

May 9, 2013

Mayor Bill Bogaard and Pasadena City Council  
100 North Garfield Avenue  
Pasadena, CA  
VIA EMAIL

RE: Support for New York Deli Expressive Use Permit application

Dear Mayor Bogaard and City Council members,

The Pasadena Chamber of Commerce strongly supports the expressive use permit application for New York Deli to offer music and dancing for their patrons.

New York Deli is an important business for our local economy and Old Pasadena. They offer an excellent product in an authentic setting. They are also competing in an aggressive marketplace and deserve a level playing field with their competitors.

New York Deli would like to compete evenly with other businesses in Old Pasadena that are able to offer dancing and music for their patrons. New York Delis is requesting permission for less than 100 square feet of portable dance floor area. New York Deli has also voluntarily submitted a list of conditions they are happy to comply with. These conditions ensure the operation is appropriate, safe and will have no impact outside of the premises.

Any subsequent businesses that occupy the space would have to abide by these same conditions, unless the conditions were modified according to the laws and regulations of the City of Pasadena.

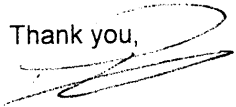
It is only fair that this business have the same opportunities for profit that its neighbors enjoy.

I am personally acquainted with Leo Temory and know he operates the business in a responsible manner and, I am confident, will continue to do so once the CUP modifications are approved.

The Pasadena Chamber of Commerce would like to see this business continue to operate in Old Pasadena and encourages approval of the Expressive Use Permit for New York Deli at 25 North Raymond Avenue in Old Pasadena.

I am unable to attend the meeting as I will be attending my daughter's college graduation in Massachusetts. Please include this letter of support in the record on behalf of New York Deli's application for an Expressive Use Permit.

Thank you,



Paul Little  
President and Chief Executive Officer  
Pasadena Chamber of Commerce

CC: Leo Temory

May 10, 2013

Pasadena City Council  
City Clerk  
Pasadena, CA

CITY CLERK

13 MAY 10 10:46AM

To whom it may concern,

I am the owner of a condominium at 35 N. Raymond, where the New York Deli has appealed the denial of his previous request for a nightclub permit for dancing on weekends.

My husband and I have lived in Old Town Pasadena for six years, and I love the urban feel that is created by the high-density mix of commercial and residential. However, as you know that requires a careful balance between two very different lifestyles. For that reason, we are strongly opposed to having a nightclub open up in our primarily residential building. Our building – which is one floor commercial and three floors residential – is occupied 24/7, unlike a commercial space where people go home in the evenings. We have an eclectic mix of residents, including families with children, older couples and young people.

Our concerns include the following:

1. Our building is a rehab and as a result, the insulation between units and floors is not as good as newer buildings. Noise is already an issue for us on weekend nights. If there is a loud stereo or party, we hear it through our walls. Having a nightclub with dancing would mean that every Friday and Saturday night there would be noise until at least 2 a.m. My husband must rise at 5 a.m. on work days, which frequently includes weekends. This proposal likely would mean that the disruption of his sleep would go from an occasional incident to a constant occurrence. This would significantly detract from our quality of life.
2. As a condo owner and small businessperson, I want our commercial space to be filled and thriving. I am not opposed to having a restaurant in our building. However, a nightclub attracts a different kind of clientele, including intoxicated crowds gathering on the street late into the night, noise and smoke from tobacco users forced to go outside and security issues. Our building has families and children and all of us would be concerned about that type of activity in and around our building. We experienced some of these issues firsthand when Vive was operating across the street.
3. Having a nightclub in our building will hurt us financially. I have spoken with a realtor who works in the Old Town market and she said that there is no doubt that a nightclub in the building would reduce property values. Information about noise, security issues, smells or other problems would legally have to be disclosed at the time of sale in the Real Estate Transfer Document and Sellers Property Questionnaire.

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Again, as an owner and a supporter of Old Town I want the commercial space in our building to be filled and successful. However for the above reasons, I strongly oppose having a nightclub in our building and hope you deny the New York Deli's request for a nightclub permit.

