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:

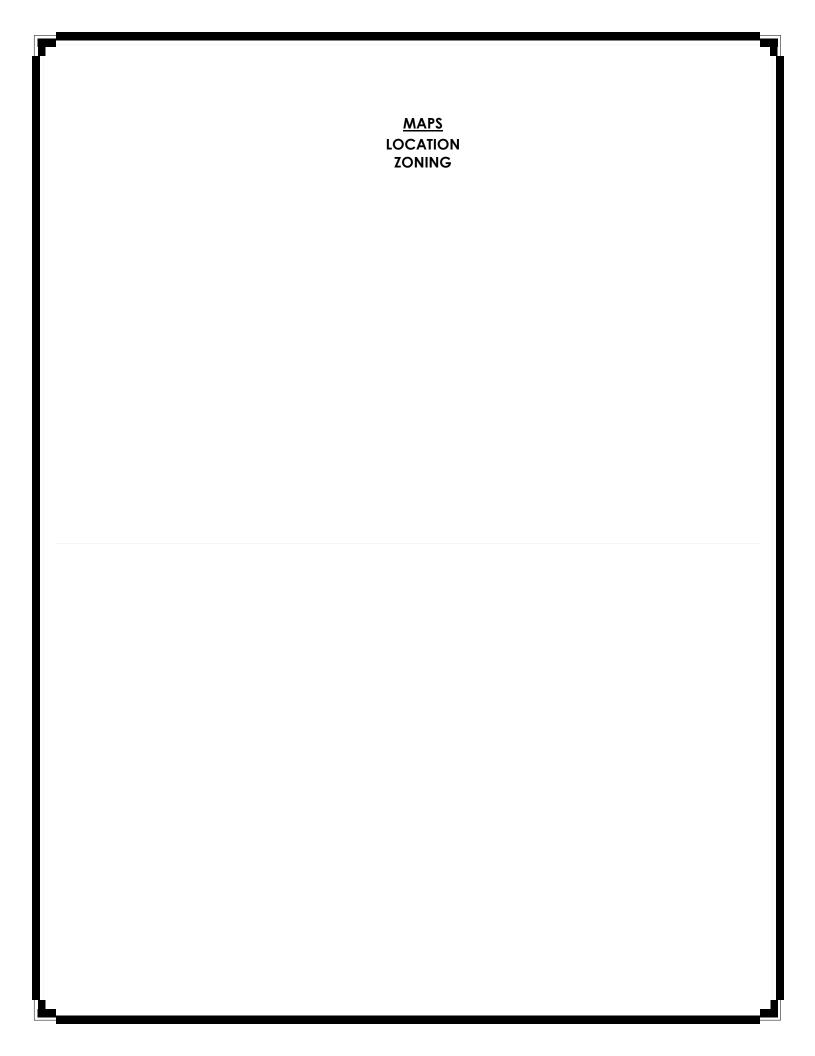
- 1. It sets forth conditions required in connection with the approval relating to certain deviations and variances.
- 2. The subject property shall be developed and used solely for mixed-use development in accordance with the approved Site Plan.
- 3. It governs the type of use and timing of construction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



THE BOND LOCATION





LEGEND

Subject Property



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Lindsay Bell Date: 3/13/24 Project: The Bond Version #: 1

