission of Nevada.

(cc) To operate, maintain and repair the improvements acquired by the District, including without limitation the maintenance and repair of dedicated streets and alleys and the removal of snow therefrom, and all facilities of the District relating to any basic power which the District is authorized to exercise, and in connection therewith to exercise from time to time any one, all or any combination of the incidental powers provided in Chapter 318, Title 25 of the Nevada Revised Statutes.

4. The following five taxpaying electors of the District are appointed to serve as the first Board of Trustees of said District, for the following terms, to wit: Ralph Louis Patrone and Cecelia Holloway, who shall serve until the first Monday in January next following the first biennial election in Washoe County following the formation of the District, which election shall be held at the same time of the first general election held in the County of Washoe after the creation of the District, and/or until there shall have been elected by the taxpaying electors of the District two members of said Board to replace said electors subsequent to said election; and Joe E. Ugaldi, Joe Guiseppi Selmi and Stuart C. Robinson, who shall serve until the first Monday in January next following the second biennial election in Washoe County following the formation of the District, which election shall be held at the same time of the second general election held in the County of Washoe after the creation of the District, and/or until there shall have been elected by the taxpayers electors of the District three members of the Board to replace said electors subsequent to said election. Each elector elected to serve as a member of the Board of Trustees of this District at the first and second biennial elections after the creation of this District and every general election thereafter shall serve a term of four years.
5. The members of the Board of Trustees of this District shall qualify by filing with the Washoe County Clerk oaths of office and corporate surety bonds, at the expense of the District, the bonds to be in the amount of \$1,000 each, in standard corporate surety official bond form which is hereby approved, conditioned upon the faithful performance of their duties as Trustees. After the organization of the Board of Trustees in accordance with the requirements of Chapter 318.085 of the Nevada Revised Statutes, the person selected as Treasurer of the District shall file with the Washoe County Clerk, at the expense of the District, a corporate surety bond in the amount of \$25,000, in standard corporate surety official bond form which is hereby

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approved, conditioned upon the faithful performance of the duties of this office.

- 6. The Washoe County Clerk shall cause this Ordinance to be published by Title, together with a separate statement to the effect that typewritten copies of the Ordinance are available for inspection at the Office of the Washoe County Clerk by all interested persons, together with the names of the Washoe County Commissioners voting for or against its passage, in the Nevada State Journal, a newspaper of general circulation printed and published in the County of Washoe, and being the newspaper which is most likely to give notice to persons interested herein, at least once a week for a period of two weeks before this Ordinance shall become effective.
- 7. Forthwith upon the effective date of this Ordinance and within thirty (30) days thereafter, the Washoe County Clerk shall file a copy of this Ordinance in his office and shall cause to be filed an additional copy of it in the Office of the Secretary of State of Nevada.

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Proposed on the 5th day of March, 1974.

Proposed by Commissioners Rusk, Nelson, Pagni, and Scott.

Passed on the 25th day of April, 1974.

Vote:

Ayes:

Commissioners Robert F. Rusk
William F. Nelson
Bill Pagni
Alfred Scott
Gerry Grant

Nays:

Commissioners None

Absent:

