



CITY OF SPARKS
REQUEST TO ADDRESS THE CITY COUNCIL

#4

Date 8 July 2019 Agenda Item No. open town

Name George Emery

Address (Optional)

City/State/Zip Code (Optional)

Phone (Optional)

I represent (Optional) D'Andrea Comm Assoc

I am in attendance concerning: A 'Thank you' to Council/City

[ ] I do not wish to speak, but wish to note my position in favor or in opposition

[ ] I wish to speak (for use by city: comment was in favor or in opposition)

Rules - Addressing the Council - The meetings conducted by the Sparks City Council in the City of Sparks Legislative Building are not public forums.

Manner of Addressing the Council - In order to conduct orderly, efficient, effective and dignified meetings that promote a governmental purpose with a governmental process, public comment may address any agenda item or other public issue that the City Council has the authority to effectuate or exercise control over.

Sound Amplification - The City of Sparks Provides sound amplification during its public meetings for the convenience of the speakers and the audience. Sound amplification, if enhanced by yelling or shouting can cause hearing and equipment damage.

Disruptive Conduct - Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the presiding officer.

OPEN FORUM COMMENT

George Emery, President D'Andrea Community Association

Mr. Mayor, Council members, and staff:

I visit with you today to convey a note of 'THANKS' – actually three – AND to pose a question.

- (1) A public 'Thank you' to our Third Ward Alderman for his DCA community outreach this past June 12. Focused mainly on infrastructure, Messrs. Krutz, Martini and Korman actually walked DCA property reviewing DCA concerns re: open tunnels, traffic patterns, street lighting
- (2) Thanks for the City commitment to repair and secure gates on tunnels that channel water runoff beneath our community
- (3) Thanks to the City in re: the Fire Marshall's creation of defensible space adjacent to the golf course properties

QUESTION for COUNCIL:

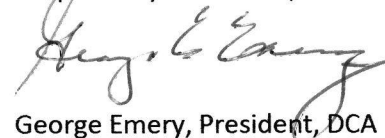
Four months ago this past March City Council denied legal Counsel's request to cease litigation against golf course owners re: ongoing fire danger posed by fairway weeds and, in so doing, unanimously requested that litigation continue to be pursued to effect remediation of the fire danger.

Counsel's diligent and necessarily time consuming legal efforts in such matters is appreciated. Nonetheless, now four months later, golf course fairways predictably have turned to tinder with evident danger of fire again threatening our community.

Perhaps Council has been provided with progress reports in re: this matter and solution of this matter is imminent; if not, on behalf of the DCA and other properties proximate to golf course fairways, City Council is urged is the strongest of terms to seek resolution of this issue. Simply put, ensure that weeds are mowed. Recent information re: ownership of the golf course property is encouraging and, if substantive, may bear directly on remedy of DCA concerns about fire danger posed by golf course weeds.

The 'QUESTION' for Council: How long should residents wait for action to be taken?

Respectfully submitted,



George Emery, President, DCA

*August*

*(2)*

DRAGON BOAT RACE

# PADDLES

JULY 2-31,  
2019

SPARKS MUSEUM &  
CULTURAL CENTER

LOCAL ARTIST

# PALETTES

## THANK YOU TO THE FOLLOWING ARTISTS:

TIM ABEL  
KELLY BURR  
KELLY CORRIGAN  
ERYN CRYER  
KILEY CRYER

UBON EDMONDS  
GEORGE E. EMERY  
DAVID N EVANS  
NAOMI FERRALL  
SUMERAE GOFF

CHAR HADWIN  
THOMAS KOHLER  
COLLEEN MARRAN  
KATIE PACKHAM  
HEIDI PARKER

ARTFUL PLAY  
ROBIN RUYBALID  
BETHANY SEXTON  
SUZANNE TROUP  
TRACY VINZANT

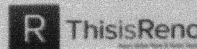
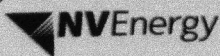
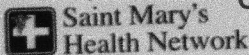
PHOTOGRAPHY BY TY C. O'NEIL

*July 18 Artist Reception*

## EXHIBIT MADE POSSIBLE BY GENEROUS SUPPORT FROM:



*City of Sparks*





4 + 12 ①

# CITY OF SPARKS

## REQUEST TO ADDRESS THE CITY COUNCIL

Date 7-8-2019

Agenda Item No. Public Comment before & after

Name Katie Knepper

Address (Optional) 2106 PONDEROSA Dr

City/State/Zip Code (Optional) SPARKS NV 89431 the at Katie

Phone (Optional) 775 358 6558

I represent (Optional) \_\_\_\_\_

I am in attendance concerning: 1995 Ponderosa Dr.

