 Charter Township of Garfield Planning Department Report No. 2023-63			
Prepared:	May 30, 2023	Pages:	8
Meeting:	June 13, 2023 Township Board	Attachments:	<input checked="" type="checkbox"/>
Subject:	Hickory Properties P-R Rezoning – Public Hearing		
File No.:	Z-2023-01		
Parcel No.:	#05-005-050-10, #05-004-003-60, #05-005-034-10, and #05-005-034-20		
Applicant:	City of Traverse City & Charter Township of Garfield Recreational Authority		
Agent:	Grand Traverse Regional Land Conservancy		
Owner:	Bercal Properties LLC		

PURPOSE OF APPLICATION:

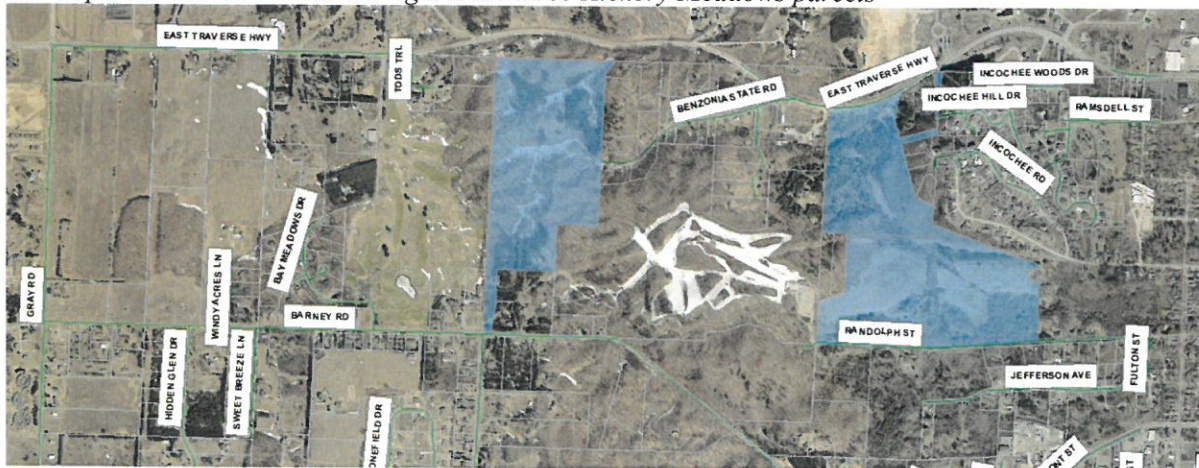
The applicant requested rezoning the “Hickory Forest” parcel (#05-005-050-10) from the A-Agricultural district to the P-R Park and Recreation district via the Zoning Map Amendment process, without restriction. Upon review by Staff, it was suggested to include the three “Hickory Meadows” parcels to create consistent zoning of parkland in this area. These four parcels total 179.03 acres, and are listed below with their current zoning classifications:

Parcel No.	Current Use	Acres	Current Zoning
05-005-050-10	Hickory Forest	71.33	A-Agricultural
05-004-003-60	Hickory Meadows	69.79	R-1 One-Family Residential
05-005-034-10	Hickory Meadows	37.47	R-1 One-Family Residential
05-005-034-20	Hickory Meadows	0.44	R-1 One-Family Residential

The application has been reviewed at the following meetings:

- March 8, 2023 Planning Commission – Introduction / Set Public Hearing
- April 12, 2023 Planning Commission – Public Hearing / Direct Staff to prepare Findings of Fact
- May 10, 2023 Planning Commission – Findings of Fact / Recommend approval to Township Board
- May 23, 2023 Township Board – Introduction / Set Public Hearing

Zoomed-out aerial view of the subject properties (highlighted in blue); the area to the left is the Hickory Forest parcel and the area to the right is the three Hickory Meadows parcels



Zoomed-in aerial view of the subject property (highlighted in blue); the area to the left is the Hickory Forest parcel and the area to the right is the three Hickory Meadows parcels



SUBJECT PROPERTIES:

Three of the subject parcels constitute the Hickory Meadows parkland, and one is the site of Hickory Forest, which is in the process of becoming parkland. All these parcels either are or will be managed by the City of Traverse City & Charter Township of Garfield Recreational Authority (Joint Recreational Authority).

MASTER PLAN CONSIDERATIONS:

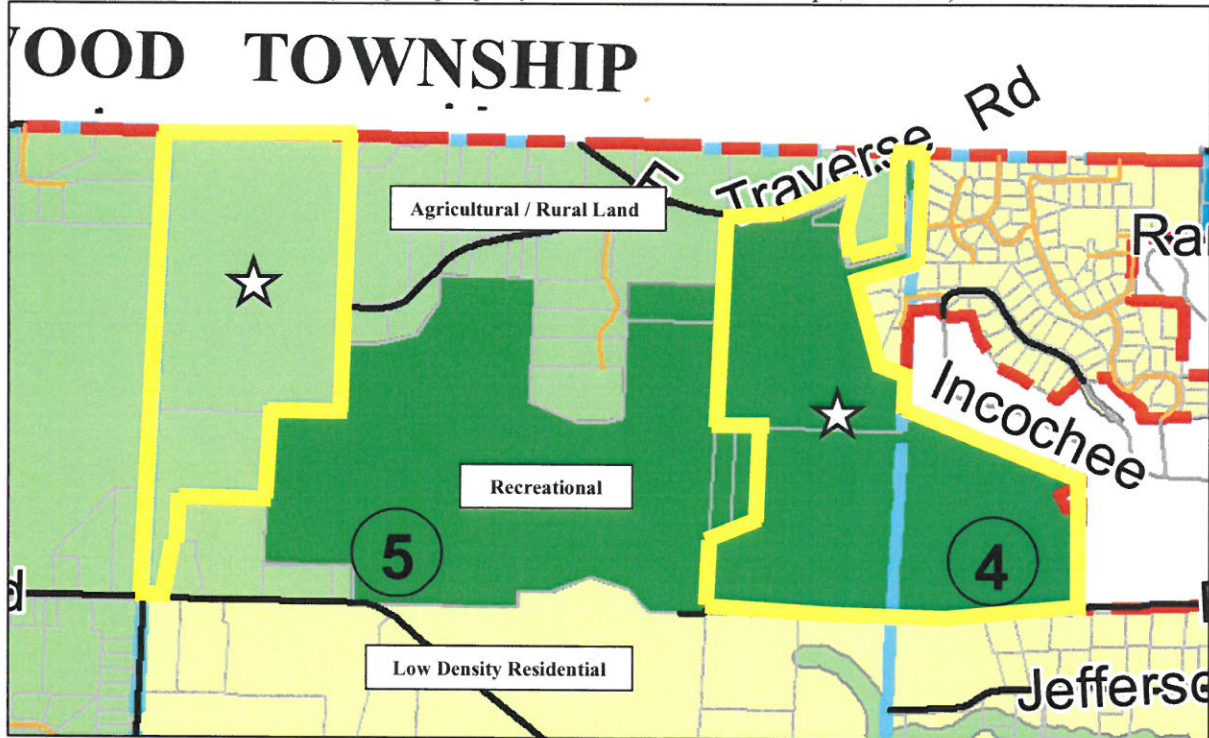
A key factor in considering rezoning requests is whether the request is consistent with the Master Plan. In this case, the Future Land Use Map shows the Hickory Forest parcel with the designation of “Agricultural / Rural Land” and the three parcels constituting Hickory Meadows with the designation of “Recreational.” The “Agricultural / Rural Land” designation is intended “to provide areas for agricultural operations and low intensity land uses in the outlying areas of the Township.” The “Recreational” designation “indicates areas suitable for active and passive recreation, and which are already owned by a municipality or other governmental entity. This classification is not intended to identify future properties which may be acquired as the parkland system grows, but rather to protect and preserve existing parks and sensitive natural areas.”

Surrounding Properties	Surrounding Future Land Use Designations
West of Hickory Forest parcel	Agricultural / Rural Land
Between Hickory Forest and Hickory Meadows	Agricultural / Rural Land (primarily) Recreational (Hickory Hills)
East of Hickory Meadows parcels	Low Density Residential (primarily along Incochee Road) City of Traverse City
To the north	Elmwood Township
To the south	Low Density Residential

The most compatible zoning districts for the “Agricultural / Rural Land” future land use designation are the A-Agricultural and R-R Rural Residential districts, with R-1 One-Family Residential also being potentially compatible. The proposed P-R zoning district for the Hickory Forest parcel does not match the future land use designation; however, several other factors also need to be considered as described below. The most

compatible zoning district for the “Recreational” designation is the P-R Park and Recreation district. The proposed P-R zoning district for the Hickory Meadows parcels matches their future land use designation. An excerpt from the Zoning Plan for the P-R zoning designation is provided below.

Location and classification of subject property on Future Land Use Map (“FLUM”):



Excerpt from Zoning Plan matching proposed P-R zoning for the subject property:

Master Plan Designation	Recreational (Master Plan designation for the Hickory Forest site is Agricultural / Rural Land)
[Requested] Zoning	P-R Park and Recreation
Zoning Ordinance District Intent	The P-R (Park and Recreation) districts provide areas for passive and active recreational facilities which are owned or operated by a municipality or other governmental entity.
Potentially Compatible District	A-Agricultural or R-R Rural Residential
Considerations for Downzoning (Less Density)	This district reflects publically owned lands and would not support a rezoning to any other district.
Considerations for Upzoning (More Density)	Properties that are owned by another municipality and not actively being used for recreation or recreational support services may be considered for a rezoning at the municipality's request. A request to rezone should only be considered for a district that is compatible with the recreational use, such as Agricultural.

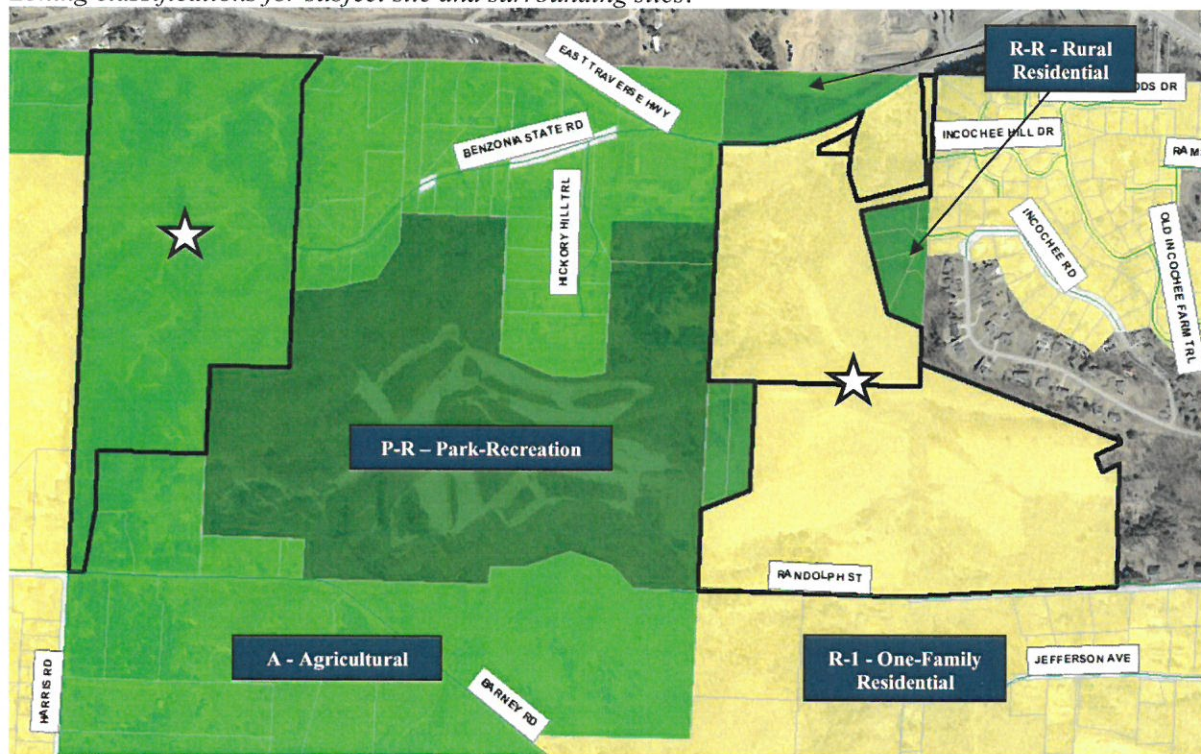
ZONING FOR SUBJECT SITE AND SURROUNDING SITES:

The zoning for the existing Hickory Forest site is A-Agricultural, shown below in light green. The zoning for the existing three Hickory Meadows parcels is R-1 One-Family Residential, shown below in yellow.

Zoning for surrounding sites is as follows:

Surrounding Properties	Surrounding Zoning
West of Hickory Forest parcel	A – Agricultural and R-1 – One-Family Residential
Between Hickory Forest and Hickory Meadows	P-R – Park-Recreation (Hickory Hills) R-R – Rural Residential (portion of Morgan Farms PUD and two “landlocked” parcels between Hickory Hills & Hickory Meadows); A – Agricultural (all other parcels)
East of Hickory Meadows parcels	R-1 – One-Family Residential, R-R – Rural Residential, and City of Traverse City
To the north	Elmwood Township
To the south	A – Agricultural south of Hickory Forest and Hickory Hills R-1 – One-Family Residential south of Hickory Meadows

Zoning classifications for subject site and surrounding sites:



USES OF SUBJECT SITE AND SURROUNDING SITES:

Three of the subject parcels constitute the Hickory Meadows parkland, and one is the site of Hickory Forest, which is in the process of becoming parkland. Uses of the surrounding sites are as follows:

Surrounding Properties	Surrounding Uses
West of Hickory Forest parcel	Residential, Bay Meadows golf course, Ritter’s senior living
Between Hickory Forest and Hickory Meadows	Hickory Hills Recreation Area, portion of the Morgan Farms PUD, Zimmerman Landscaping, and residential
East of Hickory Meadows parcels	Residential in Garfield Township and City of Traverse City
To the north	Residential and vacant/unbuilt land in Elmwood Township
To the south	Residential and vacant/unbuilt land

FINDINGS OF FACT:

The Planning Commission adopted the following Findings of Fact at their May 10, 2023 regular meeting:

Section 421.E Approval Criteria of Zoning Map Amendment

In its review of an application for rezoning, the Township should consider, but is not necessarily limited to, the criteria as defined in § 421.E (1) Master Plan Consistency through § 421.E (8) Other Factors. No single factor is controlling; instead, each must be weighed in relation to the other standards.

The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information to address the following:

1. Master Plan Consistency

Rezoning should be consistent with the intent and purpose of the adopted master plan.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- According to the Master Plan, the Future Land Use designation for the Hickory Meadows parcels is Recreational. The proposed zoning district of P-R Park-Recreation matches this designation.
- The Future Land Use designation for the Hickory Forest parcel is Agricultural / Rural Land. The proposed zoning district of P-R Park-Recreation does not match the Future Land Use designation for the site. However, the Master Plan includes additional information which may support the proposed rezoning application. As part of the Implementation section, the Master Plan includes the following goals and objectives for “Natural Resources and Parks and Recreational Opportunities:”
 - Continue to work closely with area environmental groups and other interested organizations to support environmental preservation and restoration efforts within the Township.
 - Continue implementation of the Township’s Green Infrastructure Plan and consider updates to that plan to reflect natural resource management best practices and changing circumstances.
 - Continue efforts to acquire additional property for parklands via grants, conservation easements, and open space preservation requirements in development approvals

2. Adverse Impacts on Neighboring Lands

The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The proposed P-R zoning would be consistent with the adjacent P-R zoning on the Hickory Hills parcel and would represent an expansion of a contiguous parkland area.
- The P-R zoning and park and recreation land use is compatible with surrounding land uses, which are primarily agricultural and residential.

3. Suitability as Presently Zoned

The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Hickory Meadows parcels are currently zoned as R-1 One-Family Residential, but the site is used as parkland and no residential development is anticipated on these parcels.
- The Hickory Forest site is currently zoned as A-Agricultural; the parcel is heavily forested and is unlikely to be used for farmland or farming operations.

4. Changed Conditions

The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- In November 2020, voters in Garfield Township and the City of Traverse City approved a 20-year operating millage for the Joint Recreational Authority to continue their operations and to purchase and preserve the Hickory Forest site. This indicates an intent to continue to use the properties as parkland.

5. Health, Safety, and Welfare

The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The only future improvements anticipated on these sites would be trails, trailheads, or other low impact uses which are not anticipated to negatively impact public health, safety, and welfare.
- There does not appear to be any nearby historical and cultural places and areas.

6. Public Policy

Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Township's prior Parks and Recreation Master Plan, which was in place when voters approved the millage for the Joint Recreational Authority in November 2020, identified this parcel as a potential future park opportunity in the Green Infrastructure Plan.
- Some goals and objectives included in the Master Plan, as described above, offer support for the proposed rezoning application.

7. Size of Tract

The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- These four parcels total 179.03 acres.
- No issues relating to the size of the tracts are anticipated as part of this proposed rezoning.

8. Other Factors

The Township may consider any other factors relevant to a rezoning application under state law.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- No other additional factors, besides those mentioned above, are anticipated to impact this proposed rezoning.

ACTION REQUESTED:

The purpose of this item being placed on tonight's agenda is to hold a public hearing on the application. If, following the public hearing, the Board is prepared to adopt the Planning Commission's recommended Findings of Fact included in this report and to adopt the attached resolution adopting the amendment to the Zoning Map, the following **three (3) separate motions** are suggested:

(1) First, to adopt the Findings of Fact:

MOTION THAT the Planning Commission's recommended Findings of Fact for the application Z-2023-01 as provided in PD Report 2023-63 and forming part of this motion, BE APPROVED.

(2) Second, to approve the Map Amendment:

MOTION THAT application Z-2023-01, submitted by City of Traverse City & Charter Township of Garfield Recreational Authority, to rezone Parcel 05-005-050-10 from its current zoning of the A-Agricultural zoning district to the P-R Park and Recreation zoning district, and to rezone Parcels 05-004-003-60, 05-005-034-10, and 05-005-034-20 from their current zoning of the R-1 One-Family Residential zoning district to the P-R Park and Recreation zoning district and constituting Amendment No. 35 to Garfield Township Ordinance No. 68, BE APPROVED based on the adopted Findings of Fact and for the reasons set forth in PD Report 2023-63.

(3) Finally, to adopt the **attached** resolution adopting the Map Amendment:

MOTION THAT Resolution 2023-17-T for adopting Amendment No. 35 to Garfield Township Ordinance No. 68, rezoning Parcel 05-005-050-10 from its current zoning of the A-Agricultural zoning district to the P-R Park and Recreation zoning district, and rezoning Parcels 05-004-003-60, 05-005-034-10, and 05-005-034-20 from their current zoning of the R-1 One-Family Residential zoning district to the P-R Park and Recreation zoning district, BE ADOPTED.

Any additional information that the Board determines to be necessary shall be added to these motions.

Attachments:

1. Resolution #2023-17-T.
2. Application for Zoning Ordinance Map Amendment for Hickory Meadows site dated February 1, 2023.
3. Application for Zoning Ordinance Map Amendment for Hickory Forest parcels dated February 2, 2023, including Map of Property Boundaries, Proposed Trails, and Proposed Trailheads, Warranty Deed, Property Information, Recreation Authority Acquisition Information, and Impact Statement.

**CHARTER TOWNSHIP OF GARFIELD
GRAND TRAVERSE COUNTY, MICHIGAN**

ORDINANCE NO. 68 (Zoning Ordinance): AMENDMENT NO. 35

RESOLUTION #2023-17-T

A RESOLUTION TO AMEND GARFIELD TOWNSHIP ORDINANCE NO. 68 (Zoning Ordinance):

WHEREAS the Charter Township of Garfield regulates the use and development of land pursuant to the authority of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended; and

WHEREAS application Z-2023-01 has been received to rezone approximately 179.03 acres of land ("subject properties") at Parcels 05-005-050-10, 05-004-003-60, 05-005-034-10, and 05-005-034-20; and

WHEREAS the request has been found to be justified based on criteria in the Garfield Township Zoning Ordinance listed in Section 421.E: Approval Criteria of Zoning Map Amendment; and

WHEREAS the Garfield Township Planning Commission, after conducting a public hearing on April 12, 2023 and adopting Findings of Fact on May 10, 2023, recommended approval of the application to the Township Board; and

WHEREAS the Township Board, following a public hearing on June 13, 2023, and having adopted Findings of Fact in support of approval of the application to rezone the subject property.

NOW, THEREFORE, THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:

AMENDMENT NO. 35 TO GARFIELD TOWNSHIP ORDINANCE NO. 68 (Zoning Ordinance):

At the request of the owners and their representatives of Parcels 05-005-050-10, 05-004-003-60, 05-005-034-10, and 05-005-034-20, situated in the Charter Township of Garfield, Grand Traverse County, Michigan, Parcel 05-005-050-10 has been rezoned by way of a map amendment from its current zoning of the A-Agricultural zoning district to the P-R Park and Recreation zoning district, and Parcels 05-004-003-60, 05-005-034-10, and 05-005-034-20 have been rezoned by way of a map amendment from their current zoning of the R-1 One-Family Residential zoning district to the P-R Park and Recreation zoning district.

Moved:

Supported:

Ayes:

Nays:

Absent and Excused:

By:

Chuck Korn, Supervisor
Charter Township of Garfield

CERTIFICATE

I, Lanie McManus, Clerk of the Charter Township of Garfield, do hereby certify that the above is a true and correct copy of Resolution 2023-17-T which was adopted by the Township Board of the Charter Township of Garfield on the 13th day of June 2023. Amendment No. 35 to Garfield Township Ordinance No. 68 (Zoning Ordinance) shall take effect upon the expiration of seven (7) days following publication.

Dated: _____

Lanie McManus, Clerk
Charter Township of Garfield

Introduced: May 23, 2023
Adopted: June 13, 2023
Published: June 18, 2023
Effective: June 25, 2023



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

ZONING ORDINANCE AMENDMENT (ZOA) APPLICATION

ASSISTANCE

This application must be completed in full. An incomplete or improperly prepared application will not be accepted and will result in processing delays. Before submitting an application, it is recommended that you contact the Planning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

ACTION REQUESTED

- ☒ Map Amendment (Rezoning)
☐ Text Amendment
☐ Conditional Rezoning

PROJECT / DEVELOPMENT NAME

Hickory Meadows

APPLICANT INFORMATION

Name: Matt Cowall, Recreational Authority

Address: 324 Munson Ave, Traverse City, MI 49686

Phone Number: 231-929-3696

Email: mcowall@liaa.org

AGENT INFORMATION

Name: Matt Cowall, Recreational Authority

Address: 324 Munson Ave, Traverse City, MI 49686

Phone Number: 231-929-3696

Email: mcowall@liaa.org

OWNER INFORMATION

Name: The City of Traverse City and Charter Township of Garfield Recreational Authority

Address: 324 Munson Ave, Traverse City, MI 49686

Phone Number: 231-929-3696

Email: mcowall@liaa.org

CONTACT PERSON

Please select one person to be contact person for all correspondence and questions:

<i>Applicant:</i>	Matt Cowall, 231-929-3696, mcowall@liaa.org
<i>Agent:</i>	Matt Cowall, 231-929-3696, mcowall@liaa.org
<i>Owner:</i>	Matt Cowall, 231-929-3696, mcowall@liaa.org

PROPERTY INFORMATION

<i>Property Address:</i>	Randolph St, Traverse City, MI 49684
<i>Property Identification Number:</i>	05-004-003-60, 05-005-034-10, 05-005-034-20
<i>Legal Description:</i>	Please see attached
<i>Zoning District:</i>	R-1
<i>Master Plan Future Land Use Designation:</i>	Recreational
<i>Area of Property (acres or square feet):</i>	Approx. 108 acres
<i>Existing Use(s):</i>	Public passive recreation
<i>Proposed Use(s):</i>	Public passive recreation

REQUIRED SUBMITTAL ITEMS

A complete application for a Zoning Ordinance Amendment consists of the following:

Application Form:

- ☒ One original signed application
- ☒ One digital copy of the application (PDF only)

Application Fee:

Fees are established by resolution of the Garfield Township Board and are set out in the current Fee Schedule as listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please make check out to Charter Township of Garfield.

- ☒ Fee

Escrow Fee:

Additional fees may be required if a review by independent professional help is deemed necessary by the Township. If required, such additional fees must be placed in escrow by the applicant in accordance with the escrow policies of the Township and prior to any further processing of this application. Any unused escrow funds shall be returned to the applicant. Please complete an Escrow and Review (ER) Application form.

For Map (Rezoning) Amendment only, the following must be included:

Site Diagram

- ☐ Ten complete stapled 11"x17" paper sets
- ☐ One digital set (PDF) only

Supporting Information

- ☐ Ten paper copies of the Impact Statement for Map (Rezoning) Amendment
- ☐ One digital copy of the Impact Statement for Map (Rezoning) Amendment (PDP only)

For Text Amendment only, the following must be included:

- ☐ Ten paper copies of the Impact Statement for Text Amendment
- ☐ One digital copy of the Impact Statement for Text Amendment (PDF only)

For Conditional Rezoning only, the following must be included:

Site Development Plan

- ☐ Ten complete stapled 11"x17" paper sets
- ☐ Two complete bound 24"x36" paper sets
- ☐ One digital set (PDF only)

Supporting Information

- ☐ Ten paper copies of the Impact Statement for Conditional Rezoning
- ☐ One digital copy of the Impact Statement for Conditional Rezoning (PDF only)
- ☐ Ten paper copies of the Offer of Conditions for Conditional Rezoning
- ☐ One digital copy of the Offer of Conditions for Conditional Rezoning (PDF only)

Digital items to be delivered via email or USB flash drive

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.
6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no

intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

IMPACT STATEMENT FOR ZONING ORDINANCE TEXT AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. A text amendment should be consistent with the intent and purpose of the adopted master plan.
2. Changed Conditions. The Township shall consider whether any conditions have changed since the zoning ordinance was adopted that might justify the amendment.
3. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas.
4. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
5. Other Factors. The Township may consider any other factors relevant to a zoning text amendment application under state law.

IMPACT STATEMENT FOR CONDITIONAL REZONING

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.
8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

OFFER OF CONDITIONS FOR CONDITIONAL REZONING

A written offer of Conditions as described in § 422.B(3) of the Zoning Ordinance. An owner of land may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested.

1. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
2. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
3. Any use or development, proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance, may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
4. Any use or development, proposed as part of an offer of conditions that would require a variance under the terms of this ordinance, may only be commenced if a variance for such development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this ordinance.
5. Any use or development, proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance, may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
6. The offer of conditions may be amended during the process of rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner.

SUBMITTAL DEADLINE

Submittal deadlines are listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please note that the listed dates are the deadlines after which submittals will not be considered for the indicated meeting. Any errors or missing information on an application submitted at the deadline will result in a delay in the processing of the application. An earlier submittal is encouraged to avoid possible delays.

WAIVERS

Submittal Waiver:

At the discretion of the Zoning Administrator in the case of a Site Diagram, or the Director of Planning in the case of an Administrative Site Plan or a Site Development Plan, the requirement to submit a Site Diagram, an Administrative Site Plan or a Site Development Plan may be waived in any of the following cases when it is determined that the submission would serve no useful purpose:

1. The erection or enlargement of an accessory structure;
2. The enlargement of a principal building by less than 20 percent of its existing gross floor area, provided such enlargement will not result in a requirement for additional off-street parking;
3. A change in principal use where such change would not result in an increase in impervious surface area, additional off-street parking, site access, other external site characteristics or a violation of this ordinance.

Data Waiver:

1. The Zoning Administrator may waive a particular element of information or data otherwise required for a Site Diagram upon a finding that the information is not necessary to determine compliance with this ordinance.
2. The Director of Planning may waive a particular element of information or data otherwise required for a Site Development Plan upon a finding that the information or data is not necessary to determine compliance with this ordinance or that such information or data would not bear on the decision of the approval authority.

SITE PLAN

Check that your site plan includes all required elements for a Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.

ADDITIONAL INFORMATION

If applicable, provide the following further information:

	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
A. <u>Sanitary Sewer Service</u>			
1. Does project require extension of public sewer line?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community wastewater system be installed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide construction plans and specifications			
3. Will on-site disposal be used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, is it depicted on plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. <u>Water Service</u>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community water supply be installed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide construction plans and specifications			
C. <u>Public utility easements required?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, show on plan.			
D. <u>Stormwater Review/Soil Erosion</u>			
1. Soil Erosion Plans approved by Soil Erosion Office?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, attach approval letter.			
If no, are alternate measures shown?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Stormwater Plans approved by Township Engineer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If so, attach approval letter.

If no, are alternate measures shown?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

Note: Alternate measures must be designed and sealed by a registered Engineer.

E. Roads and Circulation

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 1. Are interior public streets proposed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, has Road Commission approved (attach letter)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Will public streets connect to adjoining properties or future streets? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are private roads or interior drives proposed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Will private drives connect to adjoining properties service roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Has the Road Commission or MDOT approved curb cuts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, attach approved permit. | | | |

OTHER INFORMATION

If there is any other information that you think may be useful in the review of this application, please attach it to this application or explain it on a separate page.

REVIEW PROCESS

1. Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again review it for completeness and again forward a determination to the applicant within ten (10) working days.
This procedure shall be repeated until a complete submission is received.
2. Once the application is deemed to be complete and submitted according to the application deadlines, it will be forwarded to the Planning Commission for review. The Planning Commission will determine if the application is complete and schedule a public hearing.
3. Following the public hearing, the Planning Commission will make a recommendation on the application to the Township Board.
4. Prior to making a decision, the Township Board will hold a second public hearing on the application. Following the public hearing, the Township Board will make a decision to approve or deny the application.
5. If a Conditional Rezoning is approved or approved with conditions, the decision of the Township Board shall be incorporated into a written report and decision order.

PERMISSION TO ENTER SUBJECT PROPERTY

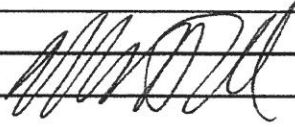
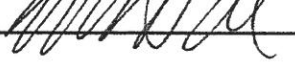

Permission is hereby granted to Garfield Township staff and Planning Commissioners to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Owner Signature:

Applicant Signature:

Agent Signature:

Date:




2-1-23

OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We _____ authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature:

Date:

AFFIDAVIT

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

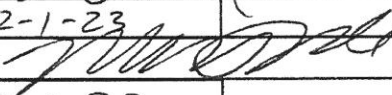
Owner Signature:



Date:

2-1-23

Applicant Signature:



Date:

2-1-23

Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)		SD	ASP/ SDP
A. Basic Information			
1. Applicant's name, address, telephone number and signature		<input type="checkbox"/>	<input type="checkbox"/>
2. Property owner's name, address, telephone number and signature		<input type="checkbox"/>	<input type="checkbox"/>
3. Proof of property ownership		<input type="checkbox"/>	<input type="checkbox"/>
4. Whether there are any options or liens on the property		<input type="checkbox"/>	<input type="checkbox"/>
5. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent		<input type="checkbox"/>	<input type="checkbox"/>
6. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage		<input type="checkbox"/>	<input type="checkbox"/>
7. A vicinity map showing the area and road network surrounding the property			<input type="checkbox"/>
8. Name, address and phone number of the preparer of the site plan		<input type="checkbox"/>	<input type="checkbox"/>
9. Project title or name of the proposed development		<input type="checkbox"/>	<input type="checkbox"/>
10. Statement of proposed use of land, project completion schedule, any proposed development phasing		<input type="checkbox"/>	<input type="checkbox"/>
11. Land uses and zoning classification on the subject parcel and adjoining parcels		<input type="checkbox"/>	<input type="checkbox"/>
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number			<input type="checkbox"/>
B. Site Plan Information			
1. North arrow, scale, and date of original submittal and last revision		<input type="checkbox"/>	<input type="checkbox"/>
2. Boundary dimensions of natural features			<input type="checkbox"/>
3. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features			<input type="checkbox"/>
4. Proposed alterations to topography and other natural features			<input type="checkbox"/>
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%			<input type="checkbox"/>
6. Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department.		<input type="checkbox"/>	<input type="checkbox"/>
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures			<input type="checkbox"/>
8. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities			<input type="checkbox"/>
9. Proposed finish floor and grade line elevations of any structures <i>*Required only for habitable construction within the floodplain on site diagrams and administrative site plans.</i>		<input type="checkbox"/>	<input type="checkbox"/>
10. Existing and proposed driveways, including parking areas		<input type="checkbox"/>	<input type="checkbox"/>
11. Neighboring driveways and other vehicular circulation features adjacent to the site			<input type="checkbox"/>
12. A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared parking areas		<input type="checkbox"/>	<input type="checkbox"/>
13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks			<input type="checkbox"/>
14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site			<input type="checkbox"/>
15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes			<input type="checkbox"/>
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal			<input type="checkbox"/>
17. Location of water supply lines and/or wells		<input type="checkbox"/>	<input type="checkbox"/>
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems		<input type="checkbox"/>	<input type="checkbox"/>
19. Location, specifications, and access to a water supply in the event of a fire emergency			<input type="checkbox"/>
20. Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales, wastewater lines, clean out locations, connection points and treatment systems			<input type="checkbox"/>
21. A utility plan including the location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam			<input type="checkbox"/>
22. A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections			<input type="checkbox"/>
23. A lighting plan including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used			<input type="checkbox"/>
24. Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences, walls, trash receptacle screening, and other screening features with cross sections shown			<input type="checkbox"/>
25. A Landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. All vegetation to be retained on site must also be indicated, as well as, its typical size by general location or range of sizes as appropriate			<input type="checkbox"/>
26. Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)			<input type="checkbox"/>
27. Changes or modifications required for any applicable regulatory agencies' approvals			<input type="checkbox"/>



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

ZONING ORDINANCE AMENDMENT (ZOA) APPLICATION

ASSISTANCE

This application must be completed in full. An incomplete or improperly prepared application will not be accepted and will result in processing delays. Before submitting an application, it is recommended that you contact the Planning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

ACTION REQUESTED

- ☒ Map Amendment (Rezoning)
☐ Text Amendment
☐ Conditional Rezoning

PROJECT / DEVELOPMENT NAME

Hickory Forest Natural Area

APPLICANT INFORMATION

Name: Matt Cowall, Recreational Authority
Address: 324 Munson Ave, Traverse City, MI 49686
Phone Number: 231-929-3696
Email: mcowall@liaa.org

AGENT INFORMATION

Name: Chris Sullivan, Grand Traverse Regional Land Conservancy
Address: 3860 N Long Lake Rd, Ste D, Traverse City, MI 49684
Phone Number: 231-922-1243
Email: csullivan@gtrlc.org

OWNER INFORMATION

Name: Bercal Properties LLC
Address: 6223 Peninsula Dr, Traverse City, MI 49686
Phone Number: See Agent Information
Email: See Agent Information

CONTACT PERSON

Please select one person to be contact person for all correspondence and questions:

<i>Applicant:</i>	Matt Cowall, 231-929-3696, mcowall@liaa.org
<i>Agent:</i>	Chris Sullivan, 231-922-1243, csullivan@gtrlc.org
<i>Owner:</i>	Chris Sullivan, 231-922-1243, csullivan@gtrlc.org

PROPERTY INFORMATION

<i>Property Address:</i>	Barney Rd, Traverse City, MI 49684-8315
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<i>Property Identification Number:</i>	05-005-050-10
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<i>Legal Description:</i>	Please see attached
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<i>Zoning District:</i>	A
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<i>Master Plan Future Land Use Designation:</i>	Agricultural/Rural Land
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<i>Area of Property (acres or square feet):</i>	71.33 acres
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<i>Existing Use(s):</i>	None
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<i>Proposed Use(s):</i>	Public passive recreation
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REQUIRED SUBMITTAL ITEMS

A complete application for a Zoning Ordinance Amendment consists of the following:

Application Form:

- ☒ One original signed application
- ☒ One digital copy of the application (PDF only)

Application Fee:

Fees are established by resolution of the Garfield Township Board and are set out in the current Fee Schedule as listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please make check out to Charter Township of Garfield.

