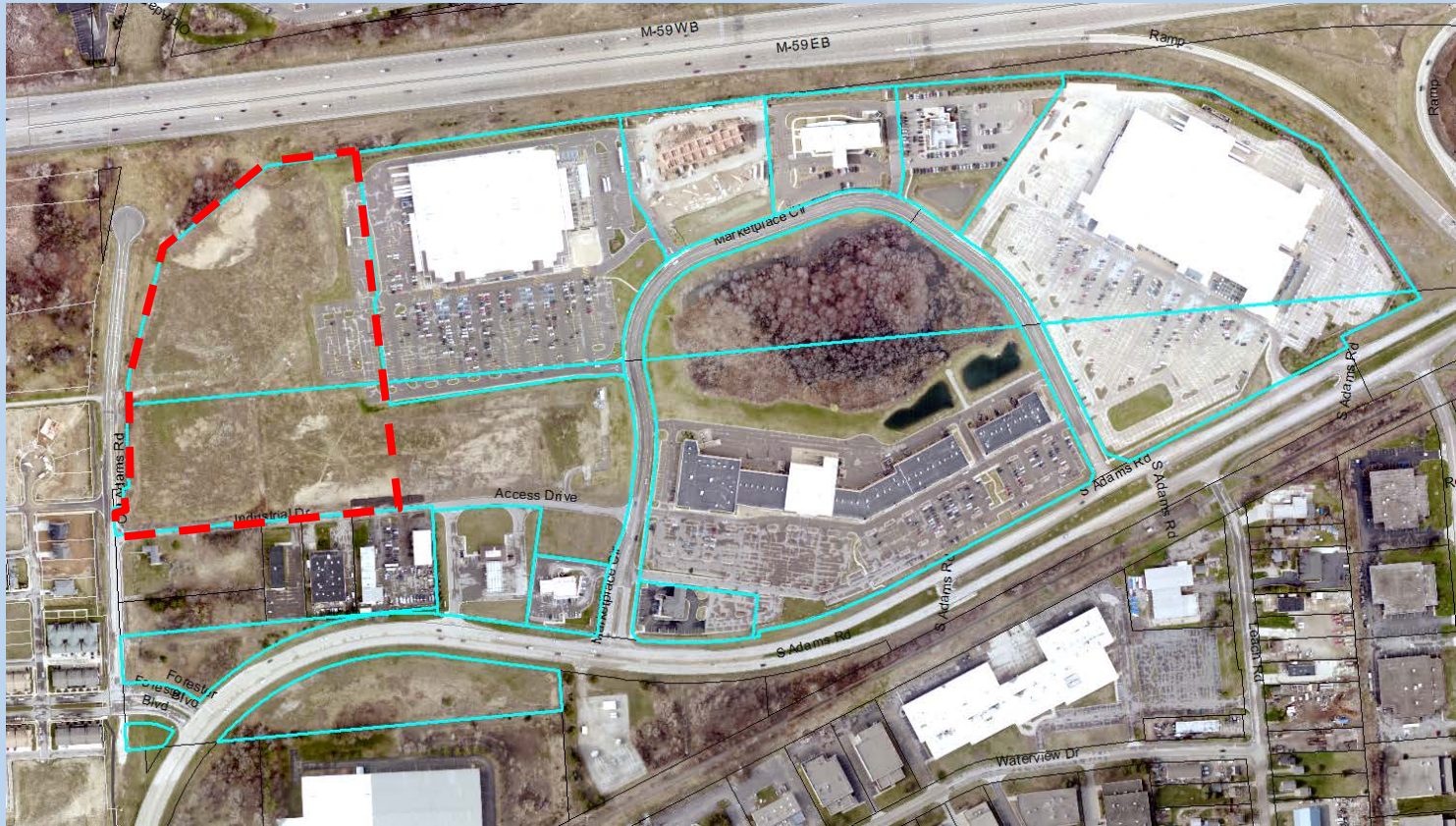




Marketplace/KOSTAL

Consent Judgment Amendment

- 104 acres south of M-59, north of Adams
- Zoned Office Research & Technology (ORT) & Industrial (I)
- Existing Consent Judgment governs
- KOSTAL proposed development on 16 acres next to Meijer

