



Legacy Rochester Hills

Consent Judgment Amendment

- 28 acres on northeast corner of Hamlin & Adams
- Former illegal landfill resulting in a number of areas with contaminated soils
- Zoned One-Family Residential
- Existing Consent Judgment governs





Legacy Rochester Hills

Consent Judgment Amendment

- Court ordered development of the property
- Consent judgment approved in April 2006
- Result of controversial B-2 General Business rezoning request that City denied
- 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



95,500 sq. ft. office

72,600 sq. ft. retail

368 residential luxury apartments

- KEY**
- (A) PERVIOUS PAVER DRIVE
 - (B) POOL AREA
 - (C) RETENTION POND
 - (D) PLAYGROUND
 - (E) OUTDOOR EXERCISE EQUIPMENT
 - (F) PROTECTED AREA
 - (G) PATHWAY CONNECTION TO PARK
 - (H) LANDSCAPE BUFFER
 - (I) DOG PARK
 - (J) UNDERGROUND DETENTION AREA
 - (K) PRESERVE AREA
 - (L) BIKE RACK
 - (M) DOG SPA
 - (N) COMPACTOR
 - (O) GARGE 10



NOTE: 100' BUFFER TO MAINTAIN EXISTING BUFFERS IN UNDISTURBED AREAS. ADDING LANDSCAPING TO THE NORTHEAST SECTION OF SITE.



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Comparison Existing & Proposed Amended Consent Judgments

	Existing CJ	Proposed Amended CJ
Uses	Office & retail	Residential
Max. Height	2.5 story office (north) w/ 1 story retail along Hamlin	2 story residential (north) w/ 3 & 4 story residential along Hamlin
Environmental Clean Up	Non-residential encapsulated	Residential clean up on majority of property (no further action), easternmost non-residential encapsulated
Environmental Clean Up Cost	\$3.5 Million	\$13.4 Million
Duration of Tax Relief	15 years	18 years
Traffic	Estimated ADT 10,100 trips	Estimated ADT 2,000-2,700 trips



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Language was added since the Feb. 5 City Council meeting addressing the following:

1. Final building elevations will be approved as part of site plan review consistent with the surrounding neighborhood & provide a Tudor style with partial fieldstone front façade
2. Trees within the northern buffer area will not be removed unless absolutely necessary
3. Reimburse up to \$20,000 towards cost of constructing a right turn lane off of northbound Adams onto Portage Trail if constructed within 2 years of consent judgment (updated to 10 years)
4. Specify how the landscape allowance would be divided amongst the 13 abutting parcels
5. Install outdoor exercise equipment for public use on the east property





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Brownfield Plan & Reimbursement Agreement

Brownfield Plan

- \$48 million investment
- Initial taxable value \$37,440 with future taxable value of \$19.75 million
- Tax capture begins in 2020 for an estimated 18 year to reimburse \$13,419,587 including eligible activity costs, contingency & 5% interest
- BRA unanimously recommended approval at their April 10, 2018 meeting
- BRA found interest to be eligible & appropriate in this case due to the site's history & the extensive cleanup necessary on the site to be used for residential purposes

Reimbursement Agreement

- Details administrative & operating activities associated with the tax capture & allows City to collect up to \$10,000 per year for oversight
- Staff & consultants recommend approval



