RESIDENT'S RESPONSE # 2 TO THE: Proposed Rezoning and Special Use Permit at 2740 Ruby Avenue , Project No. C20-012 & SP20-024

June 3, 2021

To: City of San Jose Planning Department, Planning Commissioners, Council Members

I have originally sent the message bellow in an email format, following the Community Meeting on June 2, 2021. I am transferring the content here in a more proper format to share with the neighbors that have asked for my comments. I am editing a few grammatical typos, (it was a late night). The content is the same. Please replace my email with this letter as my formal response # 2 following the June 2 community meeting regarding the project mentioned.

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Dear Michelle Flores, John Tu, Thai-Chau Le and Timothy Rood:

Again, thank you very much for hosting the community meeting on 6/2. The entire neighborhood was hoping that it would be live in-person. But we appreciate the opportunity to voice our concerns.

In addition to my comments sent (1st letter reforwarded). I have a few additional comments, questions on behalf of all the neighbors that could not make the meeting, due to work, graduation, and other schedule conflicts. So I had set up a quick survey, 24 hrs prior to the meeting. There were about 40 responses. These folks have seen my attached 1st letters, and are in supports of the points made. Please find it attached as comments from these 40 neighbors.

I believe my questions/comments do represent the majority of the neighbors that oppose the Rezoning and SUP applications. I would like to enter this email in addition to my letter for public record, to be forwarded to the Planning Commissioners and Council Members. The basics of the comments and questions are:

1. These are comments following the community meeting on 6/2. I would like to thank staffs for hosting and managing the meeting. I can understand how difficult it is to do on Zoom. Per my rough counts, there about 140 people that spoke. I believe there were about 100 more attendees that were not given the opportunity to speak, due to the time constraints, as people were not able to raise their hands after a cutoff time. That would mean only about 60% of the people spoke. Could you please share the number attendees that spoked vs the total of attendees. Could you make the recorded session available to the public review, please. Thank you.

2. Of the ~140 people that spoke, there were 7-8 people who are members of the temple. The remaining speakers were community members who live in the neighborhood, I counted 3 neighbors that support the project. That equates to 130 people that opposed the Rezoning and Special Use Permit. **So, 130 out of 133 is ~ 98% of the neighbors OPPOSED** the Rezoning and SUP application. Of the 40 people that took the survey, 100% opposed the Rezoning and SUP application. Of the 400 people that received the flyers handout about the meeting, about 100% of those also OPPOSED this project. These numbers DO represent this community, this neighborhood and should be documented in staff report for the record.

3. Also for the record, I and many of people I spoke with after the meeting were VERY OFFENDED by the members of temple! Extremely negative comments. **What rights do these members**

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have to accuse the neighbors of being racists, and that "Asian Hate" was the primary motive of the neighbors opposing this project. It is obvious that the temple members do not know what made up this neighborhood. We are a very diverse community, and the majorities have lived in this neighborhood for over 20 years. **It is also very transparent that the temple members do not live this neighborhood and do not have any consideration for our real concerns**. *How can anyone believe the applicant's statements regarding the temple good neighbor intentions, when the message that the temple members are telling the community members are with so much hatred, instead of hearing the neighborhood concerns???*

4. The temple members' comments were more than disappointing and contradictory to the applicant's statement that they want to build this temple for the community, when the **members of the temples OBVIOUSLY DON'T KNOW and DON'T CARE about the people that live in this neighborhood,** as they indicated. **How many members of the temple actually live within 0.25 mile of the proposed site?** I person did not hear from any temple members living in this neighborhood. I've personally lived in small court with 8 homes. There are "1" Caucasian family, "1" Brazilian family and "6" Asian family. My court has annual block parties over the past 23 years together. Therefore, I DO NOT appreciate anyone not knowing anything about our neighborhood, accusing us of being racist! A few neighbors spoked to this point during the meeting. Again, I would like for this important point to be on record of the applicant's extreme comments against the neighborhood.

