

FW: March 28, Council Meeting Agenda Item #10.4-Oppose Rezoning & SUP-C20-012 & SUP20-024

City Clerk <[REDACTED]>

Tue 3/28/2023 7:53 AM

To: Agendadesk <[REDACTED]>

From: Delia Rodriguez <[REDACTED]>

Sent: Monday, March 27, 2023 7:14 PM

To: City Clerk <[REDACTED]>

Subject: March 28, Council Meeting Agenda Item #10.4-Oppose Rezoning & SUP-C20-012 & SUP20-024

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We oppose the construction of the Khmer Temple.

Traffic and **accidents** will increase with an oversized building at the corner of Ruby Rd & Norwood Avenue. This is **not** what we desire for our neighborhood.

Having a temple, as large as is being proposed at this intersection, would cause additional traffic congestion. No doubt, people will be parking in the neighborhood as an overflow option.

The temple is too large for this intersection. It is not conducive to our neighborhood. We are composed of homes on a hillside that needs to remain semi rural for the beautification of our neighborhood and our city.

We have been a resident on [REDACTED] for over 44 yrs.

We vote NO on this proposed temple construction.

Thank You,
Joseph & Delia Rodriguez

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FW: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

City Clerk <[REDACTED]>

Tue 3/28/2023 7:54 AM

To: Agendadesk <[REDACTED]>

From: Shekhar C Krishnan <[REDACTED]>

Sent: Monday, March 27, 2023 9:57 PM

To: City Clerk <[REDACTED]> The Office of Mayor Matt Mahan <[REDACTED]> District1
<[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4
<[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]> District7
<[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10

Subject: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

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Dear Mayor and Council members

My name is Shekhar C Krishnan, and I have lived in the Evergreen area of San Jose for over 23 years. I am happy to be part of this wonderful, diverse community that has welcomed churches, gurudwaras (Sikh temples), mosques and other places of worship into the community which have been built on large parcels of land offset from residences and busy intersections. I am writing to communicate my opposition to the proposed rezoning and special use permit application.

At the outset, I would like to make it clear that while I am not opposed to building places of worship for any faith in the city **PROVIDED THEIR SIZE, ARCHITECTURE AND USAGE CONFORMS TO THE CHARACTER OF THE NEIGHBORHOOD**. However, that is NOT the case in the case of this project as I seek to outline in this email.

I live in the immediate vicinity of the proposed Khmer Krom temple complex project and will be directly impacted by the proposed rezoning of a small Residential R1-5 parcel to PQP and the Special Use Permit to build a massive private gathering facility. I respectfully urge you to decline these applications for the following reasons.

1. A Residential Neighborhood designation is intended to preserve and strictly limit new development to infill projects that closely conform to the prevailing existing neighborhood character. (Envision San Jose, General Plan 2040, Amended March 2020, Chapter 5, p. 14.) Neighborhood character is defined by density, lot size and shape, massing and neighborhood form and pattern. (San Jose Municipal Code, Chapter 20.30 - Residential Zoning Districts.) The R1-R5 zoning specifies characteristics for the Residential Neighborhood, which include limits on building heights, the number of stories, setbacks, uses, noise levels, and parking requirements. (Id.) New infill development should be limited to a density of 5 DU/AC or the prevailing neighborhood density,

whichever is lower. A prior plan at this site was not supported by the planning due to density issues. Site reference PRE20-096 letter from planning where staff would not support a subdivision application nearby because it is inconsistent with the General Plan. **The project DOES NOT meet a number of General Plan Policies, LU 10.8, CD-4, CD-4.4, VN-1, VN-1.11, VN-1.12 and others. The private Community Gathering Facilities MUST be COMPATIBLE with the surrounding Resident Neighborhood.**

2. Please see specific points regarding inconsistencies with the Envision General Plan Policies

1. We, the neighbors strongly disagree with staff report - the Project DOES NOT MEET *Policy CD - 4.4, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale*". The proposed Project DOES NOT meet this Policy
 2. Staff Report is inconsistent, the Project DOES NOT MEET *Policy VN – 1.12, San José's General Plan includes several goals and policies to ensure that infill development is compatible with the prevailing neighborhood character*. This Project is NOT COMPATIBLE with the prevailing neighborhood character.
 3. Staff Report is inconsistent, the Project DOES NOT MEET Senate Bill 330, (Skinner Housing Crisis Act of 2018). This Bill was signed into Law to address the NEED of HOUSING DEVELOPMENT Project. **This bill is set to sunset January 1, 2025!** The bill is written to address the need for housing, especially, emergency shelters, NOT a 14,000 Sq ft PRIVATE GATHER FACILITY in an RN Zone
 1. First Paragraph of the SB-330, **"The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development Project for very low, low-, or moderate-income households or an emergency shelter..."** SB-330 DOES NOT apply to the Rezoning of an RN zone to PQP. Also, the proposed Project IS NOT a housing development Project!!!
 2. **SB-330 DOES NOT speak of justifying the request to change a Residential Neighborhood (RN) Zone designation in the General Plan to Pubic-Quasi Public (PQP) to build a 14,000 Sq Ft Private Gathering Facility,** because this is not a Housing Project. The Housing Crisis Act of 2018 is to address the need for homeless shelter, low-income housing.
 3. It seems that the application is an attempt to **manipulate the written law**. The Project is not a Housing Development Project! SB-330 DOES NOT provide any agency authorization to REZONE a Residential Zone to Public Zone to build a single Private Gathering Facility 14,000 sq ft for PRIVATE GATHERING Use.
 4. The Project is clearly going against many General Plan Policies regarding its use, and the potential impact to the surrounding area, adjacent to property. This Project **is going to NEGATIVELY impact** the surrounding neighborhood. It is completely INCOMPATIBLE, INCONSISTENT with all the adjacent residential homes, and the entire residential neighborhood within 2,000 ft radius of this site. There is a 996 Sq Ft home that will reside in the middle of this compound. All of these Policies mainly say: **"The private Community Gathering Facilities MUST be COMPATIBLE with the surrounding Resident Neighborhood"**. The Project was found to be inconsistent with the surrounding Residential Neighborhood. Its size, shape, intended Private Gathering use were and will be INCONSISTENT in this location, regardless.
 5. The Project also DOES NOT MEET many other General Plan Policies, including LU-11.4, LU-11.6, VN-1.11, VN-1.12, VN-5.4, CD-4.3, CD-4.9, CD-4.12.
1. LU-11.4 Discourage new commercial uses on small existing residential streets unless it can be clearly demonstrated that the commercial use can integrate with the existing residential neighborhood without creating adverse impacts. **Discourage primary access to large commercial**

parking lots and structures through residential neighborhoods. This Project does not comply with this policy.

2. LU-11.6 For new infill development...**The form of such new development should be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern.** The design is NOT CONSISTENT with existing neighborhood.
3. VN-1.11 **Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.** The 4-story high, 14,000 Sq Ft facility will impact the current living environment, the existing quality of life will be impacted.
4. VN-1.12 **Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods.** The Project is NOT COMPATIBLE with the current characteristic of the existing neighborhood.
5. VN-5.4 **Carefully consider existing and potential future proximate land uses when locating Private Community Gathering Facilities to avoid health and safety risks and minimize incompatible land uses.** The facility is 14,000 Sq Ft, capable of holding 3,500 people, with a commercial size parking lot, that serves alcohol, and allows a smoking area, and a shuttle bus through small residential street, are major health and safety risks.
6. CD-4.3 **Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.** The Project DOES NOT have any characters, size, use that IS HARMONIOUS with the current existing neighborhood and all the adjacent homes.
7. CD-4.9 **For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric** (including but not limited to prevalent building scale, building materials, and orientation of structures to the street). Again, the Project IS NOT CONSISTENT with the current existing neighborhood and all the adjacent homes, in term of characters, size, and intended use.
8. CD-4.12 **For structures other than buildings and including structures on top of building... Locate such structures to minimize public visibility and avoid significant adverse effects on adjacent properties.** A spire 65 ft tall is not COMPATIBLE with any typical 35ft max height Residential Home. How is this massive facility in size and height compatible with the residence @ 2720 Ruby Ave?
9. **Conclusion:** Contrary to the planning commission report, the PROJECT does not conform with these policies. With or without the proposed REZONE from its designated Land Use of R-1-5, the Project DOES NOT meet many General Plan Policies. R-1-5 is ultimately the “appropriate” and “Compatible” use of the intended for this land per the General Plan. **This proposal should be declined without any doubts.**

1. **Per permit H17-006, this R-1-5 site is approved for 6 Single-Family Residence.** “The Director of Planning, Building and Code Enforcement finds that the following are the relevant facts regarding this proposed Project”:
 1. **Per the General Plan, this parcel is designated for Single-Family Residential Uses....**The development of up to six single-family residences would be consistent with the existing development pattern, character, and density of the neighborhood.
 2. **Per staff, the “Zoning of the proposed Project site is located in the R-1-5 Single-Family Residence Zoning District.”** The Site Development Permit is consistent with the Land Use Policy LU-11.6.
 3. Per Title 20.100.630, “the R-1-5 Zoning Conformance, the Director of Planning finds that: the Site Development Permit as approved, is consistent with and will further the policies of the General Plan. The proposed Project (Permit H17-006) conforms to the development regulations established for the R-1-5 Residence Zoning District.”
2. **Per staff Preliminary Review (PRE18-190) of the Project:**

1. **The proposed Project is “inconsistent” with the General Plan Policy LU 10.8.** The Project is inconsistent with the General Plan Policies regarding the zone.
 2. Staff indicated that: the proposed Project would need to be “compatible” with the surrounding neighborhood.
 3. The subject site is in the R-1-5 Single-Family Residence Zoning District. The purpose of the single-family residence district is to reserve land for the construction, use and occupancy of single-family subdivisions.
 4. **“Given the site’s location adjacency to existing single-family residence and completely surrounding an existing single-family residence, staff is concerned about the potential impact of the size of the Project at points when the use is at full capacity.”**
 5. **Conclusion:** The site is designated as an R-1-5, which is consistent with the neighborhood within several thousand (+2000) feet radius of the site. It is approved for 6 single-family residents. The current application to change the Land Use designated from R-1-5 to PQP is **not consistent** with the practical use, intended land use per the General Plan, **and should be declined**.
-
3. The oversize structure on a small lot in a dense residential neighborhood does not fit the characteristics of the existing neighborhood. It is aesthetically incompatible with the homes immediately next to it and the surrounding neighborhood. **Please consider the plight of the small 996 sq. ft. home at 2720 Ruby Ave which will be surrounded by the Temple Complex on three sides.** One long-time resident has already decided to sell their home on Sweetleaf Ct, that will be directly impacted the massive **4-story high building**. The proposed height of 4 stories (including the 65 feet tall spire) far exceeds the 35 ft. standard for any structure in a Residential Neighborhood. This project is incompatible to the point of having a tremendously negative impact on the neighborhood going so far as driving residents out of their homes.
 4. The proposal of a 14,000 sf. buildings and outdoor facility that can host over 4000 people AND A Community Hall of 12,684 Sq Ft, is a MAJOR CONTRADICTION with the proposed operating plan of only up to 300 people at any given time. THIS IS EXTREMELY DECEPTIVE on the part of the project planners. Any design on paper can meet the city minimum requirements. In reality, the traffic, safety and noise problem will be FAR WORSE than the design on paper.
 5. The current Temple @ 66 Sunset Court conducts many events outdoor with usage of loudspeakers. The typical New Year activities and major Khmer Krom’s holiday Celebrations are NEVER quiet as the applicant is trying to mislead the city into believing. The NOISE level combination of the over 4000 people + automobiles + loudspeakers would more than exceed the normal noise standard for a Residential Neighborhood. The applicant indicates outdoor activities. The evidence of multiple loudspeakers used for music, and public speaking, can be seen via the multiple YouTube videos listed below BUT IS NOT LISTED IN THE NOISE REPORT. Please note that all the events utilize loudspeakers. 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> More videos can be seen at the following links.

