

**EXHIBIT A      RESPONDENT INFORMATION**

**A.1.      RESPONDENT INFORMATION**

Name of Respondent:	
Address:	
Contact Person:	
Telephone Number:	
Fax Number:	

Be advised that the DDA will use the above contact information to keep the Respondent informed about the RFP process; to schedule oral presentations to the Review Panel or community groups; or to make any requests for additional information and notifications regarding selection.

**A.2.      TYPE OF ORGANIZATION**

Type of Organization (i.e., partnership, joint venture, corporation, limited liability company, not for profit organization, etc):	
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**A.3.      PRINCIPALS**

If entity is a joint venture, provide principals for each entity. If entity is a not for profit organization, provide a list of the officers of the Board of Directors. Use other sheets as necessary.

Principle Name	Title/Position	Home Address	% Interest	Social Security Number

**A.4. DEVELOPMENT TEAM MEMBERS AND CONSULTANTS**

Please provide name, address, telephone and fax. If not yet selected or not applicable, mark "N/A."

<u>Architect:</u>	<u>Marketing Agent:</u>
<u>Engineer:</u>	<u>Legal:</u>
<u>General Contractor:</u>	<u>Other:</u>

**A. 5 DISCLOSURES**

Has any principal identified in this form or any corporation or organization in which this principal is or was formerly a principal partner, managing member or otherwise owned or control more than 10% of the shares or assets of a corporation, been the subject to any of the following?

1. Pending judgments, legal actions, lawsuits, orders and/or orders of satisfaction? Yes No
2. Been convicted or pending case for fraud, bribery or grand larceny? Yes No
3. Been convicted or pending case for arson? Yes No
4. Adjudged bankrupt, either voluntary or involuntary, within the past 10 years? Yes No
5. Indicted for or convicted of any felony within the past 10 years? Yes No
6. Unpaid taxes or liens? Yes No
7. Declared in default of a loan or failed to complete a development project? Yes No
8. Failed to complete or currently in violation of a Land Disposition Agreement or other agreement involving the City of Fennville? Yes No
9. Own a property which currently has a Vacant Open Notice or other housing code violation? Yes No

If the answer to any of the above is yes, please provide a full explanation including as appropriate for each case (1) date, (2) charge, (3) place, (4) Court, (5) action taken and (6) current disposition. Attach documentation, as necessary.

**A.6. CERTIFICATION**

Please note: if the Respondent is a joint venture, this certification form A.6 must be signed by an officer of each entity composing the joint venture.

I \_\_\_\_\_  
am an officer authorized to make a binding contractual commitment for the Respondent.

I have received, read and understand the provisions of this Request for Proposals (RFP).

I acknowledge that failure to disclose a material fact or to misrepresent a fact can result in disqualification of the development proposal from further consideration. I certify that all information contained in this response to the RFP, including but not limited to, the disclosure information above is true and correct to the best of my knowledge and belief.

I understand by signing this form in conjunction with a response to this RFP, that the City may, at its choosing, conduct a check with Dun and Bradstreet and other credit verification or similar agencies.

I understand that the DDA is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Respondent at any time, including, but not limited to, the cost of: (1) any prior actions by the Respondent in order to respond to the RFP, and/or (2) any future actions by the Respondent in connection with any negotiations between the Respondent and the City, including, but not limited to, actions to comply with requirements of the DDA, the City or any applicable laws.

I agree that I will not enter into, execute or be a party to any Covenant, Agreement, Lease, Deed, Assignment or Conveyance, or any other written instrument which restricts the sale, lease, use or occupancy of the property or any part thereof, upon the basis of race, color, religion, sex, or national origin and will comply with all Federal, State, and local laws, in effect from time to time, prohibiting discrimination or segregation and will not discriminate by reason of race, color, religion, sex or national origin in the sale, lease, use or occupancy of the property.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Respondent Entity: \_\_\_\_\_