I do not wish to speak, but wish to note my position in favor \_\_\_\_\_ or in opposition \_\_\_\_\_

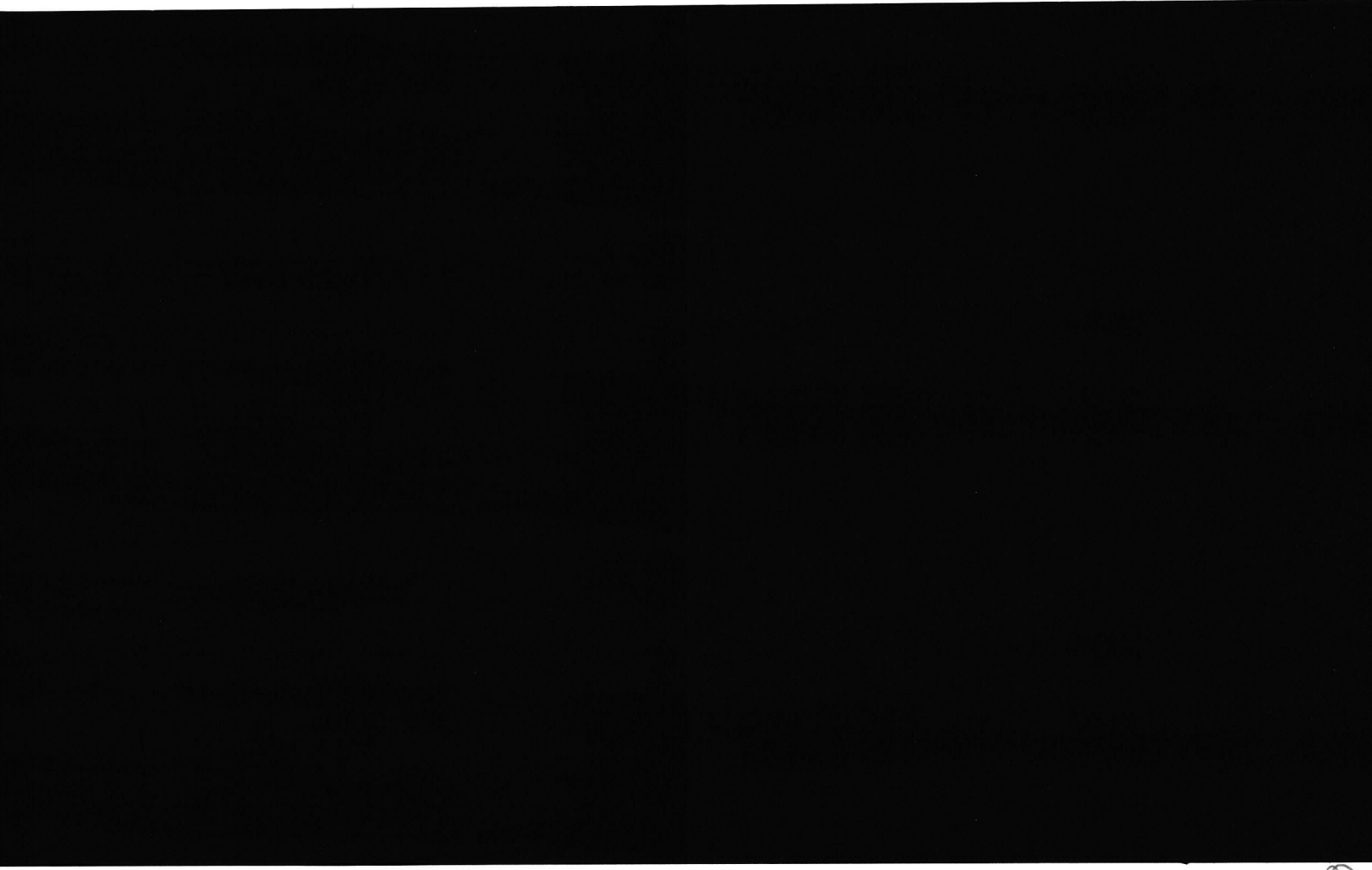
I wish to speak (for use by city: comment was in favor \_\_\_\_\_ or in opposition \_\_\_\_\_)

**Rules - Addressing the Council** - The meetings conducted by the Sparks City Council in the City of Sparks Legislative Building are not public forums. The presiding officer will enforce viewpoint neutral procedural rules to ensure orderly conduct during that portion of the Agenda set aside for Public Comment. In order to allow the City Clerk to properly document those individuals speaking to the City Council, persons desiring to address the Council shall first provide the City Clerk with a written request to address the Council so they may be recognized by the presiding officer.

