

Taber, Toni

From: Mitre, Betty
Sent: Monday, August 24, 2020 10:12 AM
To: Agendadesk
Cc: Hawkins, Kara; Van Der Zweep, Cassandra; Keyon, David
Subject: 8/25/20: Late Submittal Item 10.2 - PBCE
Attachments: 1Car Wash_Redacted.pdf

Hi ,

Attached is a public comment letter for Item 10.2 for the 8/25 City Council. Please distribute.

Thank you,

Betty Mitre

Staff Specialist | Planning, Building & Code Enforcement
City of San José | 200 East Santa Clara Street
Email: [REDACTED]

Taber, Toni

From: City Clerk
Sent: Monday, August 24, 2020 11:15 AM
To: Agendadesk
Subject: FW: Car Wash at Bascom and Woodard Road

From: Esparza, Maya
Sent: Sunday, August 23, 2020 3:35 PM
To: City Clerk <[REDACTED]>
Subject: Fwd: Car Wash at Bascom and Woodard Road

Get [Outlook for iOS](#)

From: Upashna Singh <[REDACTED]>
Sent: Sunday, August 23, 2020 3:02:25 PM
To: Christian Hemingway <[REDACTED]>
<[REDACTED]>
Cc: Foley, Pam <[REDACTED]> Liccardo, Sam
<[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio
<[REDACTED]> Peralez, Raul <[REDACTED]> Diep, Lan <[REDACTED]>
Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> District 6
<[REDACTED]> Esparza, Maya <[REDACTED]> Arenas, Sylvia
<[REDACTED]> Khamis, Johnny <[REDACTED]> District1 <[REDACTED]>
District2 <[REDACTED]> District3 <[REDACTED]> District4 <[REDACTED]> District7
<[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10
<[REDACTED]> District5 <[REDACTED]> Doyle, Richard <[REDACTED]>
Hughey, Rosalynn <[REDACTED]> Van Der Zweep, Cassandra
<[REDACTED]> Ben Levinson <[REDACTED]>
<[REDACTED]> Urvashi Singh
<[REDACTED]> Kathy Merlino <[REDACTED]> Kathleen Flynn <[REDACTED]> Carl
Schroeder <[REDACTED]>
Subject: Re: Car Wash at Bascom and Woodard Road

[External Email]

Mayor and Council Members,

As a community member who has been fighting against this car wash, since the beginning, it is important that the Council knows of all of the conversations my neighbors have had in opposition of this project due to its hazardous bringings. Although I do see the petitions on the Agenda for the August 25th meeting, none of the emails, letters, reports, and videos are shown. This is frustrating to see once again. In the previous meeting,

back in 2017, we experienced the same problem that important documents were withheld from the agenda, making a huge difference in the planning department's decision to approve the car wash.

Many of us are in disapproval for this project for several safety reasons. The most concerning is that the car wash is dangerous to all children who attend the three nearby schools on Woodard Road. Each day, community members witness pedestrians constantly cross all three of the property's driveways, and as you can see in the videos Ms. Flynn constantly shows the Council, the drivers are irresponsible. Many of the drivers drive in and out of lanes, are on phones and overall impatiently and recklessly drive during the proposed operation hours. To add a car wash, would be perilous to the community. Unreported accidents often happen several times a week especially around the corner of Woodard Rd. and S. Bascom Ave. If you do not wish to hear the community's words about how hazardous this project is, then I suggest reviewing the traffic and sound reports, recorded by non-biased experienced engineers, who also deemed this proposal to be insufficient. Adding another list of obvious observations to why this car wash is not wanted, it is strictly against the two-hundred feet setback policy for residential uses next to commercial. To my understanding, this specific policy is to protect the residential homes from commercial businesses imposing on the resident's standard of living. I am sure you, too, would not want an extremely noisy car wash in your own backyard, just like the neighbors, who are countlessly opposed, do not want it as well. No wall high enough or big enough will be able to block out the noise from the dryers especially, if the car wash is right behind the homes.

Hopefully, as a concerned individual, you can hear our words and imagine how frustrated we are, as a community, that we are constantly looked over by our elected officials and their staff. All we are asking is to take our consideration into voting NO to this proposed project and ending the loophole so that we do not have to face this problem in the future again.

Thank you,

Upashna Singh

On Sat, Aug 22, 2020 at 8:41 PM Christian Hemingway <[REDACTED]> wrote:

Honorable Mayor and Council,

Council Member Foley, on April 18, 2018, you and I had a Facebook conversation where you stated that there should not be a car wash on the Andoil site. You also, in the same conversation, stated that you signed our petition to get rid of the loophole in the drive-thru uses policy for car washes (we have that petition). This community was grateful to hear these two campaign promises from you.

Then, early in 2019, our community attended the Council Priority setting session, hoping that you would hold to your campaign promise to get rid of the loophole in the Drive Thru uses policy, only to be disappointed that you did not even bring it up, even though it was submitted to the Council Priority Setting Session agenda a year before. This community is now holding its breath, waiting to see if you will honor your campaign promise and support us in not allowing a car wash on this site. This community will remember what decision you make regarding this project.

On another note, this project is poorly planned, and the site is too small for this car wash. One aspect of this project that is a problem is the shared driveway that this site shares with the strip mall containing 4 small businesses. Under the plan for this project, cars getting a car wash will line up along this shared driveway, and will spill onto Bascom, blocking the shared driveway and the unprotected bike lanes and negatively affecting these 4 small businesses. Other problems with this project include that it is 44 feet from the bedroom and living room windows of 16 foreplexes – this

will be a noise and congestion issue for the owners of these businesses as well as tenants that live there and that this car wash is less than 200 feet from Farnham Elementary School, which presents a safety problem for parents, children and community members walking to and from school by this project. Finally, there is the matter of the unprotected bike lanes that run across all of the entrances and exits to Andoil. City staff states that there is no money in the City's budget to protect the bike lanes this year, and will most likely not be any money in next year's budget to protect these bike lanes either.

Planning Director Rosalyn Hughey falsely reports that this car wash is in line with the General Plan policies. That is not true, as this car wash will take away jobs, instead of providing them, and is in violation of the 200 ft. setback for residential uses next to commercial. The way the Andarys have set up this business is that one person will run the gas pumps, the car wash, and the convenience store. They will be removing the automotive repair section, which will cost the mechanics their jobs.

One thing I noticed on the 8/25 City Council Agenda, item 10.2, under "Letters from the Public, 2 of 2", a letter from Republic Industries addressing the High Rise Incentive Program is listed. This is a mistake, as it in no way addresses the Car Wash. But this brings up a question: I know other Community members have written letters to the Mayor and Council opposing this car wash, but the letters as well as reports, video's, and photos do not appear on this agenda. Are they posted on another item by accident? We want to make sure these items are attached to the proper Agenda item, so our community's voices are heard. There are also many letters and documents that we submitted to the Planning Commission that do not appear on this Agenda. Are these items going to be attached to this agenda? We are concerned also that these documents, photos, videos and reports will be attached at the last minute, not giving the Mayor and Council enough time to properly review them. The very first time this project appeared before the Planning Commission, most of the letters and documents we submitted were lost and the Planning Commission did not get to see them. We are concerned that this may be happening again. If these documents, videos, photos, and reports do not appear on the agenda, we will be asking for a deferral to ensure our community's voices are heard.

Last time this project appeared before the City Council, the City Council in its wisdom saw fit to deny the permit for the car wash. We are asking the City Council to confirm its decision to deny the permit for this car wash.

