



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
July 2, 2008**

TO: Mayor and City Council
FROM: Karen L. Majors, Acting City Manager
SUBJECT: General Plan Amendment – 635 Vine Hill Way
DATE: June 25, 2008

RECOMMENDATION:

Applicant submitted the attached letter withdrawing his application for a General Plan Amendment dated June 25, 2008. A copy of the letter is attached.

Dana Dean
Amber Vierling *Of Counsel*
Venus Vilorio Berdan *Associate*

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June 25, 2008

Mr. Jeff Walter
670 West Napa Street, Suite F
Sonoma, California 95476

VIA FACSIMILE AND U.S. MAIL

Re: Freitas Development Matter

Dear Mr. Walter:

As I indicated in my conversation with you yesterday, my client has decided to withdraw his application in the above-referenced matter, pending consideration of other options available to him. Please be aware that this withdrawal is done under something akin to protest that results from roughly two decades of missteps, misrepresentations and broken promises from the city.

As you are well aware, the record is replete with examples of the City's continued misdirections and my client's repeated efforts to meet the City's ever-changing demands. Such efforts, including but not limited to, modifying the CC&R's to reflect approval of the planned subdivision, changed applications, changed conditions, etc. have all resulted in an enormous expenditure of resources (time, money and energy) that remain largely unanswered by the City. It is a shame that the City determined once again to require Mr. Freitas to commit so much life force to an application it now purportedly deems unfit.

With all of this in mind please accept this correspondence as formal notice of my client's intent to withdraw his application pending consideration of other available options.

Sincerely ,

Dana Dean

DD:sa

cc: Karen Majors
Lisa Marshall
Gary Freitas