

Item No. 5
Supplemental Material
For
City of Sacramento
Planning Commission
Agenda Packet

For the Meeting of: January 8, 2009

- Additional Material
 Revised Material

Contact Information: Elise Gumm, 808-1927

Project Name: Wat Lao Temple (P05-196)

Subject: Comments from Neighbors and Additional Conditions of Approval.

Staff received several letters after the staff report was written and has attached the comments to this packet. Additional conditions of approval are being requested as indicated below.

PLANNING:

- B55. The applicant/owner is responsible for maintaining the property free from trash and debris. Any debris on or around the site shall be immediately removed.
- B56. The applicant/owner shall ensure that all parking associated with the activities of the temple occur on-site in designated parking spaces. The applicant/owner shall discourage patrons from parking on Rio Linda Boulevard.
- B57. The applicant/owner shall comply with City Code, Chapter 8.68, Noise Control Ordinance.
- B58. The applicant/owner shall comply with City Code, Chapter 15.40, Construction Site Regulations during construction periods. Construction shall only occur between the hours of seven A.M. and six P.M., on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, and between nine A.M. and six P.M. on Sunday based on City Code, Chapter 8.68, Noise Control Ordinance.
- B59. During construction, gatherings or events may need to be relocated to an alternate location to accommodate the members. It is the applicant/owner's responsibility to ensure that the alternate location is appropriate for such gatherings and events.

December 29, 2008

Development Services Department
Elise Gumm

Dear Ms Gumm,

Expansion of the Wat Lao Temple at 4845 Rio Linda Blvd, project number P05-196, should not be given special permit unless the following concerns are addressed:

Parking for Wat Lao is already a consistent problem during large gatherings. The stretch of Rio Linda Blvd that leads to Wat Lao has two narrow lanes, no curbs or sidewalks, and some steep ditches adjacent to the road. Visitors to Wat Lao's celebrations line their cars along Rio Linda Blvd. on both sides, in areas not intended for parking which creates an unsafe condition for drivers and pedestrians in violation of City code:

10.36.060 Stopping, standing or parking on roadways or parkways.

No person shall stop, stand or park a vehicle either attended or unattended:

- A. Within any parkway;
- B. Upon any roadway not bounded by adjacent curbs when less than twelve (12) feet of unobstructed roadway width remains between the center line of the roadway or the outside designated lane of a multilaned roadway and the left edge of the vehicle. In every event, a clear view of the stopped vehicle shall be available from a distance of two hundred (200) feet in each direction upon the highway. This subsection shall not apply to the driver of any vehicle which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the highway. (Prior code § 25.07.105)

Additionally, their audio system is always cranked up too loud for a residential neighborhood to bear. I live about two blocks away from the temple but can clearly hear each word in a song from my yard. Regardless of it being a religious event, City Code requires they abide by noise regulations

8.68.100 Schools, hospitals and churches.

It is unlawful for any person to create any noise which causes the noise level at any school, hospital or church while the same is in use to exceed the noise standards specified in Section 8.68.060 of this chapter or to create any noise which unreasonably interferes with the use of such institution or unreasonably disturbs or annoys patients in the hospital. In any disputed case, interfering noise which is ten (10) dBA or more, greater than the ambient noise level at the building, shall be deemed excessive and unlawful. (Prior code § 66.02.205)

Please address the parking and noise issues for the Wat Lao Temple within the terms of the permit. We have other large churches in this area but they provide paved ample parking and do not disturb the peace of the neighborhood.

Nancy Thompson
4943 Pine Nut Way
Sacramento, CA 95838

From: "Nancy Thompson" <nthom1111@gmail.com>
To: "Elise Gumm" <EGumm@cityofsacramento.org>
Date: 01/06/2009 1:47 PM
Subject: RE: Project P05-196

Thanks, Elise.

I have read the report and I am happy. I didn't know people had been calling the police or code enforcement on the noise level. From the last event, you couldn't tell. Their volume was just as bad as ever. But I am happy they are going to bring it inside where it is appreciated by those who hear it. I doubt there is enough parking provided though. Rio Linda Blvd does not have room to park safely for overflow. I suppose when someone gets injured, more will be done.

Nancy
-----Original Message-----
From: Elise Gumm [mailto:EGumm@cityofsacramento.org]
Sent: Tuesday, January 06, 2009 8:40 AM
To: Nancy Thompson
Cc: Lindsey Alagozian
Subject: Re: Project P05-196

Hi Nancy,

Thanks for providing your concerns. City has noticed these issues and we have tried to address the issues by adding conditions to the project. I am attaching the link of the report for your review. Hopefully the report can provide you some information of the project. Let me know your if you have any questions.

http://www.cityofsacramento.org/dsd/meetings/commissions/planning/2008/documents/P05-196_CPC_StaffReport.pdf

Elise

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>>> "Nancy Thompson" <nthom1111@gmail.com> 01/05/2009 8:34 AM >>>
Hello Elise.

I received a letter regarding the public hearing scheduled this Thursday, January 8th for project P05-196. I have attached two documents. One is my letter to you with two areas of concern regarding this project. The other is verbatim e-mails I received from eight neighbors who possibly did not receive your letter because they are out of the 500 foot area of distribution. I am the block captain of our Neighborhood Watch group and thought this project of interest to our entire neighborhood. Each neighbor's e-mail address is included.

