

# Howard & Howard

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May 22, 2015

**VIA HAND DELIVERY**

**Sara Roediger, AICP**  
**Manager of Planning**  
**Planning and Economic Development**  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309

**Re: REZONING APPLICATION**

**Applicant: Southeast Michigan Management Corp.**

**Address: 2642-2652 Crooks Road, Rochester Hills, Michigan 48309**

**Parcel ID No.: 70-15-29-427-036**

**Request: Rezone B-4 to REC-W**

Dear Ms. Roediger,

On behalf of Southeast Michigan Management Corp., we hereby request to rezone the property located at 2642-2652 Crooks Road (the "Property") from B-4 to REC-W. A single story building exists on the Property, a portion of which has been leased to *Michelle's Bio-Tech Linen Service* for many years, and the remaining portion is vacant. Our client would like to lease or sell the Property, and believes that rezoning the Property would not only bring it into conformity with 3 of the 4 parcels surrounding the Property, but would also give an end user or buyer more flexibility in using the Property.

In connection with our application, we have enclosed the following documents for your review:

1. Rezoning Application;
2. Check payable to the City of Rochester Hills in the amount of \$750.00 to cover the Application Fee;
3. Location map showing the Property and abutting parcels;
4. Aerial map showing the Property and abutting parcels;
5. Survey of the Property;
6. Environmental Impact Statement;

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7. Title Commitment for the Property indicating that there are no recorded restrictions in existence that would prevent the rezoning of the Property;
8. Existing Land Use Map showing current zoning of the Property as B-4, and the zoning of the surrounding parcels as REC-W; and
9. Future Land Use Map showing the proposed future use of the Property as Regional Employment Center.

*With regard to the plans for the development of the Property, no changes to the Property are proposed in connection with the rezoning requested herein. Our client will continue to market the Property for sale or lease, and the existing month to month lease with the current tenant will remain in effect. All prospective tenants and buyers that our client has spoken to, have inquired into the zoning of the Property, and the feedback provided by them is one of the main factors that has lead to the filing of this Rezoning Application.*

*With regard to why the change is necessary for the preservation of substantial property rights, we submit that the rezoning requested herein: (i) is consistent with the future land use plan, (ii) is called for in the City's future land use map, (iii) removes an "island" of B-4 zoned property that is surrounded on 3 of 4 sides by parcels that are zoned REC-W, and (iv) will increase the likelihood of attracting a tenant or buyer of the Property that will use or develop it in a way that promotes the growth and vitality that the City is looking to attract when it created the Regional Employment Center zoning designations. We also submit that the rezoning of the Property to REC-W will not be detrimental to the public welfare or the property of others in the vicinity, as the parcels surrounding the Property to the north, west and south, are currently zoned REC-W. The parcel to the east is owned by the Applicant, and is currently operated as a YaYa's Chicken. Any development or increased use of the Property will help the restaurant business to the east by bringing more employees and customers to the area.*

We thank you for your consideration of this Application, and we look forward to working with you, the Planning Commission and the City Council to process this matter. Should you need any additional information or documents in order to process our Application, please do not hesitate to contact me.

