



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2010-0094 V4

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Economic Development, ext. 2572

DATE: October 18, 2013

SUBJECT: A request by G&V Investments to present to the City Council

REQUEST:

Mr. John Gaber, Attorney for G&V Investments, has submitted a letter to City Council advising that the owners have decided to allow the Planned Unit Development (PUD) to expire on the date established in the PUD document. That date is 3 years after the approval on November 16, 2010 or November 16, 2013. This expiration is being brought about as the developer has no intention to request an extension per the attorney's letter.

BACKGROUND:

Without going into too much detail, the PUD has existed on this site since 2003 when G&V were working toward a mixed-use development along Rochester Road and apartments along the eastern property line.

In 2010 they requested modifications to enable more flexibility in marketing the site. That brought about the 2010 Amended PUD which G&V are now notifying the City that they wish to remove. Under Sec. 18 C of the City Place Amended and Restated PUD Agreement, if the project is not "substantially complete" within 10 years and the City believes the Developer has abandoned the project, the City may take action to terminate the PUD and initiate rezoning of the undeveloped portion of the land.

This entire question and procedure is more of a legal matter and I believe Mr. Staran will advise the Council as to what is appropriate at the October 28, meeting.

RECOMMENDATION:

If the City Council determines the Owner has abandoned the project, the City Council should refer the matter to the Planning Commission to evaluate the area, the Master Land Use Plan and the zoning, to determine and initiate the appropriate zoning designation(s) for the property and make a recommendation to City Council.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

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