Your decision will have a huge impact on our lives. I appreciate your interest in soliciting all sides on this matter before making such an important decision.

Please contact me if you have any questions. I can be reached at [evelyn@dhmediashop.com](mailto:evelyn@dhmediashop.com) or 626-354-2515.

Thank you very much.

Best,  
Evelyn Iritani  
Dancing Horse Mediashop

**Jomsky, Mark**

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**From:** CityWeb-Server@cityofpasadena.net  
**Sent:** Wednesday, May 15, 2013 7:11 AM  
**To:** Jomsky, Mark  
**Subject:** WWW COMMENT

Data from form "Contact City Clerk Mark Jomsky" was received on 5/15/2013 7:10:31 AM.

Send Comments

Field	Value
Your Name	Arthur Saint-Aubin
Phone	626.792.6799
Email	<a href="mailto:aflansa@oxy.edu">aflansa@oxy.edu</a>
Comments	TO: City Clerk FROM: Arthur Saint-Aubin, 35 N. Raymond Avenue #414; Pasadena, CA 91103 SUBJECT: Conditional Use Permit #5465 Expressive Use Permit #6052: 25 North Raymond Avenue ["New York Deli"] DATE 14 May 2013 I am writing as the owner within the building and as a member of the Homeowners Association to oppose the application of the New York Deli "to install a dance floor to use on holidays, Fridays, and Saturdays from 9:00pm to 2:00 am." I second the objections that have already been communicated to you by my neighbors Richard Abe and Evelyn Iritani. The noise created by the music sound system is unacceptably disruptive to residents. Whereas I welcome the restaurant as a neighbor, a nightclub within this building (on "special events") has already reduced the quality of our week-ends. A permanent permit would seriously erode the quality of life of the families who reside and work in the building.

Email "WWW COMMENT" originally sent to [mjomsky@cityofpasadena.net](mailto:mjomsky@cityofpasadena.net) from [CityWeb-Server@cityofpasadena.net](mailto:CityWeb-Server@cityofpasadena.net) on 5/15/2013 7:10:31 AM.

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## Jomsky, Mark

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**From:** CityWeb-Server@cityofpasadena.net  
**Sent:** Thursday, May 16, 2013 10:05 AM  
**To:** Jomsky, Mark  
**Subject:** WWW COMMENT

Data from form "Contact City Clerk Mark Jomsky" was received on 5/16/2013 10:05:18 AM.

Send Comments

Field	Value
Your Name	Richard Abe
Phone	206-423-4230
Email	<a href="mailto:xxnoomeans@gmail.com">xxnoomeans@gmail.com</a>
Comments	<p>This is my third letter to the City regarding the NY Deli project at 25 N. Raymond Avenue (Expressive Use Permit 6052/CUP 5877/CUP 5465). It is my understanding that any comments for the City Council should be sent through the City Clerk. My general concern as a home owner within the subject building is the noise that this modification to their CUP would allow. My concern specific to the City Council review is that any variance request is an instrument that requires findings that are extraordinary to the application and this circumstance does not warrant that consideration. Since the deli is located within a building that has residential units on the upper floors, a modification (or variance) to the expressive use permit that would encourage a potential conflict between the business owner and all the residential tenants of the building would be a potential liability to all parties concerned including the City of Pasadena. As noted in the staff report, They have had closed events in the past and these events were accompanied by heavy bass driven music that shook the residential floors. This history serves as an actual case study of how the modification to the expressive use permit would play out. (Note that this comment should be updated due to the party/event that was held this past weekend (5/12/13) just one week prior to this weeks hearing.) I am in support of the business as a restaurant. If the display of alcohol and/or the sale of alcohol off premises helps their takeout business then that may be an acceptable compromise , however, the other requests to modify their CUP that would affect the living conditions and financial value of the homeowners in this building are clearly problematic. As an owner within the building and part of the Home Owners Association I thank you for your consideration. Best Regards, Richard Abe</p>

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