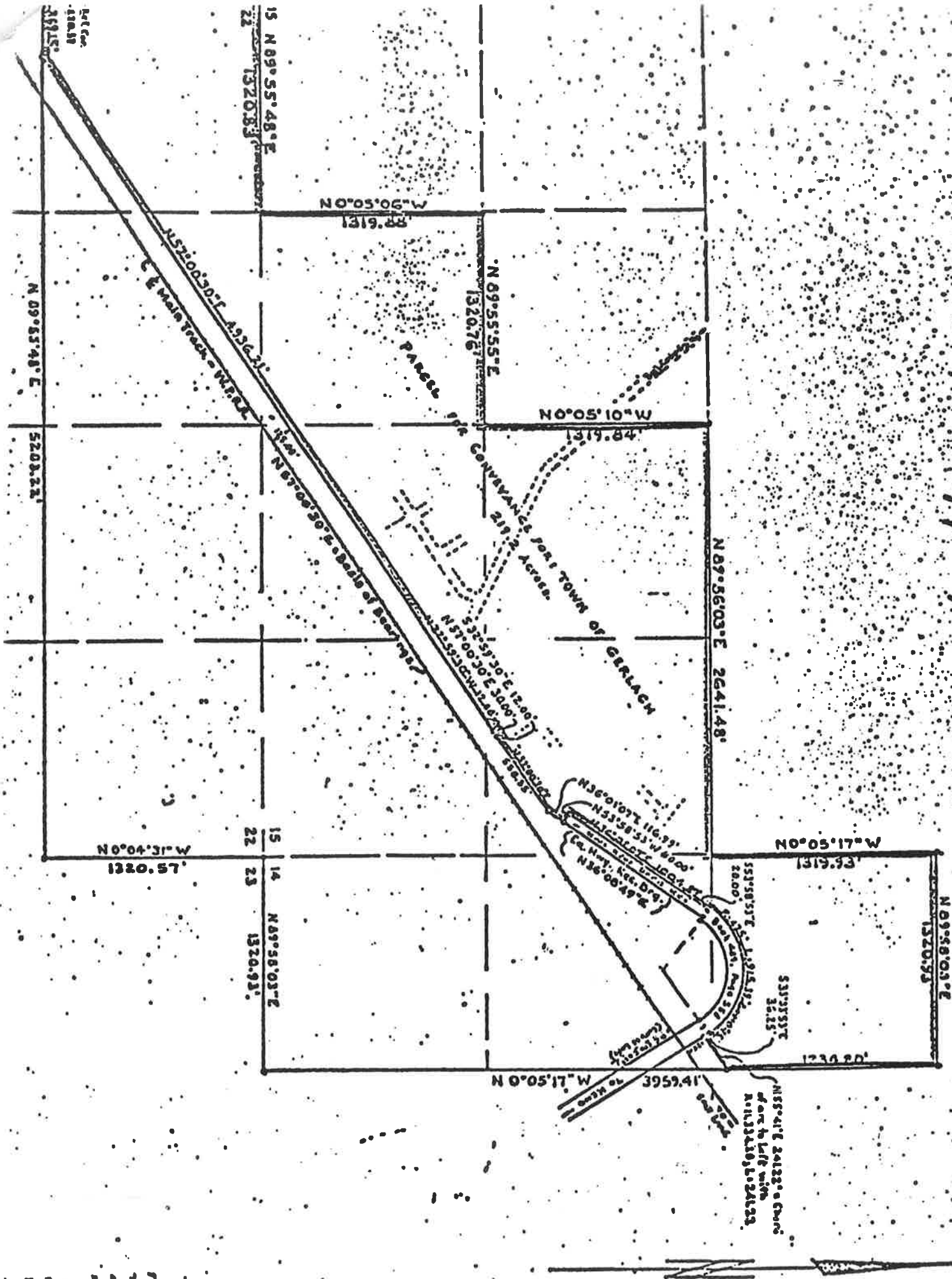
Commissioners None

Robert F. Rusk
 Chairman of the Board

ATTEST
 COUNTY CLERK
 By Chip Deputy
 County Clerk
 STATE OF NEVADA

This Ordinance shall be in force and effect from and after the 10th day of May, 1974.

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Made at
 7-2-37
 at 27
 100000
 No 825
 Page No

SC
1"

To; G. Schmidt, Trevor Loyd, Dan Lazzareschi, Kate Nelson, Francine Donschick, Micheal Flick, Linda Kennedy, Rob Pierce, Pat Phillips, Ken Krater, Jeanne Herman

Re; Proposed development in Gerlach

Date; 8/31/23

To Whom It May Concern,

My name is Roger M. Edwards. I was asked by Mr. Schmidt to look into a proposed development in Gerlach, Nevada, Washoe County. This letter is the result of my review.

