CITY OF NOVI CITY COUNCIL
MARCH 18, 2024

SUBJECT: Approval of the request of DTN Management/Tricap Holdings for JSP 18-10, The Bond development, for a one-year extension of their Final Site Plan approval. The property is zoned TC-1 (Town Center One) and is approximately 7.74 acres. It is located on the southwest side of Bond Street, south of Grand River Avenue and west of Novi Road in Section 22. The applicant received Final Stamping Set approval for a mixed-use development with two four-story multi-family residential buildings with a total of 260 apartments on April 14, 2022.

SUBMITTING DEPARTMENT: Community Development Department - Planning

BACKGROUND INFORMATION:

The subject property is approximately 7.74 acres and is located on the southwest side of Bond Street. Bond Street is located near the southwest quadrant of Grand River Avenue and Novi Road (Section 22). The applicant previously received approval to redevelop the former Fendt Transit Mix Concrete Plant into a mixed-use development with two four-story multi-family residential buildings with a total of 260 apartments and a single-story commercial building (5,578 SF). The site improvements include a two-level parking structure, surface parking, site amenities such as a swimming pool, landscaped courtyards, and related landscape improvements.

If approved, this extension would allow additional time for the applicant to begin construction of the previously approved project. As stated in the applicant's letter requesting the extension, they have encountered difficulties navigating coordination between FEMA approval of a revised floodplain map (which did not impact their property) and HUD loan approval. In the interim, rising interest rates and construction costs also caused the project to be delayed.

If the extension is granted, the new expiration date for the site plan approval will be April 13, 2025. Unless another extension is granted, or a new approval is granted, construction would need to begin by that date, or the site plan process would need to be restarted. Section 6.1.6 of the Zoning Ordinance allows up to three one-year extensions to be granted by the approving body.

At this time, Planning staff is not aware of any changes to the ordinances, or surrounding land uses, which would affect the approval of the requested extension for one year.

DEVELOPMENT AGREEMENT

The site plan qualifies for a mixed-use development and the higher densities the Town Center-1 District offers since the applicant is proposing 10 percent of the total development as non-residential use. Because the applicant is proposing to build the qualifying non-residential use in phase 3, the timing of which is undetermined, the developer agreed to enter into a Development Agreement with the City. The Development Agreement was approved by City Council at their April 15, 2019, meeting (recorded with Oakland County Records on May 24, 2019, at Liber 52859, Page 785). The agreement in general consists of the following:

1. It sets forth conditions required in connection with the approval relating to certain deviations and variances.
2. The subject property shall be developed and used solely for mixed-use development in accordance with the approved Site Plan.
3. It governs the type of use and timing of construction of the commercial portion of the project.

On November 25, 2019, the Developer and City Council entered into a First Amendment to the Development agreement, which increased the allowable number of rooms to 260 with a corresponding increase in the room count.

On January 25, 2021, the Developer and City Council agreed to a Second Amendment to the Development Agreement which allowed minor changes to the parking lot, façade, and landscaping, and did not impact any of the original conditions of the agreement.

RECOMMENDED ACTION: Approval of the request of DTN Management/Tricap Holdings for JSP 18-10, The Bond development, for a one-year extension of their Final Site Plan approval. The property is zoned TC-1 (Town Center One) and is approximately 7.74 acres. It is located on the southwest side of Bond Street, south of Grand River Avenue and west of Novi Road in Section 22. The applicant received Final Stamping Set administrative approval for a mixed-use development with two four-story multi-family residential buildings with a total of 260 apartments on April 14, 2022. The extension granted results in a new expiration date of April 13, 2025.

(This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance, Chapter 11 and Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.)