**Manner of Addressing the Council** - In order to conduct orderly, efficient, effective and dignified meetings that promote a governmental purpose with a governmental process, public comment may address any agenda item or other public issue that the City Council has the authority to effectuate or exercise control over. Public comment on matters beyond the City Council's scope of authority, not relevant to Council business, does not invoke a governmental process nor serve a governmental purpose and is contrary to the effective, efficient and orderly business conducted by the Sparks City Council, is not permitted. When called by the presiding officer, each person addressing the Council shall step up to the microphone, give his/her name and limit the time of his/her presentation to three (3) minutes. All public comment remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Council members, except through the presiding officer. Speakers shall avoid undue repetition of points previously presented to the Council.

**Sound Amplification** - The City of Sparks Provides sound amplification during its public meetings for the convenience of the speakers and the audience. Sound amplification, if enhanced by yelling or shouting can cause hearing and equipment damage. Public speakers using the sound amplification shall not disrupt the meeting by yelling or shouting into the microphone while addressing the City Council.

**Disruptive Conduct** - Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the presiding officer. A person willfully disrupts a meeting when he/she (1) uses physical violence, or threatens the use of physical violence or (2) continues to use loud, boisterous, unruly or provocative behavior after being asked to stop, which behavior is determined by the presiding officer, or a majority of the Council present, to be disruptive to the orderly conduct of the meeting or (3) fails to comply with any lawful decision or order of the presiding officer or of a majority of the Council relating to the orderly conduct of the meeting.



11.12 ⑦



CITY OF SPARKS
REQUEST TO ADDRESS THE CITY COUNCIL

Date 7-8-2019
Name AI Ferd Knepper
Address (Optional) 2106 POWDEROSA Dr
City/State/Zip Code (Optional) Sparks NV 89431
Phone (Optional) 775 358 6558
I represent (Optional)
I am in attendance concerning: 1995 POWDEROSA Dr.
[ ] I do not wish to speak, but wish to note my position in favor or in opposition
[ ] I wish to speak (for use by city: comment was in favor or in opposition)

Rules - Addressing the Council - The meetings conducted by the Sparks City Council in the City of Sparks Legislative Building are not public forums. The presiding officer will enforce viewpoint neutral procedural rules to ensure orderly conduct during that portion of the Agenda set aside for Public Comment. In order to allow the City Clerk to properly document those individuals speaking to the City Council, persons desiring to address the Council shall first provide the City Clerk with a written request to address the Council so they may be recognized by the presiding officer.
Manner of Addressing the Council - In order to conduct orderly, efficient, effective and dignified meetings that promote a governmental purpose with a governmental process, public comment may address any agenda item or other public issue that the City Council has the authority to effectuate or exercise control over. Public comment on matters beyond the City Council's scope of authority, not relevant to Council business, does not invoke a governmental process nor serve a governmental purpose and is contrary to the effective, efficient and orderly business conducted by the Sparks City Council, is not permitted. When called by the presiding officer, each person addressing the Council shall step up to the microphone, give his/her name and limit the time of his/her presentation to three (3) minutes. All public comment remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Council members, except through the presiding officer. Speakers shall avoid undue repetition of points previously presented to the Council.
Sound Amplification - The City of Sparks Provides sound amplification during its public meetings for the convenience of the speakers and the audience. Sound amplification, if enhanced by yelling or shouting can cause hearing and equipment damage. Public speakers using the sound amplification shall not disrupt the meeting by yelling or shouting into the microphone while addressing the City Council.
Disruptive Conduct - Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the presiding officer. A person willfully disrupts a meeting when he/she (1) uses physical violence, or threatens the use of physical violence or (2) continues to use loud, boisterous, unruly or provocative behavior after being asked to stop, which behavior is determined by the presiding officer, or a majority of the Council present, to be disruptive to the orderly conduct of the meeting or (3) fails to comply with any lawful decision or order of the presiding officer or of a majority of the Council relating to the orderly conduct of the meeting.

## HISTORY

Ponderosa Drive is a private dead end street with one home per acre situated in the county but in the Sparks sphere of influence. All the residents know each other and help each other whenever there is a need.

In 1994 the home at 1995 Ponderosa Drive became a group home for people with AIDS. The then residents of Ponderosa Drive protested the designation, however it was determined that a group home in the county is the same as any other home. We welcomed the 5 occupants, taking them vegetables, plowing their driveway when it snowed (as we did for the other residents on the street), filling any potholes that surfaced, and various other neighborly things.

In 2003, the house was sold. It continued to be a group home, however they were very secretive and it was obvious they did not want to be part of our neighborhood. Multiple overflowing trash bins littered the street on trash days and beyond. No one would answer the door when we would knock. The lawn was poorly maintained. A kennel with a 12 dog capacity was erected causing a noise issue. Cars parked 14 feet into the 50 foot dedicated street easement as their front fence already encroached 7 feet into the street. Shopping carts were left at the street corner by some of the residents. Still, we tried to be good neighbors and continued to plow the snow and fill the potholes that became more prolific with all of the traffic.