A few things to get out of the way before I begin; Mr Schmidt is a property owner of over 100 acres in the Gerlach township. Secondly a little about my credentials;

I served on the Washoe County Planning Commission from 2008 until 2016, with the last several years as Chair,

I served for 4 years on the Regional Planning Commission with the last two years as Chair,

I have served on the North Valleys Citizens Board from January 2000 until the present,

I was a B-2 General building contractor from 1992 until 2010 (Lic. Number 33766B).

In my review of this project, I see that the GGID (Gerlach General Improvement District) has submitted a plot map, an updated plot map, a request for two density increases and other, usual items that any “Developer” would have done. The problem is that the GGID is NOT a developer. Their Charter clearly does not give them this authority and this authority cannot just be “Assumed” by anyone or any organization.

As a, now retired, General Contractor with two decades of doing projects all over this county and several surrounding counties, I am very familiar with the steps that are required to take when bringing a project like this forward.

It looks to me like most of the required steps have been followed, except one. No where in this paperwork have I seen any General Contractor License number.

A requirement under the Nevada Contractor Law.

Also, a Public Utility Provider which, by definition is what a “General Improvement District” is, has a glaring conflict of interest should they proceed with this exercise: they (the GGID) can develop these lots without being concerned with the costs of getting power, sewer, water, roads, sidewalks or any other items to these proposed lots that a normal contractor would need to be concerned with (pay for).

Now, I don't know how this project has progressed along this far, but it needs to stop here until the basic steps and authorities can be addressed. The GGID is not a project developer. They do not have the proper licenses or authority to proceed any farther than subdividing the property that the GGID currently owns, and then selling off the lots.

The current subdivision that has been approved by the County that approves 50+ lots, amounts to approximately a 50% increase in the build able lots in Gerlach (currently approximately 112). That is an unheard of amount of increase in ANY town by a single development.

Also of concern with any approval of a density increase should be the availability of water and sewer capacity. This GID just recently shut down a Geo-Thermal power plant due to the lack of drinkable water. This is the same GID that wants to develop 50+ new lots or possibly 150 new lots (with the most recent density increase request). How is this possible?

Now, I supposed they could proceed with this project as long as they put a clause in the records, somewhere, that anyone could come along and develop one of these proposed lots with a home or a business and have the utilities and roads and sidewalks put in by the GGID for free. And even this could only be accomplished AFTER the GGID have their Charter amended and re-recorded with the State.

I am available to answer any questions anyone may have. I will also be commenting on this project at the next Planning Commission meeting.

My cell is 775 742 4840

My email is nvedwards47@gmail.com

Respectfully, Roger M. Edwards30.0

John Krolick is the Owner/Broker of Alpine Realty International located in beautiful Incline Village located on the North shore of Lake Tahoe, Nevada. As one of the only independently owned and operated brokerages, Alpine Realty International's success comes from simply following the Golden Rule, "treat others as you would want to be treated."

John began his real estate career over three decades ago in State College, Pennsylvania selling housing developments while attending college. He has vast knowledge and experience in all facets of the real estate industry including but not limited to property management, residential sales, luxury residential sales, commercial sales, commercial real estate development and appraising. John began his career as a Realtor, earned his Broker's license, held the position of Managing Broker for Sotheby's International, to owning the Christie's Great Estates Affiliation for the Lake Tahoe region and finally created and owns his own flag which he is solely responsible for his independent real estate firm for the last twelve (12) years.

John currently represents buyers and sellers in the luxury residential real estate market although he specializes in assembling real estate projects for developers. His firm also maintains a successful long-term residential rental division.

John has served ten (10) years on the Nevada Washoe County Board of Equalization; a panel of five (5) appointed judges hearing complicated property valuations for taxation. During his tenure he served as Vice-Chairman and Chairman. John also served as a Director of the Nevada State Association Board of Realtors. He is a founding member of the Certified Luxury Home Marketing Specialist (CLHMS), Certified International Property Specialist (CIPS) and holds certification in Property Management.