<https://www.youtube.com/watch?v=oQk2P9SbWX4> <https://www.youtube.com/watch?v=h50X0iCCKm8&t=45s> <https://www.youtube.com/watch?v=mmUXk-pitwo> <https://www.youtube.com/watch?v=0icXRoiP3ws>
<https://www.youtube.com/watch?v=TB0WyARtTW8> <https://www.youtube.com/watch?v=E8kJDJ10jGk&t=2403s> <https://www.youtube.com/user/buddhaghosacha>

6. A narrow Ingress/Egress Driveway into the huge parking lot from a small 2 way “double-yellow” lane, 250 ft away from a busy 4-way stop will most definitely create major traffic & safety concerns. Overflow parking into the surrounding small residential streets is the inevitable consequence and simply unacceptable. Busing/shuttling plan of visitors to & from nearby school parking lots implies an already known overcrowding problem! Also, the busing/shuttling plan will NOT work as most visitors would prefer to drive themselves directly to the site and the plan is simply unenforceable! Again, this a major concern and inconsistency of this proposed project in this neighborhood. There is no public transportation near the site suitable for most visitors.
7. The concerns raised by prolonged construction of such a massive temple complex cannot be ignored. Construction vehicles including earth moving equipment moving in and out of the site onto the two-lane roads will create an extremely unsafe environment for children walking, biking or skateboarding to the nearby schools. They will also create hazardous conditions for the commuters using these roads. The intersection of Norwood Ave. and Ruby Ave controlled by just a 4 way stop sign has been the site of numerous daily accidents. It can only get worse. The dust and noise from the construction will greatly hamper the ability of residents, who work from home, to do their jobs.
8. There is no realistic way to enforce parking, noise, crowd control and capacity limits even if there were a perfect plan. Is it fair to neighbors to become enforcement monitors when 1) the city of San Jose code enforcement is severely understaffed and backlogged? 2) When police prioritize noise and traffic accidents as low priority, 3) when there are other better suited and close by locations that will not create these issues? We have personally tried to report public nuisance and disturbances to the San Jose Police Department only to receive a call back from an officer more than 4 hours after our initial call! How then, can we expect any assistance from law enforcement to respond effectively to any concerns that the residents report at the temple complex?
9. The current Khmer Krom members host their activities @ 66 Sunset Ct, San Jose, CA 95116. There is no Use-Permit noted. The temple has also violated building codes and constructed add-on facilities illegally, CODE CASE #2018-12934. Having demonstrated a bad precedent, it is most likely that they will continue to violate all the basic rules in terms of occupant capacities, parking, noise, and safety.

I am NOT opposed to building places of worship for any faith in the city provided their size, architecture and usage conforms to the character of the neighborhood where they are built.

The applicants desire and deserve a large, beautiful complex to serve their community. There are just too many issues to mitigate fully at this location with this plan. Other suitable sites where the applicant can continue to practice their culture and religion with everything they desire to grow and thrive are nearby, and many residents have pointed out the exact locations of such sites at the planning meetings as well.

The Zoning for this parcel is RESIDENTIAL NEIGHBORHOOD/SINGLE FAMILY RESIDENCE per the General Plan 2040. The rezoning application would inconsistent with the GP2040 designation for this parcel. It should remain R-1-5. The previous plan to build 6 residential homes is appropriate and must be considered to conform with the General Plan 2040. A better option is for the applicant to work with the developer of the Pleasant Hill Golf Course to build their facility there! That would meet both the developer and the resident’s needs.

Please respect the GP2040 Policy, and vote “NO” to Rezoning, “NO” to the MASSIVE STRUCTURE that is NOT COMPATIBLE for a Residential Neighborhood Zone!

Thank you for the opportunity to express my concerns. Hopefully, our voices do matter!

Sincerely,

Shekhar C Krishnan

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FW: Support for the Proposed Temple at 2740 Ruby Avenue

City Clerk <[REDACTED]>

Tue 3/28/2023 7:54 AM

To: Agendadesk <[REDACTED]>

From: Pattie Cortese <pattie.cortese@cityofsanjose.org>

Sent: Monday, March 27, 2023 10:03 PM

To: Mahan, Matt <[REDACTED]> Kamei, Rosemary <[REDACTED]> Jimenez, Sergio <[REDACTED]>
<[REDACTED]> Cohen, David <[REDACTED]> Doan, Bien <[REDACTED]> Batra, Arjun <[REDACTED]>
<[REDACTED]> Candelas, Domingo <[REDACTED]> Davis, Dev <[REDACTED]> Ortiz, Peter <Peter.Ortiz@cityofsanjose.org>
Torres, Omar <[REDACTED]> Foley, Pam <[REDACTED]>

Cc: alex.at[REDACTED] City Clerk <[REDACTED]>
Subject: Support for the Proposed Temple at 2740 Ruby Avenue

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Greetings Honorable Mayor and Councilmembers,

I'm writing to express my enthusiastic support for the temple project on Ruby Avenue. I lived in Evergreen for 17 years and currently live about 4 miles north of the project in the Alum Rock area. As a resident of East San Jose for nearly 30 years, I am committed to creating a community that is warm and welcoming, where we celebrate, and are strengthened by, our diversity.

I have been following this project from the outset and I've been impressed by how extensive the neighborhood outreach has been and how accommodating the temple leadership has been in mitigating the concerns.

This is a project that will enrich our community and I urge you to approve the plan.

gratefully,
Pattie Cortese

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FW: "3/28/2023, #10.4 - Oppose Rezoning & SUP - C20-012, SP20-024 & ER20-147"

City Clerk <[REDACTED]>

Tue 3/28/2023 7:55 AM

To: Agendadesk <[REDACTED]>

From: Cheryl Feci <[REDACTED]>

Sent: Monday, March 27, 2023 10:37 PM

To: City Clerk <[REDACTED]>

Subject: "3/28/2023, #10.4 - Oppose Rezoning & SUP - C20-012, SP20-024 & ER20-147"

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RE: 3/28/2023, Council Meeting Agenda #10.4 - Oppose Rezoning & SUP - C20-012, SP20-024 & ER20-147

Dear Mayor, Vice Mayor, and Council Members:

Good Evening! Thank you for giving me the opportunity to voice my concerns. I'm writing to **oppose** the Wat Khmer Kampuchea Krom Temple Project at 2740 Ruby Ave. I urge you to deny the rezoning and SUP application.

My name is Cheryl and I was born and raised in San Jose. I have been a resident of [REDACTED] for 45 years. I live [REDACTED] this proposed project. I'm sorry, I am unable to attend tonight's meeting. I'm legally handicapped. I use a walker and for the past year, I've been using supplemental oxygen. I'm currently recovering from the aftereffects of COVID-19.

To be honest, I don't understand how this project ever got this far. Trying to build something in the middle of a neighborhood that wasn't engineered for such a facility is illogical. The project **does not meet** the current City Land-Use Policy per General Plan 2040 and SB-330. The proposed Project has a "Commercial Like Operation Plan" which is **Inconsistent** and **Incompatible**

with a Residential Zone. The project is **Out-of-Character, Not Compatible w/City Policies:**
LU 9.8, 11.4, 11.6, 11.8, VN1.10, 1.12, and CD 4.4.

Comparing the Temple to Churches in the Area

Wat Khmer Kampuchea Krom Temple Project - 2740 Ruby Ave.

Temple would be completely over-sized, **out-of-Character** for this small lot of land. Temple is a very Large Structure **Incompatible** with all structures in the neighborhood. Temple building is also Esthetically **non-compatible** in a very dense residential neighborhood.

Life Valley Community Church – 2827 Flint Ave. / Consistent Design with the neighborhood. 0.6 miles from Temple

Iglesia de Dios San Jose Church – 3095 Norwood Ave. / Consistent Design with the neighborhood. 0.7 miles from Temple

East Valley Pentecostal Church – 2715 S. White Rd. / Consistent Design with the neighborhood. 1.2 miles from Temple

2740 Ruby Ave. is on an accident-prone intersection. There have been MANY traffic accidents on Ruby and Norwood already. People don't stop at existing 4-way stop signs. A couple of times when my husband and I were driving down Norwood our car almost got hit by a car going across on Ruby because that car did not stop at the sign.

A traffic-calming circle/roundabout is proposed at the intersection of Ruby and Norwood. I believe this is an unrealistic idea. It may create more headaches when there is a special event going on. It will create even more traffic, delays, and a potential safety hazard! I fear those impatient people who normally run the Ruby stop sign will not utilize it correctly but rather continue going straight, causing another car accident. Traffic Lights would control the traffic better on Ruby and Norwood like they have on Ruby and Quimby.

It concerns me that the Buddhist temple will cause the neighborhood to be overrun with traffic and noise! Cars will have to line up to enter one narrow entrance/exit. This will block the intersection, creating traffic jams/stacking. With so many cars at once trying to exit, it will only cause traffic and more congestion.

I'm concerned about the Temple's hours, from 7 a.m. to 10 p.m. during regular services, with cleanup until midnight, city reports show. Events could also have amplified sound under city rules. **It concerns me that the rental hall is twice the size of the religious building (and it has an outdoor amplified sound system) Both most possibly will be used at the same time during special events and weekends.**

It's concerning that there will be a disruption of the peace associated with these large gatherings and events. Having a large commercial kitchen and massive event spaces that support 300 visitors at any given time.

