CITY of NOVI CITY COUNCIL



Agenda Item F November 28, 2016

SUBJECT: Approve issuance of Request for Proposals (RFP) for purchase of City-owned property located on Eleven Mile Road, east of Beck Road, near the City's former Fire Station No. 4.

SUBMITTING DEPARTMENT: City Manager

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

The City was contacted recently by a resident interested in purchasing property that the City owns near its former Fire Station No. 4, fronting on Eleven Mile just east of Beck Road. The property is Parcel No. 22-21-103-002, and is located in the Pioneer Meadows Subdivision. The City acquired the property in the early 1980s for \$22,500. The City is informed that other vacant parcels within the subdivision or general area have sold for varying amounts, a number of them in the \$40,000 range. The City is unlikely at this point to expand the former Fire Station No. 4 (now leased to and operated by CEMs), and therefore the property may no longer serve a long-term purpose for the City.

The City Charter, Section 12.1, states that "Comparative prices shall be obtained for the purchase or sale of all materials, supplies, services, and public improvements, and formal bids shall be required as outlined below, except: (a) in the employment of professional services; or (b) in those instances where the Director of Finance (or the Council as hereinafter provided) shall determine that no advantage to the City would result therefrom." The Charter goes on to state that specific rules for sales and purchases should be established by the City Council by ordinance.

The City has adopted Section 2-201, which states that "In all proposed sales or purchases in excess of fifteen thousand dollars (\$15,000), the sale or purchase shall first be approved by the City Council and all proposed sales and purchases in excess of fifteen thousand dollars (\$15,000) a formal sealed bid shall be requested and received and the sale or purchase shall be approved by the City Council." While the City Council certainly could determine, under the Charter, that competitive bidding is not required for the sale of this property, where a specific purchaser is not obvious or readily identified as the "best" choice, utilizing the competitive bidding process is typical.

Attached is a proposed Request for Proposal (RFP) that has been prepared by the City Manager's Office and reviewed by the City's purchasing staff and Community Development Department and the City Attorney's office. Note that it reserves to the City the right to accept any bid, reject any bid, or waive irregularities for any reason or no reason at all and to award some, none, or the entire contract at its discretion. **RECOMMENDED ACTION:** Approve issuance of Request for Proposals for purchase of City-owned property located on Eleven Mile Road, east of Beck Road, near the City's former Fire Station No. 4.

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Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Burke				
Council Member Casey				

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Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

REQUEST FOR PROPOSALS

PROPERTY ACQUISITION AND SITE DEVELOPMENT, 0.275 ACRES

11 MILE ROAD PROPERTY CITY OF NOVI, MICHIGAN

INTRODUCTION

The City of Novi is accepting proposals until 4:00 p.m., Tuesday, December 20, 2016, for the acquisition and development of property located adjacent to the City's former Fire Station #4 on 11 Mile road, just east of Beck Road. Parcel 50-22-21-103-002. Proposals shall be delivered to the City Clerk's Office, 45175 10 Mile Road, Novi, MI 48375.

Proposals will be evaluated based on the property acquisition price and the content of the development proposal submitted.

The City reserves the right to accept any Bid, reject any Bid, or waive irregularities for any reason or no reason at all. The City also reserves the right to award some, none, or the entire contract.

BACKGROUND

The site is approximately 0.275 acres and located within the City of Novi. There is one legal parcel that makes up the site. It is located east of Beck Road, has frontage on 11 Mile Road and is zoned RA Single Family Residential. The site is an existing non-conforming parcel. Development would need to take place in accordance with the City of Novi Zoning Ordinance. However, a Zoning Board of Appeals application and approval(s) may be needed, as the size of the parcel does not conform to the RA Ordinance standards and the required setbacks may limit development. Municipal water is available; sanitary sewer is not.

Additional information regarding the RA district can be located in Appendix C.

INSTRUCTIONS TO BIDDERS

The instructions to bidders as contained herein shall, at the City's option, become part of the proposal/contract and will become part of the land acquisition and development agreement/contract to be entered into between the City of Novi and the successful bidder.

