

City Council Staff Report

August 7, 2019

Applicant: Northridge

Holdings, LLC

Location: 875 E 1600 N

Prepared by: Sean Conroy,
Community Development
Director

Public Hearing: N

Zone: RA-2, A-2 Zone

Attachments:

1. Standard findings.
2. Application information.
3. DRC Comments.
4. PC Minutes.
5. Correspondence

REQUEST

Consideration of a Resolution approving the Preliminary Plat for the Northridge Estates subdivision consisting of 19 lots in the RA-2 and A-2 zones.

BACKGROUND AND PROJECT DESCRIPTION

The subject property is approximately 17.6 acres in size and is developed with a single-family residence and several accessory buildings. The property fronts on 1600 North on the south side and the Hobble Creek bluff on the north side. On April 17, 2019 the City Council approved a rezone of approximately 10.5 acres of the property from A-2 to RA-2, but left the remaining portion of the property as A-2.

The applicants are requesting approval of a preliminary plat that would include the following:

- 18 lots ranging in size from .35 of an acre to .45 of an acre in the RA-2 zone.
- One 6.54-acre lot in the A-2 zone.
- A new U-shaped road through the development.
- Roadway improvements along 1600 North.
- A remainder parcel approximately 1.47 acres in size that includes the area around the City's Carnesecca well. It is anticipated that two additional lots will be proposed in this area in a future phase.

The Planning Commission recommended approval of the preliminary plat on June 27, 2019, and also approved a conditional use permit to allow a reception facility on the 6.54 acre lot. The City Council is the final decision-making body for the preliminary plat and the Planning Commission is the final decision-making body for the conditional use permit. Therefore, the conditional use permit is not part of this agenda item.

EVALUATION

Subdivision Plat: A subdivision plat application is considered an administrative permit. If an application complies with City standards, the City is obligated to approve the request. The City may apply conditions when necessary to ensure compliance with City standards and/or to address reasonably anticipated detrimental effects.

Mapleton City Code (MCC) Chapter 17.04 outlines the process for the review and approval of preliminary subdivision plats. For plats of four lots

or more, the City Council is the final decision-making body and the planning commission is required to make a recommendation to the City Council. MCC Chapter 17.04.050.B outlines the review standards that shall be used by the Council in making its determination. These standards are shown in attachment “1”.

MCC Chapter 17.16 outlines the required improvements that are the responsibility of the developer including the installation of utilities and road improvements. The proposed plans comply with the improvement requirements of this section. The City’s consulting engineering firm has also reviewed the plans to ensure that the new development will not negatively impact the culinary and secondary water systems.

Traffic Study: Mapleton City Code does not require a traffic study for subdivisions of less than 100 lots, however, because the applicants were also proposing a reception facility on one of the lots, a traffic study was required. The study indicated that the proposed subdivision will not create any significant traffic impacts on 1600 North.

Zoning: As mentioned previously, the property has two zoning designations. Lots 1-18 and parcel “A” are zoned RA-2 and lot 19 is zoned A-2. All lots in the RA-2 zone require a minimum size of 14,500 square feet with at least 100 feet of frontage. The proposed average lot size in the RA-2 zone portion of the project is over 17,000 square feet and all lots have over 100 feet of frontage. The proposed lots comply with the RA-2 zoning standards.

The A-2 zone requires a minimum of two acres per lot with at least 200 feet of frontage. The proposed lot in the A-2 zone is 6.54 acres in size with over 750 feet of frontage. The proposed lot in the A-2 zone complies with the A-2 zoning standards.

As mentioned previously, the Planning Commission has approved a conditional use permit for a reception facility on the 6.54 acre lot. Staff recommends that a note be added to the plat providing notice to future buyers that a reception facility exists or may exist on lot 19.

Carnesecca Well: MCC Chapter 13.28.030 requires a well protection zone of a 100-foot radius around any City well. This area must be kept free from uses that may contaminate the well. The DRC comments address this issue.

STAFF RECCOMENDATION

Adopt a resolution approving the Preliminary Plat with the attached special conditions.

SPECIAL CONDITIONS

1. The applicant shall comply with all outstanding DRC comments prior to final plat approval.
2. A note shall be added to the plat indicating that a reception facility exists or may exist on lot 19.

RESOLUTION NO. 2019-

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE NORTHRIDGE ESTATES SUBDIVISION CONSISTING OF 19 LOTS IN THE RA-2 AND A-2 ZONES

WHEREAS, the subject property is approximately 17.6 acres in size and includes zoning designations of A-2 and RA-2;

WHEREAS, the general plan designations for the property include Rural Residential (RR) and Medium Density Residential (MDR);

WHEREAS, the proposed residential subdivision is consistent with the A-2 AND RA-2 zones as well as the general plan designation;

WHEREAS, the proposed project complies with title 17 of the MCC as outlined in the findings for decision attached to the City Council Staff Report; and

WHEREAS, the Planning Commission has recommended approval of the preliminary plat.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to approve the Preliminary Plat for the Northridge Estates Subdivision with the findings and conditions outlined in the staff report dated 8/7/19.

**PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON,
UTAH,**

This 7th Day of August, 2019.

Dallas Hakes
Mayor

ATTEST:

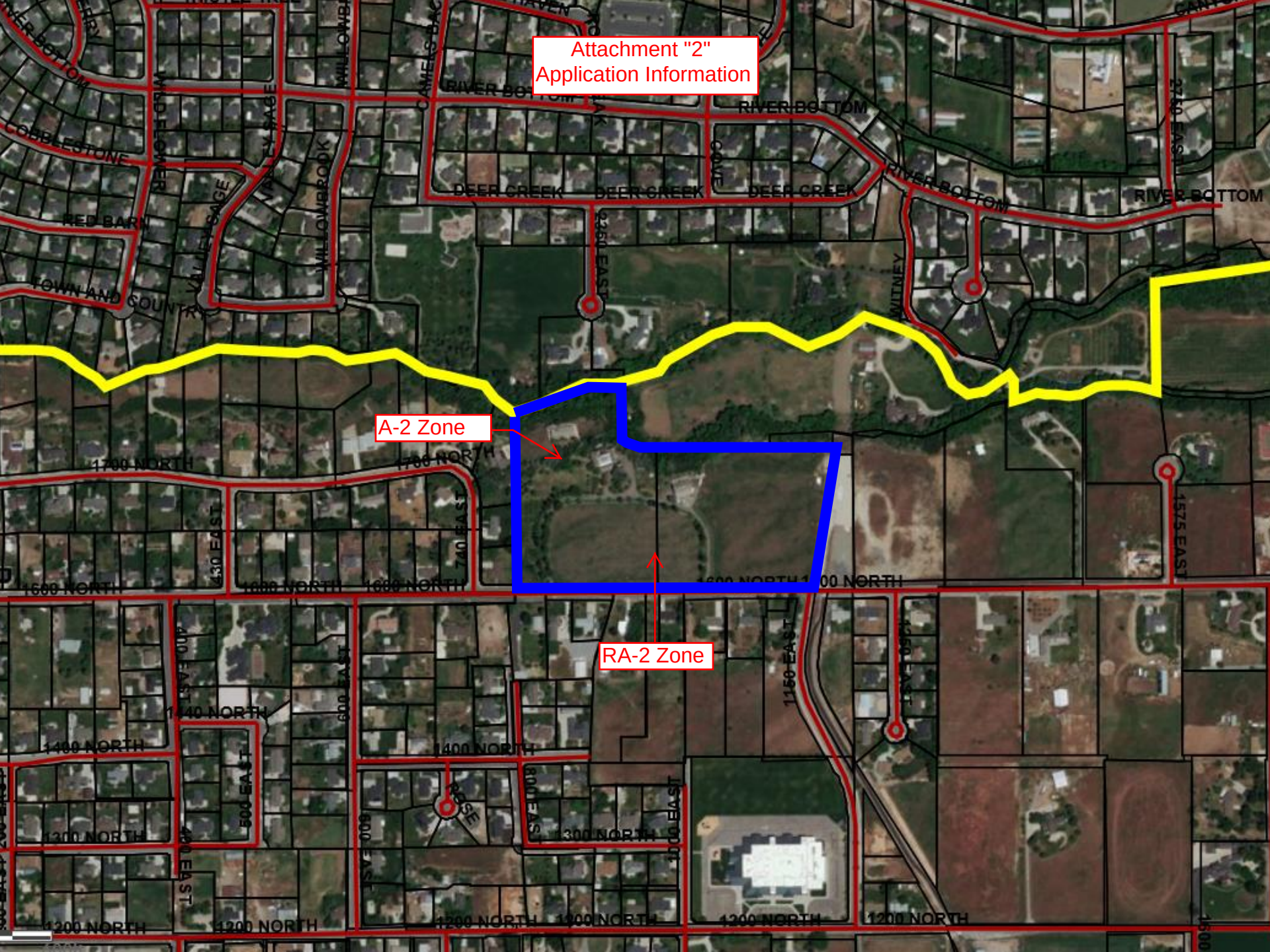
Camille Brown
City Recorder
Publication Date:
Effective Date:

Attachment “1” Findings for Decision		
No.	Findings	
1.	The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.	✓
2.	The submitted plans, documents and submission materials conform to applicable city standards.	✓
3.	The proposed development conforms to city zoning ordinances and subdivision design standards.	✓
4.	There are not natural or manmade conditions existing on the site or in the vicinity of the site defined in the preliminary plan that, without remediation, would render part or all of the property unsuitable for development.	✓
5.	The project provides for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions.	✓
6.	The project does not impose an undue financial burden on the City.	✓
7.	The location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the project are consistent with the city's general street map and other applicable elements of the general plan.	✓
8.	The project plan recognizes and accommodates the existing natural conditions.	✓
9.	The public facilities, including public utility systems serving the area are adequate to serve the proposed development.	✓
10.	The project conforms to the intent of the Subdivision Ordinance as described MCC Chapter 17.01.	✓

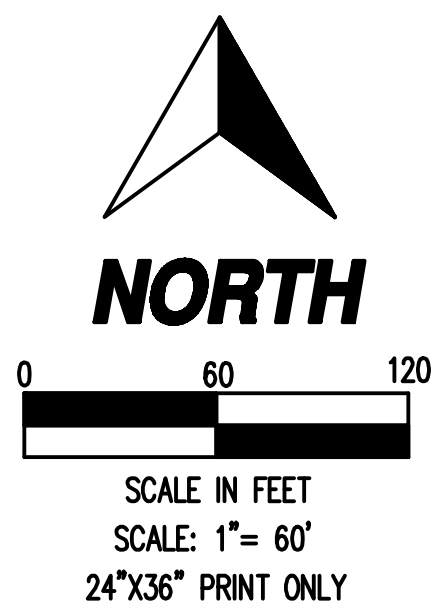
Attachment "2"
Application Information

A-2 Zone

RA-2 Zone



NORTHRIDGE SUBDIVISION, PLAT 'A'



SURVEYOR'S CERTIFICATE

1. BARRY L. PRETTYMAN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 166406 AS FURNISHED UNDER THE LAWS OF THE STATE OF UTAH. IN FURTHER CERTIFICATION BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBMITTED SAID TRACT OF LAND IN TO LOTS, BLOCKS, SECTIONS, AND RASMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND WILL BE STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 5 EAST, SALT LAKE COUNTY, UTAH; THENCE S89°00'00" E 100.00 FEET TO THE SOUTHWEST CORNER OF THE SECTION 2-1/4 ACRES; THENCE S70°06'00" E 145.00 FEET ALONG THE EAST LINE OF MAPLEWOOD SUBDIVISION PLATS A & B TO AN EXISTING BOUNDARY LINE AGREEMENT (REC# 00208:1988); THENCE ALONG SAID BOUNDARY LINE AGREEMENT THE FOLLOWING FOUR (4) COURSES TO WIT: (1) NORTH 77°28'48" E 62.656 FEET; (2) NORTH 64°26'55" E 36.373 FEET; (3) N 74°48'44" E 42.1139 FEET; (4) NORTH 88°15'21" E 95.9578 FEET; THENCE ALONG A BOUNDARY LINE AGREEMENT (REC# 00207:1988) THE FOLLOWING THREE (3) COURSES TO WIT: (1) SOUTH 0°30'49" E 22.605 FEET; (2) SOUTH 55°31'10" E 42.8103 FEET; (3) NORTH 89°29'11" E 86.865 FEET; THENCE S89°00'00" E 145.00 FEET ALONG SAID BOUNDARY LINE TO 18°30" E 9.22 FEET; THENCE SOUTH 86°37'05" E 242.930 FEET; THENCE SOUTH 0°30'49" E 24.7391 FEET; THENCE SOUTH 89°11'16" E 257.7392 FEET; THENCE SOUTH 2°49'44" W 60.00 FEET; THENCE SOUTH 87°11'16" E 242.7404 FEET; THENCE SOUTH 8°57'17" E 206.96 FEET TO THE SECTION LINE; THENCE SOUTH 89°29'11" W 117.049 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 17.44 ACRES.

BASIS OF BEARING = UTAH COORDINATE SYSTEM, CENTRAL ZONE

N 89°28'52" E ALONG THE SECTION LINE BETWEEN THE SOUTHWEST CORNER AND SOUTH 1/4 CORNER OF SECTION 31, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SLB&M.

OWNERS' DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20_____

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
BY _____, _____ AND _____
_____, WHO REPRESENTED THAT THEY ARE THE OWNERS OF THE
ABOVE-DESCRIBED PROPERTY AND HAVE THE AUTHORITY TO EXECUTE THIS INSTRUMENT.

UTILITY DEDICATION

THE ABOVE NAMED OWNER(S) OF THE ABOVE DESCRIBED PARCEL OF LAND DOES (DO) HEREBY OFFER AND CONVEY TO MAPLETON CITY AND THEIR SUCCESSORS AND ASSIGNS A PERMANENT EASEMENT A RIGHT-OF-WAY AS SHOWN BY THE AREAS MARKED AS PUBLIC UTILITY EASEMENTS (P.U.E.) ON THE WITHIN PLAT.

ACCEPTANCE BY THE CITY OF MAPLETON

THE CITY OF MAPLETON, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS DAY OF , A.D. 20 .