In 2012, John became a FIABCI USA member and immediately became active in the organization and attended his first World Congress in St. Petersburg, Russia.

John has been a participatory member of FIABCI USA having served on the following committees and board positions.

- 2013 – 2016 FIABCI USA Strategic Planning Committee
- 2016 – 2018 FIABCI USA Nominations Committee
- 2016 Vice President of FIABCI USA Executive Committee
- 2017 FIABCI USA Board of Directors
- 2018 FIABCI USA Board of Directors
- 2018 – 2020 FIABCI World Council of Brokers

World Congress', Trade Missions and December Business Meetings Attended

- 2012 63rd World Congress to St. Petersburg, Russia
- 2013 64th World Congress to Tai Chong, Taiwan
- 2014 65th World Congress to Luxembourg
- 2014 FIABCI-USA Trade Mission to Beijing, China
- 2014 December Business Meeting, Washington, DC
- 2015 66th World Congress to Kuala Lumpur, Malaysia
- 2015 FIABCI APREC, Honolulu, Hawaii
- 2015 FIABCI Trade Mission to Singapore
- 2016 67th World Congress Panama City, Panama
- 2016 December Business Meeting, Nice, France
- 2017 68th World Congress Andorra
- 2017 FIABCI APREC, Busan, Korea
- 2017 December Business Meeting, Athens, Greece
- 2018 69th World Congress Dubai
- 2018 December Business Meeting, Bali
- 2019 70th World Congress Moscow

From: gary schmidt nobullschmidt@hotmail.com
Date: Sep 1, 2023 at 4:15:59 PM
To: gary schmidt nobullschmidt@hotmail.com

Aug 01, 2023

I oppose any zoning change to industrial in the GGID Service district. I also oppose the inclusion of High-Density suburban at 67%. I would like to the number of HDS at the proposed Medium-Density suburban of 22% and MDS at 67% (3 per acres).

Yes I would like more housing options in Gerlach but not at that crowded of a level.

I do not oppose the proposed 4 acres of Neighborhood Commercial zoning which would allow a limited amount of 7 units per acre residential use in that Neighborhood Commercial zoning.

Elisabeth Gambrell

Signature (digital)
seagambrell@yahoo.com

170 El Rancho Ave
Gerlach NV 89412

(253) 208-8970

Sent from my iPhone

From: Willey Courtney <courtneytransport@gmail.com>

Sent: Monday, July 3, 2023 1:02 PM

To: Solaro, David <DSolaro@washoecounty.gov>; Lloyd, Trevor <TLloyd@washoecounty.gov>

Subject: Rezoning

Regulatory Zone Amendment Case # WMPA23-004

Regulatory Zone Amendment Case # WRZA23-0005 (Diable Drive & Main St.)

As a lifetime resident and multiple business owner of Gerlach, NV, I am opposed to the proposal to increase density for the residential use of the 17 acres in Gerlach. The current Medium Density Suburban Zoning at 3 units per acre is the correct zoning. There is no need to increase the units to 7 per acre. The current zoning already allows for 56 more units. Increasing the zoning to 80 more units has the potential to put too much demand on our existing water source.

I am also opposed to rezoning 2 of the acres to Industrial. Doing this is reckless. Any company could purchase the lot and demand they be supplied all the water the town has. The current zoning plan allows a neighborhood commercial development with a special use permit. This would give the town more control over a commercial development.

Sincerely,
William Courtney
P.O. Box 1
Gerlach, NV 89412

The undersigned oppose any zoning change to industrial in the GGID Service district and also oppose any increase in residential density above 3 lots per acre in any residential zone. We do not oppose the proposed 4 acres of Neighborhood Commercial zoning which would allow a limited amount of 7 units per acre of residential use in that Neighborhood Commercial zoning. We think the application should be sent back to the GGID for further consideration and review!

