



City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.  
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Legislative File No: 2025-0473

**TO:** Mayor and City Council Members

**FROM:** P. Daniel Christ, City Attorney

**DATE:** October 30, 2025

**SUBJECT:** ROCHESTER HILLS SELF STORAGE, LLC v CITY OF ROCHESTER HILLS  
2024-208380-CC

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**REQUEST:**

Request for City Council to consider proposed Consent Judgment resolving litigation concerning three contiguous parcels located west of Rochester Road and south of Cloverport Avenue.

**BACKGROUND:**

Rochester Hills Self Storage, LLC purchased the subject property in May 2022. At the time of the purchase, two of the three parcels were zoned Industrial. The remaining property was split zoned with the north half zoned R-4 and the southern half zoned Industrial. The Master Plan identified the future land use of the Industrial parcels to be R-4 and the other parcel to be Residential Office Flex. In August 2022, City Council referred to the Planning Commission two of the parcels (along with a City-owned parcel) for a recommendation on possible rezoning. During the Planning Commission consideration of the rezoning proposal, a representative of Plaintiff spoke against the rezoning indicating it had purchased the property under the belief it could be developed as a self-storage facility. The Planning Commission recommended rezoning and City Council approved the rezoning of the property to R-4 in February 2023.

Plaintiff filed a lawsuit against the City in July 2024 alleging the rezoning constituted a taking and that the rezoning violates Plaintiff's substantive due process rights. During subsequent discussions with Plaintiff's representatives a concept plan was discussed that would allow for development of single-family development on the property. The proposed concept plan would include a total of eleven single family residential lots (conceptual plan, prepared by Atwell, LLC revised August 18, 2025). The City's tree ordinance would be complied with an agreement there would be no variance applied sought. Two lots (lots 10 and 11) are proposed to have five (5) foot variance from the minimum lot width requirement of eighty (80) feet and a 2100 square foot variance from the minimum lot area requirement. It is also proposed the right of way would be 50 foot in width, 10 feet less than the normal City right of way width.

**RECOMMENDATION:**

City Council approve the proposed Consent Judgment resolving litigation concerning three contiguous parcels located west of Rochester Road and south of Cloverport Avenue.

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| APPROVALS:          | SIGNATURE | DATE |
|---------------------|-----------|------|
| Department Review   |           |      |
| Department Director |           |      |
| Mayor               |           |      |
| City Clerk          |           |      |

Contract Reviewed by City Attorney      ☒ Yes      ☐ N/A