Late summer of last year many of the beautiful trees in the back yard were cut down to make way for a super sized septic tank. Concerned, we discovered the home was owned by Safe Embrace and met with John Etchemendy, Executive Director. He showed us plans for a 1925 square foot four bedroom, four bath addition. We told him we are zoned single family and this wasn't allowed, nor was it allowed by our CC&Rs of which we gave him a copy.

On September 18, we talked to Karen Melby, Sparks Planning, and Alisson McCormack, a city attorney. They said it had county approval as a group home and all they did was approve 4 extra bedrooms. It did not change the single family designation as there would only be one kitchen. Karen made it clear ANYONE could request extra bedrooms including us. **It did not change anything.** In late October we spoke with Bob Webb, Washoe County Planning Manager. He explained the county merely approved

building and Sparks approved zoning and planning. He met with Sparks, as he agreed with us the new addition did not fit. After this meeting he assured us that there could be no more than 10 occupants plus a care giver and if they exceeded this limit the county would send a code enforcement officer to ensure it did not happen again. He also sent a code enforcement officer to inform Safe Embrace of this.

On Monday, June 26, Safe Embrace was erecting a new fence in the road easement. We went to the county and Safe Embrace to prevent this from happening and we were successful. Jessica Cisneros, Executive Director of Safe Embrace, informed us that they had changed their business license, from transitional housing less than 90 days to housing up to one year and been approved for 32 residents to occupy the property. (Safe Embrace's website still shows no more than 90 days.)

We are zoned single family residences. The Sparks use codes are to protect its citizens from inappropriate development and use. This property is inappropriate for reasons my husband will explain next.

Neighborhoods with single family residences are not meant to have 32 people occupying 4066 square feet. It is inconceivable to us how 32 people can co-exist in such cramped quarters with only one kitchen, 9 bedrooms, 6 bathrooms and no common area large enough for everyone.

Ponderosa Drive is a private dead end drive, maintained solely by the property owners. Safe Embrace has never made an effort to fix the potholes in the street even though they are responsible for the number and severity of them. We have done most of the street maintenance for the past 32 years filling in potholes using our tractor and DG we purchased ourselves. The road has gotten exponentially worse with the construction of Safe Embrace's septic and building. Many times the very large semi trucks have gone to the end of the street, only to discover they could not turn around and had to back up, or worse use our driveways to turn around. The increase in traffic has further deteriorated the street. 32 people plus staff making daily trips up and down Ponderosa will damage the road even further.

The transient residents have no pride of ownership. The yard has not been properly or consistently maintained. No one picks up overflowing trash, which will only get worse with the added occupants. Shopping carts are periodically left at the corner.

There is not enough room for parking. Greatly increasing the number of occupants would worsen the situation. We need full ingress/egress on the street to access our back yards. If people park up and down our street in front of our houses and gates like they have in the past, this would cause an undue hardship for us as well as changing the ambiance of the neighborhood.

In conclusion, no one could possibly disagree this property use does not fit on our street. We understand Safe Embrace has spent a lot of money, however every step of the way we have pointed out all the reasons this cannot comply, which have consistently been ignored. Rules and regulations are put in place for a reason. To disregard them is reprehensible.

We don't know if Safe Embrace has been allowed to continue to defy code because of ignorance, incompetence, or something much more sinister. Sparks has made major errors in the process. Proper planning/zoning is



Re: 1995 Ponderosa Drive

not to be circumvented because someone made a mistake or someone decided it was okay to sacrifice an entire neighborhood to a special interest group that clearly by code and all definitions does not belong. The facility is NOT allowed under city or county code. We are here today to demand you follow code and shut this entity down. We want our neighborhood back and will do whatever is necessary to see that happens.

At the end of this meeting during public comment we will reference the areas of the code that disallow this facility.

July 8, 2019

## Outline of events

### 1995 Ponderosa Drive Sparks NV

On March 8, 2018 Sparks Planning approved and forwarded to the Washoe County Building Department a permit application to expand from 2131 sq. ft. with 5 bedrooms for ten or less persons to build an addition of 1925 sq. ft. with 4 bedrooms and 4 baths for a total of 9 bedrooms for 18 or more persons. This application was eventually approved, without the notification or knowledge of any of the current Ponderosa Drive residents, and construction started, currently completed, with a new license apparently issued for 32 occupants.

## AT ISSUE

The Sparks Code Use Table shows in what zoning a use is allowed and who can approve permits for the use in that zone.

- Safe Embrace's use of this property is defined in the Code in multiple areas, specifically under the heading of "Government/Non-Profit, Social assistance, welfare, and charitable services" as " .... (2) housing services including short term emergency shelter for victims of domestic violence, sexual assault, or child abuse..."

This Code definition is repeated almost word for word by Safe Embrace on their web site. They state: "Safe Embrace offers safe temporary housing for victims of domestic violence or sexual abuse, their children and pets."