CITY ENGINEER

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY

 MAPLETON CITY ENGINEER

COMMUNITY DEVELOPMENT DIRECTOR

APPROVED THIS _____ **DAY OF** _____, A.D. 20____, BY
MADISON CITY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE

NORTHRIDGE SUBDIVISION, PLAT 'A'

MAPLETON CITY, UTAH COUNTY, UT

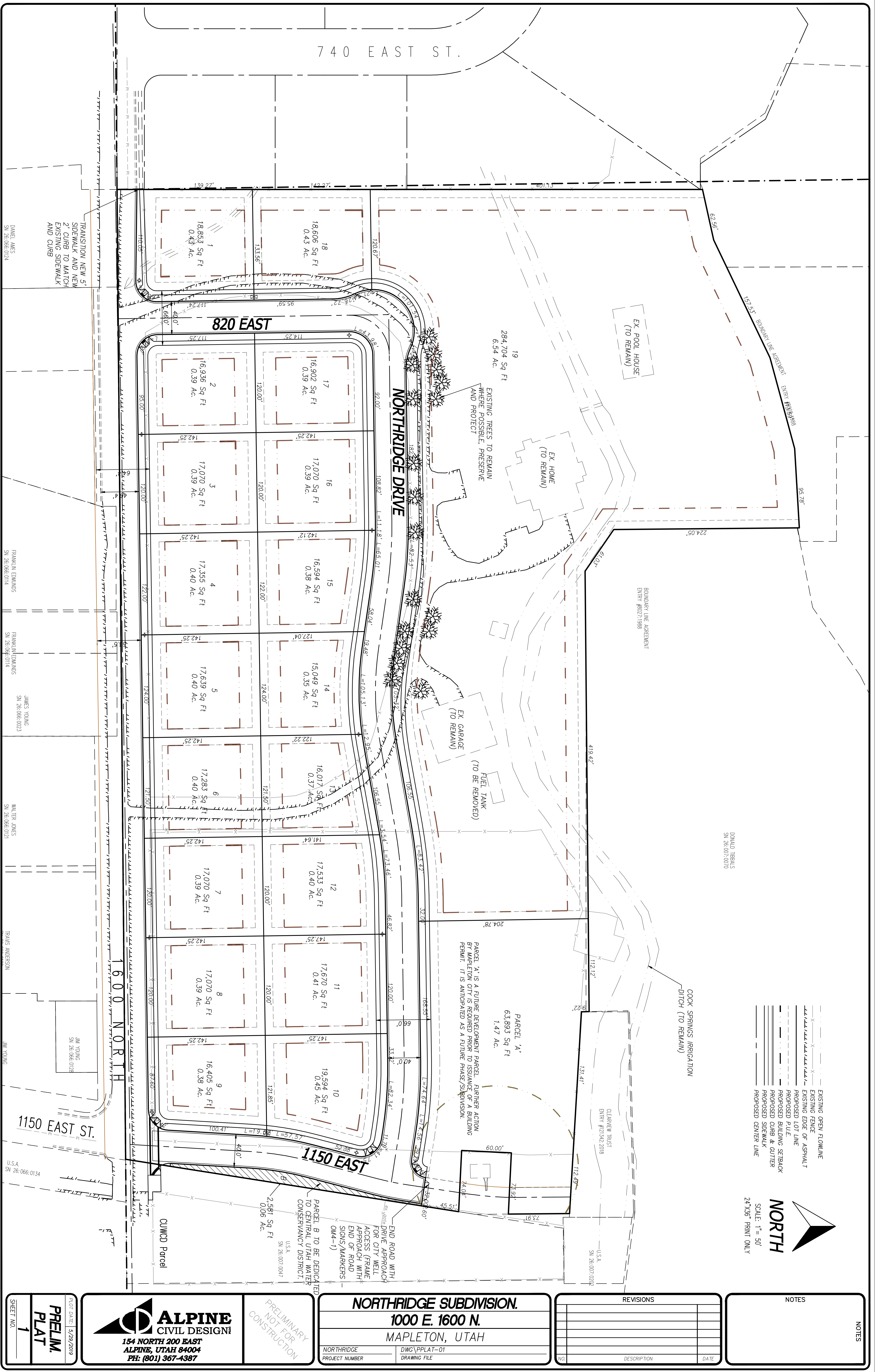
SCALE: 1" = 60' FEE

MAPLETON IRRIGATION CO

PRESIDENT - MAPLETON IRRIGATION COMPANY

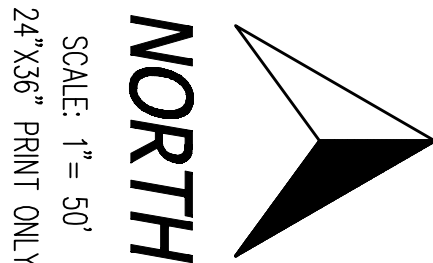
This form approved by Utah County and the municipalities thereof

[illegible]



NOTES

NOTES



- EXISTING OPEN FLOWLINE
- EXISTING FENCE
- EXISTING EDGE OF ASPHALT
- PROPOSED LOT LINE
- PROPOSED P.U.E.
- PROPOSED BUILDING SETBACK
- PROPOSED CURB & GUTTER
- PROPOSED SIDEWALK
- PROPOSED CENTER LINE

REVISIONS

NO.	DESCRIPTION	DATE

NORTH RIDGE SUBDIVISION.
1000 E. 1600 N.
MAPLETON, UTAH

NORTH RIDGE PROJECT NUMBER DWG: PPLAT-01 DRAWING FILE

PRELIMINARY
NOT FOR
CONSTRUCTION



ALPINE
CIVIL DESIGN
154 NORTH 200 EAST
ALPINE, UTAH 84004
PH: (801) 367-4387

5/29/2019

PRELIM.
PLAT

SHEET NO. 1

MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

June 13, 2019 at 8:30am

125 West Community Center Way (400 North), Mapleton, Utah 84664

On May 30, 2019 revised plans were submitted for the Northridge Plat "A" subdivision consisting of 19 lots. The items below include 1) requested changes to the submitted plans, 2) other items required as part of the application and/or 3) informational items regarding city standards.

Engineering and Public Works Division

Steven Lord, P.E. Public Works Director/City Engineer, Phone (801) 489-6253

Email: slord@mapleton.org

Utilities

1. Valves will need to be installed immediately adjacent to tees/crosses on water mains. (Can be handled during construction).
2. There is water meter to the pool and the bard which may not be identified on the plans, they need to be removed/upgraded during construction.
3. Please show that existing sewer and water laterals must be disconnected at the main with detail.
4. All sewer lines within the source protection zone 2 of the Mapleton City well must be constructed to conform to Utah Administrative Code [R309-515-6.4](#).
5. The area around the Carnesecca Well shall comply with the source protection requirements identified in Mapleton City Code Chapter 13.28.
6. A revised easement shall be required to provide access to the Carnesecca with the plat recording.

General

(These items are intended for reference purposes only. Notice to proceed with construction will not be given until these items are either noted on the plans or discussed in a pre-construction meeting).

