

Anya Grahn

From: Ed <edp.edco@gmail.com>
Sent: Thursday, March 30, 2017 4:52 AM
To: Council_Mail
Cc: Anya Grahn
Subject: Please REJECT the Kimball Event Deck

Honorable Mayor and City Councilors,

I ask that you REJECT the Planning Commission approval of the CUP for the Open-Air Event Deck on top of the Kimball Garage. I think approval of this deck will permanently and negatively affect our local homeowners' quality of life. In addition, it will invite the owners of the nearby Town Lift Plaza, and others, to seek the same rights...and there is nothing to stop them as the precedent will have been set. In effect you are probably approving at least 2 open-air party decks by denying this appeal.

Bear in mind that these developers have no vested rights for this deck. They can only build and operate it if it conforms with all the codes involved...and it doesn't. This CUP fails to abide by the code in many ways that have not been mitigated thru the approval process, as outlined in the appeal...and each failure is grounds for you to uphold the appeal and send the project back to the developers for further change, refinement, and/or limitations:

- 1) NOISE- The noise level set in the CUP, per city ordinance, is 65db. This is the acknowledged level of normal conversation, not the level of almost 500 alcohol-fueled people, at a party, talking over the music and each other. There is no way the operators can conform to that level. If there is a way, that needs to be empirically proven by the operators beforehand, not left as an experiment to be determined after the fact, when enforcement and remedies will be extremely difficult to enact. The government should pro-actively protect its' citizens, not put them in the awkward position of fighting against the very town they love.
- 2) TRAFFIC/PARKING- There is minimal, if any, mitigation of traffic and parking impacts in the CUP approval. If the stated goal of PC is to reduce the cars traveling into Old Town, for both traffic and environmental reasons, how can we approve something that will attract hundreds of cars per event? Maybe every night of any given week in the summer, maybe even 2 events in one day...the CUP applies no limits other than closing times. Do we think these attendees, coming from who knows where, will want to take the bus in their party clothes? I think that answer is a resounding NO...they will drive their cars, drink alcohol, make a bunch of noise on their way out, and drive intoxicated thru our streets on their way home.
- 3) HISTORICAL- There is a reason we have a Historic Board. That Board has not approved the alterations planned for the Kimball Bldg, and are a part of the CUP appeal for those stated reasons.

At the very least, postpone your decision until we can get some definitive noise and traffic studies done. I have not read in any document where this was presented in a way that it could be determined what exactly we are dealing with here. Perhaps spend a few \$\$ to hire a firm that both sides will recognize, and direct the developers to do the same. The small expenditure is well worth it vs. the enormity and permanence if the CUP approval is upheld.

Just because the developers have made this deck a vital part of their business plan does not mean that the Council or Planning Commission should feel obligated to approve it. On the contrary, because it is such a vital

part of their business plan means they plan to use it extensively...all the more reason to study the impact in more detail.

Generally we rely on our gov't to do and allow things that make it's residents happy, to make their living experience better, not worse. Please consider locals' rights to a peaceful existence, as stated in our bldg. codes and the Council's own priorities...there is too much at stake for a hasty decision.

Thanks for all you do, Ed Parigian, Old Town resident 11 yrs