**CITY OF NEVADA CITY**

**STAFF MEMORANDUM**

**TO:** Honorable City Council

**FROM:** Cindy Siegfried, City Planner

**DATE:** July 20, 2011

**SUBJECT:** Public Correspondence Regarding the appeal of the Planning Commission Approval of the Mountain Stream Meditation Center Use Permit

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**RECOMMENDATION:** Informational only.

**Discussion**: The staff report regarding this appeal was distributed to City Council members, the applicants and the appellants on July 11, 2011. Any letters and information received after that date are included in this packet for your review and information. Copies of these are also being provided to the appellants and the applicants.

JEFF GOLD & ASSOCIATES
ARCHITECTURE / PLANNING / CONSTRUCTION

RECEIVED
JUL 11 2011
City of Nevada City

12844 Daisy Blue Mine Road
Post Office Box 1226
Nevada City, CA 95959
(530) 265-8032 / Fax 265-8391
www.jeffgoldassociates.com

July 11, 2011

City Council
City of Nevada City
317 Broad Street
Nevada City, California 95959

**RE: CONDITIONAL USE PERMIT FOR 710 ZION STREET**
Mountain Stream Meditation Center

Dear Council Members:

I am writing in support of the use permit application submitted by Mountain Stream Meditation Center that is being reviewed this month by the Council as an appeal process. It is my view as a professional planner and architect who has practiced in the community over the last thirty years that the proposed use for the property is compatible with the residential neighborhood and the mixed uses and zoning that occur in the Seven Hills District. 'Places of worship' have been integrated into the fabric of the Nevada City residential and retail neighborhoods from the earliest settlement patterns, and there continue to be harmonious and respectful relationships between churches and their residential neighbors in our town. I believe Mountain Stream Meditation Center will have such a relationship with their neighbors. I have known the leadership group and board members of the Meditation Center for a number of years, and they are responsible and respective members of our community. They will be committed to maintaining their property in excellent condition and they will be sensitive to those living around them.

I believe the proposed use for this property reflects many of the essential principles and values underlying our General Plan. In our small town setting, we have the benefit of mixed and adjacent land uses thoughtfully woven together. In1995 I participated in preparing a CDBG planning study for Nevada City that looked at specific strategies for enhancing the Seven Hills District. One of the goals identified in this plan was "...to encourage and facilitate higher levels of continuous cooperation between the City, area residents, and the activities of commerce, education and community practices...". The proposed project by the Mountain Stream Center represents some of the best efforts to enliven and enrich our community. I urge your support of this application.

Respectfully,

Jeff Gold

July 7, 2011

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City of Nevada City

To: Cindy Siegfried, Nevada City City Planner

From: Eileen Jorgensen, The Magic Carpet

Re: Mountain Stream Meditation Center

As a long time business owner in the downtown, I am writing to support Mountain Stream Meditation Center receiving the Use Permit to begin operating a center on Zion Street in Nevada City. I have known many of the people who are involved in this project, and I believe they will be bringing a model Center to our area.

The site of their Center is an ideal transitional space between the residential district and the commercial operations on Zion Street. This Center will a part of some of the innovative commercial establishments that are bringing new life to our town: The Kitchen as well as the Auyvedic College are great assets as they are attracting bright, intelligent newcomers to experience Nevada City. I have had the pleasure of meeting many of these people at my shop and I believe that we should open our doors to these businesses as they are bringing much-needed investments to our town. I believe that Mountain Stream will be a community treasure in years to come.

I congratulate The Planning staff for developing a Use Permit with restrictions that will assure a quiet site for the Reward St. residents. To the residents that are appealing this project, I offer this.... consider the attributes that a mediation community will bring to your neighborhood. You can be assured that as these Buddhist strive for inner peace and community; they will bring great harmony and beauty to your neighborhood.

As a Steering Member of the Greater Cement Hill Neighborhood Association, I have a feel for the fear that an unknown project could bring forth. I encourage the neighbors of this project to develop a relationship with the community members of Mountain Stream Center now, so that any future concerns can be dealt with quickly and respectfully.

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VERBAL STATEMENT

DATE: July 11, 2011

TO: CITY COUNCIL MEMBERS

FROM: PETER AND DONNA SELAYA
638 Zion Street
Nevada City CA 95959

On this date, Peter Selaya called me to state that he and Donna Selaya wished the following statement be noted for the record:

> *"We have no objection to the use permit for the Mountain Stream Meditation Center to operater a meditation center at 710 Zion Street. We feel they have been cooperative with the area residents and wanting to solve any problems."*

By:
Cindy Siegfried, City Planner

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JUL 13 2011
City of Nevada City

Friday July 8th 2011

Honorable Members of City Council

c/o Cindy Siegfried

**To whom it may concern**

I have been building in Nevada County as a General Contractor for more than 33 years my office is at 123 Nevada Street Nevada City CA 95959. When I found out that Mountain Stream Meditation Center had purchased 710 Zion St. Nevada City, CA - I thought that was an excellent choice for their location - it is off the road, parking is very adequate and the fully fenced frontage with its acreage. R1 Zoning in this neighborhood is also a great use of this property.