It concerns me that the site will only have 67 parking spaces even though they claim, backers said "they are planning to work with other temples and schools nearby to accommodate overflow valet parking when needed. 67 parking spaces are greatly insufficient since it's based on Temple sq. ft only and not the usage of the Hall,

It concerns me even more that the "Temple will be allowed to have a maximum of 300 visitors at any one time, plus event staff, custodians, and security. *"Erik Schoennauer, the lobbyist working for the project, said special events or holidays will draw the maximum number of people allowed like other Faith Centers."* Well if this is true, if the Temple draws in a maximum of 300 people like other Faith Centers do during special events or holidays, don't you think those other temples will need their own parking during the holidays too? They can't always assume they can rely on those other facilities to use their parking lot if needed. They may NOT want the liability. I just don't think this will work out. The other Temple/Church may need its own parking lot. It's hard to imagine the Temple being able to handle a maximum of 300 people at any one time. To rely on valet parking would be a nightmare. We can't rely on the Temple Administration to follow through with parking arrangements every single time when there is a special event, that's just unrealistic. What happens if they can't find anywhere for them to park? There are **"no parking", signs** on Ruby Ave. This project needs to find a more suitable location that can accommodate its own parking for 300 people. But even a parking lot for 67 cars is going to create a significant source of noise and disruption in the neighborhood!

I am not opposed, to the Khmer community having a place to worship. It is only fair. But these other Faiths in the Evergreen area have a large enough property to accommodate their own parking. They do not have to rely on other outside facilities. This site at Ruby and Norwood is just NOT the correct location. Because they had to downsize from their original plans; I feel they have not accepted the fact that this location is now too small for their actual needs. The property is not even big enough to park 300 cars in their own lot. They only have space for 67. It seems like they are trying to squeeze a square peg into a round hole.

“Lyna Lam, head of the A Khmer Buddhist Foundation is backing the project, she is married to Bay Area tech billionaire Chris Larsen, and the couple is funding the foundation.” I can understand the applicant's good intentions, but this site is not the right fit for her intended purposes. I strongly urge the City to encourage the applicant to relocate this project to an alternate, larger, better site, on the outskirts of the neighborhood. By doing so, the temple will be able to do whatever they want and achieve future expansion that is unhindered by generating negative neighborhood impacts. Chris Larsen can afford to buy a larger location more suitable to their actual needs. I don't understand why he didn't just do that after the original larger plans got shot down.

Now the fate of a quiet neighborhood will be put in the City Council's hands. The outcome of this project will not affect any of you. You won't have to deal with the outcome or traffic! But maybe you should go see the property in person instead of just looking at a drawing, then you would know what my local community is talking about. I really hope you listen well to my neighbor's objections this evening. Just for this moment, pretend this was happening near your home. Would you want the traffic congestion this project will create? **I respectfully request San Jose City Council to deny this rezoning and SUP application.**

Thank you for listening,

Cheryl

FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 7:56 AM

To: Agendadesk <[REDACTED]>

From: nha tran <[REDACTED]>

Sent: Monday, March 27, 2023 11:00 PM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

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Dear Mr. Mayor, Councilmembers:

I am the owner of home at [REDACTED]. I am writing to urge you to **vote NO the Rezoning.**

1. My family is everything to me. I have no plan to move or be pushed out by a wealthy developer. We have worked very hard to purchase the home. Just like any homeowner, we always wish to see our home value appreciate. If you allow this Rezoning project, our home will lose value. No one would buy it! We will lose everything! Our lives will be destroyed. You have the power to change many lives. You have the power to change my family life and future. If the position is reversed, and my house is yours, How would you like for me to vote? Please Vote "NO"
2. I have lived here for 15 years. The house is roughly 70 years old. My family enjoy it very much. The reason why we moved to this neighborhood is so that my children could go to school, play in the neighborhood, and feel safe. We very believe the appropriate use of the property is to build 6 homes. They are bigger than my home, but the are consistent with all adjacent homes and neighborhood. We cannot afford to move. We don't have the kind of money that the developer has, to buy whatever, whoever they want. This 14,000 sq ft 65 ft tall project is not consistent with the neighborhood and will be detrimental to our lives.
3. My son has made many friends growing up here. He can walk to his friend's house and feel safe. The project can hold thousands of people and a commercial size parking lot, long daily operating hours and holidays that could run 2-5 consecutive days, any day of the week. Plus the front of my house will be a shuttle bus stop for out of area visitors. This is a major safety concern for my family. Additionally, our personal space and privacy will be violated. The facility will wrap around my house on 3 sides. Hundreds, potentially thousands of people will playing outdoor next my house, they will have karaoke, amplify sounds, have parties, wedding banquets, smoking and alcohol. This is a major impact to our family, our lives. Our privacy, our right to private quiet enjoyment will be taken away from us.
4. All the neighbors are opposing the project because it is not compatible us of the land. It is not consistent with the surrounding neighborhood. My family specifically will be greatly impacted.

Again, if the role is reversed and you and your family lives in my house, would you want me to allow the rezone of this residential lot? Please save my family. Please vote NO to item 10.4, C20-12 & SP20-24

Sincerely,
Nha Tran
thyrsa phan
Brandon tran

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FW: Council Meeting, Agenda item: 10.4, Rezoning: 2740 Ruby. Ave.

City Clerk <[REDACTED]>

Tue 3/28/2023 7:56 AM

To: Agendadesk <[REDACTED]>

From: Eng Khor <[REDACTED]>

Sent: Tuesday, March 28, 2023 12:57 AM

To: City Clerk <[REDACTED]>

Cc: Candelas, Domingo <[REDACTED]>

Mahan, Matt <Matt.[REDACTED]>

Kamei, Rosemary

<[REDACTED]> Jimenez, Sergio <[REDACTED]>

Torres, Omar <[REDACTED]>

Cohen, David <[REDACTED]>

Ortiz, Peter <Peter.Ort[REDACTED]>

District 6 <[REDACTED]>

Doan,

Bien <[REDACTED]>

Foley, Pam <[REDACTED]>

District 10 <[REDACTED]>

Subject: Council Meeting, Agenda item: 10.4, Rezoning: 2740 Ruby. Ave.

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Dear Mayor Mahan and City Council Members,

My name is Eng Khor and I am local resident near 2740 Ruby. Ave. on [REDACTED]. I have read all the publicly released letters with some redaction in support of this project. I imagine some would carry more weight than others (such as the one writing from Elk Grove) as you are representing San Jose residents. As the firm that represents the temple said, you have certain level of discretion to decide on this issue based on available findings that is relevant to your decision.

I also want to agree with the petitioner and other support letters that existing worship centers are surrounded by housing and cultural diversity it brings to the community. What is interesting though, as part of the petitioner's application to support this thesis <https://sanjose.legistar.com/View.ashx?M=F&ID=11788269&GUID=E1CC193E-B608-4E80-800D-CF9D65CBD68D>

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24".

City Clerk <[REDACTED]>

Tue 3/28/2023 7:57 AM

To: Agendadesk <[REDACTED]>

From: Hong Duong <[REDACTED]>

Sent: Tuesday, March 28, 2023 5:49 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24".

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

To whom that may concerned,

I oppose the rezoning of this area due to traffic back up both 4 ways about 1/4 of a miles in this intersections Ruby and Northwood every day during school hours, and business hours. We can't afford anymore cars to this intersection. It's not safe to walk across this intersection because of the traffic, and people aren't patient to yield for teens or kids walking across this intersection to go to school. Also, Northwood is a narrow road, without bicycles lanes, and currently bicycle use parking lanes next to the curb side to stay safely. These parking lanes will be filled with cars from the temple, and it become unsafe for biking kids and adults. I oppose this project due to safety of our kids and our neighborhood.

Thanks for your consideration.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

City Clerk <[REDACTED]>

Tue 3/28/2023 7:57 AM

To: Agendadesk <[REDACTED]>

From: Kanchana Sekhar <[REDACTED]>

Sent: Tuesday, March 28, 2023 6:11 AM

To: City Clerk <[REDACTED]> The Office of Mayor Matt Mahan <[REDACTED]> District1
<[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4
<[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]> District7
<[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10
<[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Dear Mayor and Council members

My name is Shekhar C Krishnan, and I have lived in the Evergreen area of San Jose for over 23 years. I am happy to be part of this wonderful, diverse community that has welcomed churches, gurudwaras (Sikh temples), mosques and other places of worship into the community which have been built on large parcels of land offset from residences and busy intersections. I am writing to communicate my opposition to the proposed rezoning and special use permit application.

At the outset, I would like to make it clear that while I am not opposed to building places of worship for any faith in the city **PROVIDED THEIR SIZE, ARCHITECTURE AND USAGE CONFORMS TO THE CHARACTER OF THE NEIGHBORHOOD**. However, that is NOT the case in the case of this project as I seek to outline in this email.

I live in the immediate vicinity of the proposed Khmer Krom temple complex project and will be directly impacted by the proposed rezoning of a small Residential R1-5 parcel to PQP and the Special Use Permit to build a massive private gathering facility. I respectfully urge you to decline these applications for the following reasons.