I. <u>Bidder's Responsibility</u> - Each bidder shall be responsible for visiting the property as depicted on Appendix "A" and shall inspect and become fully acquainted with the conditions of the site. Failure to do so will not relieve the bidder of his/her obligation to comply with all terms and conditions necessary to carry out the provisions of the Purchase Agreement Land Development contract. The City makes no representation of any kind concerning the environmental condition of the property. Bidders at their own expense shall be permitted to have the property inspected for environmental contamination prior to submission of proposal. If bidder fails to cause such inspection to

be made or submits a bid subsequent to such inspection, bidder agrees it will bring no action or suits against the City for or as a result of environmental contamination of the property. When used herein, the term "property" shall include all aspects of the property, such as, but not limited to, the soils and the groundwater beneath it.

- II. <u>Arrangement for Site Inspection</u> The City of Novi will make arrangements to have one (1) public site inspection on Thursday, December 8, 2016, at 10:00 a.m. For this inspection, please meet at the 11 Mile site, which directly across 47250 11 Mile Road, next to the old Fire Station on the southeast corner of 11 Mile and Beck Road. After a short meeting, a site visit will be conducted. The City of Novi reserves the right to submit addenda following the pre-bid meeting.
- **III.** <u>Documents to be Submitted</u> The following documentation must be submitted utilizing the forms supplied by the City as Appendix "B."
 - A. The proposal as submitted shall state the name of the proposed purchaser and developer, whether an individual, partnership or corporation. This shall include the full names and addresses of all parties who will be the principal investors or owners of the property and who will become part to any contract or agreement.
 - B. The bidders must state their proposed purchase price and terms in both words and numerals.
 - C. The bidders must affirm that they have inspected the property and understand the goal of the City to have the site developed with an acceptable residential use.
 - D. Each bidder must be able to show evidence that they possess the financial capability to acquire and develop the property. Said evidence may be in the form of financial statements or other documented evidence which will clearly display both the financial capability to acquire and develop the property and experiences and reputation to actually fulfill development commitments.
 - E. <u>Requirements/Prohibitions</u> Consistent with the current zoning ordinance and master plan, the intended use of the property will be for residential development. Under no circumstances will a proposal be considered for development of the site, which contemplates construction of office, retail, commercial, or other uses not permitted in the zoning district.
 - F. <u>Plot Plan/Building Permit Approval Process</u> Provide a statement that the bidder fully understands the City's plot plan approval and permit approval process. Proposed elevations or architectural renderings of the residential use are encouraged, but not required.
 - G. <u>Deed Restrictions/Covenants</u> The City may impose restrictions or covenants to be placed in the deed, depending on the nature of the proposal. Parcel may also be subject to deed restrictions/covenants of the Pioneer Meadows Subdivision.

- IV. <u>Qualification of Bidder</u> The City may make such investigations as it deems necessary to determine the ability of the bidder to acquire the property and perform the development under the conditions as provided for herein. All bidders shall furnish the City with all pertinent information and data for this purpose. The City reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the City that the bidder is properly qualified or able to carry out the obligations as contemplated herein. Conditional bids will not be accepted.
- V. <u>Bid Security</u> Each bid must be accompanied by a certified check in the amount of Five Thousand Dollars (\$5,000.00). Such certified check will be used as a non-refundable deposit toward the purchase price of the property as soon as the City Council approves the sale of the property. All bid deposits will be returned to the unsuccessful bidders upon approval of the successful bidder by City Council. If the successful bidder shall neglect or refuse to execute a contract within thirty (30) days after written notice by the City that the bid has been accepted, the amount of the bid deposit shall be forfeited to the owner City as liquidated damages for such refusal. The City will pay no commissions or fees to brokers.
- VI. <u>Closing and Performance</u> The successful bidder will be expected to suggest a proposed closing date in the proposal that may be subject to change by the City. The closing will require execution of all legal documents, agreements, and contracts as may be required to consummate a complete sale to the City including payment for acquisition of the property and other required agreements that will need to be executed to guarantee development in accordance with the terms and conditions as outlined herein and as may be negotiated with the successful bidder. The City will convey by quit claim deed and will provide evidence of title and title insurance. Upon conveyance, the property may be subject to taxation, as well as federal, state, and municipal laws; easements and restrictions of record.
- VII. <u>Withdrawal of Bids</u> Bids may not be withdrawn for a period of sixty (60) calendar days after the date of opening unless the consent of the City is given. Negligence on the part of the bidder in preparing the bid confers no right for withdrawal of the bid after it has been opened.
- VIII. <u>Award of Contract</u> It shall be the sole determination of the City as to which bid is the most acceptable and responsive. The award may not necessarily go to the highest bidder. The background and experience of the bidder may be equally or more important to the City. The City reserves the right to reject the highest bidder and/or further the right to reject any or all bids.
- IX. <u>Ownership and Bid Signatures</u> All proposals must contain the complete legal names and signatures of the bidders who are to become the legal owners and who are proposing to acquire and develop the property. These should be the persons who will have an interest in the Title to said property and who will be involved in the complete execution of all Title work and other legal documentation that will be necessary to properly complete the transaction of sale and development agreements. All bid proposals must contain the full signatures of the parties having an interest in said bid