Very truly yours,

**HOWARD & HOWARD ATTORNEYS, PLLC**

J. Patrick Howe

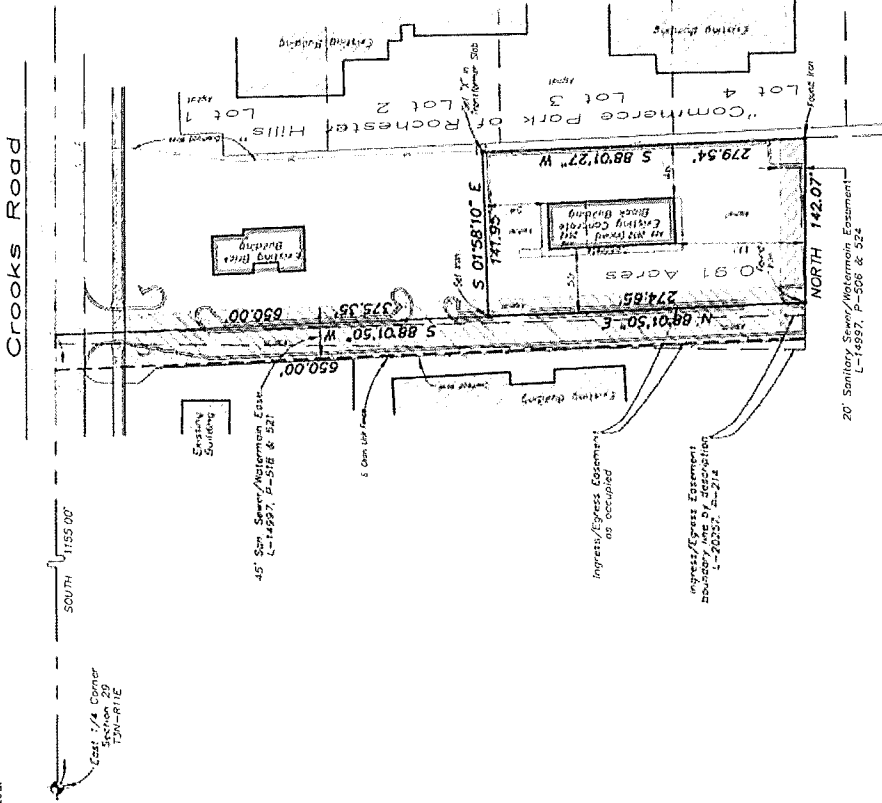
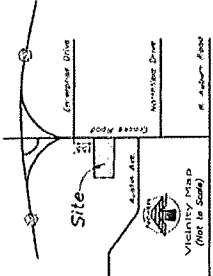
Enclosures

cc: Southeast Michigan Management Corp.

4837-5132-6244, v. 1

**NOTES:**

1. There are no proposed changes in street right of way lines.
2. Field observations do not indicate any evidence of recent street or sidewalk construction or repairs, current earth moving work, building construction or additions, uses as a solid waste dump, dump or sanitary landfill.
3. The site exhibits no indication of regulated wetlands.
4. There are no observable encroachments over setbacks, easements or boundary lines.
5. Described property is not located within an area having a Zone Designation of AREA OF MINIMAL FLOOD HAZARD, as indicated on the Department of Homeland Security, Federal Emergency Management Agency Flood Insurance Rate Map No. 261250093F, with an Effective Date of 9-26-2006, which is the current Flood Insurance Rate Map for the community in which said property is situated.



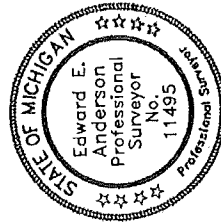
**ALTA/ACSM Land Title Survey**  
 Southeast Michigan Management Corporation and Blue Moon Holdings LLC.  
 2642, 2652 Crooks Road, Rochester Hills, Michigan 483029  
 Part of Section 29, Oakland County, Michigan

ORDERED TO, Southeast Michigan Management Corporation, and Blue Moon Holdings LLC.  
 PLACE ADDRESS: 2642, 2652 Crooks Road, Rochester Hills, MI 48309  
 PARCEL ID NO.: Do not have at this time.

Terms and conditions of Exclusive and Mutual Road Easement and Maintenance Agreement, as recorded in Liber 202857, page 214, Oakland County Records.  
 Sanitary Sewer/Watermain Easement in favor of City of Rochester Hills, as recorded in Liber 14997, page 518, and in Liber 14997, page 524, Oakland County Records.

RIGHTS of others over that portion of subject land used for the purpose of ingress and egress.  
 WEST PARCEL, Part of the Southwest 1/4 of Section 29, T34N-R11E, City of Rochester Hills, Oakland County, Michigan, described Commencing at the East 1/4 corner of said section; thence South 1158.00 feet; thence S 88°01'50\"/>

Together with an easement for ingress and egress described as: Commencing at the East 1/4 corner of Section 29, T34N-R11E, City of Rochester Hills, Oakland County, Michigan, described as follows: Commencing at the East 1/4 corner of said section; thence South 30.02 feet along said East line; thence North 88°01'50\"/>



CERTIFICATION TO: Southeast Michigan Management Corporation, A Michigan Corporation and Blue Moon Holdings, LLC, a Michigan Limited Liability Company.  
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the laws of the State of Michigan and the rules and regulations of the Board of Professional Surveyors, established and adopted by ALTA and The National Society of Professional Surveyors (NSPS) and includes items 3, 11(c), 11(b), 13, 16, 17, 18, 19, 20(c) and 21 of Table A thereof. The field work was completed on August 25, 2014.

Date of Plat or Map: \_\_\_\_\_  
 Edward E. Anderson  
 P.S. No. 11495

|        |       |      |     |
|--------|-------|------|-----|
| NAD 83 | 12538 | 6560 | 810 |
| NAD 83 | 12538 | 6560 | 810 |
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| NAD 83 | 12538 | 6560 | 810 |

**Field To Finish, Inc.**  
 Land Surveying Civil Engineering Site Planning  
 12238 Fenton Road Fenton, Michigan 48430  
 Phone 810 629 6560 or 810 632 9304  
 Fax 810 629 6563 or 810 632 9308  
 www.FieldToFinish.com

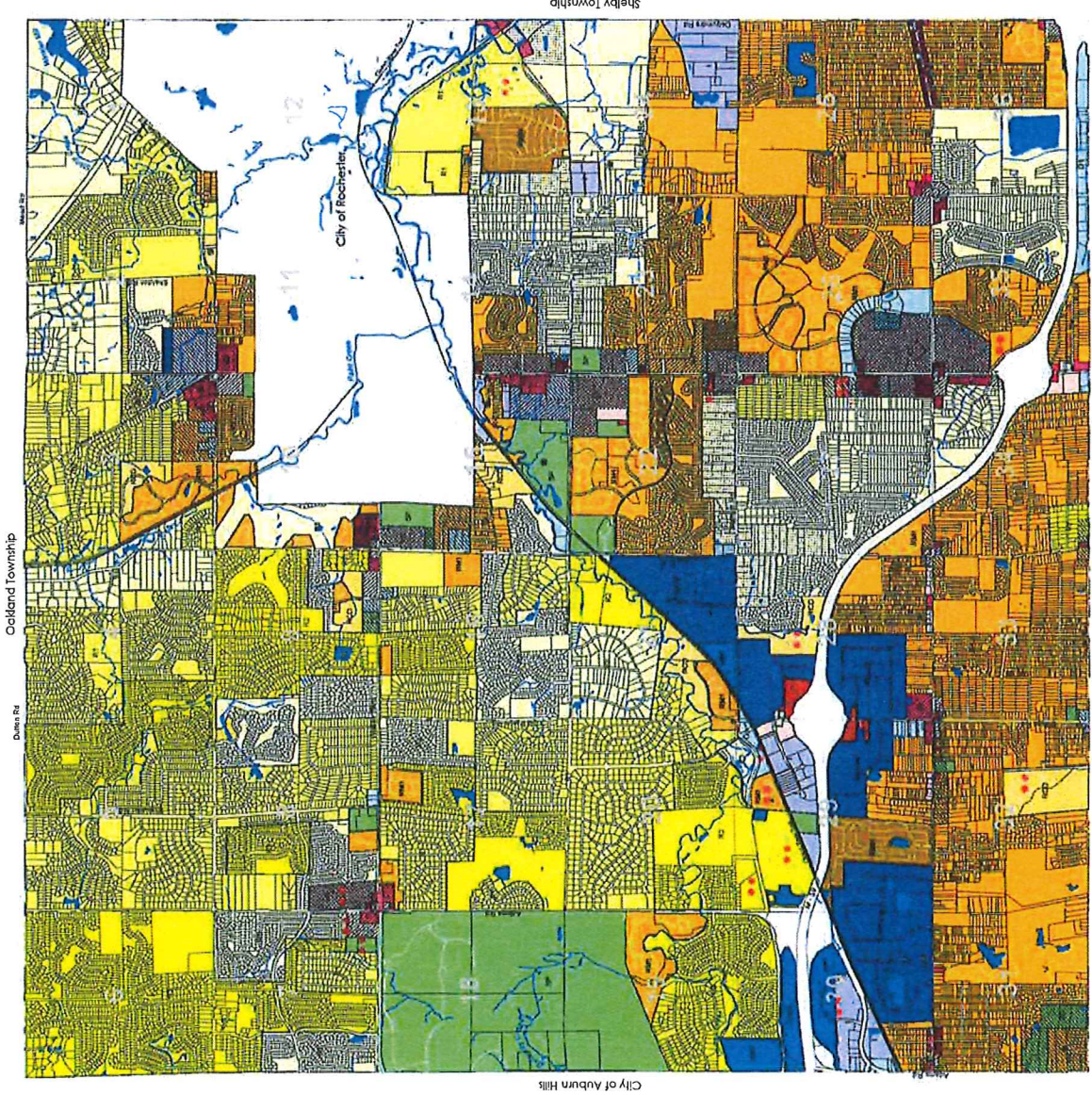


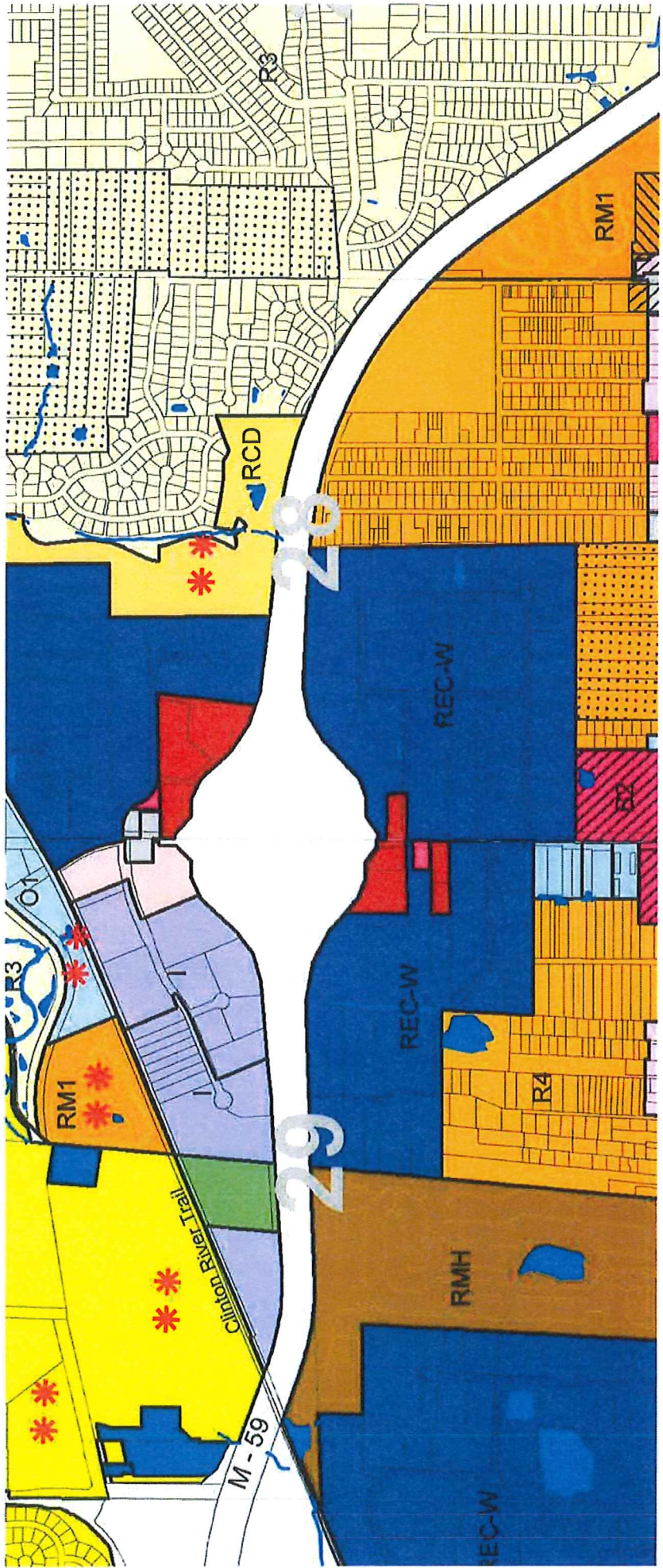
# ZONING DISTRICTS

- \* PUD Overlay
- Land Use is pursuant to Consent Judgment
- RE: Residential Estate
- R-1: One Family Residential
- R-2: One Family Residential
- R-3: One Family Residential
- R-4: One Family Residential
- RCD: One Family Cluster
- RM-1: Multiple Family Residential
- RMH: Manufactured Housing Park
- B-1: Local Business
- B-2: General Business
- B-3: Shopping Center Business
- B-4: Freeway Service Business
- B-5: Automotive Business
- CI: Commercial Improvement
- O-1: Office Business
- ORT: Office - Research - Technology
- I: Industrial
- REC-M: Mixed Use
- REC-C: Corridor
- REC-I: Interchange
- REC-W: Workplace
- SP: Special Purpose
- ROW
- FB-1: Flexible Business Overlay
- FB-2: Flexible Business Overlay
- FB-3: Flexible Business Overlay
- MR: Mixed Residential Overlay