- ☒ Fee

Escrow Fee:

Additional fees may be required if a review by independent professional help is deemed necessary by the Township. If required, such additional fees must be placed in escrow by the applicant in accordance with the escrow policies of the Township and prior to any further processing of this application. Any unused escrow funds shall be returned to the applicant. Please complete an Escrow and Review (ER) Application form.

For Map (Rezoning) Amendment only, the following must be included:

Site Diagram

- ☒ Ten complete stapled 11"x17" paper sets
- ☒ One digital set (PDF) only

Supporting Information

- ☒ Ten paper copies of the Impact Statement for Map (Rezoning) Amendment
- ☒ One digital copy of the Impact Statement for Map (Rezoning) Amendment (PDF only)

For Text Amendment only, the following must be included:

- ☐ Ten paper copies of the Impact Statement for Text Amendment
- ☐ One digital copy of the Impact Statement for Text Amendment (PDF only)

For Conditional Rezoning only, the following must be included:

Site Development Plan

- ☐ Ten complete stapled 11"x17" paper sets
- ☐ Two complete bound 24"x36" paper sets
- ☐ One digital set (PDF only)

Supporting Information

- ☐ Ten paper copies of the Impact Statement for Conditional Rezoning
- ☐ One digital copy of the Impact Statement for Conditional Rezoning (PDF only)
- ☐ Ten paper copies of the Offer of Conditions for Conditional Rezoning
- ☐ One digital copy of the Offer of Conditions for Conditional Rezoning (PDF only)

Digital items to be delivered via email or USB flash drive

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.
6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no

intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

IMPACT STATEMENT FOR ZONING ORDINANCE TEXT AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. A text amendment should be consistent with the intent and purpose of the adopted master plan.
2. Changed Conditions. The Township shall consider whether any conditions have changed since the zoning ordinance was adopted that might justify the amendment.
3. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas.
4. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
5. Other Factors. The Township may consider any other factors relevant to a zoning text amendment application under state law.

IMPACT STATEMENT FOR CONDITIONAL REZONING

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
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6. **Public Policy.** Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. **Size of Tract.** The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.
8. **Other Factors.** The Township may consider any other factors relevant to a rezoning application under state law.

OFFER OF CONDITIONS FOR CONDITIONAL REZONING

A written offer of Conditions as described in § 422.B(3) of the Zoning Ordinance. An owner of land may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested.

1. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
2. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
3. Any use or development, proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance, may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
4. Any use or development, proposed as part of an offer of conditions that would require a variance under the terms of this ordinance, may only be commenced if a variance for such development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this ordinance.
5. Any use or development, proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance, may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
6. The offer of conditions may be amended during the process of rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner.

SUBMITTAL DEADLINE

Submittal deadlines are listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please note that the listed dates are the deadlines after which submittals will not be considered for the indicated meeting. Any errors or missing information on an application submitted at the deadline will result in a delay in the processing of the application. An earlier submittal is encouraged to avoid possible delays.

WAIVERS

Submittal Waiver:

At the discretion of the Zoning Administrator in the case of a Site Diagram, or the Director of Planning in the case of an Administrative Site Plan or a Site Development Plan, the requirement to submit a Site Diagram, an Administrative Site Plan or a Site Development Plan may be waived in any of the following cases when it is determined that the submission would serve no useful purpose:

1. The erection or enlargement of an accessory structure;
2. The enlargement of a principal building by less than 20 percent of its existing gross floor area, provided such enlargement will not result in a requirement for additional off-street parking;
3. A change in principal use where such change would not result in an increase in impervious surface area, additional off-street parking, site access, other external site characteristics or a violation of this ordinance.

Data Waiver:

1. The Zoning Administrator may waive a particular element of information or data otherwise required for a Site Diagram upon a finding that the information is not necessary to determine compliance with this ordinance.
2. The Director of Planning may waive a particular element of information or data otherwise required for a Site Development Plan upon a finding that the information or data is not necessary to determine compliance with this ordinance or that such information or data would not bear on the decision of the approval authority.

SITE PLAN

Check that your site plan includes all required elements for a Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.

ADDITIONAL INFORMATION

If applicable, provide the following further information:

	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
A. <u>Sanitary Sewer Service</u>			
1. Does project require extension of public sewer line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Will a community wastewater system be installed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, provide construction plans and specifications			
3. Will on-site disposal be used?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, is it depicted on plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. <u>Water Service</u>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Will a community water supply be installed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, provide construction plans and specifications			
C. <u>Public utility easements required?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, show on plan.			
D. <u>Stormwater Review/Soil Erosion</u>			
1. Soil Erosion Plans approved by Soil Erosion Office?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, attach approval letter.			
If no, are alternate measures shown?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Stormwater Plans approved by Township Engineer?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If so, attach approval letter.

If no, are alternate measures shown?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

Note: Alternate measures must be designed and sealed by a registered Engineer.

E. Roads and Circulation

- | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|
| 1. Are interior public streets proposed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If yes, has Road Commission approved (attach letter)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will public streets connect to adjoining properties or future streets? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Are private roads or interior drives proposed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will private drives connect to adjoining properties service roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Has the Road Commission or MDOT approved curb cuts? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If yes, attach approved permit. | | | |

OTHER INFORMATION

If there is any other information that you think may be useful in the review of this application, please attach it to this application or explain it on a separate page.

REVIEW PROCESS

1. Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again review it for completeness and again forward a determination to the applicant within ten (10) working days. This procedure shall be repeated until a complete submission is received.
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5. If a Conditional Rezoning is approved or approved with conditions, the decision of the Township Board shall be incorporated into a written report and decision order.

PERMISSION TO ENTER SUBJECT PROPERTY



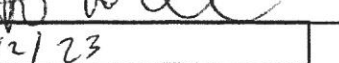
Permission is hereby granted to Garfield Township staff and Planning Commissioners to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Owner Signature:

Applicant Signature:

Agent Signature:

Date:




2/2/23

OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We Bercal Properties LLC authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature:

John Bercini

Date:

2-2-23

AFFIDAVIT

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

Owner Signature:

John Bercini

Date:

2-2-23

Applicant Signature:

[Signature]

Date:

2-2-23

Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)		SD	ASP/ SDP
A. Basic Information			
1. Applicant's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Property owner's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Proof of property ownership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Whether there are any options or liens on the property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. A vicinity map showing the area and road network surrounding the property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Name, address and phone number of the preparer of the site plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Project title or name of the proposed development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Statement of proposed use of land, project completion schedule, any proposed development phasing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Land uses and zoning classification on the subject parcel and adjoining parcels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Site Plan Information			
1. North arrow, scale, and date of original submittal and last revision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Boundary dimensions of natural features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Proposed alterations to topography and other natural features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Proposed finish floor and grade line elevations of any structures <i>*Required only for habitable construction within the floodplain on site diagrams and administrative site plans.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Existing and proposed driveways, including parking areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Neighboring driveways and other vehicular circulation features adjacent to the site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared parking areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Location of water supply lines and/or wells	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Location, specifications, and access to a water supply in the event of a fire emergency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales, wastewater lines, clean out locations, connection points and treatment systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. A utility plan including the location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. A lighting plan including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences, walls, trash receptacle screening, and other screening features with cross sections shown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. A Landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. All vegetation to be retained on site must also be indicated, as well as, its typical size by general location or range of sizes as appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. Changes or modifications required for any applicable regulatory agencies' approvals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Hickory Forest Rezoning - Garfield Township

Parcel 05-005-050-10 (71.33 acres)

Tods Trl

City of Traverse City &
Charter Township of Garfield
Recreational Authority

Matt Cowall
324 Munson Ave
Traverse City, MI 49686
231-929-3696

Golf Course

Residential

Residential

Residential

Residential

Barney Rd

Residential

E Traverse Hwy
884.55'

312.17'

611.56'

Leelanau County
Grand Traverse County

Residential

Existing Park

Benzonia State Rd

1770.2'

484.36'

556.05'

678.67'

3265.57'

389.93'

385.49'

93.16'

339.69'

75.0'

- Property Boundary, Garfield Township
- Property Boundary, Elmwood Township
- Proposed Trails
- Proposed Trailhead

Signature of Authorized
Individual

1/19/23

Date

Received in Leelanau
06/04/2020 11:20:00 AM

DOCUMENT NO. 2020003235

Total Pages: 6
06/04/2020 02:24 PM Fees: \$35.00
DOROTHY M. MILLER, Register of Deeds
Leelanau County, MI



Part of 28-05-005-005-00
28-05-005-050-00
Parcel # 28-05-005-047 By SCK
STATE OF MICHIGAN, County of Grand Traverse, at Traverse City, I hereby
certify that there are no Tax liens or Titles held by the State of any individual against the within
description, and all taxes on same are paid for five years previous to the date of the instrument as appears
by the records in my office. This does not cover taxes in the process of collection by
Township, City or Village 5/21/2020 Grand Traverse County, Treasurer
SMDP

WARRANTY DEED

THE GRANTORS:

MARILEE WOODARD (also known as Marilee C. Woodard), Trustee of the Clarence T. Kroupa and Esther G. Kroupa Joint Revocable Living Trust dated September 8, 2010, as amended (hereafter Kroupa Trust), whose address is 5431 Goodrick Road, Traverse City, MI 49684;

STEVEN H. WOODARD and MARILEE WOODARD (also known as Marilee C. Woodard), husband and wife (hereafter Woodard), whose address is 5431 Goodrick Road, Traverse City, MI 49684;

STEVEN H. WOODARD and MARILEE WOODARD (also known as Marilee C. Woodard), Cotrustees of the Steven H. Woodard and Marilee C. Woodard Joint Revocable Trust Agreement dated July 28, 2010 (hereafter Woodard Trust), whose address is 5431 Goodrick Road, Traverse City, MI 49684;

AND

MARK O. ALEXANDER and REBECCA A. ALEXANDER, husband and wife (hereafter Alexander), whose address is 305 Windy Rush Lane, DeWitt, MI 48820;

CONVEY AND WARRANT * TO

THE GRANTEE: BERCAL PROPERTIES LLC, a Michigan limited liability company, whose address is 6223 Peninsula Drive, Traverse City, MI 49686;

Land situated in the Township of Garfield, County of Grand Traverse, State of Michigan, and in the Township of Elmwood, County of Leelanau, State of Michigan, described more fully on Exhibit A attached hereto. 004-032-036-25 4H
004-032-036-35 4H

For the sum of Consideration set forth in the Real Estate Transfer Tax Valuation Affidavit filed.

*The Grantors warrant title, respectively, to that part of the property described in Exhibit A as set forth in the Old Republic National Title Insurance Commitments Nos. MI-398030 (Alexanders and Woodard Trust); MI-398024 (Alexanders and Woodard Trust); and MI-398022 (Kroupa Trust).

Land Division Approval of the parent parcel was given by the Charter Township of Garfield (Grand Traverse County, Michigan) by Certificate of Approval dated November 26, 2019, and recorded as Document No. 2020R-03789 in the Office of the Grand Traverse County Register of Deeds.

TAX CERTIFICATION LEELANAU COUNTY SUTTONS BAY, MI 6/4/2020 I hereby certify that, according to our records, all taxes returned to this office are paid five (5) years preceding the 15 day of 5/2020. This does not include taxes in the process of collection by Township, Cities or Villages, Board of Review changes, Michigan Tax Tribunal changes, or changes due to Principal Residence Exemptions or corrections

John A. Gullaghi III
Leelanau County Treasurer

12:01PM 02.12.2020

MICHIGAN REAL ESTATE TRANSFER TAX
2020003235

06/04/2020 02:24 PM Leelanau County, MI
Receipt# 20-3283
Tax Stamp # 25311

County Tax: \$45.10 State Tax: \$307.50



Signed by GRANTOR:

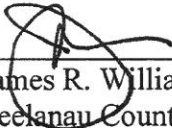
Clarence T. Kroupa and Esther G. Kroupa Joint
Revocable Living Trust dated 09/08/2010,
as amended

Date: May 15, 2020

By: Marilee C. Woodard, trustee
MARILEE WOODARD, Trustee

STATE OF MICHIGAN)
COUNTY OF LEELANAU)

The foregoing instrument was acknowledged before me on May 15, 2020, by Marilee Woodard, Trustee of the Clarence T. Kroupa and Esther G. Kroupa Joint Revocable Living Trust dated 09/08/2010, as amended, with the authority of and on behalf of said Trust.


James R. Williams, Notary Public
Leelanau County, State of Michigan
My commission expires: 07/18/2023

Signed by GRANTORS:

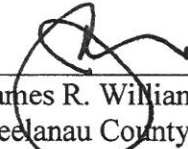
~~~~~  
Steven H. Woodard  
STEVEN H. WOODARD

Date: May 15, 2020

Marilee C. Woodard  
MARILEE WOODARD

STATE OF MICHIGAN     )  
COUNTY OF LEELANAU    )

The foregoing instrument was acknowledged before me on May 15, 2020, by STEVEN H. WOODARD and MARILEE WOODARD, husband and wife.

  
James R. Williams, Notary Public  
Leelanau County, State of Michigan  
My commission expires: 07/18/2023

Signed by GRANTORS:

~~~~~  
Steven H. Woodard & Marilee C. Woodard
Joint Revocable Trust Agreement
dated July 28, 2010


By: Steven H. Woodard
STEVEN H. WOODARD, Cotrustee

Date: May 15, 2020

By: Marilee C. Woodard
MARILEE C. WOODARD, Cotrustee

STATE OF MICHIGAN)
COUNTY OF LEELANAU)

The foregoing instrument was acknowledged before me on May 15, 2020, by Steven H. Woodard and Marilee C. Woodard, Cotrustees of the Steven H. Woodard and Marilee C. Woodard Joint Revocable Trust Agreement dated July 28, 2010, with the authority of and on behalf of said Trust.





