



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

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Legislative File No: 2006-0294

TO: Mayor and City Council Members
FROM: John D. Staran, City Attorney
DATE: April 13, 2006
SUBJECT: Settlement of Adams/Hamlin litigation

REQUEST:

City Council is asked to decide whether to approve the proposed Consent Judgment

BACKGROUND:

In 2004, after being denied for a rezoning to B-2 general business and a use variance, the owners and prospective developers of the approximately 28 acre parcel of vacant land at the NE corner of Adams and Hamlin filed a lawsuit, styled *Adams/Hamlin Development Co, et al v City of Rochester Hills*, Oakland County Circuit Court No. 04-060730, claiming the City's R-2 one-family residential zoning is unconstitutional and seeking invalidation of the zoning and money damages. In 2005, the Court ordered the parties to facilitation. The facilitation process culminated in a proposal for a mixed use development with office and retail uses. Further negotiation has refined the concept, and details have been fully explained to Council and to the public by means of a series of public information meetings. A proposed consent judgment setting forth the proposed settlement has been prepared for the Council's consideration for approval. Trial is scheduled to commence on June 5.

RECOMMENDATION:

It is recommended that the City Council now decide whether or not to approve the proposed settlement.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA