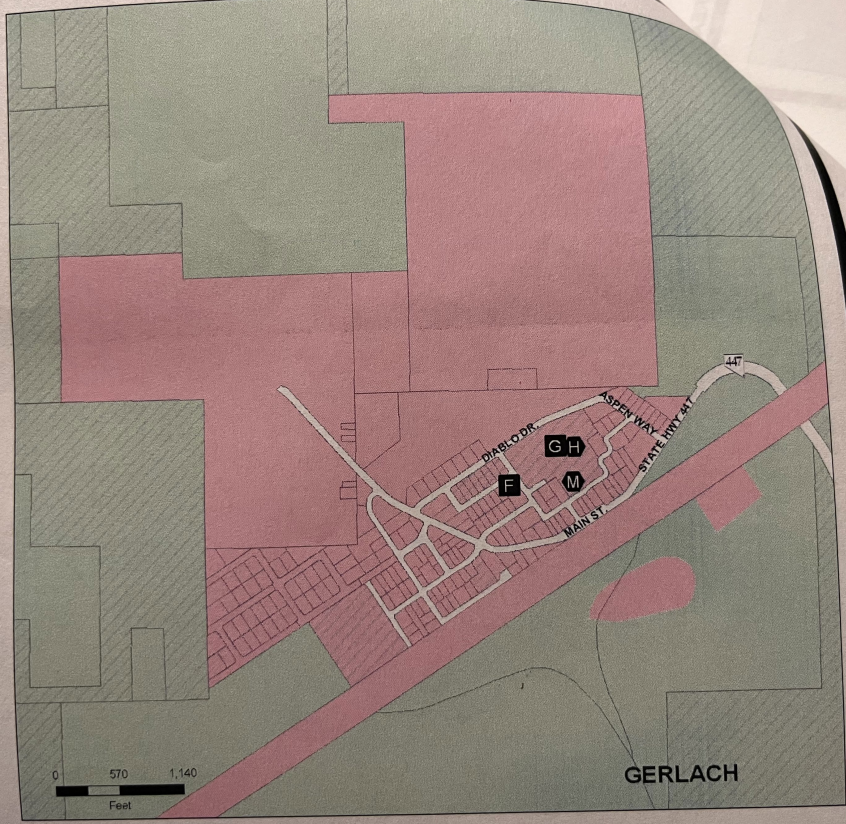
Name printed	Signature	Address
Tara Holle	<i>Tara Holle</i>	1370 Main St, 89411
Genevieve Sarker	<i>Genevieve Sarker</i>	575 #44 89412 Sunset blv.
Gerald Timms	<i>Gerald Timms</i>	890 Main St, 89412
Michael Lutz	<i>Michael Lutz</i>	455 Main St 89412
Felipe M. Hassell	<i>Felipe M. Hassell</i>	255 Elm St.
Elizabeth Christensen	<i>Elizabeth Christensen</i>	545 Main St.
Festen Powell	<i>Festen Powell</i>	545 545 Main St
Trevon Downing	<i>Trevon Downing</i>	315 Main
Adah LaVoie	<i>Adah LaVoie</i>	315 Main St
Diana Rios	<i>Diana Rios</i>	320 W Sunset
Joel Felycipao	<i>Joel Felycipao</i>	200 Grove St
Erica Jones	<i>Erica Jones</i>	545 Main St.
Brian Dale Covey	<i>Brian Dale Covey</i>	220 El Rancho Av.
Kevin M. Roberts	<i>Kevin M. Roberts</i>	220 El Rancho Av.

The undersigned oppose any zoning change to industrial in the GGID Service district and also oppose any increase in residential density above 3 lots per acre in any residential zone. We do not oppose the proposed 4 acres of Neighborhood Commercial zoning which would allow a limited amount of 7 units per acre of residential use in that Neighborhood Commercial zoning. We think the application should be sent back to the GGID for further consideration and review!

Name Printed	Signature	Address	Date
1. RICHARD WALSH	<i>[Signature]</i>	475 DIABLO DR	8-9-23
2. Melina Walsh	<i>[Signature]</i>	475 Diablo Dr	8-4-23
3. <i>[Signature]</i>	<i>[Signature]</i>	207 664 3346	Temp res BM
4. Margery Reynolds	<i>[Signature]</i>	325 Diablo Drive #B	8-10-23
5. Aimee Schenfeldt	<i>[Signature]</i>	325 Diablo Dr. #A	8-10-23
6. Francis J. Phillips	<i>[Signature]</i>	305 Sunset Blvd	8-10-23
7. Gloria Alvarez	<i>[Signature]</i>	307 3rd St.	8-27-23
8. <i>[Signature]</i>	<i>[Signature]</i>	7400 S. Virginia	8-27-23
9. <i>[Signature]</i>	<i>[Signature]</i>	515 sunset	8-27-23
10. Dorothy Atkins	<i>[Signature]</i>	515 E. Sunset Blvd	8/27/23
11. J Sawadoff	<i>[Signature]</i>	235 GROVE	8-27-23
12. M.D. Hopkins	<i>[Signature]</i>	220 EL Rancho	8/27/23
13. Brooke Covey	<i>[Signature]</i>	220 El Rancho	
14. Frank Pelficore	<i>[Signature]</i>	355 main st	8/27/2023
15. <i>[Signature]</i>	<i>[Signature]</i>	454 Main St	8/27/2023
16. Jessie M. Kelly	<i>[Signature]</i>	Andler	8/27/23
17. <i>[Signature]</i>	<i>[Signature]</i>	315 Main St.	8-27-23
18. <i>[Signature]</i>	<i>[Signature]</i>	315 Main St	8-27-23
19. Vicki Willingham	<i>[Signature]</i>	375 ELTREN	8-27-23
20. <i>[Signature]</i>	<i>[Signature]</i>	495 MAIN ST	8-27-23
21. <i>[Signature]</i>	<i>[Signature]</i>	385 MAIN ST	8/24/23
22. <i>[Signature]</i>	<i>[Signature]</i>	230 E.M. ST.	8/24/23
23.			

HIGH DE...

HUMBOLDT
COUNTY



GERLACH

Small text at the bottom left corner of the page.

From: gary.schmidt
To: [Roman, Brandon](mailto:Roman.Brandon); [Olander, Julie](mailto:Olander,Julie); [Pierce, Rob](mailto:Pierce,Rob); diazzareschi@washoecounty.gov; kateNelsonPE@gmail.com; f.donshivk@att.net; [Flick, Michael](mailto:Flick,Michael); [Kennedy, Linda K](mailto:Kennedy,Linda.K); pataphillips@yahoo.com
Subject: For the record on Planning 8/5/23 9 D
Date: Tuesday, September 5, 2023 1:35:06 PM

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GERLACH GENERAL IMPROVEMENT DISTRICT (GGID) REGULATORY ZONING AMENDMENT APPLICATION

There is a Regulatory Zoning Amendment Application coming before the Planning Commission asking that 18 acres of GGID property currently zoned Medium Density Suburban (3 lots to the acre) be changed to 12 acres of High Density Suburban (7 lots to the acre or 9 units per acre for apartments or mobile home parks), 2 acres of Industrial, and 4 acres of Neighborhood Commercial. Existing zoning was granted by a Regulatory Zoning Application approximately 7 years ago bringing the density from 1 lot to 57 lots on what was then 19 acres. This density upgrade from 1 lot to 57 lots was granted by the Planning Commission at that time and was not opposed by me, The GGID

parceled off one acre into 3 lots at 1/3 acre each and sold them leaving an 18 acre parcel still zoned for 54 additional 1/3 acre lots. They had also at that time done the engineering and survey work for an additional 6 lots at 1/3 acre each (see exhibit A). They have failed to bring those lots to the market for over 6 years. Now the current application, if granted as filed, would move the density from its current 54 lots to the equivalent of 162 lots (9 units per acre permissible for apartments and mobile home parks) ! The entire service area of Gerlach currently has approximately 110 developed and 16 undeveloped lots. If the current GGID zoning change application is granted it would more than double the number of lots (potential units) in the service area and would increase the potential undeveloped lot count from approximately 70 (54 GGID lots plus 16 others) to 178 (162 GGID lots plus 16 others).

