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From: David Bridgeford [mailto:dbridgeford@mac.com]  
Sent: Sunday, October 14, 2012 2:09 PM  
To: Murphy, Brad  
Cc: Firchow, Kevin  
Subject: 809 Williamson Street, Oct 15 Plan Commission Agenda Item # 14

Dear Mr Murphy,

Please forward my concerns to the members of the Plan Commission for their meeting on October 15.

Please take a moment to consider the application for two conditional uses at 809 Williamson Street from my perspective.

I own a condominium across the street at 808 Williamson Street. I attended a neighborhood meeting regarding the proposed business. About 40 to 45 people attended. A clear majority of neighbors were opposed to the proposed use. I do not believe their concerns have been adequately addressed. There are three issues that I would like you to help solve.

First is the size of the outdoor eating area. Although this is a mixed use area, there are approximately 120 residences on the 800 block of Williamson Street. There are about 8 businesses. Most of the residences are condominiums and apartments. But we are people too! Yes we live in a mixed use area, but we have quality of life concerns like everybody else. The 30 person outdoor patio is extremely proximate to 7 residences on Livingston, Jennifer and Williamson and very proximate to the 36 residential condominium owners directly across the street. Many people feel this is not an appropriate place for outdoor dining at all. I think they have a compelling argument. I believe the Plan Commission should attach a condition that the size of the patio be limited to a capacity of 15 people during the first year of operation. Since the capacity of the interior is 40, this seems like a more reasonable mix of inside and outside diners. If the operators are unable to meet their financial goals with this limitation, there are many other more suitable areas they could easily consider.

Second, is the issue of parking. The City Staff Report indicates that the Zoning Code requires a minimum of 30 accessory off-street parking spots. The applicant offers two. It is worth noting that Bon Appetit currently uses those two spots, so in reality the applicant is offering zero new parking. This issue has been raised since the beginning, and as far as I can tell nothing concrete is being offered. I disagree with the City Staff Report that concludes that "this property will be the primary generator of evening on-street parking for this block." The staff report makes no mention of the parking needs of the 120 residences on this block, almost as if we don't exist. Since the proposed restaurant is within 300 feet of two other restaurants (Bon Appetit and Eldorado Grill) the new Zoning Code will require parking minimums as well. I suggest that the Plan Commission add a condition which requires at least 20 off-street nearby parking spots and a sign at the restaurant driveway directing cars to the nearby parking lot.

The third issue is hours of operation. This has been a concern of the neighbors from the beginning as well. I believe in order to be a good neighbor, all

patrons must be out of the restaurant by midnight. (Eleven would be better.) Plenty of neighborhood noise will be generated from groups leaving the restaurant, getting to their cars or where ever they need to go. When some restaurants say they close at midnight, that means you must be seated by midnight in order to be served. If this were to happen, the operators would have succeeded in their plans to have this spot be a late night destination. This spot is simply not suitable for a late night destination. Also, it should be made clear that the patio "closing" by 10 means that all patrons need to be off the patio by 10.

In summary, I think the applicant significantly underestimates the potential negative impact this proposed business will have on the immediate residential neighbors. In order to meet the standards required for these two conditional uses, I believe the Plan Commission needs to take further action to prevent the proposed uses from diminishing or impairing the "the uses, values and enjoyment of other property in the neighborhood."

In order to meet the standards for a conditional use in the Zoning Code the Plan Commission should exercise its discretion and include the following three conditions if it decides to approve the conditional uses.

1. The capacity of the outdoor eating area shall be limited to 15 patrons during its first year of operation. After one year, the applicant may apply to the Plan Commission to have this capacity increased.
2. The applicant is required to provide access to a minimum of 20 off-street parking spots. A sign must be posted at the restaurant driveway near the curb informing patrons of this available parking.
3. All patrons must be out of the restaurant by midnight and all patrons must be off the patio by 10 pm.

Sincerely,

David Bridgeford  
808 Williamson Street, #309