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February 16, 2010

City Council  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309

***Re: Proposed Modifications to City Place PUD Agreement  
G & V Investments - Rochester Road Property***

Dear Members of City Council:

My clients, Mr. William Gilbert and Mr. Cornell Vennettilli (“G & V Investments”), appeared before you last September, requesting the elimination of the Historic District on their property. This request was part of a plan to modify the City Place PUD Agreement to enable the property to be productively developed in a productive manner acceptable to both G & V Investments and the City. At that meeting, City Council was advised that my clients had appeared before the Planning Commission in August 2010 to discuss modifications to the City Place PUD Agreement, and that we would appear before City Council in the future for a similar discussion.

In 2004, the City and G & V Investments entered into the City Place PUD Agreement (“PUD Agreement”) with respect to the future development of the entire 27 acre property owned by my clients (“Property”). Due to an extended period of changing market conditions since the PUD was approved, and the recent collapse in the real estate market, the Property has not been developed. The approved PUD Agreement was very specific and detailed. It specified the size, height, location and architecture of each building to be developed on the Property. My clients have marketed this approved development in both good and bad real estate market conditions, with no success. As a result, we are requesting that the City agree to amend the PUD Agreement to add considerably more flexibility to facilitate the development of the Property.

The proposal being presented for your consideration is to permit the Property to be developed in accordance with the Flexible Business 1 zoning overlay (FB-1), with up to 50,000 square feet of retail/commercial use along the Rochester Road frontage. No commercial buildings would be located closer than 150 feet to the east (Eddington

Farms) property line, and conditional land use approval by the City Council would be required for any building in excess of 12,500 square feet or located closer than 50 feet to the Eddington Boulevard right-of-way. The balance of the site will be subject to development in accordance with FB-1 standards, subject to a few provisions carried over from the existing PUD Agreement.

These modifications will result in a density much less than the maximum 710,177 square feet permitted under the existing PUD Agreement. More open space will result. Building heights will be limited to two stories within 100 feet of the east Property line, and three stories elsewhere. This is a reduction from the four stories permitted in areas of the Property under the existing PUD Agreement. These factors, combined with the application of the FB-1 design standards, will result in a development with lower density and greater open space, possible neighborhood retail located only along the Rochester Road frontage, office development and/or residential development.

The two attachments to this letter will help to better explain the above points. The chart summarizes the differences between the existing PUD Agreement and the proposed modified PUD Agreement. The drawing shows the area where retail/commercial could possibly be located, subject to the revised terms of the PUD Agreement.

We look forward to discussing the proposed PUD modifications with you at your March 1, 2010 meeting. Thank you for your attention to this matter and your consideration of our proposal.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.



John D. Gaber

JDG:djq  
Enclosures  
(497373)

cc: Mr. William Gilbert