## Township Section Number

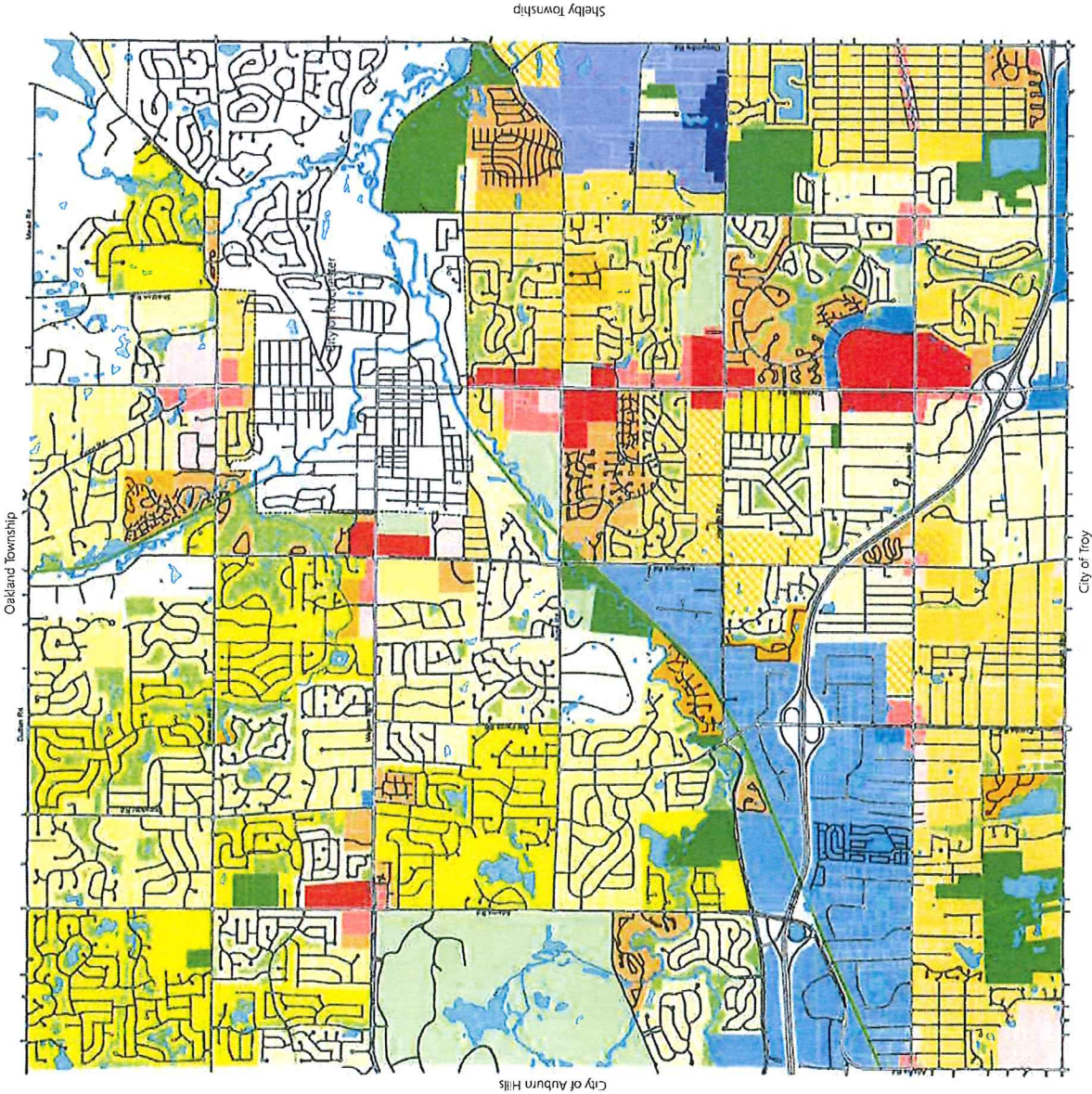
This map is for informational purposes only. A certified copy of the city's zoning map and subsequent zoning amendments are available at the City Clerk's office.





# Future Land Use

- Estate Residential
- Residential 2
- Residential 2.5
- Residential 3
- Residential 4
- One Family Cluster
- Mixed Residential
- Multiple Family
- Business/Flexible Use 1
- Business/Flexible Use 2
- Business/Flexible Use 3
- Office
- Regional Employment Center
- Landfill
- Industrial
- Special Purpose
- Park/Public Open Space
- Private Recreation/Open Space



1 inch = 3,333 feet  
 10/17/2012  
 0 1,650 3,300 6,600 Feet



## Planning and Economic Development

Area published as of November 2011.  
 The information was obtained on 10/17/2012 from Oakland County. Although this information  
 was obtained from Oakland County, the City of Rochester Hills assumes no liability for any errors arising from the use of this map.

