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November 19, 2012

Anthony J. Bales, City Manager
City of Hudson
27 East Main Street
Hudson, Ohio 44236

Re: Request to Table Rezoning Request (Ordinance No. 12-127) and Conservation
Easement Issue

Dear Mr. Bales:

As you are aware, M7 Realty, LLC is the owner of the property at 5715 and 5735 Darrow Road in the City of Hudson and has an application for a rezoning of a portion of those properties currently pending in Ordinance No. 12-127 before the Hudson City Council. As the property owner, we request that this rezoning ordinance, initiated by application from the property owner, be tabled for a period not to exceed twelve (12) months from the date of this letter. The purpose of this request is that depending upon whether vehicle sales at the location meet certain levels, the rezoning being applied for may not be necessary since the contemplated Phase 2 development of the site to expand the automobile dealership may not happen. We will know within the next twelve (12) months whether the automobile dealership will be expanding its operations at the site which will require a rezoning of the residentially-zoned portion of the subject properties. Within the twelve (12) month period we will either request that the Council again place the rezoning on the agenda, or will notify the City that our rezoning request is

withdrawn. We understand that if we make neither request of the City within such twelve (12) month period, any request for rezoning will have to be considered a new request.

Also, a condition of approval by the City Planning Commission of the conditional use of the property for an automobile dealership required an executed deed of conservation easement be submitted to the City to protect the area of the properties that is currently residentially-zoned. As you are aware, we have satisfied the condition of the Planning Commission's decision by submitting an executed "Deed of Conservation Easement" to the City. A zoning certificate has been issued by the City for current use of the site as an automobile dealership.

Regardless of whether a conservation easement covers the subject site, this letter constitutes a commitment to the City of Hudson that there will not be any material disturbance of the area set forth in that Deed of Conservation Easement submitted by M7 Realty, LLC for the twelve (12) month period (i.e., no excavation or removal of trees) and that upon any untabling and passage of the proposed rezoning Ordinance No. 12-127 by City Council, the owner of the subject property will agree to execute the proposed *revised* Deed of Conservation Easement as set forth in, and attached to, Resolution No. 12-148 now pending before the Hudson City Council. We also request that Resolution No. 12-148 be tabled for up to one (1) year for the same reasons as set forth above. At the expiration of the twelve (12) month period, if the rezoning is not back on the agenda, or if the Deed of Conservation Easement has not been recorded, we understand that any disturbance to the proposed easement area may only be done in conformance with applicable codes and regulations.

Please forward this correspondence to the Hudson City Council for its consideration of and action upon these requests. Thank you for your attention to this matter.

Sincerely,

M7 Realty, LLC

By:  _____

Date: 11-19-12