0 65 130 260 39

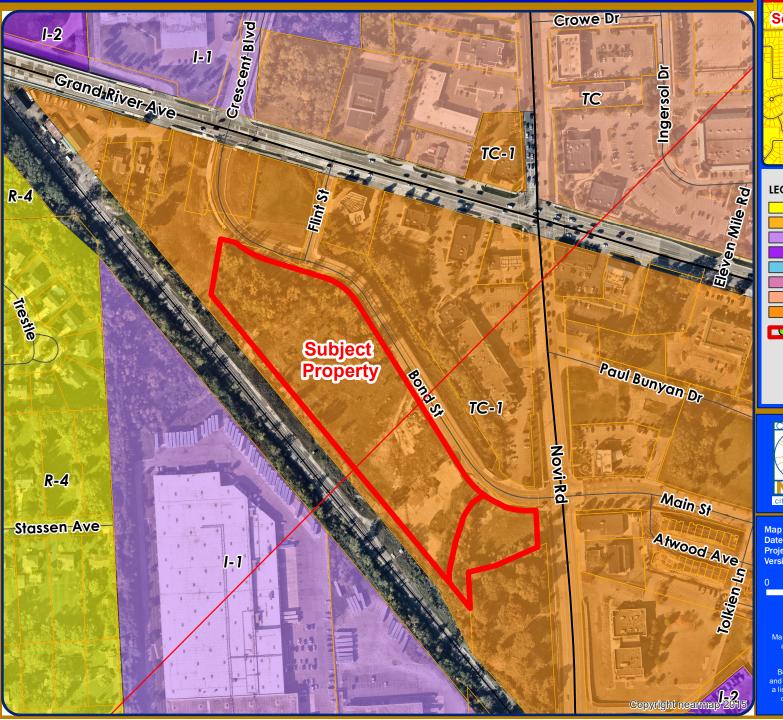


1 inch = 292 feet

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

THE BOND ZONING





- R-4: One-Family Residential District
- RM-2: High-Density Multiple Family
 - I-1: Light Industrial District
- I-2: General Industrial District
 - OS-1: Office Service District
 - OSC: Office Service Commercial
 - TC: Town Center District
- TC-1: Town Center -1 District
- Subject Property



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Lindsay Bell Date: 3/13/24 Project: The Bond Version #: 1

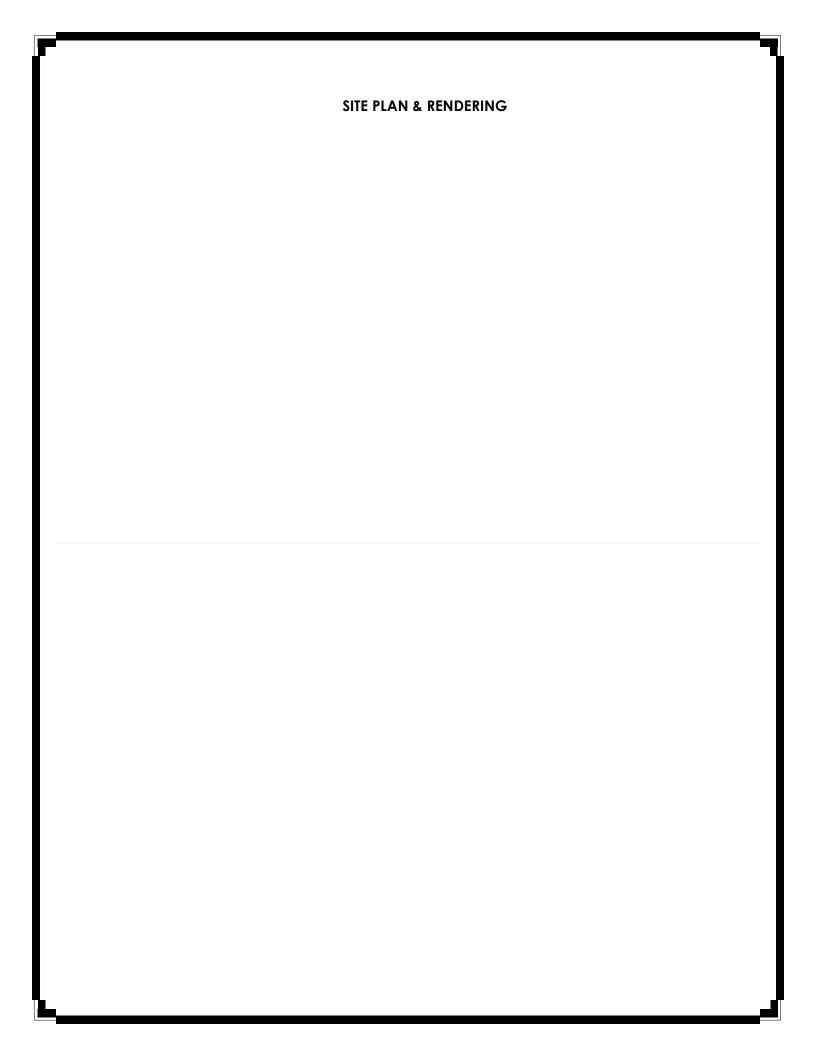
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LEGAL DESCRIPTION PHASE 1 - RESIDENTIAL