1. An excavation permit, available online at www.mapleton.org will be required for all work performed in the city right-of-way.
2. All utility crossings will be marked with etchings in the back of curb.
3. Please follow APWA standards and specifications unless otherwise identified in the Mapleton City Supplement to APWA Standards and Specifications available online at www.mapleton.org.
4. A Storm Water Pollution Prevention Plan (SWPPP) permit will be required. Please contact JD Shepherd at Mapleton City Public Works with questions.
5. Electronic As-Built drawings of any and all utility connections and appurtenances will be required prior to the approval of final inspection.
6. Any work on Mapleton Irrigation Company ditches will be approved by the Irrigation Company.

7. Any work on dry utilities including but not limited to power, gas, and communications will be coordinated and approved by the relevant utility company and must be installed within the public utility easement.
8. Concrete Collars will be required on all valves and manholes in the roadway.
9. The applicant must submit plans to RB&G Engineering (801-374-5771) to be added into the City's water model. The applicant shall be responsible for the cost of this review.
10. The applicant must submit a Storm Drain report certifying that the proposed Storm Drain design will accommodate the 100-year storm.
11. The applicant must submit a geotechnical report per Mapleton City standards.
12. Any work in UDOT Right-of-Way will require a separate UDOT access and encroachment permit.
13. Please ensure 10' separation between culinary water and sanitary sewer lines.
14. A maintenance plan and agreement will be required and recorded for all storm drain retention basins.
15. A note must be placed on the plans to identify any existing fences and/or improvements on adjacent properties. If construction requires the removal of or results in damage to these items, they must be replaced before the final development inspection can be completed.
16. A stamped and signed plan set will be delivered electronically to the City Engineer prior to commencement of any construction.

Prior to plat recording:

- ☐ Revise drawings to address any outstanding issues raised in the DRC comments and/or project conditions.
- ☐ Applicant may choose to either 1) establish a performance bond and durability bond agreement prior to plat recording (amount to be determined by City Engineer) or 2) to install any required improvements (i.e. utilities, roads, curb, gutter, sidewalk, etc.) without a performance bond (durability bond still required). If option 2 is selected, the plat will not be recorded until the City has accepted the improvements.
- ☐ Payment of impact fees of \$81,504 (\$4,528 not including lot with existing home). An additional impact fee of \$6,968 per lot will be required at the time of building permit issuance.
- ☐ Submittal of 20 acre feet of water shares/rights (.45 acre feet per lot and 2.5 acre feet per irrigable acre). If you are proposing to use strawberry water, you must fill out the attach agreement and get signed by Mapleton Irrigation. The maximum amount of strawberry water that can be used is 8 acre feet.
- ☐ Payment of engineering inspection fees of \$3,230.
- ☐ Payment of street light fee of \$8,550 (\$450 per lot not including lot with existing home)
- ☐ Payment of slurry seal fee (\$.18 a square foot of asphalt).
- ☐ Submit final mylar with all required signatures.
- ☐ Submit a check made out to Utah County Recorder for \$92.00 (\$50 per page and \$2 per lot).
- ☐ Contact Post Office regarding cluster mail boxes (see attached letter).

Attachment "4"

MAPLETON CITY PLANNING COMMISSION MINUTES June 27, 2019

PRESIDING AND CONDUCTING: Chairman Therin Garrett

Commissioners in Attendance: Sharee Killpack
Golden Murray
Christy Nemelka

Staff in Attendance: Sean Conroy, Community Development Director
Brian Tucker, Planner

Minutes Taken by: April Houser, Executive Secretary

Chairman Therin Garrett called the meeting to order at 6:00pm. An Invocation and Pledge of Allegiance was given.

Item 1. Planning Commission Meeting Minutes – June 13, 2019.

Motion: Commissioner Murray moved to approve the June 13, 2019 Planning Commission Meeting Minutes.

Second: Commissioner Killpack

Vote: Unanimous

Item 2. Consideration of a Preliminary Plat application for the Northridge Estates subdivision consisting of 19 lots in the RA-2 and A-2 Zones.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance for both Items 2 and 3 on the agenda this evening. Eighteen (18) of the proposed lots would range in 1/3-acre to just under 1/2-acre in size, along with the large 6-acre parcel. There is an application for a Conditional Use Permit (CUP) Reception Center on the 6-acre parcel. The proposal meets the subdivision and zoning requirements for the property. A Water Well Protection will stay in place on the property for the Carnesecca Well. Sean went over the conditions for Reception Centers under the City Code. The proposed site plan, with elevation renderings, was part of the Staff Report. It showed the Reception Center area with a stone wall fencing that will surround it for more privacy. A traffic study was done for the proposed development. One of the recommended conditions of approval was wording put on the plat stating that there is a Reception Center in the area. This would be in place so potential buyers in the development are aware of the Reception Facility in their neighborhood. Traffic within the subdivision may need to be restricted to no on-street parking. Proposed parking is sufficient now, but if the overflow parking was to be developed into an additional lot, sufficient parking would need to be addressed. Staff recommends

43 discussing both items together, and then giving separate motions for each item when the time
44 comes. **Commissioner Murray** looked at some similar facilities in the area and went over his
45 thoughts regarding Reception Centers in residential developments. One was the Harvest Park
46 Clubhouse. The second one was the Sheranian's property off of Quiet Meadow Lane. The Cover
47 Cove facility in Springville was the third one mentioned, and the Chillon Facility in Spanish Fork
48 was the final one discussed. Commissioner Murray felt most of these facilities were a little more
49 separated from the residential developments by them than the proposed item this evening, which
50 was his reasoning for presenting the information. **Chairman Garrett** was torn with the Reception
51 Center being accessed through the development.

52
53 **Jessica Lake**, the applicant, stated that they are completely in compliance with the code. Their
54 personal family parcel will be the 6-acre parcel where the Reception Center is being proposed.
55 These items are 2 separate requests. There is no special treatment in place. She is tired of everyone
56 dragging her husband's name through the mud. Her and Jake have always tried to be upstanding
57 in all their dealings. They hold this development very dear to their hearts. She currently owns and
58 runs an events business. **Jake Lake** stated they have looked at multiple layouts of the property
59 and felt this was the most logical. They are doing everything within their legal rights for their
60 property, and how they hope to develop it. **Chairman Murray** stated that the only reason they
61 wanted to discuss the items together was to help balance out the restrictions on the facility versus
62 the subdivision. On the record Mrs. Lake stated that the 3 lots (10, 11 & 12) directly across from
63 the events center have already been reserved with full knowledge of the facility proposed. She felt
64 that this should stand as part of their promise and trust from people that this will be a beautiful
65 facility. The Lake's are willing to put wording on the plat stating that there is a Reception Center
66 within the development. There are 6 owners/investors in the subdivision and four owners/investors
67 with the Reception Center Facility. Most events will fall on a Thursday, Friday or Saturday. **Lori**
68 **Sheranian** stated that their Reception Center in the area typically has 4-8 events monthly during
69 the peak season, which is typically the warmer months. The Lake's have put a lot of thought into
70 how to lay out the development in order to be least impactful on current and future property owners
71 in the area. Ideally the parking would all take place on site, but if needed there could be a
72 stipulation for no on-street parking put on the development. Mr. Lake stated that the irrigation
73 ditch on the property will not be affected by this development.

74
75 **Chairman Garrett** opened the items for public comment. **Grace Nay** would like to ask how a
76 Traffic Study is done, and what is required when doing one. **Rick Vinton** read a letter from Royal
77 and Loretta Rose, which was also given to the Planning Commissioners prior to the meeting. It
78 stated their concern for a Reception Center in this area. A percentage of the 6-acre parcel is made
79 up of steep terrain. They do not feel this meets the qualities of the City Ordinances as intended
80 and asked that the request not be granted. **Catherine Badger** would like to have the Quiet Meadow
81 Reception Center state how many parking stalls they feel should be required. There is also another
82 Reception Center going in this area. **Shannon Young** has been affected by all the improvements
83 that have taken place in this area. In looking at the numbers, she questions the traffic report and
84 wonders how the Reception Center will affect traffic in the area. Mrs. Young can remember some
85 of the parties that took place on this property in past years, which they could hear at their home.
86 The thought of having to deal with these events multiple times during the month seemed very

87 upsetting to her. She appreciated Commissioner Murray's pictures of other Reception Centers in
88 the surrounding areas. **Matthew Ellie** wonders about the amount of light pollution this might
89 generate. He appreciates the efforts made to mitigate headlight concerns but feels light pollution
90 should be more thoroughly addressed. **Jeff Gardner** wanted to talk about a precedence this may
91 set. His concern is having 3 Reception Centers within a close perimeter, and one possibly
92 becoming unviable. Mr. Gardner wonders what this is opening up northeast Mapleton to. They
93 feel like they have no control over what happens in their neighborhood. Jeff feels the Reception
94 Center is a deterrent to the development being proposed. **Rick Silva** wanted to touch on the 300'
95 buffer from the current residential homes in the area to the Reception Facility being discussed.
96 Mr. Silva would ask that the City does not allow the Conditional Use Permit (CUP) to move
97 forward. There was concern with streets and sewer lines to be constructed within 100' of the
98 Carnesecca Well. **Sarah Lady** wanted to echo what everyone else has brought up. She does not
99 feel it makes sense to have 3 Reception Facilities so close together. She does not feel this use
100 keeps things conducive with the feel of Mapleton. People choose to live here for a reason, and she
101 does not feel this is fair to those residents in the area. **Gail Warren** wanted to thank Jessica Lake
102 for her personal views. There are a few things she feels could be put in place to mitigate their
103 concerns. Mrs. Warren thinks some beautification measures along 1600 North would be nice.
104 There will be CC&R's in place to keep a high standard in place throughout the development. She
105 would love to see a traffic study done in the summer during the busier times of the year. **Sue**
106 **Roper's** biggest concern was making sure future homeowners were notified of the events center
107 being located in the development. She would assume the overflow area will be utilized for parking
108 during large events. She wondered what the City could do to mitigate the concern of on-street
109 parking becoming an issue. **Lori Sheranian** owns Quiet Meadow Farms. Their average event is
110 about 150 people, utilizing 100 to 120 parking stalls. They have been doing this for approximately
111 4.5 years and feel there are rules in place that prohibit on-street parking. In the future Mrs.
112 Sheranian feels if the acreage requirement was raised to 10 to 15-acre size minimums it would
113 regulate the impacts in the future. **Commissioner Murray** asked how much noise comes from
114 the Reception Center. She said it can be heard when the events are outside, but when they are
115 located inside you can hardly hear any noise. **Chris Hash** stated that there is a definite impact
116 during events at the Quiet Meadow Facility regarding traffic. She was concerned with alcohol
117 being served at these events and people driving impaired. The Lake's cannot discriminate against
118 these types of events and allowances. **Cheryl Lady** feels that the Sheranian's facility is located
119 further away than the proposed facility this evening. They moved here because of the setting and
120 wildlife in the area. There is a certain lifestyle that should be maintained here, and this facility
121 would not fit in with that. **Whitney Ellie** moved here to get away from high density. They came
122 to Mapleton for its rural feel which they do not believe this proposal fits in with. **Angela Silva**
123 felt it would be nice if this plan could be worked out in such a way that it makes sense for everyone.
124 At the rezone meeting the concept plan was suggested to stay similar to the one provided, which
125 is no longer the case with the new proposal. Mrs. Silva wishes the applicants could have been a
126 little more transparent with the barn. It would have been nice to see the proposal previously. As
127 neighbors they discussed text changes to the code. She feels that if people cannot meet a code,
128 they change the code, individualizing it for their needs. Angela does not think an overflow parking
129 lot from A-2 to RA-2 Zoning to be logical. She feels traffic will increase by 55%, which is a huge
130 impact. **Ellen Jensen** is all for development and the American dream. Just because it can be done

though does not mean it should be done. She urged the Commission to drive to this area and see how it will be affected. **James Young** is the closest current resident to this Reception Center. Traffic comes in waves with event centers. It may be an increase of 80 cars, but it would be 80 cars within a short amount of time. This plat layout is a mess. Half of the lots face 1600 North, which is a busy street to face homes on. The other lots will face a Reception Center that will consist of a steady stream of cars coming and going. Mr. Young feels the current code is working against the allowed access to the Reception Center. No additional comments were given by the public.

The Planning Commission is the only deciding factor for the Reception Center Conditional Use Permit, but a recommending body to the City Council for the subdivision. **Commissioner Killpack** asked the possibility of some alternative layouts to the subdivision. Staying true to the rezone some of the lots decreased slightly in order to increase the street size. The applicants stated that the traffic study was to show that 1600 North would support the increased traffic, not to state if residence in the area would be affected by the additional traffic. They have tried to be open and honest about what they are doing. The application for the Conditional Use Permit was applied for after the City Council approved the rezone for the property. All of the lots have been designed to keep the sewer lines out of the 100' radius of the Carnesecca Well. The proposed stone wall would help to mitigate some noise. **Chairman Garrett** mentioned that the gate be locked during events to everyone aside of those needing to utilize the ADA access. **Commissioner Nemelka** asked if there was a way to control parking in front of adjacent properties in the area. There could potentially be staff on-site to manage the parking. The Lake's hope to keep events to 150 people or less. If approved now, the Conditional Use Permit (CUP) would be grandfathered in at the current code requirements. Commissioner Nemelka asked if restrictions could be put in place that keep the south doors closed to help mitigate noise to surrounding areas. **Jake Lake** stated that this type of restriction has not been put on any other facilities of this type in Mapleton.

Motion: Commissioner Killpack moved to recommend Preliminary Plat approval to the City Council for the Northridge Estates Subdivision consisting of 19 lots in the RA-2 and A-2 Zones, with the special conditions listed below:

1. The applicant shall comply with all outstanding Development Review Committee (DRC) comments prior to plat approval.
2. A note shall be added to the plat indicating that a reception facility exists or may exist on Lot 19. If the reception facility Conditional Use Permit (CUP) is not approved, no note shall be required.

Second: Commissioner Murray

Vote: Unanimous

Item 3. Consideration of a Conditional Use Permit (CUP) to establish a Reception Facility located at approximately 875 East 1600 North in the Agricultural-Residential (A-2) Zone.

A large portion of this item was discussed with Item 2 on the agenda this evening. Possible conditions were discussed to put on the Conditional Use Permit (CUP). These items were:

- Possible lighting cut off shields that are directed down to prevent lighting from going up and out towards adjacent properties.
- A parking attendant be onsite to prevent on-street parking during commercial events.
- If the overflow parking area use changes the Conditional Use Permit be re-evaluated to make sure parking standards are met.
- A review of the Conditional Use Permit be done within a year of the first occupancy permit being completed, aside of the current residence already located on the property.

Motion: Commissioner Murray moved to approve the Conditional Use Permit (CUP) to establish a Reception Facility located at approximately 875 East 1600 North in the Agricultural-Residential (A-2) Zone, with the special conditions listed below:

1. The applicant shall comply with all the conditions established in MCC Chapter 18.28.040 related to Reception Centers.
2. This approval is contingent upon final approval and recording of the Northridge Subdivision plat. If the plat is not ultimately approved, the applicant would need to come back to the Planning Commission with a revised site plan.
3. A Certificate of Occupancy (CofO) shall be issued for the existing residence prior to business operation.
4. Light cut off shields be put in place to prevent lighting from facing toward adjacent properties.
5. A parking attendant be onsite during commercial events to ensure parking standards are met.
6. If the overflow area changes in the future the Conditional Use Permit (CUP) can be re-evaluated to ensure parking requirements are being met.
7. A review of the Conditional Use Permit (CUP) be completed within a year following the first Certificate of Occupancy being issued in the development, excluding the current home on the property.

Second: Commissioner Killpack

Vote: 3:1:0 with Commissioners Killpack, Garrett and Murray voting aye and Commissioner Nemelka voting nay.

Item 4. Consideration of a request to rezone approximately 5.7 acres of land from the Agricultural-Residential (A-2) Zone to the Residential-Agricultural (RA-2) Zone located at 1325 East 1200 North, and a review of a conceptual development plan for the property.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The current General Plan and Zoning boundaries split the property between the A-2 and RA-2 Zone Designations. The applicant is proposing an 11-lot subdivision, but the item this evening is for the rezone only. The applicant desires to develop half of the property in order to help pay for the expense of buying the entire parcel. This area has not changed its General Plan Designation since 1995. Staff recommends that the General Plan and Zoning Map be amended along the property boundary. The

Attachment "5" - Correspondence

Please note, some of the comments relate to the conditional use permit application that are not part of this agenda item

Thursday June 27, 2019

Sean Conroy
Community Development Director
Mapleton City
125 West Community Center Way
Mapleton, Utah 84664

Dear Mr. Conroy,

Thank you for taking the time to discuss the proposed Northridge Subdivision (the subdivision) with me Tuesday morning. Per our conversation, this letter serves to document our discussion and further articulate my thoughts and concerns regarding the subdivision plans.

I own and live in the home at 936 E 1600 N in Mapleton. My home is directly across the street to the south of the subdivision. My home was built in 1978. I've lived here for nearly 8 years, during which time I've spent a considerable amount of time and money renovating my home. While it would be nice if the land involved in the subdivision remained a picturesque green pasture with horses grazing on it, I knew when I bought my home that someday it would be developed. My hope is that we can minimize the negative impact to the existing and future residents.

As I discussed with you, the current proposal for the subdivision is complicated and dangerous. The developers, in their desire to pack in as much as they could while still complying with all the relevant codes (RA-2 and A-2's conditional use rules), have come far short of minimizing impact to the new and existing residents.

As currently laid out, every new home's driveway in the subdivision will be facing a busy street.

Plats 2 thru 9 will face 1600 North. While 1600 North's speed limit is 30 mph, cars regularly drive in excess of 40 mph. Furthermore, while it is usually a quiet road in terms of volume, every morning and afternoon it is extremely busy with school traffic from Hobble Creek Elementary. Volume in the summer is also high on weekends and holidays due to people making their way to Bartholomew Park in Springville. Traffic volume will only increase as more open land is developed to the east

Plats 1 and 10 thru 18 will be situated on the entrance to the proposed Northridge Events Center (the events center). The proposed renderings of the events center's main building (the barn) show that it can seat up to 200 people for a sit down dinner and over 300 people for a sit down wedding ceremony. An event utilizing this capacity will result in 100-200 vehicles traveling on the proposed 820 E and Northridge Dr (directly in front of said plats) during a fairly compressed window of time. Possibly making things worse, the developers' renderings and site plan illustrate other multiple venues within the events center (i.e. East Garden, West Garden, Main Lawn Garden, Overlook Garden, and Pool House). This traffic problem would be exacerbated if multiple events happened concurrently. Furthermore, event traffic is prone to waves. Basically, people arrive and depart at the same time. This will result in traffic back ups on this little residential street.

In short, this subdivision, as currently proposed, will result in 8 new homes facing a busy high-speed street (relative to being a residential neighborhood) and 10 new homes facing the entrance to a street that services a quasi-commercial property with extremely uneven traffic flows.

In my experience (I live here) and estimation the homes in this subdivision will forever struggle with the following problems:

1. Backing out of their driveways safely - in addition the volume and speed of cars on 1600 N, the sidewalk directly in front of homes facing 1600 North will become an extension of the bike path directly to the east. Navigating cars, bicycles, and pedestrians while backing out multiple times a day will be difficult. The homes on 820 E and Northridge drive will struggle whenever there is a function at the events center.
2. Children safety – due to the volume and speed of the vehicles and exposure to the general public, none of these residents would want their children playing in their own front yards.
3. Exposure – exposure to vehicle light, noise, and speed as well as the general public means these homes are not in a peaceful neighborhood. More about this below.

In order to minimize impact to the current and future residents I propose the following (See attached red lined plat drawing):

1. Instead of placing Northridge Dr. between the subdivision and the events center, put a street in between Lots 2-9 and Lots 10-17 running from 820 East thru to 1200 East.
2. Have lots 2-9's driveways face north, lots 10-17's driveways face south.
3. Make the events center parking access come from 1600 North to 1150 East to a future road just north of lots 10-12 on Parcel A. Another access for the main house would be at the end of 820 E. but used only for residential use.
4. Expand the parking for the events center to 100 plus spots to ensure event center patrons don't spill out on to 1150 East, Northridge Dr, and 1600 North.

This layout is very similar to the subdivision currently being built out 100 West and 1400 North. Some of the benefits of this proposal are:

1. All the homes in the subdivision are now situated in the nice peaceful neighborhood I referenced above. Children can ride bikes and play.
2. The event center customers do not have to wind through a residential neighborhood.
3. No new driveways are facing 1600 North.
4. The bike path to the east of the subdivision can be extended another ¼ mile to the west with no interference from driveways.

As far as I can tell my proposal to rearrange the layout of the subdivision and events center has only one major problem. In order to receive their conditional use permit as a reception facility, the event center must have "...at least two hundred feet (200') of frontage on an approved public or private road" (18.28.040). I believe this requirement is forcing the developers to cram the event center's entrance onto a small residential street.

Here is my take on the current proposals. I believe the developers know that their proposals are a bad design. However, they have certain goals for the property and they are forced to make these goals work within the constraints of the city code. In short, the unintended consequence is that the city code is working against the neighbor's interest.

It is my hope and request that the planning commission will use its skill and authority to find a better solution to these conflicting needs.

Please feel free to call or email anytime.

Sincerely,

James W Young
jwy1969@gmail.com
936 E 1600 North
Mapleton, UT 84664
801-822-6289

[illegible]

SECTION LINE
SUBSIDIOUS ROADWAY LINE
PROPOSED CENTERLINE OF ROADWAY
FROM LOT LINE
FROM P.O.B.
EX. DRIVE CENTERLINE/SHOULDER WAY
RECORD NOTES (AOL PROPERTIES)
EXISTING CLAMP AND GUTTER
EXISTING SIDEWALK

Event Center Access

27 June 2019

Sean Conroy
Mapleton Community Development Director

RE: Preliminary Plat Application for Northridge Subdivision, 875 E 1600 N

Sean,

I have received the Preliminary Plat Application for Northridge Estates and have a few points I would like the Planning Commission to consider. These points will also be made available to the City Council.

- I. Reception Facilities should not be allowed to begin operations within three hundred (300) feet of any existing or planned residence.
 - A. Currently, a reception facility could be placed thirteen (13) feet from a residence.
 1. RA-2 has a ten (10) foot side setback.
 2. Reception facilities (an accessory building) in A-2 have a minimum three (3) foot side setback.
 - B. Putting a reception facility near residences would have a significant detrimental impact to the neighborhood. The Reception Facility was not part of the original Concept Plan for the subdivision.
 - C. **In April 2019, Commissioner Nemelka** asked the following:
 1. **"Do you have any intentions of doing anything commercial with the barn?"**
 - D. **Jake Lake** responded:
 1. "Um [sic], there are different ideas that we have. Um, it's all done by, uh, feasibility right now. There's no. Um, We're still looking at the cost of improvements. Like I said, we just closed on the lot on Tuesday [9 April 2019] we're still, we're still early on in our, um, I guess plans. But there is, um, obviously there are other things you can do with the property, but **we want to keep it residential...rural.**"
 - E. Seven answers were given to the question. Six had nothing to do with what was being asked. The seventh was untrue. All of the commercial plans for the barn (the Wedding Reception Facility aka "Northridge Events Center") that have been made available are dated April 2019, coinciding with the question from **Commissioner Nemelka**. If the Commission had been dealt with honestly and if intentions and participants weren't so actively guarded and kept secret, the Commission might have reached a different conclusion than to allow a rezone that put so much activity and traffic within feet of front yards.
 - F. **RECOMMENDATION:**

1. Allow reception facilities in the A-2 zone, as long as there is a three hundred (300) foot buffer from any other residence on an adjacent lot.
 2. Recommendation to the City Council: Modify 18.28.040 "Conditional Uses" in the A-2 Zone to include this buffer and make the change retroactive back to 1 January 2019.
- II. Residential and Agricultural uses of a lot in the A-2 zone should be established prior to a conditional use of a Reception Facility
- A. 18.28.010 in the Mapleton Code (Description of the A-2 zone) says:
 1. "Uses permitted in the A-2 zone, in addition to agricultural and residential uses, must be incidental thereto and should not change the basic agricultural character of the zone."
 2. Therefore agricultural and residential uses should be established prior to other uses.
 3. According to 18.8.010: Agriculture means "the science and art of farming; work of cultivating the soil, producing crops, and raising livestock."
 - a) What are the plans for Farming, Cultivating the Soil, Producing Crops, & Raising Livestock?
 - B. **RECOMMENDATION:**
 1. Do not allow development of a Conditional Use prior to the acquisition of an occupancy permit for the residence and the establishment of agricultural activity.
- III. According to the Utah and Mapleton Drinking Water Source Protection (DWSP) plan, do not allow ANY Potential Contamination Sources (PCS) in Zone 1 (Zone 1 = 100 feet from any city wellhead).
- A. The preliminary plat plan for Northridge Subdivision, plat 'A' includes roads and sewer lines within 100 feet of the Carnesecca Well.
 - B. The Utah Drinking Water Source Protection document lists roads and sewer lines (among many other things) as Potential Contamination Sources.
 - C. Construction vehicle leakage and spills are also classified as potential sources of contamination for wells.
 - D. Springville's DWSP plan was proposed by a local engineering firm and, in addition to keeping PCSs out of Zone 1, recommends keeping all sewer lines 150 feet away from wellheads. Mapleton's closest wellhead to Springville should follow the same restrictions to avoid risks to Mapleton city water.
 - E. **RECOMMENDATION:**
 1. Do not allow ANY roads to be constructed within 100 feet of the Carnesecca Well.
 2. Do not allow ANY construction vehicles to enter or operate within Zone 1 (100 feet of the Carnesecca Well).
 3. Do not allow ANY construction activity within Zone 1 of the Carnesecca Well.
 4. Keep all sewer lines at least 150 feet away from the Carnesecca Well.

To Whom it May concern:

One of the conditions of the zone change was that the plan stay consistent with the concept plan. The reception center should have been included in the original concept plan so there would be no surprises and the commissioners could have predictability in planning decisions. Hindsight is great, and planning for every possible extreme wish of a property owner is needed, but applicants need to be held to a standard that requires them to be forthcoming about land use. Perhaps the city needs to impose time limits—for example, perhaps an owner can only apply for a conditional use if the use was mentioned in a concept plan. At the April 11 planning meeting, Commissioner Nemelka's due diligence question about other possibilities for the barn, and Mr. Lake's subsequent evasion muddled the waters—some might say intentionally based on the application for the event center. I quote:

[Commissioner Christy Nemelka] I'm just curious what is going to be...What is the plan for the property that is going to remain in the A-2? The house and the barn.

[Commissioner Christy Nemelka] Do you have any intentions of doing anything commercial with the barn, or whatever structure that is?

[Jake] Um, there are different ideas that we have. Um, it's all done by, uh, feasibility right now. There's no. Um, We're still looking at the cost of improvements. Like I said, we just closed on the lot on Tuesday [9 April 2019] we're still, we're still early on in our, um, I guess plans. But there is, um, obviously there are other things you can do with the property, but we want to keep it residential.

Then just 11 days later, Mr. Lake applied for conditional use with this lovely set of architectural designs. I wonder if Mr. Lake was worried that the rezone might be at risk if he was upfront about his plans for the barn. He prevented the commission from having all the facts and making an informed decision. From the application for the event center and the planning commission meeting on Apr 11 when Mr. Lake said they had been watching the property, it's clear that the wedding reception facility has been a big part of the plan from the start. It should have been disclosed from the start.

Since there is no occupancy permit for the home, it needs to be habitable before they can call it residential. It would be helpful to expect that the resident actually resides on the property before there is even a conditional use application. Unfortunately, that requirement was removed from the code in December. The city is looking to revamp the general plan, and the vision for the future. It makes sense to put this request on hold until some of that groundwork has been completed. I would ask that the planning commission put this aside for now and give the applicant time to work on his future home. Being an invested neighbor will have (I would hope) a natural effect of avoiding negatively impacting the people you and your children have to associate with on a day-to-day basis. Right now, this property is being looked at solely as an investment. The intent of the ordinance is that A2 be primarily residential. Table this request until there is evidence of it's being a residence first. I'd like to see as much work on the home as the event center as a good faith showing that the property is more than a commercial

endeavor. I also think the city should consider some zone ordinance changes that could be retroactive to before this application was submitted as conditions now that we have the full picture of how the property will be used.

