

Kenneth Holland

266 Parsons Rd.

PLN: 13188-SP

APN: 110-051-028

Hearing Date: August 5, 2021

The Planning Commission must be aware that there are severe impacts that approval of this proposed project will bring and that mitigation must be included in the requirements and/or rejection as an inappropriate proposed use since it is located in a primarily residentially zoned neighborhood.

- The fact the parcel in question was zoned commercial fifty-seven (57) years ago when the county approved the sub-division map never, in anyone's wildest dream, took into consideration that it might be used for a commercial cannabis operation. Outside of two additional adjacent commercially zoned parcels, the hundreds of parcels surrounding the proposed project are all zoned residential and it can be easily said that people who have families will be hesitant to build and raise their children in such close proximity to such an operation. This is not to mention the potential negative impact it will have on property values.
- Zoned C-2 or Community Commercial, there is no way, even under any Principally Permitted Uses, that this meets the definition or intent of "Community". And even if it does technically meet the definition, I do not think the possibility of a project being located in a residential neighborhood was ever considered.
- The Lease Agreement included in the file was for two years and **expired** 12/31/2020 and was for only 1,200 sq. feet of the existing building. There is no indication or documentation it has been extended which would mean a key component of the application is null and void.
- Under Finding 5 (c): The location of the processing and manufacture complies with all setbacks required in Section 314-55.4.11.d. It is **more than 30 feet** from any property line, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

This is **WRONG** as it is **only six feet** from the property line on the south side of the proposed project as shown on their submitted site plan.

- Under Finding 6 (c): The location of the proposed cannabis cultivation (980-SF greenhouse) is **more than 300 feet** from the nearest off-site residence.

This is **WRONG**. Using a laser measure, I confirmed that the distance to the nearest off-site residence to the west located at 261 Parsons Rd (110-051-23) is **approximately 186 feet**. The distance to the nearest off-site residence to the south (110-051-31) is **approximately 170 feet**.

- There is no discussion in the paperwork of the impact this much cultivation will have on the issue of smell and how it would be addressed as it could easily permeate the neighborhood and cause a significant impact on property values.
- There has been the following finding: Slope Stability: High Instability. In the years since the existing metal building was constructed, usage as a commercial structure could be considered as 'light'. Under this new proposal that usage will change dramatically. Of concern is that to the north side of the building, the slope has been stabilized by railroad ties and not an engineered retaining wall which could allow for catastrophic failure at some future date. A condition should be added that an engineered retaining wall be required for this area.
- While project number 13197 is currently classified as "In Referral", this neighboring parcel (110-051-30) is being proposed as a location for a new type 4 nursery - *A Conditional Use Permit for 11,200 sq ft of existing, type 4 medical cannabis nursery*. I was told by the Planning Department that while they had hoped to put all three projects before the Planning Commission at the same time, the individuals behind 13197 are not yet ready to proceed. One thing the Planning Commission needs to be aware of is that all three projects (13188, 13194 & 13197) have one individual in common attached to each – Sean Moynihan – therefore they cannot be arbitrarily separated and their impact must be considered as a whole and not piecemeal.

I therefore request that 13188 along with 13194 be removed from the consent calendar for needed discussion of the massive impact these projects will have on our quiet residential neighborhood.

Respectfully submitted,

/s/ Jim Ferguson

Shelter Cove