

**McNEELY LAW GROUP, P.C.
ATTORNEYS AND COUNSELORS**

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**Also admitted in Illinois and Ohio*

January 17, 2023

City of Rochester Hills
Planning Commission
c/o Chris McLeod
1000 Rochester Hills Dr.
Rochester Hills, MI 48309

Re: Public Hearing January 17, 2023 Planning Commission Meeting
Objection to Rezoning Parcels 15-15-429-026, 15-15-429-027 and 15-15-429-034,

Dear Mr. McLeod:

As you are aware, I represent Rochester Hills Self Storage, LLC, the owner of the above referenced Parcels. My client is also the owner of Parcel 15-15-429-013, 014 and 015. Our client is in receipt of the Notice of Public Hearing regarding proposed rezoning of several parcels of property, including those owned by my client, to R-4. My client objects to the rezoning for a number of reasons including but not limited to:

- The Planning Commission making any recommendation is premature;
- Making a recommendation to change the zoning to R-4 would not be consist with the current and/or surrounding zoning;
- The subject proposed rezoning would not follow the general scope of Michigan law for rezoning, under which a Zoning Amendment must consider the specifics of the Zoning District and the individual property involved;
- R-4 zoning is not consistent with the Rochester Hills Master Plan;
- R-4 zoning would significantly limit the use of the property as currently zoned as Industrial;
- R-4 zoning is incompatible with the current Industrial zoning, and with my client's subject parcels, and would be a taking of my clients property;
- Rezoning these Parcels to R-4 will negatively impact traffic and utilities;
- My client should be allowed to use its contiguous Parcel as zoned as Industrial;
- Rezoning to R-4 will add additional burdens to neighboring land owners that may be subject to easements and access issues due to the landlock of my client's property;
- City liability for a taking, misrepresentations, and reliance by my client;
- City liability due to timing or previous zoning creating the landlocked nature of the

Parcels;

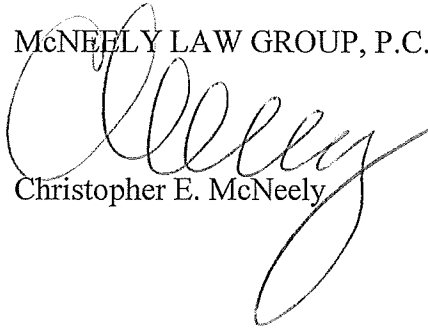
- My client has filed a variance application that should first be decided by the Zoning Board of Appeals (ZBA) before the Planning Commission makes a recommendation to the City Council regarding any rezoning

In conclusion it would be my client desires the Public Hearing be adjourned until a more appropriate time and the ZBA process may have time to be properly processed and decided.

Again, we very much appreciate the opportunity to work with you. Should you have any questions or comments pertaining to any of the foregoing, please call.

Sincerely,

McNEELY LAW GROUP, P.C.



Christopher E. McNeely

CEM/

cc: Jennifer MacDonald via email
Sara Roedigers via email



Planning Dept Email <planning@rochesterhills.org>

Regarding January 17 2023 meeting

1 message

Horst Reinhardt <horst@vrperformance.com>

Tue, Jan 17, 2023 at 4:17 PM

To: "planning@rochesterhills.org" <planning@rochesterhills.org>

Good afternoon,

I would like to concur with the rezoning of parcels located west of Rochester Rd. and south and west of Cloverport Ave to R-4 single family residential.

If this property cannot be used to expand green space in the city, the next best option is low-density single-family homes. To turn over old growth forest that is adjacent to green space and the historic Yawkey and Chapman's neighborhood to industrial of any sort would be a shame. Barring green space, R-4 simply makes the most sense and would be least harmful to the area.

With a bit of good luck, we can find a developer that will honor with the unique hilly topography and save the many large trees and abundant wildlife living on the property.

Thank you to the planning commission for its diligent work on this issue and working closely with the neighborhood most impacted by any changes.

