



Legislation Text

File #: 2021-0276, **Version:** 3

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.