1. A Residential Neighborhood designation is intended to preserve and strictly limit new development to infill projects that closely conform to the prevailing existing neighborhood character. (Envision San Jose, General Plan 2040, Amended March 2020, Chapter 5, p. 14.) Neighborhood character is defined by density, lot size and shape, massing and neighborhood form and pattern. (San Jose Municipal Code, Chapter 20.30 - Residential Zoning Districts.) The R1-R5 zoning specifies characteristics for the Residential Neighborhood, which include limits on building heights, the number of stories, setbacks, uses, noise levels, and parking requirements. (Id.) New infill development should be limited to a density of 5 DU/AC or the prevailing neighborhood density, whichever is lower. A prior plan at this site was not supported by the planning due to

density issues. Site reference PRE20-096 letter from planning where staff would not support a subdivision application nearby because it is inconsistent with the General Plan. **The project DOES NOT meet a number of General Plan Policies, LU 10.8, CD-4, CD-4.4, VN-1, VN-1.11, VN-1.12 and others. The private Community Gathering Facilities MUST be COMPATIBLE with the surrounding Resident Neighborhood.**

2. Please see specific points regarding inconsistencies with the Envision General Plan Policies

1. We, the neighbors strongly disagree with staff report - the Project DOES NOT MEET Policy CD - 4.4, **design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale**". The proposed Project DOES NOT meet this Policy
2. Staff Report is inconsistent, the Project DOES NOT MEET Policy VN – 1.12, **San José’s General Plan includes several goals and policies to ensure that infill development is compatible with the prevailing neighborhood character**. This Project is NOT COMPATIBLE with the prevailing neighborhood character.
3. Staff Report is inconsistent, the Project DOES NOT MEET Senate Bill 330, (Skinner Housing Crisis Act of 2018). This Bill was signed into Law to address the NEED of HOUSING DEVELOPMENT Project. **This bill is set to sunset January 1, 2025!** The bill is written to address the need for housing, especially, emergency shelters, NOT a 14,000 Sq ft PRIVATE GATHER FACILITY in an RN Zone
 - a. First Paragraph of the SB-330, **“The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development Project for very low, low-, or moderate-income households or an emergency shelter...”** SB-330 DOES NOT apply to the Rezoning of an RN zone to PQP. Also, the proposed Project IS NOT a housing development Project!!!
 - b. **SB-330 DOES NOT speak of justifying the request to change a Residential Neighborhood (RN) Zone designation in the General Plan to Public-Quasi Public (PQP) to build a 14,000 Sq Ft Private Gathering Facility**, because this is not a Housing Project. The Housing Crisis Act of 2018 is to address the need for homeless shelter, low-income housing.
 - c. It seems that the application is an attempt to **manipulate the written law**. The Project is not a Housing Development Project! SB-330 DOES NOT provide any agency authorization to REZONE a Residential Zone to Public Zone to build a single Private Gathering Facility 14,000 sq ft for PRIVATE GATHERING Use.
4. The Project is clearly going against many General Plan Policies regarding its use, and the potential impact to the surrounding area, adjacent to property. This Project **is going to NEGATIVELY impact** the surrounding neighborhood. It is completely INCOMPATIBLE, INCONSISTENT with all the adjacent residential homes, and the entire residential neighborhood within 2,000 ft radius of this site. There is a 996 Sq Ft home that will reside in the middle of this compound. All of these Policies mainly say: **“The private Community Gathering Facilities MUST be COMPATIBLE with the surrounding Resident Neighborhood”**. The Project was found to be inconsistent with the surrounding Residential Neighborhood. Its size, shape, intended Private Gathering use were and will be INCONSISTENT in this location, regardless.
5. The Project also DOES NOT MEET many other General Plan Policies, including LU-11.4, LU-11.6, VN-1.11, VN-1.12, VN-5.4, CD-4.3, CD-4.9, CD-4.12.

a. LU-11.4 Discourage new commercial uses on small existing residential streets unless it can be clearly demonstrated that the commercial use can integrate with the existing residential neighborhood without creating adverse impacts. **Discourage primary access to large commercial parking lots and structures through residential neighborhoods.** This Project does not comply with this policy.

b. LU-11.6 For new infill development...**The form of such new development should be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern.** The design is NOT CONSISTENT with existing neighborhood.

c. VN-1.11 **Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.** The 4-story high, 14,000 Sq Ft facility will impact the current living environment, the existing quality of life will be impacted.

d. VN-1.12 **Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods.** The Project is NOT COMPATIBLE with the current characteristic of the existing neighborhood.

e. VN-5.4 **Carefully consider existing and potential future proximate land uses when locating Private Community Gathering Facilities to avoid health and safety risks and minimize incompatible land uses.** The facility is 14,000 Sq Ft, capable of holding 3,500 people, with a commercial size parking lot, that serves alcohol, and allows a smoking area, and a shuttle bus through small residential street, are major health and safety risks.

f. CD-4.3 **Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.** The Project DOES NOT have any characters, size, use that IS HARMONIOUS with the current existing neighborhood and all the adjacent homes.

g. CD-4.9 **For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric** (including but not limited to prevalent building scale, building materials, and orientation of structures to the street). Again, the Project IS NOT CONSISTENT with the current existing neighborhood and all the adjacent homes, in term of characters, size, and intended use.

h. CD-4.12 **For structures other than buildings and including structures on top of building... Locate such structures to minimize public visibility and avoid significant adverse effects on adjacent properties.** A spire 65 ft tall is not COMPATIBLE with any typical 35ft max height Residential Home. How is this massive facility in size and height compatible with the residence @ 2720 Ruby Ave?

i. **Conclusion:** Contrary to the planning commission report, the PROJECT does not conform with these policies. With or without the proposed REZONE from its designated Land Use of R-1-5, the Project DOES NOT meet many General Plan Policies. R-1-5 is ultimately the “appropriate” and “Compatible” use of the intended for this land per the General Plan. **This proposal should be declined without any doubts.**

6. **Per permit H17-006, this R-1-5 site is approved for 6 Single-Family Residence.** “The Director of Planning, Building and Code Enforcement finds that the following are the relevant facts regarding this proposed Project”:

a. **Per the General Plan, this parcel is designated for Single-Family Residential Uses....The development of up to six single-family residences would be consistent with the existing development pattern, character, and density of the neighborhood.**

b. **Per staff, the “Zoning of the proposed Project site is located in the R-1-5 Single-Family Residence Zoning District.”** The Site Development Permit is consistent with the Land Use Policy LU-11.6.

c. Per Title 20.100.630, “the R-1-5 Zoning Conformance, the Director of Planning finds that: the Site Development Permit as approved, is consistent with and will further the policies of the General Plan. The proposed Project (Permit H17-006) conforms to the development regulations established for the R-1-5 Residence Zoning District.”

7. **Per staff Preliminary Review (PRE18-190) of the Project:**

a. **The proposed Project is “inconsistent” with the General Plan Policy LU 10.8.** The Project is inconsistent with the General Plan Policies regarding the zone.

b. Staff indicated that: the proposed Project would need to be “compatible” with the surrounding neighborhood.

c. The subject site is in the R-1-5 Single-Family Residence Zoning District. The purpose of the single-family residence district is to reserve land for the construction, use and occupancy of single-family subdivisions.

d. **“Given the site’s location adjacency to existing single-family residence and completely surrounding an existing single-family residence, staff is concerned about the potential impact of the size of the Project at points when the use is at full capacity.”**

e. **Conclusion:** The site is designated as an R-1-5, which is consistent with the neighborhood within several thousand (+2000) feet radius of the site. It is approved for 6 single-family residents. The current application to change the Land Use designated from R-1-5 to PQP is **not consistent** with the practical use, intended land use per the General Plan, **and should be declined.**

3. The oversize structure on a small lot in a dense residential neighborhood does not fit the characteristics of the existing neighborhood. It is aesthetically incompatible with the homes immediately next to it and the surrounding neighborhood. **Please consider the plight of the small 996 sq. ft. home at 2720 Ruby Ave which will be surrounded by the Temple Complex on three sides.** One long-time resident has already decided to sell their home on Sweetleaf Ct, that will be directly impacted the massive **4-story high building**. The proposed height of 4 stories (including the 65 feet tall spire) far exceeds the 35 ft. standard for any structure in a Residential Neighborhood. This project is incompatible to the point of having a tremendously negative impact on the neighborhood going so far as driving residents out of their homes.

4. The proposal of a 14,000 sf. buildings and outdoor facility that can host over 4000 people AND A Community Hall of 12,684 Sq Ft, is a MAJOR CONTRADICTION with the proposed operating plan of only up to 300 people at any given time. THIS IS EXTREMELY DECEPTIVE on the part of the project planners. Any design on paper can meet the city minimum requirements. In reality, the traffic, safety and noise problem will be FAR WORSE than the design on paper.

5. The current Temple @ 66 Sunset Court conducts many events outdoor with usage of loudspeakers. The typical New Year activities and major Khmer Krom’s holiday Celebrations are NEVER quiet as the applicant is trying to mislead the city into believing. The NOISE level combination of the over 4000 people + automobiles + loudspeakers would more than exceed the normal noise standard for a Residential Neighborhood. The applicant indicates outdoor activities. The evidence of multiple loudspeakers used for music, and public speaking, can be seen via the multiple YouTube videos listed below BUT IS NOT LISTED IN THE NOISE REPORT. Please note that all the events utilize loudspeakers. 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>. More videos can be seen at the following links.

<https://www.youtube.com/watch?v=oQk2P9SbWX4>

<https://www.youtube.com/watch?v=h50X0iCCKm8&t=45s>

<https://www.youtube.com/watch?v=mmUXk-pitwo>

<https://www.youtube.com/watch?v=0icXRoiP3ws>

<https://www.youtube.com/watch?v=TB0WyARtTW8>

<https://www.youtube.com/watch?v=E8kJDJ10jGk&t=2403s>

<https://www.youtube.com/user/buddhaghosacha>

6. A narrow Ingress/Egress Driveway into the huge parking lot from a small 2 way “double-yellow” lane, 250 ft away from a busy 4-way stop will most definitely create major traffic & safety concerns. Overflow parking into the surrounding small residential streets is the inevitable consequence and simply unacceptable. Busing/shuttling plan of visitors to & from nearby school parking lots implies an already known overcrowding problem! Also, the busing/shuttling plan will NOT work as most visitors would prefer to drive themselves directly to the site and the plan is simply unenforceable! Again, this a major concern and inconsistency of this proposed project in this neighborhood. There is no public transportation near the site suitable for most visitors.

7. The concerns raised by prolonged construction of such a massive temple complex cannot be ignored. Construction vehicles including earth moving equipment moving in and out of the site onto the two-lane roads will create an extremely unsafe environment for children walking, biking or skateboarding to the nearby schools. They will also create hazardous conditions for the commuters using these roads. The intersection of Norwood Ave. and Ruby Ave controlled by just a 4 way stop sign has been the site of numerous daily accidents. It can only get worse. The dust and noise from the construction will greatly hamper the ability of residents, who work from home, to do their jobs.

8. There is no realistic way to enforce parking, noise, crowd control and capacity limits even if there were a perfect plan. Is it fair to neighbors to become enforcement monitors when 1) the city of San Jose code enforcement is severely understaffed and backlogged? 2) When police prioritize noise and traffic accidents as low priority, 3) when there are other better suited and close by locations that will not create these issues? We have personally tried to report public nuisance and disturbances to the San Jose Police Department only to receive a call back from an officer more than 4 hours after our initial call! How then, can we expect any assistance from law enforcement to respond effectively to any concerns that the residents report at the temple complex?

9. The current Khmer Krom members host their activities @ 66 Sunset Ct, San Jose, CA 95116. There is no Use-Permit noted. The temple has also violated building codes and constructed add-on facilities illegally, CODE CASE #2018-12934. Having demonstrated a bad precedent, it is most likely that they will continue to violate all the basic rules in terms of occupant capacities, parking, noise, and safety.