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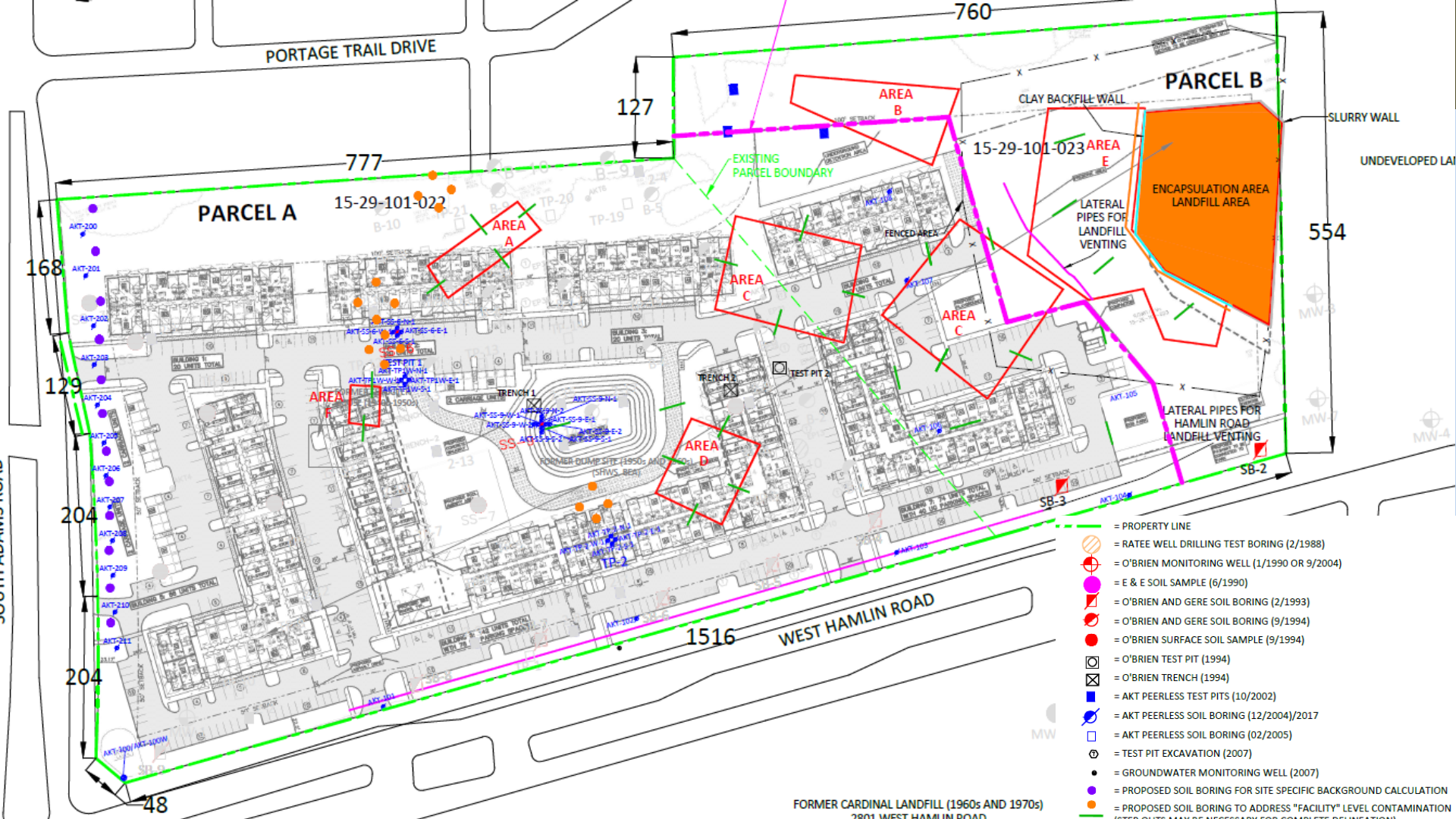
Consent Judgment Amendment

- Requests this evening are to approve:
 - Amended Consent Judgment
 - Brownfield Plan
 - Brownfield Reimbursement Agreement
- If approved, the next steps are:
 - City attorney, mayor & staff finalize & execute amended consent judgment with property owner & court
 - Submittal of Act 381 Work Plan to MDEQ
 - Site plan review by Planning Commission & recommendation to City Council
- Alternative to approving the amendment is to develop site under current consent judgment

Proposed Amended CJ



Existing CJ



PORTAGE TRAIL DRIVE

PARCEL A

PARCEL B

ENCAPSULATION AREA
LANDFILL AREA

WEST HAMLIN ROAD

FORMER CARDINAL LANDFILL (1960s AND 1970s)
2801 WEST HAMLIN ROAD

- = PROPERTY LINE
- = RATEE WELL DRILLING TEST BORING (2/1988)
- = O'BRIEN MONITORING WELL (1/1990 OR 9/2004)
- = E & E SOIL SAMPLE (6/1990)
- = O'BRIEN AND GERE SOIL BORING (2/1993)
- = O'BRIEN AND GERE SOIL BORING (9/1994)
- = O'BRIEN SURFACE SOIL SAMPLE (9/1994)
- = O'BRIEN TEST PIT (1994)
- = O'BRIEN TRENCH (1994)
- = AKT PEERLESS TEST PITS (10/2002)
- = AKT PEERLESS SOIL BORING (12/2004)/2017
- = AKT PEERLESS SOIL BORING (02/2005)
- = TEST PIT EXCAVATION (2007)
- = GROUNDWATER MONITORING WELL (2007)
- = PROPOSED SOIL BORING FOR SITE SPECIFIC BACKGROUND CALCULATION
- = PROPOSED SOIL BORING TO ADDRESS "FACILITY" LEVEL CONTAMINATION