proposals, be dated and witnessed and contain the full legal address and telephone number of all parties connected therewith.

APPENDIX A

T1N, R8E, SEC 21 PIONEER MEADOWS LOT 17



APPENDIX B

SECTION 1 – Bidder Information

Company/Bidder Name:						
Address:	Street					
	City	State	Zip Code			
Phone:						
Email:						
Authorized Representative:	Print or Type					
Title:	Print or Type					
SECTION 2 – Purchase Price						
Dollar Amount:	\$					
Written Dollar Amount:	\$					

SECTION 3 – Inspection of Property/Understanding of City's Goals

I hereby acknowledge that I have inspected the property and understand the goal of the City that best meets community expectations: i.e., development in line with the Master Plan and/or other acceptable residential uses.

Signed _____

SECTION 4 – Other Required Submittals

Α.	Financial Capability	Yes	No	N/A
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В.	Conceptual Plan	Yes	No	N/A
	(Provide Narrative, if necessary)			

C.	Qualifications of Bidde	er Yes	No	N/A	
	(Provide Narrative)				
D.	\$15,000 Bid Security		Yes	No	N/A
Signe	d				
Autho Repre Title:	rized sentative	Print or Type			
Date:					
Witne	SS:				
					Date

APPENDIX C

Zoning Ordinance Information

Definitions

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3.1.1

A. INTENT

The RA, Residential Acreage district is intended to provide areas within the community for a particular living environment characterized by large lot, low density, single-family dwellings.

User Note: For uses listed in bold blue, refer to Article 4, or click on use, for use-specific standards

- PRINCIPAL PERMITTED USES B.
- i. One-family dwellings
- ii. Farms and greenhouses § 4.1
- iii. Publicly owned and operated parks, parkways and outdoor recreational facilities
- parochial and iv. Public. other private elementary schools § 4.3
- Home occupations ٧.
- vi. Family day care homes [1] § 4.5
- Accessory buildings and uses vii. \$4.19 customarily incidental to any of the above use

- C. SPECIAL LAND USES
- Raising of nursery plant materials III § 4.6 i.
- ii. Dairies § 4.7
- III. Keeping and raising of livestock § 4.8
- iv. Places of worship § 4.10
- Public, parochial and private elementary, ٧. intermediate or secondary schools § 4.3
- vi. Utility and public service buildings and uses (without storage yards) § 4.11
- Group day care homes , day care centers vii. , and adult day care 5 4.12.1
- viii. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs § 4.13
- Golf courses § 4.14 ix.
- Colleges, universities and other such х. institutions of higher learning § 4.15.1
- Private pools § 4.16 xi.
- xii. Cemeteries § 4.2
- xiii. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks
- xiv. Mortuary establishments § 4.17
- xv. Bed and breakfasts a § 4.18
- xvi. Limited nonresidential use historic of buildings § 4.9
- xvii. Accessory buildings and uses \$4.19 customarily incident to any of the above permitted uses

Zoning Districts \sim













RA Residential Acreage

E. **DEVELOPMENT STANDARDS**

Lot Size

Minimum lot area^{CD}: Minimum lot width^{CD}:

Lot Coverage

Maximum lot coverage (by all buildings):

Setbacks

Minimum front yard setback: Minimum rear yard setback: Minimum side yard setback:

Building Height

Maximum building height: 35 ft or 2.5 stories, whichever is less

1 acre

150 ft

25%

45 ft

50 ft

20 ft one side

50 ft total two sides

Floor Area

Minimum floor area per unit^{CD}: 1.000 sq ft

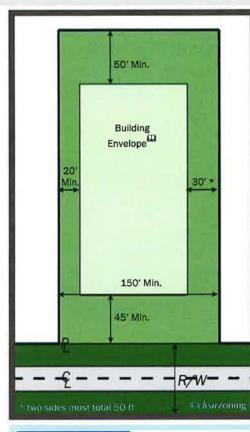
Dwelling Unit Density

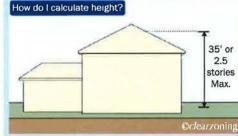
Maximum density DU's/Net Site Area: 0.8

NOTES

 For additions to the above requirements, refer to Section 3.6.2 Notes to District Standards: A, B, C, and M

See Selected References below for applicability





The above drawings are not to scale.

SELECTED REFERENCES

- **3. Zoning Districts**
- RA, R-1, R-2, R-3, and R-4 Required Conditions §3.7
- **RUD Residential Unit Development** §3.29 Open Space Preservation Option
- . \$3.30
- 4. Use Standards
- Keeping of Cats and Dogs § 4.83
- Uses Not Otherwise Included § 4.86
- Unlisted Use Determination § 4.87

5.

- Site Standards Commercial and Recreational
- Vehicle Parking § 5.1 Off-street Parking Requirements
- Off-street Parking Layout, Standards... § 5.3
- Off-street Loading and Unloading
- Landscape Standards § 5.5
- Signs § 5.6 Exterior Lighting § 5.7 .
- Residential Entryways § 5.8
- Corner Clearance § 5.9 -
- Additional Road Design § 5.10

- Fences § 5.11 -
- Frontage on a Public Street § 5.12
- Performance Standards § 5.14
- **Exterior Building Wall Facade**
- Materials § 5.15 Bike Parking Facility Requirements § 5.16
- 6. Development Procedures
- Site Plan Review § 6.1 Public Hearing § 6.2

- Admin. and Enforcement <u>7</u>.
- Nonconformities § 7.1 Planned Rezoning Overlay § 7.13.2





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Districts

3.7 RA, R-1, R-2, R-3, AND R-4 REQUIRED CONDITIONS

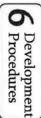
- 1. Single-Family Detached Structure Review. The erection of single-family detached dwellings shall not be grossly dissimilar to the exterior design and appearance of existing detached single-family dwellings in the surrounding area. Gross dissimilarity in exterior design and appearance adversely affects single-family detached dwellings in the surrounding area, adversely affects the desirability of immediate and neighboring areas, impairs the benefits of occupancy of existing dwellings in such areas, impairs the stability of the environment in such areas, prevents the most appropriate use of real estate and the most appropriate development of such areas and produces degeneration of property in such areas with attendant deterioration of conditions affecting the public health, safety, comfort, morals and welfare of the citizens thereof. Compliance with the above intent shall be achieved in the following manner:
 - A. Procedure. No building permit for any single-family detached dwelling shall be issued unless or until it has been found as a fact by a reviewing official, after review of the site of the proposed single-family dwelling and detached after an examination of the building permit application, that the exterior architectural appeal and functionalism of the proposed single-family detached dwelling will not, when erected, be grossly dissimilar to the exterior architectural appeal and functionalism of the single-family detached dwellings within the surrounding area.
 - B. Measurements under this Section shall be made within the same zoning district as that of the dwelling to be reviewed; and
 - i. If the dwelling to be reviewed lies within a platted subdivision, measurement shall be made within the platted subdivision; and
 - ii. If the dwelling to be reviewed lies within a RUD (Residential Unit Development), measurement shall be made within the RUD (Residential Unit Development), anything herein to the contrary notwithstanding.