**EXHIBIT C.1 DEVELOPMENT BUDGET**

<b>Acquisition</b>	<i>Amount</i>	<i>Per Sq. Ft</i>
Acquisition (sales price offered for the Site)		
<b>Hard Costs/ Trade Breakdown</b>	<i>Amount</i>	<i>Per Sq. Ft</i>
<i>Including, but is not limited to, all applicable items listed below:</i>		
Demolition		
Landscaping/ Site Work		
Concrete		
Masonry, pointing, waterproofing, cleaning		
Rough Carpentry		
Finished Carpentry		
Roofing		
Insulation		
Doors, frames, hardware		
Windows and glazing		
Drywall and plastering		
Ceramic tile		
Finished Flooring		
Painting		
Kitchen cabinets		
Appliances		
Heating and ventilation		
Plumbing		
Electrical		
Other (specify)		
Subtotal		
General conditions		
Overhead		
Contingency (Indicate Contingency as Percentage of Hard Costs ____%)		
<b>Total Hard Costs</b>		
<b>Soft Costs</b>		
<i>including, but not limited to, all applicable items listed below:</i>		
Appraisals		
Surveying		
Architect and Engineer		
Legal and accounting		
Permits and Fees		
Promotion and advertising		
Construction Interest		
Construction loan closing costs		
Property taxes during construction		
Expenses during lease-up and lease commissions		
Permanent loan closing costs		
Development fees		
Other (Specify)		
Contingency (Indicate Contingency as Percentage of Soft Costs ____%)		
<b>Total Soft Costs</b>		
<b>Total Hard and Soft Costs</b>		
<b>Total All Costs (Acquisition, Hard and Soft Costs)</b>		

Please be advised that Respondent may substitute a different form or spreadsheet for this Exhibit, or reformat this document as needed, providing that all of the above information is included.

**EXHIBIT C.2 SOURCES AND USES STATEMENT**

<b>Sources</b>	<i>Amount</i>
<i>Including, but not limited to, all applicable items listed below.</i>	
Respondent Equity - Cash – List each source and provide terms	
Respondent Equity - Other – List each source and provide terms	
Private Debt - List each source and provide terms	
Public Debt - List each source and provide terms	
Other Public Support - List each source and provide terms	
Other (Specify):	
<b>Total Sources</b>	
<b>Uses</b>	<i>Amount</i>
<i>Including, but be not limited to, all applicable items listed below.</i>	
Acquisition	
Hard Costs	
Soft Costs	
<b>Total Uses</b>	
<b>Net</b>	

Please provide supportive documentation for all Sources.

Cost estimates should correspond with Exhibit C.1 above.

Please be advised that Respondent may substitute a different form or spreadsheet for this Exhibit, or reformat this document as needed, providing that all of the above information is included.

**EXHIBIT C.3 OPERATING PRO FORMA (RENTAL PROPERTIES)**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
<b>Revenue</b>										
Residential Rent										
Commercial Rent										
Parking Income										
Other Revenue (specify):										
<b>Total Gross Revenue</b>										
<b>Deductions from Revenue</b>										
Vacancy Losses										
Collection Losses										
Other Deductions (specify):										
<b>Total Deductions from Revenue</b>										
<b>Effective Revenue</b>										
<b>Expenses</b>										
Real Property Taxes										
Personal Property Taxes										
Parking Taxes										
Payroll and Fringe Benefits										
Repairs and Replacements										
Management Fee										
Utilities										
Security										
Other Management Costs (specify):										
Other Expenses (specify):										
<b>Total Expenses</b>										
<b>Net Operating Income</b>										
<b>Debt Service</b>										
First Mortgage (Lender: _____ )										
Second Mortgage (Lender: _____ )										
Other Debt Service (Lender: _____ )										
<b>Total Debt Service</b>										
<b>Debt Coverage Ratio</b>										
<b>CASH FLOW</b>										

Please be advised that Respondent may substitute a different form or spreadsheet for this Exhibit, or reformat this document as needed, providing that all of the above information is included.