James R. Williams, Notary Public
Leelanau County, State of Michigan
My commission expires: 07/18/2023

~~~~~


Signed by GRANTORS:

Date: May 15, 2020

  
\_\_\_\_\_  
MARK O. ALEXANDER  
  
\_\_\_\_\_  
REBECCA A. ALEXANDER

STATE OF MICHIGAN     )  
COUNTY OF LEELANAU    )

The foregoing instrument was acknowledged before me on May 15, 2020, by MARK O. ALEXANDER and REBECCA A. ALEXANDER, husband and wife.

  
\_\_\_\_\_  
James R. Williams, Notary Public  
Leelanau County, State of Michigan  
My commission expires: 07/18/2023

~~~~~

When Recorded Return To/Send Subsequent Tax Bills To:

Drafted by:

Bercal Properties LLC
6223 Peninsula Drive
Traverse City, MI 49686

Law Offices of James R. Williams
By: James R. Williams (P22351)
105 W. Broadway, P.O. Box 458
Suttons Bay, MI 49682-0458
(231) 271-3254

Tax Parcel IDs 45-004-032-036-35
45-004-032-036-25
28-05-005-047-20
28-05-005-005-00
28-05-005-050-00

Recording Fees: \$35.00

g:\tr-adm\kroupa\warranty deed to bercal llc gtrlc REVUSED4-30-2020

EXHIBIT A
Attachment to Warranty Deed

MARILEE WOODARD, Trustee of the Clarence T. Kroupa and Esther G. Kroupa Joint Revocable Living Trust dated September 8, 2010, as amended - Grantor
STEVEN H. WOODARD and MARILEE WOODARD, husband and wife - Grantors
STEVEN H. WOODARD and MARILEE WOODARD, Cotrustees of the Steven H. Woodard and Marilee C. Woodard Joint Revocable Trust Agreement dated July 28, 2010 - Grantors
MARK O. ALEXANDER and REBECCA A. ALEXANDER, husband and wife - Grantors
BERCAL PROPERTIES LLC, a Michigan limited liability company - Grantee

Legal Description

Land in the Township of Garfield, County of Grand Traverse, State of Michigan, and in the Township of Elmwood, County of Leelanau, State of Michigan, described as follows:

PARCEL A

Part of the Northwest 1/4 of Section 5, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, described as:

Beginning at the West quarter corner of Section 5; thence North 01°31'36" East along the West line of Section 5, 3265.57 feet to the Northwest corner of Section 5; thence South 89°26'24" East along the North line of Section 5, 1311.56 feet to a found 1/8th corner as previously used in surveys recorded in Liber 1, page 151 and Liber 5, page 595; thence South 89°37'49" East along the North line of Section 5, 110.58 feet; thence South 35°53'54" West, 196.16 feet to a previously established 1/8th line; thence South 01°35'38" West along the West 1/8th line of Section 5, 1770.20 feet to a found 1/8th corner as previously used in a survey recorded in Liber 1, page 151; thence South 89°43'47" West along the North 1/8th line of Section 5, 484.36 feet; thence South 01°31'36" West, 556.05 feet; thence North 89°34'45" West, 678.67 feet; thence South 01°31'36" West, 389.93 feet; thence South 09°28'37" West, 385.49 feet to the South line of Section 5; thence North 89°34'18" West along the South line of Section 5, 93.16 feet to the Point of Beginning.

And

Part of the Southwest 1/4 of Section 32, Town 28 North, Range 11 West, Elmwood Township, Leelanau County, Michigan, described as:

Commencing at the Southwest 1/4 corner of Section 32; thence South 89°26'24" East along the South line of Section 32, 611.56 feet to the Point of Beginning; thence South 89°26'24" East along the South line of Section 32, 700.00 feet to a found 1/8th corner as previously used in surveys recorded in Liber 1, page 151 and Liber 5, page 595; thence South 89°37'49" East along the South line of Section 32, 110.58 feet; thence North 35°53'54" East, 143.53 feet to the South right of way of M-72; thence North 00°36'11" East, 75.00 feet to the centerline of M-72; thence along said centerline 381.85 feet along the arc of a 1912.26 foot radius curve to the right, having an included angle of 11°26'28", and the long chord of which bears North 83°40'35" West, 381.22 feet; thence North 77°57'44" West along said centerline, 229.76 feet; thence along said centerline 273.80 feet along the arc of a 1910.80 foot radius curve to the left, having an included angle of 8°12'36" and the

long chord of which bears North 82°02'49" West, 273.57 feet; thence South 03°50'53" West, 312.17 feet to the Point of Beginning.

PREVIOUSLY DESCRIBED AS:

PARCEL 1:

Property located in the Township of Elmwood, County of Leelanau, State of Michigan, described as follows:

Part of the Southwest 1/4, Section 32, Town 28 North, Range 11 West, more fully described as: Commencing at the Southwest corner of said Section 32; thence South 89°32'07" East, along the South line of said Section 32, 611.64 feet to the Point of Beginning; thence continuing South 89°32'07" East, along said South line, 350.00 feet; thence North 11°56'33" East, 258.83 feet to the centerline of State Highway M-72; thence North 78°03'27" West, along said centerline, 114.60 feet; thence Northwesterly, continuing along said centerline, 273.80 feet on the arc of a 1910.80 foot radius curve to the left (Long Chord equals North 82°08'32" West, 272.57 feet); thence South 03°45'10" West, 312.18 feet to the Point of Beginning.

PARCELS 2 & 3:

Property located in the Townships of Elmwood and Garfield, County of Leelanau and Grand Traverse, State of Michigan, described as follows:

That part of Section 5, Town 27 North, Range 11 West, and that part of Section 32, Town 28 North, Range 11 West, described as: Commencing at the Southwest Corner of said Section 32; thence South 89°32'07" East, along the South line of said Section 32, 961.64 feet to the POINT OF BEGINNING; thence continuing South 89°32'07" East along said South line, 350 feet; thence South 01°28'00" West, 160.00 feet; thence North 35°45'35" East, 339.91 feet to the South right-of-way line of State Highway M-72; thence North 00°30'28" East, 75.00 feet to the centerline of said M-72; thence Northwesterly along said centerline, 381.85 feet on the arc of a 1912.26 foot radius curve to the right (Long Chord = North 83°46'18" West, 381.22 feet), thence North 78°03'27" West, continuing along said centerline, 115.16 feet; thence South 11°56'33" West, 258.83 feet to the Point of Beginning.

PARCEL 4:

Property located in the Township of Garfield, County of Grand Traverse, State of Michigan, described as follows:

Parcel A:

The West ½ of the Northwest 1/4 of the Northwest 1/4, Section 5, Town 27 North, Range 11 West,

AND

Parcel B:

The East ½ of Government Lot 4, Section 5, Town 27 North, Range 11 West.

PARCEL 5:

Property located in the Township of Garfield, County of Grand Traverse, State of Michigan, described as follows:

Beginning at the Southwest corner of Southwest 1/4 of the Northwest 1/4 of Section 5, Town 27 North, Range 11 West, thence running East 50 rods; thence North 80 rods to 1/8 line; thence West on 1/8 line 50 rods to Section line; thence South on Section line 80 rods to place of beginning. EXCEPT part of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 27 North, Range 11 West, more fully described as: Commencing at the West 1/4 corner of said Section 5; thence North 89°44'00" East, 92.64 feet along the East and West 1/4 line of said Section 5, for the Point of Beginning; thence North 08°48'30" East, 385.48 feet; thence North 88°19'01" East, 194.33 feet; thence South 02°49'30" West, 98.85 feet; thence South 22°54'00" East, 103.63 feet; thence South 15°43'16" East, 93.98 feet; thence South 01°17'11" East, 100.53 feet; thence South 89°44'00" West, 316.46 feet, along said East and West 1/4 line to the Point of Beginning. EXCEPT: Commencing at the West 1/4 corner of Section 5; thence South 89°34'18" East along the South line of Section 5, 409.62 feet to the Point of Beginning; thence North 00°37'04" West, 100.69 feet; thence North 15°03'09" West, 93.98 feet; thence North 22°13'53" West, 103.63 feet; thence North 03°29'37" East, 98.85 feet; thence South 88°59'08" West, 194.33 feet; thence North 01°31'36" East, 389.93 feet; thence South 89°34'45" East, 678.67 feet; thence South 01°31'36" West, 770.78 feet to the South line of Section 5; thence North 89°34'18" West along the South line of Section 5, 415.54 feet to the Point of Beginning.

Subject to and together with easements, restrictions and reservations of record, if any.

The within described parcel is that certain Parcel "A" shown and described in that certain Certificate of Survey by Mansfield Land Use Consultants dated 9/16/2019. Job No. 191956.

The Grantors grant to the Grantee the right to make no (-0-) divisions of the conveyed parcel under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

* * * * *

Parcel 05-005-050-10

Grand Traverse County Property Information 2022 - December Board of Review

Parcel: 05-005-050-10

Jurisdiction: Garfield Township

Owner Name: BERCAL PROPERTIES LLC

Property Address: BARNEY RD

TRAVERSE CITY, MI 49684-8315

Mailing Address: 6223 PENINSULA DR

TRAVERSE CITY, MI 49686-1915

2022 - December Board of Review Property Information

Current Taxable Value: \$270,232

School District: 28010

Current Assessment: \$383,200

Current S.E.V.: \$383,200

Current P.R.E.*: 0%

* This percentage may pertain to exemptions other than the Principal Residence Exemption.

Current Property Class: 402 - Residential - Vacant

Tax Information

Taxable Year	Summer Tax Amount	Winter Tax Amount
2021	\$9,507.31	\$2,261.04
2020	\$0.00	\$0.00

Delinquent Tax Information

For current delinquent tax information or to pay your delinquent taxes online, [CLICK HERE](#) and you will be redirected to a third party site.

Property Sale Information

Sale Date	Sale Amount	Liber and Page
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5/15/2020

\$654,274.00

2020R-08756

Tax Description

PT NW1/4 SEC 5 T27N R11W COM W1/4 COR SEC 5 TH N 01DEG 31'36"E 3265.57' TH S 89DEG 26'24"E 1311.56' TH S 89DEG 37'49"E 110.58' TH S 35DEG 53'54"W 196.16' TH S 01DEG 35'38"W 1770.2' TH S 89DEG 43'47"W 484.36' TH S 01DEG 31'36"W 556.05' TH N 89DEG 34'45"W 678.67' TH S 01DEG 31'36"W 389.93' TH S 09DEG 28'37"W 385.49' TH N 89DEG 34'18"W 93.16' TO POB SUBJ TO RD ROW (ALSO PT SW1/4 SEC 32 T28N R11W) COMBINED ON 05/20/2020 FROM PT OF 05-005-005-00, 05-005-050-00, 05-005-047-20;

**City of Traverse City & Charter Township of Garfield Recreational Authority
Hickory Forest Acquisition
TF21-0143**

Legal Description

The land referred to is situated in the **Townships of Garfield and Elmwood, County of Grand Traverse** and the **County of Leelanau**, State of **Michigan**, and is described as follows:

PARCEL A:

Part of the Northwest 1/4 of Section 5, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, described as:

Beginning at the West quarter corner of Section 5; thence North 01°31'36" East along the West line of Section 5, 3265.57 feet to the Northwest corner of Section 5; thence South 89°26'24" East along the North line of Section 5, 1311.56 feet to a found 1/8th corner as previously used in surveys recorded in Liber 1, page 151 and Liber 5, page 595; thence South 89°37'49" East along the North line of Section 5, 110.58 feet; thence South 35°53'54" West, 196.16 feet to a previously established 1/8th line; thence South 01°35'38" West along 1/8th line of Section 5, 1770.20 feet to a found 1/8th corner as previously used in a survey recorded in Liber 1, page 151; thence South 89°43'47" West along the North 1/8th line of Section 5, 484.36 feet; thence South 01°31'36" West, 556.05 feet; thence North 89°34'45" West, 678.67 feet; thence South 01°31'36" West, 389.93 feet; thence South 09°28'37" West, 385.49 feet to the South line of Section 5; thence North 89°34'18" West along the South line of Section 5, 93.16 feet to the point of beginning.

AND

Part of the Southwest 1/4 of Section 32, Town 28 North, Range 11 West, Elmwood Township, Leelanau County, Michigan, described as:

Commencing at the Southwest 1/4 corner of Section 32; thence South 89°26'24" East along the South line of Section 32, 611.56 feet to the Point of Beginning; thence South 89°26'24" East along the South line of Section 32, 700.00 feet to a found 1/8th corner as previously used in surveys recorded in Liber 1, page 151 and Liber 5, page 595; thence South 89°37'49" East along the South line of Section 32, 110.58 feet; thence North 35°53'54" East, 143.53 feet to the South right of way of M-72; thence North 00°36'11" East, 75.00 feet to the centerline of M-72; thence along said centerline 381.85 feet along the arc of a 1912.26 foot radius curve to the right, having an included angle of 11°26'28", and the long chord of which bears North 83°40'35" West, 381.22 feet; thence North 77°57'44" West along said centerline, 229.76 feet; thence along said centerline 273.80 feet along the arc of a 1910.80 foot radius curve to the left, having an included angle of 8°12'36", and the long chord of which bears North 82°02'49" West, 273.57 feet; thence South 03°50'53" West, 312.17 feet to the Point of Beginning.

PREVIOUSLY DESCRIBED AS:

PARCEL 1:

Property located in the Township of Elmwood, County of Leelanau, State of Michigan, described as follows:

Part of the Southwest 1/4, Section 32, Town 28 North, Range 11 West, more fully described as: Commencing at the Southwest corner of said Section 32; thence South 89°32'07" East, along the South line of said Section 32, 611.64 feet to the Point of beginning; thence continuing South 89°32'07" East, along said South line, 350.00 feet; thence North 11°56'33" East, 258.83 feet to the centerline of State Highway M-72; thence North 78°03'27" West, along said centerline, 114.60 feet; thence Northwesterly, continuing along said centerline, 273.80 feet on the arc of a 1910.80 foot radius curve to the left (Long Chord equals North 82°08'32" West, 272.57 feet); thence South 03°45'10" West, 312.18 feet to the Point of Beginning.

PARCELS 2 & 3:

Property located in the Township of Elmwood and Garfield, County of Leelanau and Grand Traverse, State of Michigan, described as follows:

That part of Section 5, Town 27 North, Range 11 West, and that part of Section 32, Town 28, Range 11 West, described as: Commencing at the Southwest Corner of said Section 32; thence South 89°32'07" East, along the South line of said Section 32, 961.64 feet to the POINT OF BEGINNING; thence continuing South 89°32'07" East along said South line, 350 feet; thence South 01°28'00" West, 160.00 feet; thence North 35°45'35" East, 339.91 feet to the South right-of-way line of State Highway M-72; thence North 00°30'28" East, 75.00 feet to the centerline of said M-72; thence Northwesterly, along said centerline, 381.85 feet on the arc of a 1912.26 foot radius curve to the right (Long Chord = North 83°46'18" West, 381.22 feet), thence North 78°03'27" West, continuing along said centerline, 115.16 feet; thence South 11°56'33" West, 258.83 feet to the point of beginning.

PARCEL 4:

Property located in the Township of Garfield, County of Grand Traverse, State of Michigan, described as follows:

Parcel A:

The West 1/2 of the Northwest 1/4 of the Northwest 1/4, Section 5, Town 27 North, Range 11 West.

AND

Parcel B:

The East 1/2 of Government Lot 4, Section 5, Town 27 North, Range 11 West.

