

RECEIVED

Agenda Item: ID#19-1618 (3:00 P.M.)

Date: 5/2/2019

2019 MAY -1 P 4: 03

CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Late Submission Information Packet

Agenda Related Item(s) – ID#19-1618 (3:00 P.M.)

Contents Letter to Withdraw Project

Item(s)

CONTINUED HEARING to consider Conditional Use Permit Application Nos. P18-03222 and P18-03223, located on the northwest corner of North Cedar Avenue and East Tulare Street (Council District 7)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

WANGER JONES HELSLEY PC
ATTORNEYS

OLIVER W. WANGER
TIMOTHY JONES*
MICHAEL S. HELSLEY
PATRICK D. TOOLE
SCOTT D. LAIRD
JOHN P. KINSEY
KURT F. VOTE
TROY T. EWELL
JAY A. CHRISTOFFERSON
MARISA L. BALCH
PETER M. JONES**
STEVEN M. GRASS**
AMANDA G. HEBESHA***
MICAELA L. NEAL
REBECCA S. MADDOX
NICOLAS R. CARDELLA
ERIN T. HUNTINGTON
STEVEN K. VOTE
JENNIFER F. DELAROSA
ROCCO E. DIGICCO
GIULIO A. SANCHEZ
CHRISTOPHER A. LISIESKI****
BENJAMIN C. WEST
HUNTER C. CASTRO

* Also admitted in Washington
** Of Counsel
*** Of Counsel/Also admitted in
Idaho
**** Also admitted in Virginia

265 E. RIVER PARK CIRCLE, SUITE 310
FRESNO, CALIFORNIA 93720

MAILING ADDRESS
POST OFFICE BOX 28340
FRESNO, CALIFORNIA 93729

TELEPHONE
(559) 233-4800

FAX
(559) 233-9330



OFFICE ADMINISTRATOR
LYNN M. HOFFMAN

Writer's E-Mail Address:
jkinsey@wjhallorneys.com

Website:
www.wjhallorneys.com

May 1, 2019

RECEIVED
2019 MAY -1 P 3:50
CITY OF FRESNO
CITY CLERK'S OFFICE

VIA EMAIL (Jarred.Olsen@fresno.gov & Doug.Sloan@fresno.gov)

Jarred Olsen
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721-3604

Doug Sloan
Fresno City Attorney
2600 Fresno Street, Room 2031
Fresno, CA 93721

Re: May 2, 2019, Fresno City Council Appeal Hearing of
CUP Nos. P18-03222 & P18-03223

Dear Doug and Jared:

My office represents SKW Tulare, LLC regarding its development of a 7-Eleven convenience store and service station at North Cedar Avenue and East Tulare Street ("Project"). As you are aware, SKW Tulare, LLC is the applicant for the Conditional Use Permit ("CUP") Application Nos. P18-03222 to develop the service station and No. P18-03223 for a license to sell alcohol. On February 20, 2019, the Fresno City Planning Commission took four actions related to the CUP applications for the Project: 1) found the Project is exempt from CEQA; 2) found housing elements would accommodate Fresno's housing needs; 3) approved CUP No. P18-03222 to develop the convenience store; and 4) denied CUP P18-03223 for the alcohol

WANGER JONES HELSLEY PC

May 1, 2019

Page 2

license. An appeal to set aside the Planning Commission's actions is on the agenda to be heard by the Fresno City Council tomorrow, May 2, 2019.

SKW Tulare, LLC hereby withdraws all of above-described approvals granted by the Fresno City Planning Commission for the Project. Withdrawal renders the appeal to the Fresno City Council moot, so there is no longer a basis for a hearing of the appeal during the May 2, 2019, Fresno City Council meeting.

Please contact our office should you have any questions or concerns about the withdrawal of these entitlements.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John P. Kinsey", followed by the initials "CRD" in a smaller, handwritten font.

John P. Kinsey

JPK/rm

cc: Sid Wiener