5. A large # of neighbors made up of a very diverse ethnic group, took times out of their busy schedules to prepare presentation and voice their concerns regarding the REZONING & SUP applications. We pointed out facts and data surrounding the project. NO positive comments were made by the temple members, nor constructive comments shared by the applicant. Instead, we are accused of not being inconsiderate? Everything in the applicant's statements contradict all the comments made by the members of the temple that spoke at the meeting.

6. Again, the size of the combined gathering facilities is simply INCOMPATIBLE in this dense RN zone. The 15,000 sf MASSIVE structure, 60ft tall (4-stories high), with a potential occupancy capacity of 787+799+795 = 2381 per the proposed SUP, is just not appropriate for this small parcel in a majority Residential Neighborhood. The additional 2131 occupancy capacity in the temple courtyards would make the potential capacity of this facility over 4000 people. Therefore, the Operation Plan of maximum 300 people is extremely deceiving and difficult to comprehend. What is the truth? Is this an attempt to manipulate the zoning codes and to submit a plan that meet certain requirements, and the reality is beyond the paper design? The original plan was much bigger. Was that plan also to accommodate only 300 visitors? Again, this is very difficult for the residents to make sense of the proposal. Logically, no one would invest and build a gathering facility that can hold 4000 people, and promise that there will be only a 300 visitors max? Can staffs please help the community understand how this MASSIVE facility is appropriate for this small parcel and how is it compatible in the dense Residential Neighborhood?

7. For a Residential Neighborhood Zone (R1-5), designed for a max 5-6 single family homes, the max would be 30 people, assuming 5 persons per typical household. How can we justify even the maximum 300 people? I do understand that if one applies to rezone an R1-5 to PQP, then

a different size of build be constructed. However, the plan for a MASSIVE ~15000 sf, 60ft tall building is just NOT COMPATIBLE, NOT APPROPRIATE for this RN parcel.

8. A PQP is simply a tactic to manipulate a simple R1-5 to allow a oversized structure of 15,000 sf. How is this meeting CEQA?

9. The fact that the facility is designed to hold easily 4000 people is simply unreal and incompatible with the neighborhood. The Operation Plan (300 visitors) contradicts the project potential capacity (4000 people). Please review my comments regarding my personal experiences with the other temples regarding overflow parking to the surrounding streets, traffics. The timing when traffic analysis is done should be realistic, when ALL activities are back to normal (POST-COVID). One speaker concurred, and mentioned that he stopped going the local Buddhist temples and go to one 30 mi away to avoid parking problem that we are real life's concerns. This is the reality that will never show up on any paper designs submitted for approval.

10. Please observe the real traffic and parking problems at the temples at 2420 McLaughlin Ave and 2715 S White Road during any "major" holiday event to truly validate the "real-life" problems that are beyond any paper designs! Observing/doing traffic analysis during the summer when kids are out and while everything are still not back to normal due to COVID, are simply misleading. Data would not be valid.

11. Norwood is a narrow 2-lane road. There would not be any visitors coming from the hillside. Ruby Ave is a "double-yellow" 2-lane road. There is only one-way to enter the proposed project on Ruby. Traffic would be coming for the south on Ruby Ave from Quimby. Or the visitors would have to travel up Norwood and turn left on Ruby at the stop sign. There is only a short 250 ft from the stop sign at Ruby and Norwood. Thus, the reason one neighbor commented that without an EIR, this would be a major programmatic and realistic problem that all the neighbors fear of. More than likely, visitors will turn left illegally crossing the "double-yellow" coming from Tully Rd on Ruby Ave, as Tully Rd is a main path for many people. It is also a main road that connect all other major road and freeway access.

12. As for the applicant's plan to bus/shuttle visitors from nearby schools, how is this plan safe for kids near schools and the small streets that these buses will travel through? How does this address the traffic and parking concerns? How is this appropriate for this highly dense Residential Neighborhood?

Please consider all these points if you are moving forward with the EIR and CEQA compliance review. Thank you for hearing our concerns.

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