



## Legislation Details (With Text)

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**File created:** 7/8/2021      **In control:** City Council Regular Meeting

**On agenda:** 7/15/2021      **Final action:** 2/7/2022

**Title:** Request for Approval of a Brownfield Plan for the remediation of property for a proposed retail development on 2.2 acres located at the northeast corner of Rochester and Avon Rds., zoned B-2 General Business and B-5 Automotive Service Business with an FB-3 Flexible Business Overlay, Rochester Avon Partners, LLC, Applicant

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 020722 Agenda Summary.pdf, 2. Public Hearing Notice.pdf, 3. Notice to Taxing Jurisdictions.pdf, 4. 011022 Agenda Summary.pdf, 5. Memo Roediger 111121 Mtg.pdf, 6. Memo Wackerman 110421.pdf, 7. Memo PM Environmental 091721.pdf, 8. Memo Assessing 100421.pdf, 9. Brownfield Plan Revised 110221.pdf, 10. 975 S. Rochester Proforma Version 5.pdf, 11. Brownfield Application 061121.pdf, 12. Brownfield Policy.pdf, 13. Minutes BRA 111821.pdf, 14. Public Hearing Notice 111821.pdf, 15. Minutes BRA 071521.pdf, 16. Memo Roediger 070821 Mtg..pdf, 17. Memo Wackerman 070721.pdf, 18. Draft Brownfield Plan 070621.pdf, 19. 975 S. Rochester Proforma Version 3.pdf, 20. Phase I ESA E-report 092520.pdf, 21. Asbestos Survey 060921.pdf, 22. BEA 091019 Part 1.pdf, 23. BEA 091019 Part 2.pdf, 24. BEA 091019 Part 3.pdf, 25. Phase 1 ESA 091019 Part 1.pdf, 26. Phase 1 ESA 091019 Part 2.pdf, 27. Phase 1 ESA 091019 Part 3.pdf, 28. 011022 Resolution.pdf, 29. Resolution (Draft).pdf

Date	Ver.	Action By	Action	Result
2/7/2022	3	City Council Regular Meeting	Adopted by Resolution	Pass
1/10/2022	2	City Council Regular Meeting	Adopted by Resolution	Pass
11/18/2021	1	Brownfield Redevelopment Authority	Recommended for Approval	Pass
7/15/2021	1	Brownfield Redevelopment Authority	Discussed	

Request for Approval of a Brownfield Plan for the remediation of property for a proposed retail development on 2.2 acres located at the northeast corner of Rochester and Avon Rds., zoned B-2 General Business and B-5 Automotive Service Business with an FB-3 Flexible Business Overlay, Rochester Avon Partners, LLC, Applicant

**Resolved,** that the Rochester Hills City Council hereby approves the Brownfield Plan dated November 2, 2021 for the Rochester/Avon Retail Development, Parcel Nos. 15-14-351-011, -012 and -068, limiting the reimbursement of eligible costs to be the proportional share of the capturable taxes, which would result in a reimbursement of \$238,302 with an 8 year reimbursement period, with the following findings and subject to the following conditions:

**Findings:**

1. The submitted plan meets the requirements for a Brownfield Plan under State Act 381 and the City of Rochester Hills.
2. The subject parcels qualify as a "facility" under the terms of Act 381.
3. The submitted plan qualifies for the use of tax increment financing based on the policies and goals of the Brownsfield Redevelopment Authority.
4. If implemented, the amount, pay-back period and use of tax increment financing is reasonable for the eligible activities

proposed.

**Conditions:**

1. Execute a Reimbursement Agreement within 180 days of Plan approval by City Council, including performance requirements as described in ASTI's letter dated November 4, 2021.

- a. The amount of the reimbursement is a not-to-exceed amount;
- b. Since capture is limited to the proportional share of local taxes, or limited for any other reason, include a limit based on the calculated number of years for the reimbursement period; and
- c. Eligible expenses reimbursed under MUSTA will not be reimbursed under the Plan.