Sean's recommendation for notification to future residents is great and lends itself to transparency, but what if the lots are developed as spec homes? What condition is needed so that this notification condition is given to the actual people who will live in these homes and be most affected? A spec home builder won't have the same view of a nearby event center that a family might have. The note on the plat is a great first step, but I lived in my home for a year and a half before looking at the plat. A note on the plat doesn't have the effect of notifying future homeowners.

While I understand that anyone can turn their RA2 property into a parking lot, a conditional use that is permitted in A2 should not bleed into the RA2 zone. The overflow parking is incidental to the wedding reception facility. Since wedding receptions facilities are not approved in the RA2 zone, uses incidental to them should also not be allowed there. If there isn't enough land for what you want to do in the A2 zone, maybe the minimum acreage requirements need to change.

I'd like to make sure we are clear about the details of ordinance 9.12.040. It names the hours of 10pm to 7am as the time of day when people can't disturb the peace of their neighbors. In the application, Mr. Lake says that events could go from 10am to 11:30 pm and that he understands the disturbing the peace ordinance. Can we make sure that we all understand each other? When I read the ordinance it sounds like events should end by 10pm, but maybe as a commissioner Mr. Lake has a different understanding. Which is it?

The conditional use permit should be reviewed annually or biannually. Things will change in the city. There will be 3 operating reception facilities and there may be impacts that are unseen at this point.

The buffer lots are gone in the plat. They are smaller than the concept plan showed. One of the things commissioners praised the developer for was his consideration of local neighbors by including buffer lots on the east and west. I'd like those added back to the subdivision. There should also be a buffer of at least 200 feet between future residents and the wedding facility. Just because you can place a reception facility that close to a neighbor, doesn't mean you should.

Ordinance 18.36.080 refers to RA2 subdivisions, but the principle seems to be that we separate agricultural and non-agricultural uses. Since we aren't separating ag from non-ag in RA1 or A2, it could be the case that nobody foresaw this kind of thing happening, where an A2 use was so close to an RA2 zone. The barn is way too close to the homes directly in front of it. There are negative traffic, noise, and safety impacts to the future residents.

The developer is trying to squeeze in as many uses as he can, but is that really good for the city? Should the code be changed to limit people from doing every possible thing they can on their land, and how do we do that? The code should be flexible enough that decision makers can prevent foreseeable issues, instead of being held hostage to all allowable ideas. History with this property shows that the applicant doesn't feel bound by what he says he intends and will work to take advantage of the full rights that the law allows without consideration of others. The city needs to be mindful of that and think in extremes of what he could decide to do.

According to the federal highway administration the avg. household makes 9.6 trips per day. So, cars are going in and out of driveways 19.2 times a day. Ten houses on Northridge drive means 192 times going in and out of that street. That's about 8 cars per hour. That seems like low traffic. On event days, that traffic will double, but it will all be within a few hours, so the increase is actually a lot higher during the event. Suddenly this seemingly quiet street has more traffic than 1600 north does now. With an increase of as many as 60-70 cars an hour. Traffic goes from 8-60 cars going by and kids aren't prepared for that irregular change. One entrance to a parking lot will create chaotic traffic issues. Imagine a day when guests are trying to hurry to get to the wedding, kids are playing outside, cars are backed up looking for space to park and suddenly emergency vehicles have to get through on a minor road. What are some of the worst case scenarios for this situation?

Just to consider real people. The Blanchards live directly in front of the proposed 820 East. Traffic will be constantly affecting them as lights shine directly into their windows. That seems egregious and I think there must be better solutions.

The code says that if there are outside events, the planning commission decides how much parking. Sheranians say that the typical need is 135 parking spots for an event. This plan doesn't have enough.

I would ask that the planning commission recommend fewer than 8 events.

Remember the Federal Highway Administration says that the average trips per day per household is 9.6 (going in and out 19.2 times). $19.2 \times 19 \text{ lots} = 364.8$ extra cars. According to the traffic study, that means there is a 38% increase in traffic just from the subdivision on a Wednesday or Thursday. Add in an event with 80 cars, which seems a low estimate, and suddenly a Thursday wedding will increase traffic by 55%. That's a really big change for homeowners on and around 875 East and 1600 North. That also doesn't include extra traffic for the homes on 1600 North due to the planned Lindley's reception facility. So, the road can handle more, but let's be realistic about the changes to the area and the people who live here.

The fence doesn't really enclose the the reception facility area. There is a main lawn garden, overlook garden. There is no buffer for outside events that could happen anywhere on the property.

What about the pool? Will that be used for events as well? Are there detrimental effects in that case?

According to the staff report, one of the considerations is "Granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan. In this area, we now could have 3 planned or operating facilities. Those are the Lindley's, Sheranian's, now Lakes. There could be 22 days of events. There is an incremental effect on the neighboring properties that should somehow be mitigated.

Lastly, there is a misunderstanding throughout the city about conflicts of interest. A Conflict of interest is not about what the city does. It's about what an individual does. The city's only job is to enforce the code it has. This keeps the public trust and allows the public to trust the motives of city leaders because the code should be impartial. Early on in this situation, I, with many others, felt that the city was being partial and that as individuals, members of the council and planning commission were self-serving. Luckily, I am tenacious enough to have actually spoken to a few people with responsibility in the city, and while we don't always agree, I think you really sacrifice to have the best interests of the citizens of Mapleton at heart. I thank you for your service and work at keeping Mapleton a great place to live. However, if you have one official who happens to have a personal interest, and then tells people things that aren't true to further that interest, that leads to distrust of all of you and distrust of the municipal leaders generally. That's why when one member of any advisory or governing board has a conflict, the city's best interests are met by limiting the member's ability to influence in any way or to use the insider knowledge that he may have to manipulate the outcomes of his requests. The city's job is to make sure it's own officials don't exploit the city. I think this might be helpful. SLC gives it's officials access to an attorney to get advice on these kinds of risks. You can see [this](#) document for more understanding. This particular section is apropos. "For example, a decision to rezone a single property that belongs to a council member would be at one end of the spectrum, and clearly would require recusal. At the other end of the spectrum, a vote on whether to increase property taxes on all properties in the city would directly affect any council member who owns property, but the effect on that council member would be not "individualized," because he or she would be affected no differently than thousands of other people in the city. Other cases typically fall between those extremes, and we analyze what the official action would do [to] the public servant's interests and determine how large the group is that would be similarly affected." Your decision tonight will directly impact Mr. Lake. The decisions about this property are individual to Mr. Lake and his partners, and Mr. Lake should be asked to avoid discussing, presenting, or even being in the chambers while this is being decided. We should be following the code on ethics and conflicts.

Remember a conflict isn't about actual impropriety, it's about what may happen. You address it by following the city and state codes regarding ethics violations and require people with conflicts to leave the room and refrain from addressing your body on this issue. This keeps everything

transparent and fair, and maintains the public trust. Mr. Lake has special rules that apply to him because he sought a seat on the planning commission. He needs to be held to those rules.

This is hurried and disjointed generally. I'm sorry about that. Please consider it.

Sincerely,

Angela Silva