I am NOT opposed to building places of worship for any faith in the city provided their size, architecture and usage conforms to the character of the neighborhood where they are built. The applicants desire and deserve a large, beautiful complex to serve their community. There are just too many issues to mitigate fully at this location with this plan. Other suitable sites where the applicant can continue to practice their culture and religion with everything they desire to grow and thrive are nearby, and many residents have pointed out the exact locations of such sites at the planning meetings as well.

The Zoning for this parcel is RESIDENTIAL NEIGHBORHOOD/SINGLE FAMILY RESIDENCE per the General Plan 2040. The rezoning application would inconsistent with the GP2040 designation for this parcel. It should remain R-1-5. The previous plan to build 6 residential homes is

appropriate and must be considered to conform with the General Plan 2040. A better option is for the applicant to work with the developer of the Pleasant Hill Golf Course to build their facility there! That would meet both the developer and the resident's needs.

Please respect the GP2040 Policy, and vote “NO” to Rezoning, “NO” to the MASSIVE STRUCTURE that is NOT COMPATIBLE for a Residential Neighborhood Zone!

Thank you for the opportunity to express my concerns. Hopefully, our voices do matter!

Sincerely,

Kanchana Sekhar

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 8:03 AM

To: Agendadesk <[REDACTED]>

-----Original Message-----

From: Carla McNeil <[REDACTED]>

Sent: Tuesday, March 28, 2023 8:00 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

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Dear Mayor and City Council Members,

We are strongly opposed to the re-zoning of the property in our neighborhood at the corner of Norwood Ave and Ruby.
TRAFFIC AUTO AND FOOT INCREASES

We oppose any building whose purpose would attract 30 or more persons at one time. We do not want 30 or more cars, or people congregating upon that corner.

NEIGHBORHOOD ESTHETICS

We oppose any size structure that would be larger than the average home in the adjacent neighbor hoods including multiple buildings on one owner lots.

SAFETY AND HEALTH

Additional auto traffic will adversely affect the quality of air and peaceful nature of our calm neighborhood by increasing carbon emissions and noise levels.

ALTERNATIVE SUITABLE LOCATIONS

We have provided the owners and architects of this property under consideration with alternative lots of land for sale of similar size and still close to the neighborhood but not located in the middle of the housing tract.

Members of City Council and Planning Commission please vote to oppose Re zoning this parcel of land. Please consider the negative affects to this neighborhood's health, safety, and esthetics and VOTE NO TO RE-ZONING.

Sincerely,

Registered voter,

Carla McNeil
[REDACTED]

Sent from my iPhone

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 8:23 AM

To: Agendadesk <[REDACTED]>

-----Original Message-----

From: Judith Gordy <[REDACTED]>

Sent: Tuesday, March 28, 2023 8:21 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

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- >
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- > Sincerely,
- > Registered voter,
- > Judith W. Gordy

Sent from my iPhone

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FW: 10.4 23-444 C20-012 & SP20-024 - Conventional Rezoning and Special Use Permit on Certain Real Property Located at 2740 Ruby Avenue

City Clerk <[REDACTED]>

Tue 3/28/2023 8:30 AM

To: Agendadesk <[REDACTED]>

From: Trudy <[REDACTED]>

Sent: Tuesday, March 28, 2023 8:29 AM

To: City Clerk <[REDACTED]>

Subject: 10.4 23-444 C20-012 & SP20-024 - Conventional Rezoning and Special Use Permit on Certain Real Property Located at 2740 Ruby Avenue

[External Email]

My name is Trudy Ellerbeck. I am a neighbor to the [REDACTED] [REDACTED].

I'm deeply troubled and saddened by the suggestions that opposition to the plans for this site is rooted in race and religious bias.

I frequently bike or drive through this intersection, a route that takes me by numerous large religious facilities that are on the *periphery* of the east foothills. These institutions peacefully co-exist with their contiguous neighbors.

I appreciate that the project has been downsized. I appreciate the memo authored by Mayor Mahan, Vice Mayor Kamei, Councilmember Candelas, Councilmember Jimenez, and Councilmember Foley on March 24, 2023 outlining further conditions of the permit.

I encourage the Council to request that Staff further study the noise and traffic implications before final approval.

Thank you,
Trudy Ellerbeck
Resident of the [REDACTED], District 5

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 8:39 AM

To: Agendadesk <[REDACTED]>

From: Reinhard Gross <[REDACTED]>

Sent: Tuesday, March 28, 2023 8:34 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

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Sincerely,

Registered voter,

Reinhard Gross

[REDACTED]

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FW: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

City Clerk <[REDACTED]>

Tue 3/28/2023 9:32 AM

To: Agendadesk <[REDACTED]>

From: Arudrra Krishnan <[REDACTED]>

Sent: Tuesday, March 28, 2023 9:32 AM

To: City Clerk <[REDACTED]> The Office of Mayor Matt Mahan <[REDACTED]> District1
<[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4
<[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]> District7
<[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10

Subject: Council Meeting Agenda Item#10.4 - OPPOSE Rezoning & SUP - C20-12 & SP20-24 Date-March 28, 2023

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Dear Mayor and Council members

My name is Arudrra Krishnan, and I have lived in the Evergreen area of San Jose for over 23 years. I am happy to be part of this wonderful, diverse community that has welcomed churches, gurudwaras (Sikh temples), mosques and other places of worship into the community which have been built on large parcels of land offset from residences and busy intersections. I am writing to communicate my opposition to the proposed rezoning and special use permit application.

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 - a. First Paragraph of the SB-330, **"The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development Project for very low, low-, or moderate-income households or an emergency shelter..."** SB-330 DOES NOT apply to the Rezoning of an RN zone to PQP. Also, the proposed Project IS NOT a housing development Project!!!
 - b. **SB-330 DOES NOT speak of justifying the request to change a Residential Neighborhood (RN) Zone designation in the General Plan to Pubic-Quasi Public (PQP) to build a 14,000 Sq Ft Private Gathering Facility**, because this is not a Housing Project. The Housing Crisis Act of 2018 is to address the need for homeless shelter, low-income housing.
 - c. It seems that the application is an attempt to **manipulate the written law**. The Project is not a Housing Development Project! SB-330 DOES NOT provide any agency authorization to REZONE a Residential Zone to Public Zone to build a single Private Gathering Facility 14,000 sq ft for PRIVATE GATHERING Use.
4. The Project is clearly going against many General Plan Policies regarding its use, and the potential impact to the surrounding area, adjacent to property. This Project **is going to NEGATIVELY impact** the surrounding neighborhood. It is completely INCOMPATIBLE, INCONSISTENT with all the adjacent residential homes, and the entire residential neighborhood within 2,000 ft radius of this site. There is a 996 Sq Ft home that will reside in the middle of this compound. All of these Policies mainly say: **"The private Community Gathering Facilities MUST be COMPATIBLE with the surrounding Resident Neighborhood"**. The Project was found to be inconsistent with the surrounding Residential

Neighborhood. Its size, shape, intended Private Gathering use were and will be INCONSISTENT in this location, regardless.

5. The Project also DOES NOT MEET many other General Plan Policies, including LU-11.4, LU-11.6, VN-1.11, VN-1.12, VN-5.4, CD-4.3, CD-4.9, CD-4.12.

- a. LU-11.4 Discourage new commercial uses on small existing residential streets unless it can be clearly demonstrated that the commercial use can integrate with the existing residential neighborhood without creating adverse impacts. **Discourage primary access to large commercial parking lots and structures through residential neighborhoods.** This Project does not comply with this policy.
- b. LU-11.6 For new infill development...**The form of such new development should be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern.** The design is NOT CONSISTENT with existing neighborhood.
- c. VN-1.11 **Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.** The 4-story high, 14,000 Sq Ft facility will impact the current living environment, the existing quality of life will be impacted.
- d. VN-1.12 **Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods.** The Project is NOT COMPATIBLE with the current characteristic of the existing neighborhood.
- e. VN-5.4 **Carefully consider existing and potential future proximate land uses when locating Private Community Gathering Facilities to avoid health and safety risks and minimize incompatible land uses.** The facility is 14,000 Sq Ft, capable of holding 3,500 people, with a commercial size parking lot, that serves alcohol, and allows a smoking area, and a shuttle bus through small residential street, are major health and safety risks.
- f. CD-4.3 **Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.** The Project DOES NOT have any characters, size, use that IS HARMONIOUS with the current existing neighborhood and all the adjacent homes.
- g. CD-4.9 **For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric** (including but not limited to prevalent building scale, building materials, and orientation of structures to the street). Again, the Project IS NOT CONSISTENT with the current existing neighborhood and all the adjacent homes, in term of characters, size, and intended use.
- h. CD-4.12 **For structures other than buildings and including structures on top of building... Locate such structures to minimize public visibility and avoid significant adverse effects on adjacent properties.** A spire 65 ft tall is not COMPATIBLE with any typical 35ft max height Residential Home. How is this massive facility in size and height compatible with the residence @ 2720 Ruby Ave?
- i. **Conclusion:** Contrary to the planning commission report, the PROJECT does not conform with these policies. With or without the proposed REZONE from its designated Land Use of R-1-5, the Project DOES NOT meet many General Plan Policies. R-1-5 is ultimately the “appropriate” and “Compatible” use of the intended for this land per the General Plan. **This proposal should be declined without any doubts.**

6. **Per permit H17-006**, this R-1-5 site is approved for 6 Single-Family Residence. “The Director of Planning, Building and Code Enforcement finds that the following are the relevant facts regarding this proposed Project”:

- a. **Per the General Plan, this parcel is designated for Single-Family Residential Uses....** The development of up to six single-family residences would be consistent with the existing development pattern, character, and density of the neighborhood.
- b. **Per staff, the “Zoning of the proposed Project site is located in the R-1-5 Single-Family Residence Zoning District.”** The Site Development Permit is consistent with the Land Use Policy LU-11.6.
- c. Per Title 20.100.630, “the R-1-5 Zoning Conformance, the Director of Planning finds that: the Site Development Permit as approved, is consistent with and will further the policies of the General Plan. The proposed Project (Permit H17-006) conforms to the development regulations established for the R-1-5 Residence Zoning District.”

7. Per staff Preliminary Review (PRE18-190) of the Project:

- a. **The proposed Project is “inconsistent” with the General Plan Policy LU 10.8.** The Project is inconsistent with the General Plan Policies regarding the zone.
- b. Staff indicated that: the proposed Project would need to be “compatible” with the surrounding neighborhood.
- c. The subject site is in the R-1-5 Single-Family Residence Zoning District. The purpose of the single-family residence district is to reserve land for the construction, use and occupancy of single-family subdivisions.
- d. **“Given the site’s location adjacency to existing single-family residence and completely surrounding an existing single-family residence, staff is concerned about the potential impact of the size of the Project at points when the use is at full capacity.”**
- e. **Conclusion:** The site is designated as an R-1-5, which is consistent with the neighborhood within several thousand (+2000) feet radius of the site. It is approved for 6 single-family residents. The current application to change the Land Use designated from R-1-5 to PQP is **not consistent** with the practical use, intended land use per the General Plan, **and should be declined**.

3. The oversize structure on a small lot in a dense residential neighborhood does not fit the characteristics of the existing neighborhood. It is aesthetically incompatible with the homes immediately next to it and the surrounding neighborhood. **Please consider the plight of the small 996 sq. ft. home at 2720 Ruby Ave which will be surrounded by the Temple Complex on three sides.** One long-time resident has already decided to sell their home on Sweetleaf Ct, that will be directly impacted the massive **4-story high building**. The proposed height of 4 stories (including the 65 feet tall spire) far exceeds the 35 ft. standard for any structure in a Residential Neighborhood. This project is incompatible to the point of having a tremendously negative impact on the neighborhood going so far as driving residents out of their homes.

4. The proposal of a 14,000 sf. buildings and outdoor facility that can host over 4000 people AND A Community Hall of 12,684 Sq Ft, is a MAJOR CONTRADICTION with the proposed operating

plan of only up to 300 people at any given time. THIS IS EXTREMELY DECEPTIVE on the part of the project planners. Any design on paper can meet the city minimum requirements. In reality, the traffic, safety and noise problem will be FAR WORSE than the design on paper.

5. The current Temple @ 66 Sunset Court conducts many events outdoor with usage of loudspeakers. The typical New Year activities and major Khmer Krom's holiday Celebrations are NEVER quiet as the applicant is trying to mislead the city into believing. The NOISE level combination of the over 4000 people + automobiles + loudspeakers would more than exceed the normal noise standard for a Residential Neighborhood. The applicant indicates outdoor activities. The evidence of multiple loudspeakers used for music, and public speaking, can be seen via the multiple YouTube videos listed below BUT IS NOT LISTED IN THE NOISE REPORT. Please note that all the events utilize loudspeakers. 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>. More videos can be seen at the following links.

- i. <https://www.youtube.com/watch?v=oQk2P9SbWX4>
- ii. <https://www.youtube.com/watch?v=h50X0iCCKm8&t=45s>
- iii. <https://www.youtube.com/watch?v=mmUXk-pitwo>
- iv. <https://www.youtube.com/watch?v=0icXRoiP3ws>
- v. <https://www.youtube.com/watch?v=TB0WyARtTW8>
- vi. <https://www.youtube.com/watch?v=E8kJDJ10jGk&t=2403s>
- vii. <https://www.youtube.com/user/buddhaghosacha>

6. A narrow Ingress/Egress Driveway into the huge parking lot from a small 2 way “double-yellow” lane, 250 ft away from a busy 4-way stop will most definitely create major traffic & safety concerns. Overflow parking into the surrounding small residential streets is the inevitable consequence and simply unacceptable. Busing/shuttling plan of visitors to & from nearby school parking lots implies an already known overcrowding problem! Also, the busing/shuttling plan will NOT work as most visitors would prefer to drive themselves directly to the site and the plan is simply unenforceable! Again, this a major concern and inconsistency of this proposed project in this neighborhood. There is no public transportation near the site suitable for most visitors.

7. The concerns raised by prolonged construction of such a massive temple complex cannot be ignored. Construction vehicles including earth moving equipment moving in and out of the site onto the two-lane roads will create an extremely unsafe environment for children walking, biking or skateboarding to the nearby schools. They will also create hazardous conditions for the commuters using these roads. The intersection of Norwood Ave. and Ruby Ave controlled by just a 4 way stop sign has been the site of numerous daily accidents. It can only get worse. The dust and noise from the construction will greatly hamper the ability of residents, who work from home, to do their jobs.

8. There is no realistic way to enforce parking, noise, crowd control and capacity limits even if there were a perfect plan. Is it fair to neighbors to become enforcement monitors when 1) the city of San Jose code enforcement is severely understaffed and backlogged? 2) When police prioritize noise and traffic accidents as low priority, 3) when there are other better suited and close by locations that will not create these issues? We have personally tried to report public nuisance and disturbances to the San Jose Police Department only to receive a call back from an officer more than 4 hours after our initial call! How then, can we expect any assistance from law enforcement to respond effectively to any concerns that the residents report at the temple complex?

9. The current Khmer Krom members host their activities @ 66 Sunset Ct, San Jose, CA 95116. There is no Use-Permit noted. The temple has also violated building codes and constructed add-on facilities illegally, CODE CASE #2018-12934. Having demonstrated a bad precedent, it is most likely that they will continue to violate all the basic rules in terms of occupant capacities, parking, noise, and safety.

I am NOT opposed to building places of worship for any faith in the city provided their size, architecture and usage conforms to the character of the neighborhood where they are built.

The applicants desire and deserve a large, beautiful complex to serve their community. There are just too many issues to mitigate fully at this location with this plan. Other suitable sites where the applicant can continue to practice their culture and religion with everything they desire to grow and thrive are nearby, and many residents have pointed out the exact locations of such sites at the planning meetings as well.

The Zoning for this parcel is RESIDENTIAL NEIGHBORHOOD/SINGLE FAMILY RESIDENCE per the General Plan 2040. The rezoning application would inconsistent with the GP2040 designation for this parcel. It should remain R-1-5. The previous plan to build 6 residential homes is appropriate and must be considered to conform with the General Plan 2040. A better option is for the applicant to work with the developer of the Pleasant Hill Golf Course to build their facility there! That would meet both the developer and the resident's needs.

Please respect the GP2040 Policy, and vote "NO" to Rezoning, "NO" to the MASSIVE STRUCTURE that is NOT COMPATIBLE for a Residential Neighborhood Zone!

Thank you for the opportunity to express my concerns. Hopefully, our voices do matter!

Sincerely,

Arudrra Krishnan

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 10:25 AM

To: Agendadesk <[REDACTED]>

From: Senthil Sanjeevi <[REDACTED]>

Sent: Tuesday, March 28, 2023 9:37 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Dear Mayor and City Council Members,

We are strongly opposed to the re-zoning of the property in our neighborhood at the corner of Norwood Ave and Ruby.

TRAFFIC AUTO AND FOOT INCREASES

We oppose any building whose purpose would attract 30 or more persons at one time. We do not want 30 or more cars, or people congregating upon that corner.

NEIGHBORHOOD ESTHETICS

We oppose any size structure that would be larger than the average home in the adjacent neighborhoods including multiple buildings on one owner lots.

SAFETY AND HEALTH

Additional auto traffic will adversely affect the quality of air and peaceful nature of our calm neighborhood by increasing carbon emissions and noise levels.

ALTERNATIVE SUITABLE LOCATIONS

We have provided the owners and architects of this property under consideration with alternative lots of land for sale of similar size and still close to the neighborhood but not located in the middle of the housing tract.

Members of City Council and Planning Commission please vote to oppose Re zoning this parcel of land. Please consider the negative affects to this neighborhood's health, safety, and esthetics and VOTE NO TO RE-ZONING.

Sincerely,

Registered voter,

Senthil Kumar

[REDACTED]

Sent from my iPhone

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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 10:25 AM

To: Agendadesk <[REDACTED]>

From: Debbie Chan <[REDACTED]>

Sent: Tuesday, March 28, 2023 9:43 AM

To: City Clerk <[REDACTED]>

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

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[External Email]

Dear Mayor & Council Members,

I strongly oppose rezoning 2740 Ruby Ave to a PQP zone. Keep this neighborhood an R-1-5 zone.

I am a stakeholder.

I live [REDACTED] from 2740 Ruby. I have children attending [REDACTED] School and [REDACTED] School. I have limited options exiting my neighborhood to drop off my kids. I choose to commute **daily** down Norwood because it is dotted with intersections that have 4-way stops. The stops signs aren't always heeded, but they provide the best chance of slowing down traffic, therefore this is my safest and best route to exit. **My alternative is to drive down streets that snake; make more left turns; then make a blind right turn onto Quimby where cars drive even faster.** This neighborhood sits on a slope. Cars naturally pick-up speed coasting downhill, especially on straightaways such as Norwood and Quimby. The intersection of Norwood and Ruby already experiences plenty of accidents. **IF THE REZONE IS APPROVED, THE ADDED TRAFFIC WILL FURTHER PLACE ME AND MY FAMILY IN HARM'S WAY. If I don't commute via Norwood & Ruby, this is my alternative...**

[Image of blind right turn on Quimby. This is about how much visibility I have, approaching the intersection to make a right turn.]



[Straightaway view up & down Quimby. Cars fly down this hill.]



Developer proposed a roundabout at the intersection

Please read the public comments posted on these websites that I provided below. Then, please contemplate that the project entrance is close to the busy intersection of a residential neighborhood. Factor in the school drop-offs and pick-ups. Factor in our bicyclists, pedestrians, young & old. Factor the concentration of teen drivers and the inexperience of teen drivers to navigate this uncommonly used method of traffic management in San Jose. Factor in that the roundabouts that currently exist in our neighborhood are so much larger. **Using tools on Google Maps, the narrowest diameter in the Norwood/Ruby intersection is only about 67 feet!! Imagine 300+ people with cars, buses, or shuttles circling around to find parking. Image people who decide to double-park to drop-off. IT IS NOT SAFE!!!**

PUBLIC COMMENTS REGARDING SMALL, SINGLE-LANE ROUNDABOUT REPLACING A 4-WAY STOP AT COLEMAN AVENUE COSTCO
(I've personally been to this Costco, saw a group people directing traffic & all they did was beckon people to come into the circle without looking around or using judgment!)

Source #1: <https://www.svvoice.com/coleman-costco-installing-roundabout/>

--"Just came from the Costco Santa Clara drove through the new roundabout it is a nightmare cars do not wait any more people are running into each other honking at each other don't think it was a good idea will not go back to that Costco ever again"

--"Who ever thought the new design would work??? It has created so much congestion trying to get in to just park or leave after shopping. Customers trying to get gas are blocking the only entrance near the gas pumps. Your rounder is dangerous because of the rude people who do not know how to use one."

Source #2: <https://www.mercurynews.com/2022/09/20/i-saw-people-driving-over-the-roundabout-trying-to-get-out-roadshow/>

--"I saw people driving over the roundabout trying to get out."