PARCEL 5:

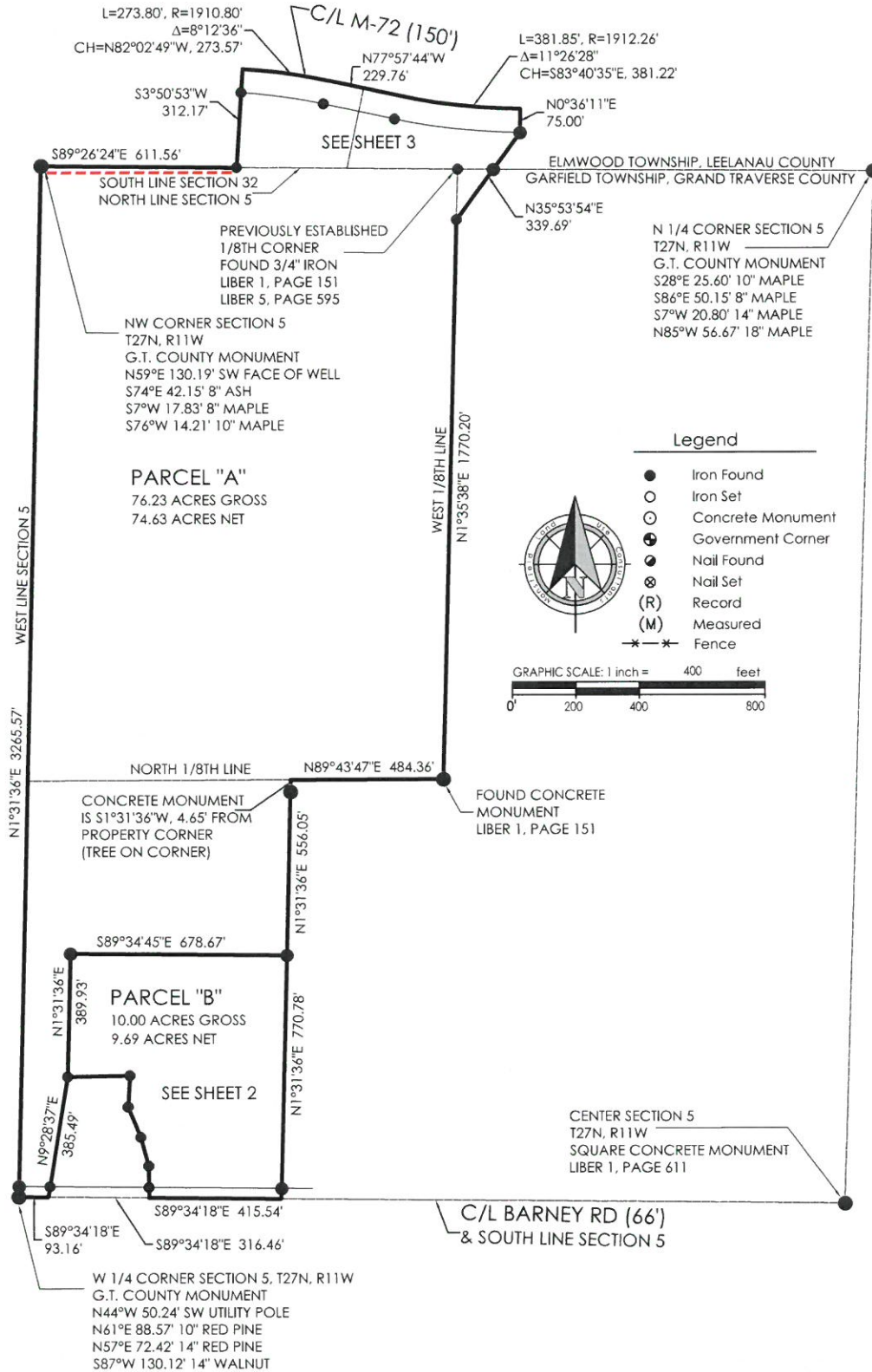
Property located in the Township of Garfield, County of Grand Traverse, State of Michigan, described as follows:

Beginning at the Southwest corner of Southwest 1/4 of the Northwest 1/4 of Section 5, Town 27 North, Range 11 West, thence running East 50 rods; thence North 80 rods to 1/8 line; thence West on 1/8 line 50 rods to Section line; thence South on Section line 80 rods to place of beginning. EXCEPT part of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 27 North, Range 11 West, more fully described as: Commencing at the West 1/4 corner of said Section 5; thence North 89°44'00" East, 92.64 feet along the East and West 1/4 line of said Section 5, for the Point of Beginning; thence North 08°48'30" East, 385.48 feet; thence North 88°19'01" East, 194.33 feet; thence South 02°49'30" West, 98.85 feet; thence South 22°54'00" East, 103.63 feet; thence South 15°43'16" East, 93.98 feet; thence South 01°17'11" East, 100.53 feet; thence South 89°44'00" West, 316.46 feet, along said East and West 1/4 line to the Point of

Beginning. EXCEPT: Commencing at the West 1/4 corner of Section 5; thence South 89°34'18" East along the South line of Section 5, 409.62 feet to the Point of Beginning; thence North 00°37'04" West, 100.69 feet; thence North 15°03'09" West, 93.98 feet; thence North 22°13'53" West, 103.63 feet; thence North 03°29'37" East, 98.85 feet; thence South 88°59'08" West, 194.33 feet; thence North 01°31'36" East, 389.93 feet; thence South 89°34'45" East, 678.67 feet; thence South 01°31'36" West, 770.78 feet to the South line of Section 5; thence North 89°34'18" West along the South line of Section 5, 415.54 feet to the Point of Beginning.

File # MI-411250

CERTIFICATE OF SURVEY



I, Michael K. Geisert, a Professional Surveyor in the State of Michigan, do hereby certify: That I have surveyed and mapped the herein described parcel(s), that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that I have fully complied with the requirements of P.A. 132 of 1970, as amended. This survey plat was prepared for the exclusive use of persons, or entities named in the certificate hereon.

CERTIFY TO:
Grand Traverse
Regional Land Conservancy

Mansfield
Land Use Consultants
PO Box 4015
830 Cottageview Dr., Suite 201
Traverse City, MI, 49685
Ph: (231) 946-9310
www.maaeps.com
Planners - Civil Engineers - Surveyors

BEARING BASIS: Assumed

DRN: MKG CKD: MKG

Part of
Section 5, T27N, R11W & Section 32, T28N, R11W
Garfield Twp, Grand Traverse Co & Elmwood Twp, Leelanau Co

9/16/2019

JOB NO.: 19156

SHT 1 OF 4

HICKORY FOREST NATURAL AREA IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.

This Zoning Ordinance Map Amendment is a request to rezone the subject parcel 05-005-050-10 from Agricultural (A) to Park-Recreation (P-R). The Township Planning Department recommended that we apply for this map amendment as a housekeeping matter, as it will streamline the property's pending use as a public natural area and align that recreational use with Township goals, policies and procedures going forward.

This rezoning request is consistent with the intent and purpose of the current Township Master Plan adopted in 2018. The Implementation chapter of the Master Plan describes the Township's priorities for implementing the goals and objectives contained in the Master Plan. Priorities listed under Natural Resources and Parks and Recreational Opportunities (page 51 in the Master Plan) that are relevant to this amendment request are as follows:

- Continue to work closely with area environmental groups and other interested organizations to support environmental preservation and restoration efforts within the Township.
- Continue implementation of the Township's Green Infrastructure Plan and consider updates to that plan to reflect natural resource management best practices and changing circumstances. (Note: the 2018-2023 Green Infrastructure Plan identifies the subject parcel as an acquisition target.)
- Continue efforts to acquire additional property for parklands via grants, conservation easements, and open space preservation requirements in development approvals.

2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.

We do not anticipate any adverse impact upon neighboring lands. A P-R designation is consistent with the uses of the surrounding area, as the lot is predominantly bounded by Bay Meadows Golf Course to the west and the Hickory Hills public parkland to the east. The property will welcome passive recreational uses such as hiking, snowshoeing and nature appreciation.

3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.

As described to us by the Township Planning Department, rezoning from A to P-R will streamline future operations of the parkland, such as the creation of trailheads and trails, that are more directly attributable to parks and recreational uses than to agricultural uses.

4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.

Though the Township had identified this parcel as a possible Green Infrastructure component for many years, the opportunity to acquire it for public purposes only arose in 2019. The Recreational Authority was identified as a suitable public owner/operator, but first needed to secure additional operational funding to care for the parcel as well as additional funding to publicly purchase the parcel. In November 2020, voters in Traverse City and Garfield Township overwhelmingly approved a new 20-year operating millage for the Authority (69% in favor in the Township) to help care for the proposed parkland. Then, in December 2021, the Rec Authority was awarded a \$467,000 grant from the Michigan Natural Resources Trust Fund to cover 70% of the acquisition cost. Those funds were officially appropriated by the Michigan Legislature in the summer of 2022, and the acquisition process with the state was set in motion at that time. Closing on the property is expected sometime in April of this year, and the Rec Authority hopes to have the property open to the public this summer. This amendment is an important step in that timeline.

5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

We believe this amendment is supportive of public health, safety and general welfare, and that it also helps to protect and preserve historical and cultural places and areas. The property was privately owned and tended for decades by Clarence Kroupa, a well-known local conservationist who painstakingly restored the parcel's steep slopes with the beautiful northern forest that public visitors will now get to see and enjoy on the site.

6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.

The main public policy in favor of this rezoning is to help meet the need for sustainable environmental features, which is consistent with the Township Master Plan, the Township Green Infrastructure Plan, and the surrounding area.

7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

The parcel is approximately 71.33 acres, so it will be a sizable addition to the public parklands that are contiguous with it. Combined with two smaller lots to the north (about 3.7 acres in Elmwood Township, Leelanau County, that will be part of Hickory Forest) and both Hickory Hills (129 acres) and Hickory Meadows (112 acres) adjoining it to the east, the public will soon be able to enjoy some 333 acres of contiguous parkland, which is a remarkable accomplishment so close to the main urban center of our region in the Township and Traverse City.

8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

N/A.

Charter Township of Garfield

Wastewater Cost of Service Study

May 23, 2023



Submitted Respectfully by:

Dawn Lund, Vice President
Utility Financial Solutions, LLC
dlund@ufswest.com
(231) 218-9664

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May 23, 2023

Mr. Chuck Korn, Supervisor
The Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

Dear Mr. Korn,

We are pleased to present this executive summary report for a cost of service, financial projection and rate design study completed for the Charter Township of Garfield Wastewater Department. This report was prepared to provide the utility with a comprehensive examination of its existing financials by an outside party.

The specific purposes of this long-term financial projection and rate study are:

- 1) Determine the wastewater utility's revenue requirements for 2024-2028,
- 2) Project rate adjustments needed to meet targeted revenue requirements,
- 3) Determine the cost to serve retail customers.

This report includes results of the cost of service, financial projection, and identifies future rate adjustments for the wastewater operation. Specific findings included in this report are:

- 1) Rate adjustments that are based on the utility's ability to work toward three factors listed below:
 - Debt Coverage Ratio
 - Minimum Cash Reserves
 - Optimal Operating Income
- 2) Rate adjustments are designed to work toward cost of service results.

This report is intended for information and use by management and the Board of Directors for purposes stated above and is not intended to be used by anyone except the specified parties.

Sincerely,

Dawn Lund

Utility Financial Solutions, LLC
Dawn Lund, Vice-President

UTILITY REVENUE REQUIREMENTS FOR 2024-2028

To determine revenue requirements, the revenues and expenses for Fiscal Year 2021 and Budget 2023 were analyzed, with adjustments made to reflect projected operating characteristics. **The projected financial statements are for cost of service purposes only.**

Table 1 is the projected financial summary for the wastewater operation from 2024-2028 without any rate changes. Projected operating income is \$180,292 in 2024 and declines until 2027. The County has significant capital improvements planned that will affect the treatment rate passed onto Garfield Township through 2027. The cash balance is projected at \$2.4 million in 2024 and increases to \$3.9 million in 2028 due to the drop off in treatment expenses and the lower capital improvements planned in 2028. The cash balance of the utility is currently combined with wastewater. The beginning cash balance for projection purposes was allocated 5% to the wastewater department.

Table 1 – Financial Projection Summary (Without Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	3,434,702	3,388,245	180,292	2,400,150	125,000	-	16.70
2025	0.00%	3,434,702	3,472,578	95,958	2,828,033	125,000	-	13.42
2026	0.00%	3,434,702	3,559,247	9,289	3,176,174	125,000	-	11.88
2027	0.00%	3,434,702	3,655,971	(87,435)	2,936,772	630,000	-	10.19
2028	0.00%	3,434,702	3,053,653	514,883	3,914,414	25,000	-	25.16
Target in 2024				\$ 672,421				
Target in 2028				\$ 623,371				
Minimum Target 2024					\$ 1,695,306	1.45		
Minimum Target 2028					\$ 1,660,291	1.45		

1. The five-year capital improvement plan was provided by the Township.
2. Financial projections should be updated during the budgeting process each year as expenses and capital expenditures change from projections.

PROJECTED CASH FLOW

Table 2 is the projected cash flow for 2024-2028, including projections of capital improvements as provided by the Township. Changes in the capital improvement plan can greatly affect the cash balance and minimum cash reserve target. Cash balances for 2024 are projected at \$2.4 million and \$3.9 million by 2028. Projected cash balances meet the targeted minimums throughout the projection period.

Table 2 – Projected Cash Flows (Without Rate Adjustments)

	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Projected Cash Flows					
Add Net Income	\$ 59,121	\$ (21,725)	\$ (105,254)	\$ (199,238)	\$ 402,883
Add Back Depreciation Expense	610,820	614,608	618,396	629,835	639,759
Subtract Debt Principal	35,000	40,000	40,000	40,000	40,000
Add Bond Sale Proceeds	-	-	-	-	-
Cash Available from Operations	\$ 634,941	\$ 552,883	\$ 473,141	\$ 390,597	\$ 1,002,642
Estimated Annual Capital Additions	125,000	125,000	125,000	630,000	25,000
Net Cash From Operations	\$ 509,941	\$ 427,883	\$ 348,141	\$ (239,403)	\$ 977,642
Beginning Cash Balance	1,890,209	2,400,150	2,828,033	3,176,174	2,936,772
Ending Cash Balance	\$ 2,400,150	\$ 2,828,033	\$ 3,176,174	\$ 2,936,772	\$ 3,914,414
Total Cash Available	\$ 2,400,150	\$ 2,828,033	\$ 3,176,174	\$ 2,936,772	\$ 3,914,414
Targeted Minimum	\$ 1,695,306	\$ 1,710,943	\$ 1,726,954	\$ 1,758,500	\$ 1,660,291

Projected Cash Balance meet targeted minimums throughout the projection period.

DEVELOPMENT OF FINANCIAL TARGETS

When evaluating rates to charge customers, three factors must be considered:

1. Debt Coverage Ratio
2. Minimum Cash Reserves
3. Optimal Net Income

Each of these factors is discussed below:

Debt Coverage Ratio - The minimum targeted debt coverage ratio for prudent financial planning purposes is 1.45 for the outstanding revenue bonds on the wastewater system. Maintaining a 1.45 debt coverage ratio is good business practice and helps to achieve the following:

- Helps to ensure debt coverage ratio will be met in years when sales are low due to cold or wet summers or loss of a major customer(s).
- Obtain higher bond rating, if revenue bonds are sold in the future, to lower interest cost.

Table 3 reflects the projected debt coverage ratios. Current operations have sufficient cash flow to meet debt coverage ratios.

Table 3 - Current Debt Coverage Ratio (Without Rate Adjustments)

	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Debt Coverage Ratio					
Add Net Income	\$ 59,121	\$ (21,725)	\$ (105,254)	\$ (199,238)	\$ 402,883
Add Depreciation Expense	610,820	614,608	618,396	629,835	639,759
Add Interest Expense	5,438	4,500	3,500	2,500	1,500
Cash Available for Debt Service	<u>\$ 675,379</u>	<u>\$ 597,383</u>	<u>\$ 516,641</u>	<u>\$ 433,097</u>	<u>\$ 1,044,142</u>
Debt Principal and Interest	\$ 40,438	\$ 44,500	\$ 43,500	\$ 42,500	\$ 41,500
Projected Debt Coverage Ratio (Covenants)	16.70	13.42	11.88	10.19	25.16
Minimum Debt Coverage Ratio	1.45	1.45	1.45	1.45	1.45

Debt Coverage Ratios meet targeted minimums throughout the projection period.

Minimum Cash Reserve Target – Table 4 is the minimum level of cash reserves required to help ensure timely replacement of assets and to provide financial stability of the wastewater utility. The methodology used to establish this minimum is based on certain assumptions related to a percentage of operating expense, historical investment, capital improvements, and debt service. Minimum cash reserve attempts to quantify the minimum amount of cash the utility should keep in reserve and is considered at critical levels if cash approaches this minimum.

Actual cash reserves may vary substantially above the minimum and is dependent on the life cycle of assets that are currently in service. The Township should maintain a minimum of approximately \$1.7 million in cash reserves.

Table 4 – Minimum Cash Reserves

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Operation & Maintenance Less Depreciation Expense	16.0%	\$ 444,388	\$ 457,275	\$ 470,536	\$ 484,182	\$ 386,223
Historical Rate Base	3%	906,418	910,168	913,918	932,818	933,568
Current Portion of Debt Service Reserve	100%	44,500	43,500	42,500	41,500	40,500
Five Year Capital Improvements - Net of bond proceeds	20%	300,000	300,000	300,000	300,000	300,000
Minimum Cash Reserve Levels		\$ 1,695,306	\$ 1,710,943	\$ 1,726,954	\$ 1,758,500	\$ 1,660,291
Projected Cash Reserves		\$ 2,400,150	\$ 2,828,033	\$ 3,176,174	\$ 2,936,772	\$ 3,914,414

Projected cash balances meet minimum targets throughout the projection period.

1. Operation and maintenance expenses exclude depreciation expense.
2. Rate base is historical investment in plant and equipment.
3. Five-year capital includes budgeted capital improvements for the next five years and excludes capital improvements funded through debt issuances.

Optimal operating income targets - The optimal target for setting rates is the establishment of a target operating income to help ensure the following:

- 1) Funding of Interest Expense on the outstanding principal on debt. Interest expense is below the operating income line and needs to be recouped through the operating income balance.
- 2) Funding of the inflationary increase on the assets invested in the system. The inflation on the replacement of assets invested in the utility should be recouped through the Operating Income
- 3) Adequate rate of return on investment to help ensure current customers are paying their fair share of the use of the infrastructure and not deferring the charge to future generations.

As improvements are made to the system, the optimal operating income target will increase unless annual depreciation expense is greater than yearly capital improvements. The target established for 2024 is \$672,292 equates to approximately a 5.0% rate of return.

Table 5 - Optimal Operating Income Targets Compared to Projected

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Outstanding Principal on Debt	2.7%	5,438	4,500	3,500	2,500	1,500
Contributed Capital Estimated	5.0%	111,918	105,226	98,534	91,843	85,151
System Equity	5.0%	555,066	545,969	536,683	552,074	536,720
Target Operating Income		\$ 672,421	\$ 655,695	\$ 638,717	\$ 646,417	\$ 623,371
Projected Adjusted Operating Income		\$ 180,292	\$ 95,958	\$ 9,289	\$ (87,435)	\$ 514,883
Rate of Return in %		5.0%	5.0%	5.0%	5.0%	5.0%

Rate of Return does not meet minimum targets throughout the projection period.