I doubt that anyone wants to raise these issues in court but I would like to raise the issues with the Planning Commission so that they can be discussed with Wat Lao Temple and solutions be recommended to them. Our neighborhood has had enough with the disrespectful noise and illegal and dangerous parking practices of this group. We will not put up with it this summer. There are enough of us to call the police to put a stop to it. It would be much better if they understood our concerns and handled it on their own.

When it stops raining today, I will go out and take a picture of where the illegal parking is taking place, to show you there is not enough room along the roadway to permit parking. There are no city signs that indicate no parking is allowed but it is not safe (for vehicles or pedestrians) and not permitted by code. I will send you the pictures later today.

Nancy

From: Planning
To: Dawn
CC: Elise Gumm
Date: 12/30/2008 1:00 PM
Subject: Re: Project P05-196
Place: Planning

Dawn,

I have forwarded your email to Elise Gumm who is the city contact for the WAT LOA project. Her direct phone is 808-1927 or egumm@cityofsacramento.org

Thanks,

Evan Compton
Associate Planner

<http://www.cityofsacramento.org/dsd/planning/>
<http://www.qcode.us/codes/sacramento/>
Help Desk Phone Number 916-808-5656 #3 (7:30am - 3:30pm)

>>> "Dawn" <dawn.c@comcast.net> 12/30/2008 11:35 AM >>>

I received a notice regarding the WAT LOA temple at 4845 Rio Linda Blvd. I will be unable to attend the public hearing, so I would like to submit written comments opposing this special permit. I live on Wind Creek Drive. While I encourage and appreciate the exercise and celebration of religion, I would like to be able to enjoy my home.

A couple of months ago, this temple had concerts every weekend, Saturday and Sunday, and blasted loud music that I could hear in my home with all the windows and doors closed. During the summer time, when I was trying to save energy by keeping my windows open and allowing a breeze inside (in lieu of using my air conditioner), I was unable to because the music was so loud that we had to shout just to hold a conversation in my living room. I could not watch my television without blasting the volume, which no doubt damages my ears.

I could not hold barbecues or get together outside because of the noise.

In addition, the traffic this temple generates during its events is enormous. There are cars parked all along Rio Linda, many double parked, and cars coming through our residential streets looking for places to park.

I oppose allowing this organization to develop the 2.5 acres further and obtain a special use permit. I would like to know how I can provide these written comments to the planning commission prior to the hearing. Thank you.

-Dawn-

From: "Garcia, Manivanh V CTR (None) NGCA" <manivanh.v.garcia@us.army.mil>
To: "Elise Gumm" <EGumm@cityofsacramento.org>
CC: "Lindsey Alagozian" <LAlagozian@cityofsacramento.org>, <bgaconsultants@a...>
Date: 01/07/2009 10:10 AM
Subject: Wat Lao Phosiesattanak (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Good Morning Elise,

FYI.....

Yesterday, I gotten a chance to meet with Ms. Dawn everything turns out well. We met at the temple site around 5:20 pm. She was very pleasant to talk to and understandable as well. She still mention and have concerns about the noise, she said that once we have construction going on at the temple how is the noise going to get resolve(that is still her concerns).

I explain to Dawn that regarding construction wise this will be discuss later when that time comes. I myself can not tell her exactly how the construction is going to be we just have to go with the flow.

I told Dawn that I do apologize for all the inconvenience past that the temple has but we are trying to move forward and follow with city standard.

I mention to Dawn if she have any issue or concerns to contact me or you directly, she said ok. She was happy to actually talking to a live person.
...)

We met about 20 minutes and she now understand what the temple is trying to do and is happy for us and she wishes us Good Luck to everything and she mention that she will not be a the hearing.

Mani.

Manivanh V. Garcia
Army Division G-1
Executive Assistant
9800 Goethe Road
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(916) 854-3233
Fax (916) 854-3196
Classification: UNCLASSIFIED
Caveats: NONE

From: <teresapadilla@comcast.net>
To: <egumm@cityofsacramento.org>
Date: 01/06/2009 12:16 PM
Subject: temple

I think that they really need to work on other type of parking because they dont care. They always park on the street and they have no concideration for people who are trying to pull out of HUNTERS CREEK ONTO

Rio Linda Blvd. they almost hit me because you can't see if there is any traffic coming. When they are looking for parking

they pull out in front of you and even cussed at me. That is the one of the issues, beside how load it gets, my back window

vibrate from the music.

THANK YOU,

TERESA PADILLA

From: Rick Webstreet <webstreet@hotmail.com>
To: <egumm@cityofsacramento.org>
Date: 01/06/2009 1:11 PM
Subject: Temple notice

I live off Hunter Creek near rio linda blvd and got the notice about the temple project P05196. I have had to put up with this site for a while and I unfortunately live close enough to rio linda that I get most of their noise when they hold events. I don't think i will make it to the hearing, but my wife is going to try to go. I just wanted to get my thoughts documented about the noise this temple makes on the weekends. It starts early morning and goes to late evening. i have kids that play around here, too, and there is a lot of traffic from the site when they have events, and that's also a concern.

-Richard Botwin-

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