A Parcel of land located in a part of the Northeast 1/4 of Section 22, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as commencing at the Northeast Corner of sold Section 22; thence Due South, 138.97 feet, along the East line of sold Section 22 and centerline of Novi Road; thence North 2073500° West, 70-651 feet, along and centerline of Novi Road; thence North 7038'00" West, 704.61 feet, along 164 Northerly property line of "Supervisors" Pln No. 3"; as recorded in Liber 544 of Piots, Page 84. Coldand County Records and the Southers 164 No. 3", as records on the Southers 164 No. 3", as records of the Southers 164 No. 3", thence South 1211'25" West, 168.50 feet, along the easterly line of soid Lot 8 to the Southerst corner of add Lot 8, thence North 7315'20" West, 100.00 feet, along the southerly line of said Lot 8, thence North 7315'20" West, 100.00 feet, along the southerly line of said Lot 8, the Southerst corner of said Lot 8 and to a point on the saterly line of Lot 7 of said Supervisor's Piot No.3", thence South 1153'33" eastery line of Lot 7 of sold "Supervisor"s Plat No.3"; thence South 1153'39" West, 100 feet, doing the easterly line of sold Lot 7; thence South 4125'40" West, 30.70 feet, for a PONT OF EEGNNING; thence South 69735'85" East, 127.64 feet; thence 125.95 feet along a cower to the right, sed curve having distance of South 497423" East, 122.75 feet; thence South 2874'48" East, 122.75 feet; thence South 2873'11" West, 122.75 feet; thence South 2873 distance of South 3951 00° Lost, 89.84 feet; thence South 59531° West, 42.67 feet; thence South 379351° West, 83.19 feet; thence South 1722'53° West, 85.73 feet; thence South 60°20'23° West, 85.73 feet; thence South 60°20'23° West, 81.34.2 feet; thence North 130°42" East, 171.48 feet; thence South 732'445° East, 47.01 thence North 130427' Lost, 17.48 test; thence South 7324.45' Lost, 47.46 test; thence 105.11 feet along a curve to the left, soid curve howing a radius of 257.00 feet, a central angle of 2326'02' and a chord bearing and distance of South 575557' East, 104.38 feet, to the Point of Beginning, all of the above containing 6.874 Acres. All of the above subject to easements, restriction and right-of-ways.

FUTURE PHASE 2 - COMMERCIAL

A Parcel of land located in a part of the Northeast 1/4 of Section 22, Town 1 North, Ronge 8 East, City of Novi, Goldend County, Michigan; being more particularly described as commencing at the Northeast Corner of said Section 22; thence Due South, 98.86 feet, along the East line of said Section 22; and centerlines of Novi Road; thereoe Due West, 60.01 feet, for a PONIT OF EEGNINING. Section 27. Sec