REVENUE FORECAST

Sales were projected and adjusted for known or anticipated changes in customer usage and a growth for the projection period. Table 6 and 7 below project the billed units and number of customers projected in 2024.

TABLE 6 – PROJECTED BILLED UNITS

Meter Size	Projected 2024
5/8"	115,659
1"	236,807
1.5"	176,476
2"	121,442
3"	45,859
4"	37,903
6"	31,654
8"	47,209
Total	813,009

TABLE 7 – PROJECTED NUMBER OF CUSTOMERS

Meter Size	Projected 2024
5/8"	1,546
1"	1,215
1.5"	232
2"	105
3"	15
4"	8
6"	3
8"	1
Total	3,125

SUMMARY OF FINANCIAL POSITION

Revenue Requirement and COS Rate Adjustment

The Wastewater Department is currently meeting cash balance and debt coverage ratio financial targets without rate adjustments. The capital program should be reviewed as a few years look light and changes in the program could significantly reduce cash and the potential rate track. Table 8 is a financial projection summary without rate adjustments.

Table 8 – Financial Projection Summary (Without Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	3,434,702	3,388,245	180,292	2,400,150	125,000	-	16.70
2025	0.00%	3,434,702	3,472,578	95,958	2,828,033	125,000	-	13.42
2026	0.00%	3,434,702	3,559,247	9,289	3,176,174	125,000	-	11.88
2027	0.00%	3,434,702	3,655,971	(87,435)	2,936,772	630,000	-	10.19
2028	0.00%	3,434,702	3,053,653	514,883	3,914,414	25,000	-	25.16
Target in 2024				\$ 672,421				
Target in 2028				\$ 623,371				
Minimum Target 2024					\$ 1,695,306			1.45
Minimum Target 2028					\$ 1,660,291			1.45

PROPOSED RATE TRACK

Increasing rates requires balancing the financial health of the utility with the financial impact on customers and cost of service results. Table 9 below is the financial projection summary with the no proposed rate track due to the current financial stability of the utility.

The rate track should be reviewed with the annual budget process as changes in revenues, expenses and capital can impact the rate track and bonding requirements.

Table 9 – Financial Projection Summary (With Proposed Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	3,434,702	3,388,245	180,292	2,400,150	125,000	-	16.70
2025	0.00%	3,434,702	3,472,578	95,958	2,828,033	125,000	-	13.42
2026	0.00%	3,434,702	3,559,247	9,289	3,176,174	125,000	-	11.88
2027	0.00%	3,434,702	3,655,971	(87,435)	2,936,772	630,000	-	10.19
2028	0.00%	3,434,702	3,053,653	514,883	3,914,414	25,000	-	25.16
Target in 2024				\$ 672,421				
Target in 2028				\$ 623,371				
Minimum Target 2024					\$ 1,695,306	1.45		
Minimum Target 2028					\$ 1,660,291	1.45		

COST OF SERVICE RESULTS

The purpose of a cost of service study is to allocate costs between commodity costs and customer costs. The cost of service study was based on recognized procedures from the American Water Works Association which typically results in a fixed monthly charge progressive by meter size, and a rate for usage.

Commodity Costs are costs that tend to vary with the quantity of wastewater treated, as well as costs associated with the collection system.

Customer Costs are costs associated with serving customers regardless of their usage or demand characteristics. Customer costs include the operation and maintenance expenses related to meters and services, meter reading costs, billing and collection costs. The customer costs were allocated based on the relative size of water meters and services and the number of customers.

Table 10 compares the Township's current monthly customer charge and current commodity rate with results of the cost of service analysis. The Township currently charges the same monthly charge regardless of meter size and does not charge for usage. Typical industry standard is a progressive charge as meter sizes increase and charging for all usage.

Below are the results of the cost-of-service study. Should the Township choose to move to a more industry standard rate structure, it will need to be done slowly over time to reduce the impact to customers.

Table 10 – Comparison of Current Customer and Commodity Charges with Cost of Service

Meter Size	Current Monthly Charges	Cost of Service Monthly Charges
5/8"	20.90	13.37
1"	20.90	13.37
1.5"	20.90	26.75
2"	20.90	42.79
3"	20.90	80.24
4"	20.90	133.73
6"	20.90	267.45
8"	20.90	427.93
Meter size	Current Consumption Cost	Cost of Service Average Cost CCF
Usage \$	-	\$ 3.353

ASSUMPTIONS

This section outlines the procedures used to develop the cost of service and rate design for the Wastewater Utility and the related significant assumptions.

Forecasted Operating Expenses

Forecasted expenses were based on 2021 actual and 2023 Budget and adjusted for inflation.

Depreciation Expense

Depreciation expense was projected based on historical capital additions and discussions with management on future capital additions.

Interest Income

Interest income was forecasted based on projected cash balances and an interest rate of 0.5%.

Capital Improvements

The capital improvement projections were provided by the Charter Township of Garfield. Projections for 2024-2028 are listed below:

Year	Projected Capital Improvement
2024	125,000
2025	125,000
2026	125,000
2027	630,000
2028	25,000

WASTEWATER OPERATION FINDINGS

- Below is a summary of the financial projection summary for the Charter Township of Garfield with no projected rate increases for 2024-2028. The rate track should be reviewed annually as changes in revenues, expenses and capital can affect the rate track and bonding requirements.

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	3,434,702	3,388,245	180,292	2,400,150	125,000	-	16.70
2025	0.00%	3,434,702	3,472,578	95,958	2,828,033	125,000	-	13.42
2026	0.00%	3,434,702	3,559,247	9,289	3,176,174	125,000	-	11.88
2027	0.00%	3,434,702	3,655,971	(87,435)	2,936,772	630,000	-	10.19
2028	0.00%	3,434,702	3,053,653	514,883	3,914,414	25,000	-	25.16
Target in 2024				\$ 672,421				
Target in 2028				\$ 623,371				
Minimum Target 2024					\$ 1,695,306	1.45		
Minimum Target 2028					\$ 1,660,291	1.45		

- The Township may want to consider a minimum cash reserve policy as outlined below. Minimum cash reserve attempts to quantify the minimum amount of cash the utility should keep in reserve, and is considered at critical levels if cash approaches this minimum.

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Operation & Maintenance Less Depreciation Expense	16.0%	\$ 444,388	\$ 457,275	\$ 470,536	\$ 484,182	\$ 386,223
Historical Rate Base	3%	906,418	910,168	913,918	932,818	933,568
Current Portion of Debt Service Reserve	100%	44,500	43,500	42,500	41,500	40,500
Five Year Capital Improvements - Net of bond proceeds	20%	300,000	300,000	300,000	300,000	300,000
Minimum Cash Reserve Levels		\$ 1,695,306	\$ 1,710,943	\$ 1,726,954	\$ 1,758,500	\$ 1,660,291
Projected Cash Reserves		\$ 2,400,150	\$ 2,828,033	\$ 3,176,174	\$ 2,936,772	\$ 3,914,414

- The Township may want to consider charging rates progressively by meter size as well as a commodity charge. Progressive charges by meter size are an industry standard and tries to capture the increased costs of scaled infrastructure. A typical rate structure also tries to separate relative fixed charges with commodity usage. This would be done overtime and a separate impact study would be recommended before implementation.

- Below is a combined summary with proposed water adjustments.

Fiscal Year	Water Projected Rate Adjustments	Wastewater Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2023	0.00%	0.00%	5,506,723	5,620,361	(161,212)	20,241,944	1,205,000	-	22.25
2024	9.90%	0.00%	5,654,283	6,153,221	(221,606)	18,277,335	2,825,000	-	22.28
2025	9.90%	0.00%	5,816,451	6,366,545	(272,762)	14,869,973	4,275,000	-	20.50
2026	9.90%	0.00%	5,994,674	6,614,709	(342,703)	9,854,671	5,900,000	-	21.34
2027	9.90%	0.00%	6,190,541	6,836,783	(368,910)	9,776,825	985,000	-	22.34
2028	9.90%	0.00%	6,405,799	6,499,130	184,001	10,241,712	19,545,700	19,520,700	1.40
Targeted MINIMUM in 2024					\$ 1,375,235	\$ 2,600,942	1.45		
Targeted MINIMUM in 2028					\$ 2,122,830	\$ 4,376,892	1.45		

Charter Township of Garfield

Water Cost of Service Study

May 23, 2023



Submitted Respectfully by:

Dawn Lund, Vice President
Utility Financial Solutions, LLC
dlund@ufsweb.com
(231) 218-9664

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May 23, 2023

Mr. Chuck Korn, Supervisor
The Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

Dear Mr. Korn,

We are pleased to present this executive summary report for a cost of service, financial projection and rate design study completed for the Charter Township of Garfield Water Department. This report was prepared to provide the utility with a comprehensive examination of its existing financials by an outside party.

The specific purposes of this long-term financial projection and rate study are:

- 1) Determine the water utility's revenue requirements for 2024-2028,
- 2) Project rate adjustments needed to work toward targeted revenue requirements,
- 3) Determine the cost to serve retail customers.

This report includes results of the cost of service, financial projection, and identifies future rate adjustments for the water operation. Specific findings included in this report are:

- 1) Rate adjustments that are based on the utility's ability to work toward three factors listed below:
 - Debt Coverage Ratio
 - Minimum Cash Reserves
 - Optimal Operating Income
- 2) Rate adjustments are designed to work toward cost of service results.

This report is intended for information and use by management and the Board of Directors for purposes stated above and is not intended to be used by anyone except the specified parties.

Sincerely,

Dawn Lund

Utility Financial Solutions, LLC
Dawn Lund, Vice-President

UTILITY REVENUE REQUIREMENTS FOR 2024-2028

To determine revenue requirements, the revenues and expenses for Fiscal Year 2021 and Budget 2023 were analyzed, with adjustments made to reflect projected operating characteristics. **The projected financial statements are for cost of service purposes only.**

Table 1 is the projected financial summary for the water operation from 2024-2028 without any rate adjustments. This projection includes a \$19.5 million bond issue in 2028 to cover proposed water supply, storage, and distribution system capital improvements. In 2024 there is a projected operating loss of (\$549,457) and losses increase to (\$1.2) million by 2028. The cash balance is projected at \$15.7 million in 2024 and decreases to \$3.8 million in 2028. The cash balance of the utility is currently combined with wastewater. The beginning cash balance for projection purposes was allocated 95% to the water department.

Table 1 – Financial Projection Summary (Without Rate Adjustments and With Bond Issues)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	2,072,022	2,764,976	(549,457)	15,729,626	2,700,000	-	n/a
2025	0.00%	2,072,022	2,893,967	(678,448)	11,583,915	4,150,000	-	n/a
2026	0.00%	2,072,022	3,055,462	(839,943)	5,730,231	5,775,000	-	n/a
2027	0.00%	2,072,022	3,180,812	(965,293)	5,203,228	355,000	-	n/a
2028	0.00%	2,072,022	3,445,476	(1,229,958)	3,783,212	19,520,700	19,520,700	(0.20)
Targeted MINIMUM in 2024				\$ 818,771	\$ 2,021,933			1.45
Targeted MINIMUM in 2028				\$ 1,526,999	\$ 2,845,327			1.45

Projected Operating Income does not meet targeted minimums throughout the projection period.

1. The five-year capital improvement plan was provided by the Township.
2. Financial projections should be updated during the budgeting process each year as expenses and capital expenditures change from projections.

PROJECTED CASH FLOW

Table 2 is the projected cash flow for 2024-2028, including projections of capital improvements as provided by the Township. Changes in the capital improvement plan can greatly affect the cash balance and minimum cash reserve target. The cash balance for 2024 is projected at \$15.7 million and decreases to \$3.8 million in 2028. Projected cash balances meet the targeted minimums throughout the projection period but are decreasing.

Table 2 - Projected Cash Flows (Without Rate Adjustments and With Bond Issues)

	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Projected Cash Flows					
Add Net Income	\$ (601,195)	\$ (743,297)	\$ (925,520)	\$ (1,080,139)	\$ (1,713,452)
Add Back Depreciation Expense	679,086	747,586	846,836	908,136	1,106,893
Subtract Debt Principal	-	-	-	-	813,456
Add Bond Sale Proceeds	-	-	-	-	19,520,700
Cash Available from Operations	\$ 77,891	\$ 4,289	\$ (78,684)	\$ (172,003)	\$ 18,100,685
Estimated Annual Capital Additions	2,700,000	4,150,000	5,775,000	355,000	19,520,700
Net Cash From Operations	\$ (2,622,109)	\$ (4,145,711)	\$ (5,853,684)	\$ (527,003)	\$ (1,420,015)
Beginning Cash Balance	18,351,735	15,729,626	11,583,915	5,730,231	5,203,228
Ending Cash Balance	\$ 15,729,626	\$ 11,583,915	\$ 5,730,231	\$ 5,203,228	\$ 3,783,212
Total Cash Available	15,729,626	11,583,915	5,730,231	5,203,228	3,783,212
Targeted Minimum	2,021,933	2,153,874	2,334,780	2,642,014	2,845,327

Projected Cash Balances meet targeted minimums throughout the projection period.

DEVELOPMENT OF FINANCIAL TARGETS

When evaluating rates to charge customers, three factors must be considered:

1. Debt Coverage Ratio
2. Minimum Cash Reserves
3. Optimal Net Income

Each of these factors is discussed below:

Debt Coverage Ratio - The minimum targeted debt coverage ratio for prudent financial planning purposes is 1.45 for revenue bonds. The system does not currently hold debt. Debt is projection to be issued in 2028 so this section is for informational purposes. Maintaining a 1.45 debt coverage ratio is good business practice and helps to achieve the following:

- Helps to ensure adequate funds are available to meet debt service payments in years when sales are low due to cold or wet summers or loss of a major customer(s).
- Obtain higher bond rating, if revenue bonds are sold in the future, to lower interest cost.

Table 3 reflects the debt coverage ratios projected for 2024-2028.

Table 3 – Projected Debt Coverage Ratios (Without Rate Adjustments and With Bond Issues)

Debt Coverage Ratio	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Add Net Income	\$ (601,195)	\$ (743,297)	\$ (925,520)	\$ (1,080,139)	\$ (1,713,452)
Add Depreciation Expense	679,086	747,586	846,836	908,136	1,106,893
Add Interest Expense	-	-	-	-	366,013
Cash Available for Debt Service	\$ 77,891	\$ 4,289	\$ (78,684)	\$ (172,003)	\$ (240,546)
Debt Principal and Interest	\$ -	\$ -	\$ -	\$ -	\$ 1,179,470
Projected Debt Coverage Ratio (Covenants)	n/a	n/a	n/a	n/a	(0.20)
Minimum Debt Coverage Ratio	1.45	1.45	1.45	1.45	1.45

Minimum Cash Reserve - Table 4 is the minimum level of cash reserves required to help ensure timely replacement of assets and to provide financial stability of the water utility. The methodology used to establish this minimum is based on certain assumptions related to a percentage of operating expense, historical investment, capital improvements, and debt service. Minimum cash reserve attempts to quantify the minimum amount of cash the utility should keep in reserve, and is considered at critical levels if cash approaches this minimum.

Actual cash reserves may vary substantially above the minimum and is dependent on the life cycle of assets that are currently in service. Based on these assumptions, the Township should maintain a minimum of approximately \$2.4 million in cash reserves.

Table 4 – Minimum Cash Reserves

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Operation & Maintenance Less Depreciation Expense	12.3%	\$ 256,564	\$ 264,005	\$ 271,661	\$ 279,539	\$ 287,646
Historical Rate Base	3%	1,027,746	1,152,246	1,325,496	445,382	640,589
Current Portion of Debt Service Reserve	100%	-	-	-	1,179,470	1,179,470
Five Year Capital Improvements - Net of bond proceeds	40%	737,623	737,623	737,623	737,623	737,623
Minimum Cash Reserves		\$ 2,021,933	\$ 2,153,874	\$ 2,334,780	\$ 2,642,014	\$ 2,845,327
Projected Cash Reserves		\$ 15,729,626	\$ 11,583,915	\$ 5,730,231	\$ 5,203,228	\$ 3,783,212

Projected cash balances meet minimum targets throughout the projection period.

Notes:

1. Operation and maintenance expenses exclude depreciation expenses.
2. Rate base is historical investment in plant and equipment.
3. Five-year capital includes budgeted capital improvements for the next five years and excludes capital improvements funded through debt issuances.

Operating income targets - The optimal target for setting rates is the establishment of a target operating income to help ensure the following:

- 1) Funding of Interest Expense on the outstanding principal on debt. Interest expense is below the operating income line and needs to be recouped through the operating income balance.
- 2) Funding of the inflationary increase on the assets invested in the system. The inflation on the replacement of assets invested in the utility should be recouped through the Operating Income
- 3) Adequate rate of return on investment to help ensure current customers are paying their fair share of the use of the infrastructure and not deferring the charge to future generations.

As improvements are made to the system, the optimal operating income target will increase unless annual depreciation expense is greater than yearly capital improvements. The target established for the projection period is approximately \$1.2 million. Rate of return falls below the targeted minimum throughout the projection period.

