From: [redacted]
To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; Planning Commission 1; Planning Commission 2; Planning Commission 3; Planning Commission 4; Planning Commission 5; Planning Commission 6; Planning Commission 7
Cc: Rood, Timothy; Tu, John; Le, Thai-Chau; Flores, Michelle
Subject: Oppose the Proposed Rezoning and Special Use Permit File Nos. C20-012 & SP20-024 at 2740 Ruby Ave
Date: Monday, June 14, 2021 8:11:01 AM

[External Email]

Dear Mayor, Councilmembers, Planning Commissioners and Staff:

This project is sad, because it is the right project . . . building a temple in the community. I say that it is sad because it is the right project, in the WRONG location. This site is TOTALLY unsuited to the proposed development. It was wrong when first proposed, it is wrong a re-structured.

As a resident in the neighborhood directly impacted by this proposed rezoning of a small Residential R1-5 parcel to PQP and the Special Use Permit to build a massive structure, we respectfully urge you to decline these applications for the following reasons:

1. **The project DOES NOT meet a number of Gereral Plan Policies, LU 10.8, CD-4, CD-4.4, VN-1, VN-1.11, VN-1.12 and others**. **The private Community Gagthering Facilities MUST be COMPATIBLE with the surounding Resident Neighborhood.** (If anyone are aware of any policies that you think this project violate, please share)

2. The oversize structure on a small lot in a dense Residential Neighborhood does not fit the characters of the neighborhood. It is aesthetically incompatible with the homes immediately next to it and the surrounding neighborhood. **Especially the small 996sf home at 2740 Ruby Ave**. One long-time resident even has already decided to sell the home on Sweetleaf Ct, that will be directly impacted the massive **4-story high building**. High limit of 65 ft exceeds the 35ft standard for any structure in a RN neighborhood. This project is incompatible. It is impacting the neighborhood and driving residents out of their home.

3. The proposal of a 15,000 sf buildings and outdoor facility that can home over 4000 people, is a MAJOR CONTRADICTION with the proposed operating plan of only up to 300 people at any given time.

4. The current Temple @ 66 Sunset Court conducts many events outdoor with blasting the loud speakers. The NOISE level combination of the over 4000 people + automobiles + loud speakers would more than exceed the normal noise standard for a Residential Neighborhood. The applicant indicates outdoor activities. The evidence of multiple loud

speakers use for music, public speaking, can be seen via the multiple YouTube videos that can be found @ https://www.youtube.com/user/buddhaghosacha. Please note that all the events utilize LOUD SPEAKERS. If you would review the following video @ about 40 min into the video, you can see the stack of load speakers. https://www.youtube.com/watch?v=E8kJDJ10jGk&t=144s.

5. The typical New Year activities and major Khmer Krom's holiday Celebrations are Never quiet as the applicant led the City to believe. As Pastor John Goldstein, Grace Church of Evergreen, had mentioned during a community meeting, most religious facilities are built, they are built with growth in mind. When a facility is design to hold over 4000 people both indoor and outdoor, it is more than likely it will be that crowded. The reality of the IMPACT of traffic, parking, safety, noise are 10 times the design on paper. Here is some evidence of the activities of the Khmer Krom Temples and the almost concert type of activities that do exist, and how LOUD it could be:

a. https://www.youtube.com/watch?v=oQk2P9SbWX4
b. https://www.youtube.com/watch?v=h50X0iCCKm8&t=45s
c. https://www.youtube.com/watch?v=mmUXk-pitwo
d. https://www.youtube.com/watch?v=0icXRoiP3ws
e. https://www.youtube.com/watch?v=TB0WyARtTW8

6. Narrow Ingress/Egress Driveway into the Huge Parking Lot from a small 2 way "double-yellow", 250ft away from a busy 4-way stop will most definitely create major traffic & safety concerns. Overflow parking to the surrounding small residential streets is the inevitable and simply unacceptable. Busing/shuttling plan of visitors to & from nearby school parking lots implies an already known an overcrowded problem. Again, this a major concern and inconsistency of this proposed project in this neighborhood.

7. The operational plan of 300 visitor max vs the combined 15,000 sf 4-story high building structure and outdoor facility that can easily hold over 4,000 people, is just very deceiving and perhaps a misrepresentation. Any design on paper can meet the city minimum requirements. In reality, the traffic, safety problem will be 10 times the design on paper.

8. The Temple events are AS LONG as **15-DAYS** with a daily activities schedule from 9AM-10PM. **This is a major environmental, noise, safety and traffic impact to the dense & quiet Residential Neighborhood**.

9. The temple will also be serving alcohol and smoking area next to dense residential homes. This is a safety and health hazard, and completely inappropriate for a dense Residential Neighborhood.

10. The current temple members operate their activities @ 66 Sunset Ct, San Jose, CA 95116. There is no Use-Permit noted. The temple has also violated building codes and constructed part facilities illegally, CODE CASE #2018-12934. Thus, it is most likely that they

violate all the basic rules in term of occupant capacities, parking, noise, and safety.

11. Neighbors had documents and complained about a similar project nearby that was much smaller in size. It was even in a location that was not surrounded by DENSE Residential Neighborhood either: Canh Thai Temple 2532 Klein Rd

a. https://www.buddhistchannel.tv/index.php?id=65,12644,0,0,1,0
b. https://sanfrancisco.cbslocal.com/2016/01/21/neighbors-say-buddhist-temple-in-san-jose-is-causing-a-disturbance/

12. Additionally, we live in a very diverse neighborhood. So, we are all very offended, when the members of this organization during a community meeting identify themselves as "Members of the Temple" continuously spoke up and called the neighbors RACIST. None of the Temple's members responded to the any of the neighbor's concerns, but instead, they repeated addressed the neighbor as racists and that we are Anti-Asian! The reality is that the local 95148 zip code shows a demographic of greater than 50% Asian population. **The oversize project is simply incompatible in a small R1-5 with multi valid safety, traffic and noise concerns**.

We thank you for time and evaluation. Hopefully, Our Voices Do Matter!

Sincerely,

Susan Mills-Gabler
[redacted]

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