The Gerlach General Improvement District is involved in “Land Use Planning and Development Issues” that are way beyond any authority granted by their 1974 Charter. Their Charter as a matter of law confines them to garbage collection, sewer service and waste water processing, provision of

water, street maintenance and lighting, vector and mosquito control, and recreational facilities. Their Charter provides that if they have surplus properties not to be used for any of these primary activities they may dispose of them on the open market. Their Charter does NOT provide that they may develop or manipulate them and improve them in an effort to solve any actual or perceived shortage of buildable lots in the community ! They are NOT a City Council and they are NOT the County Commission and they are not the Private Market Place.

The GGID and the Washoe County Department of Community Development checked the boxes on their application that claim sufficient water and sewer services are currently available to support the densities applied for but have offered NO evidence to support said claims and in fact have testified before the Planning Commission that such is not true and that they will be seeking to develop such service capacities in the future. Therefore by their own testimony they made (false) mis-statements on the application.

We believe the GGID and Community Development Department in their staff report

have misrepresented alleged community support for the zoning change application. We are circulating petitions in opposition to any increase in residential density on the subject property and also opposing any Industrial zoning in the service area. We do not oppose the 4 acres of Neighborhood Commercial. We currently have over 35 signatures which is over 25% of the community and in our purview of recorded public comments at previous public meetings and our attendance at the last four meetings in Gerlach and the two meetings that have been held before the Planning Commission only one general member of the public excluding the 5 GGID board members has spoken out in favor of the application as written. Even the Burning Man organization has spoken out against the application as currently written !

All parties agree that there is currently a shortage of homes and buildable lots in Gerlach just as there is throughout Washoe County and most of the State! The simple and obvious solution to the buildable lot shortage is for the GGID to move forward with a subdivision application under their existing zoning providing for 54 buildable lots at 2/3 acre each or to sell the property and get it into

the private market so others can do it ! Increasing the property's density (again) from 54 parcels to 162 parcels (units) does not solve any lot shortage ! You have to bring the parcels (lots) to the market !

The “housing” shortage is a direct result of market conditions! We believe that with the current cost of construction NO-ONE is going to build any speculative for sale or for rent housing in Gerlach regardless of how many lots are available ! If the market wished to build speculative housing it could have already done so. There are dozens of existing high density (7 to 9 units per acre) lots existing in the main downtown corridor along the Main Street. The market just does not support speculative building in Gerlach due to the high construction costs which is evidenced by a complete lack of speculative for rent or sale construction in Gerlach for over 50 years !

Any increase in densities to levels like 7 or 9 lots to the acre on the outer edges of the service area is certainly not in keeping with the universal undisputed desire of the community to maintain its rural character !

The Regional and Washoe County Master Plan does not permit this increase in residential zoning from Medium Density Suburban to High Density Suburban on the subject property which is on the outer edge of the town !

Pp 2 Master Plan High Desert Area Plan:

Character Statement

“Future development in Gerlach should match existing high density suburban land use in the already developed center of town and transition to medium density suburban land use along the periphery of town.”

Please deny any density increases in residential zoning and deny any new Industrial Zoning in the service area. We do not oppose the granting of the 4 acres of Neighborhood Commercial Zoning !