The Use Table shows this type of facility is **not allowed** in any type of residentially zoned neighborhood.

- In effect the zoning went from single family (no more than 10) to multi-family (18 and now 32) and was approved by staff without review by the Sparks nor Washoe County Planning Commissions as procedure requires.
- The Safe Embrace former Executive Director states on their web site that in 2017 they intended to expand from 15 to 31 beds so they

have been obviously operating illegally as multi-family, 15 beds, for some time. This is also documented in the County Building Department initial review of their permit application on 3-6-2018.

Safe Embrace has been illegally operating as more than single family residence and in violation of the County's definition of a group home of 10 or less.

The Code Section addressing Nonconforming Property states:

**"This Chapter does not excuse, authorize or legitimize uses in violation of any previous zoning. Those uses are not "legally" nonconforming, but instead remain unlawful and subject to all requirements of this Table (including enforcement provisions) and any other applicable law."**

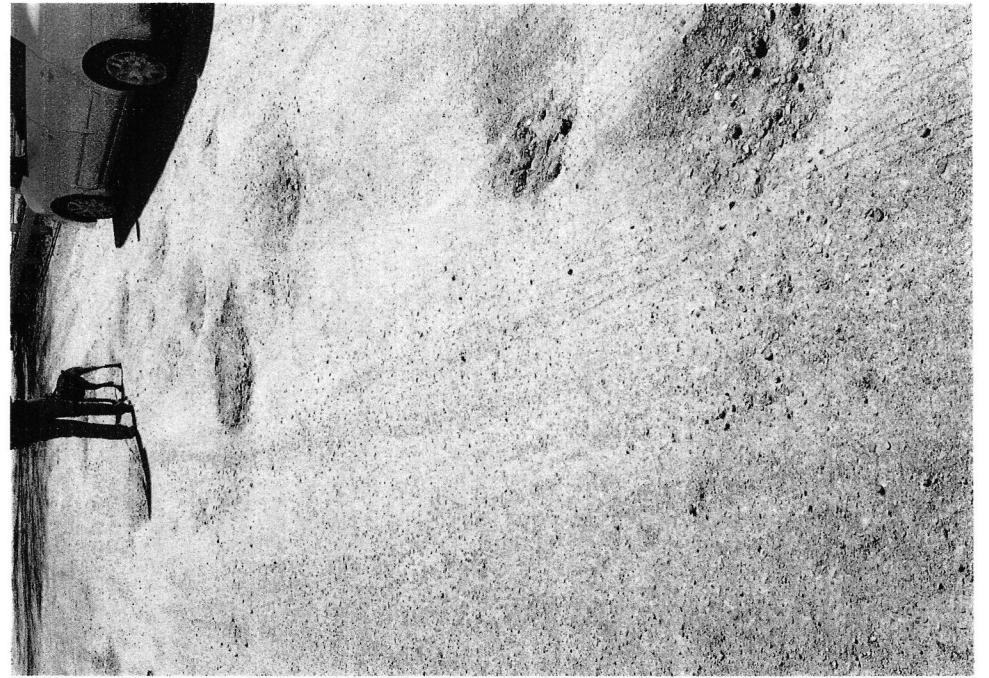
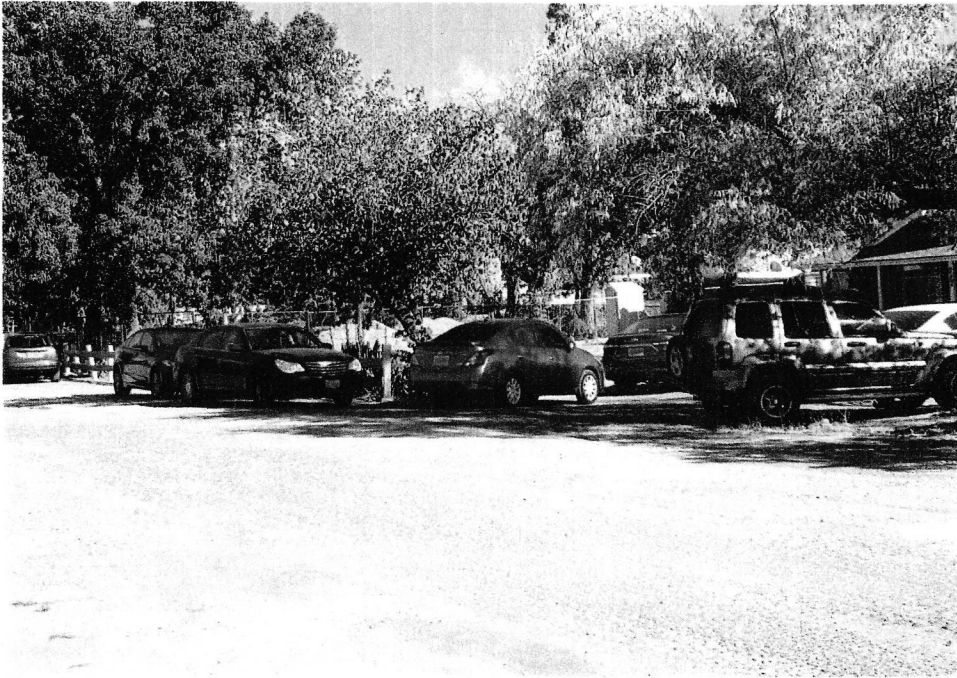
The Section just referred to states:

“The City finds that nonconformities that adversely affect the orderly development and value of other property in the neighborhood or district should not continue unless restricted. “

In addition, even if they were nonconforming it goes on to say: “A nonconforming use shall not be extended or enlarged by more than 10% of the area lawfully occupied by the nonconforming use as of the date on which it became nonconforming, except by Conditional Use Permit.”

The area of the facility went from 2131 sq. ft. to 4066 sq. ft, an increase of 90%. It would have needed Commission, not staff approval.

**Unknown to us, Safe Embrace has been secretly operating illegally. Very clearly per code they cannot be grandfathered. Very clearly per code they are not allowed at all in Sparks in single or multi-family residential zoning no matter how many occupants they have. These multiple failures to follow Sparks Code procedures and City and County policy must be addressed. The Ponderosa homeowners are here today in force to ensure Sparks honors their code and the facility is not allowed to remain on our street. Period**







# CITY OF SPARKS

## REQUEST TO ADDRESS THE CITY COUNCIL

Date 7-8-19 Agenda Item No. \_\_\_\_\_

Name WED HORISHNY

Address (Optional) 5216 valley Hi Drive

City/State/Zip Code (Optional) Sun valley NV 89433

Phone (Optional) 775-982-3547

I represent (Optional) citizen

I am in attendance concerning: City of Sparks request page & sweeper policy

I do not wish to speak, but wish to note my position in favor \_\_\_\_\_ or in opposition \_\_\_\_\_

I wish to speak (for use by city: comment was in favor \_\_\_\_\_ or in opposition \_\_\_\_\_)

