

Michael Applegarth - Fratelli Restaurant Rezone Request

From: Paula <paulal@live.com>
To: "mapplegarth@sandy.utah.gov" <mapplegarth@sandy.utah.gov>
Date: 7/7/2016 7:41 PM
Subject: Fratelli Restaurant Rezone Request
Attachments: May 19 Planning Dept meet.pdf; Hearthstone Kids.jpg

Dear Mr. Applegarth,

I am one of the residents of Hearthstone sub division who spoke in opposition to the Fratelli's Restaurant rezone request at the May 19, 2016 Planning Commission meeting.

I am writing to address something important that was left out of the minutes of that meeting. The minutes (attached) reflect that I spoke out about traffic increasing due to problems with left turns, but did not record that I am specifically concerned about restaurant customers cutting through our subdivision when they have difficulty getting onto Sego Lily because we are so child busy. The traffic through our (up to now) quiet community alone is enough of a negative to support not rezoning, but combined with putting kids at risk due to Fratelli's customers and staff using our subdivision to get back onto 13th East due to the visibility and high traffic problems is more than unacceptable, it is irresponsible.

Currently most of us exit from Firelight due to difficulty seeing on-coming traffic due to Sego Lily's heavy traffic and curving. There is no doubt that the restaurant patrons and employees will do the same by entering and then exiting from Hearthstone. The restaurant patrons will have more difficulty turning left to access Sego Lily as we residents of Hearthstone do due to the curve and traffic at the light, and drivers exiting and entering the strip mall.

To reiterate, Firelight is more easterly and has a much better line of sight. The exit from Fratelli's will be even worse for traffic out of the Smiths and strip mall as well as visibility. The logical thing will be the Fratelli customer will turn right, take the next right onto Eagle Cliff Way, or even onto Firelight, cutting through to turn onto Firelight or Petunia so that they can exit where there is better access and visibility. Some of our residents also use Petunia to turn left.

Either way there will be traffic at the area where Eagle Cliff Way and Firelight intersect. This means that they will drive through exactly where the kids congregate.

I have attached a very recent of exactly that area where Eagle Cliff and Firelight converge. My house faces that intersection. I am well aware of the numerous kids using every wheeled device made, and just at play in the street. I have personally experienced kids running in front of my moving car. These are very young children including toddlers up to kids around 10 years. The intersection is like a cul de sac, very attractive to play. I want you to see that we do in fact have a lot of kids at play there. The photos are at the Firelight and Eagle Cliff Drive intersection.

It is my understanding that Fratelli would have a full liquor license. While I am not opposed to restaurants serving alcohol, I am strongly opposed to a business that serves alcohol using a residential neighborhood full of kids as a cut through to get back to Sego Lily. Truth be told, it is dangerous even without the alcohol issue, the alcohol consumption simply adds more risk.

I have looked at the Assessor's information on the subject parcel regarding the traffic rating. It is rated 'negative'. The only time I am aware of the traffic concern being addressed was when the engineer stated that Fratelli customers might have to sit and wait to exit. It was said that Sego Lily is a minor collector street. That is false. I am disturbed that the Planning Department is making recommendations based upon false and missing information that they should have pulled as part of their review. I know that other residents are looking into that, and will contact you. I hope that you will check yourself. We have a lot of new medical buildings across the street, construction on the corner next to the Library, and the light at Buttercup is going away. If anything we need a new traffic study.

When the planning department gave the recommendation to change the current zoning to CC, the chair said his reasoning behind the recommendation was that he believed the commercial zoning would be better for our neighborhood than what would go in under the SD/PO/R zoning. I literally cannot wrap my mind around his reasoning that a business with hours well into the night, with outdoor seating, and a lot of frequent coming and going, would be less intrusive on our neighborhood than a medical office with business hours from 8:00 a.m. to 5:00 p.m. Monday through Friday. That is plainly ridiculous.

It appears that the Planning Department is fixated on the restaurant design and have failed to take into account the negative impact on the immediate neighborhood. They fail to consider that it may not be feasible to build as per the drawing once the parties bother to meet with the utilities regarding the rights of way. They fail to consider that it may fail. Changing the zoning because they like this particular business when restaurants have a high fail rate is short sighted. The zoning should only be changed if any other business rated CC would be welcome there.

I understand that should the restaurant fail, or should the Canells decide to sell the land after it is rezoned CC we could possibly end up with a bar, or some other less desirable business. I would like someone to address this thinking. I tried to get Mike Wilcox to address the fact that no one is responding to our concerns, and his reply was that the lack of response does not mean we are not being heard, it is that they don't agree.

I think we deserve an actual response that contains factual information, especially since some of the information used by the Planning Department is incorrect or incomplete. Even the drawing of the proposed building has not been approved by Questar as required, and will likely need to be approved by White City Water as well. I'm amazed the Planning Dept does not require that step as part of the application for rezoning.

Mr. Wilcox, in his recommendation to change the zoning to CC, had previously written that the restaurant owners would work with our community. They asked for a neighborhood meeting in April, and said they wanted to be good neighbors. They have owned the land for over 3 months. The

weeds are knee deep despite it being the owners' responsibility to keep them cut down. Like failing to contact the utilities before supplying plans, this does not seem responsible.

I hope that when we meet on July 19th the information regarding the conflicting, missing, or incorrect issues will be resolved. Most important, I very strongly hope that no change in zoning occur unless and until the issues raised have been resolved.

Thank you for your consideration,

Paula Lowery
10278 S Eagle Cliff Way