Thank you

Christian Hemingway

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

Taber, Toni

From: City Clerk
Sent: Monday, August 24, 2020 11:13 AM
To: Agendadesk
Subject: FW: Car Wash at Bascom and Woodard Road

From: Esparza, Maya
Sent: Sunday, August 23, 2020 6:00 PM
To: City Clerk <[REDACTED]>
Subject: Fwd: Car Wash at Bascom and Woodard Road

Get [Outlook for iOS](#)

From: Urwashi Singh <[REDACTED]>
Sent: Sunday, August 23, 2020 3:20:23 PM
To: Upashna Singh <[REDACTED]>
Cc: Christian Hemingway <[REDACTED]> Ashleen Sandhu <[REDACTED]> Foley, Pam <[REDACTED]> Jimenez, Sergio <[REDACTED]> Peralez, Raul <[REDACTED]> Jones, Chappie <[REDACTED]> Liccardo, Sam <[REDACTED]> Diep, Lan <[REDACTED]> Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> District 6 <[REDACTED]> Esparza, Maya <[REDACTED]> Arenas, Sylvia <[REDACTED]> Khamis, Johnny <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4 <[REDACTED]> District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10 <[REDACTED]> District5 <[REDACTED]> Doyle, Richard <[REDACTED]> Hughey, Rosalynn <[REDACTED]> Van Der Zweep, Cassandra <[REDACTED]> Ben <[REDACTED]> Levinson <[REDACTED]> Kathy Merlino <[REDACTED]> Kathleen Flynn <[REDACTED]> Carl <[REDACTED]> Schroeder <[REDACTED]>

Subject: Re: Car Wash at Bascom and Woodard Road

[External Email]

Mayor and Council Members,

I am sure you are receiving all of the community's negative commentaries when it comes to this project. For the good of the community and the safety of the children, please hear our words and once again disapprove of this car wash proposal.

It seems to me that staff is constantly withholding vital information from the Council Members that would drastically change their decision on this matter. I find it extremely unfair for both the community and the Council members, that staff is willing to wait until the last minute (i.e. the day before the meeting) to give said information, especially when they are highly aware that our Council members are extremely busy and will not have the time to review every single piece of information.

I find it very concerning that we are within two days of the council meeting on this topic and we still do not know what our own Council Member's decision is. Not too long ago, when Council Member Foley was out of office, her chief of staff Scott Hughes, advised us that Council Member Foley would need more time to get all the details in order to let us know what her thoughts are. It was fine when it was a month ago however; now the meeting is within a couple of days. Former Council Member, Don Rocha, expressed his opposition to this car wash to the community months before the final hearing, and I would've expected the same for the current Member for District 9. If Council Member Foley is not yet aware of what she will vote on for the proposed car wash, then I will be extremely disappointed in our elected official. However, if she is aware of how she will vote and is withholding her decision to the community, then that too is worrisome. When Member Pam Foley was running for office and was in need for votes, she was more than willing to be against the exemption loophole and therefore against the carwash. Now it seems, we can not get an answer from her.

I would be grateful to learn that the Mayor and Council support the opposition of the carwash proposal, as they have done in the past. I understand that the Council Members, especially due to the pandemic, have many other priorities however; it would still be appreciated by the community to know where our Council Members stand.

Thank you for your time and letting me express my opinion in this situation

Urwashi Singh

On Sun, Aug 23, 2020 at 3:02 PM Upashna Singh <[REDACTED]> wrote:

Mayor and Council Members,

As a community member who has been fighting against this car wash, since the beginning, it is important that the Council knows of all of the conversations my neighbors have had in opposition of this project due to its hazardous bringings. Although I do see the petitions on the Agenda for the August 25th meeting, none of the emails, letters, reports, and videos are shown. This is frustrating to see once again. In the previous meeting, back in 2017, we experienced the same problem that important documents were withheld from the agenda, making a huge difference in the planning department's decision to approve the car wash.

Many of us are in disapproval for this project for several safety reasons. The most concerning is that the car wash is dangerous to all children who attend the three nearby schools on Woodard Road. Each day, community members witness pedestrians constantly cross all three of the property's driveways, and as you can see in the videos Ms. Flynn constantly shows the Council, the drivers are irresponsible. Many of the drivers drive in and out of lanes, are on phones and overall impatiently and recklessly drive during the proposed operation hours. To add a car wash, would be perilous to the community. Unreported accidents often happen several times a week especially around the corner of Woodard Rd. and S.Bascom Ave. If you do not wish to hear the community's words about how hazardous this project is, then I suggest reviewing the traffic and sound reports, recorded by non-biased experienced engineers, who also deemed this proposal to be insufficient. Adding another list of obvious observations to why this car wash is not wanted, it is strictly against the two-hundred foot setback policy for residential uses next to commercial. To my understanding, this specific policy is to protect the residential homes from commercial businesses imposing on the resident's standard of living. I am sure you, too, would not want an extremely noisy car wash in your own backyard, just like the neighbors, who

are countlessly opposed, do not want it as well. No wall high enough or big enough will be able to block out the noise from the dryers especially, if the car wash is right behind the homes.

Hopefully, as a concerned individual, you can hear our words and imagine how frustrated we are, as a community, that we are constantly looked over by our elected officials and their staff. All we are asking is to take our consideration into voting NO to this proposed project and ending the loophole so that we do not have to face this problem in the future again.

Thank you,

Upashna Singh

On Sat, Aug 22, 2020 at 8:41 PM Christian Hemingway <[REDACTED]> wrote:

Honorable Mayor and Council,

Council Member Foley, on April 18, 2018, you and I had a Facebook conversation where you stated that there should not be a car wash on the Andoil site. You also, in the same conversation, stated that you signed our petition to get rid of the loophole in the drive-thru uses policy for car washes (we have that petition). This community was grateful to hear these two campaign promises from you.

Then, early in 2019, our community attended the Council Priority setting session, hoping that you would hold to your campaign promise to get rid of the loophole in the Drive Thru uses policy, only to be disappointed that you did not even bring it up, even though it was submitted to the Council Priority Setting Session agenda a year before. This community is now holding its breath, waiting to see if you will honor your campaign promise and support us in not allowing a car wash on this site. This community will remember what decision you make regarding this project.

On another note, this project is poorly planned, and the site is too small for this car wash. One aspect of this project that is a problem is the shared driveway that this site shares with the strip mall containing 4 small businesses. Under the plan for this project, cars getting a car wash will line up along this shared driveway, and will spill onto Bascom, blocking the shared driveway and the unprotected bike lanes and negatively affecting these 4 small businesses. Other problems with this project include that it is 44 feet from the bedroom and living room windows of 16 foreplexes – this will be a noise and congestion issue for the owners of these businesses as well as tenants that live there and that this car wash is less than 200 feet from Farnham Elementary School, which presents a safety problem for parents, children and community members walking to and from school by this project. Finally, there is the matter of the unprotected bike lanes that run across all of the entrances and exits to Andoil. City staff states that there is no money in the City's budget to protect the bike lanes this year, and will most likely not be any money in next year's budget to protect these bike lanes either.

Planning Director Rosalyn Hughey falsely reports that this car wash is in line with the General Plan policies. That is not true, as this car wash will take away jobs, instead of providing them, and is in violation of the 200 ft. setback for residential uses next to commercial. The way the Andarys have set up this business is that one person will run the gas pumps, the car wash, and the convenience store. They will be removing the automotive repair section, which will cost the mechanics their jobs.

