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David W. Berry (1948-2008)

October 13, 2009

Via Certified U.S. Mail

The Clerk of the City of Ann Arbor City Clerk Jacqueline Beaudry City Hall, 2nd Floor 100 N. Fifth Ave. Ann Arbor, MI 48104



RE: REQUEST FOR AN INDIVIDUAL HEARING ON THE REZONING OF 1320 SOUTH UNIVERSITY

TO: THE CLERK OF THE CITY OF ANN ARBOR

Under MCL 125.3401, the "legislative body shall grant a hearing on a proposed ordinance provision to an interested party who requests a hearing by certified mail addressed to the clerk of the legislative body." The owners of 1320 South University ("Owners"), therefore, request that the City Council grant them a hearing on the ordinance proposed for the rezoning of 1320 South University currently scheduled for second reading on October 19, 2009. According to MCL 125.3401, the City must provide notice to the interested party requesting the hearing 15 days before the date of the hearing requested under this section of the Michigan Zoning Enabling Act, MCL 125.3401, et seq.

The Owners therefore further request that the City Council defer the rezoning of 1320 South University to give the Owners an opportunity to offer conditions on the rezoning of the Owners' land to D1. The Owners will propose conditions for the rezoning of the parcel to D1 on or before the date of the individual hearing that the City Council must hold under MCL 125.3401 to consider the rezoning of 1320 South University.

Very truly yours,

Susan K. Friedlaender

Attorneys for the Owners of 1320 South University

SKF/tn

cc: Honorable Mayor John Hieftje, via e-mail

City Council Member Sabra Briere, via e-mail

City Council Member Sandi Smith, via e-mail

City Council Member Stephen Rapundalo, via e-mail

City Council Member Tony Derezinski, via e-mail

City Council Member Leigh Greden, via e-mail

City Council Member Christopher Taylor, via e-mail

City Council Member Marcia Higgins, via e-mail

City Council Member Margie Teall, via e-mail

City Council Member Mike Anglin, via e-mail

City Council Member Carsten Hohnke, via e-mail

Stephen K. Postema, City Attorney, via e-mail and U.S. mail