--"When I was there, people flooded it, even though there wasn't anywhere to go — it was backed up on the way to get gas. They blocked everyone else, which led to a long delay."

Source #3: https://www.reddit.com/r/bayarea/comments/z43cw7/constant_accidents_on_new_roundabout_forced/

"1. Drivers in this area truly don't know how to use a circle.

1.5.This used to be a 4-way stop and I imagine the majority of the patrons remember that and are clearly still treating it that way. They truly don't understand right-of-way. (It's not a zipper or merge - once in the circle, that car has the right of way and those outside the circle need to wait until there is space to enter) Which leads us to....

2. Even with the best drivers, the circle is too small. With how large vehicles are these days and the actual circumference of this circle, you immediately encroach on the next egress the second you enter the circle. There really isn't space to smoothly enter the circle and it ends up being a flood from a single direction for a while.

3. It's the only way in or out. There are technically two entrances but they both feed into the parking lot through this circle. It's such a bottleneck from the "left at the light" entrance they had to change the timing of the light at that intersection."

The mayor's agenda item at the last District 8 Council Meeting was regarding budget. He could not entertain discussion with our area regarding land usage. I plead with our city government to have more discussions before making an irrevocable decision that will affect the safety & lives of visitors and residents alike.

Other statements from a previous email I sent to the mayor....

1. **Parking on neighboring streets.** A filled parking lot will lead to circling around in a tight area. This is an area of courts/cul de sacs and winding streets. *Please review the map below.* Cul de sacs are already areas of reduced parking because the homes on the end do not have curb space. One should also consider the width of the courts once they have been filled with parked cars. It is too tight for 2-way traffic. As the hours of operation would end at 10pm, dim lighting affects visibility and would compound the danger.

2. **Back-up of traffic.** The proposed project is right at the intersection of Norwood & Ruby. The driveway is not far from this intersection. This will lead to blockage of an intersection which is the main point of egress for many homes. *This can also be noticed in the map below.*

3. **Pedestrian safety.** This is a community with many school aged children. Evergreen is a magnet for families because of its schools. I have 2 children who have attended or will be attending each of the schools in this area (Norwood Creek Elementary, Quimby Oak Middle School & Evergreen Valley High School). I know that each of the schools have encouraged their students to walk or bike to school. If you are a parent or caregiver in SJ, then you too have probably participated in Walk n' Roll with your child. The construction of this project conflicts with values and initiatives that our city promotes. You cannot add traffic and expect pedestrian safety to improve. **"The [goal of Vision Zero](#) is to reduce and eventually eliminate traffic deaths and severe injuries."** We have walkers, joggers, and bicyclists, at times from morning til night. A large number of drivers paired with allowed alcohol consumption will not enhance their safety.

4. **Added congestion leads to frustration.** Frustration leads to aggressive driving behaviors, which lead to accidents. Here is an example of aggressive driving behavior amidst pedestrian and other vehicle congestion. Fortunately this incident did not result in a fatality. I witnessed this after dropping off my child at EVHS when traffic started to get worse. The timestamp is incorrect, but the video was taken when 1st period of high school began at 7 15am Please review my [dashcam video](#) (13 seconds)

Any project that significantly increases traffic in a residential neighborhood should not be allowed. For the public's safety, please act accordingly to the [General Plan's goal](#) of "**preservation and improvement of existing residential neighborhoods**". Please vote no on rezoning and to the special use permits. No to C20-012, SP20-024 & ER20-147.

Thank you for your attention.

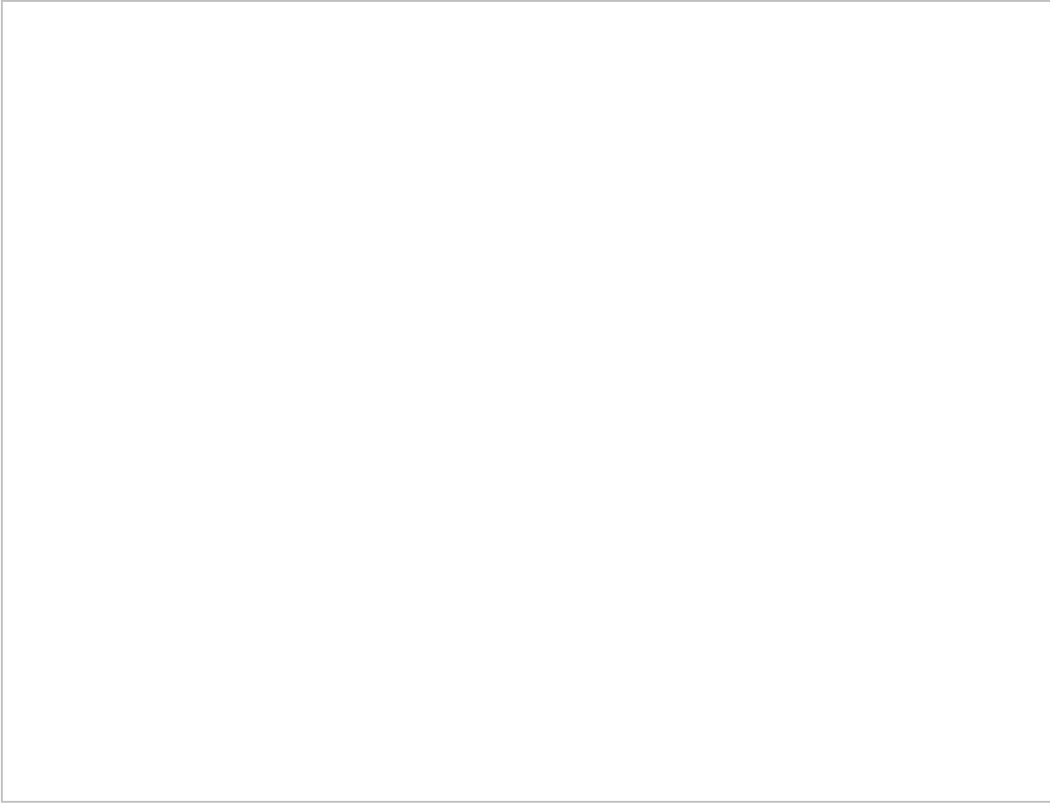
Deborah Chan

Resident 

[map of area surrounding project site]

3 red dots mark the primary intersections on the Ruby corridor.

3 green dots show the proximity of schools to the heavily trafficked areas.



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FW: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

City Clerk <[REDACTED]>

Tue 3/28/2023 10:25 AM

To: Agendadesk <[REDACTED]>

From: Kimloan Tran <[REDACTED]>

Sent: Tuesday, March 28, 2023 10:06 AM

To: City Clerk <[REDACTED]>

Subject: Fwd: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Sent from my iPhone

Begin forwarded message:

From: Carla McNeil <[REDACTED]>

Date: March 28, 2023 at 9:50:58 AM PDT

To: [REDACTED]

Subject: Fw: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

Hello Kim,

within the next 10 min you send to the exact same email address as I did with the exact same subject. You may use all or part of my letter.

Just sign your name to the letter and send.

Thanks for helping!!!

Carla

----- Forwarded Message -----

From: Carla McNeil <[REDACTED]>

To: "[REDACTED]" <[REDACTED]>

Sent: Tuesday, March 28, 2023 at 10:00:02 AM CDT

Subject: Council Meeting Agenda Item#10.4 - Oppose Rezoning & SUP - C20-12 & SP20-24

Dear Mayor and City Council Members,

We are strongly opposed to the re-zoning of the property in our neighborhood at the corner of Norwood Ave and Ruby.

TRAFFIC AUTO AND FOOT INCREASES

We oppose any building whose purpose would attract 30 or more persons at one time. We do not want 30 or more cars, or people congregating upon that corner.

NEIGHBORHOOD ESTHETICS

We oppose any size structure that would be larger than the average home in the adjacent neighborhoods including multiple buildings on one owner lots.

SAFETY AND HEALTH

Additional auto traffic will adversely

affect the quality of air and peaceful nature of our calm neighborhood by increasing carbon emissions and noise levels.

ALTERNATIVE SUITABLE LOCATIONS

We have provided the owners and architects of this property under consideration with alternative lots of land for sale of similar size and still close to the neighborhood but not located in the middle of the housing tract.

Members of City Council and Planning Commission please vote to oppose Re zoning this parcel of land. Please consider the negative affects to this neighborhood's health, safety, and esthetics and VOTE NO TO RE-ZONING.

Sincerely,

Registered voter,

Carla McNeil



Sent from my iPhone

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Support for the Proposed Temple at 2740 Ruby Avenue.

City Clerk <[REDACTED]>

Tue 3/28/2023 10:26 AM

To: Agendadesk <[REDACTED]>

From: [REDACTED] <[REDACTED]>

Sent: Tuesday, March 28, 2023 10:01 AM

To: Mahan, Matt <Matt.[REDACTED]> Kamei, Rosemary <[REDACTED]> Jimenez, Sergio
<[REDACTED]> Cohen, David <[REDACTED]> Doan, Bien <[REDACTED]> Batra, Arjun
<[REDACTED]> Candelas, Domingo <[REDACTED]> Davis, Dev <[REDACTED]> Ortiz,
Peter <Peter.Ortiz@[REDACTED]> Torres, Omar <[REDACTED]> Foley, Pam <[REDACTED]>

Cc: City Clerk <[REDACTED]> alex.at[REDACTED]

Subject: Support for the Proposed Temple at 2740 Ruby Avenue.

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]



Dear Honorable Mayor Matt Mahan & members of the San Jose City Council,:

On behalf of the Silicon Valley Interreligious Council (SiVIC), we wish to share our support for the proposed Buddhist Temple at 2740 Ruby Avenue. SiVIC is an Interfaith Council of organizations in the area. SiVIC's members & Board members comprises of Western & Eastern Faiths so that everyone has "a seat at the table". This temple would add to the religious diversity of the city.

We applaud the Cambodian Khmer Buddhist community for their efforts to provide a religious sanctuary for their followers to share the Buddha's teaching and practice Theravada Buddhism to attain self-liberation through one's own efforts of meditation. They are a small community that is an even smaller ethnic minority. They deserve an opportunity to preserve their religion and customs so that they too can ascribe to a shared understanding of what it means to build relationships and community.

The Council urges you to please vote YES for the Temple at the Council Meeting of March 28,2023.

Best Regards,

Girish Shah

President & Chairperson of the Board

Silicon Valley Interreligious Council (SiVIC)

San Jose, CA



SiVIC is a religious non-profit council for faith organizations in Silicon Valley (SCC). SiVIC promotes interreligious harmony and understanding so as to promote a just and compassionate society in Silicon Valley. Although officially formed in 2011, interfaith work has been conducted for the last 50 years in the Valley.