GENERAL NOTES

- NOTIFY THE CITY OF NOVI AT (248) 347-0454 A MIN. OF 48 HOURS PRIOR TO THE START OF CONSTRUCTION.
- ALL CONSTRUCTION MUST CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS ADOPTED BY THE CITY OF NOW. 3. CALL 811 ONE-CALL UTILITY LOCATING A MINIMUM OF 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
- 4. ALL SOIL EROSION AND SILTATION MUST BE CONTROLLED AND CONTAINED ON-SITE.
- I. ALL EXCAMPION UNDER OR WITHIN 1 ON 1 INFLUENCE OF ANY PAYBEACH.
 EXISTING OR PROPOSED, OR WHERE SAND BACKFILL IS CALLED FOR ON THE PLAN,
 SHALL BE BACKFILLE AND COMPACTE WITH GRANULAR MATERIAL (SAND) MOOT
 CLASS II TO 95 PERCENT MAXIMUM UNIT DENSITY (ALL OTHERS 90 PERCENT).
- 1. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES AND FACULTIES. THE CONTRACTOR SHALL EXPOSE EXISTING UTILITIES AT THE PROPOSED UTILITY CROSSIONS PRORE TO THE START OF UNDERGROUND CONSTRUCTION. ANY CONFLICTS WITH UTILITIES SHALL BE IMMEDIATELY REPORTED TO THE PROJECT PROMERE.
- WHERE TWO UTILITIES CROSS, INCLUDING SANITARY SEWER LEADS, PROVIDE POROUS GRADE "B" BACKFILL MATERIAL COMPACTED TO THE UNDERSIDE OF THE HIGHER UTILITY OF AS SPECIFIED ON THE DETAIL SHEET.
- DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
- 9. ANY MUD TRACKED ONTO BOND STREET SHALL BE REMOVED DAILY.
- 10. F DEWATERING IS DETERMINED TO BE REQUIRED, IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY THE AREA TO BE DEWATERED, SUBMIT A TO MONITOR AND TO DETERMEN THAT THERE WILL NOT BE ANY IMPACT TO ANY AUJOINNG OR OFFSITE PROPERTIES DEWATERING PROCEDURES SHALL BE IN COMPLIANCE WITH ORDINANCE NO. 97–124. 08.
- A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN BOND STREET RIGHT-OF-WAY.
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITY LOCATIONS, INVERTS AND GRADES PRIOR TO THE START OF ANY WORK.
- 16. ALL WORK SHALL CONFORM TO THE CITY OF NOW'S CURRENT STANDARDS AND

- ENGINEERING CONSTRUCTION PLANS PREPARED IN ACCORDANCE WITH THE SOIL INVESTIGATION REPORT BY McDOWELL AND ASSOCIATES, DATED: 09-14-17.

FINAL SITE PLAN / ENGINEERING CONSTRUCTION PLANS FOR:

THE BOND OF NOVI

SECTION 22, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI. OAKLAND COUNTY. MICHIGAN

PREPARED FOR:

BOND OF NOVI, LLC

JOSEPH USE OF SECTION 22 CRAND RIVER ARE (100 FT, MODE)

PHASE 1

RESIDENTIAL PROPERTY

30600 NORTWESTERN, SUITE 430 FARMINGTON , MICHIGAN 48334 PHONE: 248.538.1389 EXT. 236



TRICAP HOLDINGS, LLC

30600 NORTWESTERN , SUITE 430 FARMINGTON , MICHIGAN 48334 PHONE: 248.538.1389 EXT. 236



SHEET INDEX:

COVER SHEET

ALTA/NSPS LAND TITLE SURVEY

OVERALL SITE PLAN
EXISTING CONDITIONS AND DEMOLITION PLAN

PHASE 1 GRADING, PAVING AND S.E.S.C. PLAN PHASE 1 GRADING, PAVING AND S.E.S.C. PLAN

DETAILED GRADING PLAN

SANITARY SEWER AND WATER MAIN PLAN AND

PROFILES STORM SEWER PLAN

STORM SEWER PROFILES

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DETENTION BASIN DETAILS UNDERGROUND DETENTION PHASE 1 DRAINAGE DISTRIBUTION PLAN AND STORM SEWER

CALCULATIONS

TRAFFIC CONTROL PLAN OPEN SPACE PLAN

SOIL BORING LOGS

SOIL BORING LOGS ND.-ND2. NOTES AND DETAILS

LANDSCAPE PLANS: L1.00-L9.04 LANDSCAPE PLANS LWP1.00 WOODLAND PLAN

| PHOTOMETRIC PLAN: | E1.01 | SITE PLAN | E1.02 | SITE PHOTOMETRIC PLAN | E1.03A | CUT SHEETS | E1.03B | CUT SHEETS | E1.03C | CUT SHEETS

PHOTOMETRIC DETAILS

ARCHITECTURAL PLANS: P1.01-A4.30 ARCHITECTURAL PLANS

CITY OF NOVI STANDARD DETAILS: SANITARY SEWER DETAILS (3)

WATER MAIN DETAILS, DATED 3/2014 (5)

PAVING DETAILS (2)

OAKLAND COUNTY WATER RESOURCES COMMISSION: SOIL EROSION AND SEDIMENTATION CONTROL DETAILS

FIRE DEPARTMENT NOTES

- All fire hydrants and water mains shall be installed and in service prior to above foundation building construction as each phase is
- Building addresses shall be posted facing the street during all phases of construction. Addresses shall be a minimum of three inches in height on a contrasting background.
- Provide 4-6" diameter concrete filled steel posts 48" above finish grade at each hydrant as required.
- Fire lanes shall be posted with "Fire Lane No Parking" signs is accordance with Ordinance #85.99.02.

