

Exhibit N – Appeal of Director Action



Tyler Maxwell
Fresno City Council Vice President, District 4

December 23rd, 2022

Director Jennifer Clark
Planning & Development Dept.
2600 Fresno Street, Room 3043
Fresno, CA 93721-3604

RE: Application No. P22-01346 at 4941 East McKinley Avenue.

Dear Planning Commission,

This letter is in response to the City of Fresno's Planning and Development Department's action to approve Application No. P22-01346 located at 4941 E. McKinley Avenue in Fresno, CA. The applicant proposes to construct a 4,400 square foot, 120-foot-long car wash tunnel with 18 vacuum stations and parking titled 'Moe's Xpress Carwash.'

I am writing to your office to submit a formal **appeal** to the development of the above referenced car wash. The applicable standards and requirements of the development code cannot be met due to increased traffic congestion and noise-generated uses next to a sensitive area including residential and an adult day care facility referenced in Automobile/Vehicle Washing design guidelines, subsection four, in accordance with FMC 15-2711. For reference, an existing car wash is currently located at 4583 E. McKinley Avenue, approximately one-quarter mile from the proposed site. Under the current operational statement, Moe's Xpress Carwash would operate Monday through Sunday between the hours of 7:00 a.m. to 9:00 p.m. During peak hours, nearly 62 vehicle trips per hour are expected with an anticipated traffic flow of 300-400 vehicles per day. Such traffic and noise would be a detriment to the well-being and safety of nearby sensitive populations and businesses.

On May 31st and November 29th, 2022, the Rivendell Community Adult Development Center submitted a letter of opposition to the Planning and Development Department. The adult day care facility is located within less than 100 feet of the proposed site and serves individuals with mild to severe developmental disabilities. Rivendell Community Adult Development Center expressed the added traffic and noise from the proposed carwash would negatively affect the individuals with disabilities they serve. At the adult day care facility, excessive noise can be triggering to their clients and the added traffic would endanger their safety as the parking lot is also utilized for outdoor activities such as exercise. On September 22, 2022, Linda Fisher also submitted a letter of opposition expressing concerns related to traffic and congestion, future loud noise produced by customers, and

challenges that the proposed use would cause to the client's mental health. On November 19th, 2022, Prestige Life Insurance Solutions submitted a letter of opposition to the proposed development citing concerns with traffic congestion, excess noise, reduced parking for their customers, and reduced visibility to their business.

As such, I am submitting a formal appeal to Application No. P22-01346 due to the negative impacts they would have to the nearby businesses and community they serve. If you have any further questions, please do not hesitate to contact me directly at (559) 621-8000 or via email at Tyler.Maxwell@fresno.gov.

Sincerely,

A handwritten signature in blue ink that reads "Tyler Maxwell". The signature is fluid and cursive, with the first name "Tyler" and last name "Maxwell" clearly distinguishable.

Tyler Maxwell
Council Vice President, District Four