

October 15, 2007

Dear ALRC Members,

We, the members of the Eken Park Neighborhood Association, wish to comment on the License Application by NDZ Enterprises for the business known as The Sandlot (the new name will be Dexter's Pub). The Sandlot is located in the Eken Park neighborhood.

Under the previous ownership of the Sandlot, nearby residents were sometimes bothered by excessive noise from the areas outside the bar. The previous owner of the business had a Conditional Use Permit for the area outside to be used for volleyball tournaments until 10:00 p.m. The Conditional Use Permit also specified a maximum of 60 people outside. The terms of the Conditional Use Permit will automatically transfer to the new owner, and the Neighborhood Association anticipates that noise will continue to be an issue. Similarly, the previous Alcohol License had the following conditions:

- 1) Volleyball to end at 10:00 p.m. and lights out by 10:30 p.m. or time allowed by Conditional Use Permit.
- 2) Alcohol Sales in outside serving area must stop by 10:30 p.m.

The two main sources of excessive noise are the volleyball games and rowdy patrons in the parking lot, especially at closing time. It is understood that volleyball is inherently noisy. However, the affected neighbors have indicated that from time to time, the previous owner failed to abide by the terms of the Conditional Use Permit and the Alcohol License, allowing games or outdoor drinking to continue beyond the set times, and it is when the noise occurred at such a late hour that it became problematic.

On October 11, 2007, Nicholas Zabel of NDZ Enterprises met with neighborhood leaders and the affected residents who explained their concerns and their past experiences. Several suggestions were offered by neighbors as to how Mr Zabel might minimize the noise impact on the neighborhood, and Mr Zabel appeared to be receptive to the residents' input.

At our regular Neighborhood Association meeting, we discussed the matter and voted to lend our official support to the License Application if the new license has the same two conditions as the previous license and if the following conditions are attached to it:

- 1) All employees will be trained on the conditions under the alcohol beverage license and the Conditional Use Permit and will be expected to ensure adherence to these conditions at all times, and
- 2) The license holder agrees to meet with neighborhood association representatives at a mutually convenient time to discuss any issues arising from the operation of the license.

Thank you for your consideration of this matter.

Sincerely,
The Eken Park Neighborhood Association

Paul Zumhagen-Krause
Co-Chair