Table 5 - Optimal Operating Income Targets Compared to Projected

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Outstanding Principal on Debt	2.0%	-	-	-	-	366,013
Contributed Capital Estimated	5.0%	119,998	112,823	105,648	98,473	86,763
System Equity	5.0%	698,773	883,244	1,144,002	1,130,695	1,074,222
Target Operating Income		\$ 818,771	\$ 996,067	\$ 1,249,650	\$ 1,229,168	\$ 1,526,999
Projected Adjusted Operating Income		\$ (549,457)	\$ (678,448)	\$ (839,943)	\$ (965,293)	\$ (1,229,958)
Rate of Return in %		5.0%	5.0%	5.0%	5.0%	3.5%

Rate of Return does not meet targeted minimum throughout the projection period.

REVENUE FORECAST

Sales were projected and adjusted for known or anticipated changes in customer usage and a growth for the projection period. Table 6 and 7 below project the billed units and number of customers projected in 2024.

TABLE 6 – PROJECTED BILLED UNITS

Meter Size	Projected Units Sold 2024
5/8	115,659
1	236,807
1.5	176,476
2	121,442
3	45,859
4	37,903
6	31,654
8	47,209
Total	813,009

TABLE 7 – PROJECTED NUMBER OF CUSTOMERS

Meter Size	Projected 2024
5/8	1,546
1	1,215
1.5	232
2	105
3	15
4	8
6	3
8	1
Total Customers	3,125

SUMMARY OF FINANCIAL POSITION

Revenue Requirement and COS Rate Adjustment

To maintain the financial health and work toward operating income targets, a series of rate adjustments should be considered. The projected operating income in 2024 is an operating loss of (\$549,457) compared to the targeted operating income of \$818,771. Cash reserves are projected at \$15.7 million in 2024 and decrease throughout the projection period. The projection includes a \$19.5 million bond issue for capital improvements in 2028.

Table 8 – Financial Projection Summary (Without Rate Adjustments and With Bond Issues)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	0.00%	2,072,022	2,764,976	(549,457)	15,729,626	2,700,000	-	n/a
2025	0.00%	2,072,022	2,893,967	(678,448)	11,583,915	4,150,000	-	n/a
2026	0.00%	2,072,022	3,055,462	(839,943)	5,730,231	5,775,000	-	n/a
2027	0.00%	2,072,022	3,180,812	(965,293)	5,203,228	355,000	-	n/a
2028	0.00%	2,072,022	3,445,476	(1,229,958)	3,783,212	19,520,700	19,520,700	(0.20)
Targeted MINIMUM in 2024				\$ 818,771	\$ 2,021,933			1.45
Targeted MINIMUM in 2028				\$ 1,526,999	\$ 2,845,327			1.45

PROPOSED RATE TRACK

Increasing rates requires balancing the financial health of the utility with the financial impact on customers and cost of service results. Table 9 below is the financial projection summary with the proposed rate track with rate increases are proposed at 9.9% for 2024-2028. This projection includes a \$19.5 million bond issue in 2028.

Table 9 – Financial Projection Summary (With Proposed Rate Adjustments and With Bond Issues)

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	9.90%	2,219,582	2,764,976	(401,898)	15,877,186	2,700,000	-	n/a
2025	9.90%	2,381,750	2,893,967	(368,720)	12,041,941	4,150,000	-	n/a
2026	9.90%	2,559,973	3,055,462	(351,992)	6,678,497	5,775,000	-	n/a
2027	9.90%	2,755,840	3,180,812	(281,476)	6,840,053	355,000	-	n/a
2028	9.90%	2,971,097	3,445,476	(330,882)	6,327,298	19,520,700	19,520,700	0.57
Targeted MINIMUM in 2024				\$ 818,771	\$ 2,021,933			1.45
Targeted MINIMUM in 2028				\$ 1,526,999	\$ 2,845,327			1.45

With the proposed rate track, the projected operating income for 2024 is a loss of (\$401,898) and decreases to (\$330,882) at the end of the projection period. The rate track was set to stabilize cash and should be updated on a yearly basis with the budget process. The Board could consider more aggressive increases as consistent losses should not be incurred in enterprise funds, but more aggressive increases would have to be balanced with the cash reserves.

COST OF SERVICE RESULTS

The purpose of a cost of service study is to allocate costs between commodity costs and customer costs. The cost of service study was based on recognized procedures from the American Water Works Association which typically results in a fixed monthly charge progressive by meter size, and a rate for usage.

Commodity Costs are costs that tend to vary with the quantity of water used, as well as costs associated with purchasing, pumping, and distributing water to customers. Commodity costs include water purchase/treatment costs plus pumping stations and transmission lines.

Customer Costs are costs associated with serving customers regardless of their usage or demand characteristics. Customer costs are typically progressive by meter size and include the operation and maintenance expenses related to meters, services, meter reading costs, billing, and collection costs.

Table 9 compares the Township's current customer and commodity charges with the results of the cost of service analysis. The Township currently charges the same monthly charge regardless of meter size as well as provides 462 gallons with that charge. Typical industry standard is a progressive charge as meter sizes increase and charging for all usage.

Below are the results of the cost of service study. Should the Township choose to move to a more industry standard rate structure, it will need to be done slowly over time to reduce the impact to customers.

Table 9 – Comparison of Current Customer and Commodity Charges with Cost of Service

	Current Monthly Customer Charges	Cost of Service Monthly Customer Charges
5/8	\$ 11.50	\$ 12.83
1	11.50	12.83
1 1/2	11.50	25.61
2	11.50	40.28
3	11.50	75.91
4	11.50	125.95
6	11.50	250.33
8	11.50	393.35
Meter size	Current Average Cost per CCF	Cost of Service Average Cost per CCF
All Commodity	\$ 1.80	\$ 2.58

SIGNIFICANT ASSUMPTIONS

This section outlines the procedures used to develop the cost of service study and rate design for the Water Utility the related significant assumptions.

Forecasted Operating Expenses

Forecasted expenses were based on 2021 actual and 2023 Budget and adjusted for inflation.

Depreciation Expense

Depreciation expense was projected based on historical capital additions and discussions with management on future capital additions.

Interest Income

Interest income was forecasted based on projected cash balances and an interest rate of 0.5%.

Capital Improvements

The capital improvement projections were provided by the Charter Township of Garfield. Projections for 2024-2028 are listed below:

Year	Projected Capital Improvement
2024	2,700,000
2025	4,150,000
2026	5,775,000
2027	355,000
2028	19,520,700

WATER OPERATION FINDINGS

- For the Charter Township of Garfield to maintain long-term financial targets of the water utility, rate increases should be considered. Below is a summary of the financial projection with proposed rate increases of 9.9% in 2024-2028. This projection includes a proposed \$19.5 million bond issue in 2028. This rate track will improve targeted operating income, as well as maintain minimum cash balances and debt coverage ratios. The rate track should be reviewed annually as changes in revenues, expenses and capital can affect the proposed rate adjustments and bonding requirements.

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2024	9.90%	2,219,582	2,764,976	(401,898)	15,877,186	2,700,000	-	n/a
2025	9.90%	2,381,750	2,893,967	(368,720)	12,041,941	4,150,000	-	n/a
2026	9.90%	2,559,973	3,055,462	(351,992)	6,678,497	5,775,000	-	n/a
2027	9.90%	2,755,840	3,180,812	(281,476)	6,840,053	355,000	-	n/a
2028	9.90%	2,971,097	3,445,476	(330,882)	6,327,298	19,520,700	19,520,700	0.57
Targeted MINIMUM in 2024				\$ 818,771	\$ 2,021,933			1.45
Targeted MINIMUM in 2028				\$ 1,526,999	\$ 2,845,327			1.45

- The Township may want to consider a minimum cash reserve policy as outlined below. Minimum cash reserve attempts to quantify the minimum amount of cash the utility should keep in reserve, and is considered at critical levels if cash approaches this minimum.

	Percent Allocated	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Operation & Maintenance Less Depreciation Expense	12.3%	\$ 256,564	\$ 264,005	\$ 271,661	\$ 279,539	\$ 287,646
Historical Rate Base	3%	1,027,746	1,152,246	1,325,496	445,382	640,589
Current Portion of Debt Service Reserve	100%	-	-	-	1,179,470	1,179,470
Five Year Capital Improvements - Net of bond proceeds	40%	737,623	737,623	737,623	737,623	737,623
Minimum Cash Reserves		\$ 2,021,933	\$ 2,153,874	\$ 2,334,780	\$ 2,642,014	\$ 2,845,327
Projected Cash Reserves		\$ 15,729,626	\$ 11,583,915	\$ 5,730,231	\$ 5,203,228	\$ 3,783,212

- The Township may want to consider charging rates progressively by meter size as well as eliminating usage included in the customer charge. Progressive charges by meter size are an AWWA industry standard and tries to capture the increased costs of scaled infrastructure. A typical rate structure also tries to separate the relative fixed charges with commodity usage. This would be done overtime and a separate impact study would be recommended before implementation.

- Below is a combined summary with proposed Wastewater adjustments.

Fiscal Year	Water Projected Rate Adjustments	Wastewater Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2023	0.00%	0.00%	5,506,723	5,620,361	(161,212)	20,241,944	1,205,000	-	22.25
2024	9.90%	0.00%	5,654,283	6,153,221	(221,606)	18,277,335	2,825,000	-	22.28
2025	9.90%	0.00%	5,816,451	6,366,545	(272,762)	14,869,973	4,275,000	-	20.50
2026	9.90%	0.00%	5,994,674	6,614,709	(342,703)	9,854,671	5,900,000	-	21.34
2027	9.90%	0.00%	6,190,541	6,836,783	(368,910)	9,776,825	985,000	-	22.34
2028	9.90%	0.00%	6,405,799	6,499,130	184,001	10,241,712	19,545,700	19,520,700	1.40
Targeted MINIMUM in 2024					\$ 1,375,235	\$ 2,600,942			1.45
Targeted MINIMUM in 2028					\$ 2,122,830	\$ 4,376,892			1.45

PROPOSED RATE DESIGN AND IMPACTS

Proposed 9.9% Rate Design

Below is a proposed rate design based on the current structure as requested. The Township may want to consider charging progressively by meter size and for all units used.

Charter Township of Garfield

Water Department

Forecasted 2023 with 9.9% Proposed Rate Increase

Meter Size		Current Customer Charge	Proposed Customer Charge
5/8	▶	11.50	12.75
1	▶	11.50	12.75
1 1/2	▶	11.50	12.75
2	▶	11.50	12.75
3	▶	11.50	12.75
4	▶	11.50	12.75
6	▶	11.50	12.75
8	▶	11.50	12.75


Current Commodity Rate	\$	1.80
Proposed Commodity Rate	\$	1.97

Overall Revenue Increase on Water Sales	9.9%
---	------

5/8

	Current Rates	Proposed Rates
Customer Service Charge	\$ 11.50	\$ 12.75
Commodity Rate CCF	1.80	1.97

Monthly Usage Level in CCF	Current Rates	Proposed Rates	Dollar Impact	Percent Change
6	\$ 13.98	\$ 15.47	\$ 1.48	10.62%
10	21.18	23.35	2.16	10.22%
15	30.18	33.20	3.01	9.99%
50	93.18	102.15	8.96	9.62%
25	48.18	52.90	4.71	9.78%

 Charter Township of Garfield Planning Department Report No. 2023-73			
Prepared:	June 6, 2023	Pages:	1
Meeting:	June 13, 2023 Township Board	Attachments:	<input checked="" type="checkbox"/>
Subject:	BVNP Pickleball Courts Revised Policy		

BACKGROUND:

In February 2020, the Parks and Recreation Commission recommended a revised policy and agreement with the Traverse Area Pickleball Association (TAPA) for the pickleball courts area at Boardman Valley Nature Preserve (BNVP). This revised policy was adopted by the Township Board in 2020 and has been guiding use of the pickleball courts since then, though the agreement was intended to be for two years and expired in 2022. Since the agreement was approved, TAPA has administered the online court reservation system for the Township.

The agreement was reviewed by Parks and Recreation Commissioners at their June 5, 2023 meeting. The proposed updated language would not include a specified end date but rather would remain in place until either party wishes to terminate. The times when the courts would be available for reservations would be altered slightly to reflect observed use of the courts and prevent overbooking of the courts.

ACTION REQUESTED:

If, following discussion, the Township Board is comfortable with the proposed agreement with TAPA for use of the BVNP pickleball courts and management of the online reservation system, then the following motion is suggested:

MOTION THAT the revised agreement with the Traverse Area Pickleball Association (TAPA) for the pickleball courts at Boardman Valley Nature Preserve, as attached to Planning Department Report 2023-73, BE IMPLEMENTED.

Any additional information deemed necessary by the Township Board should be added to this motion.

Attachments:

1. Draft Revised Pickleball Court Agreement with TAPA including Exhibit A: Pickleball Court Policy

**PICKLEBALLCOURT AGREEMENT
WITH TRAVERSE AREA PICKLEBALL ASSOCIATION**

THIS AGREEMENT ("Agreement") is made and entered into as of this ____ day of June, 2023 ("Effective Date"), by and between the CHARTER TOWNSHIP OF GARFIELD, a Michigan municipal corporation and charter township ("Township"), and TRAVERSE AREA PICKLEBALL ASSOCIATION, a non-profit organization ("Association"), whose address is 3490 3 Mile Rd, Traverse City, Michigan 49686, and is made with reference to the following:

RECITALS

- A. Township is a municipal corporation duly organized and validly existing under the laws of the State of Michigan with the power to carry on its business as it is now being conducted under the statutes of the State of Michigan and the Charter of Township.
- B. At its **June 5, 2023** meeting, the Charter Township of Garfield Parks and Recreation Commission unanimously passed a motion recommending to the Charter Township of Garfield Board of Trustees that a revised policy be applied to the pickleball courts at the Boardman Valley Nature Preserve as described herein and incorporated herein by reference as Exhibit A be approved and administered with the Traverse Area Pickleball Association.
- C. At its **June 13, 2023** meeting, the Charter Township of Garfield Board of Trustees unanimously passed a motion approving the revised policy as described herein and incorporated herein by reference as Exhibit A be approved and administered with the Traverse Area Pickleball Association.
- D. The Charter Township of Garfield desires to engage the Traverse Area Pickleball Association to coordinate use of the pickleball courts at the Boardman Valley Nature Preserve on behalf of the Township and shall remain in place until either party wishes to terminate.

NOW THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM

The term of this Agreement shall commence on June 14, 2023, and shall remain in place until either party wishes to terminate, as described below in Item No. 6. Termination.

2. SERVICES TO BE PERFORMED

The Association shall coordinate use of the pickleball courts at the Boardman Valley Nature Preserve as described in the policy attached hereto as Exhibit A and incorporated herein by reference and provide an online reservation software program with link provided on the Township website for the reserved use of the pickleball courts in accordance with the policy.

3. ADMINISTRATION

This Agreement will be administered by the Township Planning Department. Township's Planning Director or designee shall have the authority to act for Township under this Agreement.

4. COOPERATION

The Association agrees to work closely and cooperate fully with the Township and any other agencies that may have jurisdiction or interest in the pickleball courts. Any special events or activities considered by the Association must receive approval from the Township.

5. NOTICES

All notices, demands, requests or approvals from the Association to the Township shall be addressed to the Township Planning Department.

6. TERMINATION

Township shall have the right, at its sole and absolute discretion and without cause, of terminating this Agreement at any time by giving no less than seven (7) calendar days' prior written notice to the Association. On the effective date of termination, the Association shall deliver to Township all documents and other information developed or accumulated in the performance of this Agreement, whether in draft or final form.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates written below.

CHARTER TOWNSHIP OF GARFIELD, a Michigan municipal corporation.

Date: _____

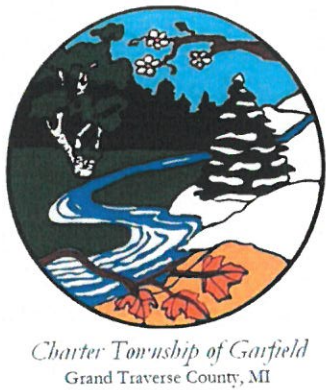
By: _____
Chuck Korn, Township Supervisor

TRAVERSE AREA PICKLEBALL ASSOCIATION, a non-profit organization

Date: _____

By: _____
Gary Ford, President

Attachments: Exhibit A – Pickleball Court Policy for Boardman Valley Nature Preserve 2023.