One thing I noticed on the 8/25 City Council Agenda, item 10.2, under "Letters from the Public, 2 of 2", a letter from Republic Industries addressing the High Rise Incentive Program is listed. This is a mistake, as it in no way addresses the Car Wash. But this brings up a question: I know other Community members have written letters to the Mayor

and Council opposing this car wash, but the letters as well as reports, video's, and photos do not appear on this agenda. Are they posted on another item by accident? We want to make sure these items are attached to the proper Agenda item, so our community's voices are heard. There are also many letters and documents that we submitted to the Planning Commission that do not appear on this Agenda. Are these items going to be attached to this agenda? We are concerned also that these documents, photos, videos and reports will be attached at the last minute, not giving the Mayor and Council enough time to properly review them. The very first time this project appeared before the Planning Commission, most of the letters and documents we submitted were lost and the Planning Commission did not get to see them. We are concerned that this may be happening again. If these documents, videos, photos, and reports do not appear on the agenda, we will be asking for a deferral to ensure our community's voices are heard.

Last time this project appeared before the City Council, the City Council in its wisdom saw fit to deny the permit for the car wash. We are asking the City Council to confirm its decision to deny the permit for this car wash.

Thank you

Christian Hemingway

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

bring it up, even though it was submitted to the Council Priority Setting Session agenda a year before. This community is now holding its breath, waiting to see if you will honor your campaign promise and support us in not allowing a car wash on this site. This community will remember what decision you make regarding this project.

On another note, this project is poorly planned, and the site is too small for this car wash. One aspect of this project that is a problem is the shared driveway that this site shares with the strip mall containing 4 small businesses. Under the plan for this project, cars getting a car wash will line up along this shared driveway, and will spill onto Bascom, blocking the shared driveway and the unprotected bike lanes and negatively affecting these 4 small businesses. Other problems with this project include that it is 44 feet from the bedroom and living room windows of 16 foreplexes – this will be a noise and congestion issue for the owners of these businesses as well as tenants that live there and that this car wash is less than 200 feet from Farnham Elementary School, which presents a safety problem for parents, children and community members walking to and from school by this project. Finally, there is the matter of the unprotected bike lanes that run across all of the entrances and exits to Andoil. City staff states that there is no money in the City's budget to protect the bike lanes this year, and will most likely not be any money in next year's budget to protect these bike lanes either.

Planning Director Rosalyn Hughey falsely reports that this car wash is in line with the General Plan policies. That is not true, as this car wash will take away jobs, instead of providing them, and is in violation of the 200 ft. setback for residential uses next to commercial. The way the Andarys have set up this business is that one person will run the gas pumps, the car wash, and the convenience store. They will be removing the automotive repair section, which will cost the mechanics their jobs.

One thing I noticed on the 8/25 City Council Agenda, item 10.2, under "Letters from the Public, 2 of 2", a letter from Republic Industries addressing the High Rise Incentive Program is listed. This is a mistake, as it in no way addresses the Car Wash. But this brings up a question: I know other Community members have written letters to the Mayor and Council opposing this car wash, but the letters as well as reports, video's, and photos do not appear on this agenda. Are they posted on another item by accident? We want to make sure these items are attached to the proper Agenda item, so our community's voices are heard. There are also many letters and documents that we submitted to the Planning Commission that do not appear on this Agenda. Are these items going to be attached to this agenda? We are concerned also that these documents, photos, videos and reports will be attached at the last minute, not giving the Mayor and Council enough time to properly review them. The very first time this project appeared before the Planning Commission, most of the letters and documents we submitted were lost and the Planning Commission did not get to see them. We are concerned that this may be happening again. If these documents, videos, photos, and reports do not appear on the agenda, we will be asking for a deferral to ensure our community's voices are heard.

Last time this project appeared before the City Council, the City Council in its wisdom saw fit to deny the permit for the car wash. We are asking the City Council to confirm its decision to deny the permit for this car wash.

Thank you

Christian Hemingway

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

setback to residential areas, something Rosalyn Hughey should have made clear to you in her report. There are two other elementary schools on Woodard Road. They are St. Francis of Cabrini and a Baptist Bible school, which makes the traffic even worse. When you add three other major projects into the mix, the traffic will be even more horrible than it is now. The other three projects are North 40, South Bascom Avenue Complete Streets, and Cambrian Park Plaza.

The unprotected bike lanes that were just added run down South Bascom Avenue, and across all entrances and exits to Andoil Gas station, making it very dangerous for children and adults to get to Woodard Road where all 3 of these schools are. There is no clear or safe path for pedestrians or cyclists to get around the circumference of Andoil Gas Station. Currently, the strip mall is impeded by Andoil's gas pumps, as they have a shared driveway. Traffic from the gas pumps overflow and spill onto South Bascom Avenue. Oftentimes, you can see people leaving the gas station, making illegal turns onto Woodard Road. We do not have any traffic enforcement to abate this problem. We have at least 2 unreported traffic accidents a week. These children are in grave danger of being hit and/or killed because no one is cited or stopped, or reads the signage.

Furthermore 20 businesses will be directly affected by this car wash. Landlords will have a very difficult time renting out units 44 feet from this proposed car wash. The 4 strip mall businesses will have an even worse time conducting business when the car wash is filling up the shared driveway. Why should one business have privilege over 20 others?

On another note, Andoil gas station will not be adding jobs. They will be taking them away. They are getting rid of their auto repair shop, and will have one person running the convenience store, the Car wash, and the gas pumps. That is not in line with the General Plan. The General Plan asks business owners to bring in jobs, not take them away. Given this information, my hope is that those of you who voted no on this car wash last year vote no on it again. It is only due to a loophole in the car wash drive through policy that was on the priority setting session, ready to be voted on, and was not, that allowed Tony Andary to bring this back. Our Council Member gave us her word during her campaign that she would not vote in favor of this car wash, and that she would fight to get the exemption removed. She did not do either. Also, my neighbors have made it very clear that they do not want this car wash. We have petitions with 1500 signatures on it opposing the car wash. Those signatures include Pam Foley's name.

We have more than 5 car washes in our area alone. We do not need another one. Rosalyn Hughey neglected to tell you in her report that we have reports from both sound and traffic engineers stating that in their expert opinions, that this car wash will create traffic and noise problems for the foreplexes and the schools. Odors from the car wash will be a problem for us. The smoke from the current fires we are experiencing is being pulled in through our air conditioners. My live-in aide has serious asthma, and is having a horrible time with it right now, So nobody, not even OSHA can tell me it is not a problem. Further, our former Council Member, Don Rocha made it clear that the noise from the car wash is not acceptable, and so did our sound engineer. The photos, the reports, the petitions, and the letters we submitted to the Planning Commission are not on the Agenda as attachments. The last time we fought this car wash, we had the same problem. Items were missing or lost.

And finally, I have to tell you that the over \$20,000 that Andary offered me to stop fighting him on this was an insult to my integrity. The lives of these children and my neighbors do not have a price point on them for me. Further, to have Andary contact me again after I refused their offer was even a bigger insult. I could never live my life knowing that I sold my soul at the price of another human being. Please vote no on the car wash, and get rid of the exemption that is allowing Andary to keep bringing this back.

Please confirm receipt of this email, and please let me know how you will be voting on this.

With Kindest Regards,

-

Kathleen Flynn

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity." by the beloved Reverend Dr. Martin Luther King, Jr.

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

Station. My apartment complex is 44 feet from the proposed car wash, which is in direct violation of the 200 ft. setback to residential areas, something Rosalyn Hughey should have made clear to you in her report. There are two other elementary schools on Woodard Road. They are St. Francis of Cabrini and a Baptist Bible school, which makes the traffic even worse. When you add three other major projects into the mix, the traffic will be even more horrible than it is now. The other three projects are North 40, South Bascom Avenue Complete Streets, and Cambrian Park Plaza.

The unprotected bike lanes that were just added run down South Bascom Avenue, and across all entrances and exits to Andoil Gas station, making it very dangerous for children and adults to get to Woodard Road where all 3 of these schools are. There is no clear or safe path for pedestrians or cyclists to get around the circumference of Andoil Gas Station. Currently, the strip mall is impeded by Andiol's gas pumps, as they have a shared driveway. Traffic from the gas pumps overflow and spill onto South Bascom Avenue. Oftentimes, you can see people leaving the gas station, making illegal turns onto Woodard Road. We do not have any traffic enforcement to abate this problem. We have at least 2 unreported traffic accidents a week. These children are in grave danger of being hit and/or killed because no one is cited or stopped, or reads the signage.

Furthermore 20 businesses will be directly affected by this car wash. Landlords will have a very difficult time renting out units 44 feet from this proposed car wash. The 4 strip mall businesses will have an even worse time conducting business when the car wash is filling up the shared driveway. Why should one business have privilege over 20 others?

On another note, Andoil gas station will not be adding jobs. They will be taking them away. They are getting rid of their auto repair shop, and will have one person running the convenience store, the Car wash, and the gas pumps. That is not in line with the General Plan. The General Plan asks business owners to bring in jobs, not take them away. Given this information, my hope is that those of you who voted no on this car wash last year vote no on it again. It is only due to a loophole in the car wash drive through policy that was on the priority setting session, ready to be voted on, and was not, that allowed Tony Andary to bring this back. Our Council Member gave us her word during her campaign that she would not vote in favor of this car wash, and that she would fight to get the exemption removed. She did not do either. Also, my neighbors have made it very clear that they do not want this car wash. We have petitions with 1500 signatures on it opposing the car wash. Those signatures include Pam Foley's name.

We have more than 5 car washes in our area alone. We do not need another one. Rosalyn Hughey neglected to tell you in her report that we have reports from both sound and traffic engineers stating that in their expert opinions, that this car wash will create traffic and noise problems for the foreplexes and the schools. Odors from the car wash will be a problem for us. The smoke from the current fires we are experiencing is being pulled in through our air conditioners. My live-in aide has serious asthma, and is having a horrible time with it right now, So nobody, not even OSHA can tell me it is not a problem. Further, our former Council Member, Don Rocha made it clear that the noise from the car wash is not acceptable, and so did our sound engineer. The photos, the reports, the petitions, and the letters we submitted to the Planning Commission are not on the Agenda as attachments. The last time we fought this car wash, we had the same problem. Items were missing or lost.

And finally, I have to tell you that the over \$20,000 that Andary offered me to stop fighting him on this was an insult to my integrity. The lives of these children and my neighbors do not have a price point on them for me. Further, to have Andary contact me again after I refused their offer was even a bigger insult. I could never live my life knowing that I sold my sole at the price of another human being. Please vote no on the car wash, and get rid of the exemption that is allowing Andary to keep bringing this back.

Please confirm receipt of this email, and please let me know how you will be voting on this.

With Kindest Regards,

-
Kathleen Flynn

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity." by the beloved Reverend Dr. Martin Luther King, Jr.

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

Regarding Andoil's Car Wash

Trinity Dawn [REDACTED] >

Sun 6/28/2020 12:50 PM

To: PlanningSupportStaff <[REDACTED]> Van Der Zweep, Cassandra <[REDACTED]>

[External Email]

Good afternoon,

My name is Trinity Yeaman and I am writing to inform you that I was going to be one of the speakers at the recent Zoom meeting regarding Andoil's proposed car wash at the corner of South Bascom and Woodard Road.

Although I tried to attend I was having some troubles with my Internet so I decided to take it upon myself to send an email regarding the situation instead.

I think it is unnecessary for our neighborhood to have a new car wash because there are already 4 car washes located within a few miles of the proposed location. Therefore, I do not believe it is essential for another one to be built within the area. Especially when it is right next to a school and underneath the citizen's apartment windows. It can also prove to be dangerous as cars would be exiting into unprotected bike lanes and when children are walking to and from school - it could become an issue with the safety of their travel.

This is what I intended to say in the Zoom meeting but unfortunately my Internet was hindering my attendance.

Thank you for your time and I hope this email reaches you in good health,
Trinity Y.

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

Andoil Car Wash

Sat 8/22/2020 11:22 PM

To: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>

Cc: [REDACTED]; Kris.Sanchez@nbcuni.com <Kris.Sanchez@nbcuni.com>; Victoria.Nguyen@nbcuni.com <Victoria.Nguyen@nbcuni.com>; Azenith.smith@foxtv.com <Azenith.smith@foxtv.com>; ben@benlevinsonlaw.com <ben@benlevinsonlaw.com>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Van Der Zweep, Cassandra <Cassandra.VanDerZweep@sanjoseca.gov>; [REDACTED]

[External Email]

Dear Honorable Mayor and Council Members,

Please see the attached video. It is a video of both school and rush hour traffic shot from the front of my complex on Woodard Road. Farnham School is approximately 200 feet from my front door and Andoil Gas Station. My apartment complex is 44 feet from the proposed car wash, which is in direct violation of the 200 ft. setback to residential areas, something Rosalyn Hughey should have made clear to you in her report. There are two other elementary schools on Woodard Road. They are St. Francis of Cabrini and a Baptist Bible school, which makes the traffic even worse. When you add three other major projects into the mix, the traffic will be even more horrible than it is now. The other three projects are North 40, South Bascom Avenue Complete Streets, and Cambrian Park Plaza.

The unprotected bike lanes that were just added run down South Bascom Avenue, and across all entrances and exits to Andoil Gas station, making it very dangerous for children and adults to get to Woodard Road where all 3 of these schools are. There is no clear or safe path for pedestrians or cyclists to get around the circumference of Andoil Gas Station. Currently, the strip mall is impeded by Andoil's gas pumps, as they have a shared driveway. Traffic from the gas pumps overflow and spill onto South Bascom Avenue. Oftentimes, you can see people leaving the gas station, making illegal turns onto Woodard Road. We do not have any traffic enforcement to abate this problem. We have at least 2 unreported traffic accidents a week. These children are in grave danger of being hit and/or killed because no one is cited or stopped, or reads the signage.

Furthermore 20 businesses will be directly affected by this car wash. Landlords will have a very difficult time renting out units 44 feet from this proposed car wash. The 4 strip mall businesses will have an even worse time conducting business when the car wash is filling up the shared driveway. Why should one business have privilege over 20 others?

On another note, Andoil gas station will not be adding jobs. They will be taking them away. They are getting rid of their auto repair shop, and will have one person running the convenience store, the Car wash, and the gas pumps. That is not in line with the General Plan. The General Plan asks business owners to bring in jobs, not take them away. Given this information, my hope is that those of you who voted no on this car wash last year vote no on it again. It is only due to a loophole in the car wash drive through policy that was on the priority setting session, ready to be voted on, and was not, that allowed Tony Andary to bring this back. Our Council Member gave us her word during her campaign that she would not vote in favor of this car wash, and that she would fight to get the exemption removed. She did not do either. Also, my neighbors have made it very clear that they do not want this car wash. We have petitions with 1500 signatures on it opposing the car wash. Those signatures include Pam Foley's name.

We have more than 5 car washes in our area alone. We do not need another one. Rosalyn Hughey neglected to tell you in her report that we have reports from both sound and traffic engineers stating that in their expert opinions, that this car wash will create traffic and noise problems for the foreplexes and the schools. Odors from the car wash will be a problem for us. The smoke from the current fires we are experiencing is being pulled in through our air conditioners. My live-in aide has serious asthma, and is having a horrible time with it right now, So nobody, not even OSHA can tell me it is not a problem. Further, our former Council Member, Don Rocha made it clear that the noise from the car wash is not acceptable, and so did our sound engineer. The photos, the reports, the petitions, and the letters we submitted to the Planning Commission are not on the Agenda as attachments. The last time we fought this car wash, we had the same problem. Items were missing or lost.

And finally, I have to tell you that the over \$20,000 that Andary offered me to stop fighting him on this was an insult to my integrity. The lives of these children and my neighbors do not have a price point on them for me. Further, to have Andary contact me again after I refused their offer was even a bigger insult. I could never live my life knowing that I sold my soul at the price of another human being. Please vote no on the car wash, and get rid of the exemption that is allowing Andary to keep bringing this back.

Please confirm receipt of this email, and please let me know how you will be voting on this.

With Kindest Regards,

-

Kathleen Flynn

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity."
by the beloved Reverend Dr. Martin Luther King, Jr.

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

Re: Andoil Car Wash

Sun 8/23/2020 12:09 AM

To: [REDACTED]
Cc: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>

1 attachments (14 MB)

2019-06-05 June Traffic 1.57 (MPG).mpg;

[External Email]

NOTE: I am resending this email so the video is attached. It will work now.

Dear Honorable Mayor and Council Members,

Please see the attached video. It is a video of both school and rush hour traffic shot from the front of my complex on Woodard Road. Farnham School is approximately 200 feet from my front door and Andoil Gas Station. My apartment complex is 44 feet from the proposed car wash, which is in direct violation of the 200 ft. setback to residential areas, something Rosalyn Hughey should have made clear to you in her report. There are two other elementary schools on Woodard Road. They are St. Francis of Cabrini and a Baptist Bible school, which makes the traffic even worse. When you add three other major projects into the mix, the traffic will be even more horrible than it is now. The other three projects are North 40, South Bascom Avenue Complete Streets, and Cambrian Park Plaza.

The unprotected bike lanes that were just added run down South Bascom Avenue, and across all entrances and exits to Andoil Gas station, making it very dangerous for children and adults to get to Woodard Road where all 3 of these schools are. There is no clear or safe path for pedestrians or cyclists to get around the circumference of Andoil's gas pumps, as they have a shared driveway. Traffic from the gas pumps overflow and spill onto South Bascom Avenue. Oftentimes, you can see people leaving the gas station, making illegal turns onto Woodard Road. We do not have any traffic enforcement to abate this problem. We have at least 2 unreported traffic accidents a week. These children are in grave danger of being hit and/or killed because no one is cited or stopped, or reads the signage.

Furthermore 20 businesses will be directly affected by this car wash. Landlords will have a very difficult time renting out units 44 feet from this proposed car wash. The 4 strip mall businesses will have an even worse time conducting business when the car wash is filling up the shared driveway. Why should one business have privilege over 20 others?

On another note, Andoil gas station will not be adding jobs. They will be taking them away. They are getting rid of their auto repair shop, and will have one person running the convenience store, the Car wash, and the gas pumps. That is not in line with the General Plan. The General Plan asks business owners to bring in jobs, not take them away. Given this information, my hope is that those of you who voted no on this car wash last year vote no on it again. It is only due to a loophole in the car wash drive through policy that was on the priority setting session, ready to be voted on, and was not, that allowed Tony Andary to bring this back. Our Council Member gave us her word during her campaign that she would not vote in favor of this car wash, and that she would fight to get the exemption removed. She did not do either. Also, my neighbors have made it very clear that they do not want this car wash. We have petitions with 1500 signatures on it opposing the car wash. Those signatures include Pam Foley's name.

We have more than 5 car washes in our area alone. We do not need another one. Rosalyn Hughey neglected to tell you in her report that we have reports from both sound and traffic engineers stating that in their expert opinions, that this car wash will create traffic and noise problems for the foreplexes and the schools. Odors from the car wash will be a problem for us. The smoke from the current fires we are experiencing is being pulled in through our air conditioners. My live-in aide has serious asthma, and is having a horrible time with it right now, So nobody, not even OSHA can tell me it is not a problem. Further, our former Council Member, Don Rocha made it clear that the noise from the car wash is not acceptable, and so did our sound engineer. The photos, the reports, the petitions, and the letters we submitted to the Planning Commission are not on the Agenda as attachments. The last time we fought this car wash, we had the same problem. Items were missing or lost.

And finally, I have to tell you that the over \$20,000 that Andary offered me to stop fighting him on this was an insult to my integrity. The lives of these children and my neighbors do not have a price point on them for me. Further, to have Andary contact me again after I refused their offer was even a bigger insult. I could never live my life knowing that I sold my soul at the price of another human being. Please vote no on the car wash, and get rid of the exemption that is allowing Andary to keep bringing this back.

Please confirm receipt of this email, and please let me know how you will be voting on this.

With Kindest Regards,

-

Kathleen Flynn

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity."
by the beloved Reverend Dr. Martin Luther King, Jr.

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

Re: Andoil Car Wash

Sun 8/23/2020 7:02 PM

To: [REDACTED]
Cc: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>

1 attachments (14 MB)

2019-06-05 June Traffic 1.57 (MPG).mpg;

[External Email]

NOTE: Please excuse the typo. I have corrected it.

Dear Honorable Mayor and Council Members,

Please see the attached video. It is a video of both school and rush hour traffic shot from the front of my complex on Woodard Road. Farnham School is approximately 200 feet from my front door and Andoil Gas Station. My apartment complex is 44 feet from the proposed car wash, which is in direct violation of the 200 ft. setback to residential areas, something Rosalyn Hughey should have made clear to you in her report. There are two other elementary schools on Woodard Road. They are St. Francis of Cabrini and a Baptist Bible school, which makes the traffic even worse. When you add three other major projects into the mix, the traffic will be even more horrible than it is now. The other three projects are North 40, South Bascom Avenue Complete Streets, and Cambrian Park Plaza.

The unprotected bike lanes that were just added run down South Bascom Avenue, and across all entrances and exits to Andoil Gas station, making it very dangerous for children and adults to get to Woodard Road where all 3 of these schools are. There is no clear or safe path for pedestrians or cyclists to get around the circumference of Andoil Gas Station. Currently, the strip mall is impeded by Andoil's gas pumps, as they have a shared driveway. Traffic from the gas pumps overflow and spill onto South Bascom Avenue. Oftentimes, you can see people leaving the gas station, making illegal turns onto Woodard Road. We do not have any traffic enforcement to abate this problem. We have at least 2 unreported traffic accidents a week. These children are in grave danger of being hit and/or killed because no one is cited or stopped, or reads the signage.

Furthermore 20 businesses will be directly affected by this car wash. Landlords will have a very difficult time renting out units 44 feet from this proposed car wash. The 4 strip mall businesses will have an even worse time conducting business when the car wash is filling up the shared driveway. Why should one business have privilege over 20 others?

On another note, Andoil gas station will not be adding jobs. They will be taking them away. They are getting rid of their auto repair shop, and will have one person running the convenience store, the Car wash, and the gas pumps. That is not in line with the General Plan. The General Plan asks business owners to bring in jobs, not take them away. Given this information, my hope is that those of you who voted no on this car wash last year vote no on it again. It is only due to a loophole in the car wash drive through policy that was on the priority setting session, ready to be voted on, and was not, that allowed Tony Andary to bring this back. Our Council Member gave us her word during her campaign that she would not vote in favor of this car wash, and that she would fight to get the exemption removed. She did not do either. Also, my neighbors have made it very clear that they do not want this car wash. We have petitions with 1500 signatures on it opposing the car wash. Those signatures include Pam Foley's name.

We have more than 5 car washes in our area alone. We do not need another one. Rosalyn Hughey neglected to tell you in her report that we have reports from both sound and traffic engineers stating that in their expert opinions, that this car wash will create traffic and noise problems for the foreplexes and the schools. Odors from the car wash will be a problem for us. The smoke from the current fires we are experiencing is being pulled in through our air conditioners. My live-in aide has serious asthma, and is having a horrible time with it right now, So nobody, not even OSHA can tell me it is not a problem. Further, our former Council Member, Don Rocha made it clear that the noise from the car wash is not acceptable, and so did our sound engineer. The photos, the reports, the petitions, and the letters we submitted to the Planning Commission are not on the Agenda as attachments. The last time we fought this car wash, we had the same problem. Items were missing or lost.

And finally, I have to tell you that the over \$20,000 that Andary offered me to stop fighting him on this was an insult to my integrity. The lives of these children and my neighbors do not have a price point on them for me. Further, to have Andary contact me again after I refused their offer was even a bigger insult. I could never live my life knowing that I sold my soul at the price of another human being. Please vote no on the car wash, and get rid of the exemption that is allowing Andary to keep bringing this back.

Please confirm receipt of this email, and please let me know how you will be voting on this.

With Kindest Regards,

-

Kathleen Flynn

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity."
by the beloved Reverend Dr. Martin Luther King, Jr.

Top News - [Sponsored By Newser](#)

- [Pelosi in Rare Saturday Session: 'Ignore' Trump](#)
- ['Stretched' Fire Crews Get Some Surprise Help](#)
- [US: Former Green Beret Sold Out His Country](#)

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

Opposition to Car Wash

Carly Huston [REDACTED]

Mon 8/17/2020 8:05 PM

To: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; [REDACTED]

[External Email]

Honorable Mayor and City Council,

I would like to express my opposition to the car wash proposal on S. Bascom Ave. and Woodard Rd. I believe this car wash is going to be a negative addition to this community. The space is much too small and there are too many threats in the vicinity. For example, as you all have heard countless times, being that we have fought against this permit for years now, that the children going to and from Farnham are endangered, due to the carelessness of these drivers.

We know already that there are a few reported accidents, but if you lived here, and experienced what this community does everyday, you will see that this corner is prone to hit-and-runs constantly, not to mention near misses for pedestrian-vehicle collisions on the weekly. The telephone pole has been knocked down a few times, a woman was killed here not too long ago, and an incident where some reckless driver ran a red light, skidded, and almost hit the unprotected propane tank on the property a year or so back. This place is just too dangerous to have this built here.

On top of that, San Jose's policy entails that any drive-through use must be at least 200 feet away from residential properties. It just seems unfair to me that the people of this neighborhood, especially the dozens of neighbors who live in the apartment complexes behind the site, have to be a mere 44 feet away from one, even though the policy is meant to protect them. Exemption or not, it is a huge inconvenience and danger to those people, and should not be a solution. There should not be this many exceptions for a single business, that is not necessary in this neighborhood.

Please continue to do the right thing by opposing this car wash permit and proposal. Thank you for your time.

Sincerely,

Carly Huston

Get [Outlook for iOS](#)

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

Car Wash Opposition

Kim Jakab [REDACTED]

Mon 8/17/2020 6:26 PM

To: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMavorSamLiccardo@sanjoseca.gov>; [REDACTED] Van Der Zweep, Cassandra <Cassandra.VanDerZweep@sanjoseca.gov>; [REDACTED]

[External Email]

Honorable Mayor and Council Members,

I would like to contact you all to speak my opinion in the matter of the car wash permit proposal on the streets of South Bascom Avenue and Woodard Road.

Just like we did back in 2018, most of us are emailing you to give our opinions on why we do not wish to add a car wash to our community and neighborhood. Hopefully, we can all agree that the car wash is not such a great idea, mainly because it's a dangerous place for all pedestrians and drivers. Unreported accidents happen in this neighborhood more than anything.

Numerous careless drivers have crashed hitting telephone poles, traffic signal poles, pedestrians, and other drivers, and nearly missed the site's propane tank. So, it disturbs me when a group of people tell the community and the council members that the site has only 2-3 reported accidents. Almost everyone living in close proximity to the site can vouch the fact that there are definitely more than 2 or 3 accidents on this corner alone. We hear the screeching of tires, zooming cars, and the thud of crashes constantly, so you might understand why we find it threatening to the safety of the community.

Many of us are witnesses to these unspoken collisions. You can imagine if adding a convenience store, that will sell beer and wine and possibly liquor, more gas pumps and a car wash will definitely attract the reckless drivers to cause more accidents. Please listen to our words and do the right thing, as you have done before and to go against this plan. I urge my elected council members and Mayor to please vote no on the

Sincerely,

Kimberly Jakab

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

Car Wash

Jenny Rushing [REDACTED]

Sun 8/23/2020 8:20 PM

To: Van Der Zweep, Cassandra <[REDACTED]>

[External Email]

From: Jennifer Rushing - [REDACTED]

Hello Cassandra,

I am in favor of the proposed car wash at the Andoil Gas Station at the corner of Bascom and Woodard. I live in the neighborhood behind the location.

I'm sure you hear a lot of loud voices and their many "reasons" from those who oppose the car wash, but I wanted to let you know that there are many of us in the neighborhood who have no problem with the car wash at that location and in fact welcome it to the neighborhood.

When Andoil took over the gas station from the previous owner, they made significant changes and improvements to the look and quality of that corner. I have seen the proposed idea for the car wash and I think it will make even further improvements to that property. As it is right now, there is a lot of empty space behind the gas station that ends up looking a bit trashy.

I would love to see the car wash approved and can't wait for it to come to the neighborhood.

Thank you,

Jennifer Rushing

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

FW: [EXTERNAL] Project at Woodard and Bascom

Canales-Mora, Elizabeth <[REDACTED]>

Tue 7/28/2020 9:10 AM

To: Van Der Zweep, Cassandra <[REDACTED]>

Cc: Provedor, Jennifer <[REDACTED]>

Hi Cassandra,

I received the email below from Basil Saleh last Friday. I am forwarding it for your records.

Thank you,

Elizabeth Canales
Senior Office Specialist
City of San Jose, PBCE
200 E. Santa Clara St, T3
San Jose, CA 95113
[(408) [REDACTED] | * [REDACTED]

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

From: Saleh, Basil [mailto:\[REDACTED\]](mailto:[REDACTED])

Sent: Friday, July 24, 2020 12:10 PM

To: Canales-Mora, Elizabeth <[REDACTED]>

Cc: Flores, Mayra <[REDACTED]> Fernandez01, David <[REDACTED]>

Subject: RE: [EXTERNAL] Project at Woodard and Bascom

[External Email]

Hi Elizabeth,

Just forwarding some feedback and concerns from our constituents re: the proposed Car Wash on Woodard and Bascom. I hear it was approved and wanted to make sure city planning had some comment, and that there would be safety mitigation measures.

Thanks so much,

Basil Saleh
Community Relations Aide, Office of Supervisor Susan Ellenberg County of Santa Clara, District 4
70 West Hedding, East Wing, 10th Floor
San Jose, CA 95110
[REDACTED] [p] | [REDACTED]

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

NOTICE: This email message and/or its attachments may contain information that is confidential or restricted. It is intended only for the individuals named as recipients in the message. If you are NOT an authorized recipient, you are prohibited from using, delivering, distributing, printing, copying, or disclosing the message or content to others and must delete the message from your computer. If you have received this message in error, please notify the sender by return email.

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

From: Saleh, Basil

Sent: Friday July 24 2020 11:42 AM

To: [REDACTED]

Cc: Lomio, Michael <[REDACTED]> Flores, Mayra <[REDACTED]> Fernandez01, David

<[REDACTED]>
Subject: RE: [EXTERNAL] Project at Woodard and Bascom

Hi Ann!

Certainly, thanks for getting in touch. First of all, let me offer my apologies for the late response, that's my bad. Sorry to hear about the loss of your colleague. I'm familiar with that previous project to block the carwash, so I was surprised when you brought it up, I think it was sold as a project mostly dealing with a new soundwall between the station and the abutting residential. I'm also unfamiliar with how far along this project is, whether it still needs to go to the planning commission or has already been signed off on by the city council.

This is firmly in the jurisdiction of the city of San Jose, so truth be told, there isn't much we'd be able to do from the county side. To that end, I've

cc'ed my counterpart in Councilwoman Pam Foley's office, Michael Lomio, who will be familiar with this project. Thinking through this, Bascom is getting a "complete streets" revamp which will make many upgrades to the infrastructure along Bascom to make it more pedestrian friendly. I would suggest we take an inventory of the safety upgrades near Farnham including crossing lights/bulb outs/medians, and other traffic mitigation that will decrease the speed and mobility of cars along Woodard so that the development doesn't impact school crossing and safety. Lets get to the bottom of this!
All the Best,

Basil Saleh

Community Relations Aide, Office of Supervisor Susan Ellenberg County of Santa Clara, District 4
70 West Hedding, East Wing, 10th Floor
San Jose, CA 95110

[p]

Website | Facebook | Twitter | Instagram

NOTICE: This email message and/or its attachments may contain information that is confidential or restricted. It is intended only for the individuals named as recipients in the message. If you are NOT an authorized recipient, you are prohibited from using, delivering, distributing, printing, copying, or disclosing the message or content to others and must delete the message from your computer. If you have received this message in error, please notify the sender by return email.

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

From: Ann Sager <[REDACTED]>
Sent: Friday, July 17, 2020 2:42 PM
To: Saleh, Basil <[REDACTED]>
Subject: [EXTERNAL] Project at Woodard and Bascom

Hello!

I am a lifetime friend of the Ellenberg family and have known Susan a long time. She told me to reach out to you.

I am a crossing guard for city of san jose, SYPD, and I cross at Farnham Elementary, near Woodard and Bascom in San Jose. My corner is one block in from there at Woodard and Starview.

My crossing partner passed away last year and I am now having to cross this corner by myself, once school goes back to in person school anyway. I have been there for 4 years. The corner is very busy and we are understaffed, so I am a one woman crew out there in the morning and afternoon crossing the kids. It is a very busy corner with a lot of activity and people running through when they shouldn't and all sorts of craziness.

At Woodard and Bascom, there is a gas station on that corner, and they are trying to put in a giant car wash at this gas station which would heavily impact the traffic issues at my corner with the kids crossing. I thought it had been defeated when they first tried to get it through, but it looks like they are trying again, and I think it may go through this time. Our parents at the school are quite upset and do not want this giant car wash there, and we are wondering if there is anything we can do to stop this, and stop them from building it??

Let me know if you have any ideas. Thank you.

Ann Sager
[REDACTED]

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

Re: Car Wash at Bascom and Woodard Road

Urwashi Singh [REDACTED]

Sun 8/23/2020 3:20 PM

To: Upashna Singh [REDACTED]; Ashleen Sandhu [REDACTED]; [REDACTED]; Foley, Pam <Pam.Foley@sanjoseca.gov>; mayormail@sanjoseca.gov <mayormail@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>

[External Email]

Mayor and Council Members,

I am sure you are receiving all of the community's negative commentaries when it comes to this project. For the good of the community and the safety of the children, please hear our words and once again disapprove of this car wash proposal.

It seems to me that staff is constantly withholding vital information from the Council Members that would drastically change their decision on this matter. I find it extremely unfair for both the community and the Council members, that staff is willing to wait until the last minute (i.e. the day before the meeting) to give said information, especially when they are highly aware that our Council members are extremely busy and will not have the time to review every single piece of information.

I find it very concerning that we are within two days of the council meeting on this topic and we still do not know what our own Council Member's decision is. Not too long ago, when Council Member Foley was out of office, her chief of staff Scott Hughes, advised us that Council Member Foley would need more time to get all the details in order to let us know what her thoughts are. It was fine when it was a month ago however; now the meeting is within a couple of days. Former Council Member, Don Rocha, expressed his opposition to this car wash to the community months before the final hearing, and I would've expected the same for the current Member for District 9. If Council Member Foley is not yet aware of what she will vote on for the proposed car wash, then I will be extremely disappointed in our elected official. However, if she is aware of how she will vote and is withholding her decision to the community, then that too is worrisome. When Member Pam Foley was running for office and was in need for votes, she was more than willing to be against the exemption loophole and therefore against the carwash. Now it seems, we can not get an answer from her.

I would be grateful to learn that the Mayor and Council support the opposition of the carwash proposal, as they have done in the past. I understand that the Council Members, especially due to the pandemic, have many other priorities however; it would still be appreciated by the community to know where our Council Members stand.

Thank you for your time and letting me express my opinion in this situation

Urwashi Singh

On Sun, Aug 23, 2020 at 3:02 PM Upashna Singh [REDACTED] wrote:

Mayor and Council Members,

As a community member who has been fighting against this car wash, since the beginning, it is important that the Council knows of all of the conversations my neighbors have had in opposition of this project due to its hazardous bringings. Although I do see the petitions on the Agenda for the August 25th meeting, none of the emails, letters, reports, and videos are shown. This is frustrating to see once again. In the previous meeting, back in 2017, we experienced the same problem that important documents were withheld from the agenda, making a huge difference in the planning department's decision to approve the car wash.

Many of us are in disapproval for this project for several safety reasons. The most concerning is that the car wash is dangerous to all children who attend the three nearby schools on Woodard Road. Each day, community members witness pedestrians constantly cross all three of the property's driveways, and as you can see in the videos Ms. Flynn constantly shows the Council, the drivers are irresponsible. Many of the drivers drive in and out of lanes, are on phones and overall impatiently and recklessly drive during the proposed operation hours. To add a car wash, would be perilous to the community. Unreported accidents often happen several times a week especially around the corner of Woodard Rd. and S.Bascom Ave. If you do not wish to hear the community's words about how hazardous this project is, then I suggest reviewing the traffic and sound reports, recorded by non-biased experienced engineers, who also deemed this proposal to be insufficient. Adding another list of obvious observations to why this car wash is not wanted, it is strictly against the two-hundred feet setback policy for residential uses next to commercial. To my understanding, this specific policy is to protect the residential homes from commercial businesses imposing on the resident's standard of living. I am sure you, too, would not want an extremely noisy car wash in your own backyard, just like the neighbors, who are countlessly opposed, do not want it as well. No wall high enough or big enough will be able to block out the noise from the dryers especially, if the car wash is right behind the homes.

Hopefully, as a concerned individual, you can hear our words and imagine how frustrated we are, as a community, that we are constantly looked over by our elected officials and their staff. All we are asking is to take our consideration into voting NO to this proposed project and ending the loophole so that we do not have to face this problem in the future again.

Thank you,

Upashna Singh

On Sat, Aug 22, 2020 at 8:41 PM Christian Hemingway [REDACTED] > wrote:
Honorable Mayor and Council,

Council Member Foley, on April 18, 2018, you and I had a Facebook conversation where you stated that there should not be a car wash on the Andoil site. You also, in the same conversation, stated that you signed our petition to get rid of the loophole in the drive-thru uses policy for car washes (we have that petition). This community was grateful to hear these two campaign promises from you.

Then, early in 2019, our community attended the Council Priority setting session, hoping that you would hold to your campaign promise to get rid of the loophole in the Drive Thru uses policy, only to be disappointed that you did not even bring it up, even though it was submitted to the Council Priority Setting Session agenda a year before. This community is now holding its breath, waiting to see if you will honor your campaign promise and support us in not allowing a car wash on this site. This community will remember what decision you make regarding this project.

On another note, this project is poorly planned, and the site is too small for this car wash. One aspect of this project that is a problem is the shared driveway that this site shares with the strip mall containing 4 small businesses. Under the plan for this project, cars getting a car wash will line up along this shared driveway, and will spill onto Bascom, blocking the shared driveway and the unprotected bike lanes and negatively affecting these 4 small businesses. Other problems with this project include that it is 44 feet from the bedroom and living room windows of 16 foreplexes – this will be a noise and congestion issue for the owners of these businesses as well as tenants that live there and that this car wash is less than 200 feet from Farnham Elementary School, which presents a safety problem for parents, children and community members walking to and from school by this project. Finally, there is the matter of the unprotected bike lanes that run across all of the entrances and exits to Andoil. City staff states that there is no money in the City's budget to protect the bike lanes this year, and will most likely not be any money in next year's budget to protect these bike lanes either.

Planning Director Rosalyn Hughey falsely reports that this car wash is in line with the General Plan policies. That is not true, as this car wash will take away jobs, instead of providing them, and is in violation of the 200 ft. setback for residential uses next to commercial. The way the Andarys have set up this business is that one person will run the gas pumps, the car wash, and the convenience store. They will be removing the automotive repair section, which will cost the mechanics their jobs.

One thing I noticed on the 8/25 City Council Agenda, item 10.2, under "Letters from the Public, 2 of 2", a letter from Republic Industries addressing the High Rise Incentive Program is listed. This is a mistake, as it in no way addresses the Car Wash. But this brings up a question: I know other Community members have written letters to the Mayor and Council opposing this car wash, but the letters as well as reports, video's, and photos do not appear on this agenda. Are they posted on another item by accident? We want to make sure these items are attached to the proper Agenda item, so our community's voices are heard. There are also many letters and documents that we submitted to the Planning Commission that do not appear on this Agenda. Are these items going to be attached to this agenda? We are concerned also that these documents, photos, videos and reports will be attached at the last minute, not giving the Mayor and Council enough time to properly review them. The very first time this project appeared before the Planning Commission, most of the letters and documents we submitted were lost and the Planning Commission did not get to see them. We are concerned that this may be happening again. If these documents, videos, photos, and reports do not appear on the agenda, we will be asking for a deferral to ensure our community's voices are heard.

Last time this project appeared before the City Council, the City Council in its wisdom saw fit to deny the permit for the car wash. We are asking the City Council to confirm its decision to deny the permit for this car wash.

Thank you

Christian Hemingway

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



School District

San Jose, CA 95124

Fax

www.cambriansd.org

Board of Trustees

Doron Aronson

Janet Borrison

Jarod Middleton

Carol Presunka

Randy Scofield

*Exploring Infinite Possibilities
for Learning*

Superintendent

Carrie Andrews, Ph.D.

August 24, 2020

Dear Honorable Mayor Liccardo and City Councilmembers,

I would like to take this opportunity to voice my support for Item 10.2 on the August 25 City Council Agenda. My catalyst in speaking to this issue is to emphasize the need for safety for Cambrian School District students, since the proposed project would be located within our school district. I can support the staff recommendation with respect to item 10.2 to deny the appeal of the Planning Commission's decision to approve a project known as the Bascom Andoil Car Wash (CP16-035-01), because I believe Cambrian students' safety has been considered and will be protected.

I understand the development of local businesses and appreciate your continued support for the safety of the students and families in the Cambrian School District as they walk to and from school during the regular school year. It is vital that students have safe access to walk to and from school on an appropriate sidewalk with proper crosswalks. As you are very aware, Farnham Elementary School's location is very close to the Bascom Andoil gas station on the corner of Bascom and Woodward. This is the company looking to expand their services to include a car wash. The current sidewalk will be evaporated for students to walk and measures need to be taken to include additional walkways for students and families.

Thankfully, through collaborative and innovative efforts such as those recommended by Councilmember Foley, we will be able to see much-needed improvements to the Farnham Elementary School campus. Without the cooperation of the developer, it is unlikely these enhancements to our school campus would occur in the near future.

- Enhancement of a driveway and installation of a sidewalk at the entrance to our parking lot will provide our students with safe passage to/from school.
- The financial contribution to have flashing beacons at the crosswalk will provide additional safety for our school children in

addition to the city provided crossing guards as they cross Woodard Road from the adjacent neighborhood.

These improvements to the campus' safety are vital, and I am grateful to City Councilmember Pam Foley for her leadership in ensuring the safety enhancements' installation. Our students and their families will feel greater comfort and peace of mind as they walk and bike in the area surrounding Farnham Elementary School.

Thank you for taking my letter into consideration. I hope you'll understand how Farnham students' safety will be enhanced, which is a victory for our whole community.

Sincerely,

A handwritten signature in black ink that reads "Dr. Carrie Andrews". The signature is written in a cursive, flowing style.

Dr. Carrie Andrews
Superintendent, Cambrian School District

From: Esparza, Maya <[REDACTED]>
Sent: Tuesday, August 25, 2020 11:26 AM
To: City Clerk <[REDACTED]>
Subject: Fwd: Andoil Car Wash

Get [Outlook for iOS](#)

From: [REDACTED] <[REDACTED]>
Sent: Monday, August 24, 2020 8:52:43 PM
To: Jones, Chappie <[REDACTED]> [REDACTED]
<[REDACTED]> Peralez, Raul <[REDACTED]> Jimenez, Sergio
<[REDACTED]> Esparza, Maya <[REDACTED]> Arenas, Sylvia
<[REDACTED]> Khamis, Johnny <[REDACTED]> Davis, Dev
<[REDACTED]> [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]> [REDACTED]
<[REDACTED]> [REDACTED] <[REDACTED]>
[REDACTED] <[REDACTED]> [REDACTED]
<[REDACTED]> [REDACTED] <[REDACTED]>
[REDACTED] <[REDACTED]> [REDACTED]
<[REDACTED]> [REDACTED] <[REDACTED]>
Subject: Andoil Car Wash

[External Email]

Dear Council Members,
We community members are asking you to listen to and support our request that you vote NO on the Andoil car wash like you did last year. We have read the Mayor and Pam Foley's memos and do not agree with their assessment of this project. We live here and we know the dangers to the children and our neighbors that this car wash will create. The Mayor, the planning department and Pam Foley do not.
In their memos they say that the safety and well being of the children and pedestrian's, cyclists, are important to them but given the real situation that we are contending with does not. Please see the attached video. You can see for yourself just how congested the traffic is and how close this car wash will

be to residential areas. 44 feet from my bedroom and living room windows is not acceptable.

The memos state that noise and pollution are not an issue. We have the smell of smoke coming into our windows from the wild fires. My allergies and my roommate's asthma are horrible right now also we have double paneled windows throughout our unit but, we can still hear noise from outside. Getting back to the issue of traffic no one has mentioned the traffic North-Forty, Cambrian Park Plaza, and South Bascom Complete Street will create further congestion on Woodard Road and South Bascom Avenue. It is irresponsible to think that this project is safe and will not harm a child, cyclist, or pedestrian from being hit or killed.

We all feel betrayed and lied to by Pam Foley. She broke her campaign promise to us and, didn't even bother to E mail us back about her stand on this issue. We had to find out where she stood by reading her memo. Further, as someone who was on a school board she knows first-hand how bad the traffic is around schools. She also knows that there is no traffic enforcement to stop dangerous drivers from making illegal turns, speeding and, ignoring signage.

In closing let me just say that I hope you will vote NO on the car wash and help us protect these children and other pedestrians.

Thank you

Kathleen

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity." by the beloved Reverend Dr. Martin Luther King, Jr.

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