

MINUTES

SOUTHEAST AREA COMMUNITY PLANNING ADVISORY COUNCIL

Thursday, March 20, 2014

Arcohe School (Main Campus Multi-Purpose Room)
11755 Ivie Road, Herald CA 95638

7:00 PM

<http://www.per.saccounty.net/CPAC/Pages/CPAC-SoutheastArea.aspx>

Note: Minutes posted are drafts until approved at the following meeting by the CPAC. Corrected Minutes will be posted if changes are made.

Note: Applicant or appointed representative should be present. If unable to attend, please contact the Southeast Area CPAC Chairman, Timothy Reinarts, at (916) 568-2800 or reinarts@aol.com. The Sacramento County Planning and Environmental Review Division representatives for the Southeast Area are Tim Hawkins at (916) 874-5909 or hawkinst@saccounty.net and Mike Winter at (916) 874-5849 or winterm@saccounty.net. To contact the Planning and Environmental Review Division CPAC support, please call the CPAC Secretary at (916) 874-5397.

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Note: To receive additional information regarding Current Planning projects visit the Planning Projects Viewer website at <http://www.planningdocuments.saccounty.net/> Select the appropriate community from the drop down field, click the search button and a list of projects will be generated. Scroll down the list until the project is located and click on it for additional information.

OFFICERS:

P TOMOTHY REINARTS
P BILL TUBBS

CHAIR
SECRETARY

MEMBERS:

P DANIEL BRUS
P TINA HOLT

EXA KAREN SWEET
EXA CURT SWANSON

REPRESENTATIVES:

TIM HAWKINS - COUNTY PLANNING AND ENVIRONMENTAL REVIEW
MIKE WINTER - COUNTY PLANNING AND ENVIRONMENTAL REVIEW

P Tricia Stevens - Princ. Planner CP&ER

EXA – EXCUSED ABSENCE R – RESIGNED U - UNEXCUSED ABSENCE TE - TERM EXPIRED P – PRESENT

QUORUM DETERMINATION:

Yes

No

COUNTY REPRESENTATIVE:

Yes

No

Matters under the jurisdiction of the CPAC and not on the posted agenda may be addressed by the general public following completion of the regular agenda. The CPAC may limit the length of any off-agenda testimony.

CALL MEETING TO ORDER:

- CALL MEETING TO ORDER
- EXPLANATION OF ROLE OF THE COUNCIL
- ROLL CALL
- INTRODUCTION OF MEMBERS, STAFF, AND COUNTY REPRESENTATIVES

AGENDA ITEM:

1. Consideration by the CPAC on filing an appeal to the Board of Supervisors regarding the Planning Commission approval of PLNP2011-00070, Mishra Gathering Place (Indian Temple) Conditional Use Permit located at 12735 Cherokee Lane; APN 152-0010-041.

COUNCIL RECOMMENDATION:

| | | | | |
|-------------------------|--------------|--------------------------|------------------|-----------------|
| Motion by: <i>Brus.</i> | | Seconded by: <i>Holt</i> | | |
| Vote: | Yes <i>4</i> | No <i>0</i> | Abstain <i>0</i> | Absent <i>2</i> |

Action: *Vote based upon decision that the appeal is a community interest.*

Comments:

OTHER BUSINESS: *None*

PUBLIC COMMENT: *See separate documents*

APPROVAL OF MINUTES:

ADJOURNMENT: 8:12 PM

CPAC Member forwarding minutes to County Planning and Environmental Review Division:

The meeting facility is accessible to persons with disabilities. Requests for interpreting services, assistive listening devices, or other considerations should be made through the County Planning and Environmental Review Division at (916) 874-5397 or 874-7647 (TTY), no later than five working days prior to the meeting. California Relay Service (CRS) is a third party interpretation service for deaf, hard-of-hearing, and/or speech-impaired persons. CRS can be reached by dialing 711 or 1-800-735-2929



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South East Area Community Planning Advisory Council – Speaker Comments

March 20, 2014

RE: Consideration by the CPAC on filing an appeal to the Board of Supervisors regarding the Planning Commission approval of PLNP2011-00070, Mishra Gathering Place (Indian Temple) Conditional Use Permit located at 12735 Cherokee Lane; APN 152-0010-041

Speakers

Tricia Stevens, Principal Planner, Sacramento County Community Development Department.