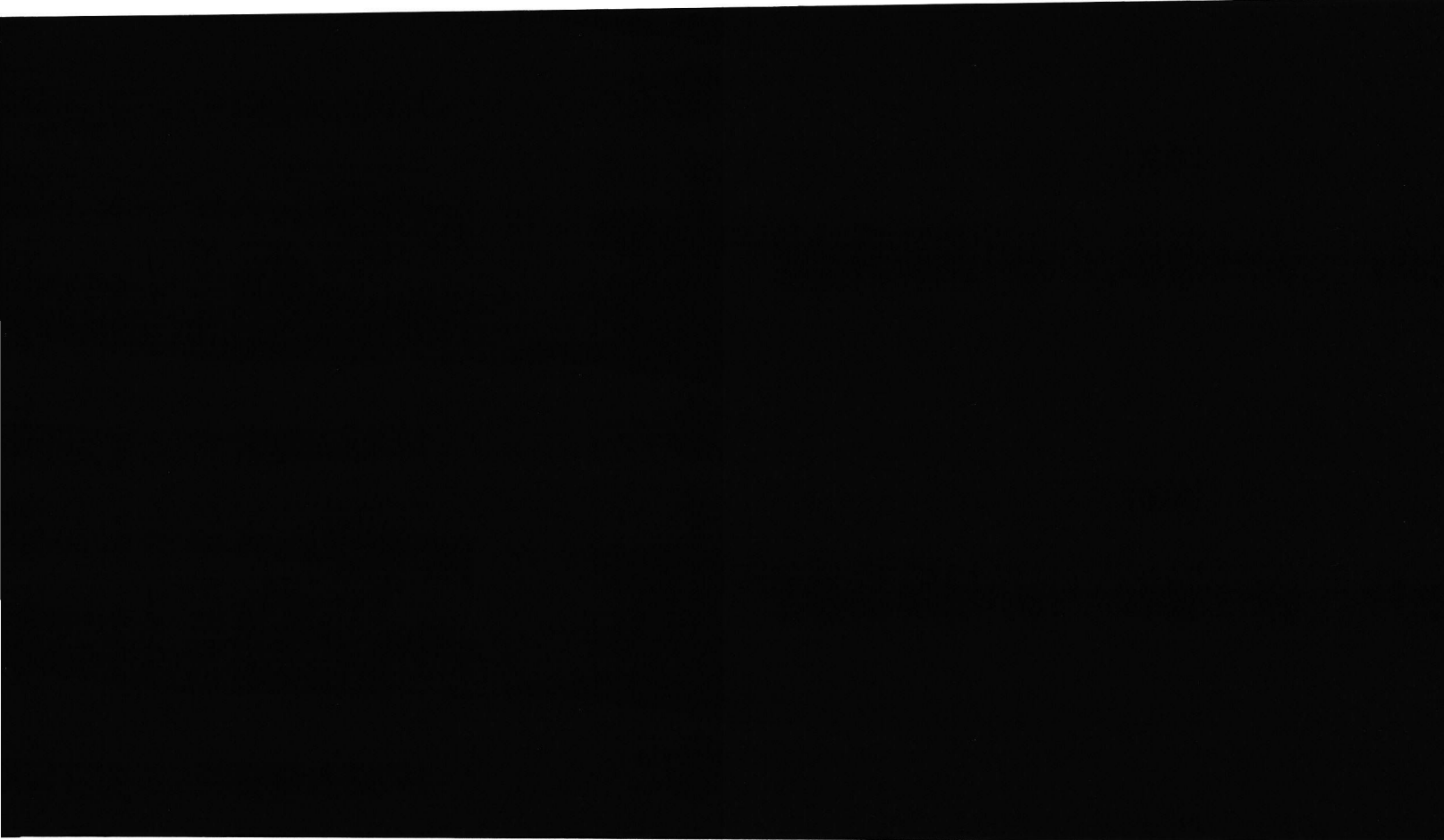
\*\*\*\*\*

**Rules - Addressing the Council** - The meetings conducted by the Sparks City Council in the City of Sparks Legislative Building are not public forums. The presiding officer will enforce viewpoint neutral procedural rules to ensure orderly conduct during that portion of the Agenda set aside for Public Comment. In order to allow the City Clerk to properly document those individuals speaking to the City Council, persons desiring to address the Council shall first provide the City Clerk with a written request to address the Council so they may be recognized by the presiding officer.

**Manner of Addressing the Council** - In order to conduct orderly, efficient, effective and dignified meetings that promote a governmental purpose with a governmental process, public comment may address any agenda item or other public issue that the City Council has the authority to effectuate or exercise control over. Public comment on matters beyond the City Council's scope of authority, not relevant to Council business, does not invoke a governmental process nor serve a governmental purpose and is contrary to the effective, efficient and orderly business conducted by the Sparks City Council, is not permitted. When called by the presiding officer, each person addressing the Council shall step up to the microphone, give his/her name and limit the time of his/her presentation to three (3) minutes. All public comment remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Council members, except through the presiding officer. Speakers shall avoid undue repetition of points previously presented to the Council.

**Sound Amplification** - The City of Sparks Provides sound amplification during its public meetings for the convenience of the speakers and the audience. Sound amplification, if enhanced by yelling or shouting can cause hearing and equipment damage. Public speakers using the sound amplification shall not disrupt the meeting by yelling or shouting into the microphone while addressing the City Council.

**Disruptive Conduct** - Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the presiding officer. A person willfully disrupts a meeting when he/she (1) uses physical violence, or threatens the use of physical violence or (2) continues to use loud, boisterous, unruly or provocative behavior after being asked to stop, which behavior is determined by the presiding officer, or a majority of the Council present, to be disruptive to the orderly conduct of the meeting or (3) fails to comply with any lawful decision or order of the presiding officer or of a majority of the Council relating to the orderly conduct of the meeting.





MENU

# Report an Issue

Sparks Citizen Requests



Create new issue Map List Keyword

All Issues My Submitted My Commented My Followed

Map Satellite

Submitted Received In Progress Completed

Accela Embed Select Language

## Similar Resources

Contact Us

Get Involved

Report an Issue

Police Department Contacts

TMWRF Phone Book

Animal Control & Dog Catcher

#IgniteSparks

City Hall Phone Book

Court Address, Phone Numbers & Hours

Fire Department Phone Book





MENU

# Report an Issue

Sparks Citizen Requests

[Create new issue](#) [Map](#) [List](#)

[All Issues](#) [My Submitted](#) [My Commented](#) [My Followed](#)

**Map** Satellite

Map data ©2019 Terms of Use Report a map error

[Submitted](#) [Received](#) [In Progress](#) [Completed](#)

[Embed](#) [Select Language](#)

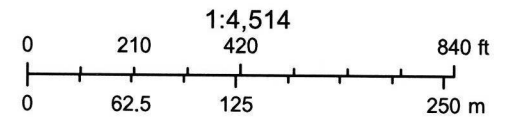
## Similar Resources

- [Contact Us](#)
- [Get Involved](#)
- [Report an Issue](#)
- [Police Department Contacts](#)
- [TMWRF Phone Book](#)
- [Animal Control & Dog Catcher](#)
- [#IgniteSparks](#)
- [City Hall Phone Book](#)
- [Court Address, Phone Numbers & Hours](#)
- [Fire Department Phone Book](#)