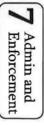
- C. Measurements under this Section shall be made from the lot line of the proposed single family detached dwelling site to the lot line of each surrounding single-family detached dwelling already constructed in the area. If any part of a lot is within the specified area, the single-family detached dwelling constructed thereon shall be deemed included within the surrounding area. Measurements shall be made from the front lot line, or the rear lot line, or the side lot lines, whichever produces the shortest possible distance between the two measured lots.
- D. Application Review. A building official of the Building Department, or his designee, shall perform the duties and exercise the powers as provided in this Section.
 - No building permit for any single-family i. detached dwelling shall be issued unless it has been found as a fact by the Reviewing Official, after view of the site of the proposed single-family dwelling and an examination of the building permit application, that the exterior architectural appeal and functionalism of the proposed singlefamily detached dwelling will not, when erected, be grossly dissimilar to the exterior architectural appeal and functionalism of the single-family detached dwelling within the surrounding area.
- E. Grant of Building Permit. A building permit for a single-family detached dwelling shall be issued by the Reviewing Official unless:
 - i. The proposed single-family detached dwelling fails to satisfy the standards set forth herein to insure that the single family detached dwelling will not, when erected, be grossly dissimilar to other single-family detached dwellings within the surrounding area.
 - The building permit application fails to comply with all applicable statutes and ordinances.
- F. Review Standards. In determining whether the exterior architectural appeal and functionalism of the proposed single-family detached dwelling is grossly dissimilar to other single-family detached dwellings, the Reviewing Official shall consider the following features:



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Standards

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Site Standards

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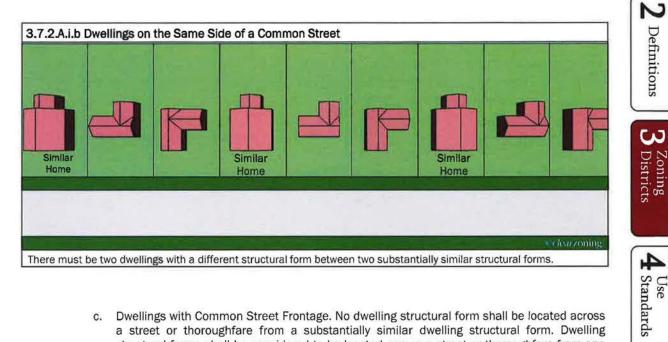
i. The residential floor area of such proposed dwelling is not less than seventy-five (75) percent of the average square footage of the singlefamily detached dwellings constructed within the surrounding area.

- ii. The type of materials used in such proposed dwelling is not grossly dissimilar to the type of materials used in single-family detached dwellings constructed within the surrounding area.
- The architectural design of such proposed dwelling is not grossly dissimilar to the architectural design of the single-family detached dwellings constructed within the surrounding area.
- G. Relation to Other Provisions. The requirements of Section 3.7.1 shall not be interpreted to be in conflict with any of the provisions of this Ordinance. The requirements of Section 3.7.1 shall not apply to developments proposed under Section 3.28 of this Ordinance.
- 2. Single-Family Detached Appearance Variation. There shall be a variation in appearance in the development of front building elevations and rear building elevations of those residential lots that fall within the purview of Section 3.7.2.A.i.d hereof. Substantially similar architecture adversely affects the desirability of immediate and neighboring areas, impairs the benefits of occupancy of existing homes in such areas, impairs the stability of the environment in such areas, prevents the most appropriate use of real estate and the most appropriate development of such areas, and produces degeneration of property in such areas with attendant deterioration of conditions affecting the public health, safety, comfort, morals and welfare of the citizens thereof. Compliance with the above intent shall be achieved in the following manner:
 - A. Variation in Appearance. In any one-family residential district, there shall be a variation in appearance in the development of front building elevations and rear building elevations of those residential lots that fall within the purview of Section 3.7.2.A.i.d hereof, of one-family detached dwellings subject to any or all of the following standards, as applicable:
 - i. Substantial Similarity

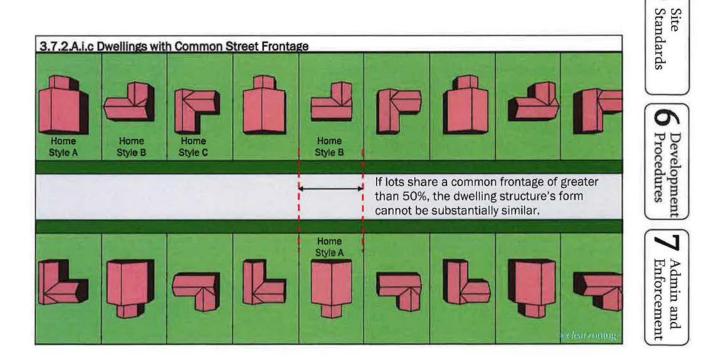
- Substantial Similarity Defined. Dwelling structural form shall be determined to be substantially similar if the building official, or his designee, finds two (2) or more of the following criteria to be similar:
 - (1) Maximum width of the front elevation as measured between outside walls. If the dwelling structural form includes an attached garage, maximum width shall be measured between the interior garage wall and the opposite exterior dwelling wall. The difference in measurements must be five (5) feet or greater to be considered dissimilar.
 - (2) Relative locations, sizes and design of windows, doors, porches and attached garages constituting the front building elevations and rear building elevations of those residential lots that fall within the purview of Section 3.7.2.A.i.d hereof. An end-to-end reversal of such elements shall not be considered a dissimilarity in determining whether the relative locations of those elements are similar.
 - (3) Overall front or rear elevation appearance including the design, treatment and style of roofs, materials, trim, exterior wall projections, and any other features which affect appearance.