## **EXHIBIT E CITY CENTER OVERLAY DISTRICT INFORMATION**

**If you have any questions or concerns regarding this ordinance or any other zoning issues, please contact the City Zoning Administrator, Patrick Hudson, at (800) 626-5964.**

### **ARTICLE XIII-A**

#### **CCOD – CITY CENTER OVERLY DISTRICT**

##### **13-A.1 INTENT**

The City Center Overlay District is intended to accommodate “Mainstreet” human-scale developments in comfortable mixed-use patterns. The purpose of the district is to enhance the community core by providing for higher density residential uses, commercial uses serving the local area, and appropriate public and semi-public activities. Development within the City Center Overlay District shall:

- A. Be designed in such a manner that will lead to compatible, efficient, and attractive uses of property in the City Center Overlay District.
- B. Encourage unique retail, office and residential use alternatives.
- C. Establish a design palate that will define the community character and generate an identity for the downtown.
- D. Facilitate pedestrian-oriented development using design options such as sidewalk cafés, rear parking, and enhanced landscape criteria.

##### **13-A.2 APPLICABLE REQUIREMENTS & DISTRICT BOUNDARIES**

The requirements of this overlay district are in addition to and shall supplement those imposed on the same lands by the provisions of the underlying zoning district. To the extent that there are conflicts between this and other portions of the zoning ordinance, the more stringent shall apply. The City Center Overlay District shall affect the properties described as follows and as shown on the City Center Overlay District Boundaries Map.

##### **13-A.3 ADMINISTRATION**

In addition to the site plan review and approval standards of ARTICLE XVIII Section 18.0, 18.1 and 18.2, the following procedural standards shall apply:

- A. Downtown Design Review Committee: The Mayor, with approval of the City Council, shall appoint a Downtown Design Review Committee (DDRC) consisting of five (5) members, including: one DDA member, one Planning Commission member, one local business owner, and two other members. The DDRC may include the City’s Zoning Administrator or Planner.
  - 1. Members shall serve two-year terms. There is no limit to the number of consecutive terms a committee member may serve.
  - 2. The DDRC may contract and/or assign some of the DDRC’s administrative duties, but not decision authority, to qualified design professionals as needed. It will be the duty of the DDRC to consider and act upon such proposals or plans submitted to it in accordance with the design review procedures established by this section.

3. The DDRC will meet monthly or as needed to properly perform its duties. After a quorum is reached, the DDRC actions on matters will be subject to a majority vote of members present. The DDRC will keep and maintain a record of all actions taken, and shall be subject to ACT 267 of 1976, the Open Meetings Act, as amended.
4. All development within the City Center Overlay District shall be subject to review by the Downtown DDRC as part of the site plan approval process. Applicants shall submit an application and an additional five copies of all site plans to the City Clerk at least 14 days prior to the DDRC meeting.
5. The DDRC shall review applications in accord with this section and shall present recommendations to the Planning Commission pertaining to site plan approval and potential conditions of approval. Final approval authority shall reside with the Planning Commission in accord with ARTICLE XVIII.
6. Any private residence in the CCOD will be exempt from these requirements when making changes to its residence. It will still need to follow any and all applicable zoning and building codes currently required for the underlying zoning district. (ordinance #210 effective 2005)

#### **13-A.4 DEVELOPMENT REVIEW STANDARDS**

Development within the City Center Overlay District shall meet the following general standards:

- A. Development Area: The development area is the portion of a development site where all building improvements will be made. Except for publicly owned park property, each improved lot in the City Center shall contain a development area consisting of no less than fifty percent (50%) and no more than ninety percent (90%) of the total lot area. The development area may consist of buildings, structures, parking areas, sidewalks, plazas or patios, driveways, and any other man-made impervious surfaces.
- B. Open Area: Any part of a lot that is not a development area shall be deemed an open area. No above ground building, parking area or driveway shall be located in an open area. Landscaping, signs, and utilities may be located in an open area.
- C. Building Area: The aggregate building area (gross floor area) of any building in the City Center shall not exceed 22,000 sq. ft., of which the ground floor area shall not exceed 6,000 sq. ft. The building area may be divided into any number of retail or commercial units as long as the floor area of each unit shall not exceed 6,000 sq. ft. The DDRC may approve structures with aggregate building area greater than 22,000 sq. ft. or ground floor area greater than 6,000 sq. ft. provided the building is so designed and constructed as to resemble, to a casual observer, a collection of smaller structures which would meet the intent of this paragraph. The DDRC may allow phased projects that include a viable plan for the full development of the site even though initial phases may not achieve the 70%-100% development area.
- D. Building Setback Requirements: There shall be zero (0) foot setback requirements for buildings, structures, parking areas, sidewalks, and any other man-made impervious surface located within a development area for both the front and side yards. If a side yard setback is desired by applicant, such setback shall be a minimum of ten (10) feet for fire protection purposes, but shall not exceed twenty (20) feet, unless side lot parking is approved. Additional side yard setback may be requested by local fire department officials. If a front setback is desired by the applicant, the DDRC may approve up to

fifteen (15) feet from the right-of-way for semi-public spaces such as seating areas, entry courts, plazas and similar facilities.

- E. Height: Buildings facing Main Street shall have a minimum height of the lesser of one and a half stories or fifteen (15) feet and a maximum height of the greatest of three stories or thirty-five (35) feet.

### 13-A.5 REGULATIONS AND CONDITIONS

Development within the City Center Overlay District shall meet the following general standards:

- A. Landscaping shall be provided in open spaces to create a pleasant pedestrian scale outdoor environment and buffer primary uses from parking areas, roadways and service facilities, such as dumpsters and loading docks. Landscaping should be designed to buffer service areas, parking or dumpsters. A mix of evergreen and deciduous plants and trees is preferred with summer floral plantings to add to the visual appeal of the City Center areas. An irrigation system shall be required. Temporary potted plants or flower boxes may be permitted to encroach no more than two feet (2 ft. measured from the building line) into the public right-of-way on the sidewalk; any further encroachments shall require a Sidewalk Permit per Chapter 50, Section 2 of the Fennville General Law Ordinances.
- B. All off-street parking shall be located at the rear of the primary use and provide landscape buffering to separate parking and mitigate the visual and environmental impacts of parking lots, unless there are site-specific features that prevent rear yard parking. In lieu of provision of on-site parking, the DDRC may recommend and Planning Commission may approve a shared parking agreement with another property located not more than 500 feet from the property in question. Such agreement shall be in writing and shall (give) assurances satisfactory to the City that the parking needs of the proposed development shall be adequately met. For parking lots accommodating more than 25 parking spaces the following standards shall apply:
  - 1) Parking lots shall provide shared access with adjoining uses where feasible.
  - 2) Parking areas shall be designed, built, and screened so as to reasonably shield them from the view of Main Street. Planter islands shall be provided.
  - 3) Each parking area shall have not more than two (2) driveways connecting to other parking areas in the City Center Overlay District.
- C. Sidewalks – Sidewalks should be a minimum of ten (10) feet in width and must maintain a minimum of five (5) feet of travel area. Outdoor seating or outdoor sales may encumber up to five (5) feet of the ten-foot sidewalk with a Sidewalk Permit pursuant to Chapter 50, Section 2 of the City of Fennville General Law Ordinances. Larger seating areas, sidewalk sales or outdoor displays will require additional sidewalk width. Office, multi-family, public and quasi-public uses shall provide hard surface areas including plazas or court yards for pedestrian use.
- D. Architecture – Buildings shall be designed to relate well to other structures in the City Center Overlay District area. Building façade materials shall include wood, brick or stone, stucco, and approved ornamental metal. Synthetic materials such as vinyl or aluminum siding shall be prohibited. All structures shall reflect and complement the traditional materials, aesthetic character, and construction techniques of Allegan County’s historic architecture. Buildings shall be appropriately in scale and relation to existing structures. Display windows comprising 50% or more of the store façade are required for first floor retail and restaurant uses, facing Main Street. Buildings shall be

oriented to block parking lots from view from the street where possible. Where possible, new buildings shall incorporate sprinkler systems for fire protection purposes.

- E. Lighting – Outdoor lighting should be designed to provide the least light necessary to increase pedestrian safety and comfort while incorporating measures should be taken to preserve dark skies and reduce glare. All outdoor lighting shall be cut-off shielded and directed so that no light is cast upward into the sky or outward onto adjoining properties.