

August 27, 2009

Dear Sir or Madam,

On behalf of my client, Fresh & Easy Neighborhood Market, I am requesting 2-year Extensions of Time on SUP-23593, which was approved at the October 17, 2007 city council meeting. Our street address is 3489 Owens Avenue and the Assessors Parcel Number is 139-25-516-002.

Earlier this year, in response to numerous comments and suggestions from both our customers and in-store employees, Fresh & Easy Neighborhood Market conducted a comprehensive study of the variety of products offered and the arrangement of our display shelves, coolers and freezers within each store.

The results of that study indicate our clientele wishes to have more ready-to-heat meals and other frozen or chilled selections available, which requires us to provide additional cooler and freezer space for the display of those items. In turn, the location and grouping of our non-perishable goods must be reconfigured to accommodate these extra cooler and freezer units.

Because trenching in the floor is necessary for the installation of drip trays and power cables for these new units, and the moving of oversized equipment and shelving will take place, Fresh & Easy decided that for the safety of its customers and workers, we would not to open any additional stores until after these changes have been completed.

Fresh & Easy has already retrofitted many of the stores that were previously open for business and is working hard to get our new locations ready for business. Recently, our Sahara and Decatur market was completed and we are now focusing on these improvements at our Ann and Centennial Center site. Engineering plans are being drawn for several other stores as well, and our construction team is working diligently -- but with a significant number of markets to go, we will not be able to complete some of them within the time frame originally specified within their conditions of approval.

This location, near Pecos on Owens, is one of those stores. All of our exterior construction and improvements have been completed and a Certificate of Occupancy issued. The landscaping is doing well and many of the shrubs and groundcovers are currently in bloom. All that remains is the retrofitting of our displays and equipment within the front-of-house portion of the building.

We ask for your patience and understanding, as well as your support of our request.

Yours truly,


Leni Skaar

**EOT-35835
10-21-09 CC**