I have personally known quite a few of the members of Mountain Stream and know that the landscaping etc. will be done professionally as they are very conscious and respected individuals and their plans with be an asset to this area. I also own a commercial building downtown in a residential/commercial area in the center of Nevada City with no impact to the residents also I have five rentals on my property with traffic coming in and out. Improvements in any residential/commercial area is always an asset for the home owner's equity - not to mention the Green Home features that they are using in their plans. Something that Nevada County will definitely be leading in its future building plans.

I cannot see a good reason why the council would not vote in favor of Mt Stream Mediation. If you need any further assistant pertaining to this issue please do not hesitate to contact me.

Yours Truly,

Chuck Slavonic

CHUCK SLAVONIC CONSTRUCTION INC.

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City of Nevada City

# Petition in Support of Mountain Stream's Zion Street Center

We the undersigned support Mountain Stream in their use permit application for 710 Zion Street to be used as a meditation center. We reside in Nevada County, regularly vote and are active concerned citizens. We feel this is an excellent use of this property and will enhance the immediate neighborhood and the Nevada City community, offering a religious and spiritual refuge. We appeal to the City Council to uphold the fair decision of the Planning Commission to grant Mountain Stream their use permit. Thank you.

| 1 | Name | Address |
|---|---|---|
| 2 | Pamela Morey | 18909 OAK Tree Rd. Nevada City |
| 3 | Nancy Neville | 299 Cornwall Ave, Nevada City |
| 4 | CAROLINE MACHI | 10379 IVEY LANE, NC |
| 5 | Shirley Fletcher | 18110 Hummingbird Dr., Penn Valley |
| 6 | Gerald G. Gerber Jr. | 10490 Sky Circle Grass Valley |
| 7 | Stephne Sleatsby | 15930 Indian Flat Rd, N.C. |
| 8 | Pete McLaws | 10204 Old Rd. N.S.J., Ca, 95960 |
| 9 | Jenny Travers | 18200 Rainbow's End NC 95959 |
| 10 | Deborah Edmondson | PO BX 353 N.S.J CA 95960 |
| 11 | B.G.A. | Box 23 N SJ. CA. 95960 |
| 12 | Jesse Larson | 14227 mandolin way, N.C. |
| 13 | Mary Powell | 11914 Indine Shaft, NC 95945 |
| 14 | Gene Thompson | 12791 Little Deer Creek, Nevada City |
| 15 | Mary Merzi | 119 Park Ave #A, GV 95945 |
| 16 | [illegible] | 1112 Vista Dr. N. San Juan. CA. 95960 |
| 17 | Stanford Kagy | 10706 Pine Hill Dr Grass Valley CA 95945 |
| 18 | [illegible] | 13273 Pearson GV 95945 |
| 19 | Margaret E Weeks | 14053 Mountain House Rd NC 95959 |
| 20 | [illegible] | 16141 Sharon Way GV. 95949 |
| 21 | Diann Patton Diann Patton | 12670 Blackberry TR GV 95945 |

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JUL 1 3 2011
City of Nevada City

Thursday, July 7, 2011

Honorable Members of Nevada City Council,

c/o Cindy Siegfried

My name is Rick Dejesus, I am a business owner in Nevada City, Coldwell Banker Grass Roots Realty on Union Street. I am writing a letter of support for Mt. Stream Meditation Center at the 710 Zion Street location. I understand that the Nevada City Planning Commission approved the use permit application after 2 open public hearings for Mt Stream. Recently a group of neighbors have filed an appeal.

The use permit is designed to insure that any impacts to the neighborhood are minimal. I believe enough study has been done and that Mt. Stream should be able to go forward in their plan to open a center that is of benefit to our entire community.

This is a perfect location as it is easily accessible for gathering as well as a transitional use between commercial and residential. In addition, a meditation center is inherently low impact by definition.

In today's world it is important to care and nurture ourselves and I believe in the practice of meditation for doing just that.

Sincerely,

*Richard Dejesus*

**Richard Dejesus**
*Owner, General Manager, Coldwell Banker Grass Roots Realty*
855 Sutton Way
Grass Valley, CA 95945
(530) 273-7293 ext. 1247, Direct Line (530) 273-8060

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JUL 13 2011
City of Nevada City

Jeannie Tofanelli
20233 Wolf Creek Rd Grass Valley, CA 95949
530-346-9713

July 6, 2011

Nevada City, City Council

RE: Mountain Stream Meditation Center
Appeal Hearing - July 27, 2011

Dear Council Members,

I am writing in support of the applicant, Mountain Stream Meditation Center, in retaining their approved use permit for the property located at 710 Zion St., Nevada City.