OWNER:

DTN MANAGEMENT COMPANY

2502 LAKE LANSING ROAD, SUITE C LANSING , MICHIGAN 48912 PHONE: 517.371.5300

SEIBER, KEAST ENGINEERING, L.L.C.

CONSULTING ENGINEERS 100 MAINCENTRE • SUITE 10 • NORTHVILLE, MICHIGAN • 48167 PHONE: 248.308.3331

> PROPERTY BOUNDARY & TOPO INFORMATION

Scale: 1 inch = 120 ft.

FUTURE PHASE 2

COMMERCIAL PROPERTY

ARCHITECTURAL DESIGN PREPARED BY: **HUMPHREYS & PARTNERS** ARCHITECTS, L.P. 5339 ALPHA ROAD SUITE 300 , DALLAS, TX 57240 PHONE: 972.701.9636



LANDSCAPE PLANS PREPARED BY: HPLA STUDIO 5339 ALPHA ROAD, SUITE 300 DALLAS, TEXAS 75240

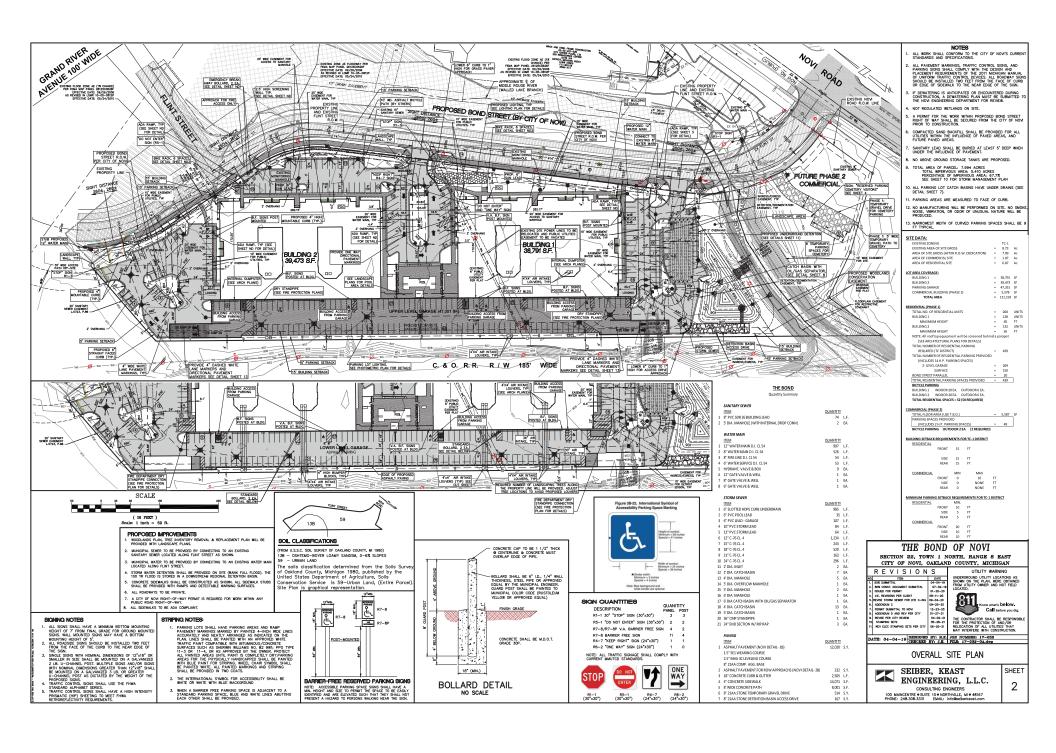
PHONE: 972.701.9636 holastudio.com

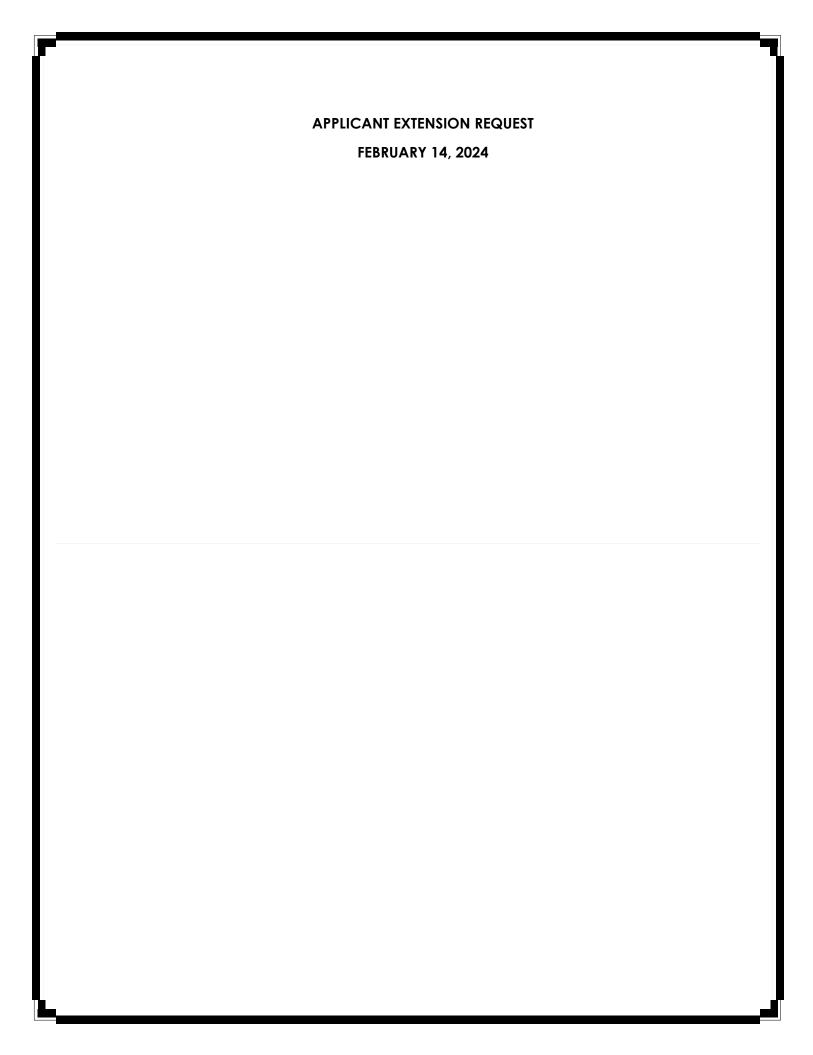
BENCHMARKS:

STREET ± 88" SOUTHEAST OF THE SOUTHEAST BUILDING CORNER.

ELEVATION 908.44 (CITY OF NOVI DATUM) RIM OF SANITARY MANHOLE AT NORTHERNMOST POINT OF PROPERTY ELEVATION 908.51 (CITY OF NOVI DATUM)

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BOND OF NOVI, LLC

February 14, 2024

City of Novi Attn: City Council 45175 Ten Mile Rd Novi, MI 48375

RE: The Bond at Novi JSP18-10

Dear City Council members;

Along with Glenn Cantor, who is also a partner in the subject property, I recently met with Lindsay Bell and Barb McBeth to discuss an extension to the existing site plan approval. Our understanding is that the expiration date of the current approval is April 12, 2024, and we want to make sure we obtain the extension prior to that date. We would like to request a one-year extension to the approved site plan for the Bond.

As you may have heard, we were ready to start construction with HUD financing in hand, when FEMA determined that the floodplain map of Novi needed to be redrawn before they would sign off, even though there was no floodplain on our property. Our loan could not be finalized without their sign off. It took over a year for your consultants to be able to satisfy them. During that delay, a combination of rising interest rates, increased construction costs and Covid related issues caused the project to be delayed. Please let me know if you need anything further from me to move this along. I will make myself available to attend the council meeting once scheduled.

Very Truly Yours;

The Bond at Novi LLC

Albert J. Ludwig

Member