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FW: Temple Project

City Clerk <city.clerk@sanjoseca.gov>

Tue 3/28/2023 2:45 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Bianca Covarelli [REDACTED]

Sent: Tuesday, March 28, 2023 2:35 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Temple Project

You don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

March 28, 2023

To : Mayor Matt Mahan & City Council Members
San Jose, California

Re: Support for the Proposed Temple at 2740 Ruby Avenue

Honorable Mayor & City Council Members,

Today, I'm writing to gather your support and approval of the temple project.

The Buddhist temple will become not only a historic landmark in the community, but a place for all who seek and practice compassion, peace, meditation, loving-kindness, and who honor all living beings.

In carrying on your legacy in continuing to build San Jose's diverse, vibrant culture, this temple will be a significant part of your legacy that you get to leave behind for future generations to appreciate and cherish.

I urge you to vote in support of this project.

Thank you.

Bianca Covarelli

[Sent from Yahoo Mail on Android](#)

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FW: Support for Proposed Temple in D 8

City Clerk <[REDACTED]>

Tue 3/28/2023 3:35 PM

To: Agendadesk <[REDACTED]>

From: jcheavaing <[REDACTED]>

Sent: Tuesday, March 28, 2023 3:31 PM

To: Mahan, Matt <Matt.[REDACTED]>

Kamei, Rosemary <[REDACTED]> Jimenez, Sergio

<[REDACTED]> Cohen, David <[REDACTED]>

Doan, Bien <[REDACTED]>

Batra, Arjun

<[REDACTED]> Candelas, Domingo <[REDACTED]>

Davis, Dev <[REDACTED]>

Ortiz,

Peter <Peter.Ortiz@[REDACTED]> Torres, Omar <[REDACTED]>

Foley, Pam <[REDACTED]>

Cc: City Clerk <[REDACTED]> Alex.at[REDACTED]

Subject: Support for Proposed Temple in D 8

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Dear Honorable Mayor and Members of the City Council.

My name is Jenny Chea Vaing. I am a survivor of the Khmer Rouge Regime Genocide. I came to the United States in 1984 seeking shelter for a better life and the American dream like many others.

We, Cambodian people suffered a horrific genocide that killed approximately two million people under the leadership of Pol Pot and the Khmer Rouge from 1975 to 1979. My mother was one of the two million people that were executed by the Khmer Rouge and our family were separated. Our freedom, tradition, culture, and identity were stripped away overnight. Growing up without a mother was very difficult for me. Not only did I lack a mother's love, I have no one to teach me the Khmer proper manner, tradition and culture.

Why having this temple is so important to me and the Cambodia Community?

When we migrate to a new country (USA), we had to assimilate to the culture as we strive to fit in to the host culture. However, we then start to lose our own identity and culture. As many of our elders passed away, we lose the traditional practices of our culture. This then leads to reduced social cohesion and society-wide mental health challenges because our culture is closely linked with our sense of identity and belonging to a community.

In this day and time, society is troubled by emotional distress or more serious mental illnesses due to COVID 19 pandemic. Lack of basic needs will lead to stress, worries, mental health and emotional wellness. The temple will provide an opportunity to connect with activities and traditions from our culture, blessings which include healing assistance to mend troubled, broken, or anxious hearts and a place that we no longer feel alone.


When people have access to the temple like this, they can grow, change, and improve their emotional wellness and mental health.

We hope you will support the project by voting to approve it without any delays. Thank you in advance for your kind consideration.

Warmest regards,

Jenny Chea-Vaing, CISR





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FW: Support for Proposed Temple in D 8

City Clerk <city.clerk@sanjoseca.gov>

Tue 3/28/2023 4:33 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Hong choing [REDACTED]

Sent: Tuesday, March 28, 2023 3:59 PM

To: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>; Alex.atienza@sanjoseca.gov

Subject: Support for Proposed Temple in D 8

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Dear Honorable Mayor and City Councilmembers,

I respectfully request your approval of the Wat Khmer Kampuchea Krom project, a Cambodian Buddhist Temple which will serve the local Khmer population and all surrounding community members.

My name is Hong Choing, and I am seeking your support of the proposed temple project in San Jose. This one-of-a-kind community center will serve as the gathering place for Khmer Americans and all community members who wishes to contribute to a vibrant and diverse city that we live, work, and play. With your approval, this temple serves as an example of diversity and inclusion for the city of San Jose. A place that will be visited by many as a pride and joy for the neighbors and the city for years to come. As a refugee from Cambodia and a survivor of the Khmer Rouge genocide, I am one of the few lucky ones who are able to start life new in America. The temple will serve as a place for people like me and the community to come together, to seek peace and solitude, an institution to worship, a place to learn and preserve Khmer heritage and culture, a place to connect and belong, and most importantly, a place for Khmer community to heal.

Please note that a Buddhist temple, as a place for worship, does not allow wedding ceremonies, parties, and alcohol on site. I ask that all of you vote in support of the proposed temple without delay so we can start the important work of serving the community.

Thank you for your consideration.

Respectfully submitted,

Hong Choing,

VP Strategic Partnerships and Alliances, [REDACTED]

Community Volunteer; Philanthropist
[REDACTED]

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March 28, 2023

To: The honorable Mayor and Members of the Council

Matt.mahan@sanjoseca.gov

Rosemary.kamei@sanjoseca.gov

Sergio.jimenez@sanjoseca.gov

David.cohen@sanjoseca.gov

Bien.doan@sanjoseca.gov

Arjun.batra@sanjoseca.gov

Domingo.candelas@sanjoseca.gov

Dev.davis@sanjoseca.gov

Peter.ortiz@sanjoseca.gov

Omar.torres@sanjoseca.gov

Pam.foley@sanjoseca.gov

Cc: city.clerk@sanjoseca.gov

Alex.atienza@sanjoseca.gov

From: Hong Choing, Khmer American and Business Executive

Subject: Support for Proposed Temple in D 8

Dear Honorable Mayor and City Councilmembers,

I respectfully request your approval of the Wat Khmer Kampuchea Krom project, a Cambodian Buddhist Temple which will serve the local Khmer population and all surrounding community members.



My name is Hong Choing, and I am seeking your support of the proposed temple project in San Jose. This one-of-a-kind community center will serve as the gathering place for Khmer Americans and all community members who wishes to contribute to a vibrant and diverse city that we live, work, and play. With your approval, this temple serves as an example of diversity and inclusion for the city of San Jose. A place that will be visited by many as a pride and joy for the neighbors and the city for

years to come. As a refugee from Cambodia and a survivor of the Khmer Rouge genocide, I am one of the few lucky ones who are able to start life new in America. The temple will serve as a place for people like me and the community to come together, to seek peace and solitude, an institution to worship, a place to learn and preserve Khmer heritage and culture, a place to connect and belong, and most importantly, a place for Khmer community to heal.

Please note that a Buddhist temple, as a place for worship, does not allow wedding ceremonies, parties, and alcohol on site. I ask that all of you vote in support of the proposed temple without delay so we can start the important work of serving the community.

Thank you for your consideration.

Respectfully submitted,

Hong Choing,
VP Strategic Partnerships and Alliances, [REDACTED]
Community Volunteer; Philanthropist
[REDACTED]

FW: Request for Support: Proposed Buddhist Temple in D8

City Clerk <city.clerk@sanjoseca.gov>

Tue 3/28/2023 4:33 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Phil Hung Thach <[REDACTED]>

Sent: Tuesday, March 28, 2023 4:07 PM

To: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>; Alex.atienza@sanjoseca.gov

Subject: Request for Support: Proposed Buddhist Temple in D8

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[External Email]

Dear Honorable Mayor and City Councilmembers,

My people have suffered greatly through the genocide that killed around 2million Cambodians. For what was left of the population, we were able to escape and are now residing in San Jose.

Having grown up in San Jose, attending elementary through undergrad (SJSU) here and now residing in the Alum Rock area, I request your approval of the project to build the Buddhist temple in San Jose to support the local Cambodian minority population.

Growing up in San Jose on the east side in the 80s - 90s, there weren't many places for young Cambodians or other minorities to seek refuge from the daily acts of gangs, drugs, and violence. What happened was allot of my colleagues either turned to gangs or dropped out of high school. We now have an opportunity, after 4 decades later to do some actual change for the community.

I hope you will support the project and vote to approve it.

Thank you for your consideration.

Philip Hung Thach

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FW: Khmer Krom Buddhist Temple

City Clerk <[REDACTED]>

Tue 3/28/2023 5:32 PM

To: Agendadesk <[REDACTED]>

From: tlen <[REDACTED]>

Sent: Tuesday, March 28, 2023 5:03 PM

To: 'Matt <[REDACTED]>

'Peter.ort <[REDACTED]>

Cc: City Clerk <[REDACTED]> Atienza, Manuel <Alec.At <[REDACTED]> jcheavaing@singlepointins.com

Subject: Khmer Krom Buddhist Temple

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

[External Email]

Dear Honorable Mayor and Members of the City Council;

My name is Theary Len and I was born at the tail-end of the Khmer Rouge genocide. I could not begin to fathom what difficulties that meant for my parents as they try to escape with a crying infant in their arms. That is why, I wish my mother would have had the opportunity to see all the Khmer people here today. She would have loved to see the Khmer community finally have a place where old and new generations of Khmers can come together and bridge the rich traditions of our ancestors. Regardless of our religious background; love, traditions and cultural heritage have no division. Other local Bay Area Wats are comprised of single-family dwellings that limit not only the number of people on site, the type of ceremonies, the time and day it can be held, but there are also restrictions on the architect and landscape.

Since the Cambodian Refugee exodus between 1975 and 1994, a total of 157K Khmers were admitted into the United States. San Jose is now home to approximately 5,865 Khmers and some 40+ years later have yet have a place of social institutions and culture to call their own. With the establishment of a Cambodian Buddhist temple, here in the beautiful Evergreen community, with neighbors such as the EIC (Evergreen Islamic Center) up the road, and less than a mile and a half from here, one of the biggest Sikh temples, Sikh Gurdwara, adds to the rich diversity of this community. A place where families and community can start rebuilding institutions, particularly Buddhist temples, reviving Khmer classical dance, music, and other performing arts as they work to transcend the tragedies that befell them, over and over again, in order to survive as a people and a culture. I know that the people of San Jose, and particularly the resident of Evergreen community understands the values and the importance of providing a safe haven where young and old can come together and share in the richness of culture unity.

Respectfully,
Theary Len (Community Member)

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