Gary Schmidt

Sent from my iPhone

Kristofor Swanson

GGID Land Development

September 5, 2023

Washoe County Planning Commissioners,

The overwhelming sentiment of the residents of Gerlach is that they absolutely oppose additional industrial and high density residential zoning outside of the main corridor in Gerlach. I know this to be the case, because I went out to Gerlach and spoke with quite a few of them. Most of the people new little to nothing about the changes that have been outlined by the GGID, and when they learned about them, they were quick to sign the petition opposing it.

There is a shortage of housing in Gerlach, but there is no shortage of residential land available for development. If the GGID wants to help solve the housing shortage, which I believe they do, they should put the land they've already gotten re-zoned on the market and do whatever they can to streamline the bureaucracy and facilitate quick movement on development projects. By streamline I do not mean to do the land development themselves. Commercial, Industrial and Residential Land development is not something that any government agency is empowered to do, much less a municipal GID.

If this planning commission approves this blatant overreach in government authority, it will call into question the motivations behind your decision as well as your basic understanding of the law. I hope you make the right decision.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Kristofor Swanson', with a long horizontal flourish extending to the right.

Kristofor Swanson

775.771.88830

Good evening for the record I am Gary Schmidt and I ask the recording secretary to include the substance of my remarks here in the minutes for this meeting.

~~Planning Commissioners, good evening.~~ You have a ton of materials before you to review some of ~~that~~ ^{come} that come in a little late but getting some these materials out of the GID and the County has been like pulling teeth. We are in the process of preparing a denial of access to public records lawsuit against the GID for materials that they have not yet provided us. In addition we also are filing multiple open meeting law complaints against the GID with the AGs office and will be asking him to set aside and negate all the actions of the GID for the last 12 months.

Let me summarize what's going on here, the GID is attempting to act illegally, we believe far beyond its charter, in trying to become a land developer and probably a landlord. The minutes of their meetings and other documents before you reflect that they not only want to more than double the capacity of the town utilizing just their 18 acres which is ~~in~~ the subject of this application; the evidence reflects they apparently also want to build houses and apartments and a strip mall and an industrial park. Even if they can legally do that, it is certainly not the proper role of any government entity to enter into the private real estate development market like that. They need to confine themselves to water, sewer, garbage, and a few other activities that are specifically authorized by their charter.

For them to move into development in a manner that they have openly stated they have no knowledge or experience in, would be somewhat like TMWA building a big residential housing development and selling the houses or maybe renting them or like Washo County Public Works developing a strip mall or an industrial Park.

In addition it is in violation of the Master Plan Character Statement which clearly states that on the periphery of town, where their 18 acres is located, that the proper zoning is Medium Density Suburban which is the zoning they currently have that was granted ^{to} them by this commission 7 years ago. *They have the zoning for 5000 sq ft lots in a residential of a 1.5/1.5 over 100 lots NOW*

Additionally, the evidence before you clearly demonstrates that this application is not what the community wants. ^{The} By petitions and letters before you it does not want high density on the edges of town. *clearly indicate*

Further what's going on here is ~~it is~~ a blatant example of self dealing and a conflict of interest in addition to being in defiance of the well-established plan. the GID would use up, for its own development, all the water and sewer capacity and leave other other property owners in the District high and dry which would undoubtedly just lead to making a lot of lawyers rich

In addition not all of the comments & submissions from previous meetings have been forwarded to the record attached to Item 9D - That has been a continuing problem so several person opposed to this application have been sending document directly to you commissioners - I hope you have had some time to review them!

over 40,000 persons 90% of which live in Berlin

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Gary Schmidt

BofCC + Regional Planning

- Attended 13 on IIT meetings
- 1 Cab Meetings
- 3rd Planning Com Meeting
- 1 BCC meeting which I spoke on this issue

There are ^{petition} ^{written} on the record ^{approval} ~~from~~ 34
110 residents in the Belack community

If you review the minutes you will see that only one person other than the BID ^{one} or their employees spoke out in favor of this application as submitted

They have the zoning for 54 additional lots that they have sat on for 6 years!

charter,

character statements

you may ask that it be reopened