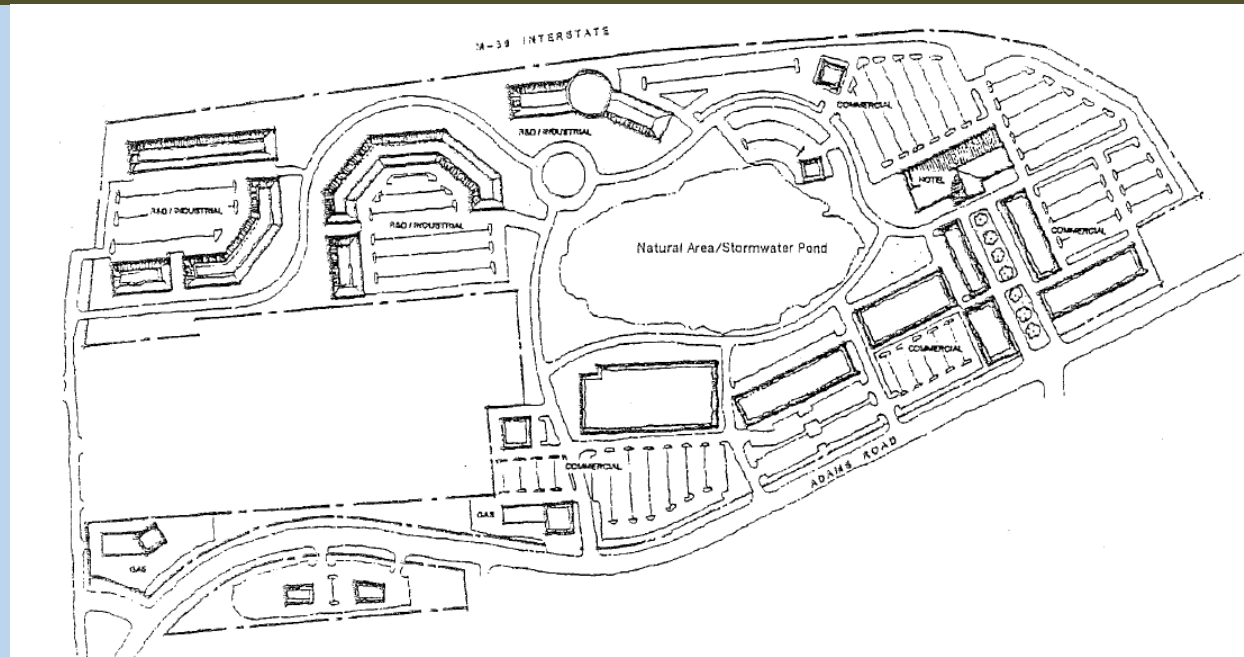




Marketplace Existing Consent Judgment

Consent Judgment Amendment

- Court ordered development of the property
- Consent judgment approved in April 2003
- Result of controversial agreements involving the Adams interchange at M-59
- Amendment of the consent judgment needs to go back to court to change
- City has a choice to allow development as called for in current consent judgment or to amend for proposed project



- Max. of 800,000 sq. ft. ground floor building area (523,000 sq. ft. already built, leaving 277,000 sq. ft.)
- Allows for a mix of retail, restaurants, hotels, office, research & technology & light industrial uses



Marketplace/KOSTAL: Proposed Changes

Consent Judgment Amendment

Changes needed to Consent Judgement to accommodate KOSTAL:

1. Increase ground floor building area to 840,000 sq. ft. for the Marketplace site & dedicate 260,000 sq. ft. for KOSTAL (after KOSTAL only 17,000 sq. ft. remains, while there are still over 8 acres of vacant land on the site)
2. Prohibit the construction of any additional hotels on the Marketplace site
3. Limit remaining buildings on the Marketplace site to 2 stories
4. Allow a freestanding monument sign for KOSTAL
5. Allow the KOSTAL building to consist primarily of metal panels & not require decorative canopies or awnings



Marketplace/KOSTAL

Consent Judgment Amendment

- Request this evening is to approve an amended consent judgment
- If approved, the next steps are:
 - City attorney, mayor & staff finalize & execute amended consent judgment with property owner & court
 - Site plan review by Technical Review Committee & recommendation to City Council

