

Kimberly Kaufmann-Brisby

From: Brent Johnson
Sent: Tuesday, October 11, 2011 4:18 PM
To: Kimberly Kaufmann-Brisby
Subject: Thai Basil Smoking Deck

Kimberly,

Thank you for taking the time to get back to me and listen to my concerns regarding the addition of a smoking deck on Thai basil restaurant and bar. I would like to state that I am completely pro small business and believed that Thia Basil benefits this community and wish them only success. I do however have concerns regarding noise output from a outside smoking deck. My tenants at 2425 J street have had a huge increase in noise at all hours of the night with the opening of the level up bar. I have had numerous complaints of trespassing, and noise from the patrons of the bar late at night from my tenants. I am all for improving on a great business but believe the neighbors would benefit from a sound proof smoking room that kept the noise levels at living standards. Due to my buildings being old and historical as most of my neighbors are we have been given strict guidelines that historical review has implicated on us not allowing for modern things such as dual pain windows and new soundproof sidings. People living at these standards are more apt to hear loud noise. I feel that all things can be worked out for the neighborhood and believe that Thia Basil will be considerate to the people living around them and will want to keep them happy so business and people can share a space with mutual respect.

Sincerely,
Brent Johnson

Kimberly Kaufmann-Brisby

From: Bryan Botsford
Sent: Tuesday, October 11, 2011 6:35 PM
To: Kimberly Kaufmann-Brisby
Subject: Project # P11-027

Hello Kimberly,

I am contacting you in regards of a notice we have received about the "Level Up" bar addition in our neighborhood (Project # P11-027). We live at 2500 I street, and our house is half a blocks distance from this bar. We feel this addition would be an inconvenience and a nuisance to our neighborhood. We frequently see people lingering around the bar and yelling in the street as late as 2:00am. This bar also has a karaoke night that has drunken singers whaling late into the night. Parking is scarce as it is, and this addition would worsen the situation by attracting more people. We as residents of midtown, understand the attraction and lure of the nightlife here, but a line should be drawn to accommodate the people that live here. We appreciate your interest in this matter, and if you have any questions from us, we can be reached at (916) 600-6595.

Sincerely,
Bryan Botsford and Jessica Tryon

Kimberly Kaufmann-Brisby

From: Richard Jansen
Sent: Tuesday, October 11, 2011 7:40 PM
To: Kimberly Kaufmann-Brisby
Subject: PROJECT P11-027

Hi Kimberly,

Because Dr. Dhesi does not have a computer, I am forwarding his response from my computer.

My mother, Pritpaul Dhesi, and I live at 2430 I Street which is at the opposite side of the block from the Thai Basil Restaurant and the Level Up Lounge. We have seen and heard the following since the Level Up Lounge opened.

- (1) Parking is now a major problem.
- (2) A lot of trash is left on our neighbor's property and our property.
- (3) Loud music from the Level Up Lounge.
- (4) People on our property talking from 2:00 A.M. to approximately 2:45 A.M. on Saturday and Sunday mornings. This usually involves a lot of inappropriate language. For example: cursing with verbal arguments.
- (5) Sleep disturbances because of music being played from the Level Up Lounge.

On Saturday October 8, 1911, I was asleep. Between 6:00 P.M. and 9:00 P.M. the music from the Thai Basil Restaurant was so loud it felt as if a rock concert was near the corner of 25th and J Street. Our neighbors were in communication because the music was so loud. We hope this situation never occurs again.

If Project Number P11-027 is allowed to pass, we feel it can only attract more people to the Level Up Lounge. We feel it can only increase the problems mentioned above.

In closing, my mother and I would like to thank you for allowing us to express our concerns at the upcoming meeting.

Respectfully yours

Dr. Harry Dhesi, D.D.S.

Kimberly Kaufmann-Brisby

From: Richard Jansen
Sent: Thursday, October 13, 2011 9:56 AM
To: Kimberly Kaufmann-Brisby
Subject: PROJECT P11-027

SUBMISSION TO THE OCTOBER 13, 2011 SACRAMENTO CITY PLANNING COMMISSION PUBLIC HEARING ON PROJECT P11-027 (THAI BASIL SMOKING DECK SETBACK VARIANCE) BY RICHARD JANSEN AT 916 -25TH STREET, SACRAMENTO, CALIFORNIA

Because Project P11-027 will, I believe, exasperate existing noise, traffic, parking, and nuisance problems—particularly the noises problems, I do not support the project.

FACTS: The Thai Basil/The Level Up Lounge is in a three story building on a 40 x 80 lot with, as far as I know at this time, no customer parking. The Level Up Lounge does not post its hours. My understanding is that they close at 2:00 A.M. between Thursday and Sunday. The Thai Basil/The Upper Level Lounge has the characteristics of some nightclubs: large number of young people inside and out, drinking, music, smoking, loud talking, screaming, and yelling.

FACTS: 25th Street between I and J Streets (The Neighborhood) is one of the most densely packed residential blocks in midtown. Two residential duplexes are only feet away from The Thai Basil/The Upper Level Lounge property line or building exterior wall. On the opposite side of 25th Street from Thai Basil/The Level Up Lounge is St. Francis Manor Apartments, a nine story building with elderly, sick, and disabled residents. They rely on street parking for visitors. The remaining houses are single or multi-unit structures. Some of the single and multi-unit houses are not insulated, or poorly insulated; some have single pane glass windows. Residents of the single and multiunit houses are elderly, sick, or disabled; or they are young, middle aged and hardworking. The average age of the The Neighborhood, including the St. Francis Manor Apartments, is probably over 65.

