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**Subject:**

RE: Moratorium language

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**From:** Faber, Andrew L. [mailto:Andy.Faber@berliner.com]

**Sent:** Friday, August 11, 2017 10:02 AM

**To:** Laurel Prevetti; Robert Schultz

**Cc:** Joel Paulson; 'Arthur Friedman'; Branson, Michael; Robert Schultz; rfreed@shhomes.com; Kamangar, Katia; Wendi Baker; Steve Buster; Don Capobres (don@harmoniepark.com); Linda Mandolini; Andrea Osgood

**Subject:** Moratorium language

Rob, Laurel,

I've reviewed the staff report and draft moratorium that are now posted on the Town's website.

I assume that the draft moratorium is not intended to affect in any way development under the existing approvals for the Phase 1 project.

However, this isn't completely clear in the language itself. For example, the second to last Whereas on page 4 says "it will be necessary to temporarily suspend the processing and granting of land use entitlements in the North 40 Specific Plan area..."

And Section 2 says staff will not "process or approve any land use development entitlements in the North 40 Specific Plan Area..." Since the term "land use development entitlements" is vague, I'm concerned that someone might claim it applies to further Phase 1 approvals.

There should be an explicit statement that this does not affect the processing of further permits and approvals needed for the Phase 1 development.

Can you put in such wording? I assume there is no hidden agenda (at least on Staff's part) to affect the Phase 1 project.

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