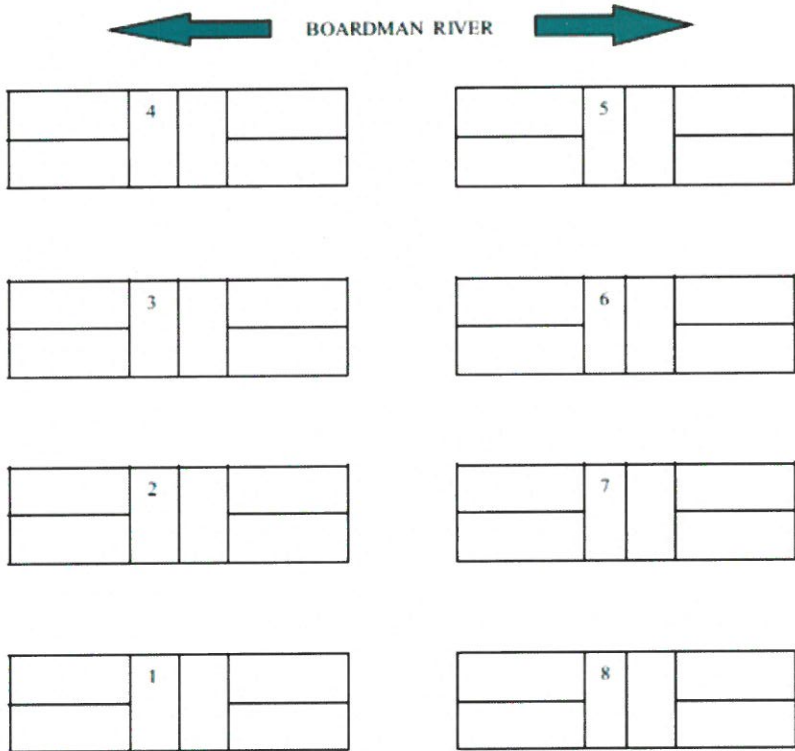
Garfield Township Parkland Rules

The following activities are prohibited and it shall be unlawful for any person or persons to do any of the following on Township Parkland;

- A. To remain on Township Parkland outside of the stated or posted hours of operation; two (2) hours before sunrise until two (2) hours past sunset, unless otherwise posted.
- B. To enter any area that is posted or in any other way identified as being "closed."
- C. To camp at any time unless written permission is obtained from the Parks Administrator.
- D. To have an open fire, outside the designated charcoal grills provided for the purpose of cooking, without written permission of the Parks Administrator (Private grills shall be allowed, either gas or charcoal, so long as the ashes will not be deposited on the ground). No fires may be built directly on the ground.
- E. To operate motorized vehicles of any kind on designated trails, except for maintenance or patrol as authorized by the Parks Administrator.
- F. To operate or park any motorized vehicles of any kind except in established driveways and parking areas.
- G. To commit vandalism of any kind, including but not limited to;
 - a. Removing, damaging, destroying or defacing Township owned property and equipment.
 - b. Destroying, damaging, injuring or removing any trees, shrubs, wildflowers or vegetation.
- H. To have a pet that is not on a leash or otherwise restrained and in control of its keeper. Animal leashes shall not exceed 16 feet in length. Animal excrement must be picked up, contained in a sealed bag and removed from Township Parkland or placed in trash receptacles as provided.
- I. To litter or otherwise dispose of or discard refuse of any kind except by placing said refuse in containers provided for that purpose.
- J. To dispose of any household refuse on Township Parkland or in garbage receptacles on Township Parkland.
- K. To solicit, post, advertise or in any way sell or attempt to sell any goods or services on Township Parkland without written permission of the Parks Administrator.
- L. To possess or consume beer, wine or any intoxicating liquors on Township Parkland.
- M. To possess, smoke or vape marijuana, tobacco or any other products on Township Parkland.
- N. To discharge projectiles by air, explosive substance or any other force by any firearm, revolver, pistol, shotgun, rifle, air rifle, air gun, paint ball gun, bow or other weapon that discharges a projectile. This section shall not apply to any peace officer, or duly appointed law enforcement officer while carrying out their duties. This section shall also not apply to any person lawfully hunting game as provided for in Ordinance No. 50 of Garfield Charter Township and as allowed by federal and state game laws.
- O. To, in any way, harass and intentionally disturb any and all wildlife on Township Parkland other than while hunting or fishing as provided for in Ordinance No. 50 of Garfield Charter Township and as allowed by federal and state game laws.
- P. To feed any wildlife at any time.
- Q. To refuse to comply with these Rules and Policies when requested by a local enforcement officer or in any way hinder the Parks Administrator, any employee or designee of the administrator while performing their official duties, including the enforcement of Garfield Charter Township Parkland Ordinance No. 50.

Welcome to the Pickleball Courts of the Boardman Valley Nature Preserve

The Township does not provide staff to regularly monitor use of the courts. For the courts to remain available for use, it is necessary and expected that users of the courts will police themselves and use the courts as intended. Please familiarize yourself with the following court rules and guidelines, and help others to understand and follow them.




Pickleball Court Rules and Guidelines

- 1) Courts are for pickleball play only.
- 2) Court/tennis shoes only (non-marking soles).
- 3) Courts are open from sunrise to sunset.
- 4) No food or drink on courts.
- 5) Open Play Courts 1, 2, 3, and 4
The purpose of open play is to play and socialize with all members of the pickleball community and to provide a variety of mixed skill level games, so that:
 - Players with similar skill levels have opportunities for competitive games.
 - Players with less advanced skills have the opportunity to challenge themselves against players with more advanced skills.
- 6) Open Court Rotation of Play Guidelines
 - Paddles must be queued up for open play.
 - 2 queues will be provided for the 6 open play courts, one for courts 1-4 and one for courts 7 and 8.
 - Standard play rotation will be "4 out, 4 in." Under "4 out, 4 in," when a game ends, all 4 players come off the court, unless the number of players waiting is 3, 2, or 1, then the number waiting will come in and the same number (3, 2 or 1) will leave.
 - Rotation into the next game occurs when the next open play court becomes available.
- 7) Challenge Courts 5 and 6
The purpose of a challenge court is to allow advanced players the opportunity to play competitive games and to provide intermediate players the opportunity to step away from open play and test themselves.
- 8) Challenge Court Rotation of Play Guidelines
 - Paddles must be queued up for play on a challenge court.
 - While the challenge court is intended for intermediate to advanced play, ANY player may elect to play on the challenge courts, and no other player may discourage or restrict them from doing so.
 - Players electing to play on a challenge court should understand that all players on this court are expecting a challenging game and will not be expected to "go easy" on anyone.
 - Teams stay together on this court.
 - When a game ends, the winning team stays on and stays together after a win, and a new team comes in to challenge them. The loser of the challenge comes off the court.
 - Players are encouraged not to play exclusively on the challenge courts. Advanced players (4.0 skill rating or higher) should consider themselves ambassadors of the sport, and as such, are encouraged to play some games on the open play courts and use those games to mix with other players.
- 9) Open Play Courts 7 and 8; 4.0 Skill Level or Higher
The purpose of the open courts for 4.0 skill level or higher is:
 - to provide players with 4.0 skill level ratings, or higher, or with comparable ability to have opportunity for competitive games.
 - to provide players with 4.0 skill level ratings, or higher, opportunities to practice the soft game elements of pickle ball (dinkings, placement, soft third shots, soft blocking, etc.).
- 10) Reservation Policy for Courts 5, 6, 7 & 8 ONLY
Courts may be reserved to allow groups of players the ability to reserve, up to four courts for family groups, round robins or other groups to play uninterrupted.
Courts 5, 6, 7 & 8 may only be reserved during the following hours:
 - Monday - Friday: 8:00 a.m. to 10:00 a.m. and 4:00 p.m. to 7:00 p.m.
 - Saturday & Sunday, 8:00 a.m. to 11:00 a.m.

Courts may only be reserved online through the Garfield Township reservation system at www.garfield-twp.com within 48 hours of the reservation.

Challenge Court play (courts 5 & 6) and 4.0 skill level or higher open play (courts 7 & 8) shall be suspended whenever courts 5, 6, 7 or 8 are reserved, during the reserve periods only.

 Charter Township of Garfield Planning Department Report No. 2023-74			
Prepared:	June 7, 2023	Pages:	1
Meeting:	June 13, 2023 Township Board	Attachments:	<input checked="" type="checkbox"/>
Subject:	Consideration of Cost-Sharing with YMCA for Racquet Club Drive Repair		

BACKGROUND:

The YMCA recently contracted with Team Elmer's on repairs to Racquet Club Drive, which serves as the entrance for the Boardman Valley Nature Preserve (BVNP) including the South YMCA. The quote from Team Elmer's is for \$12,252.00 for the entire project; details are included as an attachment to this report. The Township has been asked to share in the cost of these repairs.

The Township may consider a partial cost-share for these repairs. It is suggested that due to the seasonal peaks in usage between the YMCA and other users of BVNP, a Township contribution of one-third of the total cost may be considered appropriate.

ACTION REQUESTED:

If, following discussion, the Township Board is comfortable with sharing in the cost of these repairs, then the following motion is suggested:

MOTION THAT a Township contribution in the amount of \$4,084.00 to the repairs of Racquet Club Drive BE APPROVED.

Any additional information deemed necessary by the Township Board should be added to this motion.

Attachments:

1. Proposal from Team Elmer's dated April 10, 2023
2. Map of Racquet Club Drive areas for repair



PROPOSAL

P.O. Box 6150 Traverse City, MI 49696-6150
1.800.3ELMERS • 231.943.3443 • 231.943.8975 Fax
www.TeamElmers.com
EOE/AA

Proposal submitted to:

YMCA
CHRIS
3700 SILVER LAKE RD.
TRAVERSE CITY MI. 49684

701-213-1528
GRAVEL, GRADE, PATCH REPAIR POT HOLES
LOCATION: 3000 RACQUETBALL COURT DRIVE
2023-0287

4/10/2023

We hereby submit specifications and estimates for:

chrisr@gtbayymca.org

PROVIDE LABOR, EQUIPMENT, AND MATERIALS TO DO THE FOLLOWING:

SAW CUT AND REMOVE DAMAGED ASPHALT IN 9 AREAS FROM 1'X 1' TO 11' X 100'
FOR REPAIRS, HAUL AWAY OLD ASPHALT.
ADD SUPPLEMENTAL 22-A GRAVEL
FINE GRADE & COMPACT FOR PAVING.
PAVE AREAS WITH 2.5" THICKNESS COURSE OF ASPHALT.

TOTAL \$12,252.00

SEE SKETCH

AREAS FOR PATCH REPAIRS:

1X1
2X2
2X2
2X3
7X8
13X15
8X30
20X20 2,006 TOTAL SQUARE FEET OF PATCHES

**** ELMER'S WILL NOT BE RESPONSIBLE FOR PROPER DRAINAGE DUE TO EXISTING SURROUNDING ASPHALT AREAS.**

THANK YOU

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers' Compensation Insurance. The General Conditions attached hereto or appearing on the back side of this Proposal are hereby incorporated by reference.



Authorized Signature

Name:

ROD BROAD

30

Note: This proposal may be withdrawn by us if not accepted within

days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature _____

Date of Acceptance _____

(Sign and return copy upon acceptance)

A finance charge of 1.5% per month, which is an annual percentage rate of 18% per year, or a minimum charge of \$ 50 per month, shall be applied to all accounts over 30 days past due.

When reviewing estimates and selecting a contractor:

- Always get multiple bids for a project. The lowest bid is not necessarily the best choice. Try to get an understanding of why one bid is significantly lower or higher than others; the reasons might change your decision.
- Get recent references from the contractors you are considering.
- Make sure the contractor has the appropriate business and builder licenses, as well as insurance.
- All project specifications and payment terms should be written in the contract.
- The best contractors provide a written warranty or guarantee.

Fully Bonded & Insured • Daily quality control checks for all products

GENERAL CONDITIONS

No Oral Agreements:

It is expressly understood that all the items, agreements and conditions relating to this contract are only those expressed in writing herein, and that there are no oral representations, undertakings, terms, agreements or conditions of any kind other than those set forth in this Proposal. No modifications of this Proposal shall be valid unless such modification is in writing and signed by all parties to this Proposal.

Time For Acceptance, Approval:

This Proposal must be accepted by the Purchaser within thirty (30) days from the date hereof. If not accepted within that period, this Proposal may be withdrawn at Elmer's sole discretion and the Proposal considered void. A facsimile copy of this Proposal containing the Purchaser's signature shall be considered an original. This Proposal will not be binding until the signed acceptance has been timely received by Elmer's.

Estimated or Approximated Quantities:

Quantities of material and labor utilized and areas and sizes for the project in this Proposal are approximate and arrived at for estimating purposes only, and it is understood that payment is to be made on actual quantities of material and labor utilized and actual areas covered unless otherwise indicated.

Thickness:

The paving thickness referenced in this proposal is the average thickness. Variation in sub-base and technical limitations may result in variation of the thickness.

Property Lines:

Purchaser is responsible for establishing and designating property lines. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless (including reasonable attorneys' fees) from and against any and all costs, expenses and/or damages incurred by Elmer's as a result of Purchaser's failure to properly identify and/or designate the property lines, including, without limitation, damages for trespass.

Delays:

Elmer's shall complete the project within a reasonable time but shall not be liable for delays beyond its reasonable control, including, without limitation, strikes, weather, accidents.

Permits:

Purchaser shall pay for and provide Elmer's any and all permits or assessments which are required for the project prior to the commencement.

Zoning:

Elmer's assumes no responsibility for determining whether Purchaser has legal right or authority to have the project completed in the manner and at the location described in this Proposal. Notwithstanding that the project might be determined to violate any ordinance, statute, regulation or other law, state, local or federal, the Purchaser shall, nevertheless, be obligated to pay Elmer's for the work performed and materials supplied in accordance with this Proposal. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless (including reasonable attorneys' fees) from and against any and all costs, damages, and expenses associated with or related to the violation of any ordinance, regulation, or other law, either local, state or federal.

Wet or Unstable Subgrade:

A suitable subgrade provided by the Purchaser is a condition precedent to the requirement of Elmer's performance of this Proposal.

Stockpiling Materials:

Elmer's shall be permitted to stockpile materials necessary to the performance of its work, on the Purchaser's property, adjacent to the work site, without cost.

Underground Structures:

Purchasers shall identify in writing the existence and location of all underground structures including, without limitation, all sewer, water and gas lines, tanks, etc. which might be encountered by Elmer's in the performance of this Proposal. Elmer's shall be deemed to have notice only of the existence of those underground structures specifically referenced and identified in this Proposal, and of the location thereof as indicated in this Proposal. In the event the identity or location of an underground structure varies from that designated in this Proposal or by the Purchaser, any extra cost associated with moving, protecting or covering same, shall be the responsibility of the Purchaser. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless from any and all costs, damages, and/or expenses (including reasonable attorneys' fees) resulting from Purchaser's failure to properly identify and/or locate any underground structure for Elmer's.

Unusual Conditions:

Should any unusual conditions be encountered that are either not specifically referenced in this Proposal or are not anticipated to be encountered by Elmer's in the performance of this Proposal, resulting in any extra costs in the performance of the work, the cost(s) thereof, shall be the full responsibility of the Purchaser.

Damage to Trees and Landscaping:

Elmer's shall not be responsible for damage to trees, shrubbery, flower beds, landscaping which may occur during the project, nor shall Elmer's be obligated to remove damaged or destroyed trees or landscaping or replace same.

Payment:

Payment is due in full upon completion of the project. However, interim billings for partial performance may be invoiced at Seller's discretion with payment due in full upon invoicing. A finance charge of 1.5% per month, which is an annual percentage rate of 18% (or a minimum charge of \$.50 per month) shall be assessed on all accounts which are thirty (30) days past due.

Non-Payment, Default:

If Purchaser shall fail to make a payment when due or breaches any agreement in this Proposal, Purchaser will be in default. In the event of a default, Elmer's may, on written notice to Purchaser, terminate this Proposal and recover from Purchaser payment for all work completed and for a loss sustained as a result of such termination including, without limitation, loss of profit, repositioning costs, etc. In addition to any other remedies available, Elmer's may initiate suit for the collection or enforcement of this Proposal. Purchaser shall pay all costs incurred by Elmer's for collection or enforcement of this Proposal including actual attorney and/or agency fees. The rights, remedies and benefits provided by this Proposal to Elmer's shall be cumulative and not exclusive. The parties agree that all legal proceedings, relating to this Proposal, shall be heard and decided in a court of competent jurisdiction in Grand Traverse County, Michigan.

Acceptance:

All work performed and materials supplied shall be deemed accepted by the Purchaser if not objected to, in writing, within ten (10) days of the completion of the project.

MAINTENANCE GUARANTEE

This product is guaranteed against failure due to improper workmanship or materials. Use of a product for a purpose other than the disclosed or intended use or by heavier traffic than disclosed will void the guarantee. It is understood that this guarantee does not cover damage caused by intentional or accidental excavation, fire, flood, gasoline, oil, chemicals, subsurface water, overloading or other misuse. Failure of the purchaser to conform to the requirements of timely payment as stipulated in the General Conditions will void this guarantee. This guarantee does not apply to first or intermediate stages of construction. Asphalt bases are not guaranteed. This guarantee starts when the final wearing surface is placed.

YMCA 300 RACQUETBALL CLUB DR.

SAW CUT AND REMOVE 2,006 SQUARE FEET OF DAMAGED ASPHALT IN 9 AREAS OF DRIVE & PARKING LOT.
ADD SUPPLEMENTAL GRAVEL, FINE GRADE FOR PAVING.
PAVE AREAS WITH 2.5" THICKNESS OF ASPHALT.

Legend

Google Earth

300 ft

N