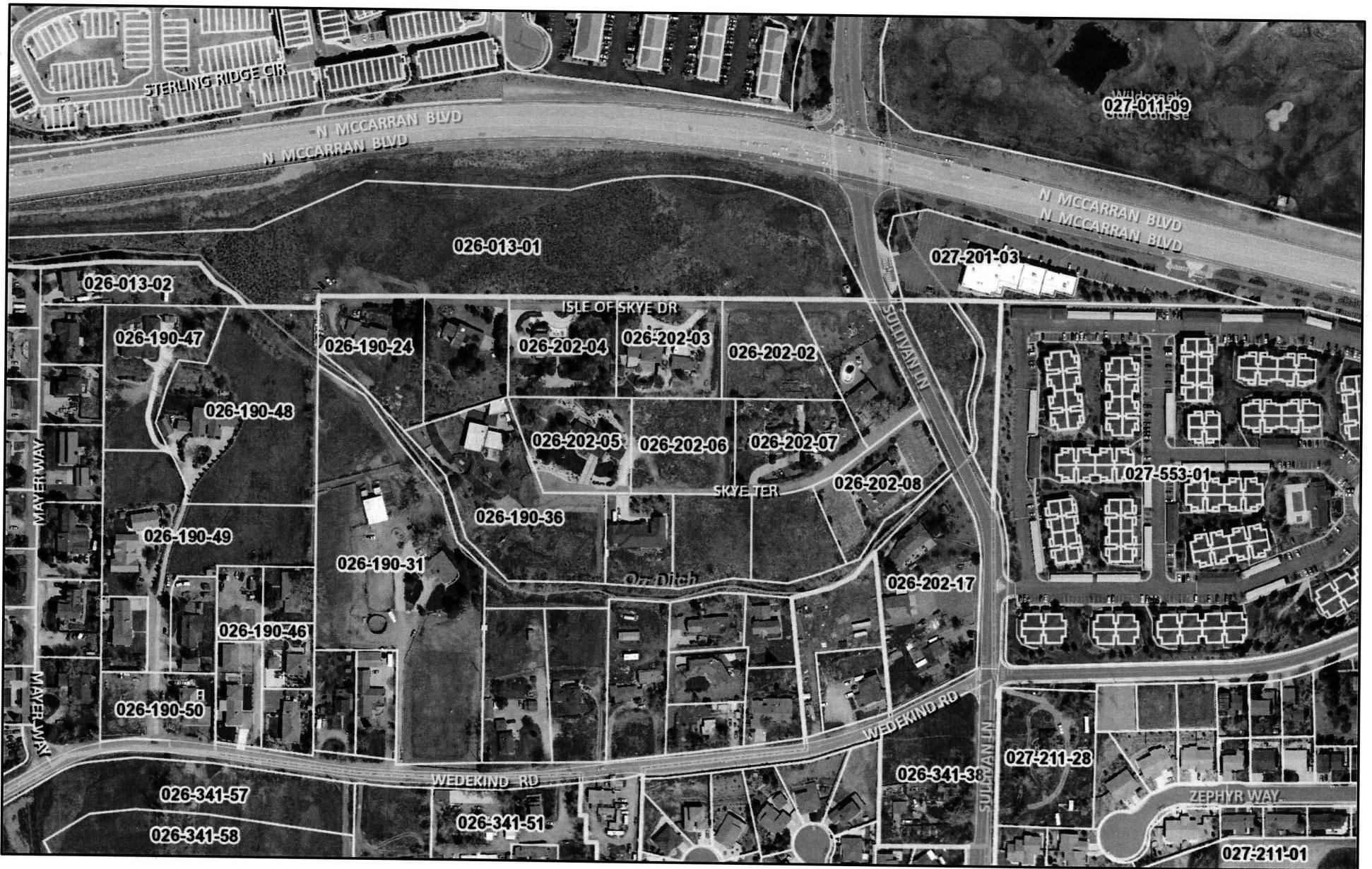
July 4, 2019

- NDOT
- Washoe
- Reno
- Washoe Gravel
- Sparks
- APN



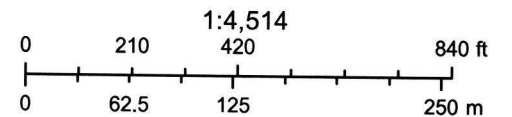
Washoe County  
Washoe County GIS

This information for illustrative purposes only. Not be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.



July 4, 2019

- |  |        |  |               |
|--|--------|--|---------------|
|  | NDOT   |  | Washoe        |
|  | Reno   |  | Washoe Gravel |
|  | Sparks |  | APN           |



Washoe County  
Washoe County GIS

This information for illustrative purposes only. Not be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.