FACT: The Thai Basil/ The Upper Level Lounge Property is subject to the The Alcoholic and Beverage Control (ABC) Conditions on the Alcohol License. In particular, one condition may not permit noise exiting the building or property line.

FACT: The Thai Basil/The Upper Level Lounge Property is subject to the American Disabilities Act (ADA).

FACT: The Thai Basil/The Upper Level Lounge may have no customer parking.

FACT: The proposed Thai Basil/The Upper Level Lounge smoking deck may negatively impact the St. Francis Manor Apartment residents.

FACT: The residents in The Neighborhood are entitled to peace, quiet, and sleep from 10 A.M. to 7 P.M.—the quiet enjoyment of their property.

FACT: Signs such as “Quiet Zone” or “Respect the Neighbors” don’t work for The Neighborhood noise and nuisance control.

FACT: Bouncers do not work for The Neighborhood noise and nuisance control.

FACT: Police are not available, except in extreme cases, to control The Thai Basil/The Level Up Lounge customer’s noise and nuisance behavior—particularly noise problems.

FACT: After 10 P.M., the Neighborhood is a parking lot for The Thai Basil/ The Level Up Lounge.

FACT: Of course the 300 additional square footage of the smoking deck can increase the number of customers.

My analysis of the above facts indicate a problematic situation. If the Project is approved without modification, the residents further sacrifice their peace, quiet, and sleep. If the residents compromise, most options require they further sacrifice their peace, quiet, and sleep. (The only thing the residents have to compromise with are peace, quiet, and sleep). If the property owner compromises, she will have her finances impacted.

OPTION 1: NO MODIFICATIONS

The original project

CONCLUSION

On the smoking deck, a woman's laughter, a man's yelling to a friend on the sidewalk, groups of people talking, music escaping from doors opening and closing to the smoking deck, all can be heard in the living rooms and bed rooms throughout The Neighborhood. This noise will only add to the existing noise from The Level Up after 10 P.M. Neither police, bouncers, or signs are effective for noise or nuisance control.

The smoking deck may not comply with ABC License Conditions.

Because of the increased square footage supplied by the smoking deck and, as far as I know at this point, no leased parking for customers, additional people traffic on the sidewalks will increase the existing noise problems after 10 P.M. Neither police, bouncers, nor signs are effective for noise or nuisance control.

Because the proposed square footage added to The Thai Basil/The Upper Level Lounge by the smoking deck and, the possibly of no leased parking for customers, additional vehicle and sidewalk traffic will increase the general noise and nuisance level after 10 P.M. In addition, residents may have to park further away from their houses (two or three blocks) after 10 P.M.

Past behavior of the owner almost guarantees that the additional 300 square feet will be used to increase the number of customers.

Because of the increased noise, nuisance, people and vehicle traffic, and the possible ABC noise condition, this option will not satisfy the residents.

OPTION 2: MODIFY THE SMOKING DECK

(1) Enclose and soundproof the smoking deck. No exterior doors or windows.

CONCLUSION

The increased costs will probably not satisfy the property owners. While the enclosure will solve the smoking deck problem, their remains the problem of increased people and vehicle traffic after 10.P.M. and no sidewalk noise control. Because the residents will have to sacrifice some peace, quiet, and sleep, this option may or may not be accepted.

OPTION 3: HIRE SECURITY GUARDS

No modification to the smoking deck. The property owner pays for two reliable security guards to patrol 25th Street between I and J Streets and near The Thai Basil/The Level Up Lounge Property to maintain peace and quiet.

CONCLUSION

The increased cost will probably not be accepted by the property owner. The unmodified smoking deck will not satisfy the residents.

OPTION 4: MODIFY THE SMOKING DECK AND HIRE SECURITY GUARDS

Enclose and soundproof the smoking deck. No exterior doors or windows. The property owner pays for two reliable security guards to patrol 25th Street between I and J Streets and near the Thai Basil/Level Up Property to maintain quiet and order.

CONCLUSION

The increased costs will probably not satisfy the property owners. The residents may accept this option.

OPTION 5: CASH COMPENSATION

The City of Sacramento and/or The Property Owner compensate The Neighborhood residents with cash payments sufficient for sound proofing their buildings.

CONCLUSION

Vehicle traffic issues remain. Cash compensation may not satisfy anyone or satisfy some and not others.

FINAL WORD

These options are not complete but, perhaps, can serve as a starting point; they also serve to illustrate the resident's point of view and, finally, the difficulty of a mutual compromise.

Richard Jansen

Kimberly Kaufmann-Brisby

From: Jose Diaz
Sent: Wednesday, October 12, 2011 9:48 PM
To: Kimberly Kaufmann-Brisby

P11-027

My family and I live on 25th st. The proposed Thia Basil Smoking Deck Setback Variance would bring more noise and smoke to our livelihood.

There are many people already disrupting the peace due to the loud music, with no consideration for the neighbors. People linger after the bar is closed and talking till 3am. Trash is left on our streets and sidewalks, sometimes porches. We are against the proposed development.

Sincerely,

J. Diaz