Cheers,

Horst Reinhardt Sr and Jr

117 Cloverport Ave.



Planning Dept Email <planning@rochesterhills.org>

History of Cloverport Ave neighborhood

2 messages

Horst Reinhardt <horst@vrperformance.com>
To: "planning@rochesterhills.org" <planning@rochesterhills.org>

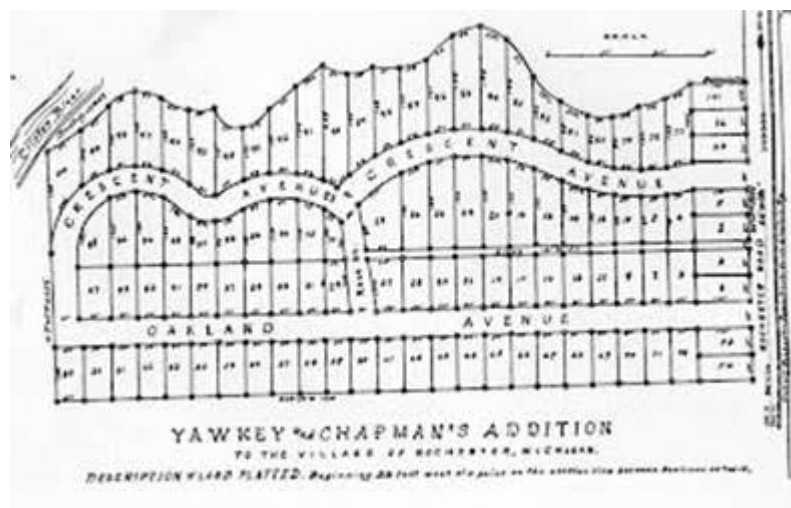
Tue, Jan 17, 2023 at 4:37 PM

Good afternoon,

Not sure how many are familiar with the history of the little neighborhood around Cloverport Avenue. And since we're talking about the green space zoning around the area, this might be of special interest.

From the "Remembering Rochester" blog:

Yawkey and Chapman's Addition lies just south of the Rochester city limits, west of Rochester Road, along the Clinton River. The plat for the subdivision was approved by the village council of Rochester in May 1900, with the assumption that the subdivision would become an addition to the village. The boundaries of Rochester were not extended that far south, however, and so Yawkey and Chapman's Addition to the Village of Rochester lies today within the City of Rochester Hills.



The subdivision was developed by William C. Yawkey (1834-1903) with William Clark Chapman (1866-1946) and his wife, Ada Barney Chapman. Yawkey was a Detroit financier who had made his fortune in the lumber trade in the Saginaw Valley and had been one of the founders of the Western Knitting Mills in 1891. William C. Chapman and his brother Charles S. Chapman were partners with Yawkey in the Western Knitting Mills and also served as officers of the company.

Advertisements for lots in the Yawkey & Chapman Addition claimed that they were "the most sightly lots in Oakland County," featuring "good drainage, pure air and wide streets." The lures of easy financing and mass transit options were used to attract buyers:

An interesting historical note about this subdivision is that none of the street names that were specified in the original plat of 1900 are in use today. In August 1950, when the Township of Avon was preparing to purchase street signs, the board of trustees adopted the recommendation of the Oakland County Road Commission to rename 96 roads and streets (or sections thereof) within the township, including all three streets in the Yawkey and Chapman Addition. Today, the street originally platted as Oakland Avenue is known as Cloverport, while the street first known as Crescent Avenue is now Childress Street, and Rose Street is known today as Enid.

Yawkey and Chapman's Addition is 123 years old this spring.

Cheers,

Horst Reinhardt Jr

117 Cloverport Ave.

Planning Dept Email <planning@rochesterhills.org>

Tue, Jan 17, 2023 at 4:57 PM

To: Chris McLeod <mcleodc@rochesterhills.org>, Sara Roediger <roedigers@rochesterhills.org>

Not sure if this is relevant to the rezoning request???

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