I have attended both planning commission meetings and have heard the objections of a handful of the residents of the neighborhood adjacent to the proposed meditation center.

I support the meditation center locating on this corner of Zion and Reward Street. The use conforms to the city's General Plan, the applicants have agreed to every condition of issuance of the use permit and have, in my opinion, gone to great lengths to mediate the concerns of the adjacent neighborhood.

The fact cannot be ignored that Zion Street has become predominantly commercial in that particular few blocks. Schools, churches, office, professional and retail services have clustered. A meditation center at the corner of Zion and Reward will serve as a gentle buffer between the residential neighborhood and the commercial. The property at 710 Zion is perfectly suited to this use, especially as it seems no longer desirable as an elegant single family residence. This property has gone through it's ups and downs in the years that I have been acquainted with it. 25 years ago, Boots Rusk had it listed

for sale. It was derelict, it was trashed. The pool was a public health danger. It appeared that it had been abused as a residence by a hoard of derelicts. Apparently when the property finally sold to the past owners, Mrs. Flowers .She undertook a revitalization of the house, grounds and pool. But time and ability caused her to let the property begin to decline again. After over a year on the market, Mountain Stream purchased the property and in doing so, identified themselves and their intended use as the highest and best use.

I know that our community, in general, has a penchant for the "not in my backyard" attitude. It's a shame, because, a wholesale concern only for self interest, gives no support to the greater good of the community as a whole. A beautiful corner property, well maintained and used for and by quiet, reflective, meditative individuals, is an asset to the community as a whole. It will be a beautiful anchor for the transition from commercial front footage to residential quietude. It just simply makes good planning sense.

Please find in favor of the applicants retention of the already approved use permit to open and make available to the whole community, the Mountain Stream Meditation Center.

Respectfully submitted,

Jeannie Tofanelli
County resident, business owner
and 7 Hills Commercial District
property owner.

John Daly
CRS, GRI, SRES, EPro, Master's Club
2007 CRS Agent of the Year
COLDWELL BANKER
GRASS ROOTS REALTY
CRS Council of Residential Specialists

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JUL 21 2011
City of Nevada City

Thursday, July 21, 2011

Members of the City Council,

I have been a real estate broker in Nevada City for 30 years. I'm proud of our town, which makes it easy convincing others they would enjoy living in this community too.
Among the qualities that attract people to this area, in addition to the beauty of the land, is the multi-diversity of the community and the local culture?
An important element of the community is the rich spiritual current established here for many years. Many people move here from the Bay Area- Berkeley, SF, Marin, and The Peninsula.
One of their expectations is to find this cultural and spirtual diversity.

I am writing in support of Mountain Stream Meditation Center in its effort to obtain a use permit so it can open its doors and offer this community its valuable teachings. I understand after being granted by the Planning Commission, an appeal was registered by a few neighbors to halt the opening of this center.

This type of NIMBY thinking ignores the great benefits, not only to the community but also to their own neighborhood. Many people moving here from the Bay Area, where they've frequented their various local centers (like Spirit Rock, and the smaller centers in those cities), consider this as an important part of a community to live in. The idea of having a beautiful center right down the street would be very appealing, and, if anything, would add to the value of the homes.

Please, don't get caught in the irrational thinking here.

Let's protect the values of the community, which are worth protecting.
Grant Mountain Stream Meditation Center its permit, so we can begin meditating!

Sincerely,

John Daly

John Daly

www.NevadaCityRealEstate.com
Direct: 530-273-8097 Cell: 530-277-9151 Email: j-daly@sbcglobal.net
855 Sutton Way, Grass Valley, CA 95945 | Each office is independently owned and operated.

RECEIVED
JUL 22 2011
City of Nevada City

7/7/11

The Old Brewery - 107 Sacramento St. Nevada City, CA 95959

Mailing Address: POB 1001, Nevada City, CA 95959. www.Stonehouse1857.com

Honorable Members of City of Nevada City Council

My name is Nikko Wu, I am a business owner in Nevada City, Stonehouse Brewery at 107 Sacramento St. I am writing a letter of support for Mt. Stream Meditation Center at the 710 Zion Street location. I understand that the Nevada City Planning Commission approved the use permit application

after 2 open public hearings for Mt Stream. Now, a group of neighbors have filed and appeal as traffic and a prominent residence is being changed.

The use permit is designed to insure that any impacts to the neighborhood are minimal. I believe enough study has been done and that Mt. Stream should be able to go forward in their plan to open a center that is of benefit for the spiritual practice of mindfulness.

This is a perfect location as it is easily accessible for gathering as well as a transitional use between commercial and residential.

In this world of business, it is important to care and nurture ourselves and I believe in the practice of meditation for doing just that. I am

a registered nurse as well as a business woman.

Respectfully,

Nikko Wu

Nikko Wu

107 Sacramento St.

Nevada City, CA 95959