Presented an overview of the Planning Commission process and history of this project. SEACPAC heard the project in 2011 and recommended denial. Planning staff prepared information for the Planning Commission which approved the project, with conditions, on March 10, 2014.

Susan Vincent. Attended the Planning Commission meeting and felt that the decision had already been made prior to the presentation. She did not believe that neighborhood concerns were addressed. Said that the applicant lied about the non-use of buses to and from the site, and also lied about not previously having services at the site. She indicated that events had been held each year since 2011. She voiced concern that the community would not have recourse to revoke the permit if conditions are violated.

Sam Horner. He owns the property directly north of the applicant. He is concerned about the credibility of the planning department description of the applicant property. The current fencing, size of existing dwelling, and distances on the property are inaccurate. There might be different outcomes if these errors are corrected by the department. Noise has been a serious concern. During the applicant's last big event in June 2013 drivers used his property for vehicle turnaround because the width of Cherokee Lane isn't sufficient for this type of traffic. His animals have been distressed as a result of applicant's activities on the site.

Susan Benson. She lives northwest of the applicant property. She researched published activities for similar temples in Northern California and discovered that they all end their activities by 8 or 8:30pm. She has concerns over and questions why there is a need for an 11:00pm event end at the applicant site. She said that Mr. Mishra said he sent notices about issues to all nearby residents but none of the residents reported receiving anything. Residents were not notified of the Planning Commission meeting until two weeks prior to the meeting and few residents were able to change their work schedules in time to make the meeting and voice their concerns. She said that the applicant site is an inappropriate place for this activity. It is not compatible with the area and she questions why it isn't located in a more appropriate setting. The applicants demonstrated their deviousness in building the gazebo on the project site prior to submitting a request to do so.

Jim Hamon. The original permit request required a paved parking lot and a hard fence. This requirement was reduced to gravel and shrubs. He lives 600 feet from the property and reports having heard chanting, drumming, and generator noise at the June 2013 event that ran until 11:00pm. He said he was told by the County that there is no recourse to revoking the permit once granted. He also said there is potential danger from so much traffic on Cherokee Lane at night due to a lack of fog line and the narrow nature of the road.

unknown speaker. He had issues with the zoning and permits. Questioned whether the lack of proper ingress and egress and other building requirement for a place of worship complied with ADA requirements.

Bobbi Bottimore. The noise level is high and can be heard for quite a distance, and as late as 2:00am. Two busloads of members attended in June 2013 and caused traffic concerns. She is concerned about the applicant lying to the Planning Department and Commission about the scope of their activities. There have been many more people and activities than they have admitted to.

Mark Mullins. He lives 450 feet behind (east) of the applicant site. He had to shut all of his windows and turn on the air conditioners during their last activity and could still hear the noise despite taking these actions. He counted 30, 40, and 37 vehicles respectively at the last three activities on the site. He observed buses at the site as well. An 8-day event occurred three days after construction of the gazebo, and the applicant lied about the purpose of the gazebo.

John Duecker. He is concerned about residents being able to transport animals safely around the area when there is such heavy traffic activity at the site. He is also concerned about fire safety at the proposed site because fire equipment access is limited and the requirements do not appear to be nearly as stringent as those at other places of worship in the County. He is also concerned that the project will expand to the property south of the applicant site, which would add to the scope of the problem. He is also concerned about trash and debris from each event that has not been adequately disposed of.

Mr. Singh. Represents the applicant but had nothing to add to the discussion.

Lara. Had no objection to the project's purpose but said that it is an inappropriate location for it.

Chris Cord. He said he was required to pave 1000 feet of driveway with an 80 foot cul de sac on his property as a fire access requirement. He questioned why paving and similar fire safety requirements aren't a condition of the proposed project.

unknown speaker. He is concerned about rapid fire equipment access to the site because there is a residential unit on the property in front of the project and there is limited driveway access and room for turnaround.

Tricia Stevens. She clarified that it is possible to revoke a use permit for cause and if there are substantial complaints. She also confirmed that the property is non-conforming (less than 5 acres).

Comments were closed.

CPAC voted to appeal the decision of the Planning Commission to the Board of Supervisors based upon substantial community interest.