
Subject:

RE: P.C. 11/16/22. Item 2

From: Bill**Sent:** Wednesday, November 16, 2022 12:44 AM**To:** Shari Herbruck**Cc:** James Vega Lucas Seibert Robin Godfrey Dale Hanson sean mcdermott Jeremy McBride Ojai Chamber Of Commerce Jamie Fleming Bob Daddi Brian Aikens Nick Oatway Ron McCrea**Subject:** P.C. 11/16/22. Item 2

11/16/22

To: Planning Commission**Cc:** city manager, planning director, others**From:** Bill Miley**Subject:** meeting 11/16/22 item 2. Love Cafe

Hello. I have spoken before about these issues...amplification and rear yard addition.

Amplification. I could easily argue against any amplification at the Love Cafe. I assume no other downtown restaurant has such a permit.

Issues of concern...

****They will have "mic nights" where sounds will range in pitch, volume and length.

****Their programs will bring more folks to their business.

****There are no "natural" sound barriers other than their building. The fence will not mitigate much. It should be tested.

****The Lavender Inn is directly east down the drive to the bank. Air flow that way will carry sound.

****At the minimum, the city should require each time amplification is permitted... a digital monitor to be on the rear fence in a secure "box" (like Libbey), to continuously record Db levels of sound.

****After monitoring, the city should review data in preparation for scheduled updates to planning commission. I suggest a frequency of every 3 months for at least one year. Any excessive (over 55db as code described) will be a violation of the noise ordinance.

****Where will the mic and speakers be placed? Direct line from speakers to residences is a problem.

****A preview sound test should be done with the type of amplification equipment (theirs) to be used each time. To determine sound transfer distances. This should be done before the permit is given.

****Here is an example of what likely will happen. A Program is going on...customer back row says "can't hear" and the entertainer asks to turn up the amp.

Conclusion. I basically do not think amplification it is good for downtown. Down town get quiet after 6pm except for libbey park. Setting an amplification precedent is not good for downtown Ojai. Remember the park amplification ordinance. It limits sound transmission to 35 feet.

Rear yard use permit.

Issues of concern...

**** up to 35 patrons will generate considerable sound with its transmission beyond its boundaries. There is no management control over voice levels.

**** air flow movement will be key for sound transmission.

**** passive sound mitigation is needed. Especially on the west and north.

**** a sound barrier wall should be required on the west and north. Maybe south too. Such a barrier should probably exceed 8 feet for proper mitigation. (Ask about Acoustic Engineering pickleball mitigation test done 11/15/22)

**** lighting beyond a certain evening time should be prohibited.
Eg. 8 pm.

**** the north-sound dimensions should limited to adjacency to a sound wall barrier...no sound barrier no rear yard permit for that area.

In conclusion, sound and light transmission are the key issues in permitting a rear yard restaurant expansion. These must be mitigated.

Sincerely, Bill Miley