b. Dwellings on the Same Side of a Common Street. No dwelling structural form shall be located on the same side of the street as a substantially similar dwelling structural form without there being at least two (2) dwellings with a different structural form between the two (2) substantially similar structural forms. For purposes of this provision, dwellings within the same quadrant of intersecting streets shall be treated as being on the same side of a common street.



c. Dwellings with Common Street Frontage. No dwelling structural form shall be located across a street or thoroughfare from a substantially similar dwelling structural form. Dwelling structural forms shall be considered to be located across a street or thoroughfare from one another if located on lots that share common frontage of more than fifty percent (50%) of the frontage of either lot.





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- d. Dwellings with Rear Yard Abutting a Major Thoroughfare. No dwelling structural form shall be located with a rear yard abutting the same major thoroughfare as а substantially similar dwelling structural form without there being at least two (2) dwellings with a different structural form between the two (2) substantially similar structural forms. Dwellings shall be considered to abut a major thoroughfare where fifty percent (50%) or more of the rear property line abuts the right of way line, or an easement or open space abutting the right of way line, or where fifty percent (50%) or more of the rear property line is within thirty (30) degrees of being parallel to the right of way line, and is within fifty (50) feet of the right of way line.
- e. On corner lots and when the structure is positioned at an angle to a street, all facades exposed to a common or intersecting street shall be considered front elevations, and shall be subject to the criteria set forth in **Subsection 3.7.2.A.i.a**, above.
- B. Building Permit Review. No building permit for any single-family dwelling shall be issued unless it has been found as a fact by the building official, or his designee, that the construction of the building will not violate subparagraph 2.A of this Section. The rejection of an application for a building permit shall be in writing and shall set forth the reasons for denial of the application.
- C. Relation to Other Provisions. The requirements of Section 3.7.2 shall not be interpreted to be in conflict with any of the provisions of this Ordinance. The requirements of Section 3.7.2 shall not apply to developments proposed under Section 3.28 of this Ordinance.
- In the case of premanufactured homes, the following conditions shall apply, in addition to the requirements of Section 3.7.1 and Section 3.7.2 of this Ordinance:

- A. Conform to the applicable requirements of the Premanufactured Unit Rules of the State Construction Code, being Section 6 of Act 230 of the Public Acts of 1972 [MCL 125.1506], as amended, including the display of a manufacturer's date plate, or the display of an approved HUD seal assuring compliance with the HUD Construction Code Standards for Mobile Homes.
- B. Such dwelling units shall be permanently attached to a perimeter foundation, except that in those instances where the applicant elects to set the dwelling on piers or when the type of unit requires placement of an under frame on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall, furthermore, provide an appearance which will be compatible with the dwelling itself and with the site built homes in the surrounding area. Where a perimeter wall is used, the wall shall extend upwards from the ground to a point uniformly three (3) inches below the base of the perimeter wall of the dwelling. A flange attached to the base of the dwelling wall shall extend down along the outside of the perimeter wall not more than six (6) inches on all sides of the dwelling.
- All off-street parking shall be arranged so as to minimize any impact on adjacent residential properties.

3.8 RM-1 AND RM-2 REQUIRED CONDITIONS

- 1. RM-1 and RM-2 Density Regulations
 - A. In the RM-1 Multiple-Family districts, the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the net site area of the parcel in square feet divided by two-thousand (2,000) and all the public utilities must be available. Units shall be permitted as follows:
 - i. Elderly Housing: